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Editorial

Articles

The Journal and Publication Society, School of Law, CHRIST (Deemed to be University), takes pride in placing on record, the twenty-eighth issue of the *Christ University Law Journal.* This issue of the journal is non thematic and covers a variety of topics ranging from issues related to the grocery sector in the digital era, political agency of women in post-coup Myanmar, to the need for private participation of citizens for environment protection.

Dulung Sengupta's article titled, *Tracing the Changing Landscape of the Grocery Sector in the Digital Era through the lens of Competition Law*, examines the impact on consumers with the shift from traditional to technology driven grocery sector, especially post-covid. The paper urges the Competition Commission of India to conduct a market survey so as to ensure that these changes don't disrupt the competitive balance in the market. The author looks at the scenarios in Australia, Canada and New Zealand to identify the gaps that need to be filled for ensuring a level playing field. The paper concludes by urging the CCI to develop a regulatory framework that would be apt for digital markets, in the larger interest of the welfare of consumers.

Reconstructing Power: Gender, Resistance in Post-Coup Myanmar, authored by Kana Takamatsu through a qualitative analysis examines whether the resistance after the 2021 coup challenges gendered power structures. The paper through extensive review of literature demonstrates the link between gender inequality and armed conflicts and tries to understand the various factors which obstruct women's political agency following political unrest in Myanmar. The author then proceeds to examine whether Myanmar's legal framework would help in achieving gender equality. The paper concludes by urging not to consider women as just victims of military violence, but to recognize them as active political agents capable of bringing about change.

Jyoti Heblekar et.al's paper titled, *The Paradox of Environmental Citizenship: Need for Private participation to Promote Economic Growth and Environmental Protection* critique the Indian legal framework with respect to environmental laws, as citizens are reduced to passive observers than proactive participants. The authors point out that in spite of the insertion of Article 51 A(g) into the constitution, there is an inherent contradiction in the legal frame work as environmental conservation is predominantly controlled by the State. They argue that countries like South America, South Africa and Australia have given statutory recognition to citizen led environmental conservation, which create livelihood opportunities for owners, giving them economic benefits as

well. They present various case laws to demonstrate the State's paternalistic approach and how Indian Courts have failed in articulating a framework for citizen led environment conservation. The paper concludes by mooting for a citizen centred environmental conservation and livelihood Act.

Copyright and Traditional Cultural Expression in Ponniyin Selvan II: A Study of A. R. Rahman's Music authored by Aranya Nath et.al. focuses on the overlap between traditional cultural expressions and copyright law specifically with respect to A R Rehman's music in the film. Through a doctrinal approach the paper proceeds to analyse whether the current copyright legislation used in India is sufficient to deal with the intricacies that may emerge from the convergence between creative authorship and cultural heritage in film music. However, the authors state that the applicability of fair dealing to the use of TCEs in commercial film music remains highly limited. The use of traditional cultural elements in film compositions is not intended to comment, but rather to enhance aesthetics and appeal to the market, unlike parody or criticism. The authors conclude that there is a need for a more nuanced legal framework, one that does not simply acknowledge individual creativity, but also takes into consideration the cultural ecosystems out of which that very creativity develops. Comparing the Indian scenario with the international, the contention of the authors is that there are structural limitations in the current Indian copyright doctrines, as far as the application to culturally embedded works is concerned.

An analysis of the Digital Personal Data Protection Act 2023 by Sonia Nath and Rumi Dhar examines the efficacy of the Act in the context of State accountability, independence of enforcement mechanisms, algorithmic transparency and a regulatory role for emerging technologies such as AI and blockchain. The authors explore whether the provisions of the Act are consistent with constitutional principles of proportionality, placing the Act in the context of privacy regimes of other jurisdictions. They highlight that the Act in its present form could be used by the State for surveillance. The authors identify four factors that could impact the enforceability of the Act. The paper concludes that the DPDP Act 2023 fails to address automated decision making and algorithmic accountability, and needs to ensure a rights cantered digital ecosystem.

The Journal and Publication Society extend 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.

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Editor-in-Charge