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TECHNIQUES OF LAW AND REMEDIES I

In this world there has always been a competition between law-makers and violators of law. This is because of increase in intellect level and improvement in technology coupled with deep rooted corruption that is prevalent in every walk of life. Thus, there is puzzle among law-makers and its keys to solve are broadly divided into two parts viz. Criminal Procedure Code (Cr. P. C) and Civil Procedure Code (C. P. C.). Now, the problem before the law-makers is how to punish the offenders! From time to time various well known jurists and law researchers have come up with their philosophy with regard to punishment which are categorised under the techniques of law under Criminal Procedure Code and Civil Procedure Code. These techniques have been developed as a result of analysis and practiced punishments given for various crimes across the globe. The Techniques of law and remedies are based on the famous dictum, *“for every distinct offence of which any person is accused there shall be a separate charge, and every such charge shall be tried separately”*.



OBJECTIVES

After studying this lesson you will be able to:

- understand what is Criminal Law;
- know what is Civil Law;
- identify the various types of punishments;
- explain the meaning of ‘Pleading’ and its principles;
- understand the meaning and Principles of Drafting;
- explain the various remedial measures available under Civil Law;

- know the various remedial measures available under Criminal Law;
- describe 'Writs' and its types; and
- explain Public Interest Litigation (PIL).

7.1 TYPES TECHNIQUES/THEORIES OF PUNISHMENTS

The types of punishments are based on the various theories of punishments. These are as follows:

- **Deterrent Theory:** A punishment is primarily deterrent when its object is to show the futility of crime and thereby teach a lesson to others. The philosophy behind this theory and type of punishment is to give a clear message that *“a crime is an ill bargain to the offender”*. Thus, followers of this theory advocates capital punishments to the offenders.
- **Preventive Theory:** This Theory aims to disable the wrong-doer and creating a fear of punishment in the mind of the wrong doer. This Theory works in the following three ways:
 - By inspiring all perspective wrong doers with the fear of punishment;
 - By disabling the wrong doer from immediately committing any crime; and
 - By transforming the offender by a process of reformation and re-education, so that he/she would not commit crime again.

Some of the punishments advocated by the followers of this philosophy are imprisonment, fines etc.

- **Reformative Theory:** According to this Theory a 'crime' is committed as a result of the conflict between the character and the motive of the criminal. This Theory aims at strengthening the character of the wrong doer, so that he/she does becomes an easy victim to its own temptations and curing the mental state of the wrong-doer. Thus, this Theory works on the dictums, *“you cannot cure by killing”* and *“Crime is like a disease”*. This theory also uses rehabilitative techniques to reform the wrong-doers. These techniques are used to motivate the wrong-doers by opening the doors of employment and self-employment for them. This way wrong-doers start earning that uplifts their economic status, which in return takes off the motive of committing crime.

Some of the punishments advocated by the followers of this philosophy are – jail, probation, reformatory homes, vocational training etc.

A very important point is to be borne in mind regarding the concepts imprisonment and jail. Usually these two terms are used interchangeably, as these are treated synonyms. Yet there is difference between these two terms, which is as follows:





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Jail is a place where a wrong doer spends short term sentences, while in imprisonment there are long term sentences. Jail has fewer amenities in comparison to prison. In jail offenders get only food, stay and security whereas in prison offenders get much more amenities.

- **Retributive Theory:** according to this Theory any rational system of administration of justice must attempt to satisfy this emotion of retributive indignation. This kind of punishment will not only satisfy the primitive spirit of private vengeance in the wronged, but also quench a similar feeling in the society at large. This Theory is based on the idea of vindictive justice, or a tooth for a tooth and an eye for an eye. The principle is that if a man/woman has caused the loss of a man's/woman's eye, his/her eye one shall cause to be lost; if he/she has shattered a man's limb, one shall shatter his/her limb; if a man/woman has made the tooth of a man/woman that is his/her equal fall out, one shall make his/her tooth fall out. *Kant's retributive theory of punishment, punishment is not justified by any good results, but simply by the criminal's guilt. Criminals must pay for their crimes; otherwise an injustice has occurred. Furthermore, the punishment must fit the crime. Kant asserts that the only punishment that is appropriate for the crime of murder is the death of the murderer. As he puts it, "Whoever has committed a murder must die."*
- **Compensation Theory:** According to this Theory the object of punishment must not be merely to prevent further crimes but also compensate the victim of the crime. This Theory further believes that the main spring of criminality is greed and if the offender is made to return the ill gotten benefits of the crime, the spring of criminality would be dried up.



INTEXT QUESTIONS 7.1

1. List the various theories of punishment.
2. What is advocated by Compensation Theory?
3. Is 'punishment' necessary?

7.2 PLEADING AND PRINCIPLES OF PLEADING

According to Halsbury's Law of England, A 'pleading' is used in civil cases to denote a document in which a party to a proceeding in a court of first instance is required by law to formulate in writing his/her case or part of his/her case in preparation for the hearing.

According to P. C. Mogha, 'Pleadings' are the statements in writing drawn up and filed by each party to a case stating what his/her contentions will be at the trial and giving all such details as his/her opponent needs to know in order to prepare his/her case in answer.

Principles of Pleadings

According to Order VI Rule 2 of CPC the Principles of Pleading are as follows:

- **Every 'pleading' must state the facts and not the law:** An analysis of this rule shows that it has two parts, one is affirmative and the other one is negative. The former part of the rule directs that a pleading must state facts while the later part of the rule directs that a pleading must not state the law. The implication is that the following things should not be stated in the pleading:
 - a. Provisions of law
 - b. Conclusions of law
 - c. Conclusions of mixed law and facts

It is for the obvious reason that the courts are bound to take judicial notice of the law applicable to the facts pleaded by the parties. Thus, if in a particular case the court finds 'suo motu' that the rules under which the D.I.G Police proceeded to dismiss the plaintiff were 'ultra vires' and so in-operative, it is its duty to declare that the order of dismissal was illegal.

Exceptions to the above rule are as follows:

- I. Foreign law: a court is not bound to take judicial notice of foreign laws.
 - II. Customs
 - III. Mixed questions of law and facts
 - IV. Legal pleas
 - V. Inferences of law
- **Every pleading must state all the material facts only:** There are following three aspects of this principle
 - a. Every 'pleading' must state material facts only: To overcome the problem of overburdening of facts in a pleading the second rule says only material facts to be mentioned. The answer given by the code is that material facts are those facts which a plaintiff must allege in order to show a right to sue or a defendant must allege in order to constitute his defense.
 - b. Every 'pleading' must state all the material facts: The Supreme Court has laid down in SN Balkrishan Vs. George Fernandez AIR 1969 that the omission of single material fact leads to an incomplete cause of action and the statement of claim becomes bad. Thus, any omission of material fact(s) amounts to no cause of action at all.
 - c. Every 'pleading' must state only those material facts which are material at the present stage of the action: thus, without reference to



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the possible objections of the opposite party it is not necessary to anticipate the answer of the adversary.

Exceptions to the second rule are as follows:

- i. **Condition Precedent:** there is no need for a party to state in his/her pleading the performance of any condition precedent for its averment shall be implied in his pleading. For example, X agrees to build a house for Y at certain rates subject to condition of the contract is that payment should only be made upon the certificate of Y's architect that so much amount of work is due. If X desires to file a suit for money against Y, the obtaining and presenting of the certificate from Y's architect is condition precedent to X's right of action. Here it is not necessary of Y to state in his plaint that he has obtained the said certificate. He can simply draft a plaint showing a good prima facie right to the agreed amount without mentioning any certificate. It will be for Y to plead that the architect has never certified that amount of money is due.
 - ii. **Presumption of Law:** Order VI, Rule 13 of CPC provides that neither party need in any pleading allege any matter of fact which the law presumes in his/her favour or as to which the burden of proof lies upon the other side unless the same has first been specifically denied. Example, consideration of bill of exchange where the plaintiff has only on the bill and not for the consideration as substantive ground of claim.
 - iii. **Matters of Inducement:** It is sometime desirable to commence a plaint with some introductory averments stating who are the parties, what business they carry on, how they are related or connected and other surrounding circumstances leading up to the dispute. Such facts are not essential to the cause of action and therefore, not material. These are called matters of inducement and are allowed in England and the same may be tolerated in our country also on the same basis.
- Every 'pleading' must state the facts on which the party pleading relies and not the evidence by which they are to be proved: this rule directs that every pleading shall contain a statement of the material facts on which the party pleading relies for his/her claim or defence but not the evidence by which they are to be proved. A party need not set out the evidence whereby he/she proposes to prove the facts relied upon him/her. It is absolutely essential that the 'pleading', not to be embarrassing to the opposite party, should state those facts which will put him/her on his/her guard and tell him/her what he/she will have to meet when the case comes on for trial.

Practical or special application of the rule:

- **Mental Condition:** Order VI, Rule 10 directs that whenever it is material to allege malice, fraudulent, intention, knowledge or other condition of the mind of any person, it shall be sufficient to allege the same as a fact without setting out the circumstances from which the same is to be inferred.
 - **Notices:** Order VI, Rule 11 lays down that whenever it is material to allege notice to any person of any fact, matter or thing. It shall be sufficient to allege such notice as a fact unless the form or the precise terms of such notice or the circumstances from which such notice is to be inferred are material.
 - **Implied Contract or Relative:** Order VI, Rule 12 directs that whenever any contract or any relation between any person is to be implied from a series of letters or conversation or otherwise from a number of circumstances. It shall be sufficient to allege such contract or relation of fact and to refer generally to such letters, conversation or circumstances without setting them out in detail and in such a case the person so pleading desires to rely in the alternative upon more contracts or relations than one as to be implied from such circumstances, he/she may state the same in the alternative.
- Exception:** the only exception to the third rule is in the case of writ petitions and election petitions. In such petitions it is necessary to state matters of evidences in support of the allegations made therein.
- Every 'pleading' must state the material facts concisely but with precision and certainty: this rule highlights two requisites for a good pleading, (a) Conciseness and (b) Preciseness and Certainty. As pointed out by Pal, J., of the Calcutta High Court, the 'pleading' not only needs to be concise they must also be precise. Thus, to make a plaint concise we must follow three things: (a) omit unnecessary allegations (b) omit all unnecessary details when alleging material facts and (c) give proper attention to the language used in alleging material fact.

**INTEXT QUESTIONS 7.2**

1. Explain the term 'Pleading'.
2. List any two Principles of Pleading.

7.3 DRAFTING AND PRINCIPLE OF DRAFTING

'Drafting' is a combination of law and the facts of law in a language form. In law drafting refers to preparing of a legal document for legal purpose(s). Thus, the language used in the drafting is legal language that is understood by a person who has legal knowledge. 'Drafting' is a very articulated work, where the drafter



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has to choose the right word as well as the right concept i.e. right law and the right fact to law.

Principle of Drafting

To draft a good legal document it is explained under two broad heads: (a) Planning and (b) Writing.

- **Planning for Good Draft:** the planning to write a good legal document there are three important aspects to it are:
 - **Objective:** What does it have to do? In legal terms, what must the thing you are drafting (ie, Bill, Part, section) achieve?
 - **Framework:** Work out the overall conceptual structure: group material into Parts, subparts, and sections, etc.
 - **Order:** Organisation of material is a key to a well-structured Bill or regulation. Material should be arranged in a logical order.
- **Writing a Good Draft:** to write a good legal document there are five important aspects to it are:
 - **Headings:** Summarise if possible, otherwise indicate specific topic, Keep brief, Draft with an eye to use in contents, Use liberally.
 - **Sections:** One coherent group of ideas per section, Use the narrative style—avoid excessive cross-references, Preferably no more than 5 subsections, Avoid going down to subparagraphs.
 - **Sentences:** Get to the main point (from the reader’s point of view) early, Keep sentences short and simple— focus on verbs, avoid nominalisations, avoid passive constructions unless they are necessary to convey the desired meaning, keep the subject and predicate close, punctuate effectively. Write in active voice: such sentences eliminate the chances of confusion. Use active verbs: like,
 1. **Do not use** Give consideration to **use** consider
 2. **Do not use** is applicable to **use** applies to
 3. **Do not use** make payment **use** pay
 4. **Do not use** give recognition to **use** recognise
 5. **Do not use** is concerned with **use** concerns
 - **Words:** Use the simplest word that conveys the meaning, eliminate unnecessary words, do not use archaic language, and always use

gender-neutral language. Define terms in a way that is truthful and helpful to the reader.

- **General:** Be consistent; Use a positive statement unless a negative one is better.



INTEXT QUESTIONS 7.3

1. Explain the term 'Drafting'.
2. List the two broad heads for drafting a good legal document.

7.4 REMEDIAL MEASURES

This Section will explain various remedial measures available in the Civil as well as in Criminal cases.

Remedies are of 4 types (a) damages (b) restitution (c) coercive (d) declaratory.

Remedies: Civil Law

In the civil matters the remedies are mostly of monetary in nature. These matters have remedies of compensation of the actual loss, pain and sufferings and legal costs. The various types of remedial measures are as follows:

- **Compensation:** It is a remedy provided to the victim for the actual loss, pain and suffering being undergone. The law penalizes the wrong-doer by awarding the compensation to the victim to compensate for the loss and pain and suffering.
- **Specific Relief:** 'Specific Relief' is contained in the Specific Relief Act I of 1877, before the passing of the Specific Relief Act the law as to Specific Relief was contained in Sections 15 and 192 of the Civil Procedure Code (Act VIII) of 1859. The 'relief' is called specific because it is relief in specie i.e. in terms of the very thing to which a suitor is entitled. It is a remedy where law allows to a person whose right has been invaded. The forms of 'Specific Relief' are of – (a) taking possession of property and delivering it to the claimant who is out of possession, (b) requiring performance of contract, (c) compelling the performance of statutory duty and (d) preventing the doing of wrong. Thus, 'Specific Relief' to be granted only for enforcing individual civil rights and not for enforcing penal laws.

The Civil Law is both facilitating and enabling as the stringent laws are facilitating victims to organised as well as at the same time it is enabling them to raise their voices and contest a case in court of law to seek justice.





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Remedies: Criminal Law

In the criminal matters the remedies are often known as sentences. These matters have remedies of compensation of the actual loss, pain and sufferings and legal costs. The various types of remedial measures are as follows:

- **Compensation:** it is a remedy provided to the victim for the actual loss, pain and suffering being undergone. The law penalizes the wrongdoer by awarding the compensation to the victim to compensate for the loss and pain and suffering. Many a times it has been observed by the Hon’ble courts that only money compensation is not enough so in such case(s) the punitive damages are given as a sentence! Under punitive damage sentence the court may order fine plus imprisonment. For example, in case of violation of rule of Indian Railways the court may pass a sentence of punitive damage in nature as per the nature of offence.
- **Specific Relief:** specific relief is contained in the Specific Relief Act I of 1877, before the passing of the Specific Relief Act the law as to Specific Relief was contained in Sections 15 and 192 of the Civil Procedure Code (Act VIII) of 1859. The relief is called specific because it is relief in specie i.e. in terms of the very thing to which a suitor is entitled. It is a remedy where law allows to a person whose right has been invaded. The forms of ‘Specific Relief’ are of – (a) taking possession of property and delivering it to the claimant who is out of possession, (b) requiring performance of contract, (c) compelling the performance of statutory duty and (d) preventing the doing of wrong. Thus, ‘Specific Relief’ to be granted only for enforcing individual civil rights and not for enforcing penal laws.
- The Criminal Law is both facilitating and enabling as the stringent laws are facilitating victims to organised as well as at the same time it is enabling them to raise their voices and contest a case in court of law to seek justice.



INTEXT QUESTIONS 7.4

1. Explain the ‘remedies’ available in civil matters.
2. Define; the terms (a) Compensation (b) Specific Relief.

7.5 WRITS

As per the **Right to Constitutional Remedies-Articles 32-35**, A citizen has a right to move to the courts for securing the fundamental rights and legal rights. Citizens can go to the Supreme Court or the High Courts for getting their fundamental rights and legal rights enforced. Any citizen can file a writ petition

in the Supreme Court of India (as provided by article 32 of the Constitution) if it is the nature of violation of fundamental rights, whereas any person can file a Writ Petition in the High Court (as provided by Article 226 of the Constitution) if it is a violation of not only fundamental rights but also where legal, rights have been infringed. Thus, the scope of High Courts is more than the Supreme Court of India as High Courts are also empowered to entertain the Writ Petitions of legal rights as well. The types of Writs are as follows:

1. **Habeas Corpus** means “to have the body“. It is in the nature of an order calling upon a person who has unlawfully detained another person to produce the latter before the court. Thus, where “A” has been unlawfully detained by a person “B”. A Writ of Habeas Corpus in nature can be filed under article 226 in the High Court. For example cases of kidnapping are also of nature of unlawful detention of a person.
2. **Mandamus** literally means “Command”. It is thus an order of a superior court commanding a person holding a public office or a public authority- (including the Government) to do or not to do something, in the nature of public duty. Thus, where a police officer not filing FIR of a victim can be directed by the superior court to file a FIR and take suitable action on the complaint so lodged.
3. **Prohibition** - A Writ of Prohibition is issued by a superior court to an inferior court or tribunal to prevent it from exceeding its jurisdiction and to compel it to keep within the limits of its jurisdiction. Thus, where an inferior court gives an award on a case on which it cannot hold a trial because it is outside the jurisdiction of that court, a superior court may direct the inferior court to forward the case to the right court or the superior court on the writ petition being filed of the nature of prohibition.
4. **Certiorari** - A Writ of Certiorari has much in common with a Writ of Prohibition. The only difference between the two is, whereas a writ of prohibition is issued to prevent an inferior court or tribunal to go ahead with the trial of a case in which it has assumed excess of jurisdiction, a writ of certiorari is issued to quash the order passed by an inferior court or tribunal in excess of jurisdiction.
5. **Quo Warranto** - The words quo warranto means “what is your authority”? A writ of Quo Warranto is issued against the holder of a public office to show to the court under what authority he holds the office. Thus, where a person claims to be customs commissioner can be asked by the court to show up his/her authority for the office being so claimed, under the writ petition being filed of nature of Quo Warranto.



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**INTEXT QUESTIONS 7.5**

1. List the five types of 'Writs'.
2. Define Write of 'Habeas Corpus'

7.6 PUBLIC INTEREST LITIGATION (PIL)

The concept of **Public Interest Litigation (PIL)** is in consonance with the objects enshrined in Article 39A of the Constitution of India to protect and deliver prompt social justice with the help of law before the 1980s, only the aggrieved party could approach the courts for justice. Thus, anyone not necessarily the victim may approach court of law to protect the public interest at large. The officer(s) of court or court itself may take up any matter suo moto in order to protect the public interest at large. An obvious question that comes in our mind is that "what is public interest?" The answer to this question is 'any act for the benefit of public is public interest.' and those act(s) are such as pollution, terrorism, road safety, constructional hazards, chemical hazards etc. In all these activities we can clearly see that the public interest at large is involved. The very well known cases being filed under this clause are like, PIL against various sport federations after the commonwealth games scam and issues, 'Shubhash Kumar V State of Bihar'. In this case there was a person, who was fired by the Director of the Company so he filed a PIL that this company is acting something wrong so this should be tried. 'Sheela Barse v. State of Maharashtra'. In this case, on receiving a letter from the petitioner, a journalist, the Supreme Court took notice of the complaint of custodial violence to women prisoners in the lock-up in the city of Bombay.

**INTEXT QUESTIONS 7.6**

1. Define the concept of Public Interest Litigation (PIL).
2. List some activities of Public Interest Litigation (PIL)

**WHAT YOU HAVE LEARNT**

- The types of punishments are based on the various theories of punishment. These are – Deterrent Theory, Preventive Theory, Reformatory Theory, Retributive Theory and the Compensation Theory.
- A 'Pleading' is used in civil cases to denote a document in which a party to a proceeding in a court of first instance is required by Law to formulate in writing his/her case or part of his/ her case in preparation for hearing.

- 'Pleadings' are the statements in writing drawn up and filled by each party to a case stating what his/her contentions will be at the trial and giving all such details as his/her opponent needs to know in order to prepare his/her case as answer.
- The main principles of 'Pleadings' are (i) every pleading must state the facts and not the law; (ii) every pleading must state all the material facts and material facts only; (iii) there is no need for a party to state in his/her pleading the performance of any 'condition precedent'; presumption of law, and matters of Inducement:
- 'Drafting' is Combination of Law and the facts of the Law is a language form. To draft a good legal document there are two broad Heads e.g. (i) Planning for good Draft and (ii) Writing a good Draft.
- There are various 'Remedial Measures' available in the Civil as well as in Criminal cases. These are – Compensation, Specific Relief etc.
- There are five Types of Writs.

These are – Habeas Corpus, Mandamus, Prohibition, Certiorari and Quo-Warranto. A citizen has a right to move the Courts for securing the fundamental rights and legal rights enforced by filling a Writ Petition.

The Concept of Public Interest Litigation (PIL) is in consonance with the objects enshrined in Article 39-A of the Constitution of India to protect and deliver prompt Social Justice with the help of Law. Anyone, not necessarily the victim may approach the courts of law to protect the public interest at large or the court may take up any matter 'suo-moto' in order to protect the public interest at large.

**TERMINAL QUESTIONS**

1. Explain briefly the various remedial measures of Civil Law.
2. Identify the remedies available to the victim under Civil Law.
3. What are the remedies available to the victim under Criminal Law?
4. What is the difference between Civil Remedies and Criminal Remedies?
5. Explain the Reformatory Technique of punishment.
6. What is the difference between Deterrent Technique and Retributive Technique of punishment?
7. Explain the principles laid down for a 'good pleading'.
8. Discuss the various principles to be borne in mind while drafting a 'pleading'.

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9. How is 'Drafting' different from 'Pleading'?
10. How many types of Writ are there?
11. What is the full form of PIL?
12. What is the difference between Writ of 'Habeas Corpus' and 'Quo Warranto'?
13. Explain briefly the various Techniques of Punishments.

**ANSWERS TO INTEXT QUESTIONS****7.1**

1. There are Five different Theories of punishment being used in law to punish the wrong-doers. These are as follows:
 - a. Deterrent theory
 - b. Preventive theory
 - c. Reformatory theory
 - d. Retributive theory
 - e. Compensatory theory
2. **Compensation Theory** states that, "the object of punishment must not be merely to prevent further crimes but also compensate the victim of the crime. This theory further believes that the main spring of criminality is greed and if the offender is made to return the ill gotten benefits of the crime, the spring of criminality would be dried up."
3. Yes, 'Punishment' is necessary for the wrong-doer. The punishment makes the offence less lucrative or a bad deal. This kills the thrill of committing of an offence. Though the degree of punishment varies from crime to crime. For example, in case of rarest of rare cases which are heinous in nature and performance of the act are awarded death penalty to the wrongdoer. Further, the punishments are also necessary because if there is no punishment to the offence then the wrong-doer will be motivated to commit more crimes and it is also possible that the wrong-doer starts committing more heinous crimes as he/she knows that there is no punishment for the crime.

7.2

1. According to P. C. Mogha, 'Pleadings' are the statements in writing drawn up and filed by each party to a case stating what his/her contentions will

be at the trial and giving all such details as his/her opponent needs to know in order to prepare his/her case in answer. Thus, 'pleading' means, a written statement by the victim to tell his/her contentions will be at the trial and giving all such details as his/her opponent needs to know and accordingly the wrong-doer also prepares his/her side of the answer in defense.

2. (i) Every 'Pleading' must state the facts and not the Law.
- (ii) Every 'Pleading' must state all the material facts and material facts only.

7.3

1. 'Drafting' is a combination of law and the facts of law in a language form. In law, 'drafting' means preparing a legal document for legal purposes. Thus, the language used in the drafting is legal language that is understood by a person who has legal knowledge. Drafting is a very articulated work, where the drafter has to choose the right word as well as the right concept i.e. right law and the right fact to law. Therefore, drafting is a technique of writing a legal documents on which many a times the success of the case depends.
2. The two brand Heads for Drafting a good legal document are: (a) Planning
(b) Writing.

7.4

1. (a) Compensation
(b) Specific Relief
2. (a) 'Compensation' is a remedy provided to the viction for actual loss, pain and suffering being undergone.
(b) The 'Specific Relief' is a remedy provided to the victim under the Specific Relief Act, 1877. It is a remedy where law allows specific relief to a person whose right has been invaded. The relief is called 'Specific' because it is a relief in terms of the very thing to which a 'suitor' is entitled.

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1. There are Five Types of 'writs'. There are :
 - (i) Habeas Corpus
 - (ii) Mandamus
 - (iii) Prohibition

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- (iv) Certiorari
 - (v) Quo Warranto
2. 'Habeas Corpus' means "to have the body". It is the nature of an order of a Superior Court calling upon a person who has unlawfully detained another person to produce the latter before the Court.

7.6

1. The concept of Public Interest Litigation (PIL) is in consonance with the objects enshrined in Article 39-A of the Constitution of India to protect and deliver prompt social justice with the help of law. Any person or the 'victim' may approach the court of Law to protect the public interest at large. Court may also force 'svo moto' notice in order to protect the public interest at large.
2. (a) Pollution;
(b) Road Safety'
(c) Chemical hazards'
(d) Constructional hazards; and
(e) Terrorism