



॥ विद्या विनयेन शोमते ॥

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5.	Specific Provision Relating to Certain Special Classes In the Constitution and United States A comparative Study		Aparajita Gupta	One day national level online multidisciplinary seminar on Law, Commerce, Technology and Society- A Way Ahead	May 2023
6.	Internet of Things for the Sustainability Library Development in the Digital World		Janhavi Bhoir		January 2023
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<p>Act - Negligence And Nuisance Remedies of Tort</p> <p>Law of Crimes: Offences of False Evidence & offences relation to documents and property Offences relating to sexual marriages Section 375-377, 493-498A</p> <p>Constitutional Law I- Freedoms and Social Control Unit (Art.19-22) Right to equality (Art.14-18)</p>				
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CONTEMPORARY RESEARCH IN INDIA

A Peer-Reviewed Multi-Disciplinary International Journal

Selected Research Papers from
National Conference
on

Sustainability, Society and Environment

14th March, 2014 (SSE-2014)



Organised by
Ratnagiri Sub-Centre, University of Mumbai, Ratnagiri



CONTEMPORARY RESEARCH IN INDIA
A PEER-REVIEWED MULTI-DISCIPLINARY INTERNATIONAL JOURNAL
 National Conference on Sustainability, Society and Environment
 14th March, 2014

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Editorial

University of Mumbai, Sub-Centre Ratnagiri has always been on the forefront in organizing different academic, co-curricular and administrative activities to nurture the students' minds and equip them with skills to face the challenges of the real world situations with academic excellence.

The conference on "**Sustainability, Society and Environment**" aims to provide an opportunity to bring together innovative academics and industrial experts, engineers, scientists, researchers, students, managers and other professionals in order to address and discuss importance of Sustainability to improve environment and societal values. The threat to sustainability to mankind has been revealed by the international community since Rio summit. Brundtland commission has defined sustainable development on the basis of well-accepted ethical principle of "Inter-generation Equity". It is observed that environmental degradation is associated with development. The question has always been raised; can we afford to change our lifestyle and retard the development to achieve conservation? It is next to impossible in both developed and developing world. Can we achieve development and at the sometimes reduce the negative impact on environment? Yes, It is possible by adopting the concept of sustainable development as suggested by in the brundtlands commissions report.

Equitable distribution of resources in the world for the present and for future generations may reduce deprivation. It has also been clearly observed that degradation of environment leads to disparity and hence it is responsible for increasing population below poverty line. Therefore, it is necessary to achieve development with minimum degradation of environment. It is well felt that environmental issues have to understand the same to develop proper planning strategy for achieving sustainability should be designed. The ultimate aim is to make the future livable for human race. With this aim sustainable development has three major components 1. Social/people 2. Economic or Profit 3. Environment. With these three components, if the present issues of development are reviewed it would be clear to understand the paths of economic growth. The social value refers to the ethics evolved through man nature interaction through ages. This has made us to adopt inclusive approach means the approach taking into account the issues of poorest of poor society in the world. It is necessary that the world economic system along with regional economies must address the issues of deprived population so as to achieve balanced development.

The environmental balance is mainly dependant on balanced growth with ethical approach the balance of nature will be maintained and manmade catastrophe like global warming can be avoided. For this, the commitment to protect environment and reduce disparity should be enhanced at various levels.

This kind of philosophical approach towards environmental studies would be possible with multidisciplinary understanding. The conference has therefore invited papers from not only sciences but also social science faculty along with researchers with educational and legal backgrounds. The present special issues may take one step further in this direction to link the social issues in connection with sustainability. I commend it to you.

Dr. Pandurang Y. Patil

Issue Editor

Contemporary Research in India is a peer-reviewed Multi-Disciplinary International Journal with quarterly periodicity aims at promoting research in Humanities, Social Sciences, Sciences, Engineering, Law, and Education and so on. The Journal will also help to explore creative talents and bring out their writing in the form of research articles, reviews, poetry, short story, etc. with a view to establish, understand and maintain harmony among different disciplines and spheres. Above all, emphasis and priority will be given to pure research as it will mould the world in future. The purpose is to disseminate an authentic body of research which further promotes knowledge, understanding and an intellectual exercise among the research fraternity.

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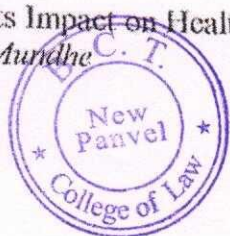

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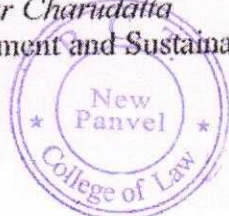
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SOLID WASTE AND ECOFRIENDLY MANAGEMENT

Deepali Mahesh Babar, Assistant Prof., Bhagubai Changu Thakur, College of Law, New Panvel

Introduction:

Since the beginning, humankind has been generating waste, be it the bones and other parts of animals they slaughter for their food or the wood they cut to make their carts. With the progress of civilization, the waste generated became of a more complex nature. At the end of the 19th century the industrial revolution saw the rise of the world of consumers. Not only did they get more and more polluted but the earth itself became more polluted with the generation of non biodegradable solid waste. The increase in population and urbanization was also largely responsible for the increase.

Today the world is facing another problem of pollution as solid waste pollution. Solid waste is a serious issue and has a linkage with economic growth, environmental degradation and health hazards. In India, Solid Waste Management generation and management practices are very poor.

Waste that is not properly managed, especially urea and other liquid and solid waste from households and the community, are a serious health hazard and lead to the spread of infectious diseases. Untended waste lying around attracts flies, rats, and other creatures that in turn spread disease thereby to a large extent in the health problems. The plague outbreak in Bombay is a good example of a city suffering due to the negligence of the local body in maintaining cleanliness in the city. Waste dumped near a water source also causes contamination of the water body or the ground water source. Direct dumping of untreated wastes in rivers, streams, and lakes results in the accumulation of toxic substances which are dangerous for the aquatic plants and animals that feed on it. Some of the harmful metals found in plastics are copper, lead, chromium, cobalt, nickel, and cadmium. The decomposition process of plastic is very slow. It makes the soil infertile also the burning of plastic discharges toxic gases in the air which are harmful to the living beings. Hospitals and health care facilities generate lots of waste which transmit infections, particularly HIV, Hepatitis B & Tetanus, to the people who handle it or come in

contact with it. Improperly operated incineration plants cause air pollution and improperly managed and designed landfills attract all types of insects and rodents that spread disease. Ideally these sites should be located at a safe distance from all human settlement. Landfill sites should be well lined and walled to ensure that there is no leakage into the nearby ground water sources. Rag pickers and others, who are involved in scavenging in the waste dumps for items that can be recycled, may sustain injuries and come into direct contact with these infectious items^{xxiii}.

E-Waste is non biodegradable in nature. They accumulate in soil for a long period of time. E-Waste affects human health. Disposal of e-wastes is a particular problem faced in many regions across the globe. This is due to disposal of recycling wastes such as acids, sludge's etc. in rivers. Now water is being transported from faraway towns to cater to the demands of the population. Incineration of e-wastes can emit toxic fumes and gases, thereby polluting the surrounding air. Improperly monitored landfills can cause environmental hazards. Mercury will leach when certain electronic devices, such as circuit breakers are destroyed^{xxiv}.

Proper methods of Solid waste disposal have to be undertaken to ensure that it does not affect the environment around the area or cause health hazards to the people living there.

Methods of Solid Waste Management:

1. Land Fill: The municipal solid waste is dumped in an outside area. It is a very common practice found in many cities. This method can cause leaching and ground water contamination and also affects the health of the people living in the neighborhood.
2. Disposal in sea: In coastal cities like Kolkata, Mumbai and Chennai, solid waste disposed in the sea. The hazardous waste in the sea bed affects biodiversity and the marine animal and plant life.
3. ECOFRIENDLY METHOD OF SOLID WASTE MANAGEMENT:

- a) Segregation: This is the primary stage in the management. In segregation, dry and wet waste is separated.
- b) Compositing: compositing uses micro-organisms to break down organic waste in the presence of air, usually to produce compost suitable for adding to soil or as a pre-treatment step.
This will get converted in to good manure.
- c) Vermi compositing: With the help of earthworm the wastes are decomposed in very few days.
- d) Pyrolysis: The waste is heated to a high temperature. This process is beneficial for obtaining gas and electricity.
4. Material recovery: Organic waste can be used to produce fuel and electricity with the help of anaerobic bacteria and anaerobic process.
5. Bio- Medical Waste Management: Proper segregation, labeling and appropriate treatment of waste will reduce problem caused by medical waste.
Incinerator is used to burn bio-medical waste at a high temperature. Disinfection and sterilization are some of the precautions used to treat and dispose of the biological waste.
6. Discarded computers, televisions, VCRs, stereos, copiers, fax machines, electric lamps, cell phones, audio equipment and batteries can be refurbished, or recycled in an environmentally sound manner so that they are less harmful^{xxv}.

Rules for the Management of Solid Wastes:

1. Environment Protection Act, 1986
2. The National Green Tribunal Act, 2010
3. Manufacture, Storage and Import of Hazardous Chemicals Rules, 1982
4. The Hazardous Micro-organisms Rules, 1989
5. The Bio-Medical Waste (Management and Handling) Rules, 1998
6. Plastic Waste (Management and Handling) Rules, 2011
7. The Municipal Solid Waste (Management and Handling)Rules, 2013
8. The Batteries (Management and Handling)Rules, 2001
9. e-Waste (Management and Handling) Rules, 2011^{xxvi}

Conclusion:

As seen above in India there are various ways of Solid Waste Management but the management practices are very poor. There are various Rules made under Environment Protection Act, 1986 but there is improper implementation of those Rules. Also the public is not co operating with the Government with regard to disposal of waste. Major cities such as Mumbai, Chennai, Delhi, etc. produces huge amount of solid waste which are affecting the environment as well as human being, plants, animals and birds.

The various reasons for this are:

1. lack of public awareness, motivation, education;
2. lack of wide publicity through electronic and print media;
3. lack of finances to create awareness;
4. difficulty educating slum dwellers;
5. lack of sufficient knowledge on benefits of segregation;
6. non cooperation from households, trade and commerce;
7. unwillingness on part of citizens to spend on separate bin for recyclables;
8. Non availability of primary collection vehicles and equipment;
9. lack of financial resources for procurement of tool and modern vehicles as well as lack of support from state government; 1
10. Non-availability of appropriate land;
11. Lack of technical knowhow and skilled manpower for treatment and disposal of waste;
12. Delay in clearance of disposal sites.
13. Inadequate manpower with the Board for implementation of the various rules framed under Consumer Protection Act, 1986.

So four steps i.e. Refuse, Reuse, Recycle, Reduce should be used by an individual in management of Solid Waste.

1. Refuse: Instead of buying new containers from market, use the ones that are in the house. Refuse to buy new items though you may think they are prettier than the ones you already have.
2. Reuse: Do not throw away the soft drink cans or glass bottles; cover them with homemade paper or fabric.



on them and use them as pencil stands or small vases.

3. Recycle: Use shopping bags made of cloth or jute, which can be used over and over again. Segregate your waste to make sure that it is collected and taken for recycling.
4. Reduce. Reduce the generation of unnecessary waste, e.g. carry your own shopping bag when you go to the market and put all your purchases directly into it.

So also the Government, Pollution Control Board, Municipal Corporation and Municipalities should take an active part in the management of the

Solid Waste and should undertake organize social awareness programs to ensure community participation in waste collection, segregation, reuse, recycling, reducing the generation of unnecessary waste. By abusing or destroying environment for economic gain, we are not going to make Bharat Sujalam Sufalam. Today, nature is being neglected, abused and exploited without realizing the common man's needs for his survival.

All people have a right to an environment that is not harmful to their health or well-being and to have the environment protected, for the benefit of present and future generations.

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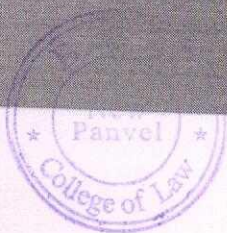
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“Homosexuality and Same Sex Marriages - Need for Legislation”

Deepali. M. Babar
Assistant Professor,
B C Thakur College of Law,
New Panvel.

ABSTRACT

Homosexuality and Same sex Marriages- Need for a legislation

Homosexuality according to Oxford Dictionary means the quality of being sexually attracted solely to people of one's own sex. Homosexuality was considered to be mental disorder. The practice of homosexuality existed in the world from the ancient period. However this group were discriminated, abused and there act was considered to be immoral, crime and a sin.

In India the act of homosexuality was criminalized by Sec.377 of the Indian Penal Code,1860. However there was awareness of the fact proved through various clinical research that 'Homosexuality' is normal form of human sexual behaviour. Thereafter homosexual community as well as organisations fighting for the cause of homosexuals started campaigning for legalizing such sexual relationships. Many countries legalized homosexuality as well as same sex marriages. In India Supreme courts verdict in the case of Navtej Singh Johar v. Union of India (2018) has decriminalized Sec.377 partly, legalising homosexuality between two consenting adults. However in India the law is silent on the point that whether same sex marriages are legal or illegal and there is no law governing such marriages, adoption or inheritance, etc.

Keywords- homosexuals, same sex marriages, legalize, criminalized, sexual behaviour.

INTRODUCTION:

The Term 'homosexuality' was coined in the late 19th century by a German Psychologist, Karoly Maria Benkert.

The term 'homosexuality' according to Oxford Dictionary means, “ The quality or characteristics of being sexually attracted solely to people of one's own sex.”

According to Webster, “ Homosexuals is the sexual attraction or the tendency to direct sexual desire towards another of the same sex.”

Till 1970's, homosexuality was considered to be mental disorder. However through various clinical research it has been found out that homosexuality is a normal form of human sexuality.

The Research paper deals with the concept of homosexuality and same sex marriages. The object of the research paper is to analyse and understand the Socio legal aspect of

homosexuality and to find out whether there is need for special legislation governing the same sex marriages.

The research methodology employed in this study is doctrinal and includes review of literature available from Law Books, Law Journals and Internet.

HISTORY OF HOMOSEXUALITY IN INDIA-

The fact that homosexuality did exist in India since time immemorial is evident from its reference in various texts and sculptures on caves or temples. For e.g.

1. The Kamasutra uses the term 'tritiya-prakriti' to define men with homosexual desires and describe their practices in great detail. It describes Lesbian, bisexuals, transgender and inter sex people.
2. The Sushrita Samhita and Charaka Samhita also mentions 'homosexuality'
3. Mahabharata and Ramayana
4. Arthasashtra and Manusmriti
5. The Khajuraho temple, in Chhatarpur district, Madhya Pradesh, India consists of various scriptures which shows carvings of homosexual activity

However in our Indian Society such practice was considered to be immoral or illegal. During Mughal period also it was a penal offence. During British period in India, it was made a criminal offence U/S 377 of The Indian Penal Code, 1860.

S.377 of The Indian Penal Code, 1860 states, "Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable for fine."

Explanation- Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

This section was incorporated to make the act of sodomy, bestiality punishable. Such acts were considered crime or sin and against the fabric and ethos of our society. Thus homosexuals faced tremendous humiliation and discrimination by the society without there being any fault on their part.

In many marriages the parties conceal their sexual orientation which causes frustration, dissatisfaction and self hatred.

With the advent of medical research in this field it was found out that homosexuality is a common natural character in a person where in he will be sexually attracted to the person of same gender. It is not a sin or a crime. With the awareness of human rights and modern thinking, the LGBTQI community got the knowledge that satisfactory personal life, privacy, dignity are their basic right. They therefore started campaigning for their rights. Some persons and organizations such as Naz Foundation, The National Aids Control Organization,

Law Commission of India, Navjit Singh Johar, Menaka Guruswamy, Ritu Dalmia, etc. have helped LGBTQI community for seeking equal rights.

ROLE OF JUDICIARY-

The Indian Judiciary has also played a vital role in recognizing the rights of homosexuals and partly decriminalized Sec. 377 of The Indian penal Code, 1860.

1. National Legal Service Authority V. Union of India. (2014)5 SCC 438 is a landmark decisions of the Supreme Court of India, which declared transgender people to be a 'third gender' and thus gave them the right of identification of their gender. This Judgement is a major step towards gender equality.

2. Naz Foundation V. Government of NCT of Delhi, 2010 CrLJ 94

The Naz Foundation India, a non-governmental organization committed to HIV/AIDS intervention and prevention, filed a public interest litigation in the Delhi High Court challenging the constitutionality of Section 377 of the India Penal Code, which makes it illegal to engage in any "unnatural" sexual act, defined as sex other than heterosexual intercourse. The Delhi High Court dismissed the original writ petition in 2004 for lack of a cause of action. However, on civil appeal the Supreme Court of India set aside the dismissal and ordered the Delhi High Court to hear the petition on the merits.

The Delhi High Court Judgement declared Sec.377 of Indian penal Code as unconstitutional in so far, it criminalizes consensual sexual act of adults in private and thus violates Art.14, Art.15 and 21 of the Constitution.

But the Supreme Court overruled the Delhi high court Judgement holding that those who indulge in carnal intercourse in the ordinary course and those who indulge in carnal intercourse against the order of nature constitutes different classing and the people in the later category cannot claim that Sec.377 suffers vice of arbitrariness and irrational classification. What Sec.377 does is merely to define a particular offence and prescribe the punishment for the same which can be awarded if the trial is conducted in accordance with the provision of Crpc. Thus Sec.377 does not suffer from any constitutional infirmity. Notwithstanding this Judgement, the competent legislature shall be free to consider the desirability and propriety of deleting Sec.377 of Indian Penal Code from the statute book or amend the same.

The LGBTQI community suffered a significant blow when the Supreme Court overturned the Delhi High Court Judgement.

3. In K.S.Putaswamy and Anr v. Union of India. (2017) 10 SCC 1, A nine Judge Supreme Court bench hearing petition against biometric programme Aadhar card unanimously ruled that privacy is a fundamental right.

In light of this recent Judgement, there stems a ray of hope for those fighting to legalize homosexuality in India by declaring Section 377 of the Indian Penal Code as 'unconstitutional'. What happens between two individuals of the same sex inside their own

private sphere must be protected from invasion by the government and its officials. The right to privacy judgement is one step towards attaining the above goal.

4. Navtej Singh Johar v. Union of India (2018), a petition was filed by dancer Navtej Singh Johar challenging Sec.377 of Indian Penal Code on the ground that it violated the constitutional right to privacy, freedom of expression, equality, human dignity and protection from discrimination. The court stated that criminalizing consensual sex between adults in private was violative of right to privacy. The Sexual orientation forms an inherent form of self identity and denying the same would be violative of the right to life. Thus Sec.377 of Indian Penal Code was partly decriminalized and thus allowing consensual sex between two adults irrespective of gender.

SAME SEX MARRIAGES-

The recent verdict of Supreme Court on Sec.377 of Indian Penal Code has given a way or removed the hurdle for same sex couples to legally enter in to consenting sexual relation. But if these couples want to enter in the tie of marriage, the law is silent. In the present Context same sex marriage per se is not illegal or legal in India. No penalties or fine is mentioned against it under any statute in India. So the Government should take an initiative to legalize such marriages.

Same Sex marriages are legalized by many countries such as Taiwan which was the first country in Asia.

In America on June 26, 2015 the United States Supreme Court issued a landmark ruling that granted same sex couples a constitutional "right to marry" (Obergefell v. Hodges)

In Europe, same sex marriages are legalized in Netherlands, Belgium, Spain, Norway, Sweden, Portuguese, Iceland, Denmark, France, United Kingdom, Ireland, Finland, Germany, Austria.

Italy is the largest Western European Countries were same sex marriage is not legal, however its parliament approved civil unions for same couples in 2016.

In 2005, Canada become the first country in the western hemisphere to legalize same sex marriage. It was followed by Argentina, Brazil, Mexico, etc.

New Zealand and Australia also has legalized the same sex marriage.

In South and Central Asia, same sex relations are illegal in the countries such as Bangladesh, pakistan, Iran, Saudi Arabia, Yemen.

South Africa has Legalised the same sex marriages.

The time has been changed from traditional heterogeneous marriages to a new modern families where in homosexual relations and marriages are recognized by many countries. 'Marriage' is considered as eternal union between the spouses who shares each others pain and pleasure. It is the institution which gives recognition to the sexual relation between the

couple with the blessings of god and elders. The marriage establishes legal rights and obligations between the parties. As the Supreme Court has taken a initiative legalizing consensual same sex relationship. The government should legalize same sex marriages by framing laws governing homosexual marriages, adoption, inheritance, etc.

As far as India is concerned the marriages are governed by the personal laws. Personal laws are applied depending upon the religion to which the parties belong.

1. Hindus- The Hindu Marriage Act, 1955
2. Muslims- The Muslim Personal Law(Shariat) Application Act, 1937
3. Christians- The Indian Christian Marriage Act, 1872
4. Parsi- The Parsi Marriage and divorce Act, 1936

The wordings in the act clearly shows that it governs only heterogeneous marriages. The provisions are made taking in to consideration gender wise character of a male and female. The present personal law therefore cannot govern homosexual marriages . Also the same sex couples is not given a right to adopt a child. They also cannot go for surrogacy in the current legal framework. So a change in law is needed in order to give LGBTQ community their matrimonial and adoption rights.

The various International Conventions like UDHR, ICCPR, ICESCR and Regional Conventions like American Convention, European Convention has given right to a person to marry and found family without any discrimination even based on gender. These Conventions requires the member states to repeal the laws criminalizing homosexuality and for enacting anti-discriminatory laws to prohibit discrimination on the ground of sexual orientation and gender equality.

A positive step with respect to matrimonial rights of LGBTQI community has already taken by the Madras High Court in Arunkumar v. The Inspector General of Registration - on 22nd April, 2019 the Madras High Court upheld the right of a transwoman and a man to register their marriage under the Hindu Marriage Act, 1955 considering the marriage to be legal.

Under Hindu Marriage Act, 1955 the term 'bride' would also means a transwoman and not just refer to someone born as a woman. The 'bride' in the Hindu Marriage Act could not have static meaning.

CONCLUSION-

Homosexuality is inborn and is immutable in nature. It is a normal behaviour of sexuality. The disturbing factor prevailing in the society is the discriminatory practices and acts of violence against homosexuals. It is the duty of the state to enact antidiscriminatory law prohibiting discrimination on the grounds of sexual orientation and gender identity.

Besides legal reforms of domestic laws in India, the education of LGBTQI rights and of sexual orientation must be spread through awareness.



As far as homosexual marriages are concerned, the Supreme Court has already legalised the Consensual homosexual acts of adults. It has opened the door or paved for the way for same sex marriage. Sexual life is a part of marriage. Every person has right to choose his own partner in life without any discrimination based on even gender. Many countries have legalised same sex marriages. As society changes law also needs to change. Law has to cope with society. In India law is silent on the fact that whether same sex marriages are legal or illegal. It has not dicriminized same sex marriages by imposing punishment under any statutory law. It is the time that the government should legalize same sex marriages and enact law governing their marriages, adoption, inheritances, maintenance, etc.

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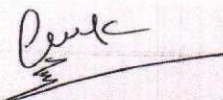
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Subject: Acceptance and Invitation

Greeting from Karnatak University

Dear Author(s),

It is my pleasure to inform you that your paper entitled “**A Bibliometrics analysis on the Literature of Predatory Publishing on Web of Science: 2010-2020**” has been accepted by the editorial board for oral presentation and inclusion in the Conference Volume of the International Conference on “Marching Libraries from Traditional to Hybrid: Connecting, Communicating and Cooperating (ICMLTH-2021)”. The Organizing Committee would like to invite you to attend the Conference at Karnatak University, Dharwad and present your paper during the Conference.

Note: Originality of the ideas and opinions expressed by you (author (s)) in your paper/article are of your own no responsibility lies on the Editor/Editorial Board/Organizing committee of the (ICMLTH-2021).


If the registration fee is not received, your paper will not be included in the conference volume.

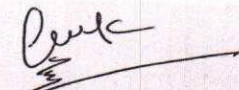
Registration fee may be paid in the form of DD/ Cheque drawn in favour of **Chairman, Department of Library and Information science, Karnatak University, Dharwad**, Payable at Dharwad or by online transfer to Account Number **11605297710** State bank of India, Karnatak University Campus Branch, Dharwad (IFSC : **SBIN0001728**). (In case of Online Payment kindly send the screenshot of your transaction details along with your name to the following **Whatsapp Number (0) 78290 23369**).

You are also requested to send your PPT file to ickud21@gmail.com, ckrishnamurthy@kud.ac.in for presentation during the Conference.

Thank you very much for your valuable and informative contribution. We are looking forward to see you at the conference to be held during 30th Sep- 1st Oct, 2021.




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A Bibliometric Analysis on the Literature of Predatory Publishing on Web of Science: 2010-2020

Hitesh M.Chhatani*

* Librarian, Bhagubai Changu Thakur College of Law, New Panvel, India. Email: hitesh.chhatani23@gmail.com

Abstract:

The Paper analyses literature published related to Predatory Publishing from the last 10 years using a different bibliometric parameter. The Data was retrieved from the Web of Science Database with all possible queries on predatory publishing, Total of 493 documents were retrieved. The year-wise distribution shows steady growth over the years. Research Areas shows more Research is Published on Science Stream like Nursing, Medicine, etc. The most productive journal is Scientometrics. Authors from the United States publish more articles.

Keywords: Bibliometric; Predatory Publishing; Dubious Journals; Predatory journals

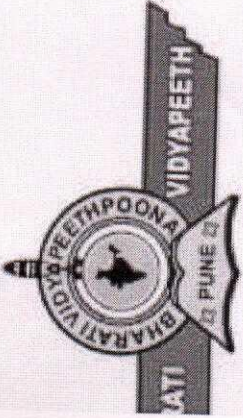


Introduction:

Bibliometrics is the term coined by Alan Pritchard in 1969 and according to him, it was "the application of mathematics and statistical methods to books and other media of communication"

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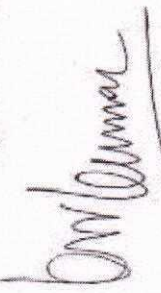
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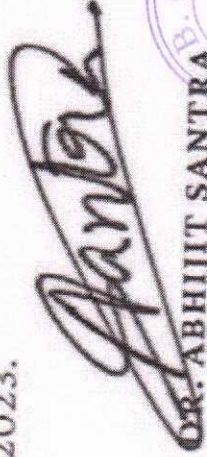
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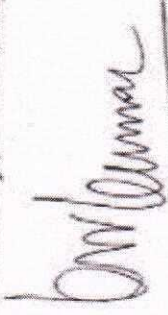
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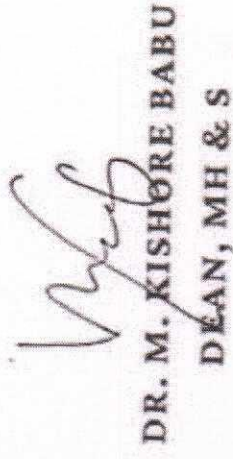
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Internet of Things for the Sustainable Library Development in the Digital World

Janhavi P Bhoir and J. Shivarama

More than at any other time in history, sustainable library growth is essential to providing education and research. One of the key pillars of sustainable library development is the use of ICT and research skills to promote library expansion. The adoption of new technology enhances delivery of library services. Library information activities are changing rapidly due to the advent of new technologies. External elements such as developing ICT infrastructure, online, social networking, and mobile technologies, as well as legal concerns such as digital rights management (DRM), have been used to build digital information systems and services. The Internet of Things (IoT) is one of the key developments we can see in the library; the Internet of Things (IoT) is believed to impact how we live significantly. Objects in the Internet of Things could be people, animals, or physical objects like cars. The objects could communicate with one another, connect to the Internet, and communicate with people. IoT applications and sensors will inevitably be implemented in our daily lives. Every day, more systems and linked devices call for their use, enhancing quality of life, health, and safety, among many other uses.

Introduction

The Internet has played a unique role in many aspects of human life. This has been possible because to the rising availability of low-cost broadband Internet connections, more devices with Wi-Fi capabilities, lower-cost technological affordability, and the widespread usage of smartphones. We can currently access a wide variety of services due to the latest technology advancements, such as accessing information, shopping, booking tickets, navigating maps, and interacting via email, social media, and mobile applications. As a result, Internet usage for communication and accessing various services via smartphones has increased. However, the next revolution will occur when the Internet, like smartphones, connects things in the physical world, which is predicted to have a massive effect on how we end up living.

2. Sustainable Library Development

The library has always been and will remain to be the foundation upon which the advancement of tertiary education is developed. More than at any other moment in history, sustainable library growth is essential to the ongoing process of providing excellent education and conducting empirical research. Universities and organizations worldwide, including the United Nations, World Bank, and the World Trade Organization, have made sustainable library development one of their top policy priorities. Guaranteeing the growth of the library through time is a part of sustainable library development. The relationship between research abilities and ICT implementations as the primary tools for achieving sustainable library growth has been acknowledged in numerous literary works in the present era.

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WORLD CONSTITUTION

A New Horizon of Human Rights

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The Role of Civilised States' in the Implementation of the World Constitution in the Light of Protection of Human Rights Under the Democratic and Non-Democratic Systems

Dr. Amitabh Sampatrao Gawale'

ABSTRACT

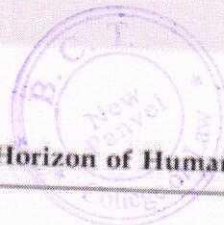
The World Constitution is to be new source of Human rights protection along with the existence of effective mechanism to implement it. This research paper focus on the four important aspects in the formation & Implementation of World Constitution. First the role of the civilized States in its making. Second the acceptance of the World Constitution by the non-democratic States by virtue of being traditional Monarch or Communist by ideological choice and if ruled by Dictatorship. Third the adaptation of universal Human rights Mechanism. And fourth the challenges in implementation of such mechanism. The seven decades of working and shaping of United Nations had played a vital role in the drafting of the Universal Declaration of Human Rights 1948 and the adoption of covenant on civil and political rights 1966 and on Economic, social and Cultural rights 1966. The States signatories are duty bound to provide the national or local mechanism in the form of Statute or Statutes for the same. Still the gross human rights violations are reported from all sorts of States whether civilized democratic, or non-democratic or dictatorship regime. Hence this lead to the need of having one uniform and universal mechanism accepted across the governing systems in existence. This could be achieved by having the World Constitution. There would be several challenges to implement it. The Pacific means to overcome all such challenges without use of force needs to define and formulated under it.

Keywords: World Constitution, Human Rights, Democracy, Non-democratic, Civilised States.

1. Introduction

With the end of the Second World War, there was the establishment of United Nations with the herculean task to bring peace and stability to all the States. And to have a common understanding that there shall be no more loss of human lives as a result of wars.²

Though UDHR (Universal Declaration of Human rights) and covenants are the basic documents dealing with the Human rights. There are different declaration available adopted by different State or States either on the basis of continental virtue or regional. The few could be the example such as the American convention³, the African Charter on Human rights and People's Rights⁴, the European⁵ and the Islamic Declaration of Human Rights⁶. We had plethora of legislations of the subject matter of Human Rights globally but there is lack of will to unify them for all the people as one citizen of the universe conferred with



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CHAPTER - I**FAMILY RELATIONS -
HINDUS, MUSLIMS, CHRISTAINS AND PARSIS**

Adv. Himanshu Arvind More
B. Com., B.C.A., LL.M.

1.1 NATURE AND SOURCES OF HINDU LAW

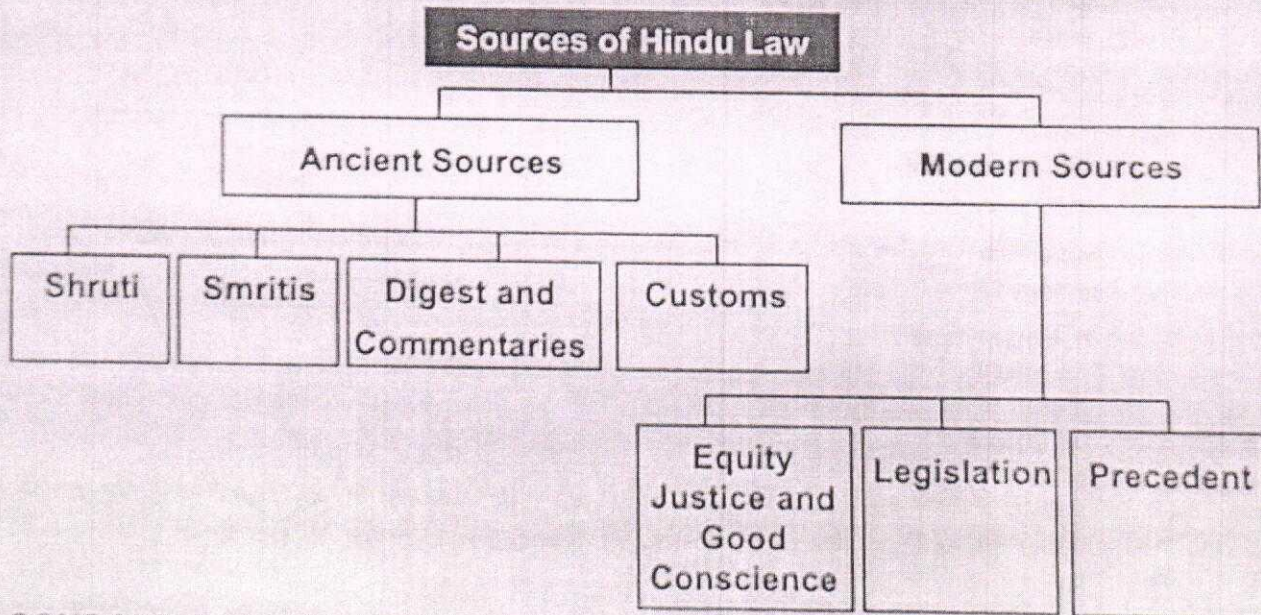
Though India is a democratic country but we all are diverse when it comes to religion. It means we are governed by our personal laws and not by one unified law. Because of this unlikeness in religion we have ample personal laws, and each community practices their own personal laws.

Communities like Hindus, Muslims, Christians, Jains, Sikhs have preserved and maintained their laws since long time. The term source in this context means the "power or authority from where the concept has been derived". Aspects like marriage, divorce, adoptions, inheritance, minority and guardianship, family matter etc will come under the title of personal laws.

Hindu law denotes the concept of Dharma which means "way of life". It talks about the duties and conducts one has to perform in his life time. Even the king was not above by dharma.

The scope of sources of Hindu law is wide and it is impossible to cover it in a narrower way.

The Classification of Sources of Hindu Laws are as follows:

**SOURCES OF HINDU LAW**

Broadly, there are following two types of sources of Hindu law:

- A) Traditional/Ancient Sources
- B) Modern sources

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CHAPTER - II

MARRIAGE AND KINSHIP

Adv. Himanshu Arvind More
B. Com., B.C.A., LL.M.

2.1 EVOLUTION OF THE INSTITUTION OF MARRIAGE AND FAMILY**A) Historical Background of Marital Relationships**

Before settling for a civilized life, in the past people moved from one place to another in search of basic necessities. When it comes to marital relationships it was possibly a herd-instinct type of relationship. When the slow and steady development took place they try to settle in one place and they have accepted agriculture for their living. In this time paternity was difficult to identify because of the unregulated sex relationships.

B) Introduction to the Institution of Marriage

It is impossible to know the paternity if there is unregulated sex relationships amongst men and women. As society developed there emerged the need to locate the real claimant for men to hand over the ownership of their material belongings. For this men and women had to unite themselves in certain bond. Therefore we can say that this need has given birth to the institution of marriage.

C) Families and Marriage: A Brief History

According to Sociologists, families are the social institutions that perform paramount functions for their family members and societies: They produce, nourish, and socialize children; care for weak and elders in the family; becomes the working force for the economy; and meet the emotional needs of family members.

To mark out families as social entities recognize because they are a social foundation and vary across cultures; to refer to them as institutions means that they take up diverse responsibilities and play different roles. Cultural differences and the changing nature of families make defining the family a matter of some contention.

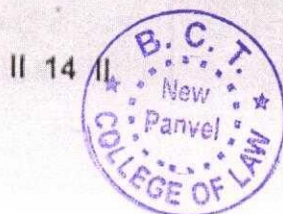
Hence, by the twentieth century, social scientists came up with the definitions of the family that was inclusive in the sense of capturing the importance of family life across cultures.

D) Meaning of Marriage

Max Weber states marriage as a "stable sexual relationship" allowed and legitimized by the larger kin group and used to determine rules about property rights for children.

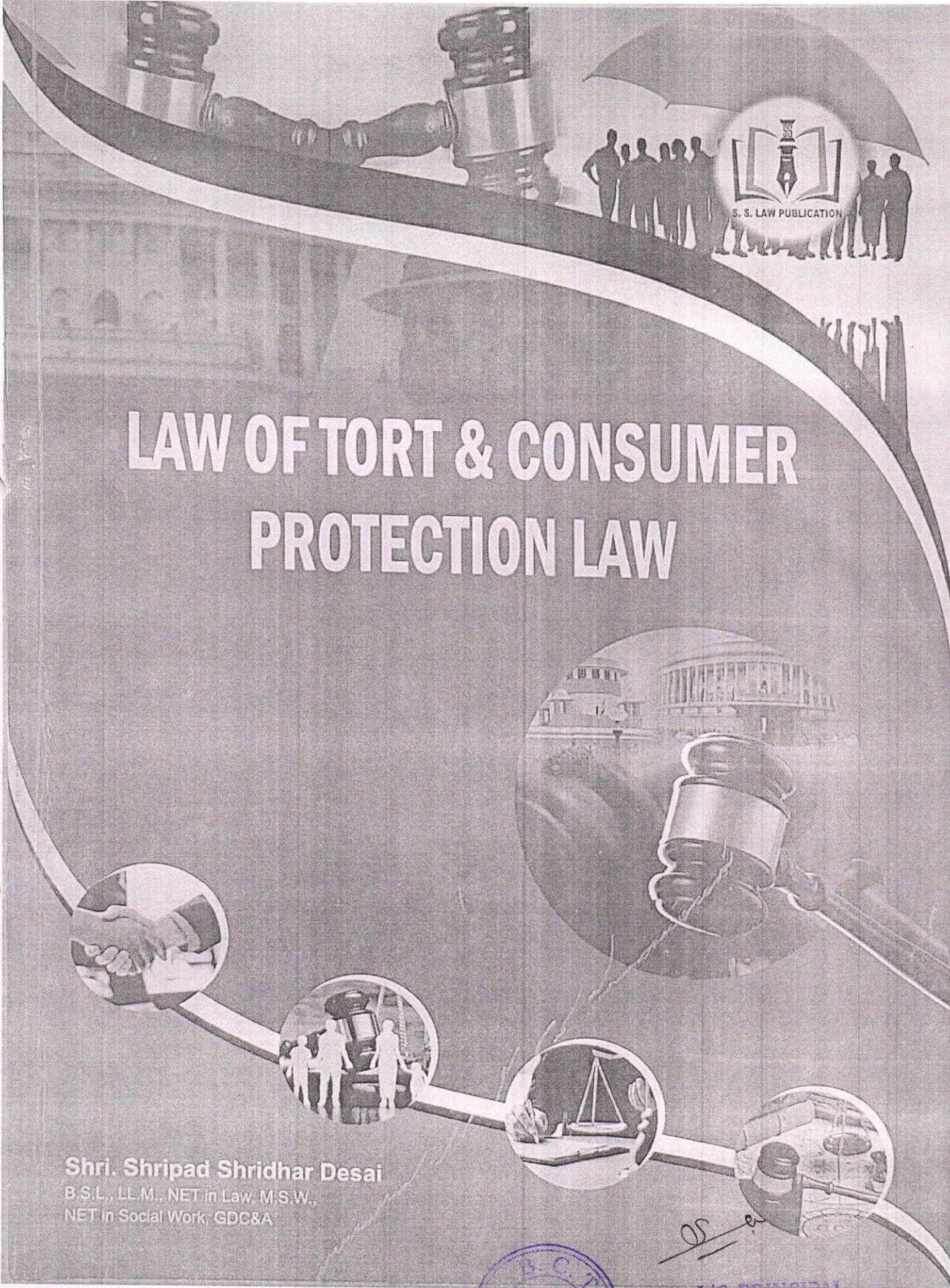
E) Transformations in Families and Marriages

Gradually, the discovery of agriculture reshaped families. For example, the right to possess land and pass it on to legal heirs means shows male domination and eventually, it became more paramount. Marriage became the center of family life and the formal contractual relationship became the basis between men and women.



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LAW OF TORT & CONSUMER PROTECTION LAW

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CHAPTER - VI

REMEDIES OF TORT

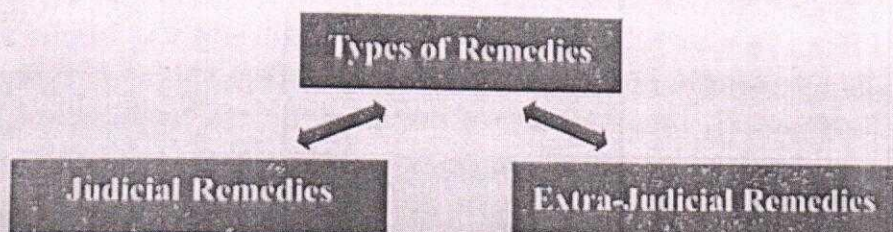
Adv. Himanshu Arvind More
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Introduction:

Let us begin this topic by understanding what 'remedy' actually means in Law. A party is said to be 'aggrieved' when something that they may have been enjoying has been taken away from them by another party. This is an infringement of a party's rights and it is treatable by law. A legal remedy is one such treatment. When the aggrieved person is taken back to the position that they were enjoying before their rights were infringed, they are said to have been provided with a legal remedy.

In torts, the object behind remedying a party is to take the aggrieved party back to the status or position that they were enjoying before the occurrence of tort. It is not to punish the defendant, as in crime. Remedies can be judicial and extrajudicial. When due process of law is required for a party to gain remedy, and the courts are involved, the remedies are called judicial remedies. When the law is taken in his/her own hands by the parties, they are called extra-judicial remedies.

There are two broad types of remedies in Tort Law.

**6.1 Judicial Remedies****1) Judicial remedies are of three main types:**

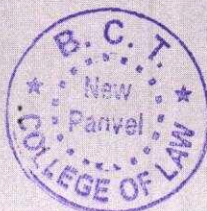
As the term suggests, these are the remedies that the courts of law provide to an aggrieved party. Judicial remedies are of three main types:

- A) Damages
- B) Injunction
- C) Specific Restitution of Property

A) Damages:

Damages, or legal damages is the amount of money paid to the aggrieved party to bring them back to the position in which they were, before the tort had occurred. They are paid to a plaintiff to help them recover the loss they have suffered. Damages are the primary remedy in a cause of action for torts. The word

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CHAPTER - V

NEGLIGENCE AND NUISANCE

Adv. Himanshu Arvind More
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5.1 Definition and Concept of Negligence

Generally speaking there is a legal duty to take care where it was or should have been reasonably foreseeable that failure to do so was likely to cause injury. Negligence is, accordingly, a mode in which many kinds of harms may be caused, by not taking such adequate precautions as should have been taken in the circumstances to avoid or prevent that harm, as contrasted with causing such harm intentionally or deliberately.

A man may, accordingly, cause harm negligently though he was not careless but tried to be careful, if the care taken was such as the court deems inadequate in the circumstances. Generally speaking one is responsible for the direct consequences of his negligent acts where he is placed in such a position with regard to another that it is obvious that if he does not use due care in his own conduct he will cause injury to another.

1) Negligence has two meanings in law of torts:

- A) Negligence as state of mind
- B) Negligence as a type of conduct

A) Negligence as state of mind:

Negligence is a mode of committing certain torts e.g. negligently or carelessly committing trespass, nuisance or defamation. This is the subjective meaning of negligence advocated by the Austin, Salmond and Winfield.

B) Negligence as a type of conduct:

Negligence is a conduct, not a state of mind. Conduct which involves the risk of causing damage. This is the objective meaning of negligence, which treats negligence as a separate or specific tort.

Actionable negligence consists in the neglect of the use of ordinary care or skill towards a person to whom the defendant owes the duty of observing ordinary care or skill, by which neglect the plaintiff has suffered injury, to his person or property *Heaven vs Pender*⁴¹



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REMEDIES OF TORT

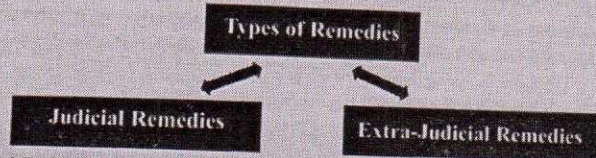
Adv. Himanshu Arvind More
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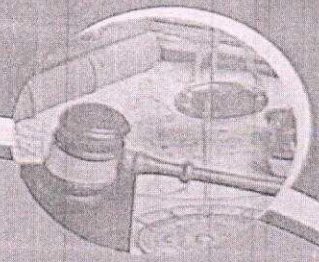
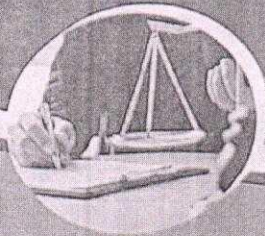
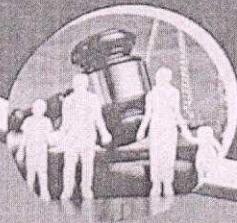
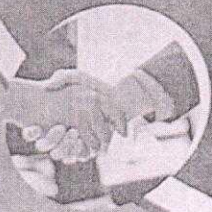
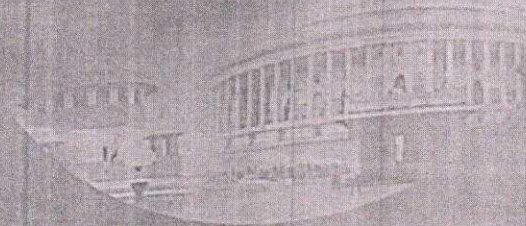
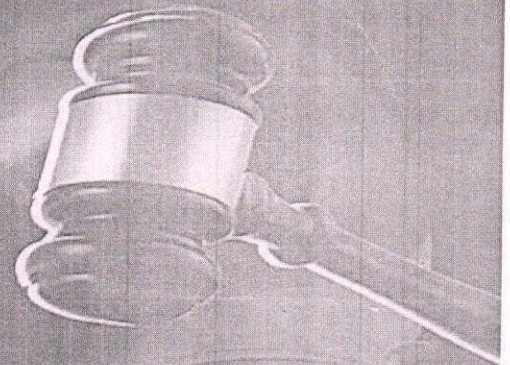
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OFFENCES OF FALSE EVIDENCE & OFFENCES RELATING TO DOCUMENTS AND PROPERTY

(Sec. 191 - 229A, 463-489E)

Adv. Himanshu Arvind More
B. Com., B.C.A., LL.M.

7.1 Giving False Evidence & Fabricating False Evidence:

1. Section 191 Giving False Evidence:

Whoever, being legally bound by an oath or by an express provision of law to state the truth, or being bound by law to make a declaration upon any subject, false or does not believe to be true, is said to give false evidence.

2. Explanation:

- A statement is within the meaning of this section, whether it is made verbally or otherwise.
- A false statement as to the belief of the person attesting is within the meaning of this section, and a person may be guilty of giving false evidence by stating that he believes a thing which he does not believe, as well as by stating that he knows a thing which he does not know.

3. Illustration:

A, being bound by an oath to state the truth, states that he believes a certain signature to be the handwriting of Z, when he does not believe it to be the handwriting of Z. Here A states that which he knows to be false, and therefore gives false evidence.

4. Essential Ingredients of False Evidence:

- Bound by oath, or
- By an express provision of law, or
- A declaration which a person is bound by law to make on any subject, and
- Which statement or declaration is false and which he either knows or believes to be false or does not believe to be true.

Summary of Giving False Evidence

- 1) Section 191 Giving False Evidence
- 2) Explanation
- 3) Illustration
- 4) Essential Ingredients of False Evidence



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OFFENSES RELATING TO SEXUAL, MARRIAGE

(Sec. 375 - 377, 493-498A)

Adv. Himanshu Arvind More
B. Com., B.C.A., LL.M.

8.1 Rape

1. Introduction:

Rape is one of the most disgraceful crimes a person can execute. It is not just a wicked crime but a huge dishonor to mankind as a species. It is a sexual smack that usually involves sexual intercourse with a person without consent.

2. Section 375 Rape:

A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions:-

- First** - Against her will.
- Secondly** - Without her consent.
- Thirdly** - With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.
- Fourthly** - With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.
- Fifthly** - With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.
- Sixthly** - With or without her consent, when she is under sixteen years of age.


Explanation- Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

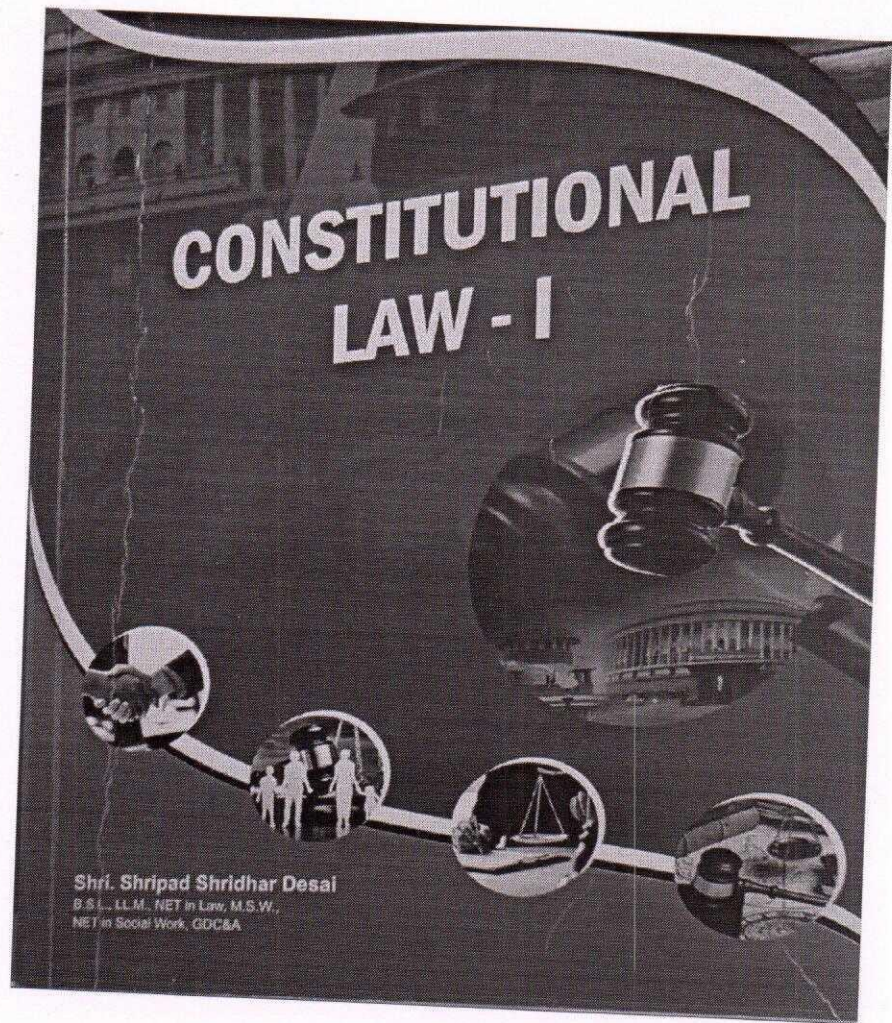
Exception- Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape.

3. Section 376 Punishment for Rape:

(1) Whoever, except in the cases provided for by subsection (2), commits rape shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may




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RIGHT TO EQUALITY (ART 14-18)

Adv. Himanshu Arvind More
B. Com. B.C.A., LL.M.

Introduction :

3.1 Equality before Law and Equal Protection of Law

1) Right to Equality:

Article 14 to 18 of the constitution guarantees the right to equality to every citizen in India. Article 14 is a general principle of equality before law and prohibits unreasonable discrimination between persons. Article 14 embodies the idea of equality expressed in the preamble. Article 15, 16, 17, 18 lists down specific applications of the general rules laid down in Article 14. Article 15 relates to prohibition of discrimination on grounds of religion, race, caste, sex, place of birth. Article 16 guarantees equality of opportunity in matters of public employment. Article 17 abolishes untouchability and Article 18 abolishes titles. Thus, right to equality is one of the magnificent corner stones of Indian democracy.

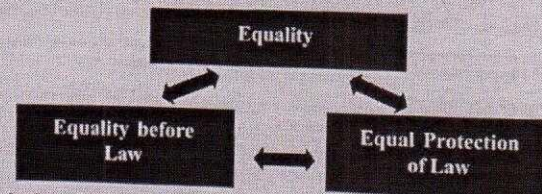
> Indira Nehru Gandhi vs Raj Narain¹⁴

Supreme Court held that the rule of law embodied in Article 14 is the basic feature of the Indian Constitution and hence it cannot be destroyed even by the amendment of the Constitution under Article 368.

2) Constitutional Provisions under Article 14:

The constitution of India provides equality before law under article 14. The article embodied that, the state shall not deny to any person equality before law and equal protection of laws within the territory of India.

Thus the two concepts are involved in Article 14 that is



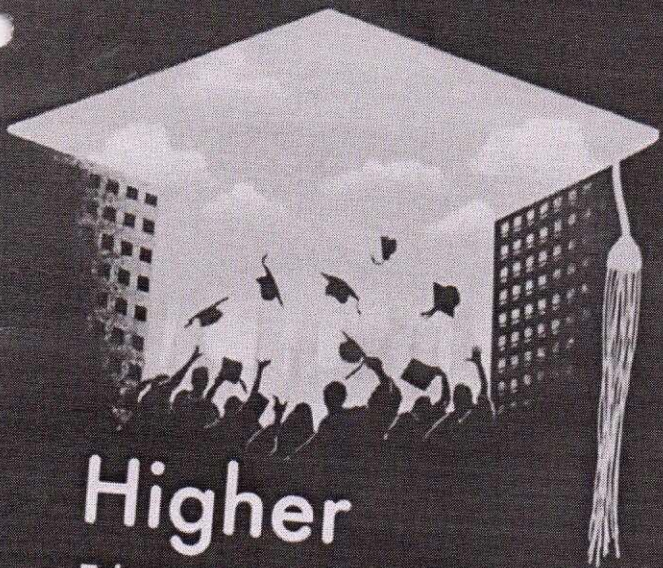
A) Equality before Law:

It is a negative concept which ensures that there is no special privilege in favour of any person that all are equally subject to the ordinary law of land and no one is above the law. What 'Professor Dicey' calls the rule of law in England according to him every official, from the Prime Minister down to Constable is under the same responsibility for every act done without the legal justification as any other citizen.

¹⁴AIR 1975 SC 2289



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