

## LAWS FOR WOMEN'S SAFETY AND SECURITY



### Notes

We all see violence against women occurring in public and private spaces. In the previous lesson, we learnt various laws related to marriage, divorce and dowry. It is common and visible in all settings, urban or rural areas, streets, public transport, parks, schools, workplaces and homes. Women experience sexual violence, harassment, assault, rape and discrimination at work. The National Crime Records Bureau report states that cruelty by a husband or his relative against women constitutes the majority of crimes reported under the Indian Penal Code (31.9), followed by assault to outrage their modesty (27.6%), kidnapping and abduction (22.5%) and rape 10.3% (2018). Throughout their life, women face discrimination and are regarded as inferior to men both physically and socially. Patriarchal system and stereotype that men are the breadwinners and women are the family-bearers, along with the belief that compromise and suffering in silence are her virtues, make them suffer domination at the hands of men and society. The lesson presents an overview of the different constitutional provisions. The Constitution of India under Articles 14, 15(2) and (3) and 16 directs the State to ensure equality between men and women. It also explains how despite constitutional provisions, legal rights and development-related schemes, women remain marginalised and vulnerable. All these challenges threaten the safety and security of women and make gender equality and women empowerment a distant dream. In this lesson, the learner will get an exposure to learn various laws which will safeguard the dignity and safety of women and children.



### OUTCOMES

After studying this lesson, learner:

- recognizes the need to change property laws according to the changing social world.
- explains the role of the Sexual Harassment of the women at Workplace Act (2013), Anti-Rape law, Indecent Representation of Women (Prohibition) Act (1986) and the

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cyber law in ensuring women's and children's safety and dignity.

- explains the Immoral Traffic (Prevention) Amendment Bill (2006) that safeguard and rehabilitate vulnerable women and children.
- identifies and report infringement of any of these laws to an adult they trust and the relevant formal authority
- critically examines relevant laws and identify their potential in safeguarding the dignity and safety of women and children

### 16.1. NEED TO RECOGNISE PROPERTY RIGHTS OF WOMEN

Women's property rights include inheritance rights, land rights and other forms of property rights given to them by society at any given time. They are dependent on socio-cultural, racial, political, and legal factors. For a long time, women have faced discrimination and denial of property ownership and share. In modern times, the issue of property rights for women remains largely unaddressed. As a result, land titles are gender-biased and skewed in the favour of male members



Figure 16.1 Property Rights = Basic Rights of Women

The personal laws based on religious writing specific to each community are discriminatory towards women.

- **Hindu Women-**Under the ancient Hindu laws, the woman had no property rights but only a right to maintenance. Unlike their male counterpart, a daughter had no birthright in the joint family estate as she was regarded as a temporary member of the paternal

family. The only property she could hold as an absolute owner was her “*Streedhan*”, an amount given to her for her economic security at the time of her marriage and equated with her inheritance right in the joint family property. Even under the codified Hindu laws i.e., the Hindu Succession Act (1956), daughters were denied a claim in the ancestral property, and only the sons had a right to this property. To address this gap, a change in the Hindu Succession (Amendment) Act of 2005 was passed, which gave equal property rights to daughters at par with sons, thereby ending the centuries-old discriminatory laws. The act is a praiseworthy step to check bias against women. However, the actual effect of this amendment needs to be analyzed.

- **Muslim Women-**The Muslim Personal Laws maintain the superiority of men. Though the Muslim female gets an absolute right of ownership over the share of property inherited by her, inequality still exists. In the case of inheritance, a Muslim male gets double the share to that of the daughter. Her share diminishes with the presence of the male claimant.
- **Christian Women-** Indian Succession Act, 1925 deals with the inheritance rights of Christian women. A Christian daughter has no preexisting right to family property. It arises only after the intestate death of her parents, and she is entitled to 1/4th of the son's share or Rs 5,000, whichever is less. This criterion limits her inheritance right. She cannot desire the division of properties. In the case of a Christian wife, she gets 1/3rd of the property of her deceased husband when a lineal descendant exists; else, she gets a 1/2nd share in the property.
- **Parsi Women:** In the case of inheritance rights of Parsi women, if a man dies, his widow and son get double the sum granted to a daughter. In case of the death of her child, if her husband (father) is alive, a Parsi woman does not inherit her children's property. However, after the Amendment Act of 1991 to Parsi intestate Succession Act 1865 if a Parsi male dies intestate, his widow and children will get an equal share of the property. Likewise, the daughters are entitled to an equal share with the sons.

A comparative analysis of all the major personal laws in India proves that discriminatory practices against women are continuing. Through various amendments in legislation and initiative, this has been checked. Concessional home loan rates and lower stamp duty charges for women are some of the initiatives taken to promote women's share in the inheritance of property. However, a lot remains to be done that includes the mindset of people to treat women with dignity and equality.




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### Notes

**Notes****16.1.1. NON-RECOGNITION OF MARITAL PROPERTY RIGHTS**

The marital property includes every property acquired before and after marriage, including the assets whose value has increased during marriage. Globally, many countries recognize marital property, like the United Kingdom, the United States of America, and Singapore. However, none of the Indian laws contains a provision that provides an equal share to the wife in her husband's property. The effort of women towards the family economy is not valued. Society and law do not regard domestic work as productive and marriage as an economic partnership. Section 27 of the Hindu Marriage Act (1955) enables the Courts to make provisions about property jointly presented to the parties at or about the time of marriage. Only the Portuguese Civil Code (1867) gives marital property rights to a wife. Under this law, when the marriage dissolves by death or divorce, the entire property is divided into two halves to be divided among both spouses. Thus, even if the wife is not employed, her efforts towards family maintenance will entitle her right to property earned by her husband during the subsistence of the marriage.

**INTEXT QUESTIONS 16.1**

Choose the correct option for the following questions: -

1. Hindu Succession Amendment Act (2005) came into effect on
  - a) 9<sup>th</sup> July 2005
  - b) 9<sup>th</sup> August 2005
  - c) 9<sup>th</sup> September 2005
  - d) 9<sup>th</sup> October 2005
2. Under Muslim Law, a son gets .....of what is given to a daughter.
  - a) Equal
  - b) Double
  - c) Four times
  - d) None of these
3. Which section under the Hindu Law enables the Courts to make provisions about property jointly presented to the parties at or about the time of marriage.
  - a. Section 24 of Hindu Marriage Act (1955)
  - b. Section 25 of Hindu Marriage Act (1955)




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- c. Section 26 of Hindu Marriage Act (1955)
  - d. Section 27 of Hindu Marriage Act (1955)
4. What are the changes introduced by Amendment Act of 1991 to Parsi Intestate Succession Act, 1865
    - a. If a Parsi male dies intestate, his widow and children will get an equal share of the property.
    - b. The daughters are entitled to an equal share with the sons.
    - c. The daughter was entitled to half of the son's share
    - d. Both A and B
  5. What do you mean by Women's property rights?
  6. Explain the concept of Streedhan

### 16.2. ROLE OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE ACT (2013)

With access to education, women are seeking employment. However, at the workplace, they face harassment from male co-workers. Sexual harassment violates the women's right to equality and dignity of work granted under Articles 14 and 15 of the Indian Constitution. Moreover, it violates Article 19(1) (g) right to practice any profession and Article 21 right to life and to live with dignity. Before the Supreme Court laid guidelines in the case of *Vishaka v. State of Rajasthan* (1997), a woman experiencing harassment at the workplace could make a complaint under the various sections of the Indian Penal Code (1860). The guidelines led to the passing of this beneficial Act titled the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013). It protects women against sexual harassment in public or private workplaces and imposes a duty on the employer and other responsible persons to prevent this offence. In addition, the Act provides the complaint redressal mechanism for the women employees to contact with the complaint. Some of the definitions under the Act are:

- **Sexual Harassment-** means physical contact and advances involving unwelcome and explicit sexual overtures; or a demand or request for sexual favours; or making sexually coloured remarks, or forcibly showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- Aggrieved woman covers all women, irrespective of their age or employment status, whether in the organized or unorganized sectors, public or private and covers clients, customers, and domestic workers as well.

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- **Workplace-** It includes organizations, departments, offices, branch units in the public and private sector, organized and unorganized, hospitals, nursing homes, educational institutions, sports institutes, stadiums, sports complexes and any place an employee visits during employment, including transportation.
- **Employee-** It covers regular/temporary/ad-hoc/daily wage employees, working for remuneration or not and can also include volunteers.
- **Employer-** It includes the head of the Government department/organization/institution/office/branch/unit, the person responsible for management/supervision/control of the workplace, the person discharging contractual obligations for his/her employees and to a domestic worker the person who benefits from that employment.

To combat Sexual harassment at the workplace, the Act states that every office with more than ten employees must constitute an Internal Complaints Committee. The committee should have one woman presiding officer employed at the senior level and four other members. Within three months of the incident, the aggrieved women can make a written complaint to the committee. The inquiry must be completed within 90 days. If the organisation fails to observe these legal provisions, it will face penalties, including the cancellation of license or registration. If the allegation of sexual harassment is proven, the accused will be terminated from his services, and his promotion and increments will be denied. The complainant women victims will be reasonably compensated.



Figure 16.2 Safe Workplace is Women's Right

The Act makes it mandatory for employers to provide a safe working environment to women workers. For this, he must conspicuously display the penal consequences of sexual harassment and the order constituting the Internal Complaints Committee. Thus, the Act realizes the goal of gender equality, economic empowerment, security at the workplace and life and liberty for women to improve their workforce participation. The increasing complaints of sexual harassment are evidence of awareness among women about the employer's obligation and



their rights as an employee. It is helping women to come out and raise their voices towards safeguarding their well-being at the workplace.



### INTEXT QUESTIONS 16.2

1. Define the term Sexual Harassment.
2. Explain the objectives of the Sexual harassment of women at workplace Act, 2013.
3. How much time has been given to complete an inquiry of complaint received under the Sexual Harassment of Women at Workplace Act, 2013?
4. What are the responsibilities of the Employer under the Act under the Sexual Harassment of Women at Workplace Act, 2013



### Notes

### 16.3. ANTI- RAPE LAW

Rape is a heinous offence recognised under the Indian Penal Code (1860). It is a crime that is an attack on the body and soul of the women victim. After the case of *Tukaram v. State of Maharashtra* (1979) or the Mathura Rape case, to curb this offence and protect the interests of the women victim, the Criminal Law Amendment Act (1983) was passed. The amendment introduced the following changes:

- Consent of a woman given under intoxication or an insane person shall not be free consent.
- Trial to be in camera and prohibition on the publication of the trial proceedings.
- Prohibition on the disclosure of the identity of a rape victim.
- Character assassination of prosecution was prohibited.
- The accused will be under the “Burden of Proof” to establish his innocence. He will have to establish that the sexual intercourse was with the consent of the woman complainant else he will be liable for the offence of rape.
- Custodial Rape is severally punishable. It is a rape committed by the police officer, public servants or officers of jail with a woman in custody and rape committed in a remand home, women’s hospital, or children’s hospital, by the management/staff of that place

After the above amendments, several judgments pronounced by the Supreme Court made important observations towards the dignity and safety of women in India. In the landmark

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case of *State of Maharashtra v. Madhukar N. Gardikar*; (1991), the court held that the unchastity of a woman does not mean she can be violated. She is privileged to protect her person against such attempts, entitled to legal protection, and her testimony cannot be disregarded. Changes were introduced in the Indian Evidence Act that protects the rape victim against unnecessary questioning about her past character. Again, in the case of *Delhi Domestic Working Women's Forum v. Union of India* (1995), the Supreme Court of India laid important guidelines for rape trials. It stated that before being interrogated, the police must inform the rape victim about her right to counsel. The court directed to keep the identity of the rape victim secret during these trials. For legal assistance to the victim, the police station should maintain a list of lawyers.

The Nirbhaya Rape Case or Delhi Gang Rape Case (16 December 2012) resulted in the passing of the Criminal Law (Amendment) Act of 2013 or the Anti-Rape Bill. The Act defines a broad range of sexual crimes like sexual voyeurism and stalking and penalises the police officers responsible for the non-registration of the FIR (first information report), making reporting the incident by a rape victim easier. Concerning children, the Protection of Children against Sexual Offences Act (2012) safeguards them against sexual assault, sexual harassment and pornography. Considering the tender age of the child victim, the law treats him with care and sensitivity. The government is working to effectively deal with rape crime by arranging the necessary infrastructure.

**INTEXT QUESTIONS 16.3**

Choose the correct option: -

1. Who can be of the following is punished for the custodial rape of a woman?
  - a) Police Officer
  - b) Public servants
  - c) Management of hospital
  - d) All of the above
  
2. "The unchastity of a woman does not make her open to any and every person to violate her person as and when he wishes." The statement was made in the case of .....?
  - a) *Tukaram v. State of Maharashtra*, (1979)
  - b) *State of Maharashtra Vs. Madhukar N. Gardikar* (1991)
  - c) *Delhi Domestic Working Women's Forum. Union of India*, (1995)






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- d) None of the above
3. Which case led to the passing of the Criminal Law Amendment Act (1983) to curb this offence and protect the interests of the women victim, the.
- Tukaram v. State of Maharashtra, (1979)
  - State of Maharashtra Vs. Madhukar N. Mardikar (1991)
  - Delhi Domestic Working Women's Forum. Union of India, (1995)
  - None of the above
4. What changes were made by the Criminal Law (Amendment) Act of 2013 or the Anti-Rape Bill?
- Defines a broad range of sexual crimes like sexual voyeurism and stalking
  - Penalises the police officers responsible for the non-registration of the FIR
  - Make easier reporting of the incident by a rape victim.
  - All the Above

#### 16.4. THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT (1986)

Media is an important medium to spread information in society and influence public opinion. It can promote and preserve gender justice and women's dignity and equality through write-ups and advertisements. Nevertheless, the indecent portrayal of women in media is common, making women victims of cheap advertising. There is a lack of sensitivity about gender issues, and indecent representation of women is a gross violation of several fundamental rights (Article 21) and state duties (Article 51 A) mandated under the Constitution of India.

Initially, the Indian Penal Code (1860) declared the dissemination of obscene articles, including books, pamphlets, paper, writing, drawing, painting, representation, figures, etc., punishable under the law. These materials were considered obscene if they tended to corrupt persons who would like to read, see or hear their content. Over a period, many other enacted laws curb and prohibit the derogatory depiction of women in the media. Some of these legislations are the Press and Registration of Book Act (1867), the Young Persons Harmful Publications Act (1956), the Press Council of India Act (1978), the Cable Television Networks (Regulation) Act (1995) and the Information Technology Act (2000).

The Indecent Representation of Women (Prohibition) Act (1986) prohibits the derogatory portrayal of women in media through advertisement, publication, writing, painting, figures, etc. The act prevents and restrains this offence making it punishable with imprisonment and a fine. The Government is taking the indecent portrayal of women in mass media seriously and

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laying strict guidelines. The media broadcasting guidelines and laws are regularly reviewed. A can complain to the police about the derogatory representation of women in any media.

**INTEXT QUESTIONS 16.4**

Choose the correct option:-

1. Indecent representation is also a gross violation of Article \_\_\_\_\_ of fundamental Right of constitution of India
  - a. 14
  - b. 18
  - c. 21
  - d. 33
2. The Young Persons Harmful Publications Act was passed in
  - a. 1953
  - b. 1956
  - c. 1978
  - d. 1995
3. The Indecent Representation of Women (Prohibition) Act (1986) prohibits the indecent depiction of women through ...
  - a. advertisements,
  - b. publications,
  - c. paintings,
  - d. All of the above
4. The materials are considered obscene if they tend to corrupt persons who would like to .....their content.
  - a. Read
  - b. See
  - c. Hear
  - d. All the above



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**Notes****16.5 CYBER LAWS ENSURING THE SAFETY AND DIGNITY OF WOMEN**

With the introduction and spread of technology, cyber-crimes against women have increased. The offenders commit these crimes on the World Wide Web. Some of the cyber-crimes against women are as follows: –

- Harassment through e-mails and blackmailing, threatening and bullying women from a fake ID.
- Cyber stalking - Following a person's movements across the Internet and posting unwarranted messages.
- Cyber Bullying is willful and repeated harm by sending intimidating or threatening messages through computers, cell phones or other electronic devices.
- Cyber pornography means publishing and printing pornographic material.
- Cyber defamation means publishing defamatory matters about someone or his connections.
- Morphing is an act of an unauthorized user who creates fake profiles, edits the original picture and then re-posts it.
- Email spoofing means “misrepresenting its origin” or showing its origin different from where it originated.



Figure 16.3 No online harassment for women

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In India, the Information Technology Act (2000) and the amendment of 2008 fight cyber-crimes. However, cyber-crimes are rising due to poor awareness and lower reporting by women victims. Since digital technology is growing, more than mere enactment of laws will be required. To curb cyber-crimes, the government and the responsible authorities must be more proactive in their enforcement.

**INTEXT QUESTIONS 16.5**

1. Explain the different types of cyber-crimes?
2. Name one act enforced to check cyber-crimes.
3. What are the reasons behind the increase in cyber-crimes ?

**16.5. THE IMMORAL TRAFFIC (PREVENTION) AMENDMENT BILL (2006)**

Trafficking in human beings is a heinous crime, violative of human rights and dignity of women and children who are more prone to trafficking as societal norms and marginalize their value and status in society. A variety of reasons force women and children into this trap. These are including poverty, illiteracy, harmful cultural practices, unemployment, certain traditional practices (like the Devadasi system), natural calamities and poor rehabilitation of disaster victims. Trafficking in women and children can be for prostitution, forced labour, domestic work, employment in the entertainment industry, organ trading, begging, fraudulent or forced marriages, and the purchase and sale of babies for adoption. Unfortunately, the secretive nature of this crime prevents it from coming to light and reporting.

In the case of *Gaurav Jain v. Union of India and others* (1990), the Supreme Court observed that women involved in the flesh trade are victims of adverse socio-economic circumstances. The commercial exploitation of sex workers is a crime, and those trapped in custom-oriented prostitution, and gender-oriented prostitution are victims. The Supreme Court proposed a three-step process of counselling, cajoling and coercion to enforce the laws. It gave detailed directions for the rescue and rehabilitation of women involved in prostitution and their children.

The laws which mainly govern the problem of trafficking in India include the Constitution of India (1950), the Indian Penal Code (1860), the Juvenile Justice (Care and Protection) Act (2005) and the Immoral Traffic (Prevention) Act (1986) abolishes trafficking in women and girls for prostitution. The Immoral Traffic (Prevention) Amendment Bill 2006 amends the Immoral Traffic (Prevention) Act to better combat trafficking and sexual exploitation for commercial purposes. The Amendment bill 2006:

- Repeals the provision for prosecuting prostitutes for soliciting clients.

**Notes**

- Prosecutes a person who visits a brothel and sexually exploits a trafficked victim.
- Defines the term “trafficking in persons” and provides penalties and increases penalties for some offenses.
- Combats trafficking; it constitutes authorities at the central and state level.
- “In-camera” trials away from public view.
- Penalizes prostitution in a public place.
- Appoints special police officers to enforce the Act.
- Provides for the rescue and rehabilitation of sex workers.

**INTEXT QUESTIONS 16.6**

1. As per the Supreme Court decision in the case of Gaurav Jain v. Union of India and others (1990), what steps are necessary for checking /curbing trafficking?
  - a. Counselling
  - b. Cajoling
  - c. Coercion
  - d. All of the above
2. What are the reasons that forces women and children into trafficking:
  - a) Poverty
  - b) Unemployment
  - c) Natural calamities and poor rehabilitation of disaster victims
  - d) All of the above
3. Explain the major provisions of the Immoral Trafficking (Prevention) Act (1986)?

**16.6. REPORTING THE CRIMES BY WOMEN VICTIM**

The analysis of the above laws indicates that women face discrimination and denial due to socio-cultural and religious reasons. The Indian Constitution guarantees fundamental rights and social laws to mitigate discrimination faced by women. A host of laws provides redressal mechanisms for every infringement of rights protecting women and children. Some of the redressal mechanisms and formal authorities working towards safeguarding women’s dignity and safety are as under:




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**Notes**

- **The Legal Aid Services Authorities Act, 1987**

The act provides free legal aid to a person belonging to a Scheduled Caste or Scheduled Tribe, a person who is a victim of trafficking in human beings, a disabled, a woman or child, a workman, a person in custody, a person unable to engage a lawyer and secure legal services on account of reasons such as poverty and indigence.

- **National Policies and Plans**

1. National Policy for the Empowerment of Women, 2001
2. National Plan of Action for children, 2004
3. National Plan of Action to combat trafficking and commercial sexual exploitation of women and children, 1998
4. UJJAWALA (“Comprehensive Scheme for Prevention of Trafficking for Rescue, Rehabilitation and Re-Integration of Victims of Trafficking for Commercial Sexual Exploitation)

- **Commissions**

1. National Commission for Human Rights.
2. National Commission for Women.
3. Nation Commission for Protection of Child Rights.

- **The concerned Ministries**

1. Role of the Ministry of Women and Child Development
2. Role of the National Human Rights Commission
3. Role of the Ministry of Home Affairs
4. Role of the National Commission for Women

Despite the present mechanism, not all the offences are reported because people think doing so will bring a bad name to the victim and her family. In order to curb these crimes, the victim should be encouraged to approach the police station and contact a social activist or an NGO. An FIR should be lodged in case of rape without a delay. To check the indecent representation of women, the media broadcasting guidelines and laws should be regularly reviewed for formulating advertising standards. The complaints may be made by any person to the police.

In the case of cyber-crimes, women are reluctant to report the offence, and the offenders roam freely even after the commission of cyber-crime. Women victims should report these crimes so the abuser will refrain from repeating such actions. For this, the government, media,



NGOs and families of the victim can play an important role. A multi-dimensional approach is essential, including legislative measures, enforcement, programmes and schemes, training and capacity building and creating awareness about the legislation to deal with these crimes. Sensitive handling by police, judges, and media of reported cases remains supreme. Thus proper implementation of these crucial laws and awareness of women about their rights and legal remedies can eliminate crimes against women.




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### Notes



### WHAT YOU HAVE LEARNT

- Women's property rights in India remain ignored and unaddressed. A comparative analysis of all the major personal laws in India highlights discrimination against women. Through several progressive laws, the government is promoting property holding among women.
- Sexual harassment is violative of women's right to equality and dignity. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013) protects women against sexual harassment in public or private workplaces. The act makes it mandatory to constitute an Internal Complaints Committee in all offices with ten or more employees.
- Rape is the most heinous crime covered under the Indian Penal Code (1860). Generally, the offence of sexual abuse is unreported because of the perception that this will bring a bad name to the victim and her family. The tendency to blame the victim makes her less courageous to seek support from her family members and initiate legal action against the accused. Courts have laid down guidelines for the sensitive handling of these cases.
- The Indecent Representation of Women (Prohibition) Act (1986) prohibits the derogatory depiction of women in the media through advertisements, publications, writings, paintings, figures, or any other manner. It prohibits the selling, distribution, or circulation of any books, pamphlets, etc., that represents or portrays women indecently. The act provided punishment of imprisonment and a fine for the offence.
- Cybercrimes include cyber stalking, cyber bullying, harassment via e-mails, etc. These offences are committed against women and need stringent implementation procedures. To curb these crimes, awareness about them and their reporting are crucial.
- The Immoral Traffic (Prevention) Act (1986) abolishes traffic in women and girls for prostitution. The Act declares punishable their trafficking and sexual exploitation for commercial purposes.
- Various mechanisms safeguard and protects the dignity and safety of women and children.




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**Notes**

These include legislative measures, enforcement, programmes and schemes, training and capacity building and creating awareness about the legislation.


**TERMINAL EXERCISE**

1. What are the changes introduced by the Amendment of 2005 to the Hindu Succession Act?
2. Explain the share given to Muslim women under the Muslim Inheritance laws
3. Describe the inheritance rights of women under various personal laws.
4. What is meant by sexual harassment at the workplace?
5. What are the duties of the employer?
6. What is Internal Complaint Committee?
7. Critically examine the Anti-rape laws in India.
8. Discuss the recent amendments to rape laws.
9. State the salient features of the Indecent Representation of Women (Prohibition) Act 1986.
10. Describe the various types of cyber-crimes against women and children.
11. What are the major provisions of the Immoral Trafficking (Prevention) Act (1986)?
12. Describe the salient feature of the Immoral Traffic (Prevention) Amendment Bill (2006).
13. Describe the various laws for preventing crimes against women in India.

**GLOSSARY**

**Amendment-** An alteration proposed or put into effect by the parliamentary or constitutional procedure.

- **Fundamental Rights-** These are the basic rights provided under the Indian Constitution including equality before the law, freedom of speech and expression, religious and cultural freedom and peaceful assembly, freedom to practice religion, and the right to constitutional remedies.
- **Inheritance-** Acquiring possession from past generations.
- **Legislation-** It is the power of an official organ of a state or other organisation to make rules and laws that have the force of authority.




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- **Lineal descendants**-They are blood relatives of a person in the direct line of descent like the children, grandchildren, great-grandchildren, etc.
- **Preamble**- It is an introduction to the constitution or a statute that mentions the reasons and legal intention for enacting them.
- **Redressal**- The complaints received from a person and actions taken on the issue raised, grant of compensation for injuries sustained and damages or restitution for harm/injury/damages.
- **Trafficking**- It is the trade of humans for forced labour, sexual slavery, or commercial sexual exploitation.
- **Streedhan**-It is the property of a Hindu bride, conferred as a token of love by her natal family.


**ANSWERS TO INTEXT QUESTIONS**
**16.1**

1. c. 9th September 2005
2. b. Double
3. d. Section 27 of Hindu Marriage Act (1955)
4. d. both A and B
5. Women's property rights include inheritance rights, land rights and other forms of property rights given to them by society at any given time.
6. "Streedhan", an amount given to her for her economic security at the time of her marriage and equated with her inheritance right in the joint family property

**16.2**

1. It aims to protect women against sexual harassment in public or private workplaces and imposes a duty on the employer and other responsible persons to prevent this offence. In addition, the Act provides the complaint redressal mechanism for the women employees to contact with the complaint
2. Sexual Harassment means physical contact and advances involving unwelcome and explicit sexual overtures; or a demand or request for sexual favours; or making sexually coloured remarks, or forcibly showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

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3. Within three months of the incident, the aggrieved women can make a written complaint to the committee. The inquiry must be completed within 90 days.
4. The Act makes it mandatory for employers to provide a safe working environment to women workers. Every office with more than ten employees must constitute an Internal Complaints Committee. He must conspicuously display the penal consequences of sexual harassment and the order constituting the Internal Complaints Committee. If the organisation fails to observe these legal provisions, it will face penalties, including the cancellation of license or registration.

**16.3**

1. b. All of the above
2. b. State of Maharashtra Vs. Madhukar N. Mardikar (1991).
3. a. Tukaram v. State of Maharashtra, (1979)
4. d. all of the above

**16.4**

1. c. 21
2. b. 1956
3. d
4. d

**16.5**

1. Harassment through emails, cyber stalking, cyberbullying, cyber pornography, morphing, spoofing etc.
2. Information Technology Act (2000) and amendment of 2008.
3. The cyber-crimes are rising due to poor awareness and lower reporting by women victims.

**16.6**

1. d. all of the above
2. d. all of the above
3. The major provisions of the Immoral Trafficking (Prevention) Act (1986) are
  - I. Stop the trafficking of women and girls for prostitution.
  - II. Declares trafficking as a punishable offence.