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CLAT Weekly Legal Current Affairs Round-up: Oct 24-Oct 31

Ruchika Mohapatra · 01 Nov 2022

- Two-finger test condemned by the Supreme Court

Recently, a Division bench of Justices DY Chandrachud and Hima Kohli ordered that any person conducting the 'two-finger' test be held guilty of misconduct. The two-finger test is conducted on survivors of rape and sexual assault to determine whether they've been sexually active or not. They opined that the test is based on an incorrect patriarchal notion that a sexually active woman cannot be raped.

The Court condemned the test and said that not only is it not based on any scientific basis but also that it re-traumatizes and re-victimizes the victims. The judgment directed the Union Ministry of Health Affairs to ensure that survivors of sexual assault and rape are not subjected to this test. The Court also ordered that workshops are to be held to communicate appropriate procedures to determine the occurrence of sexual assault or rape.

You can read the judgement here.

- Central Government notified amendment to IT Rules

The Ministry of Electronics and IT (MeitY) recently notified amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules of 2021. The amendment has brought major changes to the grievance redressal mechanism under the Rules. The amendments were required because the rights of citizens needed protection from contravention by big tech platforms, the grievance redressal mechanism required changes and compliance with the Rules needed to be strengthened.

This amendment has paved way for the setting up of Grievance Appellate Committees (GACs) which will enable users to use the platform to bring complaints against social media platforms. The GACs are required to adopt an online dispute resolution mechanism to improve accessibility for all users.

- Gujarat Cabinet has approved a committee to look into implementing the UCC

The Gujarat state cabinet chaired by Chief Minister Bhupendra Patel has approved the proposal to constitute a committee to look into the implementation of the Uniform Civil Code (UCC) in the state. It is the second state after Uttarakhand to constitute a committee of experts to explore the modalities of implementation of the UCC.

There has been a lot of debate surrounding the current personal law system and the implementation of the UCC. The Central Government has also informed the Supreme Court that because of the constitutional significance of the subject, it has referred the matter to the 22nd Law Commission. Currently, Goa is the only state in India that has a Uniform Civil Code.

- New IPC, CrPc drafts are in the works

The Committee for Reforms in Criminal Laws was set up by the Ministry of Home Affairs in the year 2020 at National Law University, Delhi to submit recommendations for amending the Indian Evidence Act, 1872, and the Indian Penal Code, 1860.

Post taking suggestions from the public, the Committee submitted a report to the Government in February 2022. Government had begun comprehensively reviewing the laws in April 2022. The Union Home Minister Amit Shah has recently announced that they'll come up with new drafts of both statutes in the Parliament.

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All the best!