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EDITORIAL

Infringement of Trademarks in Cyberspace: A Critical Study

CHAIRMAN'S MESSAGE

It is a matter of great pleasure to know that ATTORNEY-E LEGAL MAGAZINE of FIMT-School of Law for the term ending December 2023 is all set to be released.

I am particularly excited about Attorney, an initiative that showcases the extraordinary talents of our faculty and students. Through this magazine, we aspire to propel FIMT to the heights it rightfully deserves. Together, let us embark on a journey of excellence in education, research, and societal impact.



Shri V.K.N Bhardwaj Chairman FIMT GROUP OF INSTITUTIONS

FROM EXECUTIVE DIRECTOR'S DESK

College magazine always portrays thoughts, ideas, dreams, creative writings and aspirations of young minds and it is a platform that provides exposure and freedom to express your views. I congratulate the efforts of the team in compiling and unleashing the hidden potential of the students and making this magazine very purposeful and meaningful. I appreciate every student who contributed to the magazine along with their commitment to curriculum.



Dr.Nalini Joshi Executive Director FIMT

MESSAGE FROM THE EDITOR IN CHIEF

I congratulate the team of students and teachers whose precious efforts has made this edition of Attorney accessible to us. As an advisor of Fairfield Institute of Management & Technology, New Delhi, it gives me immense pleasure to experience the warmth of this literary tradition in resonance with the glorious past of the institution.

Rhyming with the change that is the law of nature, the magazine portrays the trajectory of transformation achieved in different spheres.



Prof. (Dr.) Shaveta Gagneja Director-FIMT, SOL

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INFRINGEMENT OF TRADEMARKS IN CYBERSPACE

Swati Pandita, Assistant Professor

INTRODUCTION

Trademarks are names and images that an organization uses to recognize its product or service in the commercial arena. Trademarks are the laws acknowledging of the psychological function of images. Trademarks rights comprise of a specific logo, an organization's name, packaging style etc.

In 1970's and 1980's internet was primarily used for academic and governmental functions. After a long process of trial and error current domain name system came into being. It is the name of the website through which internet users can access it. But earlier it had two addresses. One was IP address, and another was human readable name. Now human readable name is called domain name.

With the advent of technological development and commercialization of internet issues regarding infringement of trademarks in cyberspace took birth. But domain name system was not developed for the purpose of awarding intellectual property rights to the holder of domain name. Such conflict arises from the lack of connection between the systems for registering trademarks, on one hand and the system for registering domain names, on the other hand. The former system (trademarks) is administered by a public (governmental) authority on a territorial (either national or regional) basis, which gives to rights on the part of the trademark holder that may be exercised within a territory. The latter system (domain names) is usually administered by a nongovernmental organization (Netronics) without any functional limitation, domain names are registered on a first come first serve basis and a offer unique, global presence on the Internet.

WHAT IS A TRADEMARK?

- A trademark in relation to goods conveys to the general public and specifically to the Consumers about the origin and quality of those goods, thereby acquiring reputation in the course of business and time. Therefore the concept of a trademark is the foundation of one's business to distinguish from others. A good trademark is often the best salesman of the goods and is a visual symbol of goodwill and stamp of quality.
- Section 2 (zb) of the Trade Marks Act, 1999, "trade mark means a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include shape of goods, their packaging and combination of colours."
- In the case of Cadbury India Limited v. Neeraj Food Products, "the Delhi High Court observed that the spirit, intendment and purpose of the trademark legislation is to protect the trader and consumer against dishonest adoption of one's trademark by another with the intention of capitalizing on the attached reputation and goodwill."

INFRINGEMENT

- Infringement can be said to occur whenever any person other than the registered proprietor uses such a mark with intent to defraud in the course of his trade. The infringing mark may be identical with or deceptively similar to the registered mark and in relation to the goods or services in respect of which the mark is registered.
- Section 27(1) of the Trademarks Act, 1999 "provides that a person shall be entitled to initiate legal proceeding to prevent or recover damages for the infringement of a registered trademark. Infringement occurs when someone else uses a trademark that is same as or deceptively similar to registered trademark for the identical or similar goods or services as to cause confusion in the mind of the public. This right of bringing an infringement action against the defendant has been conferred by Section 28 of the Trademarks Act, 1999."
- Section 28 of the Act provides that "the registration of a trademark gives to the proprietor of a registered trademark an exclusive right to use the trademark in relation to the goods and services in respect of which the trademark is registered and to obtain relief in respect of infringement of the trademark."
- Trademark infringement claims generally involve the issues of likelihood of confusion, deceptive marks, identical marks and dilution of marks. Likelihood of confusion occurs in situations where consumers are likely to be confused or mislead about marks being used by two parties. The plaintiff must show that because of the similar marks, many consumers are likely to be confused or mislead about the source of the products that bear these marks.

CYBER SQUATTING

Cyber squatter, refers to "someone who has speculatively registered or has acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant who is the owner of the mark or service mark. Sometimes parties register names expecting to auction them off to the highest bidder."

The Delhi High Court has defined cyber-squatting in Manish Vij v. Indra Chugh as "an act of obtaining fraudulent registration with intent to sell the domain name to the lawful owner of the name at a premium"

Mark & Spencer v. One-in-a-million "the defendants had registered as domain names, a number of well-known trade names, associated with large corporations with which they had no connection. Then they offered them to the companies associated with each name for an amount. The Court held that when a person deliberately registers a domain name an account of its similarity to the name brand name or trademark of an unconnected commercial organization he must expect to find himself at the receiving end of injunction to restrain the threat of passing off."

CATEGORIES

• Misspelling the intended site – known as typo squatting. When the visitor accidentally or inadvertently misspells the URL or site name, leads the visitor to the spoofed website that does not belong to the company. Example: A victim may type www.del.com instead of www.dell.com

• Phrasing domain name differently – When the mala-fide registrant registers a domain name that looks similar but phrased a bit differently, duping the visitor, to believe the domain is official which they intended to visit. Example: www.amaron.com may be wrongly phrased as www.amaronbattery.com.

• Using a different domain extension –Here when the malafide registrant uses a different extension to for name of a well known website. Example: www.jbl.net for www.jbl.com.

• Omission of the dot – A very common trap in the world of cyber squatting where a small typographical error by the visitor lands them to a different website than what was warranted for. A website by the url www.swathi.com is what the visitor wants to visit and a cyber squatter registers a domain by the name wwwswathi.com and the visitor doesn't put the dot after www, he lands to a different place altogether.

CYBER PARASITE

Like cyber squatters, cyber parasites also expect to gain financially, however, unlike squatters such gain is expected through the use of the domain name. In some cases a famous name will be registered by another, in other cases, a mark that is similar to or a commonly mistyped version of a famous name will be used. The dispute might arise between direct competitors between those in similar lines of business or between those who simply wish to indulge in 'passing off' of the names fame.

CYBER TWINS

When both the domain name holder and the challenger have a legitimate claim to the domain name then they are known as parties.

In Indian Farmers Fertilizer Corporation ltd. v. International Foodstuffs Co. the dispute was relating to the domain name iffco.com. The defendants had registered the domain name iffco.com and had been using it with good faith. The complainant had domain names related to iffco.com and had a legitimate interest in the domain name. The complainant had alleged the defendant of diverting the net surfaces to its own web sites. However, the Arbitration centre dismissed the case, as both the parties had legitimate interest in the domain name and the complainant had failed to prove ,bad faith' on the part of the defendant.

REVERSE DOMAIN NAME HIJACKING

It is also known as reserve cyber squatting. Where a trademark owner attempts to secure a domain name by making false cyber squatting claim against a domain names rightful owner.

This often intimidates domain names owners into transferring ownership of their own domain names to trademark owners to avoid legal action, particularly when the domain name belongs to smaller organizations or individuals. It is preferred by larger corporations and famous individuals.

META TAGS

A Meta tag is a piece of informational code that is inserted into the header of an HTML document and unseen by users. Meta tags were developed in the mid-1990's as a method to optimize search engines. A Meta tag describes and indexes the contents of a web page so that when a user inputs a related search term into a search engine, the web page will be displayed as one of the results. Meta tag trademark infringement can occur when a website operator inserts third-party trademarks into Meta tags, website copy, and other assets of a website's code.

DOMAIN NAME PARKING

Domain name parking occurs when a domain name registrant deposits its domain names with a Registrar or Parking Service Provider who "creates placeholder pages and then invites internet advertisement networks to fill them with advertisements" as opposed to constructing a functional website.Domain Parking generates money when the user click on links to other websites advertised on the parked page and for every such click; the advertiser indirectly pays the domain name registrant. This kind of activity is commonly referred to as Pay-Per-Click (PPC) advertising. Domain name parking results in trademark infringement because unaffiliated domain name registrants can incorporate the owners' marks into parked domain names; thereby, reducing the trademark owner's ability to control the use of their mark in cyberspace and diverting consumers to competitors' websites.

CONCLUSION

To wrap things up, the problem of trademark violations on the internet is a tricky one. The internet has grown fast, and things like web addresses and domain names have become important. Some people misuse these to copy or trick others, causing issues for trademark owners. Our laws, like the Trade Marks Act of 1999, are supposed to help in such cases. They provide ways to deal with these problems and protect trademark owners. But it's also important for individuals and companies to know about the various ways trademarks can be misused online and take steps to keep their stuff safe. In our ever-changing online world, protecting trademarks on the internet is super important to keep up the good name and quality that these symbols represent.



CHINA - MEASURES RELATED TO THE EXPORTATION OF RARE EARTHS, TUNGSTEN, AND MOLYBDENUM (WTO APPELLATE BODY)

The Appellate Body upheld a ruling by a WTO panel that China was violating international trade rules by restricting exports of rare earths, tungsten, and molybdenum. The ruling is significant because it could lead to increased pressure on China to open up its markets and reduce its reliance on state-owned enterprises.





SECTION 37 NDPS ACT SHOULD NOT BE INTERPRETED LITERALLY TO RENDER BAIL IMPOSSIBLE: SUPREME COURT

In Mohd Muslim @ Hussain v/s State (NCT of Delhi) a Division Bench of Justices S Ravindra Bhat and Dipankar Dutta held that undue delay in trial can be a ground for grant of bail to an accused charged under the Narcotics Drugs and Psychotropic Substances Act 1985 (NDPS Act), despite the stringent conditions provided under Section 37.

CHEQUE BOUNCING CASES NOT AKIN TO CIVIL PROCEEDINGS; IBC PROCESS DOES NOT EXTINGUISH CRIMINAL CASE: SUPREME COURT

A three-judge Bench of Justices Sanjay Kishan Kaul, Abhay S Oka and JB Pardiwala, in Ajay Kumar Radheshyam Goenka v/s Tourism Finance Corporation of India Limited held that the initiation of the insolvency process to recover a debt would not absolve accused from criminal liability in cheque dishonour cases. The Court made it clear that proceedings under Section 138 of the Negotiable Instruments (NI) Act are not recovery or suit proceedings, but penal in character.



CONSUMER FORUM NOT EMPOWERED TO DECIDE CASES INVOLVING TORTIOUS ACTS OR CRIMINALITY: SUPREME COURT

in CMD City Union Bank Limited and Another v. R ChandramohanA Division Bench of Justices Ajay Rastogi and Bela M Trivedi reaffirmed that consumer fora are not entitled to decide complaints involving highly disputed questions of facts or cases involving tortious acts or criminality like fraud or cheating. The Court held that proceedings before consumer fora are summary in nature and they can only decide on 'deficiency in service'.

LACK OF CRIMINAL ANTECEDENTS OF CONVICT NOT SOLE CRITERION TO DECIDE WHETHER CASE IS 'RAREST OF RARE': SUPREME COURT

in Shivamurthy v. State of Karnataka, SC held that lack of criminal antecedents of a convict is not the sole criterion to decide whether the case falls under the rarest of rare category. The Court said that in cases involving death sentence, several other factors have to be considered and showing undue leniency in brutal offences will negatively impact the confidence of public in the legal system.





MERE MEMBERSHIP OF UNLAWFUL ASSOCIATION SUFFICIENT TO CONSTITUTE AN OFFENCE UNDER UAPA: SC UPHOLDS SECTION 10(A)(I) In Arup Bhuyan v. State of Assam Home Department and Another athree-Judge Bench of Justices MR Shah, CT Ravikumar and Sanjay Karol held that holding membership of an

Justices MR Shah, CT Ravikumar and Sanjay Karol held that holding membership of an association declared unlawful by the Central government is sufficient to constitute an offence under the Unlawful Activities Prevention Act (UAPA). In doing so, the Court upheld the validity of Section 10(a)(i) of the UAPA, which was earlier read down by a division bench of the Court in 2011.

SET UP COMPREHENSIVE E-SEVA KENDRAS AT DRTS: SUPREME COURT DIRECTS CENTRAL GOVERNMENT IN PLEA CHALLENGING MANDATORY E-FILING

A Division Bench of Chief Justice of India (CJI) DY Chandrachud along with Justices PS Narasimha and JB Pardiwala issued guidelines to facilitate e-filing at Debts Recovery Tribunals (DRTs) across the country in the case of Madhya Pradesh High Court Bar Association v. Union of India and Others. The Court made it clear that e-filing provides for transparency and convenience in the administration of justice.

GLASS CEILINGS FOR WOMEN

--Soumya sharma, BBA(G), 6th Sem



INTRODUCTION

The metaphorical "glass ceiling" is an impenetrable wall that keeps some people out of administrative and executive roles within an organisation or sector, particularly women and minorities. Marilyn Loden came up with the expression in 1978 when speaking on the unseen barriers women encountered in the workplace at a Women's Exposition in New York.

Although women have made strides in the workplace over the past few decades, the glass ceiling effect still exists in many industries and nations. In the United States in 2021, women made up 56.8% of the labour force, but only held 29.1% of chief executive jobs, according to the Bureau of Labour Statistics (BLS) Additionally, 85.7% of top executives said they were white, indicating a lack of diversity and minority group representation.

The glass ceiling effect has detrimental effects for people and organisations alike. It restricts people's options for employment, earning potential, and professional advancement. Additionally, it damages their sense of identity, motivation, and self-worth. It lessens an organization's access to talent, their ability to innovate, and their ability to compete in the market. Additionally, it raises their turnover rate, legal dangers, and issues with their public image. The glass ceiling effect is a result of a number of variables, including:

- Stereotypes and biases: Due to their gender, race, ethnicity, or other characteristics, women and minorities frequently encounter implicit or explicit stereotypes about their skills, preferences, and roles. These preconceptions can affect decisions about recruiting, evaluating, promoting, and paying people, as well as fostering a hostile or unwelcoming work environment.
- Organisational culture and structure: Some workplaces have standards, beliefs, and procedures that favour some groups over others or put obstacles in the way of advancement for women and minorities. For instance, some organisations might not have mentorship or sponsorship programmes, or they can have rigid work schedules that don't allow for work-life balance.

• Social networks and connections: Compared to their colleagues, women and minorities may have less access to powerful individuals and information within their organisations or sectors. This may reduce their level of visibility, acceptance, and support for their professional objectives. They might also pass up beneficial chances for networking, collaboration, and learning as a result. Both individuals and organisations need to be proactive in addressing these issues in order to reverse the glass ceiling effect and develop a working environment that is more fair and inclusive.

SOME OF THESE ACTIONS CONSIST OF:

- Increasing awareness and educating people about the glass ceiling effect's presence, effects, and underlying reasons is important. They must also educate both themselves and others on how to spot and confront prejudice and stereotypes in both parties.
- Goal-setting and metrics: To increase diversity and inclusion in their leadership positions, individuals and organisations need to set specific, quantifiable goals. Additionally, they must transparently and regularly monitor their progress and performance.
- Implementing policies and programmes: People and organisations need to carry out policies and initiatives that promote minorities and women in advancing their careers. These might include coaching Affirmative action programmes, flexible work schedules, diversity training, anti-discrimination laws, and other activities.
- Celebrating success and role models: People and organisations should acknowledge the contributions and accomplishments of women and underrepresented groups in their areas. They must also draw attention to the lives and accomplishments of outstanding role models who have either helped others break through the glass ceiling or surmounted it themselves.
- The glass ceiling effect is a complicated and enduring issue that calls for concerted effort from all interested parties. We can build a more equitable and prosperous society for all if we band together to break the "glass ceiling" effect.

ILLUSTRATIONS OF THE GLASS CEILING EFFECT

- Depending on the circumstances and context, the glass ceiling effect can take many various forms. the following are some examples of how Women are impacted by the "glass ceiling" in a variety of fields:
- Traditionally held by women or seen as feminine, such as nursing, teaching, social work, etc., are referred to as "pink-collar" employment. These positions typically pay less and have less prestige and status than ones that are usually held by males or are viewed as masculine. Stereotypes about their abilities or interests may make it difficult for women who work in pink collar industries to move up the corporate ladder or change careers.
- The phrase "maternal wall" describes the prejudice that women experience when they become mothers or intend to become mothers. Some businesses might believe that after having children or taking maternity leave, women will become less committed or productive. They might also refuse them opportunities or promotions.

The term "bamboo ceiling" describes the obstacles that Asian-American women must overcome in order to advance in their careers. Due to cultural prejudices, some employers can view them as passive, submissive, or lacking in leadership abilities. Additionally, they could experience prejudice because of their accent or look.

he phrase "concrete ceiling" describes the numerous forms of discrimination that African American women must overcome in order to progress in their careers. They might come into prejudices that restrict their prospects or resources, such as racism, sexism, ageism, or classism. Additionally, they might experience exclusion or antagonism from subordinates or peers.

GLASS CEILING EFFECT HISTORY

The patriarchy and sexism that led to the glass ceiling effect have a long history in human society. However, Some significant occasions that influenced the idea of the glass ceiling look include: The suffrage movement was a social movement that sought to guarantee women's ability to vote in a number of nations in the late 19th and early 20th centuries.

The movement questioned the established power dynamics and gender roles that prevented women from political representation and involvement.

The Second World War ran from 1939 to 1945 and was a major global battle. To make up for the labour shortfall brought on by men going to war at this time, lots of women entered the job

They began working in fields historically dominated by men, such as manufacturing, engineering, flying, etc. However, many women were expected to return to their homes once the war was over.

The Women's Liberation Movement was a global social movement that began in numerous nations in the 1960s and 1970s. The movement promoted equal rights and opportunities for women in all spheres of life, including employment, education, health, and sexuality, among others. The movement fought against the discrimination and sexism that women endured in both their personal and professional lives.

The United States Department of Labour established The Glass Ceiling Commission as a federal body in 1991. The panel was entrusted with researching the obstacles that minorities and women faced while trying to advance to senior positions in businesses. The commission released a number of papers and guidelines for removing the glass ceiling effect.

CONCLUSION

Millions of women are impacted by the major problem of the "glass ceiling effect." It is not only unfair, but it also hurts a society's ability to flourish economically and socially. Therefore, it is essential that we all collaborate in order to overcome the effect of the "glass ceiling" by increasing awareness, defining goals, putting policies into place, and celebrating accomplishment.



-Amisha Arora, BBALLB, 4th Sem



INTRODUCTION

India is a country with diverse cultures and traditions, but there are many who are forced to hide their true selves to fit in with society. From LGBTQ+ individuals to those with addictions or unconventional careers, living a double life is a common occurrence. The cost of maintaining secrecy can be devastating, leading to mental health issues and strained relationships. This is the story of those who live in the shadows, and the toll it takes on their lives.

CASE STUDY

Take the case of Preeti, a 28-year-old marketing executive. Preeti had always felt like she was trapped in the wrong body, but the fear of being rejected by her family and friends forced her to hide her true identity. She dressed in traditional women's clothing and even got married to a man, but the constant pressure to conform was taking a toll on her mental health. She began to experience depression and anxiety, and eventually attempted suicide. Fortunately, Preeti was able to get help and is now living openly as a transgender woman.

In India, and indeed in many parts of the world, there are societal expectations and norms that dictate how individuals should behave and what they should do with their lives. However, it is important to recognize that not everyone fits into these societal expectations, and this can lead to individuals leading double lives in order to express their true selves.

For example, something as seemingly small as clothing choice can have a significant impact on an individual's life. Many people feel pressured to dress in a certain way that is deemed acceptable by society, and this can lead to them feeling like they cannot express their true selves. Similarly, choices related to diet, relationships, and lifestyle can all be subject to societal pressure. It Is important to recognize that individuals have the right to make their own choices about their lives. These choices should not be judged or condemned by society

simply because they do not fit into traditional expectations.

Everyone should be allowed to live their lives according to their own beliefs and values.

STATISTICS

According to a recent survey by The Swaddle, an Indian media platform, 1 in 3 Indians leads a double life. The most common reasons cited were societal pressure to conform, fear of judgment or discrimination, and lack of support from family and friends. The toll of living a double life can be devastating, leading to mental health issues like depression, anxiety, and addiction. It can also strain relationships with family and friends, people may feel like they don't really know the person they thought they did.

RECENT PROGRESSION

Many people still believe that seeking professional help for mental health issues is a sign of weakness, or that pursuing unconventional careers or lifestyles is unacceptable. But there is hope. In recent years, mental health awareness campaigns like #LetsTalkMentalHealth and #MannKiBaat have gained popularity, encouraging people to share their stories and seek help. Organizations like The Live Love Laugh Foundation, founded by Bollywood actress Deepika Padukone, are working to raise awareness about mental health issues and provide support to those in need.

CONCLUSION

Leading a double life can be incredibly challenging, and it is important for individuals to feel supported and accepted by their communities. By embracing diversity and celebrating individuality, we can create a more inclusive and accepting society that allows everyone to live their lives to the fullest. It is time to break free from the constraints of societal expectations and embrace the richness and diversity of the human experience.

UNIFORM CIVIL CODE

MEANING OF UNIFORM CIVIL CODE

The Indian government's obligation to replace personal laws based on the scriptures and traditions of each significant religious community in India with a uniform body of laws regulating all citizens is known as the Uniform Civil Code. A universal set of laws regulating every citizen is intended to replace the personal laws based on the scriptures and traditions of each major religious community in India.

BEGINNING

During the Shah Bano case in 1985, the universal civil code became a flashpoint in Indian politics. Bano, a Muslim lady, should receive alimony from her ex-spouse, the Supreme Court had ruled. The court had made a uniform statement in the context of that judgement.The earliest personal laws were created during the British Raj, mostly for Muslims and Hindus. The British stayed out of this domestic dispute out of concern for the community leaders' resistance.

INDIAN CONSTITUTION ON UNIFORM CIVIL CODE

Article 44 of the constitution, which is a Directive Principle of State Policy, it is stated that the state shall work to ensure that citizens have access to a unified civil code across the entirety of India.

In a number of cases, the Supreme Court has cited Article 44 and the idea of a universal civil code, mostly to draw attention to the legislature's and the executive's poor approach to carrying out the order.

NEED OF UNIFORM CIVIL CODE

1. It Promotes Real Secularism

India currently practises selective secularism, which means that while we are secular in some contexts, we are not in others. All Indian citizens must abide by the same rules, regardless of their religious affiliation—whether they are Sikhs, Christians, Muslims, or Hindus. I think this is righteous and secular. A uniform civil code simply means that everyone will be treated equally; it does not imply that people's freedom to practise their faith will be restricted. Real secularism is that.

2.All Indians Should Be Treated Same

Currently, our personal rules are centred on certain religions, thus while Muslims in India are permitted to remarry, Hindus or Christians may face legal repercussions if they do the same. I don't think this is equality. All Indians should be treated equally under the law in regards to marriage, inheritance, family, land, and other matters. The only way to guarantee that all Indians are treated equally is to do this.

3. It will provide More Rights to the Women

The Uniform Civil Code will also help improve the status of women in India. Our society is extremely patriarchal and misogynistic and by allowing family life to be governed by old religious rules, we condemn all Indian women to submission and abuse. The Uniform Civil Code will help change these ancient traditions, which have no place in today's society, where we understand that women should be treated fairly and have equal rights.

MERITS OF UNIFORM CIVIL CODE

- If a uniform civil code is enacted and enforced:
- 1. It would aid and speed up national integration.
- 2. It could prevent conflicts between legal provisions.
- 3. It could reduce litigation resulting from personal legal disputes.
- 4,.The country would emerge with new force and power to face any challenges and finally defeat the communal and the division forces.

INTERNATIONAL SCENARIO ON UNIFORM CIVIL CODE

Because of their sense of unity, which we have yet to cultivate and spread, Israel, Japan, France, and Russia are powerful nations today. Most nations have a uniform civil code, or for that matter, a uniform body of criminal or civil law. The US and European countries both have secular laws that are equally and consistently applied to all citizens, regardless of their religious beliefs. Shariah, a universal rule founded in Islamic nations, is applicable to everyone, regardless of religion.

DRAWBACKS FOR UNIFORM CIVIL CODE

1. Challenges brought on by India's diversity Due to the great diversity in our country, implementing the Uniform Civil Code is a difficult undertaking. Another obstacle to a single personal law is cultural variances between states and communities.

2. The right to practice any religion is guaranteed under the constitution. The breadth of the right to freedom of religion will be constrained by the codification of universal rules and their imposition.

3. The country has established fundamental principles for the preservation of human rights and social responsibility through general laws. For instance, there is a general rule that governs all personal laws and forbids child marriage.

4. Every religion will assert that it has the authority to judge diverse matters in accordance with its own particular law. This is not at all what we think. It must be accomplished through a court order.

CONCLUSION

Finally, I'd like to draw the conclusion that citizens of various religions and denominations adhere to various property and matrimonial laws. This not only undermines the nation's unity but also raises the question of whether we are a sovereign, secular republic or a loose confederation of federal states where people live according to the whims and fancies of mullahs, bishops, and pandits. I whole heartedly back the campaign to enact the UCC and standardize personal laws. Not out of any bias, but rather because it is urgently needed, I support it. It is past due for India to create a unified legal system that addresses issues like marriage, divorce, succession, inheritance. and maintenance. A country where secularism is given considerable esteem in resolving the issues of the nation must have a uniform civil code.

THE EVOLUTION OF LEGAL EDUCATION AND THE LEGAL PROFESSION: EMBRACING TECHNOLOGICAL ADVANCEMENTS

Ananya Kapur, BBALLB, 6th SEM



INTRODUCTION

Technology has become an inseparable part of our lives, influencing various sectors, including law. Despite initial hesitancy, the legal industry is incorporating technological advancements, transforming legal education and reshaping the roles of legal professionals. This article explores the impact of technology on legal education, the legal profession, and recent innovations in courtrooms.

TECHNOLOGICAL PROGRESS IN THE LEGAL INDUSTRY

The legal sector is experiencing significant changes due to technological progress. Automation streamlines tasks, such as document management and research, enhancing efficiency in law practices.

Predictive analytics aids lawyers in anticipating case outcomes and automates routine processes like contract creation. In-house lawyers benefit from technology's ability to process vast data, saving time and resources. Collaborative approaches between humans and technology are emerging, emphasizing the complementary nature of human expertise and technological capabilities.

INFLUENCE ON LEGAL EDUCATION AND JOB SECTORS

Legal education is adapting to technological advancements, incorporating knowledge from diverse fields and quantitative methodologies. Traditional skills are balanced with modern technological expertise to prepare students for the evolving legal landscape. Paralegals and solicitors are increasingly relying on technology, enhancing their job performance and productivity. The coexistence of human professionals and technology showcases the potential of collaborative efforts in complex tasks.

TECHNOLOGICAL INTERVENTIONS IN COURTS

- Recent developments highlight technology's presence in courtrooms. Innovative solutions are aiding legal representation, ensuring defendants receive real-time advice during court proceedings.
- Virtual reality technologies are being explored, creating immersive courtroom experiences for participants.
- These interventions signify the legal system's adaptability to technological advancements, enhancing the overall judicial process.

EMBRACING THE FUTURE

- The integration of technology into legal education and the legal profession marks a transformative era.
- While automation and innovative tools enhance various aspects of legal work, human skills such as emotional intelligence and judgment remain invaluable. Legal professionals' expertise in areas like client interactions and conflict resolution remains essential.
- Technology serves as a tool, augmenting human capabilities and improving efficiency in legal practices.

CONCLUSION

The legal industry's embrace of technology signifies a shift towards a more efficient and streamlined future. Legal education prepares students for this changing landscape, balancing traditional skills with technological expertise. As technology continues to evolve, the collaboration between human professionals and innovative tools will define the future of the legal profession, ensuring its relevance and effectiveness in an increasingly digital world.

CRIME AGAINST WOMEN



INTRODUCTION

The 21st century has many new technological advancements and India has become the fastest developing country in the world but society as a whole still fails to protect the women of this nation. India is a massive, predominantly female nation. India, as we know, ranks highly for crimes against women. As a society we need to understand that if we want our society to be in safe hands we need to educate our people about such incidents and what are the things we need to focus on how we can save our women. This is the alarming situation in India. In this article we will discuss about crime against women and what can be the possible reasons for it and their solutions.

The following are some crimes against women.

- · Sexual harassment at workplace
- acid attack
- rape
- Obscenity
- Pornography
- domestic violence
- dowry demand and death

STATISTICS

- According to the newspaper THE TRIBUNE, the number of offences against women is up 15% as 2023 gets off to a bad start.
- According to NCRB (National Crime Records Bureau) data from 2021, Haryana leads the area in terms of crime against women. And this number is increasing every year.

POSSIBLE REASONS

- Crime against women is a social, economic, developmental, educational and legal issue.
- Gender relations and roles such as Men's acceptance of sexist, patriarchal society and sexually offensive behaviors are major reason for the cause of such crimes.
- Social customs and behaviors that promote violence, inadequate resources for domestic violence and Violence in the neighborhood are needed to stop.
- Lack of education can be a major issue that can cause crimes against women.

Ekta Mehra, B.Ed., 2nd Sem

- If a person is uneducated, he or she will indulge in bad practices because he will be unaware of the laws and rules of the society.
- Alcohol or other drugs are the other reason for the violence against women. There are number of cases that show that alcohol is the root problem for domestic violence against women.
- No fear of law can be the other possible reason for crime against women in India. There are cases that show that people are not afraid of the police officials because the higher authorities are corrupt.

SOLUTIONS/SUGGESTIONS

- Education can be a powerful weapon to fight this odd of the society. As we are aware that education can teach our youths about good or bad practices of the society. It will also give knowledge about the laws and will aware the women of the society to stay safe.
- Families should take part in the campaigns and other awareness programs that can help them to stay updated about the safety of the women's. As Geoffrey Holder says "Education begins at home"
- Parents of young children should be taught about how childhood is so important in the development of the person. If a parent teaches his/her child good things and give a safe and secure environment, he or she will become a more confident and good person in the future.

CONCLUSION

People should stand up against the normalization of sexual violence in all its forms. There is great need to educate a girl about their basic rights and support services. Women should be provided with adequate information regarding their safety concerns. There is a need to Challenge gender norms that lead to gender inequality. Women should be given a proper space where she can express herself without any shame. There are many incidents that shows that girls/ women kept their mouth shut about the abuses they have faced in their life because of society shame. They are afraid that what people will think of them. We need to stop these practices so that women of this country feel safe and secure.



CONTRIBUTION OF WOMEN IN ECONOMIC OR SOCIAL LIFE

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INTRODUCTION

Throughout history, women have played a critical role in shaping societies and economies. In recent decades, there has been a remarkable shift towards recognizing and empowering women, unleashing their potential to positively impact economic and social realms. This article aims to highlight the significant contributions made by women in both economic and social spheres, shedding light on the transformative power of gender equality.

ECONOMIC EMPOWERMENT

• Workforce Participation:

Women's participation in the labor force has increased substantially in recent years. By entering various industries and sectors, they have brought fresh perspectives, skills, and talents. Their active presence in the workforce has contributed to economic growth, increased productivity, and improved market dynamics.

• Entrepreneurship:

Women are venturing into entrepreneurship at an unprecedented rate, establishing and managing successful businesses. They have shown exceptional capabilities in diverse fields, from technology and finance to healthcare and fashion. Female entrepreneurs have not only created job opportunities but also introduced innovative solutions to address societal challenges.

• Closing the Gender Pay Gap:

Efforts to close the gender pay gap have gained momentum globally. Women have been at the forefront of advocating for equal pay for equal work. By pushing for equitable compensation, they have not only improved their own financial situations but also paved the way for future generations to thrive in an environment of fairness and equality.

• Financial Inclusion:

Women's access to financial resources has been expanded through initiatives that promote financial inclusion. Empowering women with financial literacy and providing them with opportunities to access credit and savings services has led to increased economic independence. As a result, women are more likely to invest in education, healthcare, and other areas that benefit their families and communities.

• Leadership and Decision-Making Roles:

Women's representation in leadership and decision-making roles within corporations, governments, and organizations has a profound impact on policies and practices. Their inclusion in strategic decisionmaking processes enhances diversity, fosters innovation, and promotes a more inclusive and sustainable future.

SOCIAL EMPOWERMENT:

• Education:

Investing in girls' education has proven to be a powerful tool for societal progress. Women's access to quality education empowers them to acquire knowledge, develop critical thinking skills, and pursue their aspirations. Educated women contribute to the social fabric by becoming effective leaders, role models, and advocates for positive change.

• Family and Community Development:

Women are central to nurturing and building strong families and communities. Their ability to multitask and empathize enables them to foster social cohesion, promote harmony, and advocate for social justice. By participating in community development projects, women enhance social capital, address local challenges, and create a better quality of life for all.





Advocacy and Social Change:

Women have been instrumental in advocating for gender equality, human rights, and social justice. Their activism has raised awareness about critical issues such as domestic violence, gender-based discrimination, and equal access to resources. Through grassroots movements, women have catalyzed social change and fostered a more inclusive and equitable society.

• Cultural Preservation:

Women play a significant role in preserving cultural heritage and promoting artistic expression. They contribute to the arts, literature, music, and traditional crafts, enriching society with their creativity and preserving cultural diversity. By passing down ancestral knowledge and traditions, women ensure the continuity of cultural values for future generations.

KEY RECOMMENDATIONS

Efforts to promote gender equality and empower women must continue to be a priority. Governments, businesses, civil society organizations, and individuals all have a role to play in creating an environment that supports and nurtures women's economic and social advancement.

Here are some key recommendations to further enhance the contributions of women:

• Equal Opportunities:

Ensure equal access to education, employment, and entrepreneurship opportunities for women. This includes eliminating gender biases and discriminatory practices in hiring, promotion, and funding processes.

• Financial Inclusion:

Promote financial literacy and provide access to credit, savings, and investment opportunities for women, particularly those in marginalized communities. This will enhance their economic independence and decisionmaking abilities.

• Leadership Development:

Invest in leadership development programs and initiatives that equip women with the skills, knowledge, and confidence to assume leadership positions in various sectors.

Legal Protections:

Enact and enforce laws that protect women's rights, including laws against gender-based violence, workplace harassment, and discrimination. Strengthen legal frameworks that promote gender equality and provide avenues for seeking justice.

• Gender-Responsive Education:

Integrate gender-responsive education into school curricula, promoting gender equality, respectful relationships, and challenging stereotypes from an early age.

• Data Collection and Analysis:

Improve data collection and analysis systems to track women's participation and contributions in economic and social spheres. This data is essential for evidencebased policymaking and monitoring progress towards gender equality.

• Cultural Shift:

Promote cultural change that challenges gender norms, stereotypes, and biases. Encourage men and boys to become allies in the pursuit of gender equality, fostering an inclusive and supportive society for women.

CONCLUSION

The contribution of women to economic and social life is undeniable. It is crucial to recognize, appreciate, and amplify their voices, talents, and achievements. By embracing gender equality and empowering women, societies will unleash their full potential and realize a more prosperous, inclusive, and sustainable future for all. It is time to create a world where women's contributions are celebrated and where they have equal opportunities to thrive.



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THE INDIAN SOCIETY AND THE ROLE OF DIVERSITY

The Indian subcontinent has been a historical melting pot of diverse creeds and ethnicities. The religious structure of our country constitutes of a variety of both orthodox and heterodox Hindu sects and some of the prominent ones are the mainstream Shaivites, the Vaishnavites, the Jains and Buddhists respectively. These groups are spatially spread across the length and breadth of the country and each state has its own motley of regionally specific shades of ethnicities.

Alongside this, some religious communities with totally disparate roots from the middle East also exist in our country. These are the Zoroastrians, Christians and the Mohamaddans and they are sparsely spread across certain areas in the Indian subcontinent. In addition to this, the country also stands witness to the caste system which has pervaded through various timeframes in the past and it exists in the present as well.

The caste system has been considered as a quintessential feature of India's socio-political landscape. Sociologists have described 'caste' as a fixed social group into which an individual is born within a particular system of stratification. Several communities add the philosophy of religious purity and pollution within this system. Amidst these factors, a socio-economic factor of class further intensifies the diverse layers in our society.

The subaltern groups and the marginalized communities such as the rural labourers and the scheduled tribes that have existed on the peripheries of the society represent a range of distinct needs that require serious attention. Amidst such vivid socio-cultural and socio-economic pluralities, there have been several attempts to understand the religious laws of the Indians by many leaders in the early modern period and in the contemporary era. Personal laws refer to civil laws that deal with matters related to marriage, divorce, maintenance, succession,

adoption, inheritance and property rights.

Personal laws are deeply entrenched with the specificities of the organisational norms, customs, rites and rituals of a particular religion or ethnic community. These laws play a crucial role in structuring the skeletal framework of the society. Ambedkar, while describing the importance of social reforms, rightly stated, not in one but in many of his texts, the significance of the sociological underpinnings of any nation-state. For on this lie the country's political and legal institutions that yield the power to either break or make a nation.

Therefore, the status of the personal laws is an indication of a country's potential for social harmony and economic growth. Social harmony can be established through cohesive governance and this has been a proven catalyst for economic growth.

THE HISTORY OF PERSONAL LAWS IN INDIA'S MULTI-CULTURAL CONTEXT

In the early modern period, the newly planted imperial government of the East India Company made a few attempts to understand the Indian society and its Shastric laws for its own political purposes. Their aim was to create a low level Indian bureaucratic force that would enable them to have greater administrative control over the Indian natives. Therefore, the East India Company patronised Shastric education in the Sanskrit College and the Hindu College.

They interpreted the Hindu texts for the benefit of the court and selectively intervened in these matters. This created confusion and mistrust among the Indians towards the Company. The Anglo-Hindu laws that the Company created were rigid and they attempted to unify the cultures for their convenience with regard the process of the annexation of regional Indian powers.

Historians have argued that they aimed to create laws that mostly served their political agenda of conquest, while on the contrary the original Hindu laws were believed to be much more liberal and open ended. To be precise, it is argued that the British government enhanced the feature of dissolubility of marriage. Theirs was a statist approach as they were rulers whose interests were mostly alien to ours. Therefore, they failed at basing the law on real indigenous roots. When India met the light of the dawn of independence, the approach changed and our leaders attempted to codify the Hindu law so as to preserve the uniqueness and plurality of the community.

In this attempt, our leaders employed the democratic principles of fraternity and fellow-feeling while constituting a cohesive Hindu identity symbolic of the nation's sociopolitical identity. It has been argued that Jawaharlal Nehru and Dr. Ambedkar tried to modernise the personal laws.

The process of codification in the newly independent India through the intervention of Nehru and Ambedkar, took place in the 1950s through the following Acts-

- The Hindu Marriage Act 1955
- The Hindu Succession Act 1956
- Hindu Minority and Guardianship Act 1956
- Hindu Adoption and Maintenance Act 1956

These Acts were incorporated in the Directive Principles of the Constitution and they were formed to bring uniformity and national unity. The purpose was to dispel disparities in the Hindu practices of succession and adoption. The Hindu Succession Act gave equal rights to property. This was aimed at enabling the evolution of cultures with gender equality.

The Hindu Marriage Act was devised to bring the principle of monogamy to the forefront, it was also devised to bring uniform provisions for divorce for all castes.

A few criticisms of these Acts are as follows. It was argued that these Acts were passed without a proper implementation machinery; it has also been argued that there were inconsistencies in the framers regarding the purpose of adoption; there was the problem of delays in litigation as well.

A major criticism of the Hindu Marriage Act is that the codification of these personal laws was unfairly based on a hegemonic culture of only a few dominant groups of North India. It is also argued that these Acts were codified without an actual reform in the society.

The Special Marriage Act, 1954, provided a form of civil marriage to any citizen irrespective of religion, thus it permitted any Indian to have their marriage outside the realm of any specific religious personal law. The Shah Bano Case in 1985 brought the issues of the Muslim personal law to the forefront. This case was seen as a major indication for the need for the state's intervention in formalising the Muslim personal law.

THE UNIFORM CIVIL CODE- A CATALYST FOR CHANGE

There have been many critiques that have targeted the essentiality of the Uniform Civil Code in the Indian context. There have been many blatant criticisms too. Irespective of the criticisms, the UCC stands as a potential path through which mere rhetoric can be turned into foreseeable action with great positive impact.

Along with from bringing social cohesiveness, UCC also brings in the element of transferability with regard to personal laws. This means the same laws can be passed and applied to different communities. The UCC would enable us to combat the essence of prejudices and stereotypes. The UCC would not only bridge gaps in the society but also foster a capitalistic spirit of the free market if rightly aligned with the policies of globalisation, liberalisation, and privatisation.

The current government is attempting to do just this. Attaining substantial and equitable economic prosperity has been a dream for a developing nation such as India due to its harrowing experience with the colonisers in the past. The socialist government in the newly independent India did establish essential institutions and industries for the economic growth of the country. However, with the collapse of the socialist philosophy and its practice from the world politics after the end of the Cold War era, there was a clear indication regarding the importance of the pre-dominatingly powerful capitalistic philosophy of growth and change through the example of the United States of America. Social cohesion and liberal economic growth are a conjoined phenomenon and this has been spoken about by various contemporary economists. A very evident criticism of the UCC is that of the downright lack of recognizing the allen-compassing patriarchal system and its problems with regard to the question of equality and the human agency of women. The level of compromise that goes into a marriage for a woman irrespective of the community has not been clearly defined.

However, if one were to go beyond the extremities of the challenges that the society inevitably faces with or without the UCC, one would deeply agree with the merits of the UCC if it is seen as a catalyst for economic growth by posing faith in the law of the invisible hand of the free market. The invisible hand would come into play in an equitable manner if there is a perceived congruence in the social makeup of a country, at least in theory.

The UCC is a way forward as it also aims to make the role of women more authoritative if one were to compare the status of women with those who are left alone under the erroneous and arbitrary ambit of the customs and traditions of their respective communities.

Alongside, this point, the argument of economic growth being linked to social cohesiveness has been proved by the German sociologist, Max Weber in his influential work 'Protestant Ethic and the Spirit of Capitalism'. In this work he explains why the West was ahead in terms of its capitalistic pursuits.

The West, if one were to simply state, was unanimously tied together through Puritanism which placed great emphasis on the ethic of hard work. This was possible through the industrial revolution and the socio-cultural congruence that was ingrained in their religion called Puritanism. He shows us how social uniformity was an imperative for economic growth.

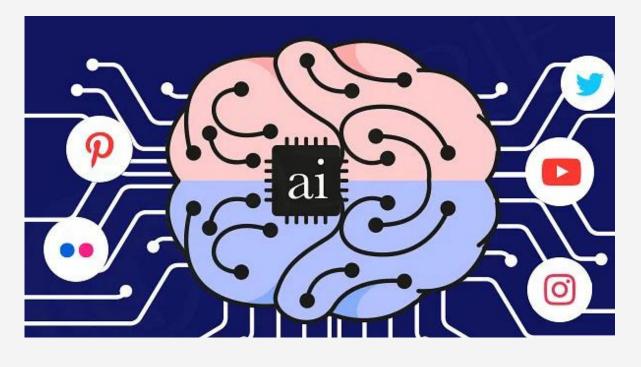
CONCLUSION

India is country of exceeding diversity, bringing positive uniformity in our context may seem like an unreachable goal. Nonetheless, a step towards this has to be made in order to propel the country's socio-economic upsurge. The incongruence of the question of women's agency is an issue that should be examined thoroughly for achieving total emancipation. Nonetheless, irrespective of the feminist critiques, if one would go beyond the criticisms of the leftist and the conservative views, they would be able to comprehend the importance of UCC. The UCC does seem to usher in a positive change with a lot of significance.



THE IMPACT OF ARTIFICIAL INTELLIGENCE ON LEGAL WORLD

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INTRODUCTION

The legal world, like many other sectors, has undergone a significant transformation with the advent of artificial intelligence (AI), machine learning, and natural language processing (NLP). These technological advancements have revolutionized the way legal professionals conduct research, automate tasks, and analyze data. While AI has brought undeniable benefits to the legal field, concerns about potential job displacement and ethical implications have also surfaced. In this article, we will explore the impact of AI on the legal world, its contemporary applications, concerns, and the future of law firms.

Understanding AI and Its Role in the Legal World

AI is the ability of machines to emulate human intelligent behavior. It can perform complex tasks by applying human intellectual characteristics. Machine learning involves a machine or computer improving its performance by analyzing new information and patterns. Natural language processing deals with human and machine interaction, making it easier to develop software for legal professionals.

LAW FIRMS & LAWYERS

AI technology has ushered in a new era for law firms and lawyers. It offers the opportunity to enhance efficiency, reduce costs, and enable lawyers to focus on more strategic tasks. AI can handle mechanical and routine tasks such as document and contract review, legal research, and data analysis. This can result in increased productivity and profitability for law firms.

However, it is crucial to recognize that AI is not yet equipped to handle complex tasks like deal structuring, negotiation, advocacy, and representation in court.

INDIAN JUDICIARY

The Indian judiciary has not been immune to the influence of AI. Since 2021, the Supreme Court of India has been using an AI-controlled tool to process information and make it available to judges for decision-making. This tool, while not participating in the decision-making process, aids judges by providing valuable insights. Another AI tool used by the Supreme Court of India is SUVAS, which translates legal documents between English and vernacular languages. In the case of Jaswinder Singh v. State of Punjab, the Punjab & Haryana High Court sought input from ChatGPT to gain a broader perspective on granting bail in cases involving cruelty. It is important to note that this reference to ChatGPT does not express an opinion on the case's merits, and the trial court will not consider these comments. The reference was solely intended to provide a broader understanding of bail jurisprudence when cruelty is a factor.

SEPARATION OF AI AND HUMAN JUDGES

To avoid the challenges associated with co-robotics, where AI and humans share decision-making responsibilities, a clear separation between AI and human judges is necessary. However, this separation raises questions about the authority and decisionmaking power of AI in the legal system. When AI and human judges provide differing results, determining the final verdict becomes a complex issue. The integration of AI should aim to complement human judgment rather than replace it entirely, thereby preserving the strengths of both approaches. Selected Designs of AI Assistance in the Judiciary. To navigate the challenges of AI in the legal system, it is essential to explore different roles that AI can play. AI can serve as a "Library" to assist in legal research, an "Advocate General" to present arguments and information, or an "Official with Limited Judicial Powers" to provide preliminary legal decisions. The complexity of AI technology required for these roles gradually increases, with each role serving distinct functions while remaining institutionally separate.

The Symbiotic Interface of AI & Robotics with Law, AI and robotics are rapidly transforming the legal landscape. The integration of autonomous artificial agents into legal proceedings has the potential to introduce a paradigm shift. As AI continues to develop, the creation of artificial moral agents may become a reality, challenging traditional legal and philosophical perspectives. Addressing legal issues arising from AI and robotics is imperative, including the consideration of granting legal rights to AI entities.

THE ETHICAL DILEMMA

The increasing prevalence of AI-driven technology in society has sparked discussions about the ethical implications of these technological advancements. As AI systems become more sophisticated, questions regarding the attribution of rights and responsibilities to machines arise. The fundamental issue at hand is whether machines, particularly robots, should be considered beings with rights and responsibilities similar to humans.

The Universal Declaration of Human Rights, which is designed to protect human beings, becomes inadequate when applied to intelligent robots. Concepts like dignity, conscience, and rationality, which underpin human rights, may be relevant when machines take on tasks traditionally performed by humans. However, applying these principles to robots raises ethical and legal concerns. Furthermore, the development of AI and robots programmed with artificial intelligence is expected to make human lives more convenient. This necessitates an ethical examination of the roles and responsibilities of these intelligent beings.

ROBOETHICS: ADDRESSING ETHICAL CONCERNS

To address these ethical concerns, discussions about roboethics, also known as robotic ethics, are imperative. Roboethics encompasses ethical considerations and conversations regarding the use and impact of AI and robots in various human situations. It is crucial to establish ethical guidelines and principles to govern the behavior and responsibilities of robots in our society.

CONCERNS REGARDING AI IN DUE DILIGENCE

There are concerns about AI replacing lawyers entirely. While AI enhances efficiency and accuracy, it cannot replace the nuanced decision-making, analysis, and representation provided by lawyers. Client preferences regarding AI use may vary, with some favoring it for lower error rates and increased efficiency and others opting for traditional methods. Software failure, lack of proper training, cyber threats, and questions about attorney-client privilege pose additional concerns. The decision-making process of AI may inadvertently reflect human-created, structural biases present in the legal system, the AI's training data, or its programming. Such biases could influence the outcomes of AI-generated decisions. For instance, risk assessment software like Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) exhibited racial bias against African American defendants when predicting the likelihood of future criminal activity. Addressing and mitigating these biases in AI is a crucial aspect of AI integration in the legal system.

REGULATION AND EDUCATION

Law schools are introducing courses to equip future legal professionals with the knowledge and skills necessary to navigate the complexities of AI in the legal system. These courses aim to address the challenges presented by AI and robotics and enhance the efficiency of legal practice through automated document generation, research, and data analysis. Such initiatives bridge the gap between evolving technologies and the legal system, ensuring justice and legal advice are informed by AI-enabled tools.

INTERNATIONAL IMPLICATIONS

The incorporation of AI and robots in various aspects of human life has far-reaching legal implications. One such example is the European Parliament's response to the challenges posed by AI and the necessity to regulate its use. The Artificially Intelligent Act (AIA), passed on April 21, 2021, required the European Commission to propose legislation for AI regulation. The AIA recognizes the potential harm AI can cause to fundamental rights such as freedom of speech, human dignity, self-determination, privacy, data protection, and freedom of expression. However, it fails to provide mechanisms for financial reparation for violations of these rights. This is a significant shortcoming in the legislation. Additionally, the AIA distinguishes between "artificial intelligence" and "artificial intelligence systems" and prohibits certain AI activities. Yet, it does not address the alignment of AIA with the EU Data Protection Law, leaving a gap in legal protection. Moreover, the AIA falls short in addressing individual rights and providing a legislative framework for seeking remedies when AI systems infringe on those rights. It also lacks a comprehensive system for human oversight in AI decisionmaking processes, which is essential to ensure responsible and ethical use of AI.

CONCLUSION

AI's impact on the legal world is undeniable, with potential benefits in efficiency, and cost reduction. However, AI is not a replacement for lawyers but a valuable tool to enhance their productivity. Future law firms are expected to focus on innovation, client service, brand value, and the adoption of AI-based solutions. While concerns about AI's impact on employment and ethical considerations persist, the role of AI in the legal profession remains complementary rather than substitutive. As the legal industry embraces AI, it must adapt to ensure equal access to technology and provide education on new technologies for aspiring lawyers. The path to the "robot lawyering era" is still distant, with many questions and challenges yet to be addressed.

GENDER BLAS AGAINST WOMEN SEXISM, GENDER STEREOTYPES, AND OBJECTIFICATION IN INDIA- SOCIETY AND CINEMA

Kritika Srivastava, BBALLB, 7th Sem

INTRODUCTION

Human rights belong to all of us. Included in these rights are the freedom from abuse and discrimination, the right to the best physical and mental health, the right to an education, the right to own property, the right to vote, and the right to a fair wage.

However, discrimination against women and girls due to sex and gender is still an issue for many of them worldwide. Numerous concerns, such as domestic and sexual violence, low salaries, a lack of educational opportunities, and inadequate healthcare, are mostly the result of gender inequality.

In society, gender bias is a common and ingrained issue. It is brought on by the socially constructed gender norms that are stereotyped. Sex is biologically determined, whereas gender is a social construct. Gender inequality inevitably develops as a result of traditionally set gender roles. The most promising advancement in a society that is always changing, where media communication and technology are entwined and help the most to promote such societal issues.

Sexism is a sociocultural and psychological construct existing since years. It also affects how the general public thinks and feels through the mainstream media. The focus of the conversation is on sexism, gender role stereotyping, and objectification as they are portrayed in popular Indian films and advertising over the years.

SEXISM AND STEREOTYPES

In Indian society, the idea of the "ideal woman" establishes aesthetic standards and portrays an unrealistic view of beauty, with women specifically portrayed as sex objects as a result of which males have irrational expectations of women. Such gender-biased societal impressions have detrimental repercussions on mental and psychological health, which feed sexism and prejudices about women.

As customers, we often accept these promotional messages without even considering how they affect us or the message they are attempting to express. In Indian movies, objectification and sexualization of women have become so normal that it is difficult to have a movie without the obligatory item number or a sequence with the female lead wearing a provocative attire. Women are typically presented in movies as simple objects of desire, and their personalities are frequently reduced to their sexuality and outward beauty. We are unintentionally being conditioned from a young age by publications, marketing, and all media to believe that having cellulite or not wearing cosmetics is something that should be publicly shamed. Therefore, there was absolutely no chance that as young women consuming this media, girls wouldn't all attempt to conceal those aspects of themselves moving forward. These insecurities don't come with us at birth. We're instructed to feel insecure about particular things. We have been socialized to feel embarrassed or ashamed of some aspects of ourselves.

WOMEN AND CINEMA

Speaking about the Indian Cinema, on a daily basis, movies that normalize emotional and physical abuse are made

available to the audience, not knowing the actual reality of women who have to tolerate such relationships.

An example of this would be the movie Kabir Singh (2019), wherein a girl, Preeti came across Kabir, a man with severe anger issues. Not just that, the movie portrayed several instances of abuse, misogyny, and violence, and the female lead character did not care for the fact that she was in a relationship with someone who did not respect her, and went back to him. Another example of such movies would be Raanjhanaa (2013), In the town of Banaras, a youngster (Dhanush) stalks a schoolgirl (Sonam Kapoor), and later, after being rejected by her, he uses the blade to sever the veins in his hand. The dialog for the scene was "Keh do tumhe pyaar hai, warna abhi kalai kaat denge." A lot more movies can be named that promote such behaviour against women, and romanticize such violent lovers who should instead of being looked upon as "heroic men", be put behind a jail cell and held accountable for their actions. Nowadays, there is at least one superhit song that sexualizes and objectsifies the lead heroine whenever a new movie is released. This objectification is not limited to the way they dance or strike a pose, they are usually accompanied by such lyrics which if listened to as sentences in real life, would disgust the society in general. There are multiple examples of this, including Chikni Chameli, Fevicol Se, Sheila Ki Jawani, et cetera. Female characters in movies should strive to be strong, independent role models for young females. Additionally, they should cease utilizing item numbers and instead concentrate on producing material that honors women and their achievements. It is critical to confront the serious issue of the objectification and sexualization of women in Indian cinema. It is the duty of the film business to produce material that promotes gender equality and questions conventional gender roles. By doing this, they can contribute to the development of a society where women are respected for who they are, rather than only for their physical attributes.

CONCLUSION

Sexism is the bias, stereotype, or discrimination based on sex, usually directed against females. In many sociooccupational domains around the world, including the media, it is evident that it exists. In addition to stereotyping gender roles around the world, the media is frequently accused of under- and misrepresenting women.

Only by eradicating it from popular mindsets—where popular visual media play a critical role—can misogyny be eradicated from representation in popular media. The Indian Psychiatric Society and other nongovernmental organizations that support sexual health and gender equality might take part by publishing position statements that can be used as guidelines.

People need to understand that the world they view online, in magazines, in movies, and on television is given to them through a variety of filters. It's crucial to avoid establishing unrealistic expectations and ambitions.

Given their prominence, the film and visual media businesses should actively work with pertinent groups to bring about change that is sustainable over the long term, despite the initial risks of commercial failure and social rejection.

ELDERLY VULNERABILITY IN INDIA: BALANCING TRADITION AND MODERNITY

A REVERED PILLAR OF INDIAN SOCIETY

Throughout India's rich cultural tapestry, senior citizens have held a position of profound reverence, their wisdom and experience serving as guiding lights for generations. Traditionally, the responsibility of caring for the elderly rested firmly on the shoulders of the family, a testament to the deep-rooted values of respect and familial cohesion. In joint family structures, senior citizens were not merely passive recipients of care but active contributors to the household, their knowledge and guidance invaluable assets.

THE EVOLVING FAMILY STRUCTURE AND ITS IMPLICATIONS

The winds of change have swept across India's social landscape, transforming the traditional joint family structure into a predominantly nuclear family setup. This societal transformation, while emblematic of progress and changing aspirations, has inadvertently placed senior citizens in a precarious position. The absence of immediate familial support has left many elderly individuals vulnerable, often grappling with loneliness, isolation, and a sense of displacement.

SOCIO-ECONOMIC TRANSFORMATIONS

The transition from joint to nuclear families is not an isolated phenomenon but a consequence of broader socioeconomic transformations that have reshaped India's societal fabric. Urbanization, increased mobility, and the pursuit of economic opportunities have dispersed families, leaving senior citizens behind in their ancestral homes. Moreover, the changing perceptions of family roles and the increasing participation of women in the workforce have further altered the dynamics of elder care.

A LEGAL BULWARK: THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007

In recognition of the evolving needs of senior citizens, India enacted the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. This landmark legislation outlines the legal responsibilities of adult children towards their parents, ensuring their financial support, healthcare, and emotional well-being. The Act also empowers senior citizens to seek redressal in cases of neglect or abuse, providing a crucial legal safeguard.

INTERNATIONAL MODELS

As India strives to enhance its support system for senior citizens, valuable insights can be gleaned from international models. Countries like Sweden, Denmark, and Japan have established comprehensive elder care frameworks, encompassing social security, healthcare, and assisted living facilities.

THE PSYCHOLOGICAL AND EMOTIONAL TOLL

Beyond the tangible challenges of financial security and healthcare, the changing family structure has profound psychological and emotional repercussions for senior citizens. The absence of daily interactions with their children and grandchildren can lead to loneliness, isolation, and a sense of detachment from the very family unit they once nurtured. This emotional strain can exacerbate existing health conditions and diminish their overall well-being.

TECHNOLOGY

In addressing the challenges faced by senior citizens, technology can play a transformative role. Digital platforms can connect them with their loved ones, providing a virtual lifeline to combat loneliness. Telemedicine can facilitate remote healthcare consultations, ensuring timely access to medical expertise. Moreover, technology-enabled services can simplify daily tasks, empowering senior citizens to maintain independence and dignity.

RECOMMENDATIONS FOR POLICYMAKERS AND CIVIL SOCIETY ORGANIZATIONS

To effectively address the evolving needs of senior citizens, a concerted effort is required from policymakers and civil society organizations. Policymakers should prioritize strengthening the existing legal framework, ensuring its effective implementation and raising awareness about the rights of senior citizens. Civil society organizations can play a crucial role in providing community-based support systems, offering companionship, counseling, and access to essential services.

FOSTERING AN INCLUSIVE AND SUPPORTIVE ENVIRONMENT

The responsibility of caring for senior citizens extends beyond the realm of legislation and institutional support. It is a collective moral obligation that calls for individual and community action. Fostering an inclusive and supportive environment for senior citizens requires empathy, understanding, and a commitment to upholding their dignity and well-being.

CONCLUSION

The challenges faced by senior citizens in India reflect a complex interplay of societal shifts, economic transformations, and evolving family structures. Addressing these challenges necessitates a delicate balance between upholding traditional values of respect for elders and adapting to the realities of modern life. By strengthening legal safeguards, embracing technology, and fostering a culture of inclusivity, India can ensure that its senior citizens, the custodians of its rich heritage, are not merely cared for but truly valued and cherished.

FINLAND'S ACCESSION TO NATO - HISTORIC SHIFT

Glory Singh, BBALLB, 3rd sem

INTRODUCTION

We welcome Finland to alliance," Jens Stoltenberg, secretary general NATO. On 4th April 2023, he proudly welcomed Finland as full-fledged member of the alliance in history and was looking forward for Sweden's joining as soon as possible. Finland's 30 years of historic close partnership was based on the policy of military non alignment but this aspect changed just after full scale invasion of Ukraine was observed by Russia {biggest security crisis in Europe since second world war} in February 2022, after which Finland together with Sweden submitted official letter of application to become a NATO ally on May 18th.

Thereafter, at Madrid Summit Finland and Sweden completed accession talks at NATO headquarters in Brussels. Finland then became a full member of NATO after its protocol was subsequently ratified by each of the allies according to national procedures. Its President Sauli Niinisto at the time of flag hoisting outside NATO headquarters said that the era of non-alignment in their history came to an end. After which Biden said that Putin thought he could divide Europe and NATO but today it stands more united than ever and strengthened by their newest ally-Finland.

CIRCUMSTANCES

Turkey stood in the way of Finland and Sweden's joining NATO bids. Joining NATO requires consensus approval from all existing members, turkey being one of the important strategic and powerful members of the alliance is not happy. Its president Recep Tayyip Erdogan then had the power to determine NATO's future. He blocked their attempt to join NATO saying that their membership would make the alliance "a place where representatives of terrorist organizations are concentrated". By terrorist he means the Kurdish Workers' Party or the PKK- a Kurdish Marxist separatist movement which has been fighting Turkish forces long since 1980s. it is named terrorist organization not only by Turkey but also U.S., Canada, Australia, and the European Union. Sweden denies Turkey's believe that it has supported PKK members and provides protection to them, saying that it only supports the Kurds who are not in PKK.

Moving to Finland, though it has way more smaller Kurdish population as compared to Sweden, but for Turkey its foreign policy tends to be similar. The reason being, Finland has banned the PKK but united Sweden and other EU countries in terminating weapon's sale to Turkey over its military act6ion against Kurdish group in 2019. Erdogan wants Sweden and Finland to publicly disown the PKK and also to drop their weapon ban on Turkey. Thus, simple Turkish perspective was that Finland and Sweden should draw any support to the terror organization in order to join NATO- security alliance and not give refuge to them.

Later, Turkey unanimously voted to approve Finland's membership in NATO and cleared its ultimate hurdle in the accession process, making it a historic movement. Viktor OrbanPrime Minister of Hungary who had friendly relations with Russian leader Vladimir Putin, approved Finland's accession but not Sweden's, while Ankara is as well yet to approve of Sweden's bid for alliance. For over more than seven decades since NATO was formed both Finland and Sweden held the positions of non- alignment.

In October 2021 Finnish support for joining the alliance was only at 24% as per local polls, and stood up to78% by November 2022, after Russians full scale invasion of Ukraine. In the early 2022 Putin cited that the premise for his decision to invade the country was Ukraine's desire to join NATO and expansion of the organization along the borders of Russia was unacceptable. But the ironical part is that this invasion drew Finland to join the alliance which is set to add a fresh 830 miles of NATO territory along the Russia border.

With Finland's joining, there's attainment of significant strategic foothold in northern Europe by the alliance, becoming a more integrated defense region with greater NATO forces in the Baltic and more focused on high north zone of competition with Russia. NATO stresses that it is only a defensive alliance and does not aim to threaten Russia but Moscow emphasized on the fact of providing large number of weaponry to Ukraine since the war began which it says proves that west is inclined towards destroying Russia. The Nordic country's membership doubles Russia's border with the world's biggest security alliance. Finland shares 1300 km border with Russia and depended on Baltic, its geographical positioning is precarious one. It therefore maintains a strong national defense capability protecting its territory. This move is a clear political and strategic setback for Putin. After Finland's accession and Sweden lined up to be the member, Stoltenberg stated that Putin is getting exactly the opposite as to when he cited NATO'S eastward enlargement being the justification for invading Ukraine. Ukraine president Zelenskiy hailed Finland's step and mentioned that it is proved by Russian aggression that only collective and preventive guarantees can be reliable. Moscow said that it was forced to take countermeasures to ensure its national security. In response to NATO's expansion Russia as well promised to strengthen military capacity in western and northwestern region.

CONCLUSION

Russia views the expansion of the alliance as a threat to its security. Russia sees the alliance's decision to accept former soviet republics and Warsaw pact members, as a straight challenge to its strategic interests, which Russia also sees as an attempt to encircle and contain Russia. It also criticized NATO's decision to station troops in Eastern Europe. Amongst the ongoing heated conflicts between Russia and West, Finland's accession has been a significant development amidst it. India being the observer of Arctic Council must closely monitor for developments and be prepared for any geopolitical consequences as this move where Finland and Sweden turn from neutrals to Western allies and on the other hand China in partnership with Russia raises its profile in the Arctic, has implications for the Arctic region, which due to the melting of Arctic ice cap is attracting global attention. This might as well make the global governance of the Arctic region increasingly problematic.

EDUCATION, UNEMPLOYEMENT & MASCULINITIES IN INDIA

Prof. K.D Sharma Professor of English and Psychology (School of Humanities), FIMT

INTRODUCTION

The intersectionality of education, unemployment, and masculinities in the context of India is a complex and multifaceted subject that has far-reaching implications for society. In their insightful book, "Education, Unemployment & Masculinities in India," Craig Jeffrey and Patricia Roger delve into this intricate web of social issues, offering a comprehensive exploration of the challenges faced by Indian men in the wake of globalization and rapid socio-economic changes.

Thematic Overview:

The book is structured around three central themes: education, unemployment, and masculinities. The authors adeptly navigate these interconnected topics, weaving together a narrative that not only analyzes the existing sociocultural landscape but also presents a nuanced understanding of how these elements interact and shape the experiences of young men in India.

UNEMPLOYMENT AND ITS IMPACT: EDGED SWORD

One of the book's strengths lies in its examination of the role of education in shaping masculinities. Jeffrey and Roger astutely observe that while education is often seen as a tool for empowerment, it simultaneously perpetuates traditional gender norms and expectations. The authors provide rich ethnographic accounts and case studies, shedding light on the paradoxical nature of education as both a liberating force and a reinforcing agent of societal norms.

The book offers a poignant exploration of the challenges posed by unemployment, particularly in the wake of economic shifts and globalization. Through meticulous research, the authors present a compelling argument for understanding

unemployment not just as an economic issue but as a deeply psychological and social phenomenon. The impact of unemployment on masculinities is examined in detail, uncovering the vulnerabilities and struggles faced by young men as they navigate societal expectations and personal aspirations in the face of job scarcity.

MASCULINITIES IN A FLUX

Jeffrey and Roger skillfully dissect the evolving nature of masculinities in contemporary India. Through interviews and case studies, the book captures the nuanced ways in which young men negotiate their identities in a rapidly changing social and economic landscape. The authors emphasize the need to move beyond simplistic binaries and recognize the diversity of masculinities, acknowledging the intersections of class, caste, and regional variations.

CRITICAL ENGAGEMENT & SCHOLARLY RIGOR

As a scholar in English and Psychology, I appreciate the rigorous academic approach taken by the authors. The book is grounded in extensive fieldwork and draws on a diverse range of theoretical frameworks, providing a well-rounded analysis that will appeal to scholars and researchers across disciplines. The integration of qualitative data with theoretical insights enhances the book's academic rigor and contributes to its significance in the field.

CONCLUSION

"Education, Unemployment & Masculinities in India" is a commendable contribution to the academic discourse on gender studies, sociology, and education. Jeffrey and Roger have successfully navigated the complexities of their subject matter, offering readers a nuanced and insightful exploration of the challenges faced by young men in contemporary India. This book is a valuable resource for academics, policymakers, and anyone interested in understanding the intricate dynamics of education, unemployment, and masculinities in the Indian context.

In conclusion, this review serves as a commendation of the scholarly merit of "Education, Unemployment & Masculinities in India," applauding its thorough research, nuanced analysis, and its potential to ignite meaningful conversations and policy considerations in the realms of education, employment, and gender studies.

FROZEN VISIONS: AN INNER ODYSSEY

Glory Singh, BBALLB, 3rd sem

I closed my eyes to see beyond The sights my eyes show I shut the voices in my head As I try to let my feelings flow

I saw this black canvas all around And random doodles pop in my mind It Must be some pattern I can't see Some pattern I need to find

I focused hard b/w my brows As I tried to check my thoughts Ah well...as I tried real hard I realised I perhaps can not

I felt there's no such 'inside eye' That poets, they talk about Oh! Dear me, I felt deceived I wanted to raise hell and shout

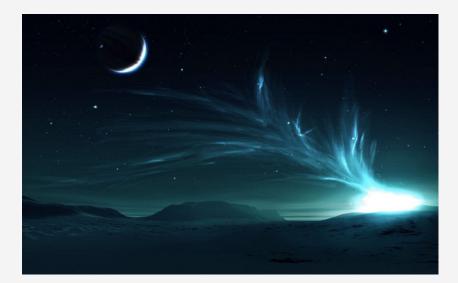
So when I was all set to give up And as I was ready to let go I saw a pattern emerge One by One, like flakes of Snow I felt the wintry chill of night And I saw one big frozen Lake I saw frosted branch of trees I felt the cold and started to shake

I turned my inside eyes around And I find myself amidst a wood Ah! a lovely sight to behold I didn't turn my gaze- Not that I could

I saw a lady 'cross a lake She was sitting by a fire Her hairs fluttered in the wind As she stroked her golden lyre

I longed to cross that frozen lake But I was so terribly afraid The Ice could break midway And I might drown, ending up Dead

I opened my eyes to escape So I won't have to try and get across Though it might have been quite a bliss But there was risk in trying to cross



SESTINA





STUDENT'S ACHEIVEMENTS



Ankita, BBALLB, 9 Sem secured a rank of 592 in CLAT PG 2024.

Shivam Tyagi, BALLB, 9 Sem organised a show on DD Urdu on the topic The Ancient Monuments & Archaeological Sites & Remains Act, 1958

Jitesh Rana represented FIMT and GGSIPU in [AIU] all India inter university shooting championship held in Meerut in Subharti university in 10 meter pistol.

Ayush Awasthi, BBALLB, 3 Sem, was appointed as Liaisoning Officer of Uzbekistan for the first regional conference on Access to Legal Aid organised by NALSA, ILF & UNDP in New Delhi, India.

Yash Vats of BBALLB, 7th Sem along with Chetna of BBALLB, 3rd Sem presented paper titled "Striking the Balance: Intellectual Property Rights and Pharmaceutical Innovation in the Modern Age" at 2 days international conference on prospects and challenges for innovative idea on Intellectual Property Law at Sharda school of law, Sharda University, Noida.

Rajat Kumar, BALLB, 7 Sem had the opportunity of being the Judicial Intern under the guidance of Mr. Paras Dalal, & Ms. Aishwarya Sharma, Metropolitan Magistrates at Dwarka District Court, New Delhi. He also received a letter of appreciation from South West District Legal Services Authority (DLSA) for his involvement in the Pan India Awareness Campaign by the National Legal Services Authority (NALSA) regarding spreading basic legal assistance to undertrial prisoners and convicts at Central Jail-01, Tihar during the Haq Humara Bhi Toh Hai campaign.

Ayush Awasthi (Author) of BBALLB, 3rd Sem Presented paper along with Kamya Anand (Co Author) of BALLB, 3rd Sem titled ' Interplay of Intellectual Property Rights and Geographical Indications: Analysis of the Indian Legal Landscape' in 2 days International Conference on Prospects and Challenges for Innovative Ideas in IPR at Sharda University.

Pragya Dhaiya, BALLB, 7 Sem, secured an internship at the coveted Tier 1 Law Firm- Khaitan & Co.

Ananya Kapoor, BBALLB 7 Sem, also interned at a prestigious law firm- Luthra & Luthra





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