

## REVIEWER'S REPORT

Manuscript No.: IJAR-55423

**Title:** DEATH PENALTY ON RAPE IN STATE OF PUNJAB: AN EMPHIRICAL STUDY

### Recommendation:

Accept as it is .....

Accept after minor revision.....

**Accept after major revision .....**

Do not accept (*Reasons below*) ...

Rating	Excel.	Good	Fair	Poor
Originality			✓	
Techn. Quality				✓
Clarity			✓	
Significance	✓			

Reviewer Name: Dr. Javaid Ahmad Khan

### *Detailed Reviewer's Report*

This paper deeply studied on how the law of rape has changed from the traditions of the ancient and the medieval times, to the colonial laws and the modern reforms of the Criminal Law Amendments and the Bharatiya Nyaya Sanhita (BNS), 2023. In abstract researcher has mentioned all the important things such as aim, method, sample, results etc. but the abstract should be only in one paragraph, here it is more than one paragraph. So it should be revised. However, the keywords are given in a proper way. The introduction part is too short. It is not clearly highlighting the linkage and background and research gap. Also there is no citation used by the researcher for any statement such as researcher says, "Rape and sexual misconduct dominate cases have been increasing exponentially over the last decades, which have seriously troubled the legal, social, and academic circles". What is the source for this statement? Without source or citation, you cannot use any statement in research paper. The researcher has also used objectionable statement without citation such as "Notwithstanding legal reforms and constitutional guarantees, a distressing fact is still present: in many parts of the country, where the male culture dominates, women are denied basic rights, autonomy, and dignity and are treated as objects by a patriarchal system which sees them as a means of satisfying male desires only". So either you have to give citation or you have to remove this statement. Methodology is too short; it can be elaborated. However, objectives are given properly. Review of literature is also too short and not proper. The researcher has mentioned other papers without name of researcher, and without date of publishing such as, "one of the publications titled An Analytical Study of the Rape Law and Its Impact, deeply delve into the examination of the sentencing practices across various common law jurisdictions, and also, it evaluates how serious the crime is". In review of literature you have to mention all important things related to paper you cited like title, author or researcher, date etc. The findings are also not proper. In findings researcher has shown the questionnaire and its responses, but in findings there should be main outcomes and results from your data and your responses of questionnaire. Also the reference section is missing. Without references no research article can be accepted. So only after revising and providing references and making these important changes, this paper can be accepted.

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Without references no research paper is acceptable. Also there are so many changes needed in this manuscript. First abstract should be clear and comprehensive and in only one paragraph, so should be revised. The introduction part is too short. It is not clearly highlighting the linkage and background and research gap. Also there is no citation used by the researcher for any statement such as researcher says, "Rape and sexual misconduct dominate cases have been increasing exponentially over the last decades, which have seriously troubled the legal, social, and academic circles". **What is the source for this statement?** Without source or citation, you cannot use any statement in research paper. The researcher has also used objectionable statement without citation such as "Notwithstanding legal reforms and constitutional guarantees, a distressing fact is still present: in many parts of the country, where the male culture dominates, women are denied basic rights, autonomy, and dignity and are treated as objects by a patriarchal system which sees them as a means of satisfying male desires only". **So either you have to give citation or you have to remove this statement.** Review of literature is also too short and not proper. The researcher has mentioned other papers without name of researcher, and without date of publishing such as, "one of the publications titled An Analytical Study of the Rape Law and Its Impact, deeply delve into the examination of the sentencing practices across various common law jurisdictions, and also, it evaluates how serious the crime is". In review of literature you have to mention all important things related to paper you cited like title, author or researcher, date etc. You cannot use words like, **"one of the research says"** you have to be clear. The findings are also not proper. In findings researcher has shown the questionnaire and its responses, but in findings there should be main outcomes and results from your data and your responses of questionnaire.

### Abstract

Abstract summarizes paper's purpose, methods, results, and conclusions comprehensively, using clear, active voice. In this manuscript, researcher has mentioned all the important things such as aim, method, sample, results etc. but the abstract should be only in one paragraph, here it is more than one paragraph. So it should be revised. However, the keywords are given in a proper way.

### Introduction

The introduction part in this paper is not valid. The introduction part is too short. It is not clearly highlighting the linkage and background and research gap. Also there is no citation used by the researcher for any statement such as researcher says, "Rape and sexual misconduct dominate cases have been increasing exponentially over the last decades, which have seriously troubled the legal, social, and academic circles". What is the source for this statement? Without source or citation, you cannot use any statement in research paper. The researcher has also used objectionable statement without citation such as "Notwithstanding legal reforms and constitutional guarantees, a distressing fact is still present: in many parts of the country, where the male culture dominates, women are denied basic rights, autonomy, and dignity and are treated as objects by a patriarchal system which sees them as a means of satisfying male desires only". So either you have to give citation or you have to remove this statement.

### Methodology

Research methodology is too short, However, the objectives are given in detail. But the objectives are very vast. The objectives are as • To investigate changes in rape laws in India from cultural norms, religious laws, colonial laws, and contemporary laws, including the transition from IPC to BNS, 2023. • To analyse the socio-cultural, economic, and structural factors behind the prevalence of rape, with the

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main focus on patriarchal norms, caste systems, and gender-based power inequalities. • To examine the legal reforms' performance and challenges by looking at the 1983 amendments, the Nirbhaya reforms of 2013, the 2018 amendments, and new provisions under the BNS, especially regarding gang rape, child rape, deception-based sexual intercourse, and marital rape. • To study judicial trends and milestones cases in Punjab and the PHHC, mainly centered on the usage of the "rarest of the rare" principle to the death penalty imposition. • Examination of public opinions on the knowledge of rape laws, the justice system efficiency, and capital punishment attitudes based on factual survey data. • Detection of the inadequacies of the system in the areas of investigation, forensic processes, victim protection, and trial procedures and suggesting criminal justice reforms designed to improve these areas. • Suggesting policy and institutional measures that will help in ensuring speedy trials, better evidence gathering, gender-sensitive procedures, victim-centric approaches, and societal change over time.

### **Review of Literature**

Review of literature is also too short and not proper. The researcher has mentioned other papers without name of researcher, and without date of publishing such as, "one of the publications titled An Analytical Study of the Rape Law and Its Impact, deeply delve into the examination of the sentencing practices across various common law jurisdictions, and also, it evaluates how serious the crime is". In review of literature you have to mention all important things related to paper you cited like title, author or researcher, date etc. You cannot write as "one of the research". Also in other statement researcher writes as "There are a great number of books where authors' arguments revolve around the victim's role in the court decision and the moral and legal aspects of sexual crimes. Moreover, there has been extensive deliberation on domestic regulations, court decisions, and international legal frameworks". Here what is meant of "some books?" you have to mention these books with citations.

### **Results**

The result section is not given in proper way in this manuscript. In findings section, researcher has shown the questionnaire and its responses, but in findings there should be main outcomes and results from your data and your responses of questionnaire not the questionnaire responses as it is.

### **References**

The researcher has skipped the references section. The references are the main section of any research also it must be written in an alphabetical order. So without references this manuscript is not acceptable.

### **Conclusion**

Over all the research paper is good and important if all things are provided and revised which has been mentioned. Only after providing and making these major changes, this article can be accepted.