



**Dr. Chintan Pathak
& Associates**
Advocate, Attorney & Cyber Security Consultant



ProBono India
In collaboration with
Pro Bono Club
Gujarat National Law University, Gandhinagar

Sponsored by

Dr. Chintan Pathak & Associates
Advocate, Attorney, Cyber Law & Security Consultant

Presents

8th DR. A P J ABDUL KALAM NATIONAL LEGAL ESSAY COMPETITION - 2023

Theme :- Gender Neutral Laws in India : Need of the Hour

With great pleasure ProBono India in collaboration with Pro Bono Club, Gujarat National Law University, Gandhinagar supported by Dr. Chintan Pathak & Associates are presenting the 8th edition of Dr. A. P. J. Abdul Kalam National Legal Essay Competition - 2022.

Right to Equality is guaranteed by our Constitution of India. It has been protected by Indian Judiciary at various points of time through their landmark judgements highlighting the importance of this right. It is pertinent to note that there are some legislations esp. criminal ones are more inclined towards the female gender. For instance, in the case of rape, the Indian Penal Code, 1860 recognizes that the majority of victims are women, and therefore, the legislation specifically identifies male as perpetrators and female as victims. This provision acknowledges the need to address the prevalent gender-based violence against women. The Supreme Court of India, in various judgments, has reiterated the importance of safeguarding women's rights and ensuring their safety and security. In recent years, India has recognized the need for gender-neutral laws to ensure equal treatment and protection for all individuals, irrespective of their gender. The Criminal Law (Amendment) Act, 2013, was enacted in response to the Nirbhaya gang-rape case in Delhi, which recognized that both men and women can be victims of sexual offenses and that perpetrators can be of any gender. This move aimed to address the previously held notion that only women can be victims of certain crimes, providing protection and justice to all individuals.

The Law on the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, is another legislation that specifically addresses the issue of sexual harassment faced by women in the workplace. This law recognizes the unique challenges and vulnerabilities faced by women and aims to create a safe and inclusive working environment for them. It provides a legal framework for prevention, prohibition, and redressal of sexual harassment complaints at the workplace, promoting gender equality and ensuring the right to dignity and safety for women. These laws do not seek to discriminate against any gender but rather aim to address the historical and systemic inequalities faced by women. As stated by the Supreme

Court, the purpose of such laws is to ensure substantive equality and protect the rights and dignity of women.

Another example is the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, which, despite its title, includes provisions that protect individuals of all genders from sexual harassment at workplace. The Act defines sexual harassment in a gender-neutral manner and applies to all workplaces, including both organized and unorganized sectors. It recognizes the importance of creating a safe and inclusive work environment for all individuals, regardless of their gender identity. Furthermore, the Transgender Persons (Protection of Rights) Act, 2019, is a significant step towards recognizing and protecting the rights of transgender individuals. The act seeks to provide legal recognition and protection to transgender persons, ensuring equality and non-discrimination. It acknowledges the importance of gender-neutral laws and aims to address the unique challenges faced by transgender individuals in various aspects of life, including education, employment, healthcare, and inheritance.

Currently, a five-judge bench is hearing 20 petitions advocating for marriage laws to be made neutral for all sexualities and genders. In India, different religious communities have their own personal laws, some of which are codified, such as the Hindu Marriage Act. Additionally, there are secular laws like the Special Marriage Act, Foreign Marriage Act, and Citizenship Act. The recognition of diverse gender identities and the need for inclusive legislation is crucial for building a society where everyone's rights and dignity are respected and protected, regardless of their gender.

These examples highlight the ongoing efforts in India to move towards gender-neutral laws that promote equality and non-discrimination. The recognition of diverse gender identities and the need for inclusive legislation is crucial for building a society where everyone's rights and dignity are respected and protected, regardless of their gender.

For highlighting above, we have decided the theme on Gender Neutral Laws in India for the present edition.

Guidelines of the Competition

- ❖ Participants are advised to focus on provisions under various laws where gender neutrality is urgently needed. Participants must adhere to the main theme while selecting any sub-theme.
- ❖ The Competition is open for all the students studying in any discipline in the recognized Colleges/Departments of the Universities in India. No co-authorship is allowed.
- ❖ Essay should be original (not published earlier or extracted from other sources) in English, 4500 to 5000 thousand words (New Times Roman, font size 12, 1.5 spacing) including footnotes. Title of the page should carry all details like name, affiliation, email id, mobile no. of the participants. Sample cover page will be shared via mail. Plagiarism Level is permitted to 15%. Participants are required to submit plagiarism report with essay.
- ❖ Registration Fees of Rs. 100 to be paid through Paytm/Google Pay to Mob. No. 99248 97691 (Kalpeshkumar L Gupta). After making the payment registration to be made at <https://forms.gle/f8LvqbySPsxZPHD39> by **October 30, 2023**.



UPI ID: advocategupta@okhdfcbank

- ❖ Essay to be submitted to email id **probono.in@gmail.com** in word file only on or before **November 30, 2023, 10-00 pm.**
- ❖ Students should also send a scanned copy of a valid ID card along with the essay. The participants will be informed of other details or subsequent changes, if any. If there is any change in the email address of the participants, it may be informed to the above address.

Awards & Certification

Certificate, Cash prizes & Memento will be given to the best three essays. Winner Rs. 5,000, 1st Runner Up Rs. 3,000 & 2nd Runner Up Rs. 2,000. In case of tie, the essay will be sent for further evaluation to experts. All contributors will be given an e-certificate of participation for the submission of an essay.

Outcome of the Competition

All good quality essays will be published in the form of a book/journal/magazine /electronic resource or in any other manner as it may deem appropriate, subject to sufficient number of good quality essays. All entries shall be deemed to be the property of the organizer. Organizer has complete discretion about publication of essays in any form. Essays will be judged by experts, faculties from diverse fields based on parameters like content, flow of presentation, critical & innovating thinking, reference, language etc.

Result of the competition will be declared by **December 20, 2023**

For any further information or clarification, please contact,

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