



FACULTY OF JURIDICAL SCIENCES

COURSE: LLM TWO YEARS Constitutional & Administrative Group /Criminal group/ corporate & business group

Semester-II

SUBJECT: Law and social transformation in India

SUBJECT CODE: LLM-221

NAME OF FACULTY: DR. SHIV KUMAR TRIPATHI

Lecture-5



-Section 354, IPC deals with assault or criminal force to a woman with the intent to outrage her modesty:

Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine or both.

Section 509, IPC deals with 'word, gesture or act intended to insult the modesty of a woman: Whoever intending to insult the modesty of any woman utters any word, makes any sound or gesture, or exhibits any object intending that such word or sound shall be heard or that such gesture or object shall be seen by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or both. (Cognizable and bailable offences).

Civil suit can be filed for damages under tort laws. That is, the basis for filing the case would be mental anguish, physical harassment, loss of income and employment caused by the sexual harassment.

IRWPA:

Under the Indecent Representation of Women (Prohibition) Act (1987) if an individual harasses another with books, photographs, paintings, films, pamphlets, packages, etc. containing "indecent representation of women", they are liable for a minimum sentence of 2 years. Further section 7 (Offenses by Companies) holds companies responsible (guilty) where there has been "indecent representation of women" (such as the display of pornography) on the premises. Person guilty of offenses under this act, shall be punished with a minimum sentence of 2 years.