



Dr. Rangaswamy D., LL.M., Ph.D., Assistant Professor of Law, Karnataka State Law University, Ballari, and Director, Aquino Faculty Research Centre (AFRC). He has presented research papers in the international, 30 national conferences/seminars. He published more than 10 articles in various law and social science journals. He is in charge of Aquino Rajprasad (Administrative) at KSLU, Karnataka.

His areas of specialization include Constitutional law, Human Rights law, Women and Child law, Prevention of Corruption Law, law and justice, Professional Ethics and Public international law.



Mr. Mayilswamy K., LL.B., LL.M., Principal, Pood Law College, Bangalore. He has presented paper in several national and international conferences. He has publications in various national and international peer-reviewed scholarly journals. He is at the helm of steering PLC towards academic excellence and innovation in the field of law.



Mr. Sarthak Aryan, LL.M., B.A., LL.B. (Hons), is the Executive Member of the Managing Committee and Co-Founder of Aquino Faculty, Bangalore. He has completed his B.A., LL.B. from NILEA, Anant. He has been given the Honorary position of Editorial Advisor in several national blogs, newspapers, and NGOs. He has around 20 publications in international and National Journals.

This publication has been indexed or internationalized by European PSB and SSRN. The research has also been featured in Top Ten Law for L.J.N's Criminal Law and LSN Criminal Offences & Defences.



Edited by
Dr. Rangaswamy D.
Mr. Mayilswamy K. | Mr. Sarthak Aryan



CONFERENCE PROCEEDING

OF
THE INTERNATIONAL GENDER JUSTICE
CONFERENCE ON PROSPECTS AND
CHALLENGES IN ENFORCING GENDER
JUSTICE IN THE CONTEMPORARY NEW
WORLD ORDER
A MULTIDISCIPLINARY APPROACH

FIRST EDITION





PATEL LAW COLLEGE

Kariyamma Arahara, Bengaluru, Karnataka 560103

CERTIFICATE

This is to certify that Dr./Mr./Ms.

Ashwini. P

of

SDM Law College, Mangaluru

has participated / presented in

INTERNATIONAL CONFERENCE

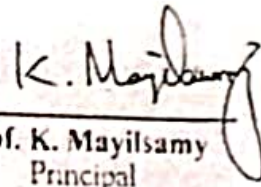
ON

"Prospects and Challenges in Enforcing Gender Justice in the
Contemporary New World Order: A Multidisciplinary Approach"

on 17th March 2024.



Mr. R Sampath Kumar
Chairman



Prof. K. Mayilsamy
Principal



Contents

Title	Pg. No.
International Organizations: A Catalyst for Change in Addressing Gender-Based Injustice <i>Mrs. Shilpa Singhai & Mr. K. Mayilsamy</i>	7-18
Gender Justice under the Umbrella of Uniform Civil Code <i>Dr. Jaspreet Kaur Majithia & Dr. Kusum Pal</i>	19-25
Unveiling the Efficacy and Challenges of Implementing Domestic Violence Legislation: A Critical Examination of the Domestic Violence Act <i>Mr. Saqib Ayoub & Dr. Iftikhar Hussain Bhat</i>	26-31
Gender Justice - "A War of Genders" <i>Dr. Dora Christopher Gnaniah</i>	32-40
Climate migration and women: Issues and Challenges <i>Mrs. Sincy Wilson</i>	41-55
Beyond Binary: Exploring Gender Inclusivity and Recognition in Intersectionality <i>Ms. Sanskriti Banka & Ms. Anuvarshini V</i>	56-62
Assessing the Effectiveness of Gender-Responsive Budgeting in Assam: Legal Perspectives and Implications <i>Mrs. Swagata Kashyap</i>	63-72
Status of Women in Relation to Paid and Unpaid Work in India <i>Mrs. Smriti Lekha Ganguly</i>	73-79
The Role of Education in Gender Equality in India <i>Dr. Anju Harbansh</i>	80-83
Constitutional Guarantees and Challenges: Human Rights and Gender Justice under the Indian Legal Framework <i>Dr. Anju Harbansh</i>	84-96
Problems Faced by Women Prisoners <i>Ms. Komal Aggarwal</i>	97-102
Constitutional Measures for Gender Justice: A Comparative Analysis between India and the USA <i>Ms. Madhushree</i>	103-113
An Analytical study about the Reproductive Rights of Women in India <i>Subhalaxmi Chakravarty & Sibani Sarmah</i>	114-120
Human Rights and Gender Justice: A Crucial Intersection <i>Ms. Sona Kaushiki</i>	121-133
Traditional and Modern Developments in the Concept of Feminism and Patriarchy <i>Mr. M Naveen Kumar</i>	134-141
Exploring Gender Justice and Sentencing Policy: The Laws and the Lacuna <i>Ms. Enakshi Guha</i>	142-151

Legal Services Authorities' Role in Gender Justice: A Critical Analysis <i>Mr. Abhishek Kumar</i>	152-161
Analysis of Literature and Feminism with an Indian Overview <i>Ms. Aiswarya MA & Ms. Anuritha A</i>	162-170
Driving for Gender Inclusive Renewable Sector: Role of Women and their Participation in Sustainable Development <i>Ms. Sandhya Raga V & Ms. Sudiksha S R</i>	171-181
The Impact of Technology on Gender Justice Transformation <i>Prof. Jeena Raju & Ms. Divya Naidu</i>	182-186
Tendencies of Gender Inequality towards Men in the Indian Legal System: A Critical Analysis <i>Ms. Upasana Bishnu</i>	187-197
Protections Provided to the Women-Through a Socio-Legal Vista <i>Ms. Nicey & Mrs. Neha Sharma</i>	198-211
The Comprehensive Approach to Promote Gender Justice for Marginalised Segments of Society <i>Ms. Anamika Patel & Ms. Shreyosee Aich</i>	212-218
Interstate Variation in Legal Frameworks for Gender Justice: A Comparative Analysis of State Legislation Addressing Gender-Based Violence, Discrimination, and Inequality in India <i>Mrs. Lovely Choudhary & Ms. Jiya bardawat</i>	219-227
Gender Studies, Unveiling the Shift <i>Ms. Sharmishta Sree Nallamilli</i>	228-235
Positive Vis-À-Vis Negative Impact of Social Media in Transforming Gender Justice in India <i>Ms. Liza Das</i>	236-246
Gender Justice and Sustainable Development <i>Advocate Sampa Sengupta Ray</i>	247-257
Gender Justice and Human Rights – A Global Perspective <i>Dr. Ashwini. P & Ms. Shravya Rao</i>	258-265
Gender Justice in Prison Administration <i>Professor Archana</i>	266-270
The Role of Women Empowerment in Achieving Gender Justice and Sustainable Development Goals <i>Ms. Vinita Kumari</i>	271-281
Legal Lens on Women in Charge: Unraveling Corporate Gender Dynamics in the Post-Independence Era <i>Mr. Arindam Das</i>	282-289
Factors Influencing Gender Digital Divide and Its Impact on Education <i>Dr. Chethana H.S, Dr. R. Sarala, & Sowmia K</i>	290-300



Gender Justice and Human Rights – A Global Perspective

Dr. Ashwini. P

BA, LLB, LLM, UGC-NET, K-SET, Ph.D., Assistant Professor,
SDM Law College, Mangalore

&

Ms. Shravya Rao

IV B.A.LL. B,
SDM Law College, Mangalore

Abstract

Human rights and gender justice represent the fundamental principles essential for ensuring equality, dignity, and fairness in the global perspective. Gender Justice refers to the pursuit of fair treatment, equality, and dignity for individuals of all genders across different cultural, social, economic, and political contexts worldwide. On the other hand, human rights refer to the fundamental entitlements and freedoms that belong to all individuals by their humanity, irrespective of their nationality, ethnicity, religion, gender, or any other status. India presents a vibrant landscape of resilience and activism with grassroots movements, legal reforms, and policy initiatives striving to address gender justice and uphold human rights. Landmark judgments by the Indian judiciary, such as Vishakha guidelines¹⁰⁸ on sexual harassment in the workplace, progress towards gender justice and human rights. Human rights and gender justice are inseparably linked and mutually supportive from a global perspective. Even with advancements, obstacles continue to exist such as deeply ingrained gender norms, unequal income distribution, etc. International cooperation between governments, civil society organization and individuals is required to achieve gender justice and human rights. Gender justice and human rights are crucial elements of fair and just world community. In order to create a more affluent and peaceful society, their goals of fostering inclusiveness, respect and dignity for people of all genders are highlighted in this paper. This paper provides an overview of interconnection between the two concepts gender justice and human rights, encompassing legal frameworks, social movements and international policies and aimed at promoting equality and combating discrimination on the basis of gender, race, etc.

Keywords: Gender Justice, International Policies, Workplace, Equality, Harassment.

INTRODUCTION:

Gender Equality is not only an essential Human right but it also forms the basis for the world that is prosperous, peaceful and sustainable. It is attained when men, women, girls and boys all have equal opportunities, rights and control over their own lives as well as the advancement of the society. Gender equality simply means giving equal opportunities to both men and women in all the fields, such as economy, education, political, social, employment, leadership, participation in political activities, societal activities, decision making, financial independence, etc., For instance, in case of employment everyone should get the equal payment for their same work, that is equal pay for equal

¹⁰⁸ Smt. Bhanwari Devi v. State of Rajasthan 1997(1) WLC42, 1996(2) WLN 387





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)
(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)
[Managed by: SDMB Society.]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS
ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7

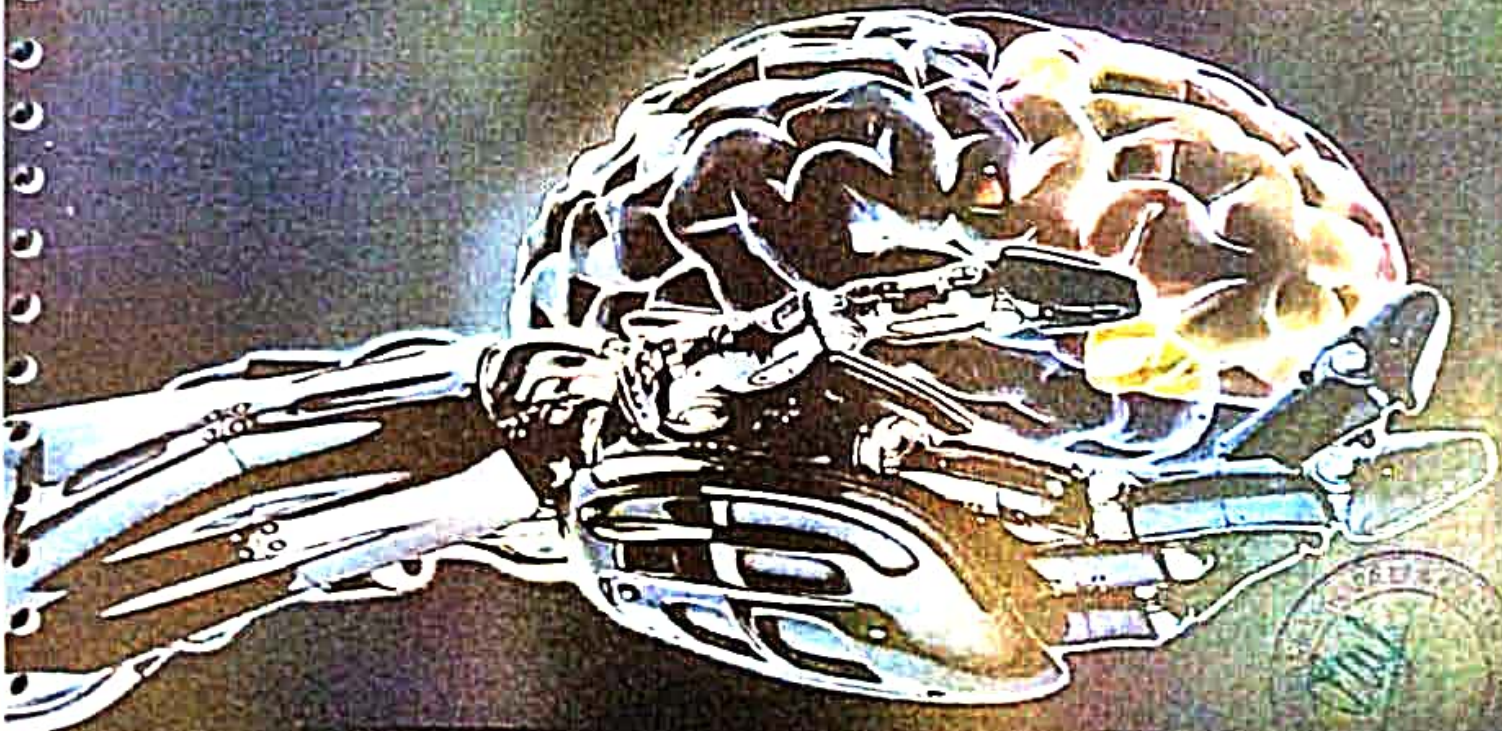


Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> Dr. Sathish K. S	1 10
<i>Impact of artificial intelligence on data privacy</i> Dr. Rashmi K. S	18
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> Dr. S. R. Swarnalatha & Prof. Jyothi Reddy	25
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> Mr. Poornesh M & Mr. Roopesh	33
<i>Artificial Intelligence and its impact on IPR</i> Smt. Revathi Hegde	43
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde	49
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> Ms. Shrilaxmi	53
<i>Patenting AI algorithms</i> Mr. Prajwal S.	60
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> Mr. Roopesh & Mr. Poornesh M.	69
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> Dr. Ravindra K. Rajput	85
<i>An analysis on the impact of artificial intelligence on copyright law</i> Dr. Shubhalakshmi P.	
<i>Artificial intelligence :A Growing Concern for Humanity's Future</i> Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pai	



<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i>	93
<i>Dr. Chandralekha V & Mr. Shivashankar</i>	
<i>Unboxing Right to Privacy in the Era of Artificial Intelligence</i>	104
<i>Mr. Karthik Anand & Ms. Sreelakshmi S. N.</i>	
<i>Artificial Intelligence and Intellectual Property – Issues and Concern</i>	115
<i>Dr. Ashwini P. & Ms. Shravya Rao</i>	
<i>Navigating Trademark Law in the age of artificial intelligence: Impact on consumers</i>	122
<i>Ms. Kavya & Ms. Deepti G Bhat</i>	
<i>Impacts of Artificial Intelligence on IPR</i>	130
<i>Ms. Arya M.</i>	
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i>	135
<i>Ms. Shushravya & Mr. Kiran N.</i>	
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i>	142
<i>Mr. Vivek M. & Mr. V. Nandagopala Bhat</i>	
<i>Artificial intelligence and unemployment</i>	150
<i>Ms. Anjana K. & Ms. Keerthana V.</i>	
<i>DABUS: An Artificial Intelligence : A new challenge for patents</i>	155
<i>Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza</i>	
<i>Artificial intelligence and intellectual property Rights</i>	161
<i>Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.</i>	
<i>Artificial intelligence and Right to Privacy</i>	166
<i>Ms. Gowri Manalan K & Ms. A. Madhumitha</i>	
<i>Artificial Intelligence, Metaverse, And the future of Blockchain in IP Security;</i>	172
<i>A Legal Analysis</i>	
<i>Ms. Kutugulla Koena Rayal & Ms. Sangeetha R. G</i>	
<i>Artificial intelligence and the future of legal profession</i>	
<i>Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain</i>	

* * * *



ARTIFICIAL INTELLIGENCE AND INTELLECTUAL PROPERTY – ISSUES AND CONCERN

Dr. Ashwini P. *

Ms. Shravya Rao **

Abstract

Early philosophers predicted that machines would eventually outperform humans in intelligence. Computer technology strengthened this perspective, and now real machines and robots are learning capabilities. In the years since its inception, artificial intelligence (AI) has grown from a startling technology to one of the most promising. Using data analysis and user preference patterns to achieve the best possible outcome in the market is all part of the machine learning process. AI's utility is necessitated by the growing need to manipulated and organize vast amounts of data.

Artificial Intelligence (AI) is expanding at an exponential rate in the entire world. The issue of IP management in AI is brought up by this boom. AI in IPR is like a two face of the same coin, where its having both pros and cons, for instance in certain aspects, it will seem advantageous in areas like patents and patent search engines, accurate and relevant research, and providing a way to categorize inventions and concepts. However, because AI gives inventors access to other patents that are similar to their own, it may end up being a threat to creativity and growth, two things that are at the core of intellectual property rights.

The debates and challenges surrounding copyrights, patents, and other intellectual property matters are still being developed in the field of artificial intelligence (AI), one of the rapidly evolving areas of technology and law. The main point of contention is the relative importance of human labour versus AI generated resources. This paper mainly focuses on issues or challenges faced by AI and IPR.

Keywords: AI Algorithms, DABUS, Intermediary, Ethical AI, Training Data.

Introduction

Artificial Intelligence is a term which seems like everyone familiar but on the other hand it is also a mystery in public debate. One of the reasons for the mystery of AI is broad scoop of AI and its application in the field of technologies and techniques

* Assistant Professor in Law., SDM Law College, Mangaluru

** Student., IV B.A.LL.B., SDM Law College, Mangaluru





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R.) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS
ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7



Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> Dr. Sathish K. S	1
<i>Impact of artificial intelligence on data privacy</i> Dr. Rashmi K. S	10
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> Dr. S. R. Swarnalatha & Prof. Jyothi Reddy	18
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> Mr. Poornesh M & Mr. Roopesh	25
<i>Artificial Intelligence and its impact on IPR</i> Smt. Revathi Hegde	33
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde	43
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> Ms. Shrilaxmi	49
<i>Patenting AI algorithms</i> Mr. Prajwal S.	53
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> Mr. Roopesh & Mr. Poornesh M.	60
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> Dr. Ravindra K. Rajput	
<i>An analysis on the impact of artificial intelligence on copyright law</i> Dr. Shubhalakshmi P.	
<i>Artificial intelligence :A Growing Concern for Humanity's Future</i> Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pal	85



AN ANALYSIS ON THE IMPACT OF ARTIFICIAL INTELLIGENCE ON COPYRIGHT LAW

Dr. Shubhalakshmi P.*

Abstract

Artificial Intelligence is a technology that touched almost all major sectors and intellectual property rights are also got its impact and implications from AI. In Artificial Intelligence, there is requirement to create machines with human intelligence and they will create or invent new works or things out of such intelligence. It is a part of machine learning that also stretched its hand towards intellectual property rights. Through Artificial Intelligence, machines and systems are developed to the extent to which they can think and act like human brain and further do creative works. Artificial Intelligence has its own impact on patent, copyright, trademarks etc., and their protection and creation. AI contributes to patent searching, infringement detection, new inventions by using creative brains etc. AI can assist human creativity through creating new texts, stories, music, designs etc. and these can also be generated by AI in present world of technology. There are debatable issues yet to be decided and streamlined under copyright law regarding artificial intelligence and its impact on copyright. Under system of intellectual property rights and their protection, the inventor, author, or creator who has created the work will get the IP rights over his work. The question of ownership obviously arises in case of AI because there will be one person programmed the system of AI, one more who has provided required data to the system of AI, and ultimately result will be drawn by the AI system itself. Originality of work created through AI, and responsibility for infringement of copyright of the work created by AI along with right to sue for the violation of such copyright creates ethical and legal predicament in the world of intellectual property. This paper tries to analyse the impact of AI on copyright law and to find some concrete solutions to the problems faced in this area of study.

Keywords: *Artificial Intelligence, Machine learning, Intellectual Property, Copyright Infringement.*

"The development of full artificial intelligence could spell the end of the human race... It would take off on its own and re-design itself at an ever-increasing rate. Humans who are limited by slow biological evolution, couldn't compete and would be superseded". – Stephen Hawking¹

* Assistant Professor In Law, SDM Law College, Mangaluru

¹ BBC News-Dec 2nd 2014, available at <https://www.bbc.com/news/technology-30290540>, accessed on 6th Feb 2024.



SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R.) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7

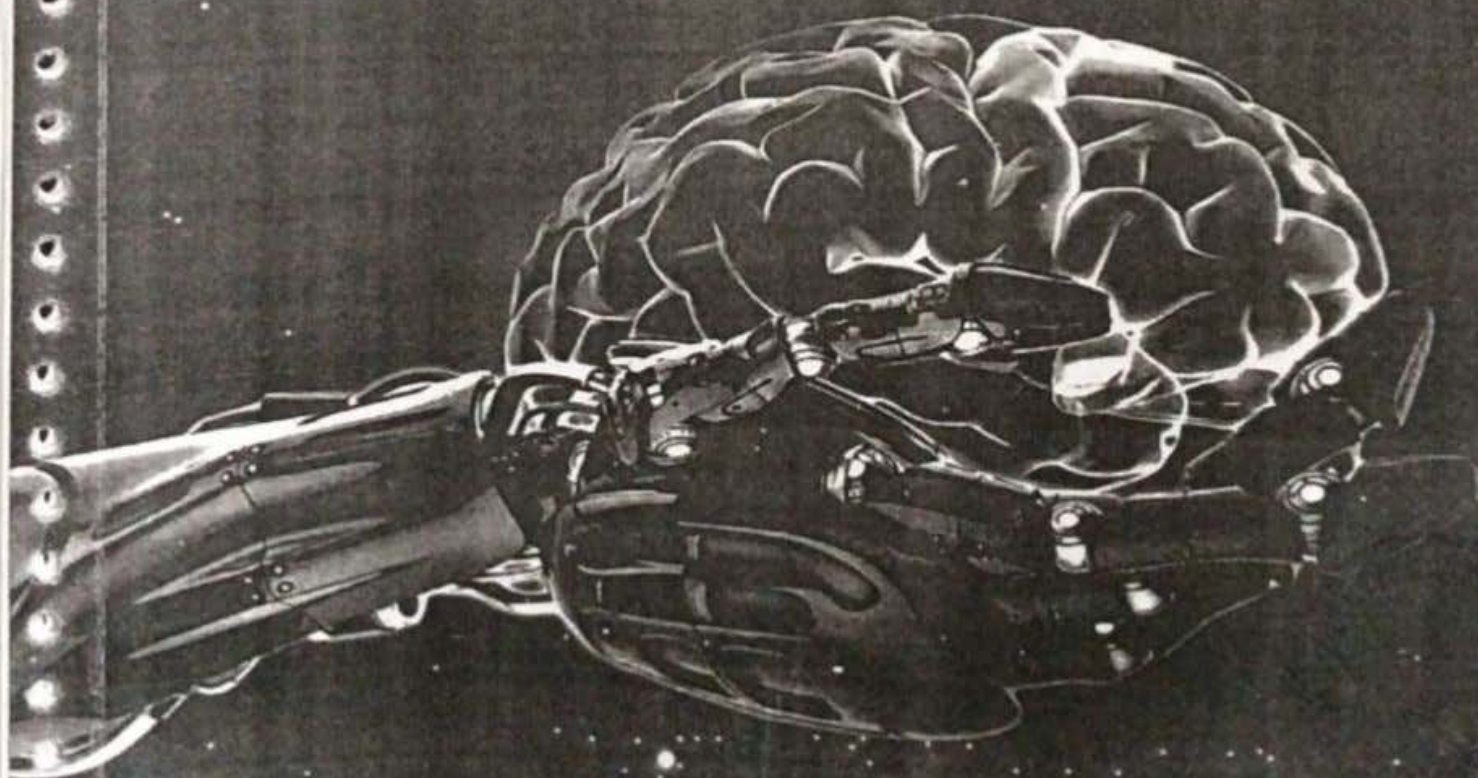


Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> Dr. Sathish K. S	1
<i>Impact of artificial intelligence on data privacy</i> Dr. Rashmi K. S	10
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> Dr. S. R. Swarnalatha & Prof. Jyothi Reddy	18
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> Mr. Poornesh M & Mr. Roopesh	25
<i>Artificial Intelligence and its impact on IPR</i> Smt. Revathi Hegde	33
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde	43
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> Ms. Shrilaxmi	49
<i>Patenting AI algorithms</i> Mr. Prajwal S.	53
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> Mr. Roopesh & Mr. Poornesh M.	60
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> Dr. Ravindra K. Rajput	69
<i>An analysis on the impact of artificial intelligence on copyright law</i> Dr. Shubhalakshmi P.	77
<i>Artificial intelligence :A Growing Concern for Humanity's Future</i> Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pai	



<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i> <i>Dr. Chandralekha V & Mr. Shivashankar</i>	93
<i>Unobscuring Right to Privacy in the Era of Artificial Intelligence</i> <i>Mr. Karthik Anand & Ms. Sreelakshmi S. N.</i>	104
<i>Artificial Intelligence and Intellectual Property - Issues and Concern</i> <i>Dr. Ashwini P. & Ms. Shravya Rao</i>	115
<i>Navigating Trademark Law in the age of artificial intelligence. Impact on consumers</i> <i>Ms. Kavya & Ms. Deepthi G. Bhat</i>	122
<i>Impacts of Artificial Intelligence on IPR</i> <i>Ms. Arya M.</i>	130
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i> <i>Ms. Shushrayya & Mr. Kiran N.</i>	135
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i> <i>Mr. Vivek M. & Mr. V. Nandagopala Bhat</i>	142
<i>Artificial intelligence and unemployment</i> <i>Ms. Anjana K. & Ms. Keerthana V.</i>	150
<i>DARUS: An Artificial Intelligence : A new challenge for patents</i> <i>Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza</i>	155
<i>Artificial intelligence and intellectual property Rights</i> <i>Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.</i>	161
<i>Artificial intelligence and Right to Privacy</i> <i>Ms. Gowri Manalan K & Ms. A. Madhumitha</i>	166
<i>Artificial intelligence, Metaverse, And the future of Blockchain in IP Security:</i> <i>A Legal Analysis</i> <i>Ms. Kutagulla Koena Rayal & Ms. Sangeetha R. G</i>	172
<i>Artificial intelligence and the future of legal profession</i> <i>Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain</i>	



UNBOXING RIGHT TO PRIVACY IN THE ERA OF ARTIFICIAL INTELLIGENCE

Mr. Karthik Anand *

Ms. Sreelakshmi S. N. *

Abstract

The widespread acceptance of Artificial Intelligence (AI) technology as a transformative solution to various challenges has significantly alleviated human suffering and workloads, ushering in a revolutionary shift in our operational methods. AI now serves as a guiding force for ethical practices across diverse sectors such as agriculture, health, education, and banking. While the adoption of AI technology is underway, questions about its universal deployment and safety linger, giving rise to ethical and legal concerns. The intersection of AI and cyberspace has particularly intensified issues related to privacy, contributing to a surge in cybercrimes. In India, AI is hailed as a pivotal catalyst for economic growth and regional development. This paper aims to explore the legal oversight of AI in India, emphasizing regulations pertaining to artificial intelligence and cyberspace, with a specific focus on the right to privacy and its implications for the nation's digital economy.

Keywords: *Artificial Intelligence, Cyber-Space, Digital Economy, Right to Privacy, Ethical Practices, Legal Regulation, Adoption of AI Technology, Human Suffering Reduction, Revolutionary Change, Operational Methods, Sectoral Integration, Privacy Concerns, Cybercrimes, India, Economic Growth, Regional Development*

Introduction

Artificial intelligence (AI) is in its early stages of development in India, arriving relatively late due to the country's status as a developing nation. The advent of this technology can be attributed to the 21st-century technological advancements, spurred by the increased presence of social networking sites and investments from international multinational corporations in India, particularly in the field of research and development in artificial intelligence. This remarkable emerging technology operates based on the cognitive processes of human thinking. Presently, the global

- Assistant Professor in Law., SDM Law College, Mangaluru
- Law Student, Vth B.A.LL.B., SDM Law College, Mangaluru





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R.) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7

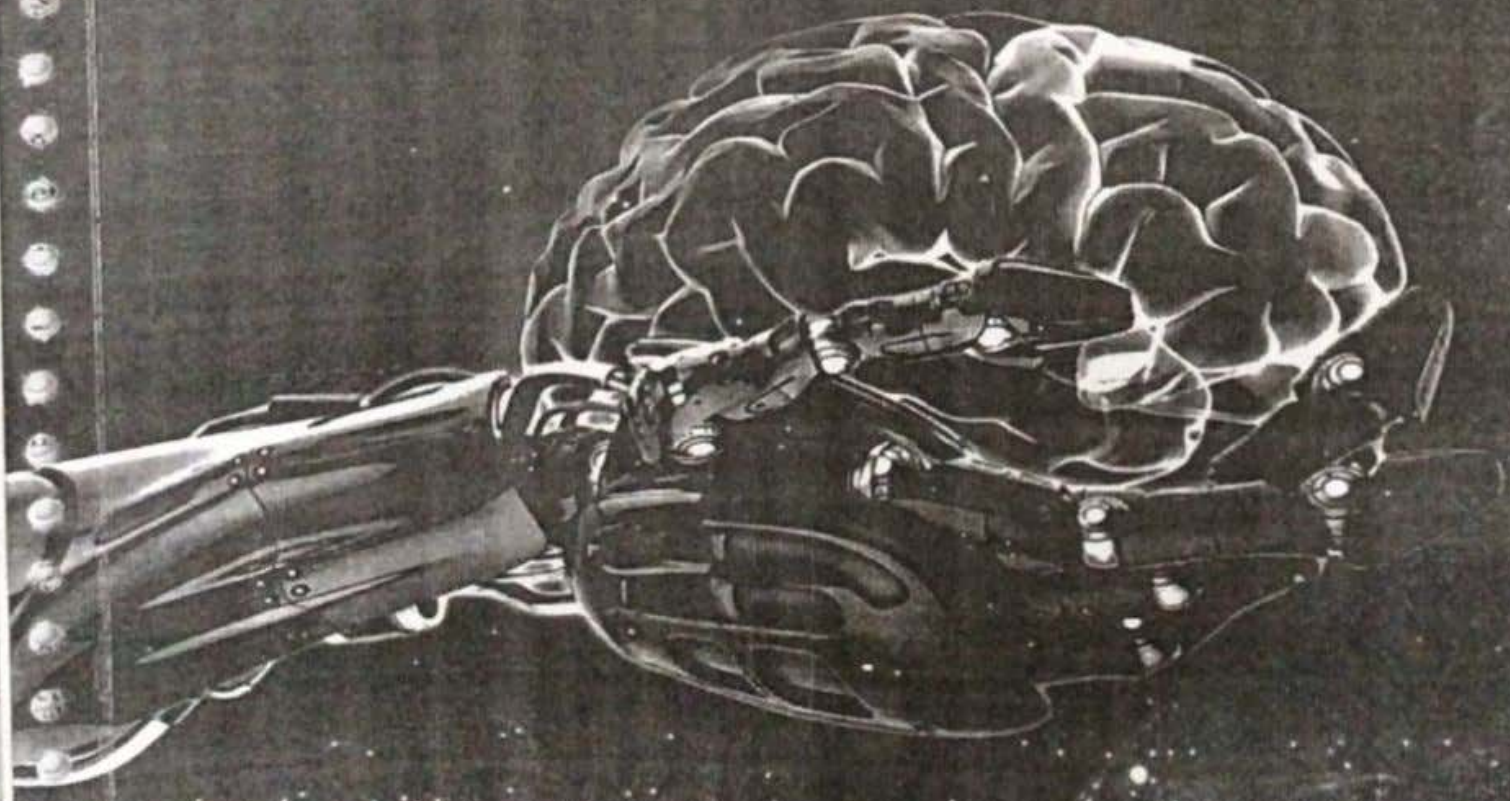


Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> Dr. Sathish K. S	1
<i>Impact of artificial intelligence on data privacy</i> Dr. Rashmi K. S	10
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> Dr. S. R. Swarnalatha & Prof. Jyothi Reddy	18
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> Mr. Poornesh M & Mr. Roopesh	25
<i>Artificial Intelligence and its impact on IPR</i> Smt. Revathi Hegde	33
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde	43
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> Ms. Shrilaxmi	49
<i>Patenting AI algorithms</i> Mr. Prajwal S.	53
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> Mr. Roopesh & Mr. Poornesh M.	60
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> Dr. Ravindra K. Rajput	69
<i>An analysis on the impact of artificial intelligence on copyright law</i> Dr. Shubhalakshmi P.	77
<i>Artificial intelligence - A Growing Concern for Humanity's Future</i> Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pai	



<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i> Dr. Chandralekha V & Mr. Shivashankar	93
<i>Unboxing Right to Privacy in the Era of Artificial Intelligence</i> Mr. Karthik Anand & Ms. Sreelakshmi S. N.	104
<i>Artificial Intelligence and Intellectual Property – Issues and Concern</i> Dr. Ashwini P. & Ms. Shravya Rao	115
<i>Navigating Trademark Law in the age of artificial intelligence: Impact on consumers</i> Ms. Kavya & Ms. Deepthi G. Bhat	122
<i>Impacts of Artificial Intelligence on IPR</i> Ms. Arya M.	130
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i> Ms. Shushravya & Mr. Kiran N.	135
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i> Mr. Vivek M. & Mr. V. Nandagopala Bhat	142
<i>Artificial intelligence and unemployment</i> Ms. Anjana K. & Ms. Keerthana V.	150
<i>DABUS: An Artificial Intelligence : A new challenge for patents</i> Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza	155
<i>Artificial intelligence and intellectual property Rights</i> Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.	161
<i>Artificial intelligence and Right to Privacy</i> Ms. Gowri Manalan K & Ms. A. Madhumitha	166
<i>Artificial intelligence, Metaverse, And the future of Blockchain in IP Security: A Legal Analysis</i> Ms. Kutagulla Koena Rayal & Ms. Sangeetha R. G	172
<i>Artificial intelligence and the future of legal profession</i> Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain	

* * * *



ARTIFICIAL INTELLIGENCE: A GROWING CONCERN FOR HUMANITY'S FUTURE

Dr. Annapoorna Shet *

Mr. Anantha Padmanabha Pai **

Abstract

Concept of Artificial Intelligence, even though the emerging trend in the present generation was practiced in the past in various dimensions. But due to the emerging trend and advancement in technology, it has taken an improved version with several features so as to benefit the user to a large extent. There are various ways in which the artificial intelligence technology is used in various field. The use of AI is increased to such an extent where it sometimes poses a threat to humanities future. Even though the machines have been advanced to the maximum extent, it is a universal truth that human brain cannot be replaced by machines as machines have their own limitations. The authors discuss the history of artificial intelligence, its concept, advantages and disadvantages of using of AI and also to balance between Artificial intelligence and Human intelligence. The authors also discuss the impact of artificial intelligence under the protection of intellectual property rights.

Key Words : *Artificial Intelligence, Human intelligence, IPR, electronic brain.*

Introduction:

Artificial Intelligence (AI) has undoubtedly emerged as one of the most transformative and influential technologies of the 21st century. With its rapid advancements, AI has penetrated various aspects of our lives, from healthcare to finance, education to entertainment. There is no field at present generation which is not dependent on artificial intelligence. It has made the work of human very easier and flawless with less time consumption. While the benefits of AI are undeniable, there is a growing concern about its potential threats to humanity. The human beings are at threat in several ways due to the increased use of artificial intelligence which may turn the life of human miserable in the coming days. This article aims to provide a comprehensive examination of the ethical implications of AI, exploring the various dimensions that pose a threat to humanity. Discussion is also made on how to balance between artificial intelligence and human intelligence and also how to make the best use of AI overcoming its possible threats.

* Assistant Professor, SDM Law College, Mangaluru

** V LLB, SDM Law College, Mangaluru





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R.) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7

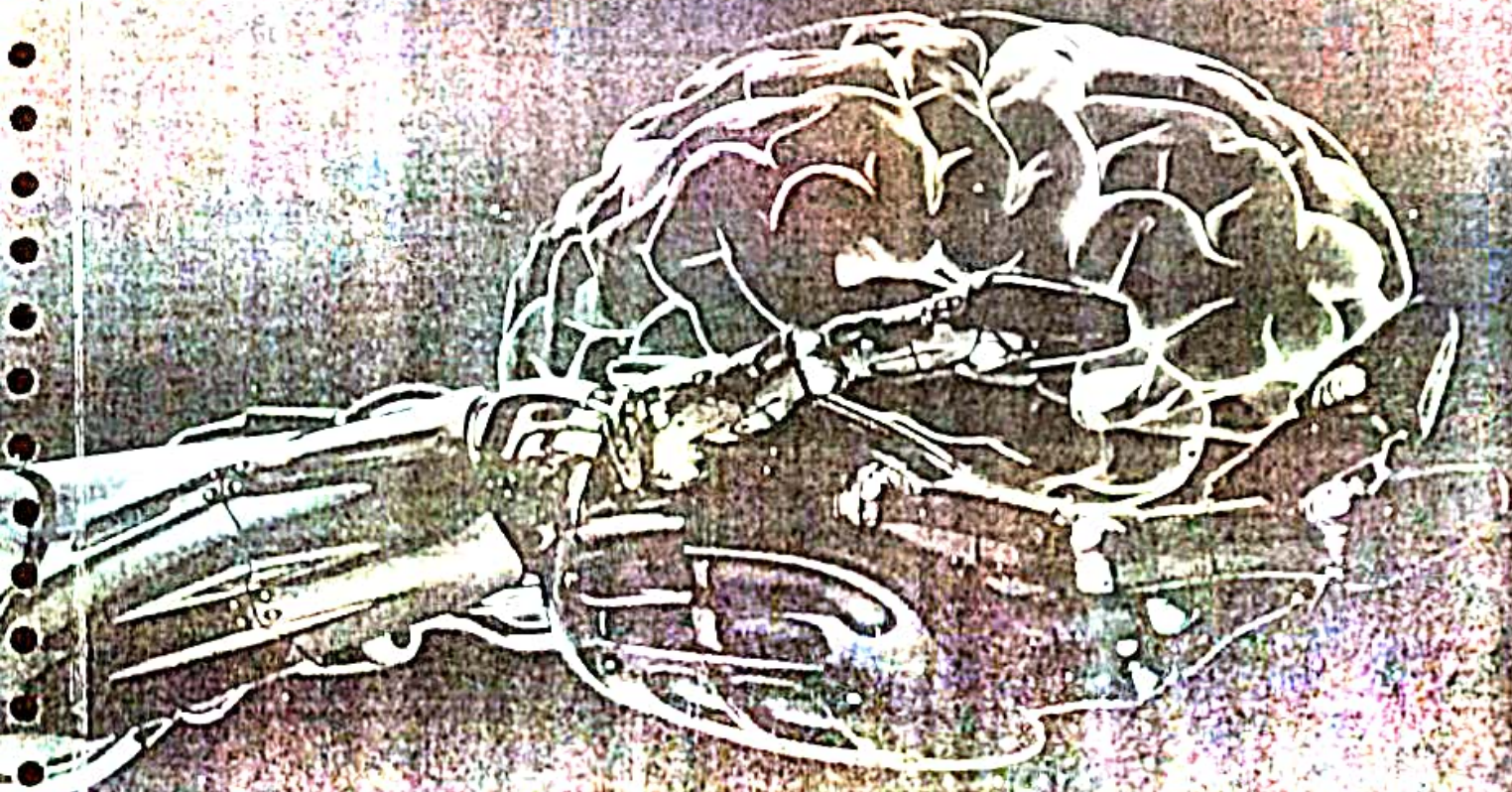


Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> <i>Dr. Sathish K. S</i>	1
<i>Impact of artificial intelligence on data privacy</i> <i>Dr. Rashmi K. S</i>	10
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> <i>Dr. S. R. Swarnalatha & Prof. Jyothi Reddy</i>	18
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> <i>Mr. Poornesh M & Mr. Roopesh</i>	25
<i>Artificial Intelligence and its impact on IPR</i> <i>Smt. Revathi Hegde</i>	33
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> <i>Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde</i>	43
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> <i>Ms. Shrilaxmi</i>	49
<i>Patenting AI algorithms</i> <i>Mr. Prajwal S.</i>	53
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> <i>Mr. Roopesh & Mr. Poornesh M.</i>	60
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> <i>Dr. Ravindra K. Rajput</i>	69
<i>An analysis on the impact of artificial intelligence on copyright law</i> <i>Dr. Shubhalakshmi P.</i>	77
<i>Artificial intelligence :A Growing Concern for Humanity's Future</i> <i>Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pai</i>	



<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i> Dr. Chandralekha V & Mr. Shivashankar	93
<i>Unboxing Right to Privacy in the Era of Artificial Intelligence</i> Mr. Karthik Anand & Ms. Sreelakshmi S. N.	104
<i>Artificial Intelligence and Intellectual Property – Issues and Concern</i> Dr. Ashwini P. & Ms. Shravya Rao	115
<i>Navigating Trademark Law in the age of artificial intelligence: Impact on consumers</i> Ms. Kavya & Ms. Deepthi G. Bhat	122
<i>Impacts of Artificial Intelligence on IPR</i> Ms. Arya M.	130
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i> Ms. Shushravya & Mr. Kiran N.	135
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i> Mr. Vivek M. & Mr. V. Nandagopala Bhat	142
<i>Artificial intelligence and unemployment</i> Ms. Anjana K. & Ms. Keerthana V.	150
<i>DABUS: An Artificial Intelligence : A new challenge for patents</i> Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza	155
<i>Artificial intelligence and intellectual property Rights</i> Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.	161
<i>Artificial intelligence and Right to Privacy</i> Ms. Gowri Manalan K & Ms. A. Madhumitha	166
<i>Artificial intelligence, Metaverse, And the future of Blockchain in IP Security; A Legal Analysis</i> Ms. Kutagulla Koena Rayal & Ms. Sangeetha R. G	172
<i>Artificial intelligence and the future of legal profession</i> Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain	

* * * *



CODE AND CREATIVITY: UNRAVELING THE COPYRIGHT CONUNDRUM IN AI CREATIONS

Dr. Ravindra K. Rajput *

Abstract

Artificial intelligence (AI) has become a transformative force across various sectors, redefining conventional practices and pushing boundaries in creativity and innovation. As artificial intelligence (AI) continues to advance, the realm of copyright law faces unprecedented challenges and opportunities. AI's ability to autonomously generate creative works blurs traditional notions of authorship and ownership, prompting a reevaluation of legal frameworks. While AI-generated content holds promise for innovation and efficiency, it also raises concerns about intellectual property rights and fair compensation for human creators. Addressing these complexities requires a multifaceted approach that balances the promotion of technological progress with the protection of creative expression. Moreover, it necessitates collaboration among lawmakers, industry stakeholders, and ethicists to develop adaptive and equitable copyright policies that accommodate the evolving landscape of AI-driven innovation.

This paper explores the complex web of legal considerations surrounding the protection of AI creations. Exploring into the fine aspects of copyright law, the paper highlights the challenges faced by legal frameworks in addressing the authorship, ownership, and infringement issues arising from AI-generated content. Further, examining landmark cases and emerging precedents, the paper examines the evolving landscape of AI-driven innovation and the imperative to strike a delicate balance between fostering technological advancement and safeguarding the rights of human creators. By separating the complexities inherent in AI-generated works, this paper aims to contribute to the ongoing discourse on adapting copyright law to the dynamic and transformative realm of artificial intelligence.

Keywords: *Artificial Intelligence, Copyright, Intellectual Property Rights, Creativity and Innovation.*

* Assistant Professor in Law, SDM Law College, Mangaluru
Email I'd: ravindrakrajput@sdmlc.ac.in





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS ON IPR

(Peer Reviewed)

ISBN No.: 978-93-6135-950-7

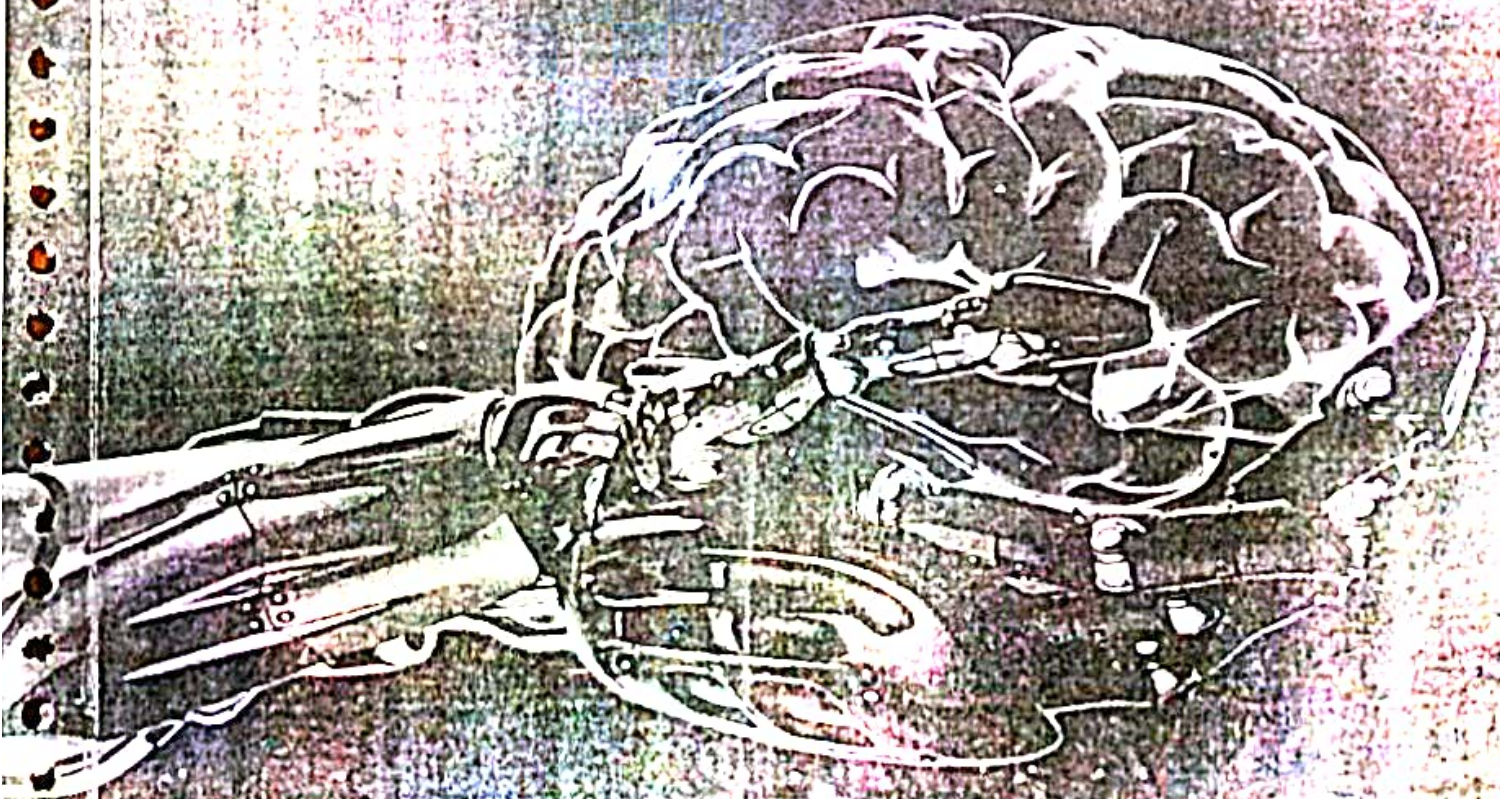


Table of Contents

<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Artificial intelligence and copyright laws in India: Issues and challenges</i> Dr. Sathish K. S	1
<i>Impact of artificial intelligence on data privacy</i> Dr. Rashmi K. S	10
<i>Review on artificial intelligence and machine learning technologies: It's applications</i> Dr. S. R. Swarnalatha & Prof. Jyothi Reddy	18
<i>Navigating Change: The Role of Government in Addressing AI-Induced Unemployment in India</i> Mr. Poornesh M & Mr. Roopesh	25
<i>Artificial Intelligence and its impact on IPR</i> Smt. Revathi Hegde	33
<i>Competency of AI equivalent to human intellect in the administration of justice: A critical analysis</i> Mr. Rayan Fernandes & Adv. Nagaraj Krapakar Hegde	43
<i>Exploring the intersection of Artificial Intelligence and IPR with Special reference to Patent and Copy Right</i> Ms. Shrilaxmi	49
<i>Patenting AI algorithms</i> Mr. Prajwal S.	53
<i>Decoding the Impact: A Comprehensive Literature Review on Understanding the Implications of AI on Indian Unemployment</i> Mr. Roopesh & Mr. Poornesh M.	60
<i>Code and Creativity: Unraveling the Copyright Conundrum in AI Creations</i> Dr. Ravindra K. Rajput	69
<i>An analysis on the impact of artificial intelligence on copyright law</i> Dr. Shubhalakshmi P.	77
<i>Artificial intelligence :A Growing Concern for Humanity's Future</i> Dr. Annapoorna Shet & Mr. Anantha Padmanabha Pai	



Title of the Article & Authors	Page No
<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i> Dr. Chandralekha V & Mr. Shivashankar	93
<i>Unboxing Right to Privacy in the Era of Artificial Intelligence</i> Mr. Karthik Anand & Ms. Sreelakshmi S. N.	104
<i>Artificial Intelligence and Intellectual Property – Issues and Concern</i> Dr. Ashwini P. & Ms. Shravya Rao	115
<i>Navigating Trademark Law in the age of artificial intelligence: Impact on consumers</i> Ms. Kavya & Ms. Deepthi G. Bhat	122
<i>Impacts of Artificial Intelligence on IPR</i> Ms. Arya M.	130
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i> Ms. Shushravya & Mr. Kiran N.	135
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i> Mr. Vivek M. & Mr. V. Nandagopala Bhat	142
<i>Artificial intelligence and unemployment</i> Ms. Anjana K. & Ms. Keerthana V.	150
<i>DABUS: An Artificial Intelligence : A new challenge for patents</i> Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza	155
<i>Artificial intelligence and intellectual property Rights</i> Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.	161
<i>Artificial intelligence and Right to Privacy</i> Ms. Gowri Manalan K & Ms. A. Madhumitha	166
<i>Artificial intelligence, Metaverse, And the future of Blockchain in IP Security;</i> <i>A Legal Analysis</i> Ms. Kutagulla Koena Rayal & Ms. Sangeetha R. G	172
<i>Artificial intelligence and the future of legal profession</i> Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain	180

* * * *



LEGAL STATUS OF ARTIFICIAL INTELLIGENCE IN INDIA WITH REFERENCE TO COPYRIGHT AND PATENT LAWS

Dr. Chandralekha V. *

Mr. Shivashankar **

Abstract

Artificial intelligence (AI) is alternative intelligence to human intellect. It is the ability of a digital computer or pre-loaded or independent robot to perform tasks commonly associated with intelligent being. It is Science and Engineering of making Intelligent Machines, especially intelligent computer programs. It is related to the similar task of using computers to understand human intelligence but ai does not have to confine itself to methods that are biologically observable. IPR means a property created by using human intelligence. It has various facets like copyright and related rights, patent, industrial design and so on. As per ipr legislations human being or legal personality can own ipr if they create any property by the use of their intelligence. Nowadays A I also work in equal pedestal to human intelligence. AI has lion share in the work performed by the human being a step ahead, it can also work independently.

As in the legal realm, personality of any being is very crucial. Personality attracts it a bunch of rights and imposed certain duties. Does AI have legal personality or it is best to signify it as cyber personality. What happens, if it is entrusted as legal person? As per IP legislation any human or legal person can hold the intellectual property right. To expand this definition question arise that can AI, as a cyber-personality, claim the rights? If rights are claimed, will it impact human's right for IPR? Is there any moral tussle which human may face when AI takes over him? Will there be any real battle between the human and AI over intellectual property. In this article researchers wants to find out answer for this above problem. By answering, it provides relevant valid suggestions which might be accommodating to near future.

Keyword : Electronic Personhood, Patent, Copyrights, AI tussle.

* Assistant Professor in Law, SDM Law College, Mangaluru

** Student IV B A LLB SDM Law College, Mangaluru





SHRI DHARMASTHALA MANJUNATHESHWARA LAW COLLEGE
CENTRE FOR POST GRADUATE STUDIES & RESEARCH IN LAW, MANGALURU- 575003

(NAAC Re-Accredited with B++ Grade, CGPA 2.9)

(Affiliated to Karnataka State Law University, Hubballi & Recognized by BCI, Delhi)

[Managed by: SDME Society *]

Sponsored by: Shri Dharmasthala Manjunatheshwara Education Society, (R.) Ujire, D. K.

President: Dr. D. Veerendra Heggade

Conference Proceedings of One-Day National Seminar on

ARTIFICIAL INTELLIGENCE AND ITS IMPACTS ON IPR

(Peer Reviewed)

ISBN No.: 978-83-6135-950-7



<i>Title of the Article & Authors</i>	<i>Page No</i>
<i>Legal status of artificial intelligence in India with reference to copyright and patent laws</i> <i>Dr. Chandralekha V & Mr. Shivashankar</i>	93
<i>Unbearing Right to Privacy in the Era of Artificial Intelligence</i> <i>Mr. Karthik Anand & Ms. Sreelakshmi S. N.</i>	104
<i>Artificial Intelligence and Intellectual Property – Issues and Concern</i> <i>Dr. Ashwini P. & Ms. Shravya Rao</i>	115
<i>Navigating Trademark Law in the age of artificial intelligence: Impact on consumers</i> <i>Ms. Kavya & Ms. Deepthi G. Bhat</i>	122
<i>Impacts of Artificial Intelligence on IPR</i> <i>Ms. Arya M.</i>	130
<i>An analysis on survival of human Intelligence in the combat of artificial intelligence</i> <i>Ms. Shushravya & Mr. Kiran N.</i>	135
<i>Intellectual Property Rights in the Era of Artificial Intelligence (AI)</i> <i>Mr. Vivek M. & Mr. V. Nandagopala Bhat</i>	142
<i>Artificial intelligence and unemployment</i> <i>Ms. Anjana K. & Ms. Keerthana V.</i>	150
<i>DABUS: An Artificial Intelligence : A new challenge for patents</i> <i>Mr. Jeevan Lancy Pereira & Mrs. Asheema Evita Dsouza</i>	155
<i>Artificial intelligence and intellectual property Rights</i> <i>Ms. Soumya Bharathesh Shetti & Ms. Rakshitha K.</i>	161
<i>Artificial intelligence and Right to Privacy</i> <i>Ms. Gowri Manalan K & Ms. A. Madhumitha</i>	166
<i>Artificial Intelligence, Metaverse, And the future of Blockchain in IP Security: A Legal Analysis</i> <i>Ms. Kutogulla Koena Rayal & Ms. Sangeetha R. G</i>	172
<i>Artificial intelligence and the future of legal profession</i> <i>Mr. Vishnu Bharathi S. & Ms. Yashika M. Jain</i>	



NAVIGATING TRADEMARK LAW IN THE AGE OF ARTIFICIAL INTELLIGENCE: IMPACT ON CONSUMERS

Ms. Kavya *

Ms. Deepthi G. Bhat **

Abstract

The widespread adoption of new technologies has taken over most of the human performing activities. The field of technology is undergoing changes quite rapidly & one such changing dimension witnessed by the present era is evolution of Artificial Intelligence. The advent of artificial intelligence (AI) has significantly influenced trademark law, comprising of both opportunities and challenges. AI tools help in Trademark Search and Examination whereas the ability of AI in automatic generation of content creation raises various issues concerning the ownership aspects and protection of trademarks created by machines. AI is conferred by Infringement detection tools which have improved efficiency in terms of safeguarding Trademark rights. Since, technological advancement comes with its own pros and cons, several issues like liability for AI-generated infringements are not yet been addressed which requires adequate legal frameworks to handle the same. AI softwares like Amazon's Alexa help consumers to choose products concerning their needs. It can be observed that based on social media searches & past purchase history how consumers get directed to similar product sellers without knowing their authenticity which again would mislead the consumers towards fake brands. As AI continues to shape brand-related activities, trademark law must adapt to safeguard intellectual property rights in a technologically dynamic environment & also with the good interest of the consumers. This paper tries to analyse the impact of artificial intelligence upon trademark law which would affect the ultimate consumers & bring out some concrete suggestions to tackle the issues that is been found in the area of study.

Key Words: *Artificial Intelligence, Technology, Trademark, Consumer.*

Introduction:

Artificial Intelligence, commonly known as AI, represents a frontier of technology that seeks to imbue machines with the ability to learn, reason, and perform tasks

* Assistant Professor, SDM Law College, Mangaluru

** Law Student, 2nd Year LL.M, SDM Law College, Mangaluru



Court System – India

Ritesh G. Menezes^a, Deepa Salián^b, B. Suresh Kumar Shetty^c, and Anil Aggrawal^d, ^a Forensic Medicine Division, Department of Pathology, College of Medicine, Imam Abdulrahman Bin Faisal University, Dammam, Saudi Arabia; ^b Department of Law, SDM Law College, Mangalore, Karnataka, India; ^c Department of Forensic Medicine, Kasturba Medical College - Mangalore, Manipal Academy of Higher Education, Manipal, Karnataka, India; and ^d Department of Forensic Medicine and Toxicology, Maulana Azad Medical College, New Delhi, India

© 2024 Elsevier Ltd. All rights are reserved, including those for text and data mining, AI training, and similar technologies.

This is an update of R.G. Menezes, F.N.P. Monteiro, K. Krishna, Court Systems: India, Editor(s) Jason Payne-James, Roger W. Byard, Encyclopedia of Forensic and Legal Medicine (Second Edition), Elsevier, 2016, Pages 641–645. ISBN 9780128000557. <https://doi.org/10.1016/B978-0-12-800034-2.00395-5>.

Introduction	2
Evolution of the Court System in India	2
Current Scenario of the Court System in India	3
The Supreme Court of India	3
The Supreme Court Functions	3
High Courts in India	4
Functions of a High Court	4
Subordinate Courts	4
Classification of Subordinate Courts	4
Tribunals	4
National Green Tribunal	4
Claims Tribunal	5
Industrial Tribunal (Labour Court)	5
National Company Law Tribunal	5
Lok Adalats	5
Juvenile Courts	5
CBI Courts	6
Conclusion	6
References	6

Glossary

Adalat Court of law

Sadr Superior

Suba Province

Abstract

The concept of judicial activism in India has played a very important role which was inculcated by the judiciary for protecting the rights and freedom of every individual in India. Through judicial activism, the judicial system has not just become a mere adjudicator of disputes, but also a player in controlling executive action. It is because of an independent judiciary, citizens in India are breathing fresh air of equality, fraternity, and liberty. The highest judicial authority acts as the guardian of democracy and protector of the constitution, ensuring the preservation of fundamental rights and delivering justice to every citizen. In accordance with the directive principles of state policy, the Indian government is obligated to follow the directives issued by the apex court. The judicial system in India plays a significant role in many spheres by providing justice to the people by applying the principle of natural justice. Constitutionalism which is the essence of democracy is protected by the judiciary. The judiciary in India is persistently endeavoring to protect the fundamental rights of the citizens. This article articulates the hierarchy of the court system in India and its function with relevant cases which symbolizes it as a pillar of democracy by upholding the rule of law.





11th International Conference on
HR for Organizational Sustainability

December 21-22, 2023

The Conference Committee certifies that

Amith S M

has participated in the

11th International Conference on HR for Organizational Sustainability

organized by

Shri Dharmasthala Manjunatheshwara Institute for Management Development, Mysuru

on **December 21-22, 2023** and presented a paper titled

The Working Class in India: Challenges and Realities Regarding Work-Life Balance

The paper was co-authored by

**Ashwini Suraj Devadiga
Vivek M**




Dr. Mousumi Sengupta
Conference Chair


Dr. (Lt Col) Prasad SN
Director

The Working Class in India: Challenges and Realities Regarding Work-Life Balance

Amith S M,
Assistant Professor
SDM Law College, Mangalore

Ashwini Suraj Devadiga,
Research Scholar,
sdMangalore University, Mangalore

Vivek M,
Law Student,
SDM Law College, Mangalore

Abstract

Work-life balance signifies the intricate equilibrium between professional obligations and personal life. It underscores the importance of dedicating time to family, personal interests, well-being, leisure activities, and work-related duties. In the contemporary business environment, achieving this equilibrium has become a critical consideration for organizations and individuals. Time management goes beyond its literal definition and serves as a fundamental component for a satisfying existence, providing advantages to employees and workplaces.

This study aims to identify the constituent elements that comprise work-life balance, with a particular focus on the workforce in India. This study investigates the effects of working hours on personal space and individual performance. Furthermore, it compares the working hours observed in various countries and those prevalent in India, emphasizing the significance of the "Right to Disconnect." Moreover, it critically analyses the decades-long evolution of working hours in India, focusing on the glorification of overtime and how it frequently obscured the exploitation that the working class endured.

This study evaluates Indian labour legislation to reveal how these laws benefit or hinder the working class. Furthermore, it illuminates the ramifications of the COVID-19 pandemic on the employed populace, investigating its implications for work schedules and the work-life balance paradigm.

Keywords: Covid19, Labour Rights, Legislation, Right to Disconnect

**Introduction**

A good work-life balance is crucial for maintaining well-being and relationships, avoiding burnout, and leading a fulfilling personal life while succeeding at work. Work-life balance refers to the state of equilibrium where a person equally prioritizes the demands of one's career and personal life. The concept of Work-Life Balance has evolved, with the term being coined in the 1980s to describe the challenges faced by working women with families, and over the years, the term has expanded to include all genders. The idea behind the concept of Work-life balance is balancing the time and energy spent on work and personal life. It is a way of achieving a healthy balance between one's professional and personal life. Maintaining a work-life balance helps individuals avoid burnout, reduce stress, and enhance overall well-being. Promoting it is a core element of social dialogue and collective bargaining, which can lead to a more productive and healthier workforce. The concept of WLB is particularly relevant in India, where a study by Acadin found that cities like Bengaluru, Chennai, and Kolkata rank low in terms of work-life balance.

Several factors can affect an individual's ability to achieve Work-life balance, including demographic variables, personal demands, family demands, family support, and individual ability. Factors such as long working hours, lack of flexibility, and high job demands in India contribute to poor work-life balance. Other factors, such as inadequate policies, lack of support from colleagues and supervisors, and low job control, can also hinder work-life balance.

Indian Workforce Scenario

As per the data published in 'Our World in Data' 2023, India ranks 14th in the world regarding total work hours, with an average of 2,117.01 per year. As per the rankings, Indians work 47.7 hours a week, which is the seventh longest in the world. It is higher than the work hours in the U.S., U.K., and Germany. The long working hours are not limited to a particular industry, with Indian IT employees averaging 45-50 hours per week.

The manufacturing sector in India is one of the largest employers in the country and has an average workweek of 48 hours, which is in line with the Factories Act. The service sector is another significant contributor to the country's economy and has an average workweek of around 40-45 hours. Overtime is the norm in this sector, with most local companies needing to follow the official workweek. The pressure to meet deadlines and deliver quality work can lead to long working hours and high stress levels.

The agriculture sector has the shortest weekly work hours, averaging 37.9 hours. Education and health services also have relatively shorter weekly work hours of 39.3 and 39.8, respectively. However, it is worth noting that these sectors also face their unique challenges, such as low wages and job insecurity.

Overall, there needs to be a consensus on the optimum weekly hours, and it is essential to link working hours to productivity and output. The absence of laws in India that address working hours and overtime pay enables employers to demand long working hours from their employees, leading to an unhealthy work culture. Many Indian workers work long hours, often exceeding the standard 8 hours daily. It can lead to burnout and reduced productivity, highlighting the need for a better work-life balance.

The Indian workforce is vast and diverse, with over 450 million individuals employed across various sectors. While the country's economy has experienced significant growth in recent years, there remain numerous challenges to achieving work-life balance for employees in India. These challenges include long working hours, limited access to paid leave, and a cultural emphasis on prioritizing work over personal life. Additionally, many Indian workers face significant commuting times and financial stressors, which can further impact their ability to achieve a healthy work-life balance.

sdmimd

Shri Dharmasthala Manjunatheshwara
Institute for Management Development



Bangalore Chamber of
Industry and Commerce

8th International Conference on
**Economic Growth and
Sustainable Development :
Emerging Trends**

November 29 & 30, 2023



CERTIFICATE

This is to certify that

Amith S M

has participated in the 8th International Conference on Economic Growth and
Sustainable Development : Emerging Trends on **29-30 November 2023**, at SDMIMD, Mysuru

and presented a paper titled

The Global Response to Feminization of Poverty: Understanding its Causes and Consequences

and the paper was co-authored with

**Ashwini Suraj Devadiga
Arya M**



Dr. B. Venkatraja
Conference Chair

Dr. (Lt Col) Prasad SN
Director, SDMIMD

The Global Response to Feminization of Poverty: Understanding Its Causes and Consequences

Ashwini Suraj Devadiga
Research Scholar,
Mangalore University, Mangalore.

Amrith S.M
Assistant Professor,
SDM Law College, Mangalore.

Arya M,
Law Student,
SDM Law College,
Mangalore.

Abstract

The feminization of poverty is a phenomenon where women are disproportionately affected by poverty stemming from various factors such as gender discrimination, unequal pay, and restricted access to resources and opportunities. According to the United Nations Commission on the Status of Women, women experience higher poverty rates than men, with the 1.5 billion people living on one dollar or less daily being women and children. Thus, "feminization of poverty" acknowledges that poverty is not a gender-neutral issue but intersects with gender profoundly, leading to distinct challenges for women. The study aims to analyze the factors contributing to the feminization of poverty and explore strategies for addressing the feminization of poverty in developing and underdeveloped countries. The paper will also analyze:

- Impact of globalization on feminization of poverty
- Intersectionality and feminization of poverty
- Impact of government policies
- Role played by UN agencies in tackling the issue of feminization of poverty

Keywords: Feminization, poverty, UN, gender-neutral



Introduction

"Feminization of Poverty" denotes the phenomenon where women represent a disproportionate share of the world's poor. It highlights the trend that a higher percentage of women, compared to men, live in poverty. According to the United Nations Commission on the Status of Women, women experience higher poverty rates than men, with the 1.5 billion people living on one dollar or less daily being women and children. The concept emphasizes the intersection of gender and poverty, showing how women are economically disadvantaged. Various systemic and structural factors often link poverty's feminization to women's economic marginalization, including gender-based discrimination, unequal access to education and employment, and social norms that limit women's economic opportunities.

Social worker Dr. Diana Pearce coined the term "feminization of poverty" in the late 1970s, emerging as a critical concept within feminist scholarship and social policy analysis. It gained prominence as scholars and activists sought to draw attention to the growing disparities between men and women regarding poverty rates and economic well-being. Breaking down the term into its constituent parts helps in understanding its etymology.

"Feminization" refers to the process of making or becoming more feminine. In this context, it refers to the disproportionate representation of women among the impoverished population, emphasizing the gendered nature of poverty.

"Poverty" refers to being extremely poor, lacking the means to access necessities and resources essential for a decent standard of living.

Thus, by conceptualizing poverty as a gendered issue, the term "feminization of poverty" brought attention to how women are affected by socioeconomic inequalities, structural barriers, and discriminatory practices.

Research Methodology

This study utilizes a mixed-methods research approach, combining quantitative and qualitative analysis. Secondary data sources, such as academic journals, reports, and statistical databases, will be the main data collection method. The research will focus on a variety of indicators, including income disparities, educational attainment, labor force participation, and access to essential services, to assess the extent of poverty's feminization in different countries.

Scope of the study

This study aims to investigate and analyze the multifaceted factors contributing to the feminization of poverty. It places a strong emphasis on the recognition that poverty is inherently gendered, with women shouldering a disproportionate burden. The research explores the intricate interplay between globalization and the perpetuation of poverty cycles, with a particular focus on how these effects manifest in the lives of women. Furthermore, this study underscores the imperative for government intervention and the implementation of increased affirmative action measures to effectively address the issue of the feminization of poverty. Lastly, the study acknowledges and underscores the significant role of United Nations (UN) agencies in combatting the feminization of poverty and highlights their contributions in this regard.

Limitation of the study

The study's feminization of poverty comprehensively has specific limitations. It does not provide an exhaustive exploration of every facet of the feminization of poverty, acknowledging the complexity of the issue. Furthermore, the study's examples of effective strategies to combat this problem are limited to a

8th International Conference on
**Economic Growth and
Sustainable Development :
Emerging Trends**

November 29 & 30, 2023



CERTIFICATE

This is to certify that

Amith S M

has participated in the 8th International Conference on Economic Growth and
Sustainable Development : Emerging Trends on **29-30 November 2023**, at SDMIMD, Mysuru

and presented a paper titled

Farmer Suicides in India and the Road to Resilience

and the paper was co-authored with

**Ashwini Suraj Devadiga
Diya K**



Dr. B. Venkatraja
Conference Chair

Dr. (Lt Col) Prasad SN
Director, SDMIMD

Farmer Suicides In India and the Road to Resilience

Ashwini Suraj Devadiga
Research Scholar,
Mangalore University,
Mangalore

Amith S M
Assistant Professor,
SDM Law College, Mangalore

Diya K
Law Student,
SDM Law College,
Mangalore

Abstract

India, known as an agricultural powerhouse, where more than half of its population relies on agriculture as their primary source of livelihood, faces a dire situation- the distressing and escalating issue of farmer suicides. Despite being the world's second-largest food producer, India has the highest number of farmer suicides worldwide. According to research data, between 1995 and 2018, nearly 4,00,000 farmers in India took their own lives, equating to an alarming average of approximately 48 suicides daily.

The paper aims to comprehensively examine the myriad factors contributing to the distressing phenomenon of farmer suicides in India, shedding light on the complex web of economic, social, and psychological stressors that propel them to take extreme steps in life. The objective of the paper is to

Analyze the state-wise data on farmers' suicide.

Analyze the effectiveness of government initiatives intended to address farmers' suicide.

Analyze the role played by Non-governmental organizations in assisting the beleaguered farming community.

Keywords: Farmers, suicide, distress.

**Introduction to Agriculture in India**

India's agriculture sector is a vital part of the economy, providing income and food security to millions of people. The country is one of the top three global producers of various crops, including wheat, rice, pulses, cotton, peanuts, fruits, and vegetables. The agricultural practices across different regions are diverse, with each region having unique farming practices. Agriculture has a rich history dating back to 9000 BCE in north-west India.

The British colonial rule in India had a significant impact on the country's agriculture sector, leading to a decline in food production and self-sufficiency. However, the British also introduced modern agricultural practices such as irrigation systems and improved seed varieties. After India gained independence in 1947, the government implemented several policies and reforms aimed at improving the agricultural sector. The first wave of reforms focused on increasing food production and achieving food self-sufficiency, leading to the Green Revolution. Land reforms were then introduced to redistribute land to the landless and empower small-scale farmers.

Indian agriculture faces significant challenges due to its unequal land ownership and distribution patterns, which have led to land fragmentation and consolidation. The government has introduced measures to tackle these concerns, such as land pooling programs and land leasing strategies. However, there are still lingering obstacles that need further efforts to ensure fair land distribution and resolve issues related to land fragmentation and consolidation. Apart from that, challenges such as climate change, water scarcity, and market volatility continue to pose significant threats to the sector's sustainability and growth.

Problem Statement

The issue of farmer suicides in India remains a significant concern, emphasizing the necessity for a thorough understanding of its root causes, consequences, and potential solutions. The crisis is complex, encompassing various economic, social, and psychological factors that contribute to the distress experienced by farmers. A comprehensive comprehension of these factors is crucial for formulating effective remedies and providing meaningful assistance. The evaluation of the role played by government initiatives and non-governmental organizations (NGOs) in alleviating this crisis demands careful scrutiny.

This research paper examines the phenomenon of farmer suicides in India, analysing data across different states to identify regional trends and disparities. It also assesses the efficacy of government measures designed to tackle farmer suicides and the contributions made by NGOs in supporting the troubled farming community. The primary objective is to offer a holistic perspective on farmer suicides in India, providing insights into the underlying causes, repercussions, and ongoing endeavours to enhance resilience within the agricultural sector.

Methodology**Data Collection**

This research paper primarily relies on secondary data sources, encompassing a mixed-method approach that involves both quantitative and qualitative data. Secondary data sources include government reports, agricultural statistics, and existing databases on farmer suicides.

Data Analysis

The study employs a range of data analysis techniques focused on secondary data sources. State-wise data on farmer suicides will be analysed to identify geographic patterns and regional variations in suicide rates.

sdmimd

Shri Dharmasthala Manjunatheshwara
Institute for Management Development



Bangalore Chamber of
Industry and Commerce

8th International Conference on
**Economic Growth and
Sustainable Development :
Emerging Trends**

November 29 & 30, 2023



CERTIFICATE

This is to certify that

Amith S M

has participated in the 8th International Conference on Economic Growth and
Sustainable Development : Emerging Trends on **29-30 November 2023**, at SDMIMD, Mysuru
and presented a paper titled

Agroforestry in Advancing Sustainable Agriculture: Indian Experience

and the paper was co-authored with

**Ashwini Suraj Devadiga
Sreelakshmi V Hariharan**



Dr. B. Venkatraja
Conference Chair

Dr. (Lt Col) Prasad SN
Director, SDMIMD

Agroforestry In Advancing Sustainable Agriculture: Indian Experience

Ashwini Suraj Devadiga
Research Scholar,
Mangalore University,
Mangalore

Amith S M
Assistant Professor,
SOM Law College,
Mangalore

Sreelakshmi V Hariharan
Law Student,
SOM Law College,
Mangalore

Abstract

Sustainable agriculture has become a global priority recently, and India is no exception. One key aspect of advancing sustainable agriculture in India is implementing agroforestry practices. Agroforestry is a land management system that combines the cultivation of trees or shrubs with traditional crops or livestock, creating a symbiotic relationship between them. This research paper aims to investigate the pivotal role of agroforestry in promoting sustainable agriculture in India. The paper will comprehensively analyze how agroforestry practices contribute to sustainability by enhancing biodiversity, improving soil health, mitigating climate change, and increasing farm resilience. The primary objectives of the study are:

To assess the ecological impact of agroforestry on Indian agriculture

To examine the economic and social implications of agroforestry in India

The research is descriptive, and it examines the ecological and economic ramifications of agroforestry through a literature review of works published by earlier scholars. With the objective of enlightening policymakers and practitioners regarding the prospects and obstacles associated with agroforestry as it pertains to sustainable agriculture in India. In conclusion, the paper endeavors to propose approaches for formulating policies and strategies that optimize the utilization of agroforestry's capabilities in order to tackle the agricultural predicaments of India, all the while fostering rural progress and environmental preservation.



Keywords: Agroforestry, sustainable agriculture, ecology

Introduction

In an era marked by global population growth, environmental challenges, and food security concerns, sustainable agriculture has become a pivotal and urgent global priority. As the world's population continues to expand, surpassing 7.8 billion and rising, the demand for food, fiber, and agricultural products has never been more acute. However, traditional agricultural practices have often compromised natural resources, biodiversity, and ecosystems. Sustainable agriculture is the solution that reconciles the immediate need for food production with the imperative of safeguarding the long-term sustainability of our planet.

Sustainable agriculture is an encompassing approach beyond merely feeding the world's population. Preserving natural resources, safeguarding biodiversity, minimizing pollution, and mitigating the impacts of climate change are its primary objectives. Simultaneously, it aims to enhance farmers' livelihoods and strengthen rural communities. The importance of sustainable agriculture in the global context transcends geographical boundaries, as it addresses critical issues such as environmental conservation, food security, economic prosperity, and climate change mitigation.

This research paper explores the significance of sustainable agriculture, concentrating on India, where a combination of agricultural resilience, varied agro-ecological regions, environmental hurdles, and climate susceptibilities render the embrace of sustainable techniques not only pertinent but imperative. By analyzing the integration of agroforestry in India, we aim to comprehend how it can play a vital role in propelling sustainable agriculture forward and tackling the agricultural dilemmas in the country, all the while fostering environmental preservation and rural progress.

Research Problem

The primary objective of the research paper is to delve into the crucial contribution of agroforestry in fostering sustainable agriculture in India. The focus is to examine how implementing agroforestry practices supports sustainability, with a specific emphasis on their ecological, economic, and social implications.

Objectives

To assess the ecological impact of agroforestry on Indian agriculture.

To examine the economic and social implications of agroforestry in India.

Research Methodology

The research methodology takes a descriptive approach, prioritizing examining preexisting literature and prior research studies to acquire a comprehensive understanding of the ecological, economic, and social consequences of agroforestry in the Indian context.

Importance of Sustainable Agriculture in the Global Context

The global arena recognizes sustainable agriculture as an essential and pressing necessity. It entails a farming approach that considers the long-term sustainability of agricultural systems while fulfilling immediate needs for food, fiber, and other vital resources. The importance of sustainable agriculture on a global scale is as follows:

NEHRU ACADEMY LAW REVIEW



Volume 1

2023

Empowering Labour : Insights, Challenges, and Progress in India's Labour Laws



Edited Book by :

NEHRU ACADEMY OF LAW

(Approved by Bar Council of India, Affiliated to University of Calicut)



**NEHRU GROUP
OF INSTITUTIONS**
KANNUR, KERALA

ISBN : 978-81-956283-6-0

TABLE OF CONTENTS

1.	'Awareness And Application of Knowledge of Labor Law Among Rural Women In Kerala' ; by <i>Dr. S.Krishnamoorthy</i>	01
2.	Evolution of Trade Union Laws In India ; by <i>Ashbin Krishna, Kiran S Sekhar</i>	11
3.	Social Security Of Domestic Workers Vis-A-Vis The Kerala Domestic Workers (Regulation And Welfare) Bill, 2021; by <i>Anoop Chandran S, Anjana A</i>	22
4.	Analysing The Need And Scope Of Unemployment Insurance (UI) In India ; by <i>Shamili V P, Manjima Mohan</i>	34
5.	Negotiating Union And The Concept Of Collective Bargaining ; by <i>Abha M P</i>	48
6.	The Need For Recognition Of Labour Rights For Online Gig Workers In India – A Right's Based Approach ; by <i>Abhishek Sharma Padmanabhan & Prof (Dr.) Sapna S</i>	53
7.	Impact Of Occupational Safety, Health And Working Conditions Code 2020, On Productivity Of Employees ; by <i>Ms. Reshma Ravindran, Ms. Adhithya K P</i>	62
8.	A Comparative Analysis On Similitude And Dissimilitude Between The Trade Unions Act, 1926 And The Industrial Relations Code, 2020 ; by <i>Aditya R. Dalal, Aditya V. Garg</i>	72
9.	Labour Law And Industrial Development In India ; by <i>Amrutha Chandran, Aparna K J</i>	82
10.	Impact Of Code On Wages Act 2019 On Gig Workers ; by <i>Ulsa K Nair, Anagha Mohan</i>	91
11.	Welfare Provisions Of The Occupations Safety, Health And Working Conditions Code, 2020 ; by <i>Anila K, Sheheen Marakkur</i>	99
12.	Contemporary Challenges Of Child Labour In India: An Analysis ; by <i>R. Swapna Ashmi, Dr. P.R.L. Rajavenkatesan</i>	106
13.	Effects Of Code Of Social Security ; by <i>D.Chanikya Chandra Sekhar, G. Samarasimha Reddy</i>	116
14.	Development Of Industrial Law In India ; by <i>Maya Mayura M M And Sachin N N</i>	124
15.	An Analytical Study On Child Labor-An Exploitation And Not Employment ; by <i>Ms. Saraswathi. V, Ms. Kolan Selvi K</i>	132



16.	A Study On The Role Of International Labour Organizations In Protection Of RightsOf Workers ; by <i>Praveen.B</i>	141
17.	New Labour Code 2022 And Its Effects On Industrial Democracy ; by <i>Ranjan Sanjay Nair , T.H Alok Narayanan</i>	159
18.	Positive Intrepretations Of Code Of Social Security, 2020 ; by <i>Subhadra Ambadi , Revathy K</i>	166
19.	Analysis Of Code On Social Security, 2020 ; by <i>Richin Mathew , Lavia Thomas</i>	174
20.	Labour Rights And Migrant Workers In Kerala – A Sociolegal Analysis ; by <i>Rose Pullen Sajan</i>	181
21.	A Critical Analysis Of Implementation Of Migrant Labour And Social Security Legislations In India ; by <i>S. Bhavya Shree , Ramanya Gayathri M</i>	193
22.	Inter State Migrant Labour ; by <i>Saket Prakash</i>	204
23.	A Study On New Labour Codes And Its Impact On Migrant Labourers In India ; by <i>Sanjeev Patel</i>	214
24.	ADR Mechanism In Resolving Industrial Disputes ; by <i>Saurabh Chakraborty , Anushree Gurung</i>	228
25.	Social Security And Health Rights On Inter-State Migrant Workers ; by <i>Anantha Lekshmi M S, Sreddha Gopakumar Krishna</i>	237
26.	A Brief Study On Significance Of Labour And Employment Rights ; by <i>Smt. Shubhalakshmi P</i>	244
27.	How New Labour Law Reforms Can Eradicate The Evil And Special Reference To Child Labour ; by <i>Sowmya Adathakula , Akhila Somineni</i>	253
28.	Issues And Challenges Of Migration To Kerala ; by <i>Sumesh R, Asha K</i>	261
29.	Green Economy - A Potential Remedy For Unemployment In India ; by <i>Varghese Benny, Abitha P Sunil</i>	268
30.	Social Security Of Labours Of Unorganized Sectors In India: Need Of Hour ; by <i>Vikas Deep Verma</i>	279
31.	Rising Concern Of Prohibition Of Dual Employment And Provision Of Womenemployees At Instance Of The Occupations Safety Health And Working Conditions Code 2022 ; by <i>Haritha S, Kavya K S</i>	289



32. Industrial Relations Code And Information Technology Industry: An Analysis On Layoff And Employee Right To Form Trade Unions ; by *Anjali.V. Nadeeda Fathma.M.M* 298
33. A Factual Study On Women's Rights In Industrial Establishments ; by *K.S.Jayakumar, Prof. Dr. C.Basavaraju* 305
34. Labour And Employment Right ; by *P. Keerthana* 312
35. Rethinking Child Labour and Allied Aspects by, *Dr. Sini John, Harshitha Ulphas* 321
36. A Case Study of Unemployment and Poverty in India by *Shashwat Pratyush, Raj Krishna* 330
37. The Social Security Code 2020: A Critical Analysis by *Dr. Prakash Kanive* 338



A Brief Study On Significance Of Labour And Employment Rights

Shubhalakshmi P.

ABSTRACT

For every human being employment is must. Labour and employment are closely related and by investing fruitful labour, one can become successful in his/her employment. There are wide-ranging professions and employments and based on working condition, tenure, contract, nature of work etc., persons can be classified as labourers, workers, employees, professionals etc. The fundamental law relating to labour and employment in India is Industrial Law and the very existence of this law focuses on protection of the rights of workers and to guide on their basic facilities to be granted to them. There are different legislations passed by the Parliament on labour and employment issues especially on industrial disputes, workmen's compensation, rights of factory workers, remuneration or wages, working conditions, etc.

Employment is one of the ways through which person can earn his livelihood, basic amenities, required to lead a satisfactory life and to satisfy his economic desires. Employment is one's own choice and some times people often change their sector or institutions or company for better salary or for experience. There are rights granted through law for the labourers and employees working in an establishment. Right against discrimination, equal treatment, right to have employment agreement, maternity benefit and prevention and protection from sexual harassment for female employees, right to remuneration, provident fund, gratuity and rights on bonus, leave facilities, appropriate working conditions and working hours etc are certain basic rights that are exercisable by the workers or employees.

KEYWORDS: *Employment, labour, rights of workers*





ALTERNATIVE DISPUTE RESOLUTION SYSTEM

New Trends, Contemporary
Challenges and Future

ISBN : 978-93-5768-724-9

EDITORS

Prof. (Dr.) Chidananda Reddy S. Patil

Dr. Anilkumar H. Hawaldar

Dr. Samina Nahid Baig



Karnatak Law Society's
Raja Lakhamgouda Law College Tilakwadi,
Belagavi - 590 006
website: www.rllc.klsbelagavi.org

TABLE OF CONTENTS

16	ADRS in Industrial Dispute and Labour Law	Agnes Priscilla Chinthana BN Anjan R	112-117
Part -III NEGOTIATION AND MEDIATION			
S.NO.	TITLE OF THE PAPER	NAME OF THE AUTHOR	P.NO.
17	Negotiations- A Promising Future In ADR-A Study	Dr Kavyashree N	118-123
18	In Business, You Don't Get What You Deserve; You Get What You Negotiate...	Revati Hegde	124-128
19	Mediation and the Effective Role of Lawyers	Joseph Ambrose	129-134
20	Advocacy & Mediation: Role of Advocates in Resolving Disputes: A Critical Study	Dr S V Girikumar Dr Kavyashree N	135-139
21	Mediation under Consumer Protection Act, 2019	Dr Vidya S Shettemmanavar	140-144
22	Role of the Counsel in Mediation Process From Advocate to Advisor- An Overview	Dr Supriya M Swami	145-149
23	Mediation under Consumer Protection Law	Ashwini Parab	150-156
24	Mediation and the Effective Role of Lawyers	Nunna Venkata Harshitha Chaitanya	157-162
25	Pre-Litigation Mediation and Draft Mediation Bill, 2021	Priya Muddebihal	163-166
26	International Mediation- A Study of Cross-Border Dispute	Mrunal Kamat Kirti Salamwadkar Suhass Huddar	167-172
27	The Efficacy of Mediation in Consumer Disputes	Akshata M Suryavanshi Ravi V Kalmani Aditya Gajanan Medar	173-178
28	Mediation and the Effective Role of Lawyers	Gourishetty Jhanavi Yashaswi Dasari	179-182
Part -IV DEVELOPMENTS IN ADRS			
S.NO.	TITLE OF THE PAPER	NAME OF THE AUTHOR	P.NO.
29	E -Lok Adalat's & Future of Lok Adalat's	Pooran Chandra Pande	183-187
30	An Analysis of Effective Functioning of Lok Adalat in India	Pradeep K N Nandini D Patil	188-193
31	The Future of Alternative Dispute Resolution Vis-À-Vis Artificial Intelligence in India	Dr Ravindra K Rajput	194-199
32	E-Lok Adalat's - Is It a Real-Time Remedy?	Dr Jyoti Hiremath	200-205



The Future of Alternative Dispute Resolution Vis-À-Vis Artificial Intelligence in India

Dr. Ravindra K. Rajput*

Legal process and juristic acts are where the law in action is most evident. The legal process aims to resolve disputes through decisions to prevent further conflicts. The objective of the legal process is inhibiting conflict. However, some forms of Alternative Dispute Resolution (ADR), like arbitration, are not considered legal processes, even though they institutionalize a dispute.

The heart of the law is dispute resolution, and much discussion revolves around how to resolve disputes. One major weakness of resolving disputes through the judicial system is that it is time-consuming, leading to extensive costs. As a result, many parties are turning to Alternative Dispute Resolution (ADR) mechanisms. ADR is cheaper and allows parties to find creative solutions that benefit both sides.¹

Traditionally, we think of disputes being resolved through lawsuits and heated courtroom exchanges. However, in the 21st century, there are now better alternatives for settling disputes. Alternative Dispute Resolution (ADR) is a popular mechanism, known as "out-of-court settlement," that is being chosen by more and more people. ADR provides a viable option for those who do not want to get involved in the complexities of a courtroom battle. As technology advances, ADR has been expanding its wings into the technological era, with the field of law adapting more than ever.²

ARTIFICIAL INTELLIGENCE

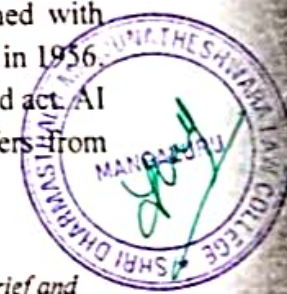
Artificial intelligence is becoming more prevalent in the fields of management science and operational research, as it involves the ability to collect and reason about knowledge to solve complex problems. Intelligent machines are expected to replace human capabilities in many areas soon. AI is focused on developing intelligent machines and software that can reason, learn, gather knowledge, communicate, manipulate, and perceive objects.

Artificial intelligence is a field of computer science concerned with making computers behave like humans, first coined by John McCarthy in 1956. It focuses on computation that makes it possible to perceive, reason, and act. AI differs from psychology in that it emphasizes computation and differs from

* Assistant Professor, SDM Law College, Mangaluru

¹ Hibah Alessa, *The role of Artificial Intelligence in Online Dispute Resolution: A brief and critical overview*, 31 INFORMATION & COMMUNICATIONS TECHNOLOGY LAW 319 (2022).

² Disha Pathak, "The Great Expectations" - Future of ADR and AI, THE DIGITAL FUTURE (2020), <https://thedigitalfuture.in/2020/11/09/the-great-expectations-future-of-adr-and-ai/> (last visited Jan 27, 2023).





**SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE, CENTRE FOR
POST GRADUATE STUDIES AND RESEARCH IN LAW
Mangaluru - 575 009**

(NAAC Re-accredited B++ CGPA 2.9)

Sponsored by :

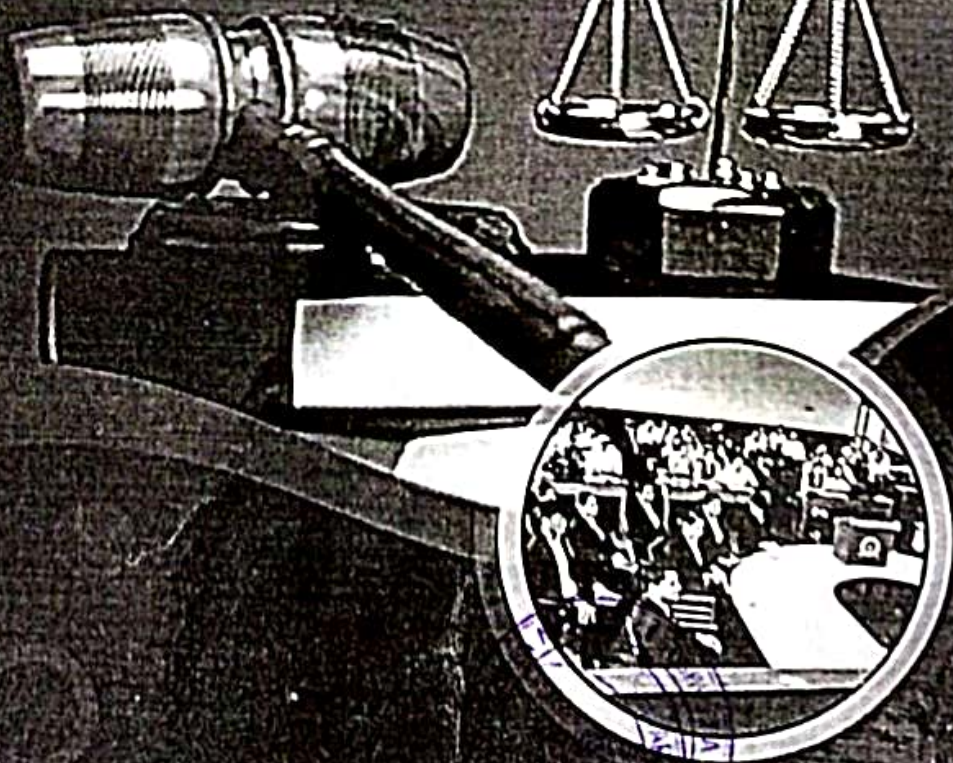
SDM Educational Society @., Ujire, D.K.



Legal Opus

Issue No. 15, 2023

Peer reviewed Research Articles



2023

Legal Opus

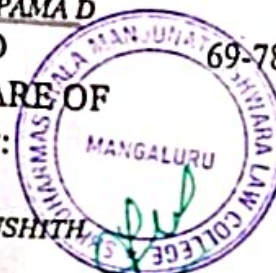
Issue: 15

October, 2023

Table of Contents

Editor in Chief	-----	vi
For Contributors	-----	vii
Affirmation	-----	viii
Statement of Ownership	-----	ix

SL.NO	TITLE	PAGE NO.
01	REGULATION OF FOOD LABELLING IN INDIA: LAWS AND POLICIES <i>-DR. PRADEEP KUMAR PANDEY & ISHANI DWIVEDI</i>	1-16
02	THE QUESTION OF RIGHT TO PRIVACY - WITH SPECIAL REFERENCE TO OVER RULING OF ROE VS WADE <i>-PROF. (DR.) RAMESH & BHAGYAMMA. G</i>	17-26
03	PROHIBITION OF CHILD LABOUR IN INDIA- A MIRAGE <i>- DR. ROOPA S</i>	27-39
04	MATERNITY BENEFIT LEAVE FOR CONTRACTUAL EMPLOYEES: JUDICIAL PERSPECTIVES <i>- DR. DEEPU. P</i>	40-49
05	ROLE OF WOMEN IN CONSERVATION OF ENVIRONMENT IN INDIA - A STUDY <i>-DR. PREETHI A NAYAK</i>	50-56
06	PLEA BARGAINING IN CRIMINAL JUSTICE SYSTEM-CONSTRAINTS AND CHALLENGES <i>-DR. ASHWINI P & NIRUPAMA D</i>	57-68
07	A CRITICAL ANALYSIS OF THE OBJECT AND SCOPE OF THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007: FACTS, ISSUES, CHALLENGES <i>-DR SNEHA BALARAJ & A G RUSHITH</i>	69-78



PLEA BARGAINING IN CRIMINAL JUSTICE SYSTEM- CONSTRAINTS AND CHALLENGES

Dr. Ashwini P*
Nirupama D**

Abstract

Cognizant of the intention of the criminal justice system, mechanisms for the prevention of crime are instated. Taking into consideration the hitches of the criminal justice system, the dominant drawback being overburdening of the courts, plea bargaining swooped in to be plausible solution to meet the inadequacy of the criminal justice system in India. It has been regarded as a weighty mechanism to bring about a balance between offence committed and the entailing punishment for the offence. Regardless of the incorporation of the said redress, the sway of the doctrine within the working reality of the system was not very welcoming. In light of the same, the juxtaposition of the stance of plea bargaining is of predominant value which aids in reflecting the pathway towards its development in the criminal justice system.

Key Words: Criminal Justice System, Plea Bargaining, Speedy Redressal, Overburdening, Efficiency

Introduction

'Justice delayed is justice denied' is a benchmark principle in the realm of law. Criminal justice system is built on the bedrock principles of natural justice, rule of law, democracy, protection of human rights and the development of the same in different spheres is to meet the end goals of criminal justice i.e., to prevent and regulate crime, to maintain public order and peace, to safeguard the rights of victims and those in dispute with the law, to punish and rehabilitate those found guilty of crimes, and to generally protect life and property from crime and criminality.¹ The path to victory of an efficient criminal justice system lies in the harmonious working of the institutions within the system.

*BA, LLB, LLM, PhD, UGC-NET, K-SET, Assistant Professor of Law, SDM Law College, Centre for Post-Graduation Studies and Research in Law, Mangaluru

** BBA.LLB (Hons), FIII, LLM, visiting Faculty at JSS Law College (Autonomous), Mysuru

¹Naman Jain, 'Critical Analysis of the Criminal Justice System in India' (2022) 5(3) International Journal of Law Management & Humanities file:///C:/Users/Nirupama%20Dinakar/Downloads/Critical-Analysis-of-the-Criminal-Justice-System-in-India.pdf accessed on 18 March 2023



SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE



CENTRE FOR POST GRADUATE STUDIES AND RESEARCH IN LAW,
MANGALURU, DAKSHINA KANNADA
(NAAC ACCREDITED B++CGPA 2.9)



AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBALLI
RECOGNISED BY THE BAR COUNCIL OF INDIA, NEW DELHI
MANAGED BY, SDM EDUCATIONAL LAW SOCIETY (R.), UJIRE.
PRESIDENT : DR. D. VEERENDRA HEGGADE

Sponsored by: Shri Dharmasthala Manjunatheshwara
Education Society, (R.), Ujire, D.K.

FREEDOM OF MEDIA IN INDIA

(Peer Reviewed)



CONTENTS

No.	Title	Authors	Page No.
1.	A critical analysis on need for effective self-regulation of media to ensure ethical conduct	Dr. Priya A Jagadish & Jagadish A.T	01-08
2.	Data Breach: Theory & Practice	Dr. N. Vanishree & Ms. Anindita Angadi	09-20
3.	Harmonizing Freedom of the Press and the Right to Privacy. Striking a Delicate Balance	Dr. Manojkumar V Hiremath & Dr. Shwetha P	21-32
4.	Sting Operation by Media - A legal analysis	Dr. Shubhalakshmi P.	33-40
5.	A Study on the Indian & Global perspective of the Legal Enigma in a new universe - THE METAVERSE	Dr. Sneha Balaraj & Yashasvi S	41-53
6.	Res Sub-Judice and Trial by Media in India at a Glance	Dr. Ashwini. P	54-65
7.	A Legal perspective of Freedom of Media in India	K.S. Jayakumar & Prof. Dr. C Basavaraju	66-85
8.	Investigating the Impact and Prevalence of Misleading Advertising	Sanghamitra Roy Pai & Sukanya Roy	86-98
9.	Navigating the Right to Privacy: Media and the Law in India	Mr. Karthik Anand	99-110
10.	"The Press Paradox: Striking a Harmonious Chord between Freedom and Regulation, India's Fourth Democratic Pillar"	Mrs. Nandini & Ms. Chaaya	111-122
11.	"Analyzing the Impact of Evolving Media Laws on Ethical Journalism Practices in India"	Claudia Nadh	123-132
12.	Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media Suraj & Sreelakshmi V Hariharan	Amith S M, Ashwini Suraj & Sreelakshmi V Hariharan	124-132
13.	Balancing Freedom & Responsibility: Examining media regulation in India	Akshatha Poovappa N	144-155



Res Sub-Judice and Trial by Media in India at a Glance

Dr. Ashwini P*

Abstract

In India Media is one of the freest organs in the world in terms of legal constraints. Freedom of speech and expression incorporated under Constitution of India in Article 19 (1) (a) stands as an important facilitator for the extensive arrangement in a democracy. Pandith Jawaharlal Nehru, the first Prime Minister of independent India remarked that, "I would rather have a completely free press with all the dangers involved in the wrong use of that freedom than a suppressed or regulated press¹." Unfortunately, he could not foresee the danger involved in the 'administration of justice' being the very essence of principles of natural justice and the rule of law nor been expected its involvement in such reporting beyond its limit and ethics. To effectuate the vision of Mr. Nehru², the media has been adduced with many freedoms and immunities compared to the other three organs of the government, so that media *inter-alia* press being considered as fourth pillar of democracy stands strong and tall. However, Lord Atkin relates notion of power with liberty because according to him liberty does corrupt into license and is prone to be abused³. Freedom of expression is not absolute, unlimited or unfettered and in all circumstances⁴ and may not be an unrestricted freedom so that can lead to uncontrolled license⁵. At this juncture the paper analyses and examines the role of media in upholding process of administration of justice and limits of media in Judicial reporting's.

Key Words: Media, Administration of Justice, Open justice rule, Freedom of Speech and Expression, Trial.

Introduction

Media plays a significant role in the modern world as it is an imperative source of information striving to mould public opinion, belief and outlook. Media has become the medium of interaction and gateway of spatial knowledge. With the advent in technology,

* BA, LL.B, LL.M, UGC-NET, K-SET, Ph.D, Assistant Professor of Law, SDM Law College, Mangaluru

¹S. Devesh Tripathi, *Trial By Media Prejudicing The Sub-Judice*, Retrieved from http://www.rmlnlul.ac.in/webj/devesh_article.pdf, visited on 18th October 2021

²The then first Prime Minister of independent India

³*Express Newspapers Vs. U.O.I.*, (1997) 1 SCC 133

⁴Ibid

⁵Supra Note 1

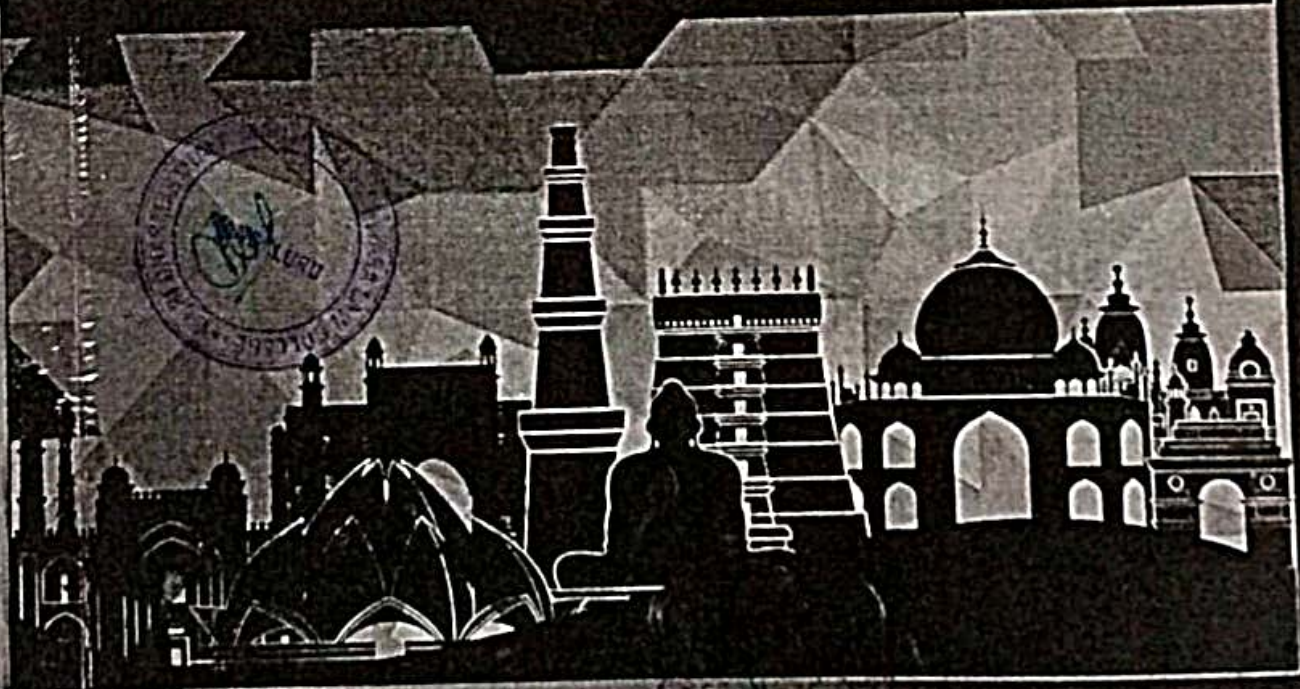




Shri Dharmasthala Manjunatheshwara Law College
Centre for Post Graduate Studies & Research in Law
MANGALURU - 575 003.
(NAAC Re-accredited B++ CGPA 2.9)

Sponsored by :
Shri Dharmasthala Manjunatheshwara Educational Society (R.), Ujire, D.K.

**"START - UP INDIA
SOCIO-ECONOMIC OPPORTUNITIES
AND CHALLENGES:
A LEGAL PERSPECTIVE"**



Contents

No	Title	Page
1.	Start-Ups for a Self-Reliant India Prof. (Dr.) Sairam Bhat, & Aparna S.	1
2.	The Importance of Vocal for Local in Agriculture Sector Dr. Renuka Gubbewad, Sunil Kalagi & Farhat Sultana	9
3.	Women and Entrepreneurship; Remya C. J., & Vidyaprada K. S.	18
4.	Startup India and Agricultural Sector Amith S M, Ashwini Suraj, & Mohan Kumar K	27
5.	Financial Institutions and their Role in Entrepreneurship Development Apeksha S Kottari	37
6.	Entrepreneurship and Startup India Sreelakshmi V Hariharan & Amith S M	49
7.	Start-Up India: A Step Towards Reducing Informality in Workforce Dr. Dipa Gantalair	56
8.	Start-ups as the Mechanism for Women Entrepreneurship; Women Empowerment Mrs. Chaitra Shetty & Dr. Tharanatha	73
9.	Start-ups India Social Economic Opportunities and Challenges: A Legal Perspective Jenitte Thomas	79
10.	Start-Up India Socio-Economic Opportunities and Challenges: A Legal Perspective Dr. Ashwini P., & Nirupama D.	88
11.	Boost Up the Start Ups Through Tax Exemption Kavyashree	98



**SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE**



CENTRE FOR POST GRADUATE STUDIES AND RESEARCH IN LAW,
MANGALURU, DAKSHINA KANNADA
(NAAC ACCREDITED B++CGPA 2.9)



AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBALLI
RECOGNISED BY THE BAR COUNCIL OF INDIA, NEW DELHI
MANAGED BY, SDM EDUCATIONAL LAW SOCIETY (R.), UJIRE.
PRESIDENT : DR. D. VEERENDRA HEGGADE

Sponsored by: Sri Dharmasthala Manjunatheshwara
Education Society, (R.), Ujire, D.K.

FREEDOM OF MEDIA IN INDIA

(Peer Reviewed)



CONTENTS

No.	Title	Authors	Page No.
1.	A critical analysis on need for effective self-regulation of media to ensure ethical conduct	Dr. Priya A Jagadish & Jagadish A.T	01-08
2.	Data Breach: Theory & Practice	Dr. N. Vanishree & Ms. Anindita Angadi	09-20
3.	Harmonizing Freedom of the Press and the Right to Privacy. Striking a Delicate Balance	Dr. Manojkumar V Hiremath & Dr. Shwetha P	21-32
4.	Sting Operation by Media - A legal analysis	Dr. Shubhalakshmi P.	33-40
5.	A Study on the Indian & Global perspective of the Legal Enigma in a new universe - THE METAVERSE	Dr. Sneha Balaraj & Yashasvi S	41-53
6.	Res Sub-Judice and Trial by Media in India at a Glance	Dr. Ashwini. P	54-65
7.	A Legal perspective of Freedom of Media in India	K.S. Jayakumar & Prof. Dr. C Basavaraju	66-85
8.	Investigating the Impact and Prevalence of Misleading Advertising	Sanghamitra Roy Pai & Sukanya Roy	86-98
9.	Navigating the Right to Privacy: Media and the Law in India	Mr. Karthik Anand	99-110
10.	"The Press Paradox: Striking a Harmonious Chord between Freedom and Regulation, India's Fourth Democratic Pillar"	Mrs. Nandini & Ms. Chaaya	111-122
11.	"Analyzing the Impact of Evolving Media Laws on Ethical Journalism Practices in India"	Claudia Nadh	123-132
12.	Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media Suraj & Sreelakshmi V Hariharan	Amith S M, Ashwini Suraj & Sreelakshmi V Hariharan	124-132
13.	Balancing Freedom & Responsibility: Examining media regulation in India	Akshatha Poovappa N	144-15



STING OPERATION BY MEDIA-A LEGAL ANALYSIS

Dr. Shubhalakshmi P¹.

Abstract

The press and media being the biggest channels of communication of information to the general public, plays a pivotal role in bringing necessary information on policy matters of Government and other departments to the society. Media takes up the responsibility to bring all varieties of news and matters to the public by broadcasting and telecasting them. Such rights are granted to the press and media by the Constitution of India under the Right to Freedom of Speech and Expression. Sting operation is one of the methods through which media can bring the truth before the society. If such sting operation resulted in discovering some secret agendas involving bribery or corruption, that would result in a positive sting operation by media. If it encroaches upon the privacy of any individual and resulted in violation of privacy under Article 21 of the Constitution of India, it would result in negative sting operation. Media and the journalists must follow self-regulation along with guidelines and standards given under Press Council of India, the News Broadcasting Standards Authority, News Broadcasters Association etc.

Key words: Press and media, Sting operation, Constitution, self-regulation, media ethics

Introduction

The Indian Constitution, under Article 19(1)(a), provides for "the right to freedom of speech and expression that also includes freedom of press". However, this right is subject to reasonable restrictions under Article 19(2), for reasons of "sovereignty and integrity of India, the security of the State and friendly relations with foreign States, public order, preserving decency and morality, contempt of court, defamation or incitement to an offence".² Under Article 105 (2) provides certain restrictions on the publications of the proceedings in Parliament.³ Even Official Secrets Act and Prevention of Terrorist Activities Act (POTA) also been used to limit the freedom

¹ Assistant professor SDM Law College, Mangaluru

² Dr. J.N. Pandey, (2014), The Constitutional Law of India, 50th ed, Central Law Agency, Allahabad.

³ Gangi Lama, Richin Jacob & Kanishka Shankar, Analysing Article 105 of the Constitution of India, Journal on Contemporary Issues of Law (JCIL), Volume 7 Issue no. 3, p.12.





Sri Dharmasthala Manjunatheshwara Law College
Centre for Post Graduate Studies & Research in Law

MANGALURU - 575 003

NAAC Re-Accredited B++ (CGPA 2.9)

Established by
Sri Dharmasthala Manjunatheshwara Educational Society (P.) Uthara, D.K.

**"START UP INDIA
SOCIO-ECONOMIC OPPORTUNITIES
AND CHALLENGES:
A LEGAL PERSPECTIVE"**



Contents

No	Title	Page
1.	Start-Ups for a Self-Reliant India Prof. (Dr.) Sairam Bhat, & Aparna S.	1
2.	The Importance of Vocal for Local in Agriculture Sector Dr. Renuka Gubbewad, Sunil Kalagi & Farhat Sultana	9
3.	Women and Entrepreneurship; Remya C. J., & Vidyaprada K. S.	18
4.	Startup India and Agricultural Sector Amith S M, Ashwini Suraj, & Mohan Kumar K	27
5.	Financial Institutions and their Role in Entrepreneurship Development Apeksha S Kottari	37
6.	Entrepreneurship and Startup India Sreelakshmi V Hariharan & Amith S M	49
7.	Start-Up India: A Step Towards Reducing Informality in Workforce Dr. Dipa Gantalair	56
8.	Start-ups as the Mechanism for Women Entrepreneurship; Women Empowerment Mrs. Chaitra Shetty & Dr. Tharanatha	73
9.	Start-ups India Social Economic Opportunities and Challenges: A Legal Perspective Jenitte Thomas	79
10.	Start-Up India Socio-Economic Opportunities and Challenges: A Legal Perspective Dr. Ashwini P., & Nirupama D.	88
11.	Boost Up the Start Ups Through Tax Exemption Kavyashree	98



Startup India and Agricultural Sector

Amith S. M.¹
Ashwini Suraj²

Abstract

The Start-up India initiative has successfully promoted entrepreneurship and innovation in the agricultural sector in India. The initiative has introduced several measures to support and promote start-ups in the agricultural sector, such as providing easier access to credit and offering support services such as incubation facilities and mentorship. The initiative has also focused on fostering innovation and creativity in the sector. It has introduced several programs and initiatives to promote the development and adoption of new technologies in agriculture. The Start-up India initiative has created several opportunities for start-ups in the agricultural sector to grow and succeed, such as access to finance, support infrastructure, and market access. However, there are also several challenges that start-ups in the agricultural sector need to overcome, such as access to finance, lack of support infrastructure, and limited market access. The paper attempts to explain the development of start-ups in the agriculture sector, their challenges, and opportunities with a particular focus on the current scenario of start-ups in the agricultural sector.

Keywords: Agriculture, Innovation, Entrepreneurship, Opportunities, Challenges, Market, Access.

Introduction

Start-up India is an initiative of the Government of India, launched in 2016 to promote entrepreneurship and innovation in the country,⁴ with the belief that start-ups would contribute to sustainable economic growth and generate ample employment opportunities. A *start-up* can be defined as a young company, usually small, financed, and operated by a handful of founders or individuals. Products or services offered by them are either not available or available in a limited or restricted manner; it is a service or manufacturing firm started with limited resources and aims to develop and commercialize.

The start-up ecosystem is inclusive of diverse sectors such as education, social services, health care, agriculture so on, and the vision of start-up India revolves around these areas:⁵

¹ Assistant Professor, (Department of Humanities), SDM Law College, Mangaluru

² Research Scholar, Mangalore University, Mangaluru

³ Assistant Professor, (Department of Humanities), SDM Law College, Mangaluru

⁴ https://www.startupindia.gov.in/content/dam/invest-india/Templates/public/Art-66_Plan.pdf

⁵ Book Documents-final share (startupindia.gov.in)



**SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE**



CENTRE FOR POST GRADUATE STUDIES AND RESEARCH IN LAW,
MANGALURU, DAKSHINA KANNADA
(NAAC ACCREDITED B++CGPA 2.9)



AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBALLI
RECOGNISED BY THE BAR COUNCIL OF INDIA, NEW DELHI
MANAGED BY, SDM EDUCATIONAL LAW SOCIETY (R.), UJIRE.
PRESIDENT : DR. D. VEERENDRA HEGGADE

Sponsored by: Shri Dharmasthala Manjunatheshwara
Education Society, (R.), Ujire, D.K.

FREEDOM OF MEDIA IN INDIA

(Peer Reviewed)



CONTENTS

No.	Title	Authors	Page No.
1.	A critical analysis on need for effective self-regulation of media to ensure ethical conduct	Dr. Priya A Jagadish & Jagadish A.T	01-08
2.	Data Breach: Theory & Practice	Dr. N. Vanishree & Ms. Anindita Angadi	09-20
3.	Harmonizing Freedom of the Press and the Right to Privacy. Striking a Delicate Balance	Dr. Manojkumar V Hiremath & Dr. Shwetha P	21-32
4.	Sting Operation by Media - A legal analysis	Dr. Shubhalakshmi P.	33-40
5.	A Study on the Indian & Global perspective of the Legal Enigma in a new universe - THE METAVERSE	Dr. Sneha Balaraj & Yashasvi S	41-53
6.	Res Sub-Judice and Trial by Media in India at a Glance	Dr. Ashwini. P	54-65
7.	A Legal perspective of Freedom of Media in India	K.S. Jayakumar & Prof. Dr. C Basavaraju	66-85
8.	Investigating the Impact and Prevalence of Misleading Advertising	Sanghamitra Roy Pai & Sukanya Roy	86-98
9.	Navigating the Right to Privacy: Media and the Law in India	Mr. Karthik Anand	99-110
10.	"The Press Paradox: Striking a Harmonious Chord between Freedom and Regulation, India's Fourth Democratic Pillar"	Mrs. Nandini & Ms. Chaaya	111-122
11.	"Analyzing the Impact of Evolving Media Laws on Ethical Journalism Practices in India"	Claudia Nadh	123-132
12.	Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media Suraj & Sreelakshmi V Hariharan	Amith S M, Ashwini Suraj & Sreelakshmi V Hariharan	124-132
13.	Balancing Freedom & Responsibility: Examining media regulation in India	Akshatha Poovappa N	144-155



Navigating the Right to Privacy: Media and the Law in India

Mr. Karthik Anand

Abstract

The right to media and freedom of expression in India is a complex interplay of constitutional protections, judicial interpretations, and regulatory frameworks. This article delves into the multifaceted relationship between media and legal provisions in India, emphasizing the fundamental right to privacy as enshrined in Article 21 of the Indian Constitution. It explores the significance of privacy in media, including the responsibility of media organizations to respect individuals' privacy rights, balanced with the public interest. The article highlights the role of landmark judicial decisions, such as the Puttaswamy judgment, in reaffirming the right to privacy and its implications for media reporting. Additionally, it addresses the broader regulatory landscape governing media, including defamation laws, advertising standards, and digital media regulations. The complex nature of media regulations in India is dissected, along with the need for responsible journalism and the balance between freedom of speech and legal responsibilities. Overall, this article provides a comprehensive overview of the intricate relationship between media and the law in India, offering insights into how the country strives to uphold press freedom while ensuring ethical and accountable media practices.

Introduction

The right to privacy in India is a fundamental right protected under Article 21 of the Indian Constitution. It is important to understand that while the Constitution does not explicitly mention "right to privacy," the Supreme Court of India has interpreted Article 21 to include the right to privacy as a fundamental aspect of personal liberty and dignity. The right to privacy encompasses various facets, including privacy in media, which is subject to certain limitations and considerations.

Right to privacy and its relationship with the media under the Indian Constitution:

1. Article 21 - Right to Life and Personal Liberty: Article 21 of the Indian Constitution states that "No person shall be deprived of his life or personal liberty except according to a procedure established by

¹BA, LLB, LL.M, NIT, KSET, Assistant Professor, SDM Law College, Mangaluru



**SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE**



CENTRE FOR POST GRADUATE STUDIES AND RESEARCH IN LAW,
MANGALURU, DAKSHINA KANNADA
(NAAC ACCREDITED B++CGPA 2.9)



AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBALLI
RECOGNISED BY THE BAR COUNCIL OF INDIA, NEW DELHI
MANAGED BY, SDM EDUCATIONAL LAW SOCIETY (R.), UJIRE.
PRESIDENT : DR. D. VEERENDRA HEGGADE

Sponsored by: Shri Dharmasthala Manjunatheshwara
Education Society, (R.), Ujire, D.K.

FREEDOM OF MEDIA IN INDIA

(Peer Reviewed)



CONTENTS

No.	Title	Authors	Page No.
1.	A critical analysis on need for effective self-regulation of media to ensure ethical conduct	Dr. Priya A Jagadish & Jagadish A.T	01-08
2.	Data Breach: Theory & Practice	Dr. N. Vanishree & Ms. Anindita Angadi	09-20
3.	Harmonizing Freedom of the Press and the Right to Privacy. Striking a Delicate Balance	Dr. Manojkumar V Hiremath & Dr. Shwetha P	21-32
4.	Sting Operation by Media - A legal analysis	Dr. Shubhalakshmi P.	33-40
5.	A Study on the Indian & Global perspective of the Legal Enigma in a new universe - THE METAVERSE	Dr. Sneha Balaraj & Yashasvi S	41-53
6.	Res Sub-Judice and Trial by Media in India at a Glance	Dr. Ashwini. P	54-65
7.	A Legal perspective of Freedom of Media in India	K.S. Jayakumar & Prof. Dr. C Basavaraju	66-85
8.	Investigating the Impact and Prevalence of Misleading Advertising	Sanghamitra Roy Pai & Sukanya Roy	86-98
9.	Navigating the Right to Privacy: Media and the Law in India	Mr. Karthik Anand	99-110
10.	"The Press Paradox: Striking a Harmonious Chord between Freedom and Regulation, India's Fourth Democratic Pillar"	Mrs. Nandini & Ms. Chaaya	111-122
11.	"Analyzing the Impact of Evolving Media Laws on Ethical Journalism Practices in India"	Claudia Nadh	123-132
12.	Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media	Amith S M, Ashwini Suraj & Sreelakshmi V Hariharan	124-132
13.	Balancing Freedom & Responsibility: Examining media regulation in India	Akshatha Poovappa N	144-155



Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media

Amith S M

Ashwini Suraj²

Sreelakshmi V Hariharan³

Abstract

The Indian Constitution guarantees all citizens freedom of speech and expression; however, this freedom is not absolute and must not disrupt societal harmony. In the digital age, the proliferation of fake news on social and mainstream media in India has become pervasive. This phenomenon has serious consequences, as fake news spreads rapidly without verification, leading to societal crises such as animosity, communal violence, and various criminal activities. This paper delves into the dynamics of fake news and its impact on Indian society and proposes strategies to combat misinformation. Additionally, it explores how other nations are addressing the menace of fake news, shedding light on potential solutions for India.

Keywords: Fake news, India, strategies, misinformation

Introduction

Fake news poses an escalating challenge within the Indian media landscape. The dissemination of inaccurate and deceptive information erodes trust in news outlets and can harm individuals and society. Fake news entails deliberately circulating false information by deceptive news sources, typically with political or commercial motives.⁴ According to the Press Council of India, fake news is "news, stories, information, data, and reports that are wholly or partially false." In this era characterized by a disregard for objective truth, the proliferation of fake news has extended its grip globally, affecting emerging economies like

¹ Assistant Professor, SDM Law College, Mangalore

² Research Scholar, Mangalore University, Mangalore

³ Law Student, SDM Law College, Mangalore

⁴ Fake News in India: Scale, Diversity, Solution, and Opportunities | November 2022 | Communications of the ACM





Sri Dharmasthala Manjunatheshwara Law College
Centre for Post Graduate Studies & Research in Law

MANGALURU - 575 003
NAAC Re-accredited (B), CGPA 2.9

Sponsored by
Sri Dharmasthala Manjunatheshwara Educational Society (C.), Otlur, B.K.

**"START-UP INDIA
SOCIO-ECONOMIC OPPORTUNITIES
AND CHALLENGES
A LEGAL PERSPECTIVE"**



Contents

No	Title	Page
1.	Start-Ups for a Self-Reliant India Prof. (Dr.) Sairam Bhat, & Aparna S.	1
2.	The Importance of Vocal for Local in Agriculture Sector Dr. Renuka Gubbewad, Sunil Kalagi & Farhat Sultana	9
3.	Women and Entrepreneurship; Remya C. J., & Vidyaprada K. S.	18
4.	Startup India and Agricultural Sector Amith S M, Ashwini Suraj, & Mohan Kumar K	27
5.	Financial Institutions and their Role in Entrepreneurship Development Apeksha S Kottari	37
6.	Entrepreneurship and Startup India Sreelakshmi V Hariharan & Amith S M	49
7.	Start-Up India: A Step Towards Reducing Informality in Workforce Dr. Dipa Gautalair	56
8.	Start-ups as the Mechanism for Women Entrepreneurship; Women Empowerment Mrs. Chaitra Shetty & Dr. Tharanatha	73
9.	Start-ups India Social Economic Opportunities and Challenges: A Legal Perspective Jenitte Thomas	79
10.	Start-Up India Socio-Economic Opportunities and Challenges: A Legal Perspective Dr. Ashwini P., & Nirupama D.	88
11.	Boost Up the Start Ups Through Tax Exemption Kavyashree	98



Financial Institutions and their Role in Entrepreneurship Development

Apeksha S. Kottari

Abstract

Entrepreneurs are the agents that help drive the country's economy by using their skills to anticipate what their customer wants and bring new ideas into the market. In recent years, the young generations have preferred self-employment over working for a company or an organization. One of the essential requirements for any entrepreneur to bring their ideas and plan into action is investing capital in it. There are different ways to invest in their business, i.e., through savings, funds collected from friends and families, bank loans, financial institutions, Government schemes, and others. In this study, the researcher has chosen Mangaluru city to study various financial institutions and their role in Entrepreneurship Development. The study is based on primary data collected through the personal interview method. It can be inferred from the data collected that most respondents were aware of the government schemes but had limited knowledge about them. Even though most respondents knew the various schemes and loans offered by the banks, they were hesitant to utilize them as they needed sufficient knowledge and information about them, as the information provided needed to be more comprehensive. Moreover, they assumed that the procedure was time-consuming due to other pre-determined thoughts about schemes. There is a need to make people understand the practical applications of these loans and schemes and help them to avail the various benefits provided by the Institutions set up by the government.

Introduction

An entrepreneur is an individual who creates a new business, bearing the risks and enjoying its rewards. The entrepreneur is an innovator, a source of new ideas, goods, services, procedures, and business. An entrepreneur: 'is an economic agent who unites all means of production; 'the land of one,' 'the labor of another,' and the 'capital of yet another,' thus producing a product.

Entrepreneurship is the process of designing, launching, and running a new business. It is the capacity and willingness to develop, organize and manage a business venture along with any of its risks to make a profit. Entrepreneurship plays an imperative role in the growth of any society. Entrepreneurship emerges from an individual's creative spirit into long-term business

Assistant Professor, (Department of Commerce, BBA.LLB), SDM Law College, Mangaluru





Shri Dharmasthala Manjunatheshwara Law College
Centre for Post Graduate Studies & Research in
MANGALURU - 575 003.
(NAAC Re-accredited B++ CGPA 2.9)

Sponsored by :
Shri Dharmasthala Manjunatheshwara Educational Society (R.), Ujire, D.K.

**"START - UP INDIA
SOCIO-ECONOMIC OPPORTUNITIES
AND CHALLENGES:
A LEGAL PERSPECTIVE"**



Contents

No	Title	Page
1.	Start-Ups for a Self-Reliant India Prof. (Dr.) Sairam Bhat, & Aparna S.	1
2.	The Importance of Vocal for Local in Agriculture Sector Dr. Renuka Gubbewad, Sunil Kalagi & Farhat Sultana	9
3.	Women and Entrepreneurship; Remya C. J., & Vidyaprada K. S.	18
4.	Startup India and Agricultural Sector Amith S M, Ashwini Suraj, & Mohan Kumar K	27
5.	Financial Institutions and their Role in Entrepreneurship Development Apeksha S Kottari	37
6.	Entrepreneurship and Startup India Sreelakshmi V Hariharan & Amith S M	49
7.	Start-Up India: A Step Towards Reducing Informality in Workforce Dr. Dipa Gantalair	56
8.	Start-ups as the Mechanism for Women Entrepreneurship; Women Empowerment Mrs. Chaitra Shetty & Dr. Tharanatha	73
9.	Start-ups India Social Economic Opportunities and Challenges: A Legal Perspective Jenitte Thomas	79
10.	Start-Up India Socio-Economic Opportunities and Challenges: A Legal Perspective Dr. Ashwini P., & Nirupama D.	88
11.	Boost Up the Start Ups Through Tax Exemption Kavyashree	98



Entrepreneurship and Startup India

Sreelakshmi V. Hariharan ¹

Amith S. M. ²

Abstract

Start-up India is a government initiative to promote entrepreneurship and support startup businesses in India. The initiative aims to create a conducive ecosystem for startups to grow and thrive by providing access to funding, mentorship, and networking opportunities.

However, starting a business in India comes with its own set of challenges and opportunities. Challenges include a complex regulatory environment, difficulty accessing funding, and a need for more experienced talent. On the other hand, opportunities include a large and growing market, access to a talented and young workforce, and a robust support ecosystem.

The Start-up India initiative has helped create a more favorable environment for entrepreneurship in India and has supported many aspiring entrepreneurs. However, there is still a long way to go to fully realize the potential of India's startup ecosystem. This paper intends to analyze the opportunities and challenges for entrepreneurs in India.

Keywords: *Entrepreneurship, Challenges, Opportunities, Funding access.*

Introduction

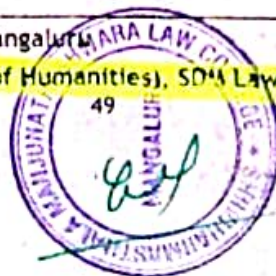
Start-up India is a flagship initiative of the Government of India, launched in 2016 to boost entrepreneurship and encourage innovation by creating a conducive ecosystem for startups to grow and thrive. The initiative aims to provide a conducive environment for startups to grow, drive economic growth, and generate employment opportunities.

The initiative has introduced several measures to support and promote entrepreneurship in India. These include providing easier access to credit, simplifying the business setup process, and offering tax exemptions to eligible startups. The initiative also offers support services to startups, such as incubation facilities, mentorship, and networking opportunities.

One of the objectives of startup India is to provide a platform for startups to connect with potential investors and mentors. The initiative has launched a dedicated online portal where startups can register and access various resources and support services. The portal also serves as a marketplace where startups can showcase their products and services to potential investors and partners.

¹ Law Student, SDM Law College, Mangaluru

² Assistant Professor, (Department of Humanities), SDM Law College, Mangaluru





**ALLIANCE
UNIVERSITY**

Private University established in Karnataka State by Act No. 54 of year 2014
Recognized by the University Grants Commission (UGC), New Delhi

Alliance School of Law

LEX ET MUTATIO

LAW AND SOCIAL TRANSFORMATION



Volume III



TABLE OF CONTENTS

CHAPTER - 1

SOCIAL JUSTICE & CONSTITUTION; DEMOCRACY & JUDICIAL ACTIVISM

1. ANALYSIS OF CASTE-BASED VIOLENCE IN INDIA
CONCERNING NCRB REPORT 2021 3
Rohit Ranjan
2. LEGAL ENFORCEABILITY OF EMPLOYMENT BONDS IN INDIA 10
Girish Shetty
3. SECULARISM VS RELIGIOUS BELIEFS:
AN ANALYSIS THROUGH THE LENSE OF SABRIMALA CASE 15
Snigdha Tadakanti
Pranav Agrawal
4. SOCIAL JUSTICE FOR WOMAN IN RURAL INDIA:
CASE STUDIES ON THE ROLE OF SOCIAL AWARENESS AND
FAMILIAL TIES TO OVERCOME SOCIETAL BIAS 26
Anika Hingne
5. THE IMPACT OF LGBTQI+ SOCIAL MOVEMENTS ON LEGAL CHANGE: A
COMPARATIVE ANALYSIS 32
Chelana Jain
Swathy Sasikumar
6. UNIFORM CIVIL CODE:
A MERE UNIFORMITY OR UNITEDNESS 41
Rev. Dr. Francis Assisi Almeida

CHAPTER - 2

CORPORATE GOVERNANCE AND EMERGING ISSUES; BANKING AND DIGITAL INCLUSION; ARBITRATION AND CONFLICT RESOLUTION

7. SUO MOTO COGNIZANCE ISSUES AND CHALLENGES -
A GOOD GOVERNANCE PERSPECTIVE 55
A. Sujana



43.	PATH TO INCLUSIVITY- PROMOTING GENDER JUSTICE IN INDIAN SOCIETY	81
	Soumiti Chandra Vaishnavi Suresh	
44.	PERCEPTIONS OF THE GLASS CEILING EFFECT AMONG WOMEN IT EMPLOYEES	79
	Prof. Mihir Dash Arpana M.	
45.	TRANSGENDER RIGHTS IN SPOTLIGHT UNVEILING LEGAL PROGRESS AND SOCIAL SHIFTS	94
	Sharika Rai Dr. Santhosh Prabhu	

CHAPTER - 6
CHILDREN AND LAW; CHALLENGES
IN LEGAL EDUCATION

46.	BEST INTEREST THEORY IN LIGHT OF JUVENILE JUSTICE ACT, 2015	51
	Harpreet Kaur	
47.	SDG3: RIGHT TO GOOD HEALTH AND WELL-BEING OF WOMEN AND CHILDREN IN COVID-19	53
	Dr. Adinarayana J. Athira R Nair	
48.	TEACHING PROFESSIONAL ETHICS THROUGH INTEGRAL EDUCATION - A STEP TOWARDS SOCIAL TRANSFORMATION	58
	Dr. Vrushti Patel	
49.	TRANSFORMING LEGAL EDUCATION IN INDIA: IMPLICATIONS OF NEP 2020	59
	L. Ashish Kumar	



TRANSGENDER RIGHTS IN SPOTLIGHT: UNVEILING LEGAL PROGRESS AND SOCIETAL SHIFTS

Sharika Rai¹

Dr. Santhosh Prabhu

INTRODUCTION

The global landscape has seen a tremendous transformation in the discourse around gender identity and transgender rights. The demand for recognition and equality of the marginalized communities has turned the focus towards the often neglected struggles and triumphs of Transgender individuals. This article explores into the legal developments and societal shifts that have been instrumental in shaping the rights and visibility of Transgender People around the world.

From time immemorial the Transgender Community has been subjected to discrimination, stigmatization, and systemic challenges that have denied them the access to fundamental rights and opportunities in India. Ironically the Transgender Persons enjoyed a better status in the ancient Hindu period and even during the Islamic period. References to Transgender Persons and their role can be found in the ancient Hindu texts and scriptures. For example, most pre historical myths relate the descent of the *hijras* from the deity of Shiva, who was also called *Ardhanariswar*, meaning half man and half woman. For many *hijras* the quality of being half man and half woman is a source of infinite strength that endows on them the divine power to give a curse, just like Shiva cursed the earth.

In the famous mythology Mahabharatha, during the war of Kurukshetra, Arjuna dressed as a woman called *Brihannale* and participated in the wedding ceremony of his son *Abhimanyu* with the princess *Uttara*. It is to be noted that Arjuna's cross-dressing is an instance of voluntary emasculation.¹ In Ramayana there is an instance that when Lord Rama was exiled for 14 years to the forest blessed all his followers, men and women to do their duties. Many of his subjects followed him to the forest. Lord Rama asked the men and women to return home. When he

1. Research Scholar, Karnataka State Law University, Hubballi

2. Assistant Professor, SDM Law College, Center for PG Studies and Research in Law, Mangalore, D.K.

3. SANDEEP BAKSHI, *A Comparative Analysis of Hijras and Drag Queens: The Subversive Possibilities And Limits Of Parading Effeminity And Negotiating Masculinity*, First Ed. 2010, Routledge, p.13.



**SHRI DHARMASTHALA MANJUNATHESHWARA
LAW COLLEGE**



CENTRE FOR POST GRADUATE STUDIES AND RESEARCH IN LAW,
MANGALURU, DAKSHINA KANNADA
(NAAC ACCREDITED B++CGPA 2.9)



AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBALLI
RECOGNISED BY THE BAR COUNCIL OF INDIA, NEW DELHI
MANAGED BY, SDM EDUCATIONAL LAW SOCIETY (R.), UJIRE.
PRESIDENT : DR. D. VEERENDRA HEGGADE

Sponsored by: Shri Dharmasthala Manjunatheshwara
Education Society, (R.), Ujire, D.K.

FREEDOM OF MEDIA IN INDIA

(Peer Reviewed)



CONTENTS

No.	Title	Authors	Page No.
1.	A critical analysis on need for effective self-regulation of media to ensure ethical conduct	Dr. Priya A Jagadish & Jagadish A.T	01-08
2.	Data Breach: Theory & Practice	Dr. N. Vanishree & Ms. Anindita Angadi	09-20
3.	Harmonizing Freedom of the Press and the Right to Privacy. Striking a Delicate Balance	Dr. Manojkumar V Hiremath & Dr. Shwetha P	21-32
4.	Sting Operation by Media - A legal analysis	Dr. Shubhalakshmi P.	33-40
5.	A Study on the Indian & Global perspective of the Legal Enigma in a new universe - THE METAVERSE	Dr. Sneha Balaraj & Yashasvi S	41-53
6.	Res Sub-Judice and Trial by Media in India at a Glance	Dr. Ashwini. P	54-65
7.	A Legal perspective of Freedom of Media in India	K.S. Jayakumar & Prof. Dr. C Basavaraju	66-85
8.	Investigating the Impact and Prevalence of Misleading Advertising	Sanghamitra Roy Pai & Sukanya Roy	86-98
9.	Navigating the Right to Privacy: Media and the Law in India	Mr. Karthik Anand	99-110
10.	"The Press Paradox: Striking a Harmonious Chord between Freedom and Regulation, India's Fourth Democratic Pillar"	Mrs. Nandini & Ms. Chaaya	111-122
11.	"Analyzing the Impact of Evolving Media Laws on Ethical Journalism Practices in India"	Claudia Nadh	123-132
12.	Navigating Misinformation: Addressing the Challenge of Fake News in Indian Media Suraj & Sreelakshmi V Hariharan	Amith S M, Ashwini Suraj & Sreelakshmi V Hariharan	124-132
13.	Balancing Freedom & Responsibility: Examining media regulation in India	Akshatha Poovappa N	144-155



Investigating the Impact and Prevalence of Misleading Advertising

Sanghamitra Roy Pai¹

Sukanya Roy²

Abstract:

Misleading advertising is a widespread issue with potential harm to consumers, businesses, and market integrity. This research proposal aims to investigate the prevalence and impact of misleading advertising, focusing on understanding the scope and consequences of this problem for both consumers and the market. Additionally, the study seeks to evaluate the efficacy of current regulatory measures in tackling deceptive marketing practices. In the present research context, researchers applied the survey data approach to confirm the hypothesis, implying that there is a connection between exposure to misleading ads and a heightened likelihood of considering a purchase and consumer trust. The findings of the study support the hypothesis. The outcome of the study provides valuable insights for marketers and advertisers. The result highlights the potential impact of misleading advertising tactics on consumer behaviour. Furthermore, the study evaluates the efficacy of current regulatory measures in tackling the deceptive marketing advertisement strategy.

Keywords: Misleading advertisement, consumer trust, consumer purchase intention, Consumer Protection Act

Background of the Study:

Misleading advertising is a pervasive issue that can have detrimental effects on consumers, businesses, and overall market integrity. According to the survey data published by (Stasitsa.com, 2020), more than fifty per cent of the Indian population don't rely on advertisements. The example of the most common misleading advertisement- the pack of instant noodles rarely cooks instantly. This research proposal aims to investigate the impact and prevalence of misleading advertising, shedding light on the extent of this problem and its implications for consumers and the broader marketplace. Additionally, this study seeks to

¹ Assistant Professor , SDM LAW College, Mangaluru, kukitroy.k@gmail.com

² Research Scholar (IIT Ropar), sukanyaroy.iimu@gmail.com





**ALLIANCE
UNIVERSITY**

Private University established as Karnataka State by Act No. 24 of year 2010
Recognized by the University Grants Commission (UGC), New Delhi

Alliance School of Law

LEX ET MUTATIO

LAW AND SOCIAL TRANSFORMATION



Volume III



TRANSGENDER RIGHTS IN SPOTLIGHT: UNVEILING LEGAL PROGRESS AND SOCIETAL SHIFTS

Sharika Rai

Dr. Santhosh Prabhu²

INTRODUCTION

The global landscape has seen a tremendous transformation in the discourse around gender identity and transgender rights. The demand for recognition and equality of the marginalized communities has turned the focus towards the often neglected struggles and triumphs of Transgender individuals. This article explores into the legal developments and societal shifts that have been instrumental in shaping the rights and visibility of Transgender People around the world.

From time immemorial the Transgender Community has been subjected to discrimination, stigmatization, and systemic challenges that have denied them the access to fundamental rights and opportunities in India. Ironically the Transgender Persons enjoyed a better status in the ancient Hindu period and even during the Islamic period. References to Transgender Persons and their role can be found in the ancient Hindu texts and scriptures. For example, most pre-historical myths relate the descent of the *hijras* from the deity of Shiva, who was also called *Adhanarishwar*, meaning half man and half woman. For many *hijras* the quality of being half man and half woman is a source of infinite strength that endows on them the divine power to give a curse, just like Shiva cursed the earth.

In the famous mythology Mahabharatha, during the war of Kurukshetra, Arjuna dressed as a woman called *Brihannale* and participated in the wedding ceremony of his son *Abhimanyu* with the princess *Uttara*. It is to be noted that Arjuna's cross-dressing is an instance of voluntary emasculation.³ In Ramayana there is an instance that when Lord Rama was exiled for 14 years to the forest blessed all his followers, men and women to do their duties. Many of his subjects followed him to the forest. Lord Rama asked the men and women to return home. When he

¹ Research Scholar, Karnataka State Law University, Hubballi

² Assistant Professor, SDM Law College, Center for PG Studies and Research in Law, Bangalore, D.K.

³ SANDEEP BAKSHI, *A Comparative Analysis of Hijras and Drag Queens: The Subversive Possibilities And Limits Of Parading Effeminacy And Negotiating Masculinity*, First Edition, 2010, Routledge, p.13.



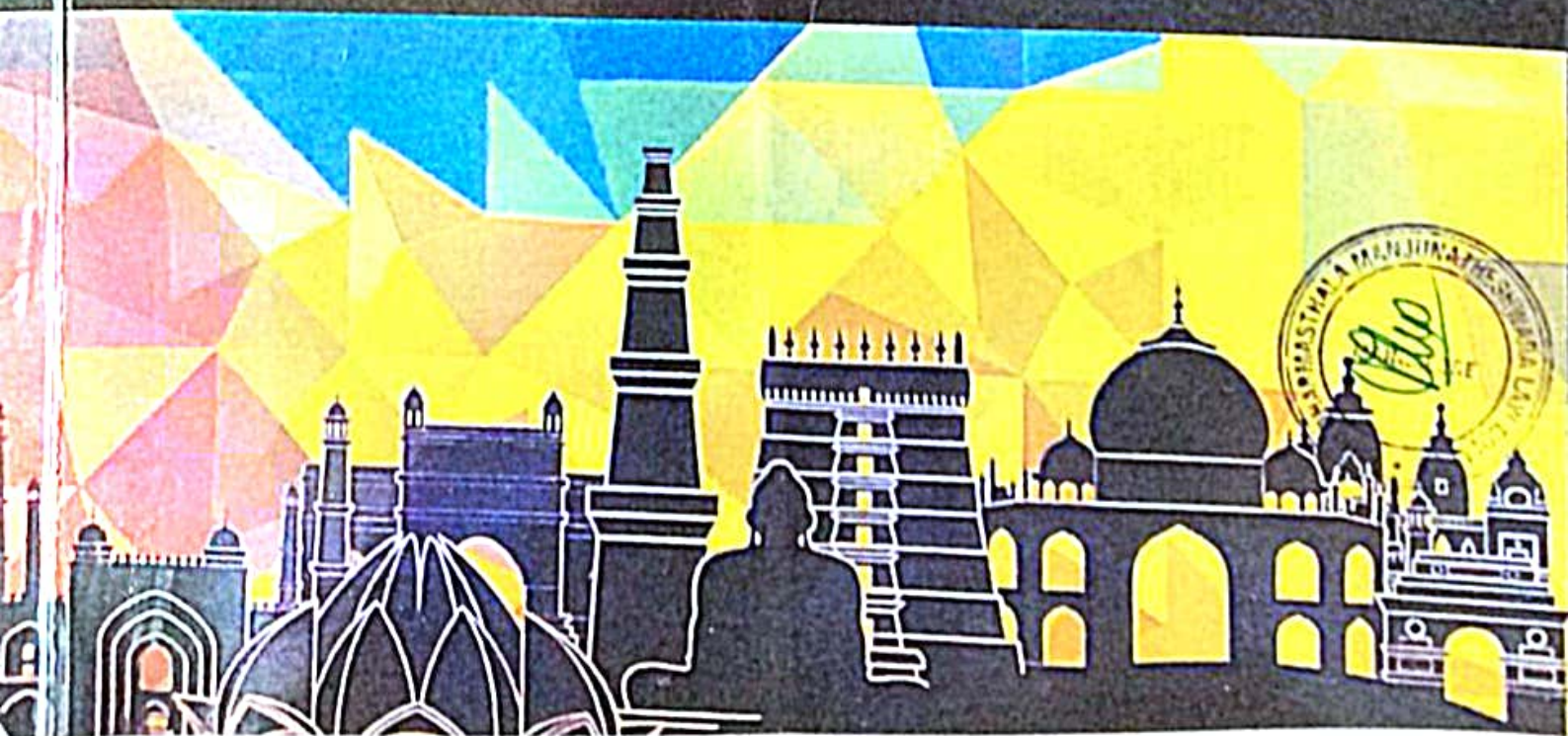


Shri Dharmasthala Manjunatheshwara Law College
Centre for Post Graduate Studies & Research in Law
MANGALURU - 575 003.
(NAAC Re-accredited B++ CGPA 2.9)

Sponsored by:

Shri Dharmasthala Manjunatheshwara Educational Society (R.), Uppu, D.K.

**"START - UP INDIA
SOCIO-ECONOMIC OPPORTUNITIES
AND CHALLENGES:
A LEGAL PERSPECTIVE"**



Contents

No	Title	Page
1.	Start-Ups for a Self-Reliant India Prof. (Dr.) Sairam Bhat, & Aparna S.	1
2.	The Importance of Vocal for Local in Agriculture Sector Dr. Renuka Gubbewad, Sunil Kalagi & Farhat Sultana	9
3.	Women and Entrepreneurship; Remya C. J., & Vidyaprada K. S.	18
4.	Startup India and Agricultural Sector Amith S M, Ashwini Suraj, & Mohan Kumar K	27
5.	Financial Institutions and their Role in Entrepreneurship Development Apeksha S Kottari	37
6.	Entrepreneurship and Startup India Sreelakshmi V Hariharan & Amith S M	49
7.	Start-Up India: A Step Towards Reducing Informality in Workforce Dr. Dipa Gautalair	56
8.	Start-ups as the Mechanism for Women Entrepreneurship; Women Empowerment Mrs. Chaitra Shetty & Dr. Tharanatha	73
9.	Start-ups India Social Economic Opportunities and Challenges: A Legal Perspective Jenitte Thomas	79
10.	Start-Up India Socio-Economic Opportunities and Challenges: A Legal Perspective Dr. Ashwini P., & Nirupama D.	88
11.	Boost Up the Start Ups Through Tax Exemption	98



Startups as the Mechanism for Women Entrepreneurship; Women Empowerment

Mrs. Chaitra Shetty *

Dr. Tharanatha **

Abstract

Startup India is a clarion call for unearthing the potentiality of the youth population of our country towards economic empowerment with the ambition of the swadeshi concept. The traditional role of women as secondary members in economic activities is undergoing a drastic change with women occupying key positions in the economy, including a woman holding the most prestigious portfolio in the central government in the capacity of the ministry of finance and corporate affairs shows the level of talent of women in economic management. However, this doesn't mean that there is automatic empowerment of all women. Instead of the vertical approach of the role of women in nation-building through economic activities, we need to understand from a horizontal level as to how and for what extent means and mechanisms to be evolved to make women as the participative population in economic development and will the schemes like Startup India, in the long run, achieve this noble objective shall be investigated.

Keywords: empowerment, entrepreneurship, barriers

The emergence of entrepreneurship depends on the economic, social, religious, cultural, and psychological factors prevailing in a given society. A Person who undertakes the risk of starting a new business venture is called an entrepreneur. In other words, an entrepreneur is a person who desires to start a new business and undertakes risk intending to earn profit. Entrepreneurship is not of recent origin. It has been in existence since the Vedic periods.¹ Entrepreneurship is very much determinant for the growth of any economy. It is an economic activity in which an entrepreneur undertakes to start a new business enterprise or finds a creative way of improvising the existing business. Though Indian society, due to its patriarchal approach, narrowed down the concept of entrepreneurship to the male domain, there were many examples where women were too involved in productive economic activities.² However, the fundamental difference between a woman as an entrepreneur vis a vis men is that women, while supporting the family

* Mrs. Chaitra Shetty, Lecturer of Commerce GDPUC,

** Dr. Tharanatha, Principal SDM Law College, Mangaluru

During the period of Rigveda where metal handicrafts were prevalent in society. Post Vedic period witnessed the establishment of kharkhanas, where artisans were organized into cooperative organizations

The illustrious examples include Mrs. Kalpana Saroj (Kamani Tubes Mumbai) (Padma Shri awardee),
Ms. Sumati Morarjee Scinda Steam Navigation Company (Padma Vibhushan awardee)
Ms. Sharayu Daftary Bharat Radiators Limited (Padma Shri awardee)

