

**THE POWER OF POLITICAL VOICE:
WOMEN'S POLITICAL REPRESENTATION AND CRIME IN INDIA
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Web Appendix

Definition of Major Crime Categories

Crime	Definition	Prosecuted Under
<u>Crimes against women</u>		
Rape	Sexual intercourse with a woman under any of the following circumstances: 1) Against her will; 2) Without her consent; 3) With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt; 4) With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married; 5) With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent; 6) With or without her consent, when she is under sixteen years of age.	Section 376 of Indian Penal Code
Kidnapping or abduction	Taking or enticing any minor under sixteen years of age if a male, or under eighteen years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian; compelling by force, or by any deceitful means, inducing any person to go from any place.	Sections 363-369, 371-373 of Indian Penal Code
Dowry death	Where the death of a woman 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 husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death", and such husband or relative shall be deemed to have caused her death.	Section 304B of Indian Penal Code
Molestation	Assault or criminal force to woman with intent to outrage her modesty	Section 354 of Indian Penal Code
Sexual harassment	Word, gesture or act intended to insult the modesty of a woman	Section 509 of Indian Penal Code
Importation of girl from foreign country	Importing into India from any country outside India or from the State of Jammu and Kashmir any girl under the age of twenty-one years with intent that she may be, or knowing it to be likely that she will be, forced or seduced to illicit intercourse with another person.	Section 366B of Indian Penal Code
Cruelty by husband or relatives	Any willful conduct which is of such nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security is on account of failures by her or any person related to her to meet such demand.	Section 498A of Indian Penal Code

Immoral traffic	A prostitute who seduces or solicits shall be prosecuted. A client is guilty of consorting with prostitutes and can be charged if he engages in sex acts with a sex worker within 200 yards of a public place or "notified area". Babus or pimps or live-in lovers who live off a prostitute's earnings are guilty of a crime. Any adult male living with a prostitute is assumed to be guilty unless he can prove otherwise.	Immoral Traffic (Prevention) Act 1956
Giving and receiving of dowry	If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable.	Dowry Prohibition Act 1961
Pornography	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.	Indecent Representation of Women (Prohibition) Act 1986
Sati (burning of widows)	Whoever attempts to commit Sati and does any act towards such commission shall be punishable; if any person commits Sati, whoever, abets the commission of such Sati, either directly or indirectly, shall be punishable.	Sati Prevention Act 1987
<u>Crimes against SCs/STs</u>		
Civil rights violations	Prohibits the practice of "untouchability" i.e. restricting access to public places, water sources, places of worship, practice of any profession, occupation of residential premises etc on grounds of "untouchability"	Protection of Civil Rights Act 1955
Atrocities against SC/STs	Prohibits a variety of atrocities towards SCs and STs, committed by non-SCs/STs, including stripping, insulting, forced labor and sexual exploitation. Also penalizes the giving of false or fabricated evidence aimed at implicating SC/ST members.	SC/ST Prevention of Atrocities Act 1989
<u>Other crimes</u>		
Murder	Culpable homicide is murder if the act by which the death is caused is done with intention of causing death or if it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused.	Section 302, 303 of Indian Penal Code
Crimes against property	Theft, extortion, robbery, burglary, dacoity (robbery by five or more persons jointly), preparation to commit dacoity	Sections 392-402, 449-452, 454, 455, 457-460, 379-382 of Indian Penal Code
Economic crimes	Criminal breach of trust, cheating, counterfeiting	Sections 406-409, 419, 420, 231-254, 489A-489D of Indian Penal Code
Crimes against public order	Rioting, arson	Section 143-145, 147-151, 153, 153A, 153B, 157, 158, 160, 435, 436, 438 of Indian Penal Code

Sources: Prosecution sections from *Crime in India 2008* published by the National Crime Records Bureau, New Delhi; definitions from Indian Penal Code, 26th Edition, 1987 and <http://www.vakilno1.com/bareacts/indianpenalcode/indianpenalcode.htm>, accessed November 2010.