



## Editorial

The Journal and Publication Society, School of Law, CHRIST (Deemed to be University), takes pride in placing on record, the sixteenth issue of the *Christ University Law Journal*. This issue of the journal comprises of researched articles, spanning a variety of legal topics and a book review. The academic writings are authored by legal practitioners, academicians and students.

## Articles

The author, Aditya Gupta, in his article, *Interpreting Kimble v. Marvel in the light of Stare Decisis*, focuses his research on the continuous payment of royalties by patent licensees even after the said patent has expired. In doing so he successfully highlights the interplay of patent law with competition law. He criticizes the judgment rendered in the case of *Kimble v. Marvel*, while analyzing the degree to which the Doctrine of State Decisis influenced the decision. A thorough examination of the Judges' decision allows the reader to fully understand the settled law on post patent expiration royalties within American jurisprudence, while simultaneously highlighting the lack of Indian jurisprudence on the same. In his critique, the author has analyzed the trade-off between stability and reasonability in judicial decision-making.

In the article titled *Analyzing the need to Reinstate the NGT Ban with Respect to Meghalaya's Rat Hole Mines*, the author Antony Moses examines the impact of the rat-hole mining incident in the East-Jaintia Hills of Meghalaya and the subsequent ban imposed on rat-hole mining by the NGT. The author first gives the reader an insight into the history and process of rat-hole mining, and its devastating human rights violations and environmental impacts. The author convincingly tackles the various arguments presented in favour of the ban and the protection given to rat-hole mining by the Sixth Schedule of the Constitution by analyzing the Katakey Commission report and the unemployment problem. The author also tackles the July 2019 Supreme Court order related to the ban, stating that the time at which the ban came into force was inappropriate and there were no previous legislative efforts made

by the State Government, rendering the ban ineffective. Finally, the author concludes the paper by proposing suggestions to alleviate the problem at hand through procedural and policy measures.

In the article, *The Need to Legalize and Regulate Insider Trading – An Analysis*, author Anuradha Roy Chowdhury Ghosh seeks to evaluate the cause of Insider Trading. In light of the same, the article evaluates the current position of criminalizing insider trading, with its implementation and enforcement obstacles. The author evaluates the cause from an economic standpoint with reference to various authors. The article seeks to highlight those considerations which have not been given importance by the legislators. Evaluating these arguments, the author furthers the cause of legalizing insider trading with an effective regulatory mechanism such as that of a fiduciary relationship.

In the article, *Altruistic Surrogacy Contracts: Legal Analysis of the Surrogacy (Regulation) Bill, 2019 and its Implications*, author Samyutha Samudrala evaluates the concept of altruistic surrogacy in light of the Surrogacy (Regulation) Bill, 2019. The article studies the legality of surrogacy contracts from the perspective of the Indian Contract Act, 1872. By analyzing several landmark judgements, the author includes the essential elements of contract law. Recognizing the adverse causes of such arrangements, the article evaluates the remedies available to the parties in light of its effectiveness.

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 towards our humble mission of making effective contribution to legal research.

**Sharmila N**  
Issue Editor