

Penal Provisions of the Indian Penal Code 1860 on “Sexual Harassment”

1. Obscene Acts and Songs (Section - 294)

Section 294 of the Indian Penal Code makes following acts punishable

- a) Does any obscene act in any public place, or
- b) Sings, recites or utters any obscene song, ballad or words, in or near any public place

2. Assault or Criminal Force to woman with Intent to Outrage her Modesty (Section - 354)

Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will there by outrage her modesty.

3. Sexual Harassment (Section – 354-A)

Section 354-A IPC makes Sexual Harassment punishable.

Sexual Harassment is constituted under this section if a man commits any of the following acts-

- a) Physical contact and advances involving unwelcome and explicit sexual overtures; or
- b) A demand or request for sexual favours; or
- c) Showing pornography against the will of a woman; or
- d) Making sexually coloured remarks

4. Assault or use of Criminal Force to woman with Intent to Disrobe (Section – 354-B)

Any man who assaults or uses criminal force to any woman or abets such act with the intention of disrobing or compelling her to be naked is punishable under Section 354B IPC.

5. Voyeurism (Section – 354-C)

Following is punishable Section – 354- C

- a) Watching, or Capturing the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed
- b) Or dissemination of such image

6. Stalking (Section – 354-D)

Any man who –

- a) 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
- b) monitors the use by a woman of the internet, email or any other form of electronic communication,

Commits the offence of stalking

7. Word, Gesture or act Intended to Insult the Modesty of a Woman (Section – 509)

Whoever, intending to insult the modesty of any woman, utters any words, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman,