

Capacity building Tips to Internal Committee

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As an Internal Committee member, you may receive complaints and upon such receipts you can determine the severity of the “Act committed”. Though the Inquiry by the Internal Committee may not be like the Inquiry by the Police and Court, the members can relate the “act” to the offences as per the IPC for familiarity.

Various criminal offences against woman as defined in Indian Penal Code

S. 354 Assault or criminal force to woman with intent to outrage her modesty	Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty
S. 354 A Sexual harassment and punishment for sexual harassment	A man committing any of the following acts— <ul style="list-style-type: none"> △ physical contact and advances involving unwelcome and explicit sexual overtures; or △ a demand or request for sexual favours; or △ showing pornography against the will of a woman; or △ making sexually coloured remarks, shall be guilty of the offence of sexual harassment
S. 354 B Assault or use of criminal force to woman with intent to disrobe	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
S. 354 C 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

S. 354 D Stalking	Any man who— △ 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 △ monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking
S. 509 Word, gesture or act intended to insult the modesty of a woman	Whoever, intending to insult the modesty of any woman, utters any word, 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

Except Section 509, all other sections are not Listed in under Compoundable offences.

Non-Compoundable offences

- ▶ Are serious in nature
- ▶ Such offences affect the individual and society as well
- ▶ Under CrPC, compromise is not allowed
- ▶ Under CrPC, full trial is held which ends with the acquittal or conviction of the offender based on the evidence given.

Besides all the offences mentioned above are Cognizable.

- ▶ Cognizable offence is one in which the police is authorized to take cognizance of the crime at its own.
- ▶ Police can arrest the offender without warrant, if it is cognizable. And approval of court is not required to begin the investigation.
- ▶ Such crimes are considered as heinous.

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