Aiman Alam

Instructor – Prof. Jan Lorenz

<u>Analysis and Visualizations on Rape Cases in India</u>

Index

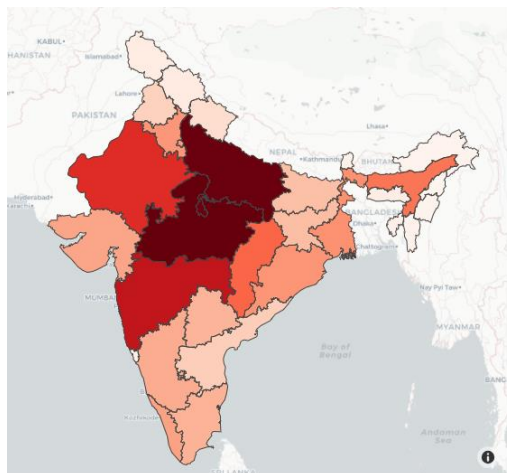- Why this Dark Data is important?

11. Interview with Head of Police - Madhya Pradesh
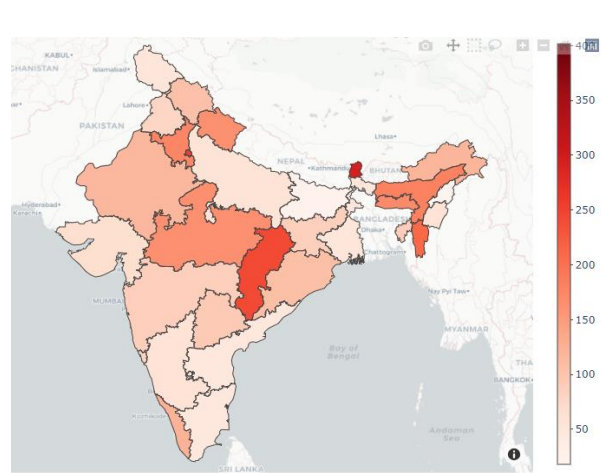
12. Future Work

13. Conclusion

14. References

1. Introduction

Total Victims of Rape (2018)

Rate of Rape (2018)

Sexual violence is a critical societal issue that demands careful examination and thoughtful intervention. The project at hand delves into the complex landscape of rape cases in India, aiming to provide a comprehensive analysis of the prevalence, distribution, and underlying factors associated with these incidents. Rape is a grave violation of human rights, and its impact extends beyond individual victims to affect families, communities, and the nation as a whole.

In recent years, increasing awareness and advocacy have prompted a closer examination of sexual violence, leading to a growing need for data-driven insights. This project contributes to the ongoing discourse by offering a detailed exploration of rape cases across the entire nation, considering both the macro-level perspective of India as a whole and the nuanced variations at the state level.

The research is structured to unveil patterns and trends, emphasizing the importance of understanding not only the national landscape but also the distinct challenges faced by different states. By conducting a state-wise comparison, the project identifies areas with the highest and lowest reported incidents, offering valuable insights that can inform targeted interventions and policy development.

In addition to state-level analysis, the project investigates the demographic dimensions of sexual violence, focusing on age groups to pinpoint the most vulnerable populations. Such granularity allows for a nuanced understanding of victimization patterns, enabling tailored approaches to support and prevention.

Furthermore, the project evaluates the rate of reported rape cases per million inhabitants for each state. This standardized metric facilitates cross-state comparisons, offering a more accurate assessment of the prevalence of sexual violence in different regions.

While the project sheds light on critical aspects of sexual violence, it is essential to recognize the inherent challenges in dealing with such sensitive and multifaceted issues. Potential limitations, including underreporting and variations in legal definitions, are acknowledged to ensure a nuanced interpretation of the findings.

In essence, this project seeks to contribute to the dialogue surrounding sexual violence in India by providing evidence-based insights that can inform policymakers, law enforcement agencies, and advocacy groups. By understanding the nuances of rape cases at both the national and state levels, we can take meaningful steps toward creating a safer, more informed, and empathetic society.

World Rape statistics

Source: UNODC

Rape rate per 100,000

- 95
- 31
- 8
- 1
- .1
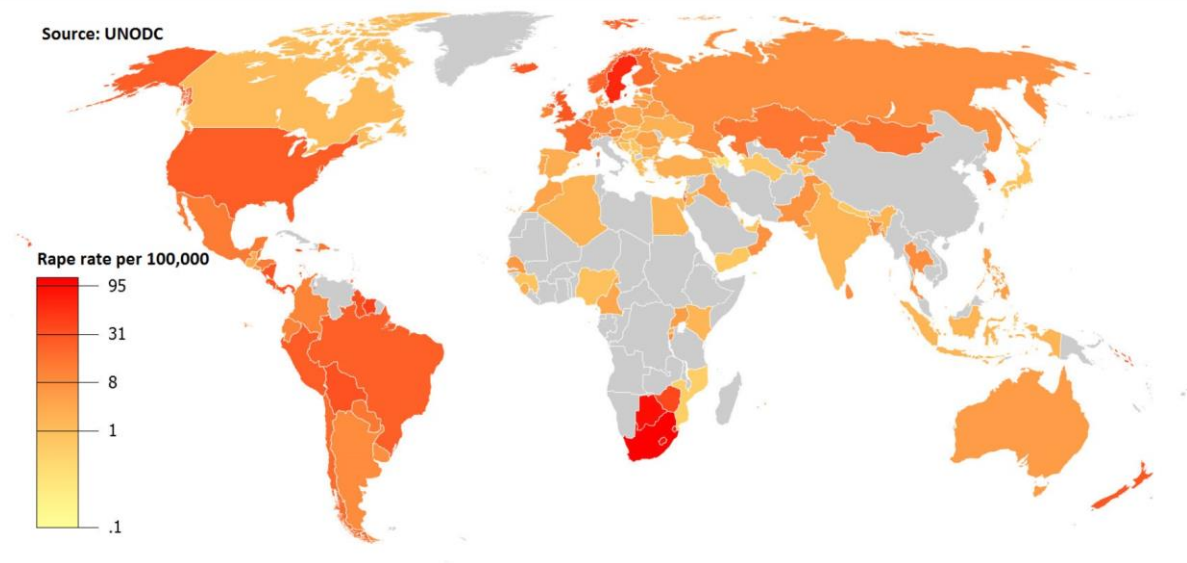
Reported Rape rates per 100,000 population 2010–2012

India ranked 94th in ranking of reported rape cases per 100,000 population in 2010. [25]

The challenge of tracking down truthful rape statistics –

Obtaining reliable statistics on rape poses a considerable challenge due to inherent complexities in reporting. The primary hurdle lies in the significant underreporting of sexual violence cases, as a substantial number of victims opt not to disclose such incidents. Various factors contribute to this decision, including feelings of embarrassment, the stigma associated with being a victim, fear of retaliation from the perpetrator, and concerns about potential negative reactions from one's own family.

Compounding this issue, many countries grapple with inadequate, inconsistent, or infrequently enforced laws against sexual assault. This legal landscape can create a perception among victims that involving law enforcement may be futile or, in some instances, exacerbate their situation rather than improve it.

Regardless of the rationale behind a victim's decision to remain silent, the result is a significant underrepresentation of rape cases in official statistics across numerous countries. Current estimates suggest that approximately 35% of women worldwide have encountered sexual harassment at some point in their lives.

In essence, the challenge lies not only in the prevalence of sexual violence but also in the intricacies of encouraging victims to come forward, addressing societal taboos, reforming legal frameworks, and fostering an environment where survivors feel confident in seeking justice without fear of adverse consequences. The quest for accurate rape statistics requires a multifaceted approach that addresses both systemic shortcomings and the complex emotional and societal factors influencing reporting.[26]

Why country-to-country comparisons of rape statistics are so difficult? [26]

Another confounding issue when compiling and comparing global rape statistics is that the legal definition of rape can vary from one country to the next. The methods used to count rapes can also vary significantly. These differences include, but are not limited to:

- Some countries consider any non-consensual sex to be rape. Others classify a sexual assault as rape only when it exceeds a certain threshold of violence.
- Some countries acknowledge spousal rape. Others do not.
- Some countries count any report of rape. Others count only those incidents that proceed to a legal trial.

- Some countries include non-consensual, and sometimes also consensual, sex with a minor—typically classified as statutory rape—in their rape totals. Other countries place any sex with a minor, consensual or not, into a separate category.
- Some countries confine the definition of rape to forced vaginal penetration during sexual intercourse only. Others consider any unwarranted penetration of the mouth, anus, or vulva with any body part or object to be rape.
- Some countries track only male-on-female rape. Others also track female-on-female, female-on-male, and male-on-male rape.
- Some countries count each individual assault that occurs between the same people (for instance, a child and a relative, or a man and his arranged fiancée) as its own separate incident. Others add all of the incidents together and count them as a single rape.
- Similarly, some countries count gang rapes as a single incident regardless of how many individuals participated. Others count gang rapes as multiple incidents (one per participant, minus the victim or victims).

Decoding Sweden's Reported Rape Numbers: A Positive Shift in Perspective

Sweden's seemingly high reported rape numbers merit a closer look. Rather than a cause for alarm, the increase may be indicative of positive shifts in policy and societal attitudes. Efforts to prevent rape can lead to a surge in reported cases, reflecting improved definitions, expanded reporting categories, and enhanced legal responses.

For instance, a broader definition of rape may encompass more sex-related crimes, including those previously untracked. Progress in catching and prosecuting perpetrators, coupled with increased support for victims, can contribute to higher reporting rates.

Sweden's case, often cited for its elevated rape rate, exemplifies this phenomenon. Averaging 64 reported rapes per 100,000 inhabitants from 2013-2017, Sweden shares the highest rate in Europe. However, recalculating the data using Germany's narrower criteria reduces Sweden's average to 15 per 100,000—a 76.56% decrease. This reframing underscores the importance of delving beyond statistics, revealing a nuanced narrative of positive societal and policy changes.

2. Source of DATA for India Rape Analysis - NCRB

The **National Crime Records Bureau** (**NCRB**) is an Indian government agency responsible for collecting and analyzing, crime data as defined by the Indian Penal Code (IPC) and Special and Local Laws (SLL). [1]

The dataset on sexual assault comprises cases categorized by state and age groups. Specifically, the age groups are delineated as follows: [19] [20]

1. Victims below 6 years (Girls)
2. Victims 6 - 12 years (Girls)
3. Victims 12 - 16 Years (Girls)
4. Victims 16 - 18 years (Girls)
5. Total Victims - Girls
6. Victims 18 - 30 years (Women)
7. Victims 30 - 45 years (Women)
8. Victims 45 - 60 years (Women)
9. Victims above 60 years (Women)
10. Total Victims - Women
11. Grand Total of Victims

The project is built on data for the years 2016 – 2021. The dataset for the year 2016 encompasses data for both girls (below 18 years) and women (18 - 60 years). Starting in 2017, the National Crime Records Bureau (NCRB) initiated the practice of maintaining separate records for cases falling under the Protection of Children from Sexual Offences (POCSO) Act. Consequently, cases involving individuals below 18 years registered under the general section are included in the general dataset, while those falling under the POCSO Act are part of the

POCSO dataset. For clarity, I have consolidated the data for girls across different age groups from both general and POCSO cases.

POCSO stands for the Protection of Children from Sexual Offences Act. It is a legislative framework enacted in India to address and combat sexual offenses against children. The POCSO Act was established in 2012 with the primary objective of providing legal protection for children below the age of 18 years from sexual abuse and exploitation. [2]

Key features of the POCSO Act include:

1. Broad Definitions: The act defines various forms of sexual offenses against children, including but not limited to, penetrative and non-penetrative offenses.

2. Special Courts: It mandates the establishment of special courts for the speedy trial of cases related to child sexual abuse.

3. Protection of Identity: The act ensures the protection of the identity of the child throughout the legal process.

4. Child-Friendly Procedures: The legal procedures under the act are designed to be child-friendly, recognizing the vulnerability of children as victims.

5. Stringent Punishments: The act prescribes stringent punishments for offenders to act as a deterrent.

POCSO represents a significant step in addressing the specific needs and vulnerabilities of children who are victims of sexual offenses. It reflects a commitment to creating a protective legal environment to safeguard the rights and well-being of children in India.

Let's see a sample of the data –

	State/UT	Cases Reported	Victims below 6 years - Girls	Victims 6 - 12 years - Girls	Victims 12 - 16 Years - Girls	Victims 16 - 18 years - Girls	Total Victims - Girls	Victims 18 - 30 years - Women	Victims 30 - 45 years - Women	Victims 45 - 60 years - Women	Victims above 60 years - Women	Total Victims - Women	Total Victims
0	Andhra Pradesh	994	17	43	142	261	463	436	85	9	2	532	995
1	Arunachal Pradesh	92	3	12	25	10	50	32	7	2	1	42	92
2	Assam	1779	0	52	147	265	464	938	373	4	0	1315	1779
3	Bihar	1008	0	7	41	121	169	684	146	9	0	839	1008
4	Chhattisgarh	1626	33	79	340	532	984	475	150	13	5	643	1627

Data Analysis and Visualizations and its related facts

3. Trend of total victims of rape in India over years 2016 - 2021

The total count of sexual offense victims in India has generally increased over the years, with a slight dip observed in 2020, likely due to the impact of the COVID-19 pandemic. Disruptions in law enforcement, judicial processes, and reporting during the pandemic could have influenced the decrease.

Total Victims Over the Years (2016-2021)
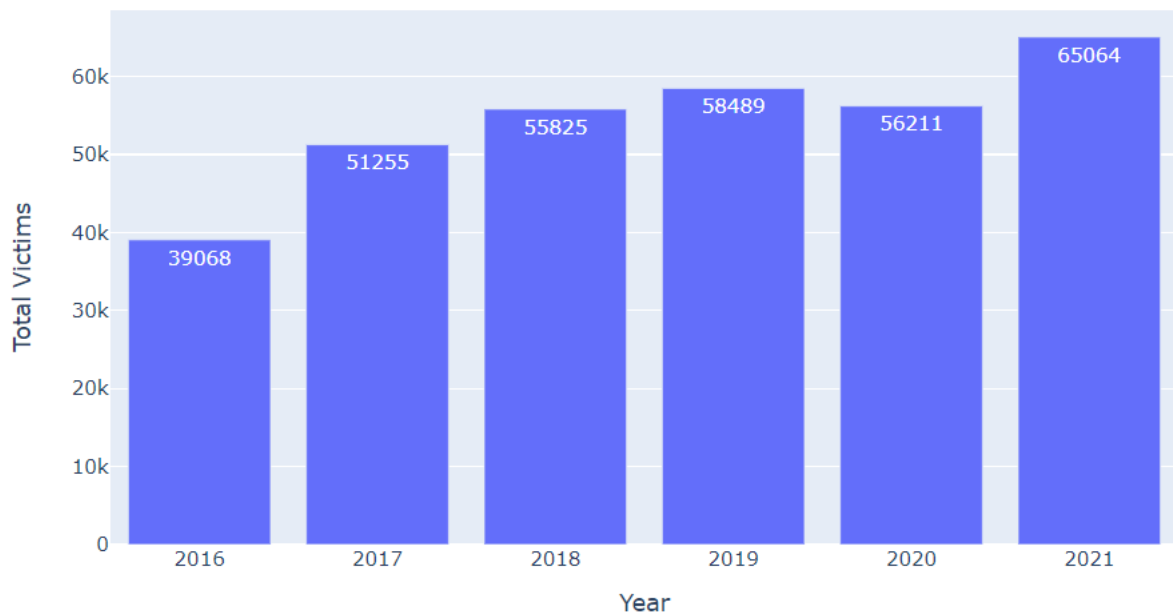
Which are the top few states with highest total counts?

- It is noteworthy that certain states consistently report higher counts of sexual offenses almost every year. States such as Madhya Pradesh, Rajasthan, Uttar Pradesh, and Maharashtra consistently appear to have elevated numbers in this regard. Understanding the factors contributing to the higher incidence of these offenses in these specific states is crucial for targeted intervention and prevention strategies. Analyzing socio-economic, cultural, and law enforcement aspects can provide valuable insights into addressing and mitigating the prevalence of sexual offenses in these regions.
- We observe that top states have there total count lying between range of 3500 – 6500 victims per year.

Comparison of Total Victims for Selected States (2016-2021)
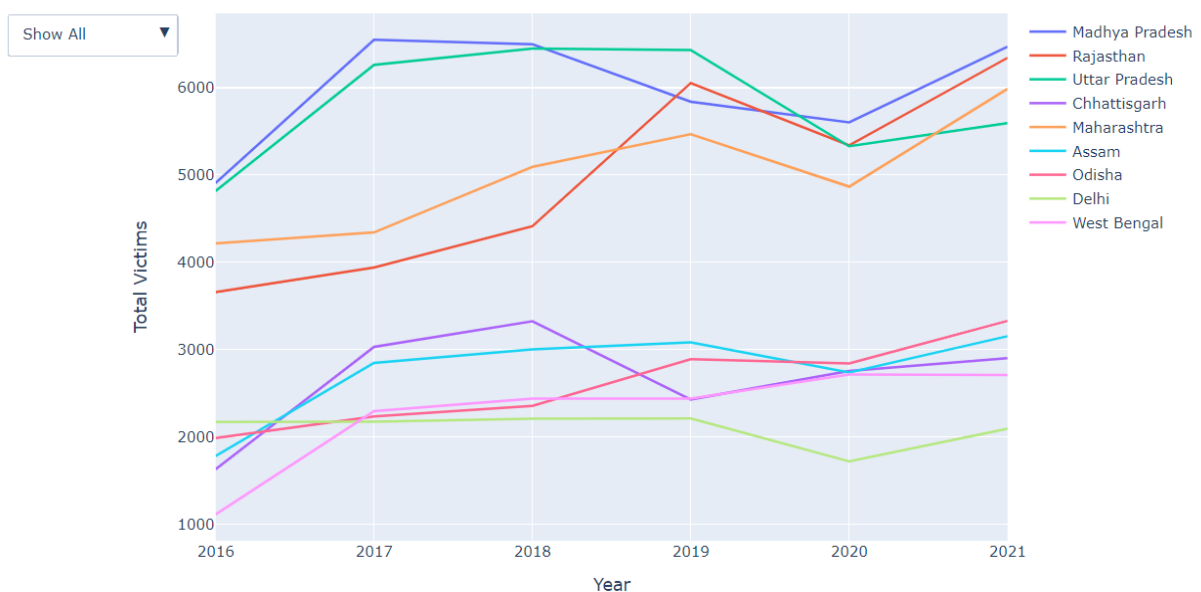
Where as the states with lowest counts lies between range of 80 – 150 victims per year.

Total Victims Comparison for Lowest 10 States (2016-2021)
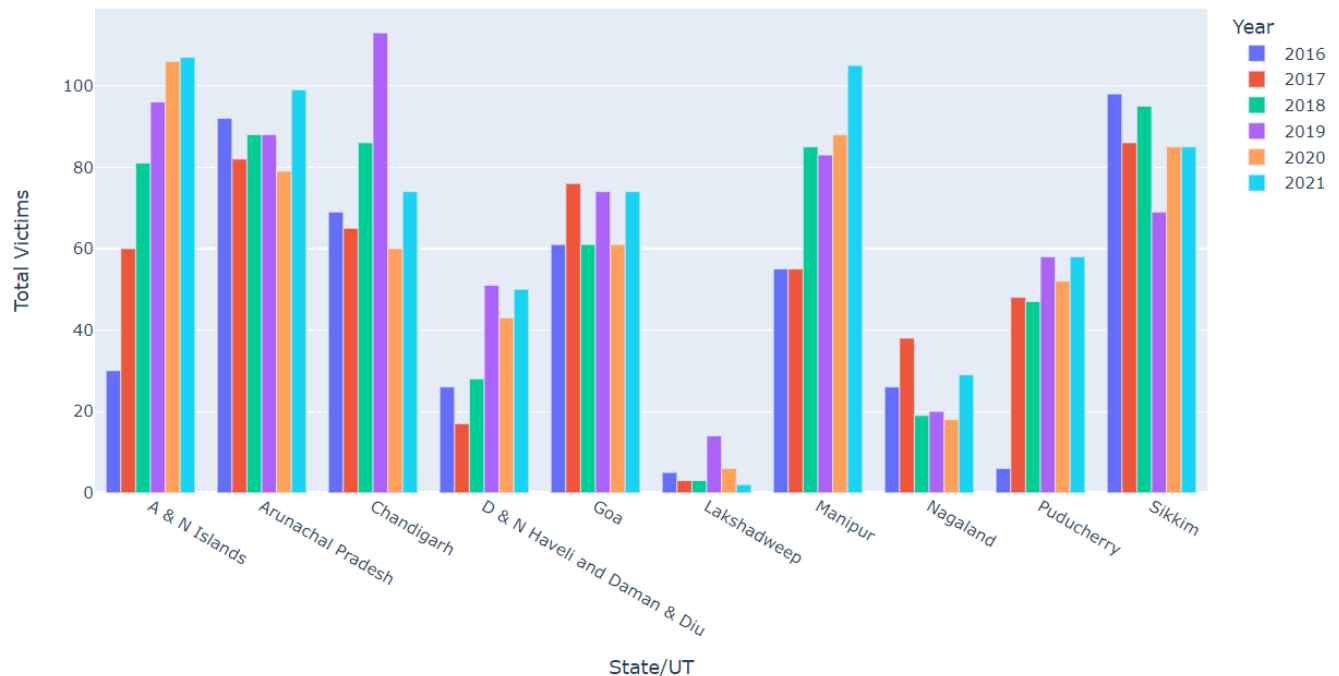
4. Does the same states have highest Rape Rate as well?

Information on Population Data Collection -

1. **Census Timing and Postponement:**

    - The last official census in India occurred in 2011.
    - Census activities, which usually take place every 10 years, were postponed in 2020   due to the COVID-19 pandemic.

2. **Data Source for Population Estimates:**

    - Population estimates for each state are derived from Aadhaar card registrations.[16]
    - Data is collected from 2017 to 2021, with information for the year 2016 unavailable.

3. **Assumption for Female Population:**

    - Specific male and female population data for each state is not available.
    - An estimation assumes that approximately 48% of the population in each state is female.

4. **Calculation of Rates:**

    - Due to the absence of gender-specific data, rates per million population are calculated using the estimated female population for each state.
    - This approach provides a means to approximate indicators per million population while accounting for the lack of detailed gender-specific population data at the state level.

	State/UT	2017	2018	2019	2020	2021
0	A & N Islands	302	402	486	530	555
1	Mizoram	272	295	404	257	259
2	Sikkim	271	251	249	197	231
3	Delhi	250	242	211	195	208
4	Chhattisgarh	224	211	206	191	206
5	Meghalaya	184	181	195	178	204
6	Assam	174	176	183	171	203
7	Madhya Pradesh	169	170	175	164	186
8	Kerala	134	164	174	160	165
9	Haryana	131	163	158	153	162

The observation indicates that some small states with relatively low female populations have higher rape rates. There are plausible reasons for this pattern:

1. Tourist Spots and Reporting in Islands:

- In the case of islands like Andaman and Nicobar Islands and Lakshadweep Islands, being popular tourist destinations may contribute to higher reported rape rates.

- Incidents involving both tourists and locals could be registered in these regions, potentially skewing the statistics.

2 . Isolation and Limited Access in North Indian States:

- Mizoram, Sikkim, Meghalaya, and Assam, situated in isolated and disconnected regions of North India, face challenges in terms of facilities and access.

- Limited infrastructure and difficulties in law enforcement in these regions may affect the reporting and handling of sexual offenses, potentially leading to higher recorded rates.

Understanding these regional dynamics, including the impact of tourism and challenges in law enforcement due to geographical isolation, is crucial for developing targeted strategies to improve safety and address the underlying factors contributing to the observed patterns.

Rape Rates Over the Years (2017-2021)
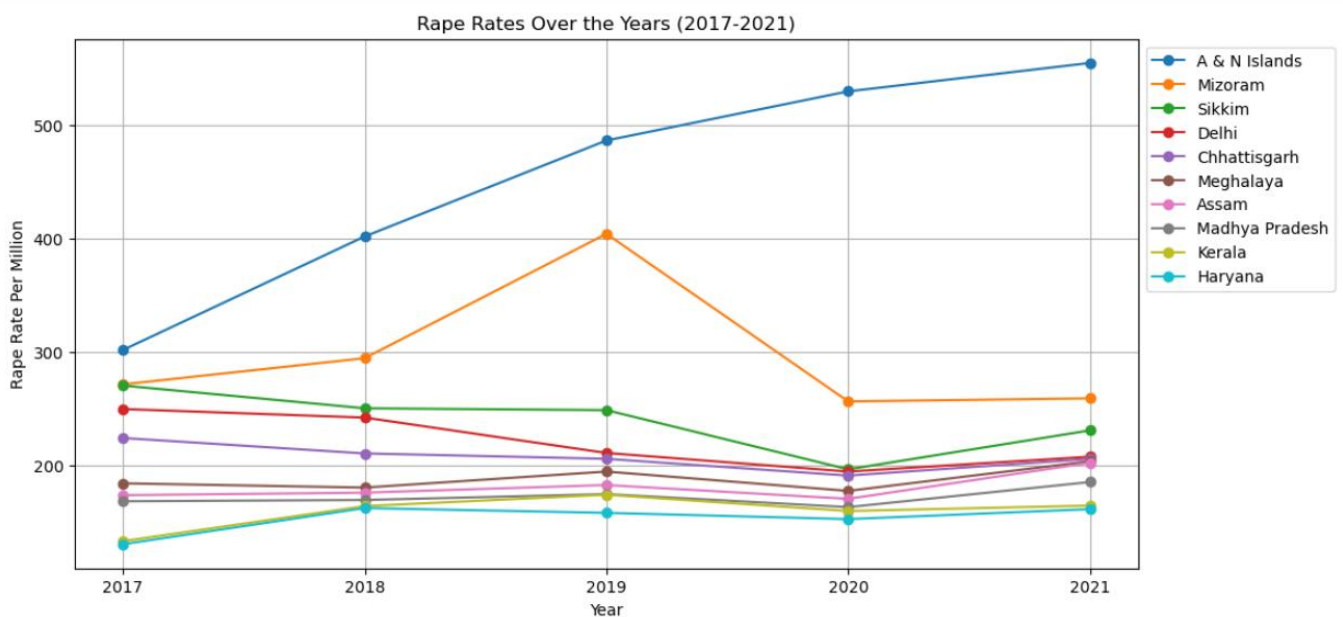
Since separate data for population for year 2016 was not available, I am presenting the observation made by NCRB published by newspaper – The Indian Express [14]

RAPE VICTIMS BY STATE (2,000+)

STATE	VICTIMS	INCIDENCE RATE
Madhya Pradesh	4,908	13.1%
Uttar Pradesh	4,817	4.6%
Maharashtra	4,216	7.3%
Rajasthan	3,657	10.4%
Delhi	2,170	22.6%

UNDER-12 VICTIMS BY STATE (150+)

State		Value
Maharashtra		348
Uttar Pradesh		327
Madhya Pradesh		192
Kerala		188
Delhi		171

Source: Crime in India 2016, NCRB

5. Which age groups are most frequently targeted?

Percentage of Victims by Age Group and State for 2017

| State/UT	Victims Below 6 years- Girls	Victims 6- 12 years - Girls	Victims 12 to 16 years - Girls	Victims 16 to 18 years - Girls	Victims 18 - 30 years- women	Victims 30 - 45 years - women	Victims 45 - 60 Years - Women	Victims above 60 years - Women
Andhra Pradesh	1.40	5.60	20.43	34.35	27.43	9.97	0.49	0.33
Arunachal Pradesh	1.22	18.29	28.05	17.07	29.27	6.10	0.00	0.00
Assam	0.32	7.06	11.84	12.33	45.36	20.45	2.64	0.00
Bihar	0.16	3.62	10.37	35.14	44.94	5.60	0.16	0.00
Chhattisgarh	3.17	5.48	26.71	38.49	17.33	8.09	0.46	0.26
Goa	5.26	6.58	40.79	21.05	17.11	7.89	1.32	0.00
Gujarat	0.93	2.39	23.48	45.40	20.34	7.28	0.12	0.06
Haryana	2.90	5.10	21.35	14.56	40.14	14.27	1.51	0.17
Himachal Pradesh	2.77	7.11	21.34	26.88	30.83	9.09	1.98	0.00
Jammu & Kashmir	0.34	1.68	7.05	5.37	54.70	29.53	1.34	0.00
Jharkhand	0.00	1.53	8.73	18.31	53.56	17.20	0.68	0.00
Karnataka	1.94	7.27	26.74	34.90	23.65	4.92	0.47	0.10
Kerala	2.05	6.41	20.25	29.02	26.48	12.82	1.87	1.11
Madhya Pradesh	1.07	4.98	25.41	30.11	25.21	10.93	1.59	0.70
Maharashtra	2.53	6.13	19.90	26.91	32.90	10.46	0.78	0.39
Manipur	1.82	9.09	9.09	9.09	43.64	27.27	0.00	0.00
Meghalaya	10.14	20.28	24.48	19.58	16.43	7.69	1.40	0.00
Mizoram	16.77	25.16	30.32	11.61	8.39	5.16	1.29	1.29
Nagaland	5.26	26.32	39.47	5.26	7.89	13.16	0.00	2.63
Odisha	0.09	0.67	13.17	50.90	33.02	2.15	0.00	0.00
Punjab	1.84	6.38	23.14	22.81	33.51	10.59	1.51	0.22
Rajasthan	0.41	1.68	10.26	16.40	50.47	18.89	1.80	0.10
Sikkim	6.98	25.58	39.53	8.14	13.95	4.65	1.16	0.00
Tamil Nadu	2.24	6.85	26.00	45.14	16.07	3.07	0.28	0.35
Telangana	1.22	4.88	21.95	31.36	29.15	10.34	0.81	0.29
Tripura	3.38	11.59	22.22	16.43	26.57	16.91	2.42	0.48
Uttar Pradesh	2.83	7.79	22.68	17.04	36.94	12.44	0.14	0.13
Uttarakhand	1.73	7.27	26.99	23.01	32.70	7.09	1.04	0.17
West Bengal	2.75	8.28	20.10	21.62	34.83	11.46	0.92	0.04
A & N Islands	0.00	15.00	26.67	38.33	13.33	6.67	0.00	0.00
Chandigarh	4.62	9.23	44.62	10.77	24.62	6.15	0.00	0.00
D&N Haveli	28.57	0.00	42.86	14.29	14.29	0.00	0.00	0.00
Daman & Diu	10.00	20.00	10.00	10.00	30.00	20.00	0.00	0.00
Delhi	2.53	6.31	16.85	17.63	40.10	15.52	0.92	0.14
Lakshadweep	0.00	66.67	33.33	0.00	0.00	0.00	0.00	0.00
Puducherry	2.08	14.58	27.08	41.67	14.58	0.00	0.00	0.00

It is observed that mostly age groups between 12 – 16 years, 16 -18 years and 18 to 30 years are mostly victimized.

6 . The trend of few top states for total girl victims, total women victims and total victims.

Trends in Total Girls Over the Years
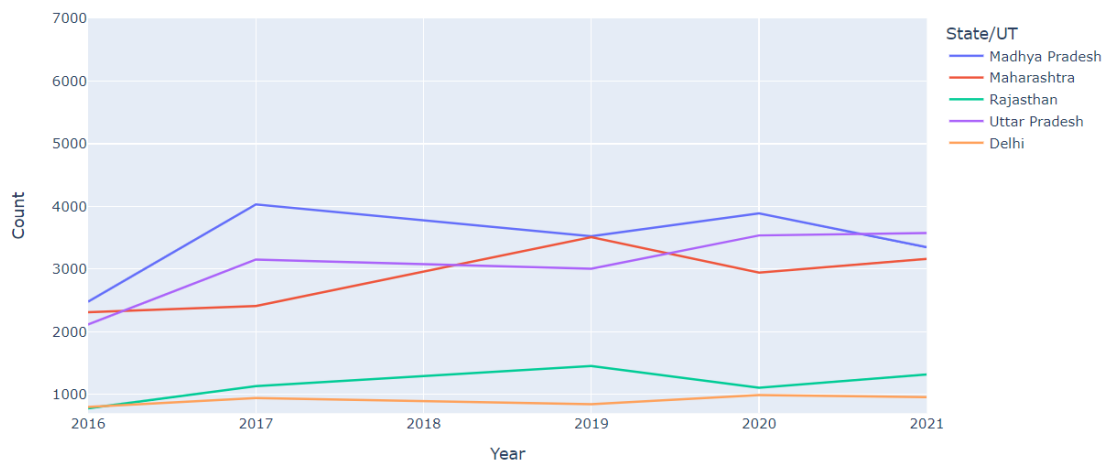
Trends in Total Women Over the Years
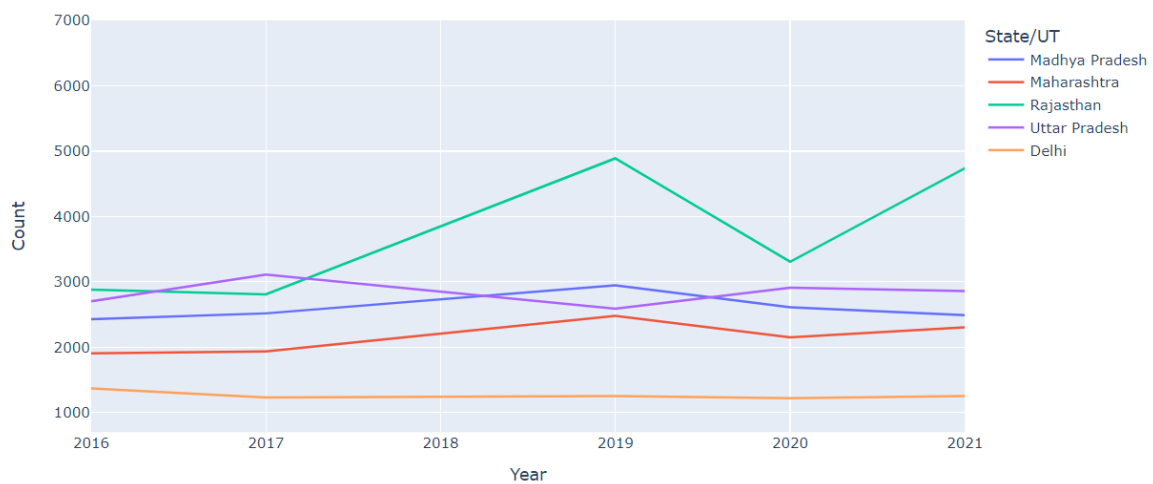
Trends in Total Victims Over the Years

- When comparing the counts of girl victims and women victims in the state of Rajasthan, it is evident that the number of girl victims has consistently remained low. In contrast, the count of women victims has shown a continuous increase over time.

- For Maharashtra, the trend is different, with the count of girl victims typically higher than that of women victims in almost every year.

- Madhya Pradesh and Delhi exhibit a relatively balanced pattern, with the counts of girl victims and women victims falling within a similar range.

- In Uttar Pradesh, there is a consistent count of women victims, while the count of girl victims displays an increasing trend over time.

Why the count of women victims are so high in Rajasthan?

Social Reason - In Rajasthan, usually, women adopt the attitude that "Rape can't happen to me.", or "Only immoral women are raped." Women Psychologically distance themselves from the issue of rape. Many families in society are not ready to accept the fact that someone in their family has been raped. This is the main reason why most of the rapes are not even registered.

A research study in five districts of Rajasthan on 'Violence against Dalit Women in Rajasthan' conducted by Kundan welfare society and supported by the National Commission for Women, noted that, "the police often refused to register FIRs in any case of violence against the Dalits." Further, the registration of cases is delayed because the accused prevent the victims and their families from going to the police stations. At times, the victim herself changes her statement due to social pressures. In such cases, the victims suffer a lot of mental, economic and social trauma. [4]

The Dalit, commonly known as the 'untouchables' in India and other South Asian countries, are born into a lifetime of marginalization, exclusion and human rights violations. They are strictly 'ranked' – based on their descent – and are thereby placed at the lowest echelon of society's classes.[3]

Economic Reason – In Rajasthan, a study undertaken by the [5] think tank Centre for Policy Research observed 9 gram panchayats [6] gram panchayats in early 2018, and noted that 38 percent of the population in those nine Gram Panchayats practised open defecation. Lack of awareness about toilet construction and usage has been identified as primary reasons why over one-third of the people in surveyed villages continued to defecate in the open. Rajasthan spent only 3% of its Rs. 56 crore budgets on information, education and communication activities. The University of Michigan in a research paper published, "women who use open defecation sites like an open field or the side of a railway track are twice as likely to get raped when compared with women using a home toilet."

Cultural Reason - Society somehow assumes that the victim's sense of clothing, late night out, makeup, phone etc. brought them in that state. Rapists allege that women apply heavy makeup, especially lipstick, to lure men. On these cultural grounds, the rape happened and it is also justified on the same grounds.

Why count of girl victims in Rajasthan is consistently low, despite the overall number of victims in the state remaining consistently high?

In 2018, Rajasthan pioneered a bill proposing capital punishment for rape and gang rape of girls aged 12 and below. However, within two months of its implementation, 37 minors (aged 3 to 12) were raped across the state. Initially, only one POCSO court existed in Jaipur, and under court pressure, the government established 55 more. By September 2019, the state had 56 POCSO courts, yet cases under Sections 4 and 6 of the POCSO act increased from 21 (2018) to 57 (2019). In Jodhpur, cases rose from 54 to 77, and in Jaipur, from 41 to 78. Critics blame the government for insensitivity, asserting the need for stronger legal safeguards despite governmental efforts. [4]
Therefore, an increase in the POCSO courts and FastTrack of child rapists conviction might be one of the reasons.

Does the slower pace of convictions discourage people from reporting incidents, as they perceive the process as tedious and not worthwhile? Alternatively, does a higher conviction rate lead victims to underreport and abandon their cases?

Sexually Abused Children Have to Wait Till 2032 in India for Justice, Says Report [7]
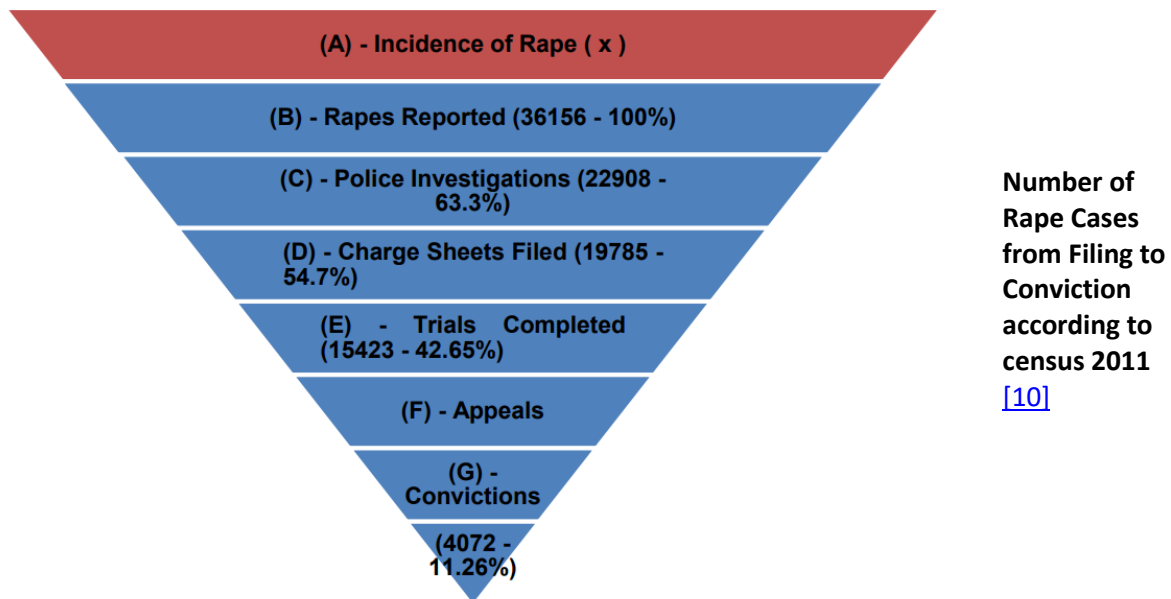
- About 2,43,237 cases were pending as of January 2023, in the country's special fast-track courts created to hear POCSO cases which would take 9 years to clear the backlog.
- In the current situation, at the state level, it will take 30 years for Arunachal Pradesh to settle the pending POCSO cases till January 2023, while it will take 27 years for Delhi, 25 for West Bengal, 21 for Meghalaya, 26 for Bihar, and 22 years for Uttar Pradesh.

Low Conviction Rate: Cause of Concern

The key findings of the analysis are:

- At the national level, only 3 percent of cases resulted in convictions in 2022. Only 8,909 of the 2,68,038 cases that were under trial resulted in a conviction for the accused.

- On average, only 28 POCSO cases were disposed of by each FTSC in 2022.

- In 2022, the average expenditure for the disposal of each POCSO case amounted to INR 2.73 lakhs. Likewise, the average financial commitment from the public exchequer for each successfully convicted POCSO case was estimated to be INR 8.83 lakhs.

- India will take almost nine (9) years, assuming no new cases are added, to clear the backlog of POCSO cases pending as of January 31, 2023.

- Given the substantial backlog of 2.43 lakh pending POCSO cases, there is an imperative to conduct a comprehensive reassessment of the situation at the district level and establish new ePOCSO courts as necessary.

- All 1,023 sanctioned Fast Track Special Courts as per the scheme must be made fully functional immediately.

- For the victim, the fight for justice does not end even after conviction at the lower court, and until the appeal process is done, that fight continues. Hence, appeal/trial times must be defined to ensure speedy justice. Policies should be framed in this regard, and time-bound frameworks must be made at the High Court and Supreme Court levels to monitor and expedite the disposal of pending POCSO cases.

Discussing the trauma and pain suffered by child victims of sexual abuse and their families during the legal process in these cases, Nitin Paliwal, coordinator of [8] Gayatri Seva Sansthan, Udaipur, said, "Imagine the trauma and pain suffered by the victims and their families. Can't be done either. Apart from this, these families often have to face unbearable difficulties and hardships in their search for justice. It is like remembering and living the atrocities and pain inflicted upon them on a daily basis. Justice at the earliest is the only way to relieve them from this suffering."

Number of Rape Cases from Filing to Conviction according to census 2011 [10]

The funnel diagram shows:
- (A) - Incidence of Rape (x)
- (B) - Rapes Reported (36156 - 100%)
- (C) - Police Investigations (22908 - 63.3%)
- (D) - Charge Sheets Filed (19785 - 54.7%)
- (E) - Trials Completed (15423 - 42.65%)
- (F) - Appeals
- (G) - Convictions (4072 - 11.26%)

The fear of conviction deters sexual violence [9]

It was observed that the fear of death sentences pressures victims to drop their cases. A recent survey by the Rashtriya Garima Abhiyan reveals that out of 150 children and women victims of sexual violence, 95% did not report it to authorities — despite the fact that the reporting rate has gone up in past few years. In cases of community-based prostitution, the community itself pressures the victims to drop the case as offenders — who sometimes are relatives of the child victims — could get the death penalty under the POCSO Act.

Kerala's conviction rate for all crimes is high, at 77%, but this does not translate into a proportionate conviction rate for crimes against women. Across India, if women are abused, they become a repository of shame. Family pressure often leads them to abandon their complaints or reach a compromise with out-of-court settlements. This sends a message to criminals that they can act with impunity. [13]

7. Is there a correlation between the extent of rural or urban areas and the number of victims?

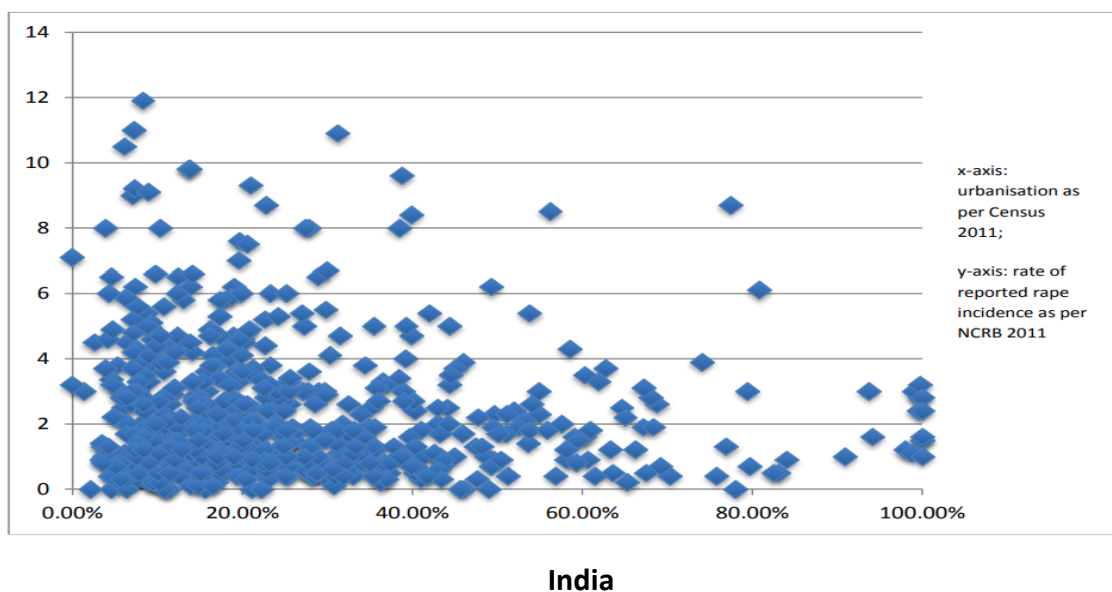### Definition of Urban and Rural Units

Urban units, also known as towns, include places with a municipality, corporation, cantonment board, notified town area committee, or meet specific criteria defined as Census Towns. Census Towns are places that meet the following criteria:

- Minimum population of 5,000
- At least 75% of male main workers engaged in non-agricultural pursuits
- Density of population of at least 400 per sq. km.
- Rural areas, on the other hand, encompass all areas that do not fall under the classification of urban units.
- **Data for urban and rural areas of India – Census 2011 [11]**

Rural and Urban Percentages for Each State

It is noteworthy that, upon observation, the rural population tends to be higher in most states, particularly in those with a higher count of victims.

Given our recent discussion on the dominance of upper castes over lower castes in rural areas and the higher incidence of victimization among lower castes, let's explore some facts to ascertain whether rural areas exhibit a higher prevalence of victims compared to urban areas.

x-axis: urbanisation as per Census 2011;

y-axis: rate of reported rape incidence as per NCRB 2011

India

A scatter plot of the aggregated national picture shows that the rate of rape seems to decrease with an increase in urbanization, as is evident from the graph below. The single exception to this trend appears to be the district of Aizawl, Mizoram (urbanization just below 80%, rate of rape above 8). This district has a relatively small population (404,054) and may therefore be safely considered to be an outlier.
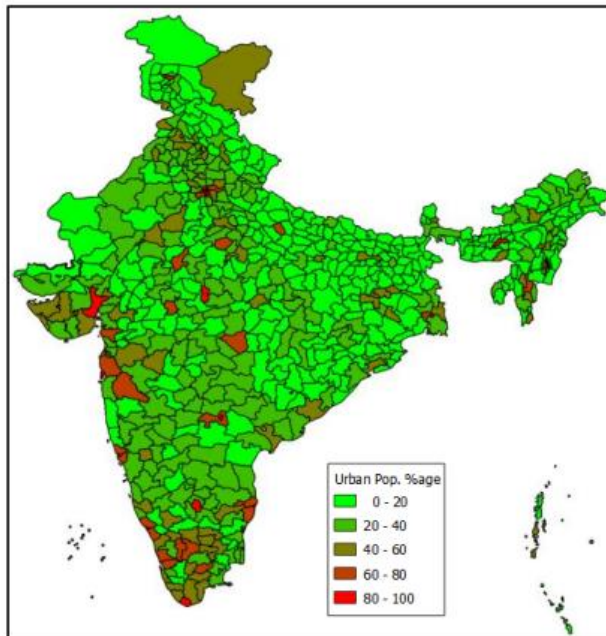
[12]

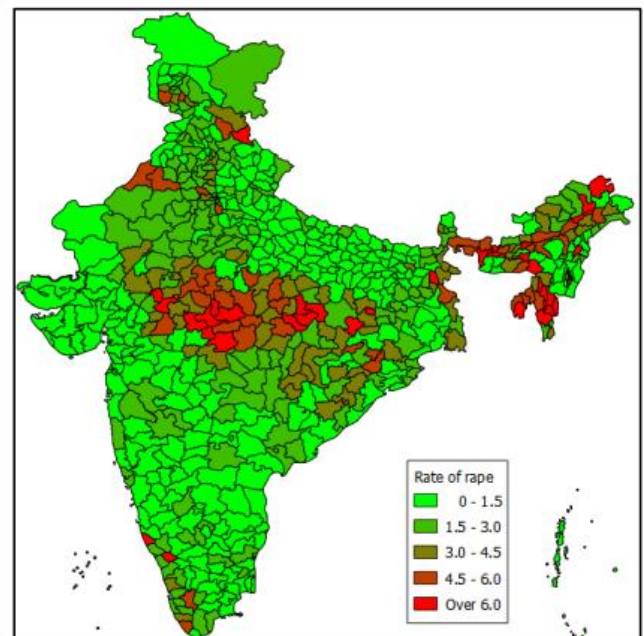**Figure a – India (urbanisation)**   **Figure b – India (rate of rape)**

Figure a above represents a map of India with districts with high urbanisation shaded red, while in Figure b districts with a high rate of reported rape incidence are shaded red. A close scrutiny of these figures reveals that in no region of the country does there appear to be a pattern of coincidence of districts with a high rate of urbanisation and those with a high rate of reported rape incidence. Aside from this, and perhaps more saliently, districts with a high rate of reported rape appear to cluster in particular regions, specifically in the centre of the country covering the states of Rajasthan, Madhya Pradesh and Chhattisgarh, and also in the North-East in the states of Assam, Meghalaya and Mizoram.

Rural and Urban Percentage for Selected States
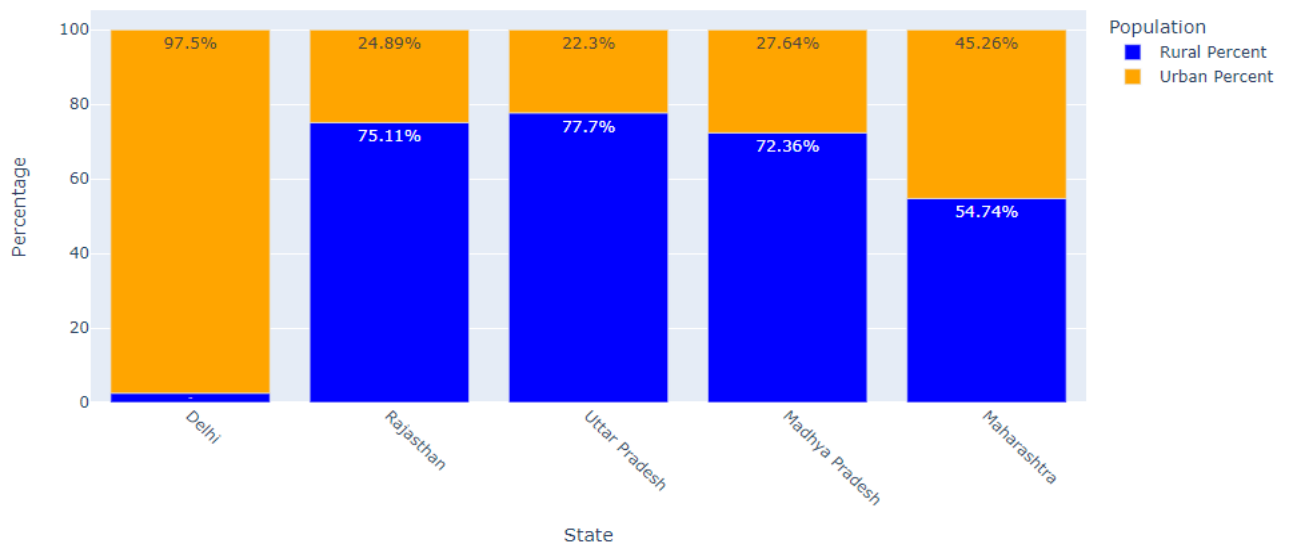
We can see that states that usually have high rape count also exhibits more area covered with rural establishment.

8. Is Madhya Pradesh implementing any initiatives and measures to enhance the safety and security of women, particularly addressing crimes and instances of sexual assault?

- Despite the significant concern posed by a high number of victims, it's imperative to acknowledge that Madhya Pradesh predominantly comprises a rural population (72.40%), surpassing the national average of 68.80%. The urban population constitutes 27.60% of the total population, reflecting a unique demographic distribution.

- Literacy, a key indicator of social development, stands at 69.30% in Madhya Pradesh as per the 2011 census, falling below the national average of 73%. This highlights potential challenges in education and awareness within the state.

- According to NCRB (2021), the female population in Madhya Pradesh is approximately 40,247,842 out of the total population of around 83,849,671.

- Scheduled castes constitute around 15.60% of the state's total population, while scheduled tribes represent approximately 21.1%, indicating the diverse social composition of Madhya Pradesh.[15]

Given these contextual factors, what proactive initiatives is the Madhya Pradesh government undertaking to address the reported cases of sexual assault? Does the increasing number of reported rape cases suggest growing trust in law enforcement and the police, or does it raise concerns about the overall safety and security landscape in the state?

Several measures undertaken by the Madhya Pradesh government [17] –

- Senior cops said that the decline in the data is mainly because seven police stations in rural areas have been separated from the city's jurisdiction after the police Commissionerate system was implemented. They said that their focus is not on just curbing the number of cases, but also on creating awareness among people under the community policing initiative.

- ACP (crime against woman) Nidhi Saxena said that cops have been instructed to hold awareness drive in any area of the city where a crime under POCSO act is registered. Police teams interact with locals in the area. Special animation films to make children aware about 'good touch' and 'bad touch' are screened.

- Police have formed 'Shakti Samiti' groups like Anganwadi workers who visit homes in their areas and spread awareness. Shakti Samitis have been formed in the jurisdiction of eight police station areas. The initiative was launched after the rape of a 3-year-old girl in Ashoka Garden.

- Police commissioner Makrand Deoskar said that police have been focusing on community policing and spreading awareness about crime against women and children, especially making people aware about the provisions of the POCSO Act. Police are seriously focusing on recovery in abduction cases of the minors. "It is more of a social issue, so we are not focusing on decreasing the cases but on properly reacting to the reported cases. We are running awareness programmes under the community policing initiatives so that even a small incident is reported to police."

- The Madhya Pradesh legislature has passed an amendment to the Indian Penal Code to prescribe death sentence as the highest punishment for rape of girls aged 12 and below; becoming the first state where those convicted of such rapes will face the death penalty. The bill also seeks to increase the punishment for offenders convicted for a second time of forcefully disrobing a woman. [18]

Another state whose increasing statistics in crime rate against woman could be a because of a positive change in authorities attitude :

Though the crime rate per lakh population is high in Kochi, the rate of serious crimes under IPC is less in the city. The main reason for the high crime rate is that the Kerala police register cases even for minor offences. "The police have become more approachable in the state. Also, registration of a case even for a minor offence is the right move to deter a major offence. It's a proven strategy in checking major crimes," said Indian Criminology and Forensic Science Association president and criminologist Febin Baby. [24]

9. Which is the predominant fear among the public – fear of rapists or fear of the police? To what extent does the occurrence of police officers sexually assaulting individuals reporting rape incidents contribute to a potential suppression in the reporting rates of such crimes? An examination of relevant case study aims to shed light on the adverse impact of these incidents on the willingness of victims to come forward and report sexual offenses.

Case Study [21] [22] [23]

Allegations of Rape, Police Complicity, and Injustice in Uttar Pradesh

Background:
In Uttar Pradesh, northern India, a disturbing sequence of events unfolded, leading to the arrest of a senior police officer, Tilakdhari Saroj, on May 4. The incident revolved around the rape of a 13-year-old girl from the marginalized Dalit community. The girl had initially been kidnapped and gang-raped by four men, allegedly orchestrated to settle a score with her father.

Chronology of Events:

1. Abduction and Assault by Four Men:
  - The victim was abducted by four men, who reportedly took her to the neighboring state of Madhya Pradesh.
  - She endured sexual assault for four days before being brought back to her village in Lalitpur district.

2. Police Complicity and Second Assault:

- Following the traumatic experience, the girl, accompanied by her aunt, approached the local police station to report the crime.
  - Shockingly, she was allegedly raped again, this time by the local station house officer, Tilakdhari Saroj.

3. Arrest and Suspension:
  - Subsequent investigations led to the arrest of Saroj on accusations of raping the child.
  - Authorities also took action against 29 police personnel who were present at the police station during the incident, suspending them from duty.

4. Dalit Injustice and Social Outrage:
  - The case brought attention to the mistreatment and injustice faced by Dalits, a socio-economic group outside India's caste system.
  - The girl's father filed a police complaint detailing the harrowing experience faced by his daughter.

Response and Outcry:
  - Social media platforms witnessed widespread outrage, with Priyanka Gandhi Vadra, a senior leader of the Congress party, expressing concern.
  - Vadra questioned the safety of police stations for women, highlighting the critical issue of trust in law enforcement.

Aftermath:
  - The survivor was admitted to the district hospital for medical treatment.
  - Public attention and discourse on social media intensified, emphasizing the need for systemic changes to ensure the safety and justice for victims, particularly those from marginalized communities.

Conclusion:
The case serves as a stark reminder of the challenges faced by vulnerable communities, particularly Dalits, in accessing justice and safety. The allegations of police complicity not only shed light on the urgent need for reform within law enforcement but also raise questions about the trustworthiness of institutions meant to protect citizens. The incident underscores the broader societal issues surrounding sexual assault, compounding the trauma experienced by survivors and the imperative for comprehensive reforms to address systemic flaws.

10. Under-reporting of crimes against women in India

99% cases of sexual assaults go unreported, govt data shows.

MINT GRAPHITI

Chart 1

99% of violence faced by women go unreported

Incidence of violence (NFHS survey data)	Proportion*
Women facing sexual violence in the past year (from anybody other than their husbands)	1,432
Women facing sexual violence in the past year (from anybody, including husbands)	24,772
Women facing any violence in the past year (sexual/physical)	48,748
Reporting of violence (NCRB crime data)	Proportion*
Women reporting sexual violence	212.6
Women reporting violence (overall, including physical and sexual)	397
Under-reporting rates (NFHS & NCRB data)	(in %)
Under-reporting in sexual violence (excluding marital rape/assault)	85.2
Under-reporting in sexual violence (including marital rape/assault)	99.1
Under-reporting in overall violence faced by women	99.2

*per million female population

Note: To compute reporting rates based on NCRB data, the average crime rates of 2014-16 have been considered to make them comparable with the period of the NFHS 2015-16 survey. The recorded instances of crimes have been divided by the total female population, based on projections from 2011 census data. Data on reporting of sexual violence includes data on recorded instances of rape, attempt to rape, assault to outrage modesty, insult to modesty. Data on reporting of any violence also includes data on cruelty by husband/family apart from the categories listed above.

Source: NFHS 2015-16 unit-level data, NCRB 2014-16, Census 2011, Mint calculations

[26]

An estimated 99.1% of sexual violence cases are not reported, and in most such instances, the perpetrator is the husband of the victim. The average Indian woman is 17 times more likely to face sexual violence from her husband than from others, the analysis shows**.**

Why this Dark Data is important?

Understanding dark data, particularly unreported crimes against women, is crucial for targeted crime prevention, efficient resource allocation, and the development of tailored support services. It enables policy reforms, community engagement, and education to dismantle barriers to reporting. Monitoring dark data helps assess the effectiveness of initiatives, reveals trends, and enhances public safety by creating a more inclusive and proactive approach to addressing crimes against women.

Inbuilding trust among people for Law and police authorities is crucial now - Fostering trust in law enforcement is vital for encouraging crime reporting. Key measures include swift and effective police responses, empathetic treatment of victims, transparent communication, community engagement, ongoing officer training, a victim-

centric approach, fair practices, feedback mechanisms, public awareness campaigns, and internal accountability measures. Building trust ensures a supportive environment where individuals feel confident in reporting crimes and believe that the police are committed to public safety.

11. Interview with Head of Police - Madhya Pradesh

I had the opportunity to interview the Head of Police for the state of Madhya Pradesh, and the following is a summary of our conversation.

Question: "It has been observed that in India conviction rate is very low and conviction pending rate is very high. Could a low conviction rate be a deterrent to reporting cases, and what measures could be implemented to improve this rate?"

Answer: "The overall conviction rate for crimes against women in India is higher compared to the conviction rate for rape cases specifically. The conviction rate for rape cases is nearly half of the overall conviction rate for crimes against women. There are primarily two reasons for this. First, accused individuals often coerce victims and their families to withdraw cases by threatening them. Secondly, the slow pace of the conviction process often leads to compromises or financial settlements between victims and accused parties to avoid prolonged harassment.

While fast-track courts, especially for POCSO cases, aim to expedite the process, advocates sometimes prolong the proceedings by repeatedly seeking extensions. In my opinion, a potential solution could involve establishing a set timeframe for the trial process. This would prompt advocates to expedite the gathering of evidence and complete the trial within the stipulated period, ensuring a more timely and efficient judicial process."

Question: "Is there an observable trend of more cases reported from rural areas, and if so, what might be the primary reason?"

Answer: "While it is true that the rural areas and population are more prominent in India, one contributing factor could be the circumstances women face in these regions. Women in rural areas often work alone in fields or go alone to open areas for sanitation. These instances make them more vulnerable to attacks. Hence, women tend to travel in groups during the evening for sanitation to minimize the risk of such incidents."

Question: "Following the implementation of POCSO (Protection of Children from Sexual Offences Act), has there been a change in the frequency of cases involving victims below 18 years of age?"

Answer: "Yes, we have observed an increase in the number of reported cases. People have developed more trust as the POCSO courts are stringent, resulting in a higher conviction rate. Previously, there were instances where the police would overlook cases when parents reported girls and boys missing together, assuming they had run away with mutual consent, among other scenarios. However, the law is now stricter for the police as well. If such cases arise, it is mandatory to register them under POCSO. Some police officers have even faced termination for not reporting cases and turning away the victim and their family."

Question: "To what extent does public trust in the police influence the reporting of cases, and could it be a contributing factor in states where cases are underreported?"

Answer: "We make efforts to assist people to the best of our abilities, and there has been an improvement in the public's trust in the police. Nowadays, the government is actively engaging with the public through initiatives such as 'AAPKI SARKAR AAPKE DWAAR' (ASAD), which translates to 'Your Government at Your Door.' Through this initiative, officials reach out door-to-door to engage with

people. Consequently, there is a growing trust in the police. However, some individuals still refrain from getting involved in police cases due to the associated social stigma."

Question - "In rural areas, the caste system is a notable concern, with upper castes frequently holding authority. It is a reality that many lower-caste women, such as Dalits, are often subjected to sexual violence by upper-caste men, like Rajputs. As these upper castes often constitute the authoritative figures in the village, no action is taken, and instead, victims are threatened and suppressed. What measures can the government adopt to address and ameliorate this caste-related issue?"

Answer: "That's very true. The issue of upper and lower castes is significant in these areas, primarily in the outskirts and villages with minimal connections to the main cities. However, the government has mandated that every political party allocate a certain number of seats for each caste, including Dalits. This ensures that if Dalits face any issues, be it related to women or any other matter, they can comfortably report them to the Dalit members. Therefore, it is compulsory in each state to have reserved seats for every caste in that region."

Question: "It has been reported that women hesitate to file complaints because they cannot find female officers at police stations, and they are uncomfortable sharing details of sexual assault with male officers. What is your response to this?"

Answer: "That's not accurate. The Supreme Court of India has mandated that every police station, whether large or small, must have at least one female officer. While they may not be available around the clock, as one officer cannot be on duty 24/7, they can be called upon when needed. Additionally, some larger stations have more female officers. This directive has already been implemented nationwide."

12. Future Work

- **Explore Diverse Dark Data Sources:**
  Investigate beyond unreported cases to uncover nuanced details in crime data, demographics, and systemic challenges.

- **Identify Sources of Dark Data:**
  Seek out unexplored sources such as community insights, online platforms, and informal channels to enrich our understanding of crime prevalence.

- **Understand Factors of Underreporting:**
  Study societal norms, legal barriers, fear of retaliation, and cultural nuances contributing to underreporting.

- **Holistic Improvement Approach:**
  - What can the holistic strategies, including community education, legal reforms, and cultural sensitivity training, be implemented to encourage reporting.

13. Conclusion

In conclusion, the comprehensive analysis of rape cases in India underscores the multifaceted nature of this pervasive issue. The study delved into national and state-level data, comparing high and low victim count states, exploring age group vulnerabilities, and assessing the rate of reported cases per million.

The findings revealed stark variations across states, emphasizing the need for targeted interventions considering regional dynamics. Madhya Pradesh, Maharashtra, Rajasthan, and Uttar Pradesh emerged as states with significant challenges, demanding focused attention and tailored strategies.

Understanding age group vulnerabilities showcased the importance of addressing the unique needs of victims across different life stages. The analysis of rates per million highlighted the disparities in reporting mechanisms and the urgent need for a more consistent and victim-centric approach nationwide.

Despite the gravity of the situation, it is crucial to acknowledge the limitations of reported data, as dark data remains a significant concern. Factors contributing to underreporting, including societal norms, legal barriers, and fear, necessitate a holistic approach for improvement.

Future work should explore diverse data sources, leverage technology, and engage in community empowerment programs to dismantle stigmas and encourage reporting. Legal reforms, international collaboration, and sustained public awareness campaigns are pivotal components of a comprehensive strategy to address this pervasive issue.

In moving forward, continuous evaluation of initiatives, integration of crisis intervention, and counselling services into the reporting process will contribute to a more responsive and supportive system. By prioritizing victim protections, fostering public trust in law enforcement, and dismantling barriers to reporting, India can strive towards a safer and more inclusive society. The analysis serves as a foundation for informed policy decisions, encouraging collaborative efforts to combat sexual violence and champion the rights and well-being of survivors.

14. References

[1] https://en.wikipedia.org/wiki/National_Crime_Records_Bureau

[2] https://en.wikipedia.org/wiki/Protection_of_Children_from_Sexual_Offenses_Act

[3]https://www.ohchr.org/en/stories/2021/04/dalit-born-life-discrimination-and-stigma#:~:text=The%20Dalit%2C%20commonly%20known%20as,lowest%20echelon%20of%20society's%20classes.

[4] https://armchairjournal.com/no-end-in-sight-to-rapes-in-rajasthan/

[5]https://www.indiaspend.com/amp/toilet-owners-defecate-in-open-in-villages-declared-open-defecation-free-rajasthan-study-79020/

[6] https://en.wikipedia.org/wiki/Gram_panchayat

[7] https://en.themooknayak.com/sexual-violence/sexually-abused-children-have-to-wait-till-2032-in-india-for-justice-says-report

[8] http://www.gayatrisansthan.org/

[9]https://www.hindustantimes.com/analysis/the-fear-of-conviction-deters-sexual-violence/story-Oj7h3Qe9y4ZnRWF8lFX54N.html

[10]https://publications.azimpremjiuniversity.edu.in/289/1/Urban-rural%20incidence%20of%20rape%20in%20India_myths%20and%20social%20science%20evidence.pdf

[11] https://indiafacts.in/urban-rural-population-o-india/

[12] https://publications.azimpremjiuniversity.edu.in/289/1/Urban-rural%20incidence%20of%20rape%20in%20India_myths%20and%20social%20science%20evidence.pdf

[13] https://www.theguardian.com/global-development/2016/jul/06/why-is-the-crisis-in-rural-india-passing-under-the-radar

[14] https://indianexpress.com/article/explained/india-rape-minor-victims-ncrb-us-immigration-5243182/

[15] https://testbook.com/mppsc-preparation/population-in-madhya-pradesh#:~:text=In%20Madhya%20Pradesh%2C%20the%20majority,27.60%25%20of%20the%20total%20population.

[16] https://uidai.gov.in/en/16-english-uk/aapka-aadhaar/994-state-wise-aadhaar-enrolment-ranking.html

[17] https://timesofindia.indiatimes.com/city/bhopal/crime-against-women-6-more-rape-cases-this-year-in-madhya-pradesh/articleshow/94038154.cms

[18] https://pldindia.org/bi-monthly-legal-news/madhya-pradesh-enacts-law-prescribe-death-penalty-rape-girls-aged-12-years/#:~:text=The%20Madhya%20Pradesh%20legislature%20has,will%20face%20the%20death%20penalty.

[19] https://ncrb.gov.in/

[20] https://data.gov.in/ministrydepartment/national-crime-records-bureau-ncrb

[21] https://www.vice.com/en/article/jgm7jx/dalit-teen-cop-rape-india-caste

[22] https://www.9news.com.au/world/indian-police-officer-accused-of-raping-girl-who-reported-gang-rape/4b6f8f1b-8443-41b2-920e-7a66a4ca3b0a

[23] https://www.abc.net.au/news/2022-05-06/teenager-alleged-rape-in-india-uttar-pradesh/101040022

[24] https://www.newindianexpress.com/states/kerala/2022/sep/20/kochi-third-in-number-of-crimes-per-lakh-people-among-19-indian-cities-2499959.html#:~:text=The%20main%20reason%20for%20the,to%20deter%20a%20major%20offence.

[25] https://en.wikipedia.org/wiki/Rape_statistics

[26] https://www.livemint.com/Politics/AV3sIKoEBAGZozALMX8THK/99-cases-of-sexual-assaults-go-unreported-govt-data-shows.html