



Editorial

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

Articles

In the article titled *Regulating Related Party Transaction during the COVID-19 Crisis*, the author, Anna Toniolo has highlighted the strong relationship between Related Party Transactions regulation (RPTs) and economic changes. The article draws a comparison between the 2008 financial crisis and the COVID-19 crisis in analysing the influence of economic climate in regulating RPTs. It further draws a comparison between different jurisdictions while detailing the feasibility of the measures adopted by the policymakers during the above-mentioned crisis to combat any form of tunnelling by corporate insiders. By referring to different domestic as well international standards, the author has provided a comprehensive mechanism, recommending a reaction-based approach to deal with RPTs which is flexible to shift from various economic developments to ensure good corporate governance.

In *Global Food Trade in a Rule Based System: An Indian Perspective*, the author, Ann Thania Alex, analyses the rules of international trade law in the context of trade in the food industry. The author traces the development of the status of third-world countries within the WTO regime. The author then sets out the current position concerning the principles of equity in trade, Most Favoured Nation and National Treatment under the WTO. The author further analyses instances of the imposition of trade restrictive measures against developing countries with specific reference to restrictions on the imports of food products from such countries including India. The author examines the reasons for the rejection of such exports, in the context

of the differential treatment meted out to developing countries within a system that strives for non-discrimination in trade.

Ashok J Rodrigues, in the article titled *Anomalies in the Interpretation of the Creamy Layer Segment in the Realisation of Benefits under Reservation Policies in India*, delves into the topic of reservation for the SCs, STs and OBCs in the country. The author sets out the context in which the exclusion of the creamy layer from reservation in government employment was first considered. He then analyses the application of this principle through various judgements of the Supreme Court. The author examines the government's stand on this issue through its official statements and answers to questions posed on the topic in the Parliament with reference to the various Office Memorandums issued by the Department of Personnel Training in this regard. The article concludes by pointing out the differing stances of the government on the application of the creamy layer principle to the SCs and STs when compared to the OBCs in government employment. The author suggests that a holistic implementation of the principles set out in various decisions of the courts will ensure equality among all sections in the society.

In the article *Dichotomy of the 65B Certificate: Analysing Trends with regard to the Authentication of Electronic Evidence in India*, Bhavyakriti Singh and Aditya Bamb, analyze the approach of the courts in mandating the submission of a 65B Certificate in deeming secondary evidence as admissible. The authors examine the meaning of electronic evidence under the Indian law as well as the legislative history of Section 65-B of the Indian Evidence Act, 1872, which requires that a certificate be submitted as proof of the authenticity of the electronic evidence relied upon. They then analyse the shifting stance of the courts with regard to the requirement of the submission of the certificate with specific reference to the recent decisions of *Shafiqi Mohammad v. State of Himachal Pradesh* and *Arjun Khotkar v. Kailash Kushanrao*. The article concludes by suggesting reforms to the current system, through the inclusion of further criteria that electronic evidence must fulfil in order to be deemed as admissible before the courts.

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