

CRIME AGAINST WOMEN: DATA ANALYSIS OF RECENT PAST

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Abstract

In India it is said that crime against women are reported every two minutes which is a question to worry about, but generally is not even questioned. Many crimes are not even reported because of the fear of the society, people etc. Women in India are suppressed and are believed to be inferior to men always, from their birth. In our country in many places girls are killed as soon as they take birth, because people only want a boy and consider males as the only one who would take their family forward as a girl has to get married and go to a different house, but people don't realize that if there won't be female in this country how could anyone carry forward there family. This narrow-minded thinking of considering women inferior needs to stop because women are equally important as men. There are a number of dangerous crimes against women which make me question people's humanity and morality. In addition, such crimes violate a person's fundamental and human rights. One question which I always have on my mind is why women go through so much problems and difficulties? Why are crimes against women gone to such an extent that it has become unbelievable and hard to imagine. We get to hear about incidents that are so inhuman that you would question, who does that? From a three year old girl to a seventy year old women many girls and women have to face crimes like rapes, dowry, acid throwing, work place molestations, passing comments, touching her inappropriately, cruelty by husband and relatives, women trafficking, assault on women with intent to outrage her modesty, kidnapping, abduction, staking, cybercrimes, honour killing, eve teasing, chain snatching, sexual harassment etc. The list is very long and is a matter of concern for a developing country like India.

Keywords: *Crime, Women, Society, Legislative Measures*

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INTRODUCTION

“A society that is unable to respect, protect and nurture its women and children loses its moral moorings and runs a drift.”¹

Centuries have come, and centuries have gone, but the plight of women is not likely to change. The 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, and 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 nearly about half of its population and most of them are grinding under the patriarchal system of 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. 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.²

TYPES OF CRIMES AGAINST WOMEN

Kidnapping

The term kidnapping refers to either kidnapping from India or kidnapping from lawful guardianship. Sec 360 of the IPC states that whoever conveys any person beyond India

¹ *The Hindu* – September 15 2002 , Opinion

² Available at: <http://www.countercurrents.org/ranjan300113.html>

without his consent is said to kidnap that person from India and whoever takes away a minor (16years in case of male and 18years in case of female) without his consent or the guardian's consent is said to kidnap that person from lawful guardianship (Sec 361). The punishment for this purpose is up to 7 years and fine. Sec 366 of IPC defines kidnapping, abducting or inducing woman to compel her marriage and forceful sexual relations for which the offender can be punished with imprisonment up to 10 years and fine.

Eve Teasing

Eve Teasing is a euphemism used for public sexual harassment or molestation of women by men. It is a problem in the current youth. It is a form of sexual aggression that ranges in severity from sexual remarks, brushing and catcalls to groping. Sec 509 of the IPC states that whoever intending to insult the modesty of any woman, utters any word, makes any sound or gesture or exhibits any object which intrudes upon the privacy of such woman shall be punished with imprisonment up to 3 years and fine.

Chain Snatching

This is a common problem of modern society. The women of all ages are suffering from this problem. The victim not only loses the valuables but also is hurt and traumatized because of such incidents. The offenders sometimes even disguise themselves as police officials and ask women to give their valuables for the purpose of safety and later on run away with that. This type of crime is subjected to Sec 378 of IPC.

Rape

Rape is a much broader term to be defined and its scope is of wider perspective. It is the most common crime against women and the Indian society and system has failed to end this heinous crime. The numbers of rape cases have increased tremendously. The legal system has failed drastically to end this problem. The offence of rape can be categorized in various aspects -as a rape of a minor girl, rape of a woman (Sec 376), rape with murder (Sec 376A), rape in families, rape by public servants (Sec 376C) , gang-rape (Sec 376 D), marital rapes (Sec 376B). The punishments for these offences range from imprisonment up to 7 years to 20 years or life imprisonment and also fine.

Sexual Harassment

Sexual harassment can be defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical harassment of sexual nature. It includes a range of actions from mild transgressions to sexual abuse or sexual assault, showing pornography to women against her will etc. According to Sec 354A of IPC if any person commits an act of sexual harassment, he shall be rigorously imprisoned up to three years and fine.

Domestic Violence

Domestic Violence is yet another term which is common in our country as women were and are considered to be the inferior strata of human society. The psychology was that the man earned and worked outside so he had the right to do anything with his wife. But with time, the trend has changed and now women have the right to work equally. These acts of violence include beating, rape, forced sex etc. Sec 498A of Domestic Violence Act, 2005 defines 1yr punishment and fine.

Honor Killing

A spate of murders and dishonorable crimes in the name of 'honor' whether of a family or caste or community are continuing to be reported from various states? A crime in the name of 'honor' is one in the range of violent or abusive acts including emotional, physical, and sexual abuse and other coercive acts. The Khap Panchayats through various kinds of coercive and punitive actions want to create terror and stop marriages and associations on the basis of choice from taking place. These actions are also violative of certain fundamental rights in the Constitution of India, including the right to life and liberty which includes the right to bodily integrity, and the right to choose whom to associate with.

Cyber Crimes

In the world of technology, India too had advanced itself in technology and the women are an equal part of it. But the diseased minds have not left any chance to offend women in the cyber world too. There are several cybercrimes such as bullying, abusing, pornography etc which are happening each day against women. These crimes have several punishments under the Information Technology Act, 2000 which ranges from imprisonment up to 3yr to life imprisonment and fine.

Dowry Deaths

The evil practice of taking dowry in marriage is still common in the rural areas of India which if opposed results to deaths of women gradually. Despite of Anti Dowry laws, the number of such deaths has increased in the recent years.

Acid Attacks

However sale of acids without proper information have been banned by the government of India, acid attacks are still in trend to threaten women and hurt them. Sec 326A and 326B of IPC states that whoever voluntarily throws acid for grievous hurt or an assault shall be punished with imprisonment up to 7 yearsto life imprisonment and fine.

Stalking

Stalking is a new crime in trend against women. Stalking means breaching the privacy of women by following or regular contacts or monitoring on internet or any other electronic communication. Whoever does so shall be punished with imprisonment up to 3 years to 5 years and fine.

Assault to outrage modesty

Whoever assaults or uses criminal force intending to outrage her modesty (1year- 5 years imprisonment) or disrobing her or compelling her to be naked (3 years-7 years imprisonment) are liable under Sec 354 and Sec 354B respectively.

Women trafficking

The concept of women trafficking started in the late 20th century in India and is still in existence. Sec 370 describes various modes of trafficking which includes trafficking of minor girls, trafficking for the purpose of exploitation etc. Sec 372 and 373 states it as crime in the buying and selling minor for the purposes of prostitution. The imprisonment term varies in each offence and ranges from 3yearsto life imprisonment and also fine.³ These were several offences and their punishments under Indian Penal Code related to women. The government of India have made efforts in favor of women by bringing several act like Sexual harassment of women at workplace Act, 2013; Protection of children against sexual offences Act, 2013 etc. recently. It has also amended the IPC and the Code of Criminal Procedure. The government is keen to bring laws for dowry related offences and for Honor Killing.

³ Available at: <https://www.indianbarassociation.org/crimes-against-women-a-legal-perspective/>

Cybercrimes would be tackled sooner or later. In the recent years due to changes in society, women are now, ready to fight for themselves and they are getting a huge support. We wish to change our society but first we have to change our thinking. Hypothesis that violence against women is a manifestation of unequal gender relations and harmful manifestations of hegemonic masculinity governed by patriarchal beliefs, institutions and systems is true. Yet, it is a fact that not all men perpetrate violence against women. The study shows the increase in number of rape cases from 2001 to 2010.

RAPE CASES FROM 2001 TO 2010

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%)

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'.⁴

Years	Total no. crime	Cases against women	%
2006	18,78,293	1,54,158	8.2
2007	19,89,673	1,74,921	8.8
2008	20,93,379	1,86,617	8.9
2009	21,21,345	2,03,804	9.2
2010	22,24,831	2,13,585	9.6

⁴ Source: Crimes In India , National Crime record Bureau, Govt. of India, 2011, 2

As per the above data⁵ crime rate trend analysis against women in India shows clearly the sharp increased crime rate from (8.2%) in 2006 to (9.6 %) in 2010 in the last five years. which is a serious matter from the safety and security point of Indian women.

REPORT OF NCRB OF CRIME AGAINST WOMEN FOR THE YEAR 2016

Promises to address gender gap are far from reality. In India, women do not seem to enjoy all the rights to freedom provided under the Constitution of India. According to the National Crime Records Bureau (NCRB), India, a crime against women is recorded every 1.6 minutes in India. Every 4.8 minutes a girl is subjected to domestic violence in this country and every 13.5 minutes a rape case is recorded.

According to the report of NCRB for the year 2016, cases under “Crime Against Women” increased by 2.9% in 2016 over 2015. Majority of cases were under the head “Cruelty by Husband or His Relatives” (32.6%) followed by ‘Assault on Women with Intent to Outrage her Modesty’ (25.0%), ‘Kidnapping & Abduction of Women’ (19.0%) and ‘Rape’ (11.5%).

Uttar Pradesh reported the highest number of total cases of crimes against women (14.5% share of all India total - 49,262 cases) followed by West Bengal (9.6% share - 32,513 cases) during 2016. Delhi UT reported the highest crime rate (160.4 cases per lakh of female population) compared to the national average rate of 55.2.

A more appropriate measure of extent of safety enjoyed by women is the number of violence per unit population (referred to as rate of crime). According to this measure, Delhi emerges as the most unsafe place with 160.4 incidents of violence per lakh of female population (15,310 incidents and a share of 4.5% of all India total incidents of violence against women. Assam (131.3 incidents per lakh of female population, 2.58% share of population and 6.2% share of total incidents), Odisha (84.5 incidents per lakh of female population, 3.43% share of population and 5.3% share of total incidents), Telengana (83.7 incidents per lakh of female population, 2.99% share of population and 4.5% share of total incidents) and Rajasthan (78.3 incidents per lakh of female population, 5.7% share of population and 8.1% share of total incidents) occupy the next four positions in that order.

Considering both the parameters the top five most unsafe areas are Assam (6th in percentage share and 2nd in rate of crime), Rajasthan (4th in percentage share and 5th in rate of crime),

⁵ Source- Crimes in India, 2011, National Crime Record Bureau

West Bengal (2nd in percentage share and 7th in rate of crime), Odisha (7th in percentage share and 3rd in rate of crime) and Delhi (10th in percentage share and 1st in rate of crime).

Acid attacks - also known as vitriolage is a violent attack especially on women. Every year around 1500 people are attacked in this way across the world. Reports indicate that out of them, 80% are women and 40% to 70% are below 18 years of age.

During the year 2016 number of victims subjected to acid attacks went up by 23.3% from 249 (in 2015) to 307. Among the states and UT-s, West Bengal registered a jump of 102.4% from 41 (in 2015) to 86 which is the highest among all. Number of incidents recorded in Uttar Pradesh (second largest number of victims during the year) remained static at 61 while Delhi recorded marginal rise from 21 (in 2015) to 23 and has recorded the 3rd largest number of victims. Punjab recorded the 4th highest number of victims at 18 (compared to 7 in 2015 – 157.1 % rise) and Haryana has registered the 5th largest number at 17 which is 41.7% higher than last year (12 victims in 2015). As many as 5 victims each were affected in the cities of Ahmedabad and Kolkata during the year.

Rape cases have increased by 12.4% from 34,651 cases in 2015 to 38,947 in 2016. Madhya Pradesh (4,882 cases - 12.5% share) and Uttar Pradesh (4,816 cases - 12.4% share) reported the highest incidents of Rape during 2016 followed by Maharashtra (4,189 cases - 10.7% share).

Cases of Kidnapping and abduction increased by 9.71% from 60,652 cases in 2015 to 66,544 cases in 2016. The highest numbers were recorded in the states of Uttar Pradesh, Maharashtra, Bihar, Assam and West Bengal in that order.

During 2016 West Bengal recorded the largest number of Trafficking of Women during the year at 222 cases followed by Kerala (189 cases), Jharkhand (171 cases) and Odisha (132 cases).

Although the largest number of incidents of crime against women have been recorded under the head “Cruelty by Husband or His Relatives” the number of incidents recorded under this head during 2016 (110,434 cases) represents marginal decline of 2.74% over the number recorded during the previous year (113,548 cases in 2015). The highest number was recorded in the state of West Bengal (19,305 cases 17.48% share) followed by Rajasthan (13,814 cases

12.51% share), Uttar Pradesh (11,166 cases 10.11% share), Assam (9,321 cases 8.44% share) and Maharashtra (7,215 cases 6.53% share).

However, the number of incidents recorded under the head ‘Assault on Women with Intent to Outrage her Modesty’ showed an increase of 3.06% during 2016 (85,332 cases) over 2015 (82,800 cases). The highest number was recorded in the state of Maharashtra (11,454 cases 13.42% share) followed by Uttar Pradesh (11,338 cases 13.29% share), Madhya Pradesh (8,720 cases 10.22% share), Odisha (8,269 cases 9.69% share) and Karnataka (5,313 cases 6.23% share).

Among the 19 metropolitan cities for which data has been made available, Delhi (14108 cases) has accounted for 32.93 percent of total crime against women in these cities followed by Mumbai (5261 cases; 12.28 percent), Bengaluru (3531 cases; 8.24 percent), Hyderabad (2451 cases; 5.72 percent) and Lucknow (2205 cases; 5.15 percent).

The rate of cognizable crimes against women was significantly higher in Delhi, Lucknow, Jaipur, Patna and Nagpur at 182.1, 159.8, 144.1, 133.8, and 113.0 per lakh of female population respectively as compared to average of metropolitan cities at 77.2 per lakh of female population.

National capital Delhi has reported 40.47 percent (2006 out of 4957 cases) of rape cases reported from these 19 metropolitan cities, 37.04 percent (3601 out of 9,722 cases) of kidnapping and abduction cases, 29.82 percent (3645 out of 12,222) of cases under “Cruelty by Husband or His Relatives”, 35.71 percent (3645 out of 12,222) of cases under ‘Assault on Women with Intent to Outrage her Modesty’ and 37.5 percent (42 out of 127 cases) of Trafficking of women among 19 metropolitan cities, the NCRB report said. However the highest number of Trafficking of women from amongst these 19 metropolitan cities was reported from Kochi at 48 (37.8 percent). The three cities of Kochi, Delhi and Kolkata together accounted for 88.2 percent of all cases of Trafficking of women from amongst these 19 metropolitan cities.

SUGGESTIONS AND REVIEW

- **Know your rights-** When it comes to reporting a crime several women hesitate in filing a report, fearing social backlash, family dishonor, or insensitive law officials. This naturally awards a sense of impunity to sexual offenders, who are tempted to go even

further next time. Wherever possible, therefore, it's important to arm ourselves with the laws and rights at our disposal. For instance, the Zero FIR ruling by the Supreme Court states that a rape victim can register her complaint from any police station (and not necessarily the one closest to where the incident occurred). She can also file this report online or through registered post. In fact, the police are bound to record a rape FIR whenever the victim chooses to come forward, even weeks or months after the incident has taken place. It is only once we have a clear idea of our rights, that we can encourage others to step forward, report crime, and gradually break the vicious circle of shame, impunity, and repeated offences.

- ***Denounce victim blaming-*** Blame, shame, and backlash are the main reasons why most women hesitate to press assault charges. Shaming the woman for her clothes, her lifestyle, or simply the place she happened to be at the time of the crime is a knee-jerk reaction with damaging repercussions. 'She deserves it because she's a sex worker,' or 'She was hanging out with boys and wearing shorts' are convenient narratives spun by a patriarchal society, which aim to shift blame from the perpetrator to the victim. This lies at heart of rape culture, and is by far the biggest way we fail those brave enough to report a crime. It goes without saying that we must end this toxic and dangerous practice of victim blaming if we're to make this a safer, saner, and more respectful society for women.
- ***Proper communication with family-*** This is particularly crucial when you consider that over 90% of rapes reported in India are committed by people familiar to the victim, including relatives, neighbors, and employers. To create an equal as well as a safer space for women, it's important to drive change right from an early age. Children, after all, follow by example. When a boy finds that the rules meant for his sister do not apply to him, it conditions him to believe that there's a lot he can get away with that girls cannot. Similarly, we instruct our daughters to watch out for dangers on the road, but often forget to teach our sons something as basic as consent and accountability. As a consequence, we raise girls who lack confidence and boys who think they can get away with anything – a recipe for disaster if there was ever one. The next time you find yourself saying 'boys will be boys', take a moment to reconsider; you may be part of the problem.
- ***Demand actual solutions-*** From cowmen and cell phones to dressing of girls, politicians over the past several years have found many innovative things to blame for

the high incidence of crimes against women. While we may laugh over them, these statements ultimately reflect that authorities have neither learnt to take these crimes seriously nor handle them sensitively. To make things worse, these ridiculous notions often distract us from the larger picture – from outraging over a rape, we merely move on to outraging over stupidity. Rather than shaking our heads and carrying on, next time we should point out how all this nonsense prevents us from rectifying the sorry state of women's safety in India. Retaliate with demands instead: Ask for safer public transport, well-lit community spaces, faster processing of cases, higher conviction rates, and sensitive handling of victims by concerned authorities.

- ***Don't forward that rape joke-*** We often let issues like gender inequality take a backseat because the problem seems too large and complex for any one individual to tackle. However, there is one thing you can personally do to make sure that things don't get worse and that is to stop forwarding, creating, or share insensitive content among others. Repeat after us: Rape jokes are not funny. Do not forward them even for a laugh, and definitely reprimand those who do. The same logic holds for sexist jokes and forwards passed around on family groups, as well as Bollywood chartbusters that celebrate harassment as love. Point out how such jokes, songs, and ideas create a culture of misogyny and objectification, ultimately creating a world where men presume that 'no' only means they must try their luck again.

Reacting after a crime is only natural, whether you post your opinions online or take to the streets in protest. However, with crimes against women being as rampant as they are, perhaps it's time to concede that reactions alone cannot change the status quo. Instead, what might work are smaller, practical steps that are less exciting than a candlelight march but infinitely more useful in the long run.⁶

⁶ Available at: <http://www.hindustantimes.com/brandstories/tatateajaagore/crimes-against-women-are-rising.html>