



THE COUNCIL OF EDUCATION'S  
**SHAHAJI LAW COLLEGE**  
KOLHAPUR

NAAC Cycle III

Criterion No.: 3

Metrics No.: 3.3.3



# SHAHAJI LAW COLLEGE

## NAAC Cycle III

CRITERION NO.: 3

METRICS NO.:3.3.3

Sr. No.	Title of the book/chapters published	Name of the teacher
1	MBA Part 1, Semester 1- Business Law	Prof. Dr M C Sheikh
2	B.Com. Part 3, Semester 5 and 6- Business Management and Structure regarding Law	Prof. Dr M C Sheikh
3	MBA Part 1, Sem.1, Paper 8- Business Law	Asst. Prof. Praveen B. Patil
4	MBA Part 1, Sem.1, Paper 8- Business Law	Asso. Prof. Savita Rasam
5	MBA Part 1, Sem.1, Paper 8- Business Law	Asso. Prof. Savita Rasam
6	Constitutional Law-I	Asst. Prof. S. S. Desai
7	Family Law- I	Asst. Prof. S. S. Desai
8	Law of Contract- I	Asst. Prof. S. S. Desai
9	Law of Crimes- I	Asst. Prof. S. S. Desai
10	Professional Ethics and Professional Accounting System	Asst. Prof. S. S. Desai
11	Fundamentals of Research	Asst. Prof. S. S. Desai
12	Law of Tort and Consumer Protection Law	Asst. Prof. S. S. Desai



<b>13</b>	<b>Political Science - III</b>	<b>Asst. Prof. S. S. Desai</b>
<b>14</b>	<b>Economics-I</b>	<b>Asst. Prof. S. S. Desai</b>
<b>15</b>	<b>Constitutional Law-II</b>	<b>Asst. Prof. S. S. Desai</b>
<b>16</b>	<b>History-I</b>	<b>Asst. Prof. S. S. Desai</b>
<b>17</b>	<b>Alternative Dispute Resolution (ADR)</b>	<b>Asst. Prof. S. S. Desai</b>
<b>18</b>	<b>Interpretation of Statutes</b>	<b>Asst. Prof. S. S. Desai</b>
<b>19</b>	<b>International Human Rights</b>	<b>Asst. Prof. S. S. Desai</b>
<b>20</b>	<b>Administrative Law</b>	<b>Asst. Prof. S. S. Desai</b>
<b>21</b>	<b>Banking and Insurance Law</b>	<b>Asst. Prof. S. S. Desai</b>
<b>22</b>	<b>Public Interest Lawyering and Para Legal Services</b>	<b>Asst. Prof. S. S. Desai</b>
<b>23</b>	<b>Criminology, Penology and Victimology</b>	<b>Asst. Prof. S. S. Desai</b>
<b>24</b>	<b>Civil Procedure Code and Limitation Act</b>	<b>Asst. Prof. S. S. Desai</b>
<b>25</b>	<b>Personality Development &amp; Communication Skill</b>	<b>Asst. Prof. S. S. Desai</b>
<b>26</b>	<b>Law of Contract-II</b>	<b>Asso Prof Dr S R Rasam</b>
<b>27</b>	<b>Environmental Law</b>	<b>Asso Prof Dr M C Sheikh</b>
<b>28</b>	<b>Family Law-II</b>	<b>Asstt. Prof. Asmita P.Patil</b>
<b>29</b>	<b>M.A. Part 1, Sem 2 - Political Science</b>	<b>Asst. Prof. Suchita Surgihalli</b>



**Year wise Papers published in national/ international conference proceedings –**

<b>Sr. No.</b>	<b>Title of the paper</b>	<b>Name of the teacher</b>
<b>30</b>	<b>Legal Complexities in the applicability of NEP 2020</b>	<b>Asst. Prof. Asmita Patil</b>
<b>31</b>	<b>Promotion of Health Care System through a Grievance Redressal Mechanism – Need of a Time</b>	<b>Asst. Prof. Kirti Pawar</b>
<b>32</b>	<b>Constitutional Protection to Environment</b>	<b>Dr. S. R. Rasam</b>
<b>33</b>	<b>The Dimensions of Social Exclusion of Migrants in the European Continent- An Analysis</b>	<b>Dr. S. R. Surgihalli</b>
<b>34</b>	<b>E-Commerce Challenges and their Solutions Under Consumer Protection Act, 2019 and Consumer Protection (E-Commerce) Rules,2020</b>	<b>Asst. Prof. Dipti Patil</b>
<b>35</b>	<b>Advancement of Technology in Digital Era leading to Violation of Human Rights</b>	<b>Asst. Prof. Kalyani Pawar</b>
<b>36</b>	<b>Advancement of Technology in Digital Era leading to Violation of Human Rights</b>	<b>Asst. Prof. Fatima Mulla</b>
<b>37</b>	<b>Women Judges: The emerging Judicial Leadership</b>	<b>Dr. M. C. Sheikh</b>
<b>38</b>	<b>Audacity for Data Ambition - A Wake up call in Digital Age</b>	<b>Dr M C Sheikh</b>



<b>39</b>	<b>Articulation of Women Empowerment in India, a Legal Perspective</b>	<b>Dr M C Sheikh</b>
<b>40</b>	<b>Mee Too Movement : A Legal Perception</b>	<b>Dr M C Sheikh</b>
<b>41</b>	<b>Reversal of Globalisation : A Third World Perspective</b>	<b>Dr. S. R. Surgihalli</b>
<b>42</b>	<b>E-Banking : Opportunities and Challenges in the Cyber World</b>	<b>Asst. Prof. S. V. Patki</b>
<b>43</b>	<b>Higher E-Education in India : A Bird Eye View</b>	<b>Dr. M. C. Sheikh</b>
<b>44</b>	<b>Delayed Justice and Democratic Principles : An Uneven Balance</b>	<b>Dr. M. C. Sheikh</b>
<b>45</b>	<b>Delayed Justice and Democratic Principles : An Uneven Balance</b>	<b>Asst. Prof. Swati Gawade</b>
<b>46</b>	<b>Women Empowerment</b>	<b>Dr. M. C. Sheikh</b>
<b>47</b>	<b>Rehabilitation of Young Offenders : Human Rights Perspective</b>	<b>Asst. Prof. S. V. Patki</b>
<b>48</b>	<b>Alternative Dispute Resolution : As A Quick Access to Justice,</b>	<b>Asst. Prof. Swati Gawade</b>





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✓ प्रा. डॉ. प्रविण बी. पाटील, शाहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर ४१६००१	प्रा. उदय सावत, राशवंतराव चव्हाण लॉ कॉलेज, मलकापूर पुणे- बेंगलोर हायवे, कराड जि. सातारा
डॉ. (श्रीमती) अदिति देसाई, न्यु लॉ कॉलेज, सद्गुरु विश्वनाथ महाराज रूकडोकर मार्ग रेसकोर्स नाका, पदमाळा, कोल्हापूर ४१६००१	✓ डॉ. (श्रीमती.) सविता रविकान्त रासम शाहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर. ४१६००१
डॉ. प्रमोद चौगुले, गणपतराव आरवाडे कॉलेज ऑफ कॉमर्स, नॉर्थ शिवाजी नगर, गोकुळ नगर, सांगली ४१६४१६.	✓ डॉ. एम. सी. शेख शाहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर. ४१६००१.
डॉ. महेंद्र खैरनार, भारती विद्यापीठ, यशवंतराव चव्हाण लॉ कॉलेज, मलकापूर पुणे- बेंगलोर हायवे, कराड जि. सातारा	

विषय : एम. बी. ए. भाग १ Business Law च्या स्वयंअध्ययन साहित्याबाबत.

नमोदय/नमोदया,

दूरशिक्षण व ऑनलाईन शिक्षण केंद्राकडून तयार करण्यात आलेल्या एम. बी. ए. भाग १ मधील Business Law या स्वयंअध्ययन साहित्याच्या लेखन व संपादन कामामध्ये आपण दिलेल्या सहकार्याबद्दल मी आपला आभारी आहे. यासंदर्भातील प्रमाणपत्र सोबत जोडले आहे. भविष्यात आपले सहकार्य असेच रहावे, ही विनंती.

संलग्न: वर्गलप्रमाण

आपला विश्वासू

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डॉ. ए. एम. गुरव, अध्यक्ष, कॉमर्स अभ्यासमंडळ, वाणिज्य व व्यवस्थापन अधिविभाग, शिवाजी विद्यापीठ, कोल्हापूर.	डॉ. के. व्ही. मारुलकर, वाणिज्य व व्यवस्थापन अधिविभाग, शिवाजी विद्यापीठ, कोल्हापूर.
डॉ. एन. एम. मुजावर, श्री व्यंकटेश महाविद्यालय, इचलकरंजी	✓ डॉ. एम. सी. शेख, शहाजी लॉ कॉलेज, कोल्हापूर
डॉ. यू. आर. शिंदे, सदाशिवराव मंडलीक महाविद्यालय, मुरुगुड	डॉ. श्रीमती निता देशपांडे, व्ही. पी. इन्स्टिट्यूट ऑफ मॅनेजमेंट अॅण्ड रिसर्च सेंटर, सांगली.
अॅड. मुकुंद फडके, कर्मवीर भाऊराव पाटील इन्स्टिट्यूट ऑफ मॅनेजमेंट स्टडीज अॅण्ड रिसर्च, सातारा.	

विषय : बी. कॉम. भाग ३ विषयाच्या स्वयं अध्ययन साहित्याबाबत.

महोदय/महोदया,

सेंटर फॉर डिस्टन्स अॅण्ड ऑनलाईन एज्युकेशनकडून तयार करण्यात आलेल्या बी. कॉम. भाग ३ मधील व्यवसाय नियमन कायदेविषयक रचना या स्वयंअध्ययन साहित्याच्या लेखन व संपादन कामामध्ये आपण दिलेल्या सहकार्याबद्दल मी आपला आभारी आहे. यासंदर्भातील प्रमाणपत्र सोबत जोडले आहे. भविष्यात आपले सहकार्य असेच रहावे, ही विनंती.

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### सेंटर फॉर डिस्टन्स अँड ऑनलाईन एज्युकेशन

#### प्रमाणपत्र


सेंटर फॉर डिस्टन्स अँड ऑनलाईन एज्युकेशनकडून तयार करण्यात आलेल्या बी. कॉम. विषयाच्या खालील स्वयं अध्ययन साहित्यामध्ये (डॉ.) एम. सी. शेख, शहाजी लॉ कॉलेज, कोल्हापूर यांनी घटक लेखन व संपादन केले आहे.

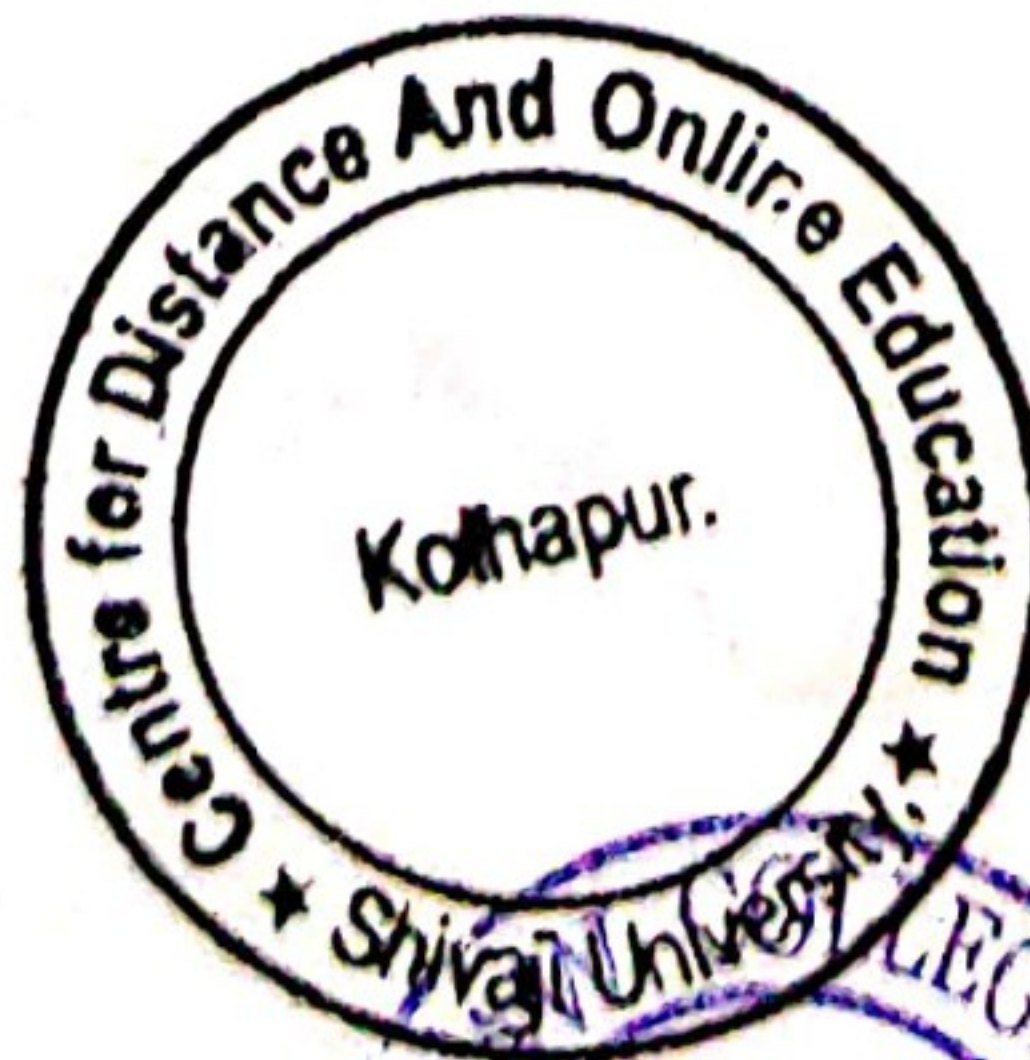
अ.क्र	विषयाचे नाव	लेखन व संपादन कामाचा तपशील	आयएसबीएन नंबर
१	बी. कॉम. भाग ३ सत्र ५ व ६ व्यवसाय नियमन व कायदेविषयक रचना	संपादन व सत्र ५ मधील घटक क्रमांक २ चे घटक लेखन	978-93-92887-78-9

  
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**प्रमाणपत्र**

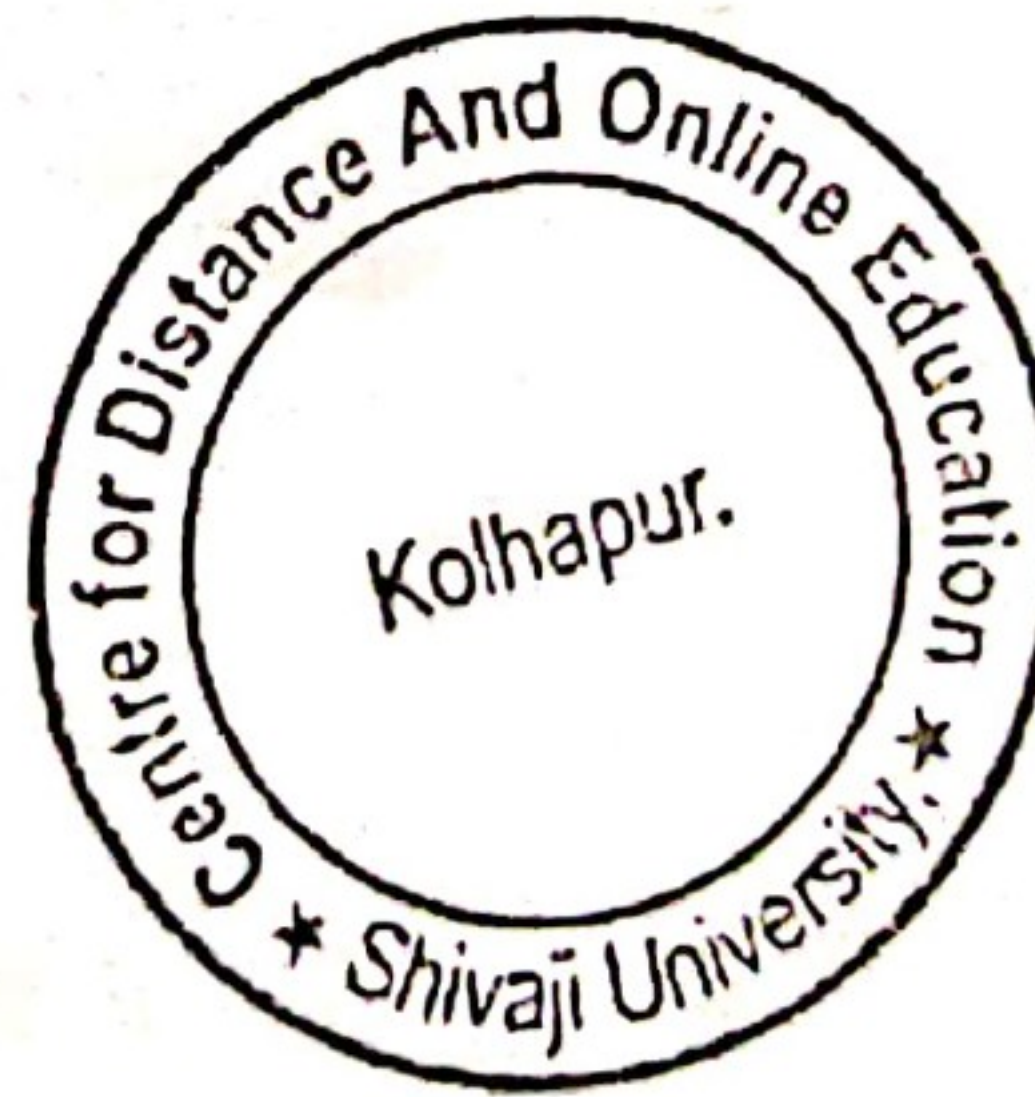
दूरशिक्षण व ऑनलाईन शिक्षण केंद्रामार्फत तयार करण्यात आलेल्या एम. बी. ए अभ्यासक्रमाच्या खालील विषयाच्या स्वयं अध्ययन साहित्यामध्ये डॉ. एम. सी. शेख, शहाजी लॉ कॉलेज, कोल्हापूर यांनी घटक लेखन केले आहे.

अ.क्र	विषयाचे नाव	लेखन व संपादन कामाचा तपशील	आयएसबीएन नंबर
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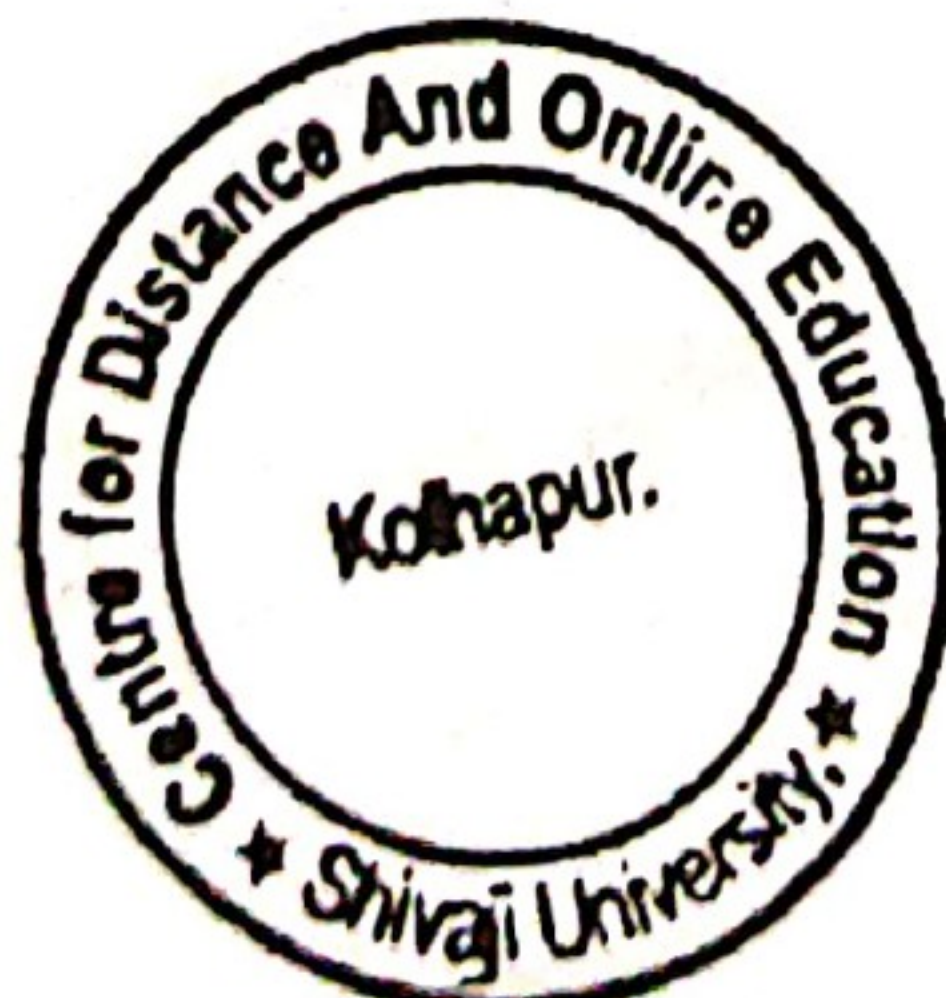
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बो. कॉम. विषयाच्या खालील स्वयं अध्ययन साहित्यामध्ये (डॉ.) एम. सी. शेख,  
शहाजी लॉ कॉलेज, कोल्हापूर यांनी घटक लेखन व संपादन केले आहे.


अ.क्र.	विषयाचे नाव	लेखन व संपादन कामाचा तपशील	आयएसबीएन नंबर
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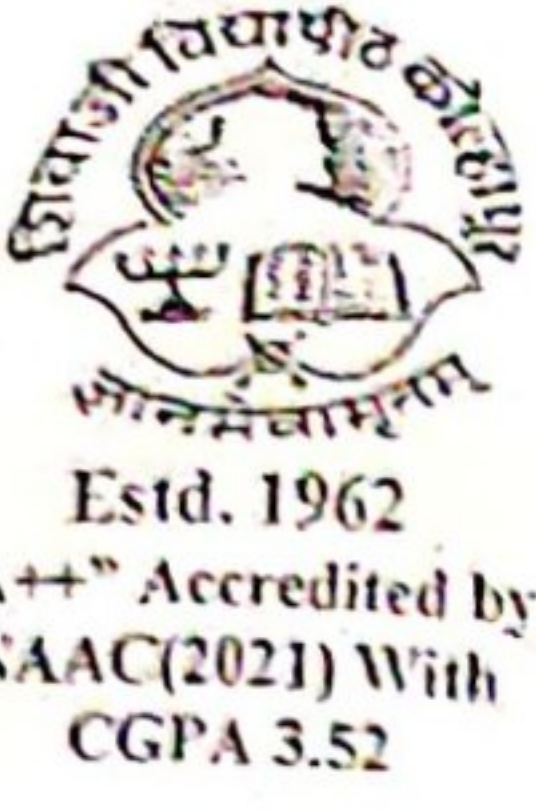
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✓ प्राचार्य, डॉ. प्रविण बी. पाटील, शहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर ४१६००१	प्रा. उदय सावंत, यशवंतराव चव्हाण लॉ कॉलेज, मलकापूर पुणे- बेंगलोर हायवे, कराड जि. सातारा
डॉ. (श्रीमती) अदिती देसाई, न्यु लॉ कॉलेज, सदगुरू विश्वनाथ महाराज रुकडीकर मार्ग रेसकोर्स नाका, पदमाळा, कोल्हापूर ४१६००१	✓ डॉ. (श्रीमती.) सविता रविकांत रासम शहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर. ४१६००१
श्री. प्रणंद चौगुले, गणपतराव आरवाडे कॉलेज ऑफ कॉमर्स, नॉर्थ शिवाजी नगर, गोकुळ नगर, सांगली ४१६४१६.	✓ डॉ. एम. सी. शेख शहाजी लॉ कॉलेज, १०९०, ई वॉर्ड, शाहुपूरी कोल्हापूर. ४१६००१.
डॉ. गहेंद्र खैरनार, भारती विद्यापीठसू, यशवंतराव चव्हाण लॉ कॉलेज, मलकापूर पुणे- बेंगलोर हायवे, कराड जि. सातारा	

विषय : एम. बी. ए. भाग १ Business Law च्या स्वयंअध्ययन साहित्याबाबत.

महोदय/महोदया,

दूरशिक्षण व ऑनलाईन शिक्षण केंद्राकडून तयार करण्यात आलेल्या एम. बी. ए. भाग १ मधील Business Law या स्वयंअध्ययन साहित्याच्या लेखन व संपादन कामामध्ये आपण दिलेल्या सहकार्याबद्दल मी आपला आभारी आहे. यासंदर्भातील प्रमाणपत्र सोबत जोडले आहे. भविष्यात आपले सहकार्य असेच रहावे, ही विनंती.

आपला विश्वासू

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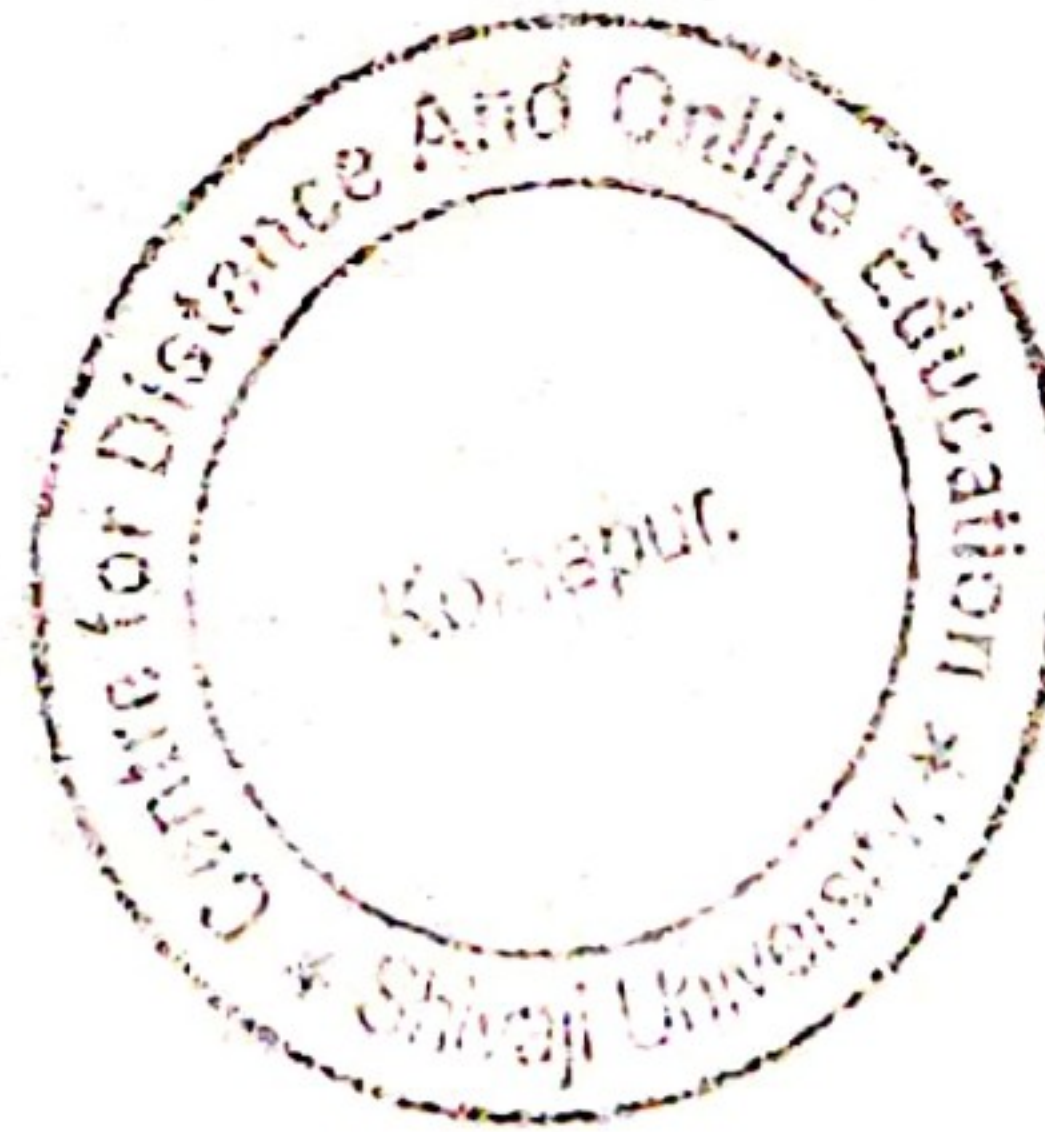
## शिवाजी विद्यापीठ, कोल्हापूर दूरशिक्षण व ऑनलाईन शिक्षण केंद्र प्रमाणपत्र

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अ.क्र	विषयाचे नाव	लेखन व संपादन कामाचा तपशील	आयएसबीएन नंबर
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दूरशिक्षण केंद्र

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Date: 29 JAN 2022  
मिनिम: 29 JAN 2022

प्रति, डॉ. उदय सावंत, कराड.	डॉ. (श्रीमती) सविता रासम, शाहाजी लॉ कॉलेज, कोल्हापूर.
डॉ. एम. सी. शेख, शाहाजी लॉ कॉलेज, कोल्हापूर.	डॉ. प्रविण पाटील, शाहाजी लॉ कॉलेज, कोल्हापूर.
डॉ. (श्रीमती) अदिती देसाई, न्यू लॉ कॉलेज, कोल्हापूर.	

विषय : दूरशिक्षण केंद्रांतर्गत एम.बी.ए. भाग १ Business Law स्वयं अध्ययन साहित्याबाबत.

महोदय/महोदया,

दूरशिक्षण केंद्रांतर्गत एम.बी.ए. भाग 1 Business Law विषयाचे स्वयं अध्ययन साहित्य तयार करण्यासाठी दि. 25/01/2022 रोजी ऑनलाईन पध्दतीने कार्यशाळा आयोजित करण्यात आली होती. सदर कार्यशाळेमध्ये उपरोक्त विषयाचे स्वयं अध्ययन साहित्यामधील आपल्या नावासमोर दर्शविण्यात आलेले घटकांचे इंग्रजी नाव्यमातील लेखन आपणाकडे सोपविण्यात आले आहे. सदरचे घटक लेखन जमा करणेसाठी दि. 28 फेब्रुवारी, 2022 रोजी दूरशिक्षण केंद्र येथे बैठक आयोजित करण्यात आली आहे. तरी सदर बैठकीवेळी घटक लेखनासह उपस्थित रहावे. कार्यशाळेवेळी सदर स्वयं अध्ययन साहित्याचे संपादक म्हणून डॉ. उदय सावंत व डॉ. प्रविण पाटील यांना नियुक्त करण्यात आले आहे.

अ.क.	घटकाचे नांव	लेखकाचे नांव
सत्र 1		
1	Law of Contract & Sale of Goods	डॉ. (श्रीमती) अदिती देसाई
2	Negotiable Instruments and Consumerism	डॉ. उदय सावंत
	(A) Negotiable Instruments Act, 1881	डॉ. (श्रीमती) सविता रासम
3	(B) Consumer Protection Act, 2019	डॉ. प्रविण पाटील
	Corporate Law & Protection of Intellectual Property	डॉ. एम. सी. शेख
4	Laws related with Information Technology and Right to Information (A) Information Technology Act, 2000	डॉ. (श्रीमती) सविता रासम
	(B) Right to Information Act, 2005	

कळावे.

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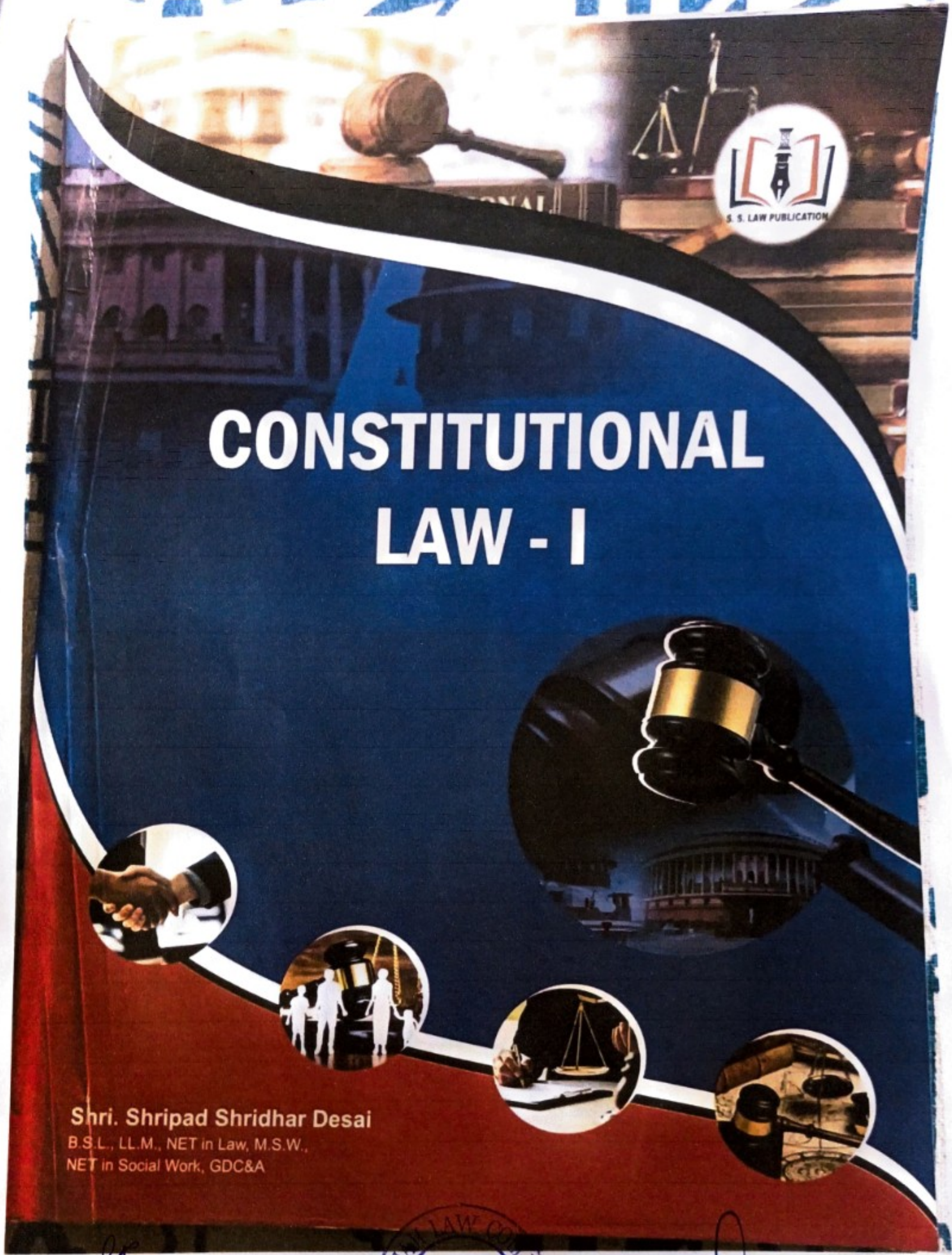
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01.	Constitutional Law- I	978-81-95797-0-4	2021
02.	Constitutional Law- II	978-93-92404-00-9	2021
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04.	Law of Contract-II (Special Contract)	978-93-92404-07-8	2021
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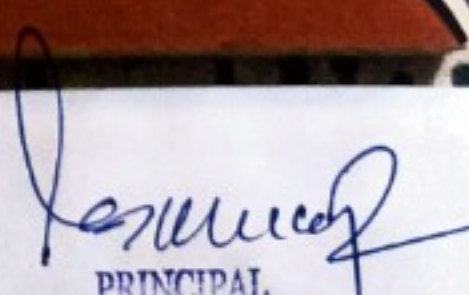
  
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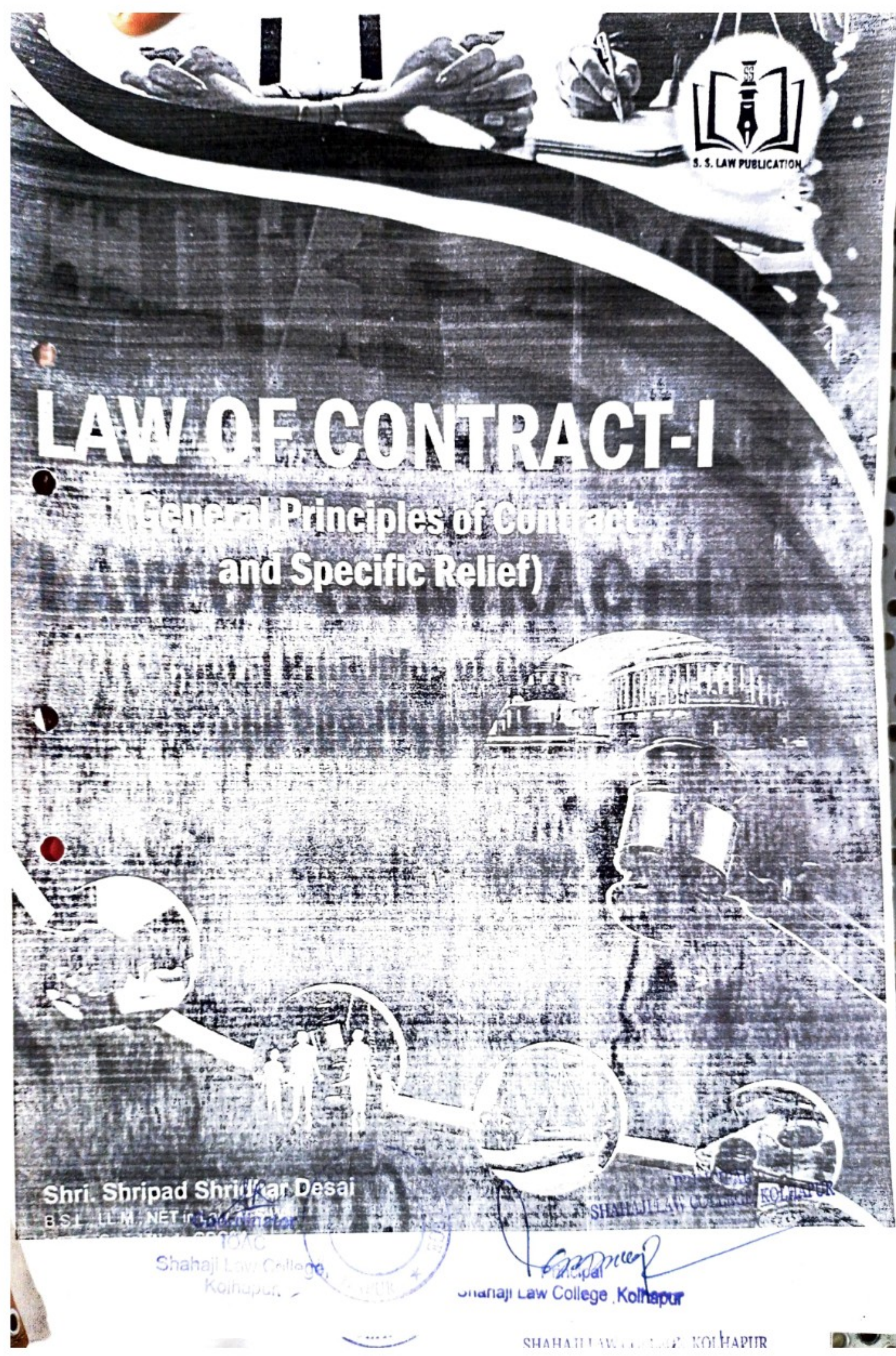
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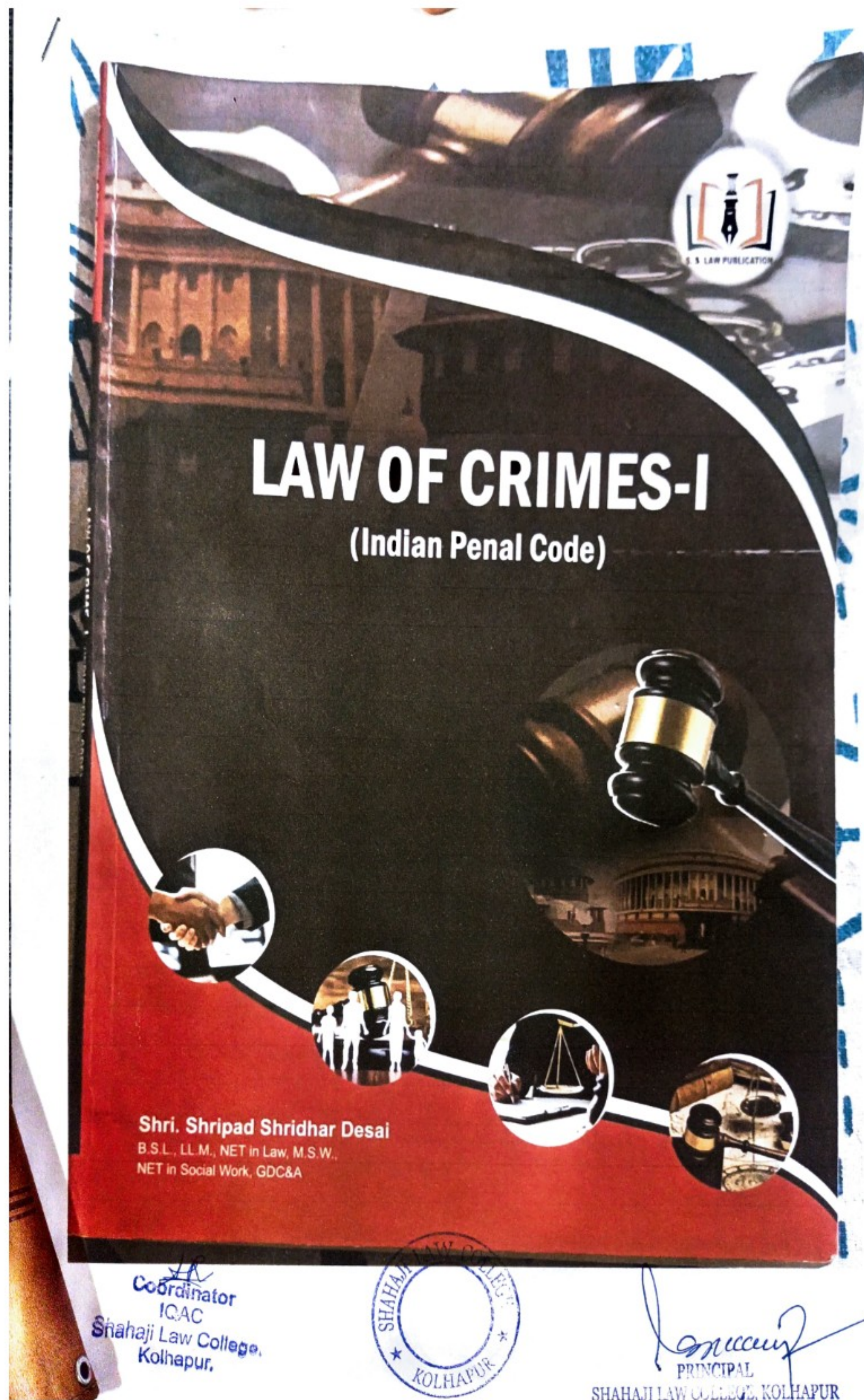
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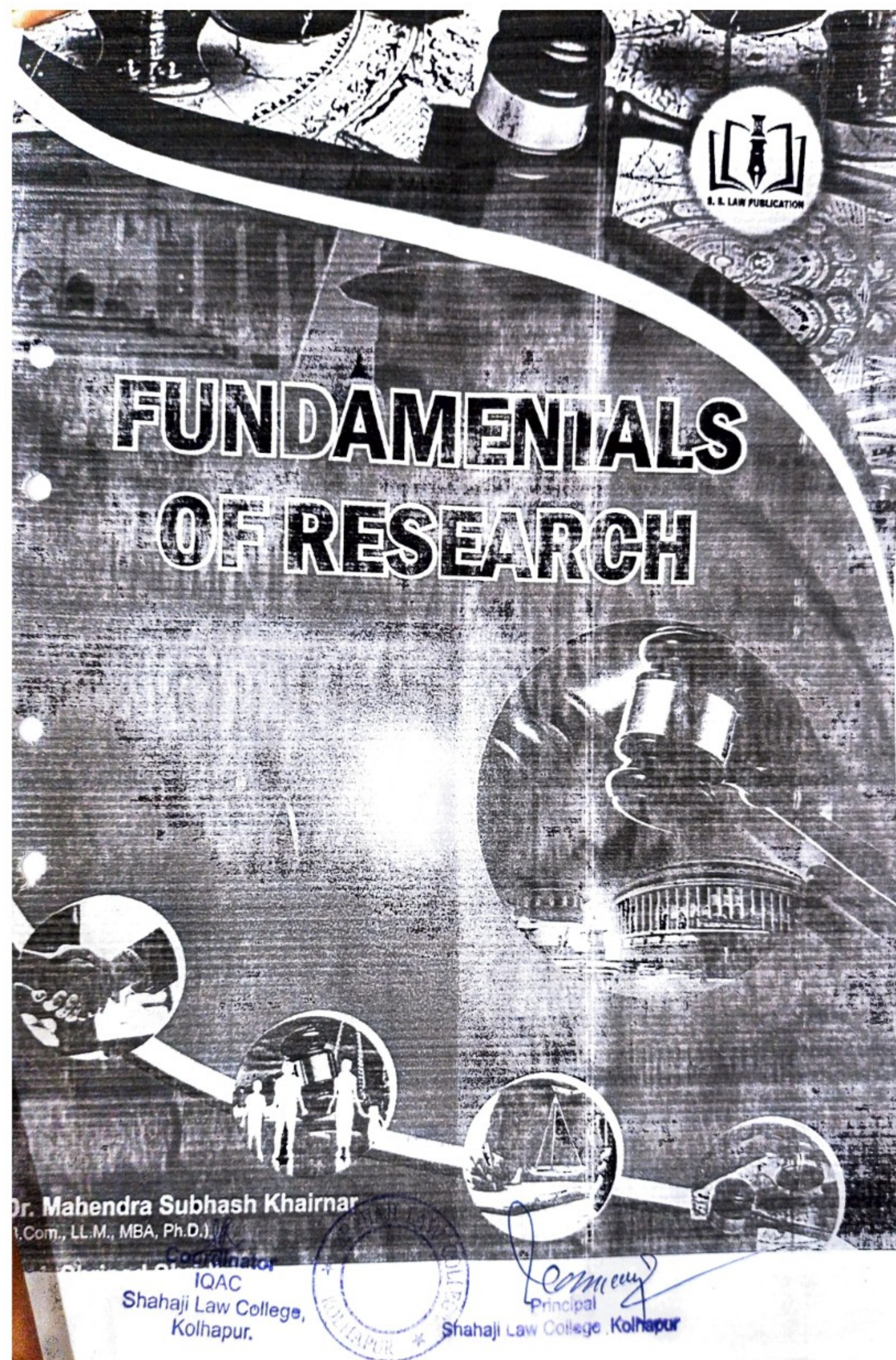
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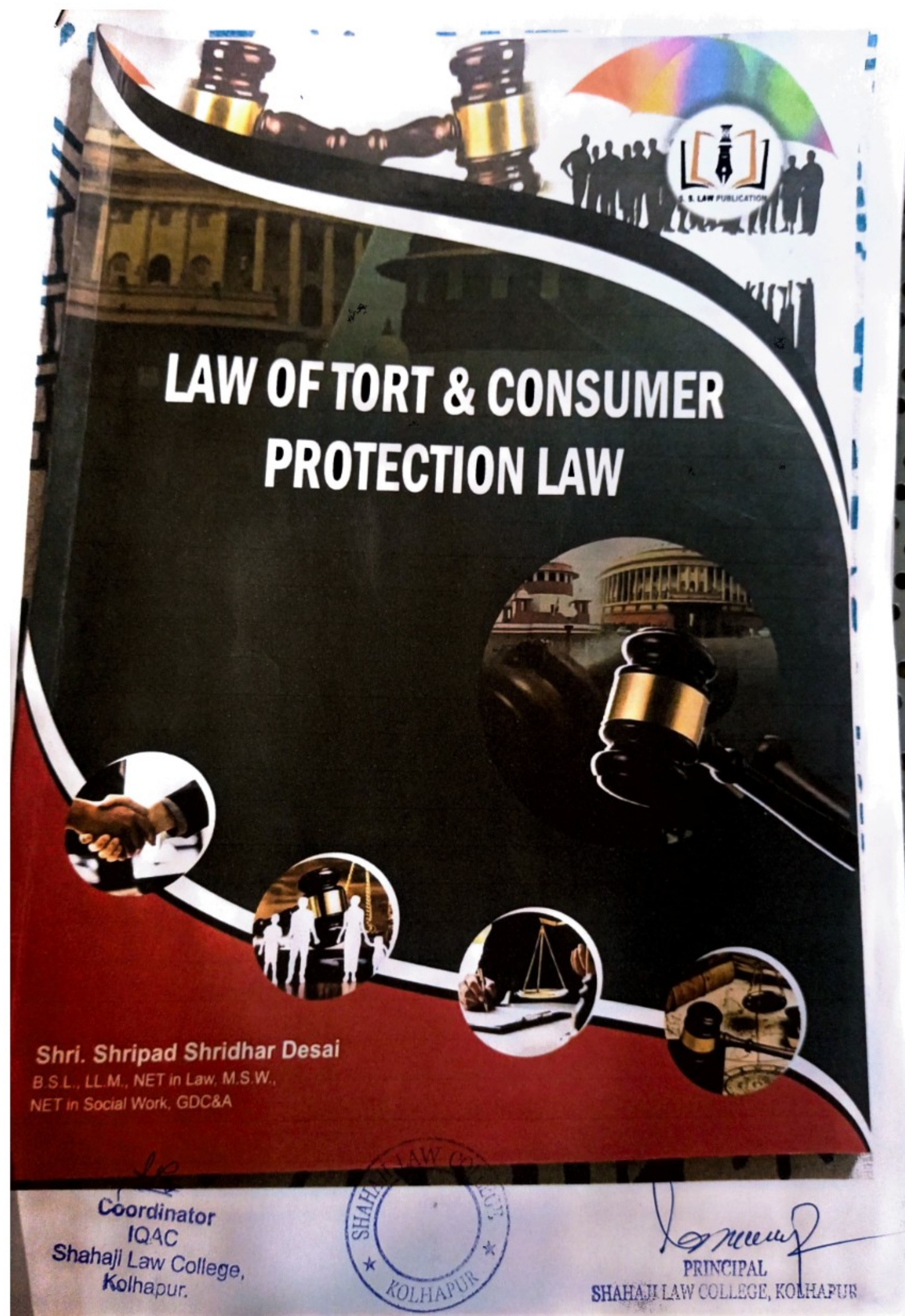


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# LAW OF TORT & CONSUMER PROTECTION LAW

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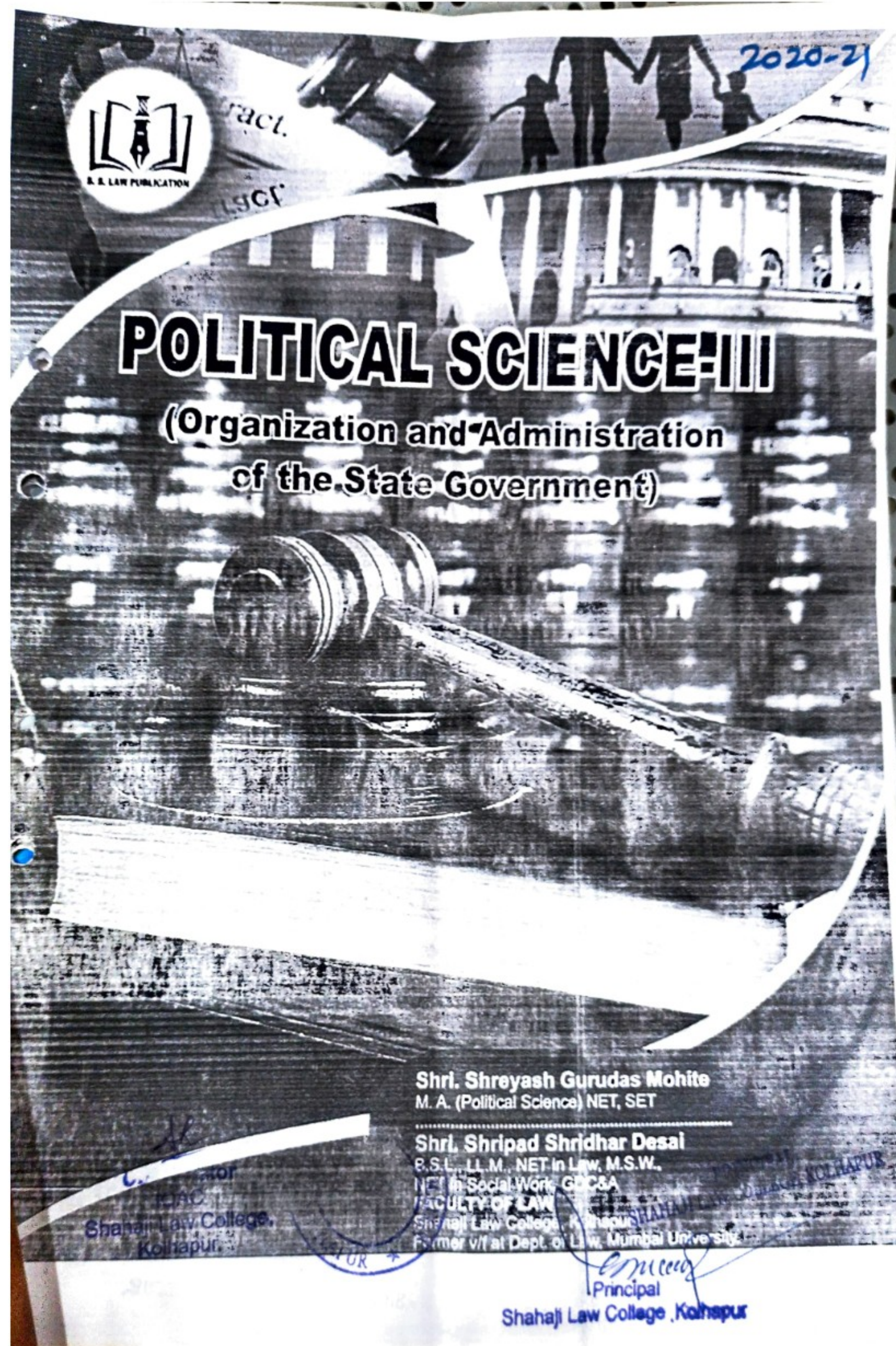
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(Organization and Administration of the State Government)

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# CONSTITUTIONAL LAW-II

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FACULTY OF LAW  
Yashwantrao Chavan Law College, Karad

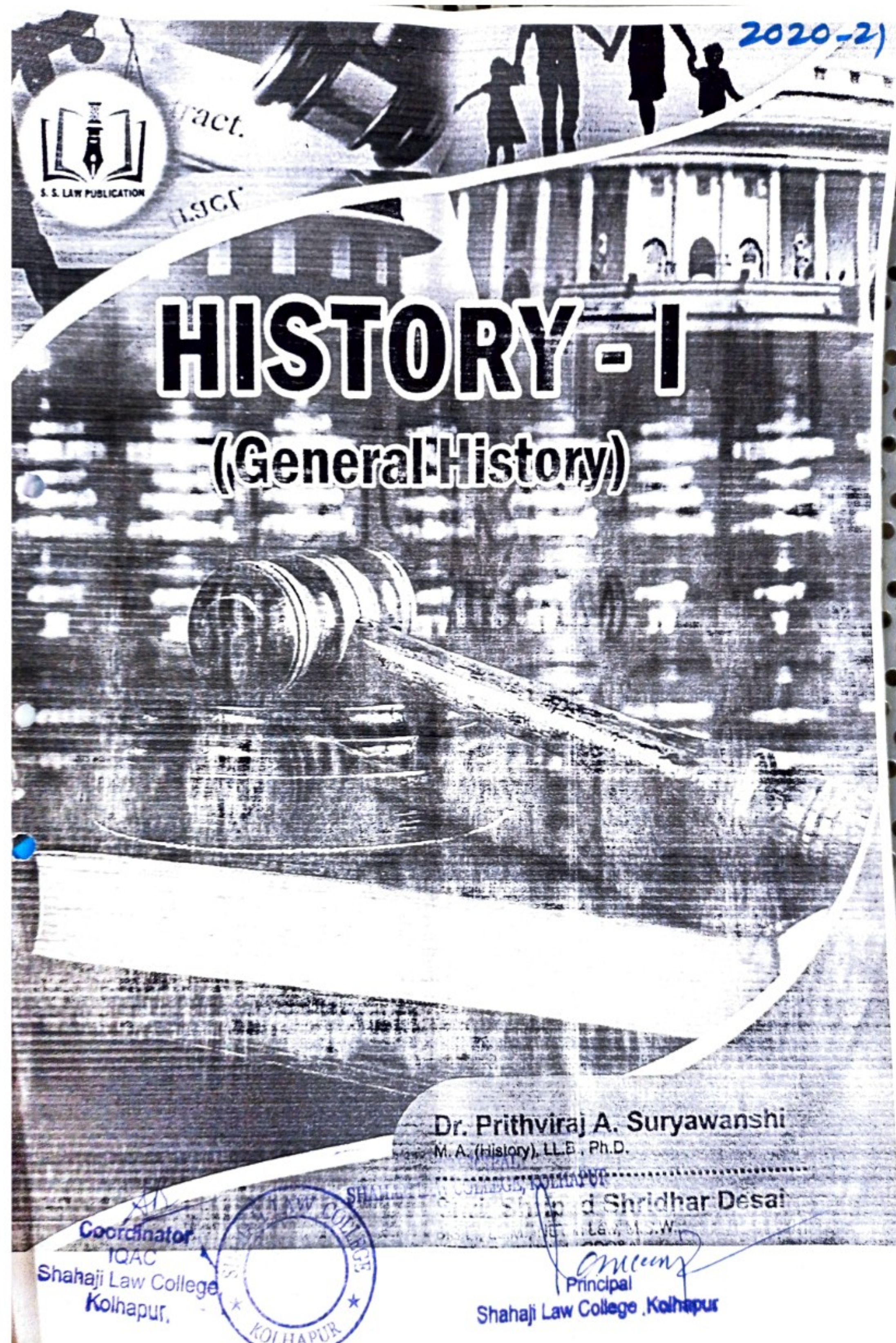
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# ALTERNATIVE DISPUTE RESOLUTION (ADR)



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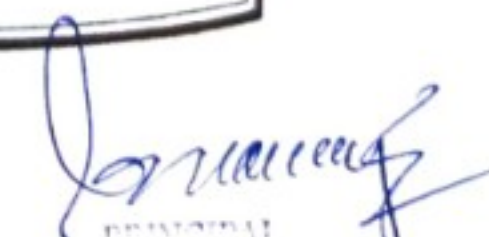
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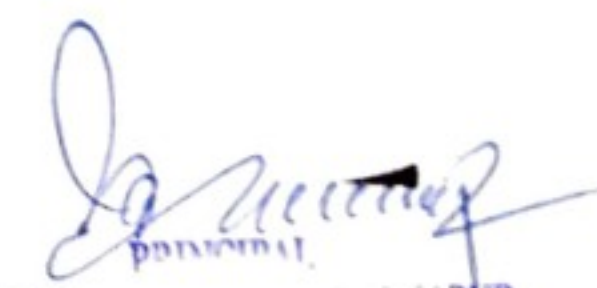
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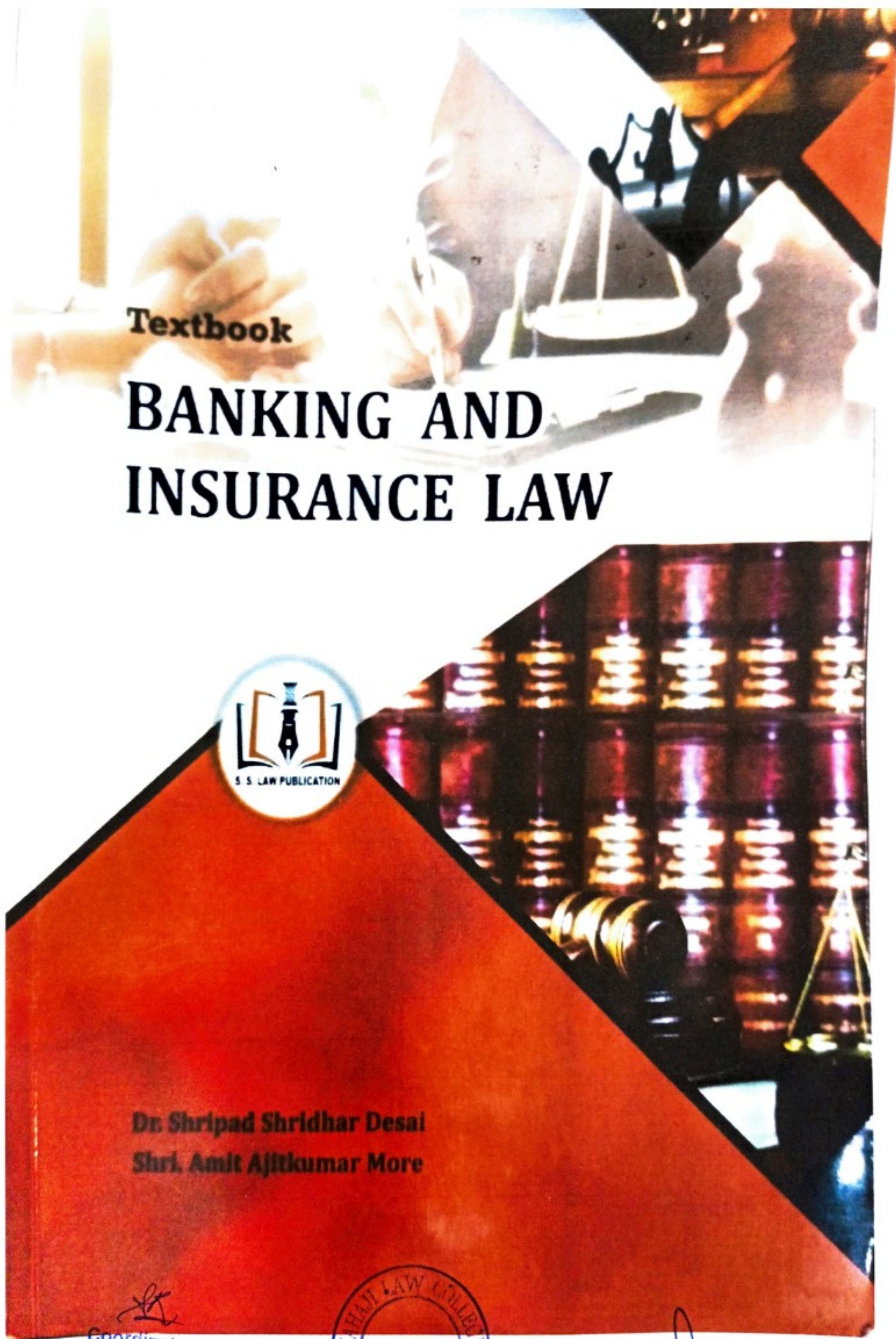
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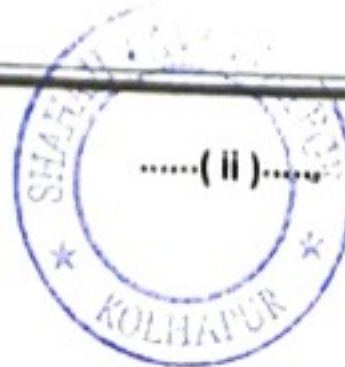
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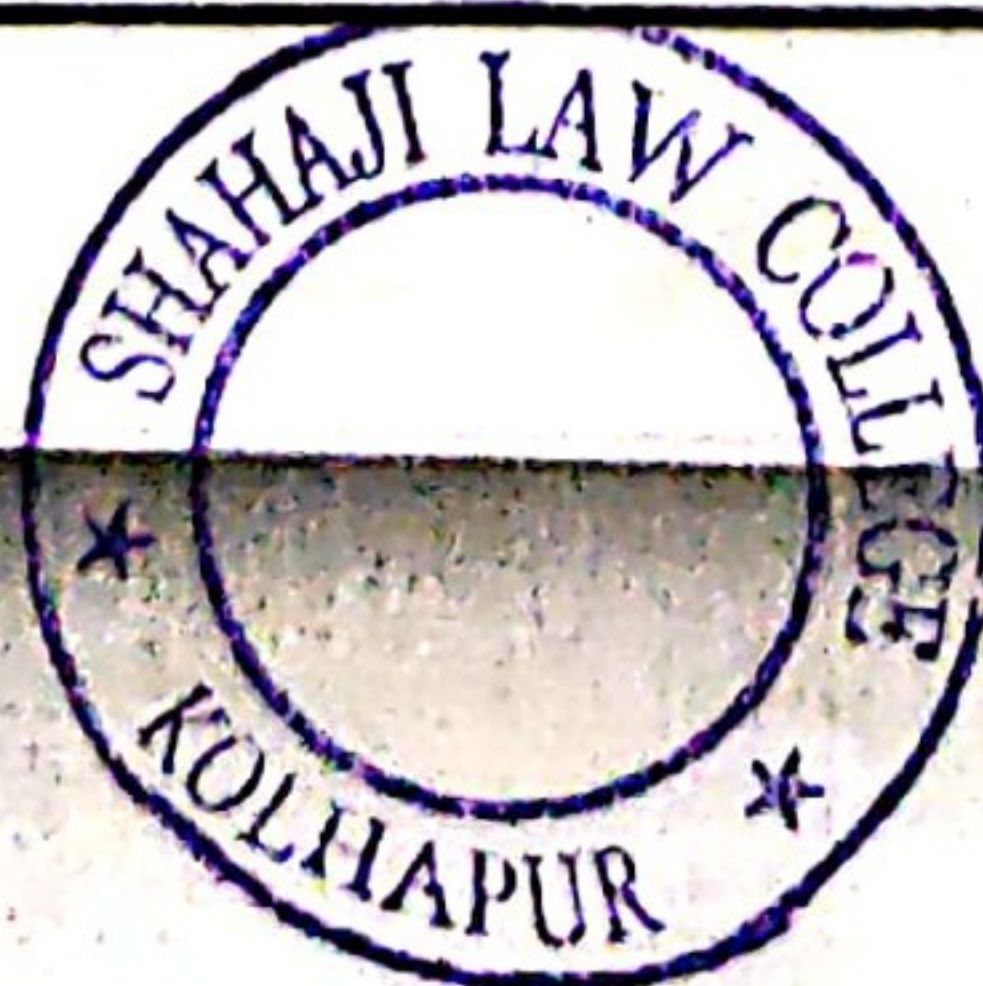
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२.१ उद्दिष्टे

२.२ प्रस्तावना

२.३ पर्यावरणवाद

२.३.१ पर्यावरणवादाचा अर्थ व व्याख्या

२.३.२ पर्यावरणवादाची ऐतिहासिक पार्श्वभूमी व महत्त्व

२.३.३ पर्यावरणवादाची वैशिष्ट्ये

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२.५ पर्यावरणवाद व परिसृष्टिवाद यांमधील फरक

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२.७ समारोप

२.८ स्वयं अध्ययन प्रश्न

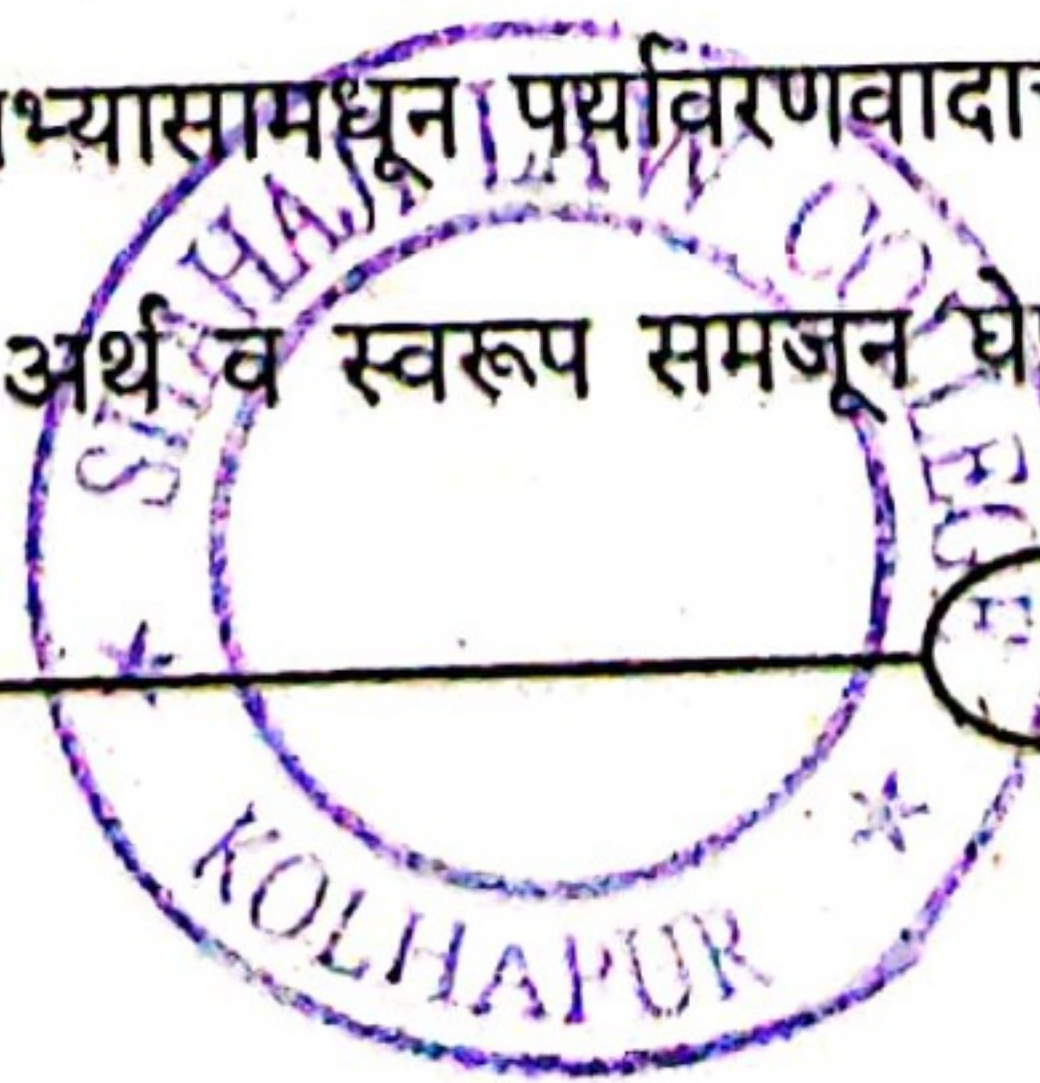
२.९ अधिक अभ्यासासाठी संदर्भ ग्रंथ सूची

२.१ उद्दिष्टे

- या घटकाच्या अभ्यासामधून पर्यावरणवादाचा अर्थ, वैशिष्ट्ये व महत्त्व समजून घेणे.
- परिसृष्टिवादाचा अर्थ व स्वरूप समजून घेणे.

  
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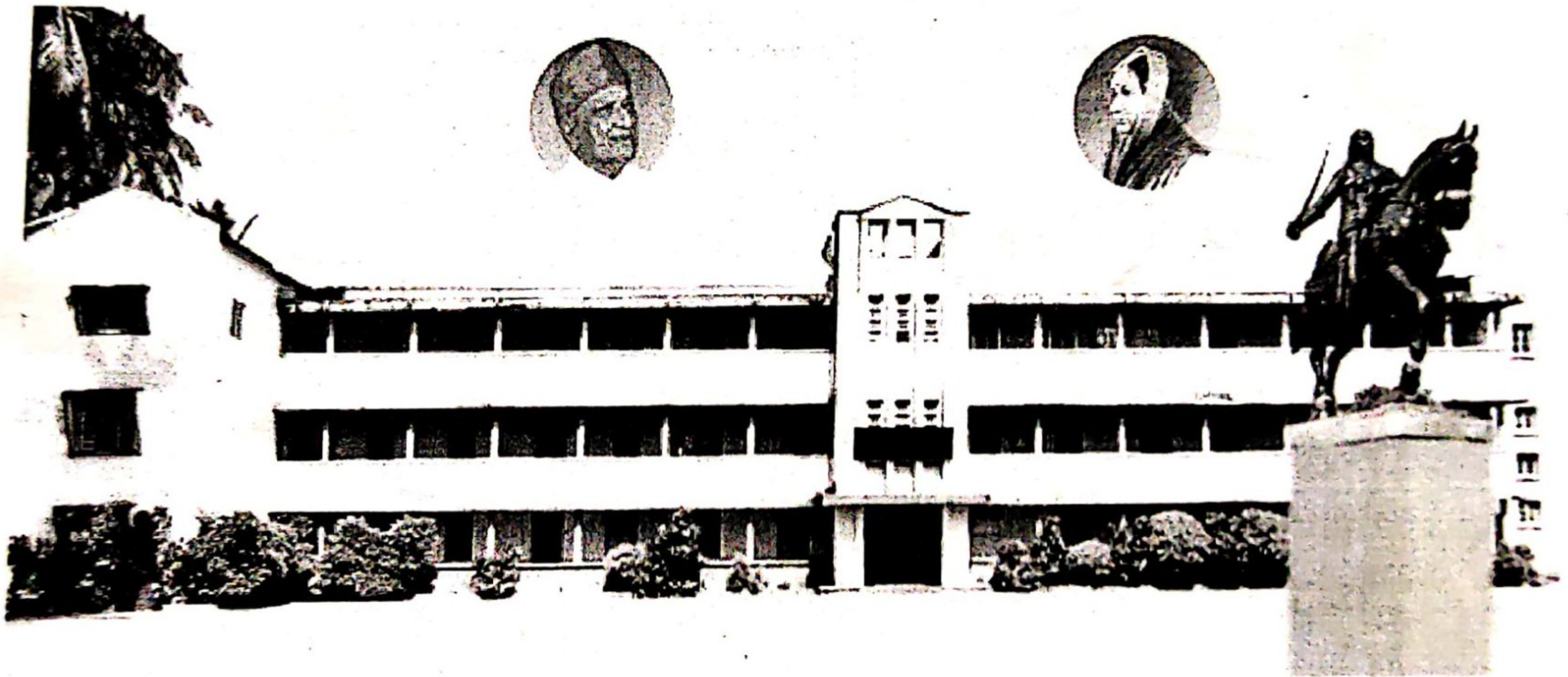


  
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## Legal Complexities in The Applicability of NEP 2020

Dr. Asmita Prajakt Patil, Assistant Professor, Shahaji law college, Kolhapur

### Abstract:

Education is very important in today's world. A person may be able to adjust in the society only if he is well educated. Education gives a sense of awareness as well as knowledge to a person which then helps him to live a better life. There are various policies which provide direction as to how there should be education given to masses. The policies need to be amended every now and then owing to the changing nature of the society. The provisions of some of the policies may coincide with each other leading to complexities in the applicability of the policies. The following paper is a doctrinal study of the challenges faced by NEP 2020 in reference to the Right of Children to Free and Compulsory Education act 2009, which is a statute created for implementation of the right of education.

### General:

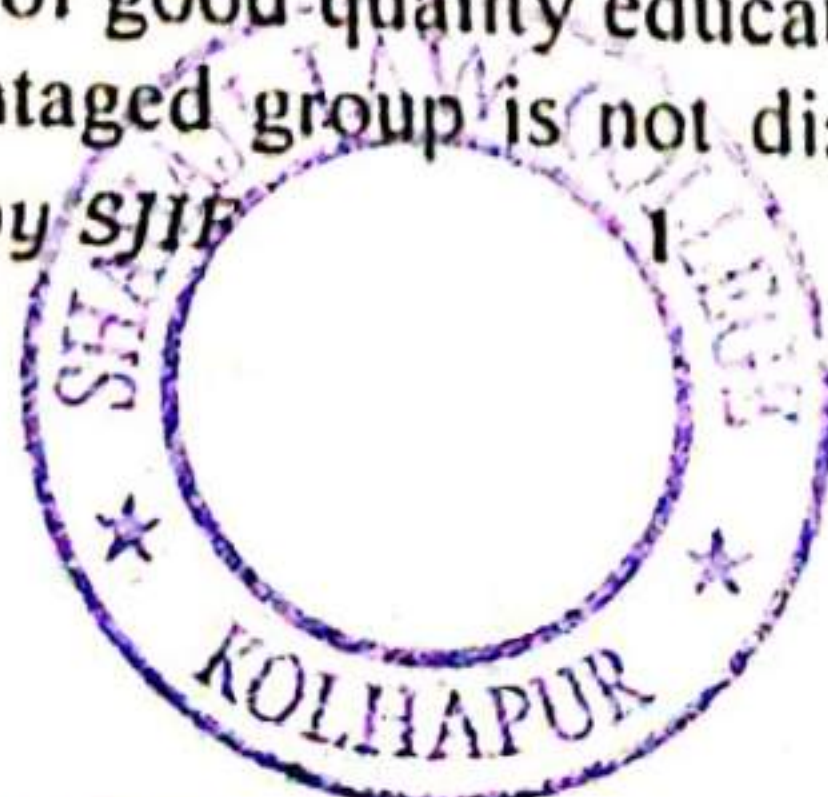
Education is rightly said to be an element of human evolution as it not only makes literate but also induces an ability to understand and communicate. It also broadens one's horizon to understand and gain better perspectives. Education now a days needs to be designed a manner so as it will determine the true potential of a human being. Education should develop critical skills like decision making, problem solving and logical thinking thereby improving the mental ability of a person. An educated person can always access ample opportunities and enhance his skills. A benefit of having strong educational background is that a person is financially stable. In a broader perspective we can say that because of education, people learn about culture, history and science and they can view their problems in a much informed perspective which further changes them into more responsible members of the society. Education also helps us to create equal opportunities. People from different genders, religions, castes, races and cultures have multiple possibilities laid down in front of them because of education.

To make education universally accessible from primary to secondary level National education policy has been framed. NEP 2020 is a comprehensive framework for elementary education to higher as well as vocational training in both rural as well as urban areas. The policy aims to transform India's education system by 2020. NEP 2020 also focuses on multidisciplinary education, mother tongue as a medium of instruction, vocational education and digital education. With this motive the Union cabinet approved the National education policy by July 2020. The government aims to launch NEP on four pillars which are access, equity, quality and accountability. In this new policy there will be 5+3+3+4 structure which comprises of 12 years of school and 3 years of pre-school. Owing to all such policies with their advantages, NEP 2020 also holds some lacunas in it. The sharpest criticism against the NEP 2020 has been that it would lead to the privatization of higher education which is a denial of social justice. The NEP aims to gradually phase out the system of affiliation to a university and grant autonomy to colleges which will open the door of privatization. Currently, the right of children to free and compulsory education act 2009, (RTE act). Provides free and compulsory education to all children from the age of 6 to 14 years. The policy recommends extending the ambit of the RTE act and to include early childhood education and secondary school education. This would make the act to cover all the children between the ages of three to eighteen years. The policy further recommends that RTE should be amended in such a manner to enhance continuous and comprehensive evaluation and the no detention policy.

Further compulsory implies, it was the obligation of the state to ensure admission, attendance and completion of good quality education and ensure that a child belonging to weaker section or disadvantaged group is not discriminated against and prevented from

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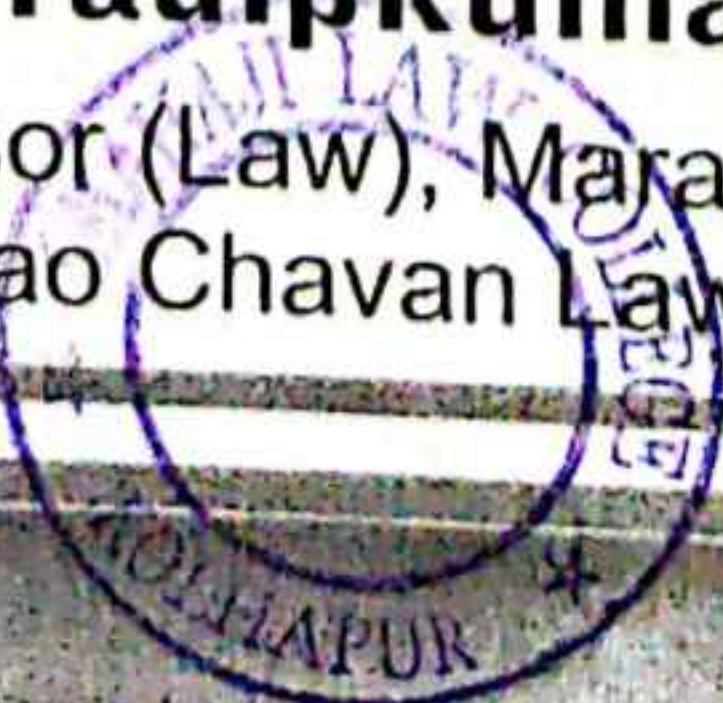
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# PROMOTION OF HEALTHCARE SYSTEM THROUGH A GRIEVANCE REDRESSAL MECHANISM- NEED OF A TIME

\*Kirti Kuldeep Pawar

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## Abstract

Grievance Redressal System is an important mechanism to ensure delivery of entitled services and fulfilment of needs of public. It helps in identifying the gaps in health service delivery and thereby improving the quality of services. It also helps in initiating direct health interventions to address those gaps and problems faced by the patients/their attendants. This also provides a platform to the community to share their concerns and suggestions to make the public health care delivery system more responsive to their needs. It helps in creating a patient centric environment. Writ petitions made on patient rights violations in the SCI invoke patient rights as individual rights in the judicial realm. In almost all cases, the court has discussed patient rights from a consumer point of view or at least touched on the contractual nature of the relationship between the health care provider and care-seeking individuals. The influence of consumerist ideology on the patient grievance redressal mechanisms was articulated. Developed countries have recognized the importance of patient satisfaction for the quality service delivery and have put emphasis on effectively redressing patient grievances. Countries like UK, United States and Australia has constituted regulatory bodies and health complaint systems to receive, resolve and give the feedback on the grievances of the complainant. India is yet to effectively operationalize a client friendly, dedicated and transparent system for redressal of grievances.

**Key Words:** Consumer, Grievance, Health, Patient, Patient Rights, Redressal



## CONSTITUTIONAL PROTECTION TO ENVIRONMENT

Dr. Savita R. Rasam Associate Professor Shahaji Law College, Kolhapur

### Abstract

The researcher is willing to put forth the Constitutional Provisions for the sake of Environment Protection and Preservation. It also deals with the role of Hon'ble Apex Courts in interpretation of the provisions provided by Indian Constitution for protection of environment and environment related issues. Environment plays a vital role in existence, development and sustaining of life and that we need to preserve environment as it has a direct relation between the two. Various events such as Bhopal gas Tragedy, Ganga river pollution have led to creating awareness among the people about the importance of protection of environment. Hence all about the environment protection is discussed in this paper. The paper also discusses the international concerns which led to amendments in constitution of various countries including India. The entire paper covers the mandate in relation with the values of Constitution and Environment.

**Keywords:** Indian Constitution, Environment, Environment Protection, International Convention.

### 1. Introduction

*"Dharma exists for the welfare of all beings. Hence, that by which the welfare of all living beings is sustained, that for sure is dharma"*<sup>1</sup>

The quote itself is self-explanatory and states that dharma is for welfare of all human beings in the society and that the way by which the wellbeing of all living beings is sustained, is definitely dharma which ensures people strive for betterment of welfare of living being.

Dharma was considered as one of the guiding pillars for human being in ancient times and people use to follow them as it defined the way of living to people and use to bind the people by imparting certain duties on people and is still serving as a pillar to people. With change in time the way of living changed and as the states evolved by merging different parts and areas, a uniform law was necessary to be constituted. Hence it was in 1950 our constitution i.e the Constitution of India came into force. Constitution works as a guideline for managing a state.

Constitution defines fundamental rights and duties of a person, remedies available to a citizen and also defines the way of working among the Territory of India. Constitution also works like a modern Dharma which acts as a pillar for people to ensure smooth working in a state and providing basic necessary rights along with binding them with certain duties. Constitution acts as a medium between ruler's scope and people's rights. Thus, constitution is a medium of governing the state and is evidence that people are granted with certain set of rights. Constitution maintains stability amongst the rights of the people and the government. A law drafted by the government has to be in consonance with the constitution or else it becomes defunct and can be challenged before the judiciary and could be amended.

### 2. Reasons for Degradation and Need for Protection

Environment has been impacted due to various aspects such as over population, urbanisation, economic growth, increase in use of fuel energy and transportation, poverty and many more. Development is inevitable part of human life. However, in this process the environment needs to be sustained. The reasons are discussed as under:

1. Population is prime source of environment degradation as the demand of use of resources increases due to increase in population to meet their needs. Population is important for development but it also poses a threat to environment degradation.

Out of total population in the world, India contributes to a 17 % of the population and as compared to this the land belonging to India is 2.4% of worlds land. This collision on the

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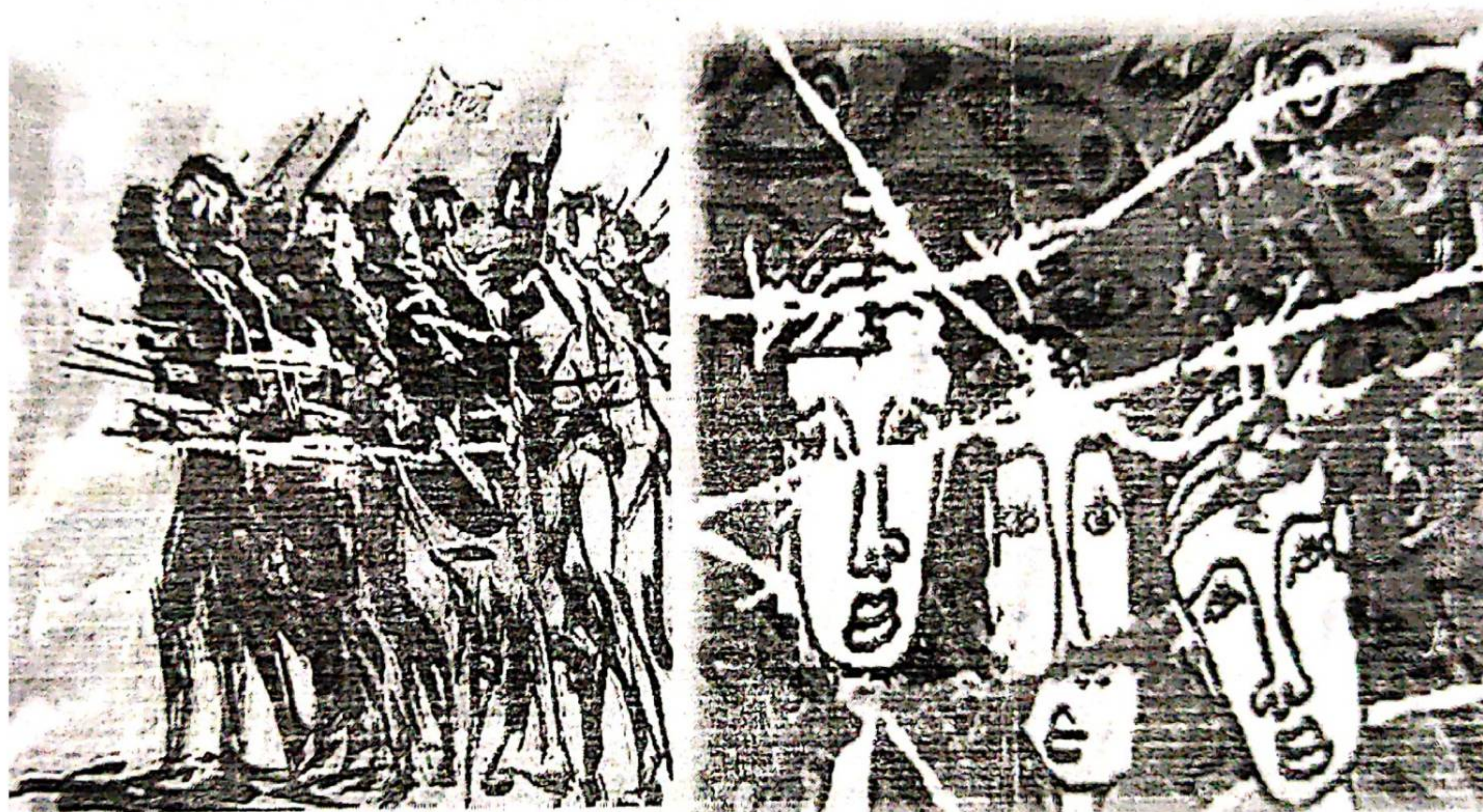
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## THE DIMENSIONS OF SOCIAL EXCLUSION OF MIGRANTS IN THE EUROPEAN CONTINENT – AN ANALYSIS

Dr. Suchita Suragihalli (Pg 1-5)

Assistant Professor, Shahaji Law College, Kolhapur

Email: suchita.suragihalli@gmail.com

### Abstract

Social exclusion is a multi-dimensional phenomenon. It involves physical, emotional and mental deprivation or discrimination of a group vis-à-vis the remaining population of a nation. Migrants is such a class which has to face Social exclusion in its most naked and brute form. The increasing migration to European continent has also increased awareness regarding their plight and horrific situation. The social exclusion of these migrants is varied and multifaceted. It exists in all areas of their existence from basic living standards, to health, to education and to employment opportunities. This paper is an analysis of the dimensions of social exclusion of migrants. Some suggestions to facilitate and increase social inclusion have also been made.

**Key words:** Social Exclusion, Migrants, Europe, Dimensions



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### INTRODUCTION:

One of the most important aspects that the world is discussing for the last 15-20 odd years and more specifically in the last 10 years is the issue of Social Exclusion. The notion of Social Exclusion can be defined as a discrimination carried out against a certain group of people so as to exclude them from activities in a given society. These activities may be social, political, economic or cultural. This group of people are not considered when the policy formulation takes place in a state. As a result, the exclusion keeps them bereft of development, opportunities, participation and identities. Social exclusion as is currently discussed by us is mostly of European origin. In the 1980s, the Europeans started discussing about how the people living in poverty without proper housing, educational facilities need to be made attention to they had been 'excluded'. But the concept of social exclusion has to be considered in much wider perspective depending on the state, region one is speaking of. It has to encompass the exclusion based on race, caste, gender. All these factors of social exclusion result in a person or a group not having access to employment, humane conditions of living, political voice and most importantly lack of legal representation.

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School of Business and Law, Navrachana University, Vadodara on 30<sup>th</sup> January, 2021 entitled  
E-commerce challenges and their solutions under Consumer Protection Act, 2019 and Consumer  
Protection (E-Commerce) Rules, 2020

Dr. Sujatha Patil  
Principal of law,  
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## **E-COMMERCE CHALLENGES AND THEIR SOLUTIONS UNDER CONSUMER PROTECTION ACT, 2019 AND CONSUMER PROTECTION (E-COMMERCE) RULES, 2020**

Supriya Madan Patil,<sup>1</sup> Deepti Madan Patil<sup>2</sup>

### **Abstract-**

We are living in the Techno-savvy world and Technology has become part of our life-style. One of the influencing technology based sector is E-Commerce or Electronic Commerce. E-Commerce is buying and selling of goods or services through electronic networks mainly via internet. It also includes transmitting funds and data through electronic networks which are required for such transactions. E-Commerce is an emerging trend now a day and preferred by many traders as well as consumers over the traditional ways of trading. It is convenient, provides wide range of varieties and choices and these transactions can be done at any time from any place. However it also has its own issues and challenges like poor infrastructure, unavailability of tools, privacy and security issues, price manipulation, and misleading advertisement and so on. The Central Government has enacted Consumer Protection act, 2019 and Consumer Protection (E-commerce) Rules, 2020 to tackle these problems. We have discussed the benefits and drawbacks of E-Commerce and the challenges faced by consumers during e-transactions. We have also analyzed the safeguards provided under the Consumer Protection Act, 2019 and Consumer Protection (E-Commerce) Rules 2020. These provisions have provided better safeguard and protection to the consumers. Nevertheless, there is scope of improvement to meet some emerging challenges.

### **I. Introduction**

One of the revolutionary developments the world has witnessed in last century is the internet evolution. The internet is network of networks which has made the world come together at the click of a computer mouse. It not only has facilitated worldwide communications but also revolutionized trade and commerce through electronic media. The evolution of internet has witnessed the growth from sending an email to purchasing and selling almost any product and services under the Sun from books, food articles to smart phones, airline tickets, banking, and online payment and so on.

Electronic commerce or E commerce is a revolutionary model of commerce. E commerce is buying and selling of goods or services using electronic media or internet and it also include the transfer of money and data for the execution of these transactions. Since its inception E- commerce

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E-mail- asst.prof.deeptipatil@gmail.com

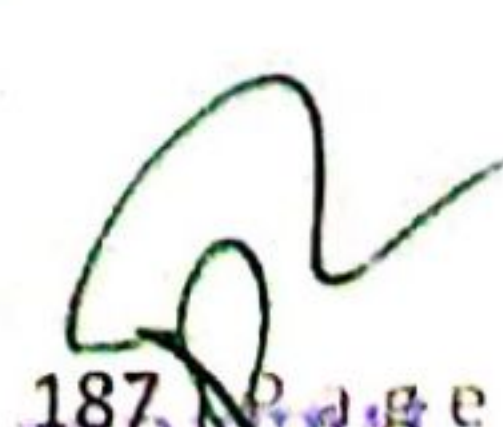
  
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## ADVANCEMENT OF TECHNOLOGY IN DIGITAL ERA LEADING TO VIOLATION OF HUMAN RIGHTS

Ms. Pawar Kalyani Mahesh & Ms. Mulla Fatima Rafik

### ABSTRACT

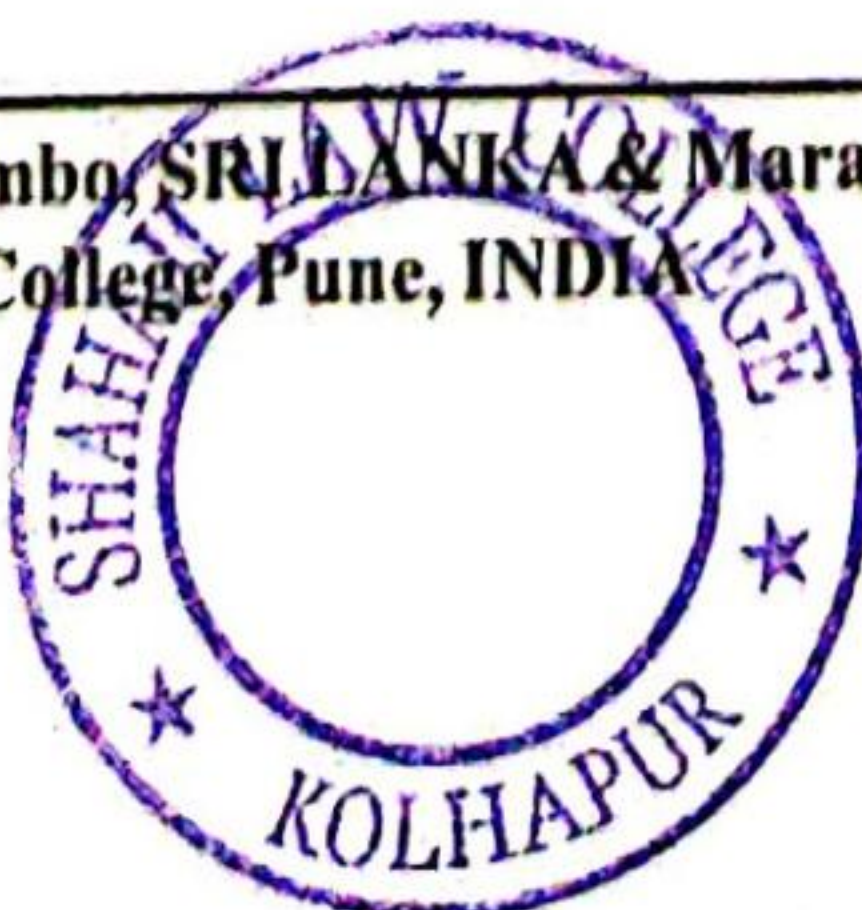
*"To deny people their Human Rights is to challenge their very Humanity"*

- Nelson Mandela

Human rights are inherent to all human beings. They are defined and established in more than 80 international legal instruments and include fundamental protections of human dignity, needs, and freedoms, such as housing, food, personal security, a privacy and democratic participation. It has been 71 years since United Nations General Assembly has adopted the Universal Declaration of Human Rights. Today's era is technologically dominated era. Technology touches each and every aspects of our day to day life, affecting our activities both on and offline. No doubt technological developments and innovations played very important role in our life, also the life we are currently enjoying is just because of technological developments and also technology is powerful tool for the development of countries, but at the same time unfortunately these technologies are violating various Human Rights of individuals, because rapid developments in artificial intelligence, automation and robotics raise serious questions about potential impacts on human rights. If we notice carefully we come to know that some of the technological devices have the ability to interact with and track our personal data from smart phones location tracking which leads to the violation of Right to Privacy. In the same manner there are different technological advancements which lead to infringement of Human Rights. This paper will focus on various advancement of technologies such as Artificial Intelligence, Digital Economy, Telecommunications, etc. and how they are leading to the violation of Human Rights like Right to Privacy, Freedom of Speech and Expression, Right to Life, and so on.

### INTRODUCTION

Today there are many technological advancement which are enhancing our daily activities. and most of the individuals are carrying out their daily actions by using such technology. For example iPod is using for entertainment purpose, Mobiles are using for communication purpose etc. But all this activities are affecting the Human rights of individuals also. Human Rights are the basic rights of the individual. Human rights are the rights inherent to all human beings irrespective of race, sex, nationality, language, religion etc. Advancement in technology has completely changed the way human rights exercised till date. No doubt





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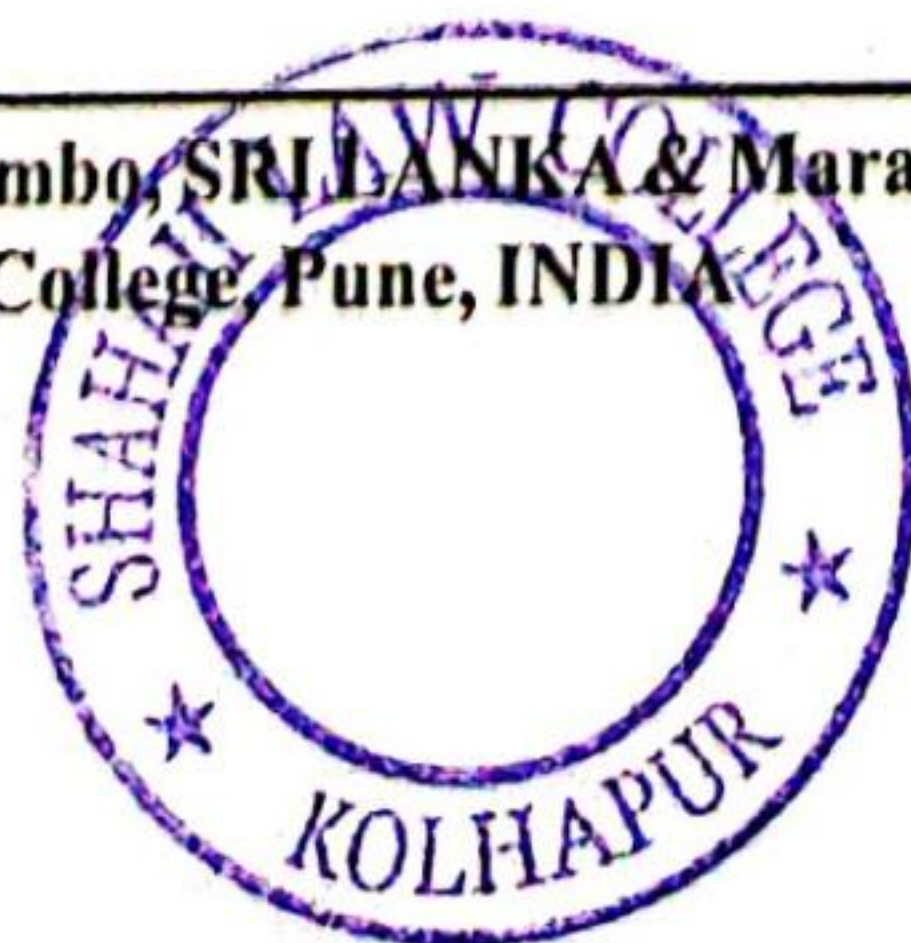
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## WOMEN JUDGES: THE EMERGING JUDICIAL LEADERSHIP

Dr.M.C.Sheikh

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Shahaji Law College, 1090 'E', Shahupuri,  
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### Abstract

*This paper examines patterns and trends of women participation in the apex judiciary in India in order to assess gender justice. If women lawyers and women judges through their differing perspectives on life can bring a new humanity to bear on the decision-making process, perhaps they will make a difference. Perhaps they will succeed in infusing the law with an understanding of what it means to be fully human.*

*"Women are leading peacemakers. They work together towards creating a stress-free society"-H'ble Justice Bhanumati Narasimhan\**

The inclusion of women's experiences will make law more representative of the variety of human experience.<sup>1</sup> By leveraging a global network of expertise, launching national initiatives, and forging local partnerships, women judges are rising to key leadership roles and advancing the rule of law in their societies. As a result, litigants are gaining greater confidence in the fairness of courts because judges resemble the population that comes before them rather than a judiciary drawn from only one demographic sector.<sup>2</sup>

Law is pervasive and affects many aspects of peoples's lives, women and men alike. As we witness the growing 'juridification' of life- that is, the expansion and penetration of the legal sphere into more and more aspects of other social (public and private) spheres – the prominence of law and rights in affecting people's lives becomes increasingly obvious. Law and justice impact people's capacity to accumulate endowments, enjoy returns to such endowments, access rights and resources, and act as free, autonomous agent in society. Inequalities in endowments, access to resources and rights, social (and household) status, voice and agency are perpetuated. Codified, contested and redressed through norms and the institutions established or resulting from such norms, be they social or legal.<sup>3</sup>

### United States of America (USA)

In 1981 Sandra Day O'Connor was the first woman appointed to the U.S. Supreme Court. As a Republican, she was considered a moderate conservative and served for 24 years. Ronald Reagan nominated her to the U.S. Supreme Court. She received unanimous Senate approval, and made history as the first woman justice to serve on the nation's highest court. At present in America the position of women judges are- State Final Appellate Jurisdiction Courts : 122 Women Judges out of 353 (35%), 344 Women Judges in State Intermediate Appellate Jurisdiction Courts out of 991 (35%).<sup>4</sup> Nine Justices make up the current Supreme Court: one Chief Justice and eight Associate Justices. Currently, there are 03 women on the U.S. Supreme Court, 1/3 of that body.<sup>5</sup>

### United Kingdom (UK)

As of 31 March 2018, there were 97 Justices of the High Court (15 Chancery Division, 17 Family Division, and 65 Queen's Bench Division judges), 76 male and 21 female i.e., 21.64 % female judges. In the period from 1 April 2014 to 1 April 2017, the percentage of female judges has increased from 18% to 24% in the Court of Appeal; 18% to 22% in the High Court and 24% to 28% in the courts judiciary. 14 out of 66 Deputy High Court Judge (22%) were women.<sup>6</sup>

### China

Out of 12 high court judges 3 women judges are presently working as Justices of Appeal of the Court of Appeal of the High Court, People's Republic of China (Position as at 30 April 2018). There is no representation of women judges in Supreme Court of People's Republic of China.<sup>7</sup>

### Indian Scenario

Justice Indu Malhotra is the seventh woman judge since independence to make it to the Supreme Court. Ms Malhotra's direct move from Bar to Bench is seen as breaking a major glass





॥ यतो धर्मस्ततो जयः ॥

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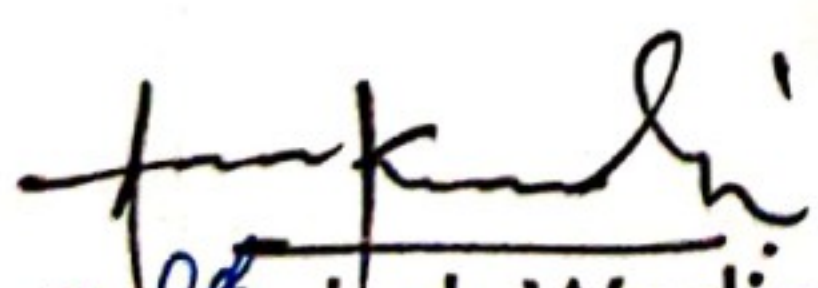
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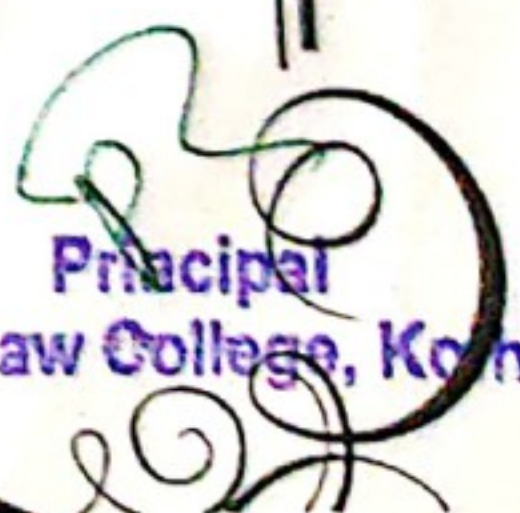
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Title of the Paper : AUDACITY FOR DATA AMBITION-A WAKE UP CALL IN DIGITAL AGE

  
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# 1. Articulation of Women Empowerment in India - A Legal Perspective

Dr. M. C. Sheikh

Asst. Professor in Law, Shahaji Law College, Kolhapur.

## Abstract

The mission regarding empowerment of women is globally pursued even at international level. Internationally, under the aegis of United Nations, various instruments laid down the standards, to be adopted by member countries to overcome these challenges of women empowerment. After independence, India reiterate the fundamental principles of equality, liberty and social justice and also provided various rights for empowerments. The Constitution of India makes various provision for the treatment and development of women in every sphere of life. History speaks that women are considered as a divine force but the multi-cultured Indian society placed the women at different position.

This paper is a sincere attempt to explore the challenges / problems of women empowerment with judgments given by apex court and suggest the remedial measures to overcome.

"Feminism isn't about making women strong. Women are already strong. It's about changing the way the world perceives that strength." —G.D. Anderson, Australian Author

"We cannot achieve democracy and lasting peace in the world unless women achieve the same opportunities as men to influence developments at all levels of society..."

- Thorbjørn Jagland, Chairman, Norwegian Nobel Committee (Oct. 2011).

## Introduction

In India, the Constitution guarantees equality of opportunity<sup>1</sup> and status to women and men. The welfare of women<sup>2</sup> is of prime importance in a welfare state. Any special provision for the protection or upliftment would not offend against the guarantee of non-discrimination.<sup>3</sup> Women empowerment issue has always remained an object of intellectual controversy. The test of every civilization is the position of woman in the society. Empowerment is a process to establish control over resources and also means to acquire ability and opportunity to participate in decision-making process and its implementation. The recognition that empowering people, particularly women, strengthen their own capacities is a main objective of development and that empowerment requires







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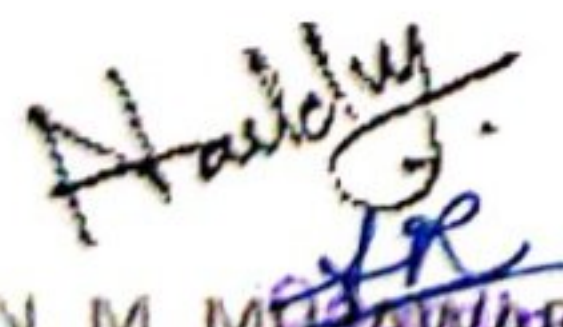
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# Reversal of Globalisation: A Third World Perspective

Suchita Renuka Prasad Suragihalli

Shahaji Law College, Kolhapur

\*\*\*\*\*

## Abstract

Globalisation is still in the process of being implemented in many of the developing countries. In contrast, the developed countries have already 'been there' and 'done it'. The developed nations have implemented globalised and liberalized policies in totality. Unfortunately, now the raging conflict between developed economies has resulted in putting the process of globalisation in reverse gear. For the developing countries, this is not a very bright prospect. The reversal of globalisation, if it is the truth, needs to be analysed from the point of view of the developing countries, as this reversal will have a significant impact on their future plans. This paper attempts to unravel the perspective of the third world countries in relation to this development.

Keywords: globalisation, developed, developing, reversal, conflict

\*\*\*\*\*

## Introduction

Globalisation is process which involves an interaction between the various nations, economies and companies. Paul James defines globalisation as, "the extension of social relations across world-space, defining that world-space in terms of the historically variable ways that it has been practiced and socially understood through changing world-time (2005: 193)." Globalisation has political, economic, ecological, cultural and ideological dimensions. It is, therefore, an all encompassing phenomenon. The impact of globalisation was widespread as far as relation between nation and the peoples of the world were concerned. Thomas Friedman opines that it has changed the world into a 'flat world' as it had changed the world permanently (2008: 49). But the world is witnessing a complete u-turn as far as policies of many developed nations are concerned. The world's power elite gathered at the Horasis Global India Business

  
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## E- Banking: Opportunities and Challenges in the Cyber world

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Asst. Professor

Shahaji Law College, Kolhapur

### Abstract:

Online banking is an electronic payment system that enables customers of a financial institution to conduct financial transactions on a website operated by the institution, such as a retail bank, virtual bank, credit union or building society. Online banking is also referred to as internet banking, e-banking, or virtual banking. To access a financial institution's online banking facility, a customer with internet access would need to register with the institution for the service, and set up a password and other credentials for customer verification. Online banking services usually include viewing and downloading balances and statements, and may include the ability to initiate payments, transfers and other transactions, as well as interacting with the bank in other ways. In present scenario Banking institutions are increasingly getting various opportunities to provide various banking services, at the same time facing cyber crimes. There is need of equilibrium to setrate the issue. Technosavi peoples are trying to provide possible solution to rescue from cyber crimes and abuse of the process.

### Introduction

Finance is the life blood of trade, commerce and industry. Now-a days, banking sector acts as the backbone of modern business. Development of any country mainly depends upon the banking system. The term bank is either derived from old Italian word *banca* or from a French word *banque* both mean a Bench or money exchange table. In olden days, European money lenders or money changers used to display (show) coins of different countries in big heaps (quantity) on benches or tables for the purpose of lending or exchanging. A bank is a financial institution which deals with deposits and advances and other related services. It receives money from those who want to save in the form of deposits and it lends money to those who need it.

Online banking facilities offered by various financial institutions have many features and capabilities in common, but also have some that are application specific. The term 'Online' became popular in the late '80s and referred to the use of a terminal, keyboard and monitor to access the banking system using a phone line. While financial insitutions took steps to implement e-banking services in the mid-1990s, many consumers were hesitant to conduct monetary transactions over the web. It took widespread adoption of electronic commerce, based on trailblazing companies such as America Online, Amazon.com and eBay, to make the idea of paying for items online widespread. By 2000, 80 percent of U.S. banks offered e-banking. Customer use grew slowly. At Bank of America, for example, it took 10 years to acquire 2 million e-banking customers. Today, in India many banks are only internet banks. Unlike their predecessors, these internet only banks do not maintain brick and mortar bank branches. Instead, they typically differentiate themselves by offering better interest rates and more extensive online banking features.

Online banking is an electronic payment system that enables customers of a financial institution to conduct financial transactions on a website operated by the institution, such as a retail bank, virtual bank, credit union or building society. Online banking is also referred to as internet banking, e-banking, or virtual banking. E-banking is a result of the growing expectations of bank's customers. E-banking involves information technology based banking. Under this I.T system, the banking services are delivered by way of a Computer-Controlled System. This system does involve direct interface with the customers. The customers do not have to visit the bank's premises. The popular services covered under E-banking include Automated Teller Machines, Credit Cards, Debit Cards, Smart Cards, Mobile Banking, and Internet Banking etc.

### Definition of a Bank

1. Oxford Dictionary : " Bank as an establishment for custody of money, which it pays out on customer's order."

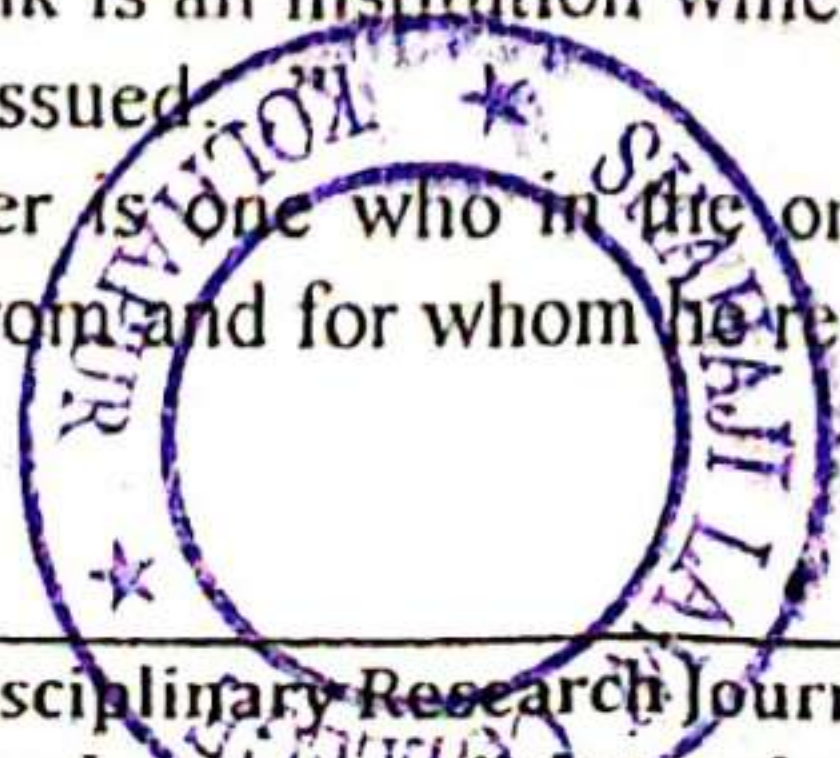
2. Webster's Dictionary: " Bank is an institution which deals in money, an establishment where money is deposited, maintained and issued."

3. Dr. H. L. Hart : " A banker is one who in the ordinary course of his business, honours cheques drawn upon him by persons from and for whom he receives money on current account."

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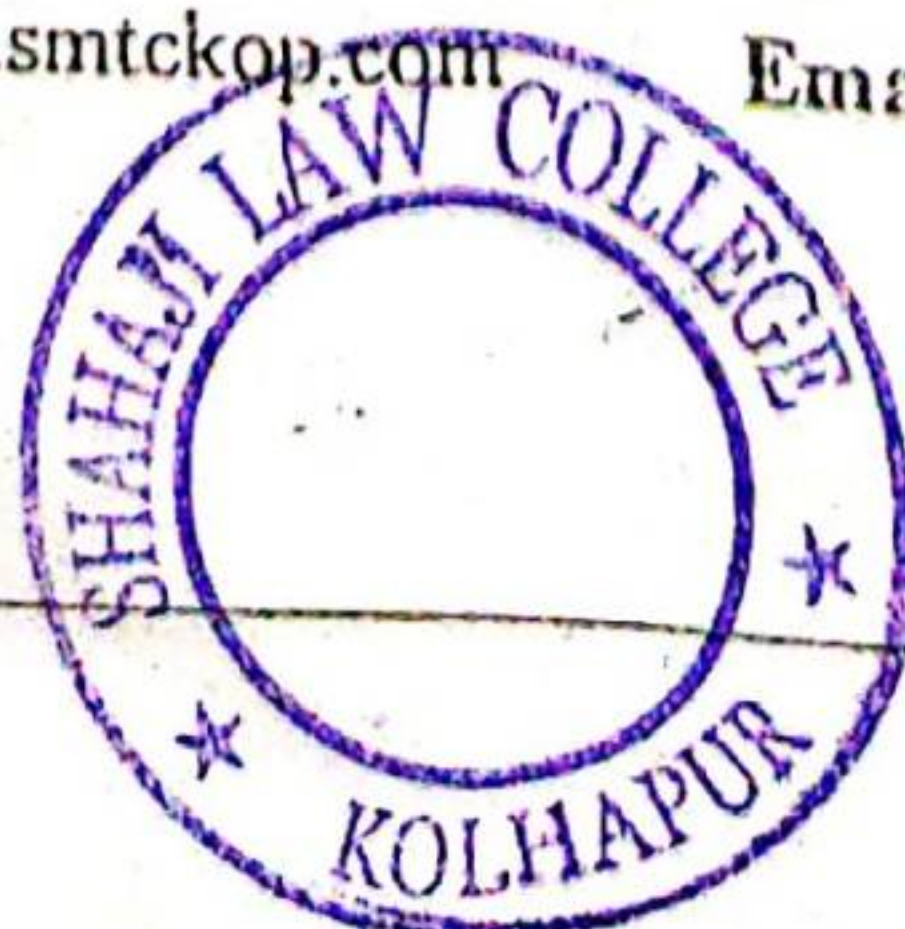
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## HIGHER E-EDUCATION IN INDIA: A BIRD EYE VIEW

Dr. M.C.SHEKHU,

Shahuji Law College, Kolhapur-416 002.

*"Education is not the amount of information that is put into your brain and remains there, undigested, all your life. We must have life-building, man-making, character-building, assimilating fine ideas and making them your life and character, you have more education than any man who has got by heart a whole library."* -Swami Vivekananda

## Introduction

THE aim of higher education in India is praiseworthy, which lays foundation of good citizenship and a principal instrument to awaken the younger generation to intellectual, cultural pursuits and values. For nation building activities, higher education therefore a powerful tool to uplift the society at large. Higher education should, thus, be co-related to social, political or economic needs of our developing nation fostering secular values breaking the barriers of casteism, linguism, religious bigotry and it should act as instrument of social change. Education system should be so devised as to meet these realities of life, it nourishes intellectual advancement to develop dignity of person without which there is neither intellectual excellence nor pursuit of happiness. According to Bharat Ratna Dr. Ambedkar education is the means to promote intellectual, moral and social democracy. Every citizen, as a fundamental duty, to promote harmony and spirit of common brotherhood among the people, to develop the scientific temper, humanism and the spirit of inquiry and reform; to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement. In India education is a fundamental right. The native endowments of men are by no means equal. It is process which provides for intellectual, moral and physical development for good character formation; mobility to social status; an opportunity to scale equality and a powerful instrument to bring about social change including necessary awakening among the people.

## Administration of Higher Education in India

The education system in India is administered by the Ministry of Human Resource Development at the center and the different Departments of Education at the state level. Education is a concurrent subject in the Indian Constitution, which implies that Indian states and the federal government both have jurisdiction over the sector; although the Government of India provides the overall policy framework, financial support and guidelines to ensure a national standard of education, implementation is primarily done at the state level.

After the United States and the China, India is a largest education system in the world. The governing body for the Higher Education after the Ministry of Human Resource Development is University Grants Commission which enforces the standards and advises to the Central and State Government by helping and co-ordinating between the Central government and State government.

## Recent Government initiatives

- **Rashtriya Uchattar Shiksha Abhiyan** - A total of 316 state public universities and 13,024 colleges will be covered under the Rashtriya Uchattar Shiksha Abhiyan, a plan to manage funding for higher education. This is a scheme to develop state university by central govt funding (60% for general category states, 90% for special category states, 100% for union territories).
- **Scheme of Integrating Persons With Disabilities In The Mainstream Of Technical And Vocational Education** - Caters to around 50 polytechnics in the country and provides them with grants-in-aid aimed at facilitating greater integration of disabled individuals into higher education.<sup>[1]</sup>

- **Scheme of Pradiksha Mahila Mahatma National Mission on Teachers and Teaching (PMMNMTT)** - The purpose of this scheme is to raise the quantity and quality of teaching staff across schools and colleges. It also aims to create better institutional frameworks in order to cultivate change in the positive direction.<sup>[2]</sup>

## Information Communication Technology (ICT) in Higher Education:

Internet is a biggest communication tool in various sectors. Its positive impact also seen in education system. Traditional education system has some limitation. Most of the students suffer from learning disabilities. There is no doubt in india percentage of degree and masters degree holder students goes increasing. When these students came in various sector they are weak in professional skills.

Multimedia education will definitely help students to improve their educational skills and learning the evolution in artificial intelligence emerging sector. Economic factor also impact on e-education. It provides quality education with easy accessing through mobile and computers. Indian government also provides quality education through programmes like SSA( Sarva shiksha Abhiyan), ICDS (integrated child development services)etc.these programmes have good structure policy for education but still it needs multimedia education support for more effective implementation. Indian economic market needs are changing rapidly in this decade. It is largely based on the soft skill. Soft Skill will be developed only with vision of e-education which is need of ICT world.

## National Knowledge Network:

The National Mission on Education through ICT, launched in 2009, aims to leverage ICTs for enhancing the teaching learning experience of learners. A high-speed digital broadband network, the National Knowledge Network, is envisaged for interconnecting the country's major research and educational institutions, colleges, and universities. A structured empowered committee will be in charge of coordinating the activities of creation and implementation of the content, application, and establishment of the network. The Mission has three components: content generation and providing connectivity, institutions. On the content generation front, a wiki style collaboratory committees is envisaged. Renowned institutions and ed effort and different activities in respective areas of excellence make the National Program of Technology Enhanced Learning Resource for Learning & Online Teaching (MERLOT) could contribute to this exercise. In the Eleventh Five-Year Plan, an amount of INR 46 billion (approximately USD 0.9 billion) has been assigned for the Mission with a budget provision of INR 5 billion (approximately USD 0.1 million) for the financial year 2008-09.

## SWAYAM:

SWAYAM is a programme initiated by Government of India and designed to achieve the three cardinal principles of Education Policy viz., access, equity and quality. The objective of this effort is to take the best teaching learning resources to all, including the most disadvantaged. SWAYAM seeks to bridge the digital divide for students who have hitherto remained untouched by the digital revolution and have not been able to join the mainstream of the knowledge economy. This is done through an indigenous developed IT platform that facilitates hosting of all the courses, taught in classrooms from 9th class till post-graduation to be accessed by anyone, anywhere at any time. All the courses are interactive, prepared by the best teachers in the country and are available, free of cost to the residents in India. More than 1,000 specially chosen faculty and teachers from across the Country have participated in preparing these courses.

The courses hosted on SWAYAM are in 4 quadrants -



## Delayed Justice And Democratic Principles : An Uneven Balance

Mrs. Swati Prithviraj Gavade<sup>1</sup>  
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### Abstract

The present study is related to One of the greatest defect of our Indian judicial system i.e. delay in disposal of cases. Lots of the cases either civil or criminal are pending in High court, Supreme court as well as in lower courts. It takes 7 to 10 years before small suits are finally disposed of through all stages. As we know "Justice delayed is justice denied". The delay in the disposal of cases and appeals in the course of administration of justice shakes public confidence in the administration of justice. It constitutes great hardship to the litigant. The administration of justice fall into disrepute and this can be very unfortunate for a democratic society which can survive only when people have respect for law. The commercial and industrial progress of the country is retarded by the laws delay. The problem of delay in pendency of cases has been a crucial problem all over the world. India is facing the similar problem. Various effects have been tried by Indian Govt. but they failed every time.

"Delay in justices is injustice" said by British writer Savage Landor.

### I) Introduction :-

Among the three wings i.e. executive, legislative and judiciary. Judiciary plays a vital role in imparting justice. Today millions of cases are pending in various courts in India including supreme courts. Many people are waiting for justice which is in the hands of court system. People trust on judiciary. As we know our court system is overburden with pending cases. When justice is not provide within reasonable time then what is the use of that justice. So justice delayed is equal to justice denied. It hampers the faith of ordinary people on judicial system. And if this situation remain then question of maintenance of law and order in country may become crucial.

According to justice Giorgio Del Vecchio, "without justice, life would not be possible and even if it were it would not be worth living"

Unlike American constitution speedy trial is not specifically enumerated as a fundamental right, it is implicit in Article 21 as interpreted by the apex court. Various legislation have been passed for speedy disposal of cases by our government also. But they failed every time.

### II) National Judicial Data Grid Report On Pendency Of Cases :-

According to National Judicial Data Grid, five states which accounts for highest pendency are Uttar Pradesh, Maharashtra, West Bengal, Bihar and Gujarat.

3.3 crore cases pending in Indian Courts. 2.84 crore cases are pending in the subordinate courts, the backlog of High court and supreme court is 43 lakh and 57,987 cases respectively. Account to NJDG the five states which account for the highest pendency are Uttar Pradesh (61.58 lakh), Maharashtra (33.22 lakh), West Bengal (17.59), Bihar (16.58 lakh) and Gujarat (16.45 lakh).

Case : S.C. advocates on record Association V. Union of India

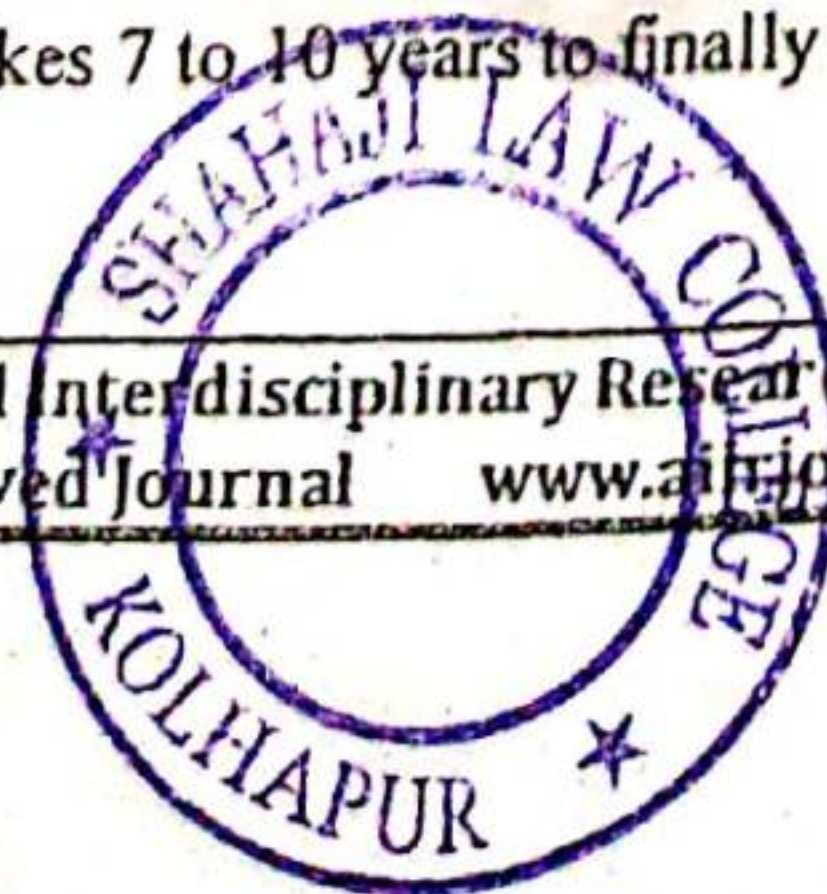
The court pointed out the need of appointment of judges and held that it may issue direction to assess the felt need and fix the strength of judges according to the need.

### III) Reasons/Causes For Delay In Disposal Of Cases :- Following factors contributed for delay in disposal of cases

- 1) **Inadequate Number Of Judges And courts :-** The main factor for delay in disposal of cases is inadequate number of judges and the inadequate number of courts in the ratio of population. Millions of cases are pending in India. It takes 7 to 10 years to finally dispose of one case.

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## Delayed Justice And Democratic Principles : An Uneven Balance

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2018-19

# INDIAN DEMOCRACY AND ITS CHALLENGES

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## Women Empowerment

**Dr. M. C. Sheikh.**

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**Mrs. Priyanka Sambhaji Jadhavar.**

(Research Scholar, Shivaji University Kolhapur.)

(Affiliated to Shivaji University, Kolhapur)

"There is no change for the welfare of the world unless the condition of women is improved it is not possible for a bird to fly on only one wing."  
-Swami Vivekananda.

### Abstract

This paper is with aim to create legal awareness about various acts constitutional provision, directive principles of state policy relating to women's equality in society. The aim of women empowerment can't achieve without education. Our state made various laws for elimination of gender inequality form society. 100% of eradication of gender inequality not achieved yet. Gender discrimination is man made creation deeply rooted in society. Gender Barrier is obstacle in women empowerment. The concept of empowerment is co-relation with the human rights development. Only law making is not sufficient for empowerment of women. There must be need social, political support. Their will be need of legal education promotion and legal provisions amalgamation for women empowerment. In our society. Through the women empowerment government will achieve the goal of development in country.

### Introduction:

From the evolution of human society women's position and rights changed with the time to time. Gender discrimination seen in all strata's of societies of the world.. Women's life is under the shadow of her father first then husband and ending in the shadow of her son. Women couldn't take independent decision in her life their is always presence of undue influence it affects the gender justice in society. In India women's position has two sides of a coin. She is prayed as goddesses of divine power. Form goddesses men praying for power and other side he gave women discriminating treatment in society. Vedic period women enjoys her rights. After the Vedic period women faces degradation of her rights in society. Medieval period is dark period for women's position in society. Purdah system, sati tradition, child marriage female infanticide, and with number of restriction to spend life within four walls of house. In the British period introduced various laws for eradication of ill practices against women like sati prohibition act 1829. Various reformers like Mahatma Fule promoting education to women Maharshi Karve promoting education to women widow remarriage. After the independence India is a secular country. Indian constitution provides fundamental rights. It promotes equality among the citizens. Post independence ratio of literacy goes increasing. Due to increasing level of literacy rate socio-economic rate also incised in our society. According to 2011 survey 65.46% women literate in India. India's literacy rate increased 74%. For earning bread and butter number of women come out for earning money. They faces various kind of discrimination. Various legal provision existed for gender equality but still various types of gender inequality deeply rooted in our society. Son get more preference as compare to daughter in family. For maintaining gender justice in society awareness of legal education is very essential. Moral education for gender equality start from the home first. In the various stages of schools must teaches the concept of gender equality.

**Women's rights in India:** Constitution of India cherished the concept of gender justice. India signed the various international ratification for promoting, protecting the gender equality among the nation.

- Right to equality (Art 14-18)
- Right to freedom (Art 19-22)
- Right against exploitation (Art 23-24)
- Right to freedom of religion (Art 25-28)

- Cultural and educational rights (Art 29-30)
- Right to Constitutional Remedies Art 32
- Directive principles of state policy and Various other legal provisions

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## REHABILITATION OF YOUNG OFFENDERS: HUMAN RIGHTS PERSPECTIVE

Suhas Vijayrao Patki  
Assistant Professor,  
Shahaji Law College, Kolhapur

"All men make mistakes, but a good man yields when he knows  
his course is wrong, and repairs the evil. The only crime is pride."

Sophocles, Antigone

"Child is the father of man" and in order to enable fathering of a valiant and vibrant man, the child must be groomed well in the formative years of his life. He must receive education; acquire knowledge of man and materials and blossom in such an atmosphere that on reaching age, he is found to be a man with a mission, a man who matters so far as the society is concerned. Children are greatest national asset and resource. Children should be allowed and provided opportunity to grow up to become law abiding citizens, physically fit, mentally alert and morally healthy, endowed with skills and activations needed by the society. Equal opportunities for development to all children during the period of growth should be provided for reducing inequality and ensuring social justice, which in turn would serve as an effective tool to curb delinquency in juveniles. Children are expected to be obedient, respectful, law abiding and imbibe virtues and good quality in them. Due to various reasons children do not follow settled social obligations and legal dictum.

Rehabilitation of young offenders is a constitutional promise and obligation. The success of future governance depends on the cultural enjoyment and privileges of the today's young. However, the ways of life are never straight and rosy. The ordinary expectations, pulls and pushes of life turn the young minds to the corridors of the crime. Crime is inevitable phenomena of the society the worst victims of which are young offenders.

Society owes two way responsibilities to young offenders. Firstly crimes committed by the young offenders are to be treated differently than the normal crimes by proving different mechanism for trial and reformation. Secondly crimes committed against the young should not be tolerated thereby making such offence heinous punishable with server punishment.

The legal system in India takes care of the young offenders by providing constitutional protection, legislative measures and judicial safeguards.

In recent years, it has become very clear that juvenile delinquency is the most important aspect of the subject matter of criminology. These years have also seen an urge for an objective appraisal of the problem and the development of the new techniques. Delinquent behaviour has assumed serious forms among the juveniles, which is a sign of sick and weak society. The disorder and destruction due to deviant behaviour, a worldwide phenomenon, is assuming alarming proportions in social organizations and is awakening call to those who are either in its grip or are likely to get struck. Juvenile delinquency, as a legal concept is of recent origin. The two cannot be separated since one of the reasons for crime and its continuance into adult life is the ineffective control and treatment of juveniles. Juvenile delinquency is a big breeding centre of criminals from their childhood.

The word delinquency is derived from the Latin word "delinquere" meaning de i.e. away and linquere i.e. to leave thus, meaning to leave or to abandon. Originally, the word had an objective meaning as it referred to parents who neglected and abandoned their children. In present day, it is used and applied to those children who indulge in criminal and harmful activities. Juvenile can be defined as a child who has not attained a certain age at which he, like an adult person under the law of the land, can be held liable for his criminal acts. The juvenile is a child who is alleged to have

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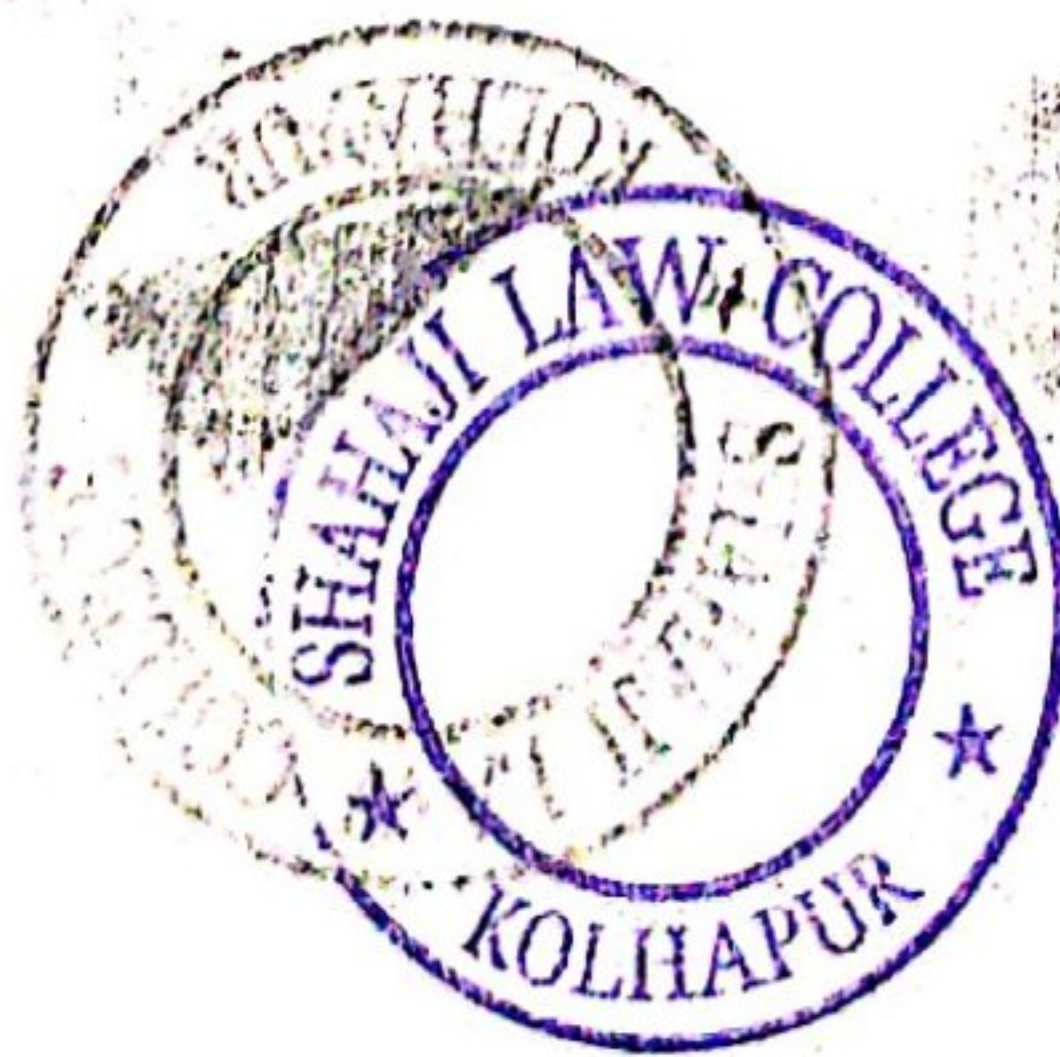
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## ALTERNATIVE DISPUTE RESOLUTION: AS A QUICK ACCESS TO JUSTICE

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**Abstract:** Judiciary is the important organ of the sovereign state. They impart justice which should be fair equal without bias. Indian judicial system is overburdened by the piling of pending cases. Thus justice within reasonable time becomes for impossible. Alternative dispute resolution can be effective solution for the delayed justice. The procedures under Alternative dispute resolution are simple, faster. It is amicable settlement of dispute by using methods like arbitration, mediation, negotiation, conciliation. Thus to lessen the burden from judiciary Alternative dispute resolution may act as a innovative solution.

As Mahatma Gandhi has rightly said, "I realized that the true function of a lawyer was to unite parties. The lesson was so indelibly burnt into me that a large part of my time during the twenty years of my practice as a lawyer was occupied in bringing about private compromise of hundreds of cases. I lost nothing thereby not even money, certainly not my soul."

**Keywords:** Alternative Dispute Resolution (ADR), delay, justice, pendency

### Introduction

Abraham Lincoln has rightly said, "Discourage litigation.....A nominal winner is often the real loser in fees, expenses and waste of time."

The traditional dispute resolution by the state courts always include lengthy technicalities, procedure which leads towards the delay in disposal of cases. The delay in dispensation of justice defeat the purpose of it on the other hand Alternative dispute resolution act as a informal method of dispute resolution which is speedy, economic. Alternative dispute resolution resolves different kinds of disputes like domestic, labour, business. It must be used to assist the judiciary for reducing the number of pending litigation in India. The more importance is given on strengthening the relationship of the litigant in Alternative dispute resolution.

**Research Methodology**

Kolhapur

The doctrinal method is used for this study. The Researcher use secondary sources like books, articles, blogs, websites etc. Due to lack of time primary resources are not used by researcher.

### Concept of Alternate Dispute Resolution

Alternative dispute resolution is no new concept in India. Earlier we have Panchayat System which consist of five elderly persons in the village and who were leaded by the village headman (Panchamukhi Parmeshwar). Whereas the version given by Pancha were treated to be trustworthy. This was kind of self-governance. The appeal from the village panchayat lies to the kings' court. Now a day's panchayat system got Constitutional sanction.

Alternative dispute resolution is the resolution of dispute by the amicable means. It includes settlement of domestic, labour, business, civil, related disputes.