



## CRIME AGAINST WOMEN : PROBLEM AND SUGGESTION

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### ABSTRACT:

*An attempt has been made in paper to discuss the crime against women in contemporary modern Indian society with special reference to Delhi rape case. The central focus of the paper is to throw light on the crime against women in India, legislative measures for the same and totriumph over social challenges initiating crime against women. Crime against women is not confined to a specific culture, region or country, or to particular groups of women within a society. The crime against women takes many forms – physical, sexual, psychological and economic. The roots of crime against women lie in persistent discrimination against women. Even after several legislative and other measures by center and state governments crimes against women Crimes against women like rape, kidnapping and abduction, homicide for dowry, torture, molestation, sexual harassment, and the importation of girls is not declining. Dowry violence, rape and attempt to rape by an intimate partner are the most common form of crime experienced by women in India. These forms of crime are interrelated. Women who experience such crime suffer a range of physical and mental health problems and their ability to participate in public life diminishes. Crime against women harms families and communities across generations and reinforces other evils prevalent in society. Proper reporting of rape and assault cases, effective law enforcement agencies, exemplary punishment, Zero intolerance against rape cases, effective and efficient Indian Police System, creating legislative awareness amongst women and proper training of women to deal with crime against them could be measures to eradicate or at least to reduce the crime against women in India.*



**KEYWORDS:** *Crime against women, Legislative measures, Women in society, Contemporary society.*

### 1. INTRODUCTION:

The status of Women in India, both historically and socially has been one of the respect and reverence. The Constitution of India not only grants equality to Women but also empowers the State to adopt measures of positive discrimination in favour of Women for neutralizing the cumulative socio-economic educational and political disadvantages faced by them. Article 15 forbids discrimination on grounds of Caste, religion, sex, race and place of birth, whereas, Article 16 ensures equal opportunities of employment. Crimes against women can take many forms, including those involving prostitution, brothel keeping, seduction, wrongful confinement, trafficking, dowry extortion, murder, crimes involving women's property, such as dishonest misappropriation, criminal breathof trust, extortion, robbery, and murder, crimes involving sex, such as outraging the modes of women, using criminal force, assault, kidnapping, abduction, wrongful confinement, Even though some immoral acts that are harmful

to society are not crimes, women are forced to offer themselves and their bodies for commercial use. This way of life, regardless of its name, is not only harmful to society as a whole but also immoral. A criminal case involves three parties in addition to the victim, namely ( i) the criminal, ii) the police, and iii) the criminal courts. Various recommendations have been made for preventing crimes against women.

## 2. OBJECTIVE

The objective of the subject matter is to analyze the position of women and crime against women in contemporary society, while stating various legislative measures undertaken by Government of India to improve the condition of women in India.

## 3. METHODOLOGY

For examining the national scenario of the condition of women in society, secondary data have been used. As the subject matter focuses on the analysis of the crime against women in India, the data have been collected from National Crime record Bureau, Government of India, to evaluate the condition of women in India. Besides it, the analysis of newspaper reports and authentic online data has also form the part of data. This paper also enlisted the growth of crime against women that has undergone in last decade on the basis of available data.

## 4. NEED FOR REFORMS

From cradle to grave there is a systematic discrimination against women. Nutrition, health care, education are all withheld or provided unwillingly to daughters. Son preference is expressed in deep rooted cultural mores. Violent crimes against women are both a continuation of the systematic discrimination against women and its results. The violator feels his acts are socially authorized; the confirmation is evident in all that he has witnessed since childhood.

The falling sex ratio should be of grave concern to law enforcement and criminal justice agencies. In simple terms it will lead to greater street crimes, more harassment of women in public places, more rape, and more violence in marriage. A steep decline is evident in the male female ratio in India over the last decade. It has declined from 933 females for every 1000 males in 2001 to 943 per thousand in 2011. The northern states (especially Haryana with only 861 female over 1000 male) show even poorer ratios than the national average.

Dowry demand is one of the other social evil. Rich dowry is seen by boys' family as a sort of basic necessity to raise their living standard. Equally, parents with daughters tend to regard them as a disability and start to collect and save for their marriages from their childhood itself, rather than being much concerned about their education and health. In North India, in particular, dowry can be considered as a major reason for son preference and evil practices such as female infanticide, and in more modern times female foeticide, can be blamed largely on this traditional social institution. The continuing comfort and status of a woman in her bridal home could often depend on the diligence and generosity with which her parents meet these periodic social obligations and many a woman would complain of frequent taunts and threats of divorce when her family had not been able to satisfy the needs of a particular occasion.

## 5. PROBLEM OF CRIMES AGAINST WOMEN IN INDIA

Under the IPC (Indian Penal Code) crimes against women include rape, kidnapping and abduction, homicide for dowry, torture, molestation, sexual harassment, and the importation of girls.

A total of 3,37,922 incidents of crimes against women were reported in the country during 2014; which includes 36735 rape cases, 8455 dowry deaths, 4234 incidents of attempt to commit rape. Thus, the rate of IPC crime rate of was recorded 56.3% in 2014.

Crimes that include the Indian term "eve-teasing" or harassment and heckling and sexual innuendoes against women in public places including streets, public transport, cinema halls, along with

the rape of minors and women in tribal and villages often go unreported and unrecorded.

According to records, Madhya Pradesh, a state with a large population of tribes, has recorded 3406 rape cases, the highest number of incidents in the country in 2011.

India's profile as an emerging modern nation has taken a beating by the recent rape case, as widespread gender-based violence has been exposed.

The problem of gender-based violence is getting worse. National Crime Record Bureau statistics show crimes against women increased by 7.1 percent nationwide since 2010. There has been a rise in the number of incidents of rape recorded too. In 2011, 24,206 incidents were recorded, a rise of 9 percent from the previous year. More than half of the victims are between 18 and 30 years of age.

Figures indicate that 10.6 percent of total victims of rape were girls under 14 years of age, while 19 percent were teens between the ages of 14 and 18. Alarming in almost 94.2 percent of cases offenders were known to the victims and those involved included family members, relatives, and neighbours. The experience of the Delhi Police that is one response that has met with some success. Delhi, the capital city, has been called by many as the "rape capital of India". The government has promised to step up and take vigilant and preventive measures including: night patrols, supervision and checks on public and private bus drivers and their assistants, and the banning of vehicles with tinted windows or curtains. To bring home the heinous nature of their crime, the government has also said that it will post the photos, names and addresses of convicted rapists on official websites. The Indian government has appointed a three-member panel of legal experts to review the rape laws. This panel suggested the foremost being the establishment of special courts to deal with cases of crimes against women. Secondly, setting up a time limit for the disposal of cases which is the most essential prerequisite to secure justice is an essential feature discussed to stop the increase in the trauma of the victim with each passing day. Again attempts should be made to prevent delay investigation or crimes like rape, dowry deaths, sexual harassment etc. are prime recommendations as delay dilutes the evidence. Capital punishment should be awarded to persons committing the offence of rape.

## 5. PROTECTION OF WOMEN RELATED LEGISLATION IN INDIA

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)

### ➤ 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.

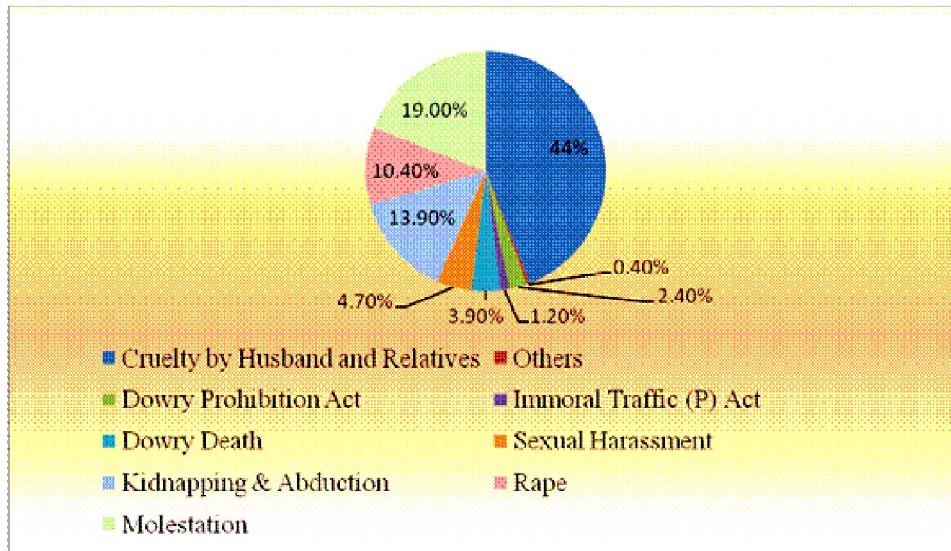
**CRIME AGAINST WOMEN INCIDENCE AND RATE OF COGNIZABLE CRIMES (IPC) AND PERCENTAGE CHANGE DURING THE YEARS:**

Crime head	2001	2006	2007	2008	2009	2010
Rape (Section 376 IPC)	16075 (1.6%)	19348 (1.7%)	20737 (1.8%)	21467 (1.9%)	21397 (1.8%)	22172 (1.9%)

Source: Crimes in India, National Crime record Bureau, GOI, 2011, 12

“In 2010 there were 22,193 victims of Rape out of 22,172 reported 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.”

**CRIME AGAINST WOMEN PERCENTAGE DISTRIBUTION DURING 2010.**



Source: Crimes n India, NCRB, 2011, 4

**5.SUGGESTION TO IMPROVE THE IMPLEMENTATION AND SUGGESTION WOMEN RELATED LAWS**

**5.1. 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.

**5.2. LAW ENFORCEMENT AGENCIES:**

Low enforces should be well trained to react swiftly and with sensitivity towards the women and children cases.

**5.3. EXEMPLARY PUNISHMENT:**

Punishment of every culprit needs to be exemplary, campaigning of “Zero- tolerance” of sex offenders. More and more fast track court should establish.

**5.4. PROPER PLANNING OF THE CITY:**

Every city should be planned in a very specific manner. According to RanjanaKumari, 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."



### 5.5. 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. It said the ordinance has rejected the Verma Committee's recommendations on issues like making rape a gender specific crime in the law, on increasing the punishment to public servants guilty of dereliction of duty, of increasing the punishment and guaranteed compensation for victims of acid attacks and was highly selective suggestion. The Justice Verma Committee's progressive recommendations, such as altering the registration and investigation of sexual violence reports and police training, have not been fully implemented by authorities. Regardless of the nature or circumstances of the crime, Amnesty International opposes the death penalty in every case. The Indian government passed new laws in April that made voyeurism, acid attacks, stalking, and other forms of violence against women illegal.

### 6. CONCLUSION

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. These are broadly classified under two categories. Various new legislations have been brought and amendments have been made in existing laws with a view to handle these crimes effectively. Delhi court's decision to hand death penalty to the four convicts in the December 16 gang rape-cum-murder case Tara Rao, Director, Amnesty International India said, "The rape and murder of the young woman in Delhi year 2012 was a horrific crime and our deepest sympathy goes out to the victim's family. Those responsible must be punished, but the death penalty is never the answer." Victims were convicted by the court on September 10 for the brutal gangrape of a 23-year-old paramedic student on the night of December 16, 2012 which eventually led to her death. The existing laws, if faithfully and efficiently implemented by credible law enforcement

Agencies are sufficient to maintain law and order and to protect the safety and dignity of the people, particularly women, and to punish any offenders who commit any crime. Fear of male attack inside and outside homes must be erased. Protection of women of all ages and a tightening of laws for a safer tomorrow for women in India

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