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CONTENTS

Indian Constitution and Constitutional Interpretation

Mr. Neera Shrivastava

Distribution of Financial Relations in India

Ms. Sonam Singh

A Strong and Secure Cyber system: The Inevitable Need of the Present

Ms. Sonam Vishnoi

Brick Kiln Industry an Environmental Hazard: Analytical Study of Delhi NCR

Mr. Ravish & Dr. Anurag Singh

Distribution of Legislative Powers between Centre and State under the Constitution of India

Dr. Nishat Jhan

Abortion: Some Legal Aspects

Dr. Minaxi Tumar

Gender Discrimination at Workplace – Myth or Reality

Mr. Abhijit Sinha

Approach of Judiciary towards ADR

Ms. Neha Garg

Distribution of Legislative Powers in India

Mr. Darpan Chaturvedi

Hindu Marriage: Sacrament or Contract

Mr. Abhishek Kumar

Interpreting The India Nepal Border Dispute

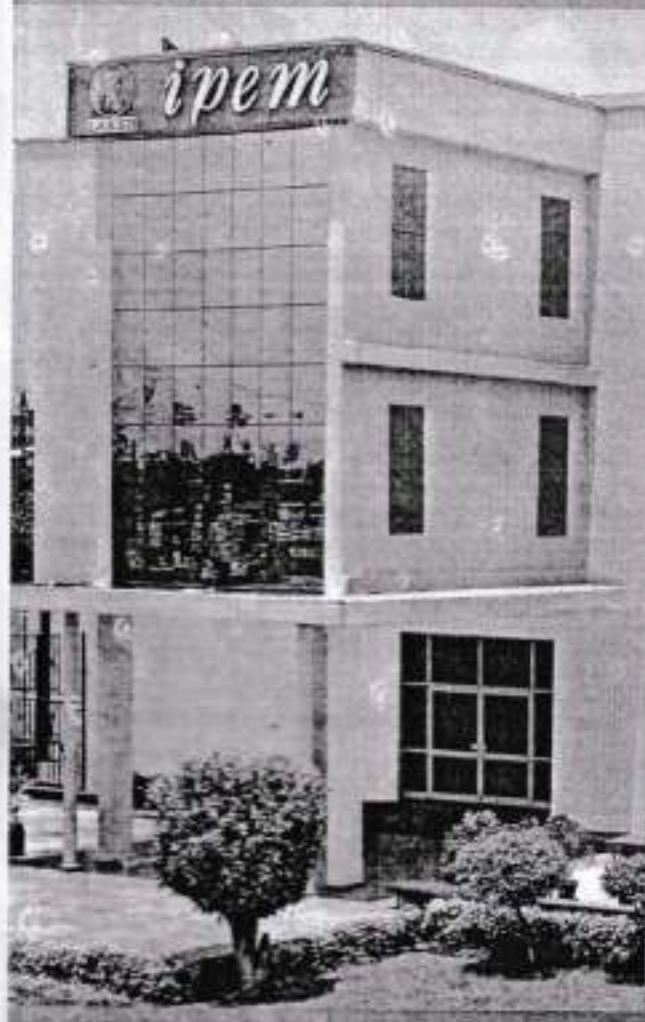
Ms. Honey Singh

Distribution of Legislative Powers in India

Mohd. Aqib Khan

भारत में केंद्र तथा राज्य संबंध की व्याख्यात्मक है
कु. अंजली शर्मा

सहितज्ञो के साथ हो रहे भेदभाव व अत्याचार पर एक कानून
की धरमपाल



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The Annual Refereed Journal of the IPEM Law Academy of Institute of
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January 2020

Contents

1. **Indian Constitution and Constitutional Interpretation**
Mr. Neeraj Sharma 01-03
2. **Distribution of Financial Relations in India**
Ms. Sonam Singh 04-07
3. **A Strong and Secure Cyber System: The Inevitable
Need of the Present**
Ms. Sonam Vishnoi 08-09
4. **Brick Kiln Industry an Environmental Hazard:
Analytical Study of Delhi NCR**
Mr. Ravish & Dr. Anurag Singh 10-16
5. **Distribution of Legislative Powers between Centre
and State under the Constitution of India**
Dr. Nishat Jhan 17-21
6. **Abortion: Some Legal Aspects**
Dr. Minaxi Tomar 22-33
7. **Gender Discrimination at Workplace –
Myth or Reality**
Mr. Abhijit Sinha 34-51
8. **Approach of Judiciary towards ADR**
Ms. Neha Garg 52-54
9. **Distribution of Legislative Powers in India**
Mr. Darpan Chaturvedi 55-60
10. **Hindu Marriage: Sacrament of Contract**
Mr. Abhishek Kumar 61-68



Indian Constitution and Constitutional Interpretation

Neeraj Sharma*

Introduction

The Indian Constitution is considered to be the result of political consciousness awakened during the national movement. Against the backdrop of the national movement or independence struggle, better coordination was seen between different sections of the society - men, women, laborers, students, lawyers, capitalists as well as different regions - Northeast, Northwest, South and North-Central.

In the backdrop of this coordination and the aspirations of different sections, the Indian Constitution was formulated and in its preamble the power of the state was vested in the people. The Indian constitution incorporates detailed provisions keeping in mind the interests of all sections, as well as various rights as per the changing circumstances through various interpretations of the Supreme Court. As a result, even after 70 years of independence, the Indian Constitution remains intact, vibrant and functional.

Indian Constitution - a living document

According to the general concept, the Constitution is a written document of rules and bye-laws based on which the government of a nation is governed. It determines the basic structure of the country's political system. It can be said that the constitution of each country is an accumulated reflection of the ideals, objectives and values of that country. The constitution is not a root document, but it evolves

continuously over time. In this context, the Indian Constitution can be presented as a prime example. The credit for the framing of the Constitution in India is mainly given to the Constituent Assembly. The idea of constitution of Constituent Assembly was first started in the year 1934 by leftist leader MN. Was given by Roy.

After the failure of the Cripps Mission in 1946, a three-member Cabinet Mission was sent to India. Through a resolution passed by the Cabinet Mission, the draft of an infrastructure for the formulation of the Indian Constitution was finally accepted, which was named the 'Constituent Assembly'. The Constitution of India is the supreme law of the country. It determines the fundamental political principles, procedures, practices, rights, powers and duties of the government. The Indian Constitution is the longest written constitution in the world, which is unique in terms of elements and spirit. Originally the Indian Constitution had a total of 395 Articles (divided into 22 parts) and 8 Schedules, but as a result of various amendments it currently has a total of 470 Articles (divided into 25 parts) and 12 Schedules.

he third part of the constitution describes 6 fundamental rights. In fact, the main objective of the Fundamental Rights is to promote the spirit of political democracy. It acts as a deterrent to arbitrary laws of the executive and legislature. These can be enforced through court in case of violation of fundamental rights. Apart from this, secularism of



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Distribution of Financial Relations in India

Sonam Singh*

ABSTRACT

The Financial Relationship between the centre and the state is provided in the constitution. The constitution gives a detailed scheme of distribution of financial resources between union and states. Like other powers financial powers are also distributed between the two sets of government. The sources income of the union government are those mention in the union list and sum of these sources are income tax other the agricultural income, customs And excise duties . The state government on the other hand, draws its main income from the sources mentioned in union list while the state legislatures levy tax on item 's mentioned in state list.

Introduction

In India, States were not the sovereign one before the federation formation. So there was no requirement to protect the States. On the basis of emergencies of the said situation, the Indian Federation gained the characteristics which were quite different.

The separation of powers in the countries that adopt the federal system of government defines the economic relations between central and state governments. Apart from this there are some special cases which have to be answered which will detain the division of powers between centre and state. Our Indian Constitution provides a detailed chart of the distribution of powers among Union and State. It also states about the powers to levy taxes and proceedings of the same. The Union is privileged to levy taxes on different items. The state, legislature enjoy similar power with regard to other specified items. Normally, the Union levies tax on those items which are specifically mentioned in Union list whereas State Legislature levies taxes on the subjects which are mentioned in the State List. The Constitution of India is federal in structure, divides

all power (legislative ,executive and financial) between the centre and the states.

However, Judicial power is not shared, as the Constitution has established an integrated legal system for enforcing both central and state laws. The residuary powers are assigned to the Center not to the States.

- Although there is a separation of powers between the center and the states, the Indian Constitution states that the Union has the power to exercise control over the legislation as well as over the administration of the states. Laws of a state can be rejected by the president if they are reserved for his examination by the governor. The Constitution of India determines the constitution of the Union as well as the states, and no state has the right to determine its own constitution (state).
- If we consider the Constitutional Amendment, we will get to know that except few specific matters affecting the federal structure, there is no need of consultation to the States in the matter of amending. The bulk of the Constitution can be amended by a Bill in the

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A Strong and Secure Cyber System: The Inevitable Need of the Present

Sonam Vishnoi*

At the government level today even though programs like "Digital India" are getting discussed with the benefits of internet and its benefits, even in a country like India, large population has been making this system integral to their daily lives for more than a decade. The part is retained. Whether it is exchanging messages via email or paying your bills, shopping online or applying for jobs, availing banking facilities or booking railway or airplane tickets, all Internets has been in use in things for a long time in India. In addition, the advent of social media and smart phones (especially low-cost) has brought a kind of socialism to the region and this facility has been successful in making penetration even to the common people.

It is difficult to say that if the facility of Facebook or Whatsapp is stopped even for just one day, then people of which age group will face more problems, because people of almost all age groups are using it very easily and efficiently. In many cases, children who have barely penetrated their teenage lives to such an extent have taken shape in the real world as well as a virtual world, which in the language of the Internet has been called "Virtual World". Is.

Now that the concerns and dependencies of the public have increased to the level of sensitivity on this system, it has become necessary to be strong and secure to the same extent. Today has come a time when even a slight disturbance in the cyber system can cause billions and trillions of damage and many other complications.

Our cyber system stops working due to any reason then-

Our banking system will collapse.

Our stock market will come to a complete standstill.

Our communication system (mobile, telephone), broadcasting system (radio, TV, cinema) will stop working.

Without shipping system, our rail, air traffic etc. will not be able to operate.

Online trading by companies will not be possible.

Our work of research dependent on it (especially those associated with space research) will stop.

From the above points, general estimate of the importance of maintaining the cyber system can be easily gauged from the point of view. While these estimates were related to the cyber system ceasing to function, there is another aspect of it - the malfunction or other disturbances causing it to function incorrectly, the consequences of how terrible the consequences may be. Seems beyond imagination.

Cyber system disturbances can also be the result of a technical malfunction and any external interference, which in computer language is called cyber attack.

Major defense thinkers of his time, such as Machiavelli, A.T. Mahan and Duhet etc. devised

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Abortion: Some Legal Aspects

Dr. Minaxi Tomar*

Abortion is a procedure which has significant medical, social and legal connotations. More than any other procedure, abortion raises significant questions concerning the origin of life, and the degree of freedom a woman should have over the consequences of intercourse.

Abortion law is subject to change from one era to the next.

Countries under the sway of the role of prohibition in one generation have moved toward the models of privacy in subsequent generations. For example, when the S.C. of the United States declared in *Roe v. Wade* (1973) that the nation's constitution bars statutes categorically criminalizing all abortions, it announced a public standard for state and federal law that ushered out the model of prevention and ushered in the model of isolation.

Abortion law can also change from liberal to restrictive and back yet again, in response to political developments and legal interpretations of constitutional principle.

Under a 1997 act of Parliament, Poland permits abortion to protect the pregnant woman's life or health, or to terminate pregnancies resulting from criminal acts or in cases of fetal abnormality.

Model of Permission

The model of permission became the pervasive one around the world in the final quarter of the twentieth

century. Under the model of permission, abortion is legally available, but only with the approval of government officials or officially-designated decision makers, such as administrative boards, committees, physicians, or judges. In some permission-model jurisdictions, officials grant permission pro forma in nearly every case. In Norway, prior to 1975 reforms that liberalized abortion, as many as 94 percent of the requests for abortions made to Abortion Boards were routinely granted (Olsnes). Official decision makers in permissive jurisdictions rely upon a handful of factors to determine which abortions to permit and which abortions to prohibit (Petersen; Glendon).

The stage of pregnancy is very frequently a factor. Officials called upon to implement legal norms or exercise discretion often permit "early" abortions and prohibit "late" ones. This no doubt helps to explain the statistic that 90 percent of reported abortions take place within the first three months of pregnancy. Another factor decision makers commonly consider is the woman's medical or social status. Restrictive laws require that officials deny permission to abort for reasons other than medical hardship. Liberal laws often require that officials allow abortions because pregnancy or childbirth would involve social or economic hardship for the woman. In many jurisdictions, grounds for social hardship include rape, incest, or the age and marital status of the woman. The health or condition of the fetus can be a third factor in permitting or prohibiting abortion. The law may premise access to

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Approach of Judiciary Towards ADR

Neha Garg*

The major expectation and legislative aim of the Arbitration and Conciliation Act is to decrease excessive judicial intervention. This act has widened the powers of the arbitrary tribunal to decide upon the questions relating to the appointment of the Arbitrator, the jurisdiction of arbitrary tribunal etc.

In the following cases intervention of the courts are provided

1. Power to refer parties to arbitration where there is an arbitration agreement.
2. Interim measures, etc., by Court
3. Appointment of arbitrators
4. Failure or impossibility to act
5. Court assistance in taking evidence
6. Set aside an award
7. Appealable orders Entertaining appeals against certain orders (Appealable orders)
8. Directing delivery of award

The scope of judicial interference pertains to the fact that "notwithstanding anything contained in any other law for the time being in force, in matters governed by this Part, no judicial authority shall interfere excluding where so provided in this Part". The word "Part" referred to is Part-I of the Act, 1996 which shall apply where the place of arbitration is in India and any other laws that are currently in place will not be affected as some other disputes cannot be referred to arbitration Thus, restricting and minimizing judicial intervention.

1. Power to refer parties to arbitration where there is an arbitration agreement. (Section 8)

It refers to the power exercised by the judiciary, including the courts It encourages parties to go for arbitration instead of resorting to settle the matters through courts.

Section 8 (1) of the Act makes it compulsory duty for the judicial authority to reside legal proceeding if started, where the subject matter has to referred to an arbitral tribunal.

The language of the section is peremptory and the court is under an responsibility to refer the parties to arbitration once the condition stated in section 8 (1) & (2) are satisfied.

2. Interim measures, etc., by Court (Section 9)

Section 9 of the Act, 1996 pertains to the fact that interim relief may be sought by a party before or during arbitral proceeding or anytime after the making of an award but before the execution of the award. As in the case of trial brought by the people before courts for interim orders pending passing of the final order, the parties to the arbitration agreement may do the same by making an application.

Interim order by the Civil Court is granted at any time only for the object of arbitral proceeding and with a view to protect the interest of parties which otherwise cannot be protected or safeguarded by the arbitrary tribunal. The power to pass interim orders

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CONTENTS

Proceedings of the Seminar

Me Too Movement in India-A Reality Check
Prof. (Dr) Ishweta Kothambwar

Gender Discrimination: A Legal Perspective
Dr. P. Prabhakar

Critical Appraisal of the Protection of Sexual Harassment of Women at Workplace Act, 2013
Shiv Tiwari & Abhinav

Gender Inequalities in Indian Society
Dr. Pramod Mishra & Ms. Vidhi Rastogi

Gender Injustice: An Appreciation of Indian Judicial Response
Dr. Sanjay Gupta & Dr. Raj Kumar

Sexual Harassment at Workplace Experiences of Women Managers and Organizations
Abhinav Sharma

Mechanism to Empower Women and Increase their Participation in Decision Making Process
Dr. Nandini Soren & Ms. Shabbhingi Gupta

Standards for Women in Labour Law
Smita Singh

Sexual Harassment Vis-A-Vis Gender Discrimination
Nandini Soren

Legal Reining in Sexual Harassment at Work Places
Dr. Manika Bhandari & Ms. Sarabjeet Kaur

Ancient and Medieval Position Regarding Gender Discrimination
Renudeep Kaur & Anuraj Pal Singh Mehta

Constitutional & Other Social-Criminal Legislations Preventing Gender Discrimination- A Critical Analysis
Nidhi Jain

Seeking Equality, Liberty and Dignified Life for Women With Reference to Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
Dr. Manika Narang & Nisha Sharma

Sexual Harassment of Women in Governments Offices and Public Sector Banks: A Study in Reference to Grievance Redressal Mechanism
Hari Ram Anshu, Dr. (Mrs.) Anam A Chema & Dr. (Miss) Ashish Viki

Gender Discrimination in inheritance Rights of Widow Under Hindu Law
Dr. Vandita Sharma

Challenges in Implementation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: An Analysis
Dr. Shilpa Bhatnagar

Sexual Harassment at Working Place: Indian Scenario
Smita Singh

Gender Discrimination is A Myth
Ishita Pandey

Sexual Harassment at Workplace
Dr. Manika Tiwari



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IPEM LAW JOURNAL

The Annual Refereed Journal of the IPEM Law Academy of Institute of Professional Excellence and Management

Vol. 3

Special Issue

January 2019

Contents

- | | |
|---|-------|
| • Proceedings of the Seminar | i |
| - Introduction of theme of seminar | ii |
| - Reports of Technical Sessions | iv |
| 2. Me Too Movement in India-A Reality Check
<i>Prof. (Dr) Isheta Rutabhasini</i> | 01-04 |
| 3. Gender Discrimination: A Legal Perspective
<i>Dr. R.P Upadhyay</i> | 05-10 |
| 4. Critical Appraisal of the Protection of Sexual Harassment of Women at Workplace Act, 2013
<i>Shiva Tivari & Abhineet</i> | 11-15 |
| 5. Gender Inequalities in Indian Society
<i>Dr. Pramod Mishra & Ms. Viditi Rastogi</i> | 16-21 |
| 6. Gender Injustice: An Appreciation of Indian Judicial Response
<i>Dr. Sanjay Gupta & Dr. Raj Kumar</i> | 22-25 |
| 7. Sexual Harassment at Workplace Experiences of Women Managers and Organizations
<i>Abhinav Sharma</i> | 26-40 |
| 8. Mechanism to Empower Women and Increase their Participation in Decision Making Process
<i>Dr. Neelam Seam & Ms. Shubhangi Gupta</i> | 41-52 |
| 9. Standards for Women in Labour Law
<i>Sonam Singh</i> | 53-57 |
| 10. Sexual Harassment Vis-A-Vis Gender Discrimination
<i>Himanshu Singh</i> | 58-62 |
| 11. Legal Reining in Sexual Harassment at Work Places
<i>Dr Monika Bhardwaj & Ms Sarabjeet Kour</i> | 63-68 |
| 12. Ancient and Medieval Position Regarding Gender Discrimination
<i>Kamaldeep Kaur & Mehar Pal Singh Mann</i> | 69-76 |



IPEM LAW JOURNAL

The Annual Refereed Journal of the IPEM Law Academy of Institute of Professional Excellence and Management

Vol. 3

Special Issue

January 2019

13. **Constitutional & Other Social-Criminal Legislations Preventing Gender Discrimination- A Critical Analysis** 77-81
Nidhi Jain
14. **Seeking Equality, Liberty and Dignified Life for Women With Reference to Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** 82-90
Dr. Monica Narang & Nitin Sharma
15. **Sexual Harassment of Women in Governments Offices and Public Sector Banks: A Study in Reference to Grievance Redressal Mechanism** 91-97
Hari Ram Anthala, Dr. (Mrs.) Aman A Cheema & Dr. (Mrs) Ashish Virk
16. **Gender Discrimination in Inheritance Rights of Widow Under Hindu Law** 98-105
Dr. Vandita Sharma
17. **Challenges in Implementation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: An Analysis** 106-113
Dr. Shilpa Bagade
18. **Sexual Harassment at Working Place: Indian Scenario** 114-122
Sudhakar
19. **Gender Discrimination is A Myth** 123-126
Bhanu Pandey
20. **Sexual Harassment at Workplace** 127-129
Dr. Minaxi Tomar



"Gender Discrimination: A Legal Perspective"

Dr. R.P Upadhyay*

Introduction

Human being is most beautiful creativity of almighty. People are born in the form of male or Females but in every society men & women are assigned different roles which determine the nature and power they hold.

Gender equality is an integral part of human rights and is a Fundamental aspect of securing the democratic society. In twenty First century, when Feminism is prevalent throughout the world or country, women are still considered to be burdensome appendage. Women discrimination begins at birth or even before it and continues till she is dead. The policy makers and planners have tried to improve the condition of women in India since independence by different legislations but the condition of women still remains the same. In this paper I have tried to unfold the complete situation of problems relating to women in India due to gender inequality and legal issues thereto.

Gender inequality is a major barrier to human development Women has strides for a long time but they have not yet gained Gender equality. The Constitution not only grants equality to women but also it empowers the state to adopt the measures of positive discrimination in fevour of women. The supreme court of India has also responded to the issue of gender Justice in a positive manner. Gender equality is multifaces concept which implies equality of opportunity in economic as well as socio

political and legal aspects. Equality is the need of hour. This paper will also considers the Laws made by parliament and general assembly(International) and its execution thereto.

According to the Marriam Webster Dictionary discrimination means, "the practice of unfairly treating a person or Group of people differently from other people or groups of people"

Discrimination strikes at the very heart of being human. The women have been discriminated in India from the very ancient times. They have been treated in very unfair manners. There are certain women in India who are worshiped as Goddesses eventhough they are not equally treated.

There are many factors responsible for women discrimination which may be mentioned as follows:

- (a) Laws and politics prohibit women from equal access to Land, property, succession and dwelling houses in different religions;
- (b) Economic and Social discrimination result in fever and poorer life choices for women, rendering them vulnerable to trafficking;
- (c) Gender based violence;
- (d) Women are denied their sexual and reproductive health rights;
- (E) Women as human right defenders are treated as a threat to religion, honour or culture;
- (F) Women's crucial role in peace & security are often overlooked;

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Standards for Women in Labour Law

Ms. Sonam Singh*

*When one woman is a leader, it changes her.
When more women are leaders, it changes politics and policies.**

ABSTRACT

The protection and gender equality of women's interests in labor law has become pivotal in recent times. The portion of women employee is very minimum, due to different reasons i.e. Security, safety and lack of rules at workplace. So, they require special protection as well as promotion of equality in a manner of positive pursuance which involves equal pay, implementation of laws preventing sexual harassment, maternity benefits, etc. There is much legislation for the women workers welfare for e.g. Factories Act, 1948, Mines Act, 1952, Plantation Labor Act, 1951, and so on. There has been a movement towards women empowerment in labor law, the only thing it requires is awareness of rights and effective implementation. This paper deals with international as well as municipal laws which focuses on the promotion of women's interests in labor law.

Introduction

The essential thing is Social justice for maintaining the sustainable peace as well as encouraging sustainable economic growth. To fortify the gender equality, and protection of women's interests in labor law is an important ingredient to improve the social justice. There is discussion between the various sets by International treaties and conventions as well as domestic law for the promotion and protection of women's interests in labor law, which focuses specifically in the issues of equal employment opportunities, wage inconsistencies, sexual harassment at the workplace, and maternity benefit.

Women and labor law – Need for special treatment

While women constitute a significant lump of the available work labor in India, they are still having

lack in the work participation i.e. the percentage of women employee is very low in comparison to men as well as quality of employment.

The reason for the deficiency of labor participation in context of women is the deficiency of suitable jobs on offer means the inconsistency between the things what they can do and what is available to them.

The Safety is another reason for the low turnouts of women in the field of employment. The policies and governance must be present if we want to increase the perception of safety and security among women and to encourage them to take more part in the employment.

The vulnerable position of women in adverse conditions is only worsened by any possible sudden negative effect upon the industry as they are already dealing with unequal intrinsic situations. Women have to subsist with many issues related to childbirth, domestic responsibility etc.

*Assistant Professor



Sexual Harassment Vis-A-Vis Gender Discrimination

Himanshu Singh*

ABSTRACT

Women constitute half the humanity. Regardless of being enriched with certain exceptional highlights both physical and temperamental, people are complementary to one another. Their various physical and temperamental characteristics together structure a complete race. Thus, logically both ought to have equal status. The Indian concept of Ardhanarishwara very well depicts this view. Ardhanarishwara divides himself / herself in the form of Adipurush (Male form) and Prakriti (Female form) for the task of creation. None of them can perform the task without the involvement of the other. The male and female are equivalent in the creation, development and progress of the society. Both should be given equal importance and opportunities and should be treated equally. If this balance is lost, it will be detrimental to the whole society.

Keywords: Gender Discrimination, Sexual Harassment, Conventions on Women Discrimination.

Introduction

"Sex based viciousness and all types of lewd behavior and abuse including those subsequent from social preferences, universal dealing are incongruent with the poise and worth of human individual and must be killed".

"Vienna Declaration World Conference on Human Rights June 1993"

The status of Indian female is, after a long history of segregation and enslavement experiencing an adjustment in India. Women are now going through a phase between subjugation and emancipation and are now entering the outside world leaving behind the age-old tradition of domestic confinement. However, gender based discrimination still represents the monstrous face of the society.

The terms 'sex' and 'gender' are regularly utilized conversely, but in sociological literature they are

frequently differentiated. The term 'sex' is applied to differentiate between men and women that are based on biological differences such as anatomy, physiology, hormones and chromosomes and in this respect people are either male or female. The term 'sex' is connected to the social & cultural part of man and woman roles. In other words the behaviour, personality other social traits that are anticipated from males and females and these social qualities turn into the premise of masculine and feminine roles.

Violence Against Women

Brutality against females lies with various economic, social and cultural contexts, there is no uncertainty that the process is general and a main factor in the subordination of women around the world. In the 1980s, when violence against females originally turned into a noteworthy issue for women's movements in each society, the focus was on acts of overt physical and sexual violence. This incorporate



Sexual Harassment at Workplace: India Scenario

Sudhakaran*

ABSTRACT

The issue of Sexual Harassment has been prevailing in almost countries of the world more or less. The problem of Sexual harassment at workplace creates an insecure and hostile work environment in the minds of women who are working due to their choice or by default and the result is that their participation has been low which results in social and economic growth of the country goes low due to their contribution part. To protect the rights of working women and laid down guidelines they have delivered a landmark judgment in the form of Vishakha V State of Rajasthan in 1997 and forces the employers to frame some policy for combating the problem of sexual harassment. It is irony for India that the law makers has taken 16 years for bring out the legislation on the topic of Sexual Harassment of Women at Workplace Act, 2013 for prevention sexual harassment against women at workplaces. The paper tries to highlight the present status of women at the working place in India in spite of having the legislation which have the sanctity of preventing sexual harassment at work place. It also discusses the different types of sexual harassment and the amount of it and tried to regulate the legal enactment related to sexual harassment at working place and consists of articles incorporated in the Indian Constitution. The role of judiciary to combat the problem of sexual harassment at working place, similarly the stand of international instrument for limit the problem of sexual harassment at working place in the form of convention, covenants and many more. The paper will give the outlines of problems facing in combating the problems of sexual harassment at working place faced by the working women.

Key Words: Women, Sexual Harassment, work place, human rights violation, Legislation, Indian judiciary

Introduction

Now days the crime of rape and sexual assault are commonly recognized as basic violence against women which are based on gender while the issue of sexual harassment can be recognized as fear and repressive action. If we talk generally we can say that sexual harassment is a just type of behavior which has the ingredients of sexual desire which

have quality of abusive, injurious and unwelcome and put the victim in the conditions of fear, humiliation or hostility. If we look the problems of sexual harassment at working place it has crossed the limits and borders in the world. The term sexual harassment has been come in the public media from the era of 1975 onwards. Before 1975 nobody knows what amount to sexual harassment means or universally called. The definition of sexual

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JOURNAL OF IPEM

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CONTENTS

Work - Life-balance (A Comparative Study Between Employees Working in Private Sector and Government Sector)
Anil Aggarwal

Assessment of Awareness Regarding Spiritual Health among Management Students of Prestige Institute of Management & Research, Dewas (M.P.)
Ankit Malhotra

The Effects of Stress on Employee Productivity In India
Bhargava Mourya

Combating Workplace Stress for Increasing Efficiency in Organisations
Ritika Bora & Dr. Sonal Kapoor

Work Life Balance—A Key to Organisational Success
Dr. Prachi Nagar & Sunita Sen

A Study on Work Life Balance on the Employee of Ghaziabad
Dr. Richa Agrawal & Dr. Prachi Nagar

Study of Worklife Balance Trends and Challenges (A Comparative Study with Special Reference to Marico Ltd. and Dabur India Ltd.)
Pragya Agarwal & Ankit Garg

A Study on Work Life Balance of Women Working in IT Sectors
Sanita Singh

A Study of Labour Class, Below Poverty Line in NCR Region
Shelly Tungi

Impact of Work Stress and Stress Management on Work-Life Balance
Shobhina Tiwari & Mukul Bhatt

Emotional Intelligence and Work Life Balance
Dr. Manish Kumar

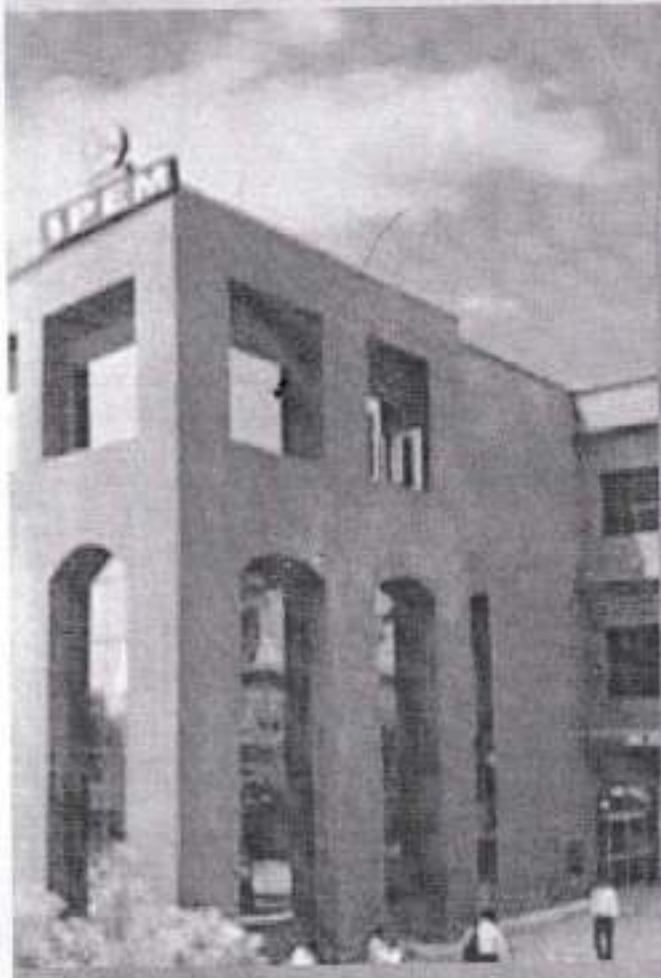
Role of HR in Work-Life-Balance
Smita B. Saha

Work Life Balance Study Based in India: An Analysis of India with its Peer Countries
Manish Kumar & Nidhi Singh

A Study of Work-Life Balance of Working Women in Teaching Profession at Ghaziabad
Himani Rani & Dr. Ashutosh Agarwal

Influence of Teacher Emotional Intelligence on Student's Emotional Behavior
Dr. Sangeeta Solanki

Book Review : Larry Bossidy & Ram Charan with Charles Burck, Execution- The Discipline of Getting Things Done
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Contents

1. **Work - Life-balance (A Comparative Study Between Employees Working in Private Sector and Government Sector)** 01
Amit Aggarwal
2. **Assessment of Awareness Regarding Spiritual Health among Management Students of Prestige Institute of Management & Research, Dewas (M.P.)** 08
Ankit Mahajan
3. **The Effects of Stress on Employee Productivity In India** 11
Bltriguraj Mourya
4. **Combating Workplace Stress for Increasing Efficiency in Organisations** 16
Ritika Bora & Dr. Sonal Kapoor
5. **Work Life Balance–A Key to Organisational Success** 21
Dr. Prachi Nagar & Sunita Sen
6. **A Study on Work Life Balance on the Employee of Ghaziabad** 25
Dr. Richa Agrawal & Dr. Prachi Nagar
7. **Study of Worklife Balance Trends and Challenges (A Comparative Study with Special Reference to Marico Ltd. and Dabur India Ltd.)** 31
Pragya Agarwal & Ankit Garg
8. **A Study on Work Life Balance of Women Working in IT Sectors** 39
Savita Singh
9. **A Study of Labour Class, Below Poverty Line in NCR Region** 44
Shelly Tyagi
10. **Impact of Work Stress and Stress Management on Work-Life Balance** 48
Shivoham Tiwari & Mukul Bhatt
11. **Emotional Intelligence and Work Life Balance** 54
Dr. Minaxi Tomar
12. **Role of HR in Work-Life Balance** 58
Sonam Singh



JOURNAL OF IPEM

The Annual Refereed Journal of the Institute of Professional Excellence & Management

• Volume 13 • July 2019

- | | |
|---|----|
| 13. Work Life Balance Study Based in India:
An Analysis of India with its Peer Countries
<i>Manish Kumar & Nidhi Singh</i> | 63 |
| 14. A Study of Work-Life Balance of Working Women
in Teaching Profession at Ghaziabad
<i>Himani Rani & Dr Ashutosh Agartwal</i> | 68 |
| 15. Influence of Teacher Emotional Intelligence on
Student's Emotional Behavior
<i>Dr. Sangeeta Solanki</i> | 70 |
| 16. Book Review : Larry Bossidy & Ram Charan with
Charles Burck, Execution- The Discipline of
Getting Things Done
<i>Priyanka Sadhna</i> | 74 |



Emotional Intelligence and Work Life Balance

Dr. Minaxi Tomar*

ABSTRACT

Emotional intelligence is a set of standard and skills that encompasses a broad set of skills and individual temperament, usually referred to as basic skills or interpersonal and intra-personal skills. Professional skills. Emotions are an fundamental part of our biological constitution and every morning they enter the office with us and influence our behavior. Emotional intelligence includes five factors: knowing one's sensations, cope-up one's emotions, motivating them, recognizing emotions, and managing relationships. Today's researchers want to study the effects of emotional intelligence on employees and hence organizations, and to analyze the various other facets of EQ.

Introduction

Emotional intelligence improves individual and organizational performance. It plays an important role in the type of work an employee fabricates and the relationships he or she enjoys within the organization.

Work-life balance is a tough task for IT leaders and managers and attracts the observation of researchers. Work-life balance, in the broadest sense, is a highly involved engagement or multiple to a flexible, innovative solution that maximizes productivity without compromising employee well-being, family relationships or other aspects of life. Defined as a "fit" between roles. Human life in such a climate, managing the boundaries between home and work has become more difficult.

An organization needs to ensure not only to encourage, but also to enforce, practical and viable work-life balance policies to benefit and meet the needs of both the organization and its employees there is. Organizations that do not provide a real opportunity for the balance of work and life of employees are spurring an increase in dissatisfaction

and non-productive employees and thus turnover. It is not enough to simply create a work / life policy framework. It is also very important to foster an organizational culture that supports the use of available policies.

Furthermore, employers and employees need to find. It is a serious attempt to fill the gap by emphasizing the importance and importance of work-life balance and emotional intelligence for leadership, senior management, individuals and organizations, and hope that this study will launch a series of serious and productive discussions on the subject.

Findings and results will benefit organizations in India that are a thriving industry and make a significant contribution to country GDP and world talent.

This concept through light of the effect of emotional intelligence on employee performance and the next goal is to know how to become an Emotional Intelligence organization. Emotional Intelligence (EI) refers to the ability to grasp, control and assess emotions. Some researchers suggest that emotional

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Role of HR in Work-Life Balance

Sonam Singh*

ABSTRACT

It is herculean task to maintain between the work life and personal life now-a-days. The indigent work life leads to different stress-related problems and also affects the growth of the organization. There is a deep rooted relation between the work life balance and the performance of the employee. There are many frames which are assisted by employers who contrives flexible work time schedules, child care, events and other activities which enables to trace more unbiased lives. This paper is an effort to find and seek the role of HR which helps the employees to continue with their balanced lives.

Introduction

The expression WORK-LIFE BALANCE was originated in 1986. The procedures and policies being established by any organization with the aim of enabling the employees to do their jobs efficiently and simultaneously enabling them to cope up with their personal problems. The balance between the work and life is the existence of proper functioning of carrying out the work and professional lives with the least conflictions. Therefore, the clashing between the demands of work and non-work things rises the conflicts resulting the scarcity of Work Life Balance.

Work-life balance is a notion which aids the efforts of employees to divide their time and energy between their work life and other aspect of lives. Work life balance is a daily endeavor to manage the time for family, friends, communal involvement, spirituality, personal growth, self-care and other personal activities.

We have a work life as well as home life and it is important to know how to separate both the lives. To step up the ladders of success sometimes it is

necessary to work so long hours and have to deal with some of the complex issues. Some of the days on the job are positive and relaxing and some of them are negative and stressful. Research shows that the people who thinks that they have no time for their personal life are generally drained and stressed.

The HR Department of any organization institutes the policies, rules, procedures and actions which enables the employees to pursue more and more balanced life. The avocation for work-life balance reduces the stress & anxiety which basically experienced by the employees when they spend their majority of days on only work activities and also feel as they are ignoring their other important aspect of lives which generally leads to frustration and unhappiness. Work life balance enables the employees to observe as if they are maintaining their work and personal life in a balanced way. Work life balance is more provoking where the employees need to attain personal as well as executive needs. The employers can help employees for experiencing the work life balance by the providing such options as lenient work schedules and other events. In the recent times, the women participation is forwarding in the labor field which is becoming a key element.

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IPEM LAW JOURNAL

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Rs. 300 (ANNUAL SUBSCRIPTION)

CONTENTS

Importance of Education in Women
Empowerment

Parag Singh & Nikita kaushik

A Critical Analysis of Issues Related to Women
Empowerment in India

Ms. Neetu

Empowering Women Today: Importance of
Education in Women Empowerment

Merlyn Sharma

Women Empowerment v/s Misuse of Women
Centric Laws

Neeraj Kumar

Domestic Violence against Women in India (A
Test of Indian Legal Mechanism)

Priya Singh

Women Empowerment: Modern Global
Perspective

Rishu

Women Empowerment - Issues and Challenges

Sonam Singh

Women Participation in Political Area: A Legal
Analysis

Saurabh Upadhyay & Risha

Empowerment of Women in India: Constitutional
and Legal Provisions

Mr. Rakesh Kumar Pandey & Dr. Preeti Dubey

Dr. Meenakshi Tomar

महिला सशक्तिकरण : सम्भावनायें व चुनौतियाँ

महिला सशक्तिकरण एवं महिला अधिकार संरक्षण – एक
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Vol. 2 Issue No. 2 February 2018

Contents

1. Importance of Education in Women Empowerment 01
Parag Singh & Nikita kaushik
2. A Critical Analysis of Issues Related to Women Empowerment in India 08
Ms. Neetu
3. Empowering Women Today: Importance of Education in Women Empowerment 14
Merlyn Sharma
4. Women Empowerment v/s Misuse of Women Centric Laws 22
Neeraj Kumar
5. Domestic Violence against Women in India (A Test of Indian Legal Mechanism) 27
Priya Singh
6. Women Empowerment: Modern Global Perspective 32
Rishu
7. Women Empowerment - Issues and Challenges 40
Souam Singh
8. Women Participation in Political Area: A Legal Analysis 45
Saurabh Upadhyay & Risha
9. Empowerment of Women in India: Constitutional and Legal Provisions 51
Mr. Ratnesh Kumar Pandey & Dr. Preeti Duby
10. Hurdles and Measures 56
Dr. Meenakshi Tomar
11. महिला सशक्तिकरण : सम्भावनायें व चुनोटियाँ गरिण 60
12. महिला सशक्तिकरण एवं महिला अधिकार संरक्षण – एक विश्लेषणात्मक अध्ययन निखिलेश कुमार यादव 63



A Critical Analysis of Issues Related to Women Empowerment in India

Ms. Neetu*

ABSTRACT

This paper attempts to analyze the status of women empowerment in India and highlights the issues and challenges of women empowerment. Today the empowerment of women has become one of the most concerns of 21st century. But practically women empowerment is still an illusion of reality. We observe in our day to day life how women become victimized by various social evils. Women empowerment is vital instrument to expand women's ability to have resources and to make strategic life choices. Empowerment of women is essentially the process of upliftment of economic, social and political status of women, the traditionally underprivileged ones, in the society. It is the process of guarding them against all forms of violence. The study is based on purely from secondary data. The study reveals that women of India are relatively disempowered and they enjoy some what lower status than that of men in spite of many efforts undertaken by government. It is found that acceptance of unequal gender norms by women are still prevailing in the society. The study concludes by an observation that access to education, employment and change in social structure are only the enabling factors to women empowerment.

INTRODUCTION

Women empowerment refers to the increasing the spiritual, political, social, educational, gender or economic strength of individuals and communities of women. Women empowerment in India is heavily dependent on many different variables that include geographical location (urban/rural) Educational status and social status (caste and class) and age. Policies of women's empowerment exist at the national, state and local (panchayat) levels in many sectors, including health, education, economic opportunities, gender based violence and political participation. However there are significant gap between policy advancements and actual practices at the community level.

Empowerment of women is essentially the process of upliftment of economic, social and political status of women, the traditionally underprivileged ones, in the society. It is the process of guarding them against all forms of violence. Women empowerment involves the building up of a society, a political

environment, wherein the women can breathe without the fear of oppression, exploitation, apprehension, this crimination and the general feeling of persecution which goes with being a woman in a traditionally male dominated structure. Women constitute almost 50% of the world's population but India has this proportionate sex ratio whereby female's population has been comparatively lower than males. As far as their social status is concerned, they are not treated as equal to men in all the places. In the western societies, the women have got equal right and status with men in all walks of life. But gender disabilities and discriminations are found in India even today. The paradoxical situation has such that she was sometimes concerned as goddess and at other times merely as slave.

REVIEW OF LITERATURE

H. Subrahmanyam (2011) compares women education in India at present and past. Author highlighted that there has a good progress in overall

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Domestic Violence against women in India (A Test of Indian Legal Mechanism)

Prity Singh*

ABSTRACT

In our society, violence is bursting. It is present almost everywhere and nowhere is this eruption more intense than right behind the doors of our homes. Behind closed doors of homes all across our country, people are being tortured, beaten and killed. It is happening in rural areas, towns, cities and in metropolitan as well. It is becoming a legacy being passed on from one generation to another and this violence has a tendency to explode in various forms such as physical, sexual or emotional. It may be worth pointing out that in India, the 'possession' of women by malevolent spirits is socially and culturally accepted; elaborate procedures for exorcism—which are often violent in nature—bring into focus the woman or girl, who as a victim of this particular affliction, is expected to behave in ways which violate conventional norms of appropriate conduct. According to United Nation Population Fund Report, around two-third of married Indian women are victims of domestic violence and as many as 70 per cent of married women in India between the age of 15 and 49 are victims of beating, rape or forced sex. In India, more than 55 percent of the women suffer from domestic violence, especially in the states of Bihar, U.P., M.P. and other northern states. Though Indian Legal Mechanism is very keen on this and prevention of this transgression is the matter of concern for legal system, it is still out of the reach for the state machinery to take over this social idiotic and to provide the desired security to women at home. This paper presents a scenario of intensity of domestic violence against women in India and status of effectiveness of legal prevention of this problem.

Keywords: Domestic Violence; Malevolent; Exorcism; Transgression.

INTRODUCTION

The genesis of violence against women is found in the tradition of Indian society, which has been prevailing for the centuries. Women have been victims of violence and exploitation by the male all over the world. This exploitation is continues in developed and developing countries. Just being a woman they are denied certain rights and are discriminated against men and often becomes victims of men's ideology. Different form violence is an obstacle to achievement of the objective of equality, development and peace. In patriarchal society dependence of economic subordination of women all over the world also go long way in

making her vulnerable to domestic violence, irrespective of culture, race class or age. Abuse against a woman can be mental, physical, emotional, sexual, economic, social or spiritual. Domestic violence against women is a common occurrence in most societies whether the Domestic violence is physical or mental. In south Asian countries it is a daily and often deadly fact of life for millions of women and girls. Domestic violence against women is among the most serious threats to overall development and progress in India. Domestic violence that is any act of physical, sexual or psychological abuse, or the threat of such abuse, inflicted against a women by a person intimately connected to her through marriage, family relation

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Women Empowerment - Issues and Challenges

Sonam Singh*

ABSTRACT

This paper attempts to analyze the status of Women Empowerment in India and highlights the Issues and Challenges of Women Empowerment. Today the empowerment of women has become one of the most important concerns of 21st century. But practically women empowerment is still an illusion of reality. We observe in our day to day life how women become victimized by various social evils. Women Empowerment is the vital instrument to expand women's ability to have resources and to make strategic life choices. Empowerment of women is essentially the process of upliftment of economic, social and political status of women, the traditionally underprivileged ones, in the society. It is the process of guarding them against all forms of violence. The study is based on purely from secondary sources. The study reveals that women of India are relatively disempowered and they enjoy somewhat lower status than that of men in spite of many efforts undertaken by Government. It is found that acceptance of unequal gender norms by women are still prevailing in the society. The study concludes by an observation that access to Education, Employment and Change in Social Structure are only the enabling factors to Women Empowerment.

INTRODUCTION

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violence. Women empowerment involves the building up of a society, a political environment, wherein women can breathe without the fear of oppression, exploitation, apprehension, discrimination and the general feeling of persecution which goes with being a woman in a traditionally male dominated structure. Women constitute almost 50% of the world's population but India has shown disproportionate sex ratio whereby female's population has been comparatively lower than males. As far as their social status is concerned, they are not treated as equal to men in all the places. In the Western societies, the women have got equal right and status with men in all walks of life. But gender disabilities and discriminations are found in India even today. The paradoxical situation has such that she was sometimes concerned as Goddess and at other times merely as slave.

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Empowerment of women in India: Constitutional and legal provisions

Mr. Ratnesh Kumar Pandey*
Dr. Preeti Dubey**

ABSTRACT

Empowerment of women means deploying them as more aware individual, who are politically active, economically productive and independent and are able to make intelligent decision in matters that affect them. Women have been victims of exploitations by male dominated society. Women need to be empowered and men need to be oriented about their obligation towards women. Both on national as well as international platform there are numerous laws aimed at empowerment of women in the area of personal labour, service and criminal and social economics matters. The constitution of India guarantees equality for women. In spite of all these developments the truth remains that wide spread violations of women's rights continue to persist. Though platform of legislations exists. Due to ineffective enforcement women are exploited by the male dominate society.

INTRODUCTION

In spite of women contribution in all spheres of life and they enjoy a unique position in every society and country of the world, but they suffer in silence and belong to a class which is in a disadvantaged position on account of several barrier and impediments. Women's empowerment in legal, social and political and economic requires to be enhanced. However empowerment and equality are based on the gender sensitivity of society towards their problems. The intensification of women's issue and rights movement all over the world is reflected in the form of various conventions passed by the United Nations.

In India the framers of constitution while drafting the constitution were sensitive to the problems faced by women and made specific provisions relating to them. In various articles not only mandate equality of the sexes but also authorizes benign discrimination in favour of women and children to make up for the backwardness which has been their old age destiny.

CONSTITUTIONAL PROVISIONS

The constitution of India contains various provisions which provide the equal rights and opportunities for both men and women. The salient features are:

1. Preamble- The Preamble contains the essence of the constitution and reflects the ideas and aims of the people. The preamble starts by saying that we the people of India give to ourselves the constitution. The source of constitution is thus traced to the people men and women of India irrespective of caste, community, religion or sex. The preamble contains the goal of equality of status and opportunity to all citizens.

1. Political Rights- Empowerment of women has been brought by the 73rd and 74th Amendments which reserves seat for women in Gram Panchayats and municipal bodies. Illiteracy, lack of political awareness, physical violence and economic dependence are a few reasons which restrain women from taking part in the political process of the country.

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Hurdles and Measures

Dr. Meenakshi Tomar*

HURDLES AND MEASURES

Empowerment of women is essentially the process of upliftment of economic, social and political status of women, the traditionally underprivileged ones, in the society. It involves the building up of a society wherein women can breathe without the fear of oppression, exploitation, apprehension, discrimination and the general feeling of persecution which goes with being a woman in a traditionally male dominated structure.

Object: To know the hurdles in achieving women empowerment.

There are several constraints that check the process of women empowerment in India. Social norms and family structure in developing countries like India, manifests and perpetuate the subordinate status of women. One of the norms is the continuing preference for a son over the birth of a girl child which is present in almost all societies and communities. The society is more biased in favour of male child in respect of education, nutrition and other opportunities. Women often internalize the traditional concept of their role as natural thus inflicting an injustice upon them. Poverty is the reality of life for the vast majority women in India. It is the factor that poses challenge in realizing women's empowerment. There are several challenges that are plaguing the issues of women's right in India. Targeting these issues will directly benefit the empowerment of women in India.

Women constitute little less than half of state's population (9.50 crore, 2011 Census). They manage homes, provide care and support to infants and

children and are steadily but gradually present now in both: jobs and business world. Women in the country, as well as in U.P., have been suffering traditionally in social and economic terms. They have been discriminated against in several ways. They often reflect lower literacy rates, economic dependence, and poor nutritional status. Many a time they are victims of violence, sexual abuses, etc. Political leaders, social thinkers and policy makers have been emphasising protection of women and their rights and gender equity. It is well-known that gender bias is still ingrained in our social psyche. Gender equity is not only desirable but imperative and that is why, it has become a policy and programme priority of governments. Women need to be empowered socially and economically so that they become full partners in development processes. The incidence of crimes against women such as chain snatching, eve-teasing, molestation, kidnapping, rapes, physical assaults and dowry deaths is still high. In many such cases even FIRs are not registered. Even child abuse is prevalent. This is indeed a sorry state of affairs. First, there is need to control and minimise incidence of such crimes. Simultaneously, crimes against women and children should be registered and fast-tracked in courts and offenders punished deterrently. Women police station should be strengthened and adequately staffed in social field, women are suppressed domestically and do not enjoy respectable position. They are not regarded as intelligent and powerful enough. They are generally devoted to household work in India's patriarchal society. Such underprivileged conditions of women led them to face domestic violence, sexual abuse both at home and work place and improper opportunities for progress in every area of life.

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Institute of Professional Excellence and Management

RS. 300 (ANNUAL SUBSCRIPTION)

CONTENTS

Ecology and Environment: Crisis and Remedies
Dr. Abhishek Atrey

Analysis of Wrongful Conviction in Criminal Justice System: A Victims' Perspective
Sidharth Dahiya

Environmental Policies: Laws and Legislations
Dr. Sandhya Dixit

Plea Bargaining: A Recent Trend to Compensate Victim by Means of Speedy Justice
Dr. Pooja Singh & Madhulika Singh

Curbing Corruption: Indian Scenario
Rahul Mishra

Adoption in Islam: The Changed Scenario
Hadiya Khan

World Trade Organization as an International Legal Institution for Trade Liberalization: Some Perspectives
Dr. Shrawan Kumar Sharma

"भारत में कागूली विद्या पर अंतरराष्ट्रीय राजनीति का प्रभाव पर अवलोकन"
शिवम सिंह

Catalyzing a Pathway to Women Empowerment
Dr. Urnila Yadav & Dr. Madhu Sharma

Role of Women in Management of Water Resources: An Analysis
Dr. Shilpa Bagade

Autonomy is the Pathway Towards Women Empowerment
Dr. Pradeepta Kishore Sahoo

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The Annual Refereed Journal of the IPEM Law Academy of Institute of
Professional Excellence and Management

Vol. 1 Issue No. 1 December 2017

Contents

1. Ecology and Environment: Crisis and Remedies 01
Dr. Abhishek Atrey
2. Analysis of Wrongful Conviction in Criminal Justice System: A Victims' Perspective 08
Sidharth Dahiya
3. Environmental Policies: Laws and Legislations 15
Dr. Sandhya Dixit
4. Plea Bargaining: A Recent Trend to Compensate Victim by Means of Speedy Justice 19
Dr. Pooja Singh & Madhulika Singh
5. Curbing Corruption: Indian Scenario 23
Rahul Mishra
6. Adoption in Islam: The Changed Scenario 28
Hadiya Khan
7. World Trade Organization as an International Legal Institution for Trade Liberalization: Some Perspectives 33
Dr. Shrawan Kumar Sharma
8. "भारत में कानूनी शिक्षा पर अंतरराष्ट्रीय राजनीति का प्रभाव" पर जलेख सोनम सिंह 39
9. Catalyzing a Pathway to Women Empowerment 46
Dr. Urmila Yadav & Dr. Madhu Sharma
10. Role of Women in Management of Water Resources: An Analysis 51
Dr. Shilpa Bagade
11. Autonomy is the Pathway Towards Women Empowerment 58
Dr. Pradeepta Kishore Sahoo



Perspective of Women Empowerment in India- A False Truth
Dr. Meena & Bunny Suri



Adoption in Islam: The Changed Scenario

Hadiya Khan*

ABSTRACT

In absence of a uniform law on adoption in India, there tends to be discrimination between various religious communities. Besides this, the jurists and authors of Muslim laws hold diverse views about the permissibility of adoption under the Muslim Law. On the one hand, some of them hold that, in case of a custom allowing Adoption, as in Punjab, Oudh etc. if the custom is proved, the customary law of adoption shall prevail over the Muslim personal Law. However, on the other hand, authors like Amir Ali Wilson, Abdur Rahman, are of the view that the Holy Quran prohibits Adoption as a mode of filiation. Various High Courts have upheld Adoptions on the basis of valid customs prevalent among a given Muslim community and protected the interest of the adopted children. There, however, is a severe need of statutory intervention to remedy and improve the position of adopted child.

This Article aims to discuss the provisions regarding the Adoption under the Holy Quran, its textual interpretation and legal implications. The Muslim Personal Law (Shariat) Application Act, 1937, Custom of adoption vis-a-vis Muslim personal law, the concept of Fosterage as a mode of filiation, the need for a Uniform Civil Code, provisions under Juvenile Justice (Care and Protection of Children) Act 2000. The Article further aims to trace the changing scenario in laws governing adoptions among Muslims in India, through the concerted efforts of the Apex Court through its liberal interpretation and bringing all the religious communities including the Muslims under the ambit of the enabling statute i.e. Juvenile Justice (Care and Protection of Children) Act 2000, for the purpose of adoption.

Keywords: *The Holy Quran, The Muslim Personal Law (Shariat) Application Act, 1937, Custom of Adoption, Fosterage, Uniform Civil Code, Juvenile Justice (Care and Protection of Children) Act 2000.*

INTRODUCTION

Till recently, the right to adopt a child was restricted only to the Hindus, Buddhists and Jains. It however now extends also to Muslims, Christians, Jews, Parsis and all other communities. The landmark judgment, pronounced by the Supreme Court in the Shabnam Hashmi case, paved a way for these communities enabling them to adopt, who till now were excluded from the ambit of adoption except under exception of customary law. The Supreme Court had ruled that any person can adopt a child

under the Juvenile Justice (Care and Protection of Children) Act 2000 irrespective of religion he or she follows and even if the personal laws of the particular religion does not permit it. An apex court bench headed by Chief Justice of India, P Sathasivam said the rules framed under the Juvenile Justice Law were an enabling provision which is applicable to all religions and communities and the same could not be frustrated by personal religious beliefs. However this feat was not an easy one as the provisions under the personal Laws

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“भारत में कानूनी शिक्षा पर अंतर्राष्ट्रीय राजनीति का प्रभाव” पर आलेख

लेखक – सोनम सिंह
सह लेखक – दिग्विजय घामा
IPEM Law Academy

विषयसूची

- (1) परिचय
- (2) विगत और वर्तमान विज्ञान और कानूनी शिक्षा के लक्ष्य
- (3) भारत में विकास की जरूरतों का कानूनी शिक्षा का तरीका
- (4) कानूनी शिक्षा और भारत में इसकी प्रगति के लिए संवैधानिक माध्यम
- (5) वैश्वीकरण के कारण कानूनी पेशे का परिवर्तित परिदृश्य
- (6) लक्ष्य की गैर-पूर्ति
- (7) घरेलू जरूरतों और वैश्वीकरण की जरूरतों का एक वैश्विक दृष्टि के साथ एक नया इन्वियामेंस की आवश्यकता है
- (8) निष्कर्ष

परिचय

कानून का उद्देश्य दो गुणा है, अर्थात् मुख्य रूप से, यह हितों की रक्षा और गारंटी देने और लोगों को कल्याण को बढ़ावा देना चाहता है और दूसरा, यह कानून द्वारा स्थापित कानून या प्रक्रिया के अनुसार न्याय का संचालन करना चाहता है। मनाया गया कानूनी बंधन – रोमन वकील सिनरो का धर्मपुस्तक सुभ सर्वश्रेष्ठ कानून है। सबसे अच्छा पहला उद्देश्य दर्शाता है। भारत का कानून अद्योग कानूनी शिक्षा को ऐसे विज्ञान के रूप में परिभाषित करता है जो छात्रों को कानूनी सिद्धांतों में प्रवेश करने के लिए कुछ सिद्धांतों और कानून के प्रायधानों के ज्ञान प्रदान करता है। कानूनी शिक्षा प्रक्रिया है जो भावी वकील, न्यायाधीश, प्रशासक, सलाहकार और कानूनी वैज्ञानिकों को यह जानने के लिए तैयार करती है कि सरकार के कार्यकारी, न्यायिक अंग, डिजाइन किए गए हैं और वे कैसे कार्य करते हैं। विवादों और संघर्षों के निपटारे के तर्कसंगत, व्यवस्थित और अद्वितीय विवाद के लिए कानूनी शिक्षा एक तकनीक, क्षेत्र और मंच है।

भविष्य के वकील को और अधिक जागरूक होना चाहिए कि कानून अमूर्त तर्कों की एक प्रणाली नहीं है, बल्कि व्यवस्था की व्यवस्था है, जो कि इतिहास में निहित है, बल्कि उम्मीदों में भी है, ताकि राष्ट्र के संसाधनों और प्रतिभाओं का पूरा उपयोग बड़े। हम वैश्वीकरण को एक सतत प्रक्रिया के रूप में समझते हैं जो राष्ट्रीय सीमाओं में पूंजी, शक्ति, माल और सेवाओं के मुक्त आवाजाही पर जोर देता है। हालांकि, आर्थिक वैश्वीकरण के इन मापदंडों को अन्य पहलुओं से अलग में नहीं देखा जा सकता है जैसे विद्यार्थी और प्रभाओं का स्वतंत्र आदान-प्रदान। इस परिदृश्य से, संस्थागत डिजाइन और मूल कानूनों के विकास के संदर्भ में विभिन्न देशों में कानूनी प्रणाली एक-दूसरे से सीखने में बहुत अधिक है।

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78

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JOURNAL OF IPEM

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VOL. 10 ISSUE NO. 1 JANUARY - JUNE 2016

CONTENTS

Analysis of e-Learning Teaching Attitudes (AeLTA) scale: Effectiveness, Consistency and the Impact Study
Gajendra Singh & Dr. Sheelsh Sharma

Stagnography Methods and Its Tools
Amit Dixit

Cloud Data Management and Adoptability Issues in Financial Services
Archana Sharma

Applications of EVM Credit Cards
Meenu Kakkar

An empirical study on Evaluation of the effect of performance appraisal a tool of HRD practices in industrial organization in special reference to Delhi & NCR
Shafiqul Garg & Dr. Amit K. Srivastava

Importance of Quality Management Education for Professional Development of Youth in changing scenario 335 Model
Rajesh Srivastava

The Role of Leadership on Intrapreneurial Behavior of Employees
Anupama Gupta & Nidhi Srivastava

Effect of Cooperative Learning Oriented Teaching on Educational Aspiration of Secondary Level Students
Dr. S. K. Joshi

Educational Blogging: An Emerging Area of Research in Education
Ujjwala Joshi

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Poonam Taneja



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The Bi-annual Referred Journal of Institute of Professional Excellence & Management

• Volume 10 • Issue No 1 • January - June 2016

Contents

1. **Analysis of e-Learning Teaching Attitudes (AeLTA) scale: Effectiveness, Consistency and the Impact Study** 01
Gajendra Singh & Dr. Sheeshi Sharma
2. **Stagnography Methods and Its Tools** 13
Amit Dixit
3. **Cloud Data Management and Adoptability Issues in Financial Services** 19
Archana Sharma
4. **Applications of EVM Credit Cards** 25
Meenu Kakkar
5. **An empirical study on Evaluation of the effect of performance appraisal a tool of HRD practices in industrial organization in special reference to Delhi & NCR** 29
Shafiq Garg & Dr. Amit K. Srivastav
6. **Importance of Quality Management Education for Professional Development of Youth in changing scenario 33S Model** 35
Rajesh Srivastava
7. **The Role of Leadership on Intrapreneurial Behavior of Employees** 50
Anupama Gupta & Nidhi Srivastava
8. **Effect of Cooperative Learning Oriented Teaching on Educational Aspiration of Secondary Level Students** 58
Dr. S. K. Joshi
9. **Educational Blogging: An Emerging Area of Research in Education** 63
Upasana Joshi
10. **Honour Killing** 67
Poojan Tiwari



Honour Killing

Poonam Tyagi*

ABSTRACT

Honour killing - an existing bane in the society that has tremendously led to an eye of expectation and faith towards the laws in India to upkeep faith in the government. Honour killing is prevalent across borders and religion that has turned into an inhuman depiction. Talking about honour killing brings into the role of khap panchayats (self styled setups) too. Although there are initiatives taken on part of government from time to time but yet there is an absence of clear provision which is the need of the hour. This prevalent practice in the present scenario requires stringent actions on part of the executive and the Government as well. There should be simultaneous provisions under the Indian Penal Code, 1860 and the Hindu Marriage Act as well to constitute this practice as a distinct offence. The absence of any such distinct provision has led to the intensity of this crime at a darker side, which should be eradicated as soon as possible.

INTRODUCTION

"The right to life of women... is conditional on their obeying social norms and traditions."

Honour killing is defined as "cleansing one's honour of shame... by shedding the blood of a loved one." In the most literal terms honour killing is family members murdering family members. It is estimated yearly that thousands of women are victims of honour killings each year, but exact figures are unknown because most cases are unreported. These killings often remain a private family affair making it extremely difficult to collect accurate statistical data." Honour killings are estimated to be "vastly greater than those reported."

The killers are motivated by the traditional belief and custom of their family's social status is intricately intertwined with honour. Within societies that practice honour killing, an

"individual's identity is closely tied to his family unit as a result family members may have a strong response to actions of other family members that appear to bring dishonour on the family." A person's social status becomes jeopardized when the family honour is tarnished. Often the perpetrators "feel as if they are left with no choice but to kill." This concept of honour is dangerous because "it exists beyond reason and beyond analysis

"HONOUR KILLING" IS MULTICULTURAL SENSITIVITY AN EXCUSE TO MORAL BLINDNESS?

Definition

Honour killing (also called customary killing) is the murder of a member of family or clan by one or more fellow family members, where the murderers and potentially the wider community believe the victim to have brought dishonour upon the family, clan, or community. These killings result from the

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72

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JOURNAL OF IPEM

The Bi-annual Referred Journal of Institute of Professional Excellence & Management

VOL. 9 ISSUE No. 2 JULY - DECEMBER 2015

CONTENTS

A New Agenda for Participatory Inclusive Development Analysis of the Socio-legal-political aspects and the Socio-economic Consequences in North-East India
Dreyita

Comparative Study of Customer Satisfaction for Banking Services in Public and Private sector Banks
Dr. Anur K. Sharma, Dr. Rahul Chandra

Similarity of Google vs Ask Search Engine for return result
Dr. Nageshwar Dhanraj

Structure based Computer Grammar for understanding the Cumintary of Cricket in English Language
Dr. Gopal Lal Pradyoti, Rajnish Jain

Link's Based Folk Ranking for Semantic Web Search Engine
Sonal G. Raut

Gender Based Discrimination and Empowerment of Women in India: A Legal Overview in Present Scenario
Vijayvati Singh, Rajeev Rai

Article 370 and Implications in J & K

Assessment Tool for Evaluation of Mathematics Curriculum of National Institute of Open Schooling at Secondary Stage
Liliana

A Study of the Causes Responsible for Discontinuing Girls Education in Rural Areas of Gorkhalpur District
Dr. Nishi Srivastava

A Study of the Problems of School Dropouts at Primary Level in Slum Areas of Bulandshahr
Dr. Anshu P. Singh

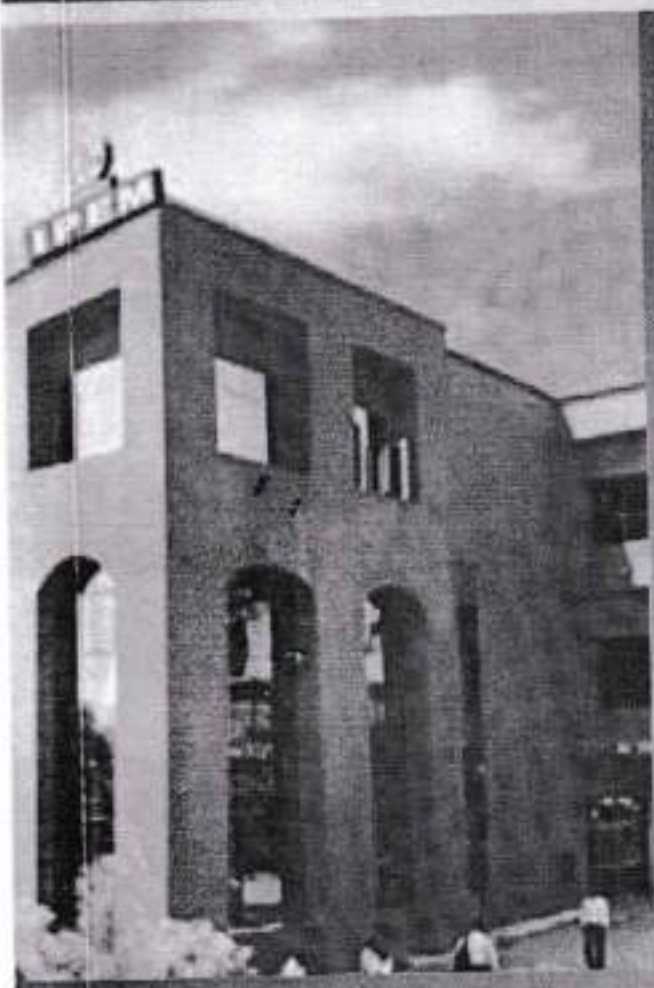
Workshop Report on "Data Analysis & Interpretation using SPSS & Minitab"
Dr. Indrani Bhattacharjee

National Seminar Report on "Next Generation Information Technology: Innovation and Challenges in National Development"
Dr. R.P.S. Tomar

Workshop Report on "Action Research: Enhancing Professional Growth and Development"
Dr. Sangita Saini

BOOK REVIEW

"Management"
Stephen P. Robbins, Mary Coulter & Nilanka Vidya
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The Bi-annual Referred Journal of Institute of Professional Excellence & Management

• Volume 9 • Issue No 2 • July - December 2015

Contents

1. **A New Agenda for Participatory Inclusive Development Analysis of the Socio-legal-political aspects and the Socio-economic Consequences in North-East India** 01
Deepika
2. **Comparative Study of Customer Satisfaction for Banking Services in Public and Private sector Banks** 13
Dr. Anur Kr Saxena, Dr. Rahul Chandra
3. **Similarity of Google vs Ask Search Engine for return result** 21
Dr. Nripendra Dwivedi
4. **Structure based Computer Grammar for understanding the Commentary of Cricket in English Language** 25
Dr. Gend Lal Prajapati, Rajenish Jain
5. **Link Based Folk Ranking for Semantic Web Search Engine** 30
Sanal G. Raut
6. **Gender Based Discrimination and Empowerment of Women in India: A Legal Overview in Present Scenario** 42
Yogendra Singh, Rajeev Rai
7. **Article 370 and Implications in J & K** 51
Sandeep Yadav
8. **Assessment Tool for Evaluation of Mathematics Curriculum of National Institute of Open Schooling at Secondary Stage** 56
Udayini
9. **A Study of the Causes Responsible for Discontinuing Girls Education in Rural Areas of Gorakhpur District** 64
Dr. Nidhi Srivastava
10. **A Study of the Problems of School Dropouts at Primary Level in Slum Areas of Bulandshahr** 68
Dr. Akash P. Singh
11. **Workshop Report on "Data Analysis & Interpretation using SPSS & Minitab"** 73
Dr. Indrani Bhattacharjee
12. **National Seminar Report on "Next Generation Information Technology: Innovation and Challenges in National Development"** 78
Dr. R.P.S. Tomar
13. **Workshop Report on Action Research: Enhancing Professional Growth and Development** 86
Dr. Sangeeta Solanki
14. **BOOK REVIEW** 89
'Management'
Stephen P. Robbins, Mary Conter & Neharika Vohra
Reviewed by Col. (Dr.) A. S. Malhotra

Article 370 and Implications in J & K

Seema Yadav*

ABSTRACT

The foremost implication of Article 370 is the legislative exception that it bestows upon the State of J&K. There are a number of legislations that do not apply to the State since consultation with the State Government failed or there was no concurrence. The Indian Penal Code, 1860, arguably the most comprehensive legislation on criminal law in India, also adopted by Burma, Sri Lanka, Malaysia, Singapore and Brunei, operates in the entire territory of the Union of India except the J&K. The Prevention of Corruption Act, 1988 the most effective contemporary statute under which corrupt politicians and government employees are brought to book for their offences is not applicable to J&K. The applicability of the Religious Institutions (Prevention of Misuse) Act, 1988, under which religious institutions are prohibited from permitting the promotion of any political activity or the storing of arms and ammunitions on its premises, does not extend to J&K. J&K is exempted from the application of the Delhi Special Police Establishment Act, 1946, the source of the establishment and powers of the Central Bureau of Investigation, the premier criminal investigative body of the country. Then, there are numerous legislations that are applicable to the State, but have been enforced in J&K in a modified form. Certain statutes have thus, been applied in a limited manner, defeating their basic objectives. The Commissions of Inquiry Act, 1952, which empowers the Central Government to set up an inquiry commission to look into any irregularity of public importance, is applicable to J&K, but 61 subjects in the State List, including prisons, hospitals and water supply, are exempted from its application. Again, the Protection of Human Rights Act, 1993 is excluded from its application with respect to the subjects enumerated in the State List [1]. Hence, this aspect of Article 370 indicates the degree of legal integration of the State with the rest of the country.

Keywords: Religious Institutions, Democratic, Constitution, Prejudicial, National Integration.

INTRODUCTION

The princely state of J&K had acceded to the Union of India, when its erstwhile Maharaja Hari Singh on 26th October, 1947 signed the Instrument of Accession, according to which only three subjects – defence, external affairs, and communications – were to be retained by Government of India, while the rest was to be dealt with by the State Legislature[2]. During the process of drafting of the Constitution by the Constituent Assembly, with the exception of J&K, the representatives of all the other

states chose not to assert their right to separate Constitutions as a “legacy from the Ruler’s polity which could have no place in a democratic set-up” [3] to forge “the pattern of a new life for the common weal.” [4] Hence, the Constitution of India came into force on 26th January, 1950 with Article 370 conferring a special status on J&K [5]. Article 370 of the Indian constitution is a law that grants special autonomous status to Jammu and Kashmir [6]. The article is drafted in Part XXI of the Constitution, which relates to Temporary, Transitional and Special Provisions [7].

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Editorial Board & Editorial

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Shrinkhla Ek Shodhparak Vaicharik Patrika:VOL- III* ISSUE-VI*February-2016 Part:-0

S.no	LIST	Page No
1	Control Technique: As A Tool Rajesh Kumar, Chandigarh & Santosh, Panchkula	1-7
2	An Impact of Soaps Operas on the Lifestyle of Television Viewers. Meghna Aggarwal, Mukandpur	8-13
3	Stock Market as an Investment Avenue: A Study on the Home Maker Perception with Special Reference to Cuttack District of Odisha. Sanjay Kumar Satapathy & Sarita Supkar, Odisha	14-16
4	A Study of Individual Households on Degree of Awareness about Legal Framework (An Empirical Study Based on Household Investors of Delhi). Ritu Gupta, Ramnagar, Nainital	17-24
5	Female Feticide in India: A General Study Anubhavana Saxena, Chhatarpur, Uttar Pradesh	25-30
6	Socio-Legal Aspect of Drug Addiction and Criminal Behaviour in Children. Shiv Kumar Dugga & Vaishali Thakur, Ludhiana	31-36
7	Role of Human Resource in Handicraft Industry in India. Miyank Mohan, Modinagar	37-41
8	Butterfly (Lepidoptera: Insecta) Diversity of Amchang Wildlife Sanctuary. Razina Ahmed, Assam, Moushumi Das, Assam & Maitrayee Chakravarty, Meghalaya	42-46
9	Successes and Failures of United Nations. Rajiv Kumar Sharma, Khanna	47-51
10	Politics of Skill Development in India A Review of Policy Perspectives. Haridwar Singh, Patna	52-55
11	Coolie: Organic Force of Society. Deepika Mishra, Sikar, Rajasthan	56-58
12	Ancient Indian Medicine: An Over View. Ashwini, Tumkur	59-62
13	Pattern and Distribution of Agricultural Crops A Case Study of Deoghar District (Jharkhand) Jitendra Kumar Choudhary, Ranchi, Jharkhand	63-69
14	Total Quality Management (TQM) in Education Anuradha Saini, Jhunjhunu & Mange Lal, Jodhpur	70-73
15	Rural Education in India Anand Singh & Kalpna Singh, Bulandshahr	74-76
16	The Influence of the Modern Theories on Poetic Communication Geeta Lakhotra, Magleor, Kathua	77-80
17	Kinship & Rituals among Sahariya tribe of Rajasthan. Subodh Kumar, Kota, Rajasthan, India	121-124
1	गांव तथा किसान की उपेक्षा क्यों कमल कुमार भडिया, सीकर, राजस्थान	81-83
2	जाति, धर्म और समाज : डॉ. बी.आर. अम्बेडकर के चिन्तन के संदर्भ में विजय प्रभात, कटनी मध्य प्रदेश	84-91
	जनसंख्या एवं यातायात के संसाधनों का सड़क दुर्घटनाओं के साथ सम्बन्ध एवं घातकता सूचकांक जयपुर शहर के संदर्भ में अध्ययन	92-97
	सुभाष चन्द्र बोस एवं मदन लाल कृषी, जयपुर	
	सुन्दरगढ़ जिले की अग्निवाही कार्ययोजना का सहायिकाओं की ई.तिर्दिश्याओं के आधार पर	
	सुन्दरगढ़ जिले की अग्निवाही कार्ययोजना का सहायिकाओं की ई.तिर्दिश्याओं के आधार पर	
	राष्ट्रीय संगीत के संरक्षण एवं प्रचार प्रसार हेतु मुद्रित माध्यमों की भूमिका शिवानी, होशियारपुर एवं राजेश शर्मा, अमृतसर	



Woman's Role in Agriculture: In India



Shubhangini Saxena
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Abstract

Agriculture is the vertical backbone of the country. Major part of the country's population earns its livelihood from agriculture. Our country has a wide and very old setting of agriculture of about 10 thousand years. At present in terms of agriculture production the country holds second position across the world. The agricultural production in India encompasses field crops, fruit crop, plantation crop, livestock, forestry, fishery etc. So overall it is a huge industry which recruits or engages 52 % of overall manpower of India. The rural population of our country is mostly dependent on agricultural activity. In developing countries like India, agriculture continues to absorb and employ 2/3rd of the female work force but fails to give them recognition of employed labour. The female labour force in developing nations still faces the oppressive status of being majorly responsible for family and household maintenance. In addition to that their contribution of being an agriculture labour is suppressed under the status of family labour who work in farm in addition to her regular household chores. These problems of the rural women are further accentuated by the tribulations of illiteracy, underdevelopment, unemployment and poverty. Despite of the major productive women labor force in agriculture their needs and problems are somewhat ignored by the rural development initiatives. The multitasking potentiality of female labour bought significant propositions for agricultural productivity, rural production, economic vitality, household food security, family health, family economic security and welfare. Women constituted 38% of the agricultural labour force in developing countries. It is also estimated that 45.3% of the agricultural labour force consists of women. But a large number of women have remained as "invisible workers".

Keywords: Women, India, Agricultural Production, Female labour, Women Farmer, Employment, Differences, Women Education, Gender Equality.

Introduction

"Although women do the majority of work in agriculture at the global level, older men, for the most part, still own the land, control woman's labor, and make agricultural decisions in patriarchal social systems." [Carolyn Sachs]

Agriculture can be an important engine of growth and poverty reduction. But the sector is under performing in many countries in part because women, who are often a crucial resource in agriculture and the rural economy, face constraints that reduce their productivity.

In India, in over all farm production, woman's average contribution is estimated at 55% to 66%. In the Indian Himalayas a pair of bullocks works 1064 hours, a man 1212 hours and a woman 3485 hours in a year on a once hectare farm, a figure that illustrates woman's significant contribution to agricultural production. The major role of women in farming & non-farming activities especially in post harvest operations, homestead gardening, livestock and poultry rearing, selling labour etc. The primary need of women working or seeking employment in various agricultural and non-agricultural activities is to meet the family needs and to enhance the family income.¹

Aim of the Study

1. To recognize the importance and participation of female labour which is yet invisible and has been considered as the daily routine work of the women.
2. To point out the inequality of wages between male and female labour.
3. To point out the schemes for the welfare of women.

Women provide one half of the labour in rice cultivation in India. In the plantation sector women are the crucial labourers. Depending on the region and crops, woman's contributions vary but they provide pivotal labour from planting to harvesting and post-harvest operations...In rural India, agriculture and allied industrial sectors employ as much as 89.5% of the total female labour.



Female Foeticide in India: A General Study



Shubhangini Saxena
Research Scholar,
Deptt. of Law,
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Khanpur, Haryana

Abstract

In spite of the legal provisions to prevent female infanticide and foeticide, it continues to occur in many parts of the country. While infanticide was first known to be recorded in British rule, in some States like Tamil Nadu, it is essentially a post-independence occurrence. Data from Bihar shows that it started among the high castes and now cuts across all castes and classes. Female infanticide is supported by sanctions and pressures from the family. It is fueled by the evil of the dowry system, which places demands on the girl's family. Sometimes, mothers kill their female babies to save them from abuse and violence later in life. It is believed also that killing a girl child increases the probability of a male child born in the family. Female infanticide is reported to occur also due to a lack of scanning centres, as an alternative to foeticide. Another factor implicated infanticide is the decline in the status of women due to the modernization of agriculture. The new agricultural technology makes the traditional agricultural knowledge of women redundant, and due to the constraints on their free movement in the public space, it is the men who visit government offices to get loans and information on new varieties of seeds, pesticides and so on. In this context, women become liabilities and dowry becomes important. A change in the status of women for the worse in the wake of the modernization of agriculture has been reported from Madurai district of Tamil Nadu, where there is a high incidence of female infanticide.

Female infanticide and foeticide need to be dealt with by mobilizing people to get together and work against this social evil and bring about changes in the society.¹

Keywords: Unborn Girl Child, Sex Ratio, Foeticide, Girl Child, Female, Sex Selective Abortion, Pre-Natal Sex Abortion.

Introduction

Female infanticide in India has a history spanning centuries. Poverty, the dowry system, births to unmarried women, deformed infants, famine, lack of support services and maternal illnesses such as postpartum depression are among the causes that have been proposed to explain the phenomenon of female infanticide in India.

Infanticide is nowadays a criminal offence in India but it is an under-reported crime: reliable objective data is unavailable. There were around 100 male and female infanticides reported in the country in 2010, giving an official rate of less than one per million people.²

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1. To indicate the problem of unequal sex ratio in India,
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Definition

"Female infanticide is the intentional killing of infant girls, in addition to the active methods undertaken to eliminate baby girls soon after birth, neglect and discrimination leading to death and sex-selective abortion are also means by which many female children die each year."³

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72

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CONTENTS

A New Agenda for Participatory Inclusive Development Analysis of the Socio-legal-political aspects and the Socio-economic Consequences in North-East India
Doyita

Comparative Study of Customer Satisfaction for Banking Services in Public and Private sector Banks
Dr. Anur-Ki Saxena, Dr. Rahul Chandra

Similarity of Google vs Ask Search Engine for return result
Dr. Nripendra Dasgupta

Structure based Computer Grammar for understanding the Commentary of Cricket in English Language
Dr. Gopal Lal Prasad, Bhanu Pratap

Link Based Folk Ranking for Semantic Web Search Engine
Sonal G. Kadam

Gender Based Discrimination and Empowerment of Women in India: A Legal Overview in Present Scenario
Vijendra Singh, Rajeev Rao

Article 370 and Implications in J & K
S. Chandra

Assessment Tool for Evaluation of Mathematics Curriculum of National Institute of Open Schooling at Secondary Stage
Lilaprasad

A Study of the Causes Responsible for Discontinuing Girls Education in Rural Areas of Gorakhpur District
Dr. Nishi Srivastava

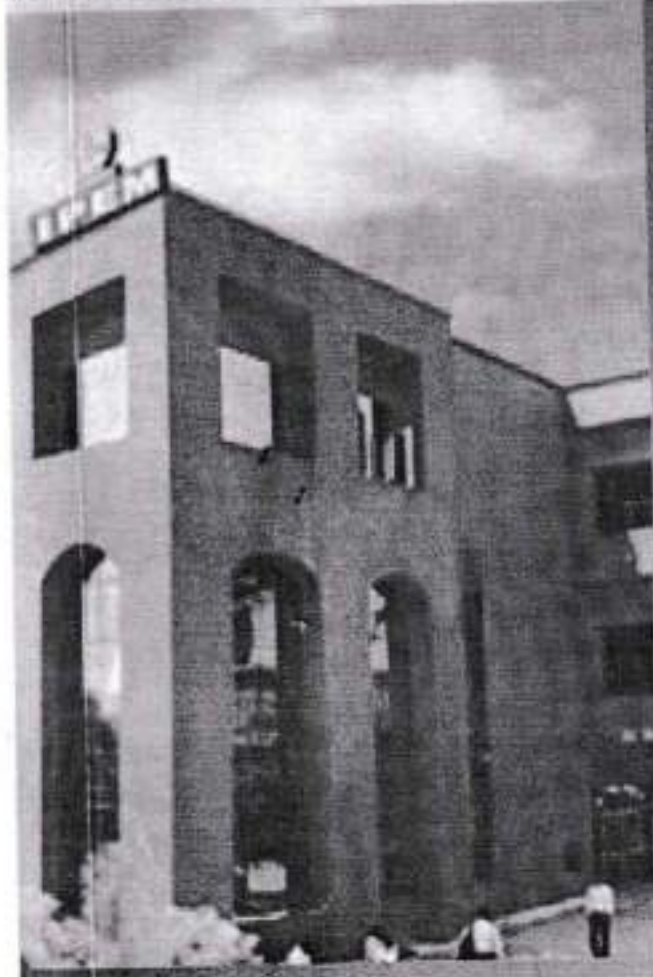
A Study of the Problems of School Dropouts at Primary Level in Slum Areas of Bulandshahr
Dr. Anshu P. Singh

Workshop Report on "Data Analysis & Interpretation using SPSS & Minitab"
Dr. Indira Bhatnagar

National Seminar Report on "Next Generation Information Technology: Innovation and Challenges in National Development"
Dr. R.P. Singh

Workshop Report on "Action Research: Enhancing Professional Growth and Development"
Dr. Sangeeta Jaisankar

BOOK REVIEW
"Management"
Sybilan P. Roshni, Mary Conlee & Neharika Yadav
Reviewed by Col. (Dr.) A. S. Malhotra



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Contents

1. A New Agenda for Participatory Inclusive Development Analysis of the Socio-legal-political aspects and the Socio-economic Consequences in North-East India
Deepika 01
2. Comparative Study of Customer Satisfaction for Banking Services in Public and Private sector Banks
Dr. Anur Kr Saxena, Dr. Rahul Chandra 13
3. Similarity of Google vs Ask Search Engine for return result
Dr. Nripendra Dwivedi 21
4. Structure based Computer Grammar for understanding the Commentary of Cricket in English Language
Dr. Genl Lal Prajapati, Rajnish Jain 25
5. Link Based Folk Ranking for Semantic Web Search Engine
Sonal G. Ranot 30
6. Gender Based Discrimination and Empowerment of Women in India: A Legal Overview in Present Scenario
Yogendra Singh, Rajeev Rai 42
7. Article 370 and Implications in J & K
Suresh Yadav 51
8. Assessment Tool for Evaluation of Mathematics Curriculum of National Institute of Open Schooling at Secondary Stage
Udayini 56
9. A Study of the Causes Responsible for Discontinuing Girls Education in Rural Areas of Gorakhpur District
Dr. Nidhi Srivastava 64
10. A Study of the Problems of School Dropouts at Primary Level in Slum Areas of Bulandshahr
Dr. Anand P. Singh 68
11. Workshop Report on "Data Analysis & Interpretation using SPSS & Minitab"
Dr. Indrani Bhattacharjee 73
12. National Seminar Report on "Next Generation Information Technology: Innovation and Challenges in National Development"
Dr. R.P.S. Tomar 78
13. Workshop Report on Action Research: Enhancing Professional Growth and Development
Dr. Sangeeta Solanki 86
14. BOOK REVIEW
'Management'
Stephen P. Robbins, Marry Conlter & Neharika Vohra
Reviewed by Col. (Dr.) A. S. Malhotra 89



Article 370 and Implications in J & K

Seema Yadav*

ABSTRACT

The foremost implication of Article 370 is the legislative exception that it bestows upon the State of J&K. There are a number of legislations that do not apply to the State since consultation with the State Government failed or there was no concurrence. The Indian Penal Code, 1860, arguably the most comprehensive legislation on criminal law in India, also adopted by Burma, Sri Lanka, Malaysia, Singapore and Brunei, operates in the entire territory of the Union of India except the J&K. The Prevention of Corruption Act, 1988 the most effective contemporary statute under which corrupt politicians and government employees are brought to book for their offences is not applicable to J&K. The applicability of the Religious Institutions (Prevention of Misuse) Act, 1988, under which religious institutions are prohibited from permitting the promotion of any political activity or the storing of arms and ammunitions on its premises, does not extend to J&K. J&K is exempted from the application of the Delhi Special Police Establishment Act, 1946, the source of the establishment and powers of the Central Bureau of Investigation, the premier criminal investigative body of the country. Then, there are numerous legislations that are applicable to the State, but have been enforced in J&K in a modified form. Certain statutes have thus, been applied in a limited manner, defeating their basic objectives. The Commissions of Inquiry Act, 1952, which empowers the Central Government to set up an inquiry commission to look into any irregularity of public importance, is applicable to J&K, but 61 subjects in the State List, including prisons, hospitals and water supply, are exempted from its application. Again, the Protection of Human Rights Act, 1993 is excluded from its application with respect to the subjects enumerated in the State List [1]. Hence, this aspect of Article 370 indicates the degree of legal integration of the State with the rest of the country.

Keywords: Religious Institutions, Democratic, Constitution, Prejudicial, National Integration.

INTRODUCTION

The princely state of J&K had acceded to the Union of India, when its erstwhile Maharaja Hari Singh on 26th October, 1947 signed the Instrument of Accession, according to which only three subjects – defence, external affairs, and communications – were to be retained by Government of India, while the rest was to be dealt with by the State Legislature[2]. During the process of drafting of the Constitution by the Constituent Assembly, with the exception of J&K, the representatives of all the other

states chose not to assert their right to separate Constitutions as a "legacy from the Ruler's polity which could have no place in a democratic set-up" [3] to forge "the pattern of a new life for the common weal." [4] Hence, the Constitution of India came into force on 26th January, 1950 with Article 370 conferring a special status on J&K [5]. Article 370 of the Indian constitution is a law that grants special autonomous status to Jammu and Kashmir [6]. The article is drafted in Part XXI of the Constitution, which relates to Temporary, Transitional and Special Provisions [7].

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Woman's Role in Agriculture: In India



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Abstract

Agriculture is the vertical backbone of the country. Major part of the country's population earns its livelihood from agriculture. Our country has a wide and very old setting of agriculture of about 10 thousand years. At present in terms of agriculture production the country holds second position across the world. The agricultural production in India encompasses field crops, fruit crop, plantation crop, livestock, forestry, fishery etc. So overall it is a huge industry which recruits or engages 52 % of overall manpower of India. The rural population of our country is mostly dependent on agricultural activity. In developing countries like India, agriculture continues to absorb and employ 2/3rd of the female work force but fails to give them recognition of employed labour. The female labour force in developing nations still faces the oppressive status of being majorly responsible for family and household maintenance. In addition to that their contribution of being an agriculture labour is suppressed under the status of family labour who work in farm in addition to her regular household chores. These problems of the rural women are further accentuated by the tribulations of illiteracy, underdevelopment, unemployment and poverty. Despite of the major productive women labor force in agriculture their needs and problems are somewhat ignored by the rural development initiatives. The multitasking potentiality of female labour bought significant propositions for agricultural productivity, rural production, economic vitality, household food security, family health, family economic security and welfare. Women constituted 38% of the agricultural labour force in developing countries. It is also estimated that 45.3% of the agricultural labour force consists of women. But a large number of women have remained as "invisible workers".

Keywords: Women, India, Agricultural Production, Female labour, Women Farmer, Employment, Differences, Women Education, Gender Equality.

Introduction

"Although women do the majority of work in agriculture at the global level, elder men, for the most part, still own the land, control woman's labor, and make agricultural decisions in patriarchal social systems." [Carolyn Sachs]

Agriculture can be an important engine of growth and poverty reduction. But the sector is under performing in many countries in part because women, who are often a crucial resource in agriculture and the rural economy, face constraints that reduce their productivity.

In India, in over all farm production, woman's average contribution is estimated at 55% to 66%. In the Indian Himalayas a pair of bullocks works 1064 hours, a man 1212 hours and a woman 3485 hours in a year on a once hectare farm, a figure that illustrates woman's significant contribution to agricultural production. The major role of women in farming & non-farming activities especially in post harvest operations, homestead gardening, livestock and poultry rearing, selling labour etc. The primary need of women working or seeking employment in various agricultural and non-agricultural activities is to meet the family needs and to enhance the family income.¹

Aim of the Study

1. To recognize the importance and participation of female labour which is yet invisible and has been considered as the daily routine work of the women.
2. To point out the inequality of wages between male and female labour.
3. To point out the schemes for the welfare of women.

Women provide one half of the labour in rice cultivation in India. In the plantation sector women are the crucial labourers. Depending on the region and crops, woman's contributions vary but they provide pivotal labour from planting to harvesting and post-harvest operations. In rural India, agriculture and allied industrial sectors employ as much as 89.5% of the total female labour.

Female Foeticide in India: A General Study



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Abstract

In spite of the legal provisions to prevent female infanticide and foeticide, it continues to occur in many parts of the country. While infanticide was first known to be recorded in British rule, in some States like Tamil Nadu, it is essentially a post-Independence occurrence. Data from Bihar shows that it started among the high castes and now cuts across all castes and classes. Female infanticide is supported by sanctions and pressures from the family. It is fueled by the evil of the dowry system, which places demands on the girl's family. Sometimes, mothers kill their female babies to save them from abuse and violence later in life. It is believed also that killing a girl child increases the probability of a male child born in the family. Female infanticide is reported to occur also due to a lack of scanning centres, as an alternative to foeticide. Another factor implicated infanticide is the decline in the status of women due to the modernization of agriculture. The new agricultural technology makes the traditional agricultural knowledge of women redundant, and due to the constraints on their free movement in the public space, it is the men who visit government offices to get loans and information on new varieties of seeds, pesticides and so on. In this context, women become liabilities and dowry becomes important. A change in the status of women for the worse in the wake of the modernization of agriculture has been reported from Madurai district of Tamil Nadu, where there is a high incidence of female infanticide.

Female infanticide and foeticide need to be dealt with by mobilizing people to get together and work against this social evil and bring about changes in the society.¹

Keywords: Unborn Girl Child, Sex Ratio, Foeticide, Girl Child, Female, Sex Selective Abortion, Pre-Natal Sex Abortion.

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