

An Acute Increase in Rape Instances Centering Men : A Necessity to formulate Gender Neutral Rape Laws in India

Rape is defined under section 375 of the Indian Penal Code as an act of sexual intercourse by a man with a woman against her will or without her consent or with her consent a) which is obtained by coercion, fraud; b) by misrepresenting himself as her husband c) by reason of unsoundness of mind; d) in her state of intoxication and with or without consent, when the woman is under eighteen years of age. From the above definition it is elucidated that- the offence of rape is always committed by a man and the victim of rape is always a woman or girl. But the scenario has changed with the passage of time. It has been found that not only women but the males, homosexuals and transgenders are also distressed by this crime. A survey conducted by Insia Dariwala which inspected 1500 male, out of which 71% of men surveyed said that



they were abused, 84.9% said they had not reported about the abuse, and the primary reasons for this were shame (55.6%), followed by confusion (50.9%), fear (43.5%) and guilt (28.7%). But the mindset of the society that males cannot be a victim of such offences pushed these issues into the unreported region. Also, it is believed that in a male dominant society, men are

the strongest person and they are not vulnerable at all. They are considered as persons who always want sex due to which they fear that if such crimes will be reported then a question mark will be raised on their potency. This is the reason, why there are no separate laws which penalize such offense committed against men. Only Section 377 of IPC defines Unnatural Offences and criminalizes sexual intercourse against the order of nature with any man, woman and animal. Other than this there is POCSO (Protection of Children from Sexual Offences) for the protection of male child from sexual assaults but it does not have any provision for male adult. Is this also a question to the Right

to Equality and Right against Discrimination? The cause behind such partiality is unknown. But it cannot be denied that this inequality is affecting the equalitarianism of our constitution. Countries like USA, Canada, Northern Ireland have gender neutral laws for such offences. As the rate of such crimes in India is increasing and the men also needs to be protected hence it is crucial that provisions should be made for the formulation of Gender Neutral Laws for such sexual offences in our country also so that no more males are denied justice.



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Capital Market In India:

Indian Financial Market:

Before studying about the capital markets, we should have a knowledge about the Indian financial market as a whole. It is divided into 2 broad categories i.e. Money market and capital market. The basic difference between the two markets is that if business enterprises need large sum of money for ultra short term to short term (less than an year) they turn towards the money market and if they need long term borrowings (more than an year) they head towards the capital market.

Meaning of Capital Market:

Capital Market is used to define a market place where dealings in both the types of securities i.e. Debt and Equity takes place. Business enterprises including government and non-government companies can raise long term money here.

As huge amount of money is involved along with large amount of investors including the retail investors, there arises a need for their protection and regulation. Hence, Capital Market is regulated by the Securities and Exchange board of India (SEBI). The prime function of SEBI is to make sure that investors are protected against any type of fraud.

Capital Market is divided into 2 broad categories, namely:

- 1) Stock Market
- 2) Bond Market.

Let us now talk about the two in detail:

Categorisation of Capital Market:

1) Stock Market: Stock Market also known as share market or equity market is a market place where shares of the listed companies are traded and exchanged. The working of the stock market is carried in by the stock exchanges. In India 2 of the largest stock exchanges are National Stock Exchange (NSE) and Bombay Stock Exchange (BSE).

2) Bond Market: Bond Market is a market

place where dealings in Debt and bond securities take place. It is also called as fixed income market and credit market. As we are aware that debt securities bear a fixed rate of return hence the name of the market.

Stock Market can be further classified into 2 markets:

- A) Primary Market
- B) Secondary Market

A) Primary Market : Companies wishing



to raise money by issue of new shares and securities come to the Primary Market. In other words, companies raise capital for the very first time through Initial Public Offer (IPO) in the Primary Market.

B) Secondary Market: Once the shares are listed with either of the exchanges, it becomes the part of the Secondary Market. Then, dealings and interchange in those shares and securities take place amongst investors and traders through stock brokers and stock exchange.

Conclusion:

Indian capital market is a well established system of exchange of shares and securities for the purpose of long term borrowings. It also helps the development of various sectors of the economy through domestic investment as well as FDI which in turn increases the GDP and helps and economy to grow.



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A BRIEF OUTLINE OF THE ORIGINS OF OUR LEGAL SYSTEM

A rich and advanced legal system based on dharma prevailed in ancient India much before and after the Gupta period (320 to 550 AD). Earlier the judge was selected on basis of his knowledge in 18 titles of law and 8,000 sub-divisions of them, he had to be well versed in logic (Tarka), interpretation (Mimamsa), and Vedas.

He had the powers to request the king if he directed him to give an unjust decision in a case, He had the rights to deprecate the king against the order and interdiction from it. This shows that the power of a judge couldn't be questioned even by the king,

The first clear statement of rights is found in Kautilya's 'Arthashastra', where justice was assured as including a fair trial and the right to produce witnesses. Citizens had a right to trade and commerce, the right to inheritance and to get standard wages. Women's right to 'sridhana' (women's property) was recognized as was the right to widow remarriage and in some cases even the right to divorce the husband.

The Brihaspati Smriti classifies courts as shaasita (where the king himself presided), mudrita (appointed by the king and using his seal), apratishtitha (circuit court), and pratisthita (established in village or town). The court presided by the king was the highest one. There were also courts appointed (ashikrita) by the king, presided by the chief justice (pradvivaka). Next to these came in the descending order – Gana (assembly), the shrine (corporation), and kula (family councils). The matters were decided by dharma (law), local custom, and usages.

When we look further towards the jurisdiction, Gana, shrine, and kula

could decide on all disputes except those falling under saahasa. They did not have any power of imposing corporal punishments and fines. The appellate jurisdiction of Gana over shrine and shrine over kula was recognized. The king was the highest court of appeal and his decision was final. The collegiate character of the king's court is explicit from Brihaspati's verse to the effect that the king (raja), chief justice (pradvivaka), and judges (sabhyas) are the judicial officers. But we see that the villagers had a judicial system of their own.

Ancient India also had institutions that were similar to today's Law Commission of India. Nyaya-parishad was the conglomeration of scholars in Vedas, Mimamsa, Vedangas, and experts in law and three persons following ashrama (brahmachari, grihastha, and sannyasa) and dharmas who have actual life experience in each stage of life. The Nyaya Parishad were able to assist by providing research-based advice on controversial issues when the law was obscure. There were advocates equivalents of today's advocates who were called 'niyogis' in those days.

We had a rich legal system based on dharma that existed even much before and after the Gupta dynasty. Indian society was essentially a duty-based society since its inception. All aspects of human conduct, from the cradle to the pyre, were governed by compulsory rules called 'dharma'.



MRS. SHITAL SIKARWAR
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“Self-reliant India’ Is A Dynamic Concept”

The new Atmanirbhar Bharat mission provides an opportunity to gradually reduce imports in every sector. If we can convert our demographic advantage into a demographic dividend by providing high-quality technical and vocational training to our youth, if we can further

marketplace. We can certainly chase the dream of transforming “Local” India into a “Global” India by using our resources wisely and strategically. We can make it happen by set free the forces of growth and giving space for creative experimentation.



simplify procedures for setting up and running businesses, if we can focus strategically on the critical bottlenecks that are constricting rapid growth and find solutions to overcome them, if we can foster research and innovation, the mission we are embarking on will be able to achieve its transformative potential.

Any mission has to have people at the centre. People must internalise the concept of valuing local products and artefacts and promoting them. Once the demand is generated and the market expands, the production tries to keep pace and eventually, with a branding effort, the products go global. Being vocal for “local” can be a stepping stone to a self-reliant India and an India that will add its own unique glow and charm to the vast array of products in the global

The appeal for self-reliance aims at a serious reflection on whether we are making the best use of our natural, human and technological resources. It seeks to galvanise our unused and hidden potential. It only underlines the need to be on our own with respect to basic and core necessities based on our ability to meet them with our known available resources and technologies.

The Atmanirbhar Bharat Abhiyan, as it is called, is a mission to galvanise the forces of growth across the country in various sectors of the economy.



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The National Education Policy came into continuation on 29 July 2020, by Prakash Javadekar, Union Minister for Information and Broadcasting (I&B) and Ramesh Pokhriyal Nishank, Minister of Human Resource Development (HRD) after replace the existing National Education Policy. The new education policy is framed to make it suitable to current educational, economical and societal changes. The change in education policy is made after a gap of a total of 34 years. But the change was essential and require for the time should have been made earlier.

Need of new education policy

New education policy (NEP) visualizes the arrangement of a new set of courses and structure of education which will assist the students at their different stage of learning. The change has to be done in the existing education system in order to make education reach up to all, range from urban to rural areas throughout the country.

Objective

The main purpose is making a child be trained along with becoming a skilled one, in no matter what field they are interested. In this way, the learner are able to outline their aim, and their capability. The learners are to be provided with integrated learning i.e. having the information of every discipline. The same is applicable in higher education too. The new education policy also highlighting on

the improvement of teacher's education and training process.

Problems, Challenges, Disadvantages

- The implementation of the new Education Policy of 2020 will be challenging in rural India, where the basic technological infrastructure is missing.
- It will be a big challenge to fight the stigma around adult education and hence the implementation of adult courses can be a little challenging across the country.
- There will a learning curve for students and teachers to adapt to the new learning system.
- A lack of qualified teachers according to the new requirements

Conclusion

The present education system is the result of changes made in the existing education policy of 1986. It has been implemented to foster the learner and the nation's development. The new education policy focuses on the child's overall development. The policy is destined to achieve its objective by 2030.



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Cyber feminism is a philosophy that sees, (firstly) that there is a difference between the powers of men and women especially in digital discourse, and (secondly) the cyber feminist wants to change this situation. Cyber feminism is a term coined in 1994 by Sadie Plant, director of the Cybernetic Culture Research Unit at the University of Warwick in Britain, to describe the work of feminists interested in theorizing, critiquing, and exploiting the Internet, cyberspace, and new-media technologies in general.

Now the same technology is being used to tackle all that and more. Feminist movements and organizations are creating different ways of fighting abuse

and restoring women's faith. Technology has limited feminist groupings in the very recent past. Apart from protests, they hardly made headlines for their acts, but they did create vast material in the form of journals, pamphlets, and scholarly research

New feminism is growing through social media, one that calls into question slut- shaming. This generation of girls is taking over on YouTube forums, Twitter, and vlogs. Facebook discussion groups are particularly useful in organizing marches, or even simply helping a girl defend herself against some sort of misogynistic attack.

Women use cyber feminism to express themselves. Link with each other and

over the issues that arise. They're closet to the core. They go far beyond community borders to share ideas, knowledge, and experiences of concern to the societies. Meanwhile, they bring global resources to their local community.

Today the network is becoming a fertile hate Petri dish. Gamer gate, where a woman who worked in video games was threatened, doxed and humiliated by men online, haunted many of the darker recesses of the internet. A vision of the cyber feminists now appears as a discordant artifact from a sunlit period. Cyber feminists ought to make its opportunities to meet and form corporeally Groups of affinities to help

create a transnational and the movement of the transcultures. What cyber feminists need to have their voices heard even more clearly in talking about Net Growth? More women are available online now than years ago, nevertheless, the Internet always attracts a male eye. A growing number of female Internet users mean widening gender knowledge gap Technology. However, women users in general are still the main sufferers of differences in details, especially in the more developed countries.



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Interview

Mr. KARAN GARG

Partner & Senior Advisor,
TLGS Consulting Group

1. How was your journey so far?

I started my career in judiciary and have served as the Assistant Registrar of Supreme Court but my interest has always been in starting something of my own. I just wanted to try my hands in judiciary but after working there in both judicial and administrative side, I wanted to enhance my idea about the startup.

2. What does your start up deal with?

My start ups deals majorly in Research and Litigation. The major focus is on the research work. Still in its infancy, it is an innovation-driven consulting group with focus on emerging laws, corporate advisory, Court Litigation and interface with central & state governments. It is a Solution & Delivery driven

organization with out of the box ideas for managing corporate issues and investigations by Central Bureau of Investigation, Directorate of Enforcement, Income Tax, Serious Fraud Investigation Organization and Court appointed SIT's.

3. What are the tips you want to give for the aspiring lawyers of the country?

The focus should be on research. Every person should choose his own style of living his law school life. Law school is always a trial and error method. My best tip to them will be not to lose their originality and creativity.

4. How does Moot Court help students?

The culture of moot court should be followed in all law schools as it gives a practical exposure to the students.



They get to learn how to appear in front of the court after completing law. It gives a practical exposure to the students in learning something they won't learn through books. Doing moots develop the research and oratory skills of the young law students.

5. What are your reviews about Indore Institute of Law and Nirmala Devi Bam Memorial Moot Court Competition?

One word that will come to my mind

when I talk about Indore Institute of Law will be Excellent Hospitality. The competition was organized really well by the committee. The way the judges and students are treated, I am happy that I agreed to be a part of it. I loved the enthusiasm and dedication in the students while they are arguing the case before us.

Interviewed By:
Litson K Stephen



Mr. Risabh Bhargava
(Batch 2014-2019)
Assistant Legal Manager
India Shelter Finance Corporation Ltd.

ALUMNI CORNER

“Your Alma Matter is like a mother, patiently accepts all your hoots but proudly boats your achievements to the world... No wonder why our Alma Matter is called our Second Home”

Achievements - applauds, opportunities - thoughts which I grabbed from IIL. Indore Institute of Law gave me a great platform to always cherish the wonderful experiences to learn and grow myself in Law Profession. During college days I always had a nexus with our Alumni's who gave me the deep knowledge about various career opportunities. I am and will always be

grateful to IIL for giving me a great chance of getting placed in the year 2019 in one of the prestigious Non-Banking Finance Company i.e. India Shelter Finance Corporation Ltd. as aAssistant Legal Manager.

IIL let us fall by our own but made us climb on the ladder to success...!!!

CURRENT AFFAIRS JANUARY 2021

- India sets up its first centre for wetland conservation in Chennai- The ‘Centre for Wetland Conservation and Management’ will assist in the regulatory framework and policy, monitoring, management planning as well as the targeted research for the conservation of the wetlands in India.
- The government is considering to introduce a new bill “National Bank for Financing Infrastructure and Development Bill, 2021” in the ongoing budget session of the parliament. This bill will be passed with the objective of setting up a new development finance institution (DFI) so as to finance the infrastructure projects.
- The Department of School Education and Literacy under the Ministry of Education, and the World Bank have signed the Strengthening Teaching-Learning and Results for States Program (STARS) project on January 28, 2021. The project is a financial support agreement.
- The Reserve Bank of India (RBI) has recently proposed for a four-tier structure for tighter regulatory framework of the Non-Banking Financial Companies (NBFCs). About Regulatory and Supervisory Framework The responsibility of regulation and supervision has been entrusted with the Department of Non-Banking Supervision (DNBS) of RBI under the regulatory – provisions of the Reserve Bank of India Act, 1934
- India and the United Kingdom recently held the 14th meeting of the India-United Kingdom Joint Working Group on Counter-Terrorism. The meeting was held virtually on January 21-22, 2021.
- The Ministry of road transport has decided to impose the additional taxes on old vehicles that are no more fit on road. This additional tax is being called as the “Green Tax”. Th decision was taken to curb pollution. It will also motivate people to switch to environment-friendly alternatives to the vehicles.

INDORE INSTITUTE OF LAW

REPUBLIC DAY CELEBRATION 2K21

&

18TH SHREE GENDALAL BAM MEMORIAL

INTERNATIONAL DEBATE COMPETITION

Date : 26th January, 2021
Day : Tuesday
Venue : Indore Institute of Law
Flag Hoisting : Mr. Kantilal Ji Bam, (Chairman ICON education society)
Judges : Mr Indranil Banerjee, (Principal, Imperial Academy, Indore)
 Mrs. Richa Tiwari Diwan, (Principal, Vaishnav Academy (Boys), Indore)

On 26th January, 2021 Indore Institute of Law celebrated India's 72nd Republic Day. On this auspicious day the National Flag was hoisted by **Mr. Kantilal Ji Bam** (Chairman ICON Education Society). The event began with the welcome of Administrative authorities Sri Kantilal Ji Bam (chairman ICON education society), **Mr. Akshay Kanti Bam** (Chairman, Indore Institute of Law), **Mr. Gaurav Basant Jain** (Executive Director, Indore Institute of Law), **Mr. Kamal Vyas** (Executive Director, Administration, Indore institute of Law) **Mr S.C. Shrivastava** (Chief Administrative Officer, Indore Institute of Law) followed by flag hoisting, national Anthem and release of the tri-colour balloons.

Keeping in sync with the trend of creating and continuing legacies at the institute "18th Shri Gendalal Bam Memorial International

Debate Competition 2K21", was organised on virtual platform through Microsoft teams. "One nation, One election" was the subject of the 18th chapter of this flagship debate competition. The debate competition commenced with the welcome speech of Mr. Akshay Kanti Bam (Chairman Indore Institute of Law). A total of 20 teams including a team from Washington (DC), United State of America, participated in the competition. The competition was judged by the eminent judges who appreciated the astonishing performances of the participants.

Winners were awarded with cash price of Rs. 2100/- ,1100/- with E-Certificates for and against the motion, The judges were felicitated with E-Certificate of Appreciation.



Mr. Akshay Kanti Bam (Chairman, Indore Institute of Law) welcoming the guest for the day- Mr Indranil Banerjee (Principal, Imperial Academy, Indore) & Mrs. Richa Tiwari Diwan (Principal, Vaishnav Academy (Boys), Indore)



Mr. Mr Indranil Banerjee (Principal, Imperial Academy, Indore) addressing the audience



Mrs. Richa Tiwari Diwan (Principal, Vaishnav Academy (Boys), Indore) giving her address



Participants during the competition



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Icon Education Society (I.E.S), as a first step to achieve its objectives, decided to set up an exclusive and independent college to provide specialized, high quality Law education for professionals, coupled with all basic infrastructure facilities. Indore Institute of Law is the first independent & exclusive College of Law in Indore, Affiliated to the Bar Council of India & Devi Ahilya Vishwavidyalaya (DAVV), Indore. The Study/ Course/ Admission/ Examination and Degree shall be strictly in terms of regulations of DAVV, Indore. Indore Institute of Law is only Private College in Madhya Pradesh where all the law courses are under one roof.