



CRIME AGAINST WOMEN IN INDIA- AN OVERVIEW

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ABSTRACT

Centuries have come, and centuries have gone, but the plight of women is not likely to change. Time has helplessly watched women suffering in the form of discrimination, oppression, exploitation, degradation, aggression, humiliation. In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, one who gives life and worshipped her as a 'Devi' or Goddess. But their glorification was rather mythical for at the same time, in India women found her totally suppressed and subjugated in a patriarchal society. Indian women through the centuries remained subjugated and oppressed because society believed in clinging on to orthodox beliefs for the brunt of violence domestic as well as public, Physical, emotional and mental. Male violence against women is worldwide phenomenon. Fear of violence is an important factor in the lives of most women. Fear of violence is the cause of lack of participation in every sphere of life. There are various forms of crime against women. Sometimes it is even before birth, some times in the adulthood and other phases of life. In the Indian society, position of women is always perceived in relation to the man. This perception has given birth to various customs and practices. Violence against women both inside and outside of their home has been a crucial issue in the contemporary Indian society. Women in India constitute near about half of its population and most of them are grinding under the socio-cultural and religious structures. One gender has been controlling the space of the India's social economic, political and religious fabric since time immemorial. The present study felt the need that in the era of globalization and modernization the present trends of crimes against women is on increase. Recently the brutal gang rape against 23 year student in Delhi again sparked the debate on Indian mental set up and existing law and order in the Country.

Legal Safeguards for the Women:

There are various legislation has been incorporated regarding the safeguarding of the women. Various Legislation for safeguarding crime against women, classified under two categories:

The Crime under Indian Penal Code (IPC):

- i. Rape (Section 376 IPC)
 - ii. Kidnapping and abduction for specified purpose (Section 363-373 IPC)
 - iii. Homicide for dowry, Dowry death or their attempts. (Sec. 302/304-B IPC)
 - iv. Torture both mental and physical (Sec.498-A –IPC)
 - v. Sexual Harassment (Sec. 509 IPC)
 - vi. Importation of girls (Up to 21 years of age) (Sec. 366-B IPC)
 - vii. Molestation (Sec. 354 IPC)
1. The Crimes under the Special and local Laws (SLL) Gender specific laws
 - i. Immoral Traffic (Prevention) Act, 1956.
 - ii. Dowry Prohibition Act, 1961
 - iii. Indecent Representation of Women (Prohibition) Act, 1986.
 - iv. Commission of Sati (Prevention) Act, 1987.

Another danger in India is that, Indian law does not differentiate between major and minor rape. Rape in India has been described as one of the “India’s most common crime against women.” Rape cultures are nourished by norms, attitudes, and practices that trivialize, tolerate, or even condone violence against women. They are further normalized if there is impunity for perpetrators either due to a lack of effective legal mechanisms or apathy to prosecuting crimes against women. The need for a new law on sexual assault was felt as the present law does not define and reflect the various kinds of sexual assault that women are subjected to in our country. The Supreme Court in Sakshi vs. union of India (on 26 May

2004) had recognized the inadequacies in the law relating to rape and had suggested that the legislature should bring about the required changes.

Although Women may be victims of any of the general crimes such as 'Murder', 'Robbery', 'Cheating', etc, only the crimes which are directed specifically against Women are characterized as 'Crimes Against Women'. Various new legislations have been brought and amendments have been made in existing laws with a view to handle these crimes effectively.

A total of 2,13,585 incidents of crime against women (both under IPC and SLL) were reported in the country during 2010 as compared to 2,03,804 during 2009 recording an increase of 4.8% during 2010. These crimes have continuously increased during 2006 - 2010 with 1,64,765 cases in 2006, 1,85,312 cases in 2007, 1,95,856 cases in 2008, 2,03,804 cases in 2009 and 2,13,585 cases in 2010. Andhra Pradesh, accounting for nearly 7.1% of the country's population, has accounted for 12.8% of total crimes against women in the country by reporting 27,244 cases. West Bengal with 7.6% share of country's population has accounted for nearly 12.2% of total crime against women by reporting 26,125 cases in 2010.

Table – 1: CRIME HEAD-WISE INCIDENTS OF CRIME AGAINST WOMEN DURING 2006 - 2010 AND PERCENTAGE VARIATION IN 2010 OVER 2009

Sl. No	Crime Head						Percentage variation in 2010 over 2009
		2006	2007	2008	2009	2010	
1		19,348	20,737	21,467	21,397	22,172	3.6
2		17,414	20,416	22,939	25,741	29,795	15.7
3		7,618	8,093	8,172	8,383	8,391	0.1
4		63,128	75,930	81,344	89,546	94,041	5.0
5		36,617	38,734	40,413	38,711	40,613	4.9
6		9,966	10,950	12,214	11,009	9,961	-9.5
7		67	61	67	48	36	-25.0
8		0	0	1	0	0	-
9		4,541	3,568	2,659	2,474	2,499	1.0
10		1,562	1,200	1,025	845	895	5.9
11		4,504	5,623	5,555	5,650	5,182	-8.3
Total		1,64,765	1,85,312	1,95,856	2,03,804	2,13,585	4.8

Crime Rate

Crime Rate presented in Table-1. The crime against women has increased by 4.8% over 2009 and by 29.6% over 2006. The IPC component of crimes against women has accounted for 96.0% of total crimes and the rest 4.0% were SLL crimes against women. The rate of crime has increased marginally from 17.4 during the year 2009 to 18.0 during 2010. Tripura reported the highest rate of crime against women at 46.5 during 2010.

Trend Analysis

The proportion of IPC crimes committed against women towards total IPC crimes has increased continually during last 5 years from 8.2% in 2006 to 9.6% during 2010.

Crime head-wise analysis (IPC)

An increasing trend in cases of rape has been observed during 2006 - 2008. A mixed trend in the incidence of rape has been observed during 2008 - 2010. These cases reported an increase of 7.2% in 2007 over 2006, an increase of 3.5% in 2008 over 2007, a decline of



0.3% in 2009 over 2008 and an increase of 3.6% in 2010 over 2009. Madhya Pradesh has reported the highest number of Rape cases (3,135) accounting for 14.1% of total such cases reported in the country. However, Mizoram has reported the highest crime rate 9.1 as compared to National average of 1.9. Rape cases have been further categorized as Incest Rape and other Rape cases.

Incest rape cases have decreased by 10.3% from 321 cases in 2009 to 288 cases in 2010 as compared to 3.6% increase in overall Rape cases. Maharashtra (44) has accounted for the highest (15.3%) of the total such cases reported in the country. (See Table 5.3)

Rape Victims

There were 22,193 victims of Rape out of 22,172 reported Rape cases in the country. 8.9% (1,975) of the total victims of Rape were girls under 14 years of age, while 16.1% (3,570) were teenage girls (14-18 years). 57.4% (12,749) were women in the age-group 18-30 years. 3,763 victims (17.0%) were in the age-group of 30-50 years while 0.6% (136) was over 50 years of age. The details are given in Table-5.3. Offenders were known to the victims in as many as 21,566 (97.3%) cases. Parents /close family members were involved in 1.3% (288 out of 21,566) of these cases, neighbours were involved in 36.2% cases (7,816 out of 21,566) and relatives were involved in 6.2% (1,344 out of 21,566) cases. The State / UT / City-wise details are presented in Table-5.4.

Kidnapping & Abduction

These cases have reported an increase of 15.7% as compared to previous year (25,741). Uttar Pradesh (5,468) has accounted for 18.4% of the total cases at the National level. Delhi UT has reported the highest rate at 9.5 as compared to the National average of

2.5. Dowry Deaths

These cases have increased by 0.1% over the previous year (8,383). 26.4% of the total such cases reported in the country were reported from Uttar Pradesh (2,217) alone followed by Bihar (1,257) (15.0%). The highest rate of crime (1.3) was reported from Bihar as compared to the National average of 0.7.

Torture

Torture' cases in the country have increased by 5.0% over the previous year (89,546). 18.9% of these were reported from West Bengal (17,796). The highest rate of 26.0 was reported from Tripura as compared to the National rate at 7.9.

Molestation

Incidents of Molestation in the country have increased by 4.9% over the previous year (38,711). Madhya Pradesh has reported the highest incidence (6,646) amounting to 16.4% of total such cases. Tripura has reported the highest rate (10.4) as compared to the National average of 3.4.

Sexual Harassment

The number of such cases has decreased by 9.5% over the previous year (11,009). Andhra Pradesh has reported 45.8% of cases (4,562) followed by Maharashtra 11.8% (2,524). Andhra Pradesh has reported the highest crime rate 5.4 as compared to the National average of 0.8.



Importation of Girls

A decrease of 25.0% has been observed in such cases as 36 cases were reported during the year 2010 as compared to 48 cases in the previous year (2009). Bihar, Jharkhand and West Bengal have reported 8 cases each accounting for two-third of total such cases at the National level.

Crime-head wise analysis (Special Laws) cases.

Daman & Diu reported the highest crime rate of 3.0 as compared to the National average of 0.2.

Immoral Traffic (Prevention) Act

Cases under this Act have registered an increase of 1.0% during the year as compared to the previous year (2,474). 22.7% (567) cases were reported from Tamil Nadu and Andhra Pradesh accounted for 21.9% (548) No case was registered under this Act in 2010 similar to the situation in 2009.

Indecent Representation of Women (Prohibition) Act

An increase of 5.9% was noticed in cases under this Act as compared to previous year (845). Andhra Pradesh with 753 cases has accounted for 84.1% of total such cases at the National level which has also reported the highest crime rate of 0.9 as compared to the National average rate of 0.1.

Dowry Prohibition Act

The cases under this Act have decreased by 8.3% as compared to the previous year (5,650). 22.9% cases were reported from Andhra Pradesh (1,186) followed by Karnataka (1,077) accounting for 20.8% of total cases at the National level. The highest crime rate was reported from Odisha at 2.3 as compared to 0.4 at the National level.

Crime against Women in Cities

35 cities having population over 10 lakh (See Chapter-2) have been identified as Mega cities as per population census 2001. A total of 24,335 cases of crimes against women were reported from these 35 cities as compared to 23,983 cases in the year 2009 reporting an increase of 1.5%. The rate of crime in cities at 22.6 was comparatively higher as compared to the National rate of 18.0. Among 35 cities, Delhi (3,886) has accounted for 16.0% of total crimes followed by Hyderabad (1,964) (8.1%). The crime rate was significantly higher in Vijayawada, Jaipur, Faridabad, Lucknow, Vishakhapatnam and Agra at 113.7, 50.9, 47.0, 46.4, 45.6 and 45.3 respectively as compared to average of mega cities at 22.6. Delhi city has accounted for 23.0% of Rape cases, 37.7% of Kidnapping & Abduction cases, 14.6% of Dowry Deaths and 16.5% of Molestation cases among 35 cities. Hyderabad has reported 12.2% of cases of Cruelty by Husband and Relatives. Vijayawada has reported 16.0% of cases of Eve-teasing. Kolkata city has reported 3 out of 7 cases reported under Importation of Girls. It is worthwhile to mention that Bengaluru, Chennai, Hyderabad, Mumbai and Jaipur have booked more cases under Special & Local Laws among the mega cities. 11.9% (111 out of 934) of cases under Immoral Traffic (Prevention) Act and 81.3% (557 out of 685) of Dowry Prohibition Act cases were registered in Bengaluru city alone. Similarly, 18.6% (174), 14.3% (134) and 13.2% (123) of 934 cases under Immoral Traffic (Prevention) Act were registered in Hyderabad, Chennai and Mumbai respectively. All the 24 out of 26 cases under Indecent Representation of Women (Prohibition) Act cases were registered in Jaipur city accounting for 92.3% of such cases.



Approach towards safety of women:

1. To increase reporting of rape and assault cases: To increase the reporting of such cases at first we need to empower the women and children. They must be educate on their rights and encourage them to come forward to register the cases. There are many violent cases but due to stigma in the society very few are reported.
2. Law enforcement agencies: Law enforces should be well trained to react swiftly and with sensitivity towards the women and children cases.
3. Exemplary punishment: Punishment of every culprit need to be exemplary. Campaigning of "Zero- tolerance" of sex offenders. More and more fast track court should establish.
4. Proper planning of the city: Every city should be planned in a very specific manner. According to Ranjana Kumari, director of Delhi's Centre for Social Research, only 37% of the city was ever planned. "The rest is . . . slums, villages, with no proper lighting or development," she said last week. "There are many pockets of crime."
5. Indian Police system: Neither the Centre nor States have been proactive in improving the quality of Policing. Official records shows that only 14 states have either enacted the New Police Act or amended their existing laws to incorporate SC's suggestion.

Finally, a nationwide campaign is needed to reignite India's core values and traditions that respect and nurture women and children. This can only be borne out of consensus in society. Awareness amongst men of the scope of this issue is critical. Men who turn a blind eye to such brutal acts in their own neighborhoods, communities and families are just as culpable as those that perpetrate these acts. Action from courts and police will not suffice if the community remains defiantly opposed to change.

Reference:

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