



GOVERNMENT OF PUDUCHERRY
POLICE DEPARTMENT

GENDER SENSITIZATION PROGRAMME



CONSTITUTIONAL AND LEGAL PROVISIONS

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. Within the framework of a Democratic Polity, our Laws, Development Policies, Plans and Programmes have aimed at women's advancement in different spheres.

Legal Provisions :

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women.

Although women may be victims of any of the crimes such as 'Murder', 'Robbery', 'Cheating' etc., the crimes, which are directed specifically against women, are characterized as '**Crime against Women**'. These are broadly classified under two categories.

Under the Indian Penal Code (IPC) :

- Rape (376 IPC)
- Kidnapping & Abduction for different purposes (363-373 IPC)
- Homicide for Dowry, Dowry Deaths or their Attempts (302/304-B IPC)
- Torture, both Mental and Physical (498-A IPC)
- Molestation (354 IPC)
- Sexual Harassment, Word, Gesture or Act insulting the modesty of a woman (509 IPC)
- Marriage ceremony fraudulently gone through without lawful marriage (496 IPC)
- Marrying another woman during lifetime of spouse (494 IPC)
- Procurement of a minor girl (366A IPC)
- Cohabitation caused by a man deceitfully inducing a belief of lawful marriage (493 IPC)
- Adultery (497 IPC)
- Causing miscarriage or miscarriage without the woman's consent (312, 313 IPC)
- Death caused by act done with intent to cause miscarriage (314 IPC)

Under the Special Laws (SLL) :

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts which have special provisions to safeguard women and their interests are:

- Immoral Traffic (Prevention) Act, 1956.
- Dowry Prohibition Act, 1961.
- Indecent Representation of Women (Prohibition) Act, 1986.
- The Protection of Women from Domestic Violence Act, 2005.
- Pondicherry Police (Amendment) Act (34 BB).
- Information Technology Act, 2000.

SPECIAL INITIATIVES FOR WOMEN BY THE GOVT. OF INDIA

I. National Commission for Women :

In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the Constitutional and Legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

II. The National Plan of Action for the Girl Child (1991-2000) :

The plan of Action is to ensure survival, protection and development of the Girl Child with the ultimate objective of building up a better future for the Girl Child.

III. National Policy for the Empowerment of Women, 2001 :

The Department of Women and Child Development in the Ministry of Human Resource Development has prepared a "*National Policy for the Empowerment of Women*" in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.