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19 (Sem-4) WCLW 4-5 (H)

2016

WOMEN AND CRIMINAL LAW

Paper : 4-5 H₂

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answer : $1 \times 10 = 10$

(a) Article _____ of the Indian Constitution prohibits gender discrimination. [15(1)/15(3)]

(b) Equal protection of law is a more _____ concept. (positive/negative)

Contd.

- (c) Consent of woman is _____ in case of the offence of adultery (material/ immaterial)
- (d) The punishment for 'gang rape' has been defined under section _____ of the Indian Penal Code. (376D/376E)
- (e) The Immoral Traffic (Prevention) Act, 1956 was passed on the strength of Article _____ of the Constitution. (23/ 25).
- (f) A lawyer _____ absolute right to appear on behalf of a party before the Family Court. (has/has no)
- (g) Section _____ of the Equal Remuneration Act, 1976 prohibits any kind of discrimination to be made while recruiting men and workers for the same work. (5/6)

- (h) Offences under the Indecent Representation of Women (Prohibition) Act, 1986 are _____ (cognizable/ non-cognizable)
- (i) Right to payment of maternity benefit is provided under section _____ of the Maternity Benefit Act, 1961. [5(1)/5(2)]
- (j) The expression 'valuable security' as contained in section 2 of the Dowry Prohibition Act, 1961 has the same meaning as in section _____ of the IPC. (29/30)

2. Answer the following : 2×5=10
- (a) What is the provision of Article 16 of the Indian Constitution ?
- (b) What do you understand by 'gender justice' ?

- (c) Define 'prostitution'.
- (d) What is medical bonus under the Maternity Benefit Act, 1961 ?
- (e) What is 'protective home' as defined in the Immoral Traffic (Prevention) Act, 1956 ?

3. Discuss the position of women in India during the British Regime and the social reforms that changes the position during the 19th century. 12

Or

Discuss the Constitutional provisions regarding women relating right to equality. Cite case law in support of your answer.

12

4. What do you mean by 'Uniform Civil Code' ? Do you agree that uniform civil code is the need of the day for achieving gender justice in India ? 4+8=12

Or

Explain briefly the different Directive Principles of State Policy for the welfare and development of women. 12

5. Define 'rape'. What are the punishment prescribed by the IPC for committing the offence of rape ? 4+8=12

Or

Discuss in brief the provisions of the protection of women from Domestic Violence Act, 2005 with special emphasis on the role of protection officer. 12

6. What is dowry ? Discuss the main aim and object of the Dowry Prohibition Act, 1961.

2+10=12

Or

Explain the main object of the Indecent Representation of Women (Prohibition) Act, 1986. Under what circumstances can woman be represented in indecent way ?

8+4=12

7. Discuss the provision of the Factories Act, 1948 relating to the employment of women in factories. Does the Act contains any welfare provision concerning women ?

8+4=12

Or

Discuss the major provisions of the Equal Remuneration Act, 1976 and the Maternity Benefit Act, 1988 as protective legislations for women.

6+6=12