



**GNLU Research & Publication Division**

**Project Summary Report of the  
Government of Gujarat Funded  
Research Project  
(2017 - 2018)**

**GNLU Research and Publication Division**

**List of Government of Gujarat Funded Research Project**

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# Study on the Importance of Police Accountability and its Impact on the Governance of Criminal Justice System in the State of Gujarat

## Aims/Objectives

- To determine the prevailing practices and procedures of Police Accountability in the state
- To identify the flaws in the existing laws governing police functionaries
- To identify the external influences affecting the police accountability and to suggest the safeguards
- To examine the effect of police accountability on the criminal justice and administration system

## Task Initiator

- Principal Investigator- Dr. Akil Ali Saiyed
- Co-Investigator- Mr. Mradul Mishra

**Details of Activity:** Present study is an empirical research conducted in four districts of Gujarat namely Ahmedabad, Vadodara, Rajkot and Surat. The data was collected through filling questionnaires from members of Bench, members of Bar (Including Public Prosecutors and defense lawyers), Police officers and Academicians.

**Outcome:** The Researchers made the following suggestions to improve police accountability-

- The investigating officer must be made accountable if the acquittal is because of flawed investigation.
- There should be a separate authority to decide transfer, postings, promotions and other services related matters of police.
- There should be a separate and specialized police complaint Authority at State and district level to inquire into complaints filed against police officials.
- The police investigating crimes and the police maintaining law and order must be separate.
- The police officers must be equipped with necessary training and resources to increase the level of performance.

**Status:** Completed

**End Recipients:** Home Ministry of State of Gujarat, National Police Commission, State Legal Department, Human Rights Commission

**Possible Expansion of the Project:** Since the study has been conducted in the state of Gujarat only, the study can be conducted throughout India and a more conclusive report can be submitted to the Government of India.

## **Project on Sensitizing and Creating IP Awareness among Academicians within the state of Gujarat**

### **Aims and Objectives:**

The aim of the present study is to motivate the university students for the research and innovation through their creativities and curiosity.

#### Objectives of the Study

1. To sensitize the academicians of various faculties of higher education about the concept of Intellectual Properties.
2. To determine the standard of preliminary information about the IP among the academicians.

### **Task Initiator:**

Dr. Akil Saiyed (Professor of Law) is the Principal Investigator. At present he is the Director at the Parul Institute of Law and Dean of Faculty of Law, Parul University, Vadodara. He has 24 years' experience of profession, research and academics. He has published number of research articles/papers in national and international Journals as well as chapters in books.

Mr. Soaham Bajpai is the Co-investigator of the project. He is serving as an Assistant Professor at Gujarat National Law University, Gandhinagar.

### **Details of Activity:**

The research method is mainly an empirical with doctrinal study for the identification of the parameters. Since, the study is limited to the state of Gujarat, The survey was made across the state of Gujarat. A stratified sampling is made with the confidence level of 95 % and 99% with the appropriate confidence interval for each strata.

A questionnaire was sent arbitrarily to the faculty members of identified universities and colleges. Total 220 responses from across the universe are received. The same are analyzed statistically and reported.

## **Outcome**

- There is no significance difference in the level of IP awareness among the academicians of different faculties.
- The level of awareness is better in case of Pharmacy and Science faculty and is lowest among the Agriculture faculty.
- There is no significance difference in the level of IP awareness among the academicians of different qualifications. However, it is little better who have completed their PhD.
- Special course/program on IP would accelerate the research activity in HEI.
- Many of the universities do not have policy on Intellectual Property.
- Teaching of IP in regular curriculum is desirable.

## **Suggestions:**

- IP sensitization and awareness program should be conducted at every HEI / universities.
- A well designed IP policy should be drafted for each university.
- Every university should establish IP facilitation center.
- IP curriculum should be offered to the students of every faculty and branch of specialization.
- Tailor made certificate/diploma courses should be offered as add-on at graduation level.

**Status:** Complete

## **End Recipient:**

Creating awareness about the intellectual properties is on the prime agenda of various agencies and government machinery. Ministry of Human Resource Development, Department of Science and Technology, Department of Electronics and Information Technology, Department of Industrial Policy and Promotion, Gujarat Council for Science and technology, etc.

In addition to these several MSME and private sector organizations may be inducted for liaison with the academic institutions

## **The Role of Social Entrepreneurship in Promotion of Inclusive Development: A Case Study of Selected Organizations in Central Gujarat**

The main objective of this study was to examine the characteristics of social enterprises and analyse the motivation factors that have influenced the social entrepreneurs to start their own social enterprises and to study and evaluate the journey of social entrepreneurs in contribution towards inclusive development. For this study, the researcher has collected data in two phases. In the first phase, the researcher used survey method to collect data from 50 social enterprises in located in Central Gujarat by using snow ball sampling. Similarly, in the second phase, the researcher collected data from 4 social enterprises by using interview method. Further, the source of information is based on primary data as well as secondary data sources. The mixed method approach is used to complete the research. For the data analysis, the quantitative data has been coded and entered into the Statistical Package for Social Sciences (SPSS) 24 for statistical analysis and descriptive statistics has been used. During the process of qualitative analysis case studies were prepared. The major findings of the study are as follows:

- 1) The results of the study indicates that a majority of social entrepreneurs (70 percent) comprised those who were between the ages of 21–40 years and the rest 30 percent who were between the ages of 41-60 years. Similarly, gender wise 58 percent of the respondents were males, while females represented only 42 percent.
- 2) Further, the study indicates that a largest percentage (80 percent) of the respondents established their social enterprise in the last 07 years only (i.e., after 2011 year onwards), followed by only 16 per cent of them in the last decade, i.e., 2001-2010 time period.
- 3) The social entrepreneurs view access to adequate capital (72 percent), scaling social venture (66 percent), marketing linkages (60 percent), and dilatory and cumbersome regulatory practices (58 percent) were their biggest challenges in operating their venture and achieving success.
- 4) The next big challenges reported by respondents were lack of skilled human resources (56 percent), and lack of legal knowledge about legal aspects (48 percent).
- 5) Patent rights knowledge and applying modern technology on the other hand at 42 percent respectively appear to be the major threat for the respondents to carry out their activities.



- 6) Lack of entrepreneur skills and monitoring and regulation of organizations at 36 percent and 24 percent respectively appear to be as challenges for the social entrepreneurs to conduct their business.

### **Suggestions of the study:**

Based on the results and findings of the study, the researcher presents the following suggestions. They are

- 1) Higher education institutions in India should include social entrepreneurship as an academic course of specialised study.
- 2) Training and development for social venture helps in confidence building and management and leadership skills.
- 3) Incubation support and training is needed for social networking and resource mobilization for growth and development of social enterprise. Thus, higher education institutions have a major role to play in promoting social entrepreneurship as a way of solving social, economic and environmental problems.
- 4) Government should take the responsibility to reach the people and also provide support in the form of financial support, creating entrepreneurial eco-system; create a platform to showcase their ideas.
- 5) Governments should take initiatives to tap the potential solutions offered by these social entrepreneurs by creating enabling environment, recognising their products and services, rewarding their performance and helping them to expand their ventures in different areas to reach more number of beneficiaries.

### **Outcomes of the study:**

The outcomes of this study are that it provides a foundation for more in-depth analysis into understanding the experiences of successful social entrepreneurs in contribution of inclusive development and how to support them in Central Gujarat. The current study findings inform social enterprise management including the ways in which social enterprises can be organised by using availability of financial and human resources for competitive advantage. The findings of the study also inform academic institutions and incubation centres designed to support social enterprises. Further, the findings of the study will also be of interest to local governments and regional development agencies which are seeking to understand social enterprises. Finally, it is evident in this study that the fields of social work, sociology, economics, rural development and business management have much to learn from one another.

## Climate smart agriculture addressing food security & climate change

### Aims/Objectives:

- To analyze farmer's utilization of climate smart technology in the state of Gujarat
- To develop eco-friendly solutions that may contribute to high plant performance under different environmental conditions.

### Details of PI and Co- PI (Task Initiator):

Principal Investigator: Dr. Viralkumar B. Mandaliya, Asst. Professor of Research, Gujarat National Law University.

Co-Investigator: Dr. Kirankumar G. Patel, Asst. Professor, CHARUSAT, Changa

### Synopsis of the Project:

The purpose of this project is to highlight that food security and climate change are closely linked in the agriculture sector, and the key opportunities exist to transform the sector towards climate-smart systems. The empirical and lab based research work was taken based on the Section 31 and Schedule III of the National Food Security Act, 2013 highlighting the status of the farmers in Gujarat state and development of biocontrol agent to help out the farmers. The project was comprised of two major components. The questionnaire based survey of farmers in five different zone of Gujarat State was carried out and analyzed based on SPSS platform. Development of Biocontrol agent to strengthen plant growth and production in changing climate of Gujarat State. Lab based experimentation done at partnering institute, CHARUSAT, Changa and the mass cultivation studies of *Trichoderma* strains were performed.

### Outcome/Recommendations:

- There is an impact of mobile technology on utilization of agriculture technology. If more number of mobile app will be prepared especially addressing the zone-wise need of farmers then it will strengthen more farmers. Thus, development of mobile app on Climate Smart Technologies is recommended.
- It was found that utilization of agriculture technology & knowledge of Government Schemes were dependent on media technology. Nowadays, farmers are watching the TV programmes mainly on paid TV. Thus, it is recommended that there should be advertisement on various agriculture technology and government schemes on paid TV channels.

- It is important to understand the problems associated to farmers that may be limiting factor for growth of agriculture sector at a large. Thus, there is recommended to develop a platform at district level where farmers can registered their problems.
- Lower Market Price of Agricultural Product is prime problem faced by the farmers. It is recommended that government agencies should take measure to address this problem, and this only will gain the opinion of farmers positive towards support of government to farmers.
- The selected *Trichoderma* strains has shown significant antagonism activity against cumin and wheat fungal pathogens. It is recommended that this *Trichoderma* strains should be tested for antagonism activity against various fungal pathogens.
- The selected *Trichoderma* strains has shown better growth and plant yield in sugarcane waste and sorghum and found stable when blended with the Talc and bentonite clay. It is recommended that this *Trichoderma* strains should be tested for its potential at various zone of the State of Gujarat.

**Status:** Completed.

#### **End Recipient**

- Climate Change Department, GoG
- Agriculture, Co-operation and Farmer Welfare Department, GoG
- Government research establishments such as CSIR (Council of Scientific and Industrial Research), ICAR (Indian Council of Agricultural Research) laboratories.
- Science and Agricultural Students, Academicians, Researcher, and Policy makers.
- NLU's (National Law Universities) such as NALSAR Hyderabad, NLIU Bhopal, GNLU Gandhinagar, NLU Jodhpur, etc.
- Institutes of higher learning both central and state level Universities, Colleges, Government, Students, Academicians, Corporate entities, and NGOs.

**Possible expansion of the Project:** The questionnaire based survey of farmers may be performed on more district to understand the status of utilization of climate smart technology by farmers in the State of Gujarat.

The performance of mass cultivated *Trichoderma* strains as biocontrol agent may be assayed at various zone of the State of Gujarat.

## **Harnessing Biodiversity & Nutrition by Postharvest management of Fruits and Vegetables**

### **Aims/Objectives**

- To study the component of Sustainable agriculture which is a core part of the concept of Sustainable Development
- To study legal regulatory framework for post harvest management & food safety.
- To set the standards for different sensory, chemical and biochemical parameters for fruit and vegetable quality assessment.
- To test these parameters on various different species of fruits and vegetables.
- To define an approximate shelf life for fruits and vegetables
- to maintain quality (appearance, texture, flavor and nutritive value)
- to protect food safety, and
- To reduce losses between harvest and consumption.
- The main objective of the research work is to set the standards for different sensory, chemical and biochemical parameters for fruit and vegetable quality assessment.
- To test these parameters on various different species of fruits and vegetables.
- To define an approximate shelf life for fruits and vegetables
- Since there is a lot of commercial interest in this area, following diverse research can also be carried out.
- Isolation and characterization of different microbial strains, causing fruit and vegetable spoilage. Advanced microbial analysis.
- Use other techniques like gas chromatography (GC).

### **Task Initiator (Details of PI and Co- PI)**

Dr. Saira Gori, Assistant Professor of Law and Dean, Training Division

Gujarat National Law University

## **Details of Activity**

In this proposed research, the researcher tried to address the following questions

- First, what examples do we have of specific postharvest physiological or biochemical traits that have been used to improve crops and more specifically, to improve the environmental sustainability of the agricultural production system?
- Second, what have been the real effects of these advances on agricultural sustainability?
- Third, how can researcher's best make postharvest of crops research relevant to the challenge of environmental sustainability?
- Finally, how can producers use these postharvest technological advances in a viable and sustainable manner to improve their productivity and profitability?

The proposed research include following headings i.e.

### ➤ **The Evolution of Concept of Sustainable Development**

- Food as Pre-Requisite Right
- Meaning of Food
- Hunger and Malnutrition in India
- Food Security Programme : Need

### ➤ **International Perspective on Right to Food**

- UDHR
- ICCPR
- Convention on Rights of the Child
- ICESCR

### ➤ **Right to Food and Food Security in India**

- Constitution
- Judicial Pronouncements
- Laws Enacted

### ➤ **The Public Distribution System**

- Overview
- Historical Background

- Functioning
- Limitation
- Other Issues and Challenges
- Post Harvest Management
- Concluding Remarks & Suggestions

➤ **Parameters which determine fruit and vegetable quality:-**

- Sensory evaluation (color, flavor and visual examination)
- Texture analysis
- Color analysis
- Microbial evaluation
- Chemical tests (total soluble sugar, acidity etc)
- In our work, we tried to develop standards for various parameters, which would determine the edibility of fruits and vegetables.

**Outcome**

- This research through lab experiment tried to provide new coating material which helps in extending the shelf life of fruits and vegetables, without glossing the surface artificially, providing an alternative to wax based coatings. Hence, we have evaluated quality of fruits and vegetables and choose the best sensory, chemical and biochemical parameters which determine quality and freshness of fruits and vegetables.
- Solutions were prepared from high viscosity chitin and chitosan flakes (From shrimp shells, HIMEDIA) by slurring the flakes in water (Respective parentages). The slurry was combined with an equal volume of malic acid solution and the dispersed with a shaking condition overnight. The dispersion were heated to 60°C with stirring, and filtered through filter paper to remove a small amount of the insoluble materials. The detailed analysis of sample treatment and coating material and their effect is discussed and projected in the draft report.
- Effective management during the postharvest period, rather than the level of sophistication of any given technology, is the key in reaching the desired objectives. While large scale operations may benefit from investing in costly handling machinery and high-tech postharvest treatments, often these options are not practical for small scale handlers. Instead, simple, low

cost technologies often can be more appropriate for small volume, limited resource commercial operations, farmers involved in direct marketing, as well as for suppliers to exporters in developing countries.

- The use of postharvest pesticides may reduce the incidence of surface defects but can be costly both in terms of money and environmental consequences. In addition, the growing demand for organically produced fruits and vegetables offers new opportunities for small-scale producers and marketers. Local conditions for small-scale handlers may include labor surpluses, lack of credit for investments in postharvest technology, unreliable electric power supply, lack of transport options, storage facilities and/or packaging materials, as well as a host of other constraints.
- There are many interacting steps involved in any postharvest system. Produce is often handled by many different people, transported and stored repeatedly between harvest and consumption. While particular practices and the sequence of operations will vary for each crop, there is a general series of steps in postharvest handling systems that will be followed for the purposes of the research.

## **6. Status:** Final Draft Report Submitted

## **7. End Recipient**

- M/O Environment, Forest & Climate Change
- The Government of India's (GOI)
- Food Safety and Standards Authority of India (FSSAI)
- Government of Gujarat
- Ministry of Agriculture
  - Food and Agriculture Organization (FAO),
  - United Nations Environmental Program (UNEP),
  - CGIAR Consultative Group on International Agricultural Research
  - Mitigation of Climate Change in Agriculture (MICCA) Program.
- BARC –Research & Development (Health, Food & Agriculture)

**Possible expansion of the Project:**

The present study is a first tier research study wherein for the next phase research, the researcher would like to deliberate and carry out State-Wise comparative intensive research on above area. Further, the research would like to carry out lab experiment to the next level covering all seasonal fruits and vegetable wherein tried to provide new coating material which helps in extending the shelf life of fruits and vegetables, without glossing the surface artificially, providing an alternative to wax based coatings by opting the best sensory, chemical and biochemical parameters which determine quality and freshness of fruits and vegetables.

The above mentioned agencies can utilize this study for effective policy making and administration. These priorities inform decisions about the scope of future work and the dissemination of sponsored knowledge and technologies. At the same time, maintains the flexibility to respond to emerging needs and to consider the merits of individual projects that may contribute to other worthwhile goals.



## **Mapping the Ancient Maritime Foreign Relation of Gujarat: A Legal, Political and Economic Analysis**

### **Aims/Objectives:**

- To document and analyze the legal arrangements/contract/ provision under the which the states traded;
- To analyze and document the policies envisaged by the state in term of its relations to foreign nations.
- To analyze and document the economic policies and the progress of the state in the light of the maritime trade.
- To deduce and analyze the strategic importance of all elements and their inter-relations in the maritime and international trade environment. Also to identify the aspects driving change and factors that led to effective decision making and policy.

**Task Initiator (Details of PI and Co- PI):** Dr. William Nunes, Co-PI Dr. Aruna Kumar Malik

**Details of Activity:** Literature Review completed, Literature identified and writting of chapters in progress.

**Outcome:** Help understand the nature of foreign relations of India. It will also enable to understand the need for federalizing foreign relation a major contemporary and relevant debate

**Status:** In Progress

**End Recipient:** Government, Tourism, Gujarat Maritime Board, Strategic planning

## **A Study on Sports Governance and Policy in India: Current Issues and Challenges**

**Aims/Objectives:** The objectives of the project are as follows:

### **To study accountability issues in sports governance in India**

- To study the power and functions of government body and sports federation.
- To study the functioning method of federations.
- To study the revenue management of federations.
- To study tripartite relation between Ministry of Youth of Affairs and Sports, Indian Olympic Association and National Sports Federation.

### **To Study administrative issues.**

- To study sponsorship opportunities for sports person.
- To study regulations related to equal opportunities without any discrimination on the basis of caste, creed, sex, religion.
- To study doping management in national and international sports.

### **To study developmental issues.**

- To study the availability of sports infrastructure in India.
- To study the condition of sports infrastructure in India.

**Task Initiators:** Dr. Richa R. Mulchandani, Principal Investigator & Mr. Tarun, Co-Investigator

**Details of Activity:** The research is a detailed study of the sports governance structure of India covering almost all the issues and challenges faced by the Sports sector of India. It gives an exhaustive international comparative analysis by studying the sports governance structure of 14 countries around the globe. Through the report the researchers have tried to explore the pathologies in the sports administration and culture in India through various lens and propose necessary recommendations to curb the issues and challenges for upgrading the performance of Indian Athletes at various International sporting events especially the Olympics.

**Research Methodology:** The research is doctrinal in nature and comprises of qualitative and quantitative method of data analysis. The method of research is also intended to adopt diagnostic method by incorporating various leading cases and incidents (if possible) which necessitates to reorganize and restructure sports governance and policy in India. The researchers have classified data into two heads that is National and International.

**Scheme for National Data Collection:**

The data related to India has been collected through Constitutional provisions, various Acts, Bills and Codes and Sports policies, codes and schemes launched by the government.

**Scheme for International Data Collection:**

For the collection of data the Universe are all the 206 countries who are signatories of the International Olympic Charter. For the purpose of research judgment analysis method is used and 14 countries are taken and divided into Type A, B and C countries. The time span taken to shortlist these countries is 25 years i.e. from 1992 to 2016.

- **Type A:** This category consists of countries performing best as well as hosted Olympics since 1992 to 2016. The countries which qualified were USA, Australia, United Kingdom and China.
- **Type B:** This category consists of nations who have performed really well and have a consistent medal tally since 1992 to 2016. Countries like Germany, France, Italy, Japan and Russia are under this category.
- **Type C:** This category consists of countries that have emerged in the Olympics since 1992 with exceptional performances in 2008 and 2016 Olympics. New Zealand, South Korea, Croatia, South Africa and Denmark come under type C countries.

The researchers have measured the Sports Governance Structure of India against the above mentioned countries through six major indicators namely:

- Discretionary Powers of Sports Administration
- Transparency in Decision Making
- Revenue Management
- Sports Infrastructure Development
- Development of Sports Culture and Ecosystem
- Gender Issues

Each indicator has a number of sub-indicators to explore all possible obstacles and issues falling under various heads mentioned above.

**Outcome:** The outcomes of the project are as follows:

- India can come up with better legal framework with regards to Dissemination of information as well as Reporting of Decision in sports.
- The Decision-making procedure in Sports is also important area where India needs to work upon.
- In India, sources of Reasoned Decision in sports is found in form of practice where as in other countries they are in form of legislation and regulations.
- The Obstacles in Revenue Management was found as common problem in all countries including India. However Type C Countries have come with the provision in this regard.
- In India no data found with respect to the provisions to deal with Obstacles in Revenue Management which draws a serious concern.
- In India the Sources of Transparency in Revenue Management is found under Government initiative where as best performing countries have adequate legal frame work.
- To overcome Obstacles in Infrastructure Development no data was found in India which indicate a need to provide more efficient framework to deal with this issue.
- With the growing sports culture, India needs to evolve provisions related to Environmental Concerns in sports. At the same time mass level understanding of Health and Fitness in the development of sports culture can brought into in clear Government Policy.
- In the recent times to develop a sports culture in country the initiative taken by the Government deserve appreciation but to maximize it effect it needs to bring into the gamut of legislation.
- The Gender issues in sports requires special attention and India must make some provisions to deal with Issues related to Trans-genders. This is also found as global issue where no adequate legislative frame work is available accept in some type A Countries. Similar way the provisions related to Sex Determination in Sports are completely not found. This gives scope to India to take an initiative to be pioneer in the world by framing some regulation.
- Comprehensively, adoption of Sports Law Act covering Discretionary Power, Transparency in Decision Making, Revenue Management, Sports Infrastructure Development,

Development of Sports Cultural and Gender Issues can support the sports eco system of India in much better and uniform manner.

**Status:** Completed

**End Recipients:** Ministry of Youth and Sports Affairs, Sports, Youth and Cultural Activities Department, Government of Gujarat, National Sports Federations, Athletes and Coaches.

## **Primary care takers and Interparental Cross-border Child Custody Disputes- Should India sign Convention on Civil Aspects of International Child Abduction 1980?**

### **Aims/Objectives-**

- To comprehensively review the cross-border child custody disputes and identify the legal protective measures provided to primary care takers by the Indian judiciary in such disputes.
- To facilitate the formulation and development of legal protective measures that adequately responds to the issues of primary care takers for the purpose of enactment of proposed bill by Law Commission of India

### **Task Initiator (Details of PI and Co- PI)-**

- Principle Investigator- Ms. Harsha Rajwansi, Assistant Professor of Law, Gujarat National Law University, Gandhinagar.
- Co-Investigator- Mr. Soham Bajpai, Assistant Professor of Law, Gujarat National Law University, Gandhinagar.

### **Details of Activity-**

The question whether India should sign 1980 Convention on Civil Aspects of International Child Abduction<sup>1</sup> (hereinafter referred as 1980 Hague Convention) has generated contentious debate. It was in 218<sup>th</sup> Report<sup>2</sup> titled “Need to accede to The Hague Convention on the Civil Aspects of International Child Abduction 1980”, Law Commission of India advised Government of India to sign 1980 Hague Convention<sup>3</sup>. In 2016, the debate of signing the Convention again got intensified when Law Commission of India headed by Dr Justice B.S Chauhan submitted its 263rd Report<sup>4</sup> to Law minister Shri Ravi Shankar Prasad recommending the enactment of Protection of Children

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<sup>1</sup> The Convention of 25 October 1980 on the Civil Aspects of International Child Abduction seeks to combat parental child abduction by providing a system of co-operation between Central Authorities and a rapid procedure for the return of the child to the country of the child’s habitual residence.

<sup>2</sup> Submitted on 30 March, 2009.

<sup>3</sup> which came in force on 1<sup>st</sup> December 1983.

<sup>4</sup> The reexamination of the issue was done by Law Commission of India on the reference by the High Court of Punjab and Haryana, in Seema Kapoor & Anr v Deepak Kapoor & Ors, CR No.6449/2006 vide order dated 24.02.2016, wherein matter was referred to the Law Commission of India “to examine multiple issues involved in inter-country, inter-parental child removal amongst families and thereafter to consider whether recommendations should be made for enacting a suitable law for signing the Hague Convention on child abduction.”

(Inter-Country Removal and Retention) Bill, 2016. The proposed Bill by Law Commission is an attempt to set the stage for India to sign the 1980 Hague Convention.

The signing the Hague convention on civil aspects of international child abduction is controversial as suggested to be against the interest of women who flee bad marriages. As there is a need to comprehensively review the proposed Bill to ensure protection to the primary care takers/mothers in cross border child custody disputes, the focus of this research is theoretical and investigative analysis of Indian judicial pronouncements to identify the safeguards provided to primary care takers while settling disputes of cross border child custody.

### **Outcome-**

The research report reviews the High Court Cases and Supreme Court cases and draws statistical inferences in relation of gender dimension to the debated issue in inter-parental cross border child custody disputes.

The pattern of judicial reasoning by Supreme Court cases vis-à-vis different legal principles applied in such cases are analyzed. The co-relation to different legal principles to the outcome of the cases has been studied and analysed.

On qualitatively aspect of research, the research observes that judicial reasoning of Supreme court in cross border child custody is premised on 'Best Interest of Child' which is in conflict with the Hague Convention's principle of 'Best Interest of Child' whose interpretation is highly leaned towards the prompt return of child. There is divergence in interpretation of best interest doctrine as evidenced from the Indian judicial cases and the Hague Convention. The underlying principle of Best welfare of child under Hague Convention has presumption that most intimate jurisdiction/habitual residence jurisdiction is the most appropriate jurisdiction to decide upon the rights of child based on welfare doctrine. However Indian courts take objective assessment of all factors to decide upon the best interest of child and jurisdiction assumed by the courts are taken on the principle of ordinarily residence of child in the territory with exercise of it's wardship jurisdiction.

The research highlights that judicial responses in India have tried to bridge the income inequality gaps providing adequate safeguards to women upon the order of return of child to habitual residence. The proposed bill by Law Commission of India address the problem of domestic violence but not doesn't address the issue of gender income inequalities. The judicial responses in India intended to protect women from criminal sanctions in jurisdiction upon order of return of

child. However, the proposed bill, on contrary stipulates for criminal sanction against the abducting child which may be detrimental to the overall intents and purposes of the return of child.

The research also suggests that there is a need for specific custody laws or guidelines in India in case India intends to sign Hague Convention.

**Status-** Completed

**End Recipient-**

- Ministry of Women and Child Development, Government of India.
- Ministry of External Affairs, Government of India.
- Women & Child Development Department, Government of Gujarat.
- Gujarat State Non-Resident Gujaratis' Foundation, Government of Gujarat.
- NRI associations.
- Academia.



## Digital Financial Literacy through Digital India: Study of its impact in the rural areas of three districts of Gujarat

### Task Initiator (Details of PI and Co- PI)-

- **Principal Investigator: *Ms. Garima Goswami***

Ms. Garima Goswami is currently working as an Assistant Professor of Law at the Gujarat National Law University and is also the Centre Director of the GNLU Centre for Banking and Financial laws. Her areas of interest are Banking Laws, Securities Laws and Trust Laws with a keen interest in rural aspects and implementations of these laws.

- **Co-Investigator: *Ms. Anu Mishra***

Ms. Anu Mishra is currently working as an Assistant Professor of Law at the Kirit P. Mehta School of Law, NMIMS. Prior to that she was working as a Teaching and Research Associate at the Gujarat National Law University and was associated with the GNLU Centre for Banking and Financial Laws.

### Research Objectives:

The main objectives of the study are:

- To understand the awareness amongst the selected sample regarding Digital India Mission
- To understand the Digital Infrastructure available to the selected sample
- To understand the level of digital financial literacy amongst the selected sample regarding digital financial services such as such as Immediate Payment Service (IMPS), Unified Payments Interface (UPI), Bank PoS machines etc
- To understand the awareness and functioning of Common Service Centres(CSC) in the selected sample
- To study the impact that demonetization had on the level of digital financial literacy of the selected sample

## **Research Questions:**

The primary research questions of the study are:

- Whether there is awareness regarding Digital India Mission and the schemes launched under it by the Government of India?
- What is the current status of Digital Infrastructure amongst the selected sample?
- What are the tools of digital financing used by the selected sample?
- What is the impact of demonetization on the level of digital financial literacy of the selected sample?
- Does literacy have an impact on better use of digital infrastructure?

## **Significance and Scope of the Study:**

The most important characteristics of twenty-first century are the transformation, transmission and domain of information. We live in a society which is driven by information technology and is considered as indispensable for both the society and human life in general. Modern technology has revolutionized people's communication and relay of information. The Internet hosts an enormous information base. With the advent of technological advancement globally even India is striving to be digitally empowered. With the launch of Digital India Programme and various schemes corollary to it, there is huge emphasis placed on digitalization. There is a special emphasis placed on digital financial literacy and an attempt is made to make the economy more and more digitally empowered. With the government decisions such as demonetization it is evident that the switch to a digitalized mode of financial transaction and digital financial literacy is inevitable. However, what is important to understand is that such reforms are being evident majorly in the urban areas where factors such as education, affordance is not a big hurdle compared to rural areas. It is therefore, pertinent to observe that how is the rural society coping with this transformation of Indian economy and society and therefore is very significant to understand the reality of such Financial Reforms being brought in the Indian Economy.

The study shall comprise of the following Districts:

- **Ahmedabad**
- **Surat**
- **Gandhinagar**

Since the study focuses on the rural digital financial literacy therefore, researchers selected one village through random sampling from each of the above mentioned districts.

- **Ahmedabad: ASLALI**
- **Surat: OLPAD**
- **Gandhinagar: DABHODA**

### **Conclusion:**

Digital financial literacy means to effectively use digital devices for financial transactions. It demands smaller infrastructure, economic, all time availability. However along with this, security of individual becomes a primary consideration. In our country there is a general lack of awareness with regards to digital financial literacy. Majority of the transactions are done through the preferred offline mode of cash. The proportion of online transactions is quiet low. To cure this, there have been various initiatives by the government at both Central and state level to promote the digital mode of financial transactions. The Digital India Mission is one of the most landmark and remarkable initiative in this regard.

Keeping the above as backdrop the current study was focused on the rural areas of the state of Gujarat. Three districts from the state were selected namely *Ahmedabad, Surat and Gandhinagar*. One village from each district was selected through random sampling namely *Aslali, Olpad and Dabhoda* respectively. A questionnaire was prepared which revolved around various parameters to ascertain the level of digital financial literacy of the sample and allied issues.

Upon conducting the survey and analyzing the data thereon, there are various findings that have come out from the research study. First and foremost it can be concluded that there was a pervasive lack of awareness, availability of digital infrastructure, level of digital financial literacy along with the functioning of the Common Service Centre in all the 3 villages.

The study also revealed that the dominant mode of financial transaction of more than an average of 92% of the sample population was through offline transactions. Therefore, it evident that even though the Government is coming up with various new initiatives yet in the rural areas the dependence and the preference of offline methods is very significant and therefore to our economy into a digital economy there is still a huge gap that has to bridged.

Another conclusion from the study is the lack of awareness and information about various digital financial policies under the CSC. Even though CSC is the main tool through the Digital India Mission is to be implemented yet there is negligible awareness about CSC and its functioning. Even more shocking fact revealed by the study was that there were a large number of respondents who were unaware of even the existence of CSC in their village. It can thus be concluded that while the Digital India Mission aims to boost and empower the society digitally yet the ground realities are disappointing. The awareness drives that the mission aims are far from being accomplished and the condition is such that a majority of the rural part is unaware of any such policy or schemes.

The study also aimed to understand the impact that the scheme of demonetization has had on the dependency on digital modes of transactions in the rural areas. The scheme of demonetization had a clear message that the government is trying to move from a cash dependent economy to a cashless economy. The present study in the wake of demonetization set out to find its impact on the digital financial literacy. It was observed that across all three villages the dependence on digital platforms hasn't changed a lot post demonetization. A relatively small number of population had shifted from to using ATM machines however there wasn't a major shift in their dominant mode of financial transaction. This again indicates that schemes such as demonetization have not been able to penetrate at the rural level and have not successfully changed the dominant nature of financial transactions or the Economy. There was also an attempt to understand the correlation of age and use of digital mode of transactions after demonetization to understand whether the youth today is shifting towards the online platform or not. The data indicates that around 20% of the respondents used IMPS or Paytm to make transactions post demonetization in Olpad. Whereas for Aslali, the data suggests that the people have started using ATM cards and other modes of digital payment in their routine life post demonetization. The number was comparatively higher for *Dabhoda*. Many people have started using ATM cards, mobile transfer, Paytm and other modes of digital payment. An attempt was also made to understand the correlation between occupation and use of digital mode of payment after demonetization. Upon analyzing the data for all 3 villages, it can be concluded that the respondents belonging to different occupation (Professionals, businessman, job, daily laborers, student and also housewife) have started using digital modes of making payment however the switch is not very significant and it was also observed that there were a lot of digital infrastructure issues that these respondents faced.

Another aspect that the study revealed was the gap in the usage of digital platforms across the gender of the respondents. It can be concluded that the male respondents comparatively use and access digital modes of payment more than the female respondents. Therefore there was discrepancy in the usage. It was also observed that there was a discrepancy in the awareness about Digital India Mission and allied policies across the gender of the respondents. The awareness and accessibility was comparatively more prevalent amongst the male population as opposed to the female population.

It can also be concluded based on the study that irrespective of the level of education of the respondents a majority of them did not prefer the digital method of financial transactions which goes on to indicate that mere literacy rate cannot be considered as a parameter for digital financial literacy and therefore, channelized efforts will have to put in order to improve the existing scenario.

An interesting and significant conclusion of the study is the willingness of the respondents to switch to online modes in the near future. Majority of the respondents had a positive approach towards shifting to digital ways and preferring them over offline method in the near future. In *Olpad* and *Dabhoda*, 55.7% and 59.3% gave a positive response. The response in *Aslali* was strikingly contrasting whereby a mere 25.3% of the population has a positive response. There was also a willingness expressed to receive training in using digital platforms. However, this was only supported by a minority of respondents yet it can be considered as a step in a positive direction.

Another conclusion that can be drawn from the research study is the need for improvement in the digital infrastructure at the rural level. Issues such as internet network issues, delayed delivery of service, security issues, transaction charges etc. are few prominent hurdles in adopting digital modes of financial transaction. However, as it is evident from the data that there is a desire to evolve with the digitalization movement for which there is a need to increasing awareness and robust training. Hence, if all these challenges are addressed and if the citizens too are willing to make themselves conversant with the new method of transaction, it would be a great leap towards ease and advancement for the country.

Therefore, we can come to a conclusion that there is definitely a lack of awareness and knowledge about various missions such as Digital India Mission and schemes to promote digital Financial Literacy. Even though the Government has been aggressive in pushing for the Indian Economy to be cashless however the ground realities present a stark difference. There is negligible penetration of these Missions and schemes so much so that even basic knowledge about various instruments such as

CSC which are the core implementing instrument of Digital India Mission is absent as well in the sample surveyed. However an interesting takeaway from the study is the willingness of the villagers to receive training and acquire skills to use digital platforms. It is here where the researchers think that there is a huge scope of implementing the mission and allied schemes in a better manner to reap better benefits.

Also another distinct conclusion that can be arrived at is the impact that demonetization has had on the dependence of general public on digital platforms for financial transactions. It is evident from the study that there has not been any significant change in the mode of transaction. Even today, majority of the transactions are conducted through offline mode and therefore there is a huge gap in what the government is aiming at and what the ground reality is.

### **Recommendations:**

The research study brought to the forefront the ground realities of digital financial literacy in the three districts of Gujarat. Based on the findings and conclusion the researchers have come up with few recommendations which are as follows:

1. Today, women are at par with men in men in all fields, but when it comes to financial decision making, they are still dependent on the male members of their family. In a country like India, where poverty and unemployment are the major social concern, financial literacy of women is very crucial to fuel the engine of growth. Though a number of initiatives have been taken up by different organizations to boost the financial literacy, but still there exists a need of more awareness programs, which may include workshops, seminars, and financial management courses to make women more adept to the emerging financial services. More and more awareness programmes should be implemented at different levels. The government should ensure that the benefits of certain promotional programmes like “Jan-dhan Yojana” reach the women, especially those living in the Rural and tribal areas so that the actual purpose of organizing these programmes could be achieved.

The government may form a team of women in areas which lack financial literacy; so that awareness can be spread. The banks must do the communication through vernacular/local language, which may help women to understand the concepts. Government must spread the information on larger scale especially in rural and backward areas about various literacy programmes which was run exclusively for women, so that they may attend that programme

and learn the basic numeracy which help them in their empowerment and prosperity of the family as whole since women are the backbone of every family.

The government also needs to bring in more awareness programmes through financial literacy campaigns wherein the people in the rural areas can be taught about the usage and benefits of digital mode of payments. Any scheme, that the government comes up with, is never designed for the upliftment of a specific sector of the society. It is created to impart equal benefits to every citizen. However, if the awareness about any such scheme is restrained to the specific sectors of the society and not all citizens can avail its benefits, then such schemes would be irrelevant, as they hardly contribute to the equal welfare of all the citizens. Similarly, the aim of Financial Literacy cannot be said to be fulfilled until and unless it covers, the females are equally aware about it. As evident from the analysis of the data in this report, women's exposure to the financial literacy in the regions of Gujarat (as mentioned in the report), is comparatively less to that of the males. Hence, such measures/schemes should be formulated, which target the females and ensure that they are financially literate.

2. In order to incorporate financial inclusion into the social fabric of India, attempts at expanding the outreach of financial literacy needs to start at the grass-roots. An important method to do this would be inclusion of Financial Literacy in School Curriculum. When children become aware of the concept, they can influence their families on the importance of savings and take necessary steps for the better management of money. Thus, spreading the concept of financial literacy by inculcating banking habits and creating financial awareness among children would be a great help.

Apart from that the Government should also collaborate with various universities to implement the initiative of digital India Mission on a large scale as early as possible. The educational institutes such as universities, schools and colleges may also play a significant role in creating awareness drives pertaining to digital literacy and modes of digital financing, in this regard training and awareness sessions should be taken up. In this regard Gujarat National Law University may also initiate financial literacy campaigns in the rural areas of various districts of Gujarat.

Yet another channel for imparting financial literacy could be the workplace where it can reach most of the working adults. It would therefore be a potent mechanism for providing information about a number of financial services.

In order to boost up the effectiveness, of the usage of the financial products and services and to enhance the financial system of the nation, it is suggested that more capital infusion towards financial literacy workshops, seminars at the school, college, workplaces and the residential areas, should be done. In order to maximize the benefits of such programmes, awareness of all seminars, programmes, schemes, workshops and projects should be made among the target groups. Also impact of such programmes should be analyzed from time to time, through feedback.

3. Empirical Data serves as a source for the government to analyze and understand the status of the implementation of the schemes that have been formulated. Such empirical Analysis also serves as a feedback to the Governmental Schemes and hence provides for the modifications that can be included in the scheme to ensure a better result. Such analysis serves as a basis for the formulation of more effective new schemes. Hence, more empirical research can be conducted for understanding the level of penetration of financial literacy and probable suggestions for the same, in the rural part of the state of Gujarat.

#### **End Recipients:**

- The Ministry of Electronics and Information Technology, Government of India
- Education Department of Government of Gujarat
- Department of Science & Technology (DST), Government of Gujarat
- Office of The Collector & District Magistrate, of the three districts
- Panchayats, Rural Housing and Rural Development Department ,Government of Gujarat
- People from the respective districts

#### **Possible Expansion of the Research Study**

The investigators are planning to further expand the research study to four more districts of Gujarat namely, *Vadodara, Rajkot, Junagadh and Bhavnagar*.



# **The Study of State Practices on Benefit Sharing under United Nation Convention on the Law of the Sea**

## **Aims/Objectives**

- To study and analyze the regime of benefit-sharing under the UNCLOS
- To analyze concept of benefit sharing Vis-a- Vis National Interests
- To analyze of the rights and duties of the states and study of the state's practices regime under UNCLOS on benefit sharing.
- To analyze and the policies and practices of the state under UNCLOS towards the other states.
- To study of policy works are required to ensure the new scientific and technological advances into ocean governance and environmentally sustainable.
- To identify the aspects driving change and factors that led to effective decision making and policy of the states.

## **Details of PI and Co- PI**

- Principal Investigator  
Prof. (Dr.) Bimal N Patel  
Director & Professor of Public International Law, Gujarat National Law University  
Member, Law Commission of India  
Member, National Security Advisory Board
- Co-Principal Investigator  
Mrs. Prabhavati Baskey,  
Assistant Professor of Law,  
Co Dean of Students Welfare.

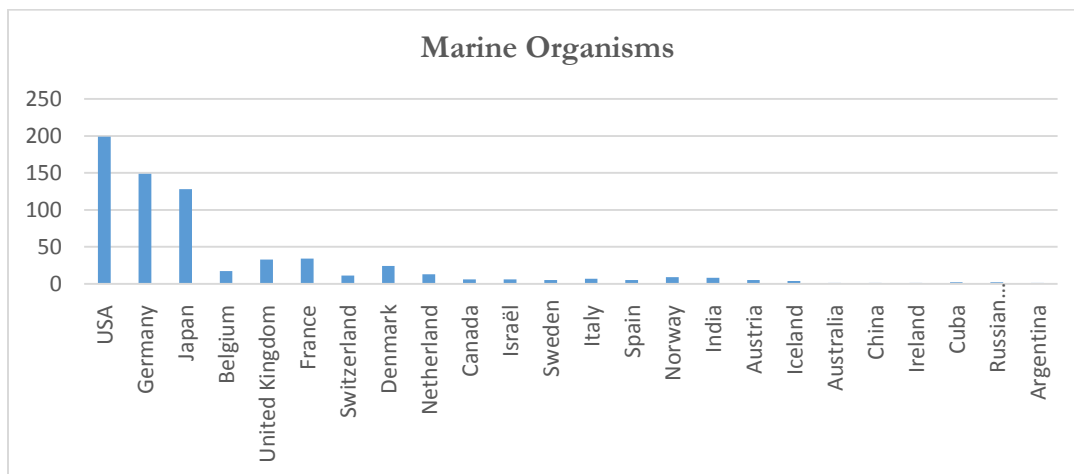
## **Synopsis of the Project:**

UNCLOS lays down one of the most important goals, namely, the benefits sharing from the exploitation of mineral resources of the deep seabed between developed and developing countries. Part XI of the Convention deals with the concept of innovative concept of the common heritage of mankind, i.e. benefits sharing from the exploitation of mineral resources of the deep seabed with developing countries.

An in-depth research is required to understand the legal and policy perspectives. It may include focus on marine biotechnology and distribution of marine species. Another important question is access and benefit sharing in the marine realm – how to strike a balance between sovereign rights and the common heritage of mankind, what are the sovereign rights over genetic resources, which international instruments govern marine genetic research activities, what are the important state practices or national regimes on management of marine genetic resources. Furthermore, a set of research question such as what is the concept of injustice in the field of benefit sharing under UNCLOS, what are the fundamental ineffectiveness and how research and developments are currently hampered?

Marine genetic resources (MGRs) from areas beyond national jurisdiction are currently the focus of great attention in the grounds of both science and international law. Scientists are concerned to the enormous prospective of this mostly untapped resource, notably for uses in the medical and pharmaceutical industries. Not surprisingly, the potential of these resources has also attracted much attention from the international and legal spheres with respect to the intellectual property protections that can be afforded to discoveries and inventions stemming from MGRs in areas beyond national jurisdiction. The value of these MGRs lies in their genetic material, particularly in the genetic variability of the material in question. Those variations codify the particular adaptations of every living organism. The genetic material, which makes them different, is also the genetic material that can be most useful. The value of these MGRs lies in their genetic material.

**Table 1.1**  
**Country of origin and number of patent claims associated with sequences from Marine organisms**



The table shows the discrepancy in the patenting of the marine genetic resources by the selected countries namely USA, Germany and Japan. This is an unjust way in which the marine genetic resources may be portrayed.

To what an extent the Nagoya Protocol on Access and Benefit-Sharing is innovative in international environmental law.

1. How does the Nagoya Protocol affect the implementation of the UNCLOS?
2. Since marine biotechnology is seen as one of the most important solutions for sustainable development, one needs to analyse the promise of marine biotechnology, namely benefits for the people and for the planet.
3. What is bio-economy and the economic potential of marine biotechnology?
4. What are the challenges to marine technology development and how to address the hurdles?
5. Which policy works are required to ensure the translation of new scientific and technological advances into commercially viable products in an environmentally sustainable manner?
6. OECD research shows that governance of marine bio-resources and ecosystems, measures and indicators for marine biotechnology and development of new R&D infrastructure require priority attention.

**Outcome:**

The observations and recommendations of the research project would be extremely useful to State Government, Central Government, policy-making authorities, especially ocean administration institutions of the nations, international organizations, international courts and tribunals, research institutions and private and commercial stakeholders.

**Status:** The Final Report is submitted to the Research Division

**End Recipient**

State government, Central government, Policy Maker, National and International organizations, Academicians and students

**Possible expansion of the Project.**

1. There is a possibility of conducting an on non-doctrinal research in this area to understand the full dimension of the probable cause and the legal means to implement the access to benefit sharing of marine genetic resources.
2. There is a possibility of establishing a hypothesis that India could be a torchbearer in establishing global norms for the best state practice in access to benefit sharing principles in. The hypothesis is based on the Indian state practice, which has been to be a global leader in access to benefit sharing in areas within national jurisdiction. A case study approach may be adopted establishing Indian Best Practice.
3. There is a possibility, of converting this research into a book publication as there are no Indian authored book on this topic of Access to Benefit Sharing in areas beyond national jurisdiction.

## **Factors affecting entrepreneurial inclination among undergraduate students in Ahmedabad and Gandhinagar cities**

### **Aims/Objectives:**

To study and examine the impact of mainly following factors affecting students towards their inclination for entrepreneurship:

- Personal, social and economic factors
- Family background & parental support
- Role models
- Entrepreneurship curriculum
- Seed money
- Incubation centers
- University and faculty members

### **Task Initiator (Details of PI and Co- PI):**

- **Principal Investigator**

Dr. Viral M. Pandya  
Associate Professor of Management  
Gujarat National Law University  
Gandhinagar  
[vpandya@gnlu.ac.in](mailto:vpandya@gnlu.ac.in)

- **Co- Principal Investigator**

Mr. Satya Ranjan Mishra  
Assistant Professor of Commerce  
Gujarat National Law University  
Gandhinagar  
[smishra@gnlu.ac.in](mailto:smishra@gnlu.ac.in)

**Synopsis of the Project:**

Presently, in India, more than half of the population is in the age group of 15 to 59, known as the economically active age group. It is projected that every year around 6 to 8 million youth will enter the labour force each year for coming ten years. However, on the supply side, there are not these many jobs being created. This indicates that there is a pressing need to effectively implement the system which can absorb the youth in profession.

Promoting entrepreneurship in society is one well accepted mechanism to generate employment which has potential to cater to the said problem. However, there are various factors which affect the inclination of youth towards self-employment. Study of these factors will help to understand the perspective of youth towards entrepreneurship.

The research undertaken has identify various demographic and non-demographic factors affecting youth towards entrepreneurship. The empirical research based project has focused on the undergraduate students (sample size of 490) mainly from Ahmedabad and Gandhinagar based universities and colleges.

The research has studied effects of various factors like age, gender, family income, entrepreneurship course, entrepreneurship related activities at university level, parents' encouragement and role models from business community etc. towards students' inclination to opt for entrepreneurship. Based on the findings of the study and learning lessons from other countries, the project has provide recommendations for universities and policy makers to boost the spirit of entrepreneurship among youth.

**Outcome:**

The research undertaken measured effects of various factors like age, gender, family income, entrepreneurship course, entrepreneurship related activities at university level, parents' encouragement and role models from business community etc. towards students' inclination to opt for entrepreneurship. It has been interesting to observe that one's gender does not affect the decision to go for entrepreneurship. Hence, both boys and girls have equal possibility to opt for entrepreneurship. Further, strong relationship has been found of business role model's influence as motivating factor towards starting own business. Whereas factors like family income, age, parent's encouragement etc. have not shown much influence on opting entrepreneurship as career.

Based on the findings of the study and learning lessons from other countries, the study provides recommendations for universities and policy makers to boost the spirit of entrepreneurship among youth.

**Status:** Completed

**End Recipient:** State Education Department of Gujarat, Universities and Academic institutes, Niti Aayog & Atal innovation Mission

# **Confronting the Security Challenges & enhancing the effectiveness of Criminal Justice System**

## **Aims/Objectives:**

The objectives of this Research are to:

- Keep pace with emerging developments in criminal justice;
- Create well-informed citizens and professionals in the area of criminal justice; and
- Enhance the competencies of the professionals already working in the area of criminal justice system.
- Sharpen the awareness of the complex & complicated Internal Security problem facing the country.
- Refresh the legal knowledge relevant to the subject.
- Create a forum for free and frank discussions and dissemination of new ideas and innovations in matters concerning management of Internal Security.
- Utilize participants' expertise on specific aspects of policing through experience sharing.
- Expose the participants to latest techniques of public order management.
- Help appreciate Human Rights issue and the Role of Police.
- Identify the emerging threats of Internal Security at National/International level.
- Study the internal and external environments in which the Police Forces function.

## **Task Initiator (Details of PI):**

Dr. Saira Gori, Assistant Professor of Law and Dean, Training Division  
Gujarat National Law University

## **Details of Activity:**

The present research include following headings i.e.

Law Enforcement Equipment and Technology

Law Enforcement Investigations

Officer Performance and Safety

Police Agency Administration and Performance



Police Operations

Policing Strategies

The Law Enforcement Advancing Data and Development in Forensic Science for Criminal Justice Purposes

The researcher identified high-priority research, development and evaluation needs of law enforcement professionals. Those high-priority goals include:

Identify ways that police and law enforcement agencies can improve their effectiveness, efficiency and productivity.

Enhance officer safety while minimizing unnecessary risks to suspects and others.

Improve the ability of police organizations to collect, analyze, disseminate and utilize information effectively and to communicate reliably and securely.

Identify procedures, policies, technologies and basic knowledge that will maximize appropriate and lawful police actions.

Enhance local investigative resources by identifying and disseminating investigative best practices and by developing technologies and techniques that help locate suspects and establish guilt.

Develop knowledge and tools that will help to prevent, deter or apprehend terrorists, including improving intelligence gathering, information sharing, risk assessment, target hardening, surveillance and detection.

Improve the tools and techniques available to first responders in a critical incident.

Evaluate and refine technologies, practices and procedures to minimize harm to persons, property and communities from terrorism.

These priorities inform decisions about the scope of future work and the dissemination of sponsored knowledge and technologies. At the same time, maintains the flexibility to respond to emerging needs and to consider the merits of individual projects that may contribute to other worthwhile goals.

**Outcome:**

This research program has the potential to integrate all the relevant branches of knowledge and prepare each individual to become responsible citizens, effective and efficient human resources in the fields of criminal justice, security, and public safety. This research aim to prepare the different parameters which can be adopted by government to excel in practice of policing, security, correctional administration, social work, investigative journalism, private investigation and security management, human rights and victim assistance and in all related systems

**Status:** Project Report Submitted

**End Recipient:**

This research enables government/govt. agencies/ enforcement agencies to develop expertise in a range of subjects. They will acquire a systematic understanding of these along with a critical appreciation of the problems that arises in these fields and demonstrate originality in the application of knowledge together with a practical understanding of how established research techniques are used to create and interpret knowledge.

Agencies which can utilize the results of the project

Government of Gujarat, National Police Academy, National Judicial Academy, Bureau of Police Research and Development (BPR&D), Central Bureau of Investigation (CBI), Directorate of Revenue Intelligence (DRI), Intelligence Bureau (IB), Joint Intelligence Committee (JIC), Narcotics Control Bureau (NCB), National Investigation Agency (NIA), National Security Advisory Board-Govt. of India.

**Possible expansion of the Project:**

The present study is a first tier research study wherein for the next phase research, the researcher would like to deliberate and carry out intensive research on cyber forensic, forensic accounting, security intelligence and artificial intelligence. The above mentioned agencies can utilize this study for effective policy making and administration.

The above mentioned agencies can utilize this study for effective policy making and administration.

These priorities inform decisions about the scope of future work and the dissemination of sponsored knowledge and technologies. At the same time, maintains the flexibility to respond to emerging needs and to consider the merits of individual projects that may contribute to other worthwhile goals.

# **The Key Development in Biotechnology and its Impact on the Society, and Creation of Techno-legal Awareness towards the Recent Trends in Biotechnology**

## **Aims/Objectives:**

- Survey on the Lacunae of Surrogacy Regulation Bill, 2016
- Farmer's knowledge on chemical pesticide use and practices

## **Details of PI and Co- PI (Task Initiator):**

Principal Investigator: Dr. Anjani Singh Tomar,

Co-Investigator: Dr. Bindu Vijay & Dr. Viralkumar B. Mandaliya

## **Synopsis of the Project:**

### **Part I**

Assisted reproduction, once a mystery of the future, has become a viable and increasingly popular option for individuals as a result of advanced biotechnology and medicine. As a result third party reproduction using donated eggs, sperm, or embryos and gestational-carrier arrangements, in which the pregnancy is carried by someone other than the intended parent(s) is becoming popular with India taking the lead. India is considered as a major destination for foreigners for ART services particularly for surrogacy practices.

One of the primary issues with surrogacy in India is that there is a lack of legislation regulating the process. In 2005, the first attempt at regulating surrogacy was made by the Indian Council of Medical Research (ICMR). The ICMR issued guidelines for regulating Assisted Reproductive Technique (ART) clinics. However there has been no comprehensive legislation regulating surrogacy. However, recently the Surrogacy (Regulation) Bill, 2016 was introduced. The first part of the project is on Survey on the Lacunae of Surrogacy Regulation Bill, 2016

### **Part II**

Biopesticides based on living microbes and their bioactive compounds have been researched and promoted as replacements for synthetic pesticides for many years. In spite of long known health impact of pesticides, they are still been used in India. The second part aims to find out whether farmers prefer bio pesticide for their farms. Alternatively farmer's knowledge on chemical pesticide use and practices is also studied.

**Outcome:**

- The Surrogacy (Regulation) Bill, 2016 does not fully stop the commercial surrogacy in India. There are many other ways when anyone can misuse the Bill.
- The research find that provision of permitting it to only couples would also create some problems & issues. As it is evident that bachelors are not permitted to have adoption, in our country, surrogacy could be a better option, if this is also not given, it will led to patients going abroad for the same technology which can be easily developed indigenously.
- The issues related with the transgender & LGBT group has been completely overlooked by this bill. There are many people who would not like to get married, but would love to be parents, nothing is mentioned about those persons.
- Eligibility certificate is also unwarranted, not because we do not accept the document work but because of the fact that the certificate has to be obtained from an authority which will take a lot of time to give the appointment even. The only thing required here is the medical fitness of the surrogate mother. This can be done by the doctors who are actually dealing with the surrogacy. There should be more tests & prescribed way to ensure healthy child & healthy surrogate.
- The study shows that application of pesticides is still increasing at an alarming rate and knowledge of biopesticide is limited only to neem based one.
- The slow response of biopesticides in the management of insect pests was the main cause of poor adoption of biopesticide. Further farmers were unaware of other biopesticides like trichoderma, bacillus thuringiensis etc.
- A proper training for the farmers is necessary to encourage them to use biopesticides. More research needs to be done for effectiveness of biopesticides based on location, crop and season. Information on the use of bio pesticides for the management of common crop diseases should be provided to the farmers.
- It is recommended that extensive promotions on the use of biopesticides must be encouraged in order to transform the agriculture sector, to become a 'greener' industry and more sustainable in the longer term.
- The project also come up with three edited book on biotechnology i.e. Red Biotechnology, Green Biotechnology, and Purple Biotechnology.

**Status:** Completed

**End Recipient:**

- ICMR (Indian Council of Medical Research)
- Government research establishments such as CSIR (Council of Scientific and Industrial Research), ICAR (Indian Council of Agricultural Research) laboratories.
- Agriculture, Co-operation and Farmer Welfare Department, GoG
- Science and Agricultural Students, Academicians, Researcher, and Policy makers.
- NLUs (National Law Universities) such as NALSAR Hyderabad, NLIU Bhopal, GNLU Gandhinagar, NLU Jodhpur, etc.
- Institutes of higher learning both central and state level Universities, Colleges, Government, Students, Academicians, Corporate entities, and NGOs.

**Possible expansion of the Project:**

- Expert's opinion must be taken on The Surrogacy (Regulation) Bill, 2016
- The status of usage and consequences of pesticide in various states need to be assayed.
- Edited book on various dimension of biotechnology can be prepared to nurture the academician and practitioner at one platform.

## **Project on Creation of compendium on Legal Education Institutes (LEI) for the rejuvenation of legal education in the state of Gujarat**

### **Aims/Objectives:**

The objective of the research study is to revisit the quality of existing legal education provided in the state of Gujarat and create a database so that we could suggest policies and other improvements to be made by the government to improve the status of legal education in the state.

### **Task Initiator (Details of PI and Co- PI):**

Principal Investigator: - Dr. Akil Saiyed

Co-Principal Investigator: - Dr. Kalpeshkumar L Gupta

### **Details of Activity:**

Looking at deteriorating standard of legal education in the state researchers initiated the project to create a database of legal education institutions and evaluate quality of legal education provided in the state. Researcher used primary and secondary data for the present research. Researchers tried to collect the data from all 86 LEIs through personal visit, sending questionnaire via mail, post. They sent questionnaires to 49 LEIs out of these 16 were personally visited. Apart from this, 13 LEIs were also visited. Thus in total 62 LEIs were finally approached for data collection. They were able to collect the data from 11 LEIs only. It is pertinent to note that data collected from these 11 LEIs are not sufficient in nature thus no tabulation, statistical analysis can be done.

### **Outcome:**

Legal Education in the state has deteriorated with mushrooming growth in number of legal education institutions in the state. This is applicable to other states also. There is no upto date information maintained by Bar Council of India and on the other side legal education institutions are reluctant to share information regarding their operation.

Researchers has suggested stop approving more legal education institutions, establish Directorate of Legal Education in the state supported by District Legal Education Officer, setting up of law teachers academy at Gujarat National Law University, Gandhinagar

**Status:** Completed

**End Recipient:** Ministry of Law, Bar Council of India, State Education Department, State Legal Department, University Grant Commission.

## Assessment of Statutory Frameworks of Tribunals in India

### Aims/Objectives:

- To study the statutory framework and functioning of various Tribunals and other quasi-judicial bodies in India,
- To evaluate the appeal and review provisions in the respective parent Acts wherein Tribunals have been established,
- To assess the impact of Tribunalisation on the functioning of the Supreme Court,
- To find the factors that contribute the delay in disposal cases by the Tribunals,
- To study and collect the opinions from the professionals on the feasibility of appointing advocates / academicians / others as Chairperson or members of the Tribunal,
- To study the implications on functioning of the Tribunals due to changes such as merger of certain Tribunals and appointment procedures effected through the Finance Act, 2017, and 7. To suggest effective mechanisms for revamping of the entire Tribunalisation of justice system in India.

### Task Initiator (Details of PI and Co- PI):

Principle Investigator: Prof. (Dr.) Bimal N. Patel

Co-Principle Investigator: Dr. Jagadeesh Chandra T.G.

Co-Principle Investigator: Dr. Kalpesh Kumar Gupta

### Details of Activity:

As on 15 November 2017, 416,333 cases are pending in 20 Tribunals. In addition to the backlog of cases, inherent institutional issues, such as uniformity of rules, appointments, funding, needs to be addressed. Desperate with the state of affairs, the Finance Ministry has enacted bill merging eight tribunals and introducing rules pertaining to selection, age, term of heads of tribunals and members. This reformative measure which has been challenged before the Supreme Court has to meet the test of the time in terms of judicial scrutiny and efficacy. While the matter remains before the Supreme Court, this research would contribute significantly in revamping the whole Tribunalization of Justice system in the country.

This Report examines the statutory provisions and the evaluation of the functioning of various Tribunals in India, by way of doctrinal as well as empirical research. The empirical research focusses

on the preparation of questionnaire and interactions with the counsel and advocates who deal primarily with tribunals, created under Central Acts and are based in New Delhi. As two tribunals, Intellectual Property Appellate Tribunal and Airport Appellate Tribunal, are apparently non-functioning for the given reasons of non-appointment of Chairpersons, these are excluded from the empirical research. The Report is based on 495 samples collected from 17 Tribunals and uses 477 samples. The responses for each question are considered for recommendation only if more than 50% of respondents have answered as 'yes'. In other words, only if a question is responded as 'yes' by more than 239 respondents, then only, such response is considered for the recommendation purposes. The same methodology and 50% criteria is utilized for the individual Tribunals. This study is based on the empirical research with a view to elucidate the opinions on problems existing in the working of Tribunals and also to consider fresh ideas for complete revamping of the Tribunals system.

### **Outcome:**

This Report is mainly based on empirical research and makes recommendations on the basis of first-hand experience of nearly 500 counsel and advocates practicing before the Tribunals in Delhi. As per the empirical survey, 411 (86%) are in favour of continuing the existing composition of the Tribunals. 410 (86%) consider that the procedures are adequate for effective administration of justice. 342 (72%) agree that the workloads of Tribunals have increased due to various reforms. 325 (68%) consider that substantive and procedural provisions stipulated in respective Acts are adequate. 404 (85%) consider that the Tribunals are adopting similar approach in consistent way for similar purposes. 359 (75%) consider that the information on the website is available. 178 (37%) believe that the Tribunals compromise in delivering quality of justice due to departing from normal courts procedures. 401 (84%) agree that the appointment procedures should be made uniform and standards. 223 (47%) suggest in favour of granting the Tribunals status equivalent to District Courts. 329 (69%) are in favour of discontinuing the practice of appointing retired Supreme Court and High Court judges as chair and members of the Tribunals. 323 (68%) are in favour of making appointments through all India Judicial Services examination. 223 (47%) suggest in favour of appointing jurists, academicians and eminent persons as Chairpersons and members. 236 (49%) have favoured merger of Tribunals effected through the Finance Act, 2017. 136 (28%) agree to discontinue the Tribunals and replace them with the regular Court system. A clear and categorical conclusion emerges that the Tribunal system is working well and delivering the goals and objectives and yet at the same time, a continuous injunction of reforms in terms of appointments, procedures, infrastructure, delivered by the executive can indeed meet the



expectations of the stakeholders and the justice system as a whole. Some of the fundamental concerns expressed by the practitioners are already addressed in the Finance Act, 2017 and there is further scope of reforms based on this Report. It is therefore expected that the implementation of the reforms introduced in the Finance Act, 2017 will further augment the efficacy and efficiency of the role and responsibilities of the Tribunals in the overall justice system of the country.

**Status:**

Project completed and the report has been submitted in the year, 2017

**End Recipient:**

The final report has been submitted to the following Ministries/Departments:-

- Ministry of Law & Justice, Government of India
- Law Commission of India, Ministry of Law & Justice, Government of India
- Ministry of Law & Justice, Government of Gujarat
- All the Tribunals located at New Delhi

**Possible Expansion of the Project:**

The empirical data has been collected from the respondents who are practicing in various Tribunals located at New Delhi. This empirical research may also be extended and collect the data from other metropolitan cities where the Tribunals are located.

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