

ISSN 2467-9461



# NEPAL BAR COUNCIL LAW JOURNAL 2021

Peer Reviewed Journal



# NEPAL BAR COUNCIL

**NEPAL BAR COUNCIL  
LAW JOURNAL  
2021**

Editor  
**Laxmi Sharma**

**NEPAL BAR COUNCIL**

### **Nepal Bar Council**

- Chairperson - Khamma Bahadur Khati
- Vice-Chairperson - Gopal Krishna Ghimire
- Councilor - Nirmala Paudel
- Councilor - Dr. Krishna Prasad Bashyal
- Councilor - Dr. Chandra Kanta Gyawali
- Councilor - Prem Prasad Pokharel
- Councilor - Mukunda Raj Aryal
- Councilor - Shyam Kumar Mishra
- Councilor - Babu Ram Panday
- Councilor - Prakash Bahadur Pandeya
- Councilor - Ram Babu B.C.
- Councilor - Bhim Bahadur Gurung
- Councilor - Sunita Sunder Chaudhary

### **Publication Committee**

- Coordinator - Mukunda Sharma Poudel
- Member - Sandhya Basnet Bhatta
- Member - Shuvan Raj Acharya
- Member - Arya Shrestha
- Member - Ananta Raj Luitel
- Member - Pankaj Kumar Karna
- Member - Mohan Sashankar
- Member - Nani Babu Dahal

### **Secretary**

Mona Singh

### **Staff**

- Senior Administrative Officer - Bidur Prasad Sapkota
- Record Keeping Officer - Suresh Maharjan
- Acc./Adm. Assistant - Meera Jnawali
- Adm. Assistant - Aparna Dhakal
- Acc.Adm. Assistant - Ranjeeta Dotel
- Messenger - Mukunda Khadka | Tulasa Khadka | Bijay Tamang
- Driver - Som Lal Tamang

First Print,

© 2022 Nepal Bar Council

Published by

**Nepal Bar Council**

Kupondol, Lalitpur

Phone: 977-1-5261884/5260964

Email: info@nepalbarcouncil.org.np

Price: NRs. 700.00

\$ 30.00

Design : Hari Bikram Bishankhe (9869717796)

Printed at: Shining Trade Link Pvt. Ltd. (9851162208)

*Note: The articles covered in this journal do not represent any views of the Editor, Publication Committee and the Council.*



# नेपाल कानून व्यवसायी परिषद् NEPAL BAR COUNCIL

## MESSAGE

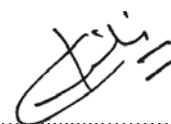
It is my pleasure to present to the readers the twentieth volume of the Nepal Bar Council Law Journal. Every year, Nepal Bar Council has been publishing this journal in English bringing forth research based articles, legislative reviews, case commentaries and book reviews covering wide range of issues from national and international law and justice. This journal is valued in the legal fraternity of Nepal due to its consistent quality, depth and inclusion of articles of contemporary importance that contributes to the legal education and legal reform in Nepal.

Nepal Bar Council is a statutory body dedicated to protect and promote the interests of law practitioners in the country. Apart from its responsibilities in conducting exams, selecting and providing license to the law practitioners, their capacity development and taking disciplinary actions, the Council is entrusted also with the responsibility to carry out research and studies in the legal sector. The First Five Years' Strategic Plan of Nepal Bar Council (2021/22-2026/27) formulates a strategy to annually publish the Nepal Bar Council Law Journal in English, compiling research based articles from the legal fraternity. From its seventeenth volume, the Council has initiated the process of peer review of the manuscripts to enhance the quality of the writings. Thus, I am optimistic that the standard of journal will further improve in the coming days to make it in par with the international level.

This journal is the result of collective work and effort from number of people. As the Chairperson of the Council, I would like to thank the authors of the articles, the editorial board specially the Coordinator Associate Prof. Mukund Sharma Poudyal and the Editor Ms. Laxmi Sharma, and all the peer reviewers for their invaluable contributions in bringing out this journal. I extend my special thanks

कुपण्डोल, ललितपुर, फोन: ०१ ५२६०९६४, ५२६१८८४, ईमेल: info@nepalbarcouncil.org.np, वेबसाइट: www.nepalbarcouncil.org.np

and appreciation to Ms. Mona Singh, the Secretary of Nepal Bar Council and all the staff of the Council for successfully coordinating all the persons involved in this publication. I hope this journal will add a brick to the development of legal literature and will ignite a healthy debate on key legal issues to pave a way for legal reform in Nepal.



.....  
Khamma Bahadur Khatri  
Attorney General  
Chairperson, Nepal Bar Council

प.सं.



नेपाल बार एसोसिएशन

रामशाहपथ, काठमाडौं

फोन नं. : ९७७-१-४२००८३७

फ्याक्स नं. : ९७७-१-४२००८३२

इमेल : neba@nepalbar.org.np

वेब : www.nepalbar.org.np

मिति:

केन्द्रीय कार्यसमिति

(२०७९-२०८२)

अध्यक्ष

वरिष्ठ अधिवक्ता गोपाल कृष्ण घिमिरे

उपाध्यक्ष

अधिवक्ता हर्क बहादुर रावल

अधिवक्ता वीरेन्द्र के.सी.

अधिवक्ता पशुपति मण्डारी

अधिवक्ता सुरज खत्री

अधिवक्ता तुलाराम ठािरी

अधिवक्ता उत्तम प्रसाद आचार्य

अधिवक्ता सुधिर कुमार कर्ण

अधिवक्ता आशा राई

महासचिव

अधिवक्ता अविजिता खनाल

कोषाध्यक्ष

अधिवक्ता भरत बहादुर राउत

सचिव

अधिवक्ता निर्मलराज पौडेल

सदस्यहरू

अधिवक्ता शर्मिला थापा विष्ट

अधिवक्ता भरत कुमार लकाई

अधिवक्ता देवी प्रसाद कोईराला

अधिवक्ता किरण कुमारी साह

अधिवक्ता नारायण दास राई

अधिवक्ता नरेश कुमार साह

अधिवक्ता सन्तोष कुमार राउत

अधिवक्ता गुणराज आचार्य

अधिवक्ता रूप बहादुर साठु

अधिवक्ता जीतेन्द्र बहादुर मंडे

अधिवक्ता विजिता नेपाली

अधिवक्ता सीता पौड्याल

अधिवक्ता सन्तोष तिवारी

## MESSAGE

I am glad that Nepal Bar Council was able to publish this peer-reviewed Nepal Bar Council Law Journal's twentieth volume. The papers published in the Journal typically conveyed the opinions and ideas of academics and legal professionals regarding a range of problems and difficulties that the current legal and judicial systems must deal with. The views and ideas of scholars reflected in these publications frequently have a significant impact on the development of the law on occasion, they have been used as suggestions for judicial and legal reform and regarded as authoritative sources.

The Council has recently taken a number of initiatives to broaden its existing responsibilities, with a particular emphasis on promoting legal education and setting standards for legal education, promoting and regulating the professional standards of legal practitioners, conducting training and research, promoting law reforms, etc. In order to achieve concrete and quantifiable progress in relation to the goals and strategic objectives outlined in the Plan, Council has been presently working to amend the pertinent laws and regulations and has already implemented its five-year Strategic Plan.

Numerous pieces by eminent scholars, academics, and government lawyers are included in this volume. This volume discusses both the concept of cyber crime in Nepalese law and the interpretation of the new jurisprudence. Numerous decisions ruled by the Nepalese Supreme Court are covered in the volume. I hope that it will be useful to the readers as a case resource as well.

For their consistent contributions and high-caliber work on this journal, I would like to extend my sincere gratitude and appreciation to all authors, editorial team members, reviewers, and the technical team. I hope that readers, researchers, and legal professionals will find this magazine to be a useful tool. I am confident that this will encourage additional study in burgeoning fields of law and the social sciences and help to shape the future national legal systems.

  
Sr. Gopal Krishna Ghimire  
President, Nepal Bar Association  
Vice-President, Nepal Bar Council

## FOREWORD

Legal profession is one of the prominent service-oriented profession. The Constitution of Nepal has defined legal profession in its article twenty, under fundamental rights. A person who is actively engaged in legal profession needs to be diligent and studious throughout his/her life, with sufficient knowledge of relevant laws and legal principles. With the increase in attraction towards legal profession, journals play an important role in educating renowned legal professionals to fresh law students and, anyone who wishes to acquire knowledge in diverse legal topics. Writing a manuscript or reading a published journal article, both can be intellectually rewarding.

In the context of Nepal, where there are not many legal journals published, Nepal Bar Council has been publishing Nepal Bar Council Law Journal in English, since two decades. Over the course of time, twenty volumes of NBC law journals have been published. In this twentieth volume of NBCLJ, 45 articles from judges, legal scholars, government attorneys, legal and judicial officers, private legal practitioners etc. have been published. The manuscripts received from the writers are at first assessed by editor. After being assessed by editor, the manuscripts are sent for rigorous blind peer review, where both the reviewer and the author's identity remain anonymous. Afterwards, the reviewed manuscript is sent to the author for editing as per the comments of reviewer. Only the well-researched, authoritative, authentic, original and rational manuscripts that contribute to the legal domain are published in the journal, after thoroughly being peer reviewed. The NBC publication committee would like to thank and appreciate all the authors for investing their time and effort in preparing the articles. We would also like to thank every reviewer for their deliberate hard work in reviewing and giving constructive feedbacks to the authors, which have helped in refining the articles.

I am privileged to get the opportunity to be the coordinator of the Nepal Bar Council Law Journal Publication Committee, and am thankful to everyone for their contribution towards the NBCLJ. As the coordinator of the Publication Committee, I would like to express my sincere gratitude to the NBC publication committee team, for working effortlessly to prepare the twentieth volume of the journal. I am truly thankful to Assistant Professor Mrs. Laxmi Sharma, for her continuous effort in editing the journal. I extend my gratitude to Mrs. Mona Singh, secretary of NBC for her contribution in publication of the journal. I would also like to thank Senior

Administrative officer Mr. Bidur Prasad Sapkota for his kind support. I express my gratitude to the whole NBC team including, Chairperson, Vice Chairperson, Councilors and all the staffs that made it possible to publish the journal.

Coordinator

Senior Advocate, Mukunda Sharma Paudel

Publication Committee, Nepal Bar Council



## EDITORIAL NOTE

Nepal Bar Council Journal Volume, XX has come forth to the valued readers encompassing various avenues of legal discourse, case commentaries as well as contemporary socio-legal issues. As to previous ones, this volume is also full of knowledgeable treasury encompassing forty five peer - reviewed articles.

Nepal Bar Council (NBC) Journal is one of the leading journal in Nepal. The chairperson, councilors of NBC, management team, staff, senior advocates, advocates, and faculties from the different university of Nepal are always dedicated, determined and supportive for reform and continuance of best practices done by predecessors in the due process of preparing journal in order to make this journal as one of the leading fora for academic discourse at national as well as regional and international level. So, this journal has also continued the peer review of articles in order to maintain and uplift the quality as it always seeks.

The editor of this volume would like to extend sincere gratitude to Associate Professor, Senior Advocate, Mukund Sharma Poudyal, Coordinator, Publication Committee, valued contributors, Secretary of the Nepal Bar Council Ms. Mona Singh, and other staffs including, Mr. Bidur Sapkota and Mr. Suresh Maharjan for their rigorous contributions and vigorous technical support throughout the end in bringing up the journal. As an editor, I am fully confident that this volume shall satisfy and fulfill the need of academics, professionals, students and legal luminaries. Also, in the meantime, it is to be noted that the interpretation of any legal text, expression of academic thoughts, analysis, and concluding remarks mentioned in each article are sole of the author's belonging and shall not reflect the views of the Editorial Board. However, the board anticipates constructive suggestions and comments from the valued readers to make the journal more worth full in the days to come.

Thank you.

Editor,

Laxmi Sharma

July 25, 2022

## Contributors

**Shyam Kumar Bhattarai** has been associated with the Nepalese Civil Service for last 32 years. He holds a Master's Degree in Law with a specialization in Constitutional and International Law from Tribhuvan University. For the last 20 years, he has been continuously involved in research and studies in the field of Public Administration and Administration of Justice, and has widely written articles on these issues. He has also worked as a faculty member of National Judicial Academy and is actively engaged in teaching Constitutional Law and Administrative Law. At present, he is working as a secretary of Government of Nepal.

**Dr. Krishna Prasad Bashyal**, Associate Professor of Law currently, serve as a dean fo faculty of Law, Tribhuvan University. Also, had served as an Assistant Dean of the Faculty of Law at Tribhuvan University, Nepal. He has also worked as an Assistant Campus Chief of Nepal Law Campus from 2007-2011. He has completed his Ph.D. on the topic "Appointment of Judges in Nepal" from the Faculty of Law, Tribhuvan University. He has completed his LL.M. degree in "Constitutional Law" from Tribhuvan University. Dr. Bashyal is also a Senior Advocate and has authored five books. His first sole-authored book is "An introduction to Jurisprudence", published in the year 2017. He has co-authored book named on "Family Law", which was published in the year 2019. Dr. Bashyal has written more than two dozen research-oriented articles on different subjects of legal issues. Bashyal has experience in both the academic and administrative parts of the University with deep and perfect leadership skills.

**Binod Bashyal**, associate Professor of law has completed his Doctor of Philosophy (Ph.D.) in law on the topic entitled " a Study on Judicial Trends in maintaining the Rule of Law in Nepal" from the Faculty of Law, Tribhuvan University, Nepal and Master's Degree in Constitutional Law and Political Science from Tribhuvan University . He has been teaching Constitutional Law, Administrative Law and International Law in law faculty for past 31 years and is currently serving as the Assistant Dean of Faculty of Law, Tribhuvan University, Nepal from 2019. Before joining the university, he had served for more than eight years at Kathmandu District Court and Central Bureau of Statistics. He has published Constitutional law, Administrative Law and International Law books as well as dozens of research articles in law related journals.

**Dr.Chandra Kant Gyawali**, is a senior advocate in the Supreme Court of Nepal. He holds Ph.D. in Constitutional Law, M.A. in Anthropology, M.A. in Political Science and LL.M. in Constitutional Law. He has published around 32 books. He is working as constitutional expert and has published multiple research reports. He has visited

Germany, Austria, Hungary, Great Britain, Scotland, Wales, Slovakia, China and Bangladesh.

**Jivan Prakash Lamsal**, an advocate of Supreme Court of Nepal and a member of Supreme Court Bar Association, Kathmandu. He has written various articles published in *The Rising Nepal*, *Gorkha Patra* and other national and international law journals. He is a practicing lawyer since 29 years as well as an authorized translator. He has obtained LL.M. Degree in Environmental Law and Sociology/Anthropology from Tribhuvan University, Kathmandu, Nepal. He has raised many PIL issues in Apex Court relating to environment protection and unlawful use of government, community, public and forest land.

**Tek Narayan Kunwar** is a High Court Judge in Nepal. Besides these, the author has also presented papers in the international and national seminars in Human Rights, Good Governance, and Access to Justice and so on.

**Diwakar Bhatta** is a District Judge and presently on deputation from the Supreme Court of Nepal to the National Judicial Academy, Nepal as a Faculty. He had done his Doctoral Degree (Ph. D.) in Criminal Law from Tribhuvan University. He holds LL.M degree as the Gold Medalist from Tribhuvan University and another LL.M degree in International Law and Human Rights from the University of Hong Kong, Hong Kong. He has done some significant researches in the area of international law, Human Rights, Constitutional Law etc. as part of his academic interest and excellence and also contributed dozens of research articles in the area of law and justice that have been published in some renowned publications. Besides these, he has also presented papers in the international and national seminars in International Trade Law, Criminal Law, Human Rights, Good Governance and Access to Justice and so on.

**Mr. Kedar Ghimire**, is Deputy Director at National Judicial Academy, Nepal since 2008. He has done Master's Degree (LLM) in Cyber Law and Cyber Security from Jagran Lakecity University, Bhopal, Madhya Pradesh, India. He is the Gold Medalist (Top Ranking Position on Overall LLM Stream) of the Batch 2017/18. He published different article on this particular subject in different National and International Journals. He has also participated in different trainings at national and international level on this particular subject. Among them he has participated on one of the important event "End to End Court Technology" program at Singapore in 2017 which was very much related to use of ICT in the Judiciary and how to maintain cyber security on it. He has also participated on 15 days long Training of Trainers (ToT) on Information and Communication Technology and E-Governance. Additionally, he has also done Master's degree on Library and Information Science (M. Lib. Sc.) from Tribhuvan University.

**Dinesh Prasad Ghimire**, is a Joint- Government Attorney (Gazetted 1st class officer) under the Office of the Attorney General. He has been involved in Nepal judiciary service since 2067 B.S. He also has master's degree in Law and Rural Development subject.

**Dr Balram Prasad Raut**, is an Associate Professor Law, Tribhuvan University since 2011. He has been practising law as an advocate in Nepal since 2004. He completed his PhD from South Asian University, New Delhi in 2020. He is a Gold Medalist in LL.M. He was awarded Nepal Biddha Bhushan (the second highest award for a university degree) from Rt. Hon. Dr Rambaran Yadav, President of Nepal. He has published three dozen research articles in national and international journals in the areas of comparative criminal law, constitutional law and human rights. He recently published a book of criminal law, Text Book of Criminal Law: Theory and Practice . His next book to be published very soon is Comparative Criminal Law. Dr Raut was chief researcher in different governmental and non-governmental research projects. Some of them are completed successfully and the given recommendation was implemented by the Government of Nepal, for example, Home Administration Reformation Plan, 2021. He has presented several research papers in different seminars, workshops and conferences at national and international level. He has expertise in criminal law, human rights and comparative legal system.

**Bhojraj Acharya** is an advocate. He is the former-vice president and former-president of the high court bar association (Patan). He is also a lecturer at Mahendra Ratna Campus Tahachal, Tribhuvan University. He was born in Rolpa. He has a degree in MA, BL, and BED. He is also the chief editor of Nyadoodh which is published by the Nepal Bar Association. He is also the editor of Nepali Journals, which will be published by the Nepal Bar Council. He is a member of the publication committee, Human right and public concern committee and another important committee respectively. Three of his poetry books have been published. His many journals, research articles, and writings have been published. His stories, dramas, and journey writing have also been published in Garima, Madhuparka, Kantipur, Rolpa Bimba and so on.

**Shuvan Raj Acharya**, advocate, has completed his LL.M. (1st Batch) in Commercial Law and M.A. in International Institution and Human Rights from Tribhuvan University. He is immediate past Secretary of Supreme Court Bar Association. He has been teaching Business Law, International Business/Trade Law, Legal Aspects of Entrepreneurship in T.U. He has also conducted numerous research and presented at National and International Conferences. He has written more than four dozen research-oriented articles in law and justice and are the contribution in corporate law sector. He was one of the research fellow and delegates from the Nepalese Lawyers that visited China Law Society, Unan University, People's Supreme Court and Trial

*Courts of China in 2017. He has also visited the high courts and Supreme Court of India in 1993 and 2005.*

**Bishnu Maya Bhusal** is a Lecturer at Nepal Law Campus, Tribhuvan University as well as a practicing advocate at courts of Nepal. She has completed her Master's degree in Law (LL.M in International Law and International Human Rights Law) and Sociology (M.A. Sociology) from Tribhuvan University. At university, she instructs the Professional Ethics and Lawyering Skills and Clinical Legal Education module for undergraduate level and International Refugee Law in the Master's level. She has been professionally associated with various Bars at several instances, having been elected as an Executive Member for the Nepal Bar Association recently from 2016-2019. A legal researcher, Bishnu Maya Bhusal has been contributing to Nepali legal scholarship through many writings, in recognition of which she also received a Best Woman Legal Writing Award in 2012 by Nepal's Lawyers Club. Currently, she is also a member of the National Mediation Council and the member of the Child Rights Monitoring Sub-Committee of the National Child Rights Council.

**Ojaswee Bhattarai**, is an LL.M scholar at the Tribhuvan University pursuing Constitutional law and Criminal law. She completed her undergraduate degree (B.A.LL.B) from Nepal Law Campus University and is a licensed advocate practicing in Nepal. She has received the Jyoti Bidushi Award, 2077 for securing the highest marks in the 28th Nepal Bar Council Advocate Licensing Examination.

**Saroj Krishna Ghimire**, is an Asst. Prof of Law at Tribhuvan University, Nepal Law Campus. He holds dual LL.M from the United Kingdom and India and has specialized in constitutional law, business and human rights and foreign investment law and is the Phd Scholar at the Tribhuvan University Nepal on constitutional law. He is also an Advocate at Supreme Court of Nepal and Member of the International Relation Committee of Nepal Bar Council. He has conducted various research works on access to justice, law and development, business and human rights, labor law, digital rights, cyber security and IPR and also conducts training for lawyers, academicians, justices and judicial officers on various legal issues. Mr Ghimire has delivered as Guest Lecture in the universities of various jurisdiction including India, China, UK and USA and has been international Speaker for the International Bar Association conferences, LAWASIA Conferences, SAARC Law and Asia Pro Bono Conferences and China-South Asia Legal Forum China to name few. Mr Ghimire frequently writes in law journals. He has been appointed as Member at the Advisory Board of Amity International Journal of Legal and Multidisciplinary Studies, Amity University, New Delhi, India. Mr Ghimire has participated in various legal courses and trainings at various jurisdiction including Sweden, USA, Myanmar, UK, Finland, China, India, Thailand and Bangladesh.

**Roshani Poudyal** is an Asst. Prof. of Law at Tribhuvan University, Nepal Law Campus. She holds LL.M. on human rights and international law and also PhD Scholar at Tribhuvan University. She is also an Advocate and has expertise in constitutional law, human rights, international law, legal aid, environmental law. Ms. Poudyal has more than decade experience of working with development sectors including UN and UNDP projects in Nepal. She has conducted legal research and policy analysis in various issues of law. Ms. Poudyal has attended courses as Nepali delegates on "Legislative Drafting and International Treaty Negotiation" at Advanced Institute of Legal Studies, London University UK and attended one-month Advanced Training Course on Intellectual Property Rights in Stockholm and Malaysia in the invitation of WIPO and SIDA. Ms. Poudyal has been the Speaker in national and international legal conferences and advocates for human rights, rule of law, women's rights, environment, development and BnHR and also appears in PIL cases at Supreme Court. The Supreme Court of Nepal has made landmark judgement for the protection of women's rights in the PIL she filed. Ms Poudyal frequently writes in the law journals and delivers guest lectures.

**Tejman Shrestha**, an Assistant Professor of Law at Nepal Law Campus, Faculty of Law, T.U., is responsible for teaching constitutional law and human rights law at post graduate and graduate programmes. He has more than a decade long experience of researching, policy and programme designing, implementing, teaching, lawyering and advocating for human rights, in particular economic and social rights and transitional justice. He has provided expert service in the field of international human rights law to constitutional bodies, different government organs, INGOs and constitutional law for different committees of the Parliament of Nepal and different organizations. Currently, he is coordinating a research project, Electoral System Reform Study Project, jointly executed by NLC and Policy Research Institute in association with Election Commission of Nepal. He holds LL.M in International Human Rights Law (academic supervisor: Sir Prof Dr Nigel Rodley), University of Essex, Colchester, The United Kingdom and LL M in Constitutional Law and International Law, T.U., Kathmandu, Nepal.

**Rukamane Maharjan**, is an assistant professor of Law at Nepal Law Campus, Tribhuvan University, Kathmandu, Nepal where she teaches International Law, International Human Rights, and International Humanitarian Law. Ms. Maharjan holds a LL.M. in Constitutional Law and International Law from Nepal Law Campus, Tribhuvan University and LL.M in International Human Rights and Humanitarian Law from the University of Essex, UK. Ms. Maharjan has received various awards and medal for her academic excellence including Lok Raj Gold Medal (Convocation medal for LL.B. course), Nepal Bar Council Awards (for LL.B. and LL.M), and Nepal Bidhya Bhusan Medal (Presidential Medal for LL.M. course).

**Kabita Shrestha** is an Assistant Professor at the Faculty of Law, Tribhuvan University, Nepal Law Campus since 2017. She is the founding member of the Centre For Women and Law. She worked as an officer at the Federation of Nepalese Chambers of Commerce and Industry and had advised on labour issues and participated in the Labour Reformation Process in Nepal. She has published several articles on labour issues and completed a mini-research titled ‘ A Study on the Legal Status of the Nepalese Women Migrant Workers’.

**Mr. Amrit Kharel**, is an Assistant Professor of Law at Prithvi Narayan Campus, Pokhara, Faculty of Law, Tribhuvan University. He is legal consultant in the area of aviation, investment and commercial law, among others. Mr. Kharel, holds Master of Laws (LL.M.) in International Law and Commercial Law as the Gold Medalist, from Tribhuvan University. He has wide experience of legal & research consulting to both public and private sector. He was Coordinator of the Committee of Experts on Regulation of Commodity Derivatives and Future Markets in Nepal, which was formed in 2012 by Securities Board of Nepal (SEBON) as per the mandate from High Level Financial Sector Coordination Committee headed by Hon. Finance Minister, Government of Nepal. To disseminate his significant researches, he has written several research reports, presented papers and attended various seminars on legal and commercial issues. As a part of his academic endeavor, he has contributed numbers of research articles in international and economic issues that have been published in renowned law journals. He can be contacted at [amrit.kharel@prnc.tu.edu.np](mailto:amrit.kharel@prnc.tu.edu.np)

**Ms Bimala Paudyal (Sen Oli)**, Undersecretary of the Government of Nepal, is working at Nepal Law Commission. She has experience in teaching in different Schools and Colleges. She has completed her M.A.in English from Tribhuvan University and LL.M in Human Rights from Purbanchal University. Her Dissertation for M.A. is on “Subversion of Patriarchal Violence in Pritam’s The Skeleton and Baldwin’s Family Ties”. And her research work for LL.M is on “The Legal Provision of Reproductive Health Rights in Nepal And its Challenges”. She is interested in writing research-oriented articles. Purbanchal University has awarded her by Kanoon Snatakottar Gold Medalist for successfully completing LL.M in Human Rights and Gender Justice Course and securing the topmost position in the Examination of 2075 BS (2018 AD) from Purbanchal University, Nepal.

**Kunshang Lama**, is an Advocate of the Supreme Court of Nepal. He is also an Expert Member of Sentencing Suggestion Committee, Government of Nepal, Ministry of Law, Justice and Parliamentary Affairs, under the Criminal Offence (determination of sentence and implementation) Act, 2074. He also has a PhD degree in Law (Organized Crime in Nepal) from the Faculty of Law, Tribhuvan University, with LL.M.

*(Criminal Law, T.U.) and M.A. (Sociology, T.U.). He is the author of several journal articles which were published in different national law journals. Adv. Dr. Lama also associated with Nepal Law campus (as a guest lecturer/resource person for the LL.M. degree), Kathmandu School of Law (as a Supervisor for the dissertation of LL.M. scholars), National Judicial Academy Nepal, National Police Academy (NPA); Central Police Training Centre (CPTC), Office of the Attorney General of Nepal as a resources person. He has also work experience with International Organization such as ILO, UNDP, European Union and other development agencies as a National Expert, Thematic Expert and so on. He has also conducted dozens of socio-legal researches and published dozens of research reports on national and international development organizations. He is also associated with a different governmental, non-governmental and social organization as a Legal Advisor and other thematic Advisors.*

**Rabindra Bhattarai**, has more than 20 years of experience working as human rights defender and lawyer, representing disadvantaged groups of people in accessing justice. Mr. Bhattarai, has experienced of teaching criminal law, legal research and juvenile justice for last 15 years. Currently, Mr. Bhattarai is a faculty member of Criminal Law at National Law Collage, Sanepa Lalitpur. Mr. Bhattarai holds Masters in Arts and Masters in Law (LL.M) in Criminal Law and Justice. Mr. Bhattarai has been Awarded & quot; Best Book of the Year Award & quot; by Nepal Bar Council for his book *Questing the Causes of Offending and Victimization (Criminology and Victimology)* published in the Year 2076 BS. Mr. Bhattarai is incumbent Expert Member of the Sentencing Recommendation Committee under Criminal Offence Sentencing (Punishment determination and Implementation) Act 2074 BS. He is member of Supreme Court Bar Association).

**Bimal Prasad Lamichhane**, is practicing lawyer, Assistant Professor of Law and Academic Co-ordinator of B.A.LL.B. program at Gandaki University, Gandaki Province, Pokhara, Nepal. He is also a teaching faculty member of Tribhuvan University, Faculty of Law, Prithvi Narayan Campus, Pokhara. Mr. Lamichhane is currently an executive member of Kaski District Court Bar Association. He has earned 5 years B.A.LL.B., Two years Masters Degree in Law (LL.M.) Specializing Criminal Law and Commercial Law from Central Department of Law, Nepal Law Campus and M.A. degree in Political Science from Tribhuvan University in first division. Mr. Lamichhane has more than half decades of experience in legal profession, research and academic activities. His teaching and research interests include criminal law, commercial law, professional and legal ethics, jurisprudence and legal philosophy. He has authored and co- authored numerous books, journal articles and texts on various legal subjects.



**Naresh Kumar Maharjan** holds an LL.M. and Doctor of Philosophy (Ph.D.) degree in Law from Shivaji University Maharashtra, India. Dr. Maharjan is a practicing lawyer as Advocate Supreme Court & High Courts with 20 years of experience in the area of Constitutional, Civil, Criminal, Banking, and Corporate matters also engaged as assistant coordinator LLB program at Nepal Open University and as visiting lecturer in Raffles University, Rajasthan, Shivaji University, Maharashtra and Vivekananda Institute of Professional Studies (VIPS) New Delhi. His article has been published in the legal field in peer-reviewed national journals, reputed international journals, and online journals. He is a founder and executive member of the Criminal Law Society Nepal and also a member of the Commission on Environmental Law, IUCN WCEL Bonn, Germany.

**Roshan Kumar Jha**, formerly a teaching faculty member at Tribhuvan University, Nepal Law Campus is Currently a Bench officer at Supreme Court of Nepal. The Author holds an LL.M degree in Criminal and Commercial laws from Tribhuvan University. He has written the book entitled “Legal Philosophy” and many research articles in national as well as international Journals.

**Praju Dotel** is a B. A. LL. B. graduate from Nepal Law Campus, Tribhuvan University (2019). A young professional, she is working as a Legal Officer at the Ministry of Health and Ministry of Social Development, Bagmati Province.

**Subash Acharya**, is an Advocate, member of Supreme Court Bar Association, Ph.D Scholar in Criminal Law, LL.M. in Criminal Law (Gold Medal), MA in English, and a Teacher of Criminal Law at Nepal Law Campus, Tribhuvan University. He is the author of Textbook on Criminal Law (2017). Mr. Acharya is also the author of some philosophical books including Critical Theories since Plato (2009) and An Approach to Postmodernity (2007). He has served as Expert Consultant for reviewing laws on Money Laundering to Department of Money Laundering Investigation, Expert Consultant to Nepal Army, and now as Legal Consultant to Nepal Police. Mr. Acharya specializes on criminal law, and has been awarded with Nepal Biddhaya Bhusan Padak 'KHA' 2075, Best Legal English Writing Award 2074, and Prawal Janasewa Shree 2076.

**Sudeep Kumar Dwivedi**, an advocate, has been practicing law since 20 years and teaching Business Law and Taxation since 10 years. He is running his own law firm and appointed as a legal consultant at various business organizations including Triveni Group, one of the leading business organization in Nepal. He is member of the High Court Bar Association, Patan, Lalitpur. He holds LL.M (Master of Laws), Master Degree in Business Studies (M.B.S.), and Master's Degree in Sociology (M.A.) from the Tribhuvan University, Nepal. Besides that he has completed but has not

*graduated Accounting M.B.A Degree from the U.S.A. and has experience of 2 years as an Income Tax Preparer in the U.S. His core practice area is the Commercial Law including Taxation Law.*

**Hira Bahadur Karki** is an Advocate at the Supreme Court of Nepal, accomplished LL.M. (Commercial Law and Refugee Law) from Nepal Law Campus and M.A. Political Science (International Law and International Relations) from the Central Department of Political Science at Tribhuvan University. Currently, he is pursuing a Ph.D. at the Faculty of Law, University of Delhi, India (Topic: Refugees and Problem of Protection of Their Rights: A Study of Rohingya Refugees in India and Nepal). He has done research on human rights, refugee rights, wild animal protection, and environmental preservation and protection. Karki has participated in refugee and human rights issues in countries including Canada, Turkey, Hong Kong, Bangladesh, and India. Mr. Karki can be found at: [hbkhaula@gmail.com](mailto:hbkhaula@gmail.com).

**Sarita Khanal**, is an advocate. She holds a Master's Degree in Management from Nepal Commerce Campus, T. U. and LL.M. from Nepal Law Campus, T.U. standing first class first in the year 2012 A.D. Currently, she is a final year student of Ph.D. under Faculty of Law, T. U. She has been practicing in the area of corporate law since ten years. Further, she has published various research articles including peer review articles in diverse avenues of law and justice in different esteemed journals of Law. Presently, she is a faculty at Nepal Open University, Faculty of Management and Law. She has co-authored two different books viz. Administrative Law and Business Law.

**Ms. Laxmi Sapkota**, is a Ph.D. scholar in the faculty of law, at Tribhuvan University. She has been teaching at the Kathmandu School of Law as an Assistant Professor for 10 years. Additionally, she is also the coordinator of B.A.LL.B 4th year, and chair of the Business law subject committee in the same college. She has written a couple of books on law. Similarly, she has continuously published peer-review articles in national and international journals. Her area of interest is in business laws like contract law, company law, and also in intellectual property law.

**Ms. Laxmi Bakhadyo**, is a law graduate with specialization in criminal law. She earned post graduate degree in Counseling psychology. Currently she is pursuing her Ph.D in Tribhuvan University, Department of Law. She has been working as Assistant Professor of Kathmandu School of Law since 2017. She is passionate researcher. She has been awarded with different research fellowships. Some of them are Mayor Research Fellowship 2020/21, Kathmandu School of Law Research Grant 2020, CESLAM Migration fellowship 2019, Child Reach Nepal Graduate Research Grant 2015, CVICT Fellowship 2014, CeLLRD Human Trafficking Research Fellowship 2011 and FIAN Right to Food Fellowship 2011. Her writings had been published in

*different national and international journals. Recently her writing has been published in Prosecution Journal of Office of Attorney General, Nepal Law Review of Nepal Law Campus, Bangladesh Journal of Law of Bangladesh Institute of Law and International Affairs. She was awarded with “Kannon Santotakatar Gold Medal”, 2017, by Purbanchal University, “LL.M Batch Topper Award” Kathmandu School of Law, 2016 and “Nepal Bar Council Topper Award” of 20th Bar Council examination by Nepal Bar Council. She is associated with social organization “SAA: PHU” with slogan education for all. Through that organization she organizes different programs with purpose to spread importance of education in community level. She is also involved as Researcher and Attorney of JuRAL (Judicial Research, Advocacy and Litigation Center).*

**Mukunda Adhikari**, an advocate, has finished Ph.D. majoring Law and Governance, in Xian Jiatong University, Shaanxi Province, China. He had completed Masters in Law from Nepal law Campus, majoring Constitutional and Criminal Law. Beside these, he is a Master of Education Planning and Management from Mahendra Ratna Campus, Tahachal. The writer has already published more than 20 articles in different national journals. His article "Nepalese FDI Law and Policy with regard to the Belt and Road Initiative" has been published in International Journal China and WTO Review. The next article "The Belt and Road Initiative as a Gateway to the Sea for Land-locked Countries: with Reference to Nepal", recently got published in SAGE open. He has delivered more than 10 lectures on the topic "Belt and Road Initiative" in Beijing and others cities of China. He was elected as a Xian Jiatong University International Student Ambassador from 2016 to 2020 and had a successful tenure, developing International Relationship. He worked as a lecturer in Himalayan Jyoti College and taught B.Ed student. He also worked as a B.A.LL.B Co-ordinator and taught in National Law College. Currently he has been working as a legal advisor in Nepal veterinary Council and similar other organizations.

**Mr. Rabindra Tamang**, an Advocate and Lecturer of Law and English. He holds LL.M. in International Law and Constitutional Law with first division from Nepal Law Campus and M.A. in English Literature with higher first division from Central Department of English, TU. He is, currently, a Lecturer of Constitutional Law at Nepal Open University and is associated with International Legal Centre as an advocate. Also he has served as a member of Taskforce Committee for framing and developing the Curriculum of Human Rights subject for Grade XI and XII, Nepal Government, under the ministry of education, science & technology, CDC in 2020. He specializes on International Law, International Human Rights law, Foreign Policy, International Relations and Constitutional Law issues whose dozens of articles on the aforementioned issues have been already published in various journals and newspapers. Besides academics and lawyering, Mr. Tamang has been working for

*the noble causes for the protection of human rights through the events like beauty pageants and other events .He was invited and honored as a judge at the mega event Mrs. Nepal International-2018 with the motto of “Campaign against Human Trafficking” who has been awarded with various certificates and medals nationally and internationally for his contribution via the legal domain.*

**Yam Kumar Yonjan**, is a practicing Lawyer of the Supreme Court of Nepal. He is also a teaching faculty member of Nepal Law Campus, Tribhuvan University. He has completed LL.M. degree from the Nepal Law Campus, Trinhuvan University, specialization in International Law and Commercial law respectively. He has an experience of the visiting lecturer of distinct law colleges, resource person at governmental and non-governmental academic and training institutions. Presently, he is doing legal practice in the areas of corporate law and constitutional law and he is also pursuing Ph.D. degree on constitutional law from the faculty of law, Tribhuvan University.

**Shishir Kumar. Yadav**, is graduate from Ohio Northern University (USA) with a master’s degree in Democratic Governance and the Rule of Law in 2016. He has been in the teaching profession since 2016. He has worked with different law schools and is involved in teaching at Nepal Open University since 2018.

**Kali Bahadur Samyu**, Judicial officer, Section Officer of government of Nepal by 2015. Currently carrying thesis for LL.M. degree honoring Constitutional Law and Criminal Law. Holds master degree in Anthropology, Political Science and Public Administration as well.

**Shiva Saran Giri**, holds LL.M from the Nepal Law Campus and has specialized in Criminal law & International law. Mr.Giri frequently writes in law journals on issues like Criminal Law, International law, Human Rights law and International Humanitarian law.

**Manaj Jyakhwo**, is a practicing corporate lawyer and the author is currently the Legal Consultant for the Labour and Employment Office, Teku. Academically, he is LL.M. graduate in Commercial Law and Constitutional Law. He is also the author of books in law, namely, Fundamentals of Human Right and Mahatwapurna Najir Faisala ko Sangalo I & II. He is engaged as a part-time teaching faculty of law in Khwopa College.

**Nabin Karki**, is an advocate and have been engaged in law practice since long. He is the member of Nepal Bar Association, Bhaktapur Unit and also working as the General Secretary of Forum for Law, Justice and Social Welfare Nepal.

**Sudarshan Kunwar**, an advocate, member of district court bar association, LLM in international law and commercial law, M.A.(English) and bachelor in psychology & education. The author has completed his dissertation on, 'Philosophical Questions on Dichotomy between Law and Religion'. Besides, as a legal practitioner, the author has been facilitating legal expertise relating to commercial issues to various financial institutions and cooperatives.

**Puza Banjara**, is an advocate and majorly practicing in the field of Criminal Law. She is currently, pursuing a Master's degree in major subjects Criminal Law and Commercial law from National Law College. She has written several articles on legal subjects such as Legal Aid; Access to Justice for all, Occupational Health and Safety: 'A rising concern for all and Drug Trafficking Spiraling Upwards' that can be accessed in National Daily Newspaper, The Rising Nepal.

**Ashriti Pokharel**, a B.A.LLB graduate from Kathmandu School of Law with specialization on commercial law, has been working as a legal officer of Government of Nepal. She had been engaged into corporate law practice in past. She has also been certified as an advocate from Nepal Bar Council. Her areas of interest are commercial law, international law and issues of human rights. Her article "Protection of Trademark in Nepal with Special Reference to Well-known Marks" has been published in Nepal Bar Council Law Journal, 2020.

**Ms. Bikisha Paudel**, studying LLM in Kathmandu School of Law under Business and International Trade law. The author is working as a Legal Officer at Prabhu Insurance, Tinkune. The author has been actively involved in research work and projects under Nepal Health Corps.

**Nikhil Dongol**, is a practicing advocate and a young professional. He is a BALLB graduate from Kathmandu School of Law. He is pursuing an LLM (Masters of Law) degree at Kathmandu School of Law. His areas of interest are jurisprudence, labour law and policy research and keen on reading and writing on the subject matter. He was part of the editorial board at Kathmandu School of Law for 3 years and various other journals. His article "A Jurisprudential Study on the Untouchability Practices in relation to Poverty in the context of Nepal" was published in NJA Law Journal 2020. He had participated in various Moot Court Competition with subjects ranging from human right, admissibility of arbitral award to humanitarian laws.

## TABLE OF CONTENTS

S.N.	Topic	Author	Page
1.	CONCEPTUAL FRAMEWORK OF JUDICIAL REVIEW	<i>Shyam Kumar Bhattarai</i>	1-12
2.	JUDICIAL NARRATIVES OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN NEPAL: A JURISPRUDENTIAL POINT OF VIEW	<i>Dr. Krishna Prasad Bashyal</i>	13-25
3.	UNDERSTANDING THE EXTRADITION AND NEPALESE LEGAL FRAMEWORK	<i>Dr. Binod Bashyal</i>	26-37
4.	CONSTITUTIONAL BENCH VS. CONSTITUTIONAL COURT: A COMPARATIVE STUDY	<i>Chandra Kant Gyawali</i>	38-49
5.	ANALYSIS OF STATE POLICY AND OBJECTIVES OF EXISTING LAND COMMISSION	<i>Jivan Prakash Lamsal</i>	50-61
6.	FUNCTION OF JUDICIAL COUNCIL AND JUDICIAL INDEPENDENCE	<i>Tek Narayan Kunwar</i>	62-75
7.	EFFORTS TOWARDS CODIFICATION OF CRIMINAL LAW IN NEPAL: AN ANALYTICAL OBSERVATION	<i>Dr. Diwakar Bhatta</i>	76-89
8.	COMPONENTS AND USE OF ELECTRONIC AND DIGITAL SIGNATURE IN NEPAL	<i>Kedar Ghimire</i>	90-100
9.	PROVISION OF HUMAN RIGHTS IN VARIOUS RULING PERIODS IN NEPAL AND PRESENT CONDITION : AN ANALYSIS	<i>Dinesh Prasad Ghimire</i>	101-119
10.	CLASSIFICATION OF CULPABLE HOMICIDE IN NEPAL HYBRID OR ADOPTED?	<i>Dr. Balram Prasad Raut</i>	120-131

11.	HUMAN RIGHTS AND SOCIAL SECURITY SCHEME IN NEPAL	<i>Bhojraj Acharya</i>	132-142
12.	PUBLIC PRIVATE PARTNERSHIP LAWS AND PRACTICES IN NEPAL	<i>Shuvan Raj Acharya</i>	143-154
13.	A STUDY OF THE SUPREME COURT'S ROLE IN DEVELOPMENT OF THE LEGAL PROFESSION IN NEPAL FROM 2051 B.S (1994 A.D) TO 2065 B.S (2009 A.D) – THE CASE LAW APPROACH	<i>Bishnu Maya Bhusal / Ojaswee Bhattarai</i>	155-165
14.	JURIMETRICS AS A SCIENTIFIC STUDY OF LAW: SIGNIFICANCE AND BARRIERS	<i>Saroj Krishna Ghimire</i>	166-176
15.	AN ANALYSIS OF LEGISLATIVE RESPONSE ON VIOLENCE AGAINST WOMEN	<i>Roshani Poudyal</i>	177-188
16.	AN ASSESSMENT OF WOMEN'S REPRESENTATION IN THE SUPREME LAW MAKING BODY OF NEPAL	<i>Tejman Shrestha</i>	189-205
17.	AN ANALYSIS OF NORMATIVE CONTENT OF RIGHT TO TRUTH	<i>Rukamane Maharjan</i>	206-217
18.	AN ANALYSIS OF SEXUAL HARRASMENT AT THE WORKPLACE (PREVENTION) ACT, 2014 (2071) IN NEPAL	<i>Kabita Shrestha</i>	218-231
19.	UNDERSTANDING DOCTRINAL LEGAL RESEARCH: JURISPRUDENTIAL FOUNDATIONS, APPROACHES AND LATEST TRENDS	<i>Amrit Kharel</i>	232-243
20.	LEGAL PROVISIONS ON REPRODUCTIVE HEALTH RIGHTS OF WOMEN IN NEPAL AND ITS CHALLENGES	<i>Bimala Paudyal</i>	244-257
21.	THE PRINCIPAL INTERNATIONAL NORMATIVE FRAMEWORK FOR COMBATING ORGANIZED CRIME	<i>Dr. Kunshang Lama</i>	258-274
22.	INSUFFICIENCY OF PUNISHMENT FOR CRIMES OF CORRUPTION IN NEPAL	<i>Rabindra Bhattarai / Bimal Prasad Lamichhane</i>	275-286

23.	APLOMB ROLE OF RES GESTATE IN CRIMINAL ADMINISTRATION OF JUSTICE – A CONCISE NOTE	<i>Dr. Naresh Kumar Maharjan</i>	287-296
24.	THE NEPALESE INDIGENOUS CONCEPT OF ENVIRONMENTAL JUSTICE	<i>Roshan Kumar Jha</i>	297-318
25.	CONSENT AS A JUSTIFIABLE DEFENSE	<i>Praju Dotel</i>	319-330
26.	WHITE-COLLAR CRIME: A CAUSUAL EXPLANATION	<i>Subash Acharya</i>	331-346
27.	NCELL: A CORPORATE SCANDAL FACTS AND REALITY	<i>Sudeep Kumar Dwivedi</i>	347-362
28.	PROTECTING FEMALE REFUGEES AGAINST SEXUAL AND GENDER BASED VIOLENCE IN NEPAL	<i>Hira Bahadur Karki</i>	363-374
29.	PROTECTION OF TRADITIONAL KNOWLEDGE UNDER INTELLECTUAL PROPERTY RIGHTS	<i>Sarita Khanal</i>	375-382
30.	EVOLUTION OF GEOGRAPHICAL INDICATION LAW IN NEPAL: A WAY FORWARD	<i>Laxmi Sapkota</i>	383-396
31.	ELDERLY PERSON'S VULNERABILITY TO CRIME VICTIMIZATION: CONTEXT OF NEPAL	<i>Laxmi Bakhadyo</i>	397-410
32.	PROMOTION OF CULTURAL HERITAGE OF NEPAL UNDER THE BELT AND ROAD INITIATIVE	<i>Mukund Adhikari</i>	411-420
33.	HISTORIC NEPAL-BRITAIN RELATION AND EX-GURKHA PENSION ISSUES: AN APPRAISAL FROM THE PERSPECTIVE OF INTERNATIONAL HUMAN RIGHTS LAW	<i>Rabindra Tamang</i>	421-431
34.	CONSTITUTIONALISM: A PERSPECTIVE OF CONSTITUTIONAL LAW	<i>Yam Kumar Yonjan</i>	432-447
35.	PROTECTION INCURRED ON CIVILIAN OBJECTS IN THE ARMED CONFLICTS OF NON-INTERNATIONAL CHARACTER	<i>Shishir Kumar Yadav</i>	448-463



36.	THE DISSOLUTION OF HOUSE OF REPRESENTATIVES: AN ACCOUNT ON CONSTITUTIONAL PROVISION AND PRACTICE WITH JUDICIAL REVIEW IN NEPAL	<i>Kali Bahadur Samyu</i>	464-475
37.	AN ANALYSIS OF LEGAL FRAMEWORK OF PROTECTION OF CULTURAL PROPERTY IN ARMED CONFLICT	<i>Shiva Saran Giri</i>	476-490
38.	CORPORATE TAX IN NEPAL	<i>Manoj Jyakhwo / Nabin Karki</i>	491-502
39.	RIGHTS OF SENIOR CITIZENS: INTERNATIONAL AND NATIONAL LAWS AND PRACTICES	<i>Sudarshan Kunwar</i>	503-512
40.	PARTIES TO THE CRIME: LIABILITY AS AN ACCESSORY IN CRIMINAL LAW	<i>Puza Banjara</i>	513-521
41.	RE-EXAMINING THE VALIDITY OF YAM CONCEPT	<i>Ashriti Pokharel</i>	522-530
42.	PROTECTION OF FOREIGN TRADEMARKS AGAINST INFRINGEMENT IN NEPAL	<i>Bikisha Paudel</i>	531-544
43.	CASE LAW STUDY ON THE POLICY OF AFFIRMATIVE ACTION IN NEPAL: NEED FOR A SOCIAL WELFARE APPROACH TO JURISPRUDENCE	<i>Nikhil Dongol</i>	545-556

## INFORMATION FOR AUTHORS

**NEPAL BAR COUNCIL LAW JOURNAL**, a peer reviewed journal, invites the submission of articles, legislative reviews, case commentaries, book reviews in the area of law for the publication in the next volume of the journal. When submitting a manuscript, each author shall represent that the submission is original and gives the Nepal Bar Council the right of first refusal. Interested authors are requested to submit manuscripts to Nepal Bar Council, accompanied by an assurance that the article has not been published, submitted or accepted elsewhere. Authors are requested to submit their manuscript in soft copy, in word format.

From the Vol. XVII, Nepal Bar Council has initiated the process of using blind peer review of the manuscripts. As such, authors are expected to address the comments and recommendations on the manuscript that may be identified during the peer review process.

**COPYRIGHT** Copyright is vested on Nepal Bar Council. Prior approval of publisher is requested if the author wishes to publish the article in any other journal, books or to present as a seminar paper.

**EDITORIAL POLICY** The Publication Committee and Editor reserves the exclusive right to edit wherever necessary for the publication and further reserves the right to reject or withhold or postpone the publication of any material.

**RULES OF CITATION** The authors are requested to follow any of the standard rules of citation.

### **CORRESPONDENCE**

NEPAL BAR COUNCIL

Kupondol, Lalitpur, Nepal.

Tel: 01-5260964, 5261884

E-mail: [info@nepalbarcouncil.org.np](mailto:info@nepalbarcouncil.org.np)