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Tulsi floats RS bill to make rape laws gender neutral

Seeks To Replace Words 'Man', 'Woman' With 'Any Person'

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New Delhi: Highlighting the need for "gender neutral" provisions in existing laws related to sexual offences against women and the need to extend protection to not only men but even transgender persons and those with different sexual orientations, Rajya Sabha MP **K T S Tulsi** on Friday introduced a private member bill in the Upper House calling for amendments to the Indian Penal Code, Code of Criminal Procedure and the Indian Evidence Act.

The proposed bill seeks amendments to key sections of the IPC to punish acts of sexual assault and rape of all persons "including but not limited to men and transgender persons in addition to the protection afforded to women". The bill also calls for punishment for offender of any "sex or gender".

In the line-up of business for the day the bill could not be taken up for discussion but its introduction ensures it has a lifeline now and the



Rajya Sabha may choose to list it for discussion any time during this session or in the subsequent session.

"This bill is an endeavour to bring laws relating to sexual exploitation, harassment and assault to be in-step with changing social morality. The lack of acknowledgement of male rape has impacted the ability of victims to recognize their own victimization," says the proposed law at one place.

The bill lists various sections of the IPC where words need to be introduced to enable gender neutral application of the provisions. For in-

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stance, the proposed amendment to section 354 which deals with assault or criminal force to woman with intent to outrage her modesty calls for replacing the word 'woman', with 'any person' in the title.

In IPC section 375 deals with sexual assault. Now the proposed bill seeks insertion of section 375A to enable gender neutral application of law where it is stated that "if any person, intentionally touches the genital, anus or breast of the person or makes the person touch the vagina, penis, anus or breast of that person or any other

person, without the other person's consent or uses words, acts or gestures towards another person which create an unwelcome actionable threat of sexual nature or results in any unwelcome advance", then the person shall be punished with rigorous imprisonment that may extend to three years, or with fine, or both.

In the statement of objects and reasons of the bill it is argued that "the intention of the bill is not to undermine the experiences of women subjected to rape and discrimination. But, as society matures, we must develop empathy for all and this includes male and transgender rape victims also."

Tulsi, a renowned lawyer and a nominated member to the Upper House, told TOI, "The Supreme Court has in many judgements raised concern over misuse of the law. Moreover, I feel this bill can bring a balance allowing men, transgender and people with different sexual orientation also the option of legal recourse."