

# Sexual Violence in India

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## **Abstract :**

A country should progress as years pass by. Lets learn how much India has progressed in the last couple of years against the fight to end crimes against women. India is often described to be a country with a fast growing economy and progressive indicators of human development. However, over the last decade there has been a growing concern of increased reporting of sexual violence in India which seems to contradict the first description. According to the National Crime Records Bureau of India, reported incidents of crime against women increased 6.4% during 2012, and a crime against a woman is committed every three minutes. In 2012, there were 244,270 reported incidents of crime against women, while in 2011, there were 228,650 reported incidents. In the wake of the 2012 Delhi rape incident, there has been intense public introspection into the nature of Indian society and the current structures of governance that have failed to keep women safe. Politicians, academics, social commentators, rape survivors, activists, bloggers, and television talk show hosts have all contributed views—right across the conservative-liberal spectrum—on the causes of rape and sexual violence in the country and measures to remedy them.

**Key words : India, Sexual violence, Rape,**

## **INTRODUCTION :**

According to the National Crime Records Bureau of India, reported incidents of crime against women increased 6.4% during 2012, and a crime against a woman is committed every three minutes. In 2012, there were 244,270 reported incidents of crime against women, while in 2011, there were 228,650 reported incidents. Of the women living in India, 7.5% live in West Bengal where 12.7% of the total reported crime against women occurs. Andhra Pradesh is home to 7.3% of India's female population and accounts for 11.5% of the total reported crimes against women. 65% of Indian men believe women should tolerate violence in order to keep the family together, and women sometimes deserve to be beaten. In January 2011, the International Men and Gender Equality Survey Questionnaire reported that 24% of Indian men had committed sexual violence at some point during their lives. Violence against women has been clearly defined as a form of discrimination in numerous documents. The World Human Rights Conference in Vienna, first recognised gender- based violence as a human rights violation in 1993. In the same year, United Nations declaration, 1993, defined violence against women as “any act of gender-based violence that results in, or is likely to result in,

physical, sexual or psychological harm or suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life”.

**Sexual violence** is any sexual act or attempt to obtain a sexual act by violence or coercion acts to traffic a person or acts directed against a person's sexuality, regardless of the relationship to the victim. It occurs in times of peace and armed conflict situations, is widespread and is considered to be one of the most traumatic, pervasive, and most common human rights violations. Sexual violence is a serious public health problem and has a profound short or long-term impact on physical and mental health, such as an increased risk of sexual and reproductive health problems, an increased risk of suicide or HIV infection. Murder occurring either during a sexual assault or as a result of an honor killing in response to a sexual assault is also a factor of sexual violence. Though women and girls suffer disproportionately from these aspects sexual violence can occur to anybody at any age; it is an act of violence that can be perpetrated by parents, caregivers, acquaintances and strangers, as well as intimate partners. It is rarely a crime of passion, and is rather an aggressive act that frequently aims to express power and dominance over the victim.

### **Forms of sexual violence**

A wide range of sexually violent acts can take place in different circumstances and settings. These include, for example:

- rape within marriage or dating relationships;
- rape by strangers;
- systematic rape during armed conflict;
- unwanted sexual advances or sexual harassment, including demanding sex in return for favours;
- sexual abuse of mentally or physically disabled people;
- sexual abuse of children;
- forced marriage or cohabitation, including the marriage of children;
- denial of the right to use contraception or to adopt other measures to protect against sexually transmitted diseases;
- forced abortion; violent acts against the sexual integrity of women, including female genital mutilation and obligatory inspections for virginity;
- forced prostitution and trafficking of people for the purpose of sexual exploitation.

There is no universally accepted definition of trafficking for sexual exploitation. The term encompasses the organized movement of people, usually women, between countries and within countries for sex work. Such trafficking also includes coercing a migrant into a sexual act as a condition of allowing or arranging the migration.

**Crime head-wise incidents of crime against women during 2008 - 2012 and Percentage variation in 2012 over 2011**

Sl. No.	Crime head	Year					Percentage variation in 2012 over 2011
		2008	2009	2010	2011	2012	
1	Rape (Sec. 376 IPC)	21,467	21,397	22,172	24,206	24,923	3.0
2	Kidnapping & abduction (Sec. 363 to 373 IPC)	22,939	25,741	29,795	35,565	38,262	7.6
3	Dowry death (Sec. 302 / 304 IPC)	8,172	8,383	8,391	8,618	8,233	-4.5
4	Cruelty by husband and relatives (Sec. 498-A IPC)	81,344	89,546	94,041	99,135	106,527	7.5
5	Assault on women with intent to outrage her modesty (Sec. 354 IPC)	40,413	38,711	40,613	42,968	45,351	5.5
6	Insult to the modesty of women (Sec. 509 IPC)	12,214	11,009	9,961	8,570	9,173	7.0
7	Importation of girl from foreign country (Sec. 366-B IPC)	67	48	36	80	59	-26.3
A	<b>Total IPC crime against Women</b>	<b>186,616</b>	<b>194,835</b>	<b>205,009</b>	<b>219,142</b>	<b>232,528</b>	<b>6.1</b>
8	Commission of Sati Prevention Act, 1987	1	0	0	1	-	-100.0
9	Immoral Traffic (Prevention) Act, 1956	2,659	2,474	2,499	2,435	2,563	5.3
10	Indecent Representation of Women (Prohibition) Act, 1986	1,025	845	895	453	141	-68.9
11	Dowry Prohibition Act, 1961	5,555	5,650	5,182	6,619	9,038	36.5
B	<b>Total SLL crime against Women</b>	<b>9,240</b>	<b>8,969</b>	<b>8,576</b>	<b>9,508</b>	<b>11,742</b>	<b>23.5</b>
	<b>Total(A+B)</b>	<b>195,856</b>	<b>203,804</b>	<b>213,585</b>	<b>228,650</b>	<b>244,270</b>	<b>6.8</b>

### **RAPE:**

Rape is a crime, not only against the person of a woman, it is a crime against the entire society. It destroys the entire psychology of a woman and pushes her into deep emotional crises. It is a crime against basic human rights. Rape is the ultimate violation of the self. It is a humiliating and traumatic event in a woman's life, which leads to a fear for existence and a state of powerlessness. Rape can be the most terrifying event in a woman's life. The fear of rape affects all women. It inhibits their actions and limits their freedom, influencing the life as a whole. Right from the childhood, the fear of rape is infused in every woman in the society, which conditions the personality of the woman and her choices regarding her conduct. There is no typical 'rape victim' or conversely, every woman is a typical rape victim - old women, little girls, women in wheelchairs, lesbians, virgins, women of every race and class... are raped .

# Haryana's horror story

**1**

Mentally challenged woman raped in government hospital: An employee of the State Institute of Mental Health under Post Graduate Institute of Medical Sciences (PGIMS) in Rohtak was arrested in December for raping a 35-year-old mentally-challenged woman repeatedly over the course of several months.

**2**

Minor Dalit girl gang-raped, sister molested: A minor Dalit girl was allegedly gang-raped while her sister was sexually harassed in Sonapat in November. The parents of the victim had a hard time in even getting their case registered with Gohana police.

**3**

Minor raped, killed; body yet to be found: A 17-year-old girl was raped and killed by her friend in Bhanderi village of Sonapat in November. The parents of the victim had recently requested permission for self-immolation from the President as the police failed to recover her body and were not been able to arrest the accused.

**4**

Dalit woman crushed under car for intervening in quarrel: A 55-year-old Dalit woman was killed, allegedly by a group of upper caste youths, who crushed her under car thrice because she intervened in a quarrel between them and her nephew in Charkhi Dadri district (previously Bhiwani) in December.

**5**

Three of Dalit family killed for honour: In November, three members of a Dalit family were killed and two were hospitalised when the relatives of upper-caste woman married into the Dalit family fired at them "to protect their honour". The woman, pregnant at that time, faced three bullets, but she and her son survived the incident.

## Murders

District	2015	2016	% Increase/decrease
Sonapat	64	87	36% increase
Bhiwani	51	62	22% increase
Rohtak	60	74	23% increase
Jind	58	57	2% decrease

## Rapes

District	2015	2016	% Increase/decrease
Sonapat	45	62	38% increase
Bhiwani	51	68	33% increase
Rohtak	54	59	9% increase
Jind	31	31	same

\*Source ; hindustantimes/india-news/law-and-order-a-far-cry-in-haryana-spurt-in-rape-murder-defines-2016

## Some legislative acts for women at one place

Let me also share the name of some of the legislative acts which are available in India to protect women's rights against harassment. These acts are like a boon to women at large to protect their dignity in society. Please have a look:

- 1) Dowry Prohibition Act, 1961
- 2) The Protection Of Women From Domestic Violence Act, 2005
- 3) The Commission Of Sati (Prevention) Act, 1987
- 4) The Immoral Traffic Prevention Act, 1956
- 5) Civil Procedure Code, 1973
- 6) Indian Penal Code, 1960
- 7) Hindu Marriage Act, 1955
- 8) Child Marriage Restraint Act, 1929
- 9) The Medical Termination Of Pregnancy Act, 1971

- 10) National Commission Of Women Act, 1990
- 11) The Minimum Wages Act, 1948
- 12) Bonded Labor System Abolition Act, 1976
- 13) The Special Marriage Act, 1954
- 14) Foreign Marriage Act, 1969
- 15) Indian Divorce Act, 1969
- 16) The Indecent Representation of Women Prohibition Act, 1986
- 17) Guardians & Wards Act, 1869
- 18) Equal Remuneration Act, 1976

The above list is not conclusive but inclusive. These acts have given ample provisions to ensure the protection of women rights like minimum wages, protection from domestic violence, right of equal remuneration, prevention from immoral trafficking, prevention from indecent representation of women etc. So there is no doubt that our judiciary and legislature has taken various effective steps to ensure the dignity of women.

### **Conclusion:**

To conclude I would like to say that Indian women has come a long way and prove that she is capable of doing anything and equal partner in the growth and prosperity of the nation. Women plays different role in her life which is not an easy task. During her life she acts as daughter, wife, sister and mother at different stages of life. Sexual violence is a common and serious public health problem affecting millions of people each year throughout the world. So we must give them due care and respect and understand their efforts towards welfare of the society at large. Crimes against women cannot be blamed only to poor law and order. They are also a product of generations of subjugation of women under the patriarchal set up of the society where women is considered subordinate to men. The vicious role that Khaps play can also not be ignored. Politicians and cops are products of the same society and thus don't find it wrong when people are murdered in the name of honour killing. To conclude, the high prevalence of rape in India proves that the Indian government is weak in promoting or fulfilling the human rights, especially the rights of the women.

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