

EDITORIAL POLICY OF THE JOURNAL

PRELUDE

IMS Law Review: Student's Edition is a product of School of Law, IMS Unison University and is an annual peer-reviewed journal, first published in 2020. It seeks to promote original and diverse legal scholarship in a global context among the law students all across the country. It is a multi-disciplinary journal aiming to provide a platform to the students to communicate high quality original research work, reviews, short communications and case report that contribute significantly to further the knowledge related to the field of Law. The Editorial Board of the IMS Law Review: Student's Edition solicits submissions for its Third Edition (July 2022). While there are no rigid thematic constraints, the contributions are expected to be largely within the rubric of legal studies and allied interdisciplinary scholarship.

CONTRIBUTION

We seek contributions in the form of:

1. Articles (Maximum 8,000 words inclusive of footnotes and Abstract)
2. Essays (Maximum 4,000 words inclusive of footnotes)
3. Case Comment/Legislative Critique & Notes (Maximum 3,000 words inclusive of footnotes)
4. Book Review (Maximum 2,000 words inclusive of footnotes) besides other forms of scholarly writing
 - Place tables/figures/images in text as close to the reference as possible. Table caption should be above the table. Figure caption should be below the figure. These captions should follow Times New Roman 11 point.

SUBMISSION GUIDELINES

1. Submissions must be in Microsoft Word (MS Word):

The whole document should be in Times New Roman, single column, 1.5 line spacing. A soft copy of the document formatted in MS Word 97 or higher versions should be sent as submission for acceptance.

2. Main Text:

Title of the paper should be bold 16 point, and all paragraph headings should be Bold, 12point.

3. Cover Letter:

First page: It should include (i) Title of the Paper; (ii) Name of the Author/s ; Co-authored papers should give full details about all the authors; Maximum two author permitted (iii) Designation; (iv) Institutional affiliation; (v) Correspondence address. In case of co-authored papers **First author will be considered for all communication purposes.**

Second page: Abstract with Key words (not exceeding 300 words).

4. The following pages should contain the text of the paper including:

Introduction, Subject Matter, Conclusion, Suggestions & References. Name (s) of author(s) should not appear on this page to facilitate blind review.

5. Plagiarism Disclaimer:

Article should contain a disclaimer to the effect that the submitted paper is original and is not been published or under consideration for publication elsewhere. (Annexure I) The signed document must be e- mailed/ posted to The Editor along with manuscript.

6. Citations:

All citations shall be placed in footnotes and shall be in accordance with format specified (**Annexure II**). The potential contributors are encouraged to adhere to the Appendix for citation style.

7. Peer Review:

All submissions will go through an initial round of review by the editorial board and the selected papers will subsequently be sent for peer-review before finalization for publication.

All Correspondence/manuscripts should be addressed to:

**The Editor – IMS Law Review: Student’s Edition
School of Law, IMS Unison University,
Makkawala Greens, Mussoorie Diversion Road,
Dehradun, Uttarakhand– 248009, (India).
Phone: +91-135-7155000
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CITATION STYLE

CASES

IN MAIN TEXT:

Jassa Singh v. State of Haryana

IN FOOTNOTE:

Jassa Singh v. State of Haryana, (2002) 2 SCC 481

The full citation should be provided in the footnote even if the case name has been mentioned in full in the main body.

Government to be written in full.

Example: Kesavananda Bharati v. State of Kerala; M.C. Mehta v. Union of India.

SHORTENED FORM

If the same case is going to be cited subsequently, the full citation used the first time should be followed by the shortened form by which the case will be referred to subsequently, in inverted commas, and in square brackets.

Example: M.C. Mehta v. Union of India, [1997] 2 SCC 353 [*Taj Trapeziumcase*] Subsequent references

Taj Trapezium case, [1997] 2 SCC 353

The shortened form should be used every time after the first time a case is cited.

QUOTES FROM CASES

Per Subba Rao J., “a construction which will introduce uncertainty into the law must be avoided. It is conceded by the petitioner that the power to amend the Constitution is a necessary attribute of every Constitution”. (Footnote original citation of case or shortened form as per rules stated above)

Single Judge:

S.H. Kapadia J.

Chief Justice of India

Thakur C.J.I.

More than one Judges

K.G. Balakrishnan C.J.I., S.H. Kapadia, R.V. Raveendran, B.S. Reddy and P. Sathasivam (JJ.)

UNPUBLISHED DECISIONS

Name of the parties, Filing No of Year, Decided on date (Name of Judges) (Name of Court)

Example:

BP Singhal v. Union of India, W.P. (Civil) No.296 of 2004, Decided on May7, 2010(K.G. Balakrishnan C.J.I., S.H. Kapadia, R.V. Raveendran, B.S. Reddy and P. Sathasivam (JJ.) (Supreme Court of India).

INTERNATIONAL DECISIONS

Case name, (Party names) Judgement, Year, Publisher, Page No (Court Name) **Example:**

Case Concerning Right of Passage over Indian Territory (India v. Portugal) Judgment, 1957, ICJ reports, 12 (International Court of Justice)

LEGISLATIVE MATERIALS

When citing Constitution, it should be in Capital letters while other Statutes it should be First letter of the word in Uppercase followed by lower cases.

CONSTITUTION

Art. 21, THE CONSTITUTION OF INDIA, 1950.

OTHER STATUTES

Sec. 124, Indian Contract Act, 1872.

BILLS

Cl. 2, The Companies (Amendment) Bill (introduced in Lok Sabha on March 16, 2016).

PARLIAMENTARY DEBATES

Question/Statement by Name, DEBATE NAME, page no (Date) Example:

- Question by N.G. Ayyangar, CONSTITUENT ASSEMBLY DEBATES 116 (August 22, 1947).
- Statement of V. Narayanasamy, LOK SABHA DEBATES 5 (March 10,2010).

BOOKS

TEXT BOOKS

Name of the Author, NAME OF THE BOOK, Volume (Issue), Page (Publisher, Edition, Year)

Example:

H.M. Seervai, CONSTITUTIONAL LAW OF INDIA, Vol. 3, 121 (Universal Law Publishing Co.Pvt. Ltd.,4thEdn., 2015)

- **In the case of a single author,**
M.P.Jain, INDIAN CONSTITUTIONAL LAW, 98 (Kamal Law House, 5th Edn., 1998)
- **If there is more than one author and up to two authors,**
M.P.Jain and S.N. Jain, PRINCIPLES OF ADMINISTRATIVE LAW, 38 (Wadhawa, 2001)
- **If there are more than two authors,**
D.J. Harris et al, LAW OF THE EUROPEAN COMMUNITY ON HUMAN RIGHTS, 69 (2nd Edn., 1999).
- If there is no author then the citation would begin from the *Title of the Book*.
- If the title of the book includes the author's name, then the book should be cited as an authorlessbook.

Example:

Chitty on Contracts, Vol. 2, 209 (H.G. Beale ed., 28th edn., 1999).

EDITED BOOKS

Name of Editor/s (Ed.) NAME OF BOOK, page no./s (Publisher Name, Year of Publication)

- **In the case of a single editor,**
Nilendra Kumar (ed.), NANA PALKHIVALA: A TRIBUTE, 24 (Universal Publishers, 2004).
- **If there is more than one author and up to two editors,**
S.K. Verma and Raman Mittal (eds.), INTELLECTUAL PROPERTY RIGHTS: A GLOBAL VISION, 38(2004).
- **If there are more than two editors,**
Chatrapati Singh et.al. (eds.), TOWARDS ENERGY CONSERVATION LAW 78 (1989).

COLLECTION OF ESSAYS

Name of Author, *Name of Article* in Name of Collected Book Page No (Editor Name, Year of Publication)

M.S. Ramakumar, *India's Nuclear Deterrence* in NUCLEAR WEAPONS AND INDIA'S NATIONAL SECURITY 35 (M.L. SondhiEdn., 2000).

REGILIGIOUS AND MYTHOLOGICAL TEXTS

TITLE, Chapter/ Surar Verse (if applicable)

Example:

THE BHAGAVAD GITA, Chapter 1 Verse46

ARTICLES

Name of Author, *Name of Article*, Volume (Issue) NAME WHERE ARTICLE IS PUBLISHED
page no (Year of Publication)

LAW REVIEW ARTICLES

A.M. Danner, *Constructing a Hierarchy of Crimes in International Criminal Law Sentencing*,
Vol. 87(3) VIRGINIA LAW REVIEW 415 (2001).

MAGAZINE ARTICLES

- **Articles in print versions of magazines**
Uttam Sengupta, *Jack of Clubs and the Cardsharps*, OUTLOOK 22 (June 11, 2016).
- **Articles published in a magazine arranged by volume**
A. Bagchi, *Sri Lanka's Experiment in Controlled Decentralization: Learning from India*,
23(1) ECONOMIC AND POLITICAL WEEKLY 25 (January 2, 1988).
- **Articles in print versions of newspapers**
Robert I. Freidman, *India's Shame: Sexual Slavery and Political Corruption are Leading
to an AIDS Catastrophe*, THE NATION 61(New York Edn., April 8, 1996).

MAGAZINE ARTICLES ONLINE VERSIONS

Name of Author, *Name of Article*, NAME WHERE ARTICLE IS PUBLISHED (Date of issue)
available at link where it is published (date of last visit)

It is mandatory to use exact link where the article of published removing the hyperlink

- **Articles in online versions of newspapers**
Mehboob Jeelani, *Politics stretches list of Smart Cities from 100 to 109*, The Hindu (2
July 2016), available at <http://www.thehindu.com/todays-paper/politics-stretches-list-of-smart-cities-from-100-to-109/article8799010.ece>(Last visited on July 2,2016).
- **Articles in online versions on magazines**
Uttam Sengupta, *Jack of Clubs and the Cardsharps*, OUTLOOK (11 June 2016),
available at
<http://www.outlookindia.com/magazine/story/jack-of-clubs-and-the-cardsharps/297427>(Last visited on July 2, 2016).

REPORTS

LAW COMMISSION REPORTS

243rd Report of the Law Commission of India (2012)

ONLINE REPORTS

World Trade Organization, *Lamy outlines “cocktail approach” in moving Doha forward*, (2010), available at http://www.wto.org/english/news_e/news10_e/tnc_chair_report_04may10_e.htm (Last visited on May 10, 2016).

INTERNATIONAL TREATIES

Art. 5, UN General Assembly, *Rome Statute of the International Criminal Court* (last amended 2010), July 12, 1998, ISBN No. 92-9227-227-6, available at: <http://www.refworld.org/docid/3ae6b3a84.html> (accessed July 2, 2016)

GENERAL RULES

FORMATTING

- Single numbers do not begin with a0
- Remove hyperlinks in all citations of URLs
- The format of dates should be – June 25, 2016
- Capitalisation – The start of every sentence should be in capitals. In titles, do not capitalise articles, conjunctions or prepositions if they comprise of less than four letters.
- Italics – Italics are to be used in the following instances:
 - Case names when used in the main text
 - Non-English words
 - Emphasis in the main text, but not forming part of a quote
- Short forms – The short forms of words which are not mentioned in this guide are not acceptable. Short forms which are acceptable are:
 - Art. for Article
 - Cl. for clause
 - No. for number
 - Reg. for regulation
 - Sec. for section
 - Vol. for volume
 - Edn. for edition
 - Ed. for editor
 - Ltd. for Limited
 - Co. for Company
 - Inc. for Incorporated
 - Add “s” to the short form for the plural form.

FOOTNOTES

- Multiple citations in the same footnote should be separated by a semicolon.
- Connectors—
 - *Id.* and *Supra* are the only connectors which may be used for cross referencing
 - These connectors can only be used to refer to the original footnote, and may not be used to refer to an earlier reference.
 - The format for referring to the immediately prior footnote shall be one of the following:
 - When the page number(s) being referred to are the same as in the previous footnote
 - *Id.*
 - When the page number(s) being referred to are different from the previous footnote
 - *Id., at 77-78.*
 - The last name of the author, when available, should be used before the *supra*. The format for referring to footnote earlier than the immediately prior footnote shall be: Seervai, *supra* note 6, at 10.
- Introductory Signals
 - No introductory signal to be used when the footnote directly provides the proposition.
 - The signal ‘See’ shall be used when the cited authority clearly supports the proposition.
- All footnotes must not end in a period (fullstop).

QUOTES

- For quotations below fifty words in length, the quote should be in double inverted commas and should be italicized.
- For quotations above fifty words in length, separate the text from the main paragraph, indent it by an inch from either side, and provide only single line spacing. If the main text has only single line spacing, the font size of the quote shall be reduced by 1.

Ethics Policy for Journal

1. Reporting Standards

Authors of research paper should present an accurate account of the work performed as well as an objective discussion of its significance. Underlying data should be represented accurately in the paper. A paper should contain sufficient detail and references to permit others to replicate the work. Fraudulent or knowingly inaccurate statements constitute unethical behaviour and are unacceptable. Review and professional publication articles should also be accurate and objective, and editorial ‘opinion’ works should be clearly identified as such.

2. Data Access and Retention

Authors may be asked to provide the research data supporting their paper for editorial review and/or to comply with the open data requirements of the journal. Authors should be prepared to provide public access to such data, if practicable, and should be prepared to retain such data for a reasonable number of years after publication. Authors may refer to their journal’s Guide for Authors for further details.

3. Originality and Acknowledgement of Sources

The authors should ensure that they have written entirely original work, and if the authors have used the work and/or words of others, that it has been appropriately acknowledged, cited, quoted and permission has been obtained where necessary. Authors should cite publications that have influenced the reported work and that give the work appropriate context within the larger scholarly record. Information obtained privately, as in conversation, correspondence, or discussion with third parties, must not be used or reported without explicit, written permission from the source.

Plagiarism takes many forms, from ‘passing off’ another’s paper as the author’s own paper, to copying or paraphrasing substantial parts of another’s paper (without attribution), to claiming results from research conducted by others. Plagiarism in all its forms constitutes unethical behaviour and is unacceptable. Plagiarism test of the content should not be more than 10% (Turnitin).

4. Similarity checks for plagiarism shall exclude the following:

- i. All quoted work reproduced with all necessary permission and/or attribution with correct citation.
- ii. All references, footnotes, endnotes, bibliography, table of contents, preface, methods and acknowledgements.
- iii. All generic terms, phrases, laws, standard symbols, mathematical formula and standard equations.
- iv. Name of institutions, departments, etc.

5. Multiple, Redundant or Concurrent Publication

An author should not in general publish manuscripts describing essentially the same research in more than one journal of primary publication. Submitting the same manuscript to more than one journal concurrently constitutes unethical behaviour and is unacceptable.

In general, an author should not submit for consideration in another journal a paper that has been published previously, except in the form of an abstract or as part of a published lecture or academic thesis or as an electronic preprint.

Publication of some kinds of articles (e.g. clinical guidelines, translations) in more than one journal is sometimes justifiable, provided certain conditions are met. The authors and editors of the journals concerned must agree to the secondary publication, which must reflect the same data and interpretation of the primary document. The primary reference must be cited in the secondary publication. Further detail on acceptable forms of secondary publication can be found from the ICMJE

6. Confidentiality

Information obtained in the course of confidential services, such as refereeing manuscripts or grant applications, must not be used without the explicit written permission of the author of the work involved in these services.

7. Authorship of the Paper

Authorship should be limited to those who have made a significant contribution to the conception, design, execution, or interpretation of the reported study. All those who have made substantial contributions should be listed as co-authors.

Where there are others who have participated in certain substantive aspects of the paper (e.g. language editing or medical writing), they should be recognised in the acknowledgements section.

The corresponding author should ensure that all appropriate co-authors and no inappropriate co-authors are included on the paper, and that all co-authors have seen and approved the final version of the paper and have agreed to its submission for publication.

Authors are expected to consider carefully the list and order of authors before submitting their manuscript and provide the definitive list of authors at the time of the original submission. Only in exceptional circumstances will the Editor consider (at their discretion) the addition, deletion or rearrangement of authors after the manuscript has been submitted and the author must clearly flag any such request to the Editor. All authors must agree with any such addition, removal or rearrangement.

Authors take collective responsibility for the work. Each individual author is accountable for ensuring that questions related to the accuracy or integrity of any part of the work are appropriately investigated and resolved.

8. Declaration of Competing Interests

All authors should disclose in their manuscript any financial and personal relationships with other people or organisations that could be viewed as inappropriately influencing (bias) their work.

All sources of financial support for the conduct of the research and/or preparation of the article should be disclosed, as should the role of the sponsor(s), if any, in study design; in the collection, analysis and interpretation of data; in the writing of the report; and in the decision to submit the article for publication. If the funding source(s) had no such involvement then this should be stated.

9. Notification of Fundamental Errors

When an author discovers a significant error or inaccuracy in their own published work, it is the author's obligation to promptly notify the journal editor or publisher and cooperate with the editor to retract or correct the paper if deemed necessary by the editor. If the editor or the publisher learn from a third party that a published work contains an error, it is the obligation of the author to cooperate with the editor, including providing evidence to the editor where requested.

10. Image Integrity

It is not acceptable to enhance, obscure, move, remove, or introduce a specific feature within an image. Adjustments of brightness, contrast, or colour balance are acceptable if and as long as they do not obscure or eliminate any information present in the original. Manipulating images for improved clarity is accepted, but manipulation for other purposes could be seen as scientific ethical abuse and will be dealt with accordingly.

11. Clinical Trial Transparency

IMS Law Review: Student's Edition supports clinical trial transparency. Authors are expected to conform to industry best standards and regulations in clinical trial registration and presentation.

Peer Review Policy

Peer review is an integral part of our research journal. All the research papers will be sent to Reviewer after concealing the name of the author and any other identification mark in this regard. We ensure that Peer review will be fair, honest and maintain confidentiality.

The practice of peer review is to ensure that only good research papers are published. It is an objective process at the heart of good scholarly publishing and is carried out by all reputable scientific journals. Our referees play a vital role in maintaining the high standards and all manuscripts are peer reviewed following the procedure outlined below.

Initial manuscript evaluation The Editor first evaluates all manuscripts. It is rare, but it is possible for an exceptional manuscript to be accepted at this stage. Manuscripts rejected at this stage are insufficiently original, have serious scientific flaws, have poor grammar or English language, or are outside the aims and scope of the journal. Those that meet the minimum criteria are normally passed on to at least 2 experts for review.

Type of Peer Review: *Our Policy* employs blind reviewing, where both the referee and author remain anonymous throughout the process.

How the referee is selected Whenever possible, referees are matched to the paper according to their expertise and our database is constantly being updated.

Referee reports: Referees are asked to evaluate whether the manuscript. Follows appropriate ethical guidelines - Has results which are clearly presented and support the conclusions - Correctly references previous relevant work.

Language correction is not part of the peer review process, but referees may, if so wish, suggest corrections to the manuscript.

How long does the review process take? The time required for the review process is dependent on the response of the referees. In rare cases for which it is extremely difficult to find a second referee to review the manuscript, or when the one referee's report has thoroughly convinced the Editor. Decisions at this stage to accept, reject or ask the author for a revision are made on the basis of only one referee's report. The Editor's decision will be sent to the author with recommendations made by the referees, which usually includes verbatim comments by the referees. This process takes one month. Revised manuscripts may be returned to the initial referees who may then request another revision of a manuscript or in case second referee the entire process takes 2-3 months.

Final report: A final decision to accept or reject the manuscript will be sent to the author along with any recommendations made by the referees, and may include verbatim comments by the referees.

Editor's Decision will be final. Referees are to advise the editor, who is responsible for the final decision to accept or reject the research paper for publication.