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CREATIVE ECONOMY FOR SUSTAINABLE DEVELOPMENT

The Interface between
Law & Economics

LAW



ECONOMY

Editors :

Dr. Swati Rautela | Mr. Sourabh Ubale



“येथे बहुतांचे हित”

Marathwada Mitra Mandal's
Shankarrao Chavan Law College, Pune
(Accredited with 'A' Grade by NAAC)



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Creative Economy for Sustainable Development : The Interface between Law & Economics

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Convenor's Message



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Principal, Marathwada Mitra Mandal's
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The University of Mumbai (known earlier as University of Bombay) is one of the oldest and premier Universities in India. It was established in 1857 consequent upon “Wood’s Education Dispatch”, and it is one amongst the first three Universities in India. The University was accorded 5 star status in 2001 & ‘A’ grade status in April 2012 by the National Assessment and Accreditation Council (NAAC). The vision statement of the University of Mumbai given below reflects its deep conviction for high quality inclusive education: To remain always inclusive and quality conscious, and with deep conviction that knowledge not only improves the quality of life, but leads to good character, to capitalize on our inherent advantages to generate skilled manpower for nation building through excellent teaching, attracting talent, fostering creativity, research, and innovation. Department of Law was established in November 1959 for the Purpose of imparting LL.M. Degree Course Post-graduate Legal Education and encouraging Legal research. The Department of Law is proud to have various eminent personalities as its Alumni of the department. The LL.M. course is available in six specializations, Constitutional and Administrative Law, Business Law, Law of Intellectual Property and Information Technology, Human Rights Law, Criminal Law and Criminal Administration, Environment and Legal Order. The main objective of legal education in the department of Law has been not only to teach its students what the law is but also, and importantly, to teach them what the

law ought to be. Apart from this students are trained in various skills required for the legal profession. It is not a place where only knowledge is imparted; it is a place where students are educated to develop a habit of mind which will enable them to search for the truth. They should contribute to the rule of law and be responsible citizens with social sympathy and with proper attitude to serve their motherland which has provided a lot for them to obtain this education.

Being established through an inspiration of socially and educationally charged personalities, we, Marathwada Mitra Mandal established in 1967 as the charitable trust, serves with a motto “*Yethe Bahutanche Hit*” (Welfare of Masses). At its various educational campuses, excellent facilities of education are provided to more than 12000 students pertaining to Architecture, Management, Law, Commerce, Pharmacy and Engineering etc. Recently Marathwada Mitra Mandal’s four colleges are accredited with ‘A’ Grade by National Assessment and Accreditation Council (NAAC). Under the patronage of Marathwada Mitra Mandal, Shankarrao Chavan Law College was established in 2003 with the objective of nurturing future legal professionals and researchers with ideals and values required for playing constructive role to create a better world. The College is affiliated to Savitribai Phule Pune University, approved by Bar Council of India, recognized by Government of Maharashtra with an ISO Certification and accredited with ‘A’ Grade by NAAC. And thus stands as one of the premier law colleges in India. Our College has a motto ‘Quality Legal Education for Masses’. Since inception our College has been encouraging the students to develop themselves into the legal professionals having legal knowledge, acumen and expertise suitable for dynamic and globalized legal industry. With this view, apart from academic excellence, we nurture the students with several co-curricular and extra-curricular activities. We host wide range of co-curricular activities such as Justice P.B. Sawant National Moot Court Competition, Late Shri Shankarrao Chavan Memorial State Level Elocution Competition, PG Department of Law National Conference, etc. We also run various centers and cells such as Center for Advanced Legal Research &

Training (CALRT), Family Counselling Center, Center for Academic Research, Publication & E-content in Law (CARPEL), etc. The CARPEL is to endeavour new frontiers of knowledge by way of inculcating the skills of deep inquiry, scientific investigation, fact and solution finding mechanism with various experiments. Activities through CARPEL are helping in improving and discovering new challenges to our knowledge and to overcome all such contemporary challenges with futuristic approach. It works into three wings namely- Research, Publication and E-Content Development. Apart from the Student and Faculty Research activities on National & International Level, under its flagship, we publish an International Journal ‘SCLC Law Review’, a national journal ‘SCLC Journal of Contemporary Issues’ (Student Edition), edited books and various compilations as study material. It is also developing electronic content in law in the form of Audio, Visual, Audio-visual, Video Lectures, electronic readable content, etc.

To strengthen the ties of both of these renowned Institutions & Celebrating International Year of Creative Economy for Sustainable Development, 2021, we organised National Conference on “Creative Economy for Sustainable Development” on 19th & 20th April, 2021 which was graced by the presence of luminaries from the field of law and students, academicians and professionals across the country and abroad.

In the light of our association, we are greatly honoured to have this publication of an edited book in continuation of our research collaboration, edited by our esteemed faculties of both the institutes, Dr. Swati Rautela & Mr. Sourabh Ubale who are also acting as Representatives of respective Institutions in this collaboration.

We extend our profuse thanks to all the contributors from distinguished institutions across the country and also extend our warm wishes to all the august readers.

21st June 2021
Mumbai/Pune

**Prof. Dr. Rajeshri Varhadi &
Dr. Kranti Deshmukh**
(Convenors)

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We are deeply indebted to Prof. Suhas Pednekar, Vice Chancellor of the University of Mumbai and Prin. Mr. B. G. Jadhav, Executive President, Marathwada Mitra Mandal for their constant support, expertise knowledge and encouragement which have been the force behind the successful accomplishment of this edited book.

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We are also grateful to Ms. Mugdha Satpute & Mr. Sahil Shrivastav without their assistance we would not have successfully completed the task of this edited book.

We extend our gratitude to faculties & administrative staff of both, Department of Law, University of Mumbai, Mumbai & Marathwada Mitra Mandal's Shankarrao Chavan Law College, Pune.

Finally, we are ever graceful to everyone who has become the part of our extended family of both the institutions for their prayerful blessings and moral support without which this work could not be a successful one.

21st June 2021
Mumbai/Pune

**Swati Rautela &
Sourabh Ubale**
(Editors)

Preface



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In 2019 at the 74th session of the UN General Assembly, 2021 was declared the International Year of Creative Economy for Sustainable Development. The proposal recognized the need to promote sustained and inclusive economic growth, foster innovation and provide opportunities, benefits and empowerment for all and respect for all human rights. It also identified the on-going need to support developing countries and countries with economies in transition in diversifying production and exports, including in new sustainable growth areas, including creative industries. It encourages all to observe the year in accordance with national priorities to raise awareness, promote cooperation and networking, encourage sharing best practices and experiences, enhance human resource capacity, promote an enabling environment at all levels as well as tackle the challenges of the creative economy. In the light of the same the National Conference was organised to celebrate International Year of Creative Economy for Sustainable Development, 2021.

In the light of these developments and need of sustainability in almost all the field, the theme of present edited book is aimed to inspire multi-disciplinary research especially focusing on Law & Economy and to provide a platform for disseminating intellectual explorations of jurists, legal practitioners and judges, policy-makers and law enforcement experts and budding minds who are contributing significantly at all levels. Reading of this edited book will provide you with the unique opportunity to deepen your insights about the varying paradigm of law & economy in context of the socio-legal implications. The journey of reading this edited book will encompass a visit to diverse perspectives of Law, Economy & Sustainability and will ensure an opportunity to articulate appropriate policy and legal responses to benefits and risks.

The chapters of this book almost covers Tracking Misappropriation & Biopiracy in Traditional Medicinal Knowledge, The Creativity Of Technology In Legal Education In India, Media and entertainment economy in India, Role of Education in Creative Economy, Creative Food Security, Protection of Trade Secrets considering the Business Law, The Exigency Of Creative Education For Sustainable Creative Economy, Creative Economy In Education Field, IPR and Creativity in Industrial designing of aviation field.

We wish to thank all the contributors, their respective esteemed institutions and readers of this book.

Dr. Swati Rautela & Mr. Sourabh Ubale
(Editors)

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