

ACT No. XVIII OF 1924.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 24th September, 1924.)

An Act further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to persons under the age of eighteen years.

WHEREAS it is expedient further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to persons under the age of eighteen years; It is hereby enacted as follows :—

1. (1) This Act may be called the Indian Criminal Law Amendment Act, 1924.

Short title and commencement.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

2. In sections 372 and 373 of the Indian Penal Code, for the words "minor under the age of eighteen years with intent that such minor shall be employed or used for the purpose of prostitution, or for any unlawful and immoral purpose, or knowing it to be likely that such minor will be" the words "person under the age of eighteen years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing it to be likely that such person will at any age be" shall be substituted.

Amendment of sections 372 and 373, Act XLV of 1860.

3. To section 372 of the same Code the following Explanations shall be added, namely :—

Further amendment of section 372, 1860.

"*Explanation I.*—When a female under the age of eighteen years is sold, let for hire, or otherwise disposed of to a prostitute or to any person who keeps or manages a brothel, the person so disposing of such female shall, until the contrary is proved, be presumed to have disposed of her with the intent that she shall be used for the purpose of prostitution.

Explanation II.—For the purposes of this section "illicit intercourse" means sexual intercourse between persons not united by marriage or by any union or tie which, though not amounting to a marriage, is recognised by

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the personal law or custom of the community to which they belong or, where they belong to different communities, of both such communities, as constituting between them a *quasi-marital relation*”.

4. To section 373 of the same Code the following *Explanations* shall be added, namely :—

Further
amendment
of section 373,
Act XLV of
1860.

“ *Explanation I.*—Any prostitute, or any person keeping or managing a brothel, who buys, hires or otherwise obtains possession of a female under the age of eighteen years shall, until the contrary is proved, be presumed to have obtained possession of such female with the intent that she shall be used for the purpose of prostitution.

Explanation II.—‘ Illicit intercourse ’ has the same meaning as in section 372 ”.

V of 1893.

5. In section 552 of the Code of Criminal Procedure, 1898, for the word “ fourteen ” the word “ sixteen ” shall be substituted.

Amendment
of section 552,
Act V of 1893.