GLOSSARY

Absolute liability: in its simplest terms, absolute liability holds that the manufacturer of an non-defective firearm and theoretically any other product should be held absolutely liable for any damage that results from the use of that product including blatant criminal misuse.

Bill of Rights: A Bill of Rights is a list of the most important or basic rights of the citizens of a country. The purpose of these Bill is to protect the basic or fundamental of the individual and most of the protections of the Bill of Rights eventually would be extended to state infringements.

Build-Operate-Transfer: The Build-Operate-Transfer (BOT) approach is part of a range of ways with which the private sector participates in infrastructure provision. It has been widely viewed as a pragmatic approach in infrastructure provision in countries where severe budgetary constraints limit Government’s capacity to provide it.

Bureaucracy: Bureaucracy refers to all state organizations engaged in formulating and implementing policy as well as in regulating and delivering services.

Corruption Perception Index (CPI): The Corruption Perceptions Index ranks countries/territories based on how corrupt their public sector is perceived to be. A country/territory’s score indicates the perceived level of public sector corruption on a scale of 0 - 10, where 0 means that a country is perceived as highly corrupt and 10 means that a country is perceived as very clean.

Democracy: Democracy is the form of the government in which the sovereign power resides in the people as a whole, and is exercised either directly by them or by representative elected by them.

Epistolary jurisdiction: Jurisdiction allows access to justice to the poor and the weaker section of the society. The court entertains a letter as writ petition ignoring all procedural norms and technicalities. The epistolary jurisdiction is a new strategy adopted by the judiciary for protection of the human rights of the vulnerable sections of the society.

Functionalist: The person who interpret each part of society in terms of how it contributes to the stability of the whole society.

Global Barometer Survey (GBS): It is the first comprehensive effort to measure, at a mass level, the current social, political and economic atmosphere around the world. it provide an
independent, non-partisan, multidisciplinary view of public opinion on a range of policy-relevant issues.

**Global Corruption Barometer (GCB)**: Global Corruption Barometer (the Barometer) is the largest cross-country survey by Transparency International’s to collect the general public’s views on, and experiences of, corruption.

**Global Competitiveness Index (GCI)**: The Global Competitiveness Index provides a comprehensive picture of competitiveness landscape in countries around the world at all stages of development. The index comprised of 12 pillars such as institution, infrastructure, macroeconomic environment, health and primary education, higher education and training, goods market efficiency, labour market efficiency, financial market development, technological readiness, market size, business sophistication and innovation.

**Governance**: The process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies and the respect of citizens and the state of the institutions that govern economic and social interactions among them.

**Hominid Evolution**: Hominid evolution is the study of members of the family *Hominidae*, which includes humans and the great apes (bonobos, chimpanzees, gorillas, and orang-utans). The topic also studies direct ancestors of living species, as well as species that became extinct without evolving into modern forms.

**Modus operandi**: A term used by law enforcement authorities to describe the particular manner in which a crime is committed. Modus Operandi is often shortened to M.O in both writing and speaking. Modus operandi evidence is helpful to the prosecution, if the prosecution has evidence of crimes committed by the defendant that are similar to the crime charged.

**NREGA**: The Mahatma Gandhi National Rural Employment Guarantee (NREGA) is a scheme to provide for the enhancement of livelihood security of the households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work.

**Ombudsman**: The Ombudsman is the Sweden based office to ensure that public authorities and their staff comply with the laws and other statutes governing their actions. The Ombudsmen exercise this supervision by evaluating and investigating complaints from the
general public, by making inspections of the various authorities and by conducting other forms of inquiry that they initiate themselves.

**Primitive Society:** society of early ages or of an early state of human development or early in the history of the world or of humankind.

** Prosecution:** The process of the government authority charging and trying the case against a person accused of a crime.

**Public interest litigation:** Public interest litigation means any public spirited citizen can move/approach the court for the public cause (or public interest or public welfare) by filing a petition in the Supreme Court under Art.32 of the Constitution or in the High Court under Art.226 of the Constitution.

**Public Private Partnership:** Public-Private Partnerships (PPPs) aim at financing, designing, implementing and operating public sector facilities and services. They refer to innovative methods used by the public sector to contract with the private sector, who bring their capital and their ability to deliver projects on time and to budget, while the public sector retains the responsibility to provide these services to the public in a way that benefits the public and delivers economic development and an improvement in the quality of life.

**Public Procurement:** public procurement means the acquisition of works, goods or services by a procuring entity, and includes all stages of the process of acquisition, by purchase, lease, licence or otherwise, of works, goods or service beginning with the process for determining the need for such acquisition and ending with completion and expiry of the procurement contract or framework agreement.

**Public Servant:** Any person in the service or pay of the Government or remunerated by the Government by fees or commission for the performance of any public duty; Any person in the service or pay of a corporation established by or under a Central, Provincial or State Act, or an authority or a body owned or controlled or aided by the Government or a Government company as defined in section 617 of the Companies Act, 1956; Any person who holds an office by virtue of which he is authorised or required to perform any public duty.

**Public Trust Doctrine:** The doctrine pursuant to which the sovereign held the navigable waterways and submerged lands, not in a proprietary capacity, but rather “as trustee of a public trust for the benefit of the people” for uses such as commerce, navigation and fishing.

**Revisionist:** One who Advocates the revision of an accepted, usually long-standing view, theory, or doctrine, especially a revision of historical events and movements.
**Search warrant:** The Search Warrant is the order of the Court to search for the thing. When a Magistrate shall consider that the production of an thing is essential to the conduct of an enquiry into an offence known or suspected to have been committed, he may grant his warrant to search for such thing; and it shall be lawful for the Officer charged with the execution of such warrant to search for such thing in any house or place within the jurisdiction of such Magistrate.

**Summary trail:** The hearing and disposing of litigation by way of affidavit evidence only or by use of truncated or expedited judicial process.

**Summons:** The summons is issued by the Court to compel the accused or the witness to appear before it or produce the necessary evidence. Every summons issued by the Court shall be in writing, in duplicate and it must be signed by the presiding officer of such Court or by such other officer as the High Court may, from time to time, by rule direct, and shall bear the seal of the Court.

**Suo moto:** *Suo moto* cognizance means "take notice of the fact on its own ". The source of information may be Newspaper, television or any other source and the institution acts of its own initiative and calls for a report from the concerned department or may order for investigation to be done by its own investigation team.

**Ultra virus:** The *Ultra Vires* is a Latin phrase which means beyond the legal power or authority of a person or official or body etc. If an act requires legal authority and it is done with such authority, it is characterized in law as *intra vires*.

**UNCITRAL:** The United Nations Commission on International Trade Law ("UNCITRAL") is the main legal body of the United Nations system in the field of international trade law, with a general mandate to further the progressive harmonization and unification of the law of international trade, through the issue of conventions and model laws, cooperation with other international organizations, and technical assistance.

**Welfare State:** The concept of a welfare state, signifying a regime which seeks to ensure the maximum happiness of maximum number of people living within its territory. The Welfare State touches both the material interests of all and the ideological passions of many.

**Whistle Blower:** A whistleblower is a person who tells the public or someone in authority about alleged dishonest or illegal activities or misconduct occurring in a Government department, a public or private organization, or a company.