



# Legal Protection of Marginalised Groups

Socio-Legal Concerns and  
Changing Perspectives

Editors

Prof. Dr. Neeru Nakra  
Prof. Dr. Rajni Malhotra Dhingra  
Gunjan Malhotra Ahuja

Foreword by  
Shri Arun Jaitley



OPPO Reno7 Pro 5G

Legal P  
Groups: Socio-Leg  
Perspectives is a co  
articles of various au  
the issues relating to t  
is no doubt that India  
and treading on the p  
yet the economic di  
various levels has in  
society elites and the  
plethora of constitution  
guarantees equality b  
of law but the real pic  
of the same is quite  
progressing economy,  
festyle and technolog  
many positive changes  
read on to change the  
whole. The articles in t  
f indigenous people a  
f traditional knowledg  
the implementation  
victims of marital ra  
POCSO and child la  
ights of disabled.  
his book will serve  
cademic hunger o  
cademics who are  
use of bringing the  
ain stream of the soci  
**Contents include:** In  
analysis of Global Re  
knowledge: Adopting  
approach; Protection  
dia within the Existin  
Property Rights; Sur  
enting a Womb; Co  
cial and Ethical Cond  
d Baby Business;  
ackles of Socio Leg  
ory of Marital Rights  
eams; POCSO: A  
ild; Domestic Viole  
Society; Wife H  
prehensible Act Com  
Disabled in India—  
cation: A Jurispru  
o Part III of the C  
urious Attempt at  
ically Analyzing the  
Regulation; Amend  
it: An Atte to  
ationships; Relations  
Marriage: Differenti  
nen from Domest  
ensions of Mari  
powerment vis-à-vis

# LEGAL PROTECTION OF MARGINALISED GROUPS

## Socio-Legal Concerns and Changing Perspectives

ISBN 978-81-8484-688-1

© 2018

PROF. DR. NEERU NAKRA  
PROF. DR. RAJNI MALHOTRA DHINGRA  
GUNJAN MALHOTRA AHUJA

All rights reserved with the Publisher, including the right to translate or  
to reproduce this book or parts thereof except for brief quotations in  
critical articles or reviews.

**DISCLAIMER:** The Publisher has taken reasonable care in the  
preparation of this book, but makes no expressed or implied warranty  
of any kind and assumes no responsibility for any errors or omissions.  
No liability is assumed for incidental or consequential damages in  
connection with or arising out of information contained and material  
included from various sources by the author/editor in this book. The  
Publisher shall not be liable for any special, consequential, or exemplary  
damages resulting in whole or in part, from the readers' use of, or  
reliance upon, this material.

Typeset by  
THE LASER PRINTERS  
8/15, 3rd Floor, Subhash Nagar, New Delhi-110027

Printed in India at  
NEW ELEGANT PRINTERS  
A-49/1, Mayapuri Phase-I, New Delhi-110064

Published by  
REGAL PUBLICATIONS  
F-159, Rajouri Garden, New Delhi-110027  
Phones : 011-45546396, 011-25435369  
E-mail: [regalbookspub@yahoo.com](mailto:regalbookspub@yahoo.com), [deepdeepbooks@gmail.com](mailto:deepdeepbooks@gmail.com)



OPPO Reno7 Pro 5G

## Contents

<i>Foreword</i>	vii
<i>Preface</i>	ix
<i>List of Contributors</i>	xi
1. Interface between IPR and TK: Analysis of Global Regime <i>Prof. Dr. Rajni Malhotra Dhingra</i>	1
2. Protecting Traditional Knowledge: Adopting a pro-Indigenous People Approach <i>Naina</i>	22
3. Protection of Traditional Knowledge in India within the Existing Framework of Intellectual Property Rights <i>Swagata Changmai</i>	43
4. Surrogacy—Putting a Ban on Renting a Womb <i>Komal Kapoor and Akansha Madaan</i>	59
5. Commercial Surrogacy: Legal, Social and Ethical Concerns <i>Ankita Banerjee</i>	71
6. Surrogate Motherhood and Baby Business <i>Dr. Purnima Gupta</i>	86
7. Marital Rape—Under the Shackles of Socio Legal	

	Legal Protection of Marginalised Groups	
8.	Wife's Cordial Story of Marital Rights and Freedom: <i>India of My Dreams</i> <i>Tasnim Jahan</i>	115
9.	POCSO: A Voice of Sexually Abused Child <i>Dr. Leena Moudgil</i>	126
10.	Domestic Violence: Changing Perspective of Society <i>Reena Gupta</i>	140
11.	Wife Hammering in India: The Reprehensible Act Committed on Better Half <i>Dr. Shivani Goswami</i>	155
12.	Rights of Disabled in India—Reality or Myth? <i>Puja Kumari and Vandana Bakshi</i>	167
13.	Right to Education: A Jurisprudential Journey from Part IV to Part III of the Constitution—An Overview <i>Mudassir Nazir and Tauseef Ahmad</i>	177
14.	A Spurious Attempt at Prohibiting Child Labour: Critically Analyzing the Child Labour (Prohibition and Regulation) Amendment Act, 2016 <i>Rupesh Aggarwal</i>	190
15.	Womb on Rent: An Avenue to Earn Livelihood <i>Dr. Anjna Malhotra</i>	200
16.	Live-in Relationships, Relationship in the Nature of Marriage and Marriage: Differential Treatment in Protection of Women from Domestic Violence Act: Changing Dimensions of Marital Relationship <i>Meera Kaura Patel</i>	209
17.	Women Empowerment vis-à-vis Equal Pay: <i>OPPO Reno7 Pro 5G</i> <i>Dr. Neelam and Dr. Deenati</i>	221

## Womb on Rent: An Avenue to Earn Livelihood

*Dr. Anjna Malhotra*

### I. INTRODUCTION

Starting from traditional and ethical surrogacy to commercial surrogacy, reproductive role of surrogate mother has significant psychological, social, theoretical and politico-legal implications which have been amplified by such open use of commercial surrogacy. Separation of sex and procreation is not new in India.<sup>1</sup> Saga of Mahabharata is full of stories narrating charitable surrogacy. With the advent of new technology and because of extreme poverty charitable surrogacy has taken the shape of commercial surrogacy. Today commercial surrogacy is worth 15,000 Cr. (\$2.3 billion). Law Commission described it as "a gold pot". Every year 25,000 children are born to surrogate mothers.

India has emerged as a fertility tourism hotspot. The factors behind the phenomenal rise in surrogacy in India are cheap technology, skilled doctors, availability of cheap donors and surrogates, social acceptance and lack of regulation. Moreover, surrogacy has emerged as a preferred option because of complicated adoption procedures. The debate becomes most important because of the new trends where fertile and young career-oriented married women increasingly resorting to





# INDIAN CONSTITUTION ORIGIN AND GROWTH

RJ

OPPO Reno Pro 5G R. ANJNA MALHOTRA

Published by



## AKHAND PUBLISHING HOUSE

*Publisher, Distributor, Exporter having an Online Bookstore*

**Head Office :** L-9A, First Floor, Street No. 42,  
Sadatpur Extension, Delhi-110094 (INDIA)

**Phone No.:** 9968628081, 9555149955 & 9013387535

**E-mail :** akhandpublishinghouse@gmail.com,  
akhandpublishing@yahoo.com

**Website :** [www.akhandbooks.com](http://www.akhandbooks.com)

### Indian Constitution

*Origin and Growth*

© Editor

First Edition 2023

ISBN: 978-93-90870-80-6

---

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted or utilized in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the copyright owner Author/Editors. Application for such permission should be addressed to the Publisher and Author/Editors. Please do not participate in or do not encourage piracy of copyrighted materials in violation of the author's rights. Purchase only authorized editions.

The responsibility for facts stated, opinion expressed or conclusions reached and plagiarism, if any, in this book is entirely that of the author. Neither the publishers nor the editors will be responsible for them whatsoever.

Printed in India

---

Published by Jhapsu Yadav for Akhand Publishing House. Cover Designed and Laser Typesetting at VM Graphic and Printed at Aarna Enterprises, Delhi.

OPPO Reno7 Pro 5G



## Contents

<i>Principal Address</i>	<i>v</i>
<i>Preface</i>	<i>vii</i>
<i>Introduction</i>	<i>xi</i>
1. Local Government Institution in India — <i>Dr. Anjna Malhotra</i>	1
2. Asymmetrical Federalism — <i>Dr. Rajni Malhotra Dhingra</i>	17
3. Relevance of Ambedkar in Today's India – A Study of Parliamentary Inputs of 16th Lok Sabha (Parliament of India) — <i>S. Prabhakar</i>	37
4. In "The Indian federalism: A Class of its own" — <i>Prof Chandra Mohan Upadhyay</i>	77
5. Social Justice and Indian Constitution: Dr. Ambedkar's Contribution — <i>Dr. Gaurav Sharma</i>	106
6. Ancient socio economic problem with modern face the fight against human trafficking — <i>Dr. Deepak Kapur</i>	120

# 1

## Local Government Institution in India

*Dr. Anjna Malhotra*

Local Government Institution is an ancient institution with a new concept. It gave importance to the individuality of man's group activities reflecting the spirit of liberty. It is an integral part of body politics of a country, recognized or created under law for the management of local affairs of a human settlement with geographical boundaries. As Laski said that we cannot realize the full benefit of democratic government unless we begin by the admission that all problems in their incidence require decisions at the place, and by the persons by whom the incidence is most deeply felt.<sup>1</sup>

Local governments are multi dimensional. Panchayats and municipal corporations are organized social entities with a feeling of oneness. In political terms these are concerned with the governance of a special local area, constituting a political subdivision of a nation, state or other major political units. In the performance of its functions these institutions



OPPO Reno7 Pro 5G

# Contemporary Issues of India



Post Graduate Dept. of Political Science  
Shanti Devi Arya Mahila College, Dinanagar

ISBN : 978-93-82413-32-5

First Edition 2019

**Publisher: 5aabparkashan**

1-2.Desh Bhagat yadgar Hall,  
G.T. Road Jalandhar

Tel. 0181-2239181, 98140-87063

5aabparkashan@gmail.com [www.5aabparkashan.com](http://www.5aabparkashan.com)

**Shanti Devi Arya Mahila College, Dinanagar.**

Type Setting:

VAC computers, Jalandhar Tel. 0181-2239181, 98140-87063

## CONTENTS

1.	CRITICALLY ANALYSING REGIONALISM IN INDIA IN THE CONTEXT OF GLOBALIZATION <i>-Ronki Ram</i> , Department of Political Science, Panjab University, Chandigarh.	7	8.
2.	HUMAN RIGHTS AND STATUS OF WOMEN IN INDIA <i>-Dr. AntarJyotiGhai</i> , Head, Deptt. of Political Science, D.D.Jain Memorial College for Women, Ludhiana.	13	9
3.	IMPACT OF GLOBALIZATION ON INDIAN SOCIETY <i>-DR. GURMEET KAUR</i> , Associate Professor in Political Science RR MK Arya Mahila Mahavidyalaya Pathankot	22	
4.	NEED TO REVIEW OUR CONSTITUTION <i>-Randeep Dhoot</i> , Head Of Department Political Science SDAM College, dinanagar	47	
5.	ROLE OF LALA LAJPAT RAI IN INDIAN NATIONAL MOVEMENT <i>-Lalit Kumar</i> , Assistant Professor, Bearing Union Christian College, Batala, Distt.-Gurdaspur.	53	
6.	SWAMI VIVEKANANDA: AWAKENER OF THE NATION <i>-Deepak Kapoor</i> , Assistant Professor, Government College, Tanda Urmur	60	
7.	ROLE OF MEDIA IN (MIS)REPRESENTING WOMEN : A GENDER BIAS <i>-Dr Maneeta Kahlon</i> , Assistant Professor Shanti Devi Arya Mahila College Dinanagar.	66	

8. LALA LAJPAT RAI AND THE ARYA SAMAJ  
*-Dr. Anjna Malhotra* Assistant Professor, Department  
Political Science SDAM College, Dinanagar, 72

9. REGIONALISM IN INDIA  
*-Dr. Ratna Sharma*, Associate Professor, Department Of  
English SDAM College, Dinanagar 82

10. CHALLENGES TO INDIAN FOREIGN POLICY IN THE 21<sup>ST</sup>  
CENTURY  
*-Pawan Kumar*, CRRID, Chandigarh 92

11. DR. B.R. AMBEDKAR A VALIANT AND RELENTLESS  
CHAMPION OF THE DEPRESSED CLASSES  
*-Dr. Paramjit Kaur*, Head of the Department of Political  
Science, G.N. College Batala. 109

12. GLOBAL TERRORISM A THREAT TO INTERNATIONAL  
PEACE AND SECURITY  
*-Mrs. Manwinder Bajwa*,  
S.D.A.M. College, Dinanagar. 116

13. PAKISTAN- BANGLADESH RELATIONS DURING FIRST  
TENURE OF NAWAZ SHARIF  
*-Dr. T.s. cheema*, Associate Professor, SRPA A.B.  
College, Pathankot 122

14. THE PROCESS OF PUBLIC INTEREST LITIGATION IN INDIA  
*-Meenu Jyoti*, Lecturer in Political Science Shanti Devi Arya  
Mahila College, Dinanagar. (Gurdaspur) 130

15. SINO-INDIA RELATIONS IN TODAY'S CONTEXT  
*-Mandeep Kaur, M.A./Vth Semester,*  
SDAM College, Dinanagar 141