

WOMEN AND LAW

(LAWS RELATED TO VIOLENCE AGAINST WOMEN)

WOMEN'S RIGHTS RELATED TO POLICE

Rights During Interrogation:

- You cannot be taken to the Police Station or anywhere else for interrogation.
- You can be questioned only at your residence and in presence of your family members.
- You can consult with your lawyer when you are being interrogated whether you are arrested or not.
- You cannot be forced to make confession before the Police or before the Magistrate.

Rights At the Time of Arrest

- You must be told why you are arrested, of your right to bail and of your right to a lawyer of your choice.
- No use of handcuffs at the time of your arrest without a Judge's Permission.
- You can demand that you be produced before the Magistrate within 24 Hours of your arrest.
- A female constable must be present when you are arrested.
- You can take along your relative or friend to the Police Station.
- The Police arresting you must wear clear and visible nametag on uniform.
- Memo of Arrest to be made, with date and time of arrest and signed by a family member/respectable neighbor.
- The Police must inform any person interested in your welfare (or the Legal Aid Committee), if such person lives outside the Area, your arrest and the location of the place at which you are kept while under arrest.
- An Accurate List of things seized from you must be prepared and you are entitled to a copy immediately.

Rights In the Police Station

- You have the right to demand that you should be placed in a Female Lockup.
- You have the right to ask the Magistrate for your Medical Examination if you are beaten, abused or tortured by the Police.

Rights of Medical Examination

- Request immediate medical examination on arrest. The medical examiner must record all injuries on a written form. Only sign an accurately filled form.
- Ask for a copy of this form.
- Ask the Magistrate to send you to hospital before the Police Custody is granted.
- A Medical Examination every 48 Hours while in custody.
- If you are under 18 years of age and your age is recorded wrongly, if there is no documentary proof of your age, insist on medical examination to determine your age.
- Make an application for medical treatment in case of unstable health conditions.

Rights At The Time of Search

- Search by a female officer only.
- Two independent witnesses should always be present when you/your premises are searched.
- Call two witnesses (not from your Family) to witness the search.

Production In Court

- You can demand a chair from the Court to sit during trial.
- You have the right to get legible copies of all documents of accusations filed against you in the Court.
- You can demand food and other basic amenities during your custody in the court.
- You have to be produced before a Magistrate within twenty-four hours of arrest. If you are not produced within 24 hours complain to the Magistrate.

- You cannot be remanded to custody in your absence.

Torture is Illegal

- Torture is Illegal. No solitary confinement, punitive cells, hard labor, change in the diet or transfers without permission of Judge.
- If a confession has been taken after torture, inform the Judge immediately and retract it.
- Complaint to Court about torture / beating and show any injuries State must pay compensation for illegal arrest / torture.

Children and Juveniles

- In case of persons under 18 years of age, age to be verified by documents or medical examination.
- No remand to Jail or Police Lock Up. Must be sent to Juvenile Homes.
- All investigation to be completed within 4 months of complaint/FIR and inquiry before the Juvenile Justice Board disposed of in 6 months. No imprisonment / death sentence to be awarded to the Child.
- Children of destitute prisoners, who have no one to take care of them, must be taken care of by the State.

Legal Advice

- If poor, you have a right to demand a competent counsel at State expenses from the Court.
- If your Lawyer is not competent you have the right to change your Lawyer.
- You have a right to interviews, visits, and confidential communications with your lawyer.

Bail

- Keep the following ready for production on grant of Bail: -
Proofs of identity like Salary Slips, Rent Receipts, Ration Cards, Bank Passbooks, etc.
Sureties with above documents.
- If you are refused bail you have a right to get bail if: -
The Charge sheet is not filed within 60 days of arrest where your offence is punishable with imprisonment of less than 10 years.

The Charge sheet is not filed within 90 days of arrest where your offence is punishable with imprisonment of more than 10 years.

- If your bail is set too high, apply for reduction.

First Information Report (FIR)

- You can demand that your FIR be registered.
- You can take along any friend or relative at the time of filing FIR.
- You must read the FIR or have some one else read it to you, before you sign it.
- You have a right to receive a free copy of the FIR.
- You can approach to Senior Police Officers or your Area Magistrate, if the Police is not registering your FIR.

Prison Custody

- Persons below the age of 18 must be sent to an observation home only.
- You have the right to write and receive letters.
- You have the right to meet with you are family and friends.
- You can receive books, newspapers and other publications.
- You may have a Journalist to interview you.
- You have to get reasonable wages for your labor while in prison.
- You have a right to decent food, soap, clothing, bedding etc.
- You cannot be transferred to prisoners in far away places is not be done.

HIV + Or Terminal Illness

- You may be entitled to premature release.

Furlough / Parole

- According to Rules, you may leave prison for certain periods for Specific Reasons.

LAWS PERTAINING TO VIOLENCE AGAINST WOMEN

This chapter deals with the most commonly associated legislations in relation to cases to violence against women. An attempt has been made to explain these laws in a layperson's language. So that it can be easily understood. It is also to inform people and more particularly, women about the protective legislations that are in place to seek redress when subjected to physical and mental torture.

DOMESTIC VIOLENCE

There is no specific Law to deal with domestic Violence: -

- However the existing criminal law provisions can be used to initiate proceedings against the husband or his relatives in the court of Magistrate where the incident took place.
- A complaint can be filed under Section 498-A for any physical or mental harassment/ Torture / Abuse etc.
- If the abuse / harassment / torture/ ill-treatment is not linked with dowry demands, don't mention dowry demands and file the complaint section 498-A only. However, if any monetary / financial demands have been made and you have been subjected to cruelty, then file the complaint under both the provisions i.e., for harassment and also dowry demands.
- File the Complaint as early as possible in the concerned Police Station.
- In the Complaint must mention all the facts and brief narration of the events-both the past and the immediate cause just before filing of the complaint.
- These events must be of such a nature that it causes grave injury or danger to the life or health of the women or drives a women commit suicide.
- Offences under Section 498-A are cognizable and non-bail able i.e., the Police Officer can arrest without a warrant and cannot grant bail themselves. The accused Party has to obtain the Bail Order from the concerned Court.

CIVIL REMEDY

(DOMESTIC VIOLENCE)

Sometimes, the women due to personal reasons may not like to go for criminal remedy i.e., registration of FIR or filing the Criminal Complaint. In the said circumstances, there are certain Civil Remedies are available in the Case of Domestic Violence: -

- You can file suit under Order VII Rule I of the Code of Civil Procedure in the Family Court or where there is no Family Court in a Civil Court against the husband or relatives who are harassing you to seek any of the following orders: -
- That the spouse or / and his relatives are restrained from ousting you and your children from the matrimonial house.
- That exclusive possession of the matrimonial house should be granted to you and to your children.
- That the spouse or / and his relatives may be restrained from entering the premises or any part of it, which is in your occupation.
- That your personal property be restored to you.
- That spouse or / and his relatives be restrained from alienating / transferring the matrimonial house by way of sale, gift, rent or inducting any third party in to the matrimonial house.
- That the spouse or / and his relatives be restrained from further abusing / molesting you and your children.
- In case of a Hindu woman, she can seek for separate residence under Section 18 of the Hindu Adoption and Maintenance Act.

RAPE

- Rape is an offence not against the Individual but like all the crimes in the Indian Penal Code, it is a crime against the State.
- Once the incident occurs, it has to be reported immediately without any delay to the police station of Jurisdiction. As far as possible the complaint must be given in writing containing all relevant facts in order to avoid manipulation. Then the police will investigate the matter and file charge sheet.
- The information, i.e., the person filling the complaint is entitled to a copy of the First Information Report (FIR).
- The victim must undergo medical examination conducted by a female medical officer.
- The trial is conducted in a court of Sessions.
- Like all criminal matters the victim cannot have an independent lawyer, unless she makes an application for appointing a Special Prosecutor. Any advocate with 10 years of practice can be appointed as a Special Public Prosecutor.

SEXUAL HARASSMENT AT WORK PLACE

No specific law regarding sexual harassment, Supreme Court has laid down guidelines in Vishaka's case (AIR 1997 Supreme Court 3011)

Any unwelcome sexually determined behaviour – direct or implicit viz.,

- Physical contact and advances
- Demand or request for sexual favours
- Sexually coloured remarks
- Showing pornography
- Any other unwelcomed physical, verbal or non-verbal conduct of sexual nature.

SUCH ACTS COMMITTED AMOUNTS TO SEXUAL HARASSMENT:-

- Where the victim has a reasonable apprehension
 - That such conduct is humiliating
 - Constitutes health and safety problem

- When the victim has a reasonable ground to believe that her objections to such acts would disadvantage, would prejudice her in connection with work, recruitment, promotion, creates a hostile work atmosphere.
- When non-consent /objections to such acts entails adverse consequences.

DUTIES AND OBLIGATIONS AS PER JUDGMENT

- ❖ Duty To Prevent Commission of Acts of Sexual Harassment
 - Identify the acts that constitute sexual harassment
 - Prohibit acts of sexual harassment at workplace.
 - Penalize commission of acts of sexual harassment.
 - Abetment to be defined to include non-action of the official concerned.
 - Notify, Publish and circulate – acts prohibited.
 - Provide congenial atmosphere – work –leisure and Health- hygiene.
 - That no women employee should have grounds to believe that she is disadvantaged in connection with her work.
 - Provide optional transfer, if the victim feels necessary
 - Incorporate sexual harassment in conduct rules.
 - Incorporate in the Industrial Standing Order.
 - Initiate disciplinary proceedings.
 - Initiate criminal proceeding under IPC.
 - Ensure prevention to victimization and discrimination of victims and witnesses.
 - Facilitated discussions in employee – employer meeting.
 - Create awareness among women about sexual harassment.

- ❖ Duty to Provide Procedure for Resolution Complaint Mechanism headed by women.

- ❖ Duties of the committee: - provide counselling, medical aid, legal aid, maintain Confidentially and time bound inquiry

THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT , 1986

- The Act prohibits depiction in any manner the figure of woman, body or any part thereof, in such a way that has the effect of being indecent or derogatory to or denigrating women.
- It intends to prevent women being depicted as sex objects in the media for commercial gain or prevent the co-mmodification of women.
- This Act intends to prohibit indecent representation of women in writing, paintings and figures or in any manner that is likely to corrupt or injure the public morality or morals.
- It penalizes person who publishes or arranges or takes part in the publication or exhibition of any advertisement which contain indecent representation of women in any form.
- It penalizes persons who sell, hire, distribute, circulate or send by posts any books, pamphlets paper, slide, film, writings, drawings, paintings, photograph figures or representation which contains indecent representation of women in any form.
- The punishment is imprisonment for a term which may extend to two years with fine up to Rs. 2000/-
- However certain exceptions are made in favour of religion, art learning and ancient monuments.
- The Act empowers Gazetted Officers authorized by the State Government to enter and search premises, seize articles and examine records or materials which he has reasons to believe to be in the nature of contraventions of the Act.
- The Indian Penal Code penalizes obscenity.

IMMORAL TRAFFIC (PREVENTION) ACT, 1956

- In India prostitution is tolerated and regulated.
- Prostitution is per se not a crime. Prostitution is not abolished /prohibited/banned.
- The Act intends to criminalize and penalize the Institutions /Industry (brothel, brothel keepers, procurers, pimps, touts, middleman, landlords etc.). But actually ends up criminalizing and penalizing women.
- Trafficking of persons – male/female is prohibited.

- Prevention of sexual exploitation of persons for commercial purposes.
- Soliciting and/or seduction in public places is a crime.
- Offences involving children/minor-stringent punishment.
- Does not address the health concerns of the persons trafficked.
- Provides for Rescue and Rehabilitation of the prostituted women.
- Voluntary rehabilitation
- Removal of prostitutes from any place – on complaint
- Special enforcement mechanism
- This does not focus on persons who are voluntary in this field.
- Provides for mandatory testing for STD

THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971

- Abortion in India has been legalized since the year 1971.
- A pregnancy may be terminated by a Registered Medical Practitioner.
 - 1) where the length of the pregnancy does not exceed twelve weeks, if such medical practitioner is, or
 - 2) where the length of the pregnancy exceeds twelve weeks but does not exceed twenty weeks, if not less than two registered medical practitioners are.
- If the doctor/s is/are of the opinion that continuance of the pregnancy would involve a risk to the life of the pregnant woman or would cause grave injury to her physical or mental health.
- The continuation of pregnancy would cause substantial risk and if the child were born it would suffer such physical or mental abnormalities as to be seriously handicapped.
- If the pregnancy is caused by rape and the anguish caused by such pregnancy is presumed to constitute a grave injury to the mental health of the pregnant woman.
- If the pregnancy occurs as a result of failure of family planning device, the anguish caused by such unwanted pregnancy may be presumed to constitute a grave injury to the mental health of the pregnant woman.
- No pregnancy shall be terminated without the consent of the pregnant woman.

- Termination of pregnancy shall be made only in the hospital established or maintained by the government or such other places as approved by the government.

**THE PRE-NATAL DIAGNOSTIC TECHNIQUES
(REGULATION AND PREVENTION OF MISUSE) ACT, 1994**

AS AMENDED:- 2003

'The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Mis-use) Act' was passed in 1994 and rules were framed in 1996.

The Main Objective of the Act is to provide for the Regulation of the use of the Pre -Natal Diagnostic Techniques for the purpose of detecting genetic and metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex linked disorders and for the Prevention of the misuse of such techniques leading to female foeticide and for matter connected there with and incidental thereto. In others words, it can be said that the Act does not prohibited the tests rather it permits the same in certain situations which certain conditions the detecting the genetic disorders of the foetus with a condition not to disclose the Sex of foetus to the woman or her relative or to any person in any form/way.

The Salient Features of the Act are:-

The act is prohibitory as well as regulatory both in nature

There is prohibition of the misuse of Pre-Natal Diagnostic Techniques (after amendment the act has become operative before conception also) for determining of the sex of the foetus leading to Female Foeticide

Prohibition of advertisement of Pre -Natal Diagnostic Techniques for detection or determination of sex

Permission and regulation of the use of Pre-Natal Diagnostic Techniques for the purpose specific genetic abnormalities or disorder

Permitting the use of such techniques only under certain conditions at registered place by qualified staff

Under no circumstances these techniques are to be used to determine the sex of the foetus.

No person conducting The Pre-Natal Diagnostic Procedure shall communicate to the pregnant woman concerned or her relatives or to any person the sex of the foetus through words, sign or in any other manner.

The Act is to be implemented by Appropriate Authorities at State Level, District level and sub district level

All offences under the Act are cognizable, non-bailable and non-compoundable

An Appropriate Authority shall take note of violations under the act. Violations may also be brought to the attention of the Appropriate Authority by a person/ Company/NGO etc. With in 15 days of receiving the complaint the Appropriate Authority shall take action.

The complaint shall lie before the Judicial Magistrate of 1st class

The Appropriate Authority is to file the complaint. If the notice of 15 days has already been given to the appropriate authority by a person/company and no action has been taken on the same, that person can also file the complaint

The violations are punishable with imprisonment, which may extend to Rs. Fifty thousand. On any subsequent conviction imprisonment may extend to five years and fine, which may extend to Rs. One Lac

In case of Registered Medical Practitioner, his name shall be reported by the Appropriate Authority to the State Medical Council concerned for taking necessary action:-

-Including suspension of the registration if charges are framed by the court and till the case is disposed of, and

-For the removal of his name from the register of the Council on conviction for the period of: Five years for the first offence;

Permanently for the subsequent offence.

Under the Act no role has been assigned to the police. Police can be called only by the Appropriate Authority at time of Search and Seizure if he believes that there is any law and order problem

There is presumption in the favour of woman unless proved guilty.

The PNDT Act, has been amended with a view to banning the use of the sex selection techniques prior to conception as well as the mis-use of Pre Natal Diagnostic Techniques for sex selective abortions and to regulate such techniques. Amendments have also been brought about in the Rules to ensure effective implementation of the Act and in view of the observation of the Supreme Court. The amended act was notified in January 2003 and the amended rules were notified in February 2003. The amended Act and Rules are discussed as below:-

DEFINITIONS

Sex Selection (before/after conception) prohibited and has been added under definition of Pre-Natal Diagnostic procedure.

The terms Conceptus, Embryo, Foetus, Sex-Selection, Sonologist, Medical Geneticist etc. has been defined in the amended act.

The term Genetic Clinic and Genetic Laboratory has been re-defined to include a vehicle where ultrasound machine or a portable equipment having potential for detection of sex during pregnancy or selection of sex before conception is used.

REGISTRATION

In the PNDT Act 1994 the registration was mandatory for any Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic. There were three things required for the registration i.e. the ultrasound machine, minimum space as mentioned and the qualified staff. Now after amendment in the Act the space has been relaxed as Adequate Space and so for the staff is concerned the amended Act requires Post Graduate in the technique he is to carry out or MBBS with one year's training or six months experience in the technique he is to carry out. The amended act further says that the ultrasound machines are only to be sold to the registered bodies. The seller of the machines are required to furnish the quarterly statement of their clients to the Appropriate Authority.

The seller of such machine/equipment to any person/body registered under the act shall take an affidavit from such body or person purchasing or getting authorization for using such machine/equipment that the machine/equipment shall not be used for detection of sex of foetus. (Rule 3A (2) and (3).

That vehicle may now be registered as Genetic Clinic if the other requirements are fulfilled and other conditions would apply as to Genetic Clinic.

PROVISION FOR APPEAL

The amended act says that the appeal may be made to the Appropriate Authority at the District level if the order is passed by the Appropriate Authority at sub-district level.

"The appeal may be made to the Appropriate Authority at the State/UT level if the order is passed by the Appropriate Authority at District level.

Each appeal shall be disposed of by the District Appropriate Authority or the State/UT Appropriate Authority, as the case may be, within 60 days of its receipt.

Thus a hierarchy of appellate bodies has been provided and further the time limit for the disposing of the appeals has been laid down. (New Rule 19)"

PROHIBITIONS

In addition to the prohibition in the PNDT Act 1994 the following prohibition has been added to the amended act: -

No person including a relative or husband of the pregnant women shall seek or encourage the conduct of any Pre-Natal Diagnostic Techniques on her except for the purpose specify in clause (2) ('including' added after amendment).

No person including a relative or husband of a women shall seek or courage the conduct of any sex selection techniques on her or him or both (section 4) (sub-clause 5) (as amended)

No person, including a specialist or a team of specialists in the field of infertility, shall conduct or cause to be conducted or aid in conducting by himself or by any other person, sex selection on a woman or a man or on both or on any tissue, embryo, conceptus, fluid or gametes derived from either or both of them. (Section 3A).

Advertisements regarding sex selection before/after conception prohibited including advertisement though Internet or any other media in electronic or print form.

PROTECTION TO WOMEN

Section 23(4) has been added for protection of women compelled pregnant woman compel to undergo the PNDT. In other words it can be said that the presumption is in favour of woman unless proved guilty.

But if the contrary is proved, the woman can also be like wise punished.

WHO CAN MAKE A COMPLAINT: -

Any Appropriate Authority on Suo-motto or on receiving a complaint.

Any person/body who has given a notice of 15 days to the Appropriate Authority (previously it was 30 days).

INSTRUMENTALITIES FOR IMPLEMENTING THE ACT

Before amendment generally the Director Health Services, was the State Appropriate Authority. Under the amendments, a Multi-member body has been provided as the State Appropriate Authority consisting of an officer of or above the rank of Joint Director of Health and Family Welfare-Chairperson, women organization representative and officer of law department of state/UT concerned.

Such authorities are to be constituted with in three months of coming into force of the amended act and any vacancy occurrence there in is required to be filled within three months of the occurrence.

There shall be appropriate authority at District level as sub-district level i.e. CMO and Civil Surgeon respectively.

FUNCTIONS OF STATE APPROPRIATE AUTHORITY

According to the PNDT Act, 1994 the Appropriate Authority shall have the following functions namely: -

To grant, suspend or cancel registration of a Genetic Counselling Centre, Genetic Laboratory and Genetic Clinic.

To enforce standards prescribed for the Genetic Counselling Centre, Genetic Laboratory and Genetic Clinic.

To investigate complaints of breach of the provisions of this Act or the rules made thereunder and take immediate action; and

To seek and consider the advice of the Advisory Committee constituted under sub-section (5), on application for registration and on complaints for suspension or cancellation of registration. In addition to the above said functions the Appropriate Authority has been assigned the following functions (as per amended act).

Summoning of any person who is in possession of any information relating to violation of Act.

Production of any document or material object related to clause (a)

Issuing search warrant for any place suspected to be indulged in sex determination.

Any other matter, which may be prescribed.

ADVISORY COMMITTEE

The Act also provides for the appointment of an Advisory Committee by the Central or the State Government, as the case may be, to aid and advise the Appropriate Authority in the discharge of its functions. The Advisory Committee is to consist of: -

Three medical experts from amongst gynecologists, obstetricians, pediatricians and medical geneticists;

One legal expert;

One officer to represent the information and publicity department of the respective government;

Three eminent social workers with at least one being a representative of a women's organization.

A person who in the opinion of the respective government has been associated with the use of promotion of pre-natal diagnostic techniques for determination of sex shall be disqualified from appointment as a member of the Advisory Committee.

The intervening period between any two meetings of the Advisory Committee shall not exceed 60 days whether any application for registration or cancellation of the same is pending or not.

At every meeting of the Advisory Committee, four members shall form a quorum. Thus at least four members should be present for the meeting of the Advisory Committee to be held.

RAGGING

- ❖ There is no central enactment to deal with ragging
- ❖ Some states have enacted special law to deal with the menace of ragging, which is crime. However they have not been effective in curbing the menace of ragging.

- ❖ Therefore the Supreme Court has laid down certain guidelines in Vishwa Jagriti Mission Vs. Central Government (2001, Supreme Court cases page 577) wherein the educational institution in which the student is studying is empowered to be the disciplinary authority and that the police action should not be resorted unless it is unavoidable.

RAGGING IS DEFINED AS:-

Any disorderly conduct by words spoken or written or by an act

- ❖ That has the effect of treating or handling with rudeness any other student including in ruddy or undisciplines activities.
- ❖ Which cause or is likely to cause annoyance, hardship, or psychological harm or to raise fear or apprehension in a fresher or a junior student;

Asking the students to do any act or perform something which such student will not do in the ordinary course.

DUTIES OF THE EDUCATIONAL INSTITUTIONS AS PER THE SUPREME COURT JUDGMENT

- ❖ The prospectus issued at the time of admission must mentioned clearly that ragging is banned in the institution and that any one who indulges in ragging is likely to be punished.
- ❖ The punishment may be expulsion from such institution suspension from the institution or class for a limited period or fine or public apology, withholding of scholarship, debarring from representation in events withholding results, suspension or expulsion from hostel mess etc.
- ❖ The application form shall have printed undertaking to filed up and signed by the student and the parents/guardians.
- ❖ Students who are already studying in the institution and their parents/guardians shall also give such an undertaking before the commencement of the next education year/session.
- ❖ The Management, the Principal, the Teaching Staff should interact with freshers and take them in confidence by appraising them of their rights as well as obligations to fight against ragging and to generate confidence in their mind that they should report any incident of ragging.
- ❖ The student must be made aware of the dehumanizing effects of ragging.
- ❖ Migration Certificate issued by the institutions should have an entry whether the student had participated in ragging and the punishment
- ❖ If individual committing or abetting ragging is not identified, then collective punishment could be resorted to act as deterrent punishment and to ensure collective pressure on the potential raggars.

- ❖ The Failure to prevent ragging shall be construed as an act of negligence in maintaining discipline in the institutions on the part of the management, the principal and the hostel wardens/superintendents.
- ❖ If the institutions fail to curb ragging, UGC / Funding Agency may consider stoppage of financial assistance to such an institution.

THE COMMISSION OF SATI PREVENTION ACT, 1987

- ❖ This Act intends to prevent commission of Sati by any one.
- ❖ Any person who commits Sati or does any act towards such commission is punishable with imprisonment that may extend to one year or fine or with both.
- ❖ Person abets the commission of such Sati, either directly or indirectly, shall be punishable with life imprisonment and fine.
- ❖ Abetment includes: -
- ❖ Encouraging a woman to commit sati:
- ❖ Making the woman believe that the commission of Sati would result in some spiritual benefit to her or to the deceased husband's family:
- ❖ Encouraging a woman to remain fixed in her resolve to commit sati and thus instigating her to commit sati.
- ❖ Participating in any procession in connection with the commission of Sati.
- ❖ Being present at the place where Sati is committed.
- ❖ Preventing or obstructing a woman from saving herself from being burnt or buried alive.
- ❖ Obstructing or interfering with the police in discharge of their duties of taking steps to prevent the commission of Sati.
- ❖ Glorification of Sati is punishable with imprisonment for not less than one year which may extend upto 7 years and fine of Rs. 5,000/- to Rs. 30,000/-
- ❖ The government has power to remove the temple or any other structure which has been in existence for not less than 20 years, where any form of worship or the performance of any ceremony is carried on with a view to perpetuate the honour or preserve the memory of the person in respect of whom such Sati has been committed.

- ❖ The Collector or the Distinct Magistrate has power to seize properties or founds that has been acquired or collected for the purpose of glorification of the commission of Sati.

LAW ON MOLESTATION (Section 354 IPC)

An assault or use of criminal force with intent to outrage the modesty of any woman shall be punished with imprisonment upto two years of fine or with both.

LAW ON EVE TEASING (Section 509 & 214 IPC)

An intention to insult the modesty of a woman either by uttering any word or making any sound or gestures or exhibiting any object, is punished with imprisonment upto one year or with fine or both.

Anyone who annoys other by doing obscene acts in public places, or sing songs or recites or utters and obscene songs, ballad or words in or near a public place shall be punished with imprisonment upto three months or with fine or with both.

SECTION	OFFENCE	PUNISHMENT
RAPE		
375 & 376	Sexual Intercourse by a man with a woman against her will or without her consent or consent obtained fraudulently.	Minimum Imprisonment for 7 years or upto life Imprisonment and fine
376 A	Intercourse by a man with his wife during separation	Imprisonment for 2 years and Fine
376 B	Intercourse by a Public Servant with woman in his Custody	Imprisonment for 5 years and Fine
376 C	Intercourse by Superintendent of Jail, / Remand Home	Imprisonment for 5 years and Fine
376 D	Intercourse by a member of management, or staff of a hospital with any woman in the hospital	Imprisonment for 5 Years and Fine
377	Unnatural Offence, Voluntary Carnal Intercourse against the order of nature with any women i.e. oral sex, man or animal	Imprisonment for 10 Years and Fine

**PERSONS MAY BE CHARGED WITH THE FOLLOWING
SECTIONS IN A RAPE CASE**

SECTION	OFFENCE	PUNISHMENT
511	Attempt to Commit Rape	Imprisonment for life or Imprisonment not exceeding half of the period.
109	Aiding and Abetting Rape	Imprisonment for life and fine
34	Common Intention (Gang Rape)	Imprisonment for life or fine or both
201	Suppressing evidence/false information	Imprisonment for 7 years and fine
342	Wrongful Confinement	Imprisonment for 1 year / fine / both
363	Kidnapping	Imprisonment for 7 year & fine
417	Cheating	Imprisonment for 1 year / fine / both
458	House tress passing or house breaking by night after preparation for causing hurt	Imprisonment upto14 years and fine
354	Assault or Criminal force to women with an intention to outrage her modesty	Imprisonment for 2 years or fine or both
509	Outraging the modesty of Women Physically/ Verbally/ gesture/ exhibits	Simple Imprisonment for 1 year or fine or both
499 / 500	Defamation	Imprisonment for 2 years with fine or both
366	Kidnapping, Abducting: With Intention to compel the woman to marry against her will. In order that she may be forced or seduced to illicit Intercourse. Or knowing that she is likely to be compelled into illicit intercourse or seduction	Imprisonment for 10 years and fine
366 A	Procuring a girl below 18 years with intention and knowledge to force or to seduce to illicit intercourse	Imprisonment for 10 Years and Fine
366 B	Importation for girls below 21 years with intention and knowledge to force or to seduce to illicit intercourse	Imprisonment for 10 Years and Fine
372	Selling a minor person below 18 years for purpose of Prostitution or for illicit intercourse or for any unlawful and immoral purpose or knowledge of such intention	Imprisonment for 10 Years and Fine
373	Buying a person below 18 years for prostitution for illicit intercourse or for any unlawful and immoral purpose	Imprisonment for 10 years and fine

**PROVISIONS IN INDIAN PENAL CODE REGARDING
OBSCENITY**

SECTION	OFFENCE	PUNISHMENT
292	Sale of Obscene books etc.	Imprisonment for 2 years with fine
292 A	Printing etc. of grossly indecent or scurrilous matter or matter intended for blackmail	Imprisonment for 2 years / fine / both
293	Sale of Obscene objects to young persons	Imprisonment for 3 years with fine
294	Obscene Songs	Imprisonment for 3 years with fine

SECTIONS IN THE INDIAN PENAL CODE RELATING TO VIOLENCE

SECTION	OFFENCE	PUNISHMENT
302	Murder	Death or Imprisonment for life and Fine.
323	Voluntarily causing hurt-if a man has beaten or threatened to beat	Imprisonment for 1 Year, Fine of Rs. 1000 or Both.
324	Voluntarily causing hurt by dangerous weapons or means	Imprisonment for 3 Years or Fine or Both.
325	Voluntarily causing grievous hurt	Imprisonment for 7 years and Fine.
326	Voluntarily causing grievous hurt with dangerous weapons or means	Imprisonment for life or for 10 years and Fine.
327	Voluntarily causing hurt to extort property or a valuable securing or to constrain to do anything which is illegal or which may facilitate the commission of an offence	Imprisonment upto 10 years and Fine.
329	Voluntarily causing grievous hurt to extort property or valuable security or do anything which is illegal or which may facilitate the commission of an offence	Imprisonment upto 10 years and Fine.
336	Doing any act, which endangers human life or the personal safety of others	Imprisonment for three months fine / Rs. 250/- both.
337	Causing hurt by an act which endangers human life etc.	Imprisonment for 6 months or fine of Rs. 500/- or both.
338	Causing grievous hurt by an act, which endangers human life etc.	Imprisonment for 2 years or fine of Rs. 1000/- or both.
341	Wrongfully restraining any person	Simple imprisonment for 1

		month or Fine of Rs. 500/- or both.
342	Wrongfully confining any person	Imprisonment for 1 year or Fine of Rs. 1000/- or both.
343	Wrongfully confining for 3 or 4 days	Imprisonment for 2 years or Fine or both.
344	Wrongfully confining for 10 or more days	Imprisonment for 3 years and Fine
347	Wrongful confinement for the purpose of extorting property constraining to do an illegal act, etc.	Imprisonment for 3 years and Fine.
355	Assault or use of criminal force with an intent to dishonor a person otherwise than on a grave otherwise than on a grave provocation	Imprisonment for 2 years or Fine of Rs. 1000/ or both.
357	Assault or use of criminal force for wrongful confinement	Imprisonment for 1 year or fine of Rs. 1000/- or both.