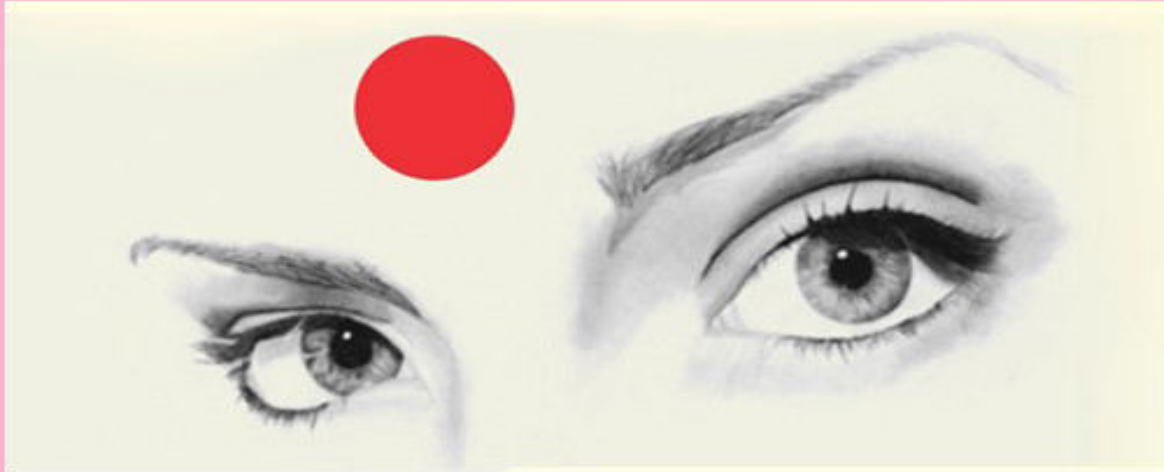






**WE  
Rising  
UP**



# **LAWS FOR WOMEN SAFETY & SECURITY in INDIA**

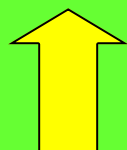


**NORTH WESTERN RAILWAY , PERSONNEL DEPARTMENT,  
HEADQUARTERS OFFICE, JAWAHAR CIRCLE , JAIPUR**

**E-BOOK  
for  
women**

**TITLE**

***WE***



***RISING  
UP***

**WE for WOMEN EMPOWERMENT**

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### Message

North Western Railway has made impressive strides for all round development of Railways and to develop sensitization of staff towards railway passengers, especially women and children. To promote social and economic empowerment of women, it is very necessary to create awareness about their basic rights and privilege admissible to them as per government rules.

This booklet- “WE — RISING UP” brought out by Personnel department of NWR, gives a broad outlines of some of the key rights and laws related to women safety and security in India. It is a small drop in the large ocean of WE — Women Empowerment as a means to spread the knowledge of legislations related to women. The content listed in it are in simple language and very useful to address the issues faced by women in general, at home or at work.

I firmly believe that, this handy digital book will surely serve as beneficial guideline to all the women of India who read it.

I congratulate the team of Personnel department for preparing this valuable e-book.

(T. P. Singh)

( T. P. Singh)

आर. आर. प्रसाद, आई. आर. पी. एस.  
प्रमुख मुख्य कार्मिक अधिकारी  
**R. R. PRASAD, I.R.P.S.**  
Principal Chief Personnel Officer



उत्तर पश्चिम रेलवे North Western Railway  
प्रधान कार्यालय Headquarters Office  
नजदीक जवाहर सर्किल Near Jawahar Circle  
जयपुर 302017 Jaipur - 302017



**MESSAGE**

North Western Railway, Personnel Department has been taking measures to bring about staff satisfaction through various Staff Contact Programmes, Personal Interaction and implementation of Employee Charter. I am happy to note that the Welfare Section of Personnel Department, Headquarters office, NWR, is bringing out an e-booklet highlighting various legal provisions for women employees working on North Western Railway.

The booklet has been painstakingly compiled by Shri Sanjay Arora, DGM/Law by collecting various legal provisions for women employees and has collated all the relevant information in this e-booklet.

I believe this booklet will serve as an informative document for women employees and enhance their knowledge and also bring confidence in them with regard to legal safeguards available to them.

I commend Shri Sanjay Arora, DGM/Law for his expert guidance on the legal framework for women in India, Shri Satyendra Yadav, SPO/E&M and Ms. Vibha Taaparia, Chief Staff & Welfare Inspector for their special efforts to design and prepare this handy e-booklet.

I wish the women employees all the very best.

(R. R. Prasad)



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### **MESSAGE**

I am happy to note that an e-book “WE - RISING UP” featuring laws relating to women in particular has been compiled and brought out by Ms. Vibha Taaparia, Chief Staff and Welfare Inspector of Welfare Branch, Personnel Department, North Western Railway. I find that this compilation will help women a lot to deal with their problems and with the appropriate authorities, which to my mind plays a crucial role in solving issues.

Most women suffer due to lack of knowledge about their rights and legislation to safeguard them. This e-book will bridge this gap and create necessary awareness.

Today knowledge is the real treasure, and I appreciate the efforts put in for dissemination of this legal information in digital form and wish Ms. Vibha Taaparia all success in her endeavours.

  
(Archana Joshi)



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# **BRIEF GUIDELINES on LAWS for WOMEN SAFETY & SECURITY in INDIA**

## **Heading Towards a New Dawn**

**NORTH WESTERN RAILWAY , PERSONNEL DEPARTMENT,  
HEADQUARTERS OFFICE, JAWAHAR CIRCLE , JAIPUR**





**WE  
Rising  
UP**



# ***CONTENTS***

<b>Sr.</b>	<b>Topics</b>	<b>Page No.</b>
<b>1</b>	<b>Preface</b>	<b>1</b>
<b>2</b>	<b>Introduction</b>	<b>2-4</b>
<b>3</b>	<b>Fundamental Rights for Women</b>	<b>5-7</b>
<b>4</b>	<b>Constitutional Rights for Women</b>	<b>8-9</b>
<b>5</b>	<b>Important legal rights every Woman must know</b>	<b>10-13</b>
<b>6</b>	<b>Provisions specific for Women Safety in Indian Penal Code</b>	<b>14-21</b>
<b>7</b>	<b>Summary of Women related IPC Provisions</b>	<b>22-23</b>
<b>8</b>	<b>Special Laws/Acts for Women</b>	<b>24-32</b>
<b>9</b>	<b>List of laws related to Marriage and Divorce</b>	<b>33</b>
<b>10</b>	<b>List of laws related to Abortion, Property, Succession, Adoption</b>	<b>34</b>
<b>11</b>	<b>List of laws related to Children</b>	<b>35</b>
<b>12</b>	<b>Cyber crimes against Women</b>	<b>36-38</b>
<b>13</b>	<b>Laws /Acts for Working Women</b>	<b>39-45</b>
<b>14</b>	<b>Laws for Women as Railway Passengers</b>	<b>46-49</b>
<b>15</b>	<b>Women Empowerment Schemes and Awards by Ministry of Women and Child Development (India)</b>	<b>50-53</b>
<b>16</b>	<b>Other Schemes related to Gender and Children by Ministry of Women and Child Development (India)</b>	<b>54</b>
<b>17</b>	<b>Compensation Scheme for Women who are victims of crimes</b>	<b>55-59</b>
<b>18</b>	<b>Important Initiatives /highlights of Ministry of Women and Child Development (India) everyone must know</b>	<b>60-62</b>

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**UP**



## **PREFACE**

The cornerstone of Women Empowerment is often eclipsed in the sea of faceless and voiceless oppressed women in India because they are not well conversant with important rights, rules, procedures and laws meant for them.

To have holistic understanding, promoting social and economic empowerment of Women, creating awareness, building Capacity amongst officials and stakeholders for safety and security of Women in India, this digital handy e-book features on provisions of Indian Penal Code (IPC), Fundamental Rights, Constitutional Rights, related to concerns of Women, various Rules and Legislations to safeguard Women in general both at home and at work-place and other Women related beneficial schemes.

The contents of this book are based on the extant rules and procedures laid down in the concerned official Manuals, Rule books and Websites. Despite all efforts to compile it correctly, there may be some errors / mistakes.

This e-book is intended to serve as basic guidelines only. Relevant Manuals, Acts and Rule books should be consulted for any doubts or legal aspects or claims.

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## **INTRODUCTION**



Woman was the first human being that tasted bondage. Woman was a slave before slavery existed". In India, the constitutionally guaranteed equality for women is juxtaposed with the harsh societal reality.

Due to the revolutionary changes brought by our constitution and efforts made by Indian women, they have earned themselves a respectable position in the society. Now they are treated equally with men. Today women are everywhere and to be very precise women are in space, women are in corporate, women are in politics, women are in entertainment field, women are in defence field and the list goes on.

It is indeed a matter of pleasure that the position of women has improved in the last four decades. But still today somewhere Indian women are struggling to maintain their dignity and freedom. Mental and physical torture of women has again become common and that is why they have started feeling unsafe. It is without a doubt that we, as a nation, have achieved great feats in propelling the societal gears towards progressive thought and action. We are transforming the societal chains that once bound women to live a life of servitude.

We still cannot say that the women of this great nation are free to live and enjoy their lives. The milestones of women empowerment often eclipse the sea of faceless and voiceless oppressed women in India.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



***We live in a shady and messed up world, where life of a person is taken away by a loved one, where goddesses are worshipped while women (of any age) are maimed and harassed. The only way out to keep an eye on such horrific happenings is to make laws and rules more strict to keep a check on the horrendous crimes. Most of women suffer due to lack of knowledge about their rights and legislation to safeguard them. To achieve this goal, we need to create awareness amongst women folk regarding their rights and laws.***



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SAFETY AND SECURITY  
IN INDIA**



human rights are women's rights ,  
women's rights are human rights,

*As long as discrimination and inequalities remain so commonplace everywhere in the world, as long as girls and women are valued less, fed less, fed last, overworked, underpaid, not sent for school education, subjected to violence in and outside their homes—the potential of the human family to create a peaceful, prosperous world will always remain a dream.*

***RIGHTS of WOMEN***

***Fundamental  
Constitutional***

***LEGAL PROVISIONS for women***

***Common for all women***

***For working women***

***For women railway passengers***

***For women Railway employee***

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## **FUNDAMENTAL RIGHTS FOR WOMEN**



***Fundamental  
Rights of all  
citizens are  
justiciable  
and  
applicable to  
women also***

### **Right to Equality:**

- **Article 14:** The provisions regarding Equality before Law are included in this Article
- **Article 15:** Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth is specified in this Article
- **Article 16:** This Article consists of Rights of Equality of opportunity in matters of public employment
- **Article 17:** Abolition of untouchability is mentioned in this particular Article
- **Article 18:** This Article provides details about Abolition of titles

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#### **Right to Freedom:**

- **Article 19:** Protection of certain rights regarding freedom of speech, etc. are clearly specified in this Article.
- **Article 20:** This Article states the Protection in respect of conviction for offences.
- **Article 21:** Protection of life and personal liberty is mentioned in this Article.

**Article 22:** This Article deals with Protection against arrest and detention in certain cases.

#### **Right against Exploitation:**

- **Article 23:** The details of Prohibition of traffic in human - beings and forced labour are stated in this Article.
- **Article 24:** The Article contains Prohibition of employment of children in factories, etc.

#### **Right to Freedom of Religion:**

- **Article 25:** Particulars of freedom of conscience and free profession, practice and propagation of religion are clearly enumerated in this Article.
- **Article 26:** The Article specifies the freedom to manage religious affairs.
- **Article 27:** Freedom as to payment of taxes for promotion of any particular religion is stated In this Article.
- **Article 28:** This Article includes freedom as to attendance at religious instruction Religious worship in certain educational institutions.

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SAFETY AND SECURITY  
IN INDIA***



**Cultural and Educational rights:**

- **Article 29:** Protection of interests of minorities is specified in detailed form in this Article.
- **Article 30:** Right of minorities to establish and administer educational institutions is scripted in this very Article.
- **Article 31:** The Article dealing with Compulsory acquisition of property has been repealed through the Constitution Act, 1978 under 44th Amendment.

**Saving of Certain Laws:**

- **Article 31A:** This Article contains savings of laws providing for acquisition of estates, etc.
- **Article 31B:** Validation of certain Acts and Regulations are mentioned in this Article.
- **Article 31C:** This Article deals with saving of laws giving effect to certain directive principles.

**Right to Constitutional Remedies:**

- **Article 32:** Remedies for enforcement of rights conferred by this part have been included in the Article
- **Article 33:** This particular Article addresses the Power of Parliament to modify the rights conferred by this Part in their application to forces, etc.
- **Article 34:** Restriction on rights conferred by this Part while martial law is in force in any area is mentioned in the Article.
- **Article 35:** This Article indicates the Legislation to give effect to the provisions of this Part.



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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



## **CONSTITUTIONAL RIGHTS TO WOMEN**

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favor of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them.

Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

The rights and safeguards enshrined in the constitution for women in India are listed below:

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. [Article 14].

The State shall not discriminate against any citizen of India on the ground of sex [Article 15(1)].

The State is empowered to make any special provision for women. In other words, this provision enables the State to make affirmative discrimination in favor of women [Article 15(3)].

There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. [Article 16]

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



The State to secure equal pay for equal work for both Indian men and women [Article 39(d)].

The State is required to ensure that the health and strength of women workers are not abused and that they are not forced by economic necessity to enter avocations unsuited to their strength [Article 39(e)].

The State shall make provision for securing just and humane conditions of work , maternity relief [Article 42]. It shall be the duty of every citizen of India to renounce practices derogatory to woman dignity [Article 51-A(e)].

73<sup>rd</sup> and 74<sup>th</sup> constitutional Amendment of 1993, women were given 33% reservation in seats at different levels of elections in local governance. [Article 243].

One-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women [Article 243-D(3)].

One-third of the total number of offices of chairpersons in the Panchayats at each level shall be reserved for women [Article 243-D(4)].

One-third of the total number of seats to be filled by direct election in every Municipality shall be reserved for women [Article 243-T(3)].

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



## **LEGAL RIGHTS OF WOMEN**

### **Right to untimely registration (no time limit to file FIR)**

There are many reasons as to why a woman would postpone going to the police to lodge a complaint. She considers her reputation, dignity of the family and threats from the culprit to take her life away. Police in any way cannot say no to register her complaint, no matter if it's too late to register. The self-respect of women comes before anything else.

### **Right to Zero FIR ( can file a FIR in any area, no refusal by police)**

A rape victim can register her police complaint from any police station under the Zero FIR ruling by Supreme Court. "Sometimes, the police station under which the incident occurs refuses to register the victim's complaint in order to keep clear of responsibility, and tries sending the victim to another police station. In such cases, she has the right to lodge an FIR at any police station in the city under the Zero FIR ruling. The senior officer will then direct the SHO of the concerned police station to lodge the FIR". This is Supreme Court ruling that not many women are aware of.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **Right to no arrest (after sunset and before sunrise )**

According to a Supreme Court ruling, a woman cannot be arrested after sunset and before sunrise. There are many cases of women being harassed by the police at wee hours, but all this can be avoided if you exercise the right of being present in the police station only during daytime. “Even , there is, a woman constable accompanying the officers, the police cannot arrest a woman at night. In case the woman has committed a serious crime, the police requires to get it in writing from the magistrate explaining why the arrest is necessary during the night”. (Section 46 (4) of Code of Criminal Procedure, 1973)

#### **Right to virtual complaints ( can file FIR by e-mail)**

According to the guidelines issued by the Police, a woman has the privilege of lodging a complaint via email or registered post. If, for some reason, a woman cannot go to the police station, she can send a written complaint through an email or registered post addressed to a senior police officer of the level of Deputy Commissioner or Commissioner of Police. The officer then directs the SHO of the police station, of the area where the incident occurred, to conduct proper verification of the complainant and lodge an FIR. The police can then come over to the residence of the victim to take her statement.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **Right to not being called to the police station**

Women cannot be called to the police station for interrogation under Section 160 of the Criminal Procedure Code. This law provides Indian women the right of not being physically present at the police station for interrogation. “The police can interrogate a woman at her residence in the presence of a woman constable and family members or friends” . So, the next time, if a woman is called to the police station for queries or interrogation , quote this guideline of the Supreme Court to exercise her right and remind the cops about it.

#### **Right to confidentiality and privacy**

Under no circumstances can the identity of a rape victim be revealed. Neither the police nor media can make known the name of the victim in public. Section 228-A of the Indian Penal Code makes the disclosure of a victim’s identity a punishable offense. Printing or publishing the name or any matter which may make known the identity of a woman against whom an offense has been committed is punishable. This is done to prevent social victimization or ostracism of the victim of a sexual offense. Even while a judgment is in progress at the high court or a lower court, the name of the victim is not indicated, she is only described as ‘victim’ in the judgment.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Right towards crime and not a medical condition**  
**( a doctor can't decide , statement in writing must)**

A case of rape can't be dismissed even if the doctor says that rape has not taken place. A victim of rape needs to be medically examined as per Section 164 A of the Criminal Procedure Code, and only the report can act as a proof. "A woman has the right to have a copy of the medical report from the doctor. Rape is crime and not a medical condition. It is a legal term and not a diagnosis to be made by the medical officer treating the victim. The only statement that can be made by the medical officer is that there is evidence of recent sexual activity. Whether the rape has occurred or not is a legal conclusion and the doctor cannot decide on this".



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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



***Provisions for women in  
Indian Penal Code***

In our society as women form a major part of Indian population and for social and economic welfare on global platform women welfare is very much needed. In order to ensure adherence to constitutional provisions for women welfare, there was a need to enact specific laws by the State and Central Government. Although a women can be victim of any crime in society and in fact all crimes cannot be classified as a crime against women except few crimes which affects a women largely. However, major steps have been taken by the legislation which has proved as weapons for women and helped them to stand up in a male dominating country. Major crimes against women along with the legal provision which penalize the criminal are as under :

**Acid Attack (Sec. 326A) :**

This was recently introduced as a separate offence under the Indian Penal Code through Criminal (Amendment) Act, 2013. ... Section 326A lays down the punishment for acid throwing. The minimum punishment is 10 years imprisonment. It can extend up to life imprisonment with fine.



**WE – Rising UP**

**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Attempt to commit Rape (Sec. 376 IPC) :**

A rapist, shall be punished with rigorous imprisonment of either description for a term which shall not be less than seven years, but which may extend to imprisonment for life, and shall also be liable to fine Kidnapping & Abduction for different purposes .

**Kidnapping & abduction for different purposes  
( Sec.363-373) :**

Any person who is abducting a minor for purpose of begging or kidnapping minor/women for prostitution or illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

**Torture or cruelty to women both mental and  
physical (Sec. 498-A IPC) :**

Husband or relative of husband of a women subjecting her to cruelty, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Homicide for Dowry, Dowry Deaths or their  
Attempts (Sec. 302/304-B IPC):**

Where the death of a women is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her in laws or husband, Whoever commits dowry death shall be punished with imprisonment of either description for a term which shall not be less than seven years, but which may extend to imprisonment for life.

**Molestation (Sec. 354 IPC):**

Whoever assaults any woman or uses criminal force on any women, 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 five years, and shall also be liable to fine. New sections 354 A, 354 B, 354 C, 354 D have been inserted after section 354 in 2013.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Molestation (Sec. 354 A IPC ):**

1. A man committing any of the following acts—
2. physical contact and advances involving unwelcome and explicit sexual overtures; or
3. a demand or request for sexual favours; or
4. showing pornography against the will of a woman; or
5. making sexually colored remarks, shall be guilty of the offence of sexual harassment<sup>1</sup>.

1. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

Any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

It is bailable .

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Molestation (Sec. 354 B IPC): disrobe**

Any man who assaults or uses criminal force to any woman or abets such act with the intention of disrobing<sup>1</sup> 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. It is Non-bailable.

**Molestation (Sec. 354 C IPC): voyeurism**

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<sup>1</sup> 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.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **Molestation (Sec. 354 C IPC):**

##### **Explanation I**

For the purpose of this section, “private act” includes an act of watching carried out in a place which, in the circumstances, would reasonably be expected to provide privacy and where the victim’s genitals, posterior or breasts are exposed or covered only in underwear; or the victim is using a lavatory; or the victim is doing a sexual act that is not of a kind ordinarily done in public.

##### **Explanation II**

Where the victim consents to the capture of the images or any act, but not to their dissemination to third persons and where such image or act is disseminated, such dissemination shall be considered an offence under this section.

**\*\*\* Anyone who stares at a woman for more than thirty (30) seconds intending to outrage her modesty is liable to three years imprisonment or Rupees twenty thousand fine or both.**

#### **Molestation (Sec. 354 D IPC): Stalking**

**(1) Any man who—**

**I ) follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or**

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**II ) monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking**

**Provided that such conduct shall not amount to stalking if the man who pursued it proves that—**

- 1. it was pursued for the purpose of preventing or detecting crime and the man accused of stalking had been entrusted with the responsibility of prevention and detection of crime by the State; or**
- 2. it was pursued under any law or to comply with any condition or requirement imposed by any person under any law; or**
- 3. in the particular circumstances such conduct was reasonable and justified.**

**(2) Whoever commits the offence shall be punished on first conviction with imprisonment of either description for a term 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 may extend to five years, and shall also be liable to fine.**

**First conviction is bailable but second conviction is non-bailable if punished under IPC 354 C, and D.**

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#### **Sexual Harassment & Eve Teasing (Sec. 509 IPC):**

Whoever, intending to insult the modesty of a woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such gestures or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

#### **Eve teasing (Sec. 294 IPC):**

Although [Indian law](#) doesn't use the term Eve teasing, victims earlier usually seek recourse through Section 294 of the [Indian Penal Code](#), which sentences a man found guilty of making a girl or woman the target of obscene gestures, remarks, songs or recitation to a maximum jail sentence of three months. Section 292 of the IPC clearly spells out that showing pornographic or obscene pictures, books or papers to a woman or girl results in a fine of Rs. 2,000 (US\$29) with two years imprisonment for first offenders. In the case of a repeated offense, the offender may have a fine of Rs.5,000 (US\$73) with five years imprisonment imposed. The [National Commission for Women](#) (NCW) also proposed amendments in Eve Teasing (New Legislation) 1988,.

#### **Abetment of suicide of women (Sec. 306 IPC)**

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Offences against women and children in  
the Indian Penal Code - A Summary**

The **Indian Penal Code, 1860**

- \*Abandoning of child under 12 years of age
- \***Adultery**
- \*Assault or criminal force to a woman with intent to outrage her modesty
- \***Buying minor for purpose of prostitution**
- \*Causing death of quick unborn child by act amounting to culpable
- \*homicide
- \*Causing miscarriage or miscarriage without the woman's consent
- \***Cohabitation caused by a man deceitfully inducing a belief of lawful marriage**
- \*Concealment of birth by secret disposal of dead body
- \*Concealment of former marriage
- \*Death caused by act done with intention to cause miscarriage
- \*Dowry death
- \*Enticing, detaining or taking away with criminal intent a married woman

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JAWAHAR CIRCLE , JAIPUR**



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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



**Fraudulent marriage ceremony without lawful marriage**

- \*Husband or his relative subjecting her to cruelty**
- \*Importation of girl from foreign country**
- \*Intercourse by man with his wife during separation**
  - Intercourse by a member of management or staff of a hospital with any woman in that hospital**
  - Intercourse by public servant with a woman in his custody**
  - Intercourse by superintendent of jail, remand home, etc**
  - Kidnapping, abducting or inducing woman to compel her marriage**

**Marriage ceremony fraudulently gone through without lawful marriage**

**Marrying again during lifetime of spouse (Also see here)**

- Preventing a child from being born alive or causing its death after birth**

**Procreation of minor girl**

**Rape**

- Selling minor for purpose of prostitution**

**Word, gesture or act intended to insult the modesty of a woman**

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***LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA***



**Special Laws / Acts only for women**

**The Immoral Traffic (Suppression/ Prevention ) Act (SITA)  
(1956) ( Amendment 2006)**

Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Unlike as is the case with other professions, sex workers are not protected under normal labor laws, but they possess the right to rescue and rehabilitation if they desire and possess all the rights of other citizens . Any person who keeps or manages or acts or assists in the keeping or management of a brothel shall be punishable on first conviction with RI for a term of not less than three years with fine which may extend to ten thousand rupees and in the event of second or subsequent conviction with RI for a term of not less than 07 years & also with fine which may extend to Rs. two lakhs..

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **The Domestic Violence Act 2005**

It is an Act of the Parliament of India enacted to protect women from domestic violence. Primarily meant to provide protection to the wife or female live-in partner from domestic violence at the hands of the husband or male live-in partner or his relatives, the law also extends its protection to women living in a household such as sisters, widows or mothers. Domestic violence under the Act includes actual abuse or the threat of abuse whether physical, sexual, verbal, emotional or economic. Harassment by way of unlawful dowry demands made to the woman or her relatives would also be covered under this definition.

#### **The Dowry Prohibition Act 1961**

It is an Act of the Parliament of India enacted to prohibit the request, payment or acceptance of a dowry "as consideration for the marriage", where "dowry" is defined as a gift demanded or given as a precondition for a marriage. Gifts given without a precondition are not considered dowry, and are legal, per section 3(2). Asking for or giving of dowry can be punished by imprisonment of up to six months, a fine of up to Rs.15000 or the amount of dowry (whichever is higher), or imprisonment up to 5 years. It replaced several pieces of anti dowry legislation that had been enacted by various Indian States.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**The Family Courts Act, 1954**

The Court established to conclude upon matters relating to family law like matrimonial reliefs, custody of children, maintenance for wife and children etc is termed as Family Court. The Family Court shall have the same status as that of a District Court and shall exercise the jurisdiction accordingly and also empowered to initiate suits and proceedings in par with the conditions stipulated by the Act. Where there is any chance for settlement of the dispute between the parties, the Family Court shall postpone the proceedings and take steps for settlement at the earliest .Under the Act a party to the dispute cannot claim the service of a legal practitioner as of right, but the Court shall have the power to appoint a legal professional. An aggrieved party may ,however, prefer an appeal to the High Court from an order of the Family Court. The High Court shall frame rules in the matters connected there with, after publishing in the Gazette. The Act also confers power on the Central and State Government to formulate rules as prescribed under the Act.

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**WE – Rising UP**

**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**The Special Marriage Act, 1954**

It is an Act of the Parliament of India enacted to provide a special form of marriage for the people of India and all Indian nationals in foreign countries, irrespective of the religion or faith followed by either party. The Act originated from a piece of legislation proposed during the late 19th century. The Special Marriage Act, 1954 replaced the old Act III, 1872. The new enactment has 3 major objectives:

- To provide a special form of marriage in certain cases,
- To provide for registration of certain marriages and
- To provide for divorce.

**The Medical Termination of Pregnancy (MTP) Act**

Pregnancies not exceeding 12 weeks may be terminated based on a single opinion formed in good faith. In case of pregnancies exceeding 12 weeks but less than 20 weeks, termination needs opinion of two doctors. The Act clearly states the conditions under which a pregnancy can be ended or aborted.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**The Indecent Representation of Women  
(Prohibition) Act, 1986**

No person shall publish, or cause to be published, or arrange or take part in the publication or exhibition of, any advertisement which contains indecent representation of women in any form. No person shall produce or cause to be produced, sell, let to hire, distribute, circulate or send by post any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure which contains indecent representation of women in any form. Any person who contravenes the provisions of section 3 or section 4 shall be punishable on first conviction with imprisonment of either description for a term which may extend to two years, and with fine which may extend two thousand rupees, and in the event of a second or subsequent conviction with imprisonment for a term of not less than six months but which may extend to five years and also with a fine not less than ten thousand rupees but which may extend to one lakh rupees.

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**WE – Rising UP**

**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**The Commission of Sati (Prevention)  
Act, 1987 (3 of 1988)**

An Act to provide for the more effective prevention of the commission of sati and its glorification and for matters connected there with or incidental there to. Whoever attempts to commit sati and does any act towards such commission shall be punishable with imprisonment for a term which may extend to six months or with fine or with both. If any person attempts to commit sati or if any person commit sati, whoever abets it, either directly or indirectly, shall be punishable with imprisonment for life and shall also be liable to fine.

**Prohibition of Sex selection Act 1994**

An Act to provide for the prohibition of sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide and for matters connected therewith or incidental thereto.

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HEADQUARTERS OFFICE, JAWAHAR CIRCLE , JAIPUR**



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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **National Commission for Women Act 1990**

The National Commission for Women was set up as statutory body in January 1992 under the [National Commission for Women Act, 1990 \( Act No. 20 of 1990 \)](#) to :

- review Constitutional and Legal safeguards for women ;
- recommend remedial legislative measures ;
- facilitate redressal of grievances and advise the Government on all policy matters affecting women.

In keeping with its mandate, the Commission initiated various steps to improve the status of women and worked for their economic empowerment during the year under report. The Commission completed its visits to all the States/UTs except Lakshdweep, prepared Gender Profiles to assess the status of women and their empowerment. It received a large number of complaints and acted suo-moto in several cases to provide speedy justice. It took up the issue of child marriage, sponsored legal awareness programmes, Parivarik Mahila Lok Adalats and reviewed laws such as Dowry Prohibition Act 1961, PNDT Act 1994, Indian Penal Code 1860 and the National Commission for Women Act, 1990 to make them more stringent and effective. Organized workshops / seminars, constituted expert committees on economic empowerment of women, conducted workshops / seminars for gender awareness and took up publicity campaign against female foeticide, violence *against* women etc. in order to generate awareness in the society against these social evils.

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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



#### **The Married Women's Property Act 1874**

The wages, salary, earnings, money, property, savings, investments acquired by a Married women through her own employment, occupation, skills shall be her separately and are absolute owners of all property vested in or acquired by them. Their husbands do not by merit of marriage acquire any interest or right in such property and does not protect such husbands from liabilities on account of debts of their wives contracted before marriage and does not provide for enforcement of claims by or against such wives.

#### **Honor killings**

Honor killings have been reported in northern regions of India, mainly in the Indian States of Punjab, Rajasthan Punjab and Uttar Pradesh, as a result of the girl marrying without the family's acceptance, and sometimes for marrying outside her caste or religion. Haryana is notorious for incidents of honour killing., In 2010, the Supreme Court of India issued notice in regard to honor killings to the States of Harayana, Rajasthan, Punjab, Jharkhand, Bihar, Himachal Pradesh and Madhya Pradesh .

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**WE – Rising UP**

**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**Child Marriage Prohibition Act , 2006**

An Act to provide for the prohibition of solemnization of child marriages and for matters connected therewith or incidental thereto. a child, being a minor- (a) is taken or enticed out of the keeping of the lawful guardian; or (b) by force compelled, or by any deceitful means induced to go from any place; or (c) is sold for the purpose of marriage; and made to go through a form of marriage or if the minor is married after which the minor is sold or trafficked or used for immoral purposes, such marriage shall be null and void. Whoever performs, conducts, directs or abets any child marriage shall be punishable with rigorous imprisonment which may extend to two years and shall be liable to fine which may extend to one lakhs rupees unless he proves that he had reasons to believe that the marriage was not a child marriage.

**The Criminal Law (Amendment) Act, 2013**

It has certain safeguards for women like obligation of a person to maintain his wife, arrest of woman by female police and so on.

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**WE – Rising UP**

***LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA***



***SUBJECTWISE SUMMARY LIST OF  
LAWS RELATED TO WOMEN***

***. Laws relating to marriage & divorce***

- Anand Marriage Act, 1909
- Arya Marriage Validation Act, 1937
- Births, Deaths & Marriages Registration Act, 1886
- Bangalore Marriages Validating Act, 1936
- Converts' Marriage Dissolution Act, 1866
- Dissolution of Muslim Marriages Act, 1939
- Family Courts Act, 1984
- Foreign Marriage Act, 1969
- Hindu Marriage Act, 1955
- Hindu Marriages (Validation of Proceedings) Act, 1960
- Indian Christian Marriage Act, 1872
- Indian Divorce Act, 1869
- Indian Divorce Amendment Bill, 2001
- Indian Matrimonial Causes (War Marriages) Act, 1948
- Marriage Laws (Amendment) Act, 2001
- Marriages Validation Act, 1892
- Muslim Women (Protection of Rights on Divorce) Act, 1986
- Parsi Marriage & Divorce Act, 1936
- Prohibition of Child Marriage Act, 2006

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## **WE – Rising UP**

### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



#### **Laws relating to abortion**

- **Medical Termination of Pregnancy Act, 1971**
- **Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994**
- **Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Amendment Act, 2001**
- **Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Amendment Act, 2002**

#### **Laws relating to property, succession, inheritance, guardianship & adoption**

- ***Guardians & Wards Act, 1890***
- ***Hindu Adoptions & Maintenance Act, 1956***
- ***Hindu Inheritance (Removal of Disabilities) Act, 1928***
- ***Hindu Minority & Guardianship Act, 1956***
- ***Hindu Succession Act, 1956***
- ***Hindu Succession (Amendment) Act, 2005***
- ***Indian Succession Act, 1925***
- ***Indian Succession (Amendment) Act, 2002***
- ***Married Women's Property Act, 1874***
- ***Married Women's Property (Extension) Act, 1959***

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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



#### **Laws relating to children**

- Child Labour (Prohibition & Regulation) Act, 1986
- Child Marriage Restraint Act, 1929
- Children Act, 1960
- Children (Pledging of Labour) Act, 1933
- Commissions for the Protection of Child Rights Act, 2005
- Infant Milk Substitutes Act, 1992
- Infant Milk Substitutes Act, 2003
- Infant Milk Substitutes, Feeding Bottles & Infant Foods (Regulation of Production, Supply & Distribution) Act, 1992
- Infant Milk Substitutes, Feeding Bottles & Infant Foods (Regulation of Production, Supply & Distribution) Amendment Act, 2003
- Juvenile Justice (Care & Protection of Children) Act, 2000
- Juvenile Justice (Care & Protection of Children) Amendment Act, 2006
- Prohibition of Child Marriage Act, 2006
- Reformatory Schools Act, 1897
- Young Persons (Harmful Publications) Act, 1956

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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



#### **CYBER VIOLENCE/CRIMES AGAINST WOMEN**

Amongst the various cyber-crimes committed against individuals and society at large, crimes that are specifically targeting women are as follows: –

1. Cyber-stalking.
2. Harassment via e-mails.
3. Cyber Bullying
4. Morphing.
5. Email spoofing.
6. Cyber Defamation.

. **CYBER STALKING**: a stalker access the victim's personal information like name, family background, telephone numbers and daily routine of the victim and post them on the websites related to dating services with the name of victim , inviting people to chat with her on the phone. constantly bombarding the victim with messages and vulgar e-mails in her inbox , emails with obscene language, invading the privacy by following a person's movements across the Internet by posting messages on the bulletin boards, This is booked under sec 509 of the IPC (Indian Penal Code) for outraging the modesty of a woman and also under the IT Act (Information Technology Act) of 2000.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



**HARASSMENT VIA E-MAIL** Harassment on the Internet can take place in a number of ways it may include Harassment through e-mails includes blackmailing, threatening, bullying, constant sending of love letters in anonymous names or regular sending of embarrassing mails to one's mail box. Indian Penal Code, Criminal Procedure Code and select sections of IT Act deal with the protection from cyber-crime. In general they are used to book the perpetrators along with Section 292A of the IPC for printing or publishing grossly indecent or scurrilous matter or matter intended to blackmail, and under Section 509 of the IPC for uttering any word or making any gesture intended to insult the modesty of a woman.

**CYBER BULLYING** Cyber bullying is the use of Information Communications Technology (ICT), particularly mobile phones and the internet, deliberately to do repeated harm upset someone else, by sending messages of an intimidating or threatening .

**MORPHING** unauthorized user with fake identity download female's pictures from websites and again re- posted/uploaded on different websites by creating fake profiles after editing them. This amounts to violation of I.T. Act, 2000. The violator can also be booked under IPC also for criminal trespass under Section 441, Section 290 for committing public nuisance, Section 292A for printing or publishing grossly indecent or scurrilous matter or matter intended to blackmail and under Section 501 for defamation

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



**E-MAIL SPOOFING** is an online scam. fraudulent email activity in which the sender's address and other parts of the email header are altered to appear as though the email originated from a known or authorized source. Email spoof can cause monetary damage also. A spoofed e-mail misrepresents its origin.

**CYBER DEFAMATION** Cyber tort including libel and defamation is publishing of defamatory material against another person with the help of computers or internet causing harm to reputation of a person in the eye of third person

Laws Against Cyber Defamation In India GJRM Vol 4, No 1, June 2014 44 According to Section 67 of the IT Act 2000, any person who sends, by means of a computer resource or any communication device any offensive information, shall be punishable with imprisonment for a term which may extend to three years and with fine . The offence of cyber defamation is well explained in the IPC under Section 500 which mentions punishment with simple imprisonment that can be extended up to two years or with fine or with both.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



# **LAWS specifically for WORKING WOMEN**



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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**1. The Equal Remuneration Act, 1976**

An Act to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of gender.

**2. IT Act (Amended 2008)**

Section 66A of the IT (Amendment) Act, 2008 prohibits the sending of offensive messages through a communication device (i.e. through an online medium). The types of information this covers are offensive messages of a menacing character, or a message that the sender knows to be false but is sent for the purpose of 'causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, or ill will.' Can be penalized up to 3 years of imprisonment with fine.

**3. The Maternity Benefit Act, 1961 (Amended in 1995)**

Section 8 of the Act reads as follows after April 2, 2008:

"Payment of medical bonus.

(1) Every woman entitled to maternity benefit under this Act shall also be entitled to receive from her employer a medical bonus of Rs. 1,000/- if no free prenatal confinement & post-natal care is provided by the employer.

(2) The Central Government may before every three years, by notification in the Official Gazette, increase the amount of medical bonus subject to the maximum of 20,000/- rupees.



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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **Maternity Leave-**

(1) A female railway servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 180 days from date of its commencement.

(2) During such period, she shall be paid leave salary equal to the pay drawn just before proceeding on leave.

(3) Maternity Leave not exceeding 45 days may also be granted to a female Railway servant (irrespective of the number of surviving children) during the entire service of that female Railway servant in case of miscarriage including abortion on production of medical certificate as laid down in Rule 519.

(4) (a) Such Leave may be combined with other leave

(b) Notwithstanding the requirement of production of medical certificate contained in Rule 527 or sub-rule (1) of Rule 528, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) up to a maximum of two years may, if applied for, be granted in continuation of maternity leave granted under sub-rule

(5) Such leave shall not be debited against the leave account.

Cannot be demanded as a matter of right.

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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



#### **4. Child Care Leave (CCL)**

For women employees having minor children ( below 18 years) If child is disabled (40% disability) up to 22 years age. Certificate regarding disability has to be produced along with certification by the employee that the child is dependent on her.

Maximum for a period of 2 years (730 days) during the entire service.

It may be allowed for third year as Leave not Due without production of medical certificate.

Admissible for 2 eldest surviving children only.

Leave salary will be equal to the pay drawn before going on leave.

CCL is to be treated like LAP and sanctioned as such.

Not to be debited against leave account.

It may be combined with leave of the kind due and admissible.

With effect from 01.09.2008

Cannot be demanded as a matter of right.

May be availed in more than one spell.

May not be granted for more than 3 spells in a calendar year.

If a spell spills over to next year it may be treated as one spell in the year in which CCL commences.

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### **LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA**



#### **5. The Sexual Harassment of Women at Work- place (Prevention, Prohibition and Redressal) Act, 2013**

is a legislative act in India that seeks to protect women from sexual harassment at their place of work. The Act will ensure that women are protected against sexual harassment at all the work places, be it in public or private. This will contribute to realization of their right to gender equality, life and liberty and equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth. Under the Act, which also covers students in schools and colleges as well as patients in hospitals, employers and local authorities will have to set up grievance committees to investigate all complaints. Employers who fail to comply will be punished with a fine of up to 50,000 rupees.

#### **COMPLAINT**

Need to make in writing (6 copies) along with supporting documents with the name and address of the witnesses within 3 months of the incident or from last instance in case of series of incidents

The Committee shall assist the aggrieved person to make the complaint in writing.

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### ***LAWS FOR WOMEN SAFETY AND SECURITY IN INDIA***



It can extend the time for filing complaint if it is satisfied with the reason for the delay If she is unable to do so due to mental or physical incapacity then the legal heir or the person as may be prescribed may make a complaint under this section.

#### **IF ALLEGATIONS PROVED TO BE WRONG**

If false complaint made or any forged documents being produced the committee may recommend to take action as per the service rules or as otherwise prescribed.

But if the complainant is unable to provide adequate proof then no action is to be taken. The malicious intent shall be established after an enquiry in accordance has been made with the prescribed procedure.

Committee arrives at an conclusion that during inquiry false evidence has been produced then it may recommend action against the witness as per service rule or as prescribed

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SAFETY AND SECURITY  
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**SHE BOX -**

**Online registration of complaint  
and reporting of cases of sexual  
harassment at workplace at  
website [www.nic.in](http://www.nic.in)**

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IN INDIA**



# *LAWS for women* *Railway Passengers*

as per

## Indian Railway Act 1989



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SAFETY AND SECURITY  
IN INDIA***



**Section 58 of Indian Railway Act, 1989**

**Reserved accommodation for females.**

**Every railway administration shall, in every train carrying passengers, earmark for the exclusive use of females, one compartment or such number of berths or seats as the railway administration may feel fit.**

**Section 162 of Indian Railway Act, 1989**

**Carriages and compartments reserved for females must not be allowed to be occupied by men. Such carriages or compartments, when not being used by females must be kept locked by Guards of trains. Station Masters at intermediate stations must see that none but female passengers get into females reserved carriage or compartment Boys under twelve years of age, however, may travel in a female reserved compartment when accompanying female passengers. Occupation of ladies compartment by ladies, is optional not compulsory and if any lady passenger prefers to travel in a general compartment, she may be permitted to do so.**

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SAFETY AND SECURITY  
IN INDIA**



**Section 310 of Indian Railway Act, 1989**

At stations where lady Ticket Collectors are posted, it is their duty to especially interest themselves in accommodating lady passengers. At stations where lady Ticket Collectors are not posted, the staff are warned that lady passengers are not to be interfered with more than is consistent with duty. Male Travelling Ticket Examiners are strictly forbidden to enter carriages or compartments reserved for ladies on any pretext whatsoever.

**Section 311 of Indian Railway Act, 1989**

Military personnel found entering compartments/carriages reserved for females should be politely prevented from entering such compartments/carriages and advised to travel in a general compartment on the train, pointing out at the same time that occupation of females compartment by male passengers is strictly forbidden and is an offence under section 162 of the Railways Act. Should the staff encounter difficulties in preventing the military personnel from entering the ladies compartments/carriages, the assistance of the area military authority should be sought, where necessary.

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SAFETY AND SECURITY  
IN INDIA**



**Section 139 of The Railways Act, 1989**

**Power to remove persons — Any person failing or refusing to pay the fare and the excess charge referred to in section 138 may be removed by any railway servant authorized in this behalf who may call to his aid any other person to effect such removal: Provided that nothing in this section shall be deemed to preclude a person removed from a carriage of a higher class from continuing his journey in a carriage of a class for which he holds a pass or ticket: Provided further that a woman or a child if not accompanied by a male passenger, shall not be so removed except either at the station from where she or he commences her or his journey or at a junction or terminal station or station at the headquarters of a civil district and such removal shall be made only during the day.**

**INTEGRATED EMERGENCY RESPONSE  
MANAGEMENT -**

**IERM Project is being run by Railways — CCTVs and monitoring rooms are being installed to provide 24x7 security for women at stations and in trains ( 983 major stations over Indian Railways).**

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SAFETY AND SECURITY  
IN INDIA**



**A brief of the  
Ministry of Women and Child  
Development, Government of India**

**Introduction**

The Department of Women and Child Development, Government of India, came into existence as a separate Ministry with effect from 30th January, 2006, (earlier, since 1985 it was a Department under the Ministry of Human Resources )

Development.

The Ministry was constituted with the prime intention of addressing gaps in State action for women and children for promoting inter-Ministerial and inter-sectoral convergence to create gender equitable and child-centred legislation, policies and programmes.

**Vision**

Empowered women living with dignity and contributing as equal partners in development in an environment free from violence and discrimination. And, well nurtured children with full opportunities for growth and development in a safe and protective environment.

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**LAWS FOR WOMEN  
FETY AND SECURITY  
IN INDIA**



**Mission**

1. Promoting social and economic empowerment of women through cross-cutting policies and programmes, mainstreaming gender concerns, creating awareness about their rights and facilitating institutional and legislative support to enable them to realize their human rights and develop to their full potential.
2. Ensuring development, care and protection of children through cross-cutting policies and programmes, spreading awareness about their rights and facilitating access to learning, nutrition, institutional and legislative support for enabling them to grow and develop to their full potential.

**Mandate:**

The broad mandate of the Ministry is to have holistic development of Women and Children. As a nodal Ministry for the advancement of women and children, the Ministry make plans, policies and programmes; enacts/ amends legislation, guides and coordinates the efforts of both governmental and non-governmental organisations working in the field of Women and Child Development. It implements certain innovative programmes for women and children. These programmes cover welfare and support services, training for job and income generation, awareness on gender sensitization. These programmes play a supplementary and complementary role to the other programmes in the sectors of health, education, rural development etc. All these efforts are directed to ensure that women are empowered both economically and socially to become equal partners in national development with men.

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SAFETY AND SECURITY  
IN INDIA**



**Policy Initiatives:**

*For the holistic development of the child, the Ministry has been implementing the world's largest and most unique and outreach programme of Integrated Child Development Services (ICDS) providing a package of services comprising supplementary nutrition, immunization, health check up and referral services, pre-school non-formal education. There is effective coordination and monitoring of various sectoral programmes. Most of the programmes of the Ministry are run through non-governmental organisations. Efforts are made to have more effective involvement of NGOs. The major policy initiatives undertaken by the Ministry in the recent past include universalisation of ICDS and Kishori Shakti Yojana, launching a nutrition programme for adolescent girls, establishment of the Commission for protection of Child Rights and enactment of Protection of Women from Domestic Violence Act.*

**ORGANISATION :**

*The Ministry of Women and Child Development is headed by one Cabinet minister and one minister of State .*

*The Ministry has 6 autonomous organisations viz.*

1. National Institute of Public Cooperation and Child
2. Development (NIPCCD)
3. National Commission for Women (NCW)
4. National Commission for Protection of Child Rights (NCPCR)
5. Central Adoption Resource Agency (CARA)
6. Central Social Welfare Board (CSWB)
7. Rashtriya Mahila Kosh (RMK)

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SAFETY AND SECURITY  
IN INDIA**



**Women Empowerment Schemes of WCD**

- **Beti Bachao Beti Padhao Scheme**
- **One Stop Centre Scheme**
- **Women Helpline Scheme**
- **UJJAWALA : A Comprehensive Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation**
- **Working Women Hostel**
- **Ministry approves new projects under Ujjawala Scheme and continues existing projects**
- **SWADHAR Greh (A Scheme for Women in Difficult Circumstances)**
- **Support to Training and Employment Programme for Women (STEP)**
- **NARI SHAKTI PURASKAR**
- **Awardees of Stree Shakti Puruskar, & Awardees of Nari Shakti Puruskar**
- **Awardees of Rajya Mahila Samman**
- **Zila Mahila Samman**
- **NIRBHAYA**
- **Mahila police Volunteers**
- **Mahila E-Haat**
- **Mahila Shakti Kendras (MSK)**
- **Aanganwadis**

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***LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA***



**Others Schemes of WCD**

- General Grant-in-Aid Scheme in the field of Women and Child Development
- General Grant-in-aid (GIA) Scheme for Assistance to Voluntary Organisations in the field of Women and Child Development
- Family Counselling Centre Scheme
- Kishori Shakti Yojana
- Rashtriya Bal Kosh (National Childrens Fund)
- Dhanalakshmi
- Grant-in-Aid for Research, Publication and Monitoring
- Gender Budgeting Scheme
- Nutrition Education and Training through Community Food
- Nutrition Extension Units( CFNEUS)
- General Grant-in-Aid Scheme for innovative projects

**Umbrella ICDS of WCD**

- Anganwadi Services Scheme
- Pradhan Mantri Matru Vandana Yojana
- National Creche Scheme
- POSHAN Abhiyaan
- Scheme for Adolescent Girls
- Child Protection Scheme

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SAFETY AND SECURITY  
IN INDIA**



**Compensation Scheme for Women Victims/  
Survivors of Sexual Assault/other Crimes – 2018**  
**launched by WCD \*\* In force : From 11.05.2018**

**ELIGIBILITY**

A woman victim or her dependent (s) as the case may be, shall be eligible for grant of compensation from multiple schemes applicable to her. However, the compensation received by her in the other schemes with regard to Section 357-B Cr.P.C., shall be taken into account while deciding the quantum in the such subsequent application

**PROCEDURE TO APPLY BEFORE SLSA/DLSA—**

**Mandatory Reporting of FIRs:** - SHO/SP/DCP shall mandatorily share soft/hard copy of FIR immediately after its registration with State Legal Services Authority/District Legal Services Authority qua commission of offences covered in this Scheme which include Sections 326A, 354A to 354D, 376A to 376E, 304B, 498A (in case of physical injury covered in this Schedule), so that the SLSA/DLSA can, in deserving cases, may suo-moto initiate preliminary verification of facts to grant interim compensation. An application for the award of interim/ final compensation can be filed by the Victim and/or her Dependents or the SHO of the area to concerned SLSA or DLSA. It shall be submitted in Form 'I' along with a copy of the First Information Report (FIR) or complaint of which cognizance is taken by the Court and if available Medical Report, Death Certificate, wherever applicable, copy of judgment/ recommendation of court if the trial is over.

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**PLACE OF FILING OF APPLICATION —**

The application/recommendation for compensation can be moved either before the State Legal Services Authority or the concerned District Legal Services Authority or it can be filed online on a portal which shall be created by all State Legal Services Authorities. The Secretary of the respective DLSA shall decide the application/ recommendation moved before him/her as per the Scheme.

**Limitations -**

*Under the Scheme, no claim made by the victim or her dependent(s), under sub-section (4) of Section 357A of the Code, shall be entertained after a period of 3 years from the date of occurrence of the offence or conclusion of the trial. However, in deserving cases, on an application made in this regard, for reasons to be recorded, the delay beyond three years can be condoned by the SLSAs/DLSAs.*

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**INTERIM RELIEF TO THE VICTIM—**

*The State Legal Services Authority or District Legal Services Authority, as the case may be, may order for immediate first-aid facility or medical benefits to be made available free of cost or any other interim relief (including interim monetary compensation) as deemed fit to alleviate the suffering of the victim on the certificate of a police officer, not below the rank of the officer-in-charge of the police station, or a Magistrate of the area concerned or on the application of the victim / dependents or suo-moto. Provided that as soon as the application for compensation is received by the SLSA/DLSA, a sum of Rs.5000/- or as the case warrants up to Rs. 10,000/- shall be disbursed to the victim through preloaded cash card from a Nationalised Bank by the Secretary, DLSA or Member Secretary, SLSA. Provided that the, interim relief so granted shall not be less than 25 % of the maximum compensation awardable as per schedule applicable to this Chapter, which shall be paid to the victim in totality. Provided further that in cases of acid attack a sum of Rs. One lakh shall be paid to the victim within 15 days of the matter being brought to the notice of SLSA/DLSA. The order granting interim compensation shall be passed by the SLSA/DLSA within 7 days of the matter being brought to its notice and the SLSA shall pay the compensation within 8 days of passing of order. Thereafter an additional sum of Rs.2 lakhs shall be awarded and paid to the victim as early as possible and positively within two months.*

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### SCHEDULE APPLICABLE TO WOMEN VICTIM OF CRIMES

Note : If a Woman victim of sexual assault/acid attack is covered under one or more category of the schedule, she shall be entitled to be considered for combined value of the compensation.

S. No.	Particulars of loss or injury	Minimum Limit of Compensation	Upper Limit of compensation
1	Loss of Life	Rs. 5 Lakh	Rs. 10 Lakh
2	Gang Rape	Rs. 5 Lakh	Rs. 10 Lakh
3	Rape	Rs. 4 Lakh	Rs. 7 Lakh
4	Unnatural Sexual Assault	Rs. 4 Lakh	Rs. 7 Lakh
5	Loss of any Limb or part of body resulting in 80% permanent disability or above	Rs. 2 Lakh	Rs. 5 Lakh
6	Loss of any Limb or part of body resulting in 40% and below 80% permanent disability	Rs. 2 Lakh	Rs. 4 Lakh
7	Loss of any Limb or part of body resulting in above 20% and below 40% permanent disability	Rs. 1 Lakh	Rs. 3 Lakh
8	Loss of any Limb or part of body resulting in below 20% permanent disability	Rs. 1 Lakh	Rs. 2 Lakh
9	Grievous physical injury or any mental injury requiring rehabilitation	Rs. 1 Lakh	Rs. 2 Lakh
10	Loss of Foetus i.e. Miscarriage as a result of Assault or loss of fertility	Rs. 2 Lakh	Rs. 3 Lakh
11	In case of pregnancy on account of rape	Rs. 3 Lakh	Rs. 4 Lakh
12	Victims of Burning :		
A	In case of disfigurement of face.	Rs. 7 Lakh	Rs. 8 Lakh
B	In case of injury more than 50%	Rs. 5 Lakh	Rs. 8 Lakh
C	In case of injury less than 50%	Rs. 3 Lakh	Rs. 7 Lakh
D	In case of injury less than 20%	Rs. 2 Lakh	Rs. 3 Lakh
13	Victims of Acid Attack :		
A	In case of disfigurement of face.	Rs. 7 Lakh	Rs. 8 Lakh
B	In case of injury more than 50%	Rs. 5 Lakh	Rs. 8 Lakh
C	In case of injury less than 50%	Rs. 3 Lakh	Rs. 5 Lakh
D	In case of injury less than 20%	Rs. 3 Lakh	Rs. 4 Lakh

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**FORM – I**

**APPLICATION FOR THE WARD OF COMPENSATION UNDER COMPENSATION SCHEME FOR WOMEN VICTIMS/SURVIVORS OF SEXUAL ASSAULT/OTHER CRIMES, 2018 FOR INTERIM/FINAL RELIEF FOR WOMEN**

1	Name of the Applicant Victim(s) or her Dependent(s)	
2	Age of the Victim(s) or her Dependents(s)	
3	Father's Name Mother's Name Spouse's Name	
4	Address of the Victim(s) or her/ their Dependent(s)	
5	Date and time of the Incident	
6	Whether FIR has been lodged ?	
7	Whether medical examination has been done ? If yes, enclose Medical Report/Death Certificate/P.M. Report.	
8	Status of trial, if pending. If over, enclose copy of judgment and order on sentence.	
9	Has the applicant been awarded any compensation by the trial court or any other Govt. agency. If, yes give details.	
10	Give details of financial expenditure/loss incurred.	
11	Have you instituted any civil suit/ claim against the perpetrator of offence. If yes give details Signature of the Victim/Dependent.	

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Other Important Highlights : MUST KNOW :

#### **ONE STOP CENTRE — (SAKHI)**

*It is a single window services for women facing violence to get medical, police, legal, physiological and shelter assistance, all under one roof .*

#### **WOMEN HELPLINE - 181**

*It is All India women toll free helpline number for women to seek instant assistance and information*

#### **PANIC BUTTON -**

*Mandatory installation of Panic button and satellite based GPS tracking on all new smart mobile phones from 1-1-2018 to provide emergency response to help the women in dangerous situations.*

#### **MAHILA E-HAAT**

*The unique direct online digital marketing platform for women entrepreneurs / SHGs/ NGOs/ The URL is <http://mahilachaatrml.gov.in>*

#### **SHE BOX—**

*Online registration of complaint and reporting of cases of sexual harassment at workplace*

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#### **33% POSTS RESERVATION IN POLICE**

*Making the police women friendly by increasing representation of women to 33 % of entire police force strength. This will fill up vacancies and women will not hesitate to approach police .*

#### **MANDATORY MENTION OF WIDOW'S NAME IN DEATH CERTIFICATE**

*Ensuring widow women can ensure their rights and get all due benefits after husband's death.*

#### **PASSPORT RULES MADE EASY**

*Mother's or father's name is sufficient while applying . Women need not depend on husbands for passport applications , no marriage /divorce certificates required with application. Process simplified for single mothers*

#### **WORKING WOMEN HOSTEL**

*Safe and affordable accommodation for working women with day care facility for the children of hostellers.*

#### **NARI—**

*National Repository Information site for women to give access to government schemes and initiatives . The website is [www.nari.nic.in](http://www.nari.nic.in)*

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SAFETY AND SECURITY  
IN INDIA***



***NEW TAXI POLICY GUIDELINES -***

Stricter guidelines ( to make taxi travel safer for women) such as mandatory GPS panic device , disabling of child locking system,, prominent display of driver's photo i-0card and vehicle registration number etc.

***PUBLIC GRIEVANCE CELL -***

Direct online complaints by women and children to government via e-mail at min –wcd@nic.in

***ACID ATTACK included as person with DISABILITY -***

Acid attack victims can avail disability benefits

***SHELTER HOMES FOR WIDOWS -***

Safe and secure facility of stay, health, food,  
Legal counselling services for widows

***MAHILA SHAKTI KENDRA -***

Scheme for empowering rural women with opportunities to develop skills, digital literacy, health, nutrition and employment .

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**LAWS FOR WOMEN  
SAFETY AND SECURITY  
IN INDIA**



**कोमल है कमजोर नहीं तु  
शक्ति का नाम ही नारी है,  
जग को जीवन देने वाली,  
मौत भी तुझ से हारी है।**

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**SUGGESTIONS**  
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On e-mail  
[cpo.nwrhq.welfare@gmail.com](mailto:cpo.nwrhq.welfare@gmail.com)



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