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CRIME AGAINST WOMEN

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ABSTRACT

The growth and development of a nation depends on the socio-economic status of its community. In our country, women constitute around 49 percent of the total country's population of approximately nine hundred million people. But studies revealed that from century's women have been victims of exploitation by male-dominated society. Women in our country have been victims of ill-treatment, humiliation, torture, exploitation, rape murder, etc. from long period of time. According to the Constitution of India, women are the legal citizens of the country. To provide social justice is the keystone of the constitution of India. It represents equal rights with men. But the actual situation is far from this. In the modern society, crime against women is the most pervasive abuse in the country. Crime against women is not new rather it is a common evil in the Indian society. It represents the form of assertion of dominance and use of greater physical strength of men over women. A woman faced terrifying problems both within the family and outside family structure. It has been examined by National Crime Records Bureau (NCRB) that over 32000 murders, 36500 molestation cases, 19000 rape and 7500 dowry deaths are the violent crimes reported in India in 2006 against women. Thus, current condition of women has worsened their lives. The present paper is introspection about the intensity of crime committed against women in India over the period of five years. The paper also highlights head-wise incidents of crime against women and compare reported incidents of crime (both under IPC and SLL) for a period from 2008 to 2012 respectively. The percentage of crime against women is also compared with total IPC crimes so as to depict the actual position of crime against women in India. The study is based upon secondary data and has been collected from reports, "Crime in India", published by National Crime Records Bureau annually. The data has been analysed by

using percentage analysis and interpretations were made accordingly. The data of cases mentioned under different heads revealed that all the crime heads showed a rising trend except the incidents reported under Sati Prevention Act, 1987 and Importation of Girls-section 366-B IPC. Further, the cases registered under Kidnapping and Abduction (section 363-373 IPC), Torture (section 498-A IPC) and Molestation (section 354 IPC) had showed a sharp increase over the period of five years. Thus, in order to protect the women's from this evil, it is required that the code of laws related to crimes against women should be amended. Women's should be made aware about the legislation through awareness programmes because the law alone cannot be able to curb this menace of "Crime Against Women."

INTRODUCTION

The growth and development of a nation depends on the socio-economic status of its community. In our country, women constitutes around 49 percent of the total country's population of approximately nine hundred million people. But studies revealed that from century's women have been victims of exploitation by male-dominated society. Women in our country have been victims of ill-treatment, humiliation, torture, exploitation, rape murder, etc .from long period of time. According to the Constitution of India, women are the legal citizens of the country. To provide social justice is the keystone of the constitution of India. It represents equal rights with men. But the actual situation is far from this.

In the modern society, crime against women is the most pervasive abuse in the country. Crime against women is not new rather it is a common evil in the Indian society. It represents the form of assertion of dominance and use of greater physical strength of men over women. A woman faced terrifying problems both within the family and outside family structure. In the family, a woman is subjected to domestic violence, dowry death and harassment for dowry. Outside the family, women is subjected to rape, molestation, eve-teasing and many other forms of Violence. It has been examined by National Crime Records Bureau (NCRB) that over 32000 murders, 36500 molestation cases, 19000 rape and 7500 dowry deaths are the violent crimes reported in India in 2006 against women. Further, NCRB also declared Madhya Pradesh is worst off among the states, New Delhi is declared as the most unsafe city in India. While Delhi takes the top position among crimes ranging from murders and rapes to dowry deaths and abductions. It has also been observed on the basis of research reports that in India, after every 51 minutes a woman is sexually harassed, after every 21 minutes one woman is molested. Whereas eve-teasing is a common issue that a women faced everyday. Crime against women not only affects women alone rather it has a deep-rooted impact on the society also. It has an adverse impact on the health and safety of women which in turn affects the lives of their children's also.

Finally, the position of women in Indian society is quoted by Dr. S.C. Singh, as "Women the source of love and compassion has always been exploited by a patriarchal society. Even after 53 years of independence women of India wear a pathetic look. They face an atmosphere of debilitating violence, rape, sexual molestation and psychological betraying both within and outside the family. Their right to live with dignity must be respected like the man." ² Thus,

current condition of women has worsened their lives. The present paper is introspection about the intensity of crime committed against women in India over the period of five years. The paper also highlights head-wise incidents of crime against women and compare reported incidents of crime (both under IPC and SLL) for a period from 2008 to 2012 respectively. The percentage of crime against women is also compared with total IPC crimes so as to depict the actual position of crime against women in India. The study is based upon secondary data and has been collected from books and reports, "Crime in India", published by National Crime Records Bureau annually. The data has been analysed by using percentage analysis and interpretations were made accordingly.

CRIME AND VIOLENCE AGAINST WOMEN: MEANING

Crime is the breach of rules or offence for which some governing authority prescribes a conviction. It implies use of physical and mental force against women. 'Crime against Women' includes both reported crimes as well as non-reported crimes of violence. Violence on the other hand implies physical aggression, misbehave, psychological harm of suffering to women. It also includes threats of acts such as coercion or arbitrary deprivation of liberty, violation of human rights of women and any other form of cruelty which ends up with negative values towards women. In the light of this attitude of indifference and negligence, the Constitution of India enumerates various provisions for providing special status to women under the supreme law of the nation. Various laws have been enacted in order to uplift the position of women in India. Thus, crime against women can broadly be classified into two categories:

1. CRIME IDENTIFIED UNDER THE INDIAN PENAL CODE (IPC)

- (i) Rape (section 376 IPC);
- (ii) Kidnapping and Abduction (section 363 and 373);
- (iii) Dowry deaths or attempts at dowry death (section 302 and 304 B);
- (iv) Torture (both mental and physical) (section 498 A);
- (v) Molestation (section 354);
- (vi) Sexual Harassment (section 509);
- (vii) Importation of Girls (section 366 B);

² Jaspreet Kaur Soni, (2008), "Women Empowerment-The Substantial Challenges" pp.138-139.

2. CRIMES IDENTIFIED UNDER THE SPECIAL LAWS (SLL)

- (i) Sati Prevention Act, 1987;
- (ii) Immoral Traffic Prevention Act, 1956;
- (iii) Indecent Representation of Women (Prohibition) Act, 1986;

(iv) Dowry Prohibition Act, 1961.

The Indian Penal Code (IPC) introduced in 1862 and subsequently made amendments related to punishments for various crimes made against women.

TABLE-1 INCIDENTS OF CRIMES REPORTED

Year	No. of Incidents Reported (Both under IPC and SLL)
2008	1, 95,856 (18.0%)
2009	2, 03,804 (18.8%)
2010	2, 13,585 (19.7%)
2011	2, 28,650 (21.05%)
2012	2, 44,270 (22.5%)
Total	1,086,165

Note: Figures in brackets show the percentage to total number of incidents reported.

Source: National Crime Record Bureau, "Crime in India 2008-2012", Reports.

INCIDENTS OF CRIMES REPORTED: An analysis of the total number of incidents of crime against women for the last five years showed a rising trend as per the Table-1. The total number of incidents registered under crime against women (both under IPC and SLL) are increased from 1, 95,856 during 2008 to 2, 44,270 during 2012 respectively. The analysis further revealed that highest percentage falls in the year 2012 (22.5%) as compared to the year 2008 i.e. 18.0 per cent only of the crime reported in India over the period of study.

TABLE-2 PROPORTION OF CRIME AGAINST WOMEN (IPC) TOWARDS TOTAL IPC CRIMES

S.No.	Year	Total IPC Crimes	Crime Against Women (IPC cases)	Percentage To Total IPC Crimes
1	2008	20,93,379	1,86,617	8.9
2	2009	21,21,345	2,03,804	9.2
3	2010	22,24,831	2,13,585	9.6
4	2011	23,25,575	2,19,142	9.4
5	2012	23,87,188	2,44,270	10.2

Source: National Crime Record Bureau, "Crime in India 2012", Report.

PROPORTION OF CRIME AGAINST WOMEN (IPC) TOWARDS TOTAL IPC CRIMES: Table-2 reveals the proportion of crime against women (IPC) to the total IPC crime registered in India. The number of total IPC crimes against women in 2008 increased from 20, 93,379 to 23, 87,188 in the year 2012 respectively. It is also obvious from the table that the percentage of IPC crimes committed against women has increased from 8.9 per cent during 2008 to 10.2 per cent during 2012. Thus, again the data showed a gradual rise in the percentage of crime to total IPC crimes in India.

TABLE-3 HEAD-WISE INCIDENTS OF CRIME AGAINST WOMEN

S.No.	Crime Head	2008	2009	2010	2011	2012
1	Rape	21,467 (10.9%)	21,397 (10.5%)	22,172 (10.4%)	24,206 (10.6%)	24,923 (10.2%)
2	Kidnapping & Abduction	22,939 (11.7%)	25,741 (12.6%)	29,795 (13.9%)	35,565 (15.6%)	38,262 (15.7%)
3	Dowry Death	8,172 (4.17%)	8,383 (4%)	8,391 (3.9%)	8,618 (3.8%)	8,233 (3.4%)
4	Torture	81,344 (41.5%)	89,546 (43.9%)	94,041 (44.0%)	99,135 (43.4%)	1,06,527 (43.6%)
5	Molestation	40,413 (20.6%)	38,711 (18.9%)	40,613 (19.0%)	42,968 (18.8%)	45,351 (18.6%)
6	Sexual Harassment	12,214 (6.2%)	11,009 (5.4%)	9,961 (4.6%)	8,570 (3.7%)	9,173 (3.8%)
7	Importation of Girls	67 (0.03%)	48 (0.02%)	36 (0.01%)	80 (0.03%)	59 (0.02%)
A	Total IPC Crime Against Women	1,86,616	1,94,835	2,005,009	2,19,142	2,32,528
8	Sati Prevention Act	1 (0%)	0 (-)	0 (-)	1 (0%)	- (-)

9	Immoral Traffic	2,659 (1.4%)	2,474 (1.21%)	2,499 (1.17%)	2,435 (1.06%)	2,563 (1.05%)
10	Indecent Representation of Women	1,025 (0.5%)	845 (0.41%)	895 (0.0004%)	453 (0.2%)	141 (0.06%)
11	Dowry Prohibition Act	5,555 (2.8%)	5,650 (2.8%)	5,182 (2.4%)	6,619 (2.9%)	9,038 (3.7%)
B	Total SLL Crime Against Women	9,240	8,969	8,576	9,508	11,742
	Total (A+B)	1,95,856	2,03,804	2,13,585	2,28,650	2,44,270

Note: Figures in brackets show the percentages to total incidents of crime against women.

Source: National Crime Record Bureau, "Crime in India 2012", Report.

HEAD-WISE INCIDENTS OF CRIME AGAINST WOMEN: Table-3 shows the total incidents of crimes against women under different heads. The analysis of the crimes committed under all heads has been increasing during the period of study. It was found that incidents registered under the head Torture-both mental and physical-section 498 A IPC has been on the increase every year from 81,344 in 2008 to 89,546 in 2009, 94,041 in 2010, 99,135 in 2011 and 1,06,527 in 2012 respectively. Even the percentage variation of crimes committed against women with regard to Torture was highest i.e. 44 per cent as compared to crimes registered under other heads over the period of five years.

MOLESTATION-SECTION 354 IPC: Molestation implies use of criminal force on women with an intention to outrage her modesty. The careful analysis of the table further reveals that Molestation has been rated as second highest crime committed against women. The cases registered under molestation were 40,413 in 2008 and increased to 45,351 during 2012 respectively.

KIDNAPPING AND ABDUCTION-SECTION 363 TO 373 IPC: Kidnapping means taking away of a minor without the consent of the guardian. Abduction is forcibly taking away a woman and compelling her to marry a person against her will. Thus, kidnapping is committed only against minors, while abduction can be directed towards any person. It has been observed from the table that kidnapping and abduction are next to follow among the crime incidents reported against women in India. The year-wise analysis revealed that the share of crimes were 11.7 per cent in 2008, 12.6 per cent in 2009, 13.9 per cent in 2010, 15.6 per cent in 2011 and 15.7 per cent in 2012. It has also shown significant increase in the cases over the past five years.

RAPE-SECTION 376 IPC: It is considered as a heinous offence of committing sexual intercourse with women against her will. It is also important to point out that rape cases have also been increased during the period of study. During 2008, 21,467 rape cases reported but the number of rape cases increased to 24,923 during 2012.

SEXUAL HARASSMENT-SECTION 509 IPC: Sexual assault of women implies any physical contact or demand or request for sex or any verbal or non-verbal conduct of sexual nature. So as far as the incidence of sexual harassment is concerned, the 12,214 cases reported in 2008 declined to 9,173 cases reported in 2012.

DOWRY DEATHS-SECTION 302/304 IPC: Dowry is any property or valuable security given or agreed to be given by the parents at or before or after the marriage. The table-3 indicates a rising trend with regard to crime registered under dowry deaths. The dowry related crime increased from 8172 cases in 2008 to 8383 cases in 2009, 8391 cases in 2010, 8618 cases in 2011 and to 8233 cases in 2012 respectively. The percentage with regard to dowry deaths has increased to 3.4 per cent as against the total crime committed against women under other heads.

IMPORTATION OF GIRLS FROM FOREIGN COUNTRY-SECTION 366-B IPC: Data also showed that the cases reported under Importation of Girls from Foreign Country also revealed a declining trend from 67 in 2008 to 59 in 2012 with little variations in between the period of five years.

SATI PREVENTION ACT, 1987: Sati was the custom of burning widows on the funeral pyres of their husbands. In December 1987, Parliament passed Commission of Sati Prevention Act, 1987 and banned the custom of Sati. The result is obvious in the table as a consequence of this Act. However, the cases reported under Immoral Traffic (Prevention) Act, 1956 also showed a steady decline in the incidents registered from 2659 in 2008 to 2563 in 2012 respectively. The number of cases reported under the Indecent Representation of Women (Prohibition) act, 1986 has also shown a decline from 1025 cases in 2008 to only 141 cases in 2012. Another highlighting factor is the cases registered under Dowry Prohibition Act, 1961 that shows a considerable increase from 5,555 cases in 2008 to that of 9,038 cases in 2012 along with share of 3.07 per cent increase out of the total crimes against women under different heads.

CONCLUSION

Crime against women is the most crucial issue in the country today. It is clear from the above discussion that numerous laws have been formulated to deal with violence against women but there were no measures to check the effectiveness of these laws. Crime against women has significant impact on the health and safety of the women. The data of cases mentioned under different heads revealed that all the crime heads showed a rising trend except the incidents reported under Sati Prevention Act, 1987 and Importation of Girls-section 366-B IPC. Further, the cases registered under Kidnapping and Abduction (section 363-373 IPC), Torture (section 498-A IPC) and Molestation (section 354 IPC) had showed a sharp increase over the period of five years. Whereas, with regard to cases related to Sati Prevention Act, 1987, Immoral Traffic (Prevention) Act, 1956, Indecent Representation of Women (Prohibition) Act, 1986 and Sexual Harassment (Section 509 IPC) showed a declining trend during the period of study. Thus, in

order to protect the women's from this evil, it is required that the code of laws related to crimes against women should be amended. It is suggested that severe punishment should be prescribed for crimes like rape, kidnapping and abduction etc. Women's should be made aware about the legislation through awareness programmes because the law alone cannot be able to curb this menace of "Crime Against Women."

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