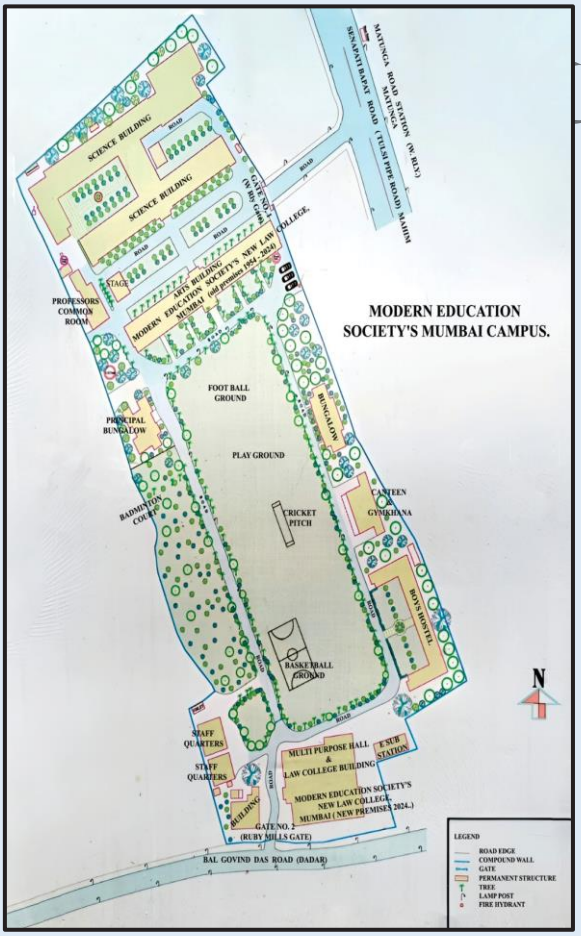
MODERN EDUCATION SOCIETY'S

NEW LAW COLLEGE

Law College Building' in MES Mumbai Campus



Mr. Neville Wadia | Mr. Nowrosjee Wadia | Prin. V. K. Joag | Sir Cusrow Wadia | Sir Ness Wadia

Modern Education Society, Poona.

Our parent body Modern Education Society was established in 1932, with the motto "FOR THE SPREAD OF LIGHT". It is registered under Act No. XXI of 1860 on 17th February, 1932 and under the Bombay Public Trusts Act of 1950 [No.F.29 (Pune)] on 28th October, 1952. Principal V. K. Joag, an eminent Educationist and his colleagues founded the Modern Education Society, Poona, with the generous assistance of Sir Cusrow Wadia and Sir Ness Wadia and other public-spirited citizens in the cities of Poona, Bombay and elsewhere.

LUSH GREEN CAMPUS

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E- MAGAZINE COMMITTEE MEMBERS OF A.Y 2023-2024

SR. NO	NAME
1.	Dr. Shivani S. Shelar (I/ C Principal)
2.	Prof. A. A Kazi (Faculty)
3.	Dr. Pradnya Pahurkar (Faculty)
4.	Revannath Garje (Faculty)
5.	Mrunmayi Ranade (Librarian)
6.	Dinesh Aggarwal (Student member)
7.	Pravin Meher (Student member)

Principal's Desk

Dear Students,

I am pleased to welcome you all to the Modern Education Society's New Law College. Ours is one of the leading institutions imparting three years LL.B course.

The college has a humble legacy spanning 70 years of quality education, achievements and growth. It has contributed to the nation, the alumni who have excelled in various fields. NLC has a unique distinction of being the first Private College and second Law College to be established in Bombay.

The College is blessed to have a green campus and it is located in Mahim and is well connected to road and railway network.

Various eminent personalities and dignitaries visit the college Campus and interact, enrich the minds of the staff and students of New Law College

The college encourages students to participate in various Co-curricular activities (Court visits, visit to Judicial Academy, Solicitor-firm Visit, Police Station Visits, Legal Literacy and Legal Aid Camps, Study tour, Lecture series on Court Crafts, Self-Awareness, Public Speaking, Moot Court)

Extra -Curricular Activities (Student Council, Debaters Club, Workshop on Personality Development, Slogan and Posters making Competition, Youth Parliament, Model United Nations)

Cultural Activities (Cultural Days in the College, Rose Day, Chocolate Day, Friendship Day, Traditional Day, Teachers Day, Dramatics, One Act Play Competition, College Picnic, College Annual Day)

Sports Activities (Inter Collegiate Sports: Foot Ball, Cricket, Chess, College Sports Day)

Good luck for your bright and challenging career!

Dr. Shelar Shivani Shashikant,

In charge Principal

E – MAGAZINE 2023-2024

New Law College embarks on the measured journey of digital empowerment. We are moving towards the first step with immense excitement by launching Institute's very first E- Magazine which will be available to all the students on the NLC website. This initiative marks a significant step towards enhancing on educational, research resources with all vibrant and talented teachers, students and alumni.

E- Magazine is a valuable compiled resource and learning experience with a motive to foster collaboration and dialogue among the students and faculties. We envision it as space where the students can take steps towards their legal research, writing journey to enhance their skills.

The present theme of the magazine 2023-2024 is Nostalgia. Where we are including all the research articles of the esteemed and talented faculties and alumni which they have written and included previously. The selection of this theme is to commence for deeper engagement between the students, teachers and the Institute. We are including selected contributions in the form of their legal research articles as a reflection to inspire and encourage others to contribute.

This is a First Digital College Magazine, we have kept it simple, it is a compilation of the already written or published article of the faculties. We have included articles written by alumni of the Institute as well. No Copyright infringement is committed, as we have taken the permission of the authors for the articles already published/ unpublished. The rights are reserved for all the unpublished articles/ poems by New Law College. This is a stepping stone to embark on the journey with you by exploring and celebrating the coming new years with more innovative and research based redefinitions of the collective efforts.

Dr. Pradnya Pahurkar

Assistant Professor

COLLEGE ANNUAL REPORT (2023-24)

The New Law College established in the year 1954, permanently affiliated to Mumbai University. Our Parent organization is Modern Education Society, Pune. The vision of the college is "Spread Legal Education." The College have a huge green campus, Airy class rooms, big library which always give positive energy to us and our students.

We having a 3 years law course with 795 students. I would like to start our Annual Report from the analysis of last year result, that is- A.Y. 2022-2023.

3rd LL. B- 92%, 2nd LL. B- 87% AND 1st LL. B- 86%

This Academic year start from 1st July 2023. However, our lectures for 3rd LL.B start from 17th July, 2023. This Academic Year we had a fantastic experience of performances, achievements and challenges for us. Because our admission process, especially for first LL.B is in the hands of CET and examination in the hands of University of Mumbai. Between these we use to conduct our lectures, Part A and Part B exams, we balancing other co-curricular and extra-curricular activities also.

Co-curricular Activities- We on college level conducted various activities like Demo Moot, Demo Client Counselling, Library Orientation, Fresher's Moot, Police station, Court visit and Jail visit.

Extra- Curricular Activities- Sports- Indoor- Chess, Table Tanis and Carrom.

Sports- Outdoor- Relay, Tough of War, Shot-put, Cricket, Badminton etc.

Cultural Activities- Marathi Bhasha Divas with Kaya Vachan, Saree Day- Tie Day, Traditional

30th September,2023	Seminar on Muslim Women (Protection of Rights on Marriage) Act, 2019
2nd October,2023	Swatch Bharat Abhiyan
10th October,2023	Seminar on World Mental Health Day
11th October, 2023	Seminar on International Girl Child Day
21st October, 2023	Seminar on Awareness of Cyber Security
21st October, 2023	Special Lecture on Overview of Crpc
25th October, 2023	Demo moot on Client Counselling
28th November,2023	Special Lecture on Topic of Public Interest Litigation
12th January, 2024	Seminar on National Youth Day
20th January,2024	Workshop on basics of Legal Research and Legal Writing
16th , 17th February, 2024	Book Exhibition
20th February,2024	Relief through Legislature by Edrich Miranda
7th March,2024	Seminar on Woman's Day seminar on Dowry Prohibition Act.

Day with Rose Day, two days picnic at Shivneri, Laynyadri and Malshej.

List of Special Lectures/ Seminars held for A.Y. 2023-24

20th October, 2023	Demo Moot
07th November,2023	Fresher's Moot

10th November, 2023	Diwali Party
20th December,2023	Function on Saree Day, Antakshari
22nd December,2023	Function on Traditional Day, Chocolate Day
27th February ,2024	Marathi Bhasa Divas
1st,2nd and 3rd March, 2024	Sports Day
24th March, 2024	Annual Function

List of Cultural Events held for A.Y. 2023-24

Student Achievements- Our students participated various National and State level Competitions and won the prizes. (Copy attached)

Sr No	Participant Name	COMPETTITON
1	**Aaditi Lugade**	Won Gold Medal in Chess (Girls) held at New Law College
2	**Akanksha Desai**	Winner of Antakshari Competition held at New Law College Semi finalists National Quiz competition by Prajatantra Foundation Best Researcher and Winner Best Team Inter-collegiate Moot trial competion, S.M. Shetty College
3	**Akshay Jadhav**	Felicitated by Mumbai Central Jail for legal assistance to undertrial prisoners
4	**Amrin Syed**	Participated in National Level Client Counselling Competition held at V.E.S. College of Law
5	**Anil Sawaratkar**	Won Silver Medal in Table Tennis (Boys) at New Law College

6	**Anushka Bandekar**	Participated in National Moot Court Competition held at Nanded Law College
7	**Apoorva Ramade**	Participated in National Moot Court held at Nari Gursahani Law College Winner of Antakshari Competition held at New Law College Semi finalists National Quiz competition by Prajatantra Foundation
8	**Archana Rajpure**	Participated in 3rd Indian Legal Wing National Quiz Competition
9	**Arun Choudhary**	Won Gold Medal in Badminton (Mixed doubles) at New Law College
10	**Arundhati Thakur**	Participated in Debater's Den Competition, National level held at J. H. Patel Law College Participated in Jurisquizzical Competition, National level held at J. H. Patel Law College
11	**Ashok Sawalkar**	Won Gold Medal in Carrom- Singles (Boys) held at New Law College
12	**Bhairavie Kharat**	Won Silver Medal in Carrom- Mixed held at New Law College Won Bronze Medal in 100 Meter Running (Girls) held at New Law College

13	**Dineshkumar Agarwal**	Participated in Client Counselling Competition held at G. J. Advani Law College Participated in National Level Client Counselling Competition held at K. C. Law College Semi Finalist National Client Counselling Competition held at Kerla Law Academy Law College Participated in National Level Client Counselling Competition held at V.E.S. College of Law
14	**Dipak Modak**	Participated in 3rd Indian Legal Wing National Quiz Competition
15	**Ekta Kapasi**	Participated in Model Indian Parliamentary Session held at VPM's TMC Law College
16	**Gautami Kamble**	Participated in National Moot Court Competition held at K. G. Shah Law School
17	**Gautami Patil**	Participated in D. M. Harish Memorial Intercollegiate Elocution Competition held at G. J. Advani Law College
18	**Gayatri Rathod**	Participated in Client Counselling Competition held at G. J. Advani Law College Participated in Debate Competition held at G. J. Advani Law College Participated in National Level Mediation Competition held at K. C. Law College Won Runner Up prize in State Level Moot Court Competition held at Oriental Law College

		Participated in First National Level Debate Competition held at V.E.S. College of Law
19	**Harsh Rana**	Won Runner Up prize in State Level Moot Court Competition held at Oriental Law College Participated in Shri Hashuji Advani Memorial National Moot Court Competition held at V.E.S. College of Law
20	**Hritika Soparkar**	Participated in National Legal Debate Competition held at Agnel School of Law
21	**Isha Jain**	Participated in National Level Asian Parliamentary Debate Competition held at Nari Gursahani Law College
22	**Isha Sanghavi**	Participated in 3rd Indian Legal Wing National Quiz Competition
23	**Karan Shukla**	Won Gold Medal in 100 Meter Running (Boys) held at New Law College Won Gold Medal in Shotput (Boys) held at New Law College
24	**Karishma Sikka**	Won Second Prize in 18th Nani A. Palkhivala Memorial Inter-Collegiate Elocution Contest organized by Nani A. Palkhivala Memorial Trust
25	**Kaveri Chole**	Participated in Debate Competition held at G. J. Advani Law College Participated & won Best Question Prize in Model Indian Parliamentary Session held at VPM's TMC Law College
26	**Kavleen Marwah**	Participated in Client Counselling Competition held at G. J. Advani Law College

		Participated in Quiz Competition held at Shree L. R. Tiwari College of Law Participated in National Moot Court Competition held at Nanded Law College
27	**Ketki Joshi**	Participated in Client Counselling Competition held at G. J. Advani Law College Participated in National Moot Court Competition held at Nanded Law College Won Bronze Medal in Shotput (Girls) held at New Law College Won Gold Medal in Carrom- Mixed held at New Law College
28	**Lourdes Colaco**	Participated in 3rd Indian Legal Wing National Quiz Competition Won Second Position in Intra-collegiate Judgment Writing Competition 2023 held at New Law College
29	**Mahesh Jakkani**	Won Silver Medal in Carrom- Singles (Boys) held at New Law College
30	**Malise George**	Participated in Quiz Competition held at Shree L. R. Tiwari College of Law Participated in Jurisquizzical Competition National Level held at J. H. Patel Law College Participated in Moot Court Competition National Level held at J. H. Patel Law College

31	**Mamta Bhat**	Participated in National Moot Court Competition held at K. G. Shah Law School
32	**Manasi Manjrekar**	Participated in State Level online Essay Competition on the Women's Right and their protection organized by New Law College
33	**Mansi Devlekar**	Participated in D. M. Harish Memorial Intercollegiate Elocution Competition held at G. J. Advani Law College
34	**Mihika Save**	Won Silver Medal in 100 Meter Running (Girls) held at New Law College Won Silver Medal in Shotput (Girls) held at New Law College
35	**Mitesh Patil**	Participated in National Level Quiz Competition held at G. J. Advani Law College
36	**Namira Shaikh**	Won the First Position in Intra-collegiate Judgment Writing Competition 2023 held at New Law College
37	**Nitaynand Sarnobad**	Won Bronze Medal in Shotput (Boys) held at New Law College
38	**Omkar Adiwarekar**	Participated in National Appellate Moot Court competition held at Thakur Ramnarayan College of Law Participated in National Level Judgment Writing Competition held at G. J. Advani Law College Participated in National Level Quiz Competition held at G. J. Advani Law College
39	**Pallavi Joshi**	Participated in Moot Court Competition, National level held at J. H. Patel Law College

40	**Pooja Chettiar**	Participated in State Level online Essay Competition on the Women's Right and their protection organized by New Law College
41	**Pragya Gupta**	Winner Best Team prize in Inter-collegiate Moot trial competion held at S.M. Shetty College
42	**Prajakta Vaware**	Participated in Debater's Den Competition, National level held at J. H. Patel Law College Participated in Moot Court Competition, National level held at J. H. Patel Law College Participated in Negotiate, Settle and Succeed Competition, National level held at J. H. Patel Law College
43	**Pravin Meher**	Participated in Letter to the Chief Justice Competition, National Level held at K. C. Law College
44	**Pravin Shukla**	Participated in National Debate Competition held at V.E.S. College of Law Semi finalists in Policy presentation on Municipal Finance, National Youth Festival by Prajatantra Foundation
45	**Pravin Thorat**	Participated in National Level Quiz Competition held at G. J. Advani Law College Won Runner Up prize in State Level Moot Court Competition held at Oriental Law College
46	**Rahul Chauhan**	Participated in 3rd Indian Legal Wing National Quiz Competition

		Won the Third Position in Intra-collegiate Judgment Writing Competition 2023 held at New Law College
47	**Richa Sharma**	Won Second Prize in State Level online Essay Competition on the Women's Right and their protection organized by New Law College
48	**Rohan Salunke**	Won Bronze Medal in 100 Meter Running (Boys) held at New Law College
49	**Rudrani Dalavi**	Won Gold Medal in100 Meter Running (Girls) held at New Law College
50	**Sagar Mane**	Won Silver Medal in Shotput (Boys) held at New Law College
51	**Samiksha Lembhe**	Participated in National Moot Court held at Nari Gursahani Law College Participated in Policy presentation on Urban Economy, National Youth Festival Prajatantra Foundation Winner of Antakshari Competition held at New Law College
52	**Samiksha Vichare**	Participated in National Level Essay Writing Competition held at G. J. Advani Law College Participated in State Level online Essay Competition on the Women's Right and their protection
53	**Samya Korde**	Winner, Traditional Day Best Costume competition held at New Law College
54	**Sanchet Ambokar**	Won Silver Medal in 100 Meter Running (Boys) held at New Law College

55	**Sandeep Lokhande**	Won Silver Medal in Chess (Boys) held at New Law College
56	**Satish More**	Completed Ten day Advanced Course on Drafting of Contract, Agreements and Deeds conducted by Legal Expatiate
57	**Saundarya Gandhi**	Won Silver Medal in Chess (Girls) held at New Law College
58	**Shashank Narvekar**	Won Gold Medal in Table Tennis (Boys) held at New Law College Won Gold Medal in Chess (Boys) held at New Law College
59	**Shraddha Naik**	Won Gold Medal in Badminton (Mixed doubles) held at New Law College
60	**Shreyas Bandgar**	Winner of Musical Chair competition held at New Law College
61	**Shrutika Ghag**	Won Silver Medal in Table Tennis (Girls) held at New Law College Won Silver Medal in Carrom- Singles (Girls) held at New Law College
62	**Siddhesh Giri**	Won Runner Up prize in National Level Letter to the Chief Justice Competition held at G. J. Advani Law College
63	**Smita Pednekar**	Won Gold Medal in Table Tennis (Girls) held at New Law College Won Gold Medal in Carrom- Singles (Girls) held at New Law College
64	**Snehal Navale**	Participated in 3rd Indian Legal Wing National Quiz Competition

65	**Tushar Gite**	Participated in National Level Asian Parliamentary Debate Competition held at Nari Gursahani Law College
66	**Vaibhav Jaiswal**	Participated in Late D. M. Harish Model Parliamentary Debate Competition held at K. C. Law College Won Silver Medal in Carrom- Mixed held at New Law College
67	**Vaishali Bandgar**	Won Gold Medal in Shotput (Girls) held at New Law College
68	**Vaishnavi Dalvi**	Participated in National Level Judgment Writing Competition held at G. J. Advani Law College Participated in National Level Quiz Competition held at G. J. Advani Law College
69	**Vedant Pange**	Participated in National Legal Debate Competition held at Agnel School of Law,
70	**Vijay Nichal**	Participated in 3rd Indian Legal Wing National Quiz Competition Won Gold Medal in Carrom- Mixed held at New Law College
71	**Vinita Rao**	Participated in 3rd Indian Legal Wing National Quiz Competition Participated in National Level Client Counselling Competition held at K. C. Law College Semi Finalist National Client Counselling Competition held at Kerla Law Academy Law College

72	**Viresh Anurag**	Participated in National Appellate Moot Court competition held at Thakur Ramnarayan College of Law Winner Best Team prize in Inter-collegiate Moot trial competion held at S.M. Shetty College
73	**Visheshwar Pandey**	Participated in National Appellate Moot Court competition held at Thakur Ramnarayan College of Law Participated in National Moot Court held at Nari Gursahani Law College Winner of Antakshari Competition held at New Law College
74	**Vivekkumar Nishad**	Winner Best Team prize in Inter-collegiate Moot trial competion held at S.M. Shetty College
75	**Yash Arya**	Participated in Shri Hashuji Advani Memorial National Moot Court Competition held at V.E.S. College of Law Won Runner Up prize in State Level Moot Court Competition held at Oriental Law College
76	**Yash Mittal**	Participated in National Appellate Moot Court competition held at Thakur Ramnarayan College of Law Winner Best Team prize in Inter-collegiate Moot trial competion held at S.M. Shetty College
77	**Yashwant Mane**	Participated in National Level Asian Parliamentary Debate Competition held at Nari Gursahani Law College

Added in special prizes

78	**Devavrat Hiray**	Winner Interzonal Hockey Tournament at Univesity of Mumbai
79	**Jayesh Mhatre**	Represented UoM in All India (Nationals) Inter-University Baseball Tournament- Mens Team
		Won Silver medal in Iner-Zonal Baseball Tournament- Mens Team, University of Mumbai
		Won Silver medal in Iner-Zonal Softball Tournament, University of Mumbai
80	**Karan Shukla**	won Gold Medal in 37th National Games 2023 Water Polo organized by Swimming Federation of India

Academic Prizes-

Ekta Patil

Shri R.V. Jahagirdar Prize

Late Shri N.Y. Tendulkar Prize

Late Prof. M.S. Vidwans Prize

Late Shri Vishwanath S. Kanetkar Prize

College Prize

For securing first rank in the FINAL LL.B. Examination

Senior Advocate K. J. Abhyankar Memorial Prize

for securing highest number of marks in the subject of Interpretation of Statutes at THIRD LL.B. Examination of the University of Mumbai

Mahesh Kutekar

College Prize

For securing second rank in the Final LL.B. examination

Late Dr. P.W. Rege Prize

for securing highest number of marks in the subject of Criminal Procedure Code at THIRD LL.B. Examination of the University of Mumbai

Pranav Pradhan

College Prize

For securing Third rank in the Final LL.B. examination

Vedanti Jadhao

Late Dr. P.W. Rege Prize

for securing highest number of marks in the subject of Criminal Procedure Code at THIRD LL.B. Examination of the University of Mumbai

Mohammad Reluwan

Late Dr. P.W. Rege Prize

for securing highest number of marks in the subject of Criminal Procedure Code at THIRD LL.B. Examination of the University of Mumbai

Gayatri Patil

Late Prof. M. K. Joshi Prize

For securing highest number of marks in the subject of INDIAN EVIDENCE ACT at 3rd LL.B. Examination held of the University of Mumbai

Ekta Mayekar

Senior Advocate K. J. Abhyankar Memorial Prize

for securing highest number of marks in the subject of Interpretation of Statutes at THIRD LL.B. Examination of the University of Mumbai

Akanksha Desai

College Prize

For securing first rank in the Second LL.B. Examination

Late Shri Vasudeo Kashinath Joshi Scholarship

For securing highest number of marks in the subject of HINDU LAW (FAMILY LAW – II) at the College in the 2nd LL.B. Examination

Late Shri Sadanand Purushottam Khandeparkar Prize

For securing highest number of marks in the subject of TRANSFER OF PROPERTY ACT at SECOND LL.B. Examination

Karuna Matkar

College Prize

For securing Second rank in the Second LL.B. Examination

Late Shashikala S. Khandeparkar Prize

For securing highest number of marks in the subject of Jurisprudence at SECOND LL.B. Examination

Benjamin Jacob

Shri Nikesh P. Dholakia Prize

For securing highest number of marks in the subject of LAND LAWS at SECOND LL.B. Examination

Gautami Kamble

Shri Nikesh P. Dholakia Prize

For securing highest number of marks in the subject of LAND LAWS at SECOND LL.B. Examination

Late Shri Sadanand Purushottam Khandeparkar Prize

For securing highest number of marks in the subject of CONTRACT II at SECOND LL.B. Examination

Shambhavi Sadvilkar

Senior Advocate K. J. Abhyankar Memorial Prize

For securing highest number of marks in the subject of ADMINISTRATIVE LAW at SECOND LL.B. Examination

Komal Hodage

Prin. V. K. Joag Memorial Prize

College Prize

For securing first rank in the First LL.B. Examination

Late Dr. P.W. Rege Prize

Late Prof. M. K. Joshi Prize

For securing highest number of marks in the subject of INDIAN PENAL CODE at FIRST LL.B. Examination

Smt. Rita Nikesh Dholakia Prize

For securing highest number of marks in the subject of CONSTITUTIONAL LAW at FIRST LL.B. Examination

Priti Jain

Smt. Rita Nikesh Dholakia Prize

For securing highest number of marks in the subject of CONSTITUTIONAL LAW at FIRST LL.B. Examination

Mansi Devlekar

College Prize

For securing Second rank in the First LL.B. examination

Hritika Soparkar

Late Smt. Kamlabai P. Khandeparkar Prize

For securing highest number of marks in the subject of ENVIRONMENTAL LAW at FIRST LL.B. Examination

Special Prizes- For Academic Year- 2023-24

Nature of the Prize- Trophies and Certificate.

For Outstanding Student Trophy, Certificate and Cash Prize.

(Date: 24/03/2024)

Special Prize	**Name of the Student**
Active Students- Female	1.Shrutika Ghag-3rd LL,B 2. Gautami Kamble-3rd LL,B
Active Students- Male	1.ShreyashBandger-3rd LL,B 2. Yogi Lunge
Special Appreciation for working with DLSA	1.Ketki Joshi-3rd LL,B 2. Akshay Jadhav-3rd LL,B 3. Keshav Telang- 3rd LL,B
Special Appreciation for overall performance in Co- curricular Activities	1.Kavleen Marvah – 3rd LL.B 2. Dinesh Agarwal- 1st LL.B 3. Pravin Thorat-1st LL.B
Best Student	Sadvilkar Shambhavi- 3rd LL.B
Out Standing Student	Vishveshwar Pandey
Special appreciation in Sport	1. Hirey Devavrat- 3rd LL.B 2. Mhatre Jayesh- 1st LL.B
Sports Achievement	Karan Shukla- 1st LL.B

Teacher Achievements: -

1. Dr. Shelar Shivani published a research paper on, " Over-crowding in Prisons and Consequents Human Rights and Legal Rights Abuse" published in the journal of Management and Communication in the month of February, 2024.

2. Dr. Shelar Shivani participated and present a paper on "Indian Constitution-Basic Structure Doctrine" in one day International Conference, organized by K.C. Law College, Mumbai on 9th February 2024.
3. Dr. Shelar Shivani invited as a resource person to speak on the topic of "Women Empowerment" in D.G.Ruparel College of Arts, Commerce and Science on the occasion of celebrating International Women's Day on 7th March 2024.
4. Dr. Shelar Shivani and Prof. Saee Dumbare participated in a one-day workshop on "Adoption Laws and Child Rights" organized by MNLU, Powai, Mumbai on 13th January 2024.
5. Dr. Pradnya Pahurkar invited as Resource person for seminar on Intellectual Property Laws by Lala Lajpatrai College of Law, Mahalaxmi, Mumbai on ….
6. Dr. Pradnya Pahurkar and Prof. Ajinkya Barke participated and presented a papers in One-day Int. Seminar on "Legal and Policy Regime of Ouster Space of Global Governance" by Modern Law College, Pune.
7. Dr. Shelar, Prof. Garje and Prof. Kazi participated as a conciliator in National Lok-Adalat organized in Session Court, Mumbai on 9th Sept 2023 and 3rd March 2024.
8. Mrunmayi Ranade, Librarian participated and presented a paper on "Copyright in Digital Age: Issues and Challenges" in 7th MUCLA National Conference held at University of Mumbai on 6-7 March, 2024.

FACULTIES SECTION

This section includes all the research papers which they have participated in State/ National/ International seminar/ conferences published/ selected for publication or

presented. This articles are included as some of their recent/ best legal research papers/ articles as part of nostalgia.

"Critical Analysis of Muslim Women (Protection of Rights on Marriage) Act, 2019"

Prof. Shelar Shivani S.[1]

Key Words- Muslim Women, Personal Laws, Talaq-e-biddat, Uniform Civil Code, Secular Country, Triple Talaq practice criminalized with penal provisions.

Introduction: - In a legal system which has given personal laws a long rope for decades, Criminalizing practices such as triple Talaq was beyond imagination until the recent emerges of new jurisprudence in the realm of personal laws in India. The passage of Muslim Women (Protection of Rights on Marriage) Act, 2019 criminalizes extra-judicial talaq of Talaq-e-biddat also known as Talaq-e-bain or triple talaq. After enactment of this law, certain sections of society are floating and are looking forward to criminalizing bigamous marriages and outlawing the practice of Nikah Halala. It is even argued that this shall pay way for Uniform Civil Code. India is a secular country and has personal laws that govern matters of marriage, divorce, maintenance, inheritance, adoption, guardianship, succession etc. harmonizing and integrating different personal laws in the framework of uniform civil code is formidable challenge.

The summarization of Abolition of Tripple Talaq under the Muslim Women (Protection of Rights on Marriage) Act, 2019-

1) Now the Muslim women get relief from being the victim of triple talaq by their errant husbands.
2) Triple talaq practice was criminalized with penal provisions.

[1] Associate Professor, New Law College, Mahim, Mumbai

3) Muslim husband who will pronounce -talaq- shall be punished with up to 3 years imprisonment and also with fine. Amount of fine shall be decided by Magistrate of local jurisdiction.
4) Triple talaq is unconstitutional and it violates fundamental rights of Muslim women under Article 14 of Constitution of India.
5) Abolition of triple talaq relates to the Supreme Court case of Shayara Bano vs, Union of India, decided on 22nd August,2017[2]
6) IN Shayara Bano case Supreme Court rulings are that: -
    - What is bad in Holy Quran, cannot be good in Shairiat.
    - Specific grounds and procedure for talaq have not been codified in Muslim Personal Law (Shairiat) Application Act, 1937, section 2.
    - Triple talaq is against the basic tenets of Holy Quran and hence it violates Shairiat.
    - Triple talaq does not form the part of Article 25(1) of Constitution of India.
7) Declaration or pronouncement of talaq is illegal, void and unconstitutional.
8) Victims of triple talaq are entitled to custody of minor children.
9) Local police can arrest the errant husband without warrant from court. Complaint to local police can be given by victim of triple Talaq or by her legal representative also.
10) Offence shall be compoundable i.e., can be compromise can be determined by local magistrate.
11) Bail to Muslim husband who will pronounce triple Talaq shall not be granted without hearing of victimized Muslim wife.
12) Magistrate of local jurisdiction shall decide reasonableness of granting of bail to errant husband.

Analysis: -

[2] AIR2017SC4609.

- Muslim personal law considered as a civil law. How a particular act of husband categories under Criminal law?
- What remedy is available to divorcee wife after punishing the husband?
- When husband will send to jail, which will take care of wife and children? How we impose a fine on him? If he is working somewhere and will punish for announcing 3 years imprisonment, will he not loops his job? Thereafter how he will pay the compensation to his wife?
- Here, we are not understood the aim and object of legislation behind this enactment. Whether legislation wants to save a family life of a couple or decriminalized to the husband?
- The legislation silence about the ulcerate remedy to victim divorcee wife.
- The act done by husband is against right in personam, but it considered as a crime against the whole society.
- The magistrate court having a jurisdiction to decide the amount of fine. There is no any limitation on court. It is on discretionary power of the court. If it is decided by the court unreasonable amount, shall husband will able to pay? If answer is "No" then again he will liable to jail. What is the use of this provision?
- We agree that triple Talaq is violating Constitutional rights of Art. 14 of the Muslim women, it's also violating her right to dignity. Therefore, it is required that legislation should abolish it rather than decriminalizing it.
- The Govt. systematically try to prove that they are helping to Muslim woman to make such laws and protecting her right but unfortunately govt. is not enter fearing in their religious personal law by abolishing such inhuman and barbaric practice of triple Talaq. Because the govt. required vote from minority sections.
- In shaiyra Bano's case, even the Hon'ble Supreme Court while discussing the Constitutional validity of triple Talaq clearly said that it is against the principle of Holy Quran and Sunnah,

and then legislation might produce the effective law, which could be free from all sort of criticism.

- The law provides that victim divorcee wife will be entitled of custody of minor child or children. But there are some specific formalities and provisions under Muslim law about the custody, guardianship and wilayat-ul Jabar (guardianship on marriage of minor). The legislation does not clear about these practice and procedure.
- It is very difficult to prove the triple Talaq. How police authority arrests the husband without warrant?
- The Act provides that, the offence will be compoundable. Means exact what? Is the provision says triple Talaq is activated and compromise between parties for compensation or marriage should be continue? Can the court compel husband to keep the marital relation even after pronouncement of Talaq?
- The law provides that bail should not be granted without hearing of victim wife. But how the police authority arrests the husband without proving the triple Talaq?
- There are number of loopholes in Muslim traditional law. We have to think and change about these provisions also. Like Halala Nikah, Child Marriage, Four Marriages by husband Nafaqa and inheritance rights of Muslim female. We should look in to these matters also. Then and then only social, economic and legal position of Muslim woman will improve.

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OUTER SPACE SUSTAINABILITY: A CHALLENGE FOR THE PROTECTION OF THE SPACE ENVIRONMENT.

Dr. Pradnya Pahurkar, Assistant Professor, New law College, Mahim. Mumbai.

ABSTRACT:

This article addresses the space sustainability due to the congestion of the absolute junkyard of orbital space debris, obsolete satellites and parts and instruments due to the increased space activity. The requirement of the sustainability arises due to the congestion of space. Recognizing the need of the of sustainable use of the outer space a workshop was organised for the first time in 2019 in Finland.

The space science helps to contribute the environmental monitoring, management of natural resources, meteorological forecasting, climate modelling, satellite navigation, communications and early warning systems, to help to mitigate potential disasters. The space field should be used peacefully, jointly protect the space field from harm and maximize space utilisation through environmental, economic and security exploration of the space by the states. The outer space should be utilised for the human, socio- economic benefit over the long term. The growing need of the sustainability as it would otherwise pose potential threat to the national and international security, earth observation, telecommunications, satellite navigation, scientific exploration and economic development. Thus providing international legal framework for long term sustainability, security, fundamental guarantee, can save the space environment.

INTRODUCTION:

Space sustainability aims to maintain the safety of the outer space environment. It ensures that all humanity can continue to use the outer space for peaceful purposes and socio-economic benefit in the long term. The commercial space industry has grown rapidly in recent years.

They have launched a number of satellites into orbit to monitor the environment and human activities. This has led to the accumulation of debris in outer space, which threatens the present and future generations.

The main reason for the increase in the constellation in outer space is the cheaper access to the space. The increased orbit debris led to traffic in outer space. The outer space debris includes the defunct/obsolete satellite and rocket stages, as well as the fragments due to the collisions of the satellite.

The outer space debris also leads to the environmental issues like air quality, human rights violations it also affects and led to the War crimes, due to the power game in the satellite internet companies. Other factors like mining of the moon and the potentially mars and asteroids too, raising the planetary protections. All the above issues and congestion of the space due to the collection of the debris, have raised the concern of the Sustainability of the Outer Space. The space debris remediation plays an imperative role in the sustainability of outer space. It is important and should be considered while framing the legal policy for the control of the outer space debris and Sustainability of the Outer Space.

SPACE DEBRIS:[3]

[3] https://www.iberdrola.com/sustainability/space-debris

Along with the man-made debris there are the natural space debris as well. Asteroids, comets, meteoroids, meteors, meteors showers, meteorites, dwarf planets, Kuiper belt objects, Oort cloud objects, the explorers.

Space junk, space pollution, space waste, space trash and garbage or cosmic garbage names for the debris, which are caused by the human made objects in the outer space. The space debris causes destruction of the space environment. The Size of the space debris can be as large as the car and as small as the flake of paint, the size does matter, but the real danger lies in the speed of the moving object turning into a projectile. The first piece of the space junk was the Sputnik Satellite, launched by the Soviet Union.

It is noted by the European Space Agency (ESA) that around 900,000 objects measuring between 1 and 10 cm in orbit and around 34,000 larger than 10 cm are present in the outer space. Some of the space debris are the denser than the meteoroids. There are different types of the space debris- a. payload- these are mainly satellites. It also includes fragments produced by wear and tear collisions, b. rockets- remains of stages the, mission- related objects. It also includes fragments produced by the collisions, c. the mission – related objects- for example, dropped tools, screw, cables, cameras etc, d. Boosters- rocket upper stages which end up in orbit are a significant source of space debris.

Space waste are classified as the size, a. space debris below 1 cm it is estimated that almost 128 million of these fragments and most of them are undetectable, b. between 1 cm to 10 cm, it is almost 900,000 in orbit, which range from the size of a marble to a tennis ball and c. more than 10 cm – these objects include everything from tools lost during missions to defunct satellites.

The different causes of the space debris are defunct satellites, missing equipment, rocket stages, and weapons. The space debris caused direct collisions, which have already destroyed the operational and some inactive satellites. The greatest danger is posed by the smallest debris, like micrometeorites like plaint flakes and solidified droplets of anti-freeze, which can damage the solar panels on active satellites.

Other dangerous debris includes the vestiges of solid fuel that float about in space; they are highly inflammable in nature and pose risks to cause and disperse pollutants into the atmosphere if they explode in the space. Other kinds of dangerous debris are the nuclear batteries used in the satellites, which have radioactive materials that have a high potential to cause serious pollution and contamination if they are returned to the earth.

SPACE DEBRIS REMEDIATION

The remediation objective is to remove existing pieces of orbital debris through active debris removal. Active debris removal involves the removal of intact but non-functional items. Active debris removal involves the removal of intact but non-functional and/or uncontrollable objects. On-Orbit Servicing (OSS) is established to upgrade in order to first diminish the break-up risks and thus the creation of space debris and second to extend the satellite's life.

Debris removal methods are categorised mainly into two approaches[4] 1. Active debris removal and 2. Passive debris removal. Active debris removal (ADR) is used to remove large debris whereas the passive debris removal (PDR) method is used to remove the small debris. The removal of objects from the orbits, like tethering, tugging, beaming with an electrostatic tractor, ion-beaming through relocation and lasering, net capturing, docking with a nozzle, harpooning,

[4] https://www.hou.usra.edu/meetings/orbitaldebris2019/orbital2019paper/pdf/6084.pdf

and de-orbiting with drag augmentation sails and de-orbit kits. Orbit changes: many modern satellites are launched into elliptical orbits with perigees within the Earth's atmosphere.

INTERNATIONAL GUIDELINES FOR THE SDR

It is important to incorporate the SDR into legal provisions. Thus, non-binding instruments established for the protection of the outer space environment from space debris in 2004 were named the European Code of Conduct for Space Activities, which is applicable to projects of European space agencies as well as those of European entities outside Europe.

In 1958, another ad hoc committee was established by the General Assembly for the Committee on the Peaceful Uses of Outer Space (COPUOS). It was formed to facilitate international cooperation in this field within the framework of the United Nations and to address legal problems that might arise in programs to explore outer space. In 1959, it became a permanent body. In 2010 in the framework of the UNCOPUOS[5], A specific working group has been dedicated to the long-term sustainability of outer space activities. Their objective is to formulate the procedures, technical standards, and policies for space sustainability and lay down a general provision for enacting the legislation.

These guidelines given by UNCOPUOS are voluntary and include measures for sharing information on space objects and orbital events, controlled flights, and non-registered practical approaches for pre-launch assessment of possible conjunctions of newly launched space objects already present in near-Earth space. The safety and security procedures and the preparation taken to conduct these space activities, along with the removal of the space debris and other precautions taken associated with them.

[5] United Nations Committee on the Peaceful uses of Outer Space

The above instruments are voluntary and legally non-binding, as they do not create the rules of international law. Thus, the violation or non-observation of the guidelines does not put an accountability on the states. Another loophole in the mitigating guidelines is that they do not include restrictive mitigation strategies, but the constant growth of space debris would require its implementation. The development of the mitigating guidelines from these non-binding instruments will serve as a base for the National Space laws.

Other sustainability plans have been initiated by countries other than the United Nations and European countries. The UK's Space Sustainability Plan is based on the Artemis Accords Model for sustainable exploration and calls for the Astro Carta for space sustainability. Its objective is to review the regulatory framework of the U.K.'s orbital activity, to emphasize international engagements in space sustainability, to try and develop safety and quality-related metrics that quantify the sustainability of activities, and to induce additional funding for active debris removal. India also took initiative on space sustainability through ISRO, starting the project to monitor space debris. It is an early warning system in space to detect debris and other hazards to Indian satellites. SPADEX, another project by ISRO, is another docking experiment called SPADEX to allow in-orbit service. It considers docking a satellite to another satellite, providing assistance with refuelling and other in-orbit services while boosting the satellite's functionality.

Challenges:

- Space debris remediation faces other challenges as well. While making legal provisions in the future, other factors need to be considered, which are as follows:.
- cost-effective techniques,

- A proper legal and policy framework to protect the parties involved and deal with alternative use concerns
- Available and willing targets for removal or customers for servicing
- Funding for the time being for establishing, testing, and developing technologies
- To develop and fund the SDR technologies for carrying out the operations.
- Developing a database for the space debris and sharing it with the state members.
- Putting accountability on the states to remove the space debris
- Provisions for making an independent organization for the removal of space debris in case of the denial of state accountability or the dispute, with an objective to keep the space environment clean.
- Accurate tracking and necessary assistance during the operations
- The safety of the public on the ground, at sea, and traveling by air and space.
- Environmental impacts on the Earth due to space debris.
- The impacts on humans and employees due to space exploration, the removal of space debris, and living on earth.

CONCLUSION

The growing awareness of the long-term threats has prompted governments to take action at both national and international levels. Several international initiatives have been created to deal with some of the challenges posed by space sustainability. Draft international code of conduct on outer space activities initiatives taken by the European Union for consideration by the world, the UNGA group of government experts on possible transparency and confidence-building measures for spaces, and the establishment of a working group on the long-term sustainability of outer space activities by the UNCOPUOS. The Long-Term Working Group is one of the

successful groups. The working group was tasked with producing a set of voluntary guidelines for all space actors to help ensure the long-term sustainable use of outer space.

Space debris is an urgent global issue in space field. The ongoing growth of the space debris needs to addressed with legislation and binding agreements, the non-binding and voluntary mitigating guidelines is not that effective for the space debris remediation. We have to also acknowledge that the problem of space debris and the solution to the outer space sustainability is complex, and all the factors needs to be taken into account like technical, financial, political issues. The challenges need to be addressed on an urgent basis, because as the time would pass it would create more danger to the space environment eventually affecting the earth and the living beings on earth.

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Synergies and intersection: - Exploring the Nexus Between Space law, Air Law & telecommunication Law in Global Governance

Ajinkya Gopal Barke[6]

Abstract.

This paper explores the intriguing relationship between Air Law, Telecommunication and space law, identifying new potential and problems for regulation. As the use of space for satellites, communication grows, proper regulation is essential to resolve legal uncertainties and conflicts. The Space Treaty of 1967 and the International Civil Aviation Organization (ICAO) ITU (Telecommunication Union), which are the two main legal documents controlling the Telecommunication Air Law and space, are critically analysed in this study in order to identify their similarities and differences. The international legal framework pertaining to satellite telecommunications is composed of two sets of rules governing international law. These laws must keep up with the rapid improvement of technology, the evolving market, and the increasing number of states and non-state players engaging in space operations. The legislative system must adapt to these real changes, as they will undoubtedly spur additional advancements in satellite communications. Regarding space, international cooperation and coordination in space activities are greatly aided by the work of the United Nations Office for Outer Space Affairs (UNOOSA). Additionally, UNOOSA offers member states technical support in creating national space laws and policies. The main UN organization in charge of creating international space law is the Committee on the Peaceful Uses of Outer Space (COPUOS). The current frameworks are insufficient, and legislative reform is required in light of the rapid advancements in space-based technology utilized in Air Law. The report ends with

[6] PhD (Law) Scholar, Savitribai Phule Pune University, Center at PE'S Modern Law College, Pune.

suggestions for improving and harmonizing the current legal frameworks to better accommodate the changing needs of interspace operations.

The term "global governance" describes the laws that organize and centralize human communities on a global scale. It entails the institutionally enforced coordination and management of autonomous social relations. Historically, institutions and political power were linked to governance[7]. It can also apply to mutually reliant relationships in the absence of a dominant political power. Global governance now seeks to enhance its operation through encouraging political collaboration amongst transnational entities in order to tackle global concerns.

As the link between governance and the rest of the world, international relations is an essential component of social interactions. They involve a wide range of formalized social organizations, such as nations, tribes, classes, and businesses. These groups interact with one another, are covered by international law, and have different relationships. In order to maximize interests and ideas, international relations have a broader reach, more complicated conditions, and a polycentric structure. They belong to an area of study that reflects actual international life.

GOVERNANCE IN AIR

The Chicago Convention acknowledged each State Party's right to control its own airspace and the freedom of private civil planes to fly over its territory. It was finalized on December 7, 1944. All delegations signed the final treaty, which had five annexes and became enforceable once the governments of the Member States approved it. Additionally, the convention permitted signatories to bestow onto one another the liberties outlined in documents III and IV.

[7] https://globaleducationmagazine.com/forum-world-governance/

The Chicago Convention gives States authority over the introduction of prohibited zones, the use of coercive measures against rule breakers, the regulation of aircraft movement[8], air traffic, passenger flow, cargo, the designation of airports, the inspection of foreign aircraft, and the imposition of duties on States Parties, such as the need to ensure proper nationality and registration marks and compliance with registration regulations. According to the Convention, each State must regulate aircraft, be accountable for their unlawful use, and perform additional tasks like improving navigation, upholding immigration and customs laws, helping those in need, looking into incidents involving foreign aircraft, permitting registry states to send observers, and reporting.

Signed in 1944, the Chicago Convention on International Civil Aviation seeks to promote mutual understanding and friendship among nations while advancing international civil aviation. In order to preserve international aviation, it underlines the governments' commitment to coming to an agreement for appropriate development and adherence to safety rules.

With 22 chapters and 96 articles, the Chicago Convention was first drafted in English, French, and Spanish. Later, it was expanded to include Russian, Arabic, and Chinese, leading to the current usage of six official languages[9].

OVERALL GUIDELINES AND CONVENTION APPLICATION

The Paris Convention's[10] first chapter covers aircraft, territory, abuses in civil aviation, and sovereignty. States are given total and exclusive sovereignty over their airspace under Article 1, which gives them the authority to decide what rights commercial aircraft have in international traffic. The Paris Convention gives governments the authority to determine who

[8] https://www.icao.int/publications/documents/7300_orig.pdf
[9] https://www.icao.int/Meetings/a41/Documents/ICAO_Multilingualism_Strategy_EN.pdf
[10]https://applications.icao.int/postalhistory/1919_the_paris_convention.htm#:~:text=This%20Paris%20Convention%20constitutes%20the,overlying%20its%20territories%20and%20waters.

may use their airspace and under what circumstances, use the term "sovereignty" for the first time in the history of aviation law. The common aviation area and open skies principles must be broken in order for foreign civil aviation to function in accordance with national legislation.

The ultimate sovereignty of each state over its airspace is stated in Article 1 of the United Nations Convention on Airspace, which could lead to confusion in national laws. All states, even those that are not parties to the Convention, have interests in common with it. There is no consensus on airspace boundaries, and not all states may be subject to the idea of total sovereignty.

By virtue of the Air Commerce Act of 1926, the US preserved carrier cabotage rights and instituted a nationality criterion for certification. The national control threshold was increased to 75% by the Civil Aeronautics Act of 1938. Nevertheless, the absence of a carrier nationality clause in the Chicago Convention is thought to be harmful to the growth of international civil aviation. Carriers turn over nationality regulations to them for flag avoidance, competition protection, and national security.

A territorial limit is outlined in Article 2 of the Chicago Convention, which encourages greater territories and broadens the geographic scope to encompass protectorates, colonies, and dependent nations. But since a newly independent state has to deposit its instruments with the US depositary, it is unclear how it becomes a party.

ICAO AS GLOBAL GOVERNANCE

ICAO is crucial for unifying technical and safety procedures in international air navigation, allowing for the adoption of necessary international standards without the need for additional world organization.

Limited economic powers, mainly administrative and advising, are granted to ICAO by the Convention. These abilities include information gathering, research, analysis of global air

transport operations, and barrier investigation. Although it does not have authority over tariffs, routes, or operating frequencies, ICAO may manage airports.

States established the International Civil Aviation Organization (ICAO), and while they have the power to influence decisions made against national interests, they are unable to compel them. It is established by treaty, a document that is ratified by states and is subject to international law. The Canadian government acknowledges the organization's autonomous will for its operations within the nation, and it is envisaged that the organization will have a will of its own. Although courts have occasionally referred to ICAO as a middle ground between total approval and total rejection of political acts, the organization is not sovereign in and of itself. With considerable autonomy, the organization may accomplish its objectives, resolve conflicts, and use its Legal Committee to handle issues pertaining to international civil aviation while also developing international air law.

The process of making decisions and carrying them out in a variety of settings, such as corporate, international, national, and municipal governance, is known as governance. Surveys of worker satisfaction should be used to incentivize good governance, emphasizing the causal relationship between governance and worker contentment. Positive shifts in expectations are to be contrasted with the perceived shortcomings of the business entity.[11]The welfare of its employees should be a top priority for a good company, and they should actively seek to achieve this goal.

The growth of armed attacks and international terrorism turned the ICAO, which was founded as a technical body, into a focal point for conflicts involving international aviation. It evolved into the main means of formulating international aviation security laws and regulations. The primary goal of the ICAO is to persuade states to accept conventions, ratify agreements, put

[11] . (Abeyratne, 2012).

standards into place, and combat terrorism. It has developed into a diverse institution with think tank, research institute, information gathering agency, global public forum, and overseas aid service among its many functions.

In order to meet safety requirements, one must exercise oversight, abstain from using weapons against civil aircraft, and punish criminal activity that jeopardizes the safety of civil aviation.

The International Civil Aviation Organization (ICAO) has traditionally focused on developing treaties, standards, and recommended practices for aviation safety, with implementation in the hands of its Member States. However, the USOAP[12] and USAP[13] initiatives have shifted the focus to enforcing and implementing safety regulations. (Huang, 2009).

The ICAO made a comeback in the 1990s, overcoming opposition from some states and organizations. Taking the lead from IATA, it reclaimed its position as the leading authority on international civil aviation, tackling issues related to economic regulation, aviation safety, and modifying the Warsaw Convention on aviation responsibility. [14]The successes in this process have led to an expanded and more precise role for ICAO in supervising and executing its conventions and standards. ICAO continued to be involved in the revision of the 1991 Montreal Convention and Convention on Plastic Explosives In relation to the latter convention, ICAO took on a role that affected not only commercial aviation but the global community at large. At the end of the decade, ICAO held a more secure and significant place within the global system (Mackenzie, 2010).

[12] Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP CMA).
[13] Universal Security Audit Programme (USAP).
[14] (https://www.un.org/ruleoflaw/files/3dd90f0c7.pdf).

Leaders such as Assad Kotaite[15], talented individuals, and aviation specialists all contributed to the ICAO's success in increasing aviation runway and conducting business globally. Following the end of the Cold War, ICAO saw a protracted transformation that garnered unprecedented public attention in the modern era.

REGULATIONS FOR TELECOMMUNICATION.

ITRs are a worldwide treaty that is implemented globally and has been signed by 89 countries. establish broad guidelines for the provision and management of international telecommunications; encourage interoperability and global interconnectedness. Treaty-level provisions are necessary with regard to international telecommunication networks and services in order to promote the effectiveness, utility, and accessibility of such services.

THE GLOBAL GOVERNANCE REGIME FOR SPACE AS A CRUCIAL ASPECT OF GLOBAL GOVERNANCE.

It became evident following the Soviet Union's 1957 Sputnik launch that maintaining state sovereignty over airspace would be impossible in order to conduct space research. There were two new ideas that came to light: the idea of limited sovereignty and the idea of national air sovereignty. The Committee on Peaceful Uses of Outer Space (COPUOS), established in 1958, expedited the creation of space law. In 1963, COPUOS established four international treaties governing human activities in space, including the 1967 Space Agreement. Additionally, legal guidelines for space utilization have been established.

International processes and infrastructures for coordination at national, international, regional, and inter-regional levels are now necessary due to the evolution of international collaboration in peaceful applications of outer space since the Space Age.

Growing numbers of governmental and non-governmental entities, new technology, public-private collaborations, and private finance initiatives are all contributing to the complexity of space governance, a global common.

A variety of international cooperative processes, rules, openness, and confidence-building initiatives that are used in space cooperation with the goal of guaranteeing a certain degree of predictability and orderly conduct of space operations.

The term COPUOS refers to the international framework, which includes United Nations resolutions, guidelines, and treaties, for the peaceful use of outer space. It backs initiatives on a local, national, and international scale. Coherence and synergy are increased by international projects like global navigation and Earth observation. Mechanisms for multilateral collaboration guarantee the advancement of applications for space systems that improve human security, welfare, and the environment[16].

The political, economic, and social context of space activities and policy is significantly shaped by international space organizations. They are categorized according to their functions, ownership, and activities. Non-governmental organizations, such as laboratories and research institutions, organize conferences and working groups and offer intergovernmental organizations their knowledge and perspectives.

International organizations—especially the UN—are frequently chastised for their incapacity to effectively address modern issues. There are plans for a unified international space agency, although states are free to decline membership and carry out their responsibilities. Space constraints account for the existence of some significant organizations.

[16] V.16-05982 (E), p. 2. A/AC.105/1137, September 20, 2016: The Committee on the Peaceful Uses of Outer Space and global regulation of outer space operations commemorates the 50th anniversary of the United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

Committee on the Peaceful Uses of Space (COPUOS)

Since 1957, the United Nations has engaged in space operations with an emphasis on the peaceful use of outer space. The space age began in 1957 with the launch of the first satellite. With Neil Armstrong's "giant leap" in 1969 and Yuri Gagarin becoming the first person to orbit the Earth in 1961, space exploration grew quickly in the 1960s. Concerns over space competition and exploitation by small nations emerged during the Cold War. The COPUOS Committee was created by the UN in 1958 and is now a certified support group for international collaboration amongst space-faring countries.

The General Assembly created COPUOS in 1959 and gave it 24 members as a permanent body. Ever since, it has served as a hub for global collaboration on non-violent space exploration and utilization, fostering tight ties with other groups and fostering cooperation.

Two subcommittees that assist COPUOS are STS and LSC. These committees, which meet regularly since 1962 and are made up of delegates from the same nations, deal with difficult issues pertaining to the development of space technology.

With seventy countries, COPUOS, a United Nations Committee, has grown to be one of the largest since its founding in 1959. Governmental and non-governmental entities as well as multinational organizations are among its members. The Committee encourages the peaceful use and exploration of space, and UNOOSA serves COPUOS and its Subcommittees with secretariat services.

Through the adoption of multiple instruments, including five space treaties, the LSC has made a substantial contribution to international space law. Held yearly in Vienna, COPUOS and its subcommittees consider proposals, reports, and Member State issues before the General Assembly. The General Assembly, which also makes decisions and offers guidance, approves draft documents.

The legislative process, which involves informal talks and consultations, is a meticulous and laborious procedure. The document is approved by COPUOS, presented to the UN General Assembly, and considered at the annual meeting of the LSC. The General Assembly, which suggests adoption, adopts the resolution. The consensus concept, which necessitates several discussions, might prolong the legislative process.

The five space accords lack contemporary technologies even if they embrace crucial concepts like freedom of exploration, arms control, and security. Since remote sensing has been a contested topic for thirteen years, updates and changes are necessary. Professionals from a variety of disciplines, such as engineers, financiers, attorneys, and scientists, should evaluate the current treaties.

The five space accords need expert review from a variety of fields and lack new technologies, even though they support security, arms control, and exploration freedom.

OFFICE FOR OUTER SPACE AFFAIRS – UNOOSA

In order to support the UNCOPUOS Interim Committee, the United Nations Office for Outer Space Affairs (UNOOSA) was founded in 1958 as an expert body inside the UN Secretariat. It began operations as part of the UN Department of Political and Security Council Affairs and changed names a few times: in 1968 it became the Space Unit, and in 1992 it became the Office for Space Affairs.

As the secretary for the General Assembly's committee on peaceful outer space usage, UNOOSA fosters international collaboration in this area. In addition to conducting workshops, training programs, and pilot projects on remote sensing, satellite navigation, meteorology, tele-education, and fundamental space sciences for poor countries, it manages the UN Register of Objects Launched into Outer Space. Through collaboration and knowledge sharing, UNOOSA oversees the management of In order to improve catastrophe risk reduction and support disaster

response operations, the United Nations established UN-SPIDER, the Platform for Space-based Information for catastrophe Management and Emergency Response.

UNOOSA[17], in collaboration with space agencies, organizes seminars and conferences on Earth preservation and climate change. It cooperates with the UNFCCC and works on programs like UNISPACE III+5, recommending facilities near Earth, and warning against asteroids. UNOOSA also works closely with UNCOPUOS.

UNOOSA produces studies, reports, and publications on space science, technology, and international space law in its capacity as the secretariat for the International Committee on Global Navigation Satellite Systems.

UNOOSA carries out decisions made by the General Assembly and COPUOS, facilitates international dialogue, provides space technology assistance to developing nations, and exchanges militarization-related concerns with the Geneva-based Disarmament Conference[18].

With an emphasis on global collaboration for peaceful applications of space, the CPLA serves as secretariat to the Special Political and Decolonization Committee of the General Assembly's Working Group. In order to promote capacity building, national space infrastructure, and international cooperation in space activities, it calls UN-Space conferences and collaborates closely with UN Member States.

CONCLUSION

States establish global governance, which includes administration, policy, and legislation and gives rise to international organizations like the UN. Critics contend that nations and international organizations have an impact on how global governance is implemented. A prime

example of state collaboration on technical matters and safety is the UN system in aviation and space. These domains may also be influenced by politics.

The different participants and priorities within the continuously expanding Air and Space domain present problems for the development of global governance structures. There are continuing discussions about how to organize the international system to handle growing activities among states and non-governmental organizations. In order to ensure transparent and reliable global governance that benefits all people now and, in the future, states should draw on the experience of ICAO and UNOOSA.

Alumni's Section

Alumni's are beads pieced in the string of the institute. They breed the legacy of the Institute. NEWLAW COLLEGE has a very rich legacy and is continued to be. We are dedicating this section where we are incorporating our 2023-2024 batch students research papers/ articles

ABSOLUTE LIABILITY AND WIDENED SCOPE OF PROMOTER'S LIABILITY TO REFUND A "NOT RECEIVED" CONSIDERATION

Authored by: *Pranav Pradhan*

The Real Estate (Regulation and Development) Act, 2016 ("**RERA Act**") in India is a regulatory framework for the real estate sector. It is a Central Legislation that was brought in to regulate the real estate industry, protect homebuyers and ensure transparency in project delivery. Ever since its inception in 2016, it has mandated builders to register projects, adhere to project timelines, and maintain a separate escrow account for each project. Under RERA Act, the term "**Promoter**" has been defined quite eloquently and they are required to adhere to the terms and conditions of the agreements for sale entered by them with the allottee ("**flat purchaser**") and complete the project as per the timelines specified therein. If the promoter fails to meet these obligations, the flat purchaser has the right to seek a refund of the consideration paid, along with interest. In certain circumstances, it becomes incumbent upon the promoter to refund the consideration of a flat even if they have not received any consideration. This sort of an "absolute liability" has arisen not solely basis whether the

promoter has received consideration, but it is tied to the failure to fulfill contractual and statutory obligations. In a recent judgment of the Hon'ble Bombay High Court in ***Wadhwa Group Housing Private Ltd. v. Mr. Vijay Choksi & Anr.***, bearing no. Second Appeal (Stamp) No. 21842 of 2023 wherein the Hon'ble Court has held that there is a liability incumbent upon the Promoter, who prima facie has not received any consideration from a flat purchaser, to give refund along-with interest under Section 18 of the RERA Act, this aspect is elucidated in detail as follows:

FACTS OF THE CASE

1. The present Appeal is filed at the instance of the **Appellant** Promoter being Wadhwa Group Housing Private Limited challenging the Order dated 18th October 2022 passed by the Maharashtra Real Estate Appellate Tribunal, Mumbai ("**Appellate Tribunal**") partly allowing the Appeal filed by Respondent 1 (defined herein below) and setting aside the Order dated 24th September 2021 passed by the Maharashtra Real Estate Regulatory Authority ("**MahaRERA**").

2. One of the Respondent herein is a flat purchaser viz. Mr. Vijay Choksi ("**Respondent 1**") who had invested his monies under the belief that the Promoters would abide by the terms and conditions of the Agreement that had been executed by them and handover the possession of their flat/unit in consonance with the terms of the Agreement and the other Respondent being SSS Escatics Private Limited ("**Respondent 2**") was the entity that had entered into a joint development agreement("**JDA"**) with the Appellant.

3. Respondent 2 had entered into the said JDA with the Appellant on 05th September 2012, basis which both these entities had agreed to divide the constructed area between them and sell the constructed flats to the intended flat purchasers.

4. It was Respondent 1 who, on 19th July 2013 booked a 3BHK flat admeasuring 2385 square feet and was issued an allotment letter dated 24th July 2013. The project under the name and style of "The Nest" ("**said project**") on land bearing CTS No. 196(pt) was accordingly registered as an ongoing project under Section 3 of the RERA Act by Respondent 2 in which the Appellant was declared as a Promoter(investor) and the date of completion of the building was revised to 31st March 2020. Respondent 1 noticed that the area of the Flat which was booked by him was shown on the MahaRERA Website as 976.82 square feet when in fact the area booked by Respondent No.1 was 2385 square feet.

5. Respondent 1 approached MahaRERA under the provisions of Sections 12 and 18 of the RERA Act and sought refund of amount of consideration of Rs.2,62,35,056/- (Rupees Two Crore Sixty-Two Lakhs Thirty-Five Thousand and Fifty-Six only) along with interest as well as compensation and costs. MahaRERA *vide* its Order dated 24th September 2021 rejected the Respondent 1's prayers for refund and instead directed both the parties to execute registered agreement for sale within 30 days of date of Order, failing which the amount was to be refunded to Respondent 1(therein being the Complainant).

6. Aggrieved by this, the Respondent 1 filed an Appeal under the provisions of Section 43 of the RERA Act before the Appellate Tribunal, wherein the Tribunal *vide* its Order

dated 18th October 2022 ("**impugned order"**), while partly allowing the appeal, set-aside the Order of MahaRERA and directed both the Appellant and Respondent 2 to refund the entire amount paid by Respondent 1 with interest.

Being aggrieved by the impugned order, the Appellant had approached the Hon'ble Bombay High Court challenging the impugned order.

GRIEVANCE / ARGUMENTS OF THE APPELLANT

1. It was the case of the Appellant that they could not be held responsible for refund of any amount to Respondent 1 as basis the JDA, both the entities had identified their respective entitlements in respect of the constructed portion of the building, and the flat fell under the purview of Respondent 2 which is the reason why the Respondent 2 alone received the entire consideration from them and there was no question as to Appellant bearing the brunt of this and they having to give the refund of the amounts.

2. The Appellant contented that no amounts were paid to them and placed their reliance upon the Circular dated 04th December 2017 ("**said Circular"**) issued by MahaRERA that the liabilities in respect of the Promoters and Investors are segregated. Therefore, the liability of one Promoter cannot be thrust upon the other Promoter.

3. The Appellant also contended that the said project was launched prior to the coming into force of the RERA Act. Appellant had no liability on account of absence of privity of contract with Respondent 1. That post RERA registration, name of the Appellant was required to be reflected in the registration under the statutory provisions. That in such circumstances, mere change in law requiring reflection of name of Appellant as Promoter

did not create any new liability for Appellant, which did not exist prior to introduction of RERA Act.

ARGUMENTS OF THE RESPONDENTS

1. The Respondent 1 would oppose the present Appeal and submit that the Appellant was covered by the definition of Promoter under Section 2(zk) of the RERA Act is such that privity of the contract with the flat purchasers was not necessary and that the Explanation under the definition 2(zk) made it amply clear that all promoters were jointly liable under the Act.

2. The Respondent 1 would content that the said Circular was in fact in their favour as it specified the join liability of different promoters.

3. The Respondent 1 would also contend that mere filing of written submissions without presentation of oral arguments did not mean that the Appellate Tribunal was under obligation to deal with each and every point raised in the written submissions.

MAIN ISSUE

The principal questions that arose before the High Court were as under: -

1. Whether a Promoter who has not received any consideration from an allottee can be made liable for giving refund with interest under Section 18 of the RERA Act?

2. Whether on account of non-decision of point about the liability of the Appellant to refund the amount by the Appellate Tribunal, an order of remand is warranted ?

DECISION

After considering the rival submissions made by both the Parties, the Hon'ble Court came to the following conclusion:

1. The Court while explaining the ambit of the definition, observed that the **definition of the term "Promoter" under Section 2(zk) of the RERA Act was wide enough to include every person who was associated with the construction of the said project such as builder, colonizer, contractor, developer, estate developer or by any other name or even the one who claimed to be the power of attorney holder for the owner of the land.** Even a person who was **merely an investor in the project, along with the Promoter, was to be included in the ambit of the said definition.**

2. The Court also observed that a person who did not actually construct or cause to construct a building but merely took part in the joint venture and sold flats, became a Promoter. The mere falling of the flat in the share of Respondent 2 under the JDA would not therefore excuse the Appellant from their responsibilities and liabilities under RERA Act basis the flat.

3. The Court further observed that the said Circular that dealt with land owner/investors having area/revenue share in Real Estate projects to be treated as promoter, made it clear beyond a reasonable doubt **that even entities who were entitled to a share in the revenue generated from the sale of flats were jointly responsible for the functions and responsibilities specified under the RERA Act as if they were promoters themselves.**

4. And finally, the **Court observed that when a claim was raised basis a real estate project by the flat purchaser, all the promoters became jointly and severally liable qua the flat purchasers, irrespective of whether there was privity of contract with each promoter or no and mere absence of the privity with a particular promoter did not relieve such a promoter of his liabilities qua the flat purchasers under the RERA Act.**

In view of the afore mentioned observations, the Court was pleased to dismiss the present Appeal with costs imposed upon the Appellant.

BURNING ISSUE IN INDIA - ACID ATTACK

Mr. Amresh Singh.

ABSTRACT

India has witnessed a swift rise in acid attacks in the last decade, especially against women's health. This heinous crime is committed typically against women with the intent to disfigure or kill them. The crime can also be referred to as gender-based violence against women. By definition, an acid attack is “any act of applying acid in any form to a victim to cause permanent or partial damage to any part of the victim’s body or deformity or disfigurement to any part of such victim’s body”. According to a recent study, 78% of alleged acid attacks are due to the perpetrator's refusal to marry or rejection of romance. There are several headlines in the daily newspaper about young women who have been acid-attacked. The rate of acid attacks on women is on the rise. In some cases, perpetrators use acid as a weapon against women because it is relatively inexpensive. The types of acids most commonly used in these attacks are sulfuric, nitric and hydrochloric acids Acid attacks rarely result in death, but they often leave tolls on a person's physical, psychological, social, and intellectual development. Several new laws that have been passed by the legislature and the Supreme Court of India have made the regulations more stringent. Nonetheless, in 2014, there were 300% more acid attacks reported. Having to deal with such cases has proved very difficult for our legal and medical systems. In this paper, I examine the terrible effects of acid attacks on victims - physically, psychologically, socially, and economically. It even examines the contemporary laws governing acid attacks

INTRODUCTION

Among the society's most important members are women. In spite of the fact that they are the ones who give birth to a life, they are often killed in the name of different forms of brutality.

The patriarchal culture shuns women who speak out against their substandard status by using a variety of methods, including acid, physical abuse, and even burning to death.

ACID VIOLENCE: A GLOBAL TRAGEDY

Acid violence is considered an inhuman crime since it involves the deliberate throwing of acid to attack another individual. It is commonly seen as a crime of honour.

The National Commission of India defined acid attack as "any act of throwing acid or using acid in any form on the victim with the intention of or with knowledge that such person is likely to cause to the other person permanent or partial damage or deformity or disfiguration to any part of the body of such person".[19]

The threat of acid attacks poses a serious threat around the world.. Even children are becoming victims of acid attacks more and more often," according to a UNICEF study. In an acid attack, acid is deliberately thrown at the victim's face or body with the intent of burning and disfiguring them.Many of the victims are girls, many of them younger than 18, who have been approached sexually or approached with marriage proposals before.As a result of jealousy or revenge, an acid attack or vitriolage is the act of throwing acid on a person's body with the intention of injuring or disfiguring them.

The types of acids most commonly utilized in these assaults are sulphuric, nitric, and hydrochloric acid. Attack through acid rarely kills but it causes severe physical, psychological and social scarring. The victims of acid violence are overwhelmingly women and children, and attackers often target the head and face in order to maim, disfigure and blind a person for life and push her in everlasting life of pain and apathy. Women and children are overwhelmingly

[19] www.acidviolence.org/index.php/acid-violence

the victims of acid violence, which attacks the head and face to cause permanent disfigurement and apathy as well as to permanently blind and disfigure the victim.

FACTORS RESPONSIBLE FOR ATTACKS

The Law Commission of India in its 226th report has asserted that the majority of acid attack victims are women – "…particularly young women for spurning suitors, for rejecting proposals of marriage, for denying dowry etc. The attacker cannot bear the fact that he has been rejected and seeks to destroy the body of the woman who has dared to stand up to him."[20]

Afroza Anwary, a renowned academician, in his study revealed that acid is used by men to "keep women in check" as a mark of their masculinity and superiority over them."Acid attacks are used as a weapon to silence and control women by destroying what is constructed as the primary constituent of her identity."[21] According to Anwary's study, girls' marriage is over emphasised in patriarchal and conservative societies.

It is her virginity and fair complexion that determine her suitability for marriage, and her involvement in a romantic relationship prior to her marriage is therefore anathema.Vindictive lovers resort to acid attacks as a punishment when they are turned down by the girl's family for marriage. Considering globalization, acid attacks have an economic aspect as well.In a society of unemployed men, women are at odds with each other due to their financial independence.

[20] 226th Report, Law Commission of India, *Proposal for the Inclusion of Acid Attacks as Specific Offences in the Indian Penal Code and a Law for Compensation for Victims of Crime* 7 (July 2009).

[21] *Ibid* 1.

There are many reasons for their resentment, includes

1) "The worst economic conditions, high unemployment rates among male breadwinners, and the increasing numbers of landless households and agricultural work for male labourers."

2) That women who struggle to earn for their families are often made victims of acid by their husbands when they fail to meet their expectations as housewives in their traditional gender roles.

3) Acid attacks against women can also be caused by property disputes.

4) Numerous factors and feelings can be attributed to acid attacks on women.

In order to debase and defile the victim, perpetrators may use acid on their bodies as an expression of conscious anger. In an effort to demonstrate their command over women's fate, others bring out their deep-seated feelings of insecurity and incapability by throwing acid at them. As an alternative and in conclusion, we can say that men use acid attacks to establish their superiority and control over others and to maintain them in a state of fear.

EFFECT

1. PHYSICAL - As acids digest fat and muscle beneath the surface of the skin, they can sometimes eat through to the bone and even dissolve it. The depth of the injury is determined by the strength of the acid and how long it stays on the skin.When thrown onto someone's face, acid eats into the eyes, ears, nose, and mouth. The lips and eyelids may burn off completely. It is common for the nose to melt, closing the nostrils, and the ears to get shriveled. Acid quickly blind the victim's eyes. The skin and bone on the skull, forehead, cheeks, and chin may dissolve.

A splash or drip of acid on the neck, chest, back, arms, or legs causes pain everywhere it comes in contact.Victims are most at risk from breathing failure in the short term.[22]

2. PSYCHOLOGICAL - Mental health issues are common among acid assault survivors. Victims of acid violence have higher levels of anxiety and depression because of their appearance. There was a decrease in self-esteem among the women, and an increase in self-consciousness both in social and general contexts.

3. SOCIAL AND ECONOMIC - Acid attacks usually leave victims handicapped in some way, rendering them dependent on either their spouse or family for everyday activities, such as eating and running errands. They lifetime face discrimination from society and they become lonely. These dependencies are increased by the fact that many acid survivors are not able to find suitable work, due to impaired vision and physical handicapped. As a result, divorce, abandonment by husbands is common in the society. Moreover, acid survivors who are single when attacked almost certainly become ostracized from society, effectively ruining marriage prospects. They are embarrassed that people may stare or laugh at them and may hesitate to leave their homes fearing an adverse reaction from the outside world. Victims who were not married are not likely to get married and those victims who have got serious disabilities because of an attack, like blindness, will not find jobs and earn a living. Discrimination from other people, or disabilities such as blindness, makes it very difficult for victims to fend for themselves and they become dependent on others for food and money.[23]

[22] 226th Report, Law Commission of India, *Proposal for the Inclusion of Acid Attacks as Specific Offences in the Indian Penal Code and a Law for Compensation for Victims of Crime* 7 (July 2009).

[23] *Ibid.*

LEGAL EFFECT OF ACID ATTACK

1) SECTION 322 - VOLUNTARILY CAUSING GRIEVOUS HURT - Whoever voluntarily reasons harm, if the harm which the intends to motive or is aware of himself to be probable to motive is grievous harm, and if the harm which he reasons is grievous harm, is stated to "voluntarily to motive grievous harm. Explanation. - A man or woman isn't always stated voluntarily to motive grievous harm besides while he each reasons grievous harm and intends or is aware of himself to be probable to motive grievous harm. But he's stated voluntarily to motive grievous harm, if proceeding or understanding he to be probable to motive grievous harm of 1 kind; he absolutely reasons grievous harm of some other kind.

2) SECTION 325 - PUNISHMENT FOR VOLUNTARILY CAUSING GRIEVOUS HURT- Whoever, except within the case provided for by section 335(Voluntarily inflicting grievous hurt on provocation), voluntarily causes grievous hurt, shall be disciplined with imprisonment of either description for a term which can be seven years, and shall even be susceptible to fine.

3) SECTION 307 - ATTEMPT TO MURDER - Whoever does any act with such aim or knowledge, and beneathneath such instances that, if he through that act brought on death, he could be responsible of murder, will be punished with imprisonment of both description for a time period which may also enlarge to 10 years, and shall additionally be susceptible to fine; and if harm is brought on to any character through such act, the wrongdoer will be responsible both to imprisonment for existence, or to such punishment as is herein earlier than mentioned. Attempts through existence convicts - When any character offending beneathneath this segment is beneathneath sentence of imprisonment for existence, he may also, if harm is brought on, be punished with death. On second April 2013 the Indian Penal Code became

amended with the passing of 'The Criminal Law (Amendment) Act, 2013. The change ended in insertion of Sections 326A and 326B in particular for managing acid violence.

4) SECTION 326 A states – Whoever reasons everlasting or partial harm or deformity to, or burns or maims or disfigures or disables, any element or elements of the frame of someone or reasons grievous harm with the aid of using throwing acid on or with the aid of using administering acid to that person, or with the aid of using the usage of another manner with the purpose of inflicting or with the understanding that he's probably to reason such damage or harm, will be punished with imprisonment of both description for a time period which shall now no longer be much less than ten years however which can also additionally enlarge to imprisonment for life, and with quality. Provided that such quality will be simply and affordable to fulfill the scientific fees of the remedy of the victim. Provided similarly that any quality imposed beneathneath this phase will be paid to the victim.

5) SECTION 326 B states – Whoever throws or tries to throw acid on any man or woman or tries to manage acid to any man or woman, or tries to apply every other means, with the goal of inflicting everlasting or partial harm or deformity or burns or maiming or disfigurement or incapacity or grievous harm to that man or woman, will be punished with imprisonment of both description for a time period which shall now no longer be much less than 5 years however which can also additionally expand to seven years, and shall additionally be susceptible to fine.

COMPENSATION FOR ACID ATTACK

SECTION 357 B has been newly inserted in CrPC which reads as : "The compensation payable by the State Government under section 357A shall be in addition to the payment of fine to the victim under section 326A or section 376D of the Indian Penal Code."

FREE MEDICAL TREATMENT

357C has been fresh inserted whereby all hospitals, public or non-public are needed to supply attention or medical treatment freed from cost. The section reads as: "All hospitals, public or private, whether or not go by the Central Government, the State Government, native bodies or the other person, shall forthwith, provide the first-aid or medical treatment, free of cost, to the victims of any offence coated beneath section 326A, 376, 376A, 376B, 376C, 376D or section 376E of the Indian legal code and shall immediately inform the police of such incident.[24]

INFAMOUS CASES

1.. HASEENA HUSSAIN

The defendant Joseph Rodriguez, the ex- boss of the victim threw 1.5 litres of vitriol on her once she set to quit her job. The acid molten her face, amalgamated her shoulder and neck, burnt a hole in her head, unified her fingers and blind her for life. The accused was guilty below section 307 of IPC and was to sentenced to imprisonment for life. A compensation of Rs. 2,00,000 additionally to the judicature fine of Rs. 3,00,000 was paid to the victim. this can be a landmark case21 endnote because it was the primary time that an outsized add was awarded to the victim to fulfill her medical expenses.

2. SONALI MUKHERJEE

Sonali Mukherjee, a lady from Dhanbad was attacked by acid once she was simply eighteen years old. In 2003, 3 alleged assailants specifically Tapas Mitra, Sanjay Paswan and Brahmadev Hajra threw acid on her when she was asleep on roof of her house. She received

[24] Acid attack as on http://indianexpress.com/article/india/india-others/309-acid-attack-/

numerous burnt injuries and her face got disfigured.[25] The perpetrators were sentenced to imprisonment of 9 years however were discharged on bail when appealed to the High Court.[26]

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The Convention at the Elimination of all varieties of Discrimination Against Women (CEDAW) became followed in 1979 via way of means of the UN General Assembly. It is frequently defined as an global invoice of rights for girls. It defines what constitutes discrimination and units up an schedule for countrywide movement to give up such discrimination. It defines discrimination towards girls and women as "...any distinction, exclusion or restriction made on the premise of intercourse which has the impact or motive of impairing or nullifying the recognition, entertainment or exercising via way of means of girls, no matter their marital status, on a foundation of equality of fellows and girls, of human rights and essential freedoms with inside the political, economic, social, cultural, civil or every other field." A majority of acid assault instances happen towards girls which well-known shows gender inequality and discrimination in society. Acid assault is an strive via way of means of the culprit to smash and degrade a girl physically, psychologically and emotionally.

[25] *"A beautiful life melted away in an acid attack Punjab News | Breaking News | Latest Online News". Punjabnewsline.com. 22 April 2003.*Retrieved on 26th November, 2015.

[26] *"Give me justice or let me die: Desperate plea of acid attack victim who was left blind and deaf by the three men who had 'sexually abused her'". Daily Mail (UK) (London). 16 July 2012.* Retrieved 26th November, 2015.

It creates a feel of worry with inside the thoughts of the sufferer and makes her take delivery of the conventional subordinate gender function in society. It prevents her from tough the unjust social norms and to upward push towards her subordinate role in society. Countries which have ratified the Convention are legally sure to enforce its provisions. They also are devoted to put up countrywide reports, at the least each 4 years, on measures they have got taken to satisfy with their treaty obligations. Countries with most range of acid violence instances like Bangladesh, Pakistan, Nepal, India etc. have ratified CEDAW which creates a felony duty on such nations to border stringent legal guidelines to shrink such violence towards girls. In addition to CEDAW, The United Nations General Assembly had surpassed a Declaration at the Elimination of Violence towards Women in 1993. Article 4(f) of this assertion advocates member states to broaden preventive procedures for violence towards girls via way of means of felony measures.[27] Such an assertion offers credibility to new legislation which advocates stern punishment to the offenders, offer suitable reimbursement to the sufferers and regulates the sale of acid with inside the member nations.

CONCLUSION

An acid assault has the durable sturdiness of spoiling the sufferer who faces perpetual torture, everlasting harm and different troubles of their existence. Although they may be geared up to pursue regular existence, there may be no religion that society itself will deal with them as regular humans given their look and disabilities after an assault. They won't be capable of work. As an end humans given their look and disabilities after an assault. they won't be capable of world. As an end result of which they select a darkened existence to stay and to cover themselves from the world. Therefore, to test assaults on girls harsh and stringent punishment

[27] Declaration on the Elimination of Violence Against Women, G.A. Res. 48/104, U.N. Doc. A/RES/48/104 (February 2, 1994).

ought to accept by offenders. The girls ought to research bodily protective degrees a good way to shield themselves from the perpetrators. Again the authorities ought to take suitable motion as a good was to fight their heinous crime.

Menstrual leave: Empowerment or Discrimination?

Namrata Panchal

Recently, the Bill pertaining to menstrual leave policy has sparked a huge controversy nationwide. The issue has become a hot topic of debate, clearly drawing a firm line between its supporters and non-supporters. The conversation has brought to the forefront a wide array of opinions and view-points leading to in-depth discussions. It has become clear that numerous factors must be considered before the State could decide whether to implement the policy or not. A detailed look must be taken at all the influencing factors before coming to a conclusion.

The Right of Women to Menstrual Leave and Free Access to Menstrual Health Products Bill of 2022, more popularly known as the 'Menstrual Leave Policy 'was introduced into the Parliament with a view to provide paid leave to working women during menstruation. It also aims at providing free access to menstrual hygiene products to all menstruating women. The Bill seeks to make workspaces inclusive to women's needs while boosting overall productivity and reducing period poverty. One of the key purposes of the Bill is to remove the social stigma related to menstruation through awareness. While the object and intent behind drafting this Bill was well-intended, it seems to have lost its purpose while ignoring the varied nuances required for its implementation in practical aspects.

Cases & Arguments

Shockingly, amongst the people who opposed, a higher number of women has been observed. For those who speak against the policy, the key argument is that it would hinder women from being hired as employers would look at women as a liability to the task force rather than an asset. Due to pre-existing gender discrimination in various sectors, women already face issues

in securing job positions, and this policy would add more to the problem than curb it. Another argument put forth is of equality. Opposes are of staunch opinion that the said policy shall require men to work more hours while women get the opportunity to get paid equal wages for less work. This shall enable them to misuse the leaves granted for their leisure. When Zomato launched the policy for its employees, the same was observed.

In support of menstrual leave policy, the most obvious argument is of Women's Rights. It is of no surprise that women struggle during the menstruation period. This hampers their day-to-day functioning and productivity. In some cases, women need to be hospitalized due to certain health conditions. In India, around 42 million women suffer with endometriosis according to an NIH report published in 2022. It is estimated that 1 in 5 women suffers from PCOS in India. Legally, the policy affects Article 21 and Labour Rights of Indian women. The Bill states that a staggering number of 40 percent girls remain absent from schools during their periods due to lack of privacy and restrictions imposed. Other factors such as shame, anxiety and discomfort also play a role. Aforesaid issues have hampered women's education for a significant portion of their lives.

Pink Tax & Menstrual Hygiene

Pink Tax is a widely known term for the excess tax imposed on women-centric products. Although it's not really a form of tax, there is no denying of its existence. It is an umbrella term. One specific category falling under Pink Tax is 'Tampon Tax'. It refers to the luxury tax and other taxes imposed in menstrual hygiene products. India abolished the 12 percent tax levied on all sanitary products in 2018. This was a great step towards reducing period poverty. However, it is still a vastly prevalent issue in our society. The Bill also focuses on free access

to menstrual products for all Indian women which would be one step further in eradicating period poverty in the nation.

Global standing on Menstrual Leave

Japan was the first to implement a mandatory menstrual leave policy under Article 68 of Labour Standards Act. Other countries include Taiwan, China, Korea, Indonesia, Mexico; and Spain being the first one of European nations.

India has not passed an Act yet. However, Bihar was the first state to introduce the policy in 1992. Following the initiative, Kerala announced menstrual leave for its female students in 2023. Sikkim HC registry stated that employees may avail 2 to 3 days of menstrual leave, in a notification passed on 27th May, 2024.

Alternatives

While the policy may be an issue in debate, other measures can be provided to encourage productivity of women in workplaces and educational fields. Private spaces must be designated for women to carry out hygiene related activities at schools and workplaces. In such spaces, sanitary vending machines can be placed for ease of access to sanitary products. Women should also be given breaks during work, especially in unorganised sectors, where they can rest in such designated areas for a while.

Where it is possible, the option of work from home can be given to women so that they can carry on with their work while being in a comfortable space. Number of sick leaves can also be increased for women which they can avail when necessary.

Conclusion

While the implementation of paid period leave may seem like a distant dream for our nation where such topics are usually hush-hush in nature, we must not stop the debate. For such discussions shall promulgate awareness and bring forth varied perspectives. This shall prove to be of vantage for the nation moving ahead in slowly but steadily erasing the stigma related to taboo topics such as menstruation. We must also not forget that women and men are inherently different in their biological functioning. Each plays a significant role in the social fabric; thus one's needs must not be neglected for building a healthier society. Our CJI DY Chandrachud, has rightfully stated while bidding adieu to Justice Hima Kohli in her praise, that, to succeed as a woman, you do not have to forsake your femininity. This empowering message sent by Justice Kohli, in her conduct, has brought to attention the importance of bringing true gender justice.

Creative Corner

Poems

My Musings

What is life exactly if not a dot between two points,

We close our eyes and

lo and behold... we are sliding our way through life.

So many twists and turns,

Though we may experience burns,

But our quality of perseverance helps us through,

Like a steaming hot cup of coffee brew brew,

Happiness eludes us for it is momentary

Illusioning us thoroughly;

Foes and loving friends both bring us great joy,

For in the eyes of nature we are nothing but a toy.

Fleeting nature of humans it brings forth,

But joyous ride it is though.

Though many a storm we may harness,

But we endure the ability of burning it in furnace.

In the end what are left but memories

Making life worthwhile,

Buried in hearts long after we are gone.

- Saee Dumbare (Assistant Professor, New Law College)

I TRIED TO FIGURE OUT WHAT JUSTICE MEANS TODAY...

Justice... what is that?

A comment for an aftermath?

Or is it something that one can buy?

Poor don't have the money to own it

Untouchables.. dare they ever touch it

Justice.. is it something that's bias?

I have seen it often as colour sensitive

It's a longing prolonging for a non-

whitishIt's a deadly pretext of help and

denial

Ohh justice... what is that?

A judgement based on fallacious

facts..?A coax a hoax meticulously

planned?

It’s poured in books many can’t

readIt’s read for you but you need

money

It’s not in the air, but high in the skies, Out of reach of a commoner’s flight

But in courts, does it even

visit..?A delayed duty of state,

is it..?

Justice.. Why is it that people are always demanding it...?

Obviously ‘coz it’s still ain’t for all

It’s always late for mine and yours

callIt selectively hears some pleas,

While several thousands are here, waiting..

Why justice, are you kidnapped by someone or are you just hiding..?From

this society’s fightings..?

Or have you been killed when humanity died..?

Oh Justice! Is it that

the day our society stabbed democracy you bled too?

re you feeling

vulnerableas several

others do?

Oh people! We have had enough!

And, although it may seem tough,

Let’s stop this game of hide-from-scare..

And together heal its ailment

and find the medicine,

do you dare..?

—bhairav

(Bhairavie Suhas Archana Kharat Student of NLC)