

Editorial

Prof. Kamal Jeet Singh, Vice Chancellor, Madhusudan Law University, Cuttack, Odisha and **Dr. Manu Sharma**, Assistant Professor, Career Point University, Hamirpur, in their paper titled, *“Living Will: A Step Ahead of Legalizing Passive Euthanasia in India”*, have argued that euthanasia debate has centred round the right to life and right to die with dignity and this debate has been carried forward by the ruling of the apex court that has not only legalized passive euthanasia but has introduced the concept of ‘living will’ also. The authors have contended that ‘living will’ is a concept that has been borrowed from American jurisprudence, which is different from the traditional concept of ‘will’, which operates after the death of the testator but ‘living will’ operates during the lifetime and is more or less in the nature of ‘directive to physicians’ or ‘advance directive’. The authors have analysed arguments for and against ‘living will’ in India in light of Socio-religious perspectives, constitutional provisions and court pronouncements from time to time. The authors have shown agreement with the opinion of the apex court that has introduced the concept of ‘living will’ but are equally worried about its misuse. They have suggested that parliament should enact a special legislation to regulate ‘euthanasia’ and ‘living will’ so as to bring more clarity on the subject. A strict procedure should be laid down for executing living will so as to ensure it is not misused by any of the relatives or friends.

Prof. Nuzhat Parveen, former Dean, Faculty of Law, Jamia Millia Islamia University, New Delhi, in her paper, *“Execution of Death Sentence in India: An Analysis of Diverse Approaches”*, has attempted to analyse different methods of execution of capital punishment, bringing on fore that even a condemned prisoner deserves more human approach for execution of capital punishment than those presently in vogue. A balanced approach has been suggested that would ensure justice, deterrence and respect for human rights while executing the death penalty.

Dr. Dayananda Murthy, Associate Professor, Damadaram Sanjivayya National Law University, Vishakhapatnam, in his paper captioned, *“Role of Indian police in the Management of Law and Order and Enforcement of Human Rights during Covid-19 in India”*, has raised pertinent issues relating to policing during a pandemic. The author has rightly observed that Covid-19 has shaken the whole globe because of the gravity and magnitude of this health hazard. It caught policy planners as well as the medical fraternity unaware. The only treatment was found in complete lock down, but later on, that proved worse than the disease itself.

The author has found that the role of the Police during Covid-19 has remained satisfactory, yet there is a scope for improvement in meeting the challenges of such unprecedented acts of God. The author has offered a number of suggestions that would equip the police to meet the exigencies of the challenging times.

Ms. Neha Sharma, Ph.D. Research Scholar, Post-Graduate Department of Law, Sambalpur University, Sambalpur, Odisha and **Prof. Sudhansu Ranjan Mohapatra**, Dean of School of Legal Studies, Sambalpur University, Sambalpur, Odisha, have authored a joint paper titled, *“A Case Study of Educational and Vocational Facilities of Children in Conflict with Law in the Child Care Institutes of the State of Odisha”*. The authors have made an empirical study of the present status of educational and vocational facilities available to children in conflict with law housed in the different children care institutes of the State of Odisha on the recommendations of the Juvenile Justice Board. The authors have found that educational and vocational facilities for children in conflict presently placed in Juvenile institutes are abysmally low. A good number of suggestions have been made which could, if implemented seriously, prove a game changer for these children who are victims of the circumstances in which they were forced to reel.

Dr. Mohammad Arif, Sr. Assistant Professor, Department of Law, University of Jammu, in his paper titled *“Alternative to Litigation in India: An Empirical Analysis with reference to UT of J&K”*, has made

an empirical evaluation of different options of dispute resolution mechanism. The author has first discussed in detailed different methods and then evaluated their efficacy based on empirical data.

The author has come up with several suggestions for making ADR a success. The author found the concept of community mediation and conciliation of dispute resolution mechanism prevalent among Gujjar and Bakerwalas of Jammu and Kashmir as an efficacious mechanism that needs legal sanction.

Dr. Sheikh Inam Ul Mansoor, Assistant Professor of Law, School of Law, Presidency University, Bangalore, has authored the paper titled *“International Environmental Law in Promoting Sustainable Development: A Critical Analysis”*. He has found a close symbiotic relationship between environmental law and sustainable development. The author has raised a fundamental question: development for whom and development for what? The author has observed that international environmental law has not been found effective in realizing the goal of sustainable development, for which suggestions for improvement have been made.

Dr. Ramanjot Kaur Dhindsa, Research Scholar, Department of Law, Punjabi University Patiala, in her paper titled, *“Human Organ Transplantation and its Trafficking in India: An Analysis”*, attempts to analyse legal issues surrounding organ transplantation and their commercial exploitation by restoring to the trafficking in India. The author holds poverty, inequality and corruption responsible for commercial exploitation of organs. The author is of the considered opinion that there is a need to revisit the existing provisions of law dealing with the subject.

Dr. Harpeet Kaur, Assistant Professor, Khalsa College of Law, Amritsar, in her paper with the title, *“Constitutional Perspective of Health Laws: An Overview”*, has found roots of health law in Article 21 of the Constitution and the courts have elevated right to health to the status of the fundamental right to life. The author has critically analysed various judgements on the subject.

Dr. Harmandeep Kaur, Assistant Professor, Chandigarh Law College Jhanjeri, Mohali, in her paper titled, *“Sexual Offences Against Children in India: An Analysis”*, discusses child sexual abuse, factors responsible for child sexual abuse, social effects on such children and national and international laws on the subject. The author has found a solution to the problem through legal as well as non-legal measures.

Dr. Fatima Zahara Jafri, Assistant Professor, School of Law, Lovely Professional University (LPU) Punjab, in her paper titled *“Iddat Whether a Ban or Boon for Muslim Women?”*, has highlighted that the observance of Iddat to determine paternity of the child in case of dispute is no longer required as the scientific advertisements have made determination pregnancy easy. However, it still has merits that cannot be brushed aside, as it provides a cooling-off period for the spouse to reconcile and start life afresh.

Chief Editor