



## RISING CRIME AGAINST WOMEN - GS I AND II MAINS

**Q.** Sexual crimes are against the right to live with dignity and violate fundamental rights. Discuss the root causes of sexual violence in India and bring out the steps taken by Indian government to eliminate it. (15 marks, 250 words)

**News:** *Rising crime against women has put Odisha to shame: Pradhan*

### What's in the news?

- Union Minister Dharmendra Pradhan slammed the state government for rising atrocities against women and its failure to provide justice to victims.

### Causes for Rising Crime Against Women:

#### 1. Few female police:

- Studies show that women are more likely to report sex crimes if female police officers are available.
- India has historically had a much lower percentage of female police officers than other Asian countries.

#### 2. Not enough police in general:

- There aren't enough police dedicated to protecting ordinary citizens and the officers often lack basic evidence-gathering and investigative training and equipment.

#### 3. Blaming provocative clothing:

- There's a tendency to assume the victims of sexual violence somehow brought it on themselves.
- In a survey, 68% of the respondents said that provocative clothing is an invitation to rape. In response to the recent gang-rape incident, a legislator in Rajasthan suggested banning skirts as a uniform for girls in private schools, citing it as the reason for increased cases of sexual harassment.

#### 4. Lack of public safety:

- Women generally aren't protected outside their homes. Many streets are poorly lit, and there's a lack of women's toilets.
- Women who drink, smoke or go to pubs are widely seen in Indian society as morally loose, and village clan councils have blamed a rise in women talking on cell phones and going to the bazaar for an increase in the incidence of rape.

#### 5. Stigmatising the victim:

- When verbal harassment or groping do occur in public areas, bystanders frequently look the other way rather than intervene, both to avoid a conflict and because they on some level blame the victim.



- Male politicians contribute to the problem, making statements that make light of rape or vilify rape victims' supporters.

## 6. Encouraging rape victims to compromise:

- Rape victims are often encouraged by village elders and clan councils to "compromise" with the family of accused and drop charges or even to marry the attacker.
- Such compromises are aimed at keeping the peace between families or clan groups. What's more, a girl's eventual prospects of marriage are thought to be more important than bringing a rapist to justice.

## 7. Sluggish court system:

- India's court system is painfully slow, because of a shortage of judges. The country has about 15 judges for every 1 million people. This leads to delay in justice.

## 8. Low status of women:

- Perhaps the biggest issue, though, is women's overall lower status in Indian society. Patriarchal mindset and feudal mindset have led to women being tagged as burden and an object.

## Laws and safeguards for Women:

**1. Section 354 of the IPC criminalises** any act by a person that assaults or uses criminal force against a woman with the intention or knowledge that it will outrage her modesty. Such an act is punishable with either simple or rigorous imprisonment.

**2. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:**

- To ensure women's safety at workplace, this Act seeks to protect them from sexual harassment at their place of work. 36 % of Indian companies and 25% among MNC's are not compliant with the Sexual Harassment Act according to a FICCI report.

**3. National Database on Sexual Offenders (NDSO):**

- The government in 2018 launched the National Database on Sexual Offenders (NDSO).
- The database contains entries of offenders convicted under charges of rape, gang rape, POCSO and eve teasing.
- The portal as of now contains 440,000 entries of cases that have been reported since 2008.
- It's managed by the National Crime Records Bureau.
- The database is accessible only to the law enforcement agencies for investigation and monitoring purposes.

**4. Fast track courts:**

- As a result of the 2012 Delhi gang rape case, the Indian government implemented a fast-track court system to rapidly prosecute rape cases.

**5. Marital rape:**

- Marital rape is not a criminal offence within Indian legal framework, except during the period of judicial separation of the partners.



- Forced sex by husbands upon wives does have legal consequences in Indian matrimonial law, in that it can be treated as a matrimonial fault, resulting in dissolution of the marriage.

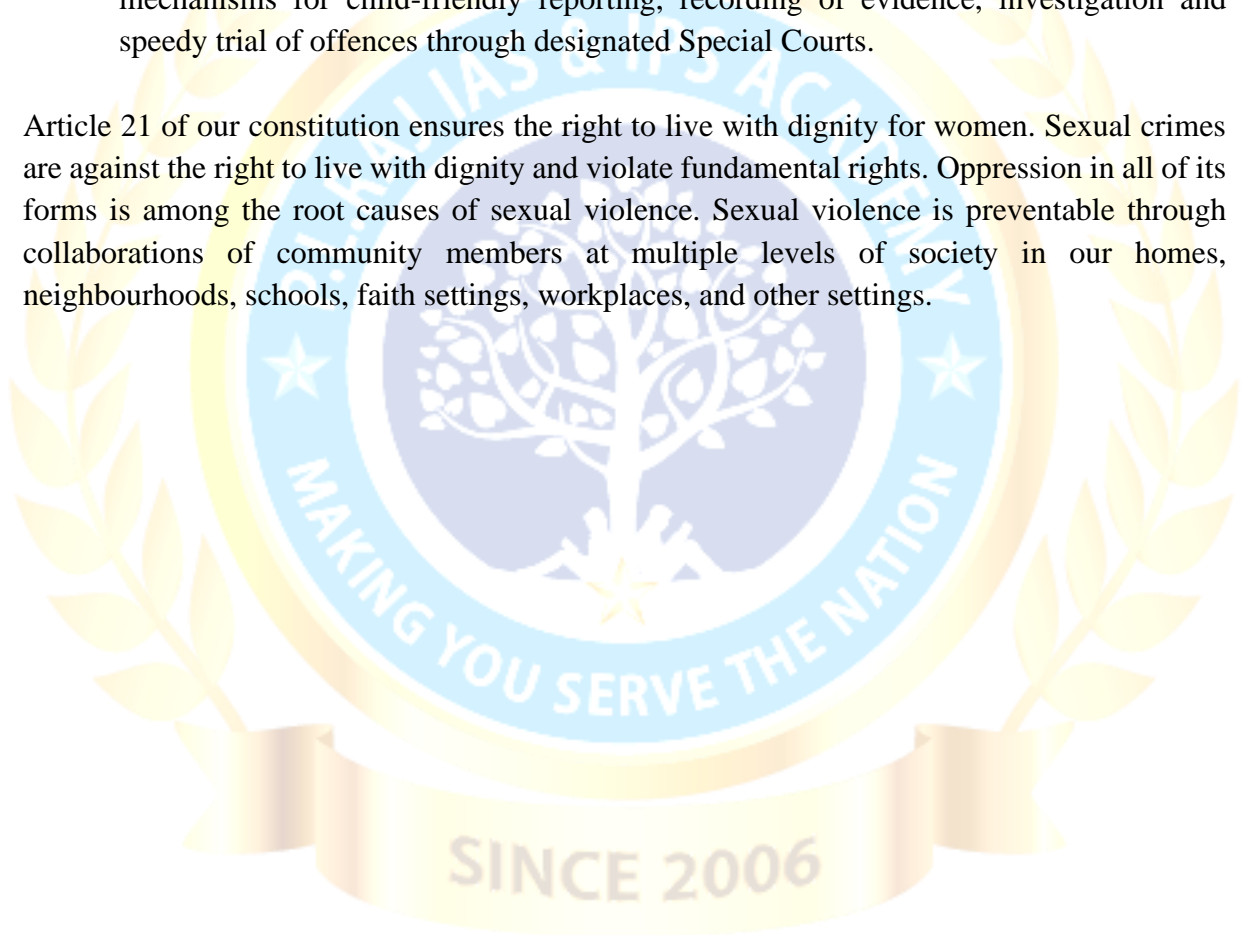
## 6. Education programmes:

- In 2017, the Ministry of Health and Family Welfare unveiled resource material relating to health issues to be used as a part of a nationwide adolescent peer-education plan called Saathiya. Among other subjects, the material discusses relationships and consent.

## 7. The Protection of Children from Sexual Offences (POCSO) Act:

- The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to provide a robust legal framework for the protection of children from offences of sexual assault, sexual harassment and pornography.
- The framing of the Act seeks to put children first by making it easy to use by including mechanisms for child-friendly reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts.

Article 21 of our constitution ensures the right to live with dignity for women. Sexual crimes are against the right to live with dignity and violate fundamental rights. Oppression in all of its forms is among the root causes of sexual violence. Sexual violence is preventable through collaborations of community members at multiple levels of society in our homes, neighbourhoods, schools, faith settings, workplaces, and other settings.



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