

The Rajasthan Women (Prevention & Protection from Atrocities) Bill, 2011 dk ik: i tkudkj h , oaf o' kkkkavlj tu&l kkl; dh i frf0; k grq foHkxh; ocl kbV ij miy0/k djk; k x; k gA bl l cak ea fn, x, l 0-ko@i frf0; k fuEu i r@b2y@ODI ij vkef=r gS&

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Proposed Draft

Government of Rajasthan

**The Rajasthan Women
(Prevention & Protection
from
Atrocities)
Bill, 2011**

**Department of Women & Child Development
Directorate of Women Empowerment**

The Rajasthan Women (Prevention & Protection from Atrocities) Bill, 2011

Statement of Objects and Reasons

Violence against women is a burning issue. The Government of India has enacted various legislations to deal with various offences against women. These legislations include the incorporation of section 498A in the IPC, Dowry Prohibition Act, Child Marriage Prevention Act, Prevention of Immoral Traffic Act etc. Recently the Government of India has enforced Protection of Women from Domestic Violence Act, 2005. This is a civil act which provides for the relief to the aggrieved women. However, there are still various situations encountered by women wherein they are subjected to torture and atrocities. For example many girls face acid attacks which result into disfigurement of their face and the body. In certain areas women are accused of performing witchcraft and unnecessarily being harassed. Some times women are also forced to parade in the village and are subjected to derogatory situation and words.

There is no comprehensive law which could deal with all the atrocities against women. Nor there is a specific provision for payment of compensation or rehabilitation grant to the victims concerned. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 does provide for the compensation to the victims but it has a limited impact and is for specific incidence where atrocity is committed by the person other than SC/ST. For some times the need was felt to introduce a legislation wherein the situations not already covered under various legislations could be addressed and suitable compensation provided to the victims.

Hence the 'The Rajasthan Women (Prevention & Protection from Atrocities) Bill, 2011'.

The Bill, *inter alia*, seeks to provide for the following –

- (i) Punishment for offences of atrocities against women.
Section 3 of the Bill defines various atrocities as offences and provide for the punishment as per the grievousness of the offence.
- (ii) Offences defined under section 3 will be non-cognizable.
- (iii) Provision for summary trial by the Courts for certain offences.
- (iv) Serious offences against women made cognizable and non-bailable
- (v) Payment of fine realized from the offender to be paid to the victim as compensation. This compensation shall not be compounded with

any other relief by the Government or rehabilitation grant payable under section 13. By this provision the offender shall also be required to pay for his offence.

- (vi) Rehabilitation grant to be paid by the Government. The rates will be decided as per the grievousness of the offence and shall be provided in the rules.
- (vii) The Government to set up separate or to designate Court of Session as Special Court for purposes of speedy trial of cases
- (viii) Special provision for imposing collective fines. Jati and Khap Panchyat have also been covered wherein collective fine can be imposed by the Government.
- (ix) Preventive measures by the Police and the Court.

The Bill seeks to achieve the above objects. The table on Clauses explain the various provisions contained in the Bill.

**The Rajasthan Women (Prevention & Protection
from Atrocities) Bill, 2011**

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The Rajasthan Women (Prevention & Protection from Atrocities)
Bill, 2011

An Act to provide for prevention and protection of women from atrocities and for punishment and trial of offences of atrocities and, for the relief and rehabilitation of women victim of such offences and for matters connected therewith or incidental thereto.

Be it enacted by the Rajasthan State Legislature in the sixty third year of the Republic of India as follows-

CHAPTER-I
PRELIMINARY

1- Short title, extent and commencement

- (1) This Act may be called 'The Rajasthan Women (Prevention & Protection from Atrocities) Act, 2011'
- (2) It extends to whole of the State of Rajasthan
- (3) It shall come into force on such date as the Rajasthan Government may, by notification in the official Gazette, appoint.

2- Definitions

In this Act, unless the context otherwise requires:-

- (a) 'Atrocity' means an offence punishable under section 3
- (b) 'Authority' means a Tehsildar, Sub-Divisional Magistrate or Executive Magistrate or any police officer in the area;
- (c) 'Code' means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);
- (d) 'Court' means a court of Judicial Magistrate of the first class exercising jurisdiction in the area where atrocity alleged to have taken place or of any other Judicial Magistrate of the first class or the Court of Sessions specified as a 'Special Court under sub-section (1-A) (Rajasthan amendment vide section 2 of the Rajasthan Act 10 of 1977) of sub-section (1) of section 11 of the Code.
- (e) 'Government' means the Government of Rajasthan.
- (f) 'Prescribed' means prescribed by Rules made under this Act.

- (g) 'Woman' means female human of any age.
- (h) Words and expressions used but not defined in this Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the Code or as the case may be in the Indian Penal Code (IPC).

CHAPTER-II PUNISHMENT FOR OFFENCES OF ATROCITIES

3- Punishments for Offences of Atrocities-

- (1) Whoever,
 - (i) entices or creates such circumstances to compel a woman to do 'begar' or other similar forms of labour;
 - (ii) prevents a woman from entering into a public place or a place of worship or denies a passage to a public place which other members of public have a right to use or access or;shall be punishable with imprisonment for a term of one month which may extend to three months or with fine of Rs. 1000, or with both.
 - (a) In case of the first offence, if the Court, considering the nature and the circumstances of the offence and the material before it, is satisfied that instead of punishment admonishing the offender will be sufficient in the instant matter, may then admonish the offender and, if necessary, may also impose such conditions which the Court may think appropriate to prevent recurrence of the incident.
 - (b) Provided that in case the respondent(s) fails to comply with the directions of the Court under clause (a), shall not only be liable for punishment prescribed for the offence, in addition, shall also be liable for a fine of Rs. 2000.
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- (2) Whoever,
 - (i) against the provision of law, forcibly removes a woman from place of residence or dispossess her from the land or premises, lawfully occupied by her, or interferes with her rights over any land or premises;
 - (ii) forces a woman to drink or eat inedible or obnoxious substances;
 - (iii) forces or intimidates a woman not to vote or to vote to a particular candidate or to vote in a manner other than provided by law;

shall be punishable with imprisonment for a term of three months which may extend to one year with minimum fine of Rs. 1000 which may extend to Rs. 5000.

(3) Whoever,

intentionally withdraws or denies support including food or shelter or medicines to a woman, otherwise rightful claimant to such facilities, whether on account of her being mentally unstable or critically ill or of old age or any other reason, shall be punishable with imprisonment for a term of three months which may extend to one year with minimum fine of Rs. 2000.

The Court, considering the health and socio-economic conditions of the woman and also the means and liabilities of the respondent(s), if necessary, may pass an order for payment of regular maintenance allowance to the woman, subject to proviso (a) below.

(a) **Provided** however, that the parties in the matter, if prefer to settle the issue amicably, and, if in the opinion of the court the facilities can be restored by the settlement without prejudice to the well-being and welfare of the woman, the Court may accept the settlement and pass appropriate directions in regard to safeguarding interests of the woman;

(b) **Provided** further that in case the party, to whom the responsibility of taking care of the woman was assigned fails to abide by the terms and conditions of the settlement entered into in accordance with proviso (a) and the directions of the Court given in this behalf, the settlement shall stand void and deemed to be the violation of the order of the court and for such an act the respondent(s) shall be liable for the punishment prescribed for the offence,

In case of proviso (b) above, the Court, after considering the circumstances and the nature of the violation shall fix maintenance allowance paid to the woman and pass such orders which it may deem appropriate in regard to safety and survival support to her.

(c) **Provided** further that the provisions under this subsection shall be made applicable where the provisions under section 125 of the Code or under the Protection of Women from Domestic Violence Act, 2005 (Central Act 43 of 2005) or provisions of maintenance under any other law for time being in force, are not applicable in the case.

- (4) Whoever,
- (i) accuses or defame a woman by calling her Dayan or Dakan or Dakin, Chudail or Bhootni or Bhootdi or Chilavan or Opri or Ranndkadi or any other name or symbol suggesting her to be a witch,
 - (ii) accuses a woman to perform witchcraft or her performing any puja, use of mantra, tantra etc. aimed at harming any person;
shall be punishable with imprisonment upto a term of three years with minimum fine of Rs. 1000 which may extend to Rs. 5000.
 - (iii) in the name of performing witchcraft or her being 'possessed one', uses criminal force against a woman and/or instigates or provokes others in doing so with intent to harm and/or to displace her from the house, place or the property, lawfully occupied or owned by her or to coerce her to leave the area of which she is a rightful resident or a visitor, shall be punishable with imprisonment of a term which may extend to seven years and with fine which may extend to Rs. 20000.
 - (iv) intimidates a woman, calling her a witch and accusing r practicing witchcraft, to the extent that the woman is forced to commit suicide shall be punishable with imprisonment of a term of five years which may extend to ten years with minimum fine of Rs. 25000 which may extend to Rs. 50000.
 - (v) assaults or uses criminal force or causes to assault or to use criminal force against a woman, accusing her to be a witch, resulting into her death, shall be punishable in accordance with section 302 of IPC (Central Act 45 of 1860).
 - (vi) known as 'ojha' or 'tantrik' or 'baba' in the area, claiming to possess spiritual and/or magical powers, declares any woman as a 'possessed one' and performs any ritual to free the woman from the evil sprit or entices a woman or any person on her behalf with a promise to bless the woman with a child or performs any ritual on behalf of any person with intention to harm the woman, and
whoever promotes, helps organizing and performing such rituals or associates one self with such rituals shall be punishable with imprisonment of a term of one year which may extend to five years with a fine of Rs. 10000.

- (5) Whoever,
assaults or uses criminal force against a woman to remove or causes to remove clothes from her body and demonstrates and parades her naked or with such scanty clothes that fail to protect her modesty, shall be punishable with imprisonment of a term of five years which may extend to ten years with minimum fine of Rs. 10000 which may extend to Rs. 50000.
- (6) Whoever,
assaults or uses acid or any chemical or material causing harm and injuries to a woman with intent to deface or disfigure her shall be punishable with imprisonment of a term of three years which may extend to ten years with minimum fine of Rs. 25000 which may extend to Rs. 50000.
- (7) Whoever,
with malicious intention harasses the woman to damage her reputation and dignity, or with intention to sexually exploit her or with intent to extort money or the property, uses any virtual or actual photograph or picture or film or caricature or any written or printed material or any visual medium and uses any electronic equipment to convey derogatory picture or message, shall, in addition to the provisions under section 383 of IPC, be punishable with imprisonment of a term of two years which may extend to five years with minimum fine of Rs. 10000 which may extend to Rs. 50000.
- (8) Whoever,
knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention misleads investigation or gives any information, regarding the offence, which he knows or believes to be false, shall, in addition to the provisions under section 182 of IPC, be liable for punishment provided for that offence;
- (9) Whoever,
being a public servant: or
being in the employ of the government: or

in employ of any society or contractor on contract with the government:

and in whose care and custody a woman has been kept: or works at a place or a premises where women reside or work or which is frequently visited by the woman:

commits any offence under this Section shall, in addition to the punishment provided for that offence under the Act be liable for punishment with imprisonment for a term of one year with fine of Rs. 5000.

4- Permission of the State Government for prosecuting public servant -

Notwithstanding anything contained in the Code, no suit or other legal proceeding shall lie against the public servant any offence under the Act alleged to have committed while on duty, without permission of the State Government.

5- Abetment of offence-

Whoever abets any offence under this Act shall be liable for the punishment provided for that offence.

Explanation- A public servant who wilfully neglects the investigation or tries to withhold facts and evidences with intention to minimize gravity of the offence, shall be deemed to have abetted an offence and shall be liable for punishment for the offence as provided under this Act.

**CHAPTER-III
TRIAL OF OFFENCES**

6- Setting up Special Courts –

For the purpose of providing for speedy trial, the Government, with the concurrence of the High Court and by notification in the official gazette, may set up or designate a Court of Session for the designated area to be a special Court to try the offences under this Act.

7- Offences to be triable summarily

Notwithstanding anything contained in the Code, offences under sub-section (1) of section 3 of the Act shall be non-cognizable and shall be tried summarily by the Court in accordance with the procedure specified in the Code.

8- Offences to be cognizable

Offences, except under sub-section (1) of section 3 of the Act, shall be cognizable and non-bailable.

9- Powers of the Court

- (1) The Court, upon application, submitted within 15 days of the date of the order, by the person against whom the police officer has passed orders under sub-section 2 of section 16 or by any other person on his behalf, may, after careful examination of the material and other evidences placed before it, and after due satisfaction, revoke or modify the order of the police officer with reasons to be recorded in writing.
- (2) In case the Court, after careful examination of the material and other evidences placed before it, is satisfied that in the interest of the safety of the woman it seems necessary to legally restrain the accused, may issue notice to the accused to be present in the Court on the specified date and after hearing the accused or otherwise pass such orders which the Court may deem appropriate under the circumstances.
- (3) The Court, after due consideration of the material and the circumstances, may, if so consider necessary, direct the police to register case against the accused under the relevant Act.

10- Penalty for non-compliance with the order of the Court

Any person contravening an order of the Court passed under sub-section 2 of Section 9 shall be punishable with imprisonment for a term which may extend to one year or with fine of Rs. _____ or both.

11 Sentence of imprisonment for non-payment of fine

An offender, wilfully or otherwise, failing to pay the fine ordered by the Court, shall be liable to undergo imprisonment as provided under Section 64 of IPC.

12- Fine to be paid as compensation to the victim

- (1) The fine realised as punishment for an offence under the Act shall be paid to the victim as compensation.
- (2) The compensation paid under sub-section (1) shall not be compounded with any other compensation or financial assistance which the government may decide to pay as immediate relief to the victim and the rehabilitation grant payable under section 13 of the Act.

13- Rehabilitation grant to the victims

The State Government shall provide for rehabilitation grant to be paid to the victim of atrocity, as defined under section 3 of this Act, and, for any other atrocity which has not been defined in this Act

but has been defined in other criminal laws, for the time being in force, in the manner prescribed in the Rules.

14- Appeal

Subject to the provisions of the Code, the aggrieved person shall be eligible to file an appeal to the next higher court within thirty days of the order from the date on which the said order has been passed by the court concerned.

15- Free legal services to the aggrieved women -

The aggrieved women shall have right to free legal services under the Legal Services Authorities Act, 1987 (39 of 1987).

CHAPTER-IV
MEASURES FOR PREVENTION & PROTECTION OF WOMEN

16- Measures to prevent and protect women from atrocities

- (1) When a police officer receives any information or a report that certain atrocity is likely to be committed or there are reasonable grounds to suspect that certain atrocity is committed against a woman, shall forthwith proceed to the place and shall take all suitable measures to prevent the atrocity and to provide protection to the woman including getting her admitted in the recognized shelter home, in case the woman has no place for such shelter.
- (2) The police officer shall immediately remove or cause to remove the person and the objects expected to harm the woman. The police officer shall verbally or in writing warn the person or persons accused of having intention or attempting at committing atrocity against the woman to leave the place immediately and abstain from inflicting any harm upon the woman.
- (3) In case the situation warrants the police officer may cause arrest of the person or persons and take action in accordance with section 151 of the Code. The person so arrested shall be produced before the executive Magistrate of the area who shall proceed under section 107 and section 116 of the Code.
- (4) (i) Whenever offence against the woman under the Act is reported to the police officer, in whose jurisdiction the offence is committed, the officer concerned shall record the FIR and shall take suitable action as per the law.
(ii) Whenever such incident is reported to the police officer not belonging to his jurisdiction, the officer shall immediately inform

the police officer concerned and also send the copy of the written complaint, if available, for further necessary action.

CHAPTER-V SPECIAL PROVISIONS

17- Action regarding Jati/Khap Panchayat -

- (1) Whenever it comes to the notice of the authority that any action against a woman for marrying out side the caste or within the gotra or for any other reason is being contemplated by the Jati/Khap Panchayat or by any other organization which is not legally empowered to do so, the authority concerned, shall take cognizance of the matter and shall immediately take measures to prevent such occurrence, and in case any illegal order has been passed or executed by the organization, shall take action as per the law for the time being in force.
- (2) Whenever a revenue officer like Patwari, Girdawar or Sarpanch or any other member of the Gram Panchayat or Headmaster or any teacher of the school or any medical officer comes to know that such illegal action is being contemplated or the Jati/Khap Panchayat is likely to take such action/decision, shall immediately report the matter to the nearest police station or to the Magistrate of the area concerned.
Failing to do so the concerned person shall be liable for disciplinary action under the relevant law or the rules for the time being in force.
- (3) The Magistrate of the area, upon receiving any information about any coercive action contemplated by the Jati/Khap Panchayat, may issue order under section 144 of the Code to prohibit the Jati/Khap Panchayat to do so and shall take appropriate measures to implement the order;
- (4) The State Government, considering the nature of the offence committed by the Jati/Khap Panchayat etc. may, in addition, impose collective fine as provided under Section 19 of the Act.

18- Free medical assistance to the victims –

The Government may provide free medical assistance including medicines and other supportive system to victims of atrocities particularly in case of sub-section (6) and sub-section (7) of Section 3 and also in cases of rape victims.

CHAPTER-VI
MISCELLANEOUS

19- Power of the State Government to impose collective fine-

(1) If after an inquiry in the prescribed manner, the State Government is satisfied that the inhabitants of an area are concerned in or abetting the commission of, any offence punishable under this Act, or harbouring persons concerned in the commission of such offence or failing to render all the assistance in their power to discover or apprehend the offender or offenders or suppressing material evidence of the commission of such offence, the State Government may, by notification in the Official Gazette, impose a collective fine on such inhabitants and apportion such fine amongst the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the State Government's judgment of the respective means of such inhabitants.

Provided that the fine apportioned to an inhabitant shall not be realised until the petition, if any, filed by him under sub-section (3) is disposed of.

(2) The notification made under sub-section (1) shall be proclaimed in the area in such manner as the State Government may think best in the circumstances to bring the imposition of the collective fine to the notice of the inhabitants of the said area.

(3) (a) any person aggrieved by the imposition of the collective fine under sub-section (1) or by the order of apportionment, may, within the prescribed period, file a petition before the State Government or such other authority as the Government may specify in this behalf for being exempted from such fine or for modification of the order of apportionment :

Provided that no fee shall be charged for filling such petition.

(b) The State Government or the authority specified by it shall, after giving to the petitioner a reasonable opportunity of being heard, pass such order as it may think fit :

Provided that the amount of the fine exempted or reduced under this section shall not be realisable from any person, and the total fine imposed on the inhabitants of an area under sub-section (1) shall be deemed to have been reduced to that extent.

(4) Notwithstanding anything contained in sub-section (3), the State Government may exempt the victim of an offence punishable under this Act or any person who does not, in its opinion, fall within the category of persons specified in sub-section (1), from the liability to pay the collective fine imposed under sub-section (1) or any portion thereof.

20- Section 360 of the Code or the Probation of Offenders Act not to apply to persons guilty of an offence under the Act-

The Section 360 of the Code and the provisions of the Probation of Offenders Act, 1958 (20 of 1958) shall not apply to any person of the age of twenty one years and above who is found guilty of having committed an offence under this Act.

21- Section 438 of the Code not to apply to persons committing an offence under the Act-

Nothing in Section 438 of the Code shall apply in relation to any case involving the arrest of any person on accusation having committed an offence under this Act.

22- Presumption as to offences

Whenever the victim of the atrocity as defined under the Act gives the evidence with regard to the commission of the offence, the Court shall presume the commission of the offence and the burden shall be shifted to the accused.

23- Application of certain provisions of the India Penal Code-

Subject to other provisions of this Act, the provisions of Section 34, Chapter III, Chapter IV, Chapter V, Chapter V-A, Section 149 and Chapter XXIII of the India Penal Code (45 of 1860) shall, so far as may be, apply for the purposes of this Act as if they apply for the purpose of the India Penal Code.

24- Act to override other laws

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any custom or usage or any instrument having effect.

25- Protection of action taken in good faith-

No suit, prosecution or other legal proceedings shall lie against the State Government or any officer or authority of the Government or any other person for anything which is in good faith done or intended to be done under this Act.

26- Power to make rules-

- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act;
- (2) In particular, and without prejudice to the generality of the foregoing powers such rules may provide for all or any of the following matters, namely :-

- (a) procedure for payment of the compensation to the victim as provided u/s 12;
 - (b) manner in which the rehabilitation grant shall be paid to victims of atrocities u/s 13;
 - (c) manner in which the State Government impose and collect the fine provided u/s 19;
 - (d) any other matter which has to be or may be prescribed.
- (3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Rajasthan Legislative Assembly, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the House agrees in making any modification in the rule or Legislative Assembly agrees that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**Proposed
The Rajasthan Women
(Prevention & Protection from Atrocities) Bill, 2011
Table on Clauses**

Section with title		Contents in brief	Punishment proposed		Remarks
			Imprisonment	Fine	
CHAPTER-I PRELIMINARY					
1	Short title, extent and commencement	Provides name, extent and for enforcement of proposed Act			
2	Definitions	Definitions			
CHAPTER-II PUNISHMENT FOR OFFENCES OF ATROCITIES					
3	Punishment for Offences of Atrocities	(1) taking 'begar'/preventing from entry into public place	One month to three months	Rs. 1000 or both	Non cognizable. Court empowered to release an offender with sufficient warning in lieu of punishment. Respondent failing to comply with liable for additional fine of Rs. 2000
		(2) forcibly removing the woman from residence or land/forcing a woman to drink or eat obnoxious substances/intimidating a woman not to vote etc.	Three months to one year	Rs. 1000 to 5000	
		(3) denying support to a woman rightful claimant of	Three months to one year	Rs. 2000	The Court may order regular maintenance allowance with proviso(a) amicably settlement of the issue. Proviso (b) provides for the situation where respondent fails to abide by proviso (a)
		(4) defaming a woman by calling a dayan or any other such name/accusing performing witchcraft, displacing a woman from a place or property perceived to be a witch intimidating a woman forcing to commit suicide forcing a woman resulting into death	Up to three years Upto 7 years 5 years to 10 years Action as per Sec. 302 IPC	Rs. 1000 to 5000 Rs. 20000 Rs. 25000 to 50000	This sub-section provides for various situations where a woman suffers from branding her as a witch or performing witchcraft

4	Permission of the State Government for prosecuting public servant	Ojha, Tantrik, Baba declaring a woman as possessed one/enticing her to bless with a child/also persons promoting, helping, organizing such events	One year to five years	Rs. 10000	
		(5) parading a woman naked or with scanty clothes etc.	Five years to ten years	Rs. 10000 to 50000	
		(6) throwing acid or chemical or use of one's position to exploit a woman sexually	Three years to ten years	Rs. 25000 to 50000	
		(7) use of any material, photograph/printed or visual medium to harass a woman	Two years to five years	Rs. 10000 to 50000	
		(8) misleading the investigation or removing evidence with a purpose to screen offender from legal punishment etc.	Liabe for punishment provided for that offence. This is in addition to section 182 of IPC		To be treated as if the person concerned has committed the offences
		(9) a public servant or any person working for the Government committing offence	Liabe for sentence provided for the offence + one year imprisonment	Rs. 5000 additional	
4	Permission to be necessary for prosecuting a public servant alleged to have committed offence under this Act				
5	Abetment of offence	Abetment	Punishment for the offence as provided under the proposed Act		
CHAPTER-III Trial of Offences					
6	Setting up Special Courts	The State Government may set up or designate any sessions court as special court under the proposed Act.			
7	Offences to be triable summarily	Offences under section (1) of section 3, non cognizable and to be tried summarily.			
8	Offences to be cognizable	All other offences proposed to be cognizable and non bailable			
9	Powers of the Court	to take measures in regard to prevention and protection of women			
10	Penalty for non-compliance with order of the Court	Penalty to a person not complying with the orders of the Court	Maximum to one year	Rs. 2000 or both	
11	Sentence of imprisonment for non-payment of fine	Non payment of fine	To be tried as per section 64 of IPC		
12	Fine to be paid as compensation to the victim	Fine realised as punishment to be paid to victim as compensation. This will not be compounded with any other			

		financial assistance			
13	Rehabilitation grant to the victims	The State Government to provide rehabilitation grant to the victims of atrocity/ amount and procedure to be prescribed in the rules.			
14	Appeal	Provision of appeal within 30 days of the order of the Court			
15	Free legal services to the aggrieved women	Free legal services under Legal Services Authorities Act			
CHAPTER-IV MEASURES FOR PREVENTION & PROTECTION OF WOMEN					
16	Measures to prevent and protect women from atrocities Powers of the Police	on receipt of complaint or report the police officer is to take immediate action for prevention and protection of woman/action under section 41 of the Cr.P.C. – section 436 of Cr.P.C. also to apply			
CHAPTER-V SPECIAL PROVISIONS					
17	Action regarding Jati/Khap Panchayat	Immediate action to be taken in regard to decision/action taken by Jati or Khap panchayat as per extant laws.		State Government may impose collective fine as proposed u/s 18 of the proposed Act.	
18	Free medical assistance to the victims	Provisions for free medical assistance specially in case of incidents of acid or chemical attack or sexual exploitation of a woman or harassment through pornography material etc.			
CHAPTER-VI MISCELLANEOUS					
19	Power of the State Government to impose collective fine	Empowering State Government to imposing collective fine upon inhabitants of an area for abetment of offence			
20	Section 360 of the Code and the Probation of Offenders Act not to apply to persons guilty of an offence under the Act	Release of offender above 21 year prohibited on probation or u/s 360 Cr.P.C;			
21	Section 438 of the Code not to apply to person committing an offence under the Act	Anticipatory bail not to be given			
22	Presumption as to offences				
23	Application of certain provisions of the India Penal Code	Certain provision of IPC to apply for the purposes of proposed Act			
24	Act to override other laws	Proposed Act to override other laws			Special Act
25	Protection of action taken in good faith	Protection of action taken in good faith			
26	Power to make rules	Empowering State Government to make Rules including laying down procedure for payment of the compensation, rehabilitation grant, imposition of the collective fine etc Rules made under this Act to be laid down before the Rajasthan Legislative Assembly			

