



Standing Committee Report Summary

Indecent Representation of Women (Prohibition) Amendment Bill, 2012

- The Standing Committee on Human Resource Development submitted its report on the Indecent Representation of Women (Prohibition) Amendment Bill, 2012. The Bill was introduced in the Rajya Sabha on December 13, 2012 and seeks to amend the Indecent Representation of Women (Prohibition) Act, 1986, which prohibits indecent representation of women through advertisements or publications, writings and paintings (primarily the print media).
- The Bill seeks to widen the scope of the Act to cover new forms of communication and prohibits the publication or distribution of any material, which contain indecent representation of women.
- The Bill defines “indecent representation of women” as the depiction, publication or distribution of the figure or form of a woman in such a way that it has the effect of being indecent or derogatory or is likely to affect public morality. The Committee viewed this definition as vague and subject to interpretation and recommended that an expert body should decide on the issue of whether any content/material is objectionable or not.
- The Bill amends the definition of “advertisement” to include all types of media (printed and electronic). The Committee recommended that the definition be expanded to include all forms of advertisements through any medium such as digital, electronic SMS, MMS and hoardings.
- The Bill amends the definition of “distribution” to include all methods of distribution such as printed, broadcast and, electronic. The Committee recommended that distribution through publication, license, or uploading using computer resource, or communications device be covered under the definition
- On the question of whether indecent representation of women in films should be included under the ambit of the Act, the Committee recommended that the Ministry consult with the Central Board for Film Certification and the Ministry of Information and Broadcasting to bring the provisions under the Cinematograph Act in consonance with this Bill. The Committee suggested the Board needs to review its guidelines with respect to indecent representation of women.
- The Committee suggested the regulation of access to pornographic material in a stringent matter. Such material should not be viewed in any public place and be used only for private viewing/use.
- The Committee recommended that for the effective implementation of the legislation, a central authority should be created to regulate the cases of indecent representation of women and receive and decide complaints.
- The Bill enhances penalties for various offences. The Committee observed that the penalties for the offences as proposed in the Bill and the Information Technology Act, 2000 are different and should be brought in consonance with each other.

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