EDITORIAL NOTE

VIPS Student Law Review Volume 5 is the 5th issue of the annual law journal of Vivekananda School of Law and Legal Studies, Vivekananda Institute of Professional Studies-TC. It is a double-blind peer-reviewed journal which provides an opportunity to the legal fraternity to interchange contemporary thoughts on law and justice.

The year 2023 has been a progressive year at both national and international level. The G20 Summit served as a diplomatic exercise to reinforce international relations and enhance the nation's image at global stage. It also provided India with the opportunity to promote and represent its culture and tradition at a worldwide level. By organising various meetings in diverse parts of the country, showcasing India's culture and heritage sites by promoting these venues through communication outreach is helping the world learn about India's attractions. India's step to include Africa Union as a member of G20 has pitched India as a leader of the developing countries, thereby enhancing its international relations.

Another progressive step in the year 2023 was when a historic legislation of Nari Shakti Vandan Adhiniyam was passed by the Parliament on September 21, 2023 to provide 33 per cent reservation for women in Lok Sabha and legislative assemblies. Since last 27 years the bill had been waiting to get approved by the Parliament and we had a commitment to pass this bill till 2026, but the wait is now over. This shows that the country is gradually moving from protection to empowerment of women, not only legally but politically as well.

The year of 2023 also witnessed a historical moment when, after the unfortunate failure of Chandrayan-2 in 2019, India's Moon mission of Chandrayaan-3 successfully landed on the lunar surface. With the Lander accomplishing a 'soft landing' on the Moon's south pole, India becomes the only country to have ever done so. The successful landing of Chandrayan-3 has evolved space law in India as we continue to explore and utilize the space environment, space law will continue to play a crucial role in regulating these activities.

This year our Issue is also progressing in the field of law. The Journal has received over 100 contributions this year, and we are truly overwhelmed. The selected papers address a wide range of contemporary subjects with unrivalled judgement that goes beyond the confines of just law. We want to congratulate the volume's authors on their remarkable dedication to academia and their high-quality work. As a result, we are pleased to present the VIPS Student Law Review Volume 5.

Ms. Amita in her article titled *"Emerging Role of Just Energy Transition vis a vis Sustainable Development Goal 7"* focuses on achieving the goal of energy sustainability through the synchronization of social, economic, environmental, gender, governance, etc. she has also discussed about the rationale behind just energy transition in light of contemporary policies and regulations governing renewable energy as well as the role of Just Energy Transition in achieving the targets of SDG 7.

Ms. Richa Srivastava in her article titled *"Critical Analysis of Social Security Schemes for Women in India"* delves into continued interest in designing welfare measures in the form of labour legislation for the women's workforce, however, lot many of them falter in the actual implementation. The effective implementation of these women-centric welfare measures has been an arduous challenge. These challenges in the work arena are seen in the form of gender biases, unequal pay, and allowances for similar types of work, and unsuitable working environment conditions for women.

Mr. Mostafijur Rahmani in his article titled *"Mass Atrocities and Reparation to Rohingyas in Myanmar"* examines the Myanmar government's mass atrocities against Rohingya Muslims in the Rakhine State of Myanmar in 2017 and related reparations, taking into account pertinent principles of international law in this regard. He has tried to assess whether the actions taken by the Myanmar government constitute mass atrocities and the extent to which Myanmar is required by international law to pay reparations to the Rohingya Muslims for their actions.

Ms. Mansi Singh Tomar & Mr. Kumar Mukul Choudhary in their article titled *"Discourse on Homosexual Rights in Nepal, India and Singapore"* focus on laws relating to the recognition of the rights and dignity of homosexual relationships with respect to three three countries i.e., India, Nepal, and Singapore, and their constitutional courts.

Ms. Ritika Kanwar in her article titled "Open Prisons: Reserialising Prisoner's rights with Freedom" aims at a structural study of open prisons while looking at a series of live illustrations in India. She has delved into the upcoming challenges and loopholes in the administration aspects of such correctional reforms, thereby, listing succinct model suggestions over the same.

Ms. Neha Singh in her article titled *"Victim Participation in the Criminal Justice Process: A Therapeutic Approach"* examines the jurisprudential development of the concept of victim and analyse their evolving role in the criminal justice process in the wake of the recent Supreme Court Judgement and its implications in the field of victimology. She

further stresses on the need for a therapeutic criminal justice delivery mechanism that provides for accountability and contributes to victim healing.

Mr. Lalit Anjana in his article titled *"Reassessing Section 498A: Exploring Judicial Interpretations and Statistical Data"* provides an in-depth analysis of section 498A of the Indian Penal Code (IPC), which deals with cases of cruelty against married women. The article examines the contentious issues surrounding the utilisation of this provision by critically analysing the definition, Supreme Court (S.C.) judgments and statistical data.

Mr. Vedant Lathi in his article titled *"Current Regulatory Framework on Cryptos and Crypto Exchanges in India*" examines the current regulatory framework for cryptocurrencies and crypto exchanges in India and also traces the evolution of the same. He further discusses the impact of the Reserve Bank of India's circular prohibiting banks from dealing with cryptocurrency exchanges, the Supreme Court's decision to strike down the circular, and proposed the Cryptocurrency and Regulation of Official Digital Currency Bill, 2021.

Ms. Meher Sachdeva in her article titled *"Taxation of Cryptocurrency in India: The Future Finance"* investigates the taxation of cryptocurrencies in India and proposes a regulatory framework for their use. India's current policy is mainly observational, with no clear regulations for regulating cryptocurrencies.

Ms. Neha Samji in her article titled *"Rule of Law Implementation in India: A Critical Review"* critically analyses the principle of Rule of Law given by A.V. Dicey. She stresses on the importance of Rule of Law without which a political and legal system cannot function.

Mr. Satyam Sah and Ms. Krati Gupta in their article titled *"Beyond Borders- The Use of Comparative Law in Constitutional Interpretation"* has delved into the application of comparative law in the interpretation of constitutions, with a particular focus on the legal system of India. They have further highlighted various examples of how Indian courts have utilized international law, including the use of international conventions and norms in the interpretation of the Constitution of India.

Ms. Anushka Singhal and Mr. Ashmit Raj in their article titled *"Implementation of Section 12(1)(c) of the Right to Education Act: An Overview"* have presented doctrinal research wherein government-authenticated data has been used to shed light on the implementation of this section. They have also mentioned about the history of the Right to

Education along with questioning its constitutionality.

Mr. Chaitanya Thakur in his article titled *"Critical Analysis of the Last Seen Theory"* examines its literal interpretation and how judges have construed it. He analyses whether the doctrine requires the continuous presence of the accused with the deceased. He has also mentioned about the criteria for admitting the testimony of witnesses and scrutinizes issues involving husbands and wives and the requirement of a homicidal death in such cases.

Ms. Raghvi Kanwal in her article titled *"Juvenile Justice Care and Protection Act: Framework on Adoption in India"* aims to explore the Juvenile Justice Act, 2015 with special focus on adoption of children and the intricacies regarding the same. She mentions a brief about the laws relating to juveniles and then focuses upon adoption rules in different religions in India. She analyses the lacuna that is present in the existing law along with a few suggestions that might help in alleviating the situation.

Ms. Snigdha Rohilla, through her article titled *"Abortion and Natural Law,"* aims to establish a link between the theory of Natural Law and the contentious issue of abortion. She mentions about the natural law theory and links it with a woman's right to choose for herself.

Dr. Rashmi Salpekar
Prof. and Dean, VSLLS, VIPS
Editor