

# BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

**File No. BHRC/Comp. 5448/2014**

**(Suo Motu Cognizance)**

**Subject:** Bhabua DSP charges SP with sexual abuse

30.12.2014

The news item in Hindustan Times, English daily (Patna edition) dated 30<sup>th</sup> December, 2014 refers to a DSP's charges against SP for alleged rape. It appears that on the complaint of the DSP, the DGP has framed a committee but the Commission feels that the constitution of a committee is not in accordance with "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013".

This Act commands that every employer shall have a permanent committee and the committee has to be constituted in accordance with section 4 of the Act as "internal complaints committee".

The DGP, Bihar be informed to file a report before the Commission before next date keeping in view the mandate of the Act.

The Principal Secretary, Home is directed to inform the press about the incorporation of section 228A in the Indian Penal Code which prohibits printing and publishing the name of the alleged victim of offences u/s 376, 376A, 376B, 376C and 376D.

The Commission shall also issue a press note informing the press about incorporation of section 228A in the Indian Penal Code. The Commission has been observing for some time that section of media is publishing the names of the alleged victims of offences u/s 376, 376A, 376B, 376C and 376D. It is felt that perhaps the section of the media is not aware of incorporation of section 228A in the Indian Penal Code for

information of the media u/s 228A be reproduced in press note so that the media and public in general take note of the restrictions imposed by law in printing and publishing the names of the alleged victim.

List on 8<sup>th</sup> January, 2015. The order be communicated to police headquarters by fax.

Newspaper cuttings be sent along with the order.

***(Justice Bilal Nazki)***  
*Chairperson*