



New offences under the Criminal Law Amendment Bill, 2013

Offence	Definition	Criminal Law (Amendment) Bill, 2013 as passed by both Houses	Remarks (provisions under Indian Penal Code, 1860)
Disobedience of law by a public servant	Failure to record information in sexual offences cases; knowingly disobeying laws on investigation.	Punishable with rigorous imprisonment for six months to 2 years and fine.	No specific provision.
Responsibility of Hospital	Failure of hospitals and doctors to provide medical treatment to victims of sexual offences.	Punishable with 1 year and/or fine.	No specific provision.
Rape during communal violence	Rape during communal or sectarian violence.	Specific offence. Punishable with 10 years to life imprisonment (rigorous imprisonment).	No specific provision.
Punishment for repeat offenders	Punishments for persons previously convicted of an offence of rape, custodial rape, gang rape.	Specific offence. Life imprisonment (rigorous imprisonment) or death.	No specific provision.
Voyeurism	Watching a woman when she is engaging in a private act including sexual acts, use of lavatory, or when private parts are exposed.	Specific offence. 1 st offence punishable with 1 to 3 years imprisonment. 2 nd offence punishable with 3 to 7 years.	No specific provision.
Stalking	Following a woman, attempting to foster personal interaction despite indication of victim's disinterest, spying, monitoring electronic communications	Specific offence. 1 st offence punishable with 1 to 3 years imprisonment (Bailable). 2 nd offence punishable with up to 5 years imprisonment (Non-bailable).	No specific provision.
Forcibly showing pornography	Forcibly showing pornography by a man to a woman.	Specific offence. Punishable with rigorous imprisonment for up to 3 years imprisonment and/or fine.	No specific provision.
Acid attack	Causing permanent or partial deformity or burns on any person by throwing or administering acid.	Specific offence. Punishable with 10 years or life imprisonment (rigorous imprisonment) and reasonable fine to meet medical expenses.	No specific provision. Covered under grievous hurt. Punishment: up to 7 years imprisonment.
Rape resulting in death or vegetative state	Causing death or persistent vegetative state when committing rape.	Specific offence. Punishment 20 years to life imprisonment (rigorous imprisonment) or death.	No specific provision. Rape and murder dealt with as two separate offences.
Touching	Physical contact involving unwelcome and explicit sexual overtures.	Specific offence. Punishable with up to 3 years rigorous imprisonment and/or fine.	No specific provision for this offence. Assaulting a woman to outrage her modesty is punishable with imprisonment for up to 2 years.
Demand for sexual favour	Demand or request by a man for sexual favours.	Specific offence. Punishable with up to 3 years rigorous imprisonment and/or fine.	No specific provision for this offence. Verbally assaulting a woman's modesty is punishable with 1 year imprisonment and/or fine.
Sexually coloured remarks	Making of sexually coloured remarks by a man.	Specific offence. Punishable with imprisonment for up to 1 year and/or fine.	No specific provision for this offence. Verbally assaulting a woman's modesty is punishable with 1 year imprisonment and/or fine.
Other forms of rape	Rape includes un-consented penetration of the mouth, anus, urethra or vagina with the penis or other object; un-consented oral sex.	Specific offence. Punishable with 7 years to life imprisonment (rigorous imprisonment).	In the absence of penile-vaginal penetration offence of outraging modesty of a woman punishable with maximum 2 years and fine.

Consensual sex by a person in authority	Abuse of position to have consensual intercourse with a woman in custody.	Extended to cover circumstances of fiduciary relationship, management or staff in hospitals. Punishable with 5 to 10 years rigorous imprisonment of either description.	Provision exists in relation to public servant's abuse of position with women in his custody. Punishable with 5 years imprisonment.
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Source: The Criminal Law (Amendment) Bill, 2013 as passed by both Houses; the Indian Penal Code, 1860; PRS.

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