

Update for the online era

Women, especially journalists, have been the targets of misogynist trolls on social media. Often hiding behind the cloak of anonymity the Internet offers, the trolls heap online abuse upon women with an independent point of view, and issue threats and conduct hate campaigns against them.

A 31-year-old law, The Indecent Representation of Women (Prohibition) Act, 1986, has largely proved ineffective in curbing this onslaught on the Internet. Though the Act was passed to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner, it pertains only to the print media.

In 2012, an amendment Bill was introduced in Parliament to update the law and make punishment stringent; it is still pending. The statement of objects and reasons of the Bill record the need for the amendments in the 1986 law. It says “technological revolution has resulted in development of new forms of communication, such as, internet and satellite based communication, multi-media messaging, cable television, etc. It has, thus, become necessary to widen the scope of the Act so as to cover the above forms of media.”

The government acknowledges that the law has to be more effective; stringent punishment which acts as deterrent also becomes essential. It has also been felt that the power to enter any premises and conduct search and seizure of any material, if there is reason to believe that an offence under the Act has been committed, should be made more effective and the officers conducting such searches given sufficient protection while carrying out their duties.

The Bill defines the ‘indecent representation of women’ to mean the depiction of the figure or form or body or any part thereof, of a woman in such a way as to have the effect of being indecent or derogatory to or denigrating women, or in a way likely to deprave, corrupt or injure public morality.

It amends the definitions of ‘advertisement’ and ‘distribution’ and also defines ‘electronic form’ of material. It prohibits the publication or distribution of any material, by any means, which contains indecent representation of women in any form.

The proposed law pushes for an increase in the maximum imprisonment from two years to three years and fine from 2,000 to a minimum 50,000, which may be extended to 1 lakh for the first offence. Subsequent offences would invite punishment of a maximum five to seven years and fine up to 5 lakh. The Bill wants a police officer not less than the rank of inspector to investigate offences under the Act.

The new U.S. Fed Chairman is unlikely to opt for policies that might upset the President’s plan

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