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## **Enfold Proactive Health Trust:: Creating Safe Spaces**

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## About Stri Suraksha

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Stri Suraksha was developed in association with ENFOLD, UNICEF and supported by Ministry of Electronics & Information Technology(MeitY). Stri Suraksha is a deeply empowering information app (and not an emergency app) that helps people:

- Recognize and report violence against women in different places - home, public places, workplace and cyberspace (relevant IPC laws, sections and details are provided)
- Learn the legal and medical rights and individual responsibilities of the victim
- Learn how to resist without worsening the situation
- Understand how to intervene safely
- Become aware of practical safety tips when traveling
- Learn how to build mental strength with discussion on gender based/sexual violence, shame and guilt
- Recover from trauma with self-paced reintegration exercises
- Become aware of community based restorative approaches to help the victim heal

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**Red Alert:**

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**Emergency Numbers - All India**

Place Name	Contact Number
Police	100
Women's Help-Line	1090, 1091
AIDS Help - Line	1097
All Emergency Services (proposed)	112
Ambulance	108, 1062
Anti Corruption Bureau of India	1800222021
Anti Ragging Helpline	1800-1805522
Anti Stalking/Obscene Calls	1096
Child Line	1098
Drug Additction and Alchoholism	1800-110031
Fire	101
One Stop Centre (ALL INDIA)	181
Women Commission	011-26942369, 26944740, 26944754, 26944805, 2694809

Emergency Apps

Several 'Safety Apps' are available in India. You can search and use any of these on your mobile phone if you feel safer with this facility.

<http://m.timesofindia.com/tech/slideshow/15-personal-safety-apps-for-women/itslideshowviewall/45431568.cms>

Disclaimer: Enfold Proactive Health Trust does not endorse the authenticity or usefulness of these apps and cannot be held legally liable in any eventuality.

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## Recognize and Report

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Knowledge of laws made for our protection help us take appropriate steps to ensure our safety.

### Indian Penal Code:

- **The Indian Penal Code (IPC)(Hindi: भारतीय दण्ड संहिता) is the main criminal code of India. It is a comprehensive code intended to cover all substantive aspects of criminal law. The code was drafted in 1860.The Code has since been amended several times and is now supplemented by other criminal provisions. Based on IPC, Jammu and Kashmir has enacted a separate code known as Ranbir Penal Code(RPC).**
- (From: [https://en.wikipedia.org/wiki/Indian\\_Penal\\_Code](https://en.wikipedia.org/wiki/Indian_Penal_Code))

List of laws related to women who may face violence in their lives, related definitions, explanations and legal terminology are explained in separate sections.(<https://mha1.nic.in/>).

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### (+) Violence at Home

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Any act, omission, or commission or conduct of the respondent shall constitute domestic violence in case it-

- 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 causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or
- 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
- Has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or
- Otherwise injure or cause harm, whether physical or mental, to the aggrieved person.

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(++) Dowry Harassment

**Recognize**

Dowry: 'Dowry' means any property or valuable security given or agreed to be given either directly or indirectly:

- a) by one party to a marriage to the other party to the marriage;
- b) or by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before or any time after the marriage in connection with the marriage of said parties but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Laws related to dowry prevention and dowry death are listed below

<b>Dowry Harasmment</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of Offence</b>	
IPC*	304	Death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within 7 years of marriage.	Imprisonment of not less than 7 years but which may be extended to life.	Cognizable	Non-Bailable
IPC	302	Murder	Death or imprisonment for life and with fine.	Cognizable	Non-Bailable
IPC	306	Abetment of Suicide	Imprisonment which may be extended to 10 years and with fine.	Cognizable	Non-Bailable
IPC	307	Attempt to Murder	Imprisonment which may be extended to 10 years and with fine.	Cognizable	Non-Bailable
DP* ACT	3	Penalty for giving or taking dowry	Imprisonment for not less than 5 years and with fine	Cognizable	Non-Bailable

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			not less than 15,000 or the amount of the value of such dowry.		
DP ACT	4	Penalty for demanding dowry	Imprisonment for not less than 6 years which may be extended upto 2 years and with fine upto 10,000.	Non-Cognizable	Bailable
DP ACT	6	Penalty for not transferring dowry/property for the benefit of the wife or her heirs	Imprisonment for not less than 6 months which may be extended upto 2 years and with fine upto 10,000.	Non-Cognizable	Bailable

### Report

Incidents of violence can be reported to the nearest police station

### Get Support

Support of Government organisations like Women's Commissions, District Legal Services Authority, Free Legal Cell ; Non-Government Organisations working for welfare of women; Community Heads, could be sought

(++) Cruelty to Married Woman

<b>Cruelty to Married Woman</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of Offence</b>	
IPC	498A	Husband or relative of subjecting a married woman to cruelty	Imprisonment which may extend to 3 years and with fine	Cognizable	Non - Bailable
IPC	312	Voluntarily causing a	Imprisonment which may	Non-Cognizable	Bailable

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		women with child to miscarry	extent to 3 years and with fine		
IPC	313	Causing miscarriage without women's consent	Imprisonment which may be extend to 10 years and with fine	Cognizable	Non-Bailable
IPC	314	Death caused by act done with intent to cause miscarriage	Imprisonment which may be extent to 10 years and with fine	Cognizable	Non-Bailable
IPC	323	Volunteering causing hurt	Imprisonment which may be extent upto 1 year and with fine upto 1,000	Non Cognizable	Bailable
IPC	325	Voluntarily causing grievous hurt	Imprisonment which may be extended to 7 years and with fine	Cognizable	Non-Bailable
IPC	326	Voluntarily causing grievous hurt by dangerous weapons or means	Imprisonment which may be extend to 10 years and with fine	Cognizable	Non-Bailable
IPC	493	Cohabitation caused by a man deceitfully inducing a belief of lawful marriage	Imprisonment which may be extended to 10 years and with fine	Cognizable	Non-Bailable
IPC	495	Marrying again during lifetime of wife and	Imprisonment which may be extended to 7 years and or	Non Cognizable	Bailable

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		concealing former marriage from a person with whom subsequent marriage is contracted	fine or with both		
IPC	496	Marriage ceremony fraudulently gone through without lawful marriage	Imprisonment which may be extended to 7 years or with fine	Non Cognizable	Non Bailable

### Report

Incidents of violence against women can be reported to the nearest police station

### Get support

Support of gov organizations like women's commission, district legal services authority, free legal cell, non-gov organization working for welfare of women, community heads, could be sought.

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(++) Domestic Violence

Domestic violence is an increasingly common issue in several Indian households across cutting economic, cultural, urban/rural backgrounds. Besides the devastating consequences that all forms of violence have on women, children who witness violence experience severe trauma themselves. The effect on extended family, community, and society are unquantifiable. The short and long term effects of violence against women make it an intergenerational issue. Laws protecting women and their children from domestic violence are listed below:

<b>Domestic Violence</b>			
<b>Act</b>	<b>Section</b>	<b>Details</b>	<b>Process</b>
PWDV Act*	18	Protection Orders	Magistrate may pass orders in favour to the aggrieved person, directing the respondent from <ol style="list-style-type: none"><li>Committing any act of violence</li><li>Entering the place of employment or any other place frequently by the aggrieved person</li><li>Attempting to communicate in any form</li><li>Alienating any assets, bank accounts, etc jointly enjoyed by both parties</li></ol>
PWDV Act	19	Residence orders	Magistrate may, on being satisfied that domestic violence has been taken place pass an order: <ol style="list-style-type: none"><li>Restraining the respondent from dispossessing of possessions of the aggrieved person from shared household.</li><li>Directing the respondent to remove himself from shared household</li><li>Directing the respondent to set up alternate accommodation for the aggrieved person</li></ol>
PWDV Act	20	Monetary Reliefs	Magistrate may direct the respondent to pay monetary relief to meet the expenses incurred and losses suffered by the aggrieved person and any child of the aggrieved person- <ol style="list-style-type: none"><li>Loss of earning</li><li>Destruction, damage or removal of property</li></ol>

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			c. maintenance
PWDW Act	21	Custody Orders	Not with-standing anything contained in any other law the magistrate may grant temporary custody of any child or children to the aggrieved person
PWDW Act	22	Compensation orders	Magistrate may pass order directing the respondent to pay compensation and damages for injuries (mental torture and emotional distress) caused
PWDW	23	Interim or ex parte orders	Magistrate may pass interim orders and if satisfied with the respondent has committed or is likely to commit in an act of domestic violence can pass ex parte orders in the absence of the respondent.

### Report

Incidents of violence against women can be reported to the nearest police station

### Get Support

Support of government organizations like women's commission, district legal services authority, free legal cell, non-gov organization working for welfare of women; community heads, could be sought.

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(++) Other offences (acid attack)

<b>Other offences against women (acid attack)</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of offence</b>	
IPC	326A	Voluntarily causing grievous hurt by use of acid, etc.	Rigorous imprisonment of not less than 10 years but which may be extended to imprisonment for life and with fine.	Cognizable	Non-Bailable
IPC	326B	Voluntarily throwing or attempting to throw acid	Imprisonment of not less than 5 years but which may be extended to 7 years and with fine	Cognizable	Non-Bailable

### **Report**

Incidents of violence against women can be reported to the nearest police station

### **Get Support**

Support of government organizations like women's commissions, district legal services authority, free legal cell,

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## (+)Violence in Public Places

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These are usually in the form of sexual crimes, ranging from penetrative sexual assault to molestation, teasing, stalking, etc and occur across all socio-economic and urban/rural backgrounds, including educational institutions.

### (++) Sexual Assault

#### Recognize

- The introduction (to any extent) by a man of his penis, into the vagina (which term shall include the labia majora), the anus or urethra or mouth of any woman or child
- The introduction to any extent by a man of an object or a part of the body (other than the penis) into the vagina(which term shall include the labia majora) or anus or urethra of a woman
- The introduction to any extent by a person of an object or a part of the body (other than the penis) into the vagina(which term shall include the labia majora) or anus or urethra of a child.
- Manipulating any part of the body of a child so as to cause penetration of the vagina (which term shall include labia majora) anus or the urethra of the offender by any part of the child's body;

In circumstances falling under any of the six following descriptions:

1. Firstly – Against the complainant's will.
2. Secondly – Without the complainant's consent.
3. Thirdly – With the complainant's consent when such consent has been obtained by putting her or any person in whom the complainant is interested, in fear of death or hurt.
4. Fourthly – With the complainant's consent, when the man knows that he is not the husband of such complainant and that the complainant's consent is given because the complainant believes that the offender is another man to whom the complainant is or believes herself to be lawfully married.
5. Fifthly – With the consent of the complainant, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by the offender personally or through another of any stupefying or unwholesome substance, the complainant is unable to understand the nature and consequences of that to which such complainant gives consent.
6. Sixthly – With or without the complainant's consent, when such complainant is under eighteen years of age. Provided that consent shall be a valid defence if the complainant is between sixteen years and eighteen years of age and the accused Person is not more than five years older.

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<b>Sexual offences against women</b>					
<b>law</b>	<b>section</b>	<b>details</b>	<b>Punishment</b>	<b>Nature of offence</b>	
IPC	354	Assault or use of criminal force to women with intent to outrage her modesty	Imprisonment for 1 year which may be extended to 5 years and with fine	Cognizable	Non-Bailable
IPC	354 A(1)	Sexual harassment of the nature of unwelcome physical contact and advances or a demand or a request for sexual favours	Imprisonment which may extend to 5 years or with fine or with both	Cognizable	Non Bailable
IPC	354 A (2)	Sexual harassment of the nature of making sexually coloured remark of forcibly showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature	Imprisonment which may extend to 1 year or with fine or with both	Non-Cognizable	Bailable
IPC	354 B	Assault or use of criminal force to women with intent to disrobe or compelling her to be naked in a public place	Imprisonment of not less than 3 years which may be extended to 7 years and with fine	Cognizable	Non-Bailable
IPC	354 C	Voyeurism - watches or captures an image of a woman engaging in a private act.	Imprisonment of not less than 1 year but which may be extended to 3 years with fine for the 1st conviction.	Non-cognizable Cognizable	Bailable Non bailable

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			Imprisonment of not less than 3 years but which may extend to 7 years.		
IPC	354 D	Stalking	Imprisonment for a term of not less than 1 year but which may extend to 3 years with a fine	cognizable	Non bailable
IPC	376 (1)	Sexual assault	Rigorous imprisonment of not less than 7 years but which may extend to imprisonment for life and with fine	cognizable	Non bailable
IPC	376 (2)	Sexual assault by a <ul style="list-style-type: none"> <li>- Police officer</li> <li>- Public servant</li> <li>- Member of the armed forces</li> <li>- Person being on the management or on the staff of a jail</li> <li>- Remand home or other place of custody</li> <li>- Women's/children's institutions</li> <li>- Person on the management or on the staff of a hospital</li> <li>- Person in a position of trust or</li> </ul>	Rigorous imprisonment of not less than 10 years but which may extend to imprisonment for life and with fine	cognizable	non-bailable

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		<p>authority towards the person assaulted</p> <ul style="list-style-type: none"> <li>- Near relative of the person assaulted</li> </ul>			
IPC	376 A	Person committing an offence of sexual assault and inflicting injury which causes death or causes the person to be in a vegetative state	Rigorous imprisonment of not less than 20 years but which may extend to imprisonment for life which shall mean the remainder of the person's natural life	cognizable	non-bailable
IPC	376 B	Sexual assault by husband upon his wife during <ul style="list-style-type: none"> <li>- Separation</li> <li>- Under any custom or usage without her consent</li> </ul>	Imprisonment for not less than 2 years but which may extend to 7 years and with fine	Cognizable (only on the complaint of the victim)	non-bailable
IPC	376 C	Sexual intercourse by a person in authority	Rigorous imprisonment for not less than 5 years but which may extend to 10 years and with fine	cognizable	non-bailable
IPC	376 D	Sexual assault by gang	Rigorous imprisonment for not less than 20 years but which may extend to imprisonment for life which shall mean the remainder of	cognizable	non-bailable

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			the person's natural life and compensation to the victim		
1PC	375 E	Sexual assault by repeat offenders	Imprisonment for life which shall mean the remainder of that person's natural life	cognizable	non-bailable

### Report

Incidents of violence against women can be reported to the nearest police station

### Get support

Support of gov organizations like women's commission, district legal services authority, free legal cell, non-gov organization working for welfare of women, community heads, could be sought

(++) STALKING

### **Recognise**

Any Man

1. Follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such women; or
2. Monitors the use by a woman of the internet, email or any other form of electronic communications, commits the offence of stalking.

Provided that such conduct shall not amount to stalking if the man pursued it proves that-

1. It was pursued for the purpose of preventing or detecting crime and the man accused of stalking had been entrusted with the responsibility of prevention and detection of crime by the State; or
2. It was pursued under any law or to comply with any condition or requirement imposed by any person under any law; or
3. In the particular circumstances such conduct was reasonable and justified.

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<b>Sexual Offences against women</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of Offence</b>	
IPC*	354	Assault or use of criminal force to women with intent to outrage her modesty.	Imprisonment for 1 year which may be extended to 5 years and with fine.	Cognizable	Non-Bailable
IPC	354 A (1)	Sexual Harassment of the nature of unwelcome physical contact and advances or a demand or a request for sexual favours.	Imprisonment which may extend to 5 years or with fine or with both.	Cognizable	Non-Bailable
IPC	354 A (2)	Sexual Harassment of the nature of making sexually coloured remark of forcibly showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.	Imprisonment which may extent to 1 year with or with both	Non-Cognizable	Bailable
IPC	354 B	Assault or use of criminal force to women with intent to disrobe or compelling her to be naked in a public place.	Imprisonment of not less than 3 years but which may be extended to 7 years and with fine.	Cognizable	Non-Bailable
IPC	354 C	Voyeurism - watches or captures an image of a women engaging in a private act.	Imprisonment of not less than 1 year but which may be extended to 3 years with	Cognizable	Non-Bailable

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			fine for the 1st conviction. Imprisonment of not less than 3 years but which may be extended to 7 years with fine for the 2nd or subsequent conviction.		
IPC	354 D	Stalking	Imprisonment for a term of not less than 1 year but which may extend to 3 years with a fine.	Cognizable	Non-Bailable
IPC	376 (1)	Sexual Assault	Rigorous imprisonment of not less than 7 years but which may extend to imprisonment for life and with fine.	Cognizable	Non-Bailable
IPC	376 (2)	Sexual Assault by a <ul style="list-style-type: none"> <li>- Police officer</li> <li>- Public Servant</li> <li>- Member of the Armed Forces</li> <li>- Person being on the management or on the staff of a jail</li> </ul>	Rigorous imprisonment of not less than 10 years but which may extend to imprisonment for life and with fine.	Cognizable	Non-Bailable

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		<ul style="list-style-type: none"> <li>- Remand home or other place of custody</li> <li>- Women's/C hildren's institution</li> <li>- Person on the manageme nt or on the staff of a hospital</li> <li>- Person in a position of trust or authority towards the person assaulted.</li> </ul>			
IPC	376 A	Person committing an offense of sexual assault and inflict injury which causes death or causes the person to be in a vegetative state.	Rigorous imprisonment of not less than 20 years but which may extent to imprisonment for life which shall mean the remainder of the person's nature life.	Cognizable	Non-Bailable
IPC	376 B	Sexual Assault by husband upon his wife during <ul style="list-style-type: none"> <li>- Seperation</li> <li>- Under any custom or usage without her consent</li> </ul>	Imprisonment for not less than 2 years but which may extend to 7 years and with fine.	Cognizable (only on the complaint of the victim)	Non-Bailable
IPC	376 C	Sexual intercourse by a person in authority.	Rigorous imprisonment for not less than 5 years but which	Cognizable	Non-Bailable

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			may extend to 10 years and with fine		
IPC	376 D	Sexual Assault by gang	Rigorous imprisonment for not less than 20 years but which may extend to imprisonment for life which shall mean the remainder of the person's natural life and compensation to the victim.	Cognizable	Non-Bailable
IPC	376 E	Sexual Assault by repeat offenders	Imprisonment for life which shall mean the remainder of the person's natural life.	Cognizable	Non-Bailable

### Report

Incidents of violence against women can be reported to the nearest police station.

### Get Support

Support of Government organisations like Women's Commissions, District Legal Services, Authority, Free Legal Cell, Non-Governmental Organisations for welfare of women; Community Heads, could be sought.

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(++)TRAFFICKING (WOMEN AND CHILDREN)

<b>Trafficking (Women and Children)</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of Offense</b>	
IPC*	366	Kidnapping, abducting or inducing a women to compel her to marriage, etc.	Imprisonment of either description for a term which may extend to 10 years and with fine.	Cognizable	Non-Bailable
IPC	366 A	Procuration of a minor girl.	Imprisonment which may be extended to 10 years and with fine.	Cognizable	Non-Bailable
IPC	366 B	Importation of a girl from a foreign country.	Imprisonment which may extended to 10 years and fine.	Cognizable	Non- Bailable
IPC	367	Kidnapping or abudction in order to subject a person to grievous hurt, slavery.	Imprisonment of either description for a term which may extend to 10 years and fine.	Cognizable	Non- Bailable
IPC	370 (3)	Trafficking of more than one person	Imprisonment of not less than 10 years but which may extend to imprisonment for life and with fine.	Cognizable	Non- Bailable
IPC	370 (4)	Trafficking of	Imprisonment	Cognizable	Non- Bailable

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		minor	of not less than 10 years but which may extent to imprisonment for life.		
IPC	370 (5)	Trafficking of more than 1 minor	Imprisonment of not less than 14 years but which may extend to imprisonment for life.	Cognizable	Non- Bailable
IPC	370 (6)	Public servant or police officer involved in trafficking of a minor.	Imprisonment for life which shall mean the remainder of that person's natural life.	Cognizable	Non- Bailable
IPC	370 (7)	Person convicted of offence of traffickng of minor on more than one occasion.	Imprisonment for life which shall mean the reminder of that person's natural life.	Cognizable	Non- Bailable
IPC	370 A (1)	Employing of a trafficked child	Imprisonment of not less than 5 years but which may extend to 7 years and with fine.	Cognizab;e	Non- Bailable
IPC	370 A (2)	Employing of a trafficked adult person	Imprisonment of not less than 3 years but which may extend to 7 years and with fine.	Cognizable	Non- Bailable
IPC	372	Selling a	Imprisonment	Cognizable	Non- Bailable

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		minor for the purpose of prostitution	of either description for a term which may extend to 10 years and with fine.		
IPC	373	Buying a minor for purpose of prostitution, etc.	Imprisonment of either description for a term which may extend to 10 years and with fine.	Cognizable	Non- Bailable
IPC	9	Seduction of a person in custody.	Imprisonment for a term not less than 7 years which may extend to life and fine.	Cognizable	Non- Bailable

### Report

Incidents of violence against women can be reported to the nearest police station

### Get support

Support of gov organizations like women's commission, district legal services authority, free legal cell, non-gov organization working for welfare of women, community heads, could be sought

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(++)Child Marriage

Recognize

Despite stringent laws regarding child marriage, child marriages are still conducted across India. Child Marriage Prohibition Act, 2008, criminalises the marriage of a child (Definition of child for purpose of child marriage is 21 years for boys and 18 years for girls). Relevant sections are listed below:"

<b>Child Marriage</b>					
<b>Law</b>	<b>Section</b>	<b>Details</b>	<b>Punishment</b>	<b>Nature of Offence</b>	
PCM Act*	9	Male adult marrying a child	Rigorous imprisonment which may be extended to 2 years or with fine which may be extended to Rs. 1 Lakh or both.	Cognizable	Non-Bailable
PCM Act	10	Whoever performs, conducts, directs or abets child marriage.	Rigorous imprisonment which may be extended to 2 years or with fine which may be extended to Rs. 1 Lakh	Cognizable	Non-Bailable
PCM Act	11	Whoever parent/guardian /custodian of the children promotes or permits solemnization of child marriage	Rigorous imprisonment which may be extended to 2 years or with fine which may be extended to Rs. 1 Lakh	Cognizable	Non-Bailable

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### Report

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(+)Violence at Workplace

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### Recognize

The Supreme Court defined sexual harassment as any unwelcome, sexually determined physical, verbal, or non-verbal conduct. Examples included sexually suggestive remarks about women, demands for sexual favours, and sexually offensive visuals in the workplace. The definition also covered situations where a woman could be disadvantaged in her workplace as a result of threats relating to employment decisions that could negatively affect her working life.

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act provides a civil remedy to women and is in addition to other laws that are currently in force. Consequently, any woman who wishes to report instances of sexual harassment at the workplace has the right to take recourse of both civil and criminal proceedings.

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<b>Timelines as per the Act 2013</b>			
<b>Act</b>	<b>Section</b>	<b>Definition</b>	<b>Description</b>
SHW	2(f)	Employee	Means a person employed at a workplace for any work on regular, temporary, ad hoc, or daily wage basis, either directly or through an agent, including a contractor, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worked, a contract worked, probationer, trainee, apprentice or called by any other such name.
SHW	2 (g)	Employer	<ul style="list-style-type: none"> <li>- i) In relation to any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of the department, organization, undertaking, establishment, enterprise, institution, office, branch or unit of such other office as the appropriate Government or the local authority.</li> <li>- ii) in any workspace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.</li> </ul>
SHW	2 (n)	Sexual Harassment	Includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:- <ul style="list-style-type: none"> <li>- i. Physical contact and advances, or</li> <li>- ii. a demand or request for sexual favours, or</li> <li>- iii. Making sexually coloured remarks, or</li> <li>- iv. Showing pornography, or</li> <li>- v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.</li> </ul>
SHW2	2 (o)	Workplace	<ul style="list-style-type: none"> <li>- i. Any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled, or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the</li> </ul>

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			<p>local authority or a Government company or a corporation or a co-operative society.</p> <ul style="list-style-type: none"> <li>- ii. Any private sector organization or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organization, unit or service provider carrying on commercial, industrial, health services or financial activities including production, supply, sale, distribution or service.</li> <li>- iii. hospitals or nursing homes;</li> <li>- iv. any sports institute, stadium, sports complex or competition or games venue. Whether residential or not used for training, sports or other activities relating thereto;</li> <li>- v. any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;</li> <li>- vi. a dwelling place or a house;</li> </ul>
SHW	3(2)	Sexual Harassment	<ul style="list-style-type: none"> <li>- i. Implied or explicit promise or preferential treatment in her employment; or</li> <li>- ii. Implied or explicit threat of detrimental treatment in her employment, or</li> <li>- iii. Implied or explicit threat about her present or future employment status; or</li> <li>- iv. Interference with her work or creating an intimidating or offensive or hostile work environment for her, or</li> <li>- v. humiliating treatment likely to affect her health or safety.</li> </ul>
SHW	9(1) & (2)	Procedure for Complaint of Sexual Harassment	<ul style="list-style-type: none"> <li>- 1. Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the internal committee if so constituted, or the local committee, incase it is not so constituted, within a period of three months from the date of incident and inc ase of a series of incidents within a period of three months from the date of the last incident.</li> </ul>

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			<p>Provided that where such complaint cannot be made in writing, the presiding officer or any member of the internal committee or the chairperson or any member of the local committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing;</p> <p>Provided further that the internal committee or, as the case may be, the local committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.</p>
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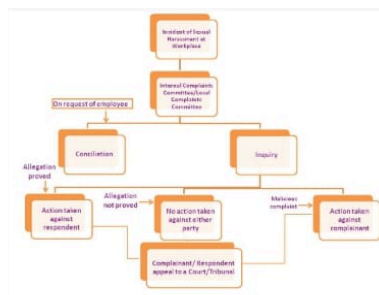
## Report

Incidents of sexual harassment of women at the workplace can be reported to the internal complaints committee and or in the absence of ICC, to the local complaints committee at the district level.

The internal committee has the same powers as are vested in a civil court under the court of civil procedure, 1908 as per the act in sec-11 (3). For the purpose of making an inquiry under sub-section (f), the internal committee or the local committee as the case may be, shall have the same powers as are vested in a civil court under the code of civil procedure, 1908 when trying a suit in respect of the following matters:-

- Summoning and enforcing the attendance of any person and examining him on oath;
- Requiring the discovery and production of documents, and
- Any other matter which may be prescribed

## Procedure for complaint:



No monetary settlement shall be made as a basis of reconciliation.

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Timelines as per the Act			
Act	section	definition	description
SHW	9(1)	Submission of complaint	Within 3 months of last incident
SHW	11 (1)	Notice to the respondent	Within 7 days of receiving copy of the complaint
SHW	11 (4)	Completion of inquiry	Within 90 days
SHW	13 (1)	Submission of report by ICC/LCC to Employer	Within 10 days of completion of inquiry
SHW	13 (4)	Implementation of Recommendations by Employer	Within 60 days
SHW	18 (2)	Appeal to Court/Tribunal	Within 90 days of recommendations

### Get Support

Support of Human Resource department of the workplace, government organizations like Women's commissions, free legal cell, non governmental organization working for welfare of women, community heads, could be sought.

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(+)Violence in Cyberspace

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### Recognize

With the boom in information technology, use of smartphones, access to internet, popularity of online social networking, etc, more and more people of all ages are taking to publishing personal information and images online. This makes them extremely vulnerable to cyber-stalking, harassment, blackmail and other forms of violence including sexual abuse and trafficking.

Several media houses have in the past published images and other details of victims of sexual violence. Currently, with the law being enforced more strictly, the identity of women and child victims of sexual crimes is protected.

Relevant sections of laws related to identity and privacy are listed below:

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Identity and Privacy Laws				
Act	Section	Offence	Description	Punishment
IT Act	66E	Publishing private images of others	If a person captures, transmits or publishes images of a person's private parts without his/her consent or knowledge	Imprisonment up to three years, or/and with fine up to 200, 000
IT Act	67	Publishing information which is obscene in electronic form	If a person publishes or transmits or causes to be published in the electronic form, any material which is lascivious or appeals to the prurient interest or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read ,see or hear the matter contained or embodied in it	Imprisonment upto five years, and or/and with fine up to 1,000,000
IT Act	67A	Publishing images containing sexual acts	If a person publishes or transmits images containing a sexual explicit act or conduct	Imprisonment up to seven years, or/and with fine up to 1,000,000
IPC	228A	Disclosure of identity of victims of certain offences, etc.	Whoever prints or publishes identify of victims of rape	Imprisonment for a term which may extend to two years and with fine
IPC	294	Obscene acts and songs	Whoever to the annoyance of others, does obscene act in any public place, or songs, recites, or utters any obscene song, ballad or words, in or near any public place	Imprisonment for a term which may extend to three months and/pr with fine

### Report

Incidents of violence against women can be reported to the nearest police station/cyber crime cell

### Get support:

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Support of humans resource department of workplace, government organization like women's commissions , free legal cell, non -government organization working for welcome of women, community heads, could be sought

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(+)Legal terms and Index

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### **Bailable Offence**

Some of the offenses are Bailable i.e. after arrest the accused can apply for bail to the police station officer and under normal circumstances the police should grant bail after obtaining proper sureties. So a police officer can give temporary bail if it is a bailable offence but regular bail has to be taken from a court only.

### **Non-Bailable Offence**

In a Non-Bailable offence, which is of a more serious nature, the police has to produce the accused before the nearest Judicial Magistrate to obtain police custody remand. Whenever an accused is produced before the court in a non-bailable offense, the court decides in its wisdom for the issue of granting bail or remanding the accused to either police custody or judicial custody.

(from:[http://www.lawyersclubindia.com/experts/Bailable-and-non-bailable-offence-3351.asp#.Vy6w6\\_I97IU](http://www.lawyersclubindia.com/experts/Bailable-and-non-bailable-offence-3351.asp#.Vy6w6_I97IU))

### **Cognizable**

Cognizable offenses or cognizable cases are those under which a police officer can arrest without an arrest warrant.

### **Non-Cognizable**

Non-cognizable offenses or cases are those under which a police officer cannot arrest without a warrant.

### **Index**

DP Act: Dowry Prohibition Act

IPC: Indian Penal Code

ITP Act: Immoral Traffic Prevention Act

PCM Act: Prevention of Child Marriage Act

PWDV Act: Protection of Women from Domestic Violence

SHW Act: Sexual Harassment of Women at the Workplace Act

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## Responsibility and rights

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### (+) VICTIM'S RIGHTS

Lack of awareness of rights limits the confidence and knowledge with which a person approaches an issue, whether to file a complaint with the authorities or seek support of organizations etc. Victims of acid attack, sexual harassment, disrobing, voyeurism, stalking or rape have the follow rights under Indian Penal Code (IPC), Code of Criminal Procedure (CrPC):

### (+) Filing a Police Complaint

#### CrPC Amendment 2013 Section 154

- Victims can file an FIR at any police station, irrespective of the place of the incident/jurisdiction. The police station shall later transfer it to the jurisdictional police station
- The victim does not have to visit the police station to give her statement. The statement can be recorded at a place convenient to the victim.
- A woman police officer or a woman officer shall record the FIR containing all the details of the incident. Once written, the FIR must be read back to the victim, in a language she understands, to confirm that it is correct.
- Once satisfied of its accuracy, the victim needs to sign the FIR, and it's entitled to receive a copy of it, free of cost
- If the victim is permanently mentally or physically challenged, her FIR shall be recorded through audio/visual means at a place of her convenience, in the presence of an interpreter or appropriate mental health professional.
- If a police officer refuses or fails to record the FIR, the victim can send the complaint, by registered post, to the Commissioner / Superintendent of Police.
  
- Note: After filing the complaint, the victim becomes a witness in the case. It is the duty of the state to proceed with the case from thereon
- Note: If a police officer refuses to register the complaint he shall be punished with 6 months to 2 years of rigorous imprisonment
- If the victim is below 18 years of age, irrespective of their gender, then the police officer must be in civil clothes while recording his/her statement

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## (+)Medico Legal Rights

### CrPC Amendment 2013 Section 164

- In case the victim goes to the hospital before filing a complaint: She has the right to be treated at any hospital (government/ private) FREE OF COST. The doctor needs to immediately inform the police.
- In case the victim goes to the police first: Victim accompanied by a woman police officer has to visit a hospital (government/private) within 24 hours of filing a complaint.

## (+) Medical / Forensic Evidence \*

- Informed consent of the woman/child is essential before examining the woman/child. If the child is unable to give consent or is below 12 years of age, the consent needs to be taken from the parents/ guardians. If the parent or child refuses consent, document informed refusal and do not conduct the examination.
- The examination should be conducted in the presence of a person trusted by the child (eg. Parent/relative/social worker), in absence of which a woman nominated by the hospital, needs to be present during examination.
- Medical evidence, samples, swabs, etc from must be collected within 72 hours of the incident of sexual assault.
- Preserve the clothes, undergarments and other personal effects that the victim was wearing at the time of incident
- Doctor conducting medical examination should collect materials, swabs and samples to test for semen and seminal stains. Forensic evidence to be collected from hair, nails, body surfaces or orifices, before washing /cleaning and preferably before victim urinates/defecates.
- Doctor to collect blood samples to test for intoxication like alcohol, drugs and other psychotropic substances and for DNA matching.
- Doctor to ensure proper labelling, storage, preservation of samples until police collect them and hand over to State Forensic Science Laboratory (FSL). Chain of custody of all samples has to be established while being held in medical facility and while being handed over to police and transported to FSL.
- Critical forensic evidence, especially DNA, could be lost or contaminated if medical examination is delayed or if samples are not handled with care.
  
- Evidence should be completely recovered during the first medical examination of the survivor
- Evidence will be determined by three main factors:
  1. Nature of sexual violence
  2. Time elapsed between incident of sexual violence and examination
  3. Whether survivor has bathed or washed herself

Note: For a girl who has attained menarche (puberty), Emergency Contraception is advised

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- The two finger test, to determine the elasticity of the victim's vagina, is not permitted now. Doctors cannot subject a woman or girl to the two-finger test during the medical examination of a victim of any sexual violence.
- Note: In case the person in charge of any hospital, public or private refuses to provide the victim with the first aid or medical treatment free of cost, she will be punished with imprisonment for a period of 1 year (IPC Section 166B)

\* Guidelines and Protocols for Medico-legal care of victims of sexual violence issued by the Ministry of Health and Family Welfare, Government of India

#### (+)Judicial Rights

##### CrPC Section 164

##### Statement before Magistrate

- The statement of the victim is recorded before a Judicial Magistrate at the earliest possible. Police to send requisition to Magistrate for recording of statement.
- If victim is temporarily or permanently mentally or physically disabled, her statement will be video graphed and recorded with the assistance of an interpreter or a special educator
- If the victim is below the age of 18 years s/he is entitled to be accompanied by a person s/he trusts while making their statement before the magistrate

##### CrPC 195 A

- Cases where the victim is being threatened If the victim is threatened to give false evidence in any way by any person, she can file a complaint with the police and the police shall take action against the person.

Note: If the court finds the person guilty of threatening, s/he shall be punished with imprisonment to a maximum of 7 years or fine, or both

#### (+) Rights during Trial

- The State appoints a Public Prosecutor to argue the case on behalf of the victim. Alternatively, victim may hire a private lawyer at her own expense.
- Trials in rape and child sexual abuse are conducted in-camera (CrPC Section 327 (2)). This means that the general public cannot be present in court during the testimony of the victim
- During the victim's testimony in trials for rape and child sexual abuse, a screen must be placed between the victim and the accused. Alternatively, they may give their deposition through video conferencing or any other arrangement that prevents the victim from facing the accused.

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- Questions about the previous sexual history or character of the victim cannot be asked in Court during the cross- examination
- Questions about the previous sexual history or character of the victim cannot be asked in Court during the cross- examination
- Victim of rape and child sexual abuse are entitled to take breaks between their testimony to regain composure
- Once trial begins, it must be completed without unnecessary delay.

#### (+) Right to Compensation

##### CrPC 357A / Compensation

- In most States and Union Territories, the victim, or her relatives, is entitled to claim compensation and rehabilitation from the government. Compensation can be claimed even in cases where the offender cannot be identified or found
- Victim or his/her caregiver (if victim is below 18 years of age) has to apply for compensation to the District Legal Services Authority. The compensation is paid to meet immediate costs following the crime and towards reimbursement of medical expenses, counselling, etc
- In some States, victim is entitled to receive the first instalment within 2-3 weeks for urgent medical expenses
- Victim can also receive compensation through a court order at the end of the trial, even if the accused is acquitted, the court is satisfied that such compensation is necessary for the injury caused to her.

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## Resisting

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### (+) Resist

Every individual has the right to Say “NO” to anything that they perceive as a violation of their personal space. However, knowing that one could resist or say “No!” does not always result in A person actually saying “No!” Following suggestions can help a person bridge the gap between knowing and doing and even preventing potentially dangerous situations from escalating to serious danger or severe violence.

Remember, survival comes first! Your life is not about avoiding or resisting abuse at any cost. It is about creating something useful and beautiful for yourself and others. If an abuser's life is about crime-then sooner or later justice will hunt him/her down. It's not your job to be the police, the judge or the executioner! Get back to safety and report.

### (+)Preparing the Mind

- Most importantly, believe and feel that you deserve respect.
- Dignity and Safety are also your Fundamental Rights.
- Inspire yourself – ask, discuss and listen to real life stories of how others stood up, raised their voice, resisted or in some way opposed an abuser. The result may not have been always as expected, but the inner feeling of having stood up against injustice and abuse is empowering.

### (+)Preparing the Body

#### Eat healthy

- Consume sufficient proteins, calcium and iron to build muscle and bone mass and avoid anaemia.

#### Exercise

- Stay fit, build bone and muscle strength.

#### Build flexibility

- you can't kick if you have never lifted your leg more than a foot off the ground!

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## (+)Practicing – Body Learning

Self – defense training and practice:

- Do such training until your body has learnt it - it is muscle learning - required movements will happen as a reflex and you will not freeze when attacked/ abused!

## (+)Preventing

Inform

- Let a safe, trusted adult know where you are going, your contact number and when you are likely to be back.

Be aware

- Be aware of yourself, your surroundings, and your potential attacker's likely strategies. When entering enclosed spaces, learn to look for exit signs.

Body language is important

- Walk in a confident manner, head and spine straight, shoulders a bit thrown back, looking up, ahead and around confidently. Avoid looking down or to seem nervous or confused while walking/ waiting in public places. Avoid distractions like long talks on the mobile/ listening to music with earplugs on. You can't protect yourself if you aren't aware of what is happening around you.

Avoid making assumptions

- Don't assume your date wants the same degree of intimacy as you.

Be assertive

- Say "no" when you mean "no". Communicate your limits clearly and avoid misleading actions. Say "yes" only when you mean "yes." Submissive behavior can encourage aggression. Set boundaries and maintain them for that time. If these are crossed repeatedly, leave. Example: Partner/spouse uses physical violence. You can say "I won't tolerate this behaviour. Tell me what you are upset about. We will talk about this once we are both calm ". You can leave that space and go to a safer room/space.

Example: A relative/co-worker is being verbally abusive. You can say "It appears that you are upset and angry with me. If you can tell me about it in respectable language, we can talk now. Otherwise we can discuss this later once we are both calm. I'm leaving now as I don't want to listen to abusive language".

Break away from abusive relationships

- Be cautious of or avoid dating someone who displays extreme hostility anger, jealousy, or possessiveness or who pushes you around. If you happen to be in an abusive marriage/family that persists in abusive/discriminatory behaviour, then find ways to support yourself and leave rather than suffer mentally or physically.

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#### Be comfortable

- Avoid high heeled footwear when you have to walk a long distance and in unknown territories.

#### Plan ahead

- Be prepared when you are away from home to be able to leave a situation if you need to. Coordinate plans with friends and arrange transportation. Always carry enough money for cab fare.

#### Smart use of phones

- Save numbers of friends and family on speed dial. Ensure that your phone is fully charged. Keep numbers of helplines, police stations and ambulances handy.

#### Smart use of alcohol and drugs

- These substances interfere with clear thinking, effective communication and also your ability to respond in your own best interest.

Be safe and smart when consuming alcohol/ intoxicating drugs in public places - designate one member of the party as the "Group Watch Person". He/she will not consume the drug/ alcohol and will keep an eye on all other members who may consume these. He/she will ensure that each member of the group reaches their residence safely.

#### While travelling

- Note down the number of the vehicle when travelling alone and send it to your family or friends.

#### Avoiding a car-jacking

- Lock all doors and keep windows up when driving through high risk areas

#### Safety in cyberspace

- When communicating on-line, use a nickname, keep personal information such as home address and phone number confidential. Change your password from time to time and avoid sharing your password with others. Also remember every time you share your location it makes it easier for people to track your lifestyle patterns.

#### Home invasions

- Avoid opening your door unless you either are certain you know who's on the other side or can verify that they have a legitimate reason for being there.

#### Use your sixth sense

- Learn to trust the power of your "gut instincts" and use it to your full advantage.

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(+)Resisting - not Aggravating

#### Your right to fight

- It is important to understand that you CAN and SHOULD defend yourself physically. The Fundamental Right against Exploitation, contained in Articles 23–24, lays down certain provisions to prevent exploitation of the weaker sections of the society by individuals or the State

#### Draw attention, ask for help

- Your voice is your strongest weapon. Yell for help, throw a rock through a store or car window—do whatever you can to attract attention.

#### Be assertive, avoid aggravation

- A conflict, abusive situation may make you want to fight or prove a point or assert your right. But it is more important to survive, and get back to safety. Hence your resistance or retaliation to abuse needs to be assertive and at the same time not become an excuse for escalation of violence. Hence state the problem, express your anger and/ or describe the situation in assertive, clear words, with a raised, loud voice; and avoid labels. Labels or swear words may escalate the issue. Example: Say “Hey you! Stand properly! How dare you! Stop it!”
- Avoid “You cur! You idiot! You #@\$\$#! I will teach you a lesson!”

#### Pepper Spray

- You can also carry chilli powder if you don't have pepper spray with you. Spray in the eyes (of a potential attacker/stalker) and run.

#### Fight Smart

- If physical force has to be used, know that your body's strong points are the head, the teeth, the elbow, the nails, the thigh, the heel. The weak vulnerable areas to target for attack can be the temples, the eyes, the nose, the neck, the solar plexus, the knee, the instep. If held at knife point, it's better to avoid a fight as grievous injuries can be caused by a knife.

#### Escape

- Run away at the earliest opportunity - do not fight to prove a point! If being kidnapped, your best chances of escape are at the primary - first place - of kidnapping rather than at a secondary place where the kidnapper takes you. Make attempts to attract attention or escape. If someone is chasing after you, run in a zig zag pattern. It is difficult to shoot or hit a running target. Shout for help.

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## Reintegration

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### (+) Reintegration of Self

People who have faced assault may experience a complex mixture of emotions arising from age old beliefs and one's inner sense of justice and freedom. 10,000 years of domination based patriarchy had led to several disempowering beliefs, especially among women who were often the victims of this domination.

Disempowering beliefs and emotions related to respect, honour, shame, guilt, responsibility can interfere with one's sense of self-respect and self-confidence. Shame and guilt may prevent victims from reporting, seeking help or healing.

Here are tips on how the abuse can be interpreted in a logical, just and empowering manner to help in healing and reintegration of one's personality.

### (+) Altering Feelings of Guilt, Regret

- "If I had been more careful this wouldn't have happened to me." - No, it is not easy to prevent a person who has decided to deliberately abuse another person. He/she may be physically more powerful/ armed/ carry acid/ be in a group. It's not your fault if someone decides to assault/ abuse you.
- "If I hadn't worn that dress I wouldn't have attracted attention." - This is an age old conditioning of blaming the victim instead of placing the blame where it solely belongs-the abuser. An abuser knows that he/she is breaking social norms and laws of the land when they assault another person. Our laws clearly define verbal and nonverbal sexual abuse. The laws and norms do not change according to the amount or number of clothes a person is wearing or whether the person was more noticeable or less noticeable. The one who takes an action is wholly and completely responsible for that action. Nothing gives him/her the right to assault anyone.
- "I should have been home instead of staying out so late" - But that's restricting those who follow rules! That's unfair! Indians have a Fundamental Right to Freedom which includes the right to movement anywhere in India, at any time. People who break laws and harass others need to be restricted and not allowed out of their homes.
- "If I hadn't had that drink I would have been safe" - Rules do not change with the level of sobriety of the victim! Being intoxicated does not confer the right to abuse on another person. The abuser is still responsible for his/her actions and showed his/her character and lack of integrity through his/her abusive actions.

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- “I put myself in that situation/ I should not have done that”- One does not put him/herself into a situation to be abused. Each person makes decisions based on their knowledge and beliefs. No one purposely takes a decision to get into trouble! It is easy to find fault in hindsight. New problems and situations need fresh decisions - agonizing over the previous ones does not help. Whatever you did or did not do, it was still not your fault!

Ask yourself would the above statements apply if :

- You weren't a woman? If not then they aren't true. Gender doesn't confer anyone greater rights. This just speaks of age old patriarchal and biased conditioning
- If it wasn't a sexual assault but another crime, say a robbery? Would the world tell you that your house decor was too attractive and so you invited the thieves to rob you. How bizarre! Sexual crimes carry victim blaming and silence because of conditioning where a woman's honour has been placed in her body instead of her behaviour.
- Place blame where it belongs-with the person who violates personal space and breaks laws.

(+)Altering Feeling of Shame, Stigma

- “I have lost respect/ I have been shamed.”The person who abuses has lost respect because shame and respect come from one’s behaviour. Shame or respect do not reside in parts of our body. Breaking rules deliberately for one's benefit at the expense of another person is unjust, shameful and punishable by law. It is the abuser who should feel guilty and ashamed about their actions, NOT the victim.
- “I am being ridiculed/ stigmatized .” It is the abuser who should be ridiculed for his/her behaviour. People who ridicule or stigmatize the victim are being unfair, discriminatory and disempowering. They are part of the problem. I can ignore them.
- “I am vulnerable and helpless .” Being vulnerable or helpless is not an excuse for the abuser to attack. The person who abused his/ her power and takes advantage of someone's weakness shows his/her own exploitative nature.
- “I must have ‘attracted’ the abuse.” No passerby has the right to break into a shop/ office/home and take whatever he/she has taken a fancy to. Similarly, We are sexual beings and our bodies are designed to attract. This however is no justification for breaking rules and abusing someone. Responsible humans control their desires and express them responsibly, honouring values of freedom, equality and justice.
- “I have been dirtied/ I am marked for life .” Our body is self cleansing. If something goes into our eyes, the body cleanses it and we do not consider it to be dirty for the rest of our life. Why harbour such feelings for certain other parts? You are not an object that is marked or devalued, but a human being who is full of potential. One incident, however traumatic doesn’t alter all that you are capable of.

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- “Of having ‘lost, one’s virginity.’” Virginity is a concept-an idea of delaying sex until a chosen person is found. It cannot be tested or proven. It is one's choice. Since the victim did not choose the abuser, and did not give her consent to have sex with that person at that time, she is still a virgin even though sexual assault has happened. The abuser, on the other hand, has lost his/her virginity. In any case Virginity is not a badge of honour, one’s behavior is!

#### (+) Immediate Steps for Safety

- Go to a safe place and get away from the abuser.
- Call someone you trust and tell them what happened.
- Ask them to come to where you are
- Get emergency medical attention, if required.
- Report to authorities. It will help in your healing as well as deter the abuser from abusing others . You may take the help of Govt and non governmental organizations.

#### (+) Steps Towards Recovery

##### For the Mind

- Repeat often to yourself - The abuser is to blame. It's the abuser’s shame. It's the abuser’s fault. I am a responsible, law abiding citizen. I am whole and complete. I am healthy. I am strong. I am confident. My body is healthy.
- Talk about what happened with trusted, empathetic people (family, friends, counsellors) who empower you.
- Only provide the information that you feel safe to discuss.
- Seek continued support from family, friends, people whom you can trust for some time.
- In due course, seek community support - see Restorative Justice tab

##### For the Body

- Engage in physical activities such as jogging, walking; also practice relaxation techniques such as yoga and meditation.
- Maintain a balanced diet and a normal sleep cycle. Avoid excessive use of stimulants such as caffeine, sugar, nicotine, alcohol.
- Discover your playful and creative self. Ex: Painting, drawing. This helps in healing from the hurt.
- Dance! Move! This helps the system to recover and heal, as well as helping in emotional healing.
- Take “time outs.” Or “me time”. Give yourself permission to take quiet moments to reflect, relax, and rejuvenate, especially during times you feel stressed.

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### (+)Introspective Exercises

Below are a few empowering and disempowering thoughts. It always helps to have more empowering thoughts to help oneself get help, recover and heal. Identify the disempowering thoughts that you have often. Convert them into empowering thoughts. You could take help from a friend family member or counsellor.

- Everyone around me tells dirty jokes. I am the only one who is offended. Am I being too sensitive?
- It is my right to be safe, wherever I am, whether alone or not. I will tell a co worker about what my boss did. I will tell the HR people about his shameful behavior. He must be warned
- I should be ashamed that I was sexually harassed by my boss. It was my fault. I should have not gone alone into his cabin.
- I do not like people talking in a demeaning manner although it may seem funny to certain people. I will express my displeasure and move away right now.
- I believe all women in the household are bound to be harassed by their in-laws and I deserve the same too.
- A woman marries and becomes an equal partner in the relationship and household. I will not marry via dowry. I will move out of persistently disrespectful, discriminatory relationships and support myself.

### The Wheel of Life:

- Below is a depiction of The Wheel of Life. As you move from the centre towards the circumference, you are becoming more positive and broadened in the mentioned areas of life. Mark where you are today in each area. Repeat this exercise after a few months of practicing healing, re-integration techniques.

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Intervene

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### (+) Intervene

Our Fundamental Duties under the Constitution of India include

- To promote harmony and spirit of common brotherhood among all the people of India, transcending religious, linguistic, regional or sectional diversities, to renounce practices derogatory to the dignity of women.
- To safeguard public property and to abjure violence.
- We live in groups and individuals expect support from other members of the group when they are in danger. This translates into a moral obligation of on lookers to intervene and offer support to the obvious victim.

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### (+)Bystander Effect

We have all experienced being a bystander. Maybe at school when we saw our friends/classmates bully someone, maybe on a bus when we saw a person touch a child/ adult inappropriately. We knew what was happening wasn't ok, and we did want to help. But somehow in the moment we looked around, saw other people there and averted our eyes. Thinking perhaps, "Why should I get involved ? This isn't my business/ problem. There are so many people around, I am sure someone else will help." This is the Bystander effect.

Bystander effect refers to a social psychological phenomenon where one is less likely to offer a victim help and support when other people are around. It arises from a sense of diffusion of responsibility.

Break the assumption- that someone else will help. Invariably if one person leads others follow. Be that leader!

### (+)Proactive Safe Person

It is important that we participate as individuals and responsible citizens to create safe spaces where ever we are.

#### How to Intervene Safely:

- Draw attention to the abusive situation - "What's happening there?"
- Ask the victim if he/she is okay."Do you need help?"
- Provide options and a listening ear.
- Ask the victim if he/she wants to leave. Make sure that he/she will get home safely. Tell another person and offer help together. Being with others is a good idea when a situation looks dangerous.
- Call the police (100) or someone else in authority or yell for help.
- Call the women helpline no. 1091/ 1090 . For children in distress call Child Helpline - 1098

#### How to Create Safe Spaces:

- Initiate a Peace Circle in your community using the guidelines specified in the Restorative Justice tab.

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## Restorative justice

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### (+)Restorative Justice

#### Inputs from :

- "The Little Book of Circle Processes-A New / Old Approach to Peacemaking"-Kay Pranis and
- Workshop on "How to Facilitate Restorative Justice Circles?" , conducted by Ms Sujatha Baliga and Ms Nuri Nusrat from the Restorative Justice Project, USA.

#### What is Restorative Justice

- Restorative justice is an approach to justice that focuses on the needs of the victims and the offenders, as well as the involved community. This contrasts to more punitive approaches where the main aim is to punish the offender, or satisfy abstract legal principles.

The approach is based on a theory of justice that considers crime and wrongdoing to be an offence against an individual or community, rather than the State.

### (+)Need for Restorative Justice

- Although the legal or criminal justice system's approach to justice has some important strength, there are some growing acknowledgement of the system's limitations and failures. Victims, offenders and community members often feel that justice does not adequately meet their needs due to overload of cases registered and limited number of courts and corresponding authorities. The long wait for justice often leaves the victims and their families frustrated and have them seek alternate forms of justice like taking the law into their own hands. Stakeholders involved in the criminal justice process-police, judiciary, lawyers, prosecutors, probation and parole officers, prison staff - frequently express a sense of frustration as well. Many feel that the process of justice deepens societal wounds and conflicts rather than contributing to healing or peace.

### (+)How Restorative Justice Works

Victims/victim's Family take an active role in the process, try to understand in what ways they have been harmed and how they would like to be compensated. Meanwhile, offenders are encouraged to take responsibility for their actions, "to repair the harm they've done - by apologizing, returning stolen property, or community service". In addition, the restorative justice approach aims to help the offender to avoid future offences.

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It is useful when concerned/ affected people:

- Need to address an experience that resulted in harm to someone
- Want to work together as a team
- Have a disagreement
- Wish to celebrate
- Wish to share difficulties
- Want to learn from each other
- Need to make decisions

#### (+)Restorative Justice Structure

RJ works through Peacemaking Circle - it is a way of bringing people together to restore justice. It can be set up at small neighbourhood community level, at workplaces, in larger localities, at the village level, taluk/ district or State level.

People of the community/locality, who are concerned about issues around injustice, wilful harm, wrongdoing, etc and wish to find acceptable ways to restore a sense of justice and safety, come together to form a Peace Circle. They invite and include the alleged offender(s) and victim (s) and related people, and any other relevant stakeholders like the local Police if they feel the need or if that party is a part of the issue under consideration.

This group of people form a Peace Circle. They set the rules for discussion. Peacemaking Circles use structure to create possibilities for freedom. Participants sit in a circle of chairs with no tables. The physical format of the Circle symbolizes shared leadership, equality, connection, and inclusion. It also promotes focus, accountability, and participation from all.

It is one where:

- Everyone is respected
- Everyone gets a chance to talk without interruption, within a predecided timeframes
- Participants explain themselves by telling their experiences
- Everyone is equal-no person is more important than anyone else
- Spiritual and individual experience are welcome

It follows the below procedures:

- Identifying the 'circle keeper', the person who facilitates the Circle and is at the same time an equal member
- Opening and closing: setting purpose of the RJ
- Talking piece: a designated item passed around the Circle. Participants can speak only when they are holding the talking piece.
- Guidelines: setting general rules for the Circle
- Respect: towards everyone in the Circle in all discussions Many a time, an acceptable resolution to the issue is found during the discussions, through sharing and respectful listening by all parties. The offender may acknowledge the harm done and take action to

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compensate/ apologize/ demonstrably alter behaviour/ perform community service etc thereby restoring justice at a personal and community level.

(+)Restorative Justice Application

- System-wide offences
- Criminal cases
- Social justice cases
- Prisons
- Handling Conflicts at workplace / school / in family
- Addressing neighbourhood disagreements
- Child Sexual Abuse

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## About Enfold

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Enfold Proactive Health Trust (enfoldindia.org), working in the field of Life Skills, Gender Empowerment and Personal Safety since 2001 reached over 1,46,641 children, 464 Schools, 25,416 Parents, Teachers, Support Staff, 2,135 Police, Doctors, Judicial Personnel and 862 Counsellors, Social workers in over 30 cities and towns in India between 2001 and 2016

### **Our Work:**

- Educational Institutions
- Schools: Enfold conducts its own, unique, value based curriculum in Life Skills, Gender Empowerment and Personal Safety for 1st to 12th Standard school students.

### **Colleges:**

- Peer Education System at Christ University, Bangalore since 2010
- Diploma Course in Life Skills and Reproductive Health at Christ University
- Life Skills and Sexuality Course in Martin Luther Christian University, Shillong
- Certificate Courses in Colleges in Bangalore
- Collaborative Child Response Unit (CCRU)
- In 2011 Enfold initiated this hospital based multidisciplinary team structure and training to manage child sexual abuse in a sensitive and effective manner. Supported by UNICEF, the DWCD Karnataka, IMA and others, Enfold trains all stakeholders involved in the protection of children across India.

### **On Track**

- Workbooks on Life Skills and Personal Safety, co-authored by Dr Sangeeta Saksena and Dr Shaibya Saldanha, founders of Enfold Trust and Dr Shekhar Seshadri, Professor, Department of Child and Adolescent Psychiatry, NIMHANS (published by Macmillan India) are based on Enfold's work with students, parents and teachers and have reached over 3 lakh students, their parents and teachers across India

### **Advocacy and Participation in Govt. policy formulation**

- Enfold is an integral part of the committee that developed the Child Protection Policy in Karnataka. Enfold works with Telangana, Delhi and Chhattisgarh State Govts furthering Child Safety and Gender Empowerment.

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## About UNICEF

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UNICEF is a leading humanitarian and development agency working globally for the rights of every child. Child rights begin with safe shelter, nutrition, protection from disaster and conflict and traverse the life cycle: pre-natal care for healthy births, clean water and sanitation, health care and education.

UNICEF has spent nearly 70 years working to improve the lives of children and their families. Working with and for children through adolescence and into adulthood requires a global presence whose goal is to produce results and monitor their effects. UNICEF also lobbies and partners with leaders, thinkers and policy makers to help all children realize their rights?especially the most disadvantaged.

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## About C-DAC

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Centre for Development of Advanced Computing (C-DAC) is the premier R&D organization of the Ministry of Electronics and Information Technology (MeitY) for carrying out R&D in IT, Electronics and associated areas. Different areas of C-DAC, had originated at different times, many of which came out as a result of identification of opportunities.

- The setting up of C-DAC in 1988 itself was to built Supercomputers in context of denial of import of Supercomputers by USA. Since then C-DAC has been undertaking building of multiple generations of Supercomputer starting from PARAM with 1 GF in 1988.
- Almost at the same time, C-DAC started building Indian Language Computing Solutions with setting up of GIST group (Graphics and Intelligence based Script Technology); National Centre for Software Technology (NCST) set up in 1985 had also initiated work in Indian Language Computing around the same period.
- Electronic Research and Development Centre of India (ER&DCI) with various constituents starting as adjunct entities of various State Electronic Corporations, had been brought under the hold of Department of Electronics and Telecommunications (now MeitY) in around 1988. They were focusing on various aspects of applied electronics, technology and applications.
- With the passage of time as a result of creative echo system that got set up in C-DAC, more areas such as Health Informatics, etc., got created; while right from the beginning

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the focus of NCST was on Software Technologies; similarly C-DAC started its education & training activities in 1994 as a spin-off with the passage of time, it grew to a large efforts to meet the growing needs of Indian Industry for finishing schools.

- C-DAC has today emerged as a premier R&D organization in IT&E (Information Technologies and Electronics) in the country working on strengthening national technological capabilities in the context of global developments in the field and responding to change in the market need in selected foundation areas. In that process, C-DAC represents a unique facet working in close junction with MeitY to realize nation 's policy and pragmatic interventions and initiatives in Information Technology. As an institution for high-end Research and Development (R&D), C-DAC has been at the forefront of the Information Technology (IT) revolution, constantly building capacities in emerging/enabling technologies and innovating and leveraging its expertise, caliber, skill sets to develop and deploy IT products and solutions for different sectors of the economy, as per the mandate of its parent, the Ministry of Electronics and Information Technology, Ministry of Communications and Information Technology, Government of India and other stakeholders including funding agencies, collaborators, users and the market-place.

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