



# INDIAN BAR REVIEW

Vol. 47 (2 & 3) 2020

*A Refereed Journal*

*Editor*

**DEBI PRASAD DHAL**

*Joint Editor*

**A. RAMI REDDY**

**BAR COUNCIL OF INDIA**

Chairman

-

**MANAN KUMAR MISHRA**

Vice Chairman

-

**SATISH ABARAO DESHMUKH**

Chairman, E. C.

-

**APURBA KUMAR SHARMA**

**BAR COUNCIL OF INDIA TRUST**

**NEW DELHI**



# INDIAN BAR REVIEW

VOLUME 47 (2&3)

APRIL- SEPTEMBER 2020

NUMBER 2&3

## CONTENTS

EDITORIAL  
CHAIRMAN'S PEN  
FOR CONTRIBUTORS .

## ARTICLES

1. LAW AND PRACTICES OF INSOLVENCY AND BANKRUPTCY  
— *RAJIV DUTTA & DEVESH KUMAR CHAUVIA* 1—11
2. MARRIAGE AND TRANSGENDERS  
— *SIDHARTH LUTHRA & MEHAAK JAGGI* 13—21
3. WATER CRISIS & NEED FOR RIGHT TO SAFE DRINKING WATER  
— *ANIL PARIDA* 23—29
4. JUDGMENT UNDER ARTICLE 142 OF THE CONSTITUTION OF  
INDIA: AN OVERVIEW  
— *DR. BIRENDRA PATHAK* 31—40
5. ACCESS TO JUSTICE : SENSITISING LAW STUDENTS TO THE  
UNMET JUSTICE NEEDS OF THE SOCIETY  
— *PROF. RANBIR SINGH* 41—53
6. INDIAN PHILOSOPHY OF LEGAL EDUCATION  
— *DR. SHIVANAND H. LENGATI* 55—67
7. AN EMERGING NEED FOR STRENGTHENING MEDIATION IN  
RESOLUTION OF MATRIMONIAL DISPUTES  
— *PROF. (DR.) M.S. SOUNDARA PANDIAN* 69—86
8. INSOLVENCY AND BANKRUPTCY CODE, 2016: AN INTERFACE TO  
REDUCE STRESSED AND NON-PERFORMING ASSETS OF BANKS IN  
INDIA THROUGH NEW HORIZON OF RESOLUTION  
— *DR. MD. SULTAN HAIDAR ALAM* 87—112



9. LOCKDOWN AND QUARANTINE DURING CORONAVIRUS PANDEMIC IN INDIA: UNTANGLING A TANGLE OF SOCIO-ECONOMIC AND LEGAL CONCERNS  
— DR. HARISH VERMA 113—130
10. LAW RELATING TO THEFT AND UNAUTHORIZED USE IN ELECTRICITY SECTOR—A CRITICAL ANALYSIS  
— DR. G.S. RAJPUROHIT & DR. MANISH YADAV 131—158
11. DRUG TRAFFICKING AND DRUG ADDICTION A MENACE TO SOCIETY: A LEGAL ANALYSIS IN INDIAN SCENARIO  
— SUDARSHAN VERMA & IRSHAD AHMAD 159—170
12. PRECARIOUS WORKING CONDITIONS AND HAZARDS: DISORDERS IN NATIONAL LEGAL AND REGULATORY FRAMEWORKS  
— NKUHI, MATHIAS SYLVESTER & DR. M.S. BENJAMIN 171—191
13. THE NEW AGE OF NAGOYA PROTOCOL AND ACCESS TO BENEFIT SHARING ON PHARMACEUTICAL, FOOD AND COSMETICS SECTORS: AN ANALYSIS AND IMPLEMENTATION  
— DR. VANI BHUSHAN 193—203
14. JUDICIAL INITIATIVES PROTECTING ENVIRONMENTAL TORTS  
— DR. ARSHAD HUSSAIN 205—215
15. "THE INSOLVENCY AND BANKRUPTCY CODE" CHECK OR CHECKMATE  
— DR. N. VENKATESHWARLU & ANIL SINGH 217—226
16. LEGAL STATUS OF SURROGACY ARRANGEMENT: NATIONAL AND INTERNATIONAL PERSPECTIVE  
— DR. HARPREET KAUR 227—240
17. ILLEGAL MIGRANTS AND CITIZENSHIP AMENDMENT ACT, 2019  
— DR. APARNA J. SHINDE 241—247
18. WOMEN RIGHTS AND THE CONSTITUTION OF INDIA: A BRIEF DISCUSSION ON THE CONSTITUTION OF INDIA'S SCHEME FOR PROTECTION AND PROMOTION OF WOMEN RIGHTS  
— DR. KONERU ANURADHA 249—260
19. A STUDY ON PSYCHOLOGICAL PERSPECTIVES TOWARDS CRIME  
— AMRITAA DUTTA 261—274
20. EMERGING TREND OF ASSISTED REPRODUCTION: A SOCIAL AND LEGAL ISSUE IN REGARD TO SURROGACY  
— DR. SHWETA DHAND 275—286
21. WOMEN EMPOWERMENT AND NEW FACES OF DISCRIMINATION AGAINST WOMEN IN INDIA  
— DR. NIKHILJATI NATWARJATI GAUSWAMI 287—298
22. LAW RELATING TO AIR POLLUTION IN INDIA: A CRITICAL STUDY  
— DR. SHAMSHER SINGH 299—311
23. POWER OF ARBITRAL TRIBUNALS TO RULE ITS OWN JURISDICTION - A CRITICAL ANALYSIS  
— SREE KRISHNA BHARADWAJ H. 313—323



24. POWER OF POLICE TO ATTACH, SEIZE AND SEAL AN IMMOVABLE PROPERTY  
— ALIYAR M.E. 325—328
25. WATER CRISIS ACROSS THE WORLD AND INTERNATIONAL MECHANISM: ISSUES AND CHALLENGES  
— HIMANSHI BABBAR 329—337
26. DECIPHERING THE LIABILITY OF PUBLIC SERVANTS IN THE HONEY-TRAP CASES: A CRITICAL ANALYSIS OF PREVENTION OF CORRUPTION ACT, 1988  
DR. ASHUTOSH SINGH & DR. UTKARSH K. MISHRA 339—349
27. BANKING FRAUD IN INDIA: PROBLEM AND SOLUTION  
— DR. MANJU KAUR & DR. DINESH BABU 351—362
28. STIGMATIZATION AND OSTRACIZATION UNDER THE GARB OF 'BLACK MAGIC' IN INDIA  
— DR. KAVITA SOLANKI & RUPAL MARWAH 363—373
29. TAXATION OF WORKS CONTACT UNDER GST: A PERSISTENT CONUNDRUM  
— SHIVANI TRIPATHI 375—399
30. DESIGNER BABY: AN ADVANCEMENT OF DNA TECHNOLOGY IN INDIA AND ITS REGULATORY FRAMEWORK  
— ANITA 401—406
31. JUDICIAL APPOINTMENT IN COMMON LAW COUNTRIES : A COMPARATIVE STUDY  
— KAUSHIK YASHRAJ 407—415
32. AN ANALYSIS OF TRANSGENDER RIGHTS IN INDIA: AN ANALYTICAL STUDY  
— SHIVA PRASHANNA 417—428
33. INFORMATION ARRANGEMENT AND ACCESS POINTS IN LAW PERIODICALS  
— GURMINDER SINGH 429—436
34. FUNDAMENTAL DUTIES AND JUSTICIABILITY: A COMPARATIVE STUDY  
— S. JYOTIRANJAN 437—449

\* \* \*