



## Editorial

The Journal and Publication Society, School of Law, Christ University, takes pride in placing on record, the tenth issue of the Christ University Law Journal. This issue of the journal comprises of researched articles, spanning a variety of legal topics, a case comment and a book review. The academic writings are authored by legal practitioners, academicians and students.

Authors Nikhil Agarwal and Vinayak Ojha, in their article, *Moral Rights: International Framework and Indian Approach*, discuss the imminent need for standardized and stringent protection of an author's work in the digital era, with special focus on the moral rights aspect. They elaborate on the variant standards on moral rights protection followed by different countries and analyze the reasons for the exclusion of moral rights in the TRIPS agreement. The authors then draw our attention to moral rights protection in India with regard to the Copyright Act 1957, and the inconsistent approach of the legislature and judiciary regarding the same. The article concludes with their analysis on the need for harmonization of moral rights in both national and international legislations.

The article *From Francis Coralie Mullin to Swaraj Abhiyan: Adding Multidimensionality to the Conditional Social Right to Food*, authored by Saurabh Bhattacharjee, is timely, as it deals with a matter central to the debate relating to the development of a country - that of, right to food. The paper gives an in-depth insight not only into the judicial development of the right, but also goes a step further in analyzing the content of the right, and modes which will enable better implementation of the same. The arguments presented in the paper are noteworthy in determining the lacunae in the current status of the right.

*Consensus Ad Idem: A plea for objectivity in telephonic contracts* gives a dynamic insight into a very inconclusive realm of contract law. Authors, Prof. D.Ganesh Kumar and Akshay Douglas Gudinho, examine the pertinence of rule of objectivity, under Indian law, in order to establish Consensus Ad Idem, in telephonic contracts. The paper, while highlighting the inadequacies of the current adjective laws, recommends relevant measures to overcome such fallacies.

Through discussion of important provisions of laws and judicial decisions, the paper proposes establishment of due diligence, before the formation of telephonic contracts as an efficient device in achieving objectivity.

Through the article titled, *Regional Benches of the Supreme Court-The Path Ahead*, Sankalp Mishra has taken us to the journey of understanding the aspect of establishment of Cassation Benches of the Supreme Court in Bombay, Chennai, Hyderabad and Kolkata. The author focuses on the various Law Commission Reports and Parliamentary Standing Committee Reports, to help us understand the birth of the concept of the National Court of Appeal. The author effortlessly underlines the reasoning behind the need for the establishment of the National Court of Appeal. The author concludes by explaining the developments with respect to the above mentioned issue, as has been discussed by the Supreme Court of India, to throw light on the same in an overwhelming manner.

*Decline of Collective Bargaining and Subsequent Developments in Labour Management Relations*, authored by Shashank Sridharan, looks summarily at the characteristics, growth and subsequent decline of the practice of collective bargaining. It is an effective tool in reaching a consensus between the employers and the employees, thereby providing a nexus between the two in the form of mutually agreed upon solutions, by causing minimal changes in the output of the companies. The author, in this paper, effectively traces the reasons for the decline in the said practice, while also highlighting the emergence of equally effective alternatives.

In her article titled, *National Food Security Act - A Relook*, Zara Kaiser analyses India's implementation of the Right to Food, through various schemes and the national and corresponding state legislations. In an effort to understand the shortcomings of its implementation, the author identifies the systemic obstacles and the errors in the implementation of the law. The author concludes by stating that a co-ordinated effort between the relevant government departments, strengthening the redressal mechanisms and addressing state specific nutritional issues, would go a long way in achieving food security in India.

*Enrica Lexie's Case*, authored by Ahinav Mishra, is a commentary on an international dispute, about a shooting that happened in the sea, off the coast of Kerala, in India, wherein, two Indian fishermen were killed aboard the *St. Antony*, after being fired upon by Italian marines, who were on board the Italian-flagged, commercial oil tanker, *MV Enrica Lexie*. The author discusses Italy's contentions and also deals with the Supreme Court decision on this issue, where it relies on the *S S Lotus* Judgment and UNCLOS 1982. The author further discusses the consequences it had on Indian-Italian ties, as well as the issues before the International Tribunal for the Law of the Sea (ITLOS) and finally concludes with his own analysis. The article succinctly throws clarity on the case and on all connecting issues and consequences of the same.

The Journal and Publications Society expresses its gratitude to all scholars and reviewers who have contributed to this issue of the journal and solicit their continued patronage and cooperation. We are grateful to the Christ University management, the Center for Publications, the Library personnel and the National Printing Press, for extending their support toward our humble mission of making effective contribution to legal research.

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