Rape is one of the most heinous crimes committed against a woman. Reasons for committing rape may be various, ranging from lust to “punishment” to using it as an instrument of repression of lower castes by upper castes. The latter two are among the most shameful of reasons in modern India, for it makes this country resemble troubled regions like Congo more than an ‘emerging’ power in the world.

It is also held by various Indian courts that rape in the Indian context does far more harm to a woman than murder, for while the physical body is destroyed in the case of murder, the very spirit of a woman is crushed after a rape. In other words, apart from causing physical harm, rape does incalculable damage to the psyche and spirit which makes it hard, if not impossible for a woman to recover from.

Rape is defined very narrowly in the Indian constitution. The far broader term of sexual assault is covered under terms like “outraging the modesty of a woman”. Various codes and acts, like the Indian Evidence Act, 1872, the Indian Penal Code (IPC), 1860 govern facets like punishments and cross-examination in the case of rape and sexual assault.

These laws notwithstanding, the conviction rate for rapes in India is abysmal. The national conviction rate for rape is approximately 25 per cent. Delhi’s conviction rate, though no less shameful, is slightly better at 41 per cent. Add to this the fact that the mindset surrounding rape and other incidents of sexual assault ends up victimizing the rape victim further, it becomes clear that a large number of such crimes are not reported at all.

It is not as if the government is oblivious to the problem. The Law Commission has made far-reaching recommendations to the government on amending laws pertaining to rape and sexual assault. An executive body set up by the government of India, the Law Commission is tasked with legal reform.

One such report, titled **172nd Report on the Review of Rape Laws, 2000** recommended far-reaching changes to existing rape laws. Changing the focus from rape to all forms of sexual assault, deletion of a few controversial clauses like section 155 in the Indian Evidence Act and graded sentences for varying acts of sexual assault, among others, were recommendations made to the government. Of these, the government accepted only some and has not shown any signs of accepting others.

With an increasing number of rapes being reported each day, awareness of one’s rights and the procedures that the police must follow in case of sexual assault assume importance. The following sections are written with just that purpose in mind. Hope they inform and enlighten you.

--Ends