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India and The Freedom of Transit For Land-Locked States

-Dr. Ramdhass Perumal, Assistant Professor of law, UWSL

Coastal States enjoy various rights under the United Nations Convention on the Law of the Sea (UNCLOS), 1982 on the exploration and exploitation of the seas classified into different zones, such as territorial sea, contiguous zone, continental shelf, exclusive economic zone (EEZ), high seas and the Area. Similarly, the convention also confers considerable number of rights on land-locked states as well. Land-locked State means “a State which has no sea-coast” (Article 124(1)). The rights of land-locked States include: right of innocent passage in the territorial sea of coastal states (Article 19); freedoms associated with the operation of ships, aircraft and submarine cables and pipelines in the EEZ of coastal States (Article 58); right to participate in the exploitation of an appropriate part of the surplus of the living resources of the EEZ of coastal States (Article 69); and right to enjoy the freedoms on the high seas (Article 87). In addition, Article 148 of the Convention promotes the effective participation of land-locked states in the exploration and exploitation of the Area having due regard to their special interests and needs.

However, to enjoy all such rights a land-locked State must have access to Sea. In this regard, Article 125 provides that “[l]and-locked States shall have the right of access to and from the sea... [and] shall enjoy freedom of transit through the territory of transit States by all means of transport”.

However, it is not an absolute right, rather, “[t]he terms and modalities for exercising freedom of transit shall be agreed between the land-locked States and transit States concerned through bilateral, sub-regional or regional agreements” (Article 125(2)). Transit State means “a State, with or without a sea-coast, situated between a land-locked State and the sea, through whose territory traffic in transit passes” (Article 124(2)).

India is a transit State for two of its land-locked neighbours, Bhutan and Nepal, and has entered into bilateral arrangements to ensure their transit rights through its territory. The Agreement on Trade, Commerce and Transit between India and Bhutan, 1972 establishes a free-trade regime between the two countries and provides for duty-free transit of Bhutanese goods through Indian territory either from one part of Bhutan to another or from third countries. The Protocol to the Agreement provides for mutually agreed entry-exit points at land and port for transit of goods. Similarly, the Treaty of Transit between the Government of India and His Majesty's Government of Nepal, 1999 provides for duty free transit of Nepalese goods through Indian territory. The Protocol to the Treaty of Transit between India and Nepal, 1999 specifies the mutually agreed entry-exit points at land and ports for transit of goods.



Cancer Awareness & Preventive Life Style

-Organizing Secretary – Shrut Brahmhatt, Assistant Professor, UWSL

Unitedworld School of Law and KU Student Governing Council jointly organized an insightful webinar on a very important topic of Cancer Awareness and preventive Lifestyle on June 29th, 2021. The session was delivered by Ms. Sumki Begum, Program Coordinator – Outreach and Counselor, Sanjeevani-Life Beyond Cancer. The session educated participants about cancer and the preventive mechanism to ensure healthy life.

Organizing Secretary:

PROF. SHRUT BRAHMBHATT

CANCER AWARENESS & PREVENTIVE LIFESTYLE

**TUESDAY 29th JUNE
AT 03:00 PM**

SUMKI BEGUM

Program Coordinator-Outreach and
Counselor, Sanjeevani-Life
Beyond Cancer



Revisiting Reservation

-Moksh Bhatnagar, BALLB 2020-25, UWSL

The reservation system is a topic for a fiery debate any day. The most common questions that are often asked in such debates are whether reservation shall be caste-based, or economy-based? Shall reservation continue to compromise merit? Why has the reservation system not worked so far?

In favour of reservation, the caste system in India has been oppressive to the largest extent possible. A caste-based reservation has allowed people from lower castes to gain opportunities and come out from the shadows of their horrific past. Caste-based reservation system often allows people to shackle the chains of oppression and persecution, and further allows the people from afflicted sections to have access to the society's resources as equitable members. This further motivates fellow caste members to avail upliftment provisions and creates a sense of equality in society. The caste reservation based system has indeed resulted in the upliftment of many individuals, yet there are people from the same caste that do not have access since they have lacked economically.

Then come to the problems or the loopholes in the current caste-based reservation system. Let us not forget how the caste-based reservation system has been used by demagogues to play caste-based politics, which causes disharmony among the people. Further, there is no limit as to how many generations of the same family can be beneficiaries of the caste system. There is no defined meaning of what an 'uplifted' caste looks like in the constitution. Hence, numerous generations of the same family, which has already been beneficiary to the reservation,

keep getting the same benefits, further defying the purpose of the reservation system. Per se, the reservation percentage has increased for Economically Weaker Sections, yet the results have been very low. People often argue as to whether the country can have reservations solely based on economic status.

What is the solution? The caste system is an age-long stigma in India, and such stigmas often take centuries to change. Any mechanism cannot develop overnight success, especially when a country's thinking rationale is at the root of the problem. Even after availing of reservations, certain castes continue facing social discrimination. Even Dr. BR Ambedkar suggests that as long as the caste system is not annihilated, a caste-based reservation system shall serve the purpose of bringing equality to the households of people who yet live under oppression. As members of society, we shall continue to educate against the caste system, an atrocious trap of the past, from which India is yet to escape.



Water Water Not Everywhere: Need of Water Conservation in India

-Dr. Sanjay Kumar Pandey, Associate Professor & Director CCJR, UWSL

Safe drinking water is a fundamental need of humans. It is a basic need for the existence of every society. Due to regular droughts, increasing desertification and insufficient supply of water, whole world is facing the insufficiency of water. India has 4% of drinkable water and 16% population of world. Therefore, the use of water should be with utmost care. Actually, in the interest of all the citizens of our country there is the instant need to tackle the water crisis with the skill of scientific management.

Under sustainable development goal, clean water is to be reached to all. India, with 1.3 Billion populations, is facing the shortage of water. According to the sources of Ministry of Water resources, the availability of drinkable water was 52 Lakhs Litre per person per year in 1955, which, in 2000, reduced into the 22 lakhs Litre. Consequently, the country had to look towards the ground water. Ground water is addressed, sometimes, as invisible source and mainly it is free and easily available. As far as India is concerned, she is largest user of ground water in the world. More than one fourth of World's total water resources is used by India and it has contributed a great deal to assure the food security. Atal Bhujal Yojana (ATAL JAL) has been launched by the central government to facilitate the ground water management. This yojana facilitates the community initiatives relating to ground water management in the country. The water is life giving, though it is the carrier of diseases and poisonous chemicals which causes fatal diseases and deaths. Diarrhea, Cholera typhoid, Polio, Hepatitis-A and E are waterborne diseases, hence, assurance of clean water is very important. Besides this, there is the inaugural of the Namami Gange in 2014-15 for the conservation of the River Ganges and its tributaries. Nation Mission for Clean Ganga-NMCG is the agency which enforces the Namami Gange mission. Namami Gange covers the cleanings and conservation of rivers and all the 97 cities and towns banked on Ganges are covered under this program for rehabilitation. Good thing is that our policy of water management has improved in the last two decades. State governments have started the comprehensive program to construct dams and ponds to collect the rain waters and the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) 2005 has contributed a great extent in this regard. This Act has given the employment at local level and improved the water collection capacity of ponds etc.



Last but not the least, it is suggested that the water and air are most important for living creatures and its pollution is not bearable. The Covid-19 also has given a lesson that humankind must protect and conserve the water resources.

Gender Sensitization Session

-Organizing Secretary – Shrut Brahmbhatt, Assistant Professor, UWSL

Unitedworld School of Law, Karnavati University and KU Student Governing Council in association with Gandhinagar Queer Pride organised a virtual session on 'Gender Sensitisation' in celebration of PRIDE month on June 27th, 2021. The Session was graced by Shri Manvendra Singh Gohil, Prince of Rajpipla, Gujarat & LGBTQ+ Activist; Ms. Damini Sinha, Software Engineer & LGBTQ+ Activist; Dr. Gagandeep Kaur Makkar, Clinical Psychologist, IIT – Bhubaneswar; and Ms. Vedica Saxena, Vice President, D & I Council, Delhi for WICCI and Project Director with Tagore International School, Delhi. The Session deliberated on inclusion, diversity and maintenance of equality in the Society by covering reasons of Awareness and Sensitization about LGBTQ+ Community, Emotional Vulnerability of Queer folks, Inclusion of Queer People in Mainstream, and the ways of becoming ally to LGBTQ+ Community.



Gender Sensitisation

Unitedworld School of Law, Karnavati University in association with Gandhinagar Queer Pride organising a virtual session on "Gender Sensitisation" in celebration of PRIDE month.

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Date: June 27th, 2021
Time: 3:00 PM to 4:30 PM
Meeting ID: 885 3474 0601
Passcode: 354366

PRIDE


Ms. Vedica Saxena
Vice President, D&I Council, Delhi for WICCI and Project Director with Tagore International School, Delhi.


Ms. Damini Sinha
Software Engineer & LGBTQ+ Activist


Dr. Gagandeep Kaur Makkar
Clinical Psychologist, IIT - Bhubaneswar


Shri Manvendra Singh Gohil
Prince of Rajpipla, Gujarat & LGBTQ+ Activist

Saffronism: Dominance

-Sashwat Gupta, BALLB 2020-25, UWSL

Introduction

India, in the recent years, has been on the verge of “Saffronism” or being dominated by the people of a particular religion, this concept is quite vast and has its branches in almost every vital concept there is, even though Article 25(1) states "Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion” it seems that some people have manipulated this right in their own terms and principles. The history has been a witness to such incidents where a small feud led to a feeling of hatred towards some particular communities, the cornerstone being the feeling of dominance upon each other, while the whole new ideal of individuals belonging to “majority” or “minority” was formed. However, such matters could flinch one's perception of reality and might work as a double-edged sword for the mass.

Historical Significance

The term “Hindutva” has been used extensively in reference to this topic, it has been derived from two footings i.e., Hindu and Tattva which means Hindu Principles. There are a few proponents of Hindutva which constructed this hustle back in 1923, which was led amongst the honorable Vinayak Damodar Savarkar (1883-1966) who promoted the ideology of seeking hegemony of Hindus and the Hindu way of life. The implementation of this ideal turned out to be a blot on the country's diverse nature; Formerly interpreted to be a

peaceful propagation but which rather turned out to belong to some particular individuals, instigating hatred through their extremist perspectives in order to suppress other communities and attain Hindu Dominance. This ideal came out as an exclusively racial concept stating that people who were born on its soil are a part of this country and others are to be treated as “outsiders”.

Contemporary Times

But as the time took its pace, the mere sapling grew into a voracious forest, people already had their opinions to offer, while some may follow ideals like 'pseudo-secularism', the others believed in 'proselytism' and professing their religion all over the country. Avoiding a political perspective, but it is quite evident that media has a very potential role in developing the mindset of an individual over such ephemeral views.

The concept of Saffronism is often taken up with its counterpart, Islamophilia, while both hold a similar concept but there is a very thin line of demarcation between the two. Comparatively, Evangelism is also being professed but hasn't yet evolved into an extremist ideal of convergence with those of others. Though, India is quite secular in its policies and grants justice to every race or religion there is, but some opinions still denote such steps to be a false pretense of Hindu Dominance over the country as a whole.

Boon or Bane?

-Shreya Patel, BALLB 2019-24, UWSL

One often wonders, is the turning of the sky red a blessing or a curse

One often wonders is the turning of the sky red a great farewell to the day or an omen signifying bleeding world

One often wonders is the turning of the sky red a scientific phenomenon or a very old saying implying delightful night or a dangerous day

The question remains still like the trees in this picture.





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