

CALL FOR PAPERS

VIVEKANANDA INSTITUTE OF PROFESSIONAL STUDIES - TC
VIVEKANANDA SCHOOL OF LAW & LEGAL STUDIES

invites submissions for

VIPS STUDENT LAW REVIEW

A peer and blind reviewed journal

VOLUME VI: AUGUST 2024 EDITION

ISSN (PRINT): 2582-0311; ISSN (ONLINE): 2582 0303



ARTICLES

3000-6000 words



BOOK REVIEW

2000-3000 words



CASE COMMENT/
LEGISLATIVE COMMENT

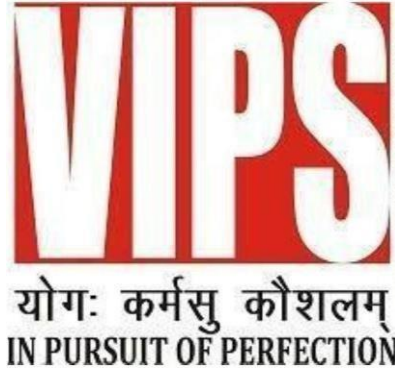
2000-3000 words

Last date of submission: 1st May 2024



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Vivekananda Institute of Professional Studies-TC

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VIPS Student Law Review

**Call for Papers for
VIPS Student Law Review
Volume VI
August 2024 Issue**

CALL FOR PAPERS

VIPS Student Law Review **Vivekananda Institute of Professional Studies – TC** **ISSN 2582-0311 (Print)** **ISSN 2582-0303 (Online)**

About Vivekananda Institute of Professional Studies-TC

Vivekananda Institute of Professional Studies-TC (VIPS) is committed to realizing the words of Swami Vivekananda: “Man Making, Character Building and Nation Building”. Dr. S. C. Vats, Chairman, VIPS has set the motto of VIPS as “In pursuit of perfection”. Thus, VIPS is consistently striving for perfection. Prof. Dr. T.V. Subba Rao, Chairperson VSLLS, VIPS, says Education is not information but formation- formation of a complete Human Being.

Vivekananda Institute of Professional Studies is affiliated to Guru Gobind Singh Indraprastha University, recognized by Bar Council of India and UGC under Section 2(f), with NAAC ‘A++’ accreditation. Over the years, VIPS has shown a remarkable growth in terms of number of courses offered as well as students in- take every year, apart from creating a niche for itself with its all-round performance in the university examinations. It has been an endeavor at VIPS to constantly provide a better learning atmosphere for students and become a center for excellence. Currently, VIPS is running a number of programs.

Vivekananda School of Law and Legal Studies (VSLLS)

Vivekananda School of Law and Legal Studies (VSLLS) of Vivekananda Institute of Professional Studies (VIPS) is committed to realizing the words of Swami Vivekananda: “*Man Making, Character Building and Nation Building*”. By delving

upon its experience and expertise in law, VSLLS is doing progressive efforts to equip its law students face the world. It has produced nineteen gold medalists, twenty plus judicial officers along with lawyers placed with highly reputed industries, law firms and senior advocates as also government and non-government establishments.

About VIPS Student Law Review

VIPS Student Law Review is a student run Peer and Blind Reviewed Journal. It has been established with the objective of becoming a formidable instrument in taking the standard of legal research in country up by several notches. It is an annual, student edited journal focusing on inter-disciplinary and multi-disciplinary approaches towards legal writing. The Journal aims to publish long articles/ short articles, case comments, book reviews/ legislation review on all aspects of law and related issues. The Journal aims at giving the opportunity to legal academia, research scholars, students, advocates and activists working towards the enhancement of legal scholarship. Hence, the Journal will serve as the platform for innovative thought sharing and will aim at contributing in dynamic growth of legal knowledge.

The Editorial Board of VSLR comprises of experienced researchers

- **Prof. Dr. Rashmi Salpekar**

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- **Dr. J. Ravindran**

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- **Dr. Navjeet Sidhu Kundal**

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- **Dr. Ankita Kumar Gupta**

Assistant Professor, VSLLS, VIPS - TC.

The editorial board also consists of the Student Core Team in which students are selected from the law school for assisting the Editorial Board Members. This helps students to develop their research skills.

Categories for Submission

The Editorial Committee of VIPS Student Law Review is inviting quality research papers on law and legal policies including its allied branches from the legal fraternity:

- ◆ Research Scholars
- ◆ Students
- ◆ Professionals

The Review seeks to provide a platform for engaging in multi-disciplinary discussions on themes of law, society and justice. Research Articles should have proper research questions and should also reflect the findings. The submission can be sent under the following categories:

1. Articles: Between 3000 to 6000 words, inclusive of footnotes.
2. Book Review: Between 2000 to 3000 words, inclusive of footnotes.
3. Case Comment/Legislative Comment: Between 2000 - 3000 words, inclusive of footnotes.

Guidelines for Submissions

- ◆ Submissions should be in Times New Roman, 12 font size with 1.5 line spacing, justified text and 1 inch margins on all sides of an A4 sheet. The page number should be center aligned at the bottom of each page.
- ◆ Footnotes should be in Times New Roman, font size 10 with single line spacing.
- ◆ Graphics, Charts, Tables, and Diagrams should be numbered consecutively and included in the body of the work. Submission must be compatible with Microsoft Word.

- ◆ The format for numbering is as follows –

1. Main Heading

1.1 Sub Heading

1.1.1 Sub-Sub Heading

1.1.1.1 Sub-Sub-Sub Heading

- ◆ Kindly note if formatting guidelines are not adhered to, the manuscript will not be selected.
- ◆ All the submissions must be emailed at vips.studentlawreview@gmail.com.
- ◆ The research paper should not contain any reference to the identity of the author in order to enable anonymous screening and peer review.
- ◆ Each submission should be accompanied by an abstract of not more than 300 words.
- ◆ Each submission should end with a Conclusion.
- ◆ The submission must be the original work of the authors. Any manuscript above 10% plagiarism will lead to disqualification.
- ◆ Submitted entries must not have been sent for consideration at any other place for presentation or publication. A declaration to the same effect must accompany each submission. Find attached the Declaration form as **Annexure 1**.
- ◆ Co-authorship is allowed. Maximum number of Co-authors for a submission shall be restricted to 2 (two).
- ◆ Multiple submissions by the same author(s) are not allowed.
- ◆ VIPS Student Law Review follows the Journal of Indian Law Institute (JILI) citation style. Authors are requested to follow the same. Find attached the Journal of Indian Law Institute (JILI) citation style as **Annexure 2**.
- ◆ Copyright of all the submissions shall exclusively vest with VSLLS, VIPS.
- ◆ One complimentary hard copy of the Journal would be issued to the author after publication. In case of co-authorship, the complimentary hard copy would be issued only to the first author.

- ◆ Kindly adhere to the deadline after which no submission shall be accepted.

Opening Date of Submission :-

15th January 2024

Closing Date of Submission:-

1st May 2024

VIPS Student Law Review, Volume VI shall be published in August, 2024

CONTACT US:

All Editorial Correspondence must be addressed to:

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AU-Block (Outer Ring Road), Pitampura,

Delhi-110034

E-mail: vips.studentlawreview@gmail.com

Website: www.vips.edu



ANNEXURE 1

DECLARATION

This is to certify that the research paper submitted by me/us is an outcome of my/our independent and original work. I/we have duly acknowledged all the sources from which the ideas and extracts have been taken. Also, the research paper is submitted to your esteemed journal for the first time and is not being considered for publication elsewhere/has not been published elsewhere.

Through this declaration, I/we, as author(s) of the research paper, give the right to reserve the copyrights of this research paper to VIPS Student Law Review, Volume VI, bearing ISSN 2582-0311 (Print) and ISSN 2582-0303 (Online).

Author 1

Signature:

Name of the Academician/Professional/Advocate/Student:

Complete Designation of the Academician/Professional/Advocate/Student:

Complete Residential Address –

(Please note that we will be providing only ONE copy of the journal, which will be posted to the first author)

Contact No.:

Author 2

Signature:

Name of the Academician/Professional/Advocate/Student:

Complete Designation of the Academician/Professional/Advocate/Student:

Complete Residential Address –

(Please note that we will be providing only ONE copy of the journal, which will be posted to the first author)

Contact No.:

ANNEXURE 2

Citation Style

The Institute has formulated a set pattern of footnoting, which is followed in *The Journal of Indian Law Institute, Annual Survey of Indian Law* and various other publications of the Institute. Contributors of articles, notes and comments are required to follow this pattern.

MODE OF CITATION FOR BOOKS

A. FOR AN AUTHORED BOOK

➤ **By a single author:**

Name of the author, *Title of the book* p.no. (if referring to specific page or pages)
(Publisher, Place of publication, edition/year of publication).

E.g. M.P. Jain, *Indian Constitutional Law* 98 (Kamal Law House, Calcutta, 5th edn., 1998).

➤ **By two authors:**

Name of the authors, *Title of the book* p.no. (if referring to specific page or pages)
(Publisher, Place of publication, edition/year of publication).

E.g. M.P. Jain and S.N. Jain, *Principles of Administrative Law* 38 (Wadhawa, Nagpur, 2001).

➤ **By multiple authors (more than two):**

Name of the first two authors, *et.al.*, *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication).

E.g. Jerry L. Mashaw, Richard A. Merrill, *et.al.*, *The American Public Law System – Cases and Materials* 50 (West Group, St. Paul, MN, 1992).

➤ **Books with volume no.:**

Name of the author(s), Volume no. *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication).

E.g. Charles Robert Norberg, III *General Introduction to Inter-American Commercial Arbitration Year Book- Commercial Arbitration* 30 (1978)

B. FOR EDITED BOOKS

➤ **By a single editor:**

Name of the editor (ed.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. Susan A. Bandes (ed.), *The Passions of Law* 180 (New York University Press, New York, 1999).

➤ **By two editors:**

Name of the editors (eds.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. S.K. Verma and Raman Mittal (eds.), *Intellectual Property Rights: A Global Vision* 38-42 (ILI, Delhi, 2004).

➤ **By more than two editors:**

Name of the editors, the first two only, *et.al.* (eds.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. Chatrapati Singh, P.K. Coudhary, *et.al.* (eds.), *Towards Energy Conservation Law* 78 (ILI, Delhi, 1989).

➤ **By, or an auspices of, an organization/institution:**

Indian Law Institute, *Index to Indian Legal Periodicals* (ILI, Delhi, 2002).

MODE OF CITATION FOR ARTICLES/ESSAYS

➤ **Citation of a paper published in a journal/periodical:**

Name of author of the article, title of the essay within inverted commas, volume number of journal *Name of the journal* page number (year).

E.g. Upendra Baxi, "On how not to judge the judges: Notes towards evaluation of the Judicial Role" 25 *Journal of Indian Law Institute* 211 (1983).

➤ **Citation of a paper published in a case reporter:**

P.K. Thakur, "Permissibility of Probation in Offences Punishable with Minimum Imprisonment" 2 *SCJ* 26-38 (2002).

➤ **Citation of an essay/chapter published in an edited book:**

Name of author(s) of the essay, title of the essay within inverted commas, in Name of the editor(s), *title of the edited book* page number (publisher, edition/year).

E.g. Jutta Brunnee, "Enforcement Mechanisms in International Law and International Environmental Law", in Ulrich Beyerlin, Peter-Tobias Stoll, *et.al.* (eds.), *Ensuring*

Compliance with Multilateral Environmental Agreements: A dialogue between practitioners and academia 1-24 (Martinus Nijhoff Publishers, 2006).

➤ **Citation of an essay published as a part of a Survey of Law (e.g. Annual Survey of Indian Law, an annual publication of the Indian Law Institute, New Delhi):**

Name of author of the essay, title of the essay within inverted commas, volume number *name of the survey*, page number (Name of the institute, year).

E.g. B.B. Pande, "Criminal Law" *XLI Annual Survey Indian Law* 171-198 (Indian Law Institute, 2005).

➤ **Citation of a write-up published in a news paper/periodical:**

Name of the writer, Title of the write-up within inverted commas, *Name of the newspaper*, date (month.date,year)

E.g. Robert I. Freidman, "India's Shame: Sexual Slavery and Political Corruption are Leading to an AIDS Catastrophe" *The Nation*, Apr. 8, 1996.

➤ **Citation of an editorial from a newspaper:**

Editorial, Title of the Editorial within inverted commas, *Name of the newspaper*, date.

E.g. Editorial, "Short-circuited" *The Times of India*, Aug. 2, 2004.

➤ **Citing a reference form Encyclopaedia:**

E.g. Edwin R.A. Seligman (ed.), *XV Encyclopaedia of the Social Sciences* (The Macmillan Co., NY, 1957).

WEBSITES

➤ The author must indicate the date of visiting the website.

E.g. Information Technology Act 2000, India, *available at*: <http://www.mit.gov.in/itbill.asp> (last visited on July 29, 2003).

UNPUBLISHED WORKS

➤ **Unpublished Research Work (E. g., Dissertation/Thesis):**

Name of the Researcher, *Title of the dissertation/thesis* (Year) (Unpublished Ph.D. thesis, Name of the University/organization).

Sahil Kumar, *Corporate Governance: Regulatory Mechanism With Special Emphasis On Corporate Social Responsibility* (2017) (Unpublished LL.M dissertation, Indian Law Institute).

➤ **Interviews:**

E.g. Interview with M. Veerappa Moily, Law Minister, *The Hindu*, July 25, 2004.

➤ **Forthcoming publication of a book:**

E.g. G. Gann Xu, *Information for Corporate IP Management* (In Press, 2015).

➤ **Forthcoming publication of an article:**

E.g. P. Leelakrishnan, V. R. Jayadevan, "Concept of Common but Differentiated Responsibility in Climate Negotiations" 61 *Journal of Indian Law Institute* 47 (In Press, 2019).

MODE OF CITATION OF CASE LAW

- Where the case title is written in the body of the text, only the name of the case shall be in the text e.g. *Kesavananda Bharati v. State of Kerala* and the citation is written in the footnote as AIR 1973 SC 1461.
- If the name and citation are to be written in the footnote itself: *Kesavananda Bharati v. State of Kerala*, AIR 1962 SC 933.
- If parties to a case are numerous, for e.g. *State of Punjab v. Union of India and others*; this case is to be cited as: *State of Punjab v. Union of India* (1977) 3 SCC 592.
- Foreign Cases to be cited in the same manner as Indian cases, according to the rules mentioned above.

ACTS/ CONSTITUTION

- The Complete name of statute/act, year (citation)
 - The Information Technology Act, 2000 (Act 21 of 2000).
- Constitution to be cite as:
 - The Constitution of India.

SECTION(S) IN A STATUTE/CONSTITUTION

- The complete name of the statute (citation), section/articles in abbreviation (s./art.)

E.g.

 - The Information Technology Act, 2000 (Act 21 of 2000), s. 30.
 - The Information Technology Act, 2000 (Act 21 of 2000), ss. 30, 32.
 - The Constitution of India, art. 14.

- The Constitution of India, arts. 14, 15, 16.
- The Indian Penal Code, 1860 (Act 45 of 1860), s.300.

Foreign legislations (Constitution/Acts/Codes)

- The complete name of the statute (citation), section/articles in abbreviation (s./art)
E.g.
 - The United Kingdom Sovereign Immunity Act, 1978, art. 4
 - National Parks of Canada Fishing Regulations, 1978, s. 10.
- The constitutions to be cited in the same manner as the Constitution of India, however, where the official citation mentions the particular form of citation or title, the same must be mentioned.
E.g.
 - The Commonwealth of Australia Constitution Act, 1900, s. 9.
 - The Constitution of the People’s Republic of China, 1982, art.124.
 - The Constitution Acts for certain state constitutions in federal countries: Constitution Act, Year (name of the particular province or state), pinpoint reference.
E.g. Citation for the constitution of the State of New South Wales, Australia: Constitution Act, 1962 (NSW), s 5.

REPORTS

- Institution/Author, “title of the Report within inverted commas” page number (Year of publication).

E.g. Law Commission of India, “144th Report on Conflicting Judicial Decisions Pertaining to the Code of Civil Procedure, 1908” (April, 1992).

E.g. Government of India, “Report of the Committee on Reforms of Criminal Justice System” (Ministry of Home Affairs, 2003).

Constituent Assembly Debates and Parliamentary Debates

- Volume no. , *Constituent Assembly Debates*, page number

E.g. VIII, *Constituent Assembly Debates*, 31,32.
- Constituent assembly debates available online

E.g. Constituent Assembly Debates on April 29, 1947 *available at:* <http://parliamentofindia.nic.in/ls/debates/vol3p2.html> (last visited on May 30, 2008).
- Parliamentary Debates

E.g. Lok Sabha Debates on July 06, 2019 *available at:* <http://164.100.47.194/Loksabha/Debates/debatelok.aspx>(last visited on Aug. 01, 2019).

INTERNATIONAL DOCUMENTS

➤ **International conventions and/or treaties**

The complete name of the convention or treaty, section/article number

E.g. The United Nations Convention on the Law of the Sea, 1982, art. 12.

• **Constitutive and Basic Documents of International Organisations**

The complete name of the statute/charter, article number (art.) or section number (s.)

E.g. The United Nations Charter, art. 12

The Statute of the International Court of Justice, art. 24

• **Official United Nations (UN) Documents (Resolutions, Decisions, Committee Reports)**

The citation of the United Nations documents should include the following elements in the given order:

- Author (either an individual or an organ)
- *Title of the document in italics*
- Resolution or decision number
- Official Records
 - General Assembly Official Records – UN GAOR
 - Security Council official Records – UN SCOR
 - Economic and Social Council- UN ESCOR
 - Trusteeship Council Official Records- UN TCOR
- UN document number
- Full date (both date of adopting, and date of entering into force)
- Pinpoint reference (preamble/para./p.no./art./s./pt./annex.)

Examples of the commonly cited types of UN documents:

- Author (individual followed by designation/institution), *Title of the document*, Resolution or decision number, Official records, UN document number (full date), pinpoint reference.
 - General Assembly resolution to be cited as:

UN General Assembly, *Prevention of armed conflict*, GA Res 57/337, GAOR, UN Doc A/Res/57/337 (July 18, 2003).
 - Security Council resolution to be cited as:

UN Security Council, SC Res 827, SCOR, UN Doc S/Res/827 (May 25, 1993).

- Economic and Social Council Decision to be cited as:

UN Economic and Social Council, *Basic Programme of Work of the Economic and Social Council for 2001*, ESC Dec 2001/203, UN ESCOR, UN Doc E/2000/99 (Feb. 4, 2000).

- Report of a UN Organ to be cited as:

UN General Assembly, *Report of the Economic and Social Council for 2005*, UN GAOR, UN Doc A/60/3/Rev.1 (July 11, 2007).

- Report of the UN Treaty Body:

Conference of the Parties, United Nations Framework Convention on Climate Change, *Report of the Conference of Parties in its Fifteenth Session, Held in Copenhagen from 7 to 19 December 2009- Addendum-Part 2: Action Taken by the Conference of the Parties at Fifteenth Session*, UN Doc FCCC/CP/2009/11/Add.1 (March 30, 2010).

- Secretary General's Report to be cited as:

UN Secretary General, *In Larger Freedom: Towards Development, Security and Human Rights for All- Report of the Secretary General*, UN Doc A/59/2005 (March 21, 2005).

SUPRANATIONAL CASES

- International Court of Justice Cases:

Name of the case (Name of the Parties) (Phase) [Year] Report series, pinpoint reference.

Phases:

- *(Provisional Measures)*
- *(Preliminary Objections)*
- *(Jurisdiction)*
- *(Merits)*
- *(Judgment)*

E.g.

LaGrand Case (Germany v. United States of America) (Judgment) [2001] ICJ Rep. 466.

Right of Passage over Indian Territory (Portugal v. India) (Preliminary Objections) [1957] ICJ Rep 125.

- European Court of Human Rights Cases/ International Criminal Court Cases (and other supranational courts)

Name of the Parties (Year) Report Series, pinpoint reference.

E.g.

Campbell v United Kingdom (1992) 233 ECHR.

ELECTRONIC SOURCES

- Electronic Newspapers to be cited as (where an identical print version is not available)

Name of the author, "Title of the article", *Name of the Newspaper in italics*, full date, *available at* <URL> (last visited on)

- Audiovisual Sources/Documentaries

Name of the Studio/Production Company, *Title in italics*, Year, *available at* <URL>

- Speeches/Interviews/ Papers presented at Seminars available at websites:

Name of the author, *Title of the Paper*, name of the conference/workshop, Held on (Place and date), *available at* <URL> (last visited on)

REFERENCING

- ***Supra/ Infra***

- *Supra* (Latin: „above“) is used to refer to a prior footnote.
- If a different page number is to be indicated in a source referred to in a prior footnote
E.g. *Supra* note 5 at 34.
- If referring to a section/article in a source referred
E.g. *Supra* note 5, s.40.
Supra note 6, art.14.
- Avoid the use of *Infra* (below).

- ***Ibid./ Id.***

- *Ibid.* (meaning „in the same place“) is used to refer to an authority in the footnote immediately preceding the current footnote and the same page/ place is being referred to.

- *Id.* (meaning „the same“) is used if the authority is the same but the page or place of reference is different.

E.g. *Id.* at 30.

- If referring to a section / article in the same authority
E.g. *Id.*, art. 14.

Abbreviations for Pinpoint references:

- Article- art.
- Section- s.
- Point- pt.
- Schedule- sch.
- Annexure- annex.
- Paragraph- para.
- Page number- p.no.
- Clause- cl.