



## Editorial

The third issue of *Christ University Law Journal* comprises scholarly articles on various subjects of law having national and international importance. Some of the significant questions of law that have come up before the courts at the national level *inter alia* include constitutional safeguards in case of arbitrary arrest and detention, procedural mechanisms that infuse fairness in criminal justice system, enforceability of administrative instructions and regulation of E-commerce. These are dealt with in detail in this edition. At the global level, transboundary environmental harm and maintenance of international peace and security have caught the attention of the international community and these matters have come to be extensively debated by nation states at the international fora. These challenges present divergent questions of law to the legal fraternities which are to be addressed by them within the broader framework of international law. The various mechanisms that can be adopted by the international community to save mankind from maladies and warfare are also analysed in this issue.

## Articles

It has been said that war, no matter how necessary, is never justified. Aditya Pratap Singh and Siddharth Mishra in their article, “Explosive Remnants of War: A War After the War?” delves into the impact of abandoned explosive ordnance on humanity after the cessation of the war. The article lays emphasis on educating people about explosive remnants of war and calls upon the international community to work in cooperation to save mankind from the catastrophic effects of this menace.

The executive often exercises the power of apprehension in a manner that would jeopardize the fundamental freedom of individuals. Though safeguards exist in the Constitution against arbitrary arrest and detention, these norms are often flouted. Deepthi B in her article “Judicial Analysis of Constitutional and Procedural Safeguards Against Arbitrary Arrest and Detention”

makes an examination of judicial pronouncements which call for adherence to constitutional and procedural safeguards while exercising the power of apprehension. The author also makes an evaluation of the recent amendments that are made to the procedural laws to ensure greater protection to individual life and liberty.

Piyali Sengupta in her article “Recognition of the Rights of the Victims of Climate Change under Public International Law: A Study”, raises pertinent issues relating to the impact of climate change on environment and human life. The article contends that there is a need to accord recognition and protection to the victims of climate change under the international legal framework. The paper also discusses the non-refoulement principle and explores the measures taken by the nation states to safeguard the interests of people affected by climate change.

The internet has made human life more comfortable and easy. The number of electronic commercial transactions that take place every day, bear ample testimony to this fact. However, sale and purchase of goods through internet brings with it a host of legal issues involving the protection of the rights of buyers and sellers who enter into transactions online. These issues have been explored in the article “E-Commerce: Expectations and Shortfalls” written by Angshuman Hazarika. The author examines the existing legal regime regulating E-commerce and the failure of the same in extending adequate protection to buyers who opt for online business transactions. The author suggests certain measures that need to be adopted to protect the interests of buyers and sellers who engage in e-transactions.

“The Binding Nature of Administrative Instructions: An Overview”, by Susanah Naushad, explores the questions as to whether mandatory administrative instructions issued by the executive are binding on the subordinate authorities. The nature of these instructions is examined through an analysis of judicial pronouncements. The need for such a discussion is required owing to the vague and hazy nature of administrative instructions, which is often the cause of much bewilderment and litigation that could be avoided if there was more clarity on the subject.

The Journal and Publication Society expresses its gratitude to all the scholars and reviewers who have contributed to this issue of the journal and solicit their continued patronage and corporation. It places on record its gratitude to the Christ University management, the Centre for Publications, the library personnel and the National Printing Press for extending their support in our humble mission of making effective contribution to legal research.

*Editorial Board*