

Ensuring Legal Equality for Women

Bibek Debroy

Section 1: Introduction

"Complete legal equality for women in all spheres will be made a practical reality, especially by removing discriminatory legislation and by enacting new legislation that gives women, for instance, equal rights of ownership of assets like houses and land." This is a quote from the National Common Minimum Programme (NCMP). Ensuring legal equality for women is more than a matter of statutory law reform. Since enacting the law is one matter, enforcement is another. Also, within law reform, there are Central statutes, State-level statutes and administrative law or subordinate legislation. Gender discrimination is no endemic that it cuts through all three strands. However, this paper will restrict itself to Central statutes alone. And will also not address problems of enforcement. However, one should mention that equality before the law is meaningless as a statutory notion unless it is backed up by speedy dispute resolution. It should also be noted that the agenda is broader than ensuring equal rights in ownership of assets like houses and land. NCMP merely cites that as an illustration. The agenda of complete legal equality is more comprehensive.

Annexure 1 is a chronological list of 1053 Central statutes, till 2001, based on Ministry of Law's India Code database. This is a listing of existing Central statutes, many of which are extremely old. Hence, they should all be examined from the gender neutrality point of view. A few examples will illustrate the point.

The Married Women's Property Act of 1874 was important then, because it ensured rights to married women. But surely, it has now been overtaken by subsequent legislation. This is especially true because of Section 2 of the 1874 enactment, which states, "But nothing herein contained applies to any married woman who at the time of marriage professed the Hindu, Muhammadan, Buddhist, Sikh or Jaina religion, or whose husband, at the time of such marriage, professed any of those religions. And the State Government may from time to time, by order, either retrospectively from the passing of this Act or prospectively, exempt from the operation of all or any of the provisions of this Act the members of any race, sect or tribe, or part of a race, sect or tribe, to whom it may consider it impossible or inexpedient to apply such provisions." Why should we still retain this?

The Banaras Hindu University Act of 1915 gives the University powers "to hold examinations and to grant and confer degrees and other academic distinctions to and on persons who —... being women, shall have pursued a course of private study and shall have passed the examinations of the University under conditions laid down in the Ordinances." Is this relevant? The Aligarh Muslim University Act of 1920 has similar provisions. It has powers "to hold examinations and to grant and confer degrees and other academic distinctions to and on persons who — ... being women, shall have pursued a course of private study." Indeed, the Delhi University Act of 1922 confers the University powers "to hold examinations and to grant to, and confer degrees and other academic distinctions on, persons who — ... are non-collegiate women students residing within the territorial jurisdiction of the University."

Section 12 of the Air Force Act of 1950 still states, "No female shall be eligible for enrolment or employment in the Air Force, except in such corps, department, branch or other body forming part of, or attached to any portion of, the Air Force as the Central Government may, by notification, specify in this behalf: Provided that nothing contained in this section shall affect the provisions of any law for the time being in force providing for the raising and maintenance of any service auxiliary to the Air Force or any branch thereof in which females are eligible for enrolment or employment." Section 9(2) of the Navy Act of 1957 states, "No woman shall be eligible for appointment or enrolment in the Indian Navy or the Indian Naval Reserve Forces except in such department, branch or other body forming part thereof or attached thereto and subject to such conditions as the Central Government may, by notification in the Official Gazette, specify in this behalf."

Consider Section 497 of the Indian Penal Code of 1860, a section on adultery. "Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. In such case the wife shall not be punishable as an abettor." Notice that the crime of adultery is committed against the husband of the wife. Because the wife is the husband's property.

Section 2: The Task Force on Women and Children

These instances drive home the point that the entire corpus of 1053 Central statutes needs to be examined from the gender neutrality point of view. This is a mammoth exercise. In April 2002, a Task Force on Women and Children, set up by Ministry of Human Resource Development, submitted its report on gender discrimination. This had a limited canvas and focused on 23 statutes. A list of these 23 statutes follows. There is inherent subjectivity in this identification. While there can't be any complaints about the importance of the statutes included, an argument can legitimately be advanced that this identification is incomplete and other statutes have been ignored. For instance, there is an overwhelming emphasis on labour laws and perhaps a conscious decision to stay away from gender biases in property and personal laws, barring an addendum on land rights for women.

- (1) Employees' State Insurance Act, 1948
- (2) Maternity Benefit Act, 1961
- (3) Factories Act, 1948
- (4) Minimum Wages Act, 1948
- (5) Bonded Labour System (Abolition) Act, 1976
- (6) Legal Practitioners (Women) Act, 1923
- (7) Maternity Benefit Act, 1961
- (8) Child Labour (Prohibition and Regulation) Act, 1986
- (9) Equal Remuneration Act, 1976
- (10) Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- (11) Cinematograph Act, 1952
- (12) Contract Labour (Regulation and Abolition) Act, 1970

- (13) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
- (14) Payment of Wages Act, 1936
- (15) Plantation Labour Act, 1951
- (16) Workmen's Compensation Act, 1923
- (17) Commission of Sati (Prevention) Act, 1987
- (18) Indecent Representation of Women (Prohibition) Act, 1986
- (19) Family Courts Act, 1984
- (20) Indian Penal Code, 1860
- (21) Code of Criminal Procedure, 1973
- (22) Immoral Traffic (Prevention) Act, 1956
- (23) Dowry Prohibition Act, 1961

In contrast, the National Commission for Women has also suggested amendments to the Medical Termination of Pregnancy Act, 1971, the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act of 1994, the Child Marriage Restraint Act of 1929, the Guardians and Wards Act of 1890, the Indian Succession Act of 1925, the Indian Evidence Act of 1872, the Hindu Succession Act of 1956, the Hindu Adoptions and Maintenance Act of 1956, the Hindu Marriage Act of 1955, the Special Marriage Act of 1954, the Foreign Marriage Act of 1969, the Muslim Personal Law (Shariat) Application Act of 1937, the Indian Divorce Act of 1869, the Married Women's Property Act of 1874, the Hindu Minority and Guardianship Act of 1956, the Juvenile Justice Act of 1986 (now repealed), the Family Courts Act of 1984, the Commission for Women Act of 1990, the Commission of Sati (Prevention) Act of 1987, the Indecent Representation of Women (Prohibition) Act of 1986, the Immoral Traffic (Prevention) Act of 1956, the Employees' State Insurance Act of 1948, the Minimum Wages Act of 1948, the Factories Act of 1948, the Bonded Labour System (Abolition) Act of 1976, the Equal Remuneration Act of 1976, the Maternity Benefit Act of 1961, the Legal Practitioners (Women) Act of 1923¹, the Contract Labour (Regulation and Abolition) Act of 1970, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act of 1979, the Indian Penal Code of 1860 and the Code of Criminal Procedure of 1973.

Section 3: The violence against women issue

Violence against women can be broadly categorised into three forms - (a) sexual violence (rape, molestation), (b) domestic violence (dowry deaths and marital rape), and (c) institutionalised violence (such as the system of prostitution). Other aspects like abduction of women are more general in nature.

Three major acts govern criminal trials. The Indian Penal Code (IPC) lays down categories of offences and stipulates punishments; the Criminal Procedure Code (CrPC) lays down procedural rules for investigation and trial; and the Indian Evidence Act prescribes rules of evidence to be followed during a trial. So, there are two important parts of the law - the substantive law and the procedural law. The former is contained in the IPC and the latter in the other two acts. Both the Task Force on Women and Children and the National Commission for Women interpret IPC issues

¹ Now repealed.

in the context of rape (Sections 375 and 376). However, IPC also has other sections.

Section 294 – Obscene acts and songs
 Section 304-B – Dowry death
 Sections 351, 352 and 354 – Assault or criminal force to woman
 Section 372 – Selling minor for purposes of prostitution
 Section 375 and 376 – Rape
 Section 376-A – Intercourse by a man with his wife during separation
 Section 376-B – Intercourse by public servant with woman in his custody
 Section 376-C – Intercourse by superintendent of jail, remand home
 Section 376-D – Intercourse by any member of the hospital with any woman in that hospital
 Section 498-A – Husband or relative subjecting a woman to cruelty
 Section 509 – Word, gesture or act intended to insult the modesty of a woman

Apart from provisions in the IPC (Section 498-A), dowry is also covered under the Dowry Prohibition Act, 1961. Prostitution is covered under the Prevention of Immoral Traffic in Women and Girls Act, 1956.

However, sexual harassment, including rape, is not backed by any specific legislation. There is nothing other than IPC. Rape is a separate issue. But on non-rape issues, there is no act that defines sexual harassment. Sections 294 and 509 of IPC partly overlap. Section 294 states, “Whoever, to the annoyance of others – (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, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or both.” Section 509 has, “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, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.” Courts may have defined sexual harassment and also laid down comprehensive guidelines to be followed, but that’s not quite the same as a statutory definition. Notice that annoyance is an important ingredient of the offence under Section 294 and this is associated with a mental condition. Notice that Section 294 also requires the annoyance to occur in or near a public place. While Section 509 has no such requirement, there is perhaps a case for enhancing the punishment to three years. Sections 351 and 352 of IPC aren’t specific to women, but Section 354 is. Section 354 states, “Whoever assaults or causes criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage, her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.” This covers assault. The point to note is that Sections 294 and 509 fall short of physical contact. There are crimes of molestation that fall short of rape, but involve physical contact. As of now, there are no provisions in IPC that cover these as a substantive offence.

As was mentioned earlier, since the Vishakha case in 1997², courts have defined sexual harassment as unwelcome sexual gestures or behaviour that involves sexually coloured remarks, physical contact and advances, showing pornography, demands and requests for sexual favours and other unwelcome physical, verbal or non-verbal contacts that are sexual in nature.³ Sexual harassment was thus defined as a separate illegal behaviour. These guidelines have partly been based on fundamental rights guaranteed by Article 21 of the Constitution. But there is still the absence of any enacted law against sexual harassment.⁴ And there is still a problem with going to court on such matters, especially if Sections 354 and 509 cannot be invoked. After all, a FIR has to spell out the nature of the offence. And also spell out whether the crime is bailable and cognizable. The Law Commission⁵ recommended insertion of Section 376E in IPC to cover unlawful sexual conduct. The National Commission for Women repeats this recommendation. The Task Force on Women and Children seems to favour the broadening of the definition of rape to cover sexual assault also. However, since two distinct crimes are involved, that may not be the best way to approach matters. We will come to the definition of rape and its problems in a moment. But on sexual harassment or unlawful sexual conduct, it may be a better idea to insert a Section 376E. As far as one can make out, the recommendations are still pending with Ministry of Home Affairs.

Turning to rape, that is covered in Sections 375 and 376 of IPC. There are several problems with these sections. First, Section 375 has six circumstances that constitute rape. The sixth of these, with or without consent, is when the girl is under 16 years of age. There is no disagreement that this should be increased to 18 years and this view has been endorsed by both the Task Force and the National Commission for Women. This will also bring it in conformity with the Child Marriage Restraint Act of 1869. But the necessary amendment hasn't been done, because one has got bogged down in broader issues concerning Sections 375 and 376. Second, within these broader issues, is the exception clause to Section 375. This states, "Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape." This is not that simple a matter. The National Commission for Women favours deletion of this exception clause to cover marital rape also, but the Task Force favours a wider debate. Marital rape is not a separate offence under the IPC or any other statute, although Sections 319 and 320 of IPC can cover instances of "hurt". This is also for instances where the husband is not separated from the wife.⁶ In instances where the husband is not separated from the wife, marital rape may be a serious problem. But solving it is perhaps not as simple an issue as one of deleting the exception clause. Third, there is a problem with the explanation clause to Section 375, which states, "Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape." That this penile definition is inadequate is obvious⁷ and the afore-mentioned report of the Law Commission has suggested a broader

² *Vishaka Vs. State of Rajasthan and others* (AIR, 1997 SC 3011).

³ Also, *Apparel Export Promotion Council Vs. AK.Chopra* (AIR, 1999 SC 625).

⁴ Incorporating such principles in the *Standing Orders under the Industrial Employment (Standing Orders) Act, 1946*, is a second-best solution, as that doesn't touch the unorganized sector.

⁵ 172nd report on "Review of Rape Laws", March 2000.

⁶ If the husband is separated from the wife, since 1983, forced sexual intercourse amounts to rape, although the minimum sentence is only two years, compared to seven years for other cases of rape.

⁷ The insertion of a finger into the vagina of a seven-year-old girl, causing grave injury, is an offence of assault and not rape, *State of Punjab vs. Major Singh* AIR 1967 SC 63. The Mallimath Committee recommended inclusion of non-penile penetration as a separate offence.

definition of rape. Fourth, there is a question of enhancing penalties from the present 7 years. For instance, the National Commission for Women favours the death penalty in some cases. But that gets into a broader debate over the merits of capital punishment, as opposed to acceptable arguments (advanced by both the National Commission for Women and the Task Force) that there should be higher penalties when incest is involved or when HIV/AIDS is knowingly transmitted⁸. There is a related speculative proposition (advanced by the National Commission for Women) that there might even be statutory provisions for compensations to rape victims. On the entire rape issue, the sense one is left with is the following. The present IPC provisions are unsatisfactory and need to be changed. On some of these (enhanced penalties for incest, spreading HIV/AIDS, changing the penile definition, increasing the age of consent to 18 years) there is a greater degree of consensus. On others (marital rape, death penalty, making the wording of Section 375 completely gender neutral), there is a lesser degree of consensus. But hope for the latter amendments, which require debate, is holding up the former and that need not be the case.

However, handling rape issues is more than a matter of IPC⁹. There are also problems with procedural law. The Task Force didn't mention the Indian Evidence Act of 1872. But the National Commission for Women has mentioned Section 155(4) of the Indian Evidence Act. Section 155 states, "The credit of a witness may be impeached in the following ways by the adverse party, or, with the consent of the Court, by the party who calls him" and 155(4) adds, "when a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix was of generally immoral character". Past sexual history has been the bane of many rape trials, too numerous to enumerate. Clause 155(4) has now been amended and there is an explanation to Section 146 that in rape or rape-related cases, questions about general moral character cannot be raised in the course of cross-examination. While these amendments are welcome, there is probably still scope for reviewing some other sections of the Indian Evidence Act. Section 114 is a case in point. This states, "The Court may presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business, in their relation to the facts of the particular case." Since 1983, Section 114-A has clarified, "non-consent shall be presumed by courts where sexual intercourse by the accused is proved in the cases of custodial rapes, pregnant women, women under twelve years of age, and gang rape". However, in other cases, the fact that lack of consent must be proved beyond all reasonable doubt by the prosecution remains more or less unchanged in the rape law. In other words, Section 114 of the Indian Evidence Act probably needs further amendments.

The Criminal Procedural Code of 1973 is also linked to procedural delays. The National Commission for Women has a specific reference to Section 125 and this has been amended to hike maintenance to wives, children and parents to above Rs 500 per month, although there is no link yet to the monthly income of the person who is providing maintenance, as the National Commission wanted. Specifically, on rape cases, the afore-mentioned report of the Law Commission has specific suggestions on amending the Criminal Procedure Code. The Task Force has a general recommendation that infrastructure in courts should be improved and strengthened to

⁸ The Mallimath Committee recommended life imprisonment without commutation or remission.

⁹ For example, furnishing birth certificates is itself a problem. There is also an issue of the mindset of Courts. Among other things, courts tend to be lenient towards youth offenders.

bring speedy justice to cases against women. Two points need to be made in this connection. First, two-thirds of the backlog in the court system today is due to criminal cases. The Code of Civil Procedure was amended in 2001 and 2002 and that ought to reduce delays in civil cases. But parallel improvements in delivering speedy justice in criminal cases is still pending, the Justice Mallimath Committee's recommendations on improving the criminal justice system having been submitted in 2003. Speedy justice in cases involving violence against women is also related to an overall improvement in the criminal justice system. Second, having said that, both the Task Force and the National Commission for Women mention family courts and the Family Courts Act of 1984¹⁰. Other than increasing the number of family courts and improving their infrastructure and procedures, both suggest that the purview of family courts should be extended to cover criminal offences also. The Department of Justice rightly argues that family courts are meant for civil cases, although they do cover maintenance awards under the Code of Criminal Procedure. Criminal issues are dealt with by women's courts. But there is no statutory backing yet to the women's court system and the experience varies widely from State to State and some States have channelled women's courts into the fast track court set-up. Mirroring the Family Courts Act of 1984, should there therefore be a statute on women's courts?¹¹ Can there be a statutory requirement that such cases should be completed within say, four months?

We now move on to the domestic violence category. Since marital rape has already been covered, we will begin with dowry-related issues. There can also be other manifestations like wife-beating. The law related to dowry is the Dowry Prohibition Act of 1961 with its various amendments and the Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985. Sections in the Indian Penal Code (IPC) and the Indian Evidence Act also contain provisions on dowry. According to the Dowry Prohibition Act of 1961, taking dowry, helping in giving and taking dowry, asking for dowry, as well as advertising for dowry is an offence. According to Section 498A of the IPC, matrimonial cruelty is an offence and cruelty includes both physical and mental torture. According to Section 304B of the IPC, if a woman dies an unnatural death due to any burns or bodily injury or commits suicides etc. within seven years of a marriage, and before the death she was treated with cruelty or harassed by her husband or any relative of her husband, such a death is to be termed as 'dowry death' and the guilty can be prosecuted. According to the Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985, it is legally essential to make a list of all the gifts received at the time of wedding¹². However, presents given at the time of marriage are excluded and this provides a loophole. Note that the appointment of Dowry Prohibition Officers is not mandatory. The Indian Penal Code also contains provisions that deal with dowry. Section 498A of IPC deals with cruelty and harassment for dowry, and recognizes cruelty as a culpable offence. Notice also that there are allegations of misuse of Section 498A by women, including some voiced in court judgements. In addition, the Dowry Prohibition Act does not cover the case of dower or *meher* with respect to persons covered by the Muslim personal law or the *Shariat*. In a broader context, one

¹⁰ 61 family courts have been set up so far.

¹¹ Among other things, such statutes can incorporate suggestions like the one in the Law Commission's 154th report that some IPC offences against women should only be tried by courts that women preside over.

¹² Is it better to have two separate lists, one for the bride and the other for the bridegroom?

cannot continuously shy away from the question of a uniform civil code.¹³ The National Commission for Women suggested changes in some sections of the Muslim Personal Law (Shariat) Application Act of 1937, on non-dowry matters. That was rejected because government policy was not one of interfering with personal laws of the minority community.

To come back to dowry, the National Commission for Women doesn't have any specific suggestions on dowry. The Task Force has several recommendations. Some are specific. Others are more general. And some of the specific suggestions are probably non-workable, such as compulsory registration of marriage idea. Other suggestions like curbing exorbitant wedding expenses are also non-workable. In contrast, the point about making Dowry Prohibition Officers mandatory is workable. But one should note that their success, where appointed, is at best questionable. However, there is a valid case for reviewing the definition of dowry, providing for a time limit for trial of offences and introducing a differential penalty system for givers, as opposed to takers. In other words, there is a case for reviewing the dowry law, which to the best of one's knowledge, is not on the legislative canvas right now. In the process, one should also try to incorporate an operationally more precise definition of the term "mental cruelty". As things stand, the term is extremely ambiguous.

Let us now move on to institutionalised violence, quite often equated with prostitution. Prostitution *per se* is not considered to be a criminal offence. Rather, it is the act of sexual exploitation for commercial purposes, which is punishable under the Prevention of Immoral Traffic in Women and Girls Act of 1956. Both the National Commission for Women and the Task Force discuss this statute, with specific recommendations. One should go ahead with the suggested amendments. However, these haven't yet been done. And some of the amendments suggested are beyond question. For instance, in 1956, one couldn't anticipate that there would be a separate crime known as trafficking and that there would be international conventions on this. Hence, Sections 3 or 5 should be amended to reflect these and there should be a new section against the crime of trafficking. Nor can one question enhancement of punishments or compulsory registration of cases by enforcement agencies when children are found in brothel conditions. Section 13(3)(b) presently states, "the State Government may associate with the special police officer a non-official advisory body consisting of not more than five leading social welfare workers of that area (including women social welfare workers wherever practicable) to advise him on questions of general importance regarding the working of this Act". There is a suggestion that the association of a non-official advisory body be made mandatory. There are also recommendations about time limits for disposal of cases, longer detentions in corrective institutions and special courts, with appointment of honorary women magistrates. However, there is one recommendation made by both the National Commission and the Task Force that one has reservations about. This concerns enhanced punishments for HIV positive persons knowingly infecting victims of prostitution. This is indeed an issue. But one suspects that such a clause would simply be non-workable.

¹³ Contrary to some popular opinion, that uniform civil code won't be the civil code of the majority community.

In terms of mindsets, there is a more serious issue. What is prohibited? Prostitution, or commercial exploitation of women and children and trafficking? Section 7(1) and 8 of the statute need to be quoted. Section 7(1) states, "Any woman or girl who carries on prostitution, and the person with whom such prostitution is carried on, in any premises which are within a distance of two hundred yards of any place of public religious worship, educational institution, hostel, hospital, nursing home or such other public place of any kind as may be notified in this behalf by the Commissioner of Police of District Magistrate in the manner prescribed, shall be punishable with imprisonment for a term which may extend to three months." Section 8 adds, "Whoever, in any public place or within sight of, and in such manner as to be seen or heard from, any public place, whether from within any building or house or not- (a) by words, gestures, wilful exposure of her person (whether by sitting by a window or on the balcony of a building or house or in any other way) or otherwise tempts or endeavours to tempt, or attracts or endeavours to attract the attention of, any person for the purpose of prostitution; or (b) solicits or molests any person, or loiters or acts in such manner as to cause obstruction or annoyance to persons residing nearby or passing by such public place or to offend against public decency, for the purpose of prostitution, shall be punishable on first conviction with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and in the event of a second or subsequent conviction, with imprisonment for a term which may extend to one year, and also with fine which may extend to five hundred rupees." The point to be noted is police harassment faced by sex workers thanks particularly to Section 8. It isn't quite recognized as profession and there is no right to unionise or demand better working conditions. Indeed, one detects this schizophrenia also in the recommendations of the National Commission and the Task Force. The latter recommends deletion of Section 8, while the former hedges. Be that as it may, there is a need to review and quickly amend the 1956 statute.

Before concluding this section on violence against women, one should mention a few other statutes that are also related to the violence issue. For instance, the Task Force lists the Indecent Representation of Women (Prohibition) Act of 1986 and the Commission of Sati (Prevention) Act of 1987. In addition, the National Commission for Women mentions the Medical Termination of Pregnancy Act of 1971 and the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act of 1994. Perhaps one should include the Cinematograph Act of 1952 in the same category.

Take the Indecent Representation of Women (Prohibition) Act of 1986 first. Despite being enacted in 1986, it failed to anticipate the advent of modern information technology. Consequently, words like "advertisement" or "publish" need to be redefined. There isn't any problem with enhancing the penalties either. But there are two other issues, on one of which, one tends to side with the National Commission. And on the other, one tends to side with the Task Force. First, the National Commission wants a new Section 5-A that provides for cognizance of offences on the basis of complaints from gazetted officers or voluntary organizations. The Task Force sees no such need. And one tends to side with the Task Force because such a provision is likely to be misused. The Task Force suggests a separate judicial forum for disposal of such cases, while the National Commission for Women has no such idea. On this, one tends to side with the National Commission. There is a need to speed up justice delivery and that is a general problem. However, one can't keep arguing for separate forums all the time. Why have the suggested amendments got stuck? Because of Section 2© and the definition of indecent representation of women. Right now, "indecent representation of women" means the depiction in any manner of the

figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to, or denigrating, women, or is likely to deprave, corrupt or injure the public morality or morals". While this is somewhat of a subjective issue, surely it doesn't take such a long time to conjure up an acceptable definition. Or implement suggestions made by the Task Force on the Cinematograph Act of 1952, which are all primarily about representation of women on the Board of Film Certification, the Central Advisory Committee and Advisory Committees. There is scope for a broader debate on questions of film certification and censorship, but that is irrelevant for present purposes.

Ditto for the Commission of Sati (Prevention) Act of 1987. There can be no quarrel with enhancement of punishment and fines, especially for glorification of sati, recommended both by the National Commission and the Task Force. The National Commission for Women favours special courts and for offences to be made cognizable and non-bailable. For reasons mentioned earlier, special courts are probably unnecessary. The only controversial section, if at all, is Section 3. This states, "Notwithstanding anything contained in the Indian Penal Code (45 of 1860), whoever attempts to commit sati and does any act towards such commission shall be punishable with imprisonment for a term which may extend to six months or with fine or with both." The Task Force rightly thinks that the woman is invariably a victim and Section 3 should be deleted. The National Commission is ambivalent. Whatever is done to Section 3, surely amendments to the Commission of Sati (Prevention) Act of 1987 shouldn't take that long.

Finally, one is left with the Medical Termination of Pregnancy Act of 1971 and the Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act of 1994, amendments having been suggested by the National Commission. Required legislative changes have already been implemented, although Sections 91 and 312 of the Indian Penal Code also require changes.

Section 4: Gender bias in property and personal laws

Barring an addendum on land rights for women, the Task Force stays away from gender biases in property and personal laws. The National Commission for Women lists the Guardians and Wards Act of 1890, the Indian Succession Act of 1925, the Hindu Succession Act of 1956, the Hindu Adoptions and Maintenance Act of 1956, the Hindu Marriage Act of 1955, the Special Marriage Act of 1954, the Foreign Marriage Act of 1969, the Muslim Personal Law (Shariat) Application Act of 1937, the Indian Divorce Act of 1869, the Married Women's Property Act of 1874 and the Hindu Minority and Guardianship Act of 1956.

Empowerment of women, leading to an equal social status in society hinges, among other things, on their right to hold and inherit property. The Hindu Succession Act, 1956 applies to all the Hindus including Buddhists, Jains and Sikhs. It lays down a uniform and comprehensive system of inheritance and applies to those governed both by the Mitakshara and the Dayabhaga Schools and also to those in South India governed by the Murumakkattayam, Aliyasantana, Nambudri and other systems of Hindu Law. The Act of 1956 brought about changes in the law of succession and gave women rights that were hitherto unknown, such as allowing her full ownership rights instead of limited rights in the property she inherits under Section 14, with a fresh stock of heirs under Sections 15 and 16. The daughters are also granted property

rights in their father's estate. In the matter of succession to the property of a Hindu male dying intestate, the Act lays down a set of general rules in Sections 8 to 13.

But there are caveats. This did not interfere with the special rights of those who are members of a Mitakshara coparcenary, except to provide rules for devolution of the interest of a deceased in certain cases. In Section 6 of the Act, the Mitakshara Coparcenary was retained. Under the Mitakshara law, on birth, the son acquires a right and interest in the family property. According to this school, a son, grandson and a great grandson constitute a class of coparceners, based on birth in the family. No female is a member of the coparcenary in Mitakshara law. Under the Mitakshara system, joint family property devolves by survivorship within the coparcenary. This means that with every birth or death of a male in the family, the share of every other surviving male either gets diminished or enlarged. If a coparcenary consists of a father and his two sons, each would own one third of the property. If another son is born in the family, automatically the share of each male is reduced to one fourth. Therefore, in the case of a joint family, a daughter gets only a smaller share than the son. While sharing of father's property between brother and sister is equal, the brother – in addition – is entitled to a share in the coparcenary from which the sister is excluded. Further, if the family owned a dwelling house, the daughter's right thereon is confined only to the right of residence. Section 23, has the provision of denying a married daughter the right to residence in the parental home unless widowed, deserted or separated from her husband and further denying any daughter the right to demand her share in the house if occupied by male family members. This right is not denied to a son. The patrilineal assumption is also reflected in the laws governing a Hindu female who dies intestate. The law in her case is markedly different from those governing Hindu males. The property is to devolve first to her children and husband; secondly, to her husband's heirs; thirdly to her father's heirs, and lastly, to her mother's heirs. The provision of Section 15(2) of the Hindu Succession Act is indicative again of a tilt towards the male, as it provides that any property she inherited from her father or mother should devolve, in the absence of any children, to her father's heirs and similarly, any property she inherited from her husband or father-in-law, to her husband's heirs. There have been State amendments, to allow daughters coparcenary rights, in Kerala, Andhra Pradesh, Tamil Nadu, Maharashtra and Karnataka. Amendments to the Hindu Succession Act were also recommended by the Law Commission.¹⁴ The specific suggestions are - granting daughters coparcenary rights in the ancestral property (so that they would be entitled to and get their shares on partition or on the death of the male coparcener and hold thereafter as tenants in common); allowing daughters including widows, full right of residence in their parental dwelling house (deleting Section 23 altogether); and restricting the power of a person to bequeath property by way of testamentary disposition extending to one-half or one-third of the property. It is necessary to mention that amendments to Sections 2, 3, 4, 6, 23 and 30 of the Hindu Succession Act have recently been approved by the Cabinet.

But the Guardians and Wards Act of 1890 remains. Several sections (10(1)(b), 19(a), 19(b), 21, 41(1)(d)) don't treat a woman equally. And there are similar offensive sections (15, 16, 22(1), 60) in the Indian Succession Act of 1925. Or Section 8 of the Hindu Adoptions and Maintenance Act of 1956 and Sections 6, 7

¹⁴ 174th Report on "Property Rights of Women: Proposed Reforms under the Hindu Law", May 2000.

and 9 of the Hindu Minority and Guardianship Act of 1956. The National Commission for Women has identified sections that need amendments in all these statutes. Since there is consensus, there is no reason for delays.

We now move on to personal laws, which cover divorce, maintenance and bigamy. Law relating to marriage and/or divorce has been codified in different enactments applicable to people of different religions. These are:

1. The Converts' Marriage Dissolution Act, 1866;
2. The Indian Divorce Act, 1869;
3. The Indian Christian Marriage Act, 1872;
4. The Kazis Act, 1880;
5. The Anand Marriage Act, 1909;
6. The Child Marriage Restraint Act, 1929¹⁵;
7. The Parsi Marriage and Divorce Act, 1936;
8. The Dissolution of Muslim Marriage Act, 1939;
9. The Special Marriage Act, 1954;
10. The Hindu Marriage Act, 1955;
11. The Foreign Marriage Act, 1969; and
12. The Muslim Women (Protection of Rights on Divorce) Act, 1986.

The Special Marriage Act of 1954 extends to the whole of India, except the State Jammu and Kashmir. Persons governed by the Special Marriage Act can specifically register marriage under this statute, even though they are of different religious faiths. An attempt has been made to codify customary law, which is prevalent among Hindus, by enacting the Hindu Marriage Act, 1955, which also applies to Buddhists, Sikhs, Jains and those who are not Muslims, Christians, Parsis or Jews by religion. However, the Act does not apply to members of any scheduled tribes, unless the Central Government by notification in the official Gazette otherwise directs.

Provisions on divorce are contained in Section 13 of the Hindu Marriage Act and Section 27 of the Special Marriage Act. Common grounds on which divorce can be sought by a husband or a wife under these Acts fall under broad heads: adultery, desertion, cruelty, unsoundness of mind, venereal disease, leprosy, mutual consent and being not heard of as alive for seven years. The Hindu Adoptions and Maintenance Act also provides for the Hindu woman's right to live separately from her husband in very exceptional circumstances, and claim maintenance even without obtaining a court order of judicial separation. For all others, in the petition for judicial separation that is being presented in court, the ancillary relief of maintenance and alimony adequate for a permanent and separate shelter may be asked for. An injunction order, preventing the spouse from disturbing at the place of residence or work can also be obtained. Since Muslim personal law does not recognize the concept of judicial separation, no rights flow from a separation under this law. As regards the Christian community, provisions relating to marriage and divorce are contained in the Indian Christian Marriage Act, 1872 and in Section 10 of the Indian Divorce Act, 1869 respectively. But these have been superceded by the new Christian Marriage Act

¹⁵ There is already a draft Bill amending this statute, with enhanced punishments and provisions for making crimes cognizable. However, amendments to the IPC and the Criminal Procedure Code will also be necessary.

(2001). For Parsis, after an amendment in 1988, the Parsi Marriage and Divorce Act of 1936 more or less follows the Hindu Marriage Act of 1955.

For non-Muslims, a generalization is plausible. That there isn't much of a statutory problem with divorce or judicial separation. Time-consuming procedures are a different matter. Consider, for instance, the amendments proposed to the Hindu Marriage Act of 1955 by the National Commission – epilepsy and leprosy not to be acceptable grounds for divorce, but HIV/AIDS and irretrievable breakdown of marriages to be valid reasons. Exemptions to STs under Section 2(2) to be scrapped. Section 13(1A), on absence of conjugal rights for a period of one year or more, to be deleted as grounds for divorce. Proposed changes to the Special Marriage Act of 1954 mirror these, with additional provisions like hiking the age of the male in Section 15(d) to 21 years and that of the female to 18 years and reducing the period from 7 years to 3 years under Section 27(1)(h).¹⁶ Nor should one object to more stringent provisions on bigamy – proposed under Section 17 of the Hindu Marriage Act¹⁷ and Section 4A of the Special Marriage Act¹⁸. The only reservation one has is about a proposal mentioned before – compulsory registration of marriages under Section 8 of the Hindu Marriage Act, the present registration provisions being optional. It is true that all non-Hindu laws require registration of marriage. It is also true that women suffer the most from non-registration. But is a mandatory requirement of registration workable?

But that generalization about divorce or judicial separation not being much of a statutory problem isn't quite true once one considers Muslim law. There are known problems with the triple *talaq* system and with polygamy. There are also perceived, or real, conflicts between Articles 25 and 44 of the Constitution. For perfectly understandable reasons, both the National Commission for Women and the Task Force stay away from such controversial matters. However, as a country, this is not an issue that can be brushed under the carpet.

Divorce issues are linked to subsequent maintenance issues. Again as a generalization, this is probably not much of a statutory issue for Muslim women.¹⁹ And, as was mentioned earlier, the Criminal Procedure Code has been amended. However, there are still problems with the Hindu Adoptions and Maintenance Act of 1956. On this statute, proposed amendments concern Section 8, to give equal rights to married Hindu women to adopt children. But this statute also states that in assessing the amount of maintenance, the court takes into account various factors like position and liabilities of the husband. It also judges whether the wife is justified in living apart from husband. Such subjectivity is unnecessary. But a more serious issue is the lengthy procedure and the non-compliance of maintenance allowance by the husband to the ex-wife. There are Family Courts to specifically look into issues related to marriage, divorce and maintenance, but problems persist. The procedure

¹⁶ Amendments to the Foreign Marriage Act of 1969 are understandably premature until these core laws are changed.

¹⁷ Plus a new Section 5A that prevents motivated conversions so as to enter into polygamous relationships.

¹⁸ However, Section 494 of the Indian Penal Code also needs to be suitably amended.

¹⁹ Especially after the Supreme Court's judgment in *Danial Lattifi & another Vs Union of India*, upholding the Constitutional validity of the Muslim Women (Protection of Rights on Divorce) Act of 1986.

(under Section 125 of the Code of Criminal Procedure) requires that the burden of proving the factum of marriage is on the applicant. When summons or notices are sent, the role of the police becomes very important and manipulations are easily made to delay proceedings. Usually a maintenance matter takes at least 2 years to 3 years to be finally disposed. The most time taken is in the service of notices and getting the evidence or examining the witnesses. Because of the inability of the court to physically verify the report given by the police or the official messenger, the respondent enjoys the liberty of delay. Moreover, even after the decree is awarded, non-compliance of the maintenance is quite common and the women usually need to file another case for seeking compliance. This defeats the purpose of maintenance. There are thus issues connected with procedures followed by Family Courts and indeed, there is the broader question of a social security system itself.

Section 5: Labour laws

If one goes back and takes a re-look at the statutes considered by the Task Force and the National Commission for women, one finds that the following are still left for consideration – the Employees' State Insurance Act, 1948, the Maternity Benefit Act, 1961, the Factories Act, 1948, the Minimum Wages Act, 1948, the Bonded Labour System (Abolition) Act, 1976, the Maternity Benefit Act, 1961, the Child Labour (Prohibition and Regulation) Act, 1986, the Equal Remuneration Act, 1976, the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, the Contract Labour (Regulation and Abolition) Act, 1970, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, the Payment of Wages Act, 1936, the Plantation Labour Act, 1951 and the Workmen's Compensation Act, 1923. Of these, the proposed amendments to the Child Labour (Prohibition and Regulation) Act don't have any direct gender angle.

On the others, there aren't any complaints about the individual suggestions made. Here is a sample. There will be a new section in the Employees' State Insurance Act to extend its coverage to women workers covered by the Maternity Benefit Act. There will be a new section in the Maternity Benefit Act to stipulate that maternity benefits are additional to any other benefits obtained under any other law. Under the Factories Act, there will be restrictions on women being employed in certain occupations. There will be separate facilities and rest rooms for male and female workers. There will be crèches in every factory that employs more than 30 workers, male or female. There will be at least one woman on the managing committee. Women will be permitted to work in night shifts in factories. There will be separate information centers for women in all factories. Under the Minimum Wages Act, there will be greater representation of women in the Central Advisory Board. Under the Bonded Labour System (Abolition) Act, there will be more representation of women on the Vigilance Committee. Under the Maternity Benefit Act, maternity benefit provisions need to be extended. Under the Equal Remuneration Act, 50% of officers appointed to hear and decide claims or complaints should be women. Under the Beedi and Cigar Workers (Conditions of Employment) Act, there should be a provision for crèches and greater representation of women on Advisory Committees. Under the Contract Labour (Regulation and Abolition) Act, there should be provision for separate rest rooms and latrines and representation on the Central Advisory Contract Labour Board from the Department of Women and Child Development. Under the Inter-State Migrant Women (Regulation of

Employment and Conditions of Service) Act, there could be provisions for maternity leave and crèches and the title of the statute should be made gender neutral. Under the Plantation Labour Act, there should be provision for crèches and medical facilities and greater appointment of women as Commissioners and Welfare Officers. Under the Workmen's Compensation Act, apart from making the title of the statute gender neutral, there should be provisions for examining women workers by female practitioners.

While these suggestions are unexceptionable, especially those on maternity leave, crèches, rest rooms, separate information centers for women and greater representation of women, there is a more fundamental issue. There is a broader agenda of labour law reform, which these suggestions for amendments in individual statutes don't address. Under Article 246 of the Indian Constitution, labour is in the concurrent list (item 22 on trade unions, industrial and labour disputes; item 23 on social security and social insurance, employment and unemployment; item 24 on welfare of labour including conditions of work, provident funds, employer's liability, workmen's compensation, invalidity and old age pensions and maternity benefits). There are exceptions like labour and safety in mines and oilfields and industrial disputes concerning Union employees that are in the Central list. This issue is important because there are inter-State variations in labour laws.

Subject to the comment that was made about labour being on the concurrent list, here is a list of Central labour laws. There are several associated rules.

1. *Apprentices Act, 1961*
2. *Beedi and Cigar Workers (Conditions of Employment) Act, 1966*
3. *Beedi Workers Welfare Cess Act, 1976*
4. *Beedi Workers Welfare Fund Act, 1976*
5. *Bonded Labour System (Abolition) Act, 1976*
6. *Child Labour (Prohibition and Regulation) Act, 1986*
7. *Children (Pledging of Labour) Act, 1933*
8. *Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981*
9. *Cine-Workers Welfare Cess Act, 1981*
10. *Cine-Workers Welfare Fund Act, 1981*
11. *Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948*
12. *Contract Labour (Regulation and Abolition) Act, 1970*
13. *Dock Workers (Regulation of Employment) Act, 1948*
14. *Dock Workers (Safety, Health and Welfare) Act, 1986*
15. *Employees' Provident Funds and Miscellaneous Provisions Act, 1952*
16. *Employees' State Insurance Act, 1948*
17. *Employers' Liability Act, 1938*
18. *Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959*
19. *Equal Remuneration Act, 1976*
20. *Factories Act, 1948*
21. *Fatal Accidents Act, 1855*
22. *Industrial Disputes Act, 1947*
23. *Industrial Employment (Standing Orders) Act, 1946*
24. *Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979*

25. *Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Cess Act, 1976*
26. *Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976*
27. *Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988*
28. *Limestone and Dolomite Mines Labour Welfare Fund Act, 1972*
29. *Maternity Benefit Act, 1961*
30. *Mica Mines Labour Welfare Fund Act, 1946*
31. *Mines Act, 1952*
32. *Minimum Wages Act, 1948*
33. *Motor Transport Workers Act, 1961*
34. *Payment of Bonus Act, 1965*
35. *Payment of Gratuity Act, 1972*
36. *Payment of Wages Act, 1936*
37. *Personal Injuries (Compensation Insurance) Act, 1963*
38. *Plantations Labour Act, 1951*
39. *Public Liability Insurance Act, 1991*
40. *Sales Promotion Employees (Conditions of Service) Act, 1976*
41. *Trade Unions Act, 1926*
42. *Weekly Holidays Act, 1942*
43. *Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955*
44. *Working Journalists (Fixation of Rates of Wages) Act, 1958*
45. *Workmen's Compensation Act, 1923*

Not only is this a list of Central labour-related statutes alone, it is a list of statutes that have something to do directly with labour. If one includes the ones that indirectly have something to do with labour, the list is longer. For example, the *Boilers Act (1923)*, the *Collection of Statistics Act (1953)*, the *Dangerous Machines (Regulations) Act (1983)* and the *Emigration Act (1983)* indirectly impinge on labour. Do we really need 45 and more statutes, not to speak of the rules? Apart from the Constitutional angle of the Seventh Schedule, are special statutes needed for cine-workers, dock-workers, motor transport workers, sales promotion employees, plantation labour, working journalists and workers in mines? The time span of the legislation is from the *Fatal Accidents Act of 1855* to the *Public Liability Insurance Act of 1991*. Over a period of time, concepts and definitions have changed. So has the case law, contributing to further confusion. For example, there is lack of unanimity about definitions of wages, workman, employee, factory, industry and child labour. Case law also differs, causing further confusion. There is case law whereby the manufacture of *bidis* is not an industry, but the press and publication departments of Andhra and Osmania universities are factories. Reforming labour law has many dimensions and issues like reducing State intervention in industrial relations, particularly the Industrial Disputes Act, are identified with an exit policy for labour and are therefore controversial. But unification and harmonization is an issue on which there should be no lack of consensus. Most labour laws only apply to the organized sector, while the unorganized sector is outside the purview of virtually all protection. To muddy matters further, there are at least three definitions of organized, although they do largely overlap. First, there is the standard definition through labour laws, that is, organized means non-agricultural establishments that employ 10 or more

persons and use power or employ 20 or more persons and don't use power. Second, there is a small-scale sector definition, through threshold levels of investment in plant and machinery. Third, there is a threshold level of turnover below which one doesn't pay excise.

Beyond the agenda of the Industrial Disputes Act, the agenda of labour law reform thus involves a question of unification and harmonization and extending labour laws to the unorganized sector, with perhaps all laws rationalized into three heads – wage related, social security related and industrial relations related. The National Labour Code, proposed in 1994, and the report of the Second National Commission on Labour, which submitted a report in 2002, both have such an integration and rationalization of labour laws in mind. In the present context, the point is a simple one. It is known that such a rationalization exercise will happen sooner or later. Pending that, should one tinker with sections in existing statutes, which both the National Commission and the Task Force attempt to do? Or should one integrate the gender concerns into the rationalization exercise that is eventually inevitable? The latter ought to be the preferred choice.

Section 6: In conclusion

It is impossible to satisfactorily conclude such a paper. To go back to the quote from the NCMP, "Complete legal equality for women in all spheres will be made a practical reality, especially by removing discriminatory legislation and by enacting new legislation that gives women, for instance, equal rights of ownership of assets like houses and land." Given this quote, some obvious points emerge. First, a gender sensitive examination of all 1053 Central statutes is still missing. Second, ensuring women property rights cannot get away from the issue of rights to land. And that requires an examination of land laws as well, a State subject. Third, on personal laws, one cannot get away from the question of a uniform civil code. Fourth, on labour-related laws, the recommendations of both the National Commission for Women and the Task Force reflect a piece meal and ad hoc approach to specific statutes. What is instead required is a complete overhaul of the labour law framework. This comment also extends to the criminal justice system in general. Fifth, in other instances, where specific amendments have been proposed, implementation has generally been tardy, since no time frames are ever indicated for implementation. It is a moot point whether implementation of such recommendations should be mandatorily included in action taken reports, or incorporated in Right to Information Act provisions. Sixth, Family Courts need improvement and perhaps a statutory backing should be given to the system of Women's Courts.

Annexure 1: Chronological List of Central Acts

- (1) 1836 – Bengal Indigo Contracts Act
- (2) 1836 – Bengal Districts Act
- (3) 1837 – Madras Public Property Malversation Act
- (4) 1838 – Bengal Bonded Warehouse Association Act
- (5) 1838 – Coasting Vessels Act
- (6) 1839 – Madras Rent and Revenue Sales Act
- (7) 1841 – Bengal Land Revenue Sales Act
- (8) 1842 – Bombay Revenue Act
- (9) 1842 – Bombay Revenue Commissioners Act
- (10) 1842 – Sale of Land for Revenue Arrears Act
- (11) 1846 – Boundary-marks Bombay Act
- (12) 1847 – Boundaries Act
- (13) 1847 – Bengal Alluvion and Diluvion Act
- (14) 1848 – Bengal Land Holders' Attendance Act
- (15) 1849 – Madras Revenue Commissioner Act
- (16) 1850 – Public Accountants' Defaults Act
- (17) 1850 – Judicial Officers Protection Act
- (18) 1850 – Caste Disabilities Removal Act
- (19) 1850 – Calcutta Land Revenue Act
- (20) 1850 – Forfeited Deposits Act
- (21) 1850 – Improvements in Towns Act
- (22) 1850 – Public Servants (Inquiries) Act
- (23) 1851 – Indian Tolls Act
- (24) 1851 – Madras City Land Revenue Act
- (25) 1852 – Sheriffs' Fees Act
- (26) 1852 – Bombay Rent-free Estate Act
- (27) 1853 – Rent Recovery Act
- (28) 1853 – Shore Nuisances (Bombay and Kolaba) Act
- (29) 1854 – Bengal Bonded Warehouse Association Act
- (30) 1854 – Agra Police Act
- (31) 1855 – Legal Representatives' Suits Act
- (32) 1855 – Fatal Accidents Act
- (33) 1855 – Usury Laws Repeal Act
- (34) 1855 – Bengal Embankment Act
- (35) 1855 – Sonthal Parganas Act
- (36) 1856 – Indian Bills of Lading Act
- (37) 1856 – Calcutta Land Revenue Act
- (38) 1856 – Bengal Chaukidari Act
- (39) 1857 – Tobacco Duty (Town of Bombay) Act
- (40) 1857 – Oriental Gas Company Act
- (41) 1857 – Madras Unconventured Officers' Act
- (42) 1857 – Sonthal Parganas Act
- (43) 1857 – Howrah Offences Act
- (44) 1858 – Madras Compulsory Labour Act
- (45) 1859 – Bengal Ghatwali Lands Act
- (46) 1859 – Bengal Rent Act
- (47) 1859 – Bengal Land Revenue Sales Act
- (48) 1859 – Calcutta Pilots Act
- (49) 1860 – Madras District Police Act
- (50) 1860 – Societies Registration Act
- (51) 1860 – Indian Penal Code
- (52) 1861 – Police Act
- (53) 1861 – Stage Carriages Act
- (54) 1862 – Government Seal Act
- (55) 1863 – Excise (Spirits) Act
- (56) 1863 – Partition of Revenue-paying Estates Act

- (57) 1863 - Religious Endowments Act
 (58) 1863 - Waste-Lands (Claims) Act
 (59) 1864 - Indian Tolls Act
 (60) 1865 - Carriers Act
 (61) 1866 - Converts' Marriage Dissolution Act
 (62) 1866 - Oudh Sub-settlement Act
 (63) 1867 - Ganges Tolls Act
 (64) 1867 - Public Gambling Act
 (65) 1867 - Oriental Gas Company Act
 (66) 1867 - Sarais Act
 (67) 1867 - Press and Registration of Books Act
 (68) 1869 - Oudh Estates Act
 (69) 1869 - Indian Divorce Act
 (70) 1869 - Bombay Civil Courts Act
 (71) 1870 - Court Fees Act
 (72) 1870 - Oudh Taluqdars' Relief Act
 (73) 1871 - Cattle-trespass Act
 (74) 1871 - Coroners Act
 (75) 1871 - Dehra Dun Act
 (76) 1871 - Pensions Act
 (77) 1872 - Indian Evidence Act
 (78) 1872 - Punjab Laws Act
 (79) 1872 - Indian Contract Act
 (80) 1872 - Indian Christian Marriage Act
 (81) 1873 - Madras Civil Courts Act
 (82) 1873 - Government Savings Banks Act
 (83) 1873 - Northern India Canal and Drainage Act
 (84) 1873 - North-Eastern Provinces Village and Road Police Act
 (85) 1874 - Married Women's Property Act
 (86) 1874 - Foreign Recruiting Act
 (87) 1874 - Laws Local Extent Act
 (88) 1875 - Indian Majority Act
 (89) 1875 - Indian Law Reports Act
 (90) 1875 - Central Provinces Laws Act
 (91) 1876 - Chota Nagpur Encumbered Estates Act
 (92) 1876 - Bombay Revenue Jurisdiction Act
 (93) 1876 - Bombay Municipal Debentures Act
 (94) 1876 - Oudh Laws Act
 (95) 1876 - Dramatic Performances Act
 (96) 1877 - Broach and Kaira Incumbered Estates Act
 (97) 1878 - Indian Treasure-trove Act
 (98) 1878 - Northern India Ferries Act
 (99) 1879 - Elephants' Preservation Act
 (100) 1879 - Hackney-carriage Act
 (101) 1879 - Dekkhan Agriculturists Relief Act
 (102) 1879 - Legal Practitioners Act
 (103) 1879 - Raipur and Khattra Laws Act
 (104) 1880 - Religious Societies Act
 (105) 1880 - Kazis Act
 (106) 1881 - Municipal Taxation Act
 (107) 1881 - Fort William Act
 (108) 1881 - Obstructions in Fairways Act
 (109) 1881 - Central Provinces Land-revenue Act
 (110) 1881 - Negotiable Instruments Act
 (111) 1882 - Indian Trusts Act
 (112) 1882 - Transfer of Property Act
 (113) 1882 - Indian Easements Act
 (114) 1882 - Powers-of-Attorney Act
 (115) 1882 - Presidency Small Cause Courts Act
 (116) 1882 - Madras Forest (Validation) Act

- (117) 1883 - Bikrama Singh's Estates Act
- (118) 1883 - Land Improvement Loans Act
- (119) 1883 - Punjab District Boards Act
- (120) 1884 - Explosives Act
- (121) 1884 - Agriculturists' Loans Act
- (122) 1885 - Bengal Tenancy Act
- (123) 1885 - Indian Telegraph Act
- (124) 1885 - Land Acquisition (Mines) Act
- (125) 1886 - Mirzapur Stone Mahal Act
- (126) 1886 - Births, Deaths and Marriages Registration Act
- (127) 1886 - Indian Tramways Act
- (128) 1886 - Oudh Wasikas Act
- (129) 1887 - Suits Valuation Act
- (130) 1887 - Provincial Small Cause Courts Act
- (131) 1887 - Bengal, Agra and Assam Civil Courts Act
- (132) 1887 - Punjab Tenancy Act
- (133) 1887 - Punjab Land Revenue Act
- (134) 1887 - King of Oudh's Estate Act
- (135) 1888 - Police Act
- (136) 1888 - Indian Reserve Forces Act
- (137) 1888 - Indian Tolls Act
- (138) 1888 - City of Bombay Municipal (Supplementary) Act
- (139) 1888 - King of Oudh's Estate Act
- (140) 1889 - Metal Tokens Act
- (141) 1890 - Revenue Recovery Act
- (142) 1890 - Charitable Endowments Act
- (143) 1890 - Guardians and Wards Act
- (144) 1890 - Excise (Malt Liquors) Act
- (145) 1890 - United Provinces Act
- (146) 1891 - Easements (Extending Act 5 of 1882)
- (147) 1891 - Murshidabad Act
- (148) 1891 - Colonial Courts of Admiralty (India) Act
- (149) 1891 - Bankers' Books Evidence Act
- (150) 1892 - Marriages Validation Act
- (151) 1892 - Bengal Military Police Act
- (152) 1892 - Madras City Civil Court Act
- (153) 1892 - Government Management of Private Estates Act
- (154) 1893 - Porahat Estate Act
- (155) 1893 - Partition Act
- (156) 1893 - Sir Dinshaw Maneckjee Petit
- (157) 1894 - Land Acquisition Act
- (158) 1894 - Prisons Act
- (159) 1895 - Government Grants Act
- (160) 1897 - Epidemic Diseases Act
- (161) 1897 - Indian Fisheries Act
- (162) 1897 - Amending Act
- (163) 1897 - Reformatory Schools Act
- (164) 1897 - General Clauses Act
- (165) 1897 - Indian Short Titles Act
- (166) 1898 - Lepers Act
- (167) 1898 - Indian Post Office Act
- (168) 1898 - Live-stock Importation Act
- (169) 1898 - Central Provinces Tenancy Act
- (170) 1899 - Indian Stamp Act
- (171) 1898 - Government Buildings Act
- (172) 1898 - Glanders and Farcy Act
- (173) 1898 - Church of Scotland Kirk Sessions Act
- (174) 1898 - Central Provinces Court of Wards Act
- (175) 1900 - Prisoners Act
- (176) 1901 - Indian Tolls (Army and Air Force) Act

- (177) 1901 - Amending Act
- (178) 1902 - Imperial Library (Indentures Validation) Act
- (179) 1902 - Indian Tramways Act
- (180) 1903 - Amending Act
- (181) 1903 - Works of Defence Act
- (182) 1903 - Victoria Memorial Act
- (183) 1904 - Ancient Monuments Preservation Act
- (184) 1905 - Indian Railway Board Act
- (185) 1906 - Coinage Act
- (186) 1908 - Code of Civil Procedure
- (187) 1908 - Explosive Substances Act
- (188) 1908 - Central Provinces Financial Commissioner's Act
- (189) 1908 - Indian Criminal Law Amendment Act
- (190) 1908 - Indian Ports Act
- (191) 1908 - Registration Act
- (192) 1909 - Presidency-towns Insolvency Act
- (193) 1909 - Anand Marriage Act
- (194) 1910 - Dourine Act
- (195) 1910 - Indian Electricity Act
- (196) 1910 - Indian Museum Act
- (197) 1911 - Prevention of Seditious Meetings Act
- (198) 1912 - Co-operative Societies Act
- (199) 1912 - Bengal, Bihar and Orissa and Assam Laws Act
- (200) 1912 - Wild Birds and Animals Protection Act
- (201) 1912 - Delhi Laws Act
- (202) 1913 - Official Trustees Act
- (203) 1913 - White Phosphorus Matches Prohibition Act
- (204) 1913 - Mussalman Wakf Validating Act
- (205) 1914 - Destructive Insects and Pests Act
- (206) 1914 - Local Authorities Loans Act
- (207) 1915 - Delhi Laws Act
- (208) 1915 - Sir Jamsetjee Jejeebhoy Baronetcy Act
- (209) 1915 - Banaras Hindu University Act
- (210) 1916 - Indian Medical Degrees Act
- (211) 1916 - Hindu Disposition of Property Act
- (212) 1917 - Inland Vessels Act
- (213) 1917 - Destruction of Records Act
- (214) 1917 - King of Oudh's Estate Validation Act
- (215) 1917 - Post Office Cash Certificates Act
- (216) 1918 - Cinematograph Act
- (217) 1918 - Usurious Loans Act
- (218) 1918 - Bronze Coin (Legal Tender) Act
- (219) 1919 - Local Authorities Pensions and Gratuities Act
- (220) 1919 - Poisons Act
- (221) 1919 - Calcutta High Court (Jurisdictional Limits) Act
- (222) 1920 - Provincial Insolvency Act
- (223) 1920 - Indian Securities Act
- (224) 1920 - Charitable and Religious Trusts Act
- (225) 1920 - Indian Red Cross Society Act
- (226) 1920 - Indian Rifles Act
- (227) 1920 - Identification of Prisoners Act
- (228) 1920 - Passport (Entry into India) Act
- (229) 1920 - Aligarh Muslim University Act
- (230) 1921 - Maintenance Orders Enforcement Act
- (231) 1922 - Delhi University Act
- (232) 1922 - Police (Incitement to Disaffection) Act
- (233) 1923 - Indian Boilers Act
- (234) 1923 - Cantonments (House Accommodation) Act
- (235) 1923 - Indian Naval Armament Act
- (236) 1923 - Workmen's Compensation Act

- (237) 1923 - Official Secrets Act
- (238) 1923 - Legal Practitioners (Women) Act
- (239) 1923 - Mussalman Wakf Act
- (240) 1925 - Cantonments Act
- (241) 1925 - Bengal Criminal Law Amendment (Supplementary) Act
- (242) 1925 - Indian Soldiers (Litigation) Act
- (243) 1925 - Provident Funds Act
- (244) 1925 - Sikh Gurdwaras (Supplementary) Act
- (245) 1925 - Indian Carriage of Goods by Sea Act
- (246) 1925 - Madras, Bengal and Bombay Children (Supplementary) Act
- (247) 1925 - Indian Succession Act
- (248) 1926 - Promissory Notes (Stamp) Act
- (249) 1926 - Trade Unions Act
- (250) 1926 - Legal Practitioners (Fees) Act
- (251) 1926 - Indian Bar Councils Act
- (252) 1927 - Indian Forest Act
- (253) 1927 - Light House Act
- (254) 1928 - Hindu Inheritance (Removal of Disabilities) Act
- (255) 1929 - Child Marriage Restraint Act
- (256) 1929 - Transfer of Property (Amendment) Supplementary Act
- (257) 1930 - Sale of Goods Act
- (258) 1930 - Hindu Gains of Learning Act
- (259) 1930 - Mussalman Wakf Validating Act
- (260) 1930 - Provisional Collection of Taxes Act
- (261) 1930 - Sheriff of Calcutta (Power of Custody) Act
- (262) 1932 - Indian Partnership Act
- (263) 1932 - Public Suits Validation Act
- (264) 1932 - Criminal Law Amendment Act
- (265) 1932 - Bengal Suppression of Terrorist Outrages (Supplementary) Act
- (266) 1933 - Children (Pledging of Labour) Act
- (267) 1933 - Indian Wireless Telegraphy Act
- (268) 1933 - Murshidabad Estate Administration Act
- (269) 1934 - Reserve Bank of India Act
- (270) 1934 - Sugar-cane Act
- (271) 1934 - Aircraft Act
- (272) 1934 - Assam Criminal Law Amendment (Supplementary) Act
- (273) 1934 - Petroleum Act
- (274) 1935 - Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Act
- (275) 1936 - Parsi Marriage and Divorce Act
- (276) 1936 - Payment of Wages Act
- (277) 1936 - Decrees and Orders Validating Act
- (278) 1936 - Bangalore Marriages Validating Act
- (279) 1936 - Red Cross Society (Allocation of Property) Act
- (280) 1937 - Agricultural Produce (Grading and Marking) Act
- (281) 1937 - Arya Marriage Validation Act
- (282) 1937 - Petroleum (Berar Extension) Act
- (283) 1937 - Muslim Personal Law (Shariat) Application Act
- (284) 1938 - Insurance Act
- (285) 1938 - Manoeuvres, Field Firing and Artillery Practice Act
- (286) 1938 - Cutchi Memons Act
- (287) 1938 - Criminal Law Amendment Act
- (288) 1938 - Employers' Liability Act
- (288) 1939 - Dissolution of Muslim Marriages Act
- (290) 1939 - Registration of Foreigners Act
- (291) 1939 - Commercial Documents Evidence Act
- (292) 1940 - Drugs and Cosmetics Act
- (293) 1940 - Agricultural Produce Cess Act
- (294) 1941 - Berar Laws Act
- (295) 1941 - Assam Rifles Act
- (296) 1941 - Delhi Restriction of Uses of Land Act

- (297) 1941 - Railways (Local Authorities' Taxation) Act
- (298) 1942 - Coffee Act
- (299) 1942 - Weekly Holidays Act
- (300) 1943 - Reciprocity Act
- (301) 1943 - War Injuries (Compensation Insurance) Act
- (302) 1944 - Central Excise Act
- (303) 1944 - Public Debt Act
- (304) 1945 - International Monetary Fund and Bank Act
- (305) 1946 - Industrial Employment (Standing Orders) Act
- (306) 1946 - Mica Mines Labour Welfare Fund Act
- (307) 1946 - Delhi Special Police Establishment Act
- (308) 1946 - Special Tribunals (Supplementary Provisions) Act
- (309) 1946 - Foreigners Act
- (310) 1947 - Industrial Disputes Act
- (311) 1947 - Armed Forces (Emergency Duties) Act
- (312) 1947 - Trading with the Enemy (Continuance of Emergency Provisions) Act
- (313) 1947 - Rubber Act
- (314) 1947 - United Nations (Security Council) Act
- (315) 1947 - United Nations (Privileges and Immunities) Act
- (316) 1947 - Foreign Jurisdiction Act
- (317) 1947 - Indian Nursing Council Act
- (318) 1948 - Pharmacy Act
- (319) 1948 - Dock Workers (Regulation of Employment) Act
- (320) 1948 - Minimum Wages Act
- (321) 1948 - Rehabilitation Finance Administration Act
- (322) 1948 - Damodar Valley Corporation Act
- (323) 1948 - Dentists Act
- (324) 1948 - Junagarh Administration (Property) Act
- (325) 1948 - National Cadet Corps Act
- (326) 1948 - Calcutta Port (Pilotage) Act
- (327) 1948 - Employees' State Insurance Act
- (328) 1948 - Census Act
- (329) 1948 - Continuance of Legal Proceedings Act
- (330) 1948 - Indian Matrimonial Causes (War Marriages) Act
- (331) 1948 - Diplomatic and Consular Officers (Oaths and Fees) Act
- (332) 1948 - Coal Mines Provident Fund and Miscellaneous Provisions Act
- (333) 1948 - Imperial Library (Change of Name) Act
- (334) 1948 - Bombay Public Security Measures (Delhi Amendment) Act
- (335) 1948 - Oil Fields (Regulation and Development) Act
- (336) 1948 - Electricity (Supply) Act
- (337) 1948 - Territorial Army Act
- (338) 1948 - Exchange of Prisoners Act
- (339) 1948 - Resettlement of Displaced Persons (Land Acquisition) Act
- (340) 1948 - Central Silk Board Act
- (341) 1948 - Reserve Bank (Transfer of Public Ownership) Act
- (342) 1948 - Factories Act
- (343) 1948 - Delhi and Ajmer-Merwara Land Development Act
- (344) 1949 - Mangrol and Manavadar (Administration of Property) Act
- (345) 1949 - Scheduled Securities (Hyderabad) Act
- (346) 1949 - Seaward Artillery Practice Act
- (347) 1949 - Banking Regulation Act
- (348) 1949 - West Godavari District (Assimilation of Laws on Federal Subjects) Act
- (349) 1949 - Delhi Hotels (Control of Accommodation) Act
- (350) 1949 - Chartered Accountants Act
- (351) 1949 - Requisitioned Land (Apportionment of Compensation) Act
- (352) 1949 - Industrial Disputes (Banking and Insurance Companies) Act
- (353) 1949 - Merged States (Laws) Act
- (354) 1949 - Professions Tax Limitation (Amendment and Validation) Act
- (355) 1949 - Police Act
- (356) 1949 - Central Reserve Police Force Act

- (357) 1950 - High Courts (Seals) Act
- (358) 1950 - Immigrants (Expulsion from Assam) Act
- (359) 1950 - Emblems and Names (Prevention of Improper Use) Act
- (360) 1950 - Special Criminal Courts (Jurisdiction) Act
- (361) 1950 - Drugs (Control) Act
- (362) 1950 - Transfer of Prisoners Act
- (363) 1950 - Union Territories (Laws) Act
- (364) 1950 - Administration of Evacuee Property Act
- (365) 1950 - Opium and Revenue Laws (Extension of Application) Act
- (366) 1950 - Army and Air Force (Disposal of Private Property) Act
- (367) 1950 - Ajmer Tenancy and Land Records Act
- (368) 1950 - Representation of the People Act
- (369) 1950 - Air Force Act
- (370) 1950 - Army Act
- (371) 1950 - Contingency Fund of India Act
- (372) 1950 - Road Transport Corporations Act
- (373) 1950 - Cooch-Bihar (Assimilation of Laws) Act
- (374) 1950 - Telegraph Wires (Unlawful Possession) Act
- (375) 1950 - Khaddar (Protection of Name) Act
- (376) 1951 - Part B States (Laws) Act
- (377) 1951 - Supreme Court Advocates (Practice in High Courts) Act
- (378) 1951 - Jallianwala Bagh National Memorial Act
- (379) 1951 - Visva-Bharati Act
- (380) 1951 - President's Emoluments and Pension Act
- (381) 1951 - Finance Commission (Miscellaneous Provisions) Act
- (382) 1951 - Scheduled Areas (Assimilation of Laws) Act
- (383) 1951 - Marking of Heavy Packages Act
- (384) 1951 - Rajghat Samadhi Act
- (385) 1951 - Representation of the People Act
- (386) 1951 - Assam (Alteration of Boundaries) Act
- (387) 1951 - Railway Companies (Emergency Provisions) Act
- (388) 1951 - Companies (Donations to National Funds) Act
- (389) 1951 - All-India Services Act
- (390) 1951 - State Financial Corporations Act
- (391) 1951 - Evacuee Interest (Separation) Act
- (392) 1951 - Industries (Development and Regulation) Act
- (393) 1951 - Part C States Miscellaneous Laws (Repealing) Act
- (394) 1951 - Plantations Labour Act
- (395) 1951 - Displaced Persons (Debts Adjustment) Act
- (396) 1952 - Part B States Marriages Validating Act
- (397) 1952 - Indian Independence Pakistan Courts (Pending Proceedings) Act
- (398) 1952 - Employees' Provident Funds and Miscellaneous Provisions Act
- (399) 1952 - Inflammable Substances Act
- (400) 1952 - Requisitioning and Acquisition of Immovable Property Act
- (401) 1952 - Presidential and Vice-Presidential Elections Act
- (402) 1952 - Mines Act
- (403) 1952 - Cinematograph Act
- (404) 1952 - Delhi and Ajmer Rent Control Act
- (405) 1952 - Notaries Act
- (406) 1952 - Salaries and Allowances of Ministers Act
- (407) 1952 - Commissions of Inquiry Act
- (408) 1952 - Reserve and Auxiliary Air Forces Act
- (409) 1952 - State Armed Police Forces (Extension of Laws) Act
- (410) 1952 - Forward Contracts (Regulation) Act
- (411) 1953 - Scheduled Areas (Assimilation of Laws) Act
- (412) 1953 - Salaries and Allowances of Officers of Parliament Act
- (413) 1953 - Tea Act
- (414) 1953 - Andhra State Act
- (415) 1953 - Collection of Statistics Act
- (416) 1953 - Calcutta High Court (Extension of Jurisdiction) Act

- (417) 1953 - Coir Industry Act
- (418) 1953 - Salt Cess Act
- (419) 1953 - Reserve Bank of India (Amendment and Miscellaneous Provisions) Act
- (420) 1954 - Displaced Persons (Claims) Supplementary Act
- (421) 1954 - Transfer of Evacuee Deposits Act
- (422) 1954 - Lushai Hills District (Change of Name) Act
- (423) 1954 - Absorbed Areas (Laws) Act
- (424) 1954 - Drugs and Magic Remedies (Objectionable Advertisements) Act
- (425) 1954 - State Acquisition of Lands for Union Purposes (Validation) Act
- (426) 1954 - Delivery of Books and Newspapers (Public Libraries) Act
- (427) 1954 - High Court Judges (Conditions of Service) Act
- (428) 1954 - Salary, Allowances and Pension of Members of Parliament Act
- (429) 1954 - Shillong (Rifle Range and Umlong) Cantonments Assimilation of Laws Act
- (430) 1954 - Himachal Pradesh and Bilaspur (New State) Act
- (431) 1954 - Chandernagore (Merger) Act
- (432) 1954 - Prevention of Food Adulteration Act
- (433) 1954 - Taxation Laws (Extension to Jammu and Kashmir) Act
- (434) 1954 - Special Marriage Act
- (435) 1954 - Displaced Persons (Compensation and Rehabilitation) Act
- (436) 1955 - Essential Commodities Act
- (437) 1955 - Medicinal and Toilet Preparations (Excise Duties) Act
- (438) 1955 - Commanders-in-Chief (Change in Designation) Act
- (439) 1955 - Protection of Civil Rights Act
- (440) 1955 - State Bank of India Act
- (441) 1955 - Hindu Marriage Act
- (442) 1955 - Prisoners (Attendance in Courts) Act
- (443) 1955 - Durgah Khawaja Saheb Act
- (444) 1955 - Spirituous Preparation (Inter-State Trade and Commerce) Control Act
- (445) 1955 - Prize Competitions Act
- (446) 1955 - Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act
- (447) 1955 - Manipur (Courts) Act
- (448) 1955 - Citizenship Act
- (449) 1956 - Companies Act
- (450) 1956 - University Grants Commission Act
- (451) 1956 - Bar Councils (Validation of State Laws) Act
- (452) 1956 - Sales Tax Laws Validation Act
- (453) 1956 - St. John Ambulance Association (India) Transfer of Funds Act
- (454) 1956 - All-India Institute of Medical Sciences Act
- (455) 1956 - Hindu Succession Act
- (456) 1956 - Life Insurance Corporation Act
- (457) 1956 - Hindu Minority and Guardianship Act
- (458) 1956 - Inter-State Water Disputes Act
- (459) 1956 - Industrial Disputes (Amendment and Miscellaneous Provisions) Act (460) 1956 - States Reorganisation Act
- (461) 1956 - Bihar and West Bengal (Transfer of Territories) Act
- (462) 1956 - Securities Contracts (Regulation) Act
- (463) 1956 - Newspaper (Price and Page) Act
- (464) 1956 - National Highways Act
- (465) 1956 - River Boards Act
- (466) 1956 - Lok Sahayak Sena Act
- (467) 1956 - Supreme Court (Number of Judges) Act
- (468) 1956 - Khadi and Village Industries Commission Act
- (469) 1956 - Jammu and Kashmir (Extension of Laws) Act
- (470) 1956 - Scheduled Castes and Scheduled Tribes Orders (Amendment) Act
- (471) 1956 - Terminal Tax on Railway Passengers Act
- (472) 1956 - Central Sales Tax Act
- (473) 1956 - Hindu Adoptions and Maintenance Act
- (474) 1956 - State Bank of Hyderabad Act
- (475) 1956 - Manipur (Village Authorities in Hill Areas) Act

- (476) 1956 - Representation of the People (Miscellaneous Provisions) Act
- (477) 1956 - Faridabad Development Corporation Act
- (478) 1956 - Young Persons (Harmful Publications) Act
- (479) 1956 - Slum Areas (Improvement and Clearance) Act
- (480) 1956 - Indian Medical Council Act
- (481) 1956 - Immoral Traffic (Prevention) Act
- (482) 1956 - Women's and Children's Institutions (Licensing) Act
- (483) 1957 - Copyright Act
- (484) 1957 - Coal Bearing Areas (Acquisition and Development) Act
- (485) 1957 - Railway Protection Force Act
- (486) 1957 - Wealth-tax Act
- (487) 1957 - Legislative Councils Act
- (488) 1957 - Inter-State Corporation Act
- (489) 1957 - Naga Hills-Tuensang Area Act
- (490) 1957 - Public Employment (Requirement as to Residence) Act
- (491) 1957 - Cantonments (Extension of Rent Control Laws) Act
- (492) 1957 - Additional Duties of Excise (Goods of Special Importance) Act
- (493) 1957 - Delhi Development Act
- (494) 1957 - Navy Act
- (495) 1957 - Countess of Dufferin's Fund Act
- (496) 1957 - Delhi Municipal Corporation Act
- (497) 1957 - Mines and Minerals (Regulation and Development) Act
- (498) 1958 - Gift-tax Act
- (499) 1958 - Probation of Offenders Act
- (500) 1958 - Ancient Monuments and Archaeological Sites and Remains Act
- (501) 1958 - Mineral Oils (Additional Duties of Excise and Customs) Act
- (502) 1958 - Armed Forces (Special Powers) Act
- (503) 1958 - Working Journalists (Fixation of Rates of Wages) Act
- (504) 1958 - Sugar Export Promotion Act
- (505) 1958 - Manipur and Tripura (Repeal of Laws) Act
- (506) 1958 - Supreme Court Judges (Salaries and Conditions of Service) Act
- (507) 1958 - International Finance Corporation (Status, Immunities and Privileges) Act
- (508) 1958 - Merchant Shipping Act
- (509) 1958 - Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation Act
- (510) 1958 - Orissa Weights and Measures (Delhi Repeal) Act
- (511) 1958 - Delhi Rent Control Act
- (512) 1959 - Parliament (Prevention of Disqualification) Act
- (513) 1959 - Cost and Works Accountants Act
- (514) 1959 - Public Wakfs (Extension of Limitation) Act
- (515) 1959 - Employment Exchanges (Compulsory Notification of Vacancies) Act
- (516) 1959 - State Bank of India (Subsidiary Banks) Act
- (517) 1959 - Travancore-Cochin Vehicles Taxation (Amendment and Validation) Act
- (518) 1959 - Government Savings Certificates Act
- (519) 1959 - Rajasthan and Madhya Pradesh (Transfer of Territories) Act
- (520) 1959 - Miscellaneous Personal Laws (Extension) Act
- (521) 1959 - Haj Committee Act
- (522) 1959 - Arms Act
- (523) 1959 - Andhra Pradesh and Madras (Alteration of Boundaries) Act
- (524) 1959 - Indian Statistical Institute Act
- (525) 1959 - Sugar (Special Excise Duty) Act
- (526) 1959 - Married Women's Property (Extension) Act
- (527) 1960 - Geneva Conventions Act
- (528) 1960 - Orphanages and Other Charitable Homes (Supervision and Control) Act
- (529) 1960 - Bombay Reorganisation Act
- (530) 1960 - Hindu Marriages (Validation of Proceedings) Act
- (531) 1960 - Delhi Land Holdings (Ceiling) Act
- (532) 1960 - International Development Association (Status, Immunities and Privileges) Act
- (533) 1960 - Manipur Land Revenue and Land Reforms Act
- (534) 1960 - Central Excises (Conversion to Metric Units) Act
- (535) 1960 - Delhi Primary Education Act

- (536) 1960 - Customs Duties and Cesses (Conversion to Metric Units) Act
- (537) 1960 - Tripura Land Revenue and Land Reforms Act
- (538) 1960 - Mahendra Pratap Singh Estate (Repeal) Act
- (539) 1960 - British Statutes (Application to India) Repeal Act
- (540) 1960 - Prevention of Cruelty to Animal Act
- (541) 1960 - Preference Shares (Regulation of Dividend) Act
- (542) 1960 - Acquired Territories (Merger) Act
- (543) 1960 - Criminal Law Amendment Act
- (544) 1961 - Advocates Act
- (545) 1961 - Salar Jung Museum Act
- (546) 1961 - Motor Transport Workers Act
- (547) 1961 - Dowry Prohibition Act
- (548) 1961 - Delhi (Urban Areas) Tenants' Relief Act
- (549) 1961 - Union Territories (Stamp and Court-fees Laws) Act
- (550) 1961 - Dadra and Nagar Haveli Act
- (551) 1961 - Newspaper (Price and Page Continuance) Act
- (552) 1961 - Income-tax Act
- (553) 1961 - Voluntary Surrender of Salaries (Exemption from Taxation) Act
- (554) 1961 - Deposit Insurance and Credit Guarantee Corporation Act
- (555) 1961 - Assam Municipal (Manipur Amendment) Act
- (556) 1961 - Apprentices Act
- (557) 1961 - Maternity Benefit Act
- (558) 1961 - Sugar (Regulation of Production) Act
- (559) 1961 - Institutes of Technology Act
- (560) 1962 - Goa, Daman and Diu (Administration) Act
- (561) 1962 - Hindi Sahitya Sammelan Act
- (562) 1962 - National Co-operative Development Corporation Act
- (563) 1962 - State of Nagaland Act
- (564) 1962 - Land Acquisition (Amendment) Act
- (565) 1962 - Atomic Energy Act
- (566) 1962 - Extradition Act
- (567) 1962 - Foreigners Law (Application and Amendment) Act
- (568) 1962 - Pondicherry (Administration) Act
- (569) 1962 - Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act
- (570) 1962 - Customs Act
- (571) 1962 - Manipur (Sales of Motor Spirit and Lubricants) Taxation Act
- (572) 1962 - State Associated Banks (Miscellaneous Provisions) Act
- (573) 1962 - Delhi Motor Vehicles Taxation Act
- (574) 1962 - Warehousing Corporations Act
- (575) 1963 - Marine Insurance Act
- (576) 1963 - Official Languages Act
- (577) 1963 - Government of Union Territories Act
- (578) 1963 - Compulsory Deposit Scheme Act
- (579) 1963 - Export (Quality Control and Inspection) Act
- (580) 1963 - Limitation Act
- (581) 1963 - Personal Injuries (Compensation Insurance) Act
- (582) 1963 - Major Port Trusts Act
- (583) 1963 - Textiles Committee Act
- (584) 1963 - Administrators-General Act
- (585) 1963 - Specific Relief Act
- (586) 1963 - Unit Trust of India Act
- (587) 1963 - Central Board of Revenue Act
- (588) 1964 - Companies (Profits) Surtax Act
- (589) 1964 - Taxation Laws (Continuation and Validation of Recovery Proceedings) Act
- (590) 1964 - Dakshina Bharat Hindi Prachar Sabha Act
- (591) 1964 - Industrial Development Bank of India Act
- (592) 1964 - Delhi Delegation of Powers Act
- (593) 1964 - Legal Tender (Inscribed Notes) Act
- (594) 1964 - Food Corporations Act
- (595) 1965 - Warehousing Corporations (Supplementary) Act

- (596) 1965 - Payment of Bonus Act
- (597) 1965 - Banking Laws (Application to Co-operative Societies) Act
- (598) 1965 - Goa, Daman and Diu (Extension of the Code of Civil Procedure and the Arbitration Act) Act
- (599) 1965 - Railways Employment of Members of the Armed Forces Act
- (600) 1965 - Taxation Laws (Amendment and Miscellaneous Provisions) Act
- (601) 1965 - Cardamom Act
- (602) 1965 - Union Territories (Direct Election to the House of the People) Act
- (603) 1965 - Goa, Daman and Diu (Absorbed Employees) Act
- (604) 1966 - Seamen's Provident Fund Act
- (605) 1966 - Produce Cess Act
- (606) 1966 - Asian Development Bank Act
- (607) 1966 - Delhi High Court Act
- (608) 1966 - Railway Property (Unlawful Possession) Act
- (609) 1966 - Punjab Reorganisation Act
- (610) 1966 - Beedi and Cigar Workers (Conditions of Employment) Act
- (611) 1966 - Police Forces (Restriction of Rights) Act
- (612) 1966 - Delhi Municipal Corporation (Validation of Electricity Tax) Act
- (613) 1966 - Goa, Daman and Diu (Opinion Poll) Act
- (614) 1966 - Post-Graduate Institute of Medical Education and Research, Chandigarh, Act
- (615) 1966 - Jawaharlal Nehru University Act
- (616) 1966 - Seeds Act
- (617) 1967 - Land Acquisition (Amendment and Validation) Act
- (618) 1967 - Passports Act
- (619) 1967 - Anti-Corruption Laws (Amendment) Act
- (620) 1967 - Standards of Weights and Measures (Extension to Kohima and Mokokchung Districts) Act
- (621) 1967 - Court-fees (Delhi Amendment) Act
- (622) 1967 - Unlawful Activities (Prevention) Act
- (623) 1968 - Jammu and Kashmir Representation of the People (Supplementary) Act
- (624) 1968 - Public Provident Fund Act
- (625) 1968 - Bihar and Uttar Pradesh (Alteration of Boundaries) Act
- (626) 1968 - Central Laws (Extension to Jammu and Kashmir) Act
- (627) 1968 - Pondicherry (Extension of Laws) Act
- (628) 1968 - Civil Defence Act
- (629) 1968 - Enemy Property Act
- (630) 1968 - Andhra Pradesh and Mysore (Transfer of Territory) Act
- (631) 1968 - Insecticides Act
- (632) 1968 - Border Security Force Act
- (633) 1968 - Delhi and Ajmer Rent Control (Nasirabad Cantonment Repeal) Act
- (634) 1968 - Central Industrial Security Force Act
- (635) 1968 - Judges (Inquiry) Act
- (636) 1968 - State Agricultural Credit Corporation Act
- (637) 1968 - Legislative Assembly of Nagaland (Change in Representation) Act
- (638) 1969 - President (Discharge of Functions) Act
- (639) 1969 - Registration of Births and Deaths Act
- (640) 1969 - Union Territories (Separation of Judicial and Executive Functions) Act
- (641) 1969 - Central Sales Tax (Amendment) Act
- (642) 1969 - Foreign Marriage Act
- (643) 1969 - Criminal and Election Laws Amendment Act
- (644) 1969 - Bihar Land Reforms Laws (Regulating Mines and Minerals) Validation Act
- (645) 1969 - Khuda Bakhsh Oriental Public Library Act
- (646) 1969 - Oaths Act
- (647) 1969 - Punjab Legislative Council (Abolition) Act
- (648) 1969 - Monopolies and Restrictive Trade Practices Act
- (649) 1969 - Assam Reorganisation (Meghalaya) Act
- (650) 1970 - Banking Companies (Acquisition and Transfer of Undertakings) Act
- (651) 1970 - Haryana and Punjab Agricultural Universities Act
- (652) 1970 - Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act
- (653) 1970 - Contract Labour (Regulation and Abolition) Act
- (654) 1970 - Patents Act

- (655) 1970 - Indian Medicine Central Council Act
- (656) 1970 - Tea Districts Emigrant Labour (Repeal) Act
- (657) 1970 - Central Labour Laws (Extension to Jammu and Kashmir) Act
- (658) 1970 - State of Himachal Pradesh Act
- (659) 1971 - Bengal Finance (Sales Tax) (Delhi Validation of Appointments and Proceedings) Act
- (660) 1971 - Mysore State Legislature (Delegation of Powers) Act
- (661) 1971 - Medical Termination of Pregnancy Act
- (662) 1971 - Public Premises (Eviction of Unauthorised Occupants) Act
- (663) 1971 - Small Coins (Offences) Act
- (664) 1971 - Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act
- (665) 1971 - Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act
- (666) 1971 - Naval and Aircraft Prize Act
- (667) 1971 - Jayanti Shipping Company (Acquisition of Shares) Act
- (668) 1971 - Coking Coal Mines (Emergency Provisions) Act
- (669) 1971 - Asian Refractories Limited (Acquisition of Undertakings) Act
- (670) 1971 - Uttar Pradesh Cantonments (Control of Rent and Eviction) Repeal Act
- (671) 1971 - Prevention of Insults to National Honour Act
- (672) 1971 - Contempt of Courts Act
- (673) 1971 - Delhi Road Transport Laws (Amendment) Act
- (674) 1971 - Manipur (Hill Areas District Council) Act
- (675) 1971 - North-Eastern Area (Reorganisation) Act
- (676) 1971 - Delhi Sikh Gurdwaras Act
- (677) 1971 - North-Eastern Council Act
- (678) 1972 - Marine Products Export Development Authority Act
- (679) 1972 - Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act
- (680) 1972 - Architects Act
- (681) 1972 - Prevention of Food Adulteration (Extension to Kohima and Mokochung Districts) Act
- (682) 1972 - Taxation Laws (Extension to Jammu and Kashmir) Act
- (683) 1972 - Hire-Purchase Act
- (684) 1972 - National Service Act
- (685) 1972 - Delhi Lands (Restriction on Transfer) Act
- (686) 1972 - Delhi Co-operative Societies Act
- (687) 1972 - Coking Coal Mines (Nationalisation) Act
- (688) 1972 - Payment of Gratuity Act
- (689) 1972 - Diplomatic Relations (Vienna Convention) Act
- (690) 1972 - Antiquities and Art Treasures Act
- (691) 1972 - Wild Life (Protection) Act
- (692) 1972 - General Insurance Business (Nationalisation) Act
- (693) 1972 - Indian Copper Corporation (Acquisition of Undertaking) Act
- (694) 1972 - Former Secretary of State Service Officers (Conditions of Service) Act
- (695) 1972 - Limestone and Dolomite Mines Labour Welfare Fund Act
- (696) 1972 - Carriage by Air Act
- (697) 1972 - Sick Textile Undertakings (Taking Over of Management) Act
- (698) 1972 - Delimitation Act
- (699) 1972 - Richardson and Cruddas Limited (Acquisition and Transfer of Undertakings) Act
- (700) 1973 - Diplomatic and Consular Officers (Oaths and Fees)
- (701) 1973 - Refugee Relief Taxes (Abolition) Act
- (702) 1973 - Coal Mines (Taking Over of Management) Act
- (703) 1973 - Capital of Punjab Development and Regulation (Chandigarh Amendment) Act
- (703) 1973 - Delhi School Education Act
- (703) 1973 - North-Eastern Hill University Act
- (703) 1973 - Coal Mines (Nationalisation) Act
- (703) 1973 - Authoritative Texts (Central Laws) Act
- (703) 1973 - Alcock Ashdown Company Limited (Acquisition of Undertakings) Act (703) 1973 - Homoeopathy Central Council Act
- (710) 1973 - Konkan Passenger Ships (Acquisition) Act
- (711) 1974 - Delhi Urban Art Commission Act, 1973
- (712) 1974 - Code of Criminal Procedure, 1973
- (713) 1974 - Esso (Acquisition of Undertakings in India) Act

- (714) 1974 - Water (Prevention and Control of Pollution) Act
- (715) 1974 - Economic Offences (Inapplicability of Limitation) Act
- (716) 1974 - Coal Mines (Conservation and Development) Act
- (717) 1974 - Additional Emoluments (Compulsory Deposit) Act
- (718) 1974 - University of Hyderabad Act
- (719) 1974 - Interest-tax Act
- (720) 1974 - Oil Industry (Development) Act
- (721) 1974 - Conservation of Foreign Exchange and Prevention of Smuggling Activities Act
- (722) 1974 - East-Punjab Urban Rent Restriction (Extension to Chandigarh) Act
- (723) 1974 - Sick Textile Undertakings (Nationalisation) Act
- (724) 1975 - Tobacco Board Act
- (725) 1975 - All-India Services Regulations (Indemnity) Act
- (726) 1975 - Tokyo Convention Act
- (727) 1975 - Rampur Raza Library Act
- (728) 1975 - Tobacco Cess Act
- (729) 1975 - Delhi Sales Tax Act
- (730) 1975 - Cigarettes (Regulation of Production, Supply and Distribution) Act
- (731) 1975 - Customs Tariff Act
- (732) 1976 - Burmah Shell (Acquisition of Undertakings in India) Act
- (733) 1976 - Election Laws (Extension to Sikkim) Act
- (734) 1976 - Sales Promotion Employees (Conditions of Service) Act
- (735) 1976 - Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act
- (736) 1976 - Bonded Labour System (Abolition) Act
- (737) 1976 - Regional Rural Banks Act
- (738) 1976 - Assam Sillimanite Limited (Acquisition and Transfer of Refractory Plant) Act
- (739) 1976 - Equal Remuneration Act
- (740) 1976 - Parliamentary Proceedings (Protection of Publication) Repeal Act
- (741) 1976 - Levy Sugar Price Equalisation Fund Act
- (742) 1976 - Urban Land (Ceiling and Regulation) Act
- (743) 1976 - Foreign Contribution (Regulation) Act
- (744) 1976 - Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Act
- (745) 1976 - Cess Act
- (746) 1976 - Beedi Workers Welfare Cess Act
- (747) 1976 - High Court at Patna (Establishment of a Permanent Bench at Ranchi) Act
- (748) 1976 - Departmentalisation of Union Accounts (Transfer of Personnel) Act
- (749) 1976 - Standards of Weights and Measures Act
- (750) 1976 - Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act
- (751) 1976 - Beedi Workers Welfare Fund Act
- (752) 1976 - Betwa River Board Act
- (753) 1976 - Life Insurance Corporation (Modification of Settlement) Act
- (754) 1976 - National Library of India Act
- (755) 1976 - Disturbed Areas (Special Courts) Act
- (756) 1976 - Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act
- (757) 1976 - Delhi Agricultural Produce Marketing (Regulation) Act
- (758) 1976 - Indian Iron and Steel Company (Acquisition of Shares) Act
- (759) 1976 - Delhi Sales Tax (Amendment and Validation) Act
- (760) 1976 - Braithwaite and Company (India) Limited (Acquisition and Transfer of Undertakings) Act
- (761) 1976 - Burn Company and Indian Standard Wagon Company (Nationalisation) Act
- (762) 1976 - Laxmirattan and Atherton West Cotton Mills (Taking Over of Management) Act
- (763) 1976 - Metal Corporation (Nationalisation and Miscellaneous Provisions) Act
- (764) 1976 - Untouchability (Offences) Amendment and Miscellaneous Provision Act
- (765) 1976 - Scheduled Castes and Scheduled Tribes Orders (Amendment) Act
- (766) 1977 - Parliamentary Proceedings (Protection of Publication) Act
- (767) 1977 - Disputed Elections (Prime Minister and Speaker) Act
- (768) 1977 - Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Act
- (769) 1977 - Salary and Allowances of Leaders of Opposition in Parliament Act
- (770) 1977 - Lady Hardinge Medical College and Hospital (Acquisition and Miscellaneous Provisions) Act
- (771) 1977 - Water (Prevention and Control of Pollution) Cess Act

- (772) 1977 - Smith, Stainstreet and Company Limited (Acquisition and Transfer of Undertakings) Act
- (773) 1977 - Gresham and Craven of India (Private) Limited (Acquisition and Transfer of Undertakings) Act
- (774) 1978 - High Denomination Bank Notes (Demonetisation) Act
- (775) 1978 - Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act
- (776) 1978 - Interest Act
- (777) 1978 - Public Sector Iron and Steel Companies (Restructuring) and Miscellaneous Provisions Act
- (778) 1978 - Deposit Insurance Corporation (Amendment and Miscellaneous Provisions) Act
- (779) 1978 - Coast Guard Act
- (780) 1978 - Metro Railways (Construction of Works) Act
- (781) 1978 - Delhi Police Act
- (782) 1978 - Press Council Act
- (783) 1978 - Additional Duties of Excise (Textiles and Textile Articles) Act
- (784) 1978 - Britannia Engineering Company Limited (Mokameh Unit) and the Arthur Butler and Company (Muzaffarpore) Limited (Acquisition and Transfer of Undertakings) Act
- (785) 1978 - Bolani Ores Limited (Acquisition of Shares) and Miscellaneous Provisions Act
- (786) 1978 - Prize Chits and Money Circulation Scheme (Banning) Act
- (787) 1978 - Sugar Undertakings (Taking Over of Management) Act
- (788) 1979 - Coconut Development Board Act
- (789) 1979 - Punjab Excise (Delhi Amendment) Act
- (790) 1979 - Union Duties of Excise (Distribution) Act
- (791) 1979 - Kosangas Company (Acquisition of Undertakings) Act
- (792) 1979 - Parel Investments and Trading Private Limited and Domestic Gas Private Limited (Taking Over of Management) Act
- (793) 1979 - Inter-State Migrant Workmen Regulation of Employment and Condition of Service) Act
- (795) 1979 - Haryana and Uttar Pradesh (Alteration of Boundaries) Act
- (796) 1980 - Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act
- (797) 1980 - Union Duties of Excise (Electricity Distribution) Act
- (798) 1980 - Delhi High Court (Amendment) Act
- (799) 1980 - Banking Companies (Acquisition and Transfer of Undertakings) Act
- (800) 1980 - Essential Services Maintenance (Assam) Act
- (801) 1980 - National Company (Acquisition and Transfer of Undertakings) Act
- (802) 1980 - Brahmaputra Board Act
- (803) 1980 - Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Act
- (804) 1980 - Hotel-Receipts Tax Act
- (805) 1980 - Company Secretaries Act
- (806) 1980 - Bengal Chemical and Pharmaceutical Works Limited (Acquisition and Transfer of Undertakings) Act
- (807) 1980 - Jute Companies (Nationalisation) Act
- (808) 1980 - Maruti Limited (Acquisition and Transfer of Undertakings) Act
- (809) 1980 - National Security Act
- (810) 1980 - Bird and Company Limited (Acquisition and Transfer of Undertakings and Other Properties) Act
- (811) 1980 - Forest (Conservation) Act
- (812) 1980 - Hind Cycles Limited and Sen-Raleigh Limited (Nationalisation) Act
- (813) 1981 - Air (Prevention and Control of Pollution) Act
- (814) 1981 - High Court and Bombay (Extension of Jurisdiction to Goa, Daman and Diu) Act
- (815) 1981 - Export-Import Bank of India Act
- (816) 1981 - British India Corporation Limited (Acquisition of Shares) Act
- (817) 1981 - Cine-Workers Welfare Cess Act
- (818) 1981 - Dalmia Dadri Cement Limited (Acquisition and Transfer of Undertakings) Act
- (819) 1981 - Cine-Workers Welfare Fund Act
- (820) 1981 - Burmah Oil Company [Acquisition of Shares of Oil India Limited and of the Undertakings in India of Assam Oil Company Limited and the Burmah Oil Company (India Trading) Limited] Act
- (821) 1981 - Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act
- (822) 1981 - Anti-Apartheid (United Nations Convention) Act
- (823) 1981 - Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act
- (824) 1981 - National Bank for Agriculture and Rural Development Act

- (825) 1982 - African Development Fund Act
- (826) 1982 - Sugar Cess Act
- (827) 1982 - Sugar Development Fund Act
- (828) 1982 - Chaparmukh Silghat Railway Line and the Katakhal
- (829) 1982 - Lalabazar Railway Line (Nationalisation) Act
- (830) 1982 - Chit Funds Act
- (831) 1982 - Governors (Emoluments, Allowances and Privileges) Act
- (832) 1982 - National Waterway (Allahabad-Haldia Stretch of the Ganga-Bhagirathi, Hooghly River) Act
- (833) 1982 - Amritsar Oil Works (Acquisition and Transfer of Undertakings) Act
- (834) 1982 - State Bank of Sikkim (Acquisition of Shares) and Miscellaneous Provisions Act
- (835) 1982 - Anti-Hijacking Act
- (836) 1982 - Suppression of Unlawful Acts against Safety of Civil Aviation Act
- (837) 1982 - Andhra Scientific Company Limited (Acquisition and Transfer of Undertakings) Act
- (838) 198 - African Development Bank Act
- (839) 1983 - Jute Manufacturers Development Council Act
- (840) 1983 - Jute Manufacturers Cess Act
- (841) 1983 - National Oil Seeds and Vegetable Oils Development Board Act
- (842) 1983 - Emigration Act
- (843) 1983 - Punjab Disturbed Areas Act
- (844) 1983 - Chandigarh Disturbed Areas Act
- (845) 1983 - Armed Forces (Punjab and Chandigarh) Special Powers Act
- (846) 1983 - Dangerous Machines (Regulation) Act
- (847) 1983 - Illegal Migrants (Determination by Tribunals) Act
- (848) 1983 - Textile Undertakings (Taking Over of Management) Act
- (849) 1983 - Transformer and Switchgear Limited (Acquisition and Transfer of Undertakings) Act
- (850) 1983 - Public Financial Institutions (Obligation as to Fidelity and Secrecy) Act
- (851) 1984 - Prevention of Damage to Public Property Act
- (852) 1984 - Asiatic Society Act
- (853) 1984 - Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Act
- (854) 1984 - Inchek Tyres Limited and National Rubber Manufacturers Limited (Nationalisation) Act
- (855) 1984 - Mogul Line Limited (Acquisition of Shares) Act
- (856) 1984 - Punjab State Legislature (Delegation of Powers) Act
- (857) 1984 - Aluminium Corporation of India Limited (Acquisition and Transfer of Aluminium Undertaking) Act
- (858) 1984 - Banking Service Commission Act
- (859) 1984 - Multi-State Co-operative Societies Act
- (860) 1984 - Indian Veterinary Council Act
- (861) 1984 - Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Act
- (862) 1984 - Bengal Immunity Company Limited (Acquisition and Transfer of Undertakings) Act
- (863) 1984 - Terrorist Affected Areas (Special Courts) Act
- (864) 1984 - Industrial Reconstruction Bank of India Act
- (865) 1984 - Family Courts Act
- (866) 1985 - National Capital Region Planning Board Act
- (867) 1985 - General Insurance Business (Nationalisation) Amendment Act
- (868) 1985 - Calcutta Metro Railway (Operation and Maintenance) Temporary Provisions Act
- (869) 1985 - Administrative Tribunals Act
- (870) 1985 - Bhopal Gas Leak Disaster (Processing of Claims) Act
- (871) 1985 - Handlooms (Reservation of Articles for Production) Act
- (872) 1985 - Tea Companies (Acquisition and Transfer of Sick Tea Units) Act
- (873) 1985 - Indira Gandhi National Open University Act
- (874) 1985 - Pondicherry University Act
- (875) 1985 - Standards of Weights and Measures (Enforcement) Act
- (876) 1985 - Intelligence Organisations (Restriction on Rights) Act
- (877) 1985 - Judges (Protection) Act
- (878) 1985 - Railway Protection Force (Amendment) Act
- (879) 1985 - Narcotic Drugs and Psychotropic Substances Act
- (880) 1985 - Central Excises and Salt (Amendment) Act
- (881) 1985 - Customs (Amendment) Act

- (882) 1985 - Banking Laws (Amendment) Act
- (883) 1985 - Inland Waterways Authority of India Act
- (884) 1985 - Futwah-Islampur Light Railway Line (Nationalisation) Act
- (885) 1986 - Sick Industrial Companies (Special Provisions) Act, 1985
- (886) 1986 - Agricultural and Processed Food Products Export Development Authority Act, 1985
- (887) 1986 - Agricultural and Processed Food Products Export Cess Act, 1985
- (888) 1986 - Central Excise Tariff Act, 1985
- (889) 1986 - Spices Board Act
- (890) 1986 - Spices Cess Act
- (891) 1986 - Administrative Tribunals (Amendment) Act
- (892) 1986 - Muslim Women (Protection of Rights on Divorce) Act
- (893) 1986 - Coal Mines Labour Welfare Fund (Repeal) Act
- (894) 1986 - Environment (Protection) Act
- (895) 1986 - Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Act
- (896) 1986 - Research and Development Cess Act
- (897) 1986 - Merchant Shipping (Amendment) Act
- (898) 1986 - State of Mizoram Act
- (899) 1986 - Central Duties of Excise (Retrospective Exemption) Act
- (900) 1986 - Taxation Laws (Amendment and Miscellaneous Provisions) Act
- (901) 1986 - National Security Guard Act
- (902) 1986 - Dock Workers (Safety, Health and Welfare) Act
- (903) 1986 - Delhi Fire Prevention and Fire Safety Act
- (904) 1986 - Delhi Apartment Ownership Act
- (905) 1986 - Indecent Representation of Women (Prohibition) Act
- (906) 1986 - Child Labour (Prohibition and Regulation) Act
- (907) 1986 - Customs and Excise Revenues Appellate Tribunal Act
- (908) 1986 - Bureau of Indian Standards Act
- (909) 1986 - Shipping Development Fund Committee (Abolition) Act
- (910) 1986 - Consumer Protection Act
- (911) 1986 - State of Arunachal Pradesh Act
- (912) 1987 - Cotton Copra and Vegetable Oils Cess (Abolition) Act
- (913) 1987 - Jute Packaging Materials (Compulsory Use in Packing Commodities) Act
- (914) 1987 - Merchant Shipping (Amendment) Act
- (915) 1987 - Mental Health Act
- (916) 1987 - Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act
- (917) 1987 - Goa, Daman and Diu Reorganisation Act
- (918) 1987 - Payment of Gratuity (Amendment) Act
- (919) 1987 - Expenditure-tax Act
- (920) 1987 - Brentford Electric (India) Limited (Acquisition and Transfer of Undertakings) Act
- (921) 1987 - National Dairy Development Board Act
- (922) 1987 - Legal Services Authorities Act
- (923) 1987 - Air (Prevention and Control of Pollution) Amendment Act
- (924) 1987 - All India Council for Technical Education Act
- (925) 1987 - National Housing Bank Act
- (926) 1987 - Railway Claims Tribunal Act
- (927) 1988 - Chandigarh (Delegation of Powers) Act, 1987
- (928) 1988 - Commission of Sati (Prevention) Act, 1987
- (929) 1988 - Tamil Nadu Agricultural Service Co-operative Societies (Appointment of Special Officers) Amendment Act
- (930) 1988 - Customs and Central Excises Laws (Amendment) Act
- (931) 1988 - Companies (Amendment) Act
- (932) 1988 - Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act
- (933) 1988 - Special Protection Group Act
- (934) 1988 - National Waterway (Sadiya-Dhubri Stretch of the Brahmaputra River) Act
- (935) 1988 - Religious Institutions (Prevention of Misuse) Act
- (936) 1988 - Bharat Petroleum Corporation Limited (Determination of Conditions of Service of Employees) Act
- (937) 1988 - Benami Transactions (Prohibition) Act

- (938) 1988 - Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act
- (939) 1988 - Prevention of Corruption Act
- (940) 1988 - Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Act
- (941) 1988 - Auroville Foundation Act
- (942) 1988 - Jamia Millia Islamia Act
- (943) 1988 - Motor Vehicles Act
- (944) 1988 - National Highways Authority of India Act
- (945) 1989 - Direct Tax Laws (Amendment) Act
- (946) 1989 - Representation of the People (Amendment) Act
- (947) 1989 - Punjab Pre-emption (Chandigarh and Delhi Repeal) Act
- (948) 1989 - Assam University Act
- (949) 1989 - Railways Act
- (950) 1989 - Employees' State Insurance (Amendment) Act
- (951) 1989 - Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act
- (952) 1989 - Nagaland University Act
- (953) 1989 - Small Industries Development Bank of India Act
- (954) 1990 - National Commission for Women Act
- (955) 1990 - Armed Forces (Jammu and Kashmir) Special Powers Act
- (956) 1990 - Prasar Bharati (Broadcasting Corporation of India) Act
- (957) 1991 - Public Liability Insurance Act
- (958) 1991 - Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act
- (959) 1991 - Remittances of Foreign Exchange and Investment in Foreign Exchange Bonds (Immunities and Exemptions) Act
- (960) 1991 - Places of Worship (Special Provisions) Act
- (961) 1991 - Wild Life (Protection) Amendment Act
- (962) 1992 - Government of National Capital Territory of Delhi Act, 1991
- (963) 1992 - Destructive Insects and Pests (Amendment and Validation) Act
- (964) 1992 - Securities and Exchange Board of India Act
- (965) 1992 - Cess and Other Taxes on Minerals (Validation) Act
- (966) 1992 - National Commission for Minorities Act
- (967) 1992 - Foreign Trade (Development and Regulation) Act
- (962) 1992 - National Waterway (Kollam-Kottapuram Stretch of West Coast Canal and Champakara and Udyogmandal Canals) Act
- (962) 1992 - Special Court (Trial of Offences Relating to Transactions in Securities) Act
- (970) 1992 - Rehabilitation Council of India Act
- (971) 1992 - Indo-Tibetan Border Police Force Act
- (972) 1992 - Central Agricultural University Act
- (973) 1992 - Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act
- (974) 1993 - Industrial Finance Corporation (Transfer of Undertaking and Repeal) Act
- (975) 1993 - National Thermal Power Corporation Limited, the National Hydro-Electric Power Corporation Limited and the North-Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Act
- (976) 1993 - Gold Bonds (Immunities and Exemptions) Act
- (977) 1993 - National Commission for Backward Classes Act
- (978) 1993 - Multimodal Transportation of Goods Act
- (979) 1993 - Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Act
- (980) 1993 - Acquisition of Certain Area at Ayodhya Act
- (981) 1993 - SAARC Convention (Suppression of Terrorism) Act
- (982) 1993 - Beedi and Cigar Workers (Conditions of Employment) Amendment Act
- (983) 1993 - Central Laws (Extension to Arunachal Pradesh) Act
- (984) 1993 - Tezpur University Act
- (985) 1993 - Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act
- (986) 1993 - Betwa River Board (Amendment) Act
- (987) 1993 - Recovery of Debts Due to Banks and Financial Institutions Act
- (988) 1993 - National Commission for Safai Karamcharis Act
- (989) 1993 - Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Act
- (990) 1993 - Public Records Act

- (991) 1993 - National Council for Teacher Education Act
- (992) 1994 - Kalakshetra Foundation Act, 1993
- (993) 1994 - Protection of Human Rights Act, 1993
- (994) 1994 - Air Corporations (Transfer of Undertakings and Repeal) Act
- (995) 1994 - Manipur Panchayati Raj Act
- (996) 1994 - Punjab Gram Panchayat, Samities and Zilla Parishad (Chandigarh Repeal) Act
- (997) 1994 - Transplantation of Human Organs Act
- (998) 1994 - Manipur Municipalities Act
- (999) 1994 - New Delhi Municipal Council Act
- (1000) 1994 - Punjab Municipal Corporation Law (Extension to Chandigarh) Act
- (1001) 1994 - Airports Authority of India Act
- (1002) 1994 - Neyveli Lignite Corporation Limited (Acquisition and Transfer of Power Transmission System) Act
- (1003) 1994 - Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act
- (1004) 1994 - Babasaheb Bhimrao Ambedkar University Act
- (1005) 1995 - Cable Television Networks (Regulation) Act
- (1006) 1995 - National Environment Tribunal Act
- (1007) 1995 - Delhi Rent Act
- (1008) 1995 - Textile Undertakings (Nationalisation) Act
- (1009) 1995 - Wakf Act
- (1010) 1995 - Technology Development Board Act
- (1011) 1996 - Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- (1012) 1996 - Depositories Act
- (1013) 1996 - Arbitration and Conciliation Act
- (1014) 1996 - Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act
- (1015) 1996 - Building and Other Construction Workers' Welfare Cess Act
- (1016) 1996 - Provisions of the Panchayats (Extension to the Scheduled Areas) Act
- (1017) 1997 - Maulana Azad National Urdu University Act, 1996
- (1018) 1997 - Mahatma Gandhi Antarashtriy Hindi Vishwavidyalaya Act, 1996
- (1019) 1997 - Industrial Reconstruction Bank (Transfer of Undertakings and Repeal) Act
- (1020) 1997 - Lalitkala Akademi (Taking Over of Management) Act
- (1021) 1997 - National Environment Appellate Authority Act
- (1022) 1997 - Telecom Regulatory Authority of India Act
- (1023) 1997 - Vice-President's Pension Act
- (1024) 1997 - Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Act
- (1025) 1998 - National Institute of Pharmaceutical Education and Research Act
- (1026) 1998 - Electricity Regulatory Commissions Act
- (1027) 1998 - Lotteries (Regulation) Act
- (1028) 1999 - Leaders of Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998
- (1029) 1999 - Delhi Development Authority (Validation of Disciplinary Powers) Act, 1998
- (1030) 1999 - Urban Land (Ceiling and Regulation) Repeal Act
- (1031) 1999 - Central Industrial Security Force (Amendment and Validation) Act
- (1032) 1999 - Insurance Regulatory and Development Authority Act
- (1033) 1999 - Foreign Exchange Management Act
- (1034) 1999 - National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act
- (1035) 1999 - Trade Marks Act
- (1036) 1999 - Geographical Indications of Goods (Registration and Protection) Act (1037) 2000 - Mizoram University Act
- (1038) 2000 - Designs Act
- (1039) 2000 - Direct-Tax Laws (Miscellaneous) Repeal Act
- (1040) 2000 - Information Technology Act
- (1041) 2000 - Madhya Pradesh Reorganisation Act
- (1042) 2000 - Uttar Pradesh Reorganisation Act
- (1043) 2000 - Bihar Reorganisation Act
- (1044) 2000 - Chemical Weapons Convention Act
- (1045) 2000 - Semiconductor Integrated Circuits Layout-Design Act
- (1046) 2000 - Coal India (Regulation of Transfer and Validation) Act

- (1047) 2000 - Immigration (Carriers' Liability) Act
(1048) 2000 - Central Road Fund Act
(1049) 2000 - Juvenile Justice (Care and Protection of Children) Act
(1050) 2001 - Indian Council of World Affairs Act
(1051) 2001 - Advocates' Welfare Fund Act
(1052) 2001 - Energy Conservation Act
(1053) 2001 - Protection of Plant Varieties and Farmer's Right Act

Wither Employment Guarantee?

A Critique of the Guidelines of the National Food for Work Programme
(written collectively during a workshop on the food for work programme held
in Udaipur in the last week of March)

The United Progressive Alliance (UPA) government launched the National Food For Work Programme (NFFWP) in November last year with much fanfare. The NFFWP is intended to "generate additional supplementary wage employment and to create productive assets" in 150 of the most backward districts of the country.

The NFFWP is significant for two reasons. Firstly, with a budget outlay of Rs. 11,000 crores (in 2005-6), it involves substantial resources in the form of cash and foodgrains being invested in these districts. Secondly, as the Preamble claims, it is "a move towards wage employment guarantee". Hence even though the NFFWP is in its infancy, a detailed analysis of the programme's Guidelines issued by the Union Ministry of Rural Development (MoRD) is in order. What follows is a critique of some of the major provisions in the NFFWP Guidelines supported in places by field reports of early experiences of the programme shared at a four-day workshop held in Udaipur on 17-20 March, 2005. About 100 activists working in the selected districts across 6 states participated in this workshop.

The Programme

According to the Guidelines, the NFFWP will be "open to all rural poor who are in need of wage employment and desire to do manual and unskilled work. The programme will be self-targeting in nature." Thus, there is no target group and the assumption is that participants will select themselves. Wages will be paid partly in cash and partly in grain. It is a 100% Centrally Sponsored Scheme with even foodgrains being provided to the States free of cost, leaving the latter to bear only transportation costs, handling charges, and taxes on foodgrains.

The principal focus of the works that can be executed under the programme are, in order of priority: a) water conservation and drought proofing including afforestation; b) land development, c) flood control/ protection measures (including drainage in waterlogged areas) and d) rural connectivity with fair weather roads. The basis of works taken up under the programme will be a five-year Perspective Plan for the District from which a shelf of works, Block-wise and Gram Panchayat-wise, will be prepared for execution.

Ignoring the Demand for Work

The NFFWP Guidelines begin by specifying that it is self-targeting. However there is no mechanism to estimate, let alone respond to the demand for work. Instead the Perspective Plan, which is the

substantive foundation of programme, is based on merely preparing a list of works rather than being linked to the demand for employment. This is in contrast to Famine Relief Works wherein the very first step is to assess the demand for employment at the district, sub-division, block and village panchayat levels.

Both the agency (an NGO) in charge of preparing the Perspective Plan for Udaipur district as well as the Collector admitted that the Plan and the shelf of works being finalised are not linked to any estimates of the demand for employment. One practical implication of this is that it is possible that the distribution of works may not match the demand for employment i.e., areas with high demand may end up having works with low absorptive capacity and vice versa which will defeat the very objective of the programme.

Another consequence of the absence of a mechanism to gauge the demand for work is that the potential to inject an element of labour entitlements in the programme is lost. The Guidelines contain no provisions for workers to register themselves for work, or be issued job cards which would record the quantum of work and wages they have received.

Reversing Decentralisation?

The NFFWP will be implemented through the District Collector as the Nodal Officer with overall responsibility of planning, implementation, coordination, monitoring and supervision. According to the Guidelines a committee headed by the Collector will decide which agency will prepare the Perspective Plan and a shelf of works in order of priority. The Plan will then be sent, along with recommendations of the State Government to the MoRD for approval.

The Guidelines leave little room for the involvement of Panchayati Raj Institutions (PRIs), elected representatives, or gram sabhas in the preparation of the Perspective Plan. All the Guidelines have to say in this respect is that "...the works suitable and required for the area are to be identified in consultation with the Panchayati Raj Institutions concerned and local MP and MLAs". There is no procedure spelt out with regard to how this consultation process is to occur and importantly how any complaints or grievances of PRIs in this regard would be addressed. Approval of the Perspective Plan or the list of works by the Gram Sabha is not necessary and not even recommended by the Guidelines.

As was pointed out by several activists most parts of the 150 districts under the NFFWP are covered by the Panchayat (Extension to) Scheduled Areas Act 1996 under which Gram Sabhas and PRIs are given special powers to make decisions regarding development administration. The NFFWP however does not account for this in any way except to dilute them. The Guidelines also empower the Collector to

decide which agency will execute the works identified in the Perspective Plan: "The works can be got executed from line departments/ PRIs/ reputed NGOs/ Self-Help Groups/ other agencies of Central or State Government as may be decided by the Collector".

Literally read, as per the NWFFP Guidelines, if a village panchayat is not an executing agency then it has virtually no role in the programme, which is restricted to the right to inspect works within the panchayat.

Flawed Planning Process

The process of preparing the Perspective Plan is also flawed in other ways. First, the preparation of the Plan has been subcontracted to an agency outside government, creating an immediate divide between the planning and implementation processes. While it may be useful to get technical support from outside agencies, the sidelining of government agencies and PRIs drastically reduces the range of options and many of the local inputs so crucial for planning. It is also a dangerous abdication of state responsibility, in a domain where the state has a crucial coordinating role at the very least. The plans are being prepared at breakneck speed as the approval of the five-year plan by the Ministry in Delhi is required before any funds can be released. There is also a danger of the Perspective Plan becoming a straightjacket in the entire programme, as there are no provisions for modifying or updating the Plan over time, once approved by the Ministry.

Other serious limitations of the NFFWP Guidelines include:

1. The Guidelines do not specify where and how people seeking employment should register themselves. Given the possible multiplicity of executing agencies, it is not clear how people would even be informed about employment opportunities.
2. The Guidelines do not clarify how the payment of minimum wages will be ensured.
3. There are no provisions in place to ensure that the Perspective Plan and the works contemplated cover all areas of the district on the basis of need and demand for work.
4. The Guidelines do not provide for any mechanism for PRIs to address any grievances even though it gives "the panchayat concerned the right to inspect and review any work under the scheme in its jurisdiction."
5. There is a provision for social audit of works carried out under the programme, essentially through a Vigilance Committee to be constituted by the beneficiaries. However the

Guidelines are silent regarding how social audit is to be done and grievance redressal mechanisms in case the Vigilance Committee has a complaint or files an adverse report.

6. Generally, the provisions for transparency and accountability are very weak. An opportunity has been missed to build on the extensive work that has been done recently on the drafting of the Employment Guarantee Act and the Right to Information Act.

7. The Guidelines have no provisions for participatory evaluation of the programme.

The problems in the Guidelines are only being exacerbated by the haste with which the NFFWP is being implemented. For instance the NGO coordinating the preparation of the Perspective Plan for Udaipur district was given a little over 45 days to finalize the Plan and a shelf or works covering the whole district for 5 years! The exercise involved extensive field surveys and resource mapping of 498 panchayats covering 11 blocks. It came as no surprise that the representatives of the agency expressed a lack of satisfaction with the level of detail as well as peoples' participation in the process.

There are other serious flaws in the programme. In order to meet the criteria of targeting the most needy and backward districts, it would have been better to use blocks rather than Districts as a unit. Almost all the Districts selected have blocks which do not qualify as being the most backward, and there are many of the more "advanced" districts which have blocks which need special and immediate attention.

In looking at many of these shortcomings, it is clear that the Guidelines themselves have been prepared in undue haste without any effort to involve people's organizations in the process. The central government has made a commitment to an employment guarantee, to transparency, and to decentralization. In substance, these Guidelines are fundamentally at odds with these commitments.

According to the preamble of the Guidelines: "The new Food for Work Programme is also a move towards wage employment guarantee. It is an experiment, which if successfully carried out, will give the government the necessary confidence to take responsibility for providing wage employment guarantee, initially in these 150 identified districts and later, gradually in the remaining districts of the country". Unfortunately, the NFFWP lacks the essential features of a credible employment guarantee.

THE PROTECTION FROM DOMESTIC VIOLENCE BILL, 2004

A Bill to protect the rights of women who are victims of violence of any kind occurring within the family and to provide for matters connected therewith or incidental thereto

Be it enacted by Parliament in the Fifty-fifth Year of the Republic of India as follows:-

CHAPTER I

1. Short title, extent and commencement.

- (1) This Act may be called the Protection from Domestic Violence Act, 2004.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.

In this Act, unless the context otherwise requires,-

- a) "aggrieved person" means any woman who is or has been a relative of the respondent and who alleges to have been subjected to act of domestic violence by the respondent;
- b) "application" means any application made by an aggrieved person on her own behalf or on behalf of her child under this Act for any appropriate relief;
- c) "appropriate government" means the State Government in relation to States and the Central Government in relation to the Centre;
- d) "child" includes any adopted, step or foster child or any other minor, i.e., below the age of 18 years, in a domestic relationship or in a shared household;

*being part of the draft Note for Cabinet under reference to Ministry of Law & Justice

- e) "compensation order" means an order granted in terms of Section 18 of this Act;
- f) "custody order" means an order granted in terms of Section 17 of this Act;
- g) "domestic incident report" means a report in the form prescribed made on the receipt of a complaint of domestic violence by an aggrieved person;
- h) "domestic relationship" means a relationship between two persons who live or have, at any point of time, lived together in the shared household, when they are related by consanguinity, marriage, or through a relationship in the nature of marriage, adoption or are family members living together as a joint family;
- i) "domestic violence" has the same meaning as assigned to it in section 4;
- j) "dowry" shall have the same meaning assigned to it under the Dowry Prohibition Act, 1961;
- k) "Magistrate" means the Judicial Magistrate of the first class or the Metropolitan Magistrate, as the case may be, exercising jurisdiction under the Code of Criminal Procedure, 1973 in the area where the aggrieved person resides temporarily or otherwise or the respondent resides or the domestic violence is alleged to have taken place;
- l) "medical facility" means medical facilities notified by the appropriate government under this Act;
- m) "monetary relief" means compensation which a Magistrate may order at any stage during the hearing of application seeking a protection order, to meet the expenses incurred and losses suffered by the aggrieved person as a result of the domestic violence;
- n) "notification" means a notification published in the Official Gazette;
- o) "prescribed" means prescribed by rules made under this Act;
- p) "Protection Officer" means an officer appointed by the State Government under section 5;

q) "protection order" means an order made under section 15;

r) "residence order" means an order granted in terms of Section 15 of this Act;

s) "respondent" means any person who is or has been in a domestic relationship with the aggrieved person and against whom the aggrieved person has sought any relief under this Act;

t) "service provider" means any voluntary association registered under the Companies Act, 1956 or any other law for the time being in force with the objective of protecting the rights and interests of women by any means including legal aid, medical, financial or other assistance.

u) "shared household" means a household where the person aggrieved lives or at any stage has lived in a domestic relationship either singly or along with the respondent and includes such a household whether owned or tenanted either jointly by the person aggrieved and the respondent, or owned or tenanted by either of them, any such household in respect of which either the person aggrieved or the respondent or both jointly or singly have any right, title, interest or equity and includes such a household which may belong to the joint family of which the respondent is a member, irrespective of whether the respondent or person aggrieved has any right, title or interest in the shared household

3. Act not in derogation of any other law.

The provisions of this Act shall be in addition to, and not in derogation of the provisions of any other law, for the time being in force.

CHAPTER II

4. **Domestic Violence.-**

Domestic violence means an act, omission or commission or any conduct of the respondent which:

- (a) harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or
- (b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry; or other property or valuable security; or
- (c) threatens the aggrieved person or any person related to her by any conduct mentioned in clauses (a) and (b); or
- (d) otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

Explanation 1:

(i) "Physical abuse" includes any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the person aggrieved and includes assault, criminal intimidation and criminal force.

(ii) "Sexual abuse" includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity.

(iii) "Verbal and emotional abuse" includes.-

- (a) insults, ridicule, humiliation, name calling, including insults, ridicule specially with regard to not having a child or a male child, or;
- (b) repeated threats to cause physical pain to any person in whom the person aggrieved is interested.

(iv) "Economic abuse" includes –

(a) deprivation of any or all economic or financial resources to which the person aggrieved is entitled under law or custom whether payable under an order of court or otherwise or which the person aggrieved requires out of necessity, including but not limited to household necessities for the person aggrieved and her children if any, stridhan, property, jointly or separately owned by the persons aggrieved, payment of rental related to the shared household and maintenance;

(b) disposal of household effects, any alienation of assets whether moveable or immovable, valuables, shares, securities, bonds etc or other property in which the person aggrieved has an interest or is entitled to use by virtue of the domestic relationship or which may be reasonably required by the person aggrieved or her children or her stridhan or any other property jointly or separately held by the person aggrieved; or

(c) prohibiting or restricting continued access to resources or facilities which the person aggrieved is entitled to use or enjoy by virtue of the domestic relationship including access to the shared household

Explanation 2:

A single act of commission or omission may constitute domestic violence.

CHAPTER III

5. Appointment of Protection Officer.

- (1) The State Government shall, by notification in the Official Gazette, appoint such number of Protection Officers in each district as it may consider necessary and shall notify the area or areas within which a Protection Officer shall exercise his powers and perform his duties under this Act.

(2) Protection Officers shall as far as possible be women and shall possess such qualifications and experience as may be specified in the rules.

(3) The terms and conditions of service of the Protection Officer and other officers subordinate to him shall be such as may be prescribed.

6. Duties and Functions of Protection Officers:-

(1) It shall be the duty of the Protection Officer

- a) To assist the Court in the discharge of its functions under the Act;
- b) To make a Domestic Incident Report in the prescribed form upon receipt of a complaint of domestic violence and forward copies thereof to the police officer in charge of the police station within whose jurisdiction the violence was committed and the service providers in that area;
- c) If the aggrieved person so desires, to make an application to the court for the protection order in the prescribed form;
- d) To ensure that an aggrieved person is provided legal aid under the Legal Services Authority Act and make available prescribed forms in which the complaint can be made free of cost;
- e) To maintain a list of all service providers providing legal aid, counselling, shelter, medical facilities in the jurisdiction;
- f) To make available a safe shelter home, if the person aggrieved so requires and forward a copy of his report of having lodged an aggrieved women in a shelter home to the police and Magistrate having jurisdiction in the area where the shelter home is located;
- g) To get the person aggrieved medically examined, if she has sustained injuries and forward a copy of the medical report to the police and Magistrate having jurisdiction in the area where the domestic violence took place;
- h) To ensure that the order for monetary relief under Section 16 is complied with and executed, in accordance with the procedure prescribed under the Code of Criminal Procedure.

(2) The Protection Officer shall be under the control and supervision of the Court, and shall perform duties imposed on him or her by the Court and by this Act.

(3) A Protection Officer shall be considered a 'public servant' within the meaning of the Indian Penal Code for the purposes of this Act.

7. Information to Protection Officer and exclusion of liability.

(1) Any person who has reason to believe that an act of domestic violence has been, is being, or is likely to be committed, may give information to the Protection Officer.

(2) No liability, civil or criminal, shall be incurred by any person for information given in good faith for the purpose of sub-section (1).

8. Duties of the police, service provider and Magistrate

A police officer, protection officer, a service provider or a magistrate who has received a complaint of domestic violence or is otherwise present at the scene of an incident of domestic violence or when the incident of domestic violence is reported to him, shall-

- (1) inform the person aggrieved of her right to apply for and obtain a protection order, an order for monetary relief, custody orders and/or a residence order under the provisions of this Act;
- (2) inform the person aggrieved of the services of service providers;
- (3) inform the aggrieved person of the services of the protection officers;
- (4) inform the person aggrieved of her right to free legal services under the Legal Services Authorities Act, 1987;
- (5) inform the aggrieved person of her right to file a complaint under Section 498A of the Indian Penal Code, 1861, wherever relevant.

Provided that nothing in this Act shall be construed in any manner as to relieve a police officer from his duty to proceed in accordance with law upon receipt of information as to the commission of a cognizable offence.

CHAPTER IV Procedure For Obtaining Protection Order

9. Application to Magistrate.

- (1) The aggrieved person who is a victim of domestic violence, or any other person on her behalf, or the Protection Officer, may present an application to the Magistrate for seeking relief under section 15.
- (2) The application under sub-section (1) may contain particulars in such form as may be prescribed or as near thereto as possible.
- (3) The Magistrate shall fix first date of hearing, which shall not exceed three days from the date of the receipt of the application by the Magistrate for consideration of the application.
- (4) The application made under clause (1) shall be disposed of within a period of 60 days.

10. Service of notice.

- (1) Notice of the date fixed under section 9 shall be given by the Magistrate to the Protection Officer, who shall get it served by such means as may be prescribed on the respondent, and on any other person, as directed by the Magistrate within a maximum period of two days.
- (2) A declaration in such form as may be prescribed, of the Protection Officer regarding service of notice shall be the proof that such notice was served upon the respondent and on any other person as directed by the Magistrate unless the contrary is proved.

9

11. **Counselling**

(1) The Magistrate at any stage of the proceedings under the Act may direct the respondent to undergo mandatory counselling with a service provider who is qualified in counselling.

(2) Where the Magistrate has issued any direction under sub-section(1), he shall fix the next date of hearing of the case within a period not exceeding two months.

12. **Assistance of welfare expert.**

In any proceedings under this Act, the Magistrate may secure the service of such person, preferably a woman where available, whether related to parties or not, including a person engaged in promoting family welfare as he thinks fit, for the purpose of assisting him in discharging his functions.

13. **Proceedings to be held in camera.**

The proceedings may be held *in camera*, if the Magistrate considers that the circumstances of the case so warrant, and shall be so held if either party so desires.

14. **Right to reside in a shared household and the right to protection against violence**

(1) Notwithstanding any other law in force, every woman in a domestic relationship shall have the right to reside in the shared household, whether or not she has any right, title or beneficial interest in the same.

(2) An aggrieved woman shall have a right not to be evicted or excluded from the shared household or any part of it by the respondent save in accordance with the procedure established by law.

15. Passing of protection and residence orders

(1) The court on being satisfied on a balance of probabilities that domestic violence has taken place or is likely to take place, may pass a protection order prohibiting the respondent from:

- (i) committing any act of domestic violence;
- (ii) aiding and abetting in the commission of acts of domestic violence;
- (iii) entering the place of employment of the person aggrieved or, if person aggrieved is a child, its school; or any other place frequented by the person aggrieved;
- (iv) attempting to communicate in any form whatsoever with the person aggrieved, including personal, oral or written, electronic or telephonic contact;
- (v) committing any other act as specified in the protection order;
- (vi) alienating any assets, operating bank lockers or bank accounts used or held or enjoyed by both parties, jointly or singly by the Respondent; including her stridhan or any other property held either jointly by the parties or separately by them without the leave of the court;
- (vii) causing violence to the dependants, other relatives and persons who give the person aggrieved assistance from domestic violence.

(2) In addition to the order under sub-section (1), or otherwise, the court, on being satisfied on a balance of probabilities that domestic violence has taken place, may pass a residence order to:

- (i) restrain the Respondent from dispossessing or in any manner disturbing the possession of the aggrieved person from the shared household, whether or not the Respondent has a legal or equitable interest in the shared household;
- (ii) direct the Respondent to remove himself from the shared household;
- (iii) restrain the Respondent or any of his relatives from entering any portion of the shared household in which the aggrieved person resides;
- (iv) restrain the respondent from alienating or disposing off the shared household or encumbering the same;

- (v) restrain the respondent from renouncing his rights in the shared household except with the leave of the court;

~~(vi)~~ direct the respondent to secure alternate accommodation for the person aggrieved or to pay rent for the same, if the circumstances so require.

Provided that no order under sub-section 2(ii) shall be passed against any respondent who is a woman.

- (3) The court may impose any additional conditions or pass any other direction which it deems reasonably necessary to protect and provide for the safety of the person aggrieved or any child.

- (4) The court may require from the Respondent to execute a bond, with or without sureties, for preventing the commission of domestic violence. An order under this sub section shall be deemed to be an order under Chapter VIII of the Code of Criminal Procedure and dealt with accordingly.

- (5) While passing an order under sub-sections (1), (2) or (3), the Court may also pass an order directing the police to give protection to the person aggrieved or to assist her or the person making an application on her behalf in the implementation of the order.

- (6) While making an order under sub-section (2), the court may impose on the respondent obligations relating to the discharge of rent or other payments, having regard to the financial needs and resources of the parties.

- (7) The court may direct the police officer in-charge of the police station in whose jurisdiction the Magistrate has been approached to assist in the implementation of the Protection Order.

- (8) The court may direct the respondent to return to the possession of the person aggrieved her stridhan or any other property or valuable security to which she is entitled to either singly or jointly.

- (9) The court shall, in all cases where it has passed a protection order under this section, order that a copy of such order be given to the parties to the application,

police officer in-charge of the police station in whose jurisdiction the Magistrate has been approached, and any service provider located within the local limits of the jurisdiction of the Court and if any service provider has registered a domestic incident report, to that service provider.

16 Monetary Relief-

(1) The court may direct the respondent to pay monetary relief to meet the expenses incurred and losses suffered by the person aggrieved and any child as a result of the domestic violence and includes but is not limited to-

- i) loss of earnings;
- ii) medical expenses;
- iii) loss caused due to the destruction, damage or removal of any property from the control of the person aggrieved;
- iv) maintenance for the person aggrieved as well as her children, if any, including an order under or in addition to an order under Section 125, CrPC

Explanation 1: The monetary relief granted under sub-section (1) shall be adequate, fair and reasonable and consistent with the standard of living to which the aggrieved person is accustomed

Explanation 2: The Magistrate shall have the power to order an appropriate lump sum payment or monthly payments of maintenance, as the nature and circumstances of the case may require.

Explanation 3: (1) If an order for maintenance remains unexecuted within a reasonable period despite the best efforts made under this Act, the court shall direct that the aggrieved person be given all the benefits available under existing poverty alleviation schemes of the appropriate government mentioned in the Schedule to this Act as amended from time to time.

(2) Copies of an order for monetary relief shall be forwarded by the Court to the parties to the application and to the Station House Officer of the police station within whose jurisdiction the respondent resides.

(3) The respondent shall pay monetary relief to the person aggrieved within the date specified in the order made in terms of sub-section (1) and in accordance with the terms therein.

(4) The Magistrate may, upon the failure on the part of the respondent to make payment in terms of sub-clause (3), by an order, direct an employer or a debtor of the respondent, to directly pay to the person aggrieved or to deposit with the court a portion of the wages or salaries or debt due to or accrued to the credit of the respondent, which amount may be adjusted towards the monetary relief payable by the respondent.

17. Custody Order –

Notwithstanding any other law in force, the court may, at any stage of the hearing of the application for protection order or for reliefs under sections 16 and 18, grant temporary custody of any child or children to the person aggrieved or the person making an application on her behalf and specify, if necessary, arrangements for visitation by the respondent.

Provided that if the Magistrate is of the opinion that visitation will be harmful to the interests of the child, the Magistrate shall refuse such visitation.

18. Compensation Orders –

(1) In addition to other reliefs under sections 15, 16, 17 and 19 or otherwise under this Act, the court may on an application by the person aggrieved, pass an order directing the respondent to pay compensation and damages for the injuries, including mental torture and emotional distress, caused by the acts of domestic violence committed by the said respondent.

(2) The person aggrieved may make an application for compensation and damages under this section without prejudice to the right of such person to institute a suit for compensation or damages for the injuries caused by the acts of domestic violence committed by the respondent.

Provided that where a decree for any amount as compensation or damages has been passed by any court in favour of the person aggrieved, the amount, if any, paid or payable in pursuance of the order made by the court under this Act shall be set off against the amount payable under such decree and the decree shall, notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908), or any other law for the time being in force, be executable for the balance, if any, left after such set off.

19. Power to grant interim and ex parte orders

(1) In any proceeding before it under this Act, the Court may pass such interim order as it deems just and proper.

(2) If a court is satisfied that an application *prima facie* discloses that the respondent is committing, or has committed an act of domestic violence or that there is a likelihood that the respondent may commit an act of domestic violence, it may grant an *ex parte* order on the basis of the affidavit of the aggrieved person under sections 15 to 18 against the respondent in a form as may be prescribed under the rules.

20. Duration and alteration of protection order.

(1) A protection order made under section 15 shall be in force till the aggrieved person applies for discharge

(2) The protection order, for reasons to be recorded in writing, may be altered, modified, varied or revoked, on an application by an aggrieved person, provided that the Magistrate is satisfied that there is a change in the circumstances that requires such alteration, modification, variation or revocation, as the case may be.

21. Relief in other suits and legal proceedings

(1) Relief available under sections 15 to 19 of this Act may also be sought in any legal proceeding, before a civil court, family court or a criminal court, affecting

the person aggrieved and the respondent whether such proceeding was initiated before or after the commencement of this Act.

(2) Such order may be sought in addition to and along with any other relief that the person aggrieved may pray for in such suit or legal proceeding, civil or criminal.

22. Jurisdiction

1). Jurisdiction to grant a protection order and/or try offences under this Act lies with any court, within whose jurisdiction –

- i. the person aggrieved permanently or temporarily resides, carries on business or is employed;
- ii. the respondent resides, carries on business or is employed; or,
- iii. the cause of action arose.

2) Any order made hereunder shall be enforceable throughout India.

23. Procedure-

(1) Except as otherwise stated in this Act, proceedings regarding the issuance of orders under sections 11, 15, 16, 17, 18 and 22 and offences under section 27(1) provided herein shall be governed by the Code of Criminal Procedure, 1973.

(2) Nothing in sub-section (1) shall prevent the court from laying down its own procedure.

24. Court Fees

No court fees shall be payable for any applications under this Act.

CHAPTER V

Miscellaneous

25. Appeal

There shall lie an appeal to the Court of Session within thirty days from the date on which the order made by the Magistrate is served on the aggrieved person or the respondent, as the case may be.

26. Protection Officer to be a public servant.

Every Protection Officer, when acting or purporting to act under this Act, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

27. Penalty for breach of protection order by respondent.

- (1) A breach of protection order, or of the interim protection order, by the respondent shall be an offence and shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to rupees twenty thousand, or with both.
- (2) The offence under sub-section (1) shall be triable by the Magistrate who had passed the previous order, breach of which has been caused by the accused.
- (3) While framing charges under sub-section (1), the Magistrate may also frame charges under Section 498A of the Indian Penal Code, any other provision of the Indian Penal Code or the Dowry Prohibition Act, 1961 if the facts disclose the commission of an offence under those sections.

28. Cognizance and proof

- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the offence under section 27 (1) shall be cognizable and non-bailable.
- (2) The Court may conclude the commission of an offence under section 27(1) upon the sole testimony of the person aggrieved.

29. Penalty for not discharging duty by Protection Officer.

If any Protection Officer fails or refuses to discharge his duties as directed by the Magistrate in the protection order without any sufficient cause, he shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to rupees twenty thousand, or with both.

30. Cognizance of offence committed by the Protection Officer.

No prosecution or other legal proceeding shall lie against the Protection Officer unless a complaint is filed with the previous sanction of the State Government or an officer authorized by it in this behalf.

31. Protection of action taken in good faith.

No suit, prosecution or other legal proceedings shall lie against the Protection Officer for any damage caused or likely to be caused by anything which is in good faith done or is intended to be done under this Act or any rule made thereunder.

32. Powers of Service Providers

- (1) Any service provider registered under this Act shall have the power to:
 - a) record the Domestic Incident Report in the prescribed form if the woman so desires and forward a copy thereof to the protection officer and Magistrate having jurisdiction of the place where the domestic violence took place.
 - b) get the person aggrieved medically examined and forward a copy of the medical report to the protection officer and the police within the jurisdiction of the place where the domestic violence took place.
 - c) ensure that the aggrieved person is provided shelter in a shelter home, if she so requires and forward a report of the lodging of the aggrieved person in the shelter home to the police within whose jurisdiction the domestic violence took place.

33. Duties of Government

- (1) It shall be the duty of the Central Government and the State Governments to provide adequate shelter homes, medical facilities and legal aid for women facing domestic violence.

(2) The Government of India, as well as the State Governments, shall ensure that:

- (i) The Act and the contents thereof receive wide publicity in the television, radio and the print media at regular intervals;
- (ii) The government officers, the police and the members of the judicial services are given periodic sensitization and awareness training on the issues addressed by this Act;
- (iii) Effective co-ordination between the services provided by concerned ministries dealing with law and order, health, human resources and any other concerned ministries to address issues of domestic violence and periodically review the same; and
- (iv) Prepare and put in place protocols for the various ministries concerned with the delivery of services to women under this Act including the courts.

34. Power to make rules.

(1) The appropriate government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- a) qualifications, experience and terms of conditions of service for the appointment of Protection Officers and other officers subordinate to him under section 5
- b) prescribing the form in which the application may be presented;
- c) prescribing the form in which the domestic incident report will be made;
- d) provide for the maintenance of a register of service providers;
- e) provide for the maintenance of a list of shelter homes and medical facilities to be notified in the official gazette;
- f) specify poverty alleviation schemes in the schedule ;
- g) any other matter in connection with or in relation to this Act.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be compromised 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, both Houses agree in making any modification in the rule or both Houses agree 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.

Statement of Objects and Reasons

Domestic violence is undoubtedly a human rights issue and serious deterrent to development. The Vienna Accord of 1994 and the Beijing Platform of Act (1995) both have acknowledged this. The United Nations Committee on CEDAW (Convention on Elimination of All Forms of Discrimination Against Women) and in its general recommendation No. XII (1989) has recommended that State parties should act to protect women against violence of any kind especially that occurring within the family.

2. The phenomenon of domestic violence is widely prevalent but has remained largely invisible in the public domain. Presently, where a woman is visited with cruelty by her husband or his relatives is an offence under section 498A of the Indian Penal Code, 1860. The civil law does not address this phenomenon in its entirety.

3. With a view to providing a remedy under the civil law which is intended to preserve the family and at the same time provide protection to victims of domestic violence, legislation is being proposed. The main features as contained in the Bill are as follows: -

- 1) The Bill seeks to cover those women who are or have been in a relationship with the abuser where both parties have lived together in a shared household and are related by consanguinity, marriage (not necessarily legal) or a relationship in the nature of marriage, or adoption; in addition relationship with family members living together as a joint family are also included. What this means is that even those women who are sisters, widows, mothers, single women, or living with the abuser are entitled to legal protection under the proposed Bill.
- 2) Domestic violence includes actual abuse or the threat or abuse that is physical, sexual, verbal, emotional and economic. Harassment by way of unlawful dowry demands to the woman or her relatives would also be covered under this definition.
- 3) One of the most important features of the Bill is the woman's right to secure housing. The Bill provides for the woman's right to reside in the matrimonial or shared household, whether or not she has any title or rights in the household. This right is secured by a residence order, which is passed by a court.

- 4) The other relief envisaged under the Bill is that of the power of the court to pass protection orders that prevent the abuser from aiding or committing an act of domestic violence or any other specified act, entering a workplace or any other place frequented by the abused, attempting to communicate with the abused, isolating any assets used by both the parties and causing violence to the abused, her relatives and others who provide her assistance from the domestic violence.
- 5) The draft Bill provides for appointment of Protection Offices and NGOs to provide assistance to the woman w.r.t medical examinations, legal aid, safe shelter etc.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clauses (2) and (3) of section 5 seek to confer power on the Central Government to make rules for prescribing the qualification, terms and conditions of service of the Protection Officer and other officers subordinate to her/him. Section 6(1)(b) confers power on the Central Government to make rules for prescribing the form in which the Domestic Incident Report is to be made. Sub-section (2) of section 9 confers power on the Central Government to make rules for prescribing the form in which the application may be presented by the aggrieved person to the Magistrate. Sub-sections (1) & (2) of section 10 confer power on the Central Government to make rules regarding service of notice on respondent. Sub-section (2) of section 19 confers power on the Central Government to make rules for prescribing the form in which the affidavit may be filed by the aggrieved person to the court.

2. The matter in respect of which provision may be made in the rules are generally matters of procedure and details. The delegation of legislative power, is therefore, of a normal character.

File No ③

Date - 13 April 2015

From - MAC

Jayanti S. Ravi