



**SYMBIOSIS**  
INTERNATIONAL (DEEMED UNIVERSITY)

**12<sup>th</sup> Annual International Research Conference on Rule of Law  
On  
*Rethinking Law and Policy with reference to Quality of Life –  
Global Economic Justice*  
(SYMROLIC 2024)**

**May 3<sup>th</sup> & 4<sup>th</sup>, 2024**

**SYMBIOSIS LAW SCHOOL, PUNE**

**AND**

**SYMBIOSIS CENTRE FOR ADVANCED LEGAL STUDIES AND RESEARCH  
(SCALSAR)**

**In association with**

**SYMBIOSIS LAW SCHOOL, NOIDA || SYMBIOSIS LAW SCHOOL, HYDERABAD ||**

**SYMBIOSIS LAW SCHOOL, NAGPUR**

**ABSTRACT COMPILATION**



**12<sup>th</sup> Annual International Research Conference on Rule of  
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– Global Economic Justice***

**(SYMROLIC 2024)**

## **ABOUT SYMBIOSIS LAW SCHOOL, PUNE**

Symbiosis Law School, Pune is a constituent of Symbiosis International (Deemed University) and is one of the distinguished centers of legal education in the country. It has, over the years, prominently featured in the top 10 Law colleges in the country. Bar Council has conferred SLS Pune with the gold star award in 2013. It is also conferred with the honour of being a core partner in the global network of legal institutes, the Erasmus Mundus, DAAD (German Academic Exchange Service) a grant for bilateral Faculty student exchange with the Leibniz University of Hannover, Brunswick European Law School of Ostfalia, University of Applied Sciences, Germany, membership of International Association of Law Schools (IALS), USA and Asian Law Institute, Singapore. In 2021, Prof. (Dr.) Shashikala Gurpur, Director, Symbiosis Law School, Pune has been a recipient of Jean Monnet Chair.

Established in 1977, SLS Pune in a journey of 47 years has achieved various milestones in teaching, learning and research. SLS Pune imparts high quality education through its various programmes such as B.A.LL. B (Hons), B.B.A LL. B (Hons), Three years LL. B, Master of Laws (LL.M), and different diploma programmes. SLS, Pune also facilitates the PhD coursework for the Faculty of Law, SIU.

Symbiosis Law School, Pune has been ranked 6<sup>th</sup> in 2023 by National Institution Ranking Framework (NIRF) by the Ministry of Human Resource Development, Government of India. SLS Pune is at Rank 1 in CSR-GHRDC 2023 and Rank 1 in the Private category of 'Top 10 Private Law Colleges in India' by IIRF Ranking 2024. SLS Pune has been ranked 2 by Outlook-ICARE Rankings 2023 in India's Top 30 Private Law Institutes. SLS Pune has retained the Rank 1 position for 2018, 2019, 2020, and 2021 in India Today Survey. In February 2021, SLS Pune Team were applauded for their achievements in the areas of internationalization by awarding 'Excellence in Internationalization of Education' by FICCI conferring the 7th FICCI Higher Education Excellence Awards-2021. SLS Pune also received the Best College Award amongst the top 3 in Virtual 'IPTSE awards & IPTSE Conclave' dated 28 April 2021 during the eve of World IP Day. Symbiosis Law School Pune was conferred Gold Star Award by the Bar Council of India in 2013. SLS, Pune has been ranked top 10 amongst more than 1000 Law Schools in India by the India Today-Nielsen survey.

Symbiosis Law School, Pune encourages research and publications among faculty,

students and peers and SCALSAR (Symbiosis Centre for Advanced Legal Studies and Research) established in 2013 facilitates the same. The Centre works in association with the Centre of Post-graduate Legal Studies (CPGLS). SCALSAR aims at creating and publishing knowledge, acts as a think tank for the government, hosts scholars of residence, undertakes interdisciplinary legal studies and research projects, trains teachers, and designs training modules. SCALSAR regularly conducts skills training programmes to groom the faculty and students in conducting research and publishing research in reputed and indexed journals. SCALSAR supports students and faculty members in research and publication. SLS Pune has showcased a strong research culture along with an internationalization agenda that has resulted in successful project applications under the Erasmus + program of the EU. SLS, Pune had the unique distinction of being the only Indian partner with the Erasmus Mundus Global Consortium of Law Schools since 2008. SLS, Pune has been the recipient of four Erasmus+ CBHE KA2 under EU projects namely EURASIA, 21 Teach Skills Training, Climate Change Policy and Law, and International Law and Forced Migration Studies. SLS, Pune is also the recipient of the Jean Monnet module on Legal Environment of Doing Business in EU and Jean Monnet Chair which is held by Dr. Shashikala Gurpur, Director, Symbiosis Law School, Pune.

In the last one year, the Centre has published more than **100 research papers in SCOPUS and WoS** indexed journals by the SLS Pune faculties and PG / Ph.D. students. Balancing the social agenda, the community legal care centre of SLS Pune is engaged in the Prison Advocacy program of Mumbai High Court through Prison Clinic, collaborates with District Legal Aid Services Authority and under the SCOPE programme has legal aid clinics in villages and inner cities.

## **ABOUT SYMROLIC 2024**

Symbiosis Conference on Rule of Law in Context (SYMROLIC) represents the point of arrival of Faculty of Law, SIU to maturity with its own imprint in the world of legal research. The journey began as a national conference showcasing in-house research, building on research excellence within and as an avenue for developing new ideas as well as updating research ideas with skills in 2012. It grew into international participation by 2015. This has been drawing on Symbiosis International (Deemed University)'s new impetus to thrust areas, excellence centers and innovation. SYMROLIC is in keeping with lead research trends, addressing the need for legal reality to be reflecting the need for narrowing the gap between the idea and reality of a rule of law society. It is hoped that such discovery and rethinking will bring the legal community closer to serious soul searching to build a stronger rule of law, for, great research must affirm life. It must measure the march of rule of law behaviour of a society and hence indicate the march of civilization.

It is an interdisciplinary conference which emphasizes Law & Life Interface in the spheres of Innovation, Science, Technology, Management, Human Behaviour, Global Policy, Governance and Climate Change. The conference over the years has provided a strong platform to discuss, collaborate and explore diverse issues in the field of research studies. It invites some of the great minds to share and discuss their ideas on contemporary research. The conference shall be held over the span of two days which is specially designed to discuss and deliberate on various interdisciplinary areas and core issues and suggest the way forward for the respect of Rule of Law. A special feature of the conference will be the Plenary Session and Track 4. The Plenary session will focus on "Vulnerability – Equity, Equality, Gender Disability in Developed and Developing countries", "Role of AI in contributing or impeding quality of life – what role it can play?" and "Climate Justice and Child rights" and Track 4 which will focus on EU Climate Justice Law, Governance, Management and Policy respectively (Special Track under the Jean Monnet Chair). Besides this the conference along with other tracks will also have a track on European Legal Studies which is part of our ongoing projects where we welcome papers relating to European Studies in Law, Business, Humanities, Science, Trade, Economics and Climate Change.

The COVID-19 pandemic was an unprecedented wake-up call, laying bare deep inequalities and exposing precisely the failures that are addressed in the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change. Leveraging this

moment of crisis, when usual policies and social norms have been disrupted, bold steps can steer the world back on track focusing on rethinking law and policy with reference to quality of life and towards global economic justice. This is the time for change, for a profound systemic shift to a more sustainable economy that works for both people and the planet.

The focusing on law and policy with reference to quality of life and towards global economic justice are vital for more inclusive economies, and stronger, more resilient societies. The research conference attempts to have quality of life and global economic justice as the focal point of this year's SYMROLIC 2024 conference.

The following tracks have been identified for paper presentations (focal areas):

S. no.	Track	No. of Abstracts
1	Law and Human Behaviour- National and International Perspectives	8
2	Business, Trade, Commerce, Management and Law	7
3	International Law, Policy and Governance & European Legal Studies in Law, Business, Humanities, Science, Trade, Economics	11
4	EU Climate Justice Law, Governance, Management and Policy (Special Track under JM Chair, SIU)	10
5	Innovation, Science, Technology and Law	15
6	Public Law, Society and Governance	14

SYMROLIC has received a total of 65 submissions that deliberate upon the theme of Rule of Law in Context. An important feature of the conference will be the plenary session which will focus on Rethinking Law and Policy with reference to Quality of Life – Global Economic Justice.



## Track 1: Law and Human Behaviour- National and International Perspectives

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3	<b>Reforming Child Custody: Towards Gender-Neutral Laws and Efficient Settlements</b> <i>Anoskaa Barui and Shruti Somya, Students, Symbiosis Law School, Pune.</i>	4
4	<b>Revolutionizing Justice: A Comparative Study of Crimes Against Women in India under IPC and Bharatiya Nyaya Sanhita</b> <i>S M Girisha Shreenithi, Student, Symbiosis Law School, Pune.</i>	5
5	<b>Organ Donation vis-à-vis Waiver of Right to Life</b> <i>Sanjida Quader, Dr. Atmaram, Shelke, Symbiosis Law School, Pune.</i>	6
6	<b>Regulatory Harmonization and Sustainable Finance: Gift City's Blueprint for Global Economic Equity</b> <i>Pritha Ghosh, LLM Student, Symbiosis Law School, Pune</i>	7
7	<b>The Menace of Neocolonialism: A Comprehensive Analysis of Power Dynamics in Diplomatic Relations</b> <i>Mimuksha Darak, Student, Symbiosis Law School, Pune</i>	8
8	<b>Juvenile Delinquency and Substance Abuse: A Study of the Interplay Between law and society</b> <i>Esther Lalmalsawmi Pachuau, Student, National Law University, Meghalaya</i>	9



# **Beyond Reservation: Analyzing the Realities of Educational and Employment Opportunities for Women with Disabilities**

Akshay Trilokinath Maurya, Jawaharlal Nehru University

## **Abstract**

Women with disabilities face double discrimination in Indian society. Despite growing concern for the disabled community, their access to education and employment remains a distant goal. This paper analyses the current situation of higher education for disabled women in India by examining their enrolment as students and employment as teachers. The study utilizes data from the All India Survey on Higher Education (2016-17 to 2021-22) and reports obtained from the University Grants Commission through Right to Information requests. The findings demonstrate that despite constitutional provisions and recent legislation such as the Rights of Persons with Disabilities Act of 2016, which includes reservation policies, disability continues to be a significant factor contributing to social discrimination, inequality, and exclusion for women with disabilities in higher education settings, both as students and educators.

**Keywords:** Women with disabilities, higher education, representation, reservation, bio-meritocracy, special-needs education

# **Globalization and Rule of Law: Implications for Legal Pluralism**

Dr. Nuzhat Rizvi and Dr. Prashant Dhage

Assistant Professor, Symbiosis Law School, Nagpur, Symbiosis International (Deemed University), Pune, India.

## **Abstract**

Globalisation has profoundly transformed how societies interact, increasing interconnectedness across borders in various domains, including economics, politics, culture, and law. In the realm of law, globalisation has brought about a convergence of legal norms and practices while simultaneously fostering diversity through the interaction of different legal traditions. However, despite the growing importance of globalisation in shaping legal systems, there are gaps in our understanding of its specific implications for legal pluralism—the coexistence of multiple legal systems within a single society or across different jurisdictions.

This research paper seeks to address these gaps by examining the implications of globalisation for legal pluralism. The primary objective is to explore how globalising forces interact with existing legal frameworks and contribute to the emergence of diverse legal systems within a globalised context. This paper adopts a qualitative approach integrating insights from law, sociology, and globalisation studies to achieve the research objective. The methodology involves a comprehensive review and analysis of existing literature on globalisation, legal pluralism, and related concepts. The findings of this research are expected to have implications for policymakers, legal practitioners, and scholars grappling with the complexities of legal pluralism in a globalized world. By elucidating the dynamics of legal interaction and adaptation, this research can inform strategies for managing legal diversity and promoting coherence within legal systems. This research contributes to the existing literature by offering a nuanced understanding of the interplay between globalization and legal pluralism. It goes beyond simplistic narratives of either convergence or divergence to explore the complex ways in which globalization shapes legal systems. By shedding light on these dynamics, this research aims to enrich our knowledge of contemporary legal phenomena and provide valuable insights for policymakers, practitioners, and scholars alike.

**Keywords:** Globalization, Interdisciplinary research, Legal hybridization, Legal pluralism, Transnational legal norms

# **Reforming Child Custody: Towards Gender-Neutral Laws and Efficient Settlements**

Anoskaa Barui and Shruti Somya

Students, Symbiosis Law School, Pune.

## **Abstract**

In Indian society, marriage is the cornerstone of stability and raising children. However, due to job opportunities pushing migration and scattering families across regions, industrialisation and urbanisation have contributed to the rise of nuclear families. As a result, the number of divorces has increased, which has led to a focus on child custody fights.

The Hindu Minority and Guardianship Act of 1956 recognises a child's right to choose guardianship after the age of five. Still, it emphasises the importance of mothers caring for children under five. Unfortunately, the focus of child custody fights has switched from the child's well-being to battles of the parents' ego. The court must ensure that the non-custodial parent has enough visiting privileges to maintain the child's essential social, emotional, and physical ties to them. However, there are many cases in which the mother prevents the child from seeing their father, even though the father is granted visitation rights. In many of these cases, the woman might not meet the requirements for custody, but the court might nonetheless award it to her, denying the father the chance to continue having regular contact with the child. There is a noticeable void when discussing the consequences of awarding custody to an unsuitable parent. This analytical research will challenge the accepted belief that women are naturally the primary guardians and instead argue for a gender-neutral approach to custody regulations. It will also emphasise how critical it is to resolve child custody issues quickly to lessen the emotional stress that the involved parties experience. In addition to resolving long-standing custody disputes, expediting the resolution process will lessen the negative psychological impact of ongoing court engagement on kids.

**Keywords:** Custody battles, divorce, gender-neutral custody, psychological impact, unsuitable parent

# **Revolutionizing Justice: A Comparative Study of Crimes Against Women in India under IPC and Bharatiya Nyaya Sanhita**

S M Girisha Shreenithi,

Student, Symbiosis Law School, Pune, Symbiosis International (Deemed University)

## **Abstract**

Throughout Indian history, the legal framework regarding crimes against women has faced notable condemnation and criticism for its loopholes and inadequacies. These loopholes have often given way to a legal atmosphere of impunity for the perpetrators and inadequate justice for the victims. The previous criminal codes, drafted during the colonial era, have been criticised time and again for their gender biases, complicated procedures, and lenient sanctions. However, with the passage of time and heightened gender awareness, there was an endeavour on the side of the legislature to modernise the legal regime in this aspect.

As stated above, the evolution has manifested in the form of the three new criminal codes to replace the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act. This research paper explores the nuances of the legal framework against crimes against women in light of a comparative study between the IPC and the newly introduced Bharatiya Nyaya Sanhita, which replaces its predecessor.

The objective of the paper is to meticulously examine specific provisions related to crimes against women in the IPC and BNSS. Through a comparative lens, the paper identifies strengths and weaknesses of each legal regime, highlighting areas for improvement and continuity. It evaluates the extent to which the new criminal codes address the shortcomings of their predecessors and assesses their effectiveness in combating gender-based violence, ensuring victim justice, and promoting gender equality.

**Keywords:** Bharatiya Nyaya Sanhita, Indian Penal Code, loopholes, penal sanctions, social reform, violence against women

# **Organ Donation Vis-A'-Vis Waiver of Right to Life: A Critical Analysis**

**Sanjida Quader, Dr. Atmaram, Shelke**

*Phd Scholar Symbiosis Law School Pune & Associate Professor, Symbiosis Law School Pune*

## **Abstract**

Technological advancements have brought both incredible and at times alarming developments in the field of medical science. One of these incredible feats of medical technology that saves lives is organ transplantation. Data from the National Organ and Tissue Transplant Organization's (NOTTO) official website shows that from 1995 to 2021, India saw 34094 living and 2546 deceased donations. Research indicates that living donors who undertake organ transplants, particularly kidney transplants, frequently struggle to lead a healthy life due to chronic abdominal pain, appetite loss, insomnia, and an inability to move heavy objects or work other physically demanding jobs. This raises the issue of whether or not the right to donate vital organs constitutes a waiver of the right to life as enshrined under Article 21 of the Indian Constitution, which also includes the right to health within its ambit. The researchers thus intend to examine the abovementioned issue in the present paper, to examine whether the right to donate vital organs constitutes a waiver of the right to life or not, and to determine ways to protect the right to life of both the living donors and the recipients of vital organs.

The present study is purely doctrinal; hence, the researchers have relied mostly upon the existing literature, such as books, journals, articles, reports, legislations, case laws, etc. There is a need for a more balanced approach for the protection of the right to life of both the living donors and the recipients of vital organs. The researchers suggest provisions for the protection of the right to life of both the living donors and the recipients of vital organs, intending to assist policymakers in this regard.

**Keywords:** Organ transplant, organ donation, right to life, right to health, living donation

# **Regulatory Harmonization and Sustainable Finance: Gift City's Blueprint for Global Economic Equity**

Pritha Ghosh

LLM Student, Symbiosis Law School, Pune

## **Abstract**

International Financial Services Centers (IFSCs) like the Gujarat International Finance Tec-City (GIFT City) in India have emerged as critical hubs for facilitating cross-border financial transactions and enabling access to global financial services. However, existing research highlights concerns regarding the governance and regulatory frameworks governing IFSCs, such as tax evasion, money laundering, and potential exploitation by bad actors. There is a need to balance the competitiveness and efficiency of IFSCs with robust safeguards to promote global economic justice. This research explores how the GIFT City, as India's flagship IFSC, can contribute to achieving global economic justice by rethinking its legal and policy frameworks.

The research is expected to highlight the need for regulatory harmonization, cooperation among jurisdictions hosting IFSCs, enhanced transparency, and accountability measures. The research aims to contribute to the ongoing discourse on global economic justice and the role of IFSCs in fostering a more just, inclusive, and sustainable global financial system. The findings and recommendations will be valuable for policymakers, regulators, financial institutions, and other stakeholders involved in the governance and operations of GIFT City and other IFSCs. The research may be limited by the availability and accessibility of relevant data, as well as the complexity and nuances of different legal and regulatory frameworks across jurisdictions.

This research offers a unique perspective by exploring the intersection of IFSCs like GIFT City, global economic justice, and the need for rethinking legal and policy frameworks. By proposing strategies to enhance transparency, accountability, inclusive access, and sustainable finance within GIFT City, the research aims to contribute to the ongoing efforts towards promoting a more just and equitable global financial system.

**Keywords:** IFSC, GIFT City, sustainable finance, financial institutions

# **The Menace of Neocolonialism: A Comprehensive Analysis of Power Dynamics in Diplomatic Relations**

Mimuksha Darak

Student, Symbiosis Law School, Pune

## **Abstract**

Neocolonialism refers to the indirect and subtle control exercised by former colonial powers over their former colonies or other less developed countries. This research paper explores the concept of neocolonialism in international relations, specifically in the context of diplomatic relations between powerful and weaker nations. The paper argues that the traditional definition of diplomatic relations as a mutually beneficial agreement between two countries is no longer sufficient to address the complexities of modern international relations, particularly in cases where powerful nations use diplomacy as a shield to misuse their authority over weaker connections.

By meticulously examining the phenomenon of neocolonial control through the lens of diplomatic relations, the study elucidates how powerful nations exploit their dominance to perpetuate economic exploitation and political subjugation in their weaker counterparts. It underscores the inadequacy of conventional diplomatic paradigms in addressing the multifaceted challenges posed by neocolonialism, advocating for a paradigm shift towards a more inclusive and equitable approach to diplomacy.

The paper specifically examines the case of South Africa as an example of a country subject to neocolonialism through economic exploitation and political manipulation. It argues that neocolonialism, which involves using economic, political, financial, and military dimensions to influence and control weaker nations, is a more accurate description of the current state of international relations. The paper recommends several clarifications to the functioning of diplomatic relations in international law, including the need to provide weaker nations with the liberty to call off their relationship as being diplomatic and the creation of a framework to protect weaker nations from being influenced by more powerful countries. Overall, this research paper contributes to understanding neocolonialism in international relations and highlights the need for greater awareness and action to address this issue.

**Keywords:** Neocolonialism, diplomacy, international relations, power dynamics, South Africa

# **Juvenile Delinquency and Substance Abuse: A Study of the Interplay Between Law and Society**

Esther Lalmalsawmi Pachuau  
National Law University, Meghalaya

## **Abstract**

Juvenile delinquency due to substance abuse is a pressing issue that significantly impacts the well-being of adolescents. The co-occurrence of these problems poses numerous challenges for the youth, their families, and the community. Given the rising prevalence of substance use, misuse, and abuse among young people, cutting across class and gender, and the geolocal proximity of India's North East to the countries of the so-called Golden Triangle of illicit drug trade, understanding the socio-economic and legal factors that grapple with this intersection is crucial for developing effective interventions to support at-risk youth. The city of Shillong, with its cosmopolitan, multicultural, and overlapping rural and urban enclaves, provides the setting for the action research conducted in this exploration. The primary objective of this paper is to investigate juvenile delinquency as understood legally about substance abuse in Shillong, exploring the underlying causes and dynamics between the two. A mixed-method approach has been adopted for this research, with a focus on in-depth interviews with key stakeholders in Shillong, including law enforcement officials, community leaders, and educators. The study also involves data collection through surveys to highlight the correlations between juvenile delinquency and substance abuse. The study also aims to reveal the unique challenges adolescents face in accessing support services and the need for targeted interventions. The findings may have important implications for policymakers, practitioners, and community stakeholders involved in youth welfare and for forwarding the aims of juvenile justice. The small sample size and the focus on a specific geographical area indicate the preliminary nature of the study but will contribute to the existing literature by offering a thorough examination of the intersection of juvenile delinquency and substance abuse in Shillong and contributing to the scholarship around law and society in general.

**Keywords:** Law and justice, juvenile delinquency, juvenile justice, substance abuse



## Track 2: Business, Trade, Commerce, Management and Law

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5	<b>Advancing Insolvency Resolution: Implementing A Tailor-Made Mediation Framework Under the Insolvency and Bankruptcy Code, 2016</b>  <i>Hardik Jain and Rishi Khemnani,</i> <i>Student, Symbiosis Law School, Pune</i>	16
6	<b>Polluters Escape? Examining Loopholes in India And Insolvency and Bankruptcy Code and the Plight of Environmental Claims</b>  <i>Dr. Bindu Ronald<sup>1</sup>, Bandana Mishra<sup>2</sup>, and Lekhana Muthakka M S<sup>2</sup></i> <i><sup>1</sup>Professor Symbiosis Law School, Pune</i> <i><sup>2</sup>Student, Symbiosis Law School, Pune.</i>	17

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# **A Carrot and Stick Policy or Corporate Social Responsibility: Fossil Industries Leviathans Under the Radar of Forfeiture.**

Prajanya Sharma

Student, Symbiosis Law School, Pune

## **Abstract**

The development of mankind is very much interlinked with the economic facets; previously, it was a barter system, but in the modern world, which was accelerated a hundred and fifty years ago, there are industries that were first referred to around 1473 by William Caxton, the then English diplomat and merchant. Every step elevated by mankind comes with greater consequences; among such were the abnormal changes in the climate due to massive exploitation of fossil reserves to keep up with the unceasing demand of the growing population. During the time of extreme weather conditions faced in different parts of the world, the legislations domestic as well as international conventions play an important role in binding the state as well as non-state actors to the liability of unbridled exploitation. A small state named Vermont in the USA recently passed a bill after the major portion of the state suffered from a summer flood, which directly imposes a penalty retrospectively (1995-2024) for such industries causing extreme weather changes. Such an act demurred the widespread moral concept that every domestic law imposes on industries, i.e., corporate social responsibility. In this article, the dwindling effects of CSR on climate change by major contributors, specifically fossil fuel industries, their regulation mechanism and countries addressing such issues domestically when international regimes fail to act upon them will be discussed.

**Keywords:** Fossil fuel industries, corporate social responsibility, climate change, stringent domestic laws

# **Artificial Intelligence Empowered Strategies for Fuelling Growth in Business**

Teesta Hans

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## **Abstract**

AI is revolutionising business by enhancing efficiency, decision-making, and customer experiences. From personalised recommendations to predictive analytics and automation, AI empowers enterprises to innovate, optimise operations, and gain a competitive edge. Despite its benefits, the implementation of AI in businesses faces several challenges, including the quality and availability of data, ethical concerns related to privacy, bias, and transparency, a gap in workforce skill development, and integration complexity coupled with regulatory compliance. Addressing these challenges requires a holistic approach involving collaboration between stakeholders, investment in data governance, upskilling employees, and ensuring compliance with regulations.

This paper aims to comprehensively examine the challenges associated with implementing AI in business settings and propose strategies to mitigate these challenges effectively. By identifying key challenges and their implications for businesses, the research seeks to provide actionable recommendations and best practices for successful AI implementation, foster innovation, and address potential risks.

The research will employ a multidisciplinary approach, integrating literature review, data analysis, case studies, and expert consultation to investigate challenges in AI adoption in business. The paper will analyse findings and identify common challenges in AI adoption, such as data quality issues, ethical concerns, and regulatory compliance. It will also discuss implications for businesses, propose strategies for addressing challenges, and emphasise the importance of ethical AI practices and regulatory compliance in fostering successful implementation.

The paper may include potential bias, limited generalizability due to sample size, and the dynamic nature of AI technology and the regulatory landscape. Continued research is essential. This paper will benefit businesses, policymakers, and researchers by providing insights into challenges and strategies for implementing AI. Its novelty lies in its comprehensive approach, integrating multidisciplinary perspectives and proposing actionable recommendations for successful AI adoption.

**Keywords:** AI, business, strategic management, growth, and corporate governance

## **Feasibility of Corporate Social Responsibility Mechanism to Promote Human Rights**

Jyoti Bajaj<sup>1</sup>, Dr. Sachchidanand Prasad<sup>2</sup>, and Dr. Ananya Sharma<sup>2</sup>

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### **Abstract**

In the current period, characterised by rapid technological advancement, growing globalisation, and increased awareness of social and environmental concerns, the role of corporations has undergone a significant transformation. Corporations may elect to fulfil their human rights obligations by implementing CSR initiatives. This paper critically examines the CSR mechanism's feasibility as an active force in promoting and defending human rights worldwide. The primary objective of this research paper is to undertake a comparative study of the feasibility of CSR mechanisms in promoting human rights.

This study combines various methods to examine the international perspective on CSR and human rights. It involves a thorough review of scholarly works and also examines case studies and theoretical frameworks. The findings of this research have significant implications for corporations and the protection of human rights. By critically examining its feasibility globally, the paper will provide valuable insights into the effectiveness of CSR mechanisms in promoting human rights and make recommendations to strengthen these mechanisms worldwide. The availability of data on CSR initiatives and their impact on human rights may be limited. Access to corporate information, especially for privately held companies, could be restricted. The study's findings may be relevant to the time frame in which the research is conducted. The evolving nature of CSR practices could render some conclusions less suitable.

This paper offers a novel contribution to the existing literature by providing a critical analysis of the feasibility of CSR mechanisms in the promotion of human rights across the world.

**Keywords:** Corporate Social Responsibility, human rights, feasibility, India

# **Navigating Block Chain Integration in the Indian Banking Sector: A Regulatory Approach.**

Shreyasi Sinha, Tisha Motwani\*

Symbiosis Law School, Pune.

## **Abstract**

Blockchain technology, remarkably connected to Cryptocurrencies, has been reckoned as a transformative force in the economy. Although the emergence of blockchain technology dates back to the late 1900s, a significant increase in the application of this technology has only seen the limelight recently. The technology has penetrated various sectors, and efforts are being made to integrate it into the existing ecosystem. A pertinent sector in which technology holds great scope is the banking sector. The banking industry holds an integral position in every economy. The industry has faced multiple crises which have negatively impacted the public's trust in banks as institutions.

Transparency in the financial world is deemed a cornerstone, instilling confidence among the public and mitigating risk. Blockchain technology poses a unique solution to store and track data in a manner that is accessible and transparent to all users while ensuring data security with the distributed ledger mechanism. Leveraging on the benefits of this technology, various players in the banking industry worldwide have adopted it to improve and overcome the shortcomings (such as cybersecurity threats, credit risks, and frauds) of the existing system.

Under the scope of this research paper, an effort is made to fathom the integration of blockchain technology in the Indian banking sector and the policy framework in this regard. The research is a culmination of secondary and primary data in the form of a questionnaire survey among the various stakeholders of the banking industry, including but not limited to customers, employees, and industry experts. While technological advancements are quintessential to growth and development, a regulated approach is a sine qua non. In this regard, a positive step is being taken towards establishing a regulatory sandbox in various economies, including India. This paper aims to realize plausible approaches to regulate and integrate block chain technology so that its potential can be adequately and appropriately tapped.

**Keywords:** Banking, block chain technology, regulation, transparency

# **Advancing Insolvency Resolution: Implementing a Tailor-Made Mediation Framework under the Insolvency and Bankruptcy Code, 2016**

Hardik Jain and Rishi Khemnani  
Students, Symbiosis Law School, Pune

## **Abstract**

This paper examines the recent proposals by the Insolvency and Bankruptcy Board of India (IBBI). Firstly, the paper looks into the current Alternative Dispute Resolution (ADR) mechanisms within the IBC and, in light of the same, analyses the need for a voluntary mediation framework instead of a mandatory one. It is provided that the IBC proceedings involve in-rem rights and public interest. Therefore, the paper advocates for tailored mediation in contrast to the "one-size-fits-all approach" of the Mediation Act, 2023. This aligns with the IBBI recommendations to provide exemption in the Mediation Act, 2023, through a notification under Entry 13 of the First Schedule to Mediation Act.

Secondly, the paper analyses the post-institutional mediation proceedings, subject to approval by the Committee of Creditors (CoC) or the National Company Law Tribunal (NCLT). And the legal validity of mediated settlement agreements in a contractual framework. Thirdly, the study examines why the Operational Creditors (not the Financial Creditors or FC) may file a referral of disputes to voluntary mediation following the establishment of the insolvency resolution procedure in the early stages of implementation of the mediation framework. Various scholars opined that most of the CIRP proceedings are initiated by FC. Henceforth, it needs to be analysed whether the proposal would be able to achieve its intended objective, which is to reduce the delay or not. The paper also comments on the effect of this mediation process on the timelines of the moratorium period. Therefore, in a nutshell, through analysing reports, inter-country legislations and statistical studies, this paper advocates for a nuanced mediation framework tailored to the complexities of insolvency proceedings, ensuring efficient and equitable dispute resolution under the Indian legal framework.

**Keywords:** Corporate Insolvency Resolution Process, Insolvency and Bankruptcy Code, 2016, insolvency proceedings, mediation, operational creditors

## **Polluters Escape? Examining Loopholes in India's Insolvency and Bankruptcy Code and the Plight of Environmental Claims**

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### **Abstract**

With the world's fastest-growing economy, India is attempting to attain developed status and is pursuing industrial development rapidly, which appears to impact the environment negatively. India has been perceived to be prioritizing its emphasis on growth, as evidenced by its recent rankings as the third most polluted country in the World Air Quality Report 2024, 180th out of 180 in the Environment Performance Index 2023, and a step back in achieving carbon neutrality by the COP26 by 2050. However, such rapid industrialization also sees the downfall and economic prioritization by many companies, which willfully exclude the environment through existing loopholes in various legislation providing a platform for the same. One such loophole arises from the Insolvency and Bankruptcy Code, 2016, where secured creditors are given preference over unsecured creditors and contingent claimants. Environmental claims, falling under the contingent category, often find it difficult to make it to the distribution process under the waterfall mechanism. This creates a loophole for companies to escape environmental liability by filing for their own bankruptcy post transferring the assets to their subsidiaries, parent companies or shell companies. This leaves the environment and the victims of such exploitation at a disadvantage. Even the Public Liability Insurance Act deals with only cases of 'accident' and is not strictly adhered to by the companies, restricting its scope. In an effort to address the current gap, the authors of this article examine the current IBC from an environmental lens and judicial pronouncements and examine international initiatives.

**Keywords:** Bankruptcy, contingent claims, Insolvency Bankruptcy Code, the Public Liability Insurance Act, waterfall mechanism



# **Catalyzing Global Climate Action: The Crucial Role of Corporate Social Responsibility in Mitigation Efforts**

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## **Abstract**

Corporate Social Responsibility (CSR), traditionally considered a substantial divergence from the exclusive purpose of business entities, i.e., profit maximization by a renowned economic luminary, Milton Friedman, has now observed a significant variance from its original interpretation to include environmental, philanthropic, ethical, and social aspects as elucidated by John Elkington in his triple bottom line theory. This study seeks to examine how CSR is helping to alleviate the global climate crisis, with a focus on the need to reduce the risks that Corporate Social Responsibility (CSR) initiatives pose to weather patterns, sea levels, and biodiversity in the form of carbon emissions, pollution, and resource depletion. It additionally attempts to evaluate how CSR can be leveraged for global climate action while integrating its strategies into corporate sustainability practices and engaging stakeholders, including employees, consumers, investors, and communities, in the quest for climate action. Following this, the analysis delves into instances where CSR has demonstrated efficacy in addressing climate change and certain case studies that illustrate successful CSR approaches to climate abatement across industries. It also advocates for stringent government policies and regulations to promote an enabling environment for better corporate initiatives in the field of climate action. Globally, these business entities are not regular with their initiatives and mostly end up escaping liabilities, primarily due to a lack of adequate legal obligations and, in some cases, the absence of penalties. The study concludes that there is a vital need in the current scenario for corporations, governmental organisations, legislatures, civil society, etc., to collaborate for climate resilience and a major upliftment in national CSR-related laws and their introduction globally.

**Keywords:** Corporate Social Responsibility, climate change, mitigation, legal principles

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# **Assessing Legal and Regulatory Frameworks for AI in Warfare: A Comparative Analysis of International Conventions and National Legislation**

Shreedhar S Joshi and Vridhi Suri

Student, First Year LLB, Symbiosis Law School,

## **Abstract**

The integration of Artificial Intelligence (AI) into military operations presents complex legal and ethical challenges, particularly regarding accountability for war crimes. Despite growing interest in AI's role in warfare, existing literature lacks a comprehensive comparative assessment of legal frameworks and regulatory initiatives governing AI used in armed conflict. This research paper aims to critically examine the capacity of international conventions such as the Vienna Convention, Rome Statute, and Geneva Protocol to hold AI responsible for war crimes and assess the inclusion of AI within Lethal Autonomous Weapon Systems (LAWS).

This paper adopts a comparative legal analysis approach, drawing upon relevant international treaties, domestic legislation, scholarly literature, and policy documents. The theoretical frameworks employed encompass legal theory, ethics, and AI governance. The analysis reveals significant gaps in existing international conventions regarding AI accountability and prosecuting AI-driven war crimes. The paper seeks to provide solutions in the form of a possible international convention that would specifically regulate the use of AI in the context of armed conflict.

This research offers insights into the implications of current legal and regulatory frameworks for the responsible use of AI in warfare and suggests possible improvements. Limitations include the evolving nature of AI technologies, which may necessitate continuous legal and, thus, academic adaptations. This paper provides a novel comparative analysis of international conventions and national legislation concerning AI in warfare. It provides insights for policymakers and legal experts.

**Keywords:** Artificial Intelligence, comparative analysis, international conventions, military operations, war crimes

# **Aligning for a Sustainable Future: The Intersection of International Law, SDGs And Climate Change**

B. Namita Varshini, and Mr Ismaeel Abdul Salam Rawther

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## **Abstract**

International law, policy, and governance are crucial in achieving the Sustainable Development Goals (SDGs) and addressing climate change. The United Nations Framework Convention on Climate Change (UNFCCC), the Paris Agreement, and the 2030 Agenda for Sustainable Development are key international instruments that provide the legal framework for addressing climate change and implementing the SDGs. Governments should focus on framing and implementing policies to promote sustainable development, reduce emissions and build resilience to climate change through cooperation and coordination between government and civil society.

This research aims to identify the interrelationship between international law, policy and governance, the Sustainable Development Goals (SDGs), and climate change. This research highlights the importance of international cooperation to promote the development of global norms and standards that can guide national policies and governance structures in the context of achieving the SDGs and addressing climate change.

The research adopts doctrinal methodology involving content analysis of documents, including but not limited to international legislation, institutional reports and academic publications.

The findings of this research paper are intended to be multifaceted, revealing insights into the existing legal framework and its effectiveness, implementation challenges, human rights implications of climate change and the SDGs, and an assessment of the role of non-state actors such as civil society, private sector entities and local communities.

Recommendations like strengthening international agreements, increasing funding for sustainable development, encouraging corporate responsibility, promoting renewable energy, including marginalized communities, and integrating climate change will be discussed.

**Keywords:** Climate change, governance structures, legal framework, national policies, policymakers, and sustainable development

# **EU-Turkey Deal Posing A Deliberate Facade: A Comprehensive Analysis of The Sustainability and Multifaceted Implications of the 2016 Eu-Turkey Deal.**

Aditi Paul and Sulagna Khan

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## **Abstract**

The EU-Turkey deal, signed in 2016, was quintessentially initiated as a prominent response to the Syrian migrants' issue arising out of the civil war that occurred in Syria in 2011. These migrants had escaped from their country to seek asylum in other European countries, where they would be provided with better conditions for survival and subsistence. The European Union is widely acclaimed for accommodating migrants and providing them asylum in member states in a manifold manner. However, as the refugees proliferated quantitatively, it became impossible for the EU member states to accommodate them solely, thereby seeking assistance from neighbouring countries to accommodate these asylum seekers. Hence, Turkey, which was already housing more than 3 million refugees then, agreed to a deal with the European Union to accommodate more refugees from Greece.

This paper aims to evaluate the sustainability and effectiveness of the EU-Turkey deal from diverse dimensions. It also aims to address the various lacunae in its contemporary policy framework and provide insights into the broader implications, thereby providing a nuanced perspective of the pre-existing complexities and how to modify them with respect to other prevalent treaties within the humongous EU framework.

In juxtaposition with the non-Doctrinal method of research, the method of experimental research and the method of comparative case studies shall be widely utilized for this paper to explore the underlying issues. This paper successfully evaluates the EU-Turkey deal signed in 2016 and elaborates on the legal and ethical implications of the agreement. This paper will provide readers with a comprehensive understanding of the current immigrant issue, whether both countries were simply looking out for their vested interests or keen to assist and address the vulnerable refugees and their underlying concerns. It will offer the readers valuable insight into the reality behind the agreement, its history, framework, and the reasons for addressing these burning issues while developing a comprehensive framework for the same.

**Keywords:** Sustainability, refugee crisis, asylum seekers, humanitarian aid, justice

**An Approach to Conflict Resolution- the Cross intersectionality of International Humanitarian Law and international human rights law to a non-international armed conflict of Israel-Palestine**

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**Abstract**

Various social, political, and historical factors have influenced the most entrenched conflict between Israel and Palestine. This paper aims to meticulously analyze the root causes of the conflict and possible legal infrastructures circumventing the issue. It discusses the interplay of the applicability of International Humanitarian Law and International Human Rights Law in the current conflict. Central to the paper's foundation is the intricate question of Palestine's statehood and its lack thereof, which shapes the legal framework within which the conflict operates. Due to the absence of statehood status, Palestine faces multifaceted issues, depriving it of the various legal remedies discussed in the paper. This paper also explores the term occupation and the implementation of laws of belligerent occupation, thereby travaux préparatoires of pertinent treaties.

The paper is an approach to conflict resolution and focuses on policy-making orientation. It aims to examine the future trajectory of the Israel-Palestine conflict with the help of specific legal aspects of two major laws, IHL and IHRL. While IHL is applicable in the current issue, the loopholes it contains and how the loopholes have been creating problems for Palestine are discussed in the paper and a solution is provided based on policy making for these loopholes. This paper analyses the protection of civilians under the IHL and identifies opportunities to enhance their protection, providing various mechanisms to gain statehood for Palestine. Economic cooperation, cultural exchanges, and joint projects can help build trust between Israelis and Palestinians and create a conducive environment for peace negotiations, engaging regional actors, such as Arab states and neighboring countries, in the peace process for a negotiated settlement and addressing broader regional security concerns.

**Keywords:** Conflict resolution, International Humanitarian Law, International Human Rights Law, policy recommendation

# **Astro-Imperialism: Unravelling the Impact of Privatizing and Militarizing Outer Space on Climate Justice And Life On Earth**

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3<sup>rd</sup> Year Law Student, Symbiosis Law School, Pune

## **Abstract**

This research paper explores the perils of privatization and militarization of outer space, particularly in the absence of comprehensive legal regulation on the international stage. This paper aims to examine the potential ramifications of privatization and militarization of outer space, an act that could lead to a new form of colonization—astro-imperialism. The danger lies not just in the expansion itself but in the subsequent exploitation and militaristic endeavours that could follow without stringent governance, which could also lead to Kessler syndrome.

This research adopts a non-empirical and non-doctrinal approach, relying on a qualitative analysis of existing literature and international treaties to assess the current legal framework's inadequacy to mitigate the risks associated with space privatization and militarization. However, the researchers recognize the inherent limitation of not being able to deal in the empirical realm owing to government confidentiality. The paper leverages theoretical models of Marxist theory and feminist theory to critically analyze the connections between the outer space regime and its implications for climate justice and global equity.

The increase in space privatization and militarization heightens Kessler syndrome risks, leading to crowded orbits and lacking liability regimes. The resulting dangers include exacerbated orbital collisions, potential climate refugee crises due to debris-induced climate change, and a strained climate justice framework. The current regime of International Humanitarian Law and Space Law is not armed to the teeth to cogitate the rapid privatization and militarization of space. This situation demands an urgent reassessment of space regulation, owing to which the researchers intend to devise a policy proposal to ensure fairness and adherence to the rule of law. The policy proposal is poised to serve as a strategic blueprint for the burgeoning nations and vulnerable populations teetering on the precipice of an involuntary exodus instigated by the relentless march of climate change.

**Keywords:** Astro-imperialism, climate justice, Kessler syndrome, privatization of military in outer space, space debris



# **BTS Paved the Way: China's Deficiency in Soft-Power Diplomacy Through the Lens of Pop-Culture in Asia**

Ms Ananya Ahajoy - Student, Symbiosis Law School Pune

Prof. Kshitij Naikade - Assistant Professor, Symbiosis Law School, Pune.

## **Abstract**

Seduction is always more effective than coercion (Joseph Nye, 2004). In international relations, soft power refers to shaping preferences through appeals and attraction rather than coercive policies such as economic sanctions or military power. South Asian countries, such as Japan, South Korea, and Thailand, have leveraged their pop-culture-derived soft power to extend their relationships with the West. President Obama even acknowledged it in 2015 when he thanked Shinzo Abe, the Japanese prime minister, for introducing the world to Manga and anime. The Korean Wave influenced neighbouring countries such as Thailand, which eventually secured the second position in ASEAN in terms of its soft power. Thailand has enjoyed global popularity for its representation, such as "Boys' Love," which shaped a South Asian narrative of male same-sex relationships. While there is currently no understanding of how such soft power influences international relations and their impact on conflicts, there is also an understanding of how important these soft powers are in terms of traditional routes of diplomacy with examples of how artists such as BTS and Blackpink have represented South Korean diplomacy at the world's biggest forums.

This paper aims to understand the current status and potential growth that China and Chinese diplomacy could have with a push in terms of its soft power diplomacy, specifically through analyzing the impact of pop culture on international relations and looking into human behaviour, its interlinkage with foreign policy, and its overall influence on relevant laws. Furthermore, it pushes forward a case that China requires more soft-power diplomacy to actualize its standing as one of the powerhouses of diplomacy in Asia.

**Keywords:** China, diplomacy, international relation, pop-culture, soft-power

# **Leveraging Indigenous Knowledge for Food Security in a Changing Climate: A Legal Analysis in Indian Context**

Dhanya K A, PhD Research Scholar, Faculty of Law, Symbiosis International (Deemed University)

Dr. Bindu Ronald, Professor Symbiosis Law School, Pune

## **Abstract**

Climate change is the reality. The changing climate has raised various concerns, and one such major concern is the food crisis and challenges in ensuring food security for the people. Not only a single country is affected, but a climate change-induced food crisis is present across the world. The challenges faced by countries in ensuring food security have been increasing due to climate change. At the same time, various indigenous practices have a high potential to ensure food security in the society. A proper adaptation and implementation of these techniques and knowledge are highly warranted at this juncture. The main objective of the paper is to understand the threat posed by climate change to the food security system and how indigenous knowledge can help ensure food security and achieve the Sustainable Development Goals 2030. The paper will also analyze the existing laws relating to food security in India and try to understand how far the food security laws and policies in India have adopted indigenous knowledge for ensuring food security. Integrating an indigenous knowledge system with a proper legal and policy framework will act as a key to achieving food security for a developing country like India.

**Keywords:** Climate change, food security, indigenous knowledge, sustainable development

**The Future of Space Exploration: Need for reforms to the Rusty Space Law for  
Extraction of Extraterrestrial Resources.**

Kinshuk Agarwa and Dr. Raj Verma

2<sup>nd</sup> Year BALLB(H), Symbiosis Law School, Pune

Assistant Professor, Symbiosis Law School, Pune

**Abstract**

The discipline of space exploration has seen a notable upsurge in development lately and interest in the possible exploitation of resources beyond the earth has grown. Technological advances powered by the combined efforts of space agencies and commercial businesses have made it possible to potentially mine asteroids, the Moon, and possibly Mars for lucrative materials. The legal framework for these activities is rusty and outdated, which does not stand up to the technological advancement of today's time and is irrelevant. This encompasses the growth of private space enterprises, the escalating commercialization of space, and the expanding interest in and capacity for resource extraction from asteroids and the Moon, among other celestial bodies. The study aims to recognize these legal gaps in the context of pre-existing agreements like the Outer Space Treaty and the Moon Agreement. Recent developments concerning the Artemis Accord and the stand of the United States may also be analyzed. The study will also examine the need for legislation specific to India to deal with the subject, which becomes increasingly crucial, acknowledging the fact that India has had an increasing presence in the space. The study tries to contribute to a clear legal framework which is necessary to provide rules, guarantee fair and equal access to space resources, and avert future conflicts or disputes as countries and commercial companies expand their space exploration. These rules serve as a framework for controlling operations like resource extraction, habitat construction, and space mining, encouraging ethical and sustainable behaviour while safeguarding heavenly bodies for future generations. In conclusion, the study tries to address the fact that guidelines are imperative to ensure ethical and sustainable practices in space activities while fostering international cooperation and equitable access to space resources.

**Keywords:** Artemis, exploitation, extraterritorial resources, moon, outer space

# **Ethical Concerns of Future Warfare: The Case of Lethal Autonomous Weapon Systems**

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Professor and Director, Symbiosis Law School, Pune

## **Abstract**

Autonomous Weapon Systems (AWS) are a new breed of weapons. Owing to their Artificial Intelligence (AI), they operate without human intervention. The crux of the matter is that once human intervention is removed from such weapon systems, they seem to be incapable of adhering to the principles of international law, more precisely, International Humanitarian Law (IHL). In addition to this legal issue, AWS have also raised ethical concerns. These ethical concerns surround one key issue: should the decision to kill be transferred to machines? It is the anxiety and discomfort about the loss of human control over weapons and the use of force that surpasses the legal issues and touches upon the question of accepting human values. An important aspect of ethical issues has been the lethal autonomous weapon systems, which are designed to kill or injure humans, rather than autonomous weapons, which destroy other weapons. The ethical argument for AWS has been that their precision and AI capabilities might command better respect for international law and ethical values, resulting in fewer humanitarian issues. The ethical argument against AWS believes that the decision to kill, injure or destroy must not be transferred to machines and humans must be present in this process to maintain the link between human intention and the actions of autonomous weapons. Another concern is the loss of human dignity. It not only matters if a person is killed or injured, but how they are killed or injured, including the process by which these decisions are made. In light of these issues, one must not only look at the legal issues raised by AWS but also consider these complex ethical issues in order to arrive at a holistic understanding of AWS.

**Keywords:** Autonomous Weapon Systems, Artificial Intelligence, International Humanitarian Law, human values

## **Bridging the Green Divide – Navigating Gender Parity in Green Jobs**

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Student, Symbiosis Law School, Pune

Assistant Professor, Symbiosis Law School, Pune

### **Abstract**

India aspires to transform into a carbon-neutral nation by 2047; one of the key strategies for achieving this goal is the introduction and enhancement of “Green Jobs.” The International Labor Organization defines green jobs as “decent jobs that contribute to preserving or restoring the environment.” In furtherance of its SDGs, India set up the Skill Council for Green Jobs (SCGJ) under the Ministry of Power, which acts as the governing body for Research and Development in the Green Jobs arena. A study conducted by the SCGJ in 2023 has indicated a wide gender gap when in the arena, with 85% of the trainees being men, and 15% being women. Of these women, 90% feel restricted from taking up jobs due to societal norms. The annual survey of industries 2019-20 shows that women are mostly concentrated in industries concerning textiles, clothing and its sister industries, while the CII report of the same year indicated that men hold 85% of the workforce in sectors such as construction and infrastructure. In 2024, where both socially and economically we are driven towards an equitable society, it is shocking to see women lagging due to “societal norms.” In this paper, the authors will navigate through various issues along with social norms acting as barriers for women to enter this field and plausible policy solutions. The authors will deal with re-imagining the definition of “work” and how it can be made more accessible for women in society. Ultimately, the authors will conclude with suggestions for making green jobs more flexible and inclusive for all individuals within and without the arena, considering the bigger goal of a greener society.

**Keywords:** Green economy, green jobs, gender equity, sustainable development

# **The Protection of Minorities in International Law: A Comparative Study**

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Student, Symbiosis Law School, Nagpur

## **Abstract**

The protection of the rights of minorities has recently been of origin in international law. The conceptualization of minority rights and their safety has taken place simultaneously with human rights under the framework of the United Nations. After clarifying the term 'minority', the research focuses on the legal protection of such rights as prescribed under International Instruments, along with a comparative analysis of minority rights in India. The study further talks about the obligation of the State towards minorities and, after that, sheds light on the role of the Judicature of both Municipal and International Courts. This paper also provides an elaborative account on significance of the rights of minorities in the international spectrum, thereby paving the way for the demand of an internationally socially just process for the allocation of resources by sovereign states. The research paper also sheds light on the role of international, transnational, and private legal regimes in protecting minority rights.

**Keywords:** Minority rights, International Law, Municipal and International Courts, India

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# **Safeguarding Sacred Groves: A Critical Analysis of the Legal Framework**

Jyotsana Singh

Student, Symbiosis Law School, Hyderabad.

## **Abstract**

The Western Ghats or Coastline are one of India's recognized "hot spots" of biodiversity. Indigenous tribes in the various parts of the country preserve portions of essential forestation, which is known as "sacred groves." They are called by many names, such as "Devrai and Madaico" and are managed and conserved by Indigenous communities and such communities worship groves as a form of God or deity. Sacred groves should be classified as having "Incomparable Values" according to India's National Environment Policy. Many useful medicinal herbs and indigenous relatives of cultivated varieties may be found in these groves, and they could serve as an important part of subsequent future species improvement programs. This study investigates the fundamental connection between sacred groves in ancient Indian practices and modern environmental laws, offering insight into the complicated relationship involving traditional rituals and contemporary conservation measures. The goals of this research are essentially twofold: first, to investigate the cultural and historical significance of sacred groves, revealing the prehistoric traditions, ceremonies, rituals, and beliefs which validated these organic havens; and second, to follow the development of the legal structure for sacred groves in the Indian subcontinent, beginning with their highlight in historical sources to the contemporary environmental regulations and laws which acknowledge and safeguard these distinctive environmental enclaves.

**Keywords:** Sacred groves, traditional and cultural practices, environmental law, India

# **Promoting Equity and Fairness: Rule of Law Perspectives on Energy Transition and Climate Change**

Parth Sharma and Vaidehi Pareek

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## **Abstract**

The transition to sustainable energy systems and climate change mitigation present profound challenges that intersect with issues of equity and fairness. While there is growing recognition of the importance of addressing equity considerations in energy and climate policy, gaps persist in understanding how legal frameworks can effectively promote equity and fairness. Existing research often overlooks the role of the rule of law in shaping these outcomes, highlighting the need for further exploration in this area.

This research paper examines the role of the rule of law in promoting equity and fairness during the energy transition and climate change mitigation efforts. The objective is to elucidate how legal principles can be leveraged to ensure equitable outcomes for all stakeholders, particularly vulnerable communities disproportionately affected by climate change.

Utilizing a qualitative research approach, this paper conducts a comprehensive review and analysis of existing literature on energy transition, climate justice, and the rule of law. The research methodology includes case studies and comparative legal analysis to illustrate the practical application of legal frameworks in promoting equity and fairness. The theoretical scope of the paper encompasses legal principles such as justice, fairness, and accountability within the context of energy transition and climate governance.

This research contributes to the existing literature by offering a nuanced analysis of the role of the rule of law in promoting equity and fairness in energy transition and climate governance. It provides insights into practical strategies for leveraging legal frameworks to address socioeconomic disparities and enhance the legitimacy of climate policies. Ultimately, this research aims to benefit policymakers, practitioners, and scholars striving to achieve a just and sustainable energy future.

**Keywords:** Climate change, energy transition, equity, fairness, rule of law

## **Revisiting the Draft EIA Notification 2020: Pretense with the Aid of Office Memorandums and the Way Forward**

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### **Abstract**

Environmental Impact Assessment (hereinafter referred to as EIA) is recognized as a systematic procedure that identifies, evaluates, and predicts the environmental effects and social impacts of any proposed industrial and infrastructural projects. The “Ministry of Environment, Forest and Climate Change” (hereinafter referred to as MoEFCC) issued the draft EIA Notification in March 2020, which aimed to replace the existing EIA Notification 2006. However, the proposed draft unlocked the concerns regarding environmental protection and its challenging implications. This draft notification witnessed a robust outcry from environmentalists, the general public, and political parties. It intended to create numerous modifications to fundamental environmental governance within the country to expedite EIA’s procedure. The draft Notification failed to bridge the void between the prerequisite for environmental safeguards and the persuasive operations of the governed industries. When the 2020 draft was not notified due to public outrage and environmentalists, the MoEFCC found a way to implement the suggested changes via Office Memorandums (hereinafter referred to as OMs). As a result, the Ministry has notified the public via OMs of more than 100 changes, which the public could not challenge. The research herein aims to showcase how the changes proposed in the draft target ease of doing business by evaluating the governing parent legislation and are not promoting the Sustainable Development Goals. It will scrutinize how the changes proposed in the draft Notification are implemented via OMs, resulting in dilutions and a major outcry for environmental safeguards. Lastly, the researchers shall evaluate the lacuna in the present governing mechanism and propose ways to ensure environmental protection.

**Keywords:** Environment clearance, Environment Impact Assessment, ex-post facto, MoEFCC, office memorandums, public consultation

## **Need for Implementation of Broken Windows Theory Coupled with Doctrine of Locus Poenitentiae to Foster a Clean and Safe Environment.**

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### **Abstract**

Crime is a social evil that has existed since the beginning of civilisation. The world works on a basic principle, 'where there is good, there is evil'. However, crime is often a result of the existing conditions in the society. The environment plays a major role in determining the attitudes and the overall development of an individual, which in turn affects crime rates. While there has been legal enforcement to prevent crime, it has not proved to be completely effective. Hence, there exists a need for an alternative approach, one that can end crime right at its point of inception, the mind.

The Broken Windows Theory is one such theory that promises the same. It functions parallel to the criminological doctrine of Locus Poenitentiae. This theory provides that while a cleaner environment promises a safe and healthy society, an unregulated and disorderly society is vulnerable to crime. The author believes that applying such theories helps achieve what laws cannot.

**Keywords:** Article 21, Broken Windows Theory, curbing crime, doctrine of locus poenitentiae, environmental protection

# **Navigating the Legal Landscape of Carbon Markets: An Examination of India, USA, and EU**

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## **Abstract**

Global warming and carbon emissions have been the topic of concern for the whole globe for many years now and continue to become even more serious as their effects are becoming more visible with each passing day. The Kyoto Protocol of 1995, having set goals of mitigating carbon emissions, gave birth to the Carbon Credit mechanism with the introduction of a regulated carbon market and carbon tax. The Paris Agreement introduced NDCs (Nationally Developed Contributions) in 2015, directing its parties to independently establish their individual goals, to which India is also a signatory. Given the present conditions, the goals may fail to be accomplished, if the necessary steps are not taken.

This research paper provides an in-depth analysis of the legal framework surrounding carbon credits and carbon trading and their implementation in carbon markets. Also analyzing the utility of carbon markets as a mitigation strategy and further discussing drawbacks to improve the legal framework for better implementation of carbon markets and carbon trading. This paper will also delve into the scope for the creation of international carbon markets and the legal framework surrounding them.

Furthermore, this paper delves into the legal framework and legislation of the newly formed ICM (Indian carbon markets) in 2023, as India has also finally launched its carbon market to achieve the targets for net zero emissions. Discussing the potential opportunities and threats faced by them in the current scenario, this study will also focus on a comparative analysis of legal frameworks, regulatory environment, and market dynamics of carbon markets in the USA, the EU, and India, and learnings that India can take from them to improve its framework and functionality of ICM.

The findings in this paper are key for policy and legal changes in carbon trading. It sets the stage for climate change talks and actions, serving as a vital resource for legal experts, policymakers, researchers, and those interested in carbon trading.

**Keywords:** Carbon credits, carbon market, comparative analysis, legal framework, mitigation tool

# **Assessing the European Green Deal and CBAM as Carbon Emission Inhibition Measures: Enviro-Legal and Economic Implications in the Pursuit of Climate Justice**

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## **Abstract**

Currently, the international coalition's priority is to tackle climate change due to the urgency and seriousness of this issue. This research paper provides a comprehensive evaluation of the European Green Deal, a policy that the EU is employing to limit the rising of global temperatures with particular emphasis on the EU's Carbon Border Adjustment Mechanisms (CBAM) along with its disincentivizing structure. It discusses the future of carbon footprint reduction, how the EU's framework can be integrated globally and the efficacy of imposing carbon tariffs.

Although the Green Deal was an essential step toward climate neutrality, it also disproportionately unfairly impacts some EU member states. This shall be evaluated comprehensively, along with country-specific case studies on the same.

It also takes a look at the multifaceted nature of CBAM in terms of economic justice for developing countries. There is a growing concern that such measures put disproportionate burdens on developing countries that have not had the liberty of growing industrially but now face sanctions. This is a concern stemming from a direct causal interface between the climate policies and their political-economic repercussions. This balance of legal and economic implications of carbon pricing is explored. Its effects on trade, competitiveness, supply chains and technological innovation are also analysed.

Along with this, suggestions on how to mitigate the inward and outward harms of both the Green Deal as well as the CBAM shall be provided that can be potentially taken up to make the carbon emission inhibition measures successful. Additionally, other important developments and reforms for achieving climate neutrality shall also be analysed. The paper aims to demonstrate how the OSOWOG was nothing but a revolutionary step in the right direction. The findings recommend best practices from COP26 for incorporation by the EU.

The paper adopts a comparative legal method of analysis wherein the paper compares the enviro-legal framework historically, intending to analyse the positives as well as the adequacy of legislation and framework. It will employ literature reviews of journals, media and case study documentation as means of secondary data for research. Ultimately, the study aims to propose tailored reforms and legal recommendations.

**Keywords:** Carbon Neutrality, CBAM, Climate Justice, Paris Agreement

## **Investing in Tomorrow: Climate Finance and Resilience in Developing Regions**

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### **Abstract**

The World Bank estimates climate change could displace 143 million people, opening new tabs in sub-Saharan Africa, Asia, and Latin America by 2050. While most will move within their countries, some will reach more affluent nations. This paper delves into the intricate dynamics of climate change and its immediate repercussions, particularly climate-induced migration, and how it can be curbed by proper climate financing tools, which have been largely overlooked in the discourse on global climate action. The case studies analyze the discernible divide in strategies employed by the Global South and Global North in addressing climate change, specifically focusing on the economic and geographical vulnerabilities of the Global South, exemplified by India. The absence of dedicated legislation for climate migration exacerbates the challenges faced by millions in the developing world, where inadequate infrastructure compounds the impact of extreme weather conditions. Central to this study is the viability of India having dedicated legislation addressing climate-induced migration. The paper advocates for a comprehensive exploration of financial instruments, notably green and impact bonds, as viable tools to bolster climate financing in the country. These instruments are poised as integral components to catalyze sustainable development initiatives, aiming to mitigate the adverse effects of climate change on vulnerable populations and stem the tide of climate-induced migration.

In essence, this research seeks to contribute substantively to the climate financing discourse, emphasizing the economic intricacies of climate change mitigation and proposing strategic measures to bridge the global economic gap in the face of climate-induced migration.

**Keywords:** Climate change, climate financing, climate migration, green bonds, global south, Indian legislation, vulnerability

# **Exploring the Story: Convergence of European Union Climate Laws to Advance Social Justice**

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## **Abstract**

Many nations have taken measures to mitigate their environmental impact due to increased public awareness and growing concern for the environment. The European Union, also called the EU, has taken the lead in this regard, developing rules that protect the environment and human health. Encouraging a more environmentally friendly economy among its member nations is at the heart of these programs, but there are many obstacles in the way, including pollution, resource depletion, climate change, and unsustainable patterns of production and consumption. In this particular paper we examine, European Union's principal environmental projects and the conclusions of climate change charges. It suggests ways to promote sustainability that companies, people, and governments should adopt to work together toward a more sustainable future for the world, in line with ideas like the Circular Economy and the European green deal.

**Keywords:** Climate justice, European Union, Non-discrimination, Marginalized group



# **Balancing Innovation and Competition: Examination of Patent Law in the EU Renewable Energy Sector**

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## **Abstract**

As the climate change discourse rises within our political landscape with the annual United Nations Climate Change Conferences and the World Impact Summit, there has been an influx of investment within the renewable energy sector. This rise in capital has led to an increase in innovation, prompting the need for the legal protection of intellectual property. Historically, renewable energy (RE) companies have relied on patents.

While Patent Law does allow legal protection of intellectual property in theory, the rising patent disputes within the sector, as observed through *Solaredge v. Huawei*, *Siemens v GE* and *GE v. Vestas*, prompt the question— whether the industrial practice of patenting requires revaluation, especially in the light of the current trend of patent dispute resolution by way of cross-licensing, which poses an adverse effect on the competition within the industry.

This research paper aims to examine the practical application of patent law within the renewable energy sector of the European Union through a Competition Law lens. The research aims to benefit the RE sector as a whole, and extendedly, the agenda of climate change. Secondly, it analyzes trade secrets and confidential information as alternative methods of protecting the intellectual property rights within the renewable energy industry. The potential limitations of the research could be inadequate statistical data regarding the RE sector within smaller EU countries and the lacuna in current research on intellectual property law, which fails to address its overarching effect on climate change. This paper recommends looking beyond patenting and implementing alternative methods of IP protection, specifically trade secrets to facilitate development while mitigating potential disputes.

**Keywords:** Climate Change, Competition Law, European Union, Patent Law, Trade Secrets.

# **Assessing the impact of climate change on Agriculture and Food Security and the Implementation of Sustainable measures and Strategies**

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## **Abstract**

Climate change has had a drastic impact on agriculture production and food security around the world. This paper aims to assess the effects of climate change in the European Union and India regarding agricultural production and food security. The European Union has its fair share of challenges in combating food shortages and agrarian crises. Climate change has both positive and negative effects on agriculture. The Global South continues to face loss and damage due to the change in the climate; however, the Global North benefits from this, creating an imbalance.

Through this paper, we will examine the factors of climate change that contribute to a decline in the food supply, along with the need to implement sustainable agriculture and strategies to reduce food waste production and trace the carbon footprint to combat climate change. We will study the laws implemented in the European Union for food security and sustainable agriculture and compare India's condition and its climate change and policies. This paper also aims to implement the “farm to fork” strategy imposed by the European Commission in India.

**Keywords-** Climate change, Agriculture, Food Security, Global South.

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# **Unveiling the Duality: Consumer Privacy and Behavioural Targeting in the Digital Era**

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## **Abstract**

The rapid development of information and communication technology, coupled with the penetration of affordable smartphones and high-speed internet, has led to a surge in e-commerce, especially after COVID-19 pandemic. In order to make optimum use of the online mode, e-commerce websites have started developing certain tools, such as “*Online behavioural targeting*” or “*data-driven advertising*”. This involves monitoring netizens’ online behaviour (such as the websites that they visit, products they purchase, videos they watch, and articles they read) and then using the data collected to show them personalized/individually targeted advertisements.

While such marketing strategies prove beneficial from a business perspective, the normalisation of online behaviour targeting raises concerns about data privacy implications. The right to privacy is a cornerstone of individual autonomy and dignity, and it has been recognised by the Supreme Court of India. This research paper aims to explore the implications of OBT, striking a balance between the stakeholders - consumers and businesses. It examines the adequacy of the existing legal framework for data protection across countries and its application through Meta and Google case studies. The paper concludes by analysing the future of OBT and the viability of alternative marketing methods in the digital landscape with a view to developing recommendations that benefit all stakeholders, especially netizens.

To meet the objectives sought, this research paper employs the doctrinal method of research methodology, where the researchers examine both primary and secondary sources of information on the research topic, such as legislation, case laws, journal articles, and online sources. Our expected outcomes for the paper include that OBT has negative implications, such as manipulating consumer behaviour and promulgating compulsive shopping. This would highlight the need for amendments in online data privacy laws and alternative marketing methods that are less intrusive.

**Keywords:** Consumer welfare, data, marketing, online behavioural targeting, privacy

## **The Water Footprint of AI - An Unmined Aspect**

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### **Abstract**

In today's digital era, the pervasive integration of Artificial Intelligence (AI) has become undeniably ubiquitous, profoundly impacting various facets of our daily lives. From personalised recommendations on streaming platforms to autonomous vehicles navigating our roads, AI has seamlessly woven itself into the fabric of modern society, revolutionising industries and redefining human interaction with technology. While discussions frequently center around carbon emissions, the water footprint of AI models remains a largely underexplored concern. For instance, the recent training of GPT-3 alone is reported to have consumed a staggering 185,000 gallons (700,000 litres) of water.

The water footprint of AI models can be analysed through two main components: on-site cooling towers and off-site evaporation. On-site usage involves water utilised in data centre cooling systems and microchip production, while off-site consumption includes water expended in generating electricity to power these data centres. Advocating for sustainability in AI's water consumption, it is essential to distinguish between water withdrawal and consumption, where withdrawal denotes freshwater extraction and consumption refers to water lost through various processes, indicating actual utilization and environmental impact.

In this paper, the primary objective is to raise awareness among the general populace regarding the considerable water consumption associated with Artificial Intelligence (AI) technologies, an aspect often overlooked by many. Additionally, the authors aim to advocate for increased research initiatives in this field, focusing on developing methodologies to mitigate the water usage of AI models. Such endeavors are crucial in fostering a more sustainable approach towards AI deployment and aligning with broader efforts to combat climate change. These themes will be thoroughly examined in this paper, with subsequent sections presenting suggestions and recommendations derived from the analyses in this regard.

**Keywords:** AI Model, suitability, water consumption, climate change

## **Delving into the Perspectives of Generative AI and Deepfake Non-Consensual Pornography: Ramifications on Privacy Issues & Women's Rights**

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### **Abstract**

Deepfake technology, one of the recent creations of Generative AI, creates synthetic media like images, videos and audios. The advent of this technology of deepfake culminated in the creation of different files that resembled the original natural people, but its content was manipulated. The evergreening deepfake technology and Generative AI culminated in the creation of deepfake non-consensual pornography.

The research paper, in a descriptive manner, explores the ambit of deepfake non-consensual pornography and how the rights of women are violated. The laws relating to deepfake technology in various jurisdictions will be analysed in depth. The status quo of the Indian legal regime will be thoroughly examined in light of international jurisdictions.

An empirical method will be chosen for approaching the research problem. Data will be collected from various cybercrime stakeholders to ascertain exact social face of the problem. The research paper will mandate law reforms suitable to the Indian situation. The research will suggest measures to protect the right to privacy of victims and related rights of women. The limitation of the study is that it only focuses on deepfake non-consensual pornography. The concept of this research paper is very novel and original as deepfake non-consensual pornography is still in the dark. The study will benefit the society and women community at large. It will assist government in framing law reforms on the basis of other jurisdictions for controlling deepfake non-consensual pornography.

**Keywords:** Artificial Intelligence, deepfake non-consensual pornography, generative AI, privacy, women's rights



# **Harmonising Privacy in the Digital Age: A Comparative Study of Legal Frameworks in India, EU, and USA**

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## **Abstract**

Privacy concerns are soaring as digital technology and Big Data gain traction globally. Despite this, studies need to compare privacy laws across different countries comprehensively. This research aims to fill this gap by analysing privacy frameworks in India, the European Union (EU), and the United States (USA). We examine commonalities, variations, and potential for unifying these laws to ensure international privacy standards. The primary objective of this research paper is to undertake a comparative study of privacy laws in India, the EU, and the USA to identify strategies for harmonising privacy regulations in the digital age. By examining the similarities and differences in legal approaches across these jurisdictions, the paper seeks to identify opportunities for alignment and propose strategies for enhancing privacy protection on a global scale.

This research compares privacy laws in India, the EU, and the USA, highlighting similarities and differences. It will also explore challenges and potential for aligning these laws. By analysing and understanding the results of this comparison, the paper will provide valuable insights into the effectiveness of these laws and make recommendations to strengthen privacy protection worldwide.

The findings of this research have significant implications for policymakers, businesses, and individuals concerned with privacy rights and data protection. By identifying best practices and areas for improvement in privacy laws, the research contributes to advancing global privacy standards and promotes greater trust in digital technologies. Limitations may include jurisdiction-specific nuances and the dynamic nature of legal landscapes, which may impact the generalizability of findings. This paper offers a novel contribution to the existing literature by providing a comparative analysis of privacy laws in India, the EU, and the USA, specifically focusing on harmonisation in the digital age. Its insights will benefit policymakers, legal practitioners, businesses, academics, and other stakeholders interested in advancing privacy rights and promoting global consistency in data protection.

**Keywords:** Data protection, digital privacy, global harmonisation, legal convergence, privacy regulation

# Transcendental Fusion of Machine and Human Via Cyborg Revolution in Digital Era: Legal Issues, Challenges and Opportunities Ahead

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## Abstract

We are experiencing a revolution in technology and Artificial Intelligence especially in the 21st century. One such development is the future of the “Cyborg Revolution”, wherein there is an interface between humans and machines. As per the Merriam-Webster Dictionary, the term “Cyborg” is defined as “*Bionic human*”. It is also known as the “*Cyber Organism*”. This term was coined in 1960 by Manfred Clynes and Nathan Cline. It is pertinent to differentiate between Cyborgs and Robots. In the former, it is a combination of human beings and technology; in the latter, it is autonomous technology without the interference of the biological world. It is a mechanism where the physiological functions of a human are transformed, which enhances, i.e., augmented vision and boosts the intellectual and physical capacity. The cognitive devices are inserted inside the body parts of human beings for increased upgradation. Humans primarily use Cyborg in two major ways: Firstly, to cure the disability of the patient and secondly, to ameliorate and fasten the capability of the human. Another major obstacle revolves around the concept of ‘*mens rea*’ of the machine. With this, it is paramount to understand the Actor-Network Theory (ANT), which establishes the causal relationship between living and non-living entities and is useful to understand the criminological bent of the minds of machines and humans. There existed an age when the Homo Sapiens evolved from Homo neanderthalensis. Technology is speeding up at such a rapid pace that we will be living in the era of Homo Cyber Sapiens or *Machina Sapiens*. The present paper aims to address the new dimensions, problems and at the same time, opportunities that are associated with the technological advancement of Cyborg. Further, the paper will also analyze the present technology from the jurisprudential perspective of separate legal personality.

**Keywords:** Bionic human, cyborg, cybernetic, cybercrimes, legal personality

# **Potent for a Patent? Evolving Global Jurisprudence of Gene Patents and its Implications in India**

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## **Abstract**

Gene Patent is the exclusive right given for a specific sequence of DNA (a gene) by the nation's government to an individual, organisation or corporation, whoever claims to have identified the gene at first. However, such patenting of genes has been debatable for decades.

This research examines the history and jurisdictional variances in gene patent granting and the potential geopolitical, economic, and healthcare ramifications for poor countries. Furthermore, in relation to the Human Genome Project undertaken by the Department of Biotechnology, India, the paper intends to address the advantages and disadvantages of a gene patent policy in India and whether the time is appropriate for an all-encompassing and uniform international law on the gene patent regime. A content analysis of three documents was conducted: scientific publications, institutional reports, and conference reports. An isolated and altered gene may fulfil the criteria of a patent. However, a naturally occurring gene may not be patentable. Furthermore, a balancing approach must be taken to incentivize biotechnology companies and strengthen public healthcare and institutional research.

Although a gene patent policy granting an exclusive monopoly over genetic material may incentivize research, insufficient governmental regulation may widen the disparity between the rich and the poor. The economic disparity between nations cannot lead to a call for international cooperation.

The research will consider the patentability of genes. Patenting human gene sequences used to identify diseases and for research purposes may significantly impact the healthcare and biotech industries. The paper aims to explain why gene patenting may or may not be allowed in certain countries. It also delves into the long-term societal impacts that may exist despite the immediate ethical, legal, and economic considerations.

**Keywords:** Biotechnology, economy, genome, healthcare, patenting

# **Redefining Activism: Exploring Effective Protests in the Digital Age for Environmental Advocacy**

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## **Abstract**

The paper explores how protests could influence society, going beyond traditional methods to include digital activism and creative tactics in this contemporary era. It explores and examines various effective protests and how they significantly influence public opinion, particularly about environmental issues. Every strategy, from conventional marches and demonstrations to the growing impact of digital activism on social media platforms, is examined for its capacity to ignite support and raise awareness of environmental issues. Corporate campaigns, consumer boycotts, and acts of civil disobedience are discussed as effective means of bringing about change. The study emphasises how important protests are for changing public opinion, raising awareness, and spurring action for environmental sustainability. Additionally, it highlights the accountability of large corporations as noteworthy agents of ecological deterioration, promoting their proactive attempts to achieve zero carbon emissions and sustainability above and beyond simple legal compliance. Corporations have the potential to significantly contribute to the preservation of the environment and the assurance of a sustainable future by harmonising their financial goals with ethical obligations. The report also attempts to offer insights into practical measures that nations such as India might adopt to improve their environmental results through efficient protest tactics.

**Keywords:** Carbon emissions, digital activism, environmental sustainability, protests, sustainable future

# **Equitable Access in Medicine: Navigating the Intersection of Bioethics, Law, and Economic Justice**

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## **Abstract**

Bioethics is the field studying the socio-ethical-legal implications of biomedical research. The multidisciplinary concept regards technological advancements relevant to species' health and well-being. With recent innovations in the discipline, the importance of creating precise laws to protect rights has increased. The paper aims to examine the existing jurisprudential challenges and propose practical remedies for an equitable system. This shall be conceptualised via a simultaneous analysis of the protection of intellectual property rights, equitable access to resources, shared knowledge, and individuals' healthcare rights. The author aims to provide implementable solutions that govern global transactions. The subtle but pervasive discrimination in biomedical access plagues the world. The paper exposes a delicate balance of rights to be maintained. It analyses the ethical considerations and sociological implications of such innovations and propounds the necessity of legal frameworks in the diverse global context. This paper analyses the dynamic interplay between law, bioethics, and economic justice in the 21st century. The author envisions legal mechanisms to safeguard the co-existing rights while undertaking a welfare-centric approach. This paper acknowledges the present bioethics provisions but recognises the critical requirement to review them in the present international scenario. Global economic justice is a significant theme in contemporary policy studies. These goals are further reiterated by SDG 9 and SDG 10. COVID-19 pandemic underlined the importance of creating and maintaining a meticulous mechanism to regulate international biomedical research and genetic innovations. This paper aims to reduce uncertainty and damage to human life by providing better global access to healthcare developments. This will ameliorate the situation and ensure that the universal objective of equality is achieved.

**Keywords:** Access to healthcare, bioethics, discrimination, economic justice, healthcare equity, law, policy framework

## **Part Human Part Machine: Rethinking Copyright Laws in The Ai Era**

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### **Abstract**

The burgeoning technology of artificial intelligence indicates the possibility of AI-generated works becoming the norm rather than the exception. This raises concerns regarding whether such work can be included within the ambit of copyright laws. Furthermore, if the answer is in the affirmative, the suitable method for extending copyright protection to such works remains disputed. The objective of the paper is to contribute to the ongoing scholarly debate regarding authorship and ownership of AI-generated works by evaluating the current legislative framework and recent case studies.

With the help of the doctrinal method together with the analytical and comparative methods, the paper discusses whether AI-generated works qualify the rudiments of copyright laws like 'originality'. Furthermore, it presents a comparative analysis of Indian copyright laws vis-a-vis international laws in this regard. Lastly, using the non-doctrinal method along with the exploratory method, the paper assesses the potential legal impediments to the extension of Indian copyright laws to AI-generated works. The authors put forth recommendations to overcome such impediments using a practical and technologically agnostic approach in cases involving generative AI.

The increasing number of cases filed for granting copyright protection to generative AI underlines the issue's significance. This paper aims to benefit legal academia, policymakers, and other key stakeholders in the IP domain. The lack of previous studies in the research area and the scope of discussions are the two pivotal limitations of the present research since this is a contemporary and evolving research problem.

**Keywords:** Artificial Intelligence (AI), copyright, Intellectual Property Rights (IPR), ownership

# **Integrating Smart Contracts and Blockchain Networks into Contract Law: Exploring Legal Frameworks for Digital Currency and Automation**

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## **Abstract**

Paper-based conventional contracts and digitally-enabled "Smart Contracts" are viable options for conducting business today. "Smart Contracts" are digital contracts based on mathematical algorithms that automatically carry out a transaction or series of actions based on the agreed-upon terms. Blockchain technology is the basis for both digital currency and smart contracts. Certain blockchains require a transaction fee to be paid in cryptocurrency, like Ethereum, etc., before executing smart contracts. It is convenient for both the consumer and the business, enhancing the user experience and saving time and money. The widespread prohibition on using cryptocurrencies as a medium of exchange limits the usefulness of smart contracts. The illegality of cryptocurrency hinders smart contracts; therefore, a legal framework would aid in further application and development.

Devise how smart contracts and blockchain networks can be used in the legal field to attain maximum ease in contract use and application. Secondary sources and a deduced research methodology are used to reach this verdict. Blockchain's AI allows us to merge cryptocurrencies with smart contracts and update how we perceive and use contracts. The field of contract law should be altered, and the process should be accelerated as a result.

This paper will discuss the legality of the law, its workings, and lacunae in integrating smart contracts into daily life. It aims to discuss smart contracts, digital currency, and blockchain in a holistic way. Countries like China have already launched their digital currencies, and India's digital currency is underway. This paper will benefit researchers, policymakers, and the general public by helping them understand the positive and negative implications of digital currency and smart contracts.

**Keywords:** Artificial Intelligence, blockchain, cryptocurrency, smart contracts

# **Changing Nature of Privacy – Analysis of Data Protection Laws in India**

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## **Abstract**

The meaning of privacy is evolving with the changing dynamics of society. This ignition is pushed by fast-moving technological infrastructure and changing social expectations. The paper discusses the complex network of data protection laws in India. In today's world, where everything is becoming digital and data is being collected, stored, and used everywhere, it is essential to have strong privacy protections. The paper critically analyses how effective and relevant these laws are in addressing the current challenges of the country.

Further, the researcher explores the relationship between India's data protection laws, court interpretations, and current trends in privacy laws. The main focus of this exploration is to evaluate the Personal Data Protection Bill, 2023 which aims to update India's privacy regulations to align with international standards and its pros and cons since India had no laws on data protection.

The researcher also addresses potential implications for individuals, businesses, and regulatory authorities by closely examining the provisions of the Bill, such as data localisation requirements, consent mechanisms, and enforcement mechanisms.

The research explores how the understanding of privacy rights in India has been changing over time. The paper also analyses an individual's fundamental rights over personal information, the recognition of privacy as a basic right, and the careful consideration of privacy about other conflicting interests. This paper compares India's data protection regime with international models, focusing on areas where they are similar and different and where they could potentially be aligned.

This paper adds to the ongoing discussion about privacy in the digital age by providing a detailed analysis of India's data protection laws. This study aims to provide valuable insights into the regulatory landscape, including its strengths, weaknesses, and changing dynamics. It seeks to inform policymakers, practitioners, and scholars, helping them understand the complex challenges and opportunities involved in protecting privacy rights in our interconnected world.

**Keywords:** Data protection, DPDP, India, privacy



# **Evolving Landscape of Standard Essential Patents and Internet of Things- An Analytical Study**

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## **Abstract**

For the welfare of the consumer, in today's economy, consumer products are produced and manufactured by various companies incorporating particular technological standards, which play a crucial role in 'interoperability', which promotes innovation and competition. Standard Essential Patents protect such technological standards. A Standard-Essential Patent (SEP) is a patent covering technologies necessary to comply with the standards and Standard-Setting Organisations (SSOs) determine what constitutes a standard.

Standard Essential Patent Litigation was historically confined to the consumer electronics and telecommunications industries. But with the emergence of Internet of Things (IoT), the network of connected objects and people, like smart automobiles, objects, vehicle-to-vehicle communications, SEP litigation has expanded across its boundaries of telecommunications. Now, companies involved in making "smart" industrial or consumer products are forced to become familiar with the nuances of SEPs, often unwelcome patent assertion from non-practicing entity. This paper provides insight into the crucial issues comprising SEPs to assist those involved in industries not familiar with litigation comprising patents that seek to cover other standards and industries.

To resolve the SEP disputes, cross-industry between telecommunication companies and Internet of Things (IoT) implementers are increasing across the globe due to the ambiguity in relation to the calculation of the FRAND royalty. The author adopts doctrinal methodology and the scope is limited to the US and the EU. Considering the European Union as the base model for resolving the issues of SEP litigation in Internet of Things, it would prove beneficial to both SEP holders and implementers.

**Keywords:** FRAND licensing, Internet of Things, IoT Implementers, Standard Essential Patents

## **Copyright Infringement or Innovation? Assessing AI-Generated Content in Legal Contexts**

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### **Abstract**

The intersection of Artificial Intelligence (AI) and art has introduced a new realm of creativity, challenging traditional notions of authorship and ownership. As AI algorithms increasingly contribute to artistic creation, which including, poetry, music and literature among others, it raises questions surrounding attribution and recognition. Existing research highlights gaps in understanding how attributions are made in AI-generated art and the ethical implications thereof.

This research paper aims to investigate the attribution of authorship in AI-generated art, considering the perspectives of various stakeholders involved in the creative process. By examining how attributions are influenced by language and perceptions of AI, the study seeks to shed light on the complexities of the Copyright Act vis-a-vie AI generated works and who gets the credit thereof. of assigning credit in collaborative artistic endeavours involving AI.

Initial findings suggest that attributions of authorship in AI-generated art vary depending on the degree of humanization ascribed to AI and the language used to describe its role. Participants who anthropomorphize AI tend to credit technologists involved in AI development, while those viewing AI as a tool emphasize the role of human artists. Language manipulation experiments further demonstrate the influence of linguistic framing on attribution decisions.

The research findings offer insights into the complexities of attributing authorship in AI-generated art and have implications for stakeholders in the art world, including artists, technologists, curators, and policymakers. However, limitations include the scope of the survey sample and the potential for cultural biases in participant responses.

This research contributes to the literature on AI ethics and intellectual property by addressing a gap in understanding the attribution of authorship in AI-generated art. The findings offer practical implications for stakeholders seeking to navigate the evolving landscape of AI-driven creativity, promoting transparency, fairness, and ethical practices in artistic collaboration. By addressing these research questions, this study aims to advance discourse on the ethical and legal dimensions of AI-generated art, facilitating informed decision-making and responsible innovation in the creative industries.

**Keywords:** Artificial Intelligence, AI-generated art, Copyright, Intellectual Property

## **The Impact of the Data Protection Act, 2023 on Telecommunication Laws in India**

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### **Abstract**

The paper addresses the impact of the new data privacy legislation, the Digital Personal Data Protection Act, 2023 on telecom regulations, with the primary focus being on biometric identification for SIM card sales. The goal is to identify flaws and limits in existing legislative frameworks and evaluate the impact of these laws on privacy and data security in the telecom sector. The paper takes a qualitative approach, examining existing legislation and regulatory measures, as well as a thorough glance at committee/law commission reports and judicial precedents involving biometric identification vis-a-vis the telecom industry. The authors try to raise serious issues regarding the permission procedure for biometric identification, emphasising the risk that individuals may feel compelled to disclose their biometric data to obtain crucial telecom services.

In addition, the study identifies possible hazards related to data aggregation since biometric data gathered for SIM card registration may be pooled with other databases, raising privacy and security issues. The conclusions of this study have important consequences for policymakers and regulators, such as the board members, data fiduciaries and stakeholders which include every law-abiding citizen of our country engaged in developing and implementing telecom legislation. By overcoming the identified gaps and constraints in present regulatory frameworks, policymakers may develop more strong and balanced ways of regulating biometric identification in telecom. However, the report admits limits in the breadth of analysis, particularly in terms of the specific effects of data privacy legislation on telecommunications services, which may demand more research and investigation.

**Keywords:** Data protection, telecommunication, privacy laws, biometric

# **Impact of Artificial Intelligence on Global Economic Justice and Quality of Life**

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## **Abstract**

The "Fourth Industrial Revolution" (Industry 4.0) is largely attributed to Artificial Intelligence (AI), the most breakthrough innovation in technological advancement. The Artificial Intelligence (AI) market is expected to reach \$2 trillion by 2030 (Statista, 2023) and 2/3 of the world's jobs are expected to be automated (not replaced but substituted) by AI (Goldman Sachs, 2023). This rapid development of AI will significantly impact "Global Economic Justice" and "Quality of Life". On the one hand, it has the potential to improve the "Quality of Life" with technological enhancements and on the other hand, it also highlights the inherent inequalities and the associated challenges, including employment, income inequality, and "societal well-being." The impact of "Artificial Intelligence" (AI) on various technological sectors has been researched and various gaps and concerns have been identified. The current study explores one such concern, i.e., the impact of AI on global economic justice and quality of life.

**Keywords:** Artificial Intelligence (AI), economic justice, quality of life

# **Technology Transfer in TRIPS Agreement: From the Perspective of Economic Justice for Developing and Underdeveloped Countries**

Vindhya Gupta

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## **Abstract**

Transfer of technology under the TRIPS Agreement is a long-standing contentious issue with little hope for a desired resolution in the Doha rounds of trade negotiations. The Working Group on Trade and Transfer of Technology (WGTTT) acknowledges that the protection of intellectual property through the TRIPS Agreement has not had the desired impact on developing and underdeveloped countries' technological and economic development. UNCTAD has found several deficiencies in the monitoring and evaluation of the implementation process of the transfer of technology provisions (Article 66.2) of the TRIPS Agreement, highlighting the lack of meaningful transfer of technology. However, the WGTTT advocates for reliance on market mechanisms such as FDI along with investment in the improvement of infrastructure in the recipient countries to boost the transfer of technology. Additionally, scholars have pointed out that TRIPS have certain in-built flexibilities that, when utilised to their maximum extent, bring substantial advantages for developing and underdeveloped countries. These flexibilities include mechanisms such as compulsory licensing and parallel importation, as well as the ability to set strict standards for disclosure and eligibility criteria for the grant of patents.

In this paper, the author aims to examine the ability of market mechanisms to effect meaningful transfer of technology and the role of TRIPS flexibilities in such transfer. Through an examination of the TRIPS Council reports and FDI data available through the OECD and World Bank, the author seeks to investigate the ability of the TRIPS Agreement, especially TRIPS flexibilities, to encourage the transfer of technology from developed to underdeveloped countries. This examination can inform decisions to be made at the policy-making level in the Doha Rounds of trade negotiations and modifications required in the TRIPS Agreement to encourage technological and economic parity for developing and underdeveloped countries.

**Keywords:** Technology Transfer, TRIPS Agreement, Article 66.2, economic justice

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## **Adolescent Drug Abuse And Its Impact: A Critical Study**

Dr. K.Shanthi<sup>1</sup> Dr. Anita Sable<sup>1</sup>, Nibedita Nandi<sup>2</sup>, Christy Abhishek<sup>3</sup>

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### **Abstract**

Drug abuse or the consumption of illicit substances and overconsumption of prescribed drugs continue to be major problems nationally and internationally. Drug abuse among adolescents and children has been spreading fast and has become a common phenomenon and a matter of great concern in recent times. There always exists an intricate relationship between drug abuse and its major impact on social and personal dealings, as its effects are snowballing and hampering the physical and mental well-being of an adolescent individual. There is a possibility that a number of factors like socio-economic status, increased purchasing power, changing lifestyles, peer pressure, inefficient parenting, futile mentoring, and biological or inherent predisposition towards drug addiction, play a role in enhancing the risk of initiating or continuing substance abuse among teenagers. This research study aims to provide a thorough analysis of the increasing problem of drug abuse among adolescents. The study utilizes a comprehensive approach, incorporating an extensive examination of relevant scholarly sources and case studies from varied relevant areas. Utilizing an analytical framework, this study endeavors to unravel the aspects of adolescent substance abuse, factors contributing to its usage and the societal implications traversing through the legal framework. This study analyses the system's approach to address the issue, the scope of punitive and rehabilitative measures and their role in combating drug-related misbehavior. It also identifies diverse ways to tackle this intricate societal issue and support young individuals to reintegrate into society.

**Keywords:** Adolescent drug abuse, factors, impact, legal system, policy framework

# **Judicial Prescription for Health: Analyzing Indian Supreme Court's Role in Advancing Good Health and Well-Being Through Pre- and Post-SDG**

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<sup>1</sup>Research Scholar- Symbiosis Law School, Pune.

<sup>2</sup>Assistant Professor, Symbiosis Law School, Pune

## **Abstract:**

### **Abstract**

This paper examines the role of the Indian Supreme Court in advancing Sustainable Development Goal (SDG) 3, good health and well-being, both before and after the adoption of the SDGs. Through an analysis of judicial interventions, it explores the transformative impact of the judiciary on public health policies and practices in India.

Before the SDG era, the Indian Supreme Court issued significant rulings aimed at protecting and promoting health rights. These rulings emphasized access to healthcare and addressed socio-economic determinants of health.

Post-SDGs, the Indian Supreme Court continued its proactive stance towards health and well-being. Cases during this period exemplify the judiciary's role in holding governments accountable for healthcare delivery and ensuring equitable access to essential services.

By comparing the judiciary's approach before and after the SDGs, this research evaluates its evolution and alignment with global development agendas. It underscores the judiciary's crucial role in catalyzing policy reforms, strengthening healthcare infrastructure, and promoting inclusive health systems.

Synthesizing jurisprudential insights, this study elucidates the enduring impact of judicial actions on public health governance in India. It emphasizes the necessity of judicial activism in advancing SDG 3 targets and advocates for ongoing collaboration between the judiciary, policymakers, and civil society to achieve sustainable health outcomes for all.

**Keywords:** The Supreme Court, Sustainable Development Goal 3, public health policies, judicial interventions, health rights

**Exploring the Domestic Violence Act 2005 in the Context of Matrilineality:  
Understanding Kinship Systems and Domestic Violence in Meghalaya**

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**Abstract**

Domestic violence is a widespread issue impacting lives globally, transcending cultural boundaries and affecting individuals, families, and communities. However, in the context of the matrilineal communities of the state of Meghalaya, namely the Khasi, Jaintia and Garo tribes, there is an added layer of tribal customary practices that complicates the manner in which existing laws aimed at protecting the rights of women can be understood and legally grappled with. In this sense, the Protection of Women from Domestic Violence Act, 2015 is uniquely placed within the context of the protection accorded to tribal practices under the aegis of the Sixth Schedule of the Constitution of India. This paper will problematize the unique cultural landscape of Meghalaya, particularly of its Khasi tribe, that complicates the redressal of grievances that arise out of domestic violence. Drawing upon insights in an interdisciplinary manner and turning to law, psychology, sociology, and criminology, the issue of domestic violence in Meghalaya can be uncovered as intimately linked to notions of power and the larger insecurity revolving around the erosion of customary traditional values. Therefore, by specifically focusing on domestic violence against Khasi women in Meghalaya, the paper aims to evaluate the efficacy of the law enforcement agencies in relation to responsiveness and justice delivery, the experiences of survivors, and identify support services tailored to acknowledge the unique narratives of each survivor, recognizing the trauma they endure in recounting their experiences. By examining these legal and constitutional frameworks, the paper will identify the existing gaps that emerge during the operation of the domestic violence law, aiming to articulate areas where more effective interventions and support systems can be envisaged. The originality of the paper lies in its exploration of the survivors of domestic violence, particularly the Khasi tribe and further, understanding the Criminal Justice Stakeholders including the police officers, public prosecutor, judges, governmental and nongovernmental organizations who are working in the fields of gender equality, prevention of domestic violence, and legal reform.

**Keywords:** Domestic violence, Khasi, matrilineality, tribal kinship system

# **Rethinking Law and Policy: Advancing Global Economic Justice for Enhanced Quality of Life**

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## **Abstract**

This paper undertakes a comprehensive investigation into the convergence of law, policy, and living standards within the context of global economic justice. The research primarily examines public law, society, and governance and proposes a fresh approach to reforming legal frameworks to tackle the intricate socio-economic concerns of today.

This study utilises a multidisciplinary approach to examine current legal structures and policy frameworks to determine how effective they are in encouraging fair allocation of resources, protecting basic rights, and enhancing overall social welfare on a worldwide level. The essence of originality is found in amalgamating various scholarly viewpoints, empirical examinations, and case studies to provide fresh and unique understandings of the complex dynamics of law, government, and quality of life. The study aims to connect theoretical discussions with real-world implementation, suggesting practical suggestions for policymakers, legal professionals, and members of civil society to adjust legal systems to achieve more inclusion, justice, and sustainability. Promoting a comprehensive understanding of justice, the research supports aligning legal norms with the requirements of economic progress, social unity, and environmental conservation. The study may result in the development of new policy measures designed to improve economic fairness and overall well-being on a domestic and global scale. This may entail implementing changes in sectors such as labour legislation, environmental oversight, taxation, and social welfare services, with a focus on advancing equity, inclusiveness, and sustainability. In summary, the paper has a capacity to initiate significant change by impacting policies, creating legal structures, empowering communities, expanding academic research, and promoting international collaboration in order to achieve a fairer and more equal society.

**Keywords:** Law, policy, global economic justice, inclusion

# **Economic Sovereignty: Assessing CFA Franc's Impact on Rights of Citizens of Francophone Africa**

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## **Abstract**

In 1945, Francophone Africa signed the CFA Franc Monetary Agreement, beginning French neo-imperialism. Initially pegged to the French Franc, later to Euro and despite France's claims (Gulde & Pattillo, *et al.* 2008, p. 21), the French excessive involvement in note manufacturing in Chamalières with no EU involvement, 50% assets deposition with French-Treasury, holding key and major decision-making positions (Biankola & Kongo, 2020), and control over the natural resources (Asiedu, 2019, p. 33) has led to hinderance in development, low export-competitiveness (Gulde & Pattillo, *et al.* 2008, p. 68), high-imports (Asiedu, 2019, p. 33), cheap and child labour and slowed economic growth (Asiedu, 2019, p. 9), which raise concerns about Economic Sovereignty and CFA Franc citizen's Economic and Human Rights. While the former has been extensively discussed in academia, the latter remains unexplored, especially in terms of international, economic, and human rights framework, which could be treated as a research gap.

The results would be multidisciplinary and would highlight the impact of CFA Franc on the economic sovereignty and the rights of citizens in the context of stagnation in development, little monetary control, access to justice and exploitation of citizens and natural resources, providing an analysis of the complex dynamics at play.

**Keywords:** CFA Franc, citizen's economic rights, currency arrangements, economic sovereignty, international economic law, human rights in Francophone Africa

## **Digital payment Adoption by Citizens of Tier 2 Cities in India: Studying Moderating role of Pandemic Covid'19**

Dr. Davinder Kaur Sohi and Dr. Rishi Manrai

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Assistant Professor, Amity Business School, Amity University

### **Abstract**

In the aftermath of COVID-19 pandemic, the current study attempts to uncover the primary factors influencing digital payment uptake in Tier 2 cities. The authors have attempted to add to the current body of knowledge by extending UTAUT-2 with two constructs: intrinsic motivation and trust. A questionnaire-based survey in India was conducted in Tier 2 cities of Punjab and yielded 450 responses, which were used for testing the study model using the SEM technique. COVID-19 pandemic was discovered to be a significant construct moderating the relationship between behavioral intention to adopt digital payment and usage behavior.

**Keywords:** Digital payment, intrinsic motivation, UTAUT, behavioral intention, COVID-19 pandemic

# **In the Shadows of a Democracy: A Closer Look at India's Unique Political Funding Initiative: The Electoral Bond Scheme**

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Dr. Ananya Sharma, Assistant Professor, Symbiosis Law School, Pune

## **Abstract Abstract**

Electoral information forms the panacea to a successful democracy, without which a democracy would collapse. The Indian Supreme Court, in several landmark cases, has upheld the electorate's Right to Information, followed by a successful statutory recognition in 2005. The Electoral Bond Scheme, promulgated in 2017, sparked a considerable debate vis-a-vis this accountability dimension, considering its implications on the Right to Information. The scheme, which allowed anonymous donations to be made to political parties, fettered the Right to Information by vesting the power dynamics, subtly yet powerfully, in the sways of the ruling government. The recent Supreme Court manoeuvre to declare this scheme unconstitutional is an indication of the power that the Right to Information holds in a democracy. This paper delves deep into the Electoral Bond Scheme's intricacies while analyzing its impact on the germane information legislation.

**Keywords:** Democracy, electoral bond, government, information, unconstitutional

# **Criminal Arbitration of Cognizable Financial Offences and Direct Conflict with Rule of Law**

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## **Abstract**

In a state governed by the Rule of Law, adopting transnational arbitration for cognizable financial offences will directly conflict with the basic structure of the Indian Constitution and Articles 19 and 21 of the Indian Constitution.

The nature of the remedy sought under the criminal case is in response to a violation of a *right in rem*. The nature of criminal confrontations creates concerns about the mechanisms for redress, especially white-collar crimes like money laundering and fraud. Arbitration tribunals can inflict punitive damages and criminal penalties in foreign states for trans-national arbitration, unlike in India, where their jurisdiction is limited to civil remedy considering their contrasting nature from the criminal judicial system. The essential feature of arbitration procedures is the freedom of the parties to voluntarily submit to the law (including criminal law) that governs them, which is restricted under the Indian Arbitration Structure. This is supplemented by the fact that criminal remedy demands restrictions on personal liberty (including property rights) and an individual's life, considering its grave nature, for which the Indian arbitration system lacks competency. This includes guaranteeing a non-biased and lawful election to the arbitration chair and neutral conduct of proceedings, i.e., Articles 112, 124, 214, 124(4), 348(1)(a), and the like. Therefore, empowering arbitration tribunals to grant punitive remedies or substitutions the same with punitive damages will fail the purpose of criminal remedy, i.e., deterrence. Henceforth, bringing such a concept to India would conflict directly with the Supremacy of Law, an essential component of the Rule of Law under the Basic Structure of the Indian Constitution. The study's rationale is for Criminal Arbitration of Cognizable Financial Offences and Direct Conflict with the Rule of Law. Adoption of a foreign arbitration structure empowering their transnational chairs to impose penal consequences in matters concerning financial cognizable offences cannot be adopted.

**Keywords:** Criminal arbitration, rule of law, financial offences, direct conflict



# **Navigating the Conundrum: Electoral Bonds and the Clash of Fundamental Rights in Indian Political Financing**

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## **Abstract**

This research examines the implementation of electoral bonds in India, established in 2018 to improve openness and accountability in political financing. Controversies emerged regarding the undisclosed identities of contributors, leading to worries about the lack of transparency and clarity. The *Association for Democratic Reforms (ADR) v. Union of India* demonstrates that Electoral Bonds are subject to careful examination by the judiciary due to their legal intricacies. The current events, such as the involvement of the Supreme Court, emphasise the cautious equilibrium between openness and confidentiality of donors, influencing the discussion on Electoral Bonds. Despite flaws, no alternative system balancing transparency and donor privacy has emerged, which is crucial for curbing black money. The objective of this research is to support a thorough examination of the Electoral Bond system, considering its effects on democratic principles and the responsibility of political funding, and to identify an alternative system that achieves a balance between transparency and the privacy of donors, which is essential for reducing illicit funds.

This study utilises documentary research to examine the existing literature, legal cases, and comparative assessments of Electoral Bonds in India. The research emphasises the importance of strong measures to protect democratic ideals in light of concerns about the lack of transparency in political financing. The participation of the Supreme Court underscores the seriousness of the problems under consideration, requiring a sophisticated comprehension of the consequences of Electoral Bonds. The findings emphasise the need to evaluate the efficacy of the Electoral Bond system in enhancing openness and accountability in political financing.

**Keywords:** Electoral bonds, India, transparency, accountability, Supreme Court intervention, political funding

# **Addressing Deficiencies in Juvenile Trial Procedures: A Critique of the 2015 Amendment to the Juvenile Justice Act**

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## **Abstract**

This paper deals with eliminating lacunas in the trial procedure for juvenile delinquents. Analysis of NCRB data (post-implementation of the Amendment Act) leads to the conclusion that the Act's implementation has failed to achieve the objective of its enactment and helps eliminate the existing research gap in this domain.

This paper challenges the amendment brought to the Juvenile Justice (Care and Protection of Children) Act of 2000 in the year 2015, introduced in the backdrop of the Nirbhaya case, which led to the creation of discriminatory trial procedure for juvenile delinquents in the age bracket of 16 to 18 years, by analysing the purpose of the 2000 Act along with the implications of the 2015 Amendment Act.

To endorse this claim, the authors examine the constitutional provisions and the principles of natural justice as well as scientific, jurisprudential, and societal perspectives. The authors have examined the parliamentary standing committee and the Verma Commission report. The authors have established a contradiction in the NCRB data relied upon by the government and the object sought to be achieved by the government relying on this data.

The methodology adopted for this research is doctrinal research using secondary sources. The authors conclude that the 2015 Amendment Act deserves to be quashed for having caused more harm than good to society. This study lacks research on the ground reality of juvenile delinquents. Such primary research is more reliable than the NCRB data, which relies on the number of FIRs against juveniles (and similar data). This study, by endorsing a reformatory approach, would protect juveniles (16-18 years of age) facing trials but lack the capacity to understand the repercussions of the offences they allegedly committed.

**Keywords:** Age 16 to 18, juvenile delinquents, NCRB, reformatory, retributive approach

# **From Resource to Crisis: Understanding Complexities of Sand Mining**

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## **Abstract**

Sand mining is a significant but marginalized problem that harms the environment, livelihood, sustainability, and governance. It is equally important as oil and a necessary component for major industries. It is the Earth's second-most exploited resource. Most of the negative effects of widespread sand extraction are frequently overlooked or disregarded. This study sheds light on how sand mining affects ecosystems, specifically focusing on habitat loss, erosion, and water degradation. Additionally, it looks at how sand mining affects the local communities' infrastructure and means of subsistence. The paper lays bare India's burgeoning illicit sand mining sector, which is becoming a nuisance to the population and the nation. In the current paper, a range of case studies of locations in India where sand mining operations are currently taking place were used to analyze the effects of sand mining on the availability of land for agricultural services, which creates food shortages, poverty, criminality, and migration. This research analyses the legal framework governing sand mining in India and points out its shortcomings. To address these issues and fill the regulatory loopholes, the paper proposes developing integrated sand mining systems that consider sustainable livelihoods, environmental protection, and effective governance.

**Keywords:** Ecosystem, habitat loss, illicit sand mining, livelihood, sand mining, sustainable governance

## **Surrogacy Laws in India: Ethics V. Legality**

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have been considered fundamental rights. Regrettably, not every couple enjoys bearing a child through natural processes. In this close-knit tapestry of reproductive technologies, the research on surrogacy laws in India stands at a crossroads of ethics and legality. Thus, it strongly weaves together the aspirations of individuals and the regulatory framework. Through this instant academic venture, an effort has been made to critically highlight socio-legal and ethical implications of surrogacy laws by systematically characterising its nature. It first explores the complex interplay between legal frameworks and ethical issues in the context of Indian surrogacy regulations. Secondly, it examines the evolving legal landscape of surrogacy against the backdrop of the Surrogacy (Regulation) Act of 2021. The subsequent part delves deep into the legal aspects of surrogacy concerning the role of National Surrogacy Boards and State Surrogacy Boards in guaranteeing morality and compliance. It then critically examines its impact on the interest and autonomy of the intended parents, surrogate mothers, and the surrogate child. While the commercialisation of surrogacy is counterintuitive to Indian society, reproductive health is critical to the freedom enshrined under Article 21 of the Constitution of India. Therefore, this article aims to add to the ongoing dialogue and argues against a comprehensive ban by investigating the ramifications, opportunities and challenges to the legal system and the parties concerned. It then concludes by emphasising the need to address regulatory gaps in India's current surrogacy governance module.

**Keywords:** Surrogacy, altruistic, intended, parents, surrogate, commercial

# **Reviving Mawmluh Cherra Cements Limited in Meghalaya: A Stakeholder-Centric Approach through Public-Private Partnerships**

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## **Abstract**

The state of Meghalaya has very few viable public-sector industries. Given that the state is currently grappling with development indices that are lagging behind the other states of the North East, the potential revival of Mawmluh Cherra Cements Limited (MCCL) through a Public-Private Partnership (PPP) model in Meghalaya in 2021 has gained attention and garnered debates in the public domain. The paper aims to place this proposal within two overlapping contexts: the unique cultural and economic landscape of Meghalaya, where governance and law are mediated through not only the State government but also the traditional bodies recognised by the Sixth Schedule of the Constitution, and second, the paper aims to highlight the significance of PPPs in infrastructure development and socio-economic growth, emphasizing the need for good governance, stakeholder participation, and transparency in such ventures and aspects that are arguably not well understood in the context of the state. The research adopts a qualitative approach, combining literature review and stakeholder interviews to identify factors contributing to the company's downturn, explore community awareness of the PPP transition, and provide policy recommendations for sustainable development. Semi-structured interviews guided by a questionnaire are conducted to gather opinions and insights from stakeholders who have variously expressed uncertainties regarding the PPP model and concerns around employee well-being and environmental impact. The research findings serve as a roadmap for addressing community needs and ensuring a successful and sustainable revival of MCCL.

**Keywords:** Meghalaya, Public-Private Partnership (PPP), stakeholder participation, sustainable development

# Geriatric Mental Healthcare in India: Towards Sustainable Development Goals

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## Abstract

The aging population presents a unique challenge for healthcare systems, especially in addressing mental health issues among the elderly. As per the current estimates global population of individuals aged 60 and above is projected to double by 2050; which indicates the need to prioritize geriatric mental healthcare. Geriatric mental healthcare is a critical component for two of the seventeen SDGs: Goal 3 (Good Health and Well-being) and Goal 10 (Reduced Inequalities). For geriatric mental health and well-being, availability and affordability of quality healthcare services without discrimination and an inclusive approach are crucial elements.

In India, the advancements in healthcare have undoubtedly extended life expectancy but they have also intensified the burden of age-related mental disorders. Multifaceted challenges of geriatric mental health including a significant treatment gap and diminished quality of life for older adults is significantly evident. This paper explores the intersection of geriatric mental healthcare in India and its alignment with Sustainable Development Goals (SDGs).

With an objective to explore strategies for comprehensive and sustainable solutions, the paper looks at existing laws and policies relating to geriatric mental healthcare. It explores the government and non-government programs and their utility in availing geriatric mental healthcare services. Using the lens of human rights, the authors aim to explore strategies to empower older adults and the role of technology as well as data in optimising the end-objectives of the current programs. The paper employs qualitative methodology – that includes data-based analysis to assess required law and policy reforms and to evaluate existing interventions. The paper aims to suggest strategic interventions for equitable access to geriatric mental healthcare in India.

**Keywords:** Geriatric, Mental Health, Rights, Healthcare, Well-being, Sustainable Development Goals, India