

Globalisation and Crime against Women in India: An Analysis

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Abstract

Crime against women is one of the important issues of the global governance. The free-flow of information and net-working of women and feminists group the social activism provided the global information technology has been resulting into the more pressuring on the ruling class to pass the new legislation and policies on the safety and security of women on the one hand.

On the other hand the advent of new technology and employment of women in the globalised, liberalised and privatised economic has been resulting into the emergence of new kind crimes against the women. The studies found the advent of the liberalization, privatization and globalization has been adding to the crime against women as it could restrain the traditional and customary violence and discrimination against women.

An attempt is made in this paper to analysis the impact of globalization on crime against women in India. The various factors and the data along with technical and legal development to which Indian government has adapted to coup with the crime against women after the globalization are duly focused upon.

Key Words: *Crime, globalisation women, health, political, social, economic, community, judiciary and government, culprit, victim etc.*

In general crime against any individual is analysed under the given circumstances, which may be linked to the origin and reason of any crime. The actual picture of the origin and reason of the crime cannot be cleared without its implication on society at large and without linking that crime with the socio-economic, political and historical circumstances of any society. The second important determinant in the establishment of a crime is the analysis of the mental-physical

health of the culprit and victim under given circumstances. However, when the crimes are categorised under the broader lenses of socio-economic and political categories, the socio-political, economic and historical reasons of the crime are analysed along with the historical circumstances.

The analysis of violence and crime against women in these days is done along the socio-economic and political discrimination against women at large. The policy frame-work and legislative measures enacted by the state for the development and empowerment of women are always linked with the actual position of women and their impact on society at large. Crime against women is analysed under the socio-economic and political set-up of the society and solutions for which become a matter of concern for political and public authority rather than a family or community.

India presents one of the prime cases for the analysis of the socio-economic and political impact of modern education and information technology on women along with the legislative and policy measures of the state for the inclusive growth and development of women under the NEP since 1990's. It is argued and also established by the various research data that Indian women have discarded the old yokes of slavery and are breaking old norms of patriarchal authorities and have joined hands with their male partners in the development of the nation.¹

The advent of globalisation is taken by the different scholars differently and they have different views about the socio-economic and political impact of liberalisation, privatisation and globalisation on society in general and

¹ Sengupta, Chandan Sengupta "Conceptualising Globalisation: Issues and Implications", *Economic and Political Weekly*, vol. XXXVI, no. 33, 18-24 August, 2011, pp. 3137-31

women in particular. It is commonly held by the scholars that globalisation has been not only impacting the rich and the poor of the same countries differently but it will also impact the rich and the poor of the same countries differently. As it is argued above, gender and development constitute an important component of globalisation.

It is not only the developed countries and international organisations which are focusing on gender sensitive development but the developing countries are also advised to do the same. The developing countries are making arrangements in their political governance to ensure the development of the nation as inclusive and gender sensitive. The positive initiatives are taken by passing the new legislation to control the violence against women on the one hand and economic initiatives are provided under the gender-budgeting for the development and empowerment of women on the other.

In education girls have outnumbered boys and they are opting more and more for job-oriented courses in India. However, a situation of confusion prevails when one compares the graph of crime against women with the graph of socio-economic and political development of women in India. It is argued by researcher that globalisation has helped Indian womans' economically but socially, she is still weak. In spite of receiving modern- education and economic independence Indian womans' can't raise her voice; she is not even free to take the decision related to her personal social life: like choosing her life partner and choosing the sex of her child.²

The other argument is that globalisation has led to the development of new crimes which were rare and not much known in India earlier infact the global of technology and capital has doubled crimes against women. As globalisation has could not help to curb or

minimise the discrimination and violence of the old patriarchal set-up and traditional crimes against women in India.

To tackle the problem of crime against women the Indian government has taken some important legislative as well as policy measures, which are particularly aimed at addressing new challenges to which the Indian women are facing after 1990's. A National Commission for Women³ at the National Level and State Women Commission are also established by the various states to address these new challenges. The National Plan of Action for the Girl Child (1991-2000),⁴ National Policy for the Empowerment of Women, 2001,⁵ National Mission for Empowerment of Women, 2010⁶ and Verma Committee Report (2013) are enough to mention.⁷ Irrespective of the policy initiatives

³ In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc. Government of India, *National Commission for Women Act, 1992*, Press Information Bureau, New Delhi, 1992, also see, Uma Narula, *Indian Women across Generations*, Atlantic Publishers, New Delhi, 2005, p.23.

⁴ The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child. Government of India, *National Plan of Action for Girl Child (2005)*, Ministry of Human Resource Development, New Delhi, 2005, pp. 1-46.

⁵ The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a "National Policy for the Empowerment of Women" in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women, Government of India, *Women and Men in India, 2012*, Ministry of Statistics and Programme Implementation, 14th Issue, p.13.

⁶ The launch of the National Mission for Empowerment of Women in March 2010 is an important development that will provide the much required fillip to a coordinated assessment of current government interventions and aligning future programmes so as to translate the MPEW prescription into reality. The Mission was operationalized during 2011. Government of India, "National Mission for Empowerment of Women 2010", *Annual Report 2011-12*, Ministry of Women and Child Development, New Delhi, 2012, p. 20.

⁷ A three-member Commission, headed by former Chief Justice of India, Justice J.S. Verma which was assigned to review laws for sexual crimes submitted its report to the Government during January 2013. The Commission has recommended many comprehensive changes in criminal

² United Nations reports a worldwide average female homicide rate 3.6 per 100,000 women and average of 1.6 homicides per 10,000 women for Northern Europe in 2012. Although India's dowry death rate per 100,000 is lower than equivalent rate for Pakistan and Bangladesh, it is a significant social issue in India. World Health Organisation, "Homicide Data by Sex, United Nations (2013)", United Nations Office on Drug and Crime (UNDOC), 2013, pp. 47-49

laws to deal with crimes and atrocities against women which are as under:

Punishment for Rape: The panel has not recommended the death penalty for rapists. It suggests that the punishment for rape should be Rigorous Imprisonment (RI) for seven years to life. It recommends that punishment for causing death or a "persistent vegetative state" should be RI for a term not be less than 20 years, but may be for life also, which shall mean the rest of the person's life. Gang-rape, it suggests should entail punishment of not less than 20 years, which may also extend to life and gang-rape followed by death, should be punished with life imprisonment.

Punishment for other sexual offences: The panel recognised the need to curb all forms of sexual offences and recommended- Voyeurism be punished upto seven years in jail; stalking or attempts to contact a person repeatedly through any means by up to three years. Acid attacks would be punished by up to seven years if imprisonment; trafficking will be punished with RI for seven to ten years.

Registering complaints and medical examination: Every complaint of rape must be registered by the police and civil society should perform its duty to report any case of rape coming to its knowledge. "Any officer, who fails to register a case of rape reported to him, or attempts to abort its investigation, commits an offence which shall be punishable as prescribed," the report says. The protocols for medical examination of victims of sexual assault have also been suggested. The panel said, "Such protocol based, professional medical examination is imperative for uniform practice and implementation."

Amendments to the Code of Criminal Procedure: The panel observed, "The manner in which the rights of women can be recognised can only be manifested when they have full access to justice and when the rule of law can be upheld in their favour." The proposed Criminal Law Amendment Act, 2012, should be modified, suggests the panel. "Since the possibility of sexual assault on men, as well as homosexual, transgender and transsexual rape, is a reality the provisions have to be cognizant of the same," it says. A special procedure for protecting persons with disabilities from rape, and requisite procedures for access to justice for such persons, the panel said was an "urgent need." **Bill of Rights for women:** A separate Bill of Rights for women that entitles a woman a life of dignity and security and will ensure that a woman shall have the right to have complete sexual autonomy including with respect to her relationships.

Review of the Armed Forces Special Powers Act: The panel has observed that the "impunity of systematic sexual violence is being legitimised by the armed forces special powers act." It has said there is an imminent need to review the continuance of AFSPA (Armed Forces

an institutional mechanism has been developed to ensure the safety and protection of women. Some permanent legislative measures have also been adopted by the Indian government. The Domestic violence Act 2005⁸ and Sexual Harassment at Work Place Act 2013 are worth mentioning.⁹

Special Power Act) in areas as soon as possible. It has also recommended posting special commissioners for women's safety in conflict areas.

Police reforms: To inspire public confidence, the panel said, "police officers with reputations of outstanding ability and character must be placed at the higher levels of the police force." All existing appointments need to be reviewed to ensure that the police force has the requisite moral vision. The panel strongly recommended that "law enforcement agencies do not become tools at the hands of political masters." It said, "Every member of the police force must understand their accountability is only to the law and to none else in the discharge of their duty."

Role of the judiciary: The judiciary has the primary responsibility of enforcing fundamental rights, through constitutional remedies. The judiciary can take *suo-motu* cognizance of such issues being deeply concerned with them both in the Supreme Court and the High Court. An all India strategy to deal with this issue would be advisable. The Chief Justice of India could be approached to commence appropriate proceedings on the judicial side. The Chief Justice may consider making appropriate orders relating to the issue of missing children to curb the illegal trade of their trafficking etc.

Political Reforms: Justice Verma committee observed that reforms are needed to deal with criminalisation of politics. The panel suggested that, in the event cognizance has been taken by a magistrate of an criminal offence, the candidate ought to be disqualified from participating in the electoral process. Any candidate who fails to disclose a charge should be disqualified subsequently. It suggested lawmakers facing criminal charges, who have already been elected to Parliament and state legislatures, should voluntarily vacate their seats. P.K. Giri, *Crime against Women*, Sublime Publication, Jaipur, 2009, pp.155-161.

⁸ The Act was brought into force by the Indian government from October 26, 2006. It was passed by the parliament in August 2005 and assented to by the president on 13 September 2005. The Act ensures the social and economic rights of women by providing them

The legal division of the crimes against women is done on the two lines one of which is of the general nature and the other of specific nature and both are linked to the gender crimes. As we know, violence against women is a universal phenomenon which is present in every nation and every society, but in this paper the focus of the study is on analysing the impact of globalisation on violence and crime against women. Fear of violence is an important factor in the lives of most women which lead to the social-economic and political exclusion of women from public life.

In Indian society, position of women is always perceived in relation to the men. This perception has given birth to various customs and practices which establish the supremacy of men over women that has further led to the controlling of public space by man-folk in India. Although women may be victims of general crimes such as 'murder', 'robbery', 'cheating', etc. The marginalisation of women from the mainstream and demand for the development and empowerment of women under the democratic set-up in India has led to the enactment of special laws that are required to deal with gender crimes. It is to mention that some specific provisions are made in the legal set-up to deal with the crime against women and amendments have also been made in the Indian Penal Code (IPC) to deal effectively with gender crimes. The

compensation from the culprit in case of loss of job and also ensures safety from physical and mental torture both by the husband as well as in the parental house. Government of India, *Domestic Violence Act, 2005*, National Commission for Women, New Delhi, 2005, pp.110-112.

⁹ The act seeks to protect women from sexual harassment at their place of work. The act defines sexual harassment at work place and creates a mechanism for redressal of complaints. It also provides safeguards against false or malicious charges. The definition of "aggrieved woman" who will get protection under the act is extremely wide to cover all women, irrespective of her age or employment status, whether in the organised or unorganised sector, public or private and covers clients and customers, both public and private. The act provides the report of inquiry of the offense by the committee within 90 days. On completion of the inquiry, the report will be sent to the employer or the district officer, as the case may be, they are mandated to take action on the report within 60 days. Government of India, *Sexual Harassment at Work Place Act, 2013*, National Commission For Women, New Delhi, 2013.

crimes against women are broadly categorised into two categories one is to be dealt under Indian Penal Code and the other with Special & Local Laws (SLL).¹⁰

The crimes dealt under the Indian Penal code (IPC)

- (1) Rape (Sex, 376 IPC)
- (2) Kidnapping & Abduction for specified purposes (sec 363-373 IPC)
- (3) Homicide for dowry, Dowry Death or their attempts (Sec. 302/304-BIOC)
- (4) Torture, both mental and physical (Sec.509IPC)
- (5) Molestation (Sec.354 IPC)
- (6) Sexual Harassment (Eve Teasing) (Sec. 509 IPC)
- (7) Importation of Girls (up to 21 years of age) (Sec.366-IPC)

The Crimes under the Special & Local Laws (SLL)

Although all the above crimes are related to gender violence and womanhood to a large extent, they are still dealt under the category of normal crimes and under the normal criminal procedure of the country; however, gender specific provisions of law affecting attesting women significantly have been revived periodically and amendments have also been carried out to keep pace with the emerging requirements. The gender specific laws are enacted by the state and central government to deal with the menace effectively. The gender specific laws are:

Immoral Traffic (prevention Act, 1956).

Dowry Prohibition Act, 1961.

Indecent Representation of Women (Prohibition) Act 1986.

Sati Prevention Act, 1987.

It is to mention that despite the existence of comprehensive legal frame-work and commitment shown by the government of

¹⁰ Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, New Delhi, 2011, p.79

India to protect, promote and empower women, there are many problems in the implementation and addressing of women's problem effectively. The laws against sexual offences are not developed comprehensively and to some extent show insensitivity of the law makers when one comes to know that the rape laws do differentiate between major and minor rape. The victims of gender crimes are not provided with any economic security which they need particularly to come-out from the social pressure after their issue becomes public; more importantly, there are no arrangements for proper psycho-therapy for the victims of gender crimes. The available data on crimes registered under the IPC and special laws on crimes against women can link globalisation and crime against women in India.

Incidents and rate of cognizable crimes (IPC) and change during the years.

Table-A (1)

Head-wise Incidents of Crime against Women during 2009 - 2012 and Percentage Variation in 2013 over 2012

No.	Crime Head	Years							Percentage Variation in 2015 over 2014
		2009	2010	2011	2012	2013	2014	2015	
1	Rape (Sec. 376 IPC)	21,397	22,172	24,206	24,923	33,707	36,735	34,651	35.2
2	Kidnapping & abduction (Sec. 363 to 373 IPC)	25,741	29,795	35,565	38,262	51,881	57,311	59,277	35.6
3	Dowry death (Sec. 302 / 304 IPC)	8,383	8,391	8,618	8,233	8,083	8,455	7,634	-1.8
4	Cruelty by husband and relatives (Sec. 498-A IPC)	89,546	94,041	99,135	1,06,527	1,18,866	122,877	1,13,403	11.6
5	Assault on women with intent to outrage her modesty (Sec. 354 IPC)	38,711	40,613	42,968	45,351	70,739	82,235	82,422	56.0
6	Insult to the modesty of women (Sec. 509 IPC)	11,009	9,961	8,570	9,173	12,589	9,735	8,685	37.2
7	Importation of girl from foreign country (Sec. 366-B IPC)	48	36	80	59	31	13	6	-47.4

Crime Rate

The rate of crimes committed against women was 52.2 in 2013. Delhi UT has reported the highest rate of crime against women at 146.8 during the year 2013 as compared to 52.2 at the national level.

Trend Analysis

The head-wise details of reported crimes from the year 2008 to 2013 along with percentage variation are presented below. The crime against women during the year 2013 has increased by 26.7% over the year 2012 and by 51.9% over the year 2009. The IPC component of Crimes against women has accounted for 95.6% of the total crimes and 4.4% under SLL.

The proportion of IPC crimes committed against women towards total IPC crimes has increased during the last 5 years from 9.2% in the year of 2009 to 11.2% during the year 2013.

A	Total IPC crime against Women	194,832	205,009	219,142	232,528	2,95,896	3,25,327	3,14,375	-3.3
8	Commission of Sati Prevention Act, 1987	0	0	1	0	0	0	0	0
9	Immoral Traffic (Prevention) Act, 1956	2,474	2,499	2,435	2,563	2,579	2,070	2,424	0.6
10	Indecent Representation of Women (Prohibition) Act, 1986	845	895	453	141	362	47	40	156.7
11	Dowry Prohibition Act, 1961	5,650	5,182	6,619	9,038	10,709	10,050	9,894	17.9
B	Total SLL crime against Women	8,969	8,576	9,508	11,742	13,650	12,593	12,819	16.2
	Total(A+B)	2,03,804	2,13,585	2,28,650	2,44,270	3,09,546	3,37,922	3,27,394	26.7

Source: Government of India, Crime of India, NCRB, Ministry of Home Affairs, New Delhi, 2013, 2015.

Table-A 2)

Proportion of Crime against Women (IPC) Towards Total IPC Crimes

Sr. No.	Year	Total Registered Crimes under IPC	Crimes against Women Registered under IPC	Percentage to Crimes Register Against Gender Crimes under IPC Crimes
1	1991	16,78,375	74,093	4.4
2	1992	16,89,341	79,037	4.7
3	1993	16,29,936	83,954	5.2
4	1994	16,35,251	98,948	6.0
5	1995	16,95,696	1,06,471	6.3
6	2003	17,16,120	1,31,364	7.6
7	2004	18,32,015	1,43,615	7.8
8	2005	18,22,602	1,43,523	7.9
9	2006	18,78,293	1,54,158	8.2
10	2007	19,89,673	1,74,921	8.8
11	2008	20,93,379	1,86,617	8.9
12	2009	21,21,345	2,03,804	9.2
13	2010	22,24,831	2,13,585	9.6
14	2011	23,25,575	2,19,142	9.4
15	2012	23,87,188	2,44,270	10.2
16	2013	26,47,722	2,95,896	11.2
17	2014	28,51,563	3,25,327	11.4
18	2015	29,49,400	3,14,575	10.7

Source: Government of India, Crime in India, NCRB, 1991, 2003, 2008, 2012 and 2013, 2015 Ministry of Home Affairs, New Delhi.

Rape (Sec 376 IPC)

A total of 34,651 cases of rape under section 376 IPC were registered during 2015

(excluding cases under the Protection of Children from Sexual Offences Act, 2012). An increasing trend in the incidence of rape has been observed during the periods 2011 - 2014.¹¹

There were 33,764 victims of rape cases in the country during the year 2013.¹² The rate of crime increased in the year 2014 and again decreased in 2015. In 2010 there were 22193 victims of rape out of 22,172 reported cases in the country. 13.1% (4,427 out of 33,764) of the total victims of rape were girls under 14 years of age, while 26.3 % (8,877) were teenage girls (14-18 years). 46.1% (15,556) victims were women in the age of group 18-30 years. 4,648 victims (13.8%) were in the age-group of 30-50 years while 0.7% (256 victims) was over 50 years of age.

In 2011 there were 24206 victims of rape out of 24270 reported rape cases in the country 10.6% (2582) of the total victims of rape were girls under 14 years of age, 19.0% (4646) victims were Teenage girls (14-18 years), 54.7% (13,264 victims) were women in the age group 18-30 years. However, 15.0% (3637) victims were in the age of group at 30-50 years while 0.6% (141 victims) was over 50 years of age.

Offenders were known to the victims in as many as 22549 (94.2%) cases. Parents' close family members were involved in 1.2% (267 out of 22549 cases, neighbours were involved in 34.7% cases (7835 out of 22549 cases) and relatives were involved in 6.09% (1560 out of 22549) cases.

There were 24915 victims of rape out of 24923 reported rape cases in the country during the year 2012. 12.5% (3125) of the total victims of rape were girls under 14 years of age; while 23.9% (5959 victims) were teenage girls (14-18 years) 50.2% (12511 victims) were women in the age group 18-30 years. However, 12.8% (3187 victims) victims were in the age group of 30-50 years while 0.05% (135 victims) were over 50 years of age.

¹¹ Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, New Delhi, 2015, p.88.

¹² Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, 2013, 2014, 2015.

Offenders were known to the victims in as many as in 24470 (98.2%) cases. Parents/close family members were involved in 1.6% (393 out of 24470 cases) and relatives were involved in 6.05% (1585 out of 24470 cases) cases.

A decreasing trend in rape cases has been observed during 2008-2009. Thereafter an increasing trend in the incidents of rape has been observed during the periods of 2009-2012. These cases reported a decline of 0.3% in the year 2009 over 2008, an increase of 3.6% in 2010 over 2009, an increase of 9.2% in the year 2011 over the year 2010 and an increase of 3.0% in the year 2012 over 2011.

Madhya Pradesh has reported highest number of rape cases (3425) accounting for 13.7% of total number of such cases reported in the country. Mizoram has reported the highest crime rate of 20.8% as compared to national average of 4.3%.

Rape cases have been further categorised as incest and other rape cases. Incest cases have decreased by 7.3% cases in 2010 and increased by 46.8% from 267 cases in 2011 to 392 cases in 2012 as compared to 3.0% increase in overall rape cases reported in the country.

A total number of 10782638 oral, written, telephonic or suo-moto complaints were recorded by the police across the country in 2012. But 15 states and 3 union territories did not provide separate records for complaints and FIRs. 13 states and UTs received a total of 7147332 complaints in 2012. Out of these only 2406253 i.e., is 33.66% were converted into FIRs. Delhi has the worst record of converting only 2.49% complaints into FIRs.

Out of the total number of 38144 rape cases pending investigation in 2012, charge-sheets were submitted in 21565 (56.5%) cases. Investigations were still pending in 14695 (35.9%) rape cases at the end of the year. The charge sheeting rate calculated by the NCRB does not take the pending cases into account, hence the rate provided is as high as 95.6% for rape. This manner of calculation is highly questionable and conceals more than it reveals.

Near about 101041 rape cases under trial in the courts, trials were completed in 14717 (14.6%)

cases. Of these, conviction happened in 3563 cases, 292 were compounded or withdrawn, and the accused were acquitted or discharged in 11154 cases. The conviction rate for rape, therefore, was as low as 24.2% in 2012, down from 26.4% in 2011 and 26.6% in 2010. The average number of IPC cases per police personnel was 2.5 in 2012, the same as in 2011, contrary to constant refrains of overburdening of the police.

The rapes were committed by the following: parent/close family member 393 (1.6%) other relatives 1585 (6.4%), neighbours 8484 (34%) other known persons 14008 (56.2%) and unknown persons 453 (1.8%). Moreover 1175 incidents of rape by juveniles were reported in 2012. Out of these, 881 were committed by 16-18 year olds, 391 by 12-15 years, and 33 by 7-12 year olds. 28 rapes were also reported in the railways in 2012. For every one hour, 2.84 cases of rape were reported across the country in which on an average 3.55 persons was arrested during the year 2012, suggesting a significant number of gang rapes. A total number of 100727 rape cases were pending in the criminal justice system at the end of 2012, with 14695 pending investigations by police and 86032 pending trial in the courts.¹³

Kidnapping & Abduction

(Sec.363-373 IPC)

A total of 59,277 cases were registered under kidnapping & abduction of women during 2015. These cases have shown an increase of 3.4% during 2015 over the previous year 2014 (from 57,311 cases). Uttar Pradesh with 10,135 cases of kidnapping & abduction has accounted for 17.1% of the total such cases. Delhi UT has reported the highest crime rate at 46.3 compared to the national average of 9.8.

Out of 59,277 cases of kidnapping & abduction, maximum number of cases of kidnapping & abduction of women were registered for marriage purposes (31,778 cases) Crime in India-2015 88 Crime in India-2015 89 which accounted for 53.6% of total such cases

during 2015. A total of 59,277 cases of kidnapping & abduction with 60,652 victims were registered in the country during the year 2015. Maximum number of cases of kidnapping & abduction of women for marriage purposes were reported in Uttar Pradesh (8,290 cases) followed by Bihar (4,444 cases) and Assam (4,141 cases) during 2015.¹⁴

These cases have reported an increase of 35.6% in 2013 during the year as compared to previous year 2012 (38,262 cases) and the cases have reported an increase of 7.6% during the year 2012 as compared to previous year 2011 (35656 years). Uttar Pradesh with 79737 cases has accounted for 18.8% of the total number of cases at the national level in 2013. Delhi has reported the highest Crime rate at 41.1as compared to the national average at 8.8.¹⁵

Dowry Death

According to the Indian National Crime Record Bureau (NCRB) in 2010, 8391 dowry death cases were reported across India. This means a bride was burned after every 90 minutes, or dowry issues caused 1.4 deaths per year per 100, 000 women in India. The cases of dowry deaths increased by 2.7% during the year 2011 over the previous year (8391 cases) 26.91 of the total number of such cases reported in the country were from Uttar Pradesh (2322 cases) alone followed by Bihar (1413 cases) (16.4%) The highest rate of crime (1.4) was reported from Bihar as compared to the national average of 0.7.¹⁶

The cases of dowry deaths decreased by 1.8% during the year 2013 over previous year (861233 cases) and 28.9% of the total number of such cases reported in the country was from Uttar Pradesh (2335 cases) alone, followed by Bihar (1182). The highest rate of crime (2.43) was reported from Bihar followed by Uttar Pradesh (2.36) as compared to the

¹³ Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, New Delhi, 2012, 2013, 2104, 2015.

¹⁴ Government of India, *op.cit* No. 11.

¹⁵ *Ibid*.

¹⁶ United Nations reports a worldwide average female homicide rate 3.6 per 100,000 women and average of 1.6 homicide per 100, 00 women for Northern Europe in 2012. Although India's dowry death rate per 100,000 is lower than equivalent rate for Pakistan and Bangladesh, it is a significant social issue in India. Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, 2013, p. 85.

national average at 1.4.¹⁷ The cases of dowry deaths have declined by 9.7% during the year 2015(7,634 cases) over the previous year (8,455 cases). A total of 7,646 victims were reported under 7,634 dowry deaths cases in the country during the year 2015.

30.6% of the total cases of dowry deaths were reported in Uttar Pradesh (2,335 cases) alone followed by Bihar (1,154 cases). The highest crime rate in respect of dowry deaths was reported in Bihar and Uttar Pradesh (2.3 each) as compared to the national average of 1.3.

Torture (Cruelty by Husband & Relatives)

The cases of cruelty by husband or his relatives in the country have decreased by 7.7% during 2015 over the previous year (1, 22,877 cases). Most of these cases were reported in West Bengal (20,163 cases) followed by Rajasthan (14,383 cases), Assam (11,255 cases) and Uttar Pradesh (8,660 cases), these four States together accounted for 48.0% of total such cases (54,461 out of 1,13,403 cases). The highest crime rate (71.5) was reported from Assam as compared to the national rate at 18.7.¹⁸

Torture cases against women increased by 11.6% during the year 2013 over the previous year (1, 06,527 cases) and 40.8% of these were reported from West Bengal (18,116 cases) followed by Rajasthan 12.7% (15,094 cases) and Andhra Pradesh 12.7 % (15,084). The highest crime rate of 56.4 was reported from Tripura as compared to the national rate at 20.1.¹⁹

Assault on Women with Intent to Outrage their Modesty

Incidents of assault on women with intent to outrage her modesty in the country have increased by 0.2% (from 82,235 cases in 2014 to 82,422 cases in 2015) during 2015 over the previous year. Maharashtra (11,713 cases) has reported the highest number of such crimes followed by Madhya Pradesh (8,049 cases) and Uttar Pradesh (7,885 cases). Delhi UT has reported the highest crime rate of assault on women with intent to outrage her modesty cases (57.8) compared to the national average

of 13.6. A total of 82,800 victims were reported under 82,422 cases of assault on woman with intent to outrage her modesty cases in the country during the year 2015.

Out of 82,422 cases of assault on women with intent to outrage her modesty, 24,041 cases were registered under sexual harassment (sec.354A IPC) during 2015. Maximum such cases were registered in Uttar Pradesh (5,925 cases) followed by Maharashtra (4,751 cases) in 2015.

Incidents of molestation in the country increased by 56.0% during the 2013 over the previous year (45,351 cases) and Madhya Pradesh reported the highest incidence (8,252) amounting to 15.5% of total number of such incidents. Kerala has reported the highest crime rate (11.2) during 2011 as compared to the national average of 3.6. Incidents of Assault on women with intent to outrage their modesty in the country increased by 5.5% during 2012 over the previous year (42,968 cases) and Madhya Pradesh reported the highest incidents (6655) amounting to 14.7% to total number of such incidents during 2012. Kerala reported the highest crime rate (20.9 as compared to the national average of 7.7 during 2012.²⁰ Sexual harassment still persists at workplaces in India despite stringent legislation against it.

Importation of Girls from a foreign country

A decline of 53.8% has been observed in cases registered under this crime head in 2015 over 2014 (13 cases). West Bengal (4 cases) and Uttarakhand (2 cases) reported all such cases during 2015.²¹

A decrease of 47.4% was observed in cases registered under this crime in 2013 (31 cases) over 59 cases registered in 2012. West Bengal (9cases), Bihar and Madhya Pradesh (7 cases each) together registered in 74.2% of total such cases at the national level (23 out of 31 cases). An increase of 122.2% was observed in crime rate as 80 cases were reported during the year 2011 as compared to 36 cases in the previous year (2010). Madhya Pradesh (45 cases), Bihar (10 cases) and Karnataka (12 cases) together contributed more than two-third of total

¹⁷ *Ibid*, p. 83.

¹⁸ Government of India, *op.cit*, No. 11, 2015.

¹⁹ *Ibid*, p. 84.

²⁰ *Ibid*

²¹ Government of India, *op.cit* , No. 11, 2015, p.88

number of such cases at the national level. A decrease of 26.2% was observed in crime head as 59 cases were reported during the year 2012 as compared to 80 cases in the previous year (2011).²²

The Crime under the Special & Local Laws (SLL)

Although all laws are not gender specific, the provisions of the law affecting women have been significantly reviewed periodically and amendments carried out to keep pace with the emerging requirements. The gender specific laws for which crime statistics are recorded throughout the countries are as follows:

Immoral Traffic (prevention) Act, 1956

The cases refer to crimes perpetrated on women only registered under the Immoral Traffic (P) Act.

The highest number of cases under the Immoral Traffic (P) Act were reported in Tamil Nadu (491 cases out of 2,424 cases) accounting for 20.3% of total such cases followed by Karnataka (420 cases), Maharashtra (381 cases), Telangana (252) and Andhra Pradesh (204). Karnataka, Tamil Nadu and Telangana have reported the highest crime rate of 1.4 each as compared to the national average of 0.4.

Out of 2,424 cases registered under the Immoral Traffic (Prevention) Act, 1,193 cases under section 5 (procuring, inducing or taking persons for prostitution), 79 cases under section 6 (detaining of persons in premises where prostitution carries on), 176 cases under section 7 (prostitution in vicinity of public places), 288 cases under section 8 (seducing or soliciting for the purposes of prostitution) and 688 cases under other sections of the Immoral Traffic (P) Act were reported during 2015. Maharashtra (133 cases), Kerala (63 cases) and Karnataka (48 cases) have reported maximum cases of seducing or soliciting for the purposes of prostitution, these three States together accounted for 84.7% of total such cases reported in the country (244 out of 288 cases) during 2015.²³

Cases under this act registered an increase of 0.6% during 2013 as compared to the 2012(2,563).The highest number of incidents of 21.3% (549 cases) of such cases were reported from Tamil Nadu followed by Andhra Pradesh 19.0% (489 cases). Daman and Diu reported the highest crime rate of 6.0 as compared to the national average of 0.4.

The number of cases under this act registered a decrease of 2.6% during the 2011 year as compared to the previous year (2499). 20.1% (497) cases were reported from Andhra Pradesh followed by Tamil Nadu 17.2% (420 cases). Daman and Diu reported the highest crime rate of 2.5 as compared to the national average of 0.2%. Cases under this act registered as increase of 5.2% during 2012 as compared to the 2011(2,435).The highest number of incidents of 19.5% (500 cases) of such cases were reported from Tamil Nadu followed by Andhra Pradesh 18.4% (742 cases). Goa reported the highest crime rate of 4.6 as compared to the national average of 0.2.²⁴

Dowry Prohibition Act

The cases registered under the Dowry Prohibition Act have decreased by 1.6% during the year 2015 as compared to the previous year (10,050 cases). Maximum such cases were reported in Uttar Pradesh (2,766 cases) followed by Bihar (1,867 cases), Jharkhand (1,552 cases) and Karnataka (1,541 cases). The highest crime rate (2.7) was reported from Uttar Pradesh as compared to 1.6 at the national level.

The incidents of cases under this act increased by 17.9 % during the year 2013 as compared to the previous year (9,038cases) and 18.8% of cases were reported from Odisha (2,014) followed by Bihar (1,893 cases) accounting for 17.7% of total number of cases at the national level. The highest crime rate of 9.8 was reported from Odisha as compared to 1.8 at the national level.

The cases under this act increased by 27.1% during the year 2011 as compared to the previous year (5182 cases) and 28.7% of cases were reported from Andhra Pradesh (1899) followed by Karnataka (1210 cases) accounting

²² Ibid

²³ Government of India, *op.cit* , No. 11, 2015, p.88

²⁴ Ibid

for 18.3% of total number of cases at the national level. The highest crime rate of 2.5 was reported from Odisha as compared to 0.5 at the national level. The cases under this act increased by 36.5% during the year 2012 as compared to the previous year (6619 cases) and 27.8% of cases were reported from Andhra Pradesh (2,511) followed by Odisha (1487 cases) accounting for 16.5% of total cases at the national level. The highest crime rate of 7.3 was reported from Odisha as compared to 1.5 at the national level.

Indecent Representation of Women (prohibition) Act 1986

A decline of 14.9% was registered in this crime head during the year 2015 as compared to the previous year (47 cases). Andhra Pradesh reported maximum such cases accounting for 30.0% (12 cases out of 40 cases) of total such cases during 2015.²⁵

A decrease of 156.7% was noticed under this crime head during the year 2013 as compared to the previous year (141 cases). Andhra Pradesh reported 69.3% of total such cases (251 out of 362 cases) with crime rate of 0.6 cases compared to crime rate of 0.1 at the national level in the year 2013.

A decrease of 49.4% was noticed under this crime head during the year 2011 as compared to the previous year (895 cases). Andhra Pradesh with 314 cases accounted for 69.3% of total number of such cases at the national level (0.4). Data showed that cases registered under indecent representation of women (Prohibition) Act, 1986, witnessed a sharp decline over the year 2011. A decrease of 68.9% was noticed under this crime head during the year 2012 as compared to the previous year (453 cases). Rajasthan with 62 cases accounted for 44% of total such cases at the national level (0.2).²⁶

Sati Prevention Act 1987

One case was registered under this crime head in Jammu & Kashmir during the year 2011. No case was registered under this crime head

across the country during the period of 2012 to 2015 as per the government record.²⁷

Suggestions

Crime against women is one of the serious issues which spread from family to the public and political realm. Only legislation and law enforcement agencies cannot prevent the incidents of crime against women. There is an urgent need for social awakening and change in the mind set of the masses, so that due respect and equal status is given to women. As established by the various studies on crime and criminology, the crime always starts in the mind and before the commission of a crime every individual has some kind of thought by way of revenge or greed, which is also influenced by the surroundings and social thinking and the actual position of law and order. The policy initiatives aimed at curbing violence against women should be comprehensive and multi-tasked as the requirement is not only to make laws and implement them effectively but it also needs more to do in the direction of gender sensitisation of the every individual of society including men, women, children and old people.

This awakening can be brought about by education campaign among youth making them aware of the existing social evils and the means to eradicate them. Mass media can also play an active role in the awakening of youth. Various NGOs can hold a responsible position here by assigning themselves the task of highlighting socio-economic causes leading to such crimes and by disseminating information about their catastrophic effect on the womanhood and the society at large. Simultaneously, law and enforcement agencies should be well trained to react swiftly and with sensitivity towards the women and children cases. Exemplary punishment should be given to culprits and zero-tolerance approach against sex offenders be adopted. Radical reforms can be done in the old police and security system by following the latest techniques of crime investigation and surveillance like the initialisation of cameras at public places, proper lighting and easy

²⁵ Government of India, *op.cit*, No. 11, 2015, p.88

²⁶ Government of India, "Crime of India", *National Crime Record Bureau, India (NCRB)*, Ministry of Home Affairs, 2015, p. 92

²⁷ Government of India, *op.cit*, N. 14,p.85.



access to the police through the public information system.

Although globalisation has provided a new platform to Indian women and they are also able to establish a new identity as competent professionals like women of any other part of the world do. The easy access to the knowledge and information along with professional education has opened new horizons of opportunities and earning; however, the economic gains of globalisation are limited to the few metropolitan and urban educated women. The vast majority of rural and uneducated women are still untouched by the positive outcome of globalisation. Infact they have lost the benefits of the mixed and welfare economy due to the adoption of NEP by the Indian government.

It is observed by a majority of studies that the social impact of globalisation and social change is very slow; the age old superstitions

and the deprivation of women of their socio-economic and political rights continues. The lack of social security and the consequent violence which has been created by the new culture of working outside the house and also bearing the age old practices of performing the house-hold chores alone. The age old definition of a "good woman" is equally relevant both in the urban and rural India and determinants of being a good woman constitute to be the same as they were before globalisation. Their choice for taking personal decisions is still under the control of the male members of the family. The negative impact of global health technology and the alarming decrease in the sex-ratio of the girl child in the last two and half decades present a very bleak picture of the social backwardness of the Indian society.