CHAPTER-III

RESEARCH METHODOLOGY

Meaning of Research: Research means to search or to find out and examine again. This is the very essence of the process of acquiring new knowledge. John W. Best commenting on the “process” has observed the secrets of our cultural development has been research, pushing back the areas of ignorance by discovering new truths, which in turn, lead to better ways of doing things and better products. Research means scientific and systematic re-examination of existing facts of knowledge to ascertain whether the existing conclusion is can be varied or not. The dictionary meaning of the research is a careful investigation or inquiry especially through search for new facts in any branch of knowledge.

METHODOLOGY

The above hypotheses have been tested first by reviewing the available literature in the form of Statutes, Law Reports and the Reports of Committees and Commissions on the System of Punishment. The documents available in the Library of the University where I carried out my study of Ph.D. and reviewed together with the data available in other public libraries of the State of Rajasthan and Haryana. Next, the researcher has conducted discussion on the matters of law reform with eminent lawyers, Judges and academicians of Rajasthan, Haryana and Delhi by conducting personal interviews and made a thorough study of the system of punishments and the problem of reform of the system. The research has been undertaken both a doctrinal and a non-doctrinal research.

4 SCHEME OF PRESENTATION

The completed the research has been chaptered and presented in different chapters, a brief description of each of them may be given as under:-
CHAPTER-I ‘INTRODUCTION’ has given an outline of the topic of research the justification for study. It has explained the elements of the prevailing system of punishments, the theories which have guided the legislators in devising such a system and the need for reform of the system. It also describes the hypothesis formulated for study and the methods proposed to be adopted for conducting the study. This chapter has also contained the Statement of Problems, Research Objectives and Hypothesis.

CHAPTER-II ‘has explain the Review of Literature which has contained the research work done by various eminent authors, researchers as well as the judgments of various judges of Supreme Court of India, High Courts of various States of the Country as well as included decisions of lower courts as well with the meaning and definition of punishment and proceed to review the views of learned jurists on the subject of punishments. It has then touched upon the specific punishments which would be the operational concept of punishment.

CHAPTER-III Research Methodology which has explained about the methods of data collections and further analysis of the same

CHAPTER-IV has contained the details of data collection and analysis of the data collected by the scholar through survey reports.

CHAPTER-V has contained the results of data analysis process and discussions thereupon.

CHAPTER-VI has contained findings, conclusions, suggestions and recommendations.

CHAPTER-VII has contained the future scopes of the study

CHAPTER-VIII has mentioned about the limitations faced by the scholar/ researcher during his research.
Data Collection Method: - Data for the present study has been collected from both the sources i.e. Primary Data & Secondary Data.

Primary Data: - The main source of the Primary Data has been the questionnaire method, some personal interactions and interviews with the employees and personal observations of the scholar for gaining the data.

Secondary Data: - The Secondary Data was obtained from internal available sources of like magazines, documentary, books, records, reports, journals and internet etc.

Interviews: Individual interviews with the respondents were conducted to capture the opinions of the respondents regarding awarding capital punishment in India.

Group Discussions and workshops: In large Organizations, diagnostic workshops were conducted for a participative diagnosis and evaluation of various aspects of award of capital punishment. In some Institutions used LSIP (Large Scale Interactive Process).

Observation: The scholar also observed various aspects of the Indian Legal System and Judicial System while awarding punishment to the offenders of the crimes punishable for capital punishment.

Questionnaires: a number of questionnaires have been used to extract information about awarding capital punishment, commuting the capital punishment into life imprisonment across the country separately year wise from the year 2001 to 2011 as well as state wise and according to Union Territories of India separately.

Samples of the data: The scholar has collected data related to (1) Sentenced to Death, (2) Sentence commuted from death to life imprisonment (3) Number of case executed during the year. The data has been collected for the period from the year 2001 to March, 2014 of all the 28 states and 07 Union Territories of India.
**Research Design:** Design has been a broad plan specifying the methods and techniques for collecting and analyzing the required data of information. In this study a descriptive, explanatory and explorative design have been followed which helped in unfolding the answers to the specific objectives of the study.

**Analysis of records and documents:** The study has been carried out and data has been collected from the Session Courts across India, High Courts of every state as well as Supreme Court of India.

**Data Analysis:** - The research design was a master plan specifying the statistical methods and procedures to find the conclusive results of collected data. Specific instruments was used mainly MS-Excel with its latest version and open office and some instruments were utilized with excel sheets as per the requirements of the study. If it was needed some traditional instruments were taken by the researcher for this study.