

AS INTRODUCED IN LOK SABHA

Bill No. 116 of 2016

**THE INDIAN PENAL CODE (AMENDMENT)
BILL, 2016**

By

SHRI PRAVESH VERMA, M.P.

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BILL

further to amend the Indian Penal Code, 1860.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Penal Code (Amendment) Act, 2016.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

Insertion of
New Section
376F.

2. After section 376E of the Indian Penal Code, 1860, the following section shall be inserted, namely:—

Confiscation
of movable
and
immovable
properties of
the convicted
person.

"376F. Notwithstanding anything contained in any other law for the time being in force, whoever commits rape, his movable and immovable property shall be confiscated and delivered to the victim of rape:

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Provided that if the person convicted of committing the offence of rape is married and has children, his movable and immovable property shall be distributed equally between the victim of rape and the wife and children of the convicted.

STATEMENT OF OBJECTS AND REASONS

Incidents of rape have increased in the recent days. There has been considerable delay in filing the cases and the final verdict. In the meanwhile, the victim is harassed not only by the defense lawyers but also by the society. In case, she holds any job especially in private sector, she is removed from the job and her situation becomes worse when there is no one to take care of her and she is left to fend for herself. All these conditions force her to lead a miserable life.

Therefore, it is proposed that apart from punishment provided under the Indian Penal Code, the movable and immovable property of a person who commits rape shall be confiscated and delivered to the victim. This will not only act as a deterrent but also, to some extent, help the victim to come back from her agony and lead a dignified life. As the family of the convicted person should also be taken care of, it is also proposed that where the person convicted of an offence of rape is married and has children, his property shall be divided equally between his family and victim of rape.

Hence this Bill.

NEW DELHI;
April 13, 2016.

PRAVESH VERMA

ANNEXURE

INDIAN PENAL CODE, 1860

(45 OF 1860)

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376(E) Punishment for repeat offenders.

Whoever has been previously convicted of an offence punishable under section 376 or section 376A or section 376D and is subsequently convicted of an offence punishable under any of the said sections shall be punished with imprisonment for life which shall mean imprisonment for the remainder of that person's natural life, or with death.

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(*Shri Pravesh Verma, M.P.*)