

Research Scholar Details



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Registration Number	81/2022/Law
Name of The Department and Address	Post Graduate Department of Law Sambalpur University, Jyoti Vihar, Burla, Odisha-768019
Name of The Supervisor and Correspondence Address	Dr. Meena Ketan Sahu, Associate professor & HOD, Post Graduate Department of Law Sambalpur University, Jyoti Vihar, Burla, Odisha-768019
Details of Funding Agency/Scheme	N/A
Title of The Research Topic	Sentencing policy and practice under criminal justice delivery system in India: judicial interpretation and analogy
Abstract of The Research Work	The concept of crime is essentially concerned with social order. It is a myth to think of a crimeless society. In fact, there can be no society without the problem of crime and criminals. Earlier emphasis on crime, the idea that crime was

the result of divine displeasure, the superstitions and myths were all abandoned and the study of crime and criminal was started afresh on a scientific basis. It was established that no one else than the offender himself could be attributed criminal responsibility for his crime and the external agencies had nothing to do with it. Thus, it would be seen that the concept of crime is closely related to social policy of a given time.

The significance of the study is to examine the present status, procedure, guidelines of the court and commissions, committees pertaining to sentencing in criminal offence in India. The researcher has made an attempt to introspect on the various legislative guidelines on sentencing procedure in the light of the decided case. As we all know, there is no fixed scale or provisions for the judges to impose the sentence in a particular criminal case because it varies from the case to case and location to location. It creates a problem for finding out the sanctity and justification of a sentence imposed by a judge. The sole objective of the research is not only to examine the various aspects of the sentencing policy but also to suggest the remedial measures which may be incorporated through an amendment in the concerned code or statute. The hallmark of the study is also to focus on the prevailing sentencing procedure in various international jurisdictions and to suggest certain provisions to be adopted (if feasible) to strengthen and streamline the criminal justice system in India. It is a matter of great concern that there is no clear-cut guidelines for sentencing policy in India.

The 'research question' basically surrounds the lack of sentencing policy in India. Though the judiciary has highlighted the dearth of uniform sentencing policy in

	<p>sentencing, which is further underscored by the Law Commission Reports, nothing substantial appears to have been done by the legislature. Judiciary has tried its hand in bringing consistency in sentencing in the form of judicial decisions. This attempt of the judiciary has put the very institution in question, since in the process of individualization of punishment, judiciary has bled disparity and inconsistency. It is this attitude that is in question for research. The death penalty regime is plagued by disparity though recent pronouncements have tried to bring transparency in it. This inconsistency and disparity is the subject matter of research. The otherwise settled meaning of life imprisonment has received different dimensions provoking judiciary to import its own meaning sidelining the executives. This dimension of tug of war between judiciary and executive in terms of clemency and concessionary sentencing is under study in this research.</p>
<p>Progress of The Research Work</p>	<p>Data Collection is Under Process</p>
<p>Publication Details</p>	<ul style="list-style-type: none"> • BOOKS <ol style="list-style-type: none"> 1. Question Bank on Law Entrance Exams, Part-I, Constitutional law and Jurisprudence by Chandi Prasad Khamari & Sarthaka Kumar Rath, The Write Order Publications, Bangalore, ISBN-9789395079389 • SCOPUS/UGC CARE <ol style="list-style-type: none"> 1. Dr Itishree Mishra and Chandi Prasad Khamari, A COMPREHENSIVE STUDY ON THE SURROGACY (REGULATION) ACT, 2021

**VIS-A-VIS THE ASSISTED
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(REGULATION) ACT, 2021, YMER, Peer Reviewed, Scopus indexed, Page-, Volume-21, Issue-06, June-2022, **ISSN:0044-0477**

2. Dr Meena Ketan Sahu and Chandi Prasad Khamari, **Criminal Law Reforms in India: A Study on Past, Present and Future**, YMER, Peer Reviewed, Scopus indexed, Page-, Volume-21, Issue-07, July-2022, **ISSN:0044-0477**

• **BLOGS/OTHER JOURNAL**

1. Chandi Prasad Khamari, **PRESERVING THE JUDICIAL INDEPENDENCE BY AIJS: A DIFFICULT TASK?**, Odisha News online, 16 July 2020, available at: <https://odishanewsonline.com/preserving-the-judicial-independence-by-aijs-a-difficult-task/>
2. Chandi Prasad Khamari, **A STUDY ON MEDICAL NEGLIGENCE IN INDIA: RETROSPECTIVE AND PROSPECTIVE**, International Journal of Legal Science & Innovation, Multi-Indexed, peer-reviewed Journal, page-184-191, volume-3, Issue-3, May 2021, **ISSN: 2581-9453**, available at: <https://articles.manupatra.com/article-details/A-Study-on-Medical-Negligence-in-India-Retrospective-and-Prospective>
3. Chandi Prasad Khamari & Anjana Tripathy, **A STUDY ON THE LEGAL ASPECTS OF THE INTER-STATE MIGRATION OF LABOUR (DADAN) WITH SPECIAL REFERENCE TO BALANGIR DISTRICT, ODISHA**, International Journal for Legal Research & Analysis, Page-37, Volume 1, Issue3, May 2021, **ISSN: 2582-6433**, available at: <https://ijlra.com/wp->

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4. Chandi Prasad Khamari, **CITIZENSHIP (AMENDMENT) ACT: A CRITIQUE ON THE IDEA OF CITIZENSHIP**, Legal Readings, www.legalreadings.com, available at: <https://legalreadings.com/citizenship-amendment-act-a-critique-on-the-idea-of-citizenship/>
5. Sarthaka Kumar Rath, Chandi Prasad Khamari & Abhinab kumar Swain, **INTERNATIONAL HUMANITARIAN LAW: A STUDY FROM INTERNATIONAL PERSPECTIVE**, White Black Legal journal, Peer-Reviewed, Open Access, Multidisciplinary Journal, Volume 2, Issue 8, **ISSN: 2581-8503**, available at: <https://www.whiteblacklegal.co.in/international-humanitarian-law-a-study-from-international-perspective-by-sarthak-kumar-rath-chandi-prasad-khamari-abhinab-kumar-swain/>
6. Chandi Prasad Khamari, Prison Problems In India: An Overview on The Constitutional And Legal Status, **Journal of Emerging Technologies And Innovative Research**, Peer-Reviewed, Referred Journal, **UGC Journal No-63975**, Volume 8, Issues10, Issue 10, page 649-656, **Impact Factor- 7.95**, **ISSN- 2349-5162**, available at: <https://www.jetir.org/papers/JETIR2110283.pdf>
7. Chandi Prasad Khamari & Ankita Rani Mishra, Efficacy of Witness: A Study from International Perspective, **International Journal of Law Management and Humanities**, Multi-Indexed ,Volume 4, Issue 5, Impact Factor- 4.895,Page 2164 – 2178, **ISSN 2581-5369**, available at: <https://www.ijlmh.com/paper/efficacy-of-witness-a-study-from-international-perspective/>

- **BOOK CHAPTERS**

1. Chandi Prasad Khamari, **BAIL WHEN ARREST MADE WITHOUT WARRANT**, edited book on Law of Bail Practice and Procedure, by Dr Dinesh Sabat, Legalworth law Publishing co, Nov 2019, **ISBN: 978-81-926987-1-7**
2. Chandi Prasad Khamari, **Environmental Crimes: A Critical Study**, page 261-270, edited book on **Dynamics of Socio-Economic Offences**, by **Dr Meena Ketan Sahu**, Satyam Law International, April 2021, **ISBN: 978-93-91345-12-9**
3. Dr Dipti Rekha Mohapatra & Chandi Prasad Khamari, **Surrogacy Laws Vis-A-Vis Indian Mythology: An Analysis**, page, edited book on **Surrogacy: Socio-Legal Issues and Challenges**, by **Dr Diptirekha Moahaptra and Mrs Indurekha Mohaptra**, Jan 2022, **ISBN: 9390889995**
4. Dr Meena Ketan Sahu & Chandi Prasad Khamari, **Corporate Social Responsibility vis-a-vis Competitive Business Environment in India**, page 157-170, edited book on **Corporate Governance: Legal Framework and Policies**, by **Ritika, Suparan and Sachin Kumar Sharma**, Satyam Law International, March 2022, **ISBN: 978-93-91345-07-5**
5. Dr Meena Ketan Sahu & Chandi Prasad Khamari, **The Study of Agricultural Laws in India with special reference to the State of Odisha** , Page- 75-90, edited book on **Agriculture and Agri Business Laws in India solution to Future Sustainability**, by **Ms Anjali Dixit and Dr Sadhna Gupta**, April 2022, **ISBN: 978-93-91002-90-9**
6. Dr Meena Ketan Sahu & Chandi Prasad Khamari, **Right of Inclusive Education in India: A Glint of Aspiration**, Page- 255-268, edited book on **Law Relating to Women and Children**, by **Dr Rajneesh Kumar Patel and**

	<p>Dr Sadhna Gupta, Oct 2022, ISBN: 978-93-91345-55-6</p> <p>7. Chandni Prasad Khamari, Defiance of Eruption to Medicine: A Legal Perspective, Page- 42-46, edited book on Unfolding Innovation, IPR and Entrepreneurship, by Dr Itishree Msihra and Dr Pallab Das, May 2023, ISBN: 8196313659</p>
Conference Attended	<ul style="list-style-type: none"> ● Participated and presented in more than 33(thirty-three) National Seminars on Subjects such as Human Rights, Constitutional Values in 21st century, Rights of the elderly persons, gender inequalities, corporate social responsibilities etc. ● Participated in an International Conference on Environment protection and sustainable development. ● Participated in 4 days national virtual workshop on Intellectual Property Rights. ● Participated and presented in 2 days International conference on Innovation, IPR and Entrepreneurship.
Awards	<ul style="list-style-type: none"> ● 1st in Inter-college Drama Competition ● 1st in Quiz Competition in National Integration Camp, NSS, Govt. of India ● Awarded for Outstanding Performance in NSS, Govt. of India