

THE RIGHTS

ISSN: 2454 :9096 Journal

Indian Youth Law Congress

Special Edition

December-2024

The Rights Journal was established in 2014 by Dr. Yadam Ram Kumar as a Journal of Yadam Institute of Research. It is online and quarterly open access journal publishes conference papers. From 2014 the Journal changed its policy. It publishes Global Affairs on Human Rights, Conflict and Peace. The journal publishes recent investigations and research on human rights, conflict, peace and violence issues both academic and non-academics..

The Current Issue is abstracts and presentation from Indian Youth Law Congress organized by Yadam Institute of Research on 24 and 25th November, 2024 Online in India.



Yadam Institute of Research

World's Leading Research Center. Website: yior.org email: info@yior.org

Research---Action---Publication

Scope of Law Studies

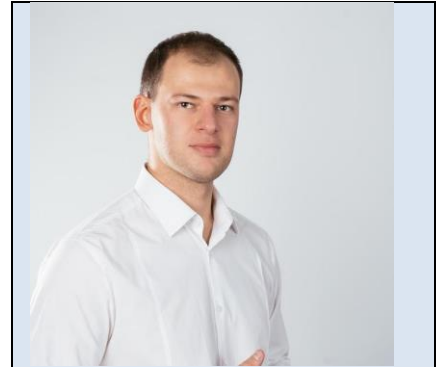
Standing before you today at this Indian Youth Law Congress is an immense privilege. As we delve into the intricacies of law and its profound impact on society, I would like to illuminate the vast and ever-expanding scope of legal education.

Law is a dynamic force that shapes our world. It provides the framework for justice, order, and human rights, ensuring the harmonious functioning of societies. Studying law equips us with the knowledge, skills, and critical thinking abilities to navigate this complex legal landscape and contribute to its betterment.

The scope of law education extends far beyond the traditional confines of courtrooms and legal textbooks. It encompasses a diverse array of disciplines, each with its unique significance:

- **Jurisprudence:** This foundational area explores the philosophical underpinnings of law, delving into questions of justice, rights, and the very nature of law itself. It provides a theoretical framework for understanding the legal system and its societal role.
- **Constitutional Law:** This field focuses on the fundamental principles and structures that govern a nation. It examines the balance of power between different branches of government, the protection of individual liberties, and the rights and responsibilities of citizens.
- **Criminal Law is the discipline that investigates, prosecutes, and punishes** those who violate criminal statutes. It encompasses many offences, from minor misdemeanours to serious felonies, and seeks to protect society from harm.
- **Civil Law:** This broad area encompasses a variety of legal matters, including contract law, property law, tort law, and family law. It focuses on resolving disputes between individuals, organizations, or the state, ensuring fairness and justice.
- **International law regulates** relations between states and international organizations, promoting peace, cooperation, and human rights on a global scale. It addresses international trade, human rights law, and environmental law.

Beyond these core areas, law education also encompasses specialized fields such as intellectual property, environmental, tax, and health law. These areas require a deep understanding of specific legal principles and their application to complex issues.



Dr. Viktor Savchenko

**Esteemed Chief Guest at
Indian Youth Law Congress**

*PhD in Law, Associate
Professor, Research Fellow of
the Uehiro Oxford Institute,
University of Oxford,*

Furthermore, law education fosters the development of essential skills invaluable in various professional and personal contexts. These skills include:

- **Critical Thinking:** The ability to analyze complex legal problems, identify relevant issues, and evaluate different legal arguments.
- **Analytical Skills:** The capacity to break down complex legal concepts into their parts, understand their interrelationships, and apply them to specific situations.
- **Effective Communication:** The skill of articulating legal arguments clearly, persuasively, and concisely, both orally and in writing.
- **Research Skills:** Conducting thorough legal research, gathering relevant information, and synthesizing it into coherent legal arguments.
- **Problem-Solving Skills:** The capacity to identify legal problems, develop creative solutions, and implement effective dispute-resolution strategies.

As an aspiring legal mind, you can significantly impact the world. Whether you choose to pursue a career in law, public service, business, or academia, your legal education will empower you to address complex challenges, advocate for justice, and shape the future of our society.

In conclusion, law education offers a vast and multifaceted scope. It provides a gateway to opportunities to use your knowledge and skills to make a positive difference. Embrace the challenges, complexities, and the power of law to transform lives and societies.

Green Patent: a New and Growing Trend in the Field of Law

In the field of law, Environment law deals with protection of the environment and saving the wildlife and nature via various laws and regulations along with various treaties and international conventions which pledges to save the Biosphere.

This presentation focuses on the **Green Patent** which is still a developing notion due to the growth of technology with a bigger emphasis on saving nature and environment. Green patent is the patent which is applied on the green products and **green technology** or appliances which have been innovated or invented to provide support and sustainability to the environment by reducing pollution and by preventing the depletion of **ozone layer**. Green patent also covers several fields with critical dimensions such as waste management, energy conservation, agriculture and forestry, transportation with the help of other alternatives such as **fossil fuel**, renewable sources of energy, hydro and geo thermal

Oishee Banerjee

Law Students of Sister
Nivedita University
The Presenter of Indian Youth
Law Congress-24
Organised by Yadam Institute
of Researcher

energy and by using technologies for waste management and recycling in an **eco-friendly** path.

It will also aim at a proper legal framework that can be provided that will increase the filing of green patent in the future, along with an analysis regarding less awareness about Green Patents and how it can be improved and increased are also included in this topic.

Women's Rights in India

Women's rights refer to equality, freedom, and protection ensuring dignity and opportunities. Importance of Women's Rights Leads to societal progress, economic growth, and poverty reduction. The status in Indian Society is Historical reverence as goddesses, but later patriarchal norms diminished their status. The modern era shows mixed progress and challenges. In India, women face several challenges related to their rights. Some key issues are :

Disha Gautam

ICFAI University, Raipur
Presenter of Indian Youth Law
Congress-24

Organised by Yadam Institute of
Research

1. **Gender Inequality:** Women often have fewer opportunities in education, employment, and decision-making compared to men.
 2. **Violence:** Many women experience domestic violence, sexual harassment, and other forms of abuse.
 3. **Child Marriage:** Despite being illegal, child marriage still happens in some parts of India, limiting girls' education and growth.
 4. **Limited Access to Education:** Some families prioritize boys' education over girls', which affects women's future opportunities.
 5. **Work place Discrimination:** Women often face unequal pay, lack of promotions, and unsafe work environments.
 6. **Health Issues:** Women sometimes lack access to proper healthcare and face issues like unsafe childbirth and poor menstrual health management.
-

A Study on Gender Inequality Laws Where Rape of Men and Transgender are Non-Punishable.

The presentation is a critical exploration of the gaps in our legal system that leave certain victims unprotected. Sexual violence laws in India primarily address women, leaving men and transgender individuals without adequate legal recognition as victims of rape. The absence of gender-neutral rape laws highlights a pressing concern that demands attention. The objectives of this study are to examine the state of rape laws in India and globally, identify legal gaps for men and transgender individuals, explore objections to gender-neutral rape laws, and analyze potential consequences of implementing such reforms. In India, the current provisions predominantly safeguard women, with Section 375 of IPC, now replaced by Section 63 of the Bharatiya Nyay Sanhita, 2023. While earlier laws provided implicit coverage for men and transgender individuals, recent reforms fail to address them explicitly. This legal void raises concerns about inclusivity and justice. The presentation Legal inclusivity is vital for equitable justice. Gender-neutral rape laws are a step forward in recognizing the rights and experiences of all victims. With robust safeguards, we can address societal concerns and ensure justice for everyone.

Suprovo Dey & Bhaswati Paul

Sister Nivedita University
Presenter of Indian Youth Law
Congress-24
Organised by Yadam Institute of
Research

The Evolving Landscape of Cyber Security Law and Data Protection in the Digital Era.

The internet has revolutionized communication, commerce, and information access globally, fostering unprecedented connectivity and convenience. However, this digital transformation has also introduced significant cyber security challenges, particularly with the rapid increase in cybercrime. India, facing a dual challenges as both a target and a source of cybercriminal activity, finds its critical sectors like defence, finance, telecommunications, and healthcare increasingly vulnerable. This paper delves into the importance of cyber security, emphasizing the protection of sensitive data, national security, and economic stability. It critically examines existing legal frameworks, including the Information Technology Act, 2000 and the Digital Personal Data Protection Act, 2023, highlighting their limitations and the urgent need for legislative updates. The topic also addresses the evolving threat landscape, the challenges of insufficient cyber security infrastructure, and the impact of state-sponsored threats. Recent government initiatives and proposed recommendations aim to enhance cyber security measures through strengthened legal frameworks, technological

Arghyadeep Naskar & Olivia Nahak

Sister Nivedita University
Presenter of Indian Youth Law
Congress-24
Organised by Yadam Institute of
Research

advancements, and international collaboration. By prioritizing cyber security as a critical component of national security, the paper underscores the need for adaptive legal structures and proactive measures to ensure a resilient digital ecosystem in India.

Transgender Rights and Legal Recognition

Transgender rights have emerged as a central focus in contemporary legal and societal discussions, reflecting the complexities surrounding gender identity and the rights of transgender people. Because of the complexity of gender identification and the rights of transgender individuals, transgender rights have become a major topic of discussion in legal and social circles today.

Komal Goswami

ICFAI University, Raipur
Presenter of Indian Youth Law
Congress-24

Organised by Yadam Institute
of Research

This abstract examines the continuous legal reform initiatives as well as the persistent challenges that transgender people face worldwide. Legal reform efforts have advanced significantly in recent years, with several nations passing laws to protect the rights of transgender people. Commonly, these amendments include clauses that acknowledge gender identity, outlaw discrimination on the basis of gender identity or expression, and guarantee equitable access to jobs, healthcare, and education. Furthermore, several countries have implemented legal frameworks to streamline the gender transition process, including streamlined protocols for changing names and gender markers on official records. But even with these improvements, transgender people still have a lot of obstacles to overcome before they can fully embrace society and use their rights. There is still a great deal of violence and discrimination against transgender people; shockingly high rates of harassment, assault, and homicide have been documented worldwide. Furthermore, there exist significant variations in legal frameworks throughout jurisdictions, resulting in discrepancies in safeguards and obstacles to crucial services for transgender persons. Scholars have expressed that in fact, there are many who do not belong to any of the groups but are transgenders persons individually. Transgender people may live full-or-part time in the gender role opposite to their biological sex. The difficulties encountered by transgender people are exacerbated by intersectional issues, especially for those from marginalized groups like people of color, the low- income, and rural residents. These people frequently face higher than average levels of prejudice as well as obstacles when trying to get access to social network, legal assistance, and healthcare.

Should Indian Society Accept Same-Sex Marriages ?

Same sex-marriages refer to marriages between two individuals of the same gender. Same-sex marriage is a controversial issue in India and around the world . On 17th October 2023, a five-judge constitution bench of the Supreme Court of India , declined to legalise same-sex marriage, leaving it to parliament to legislate on the subject because there is no fundamental right to marry, so the court cannot intervene.

Afreen Naj

ICFAI University

Raipur, Chattisgarh

Presenter of Indian Youth Law

Congress-24

Organised by Yadam Institute of Research

Indian laws define marriage as a holy union between a biological man and a woman. But in 2018 the supreme court of India was struck down the section 377 of the IPC which criminalized homosexuality ,and it was a major victory for LGBTQ+ rights in the country. The term “LGBTQ” refers to many groups of people who do not fit the definitions of gender and heterosexuality. since the sentence are not complete, abbreviations are often used with a “+” sign to indicate that the collection is incomplete. However, the discrimination of homosexuality did not legalise same-sex marriages. The government claimed that the demand for same-sex marriage was a “mere urban elitist view” for the purpose of social acceptance. This study analyzes the view of maximum Indians and the question arising here is why Indian society is against same-sex marriages ?

An Ethico-Legal Analysis of the Regulation of Fantasy Sports in India

India’s burgeoning fantasy sports market has exploded in popularity within the past few years, a natural result of celebrity brand endorsements and promotions during high-profile sporting events. According to data published by Deloitte and the Federation of India Fantasy Sports (FIFS) in April 2023, there are over 300 fantasy sports platforms and 18 crore users in India, with the Indian market for fantasy sports being expected to grow to a mammoth Rs. 25,000 crore by FY27. However, the legality of fantasy sports has

Andrea Dey

Sister Nivedita University

Presenter of Indian Youth

Law Congress-24

Organised by

Yadam Institute of

Research

been a contentious issue. While the Supreme Court has recognised it as a game of skill protected by Article 19(1)(g) of the Constitution of India, there have been challenges to their legality in states such as Assam, Sikkim, Odisha, Nagaland, Telangana, Andhra Pradesh, Karnataka, and Tamil Nadu. Regulators and lawmakers have also failed to consider ethical and public health issues, such as addictions to fantasy sports and the high financial risks that users may fall prey to. This paper seeks to analyse the existing regulatory framework that governs fantasy sports in India in light of the ethical implications of these games while

providing tangible solutions and guidelines for regulatory blind spots and tackling potential future challenges.

Unraveling New Frontiers of Security Concern: A Study through the Prism of Human Security and Climate Refugees in 21st Century

Security for decades has been a royal prerogative of the Realists in the discipline of International Relations that impeccably prioritised national security. They overlooked, failed in their acuity to sentience the recondite tomes of non-conventional threats and inexplicable asperity to human rights, security, social cohesion, political machinery through pictures of prodigious casualties. Impacts of ineffable geographical hazard has effeteley defied territorial boundaries and is baptized as 'inter-state', 'non-conventional', questioning the efficacy of state machinery in handling such monumental catastrophe that ineluctably strike at the 'vulnerability' factor to determine degree of capacity building and quick adaptation. 'Climate Refugees' - a pristine entrant in the 'Global Diaspora', is the consequence of displacement of population by natural forces. This paper depending upon both primary and secondary sources and historical, analytical methodology, is interested in studying the concept, evolution of climate refugees; it's 'locus standi' in the domain of environmental, traditional refugees and of human security within itself; how global governance, legal mechanisms be structured or reformed to incorporate aspects of human security to address multi-faceted challenges owing to national jurisdictions; and by suggesting ways of inclusivity, cross border collaboration, climate litigation, adaptive migration policies to name a few, the paper will finally scrutinize whether climate refugees are causes or effects of human rights violations or of both, thereby demanding a redefinition of national security across continents globally today.

Indrani Naskar

Sister Nivedita University
Registrant of Indian Youth
Law Congress-2024
Organised by
Yadam Institute of Research

The Rights of Performing Animal: A Reformative Progress in Recent Times

Animal rights are those types of entitlements which formed to provide a "free life" to animals from human cruelty and abuse. We live in a society where each culture has different beliefs and customs, some practices deserve no tolerance. The pervasive inhumane activity of human towards animals for entertainment lies in the society, no one come forward to eradicate those issues from its root. Animals have been used as tool of entertainment from immemorial time, they are used extensively in circus, zoos, 'pet trade', television shows, cinemas and others.

Sohini Bhattacharyya

Sunanda Dey

Sister Nivedita University
Registrant Indian Youth Law
Congress-2024
Organised by Yadam Institute
of Research

To protect animals from cruelty, Indian legislation has enacted crucial laws, such as the Prevention of Cruelty to Animals Act, 1960, and the Wildlife (Protection) (Amendment) Act 2006. The Indian judiciary has also taken substantial steps, as seen in cases like the Kennel Club of India v. Union of India (Delhi High Court, 2013), where the court upheld a ban on the exhibition of dogs to prevent cruelty for entertainment purposes. In another case, the Bombay High Court ruled that filmmakers must obtain certification from the Animal Welfare Board of India before using animals to ensure prevention of cruelty. This article aims to move towards constructive thinking and action for the voiceless, to inspire the new generation to come forward and participate in activating a “cruelty-free” world to improve humanism.
