

**SUBJECT:- REGARDING MODIFICATION OF SECTIONS RELATED TO WOMEN AS PER NEW CRIMINAL LAW.**

Sir,

It is submitted that the modification of new sections related to women's are as under:-

<b>Sec. in BNS</b>	<b>Title in BNS</b>
Sec. 63	Rape
Sec. 64	<p>Punishment for rape <b>Cognizable offence</b> punishable with</p> <p>(1) Rigorous imprisonment for not less than 10 years, but may extend to imprisonment for life and fine</p> <p>(2) Rigorous imprisonment for not less than 10 years but may extend to imprisonment for life which shall mean the remainder of that person's natural life and fine</p>
Sec. 65	<p>Punishment for rape in certain cases (1) Rape on woman under 16 years of age <b>Cognizable offence</b> Punishable with rigorous imprisonment for not less than 20 years but may extend to imprisonment for life which shall mean the remainder of that person's natural life and also be liable to fine</p>
	<p>(2) Rape on woman under 12 years of age <b>Cognizable offence</b> Punishable with rigorous imprisonment for not less than 20 years but may extend to imprisonment for life which shall mean the remainder of that person's natural life and with fine or with death</p>
Sec. 66	<p>Punishment for causing death or resulting in persistent vegetative state of victim <b>Cognizable offence</b> punishable with rigorous imprisonment for not less than 20 years but may extend to imprisonment for life which shall mean the remainder of that person's natural life or with death</p>
Sec. 67	<p>Sexual intercourse by husband upon his wife during separation <b>Cognizable offence (only on the complaint of the Victim)</b></p>

	Punishable with imprisonment for not less than 2 years which may extend to 7 years and fine
Sec. 68	Sexual intercourse by a person in authority <b>Cognizable offence</b> Punishable with rigorous imprisonment of either description for a term which shall not be less than 5 years but which may extend to 10 years and shall also be liable to fine
Sec. 69	<b>Sexual intercourse by employing deceitful means, etc.</b> Whoever, by deceitful means or by making promise to marry to a woman without any intention of fulfilling the same, has sexual intercourse with her, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term, which may extend to ten years and shall also be liable to fine  <b>Cognizable offence</b>
Sec. 70 (1)  (2)	(1) Gang Rape <b>Cognizable offence</b> punishable with rigorous imprisonment for not less than 20 years but may extend to imprisonment for life which shall mean the remainder of that person's natural life and fine  (2) Gang rape on women under the age of 18 (Age increased from 16 years to 18 years in this offence) <b>Cognizable offence</b>  Where a woman under 18 years of age is raped by one or more persons constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine, or with death <b>Note:</b> To remove age based parameters
Sec. 71	Punishment for Repeat offenders (Sec. 64, 65, 66, 70) <b>Cognizable offence</b> punishable with imprisonment for life which shall mean the remainder of that person's natural life or with death
Sec. 72	Disclosure of identity of victim of certain offences etc. <b>Cognizable offence</b> punishable with imprisonment for 2 Years and fine. Note- Earlier Sec. 228A of IPC covers both. Now two separate offences have been made in Sec. 72 & Sec. 73 of BNS

Sec. 73	<p>Printing or publishing any matter relating to court proceedings without permission  <b>Cognizable offence</b> punishable with imprisonment for 2 years and fine.</p>
Sec. 74	<p>Assault or use of criminal force to woman with intent to outrage her modesty  <b>Cognizable offence.</b> 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 shall not be less than one year but which may extend to five years, and shall also be liable to fine .</p>
Sec. 75	<p>Sexual harassment  <b>Cognizable offence</b> punishable with  (2) Rigorous imprisonment with 3 years, or with fine, or with both for offence specified in section 75 (1) (i) (ii) (iii)  (3) imprisonment with 1 year, or with fine, or with both for offence specified in section 75 (1)(iv)</p>
Sec. 76	<p>Assault or use of criminal force to women with intent to disrobe.  <b>Whoever</b> (Any Man who) assaults or uses criminal force to any woman or abets such act with the intention of disrobing or compelling her to be naked, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to seven years, and shall also be liable to fine.  <b>Cognizable offence</b>  Note: This offence has been made gender neutral.</p>
Sec. 77	<p>Voyeurism  <b>Whoever</b> (Any Man who) watches, or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image shall be punished on first conviction with imprisonment of either description for a term which shall not be less than one year, but which may extend to three years, and shall also be liable to fine, and be punished on a second or subsequent conviction, with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine.  <b>Cognizable offence</b>  Note: Now a woman can also be punished. (Gender Neutral)</p>
Sec. 78	<p>Stalking  <b>Cognizable offence</b></p>

	<p>Imprisonment up to 3 years and fine  In case of second or subsequent conviction, imprisonment up to 5 years and fine</p>
Sec.79	<p>Word gesture or act intended to insult modesty of a women  <b>Cognizable offence</b>  Imprisonment up to 3 years and fine</p>
Sec. 80	<p>Dowry Death  <b>Cognizable offence</b>  Imprisonment for not less than 7 years but which may extend to imprisonment for life</p>
Sec. 81	<p>Cohabitation caused by a man deceitfully inducing belief of lawful marriage  <b>Non Cognizable</b>  punishable with imprisonment for ten years and fine.</p>
Sec. 82	<p>Marrying again during lifetime of husband or wife  (1) <b>Non Cognizable</b>  punishable with imprisonment for seven years and fine.   (2) <b>Non Cognizable</b>  punishable with imprisonment for ten years and fine, if concealed with whom the subsequent marriage is contracted.</p>
Sec. 83	<p>Marriage ceremony, fraudulently gone through without lawful marriage  <b>Non Cognizable</b>  punishable with imprisonment up to seven years and fine.</p>
Sec. 84	<p>Enticing or taking away or detaining with criminal intent a married woman  <b>Non Cognizable</b>  punishable with imprisonment for two years, or with fine or with both.</p>
Sec. 85	<p>Husband or relative of husband of a woman subjecting her to cruelty   <b>Cognizable (only on the complaint of the victim or her blood relative or notified public servant)</b>   Punishable with imprisonment which may extend to three years and with fine.</p>
Sec. 86	<p>Cruelty (Defined)</p>
Sec. 87	<p>Kidnapping, abducting or inducing woman to compel her marriage, etc.   <b>Cognizable offence</b>  punishable with imprisonment for ten years and fine.</p>

Sec. 88	<p>Causing miscarriage</p> <p><b>Non Cognizable</b> punishable with imprisonment for three years, or fine or both. If the woman be quick with child, shall be punished with imprisonment which may extend to seven years and with fine.</p>
Sec. 89	<p>Causing miscarriage without woman's consent</p> <p><b>Cognizable</b> punishable imprisonment for life or imprisonment for ten years and fine.</p>
Sec. 90 (1)	<p>Death caused by act done with intent to cause miscarriage</p> <p><b>Cognizable</b> (1) punishable with imprisonment for ten years and fine  (2) if without consent, punishable imprisonment for life or as above.</p>
Sec. 91	<p>Act done with intent to prevent child being born alive or to cause to die after birth</p> <p><b>Cognizable</b> punishable with imprisonment for ten years or with fine or with both.</p>
Sec. 92	<p>Causing death of quick unborn child by act amounting to culpable homicide</p> <p><b>Cognizable</b> punishable with imprisonment for ten years and fine.</p>
Sec. 94	<p>Concealment of birth by secret disposal of dead body</p> <p><b>Cognizable</b> punishable with imprisonment for two years, or with fine, or with both</p>
Sec. 95	<p>Hiring, employing or engaging a child to commit an offence</p> <p>Whoever hires, employs or engages any child to commit an offence shall be punished with imprisonment of either description which shall not be less than three years but which may extend to ten years, and with fine; and if the offence be committed shall also be punished with the punishment provided for that offence as if the offence has been committed by such person himself.</p> <p><b>Explanation.</b> -Hiring, employing, engaging or using a child for sexual exploitation or pornography is covered within the meaning of this section.</p>

	<b>Cognizable offence</b>
Sec. 96	<p>Procreation of child</p> <p>Whoever, by any means whatsoever, induces any child (earlier any minor girl under the age of 18 years) to go from any place or to do any act with intent that such child may be, or knowing that it is likely that such child will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.</p> <p><b>Cognizable offence</b> punishable with imprisonment for ten years and fine.</p> <p><b>Note:</b> Minor girl has been replaced with Child to made the offence gender neutral</p>
Sec. 97	<p>Kidnapping or abducting child under ten years of age with intent to steal from its person</p> <p><b>Cognizable offence</b> punishable with imprisonment for seven years and with fine.</p>
Sec. 98	<p>Selling child for purposes of prostitution, etc</p> <p>Whoever sells, lets to hire, or otherwise disposes of any child with intent that such child shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing it to be likely that such child will at any age be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.</p> <p><b>Cognizable offence</b> punishable with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine</p> <p><b>Note:</b> Any person under the age of eighteen years has been replaced with Child</p>
Sec. 99	<p>Buying child for purpose of prostitution, etc</p> <p>Whoever buys, hires or otherwise obtains possession of any child with intent that such child shall at any age employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and</p>

immoral purpose, or knowing it to be likely that such child will at any age be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may extend to fourteen years, and shall also be liable to fine.

**Cognizable offence**

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**Note:** Minor has been replaced with Child