



## Addressing Women's Safety in India

This editorial is based on "[Kolkata rape and murder: When the law fails women](#)" which was published in The Indian Express on 21/08/2024. This article talks about the brutal rape and murder of a young doctor revealing persistent failures in India's legal system. Urgent reforms are needed to impose stricter penalties and expedite trials to prevent a culture of impunity and better protect women.

**For Prelims:** [Crime Against Women](#), [Gender Equality](#), [National Crime Records Bureau's Annual Reports](#), [Sexual Harassment At Work](#), [Child Marriage](#), [Dowry System](#), [Vishakha Guideline](#), [Supreme Court](#), [Domestic Violence](#), [Acid Attacks On Women](#), [Pre-Natal Diagnostic Techniques Act 1994](#), [Article 21](#), [Nirbhaya Fund](#), [One Stop Centres](#), [Mahila Police Volunteers](#), [Investigation Tracking System For Sexual Offences](#), [Justice Verma Committee](#), [Representation of Women in Law Enforcement and the Judiciary](#).

**For Mains:** Significance of Government Policies & Interventions in Addressing Issues Related to Women.

[Crime against women](#) in India remains a pervasive and deeply concerning issue, challenging the nation's progress towards [gender equality](#) and social justice. The brutal rape and murder of a doctor in Kolkata highlights the current inadequacies in enforcing women safety measures. Despite legislative measures and growing awareness, the incidence of violence against women continues to be alarmingly high, as evidenced by the [National Crime Records Bureau's annual report](#)s. From domestic violence and sexual assault to dowry-related crimes and human trafficking, women in India face a wide spectrum of threats to their **safety, dignity, and well-being**.

The roots of this persistent problem lie deep within India's **complex social fabric**, where **patriarchal norms, economic disparities, and cultural practices** often intersect to perpetuate gender-based violence. While urban areas have seen increased reporting and awareness, rural regions still grapple with underreporting due to social stigma and lack of access to support systems.

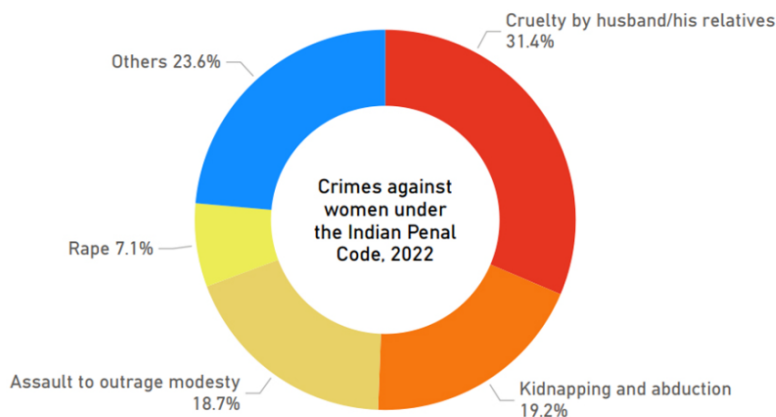
Addressing this complex problem requires not only enforcing existing laws more effectively but also adopting a multifaceted approach that includes community engagement, enhanced support systems, and comprehensive data analysis to create a safer and more equitable environment for women.

### What are the Statistics on Women's Safety?

- **Overall Statistics:** According to the **National Crime Records Bureau's (NCRB) 2022 report**, a total of **4,45,256 cases** of crimes against women were registered across India in 2022, marking a 4% increase from the previous year, which translates to nearly 51 FIRs every hour.
  - The rate of crimes against women per lakh population stood at **66.4**, while the filing charge sheet rate was recorded at **75.8**.
- **Types of Crimes:** The majority of crimes against women were categorized as **cruelty by husband or relatives**, making up 31.4% of cases.

- **Kidnapping and abduction** of women constituted **19.2%**, assault with intent to **outrage modesty** accounted for **18.7%**, and **rape** was reported in **7.1%** of cases.
- Incidents of **sexual violence against women** peaked at nearly 39,000 in 2016, and in 2018 on an average one woman was raped every 15 minutes across the country.
- India has seen over 400 cases of [sexual harassment at work](#) every year since 2018, with an average of 445 cases being reported yearly.
- [Juveniles](#) were involved in 86 cases of rape, 68 cases were of outraging the modesty of women.
- **State-wise Data: Delhi** had the **highest rate of crimes against women**, with a rate of 144.4 per lakh population and 14,247 cases reported in 2022.
  - **Uttar Pradesh** registered the **highest number of cases**, with 65,743 FIRs, followed by Maharashtra, Rajasthan and West Bengal.

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## What are the Challenges in Addressing Crime Against Women?

- **Patriarchal Societal Norms:** Patriarchal values that view women as subordinate contribute to a culture of violence.
  - For instance, Khap Panchayats often enforce rigid gender norms and endorse practices that undermine women's autonomy.
- **Exploitation at Workplace:** Despite the enactment of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, India continues to grapple with rampant cases of sexual harassment and exploitation of women in various work environments.
  - The NCRB data reveals an average of over 400 cases of sexual harassment at work being reported annually.
  - The recent report of **Justice Hema Committee** on examining workplace conditions in Malayalam film industry reveals a pervasive culture of sexual exploitation in the industry, highlighting severe **gender disparities** in pay and inadequate workplace protections, including ineffective internal complaints committees.
- **Lack of Safe Public Spaces: Unsafe public spaces** increase women's vulnerability to crime. The lack of safe and **well-lit streets**, and **inadequate public transport**, can lead to harassment and assaults.
  - For instance, the infamous **2012 Delhi gang rape** incident occurred in a poorly lit area of the city, highlighting the dangers of inadequate public safety measures.
- **Insufficient Infrastructure and Resources:** Many areas lack the necessary infrastructure, such as **functional police stations, forensic labs, and emergency services, to handle and investigate** crimes effectively.
- **Weak Law Enforcement and Judicial Systems:** Inefficiencies in the legal system can prevent effective justice.

- For instance, the delay in the trial of **Nirbhaya's case** and the initial leniency towards the accused reflect systemic issues within law enforcement and the judiciary.
- Similarly, the **low conviction rate** in cases of sexual assault and domestic violence demonstrates the shortcomings in enforcing laws. Eg. the NCRB data shows the **conviction rate for rape** ranged from **27 to 28%** in the 2018-2022 period.
- **Systemic Issues:** Corruption within the legal and law enforcement systems can impede efforts to combat crimes against women, as bribery and misconduct may lead to mishandling or dismissal of cases.
  - For example, in several rape cases, as allegedly happened in recent **Badlapur sexual assault case**, police delay FIR filing.
- **Social Stigma and Victim Blaming:** Victim-blaming attitudes discourage women from reporting crimes.
  - In cases where women are assaulted or raped, they often face **stigma and blame** from their communities or even from law enforcement agencies.
  - For instance, politicians often make **irresponsible and loose comments** on rape incidents and victims, sometimes trivializing the severity of the crimes or placing undue blame on the survivors.
- **Gender inequality & Cultural Attitudes:** Disparities in **education, employment opportunities, and decision-making power and traditional beliefs and practices** contribute to women's vulnerability.
  - For instance, in some communities, practices like [child marriage](#) and restrictions on women's mobility are common, reflecting deep-rooted patriarchal attitudes. Also, the [dowry system](#) has led to numerous cases of dowry deaths and domestic violence.
- **Lack of Education and Awareness:** Limited education about **women's rights and legal protections** can leave women unprotected.
  - Traditional beliefs and limited access to education can deter women from reporting crimes or seeking justice, as seen in cases where victims of domestic violence remain silent due to ignorance.
- **Economic Dependency:** Women who are economically dependent on male family members may find it difficult to escape abusive situations.
  - For example, many women in lower-income families face financial dependency on their husbands, which can trap them in **abusive relationships**.
- **Domestic Violence:** Domestic violence often leads to more severe crimes. Women who experience domestic abuse may also suffer from sexual assault or murder.
- **Technological and Cyber Threats:** With the rise of digital platforms, women face new forms of **harassment and abuse online. Cyberbullying, stalking, and the non-consensual sharing of intimate images** are increasingly common issues that require updated legal and technical solutions.
- **Substance Abuse:** Substance abuse is linked to increased violence against women. Instances of violence often involve perpetrators under the influence of **alcohol or drugs**.
- **False Allegation:** Registering **fake rape cases** can seriously undermine the credibility of genuine victims. When people hear about false accusations, they may doubt the truthfulness of real cases. This can deter victims from coming forward, leading to fewer convictions and a greater sense of injustice.

## What are Various Frameworks and Initiatives?

- **Legal Framework:**
  - **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:** Framed on the basis of [Vishakha Guidelines](#) of the [Supreme Court](#), this act aims to create a safe working environment for women.
    - It mandates the creation of **Internal Complaints Committees (ICCs)** in organizations with over 10 employees, defines sexual harassment, and sets procedures for filing and investigating complaints.
    - The Act provides a comprehensive framework to prevent and address sexual harassment at work, ensuring protection and redressal for women.
  - **Criminal Law (Amendment) Act, 2013:** Also known as the **Nirbhaya Act**, it strengthened penalties for sexual offenses, introduces the death penalty for repeat rape offenders, and enhances provisions for the protection of survivors, including stricter

definitions and punishments for crimes such as rape, stalking, and harassment.

- The act defined new terms such as **stalking and voyeurism** as crimes with the minimum sentence of rape changed from seven to ten years.
- Additionally, the **Criminal Law (Amendment) Act, 2018**, was enacted to impose stricter penalties, including the death penalty for the rape of a girl under 12 years of age. The Act also requires that investigations and trials be completed within **two months** each.

- **The Protection of Children from Sexual Offences Act (POCSO):** Passed in 2012, it comprehensively deals with the issue of sexual offences against children. [POCSO](#) not only provides for the punishments for offences, but also sets out a system for support of victims and improved methods for catching offenders.
- **The Prohibition of Child Marriage Act, 2006:** This legislation aims to prevent **child marriages**, which disproportionately affect young girls, by setting the legal age of marriage at 18 for women and 21 for men.
- **The Protection of Women from Domestic Violence Act, 2005:** This landmark legislation provides a comprehensive definition of [domestic violence](#) and offers civil remedies to protect women from abuse within the home.
- **The Indecent Representation of Women (Prohibition) Act of 1986:** It prohibits the indecent representation of women in various forms, including advertisements, publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto.
- **The Immoral Traffic (Prevention) Act (ITP) of 1956:** It aims to prevent the commercialization of vices and trafficking of women by outlining the legal framework that prohibits running brothels and soliciting, while recognizing the legality of engaging in prostitution itself.

#### ▪ **Judicial Interventions:**

- **Joseph Shine vs. Union of India (2018):** This judgment **decriminalized adultery**, striking down a colonial-era law that was often used to control women's sexuality and reinforce patriarchal norms.
- **Independent Thought vs. Union of India (2017):** In this ruling, the Supreme Court **criminalized marital rape** for girls under 18, addressing a significant loophole in child protection laws.
- **Laxmi vs. Union of India (2014):** This case highlighted the issue of [acid attacks on women](#), prompting the Supreme Court to direct both central and state governments to regulate acid sales and improve compensation and medical treatment for acid attack survivors.
- **Delhi Gang Rape Case (Nirbhaya Case) (2012):** The brutal gang rape and murder of a young woman in Delhi in 2012 sparked widespread protests and calls for stricter and more effectively implemented laws. This case led to significant amendments in India's criminal laws, introducing harsher penalties for sexual offenses.
- **Lillu vs. State of Haryana (2013):** The Supreme Court held that the two-finger test violates the rape survivor's right to privacy, physical and mental integrity and dignity.
- **CEHAT vs. Union of India and others (2003):** The Supreme Court had given several directions regarding **sex selection and sex selective abortion** and for proper implementation of the [Pre-Natal Diagnostic Techniques Act 1994](#) by stating that female foeticide is a heinous act and an indicator of violence against women.
- **Vishakha and others vs. State of Rajasthan (1997):** This landmark Supreme Court judgment established the "Vishakha Guidelines" to prevent sexual harassment of women at the workplace, providing a framework for employers to address and prevent such harassment.
- **Other Cases:** In some cases like **Delhi Domestic Working women's Forum vs. Union of India** the Supreme Court held that rape is a severe violation of **fundamental human rights**, infringing upon the victim's most cherished rights, such as the right to life and privacy guaranteed under [Article 21](#) of the Constitution. Court responded by providing compensation to rape survivors.

#### ▪ **Government Initiatives:**

- **Nirbhaya Fund:** The Government established the [Nirbhaya Fund](#) to support projects enhancing the safety and security of women. **The Ministry of Women and Child Development** serves as the nodal authority for reviewing and recommending proposals

- and schemes for funding under this fund.
- **One Stop Centres and Women Helplines:** The Ministry of Women and Child Development has introduced [One Stop Centres](#) to provide integrated support to women affected by violence and a scheme for the **Universalisation of Women Helplines** to offer 24-hour emergency and non-emergency assistance.
  - **Mahila Police Volunteers:** It involves the deployment of [Mahila Police Volunteers](#) in States/UTs, who serve as **intermediaries between the police and the community**, providing assistance to women in distress.
  - **Swadhar Greh Scheme:** The Ministry of Women and Child Development administers the scheme, aimed at assisting **women facing challenging circumstances** who require institutional support for their rehabilitation. The scheme provides shelter, food, clothing, healthcare, and ensures economic and social security to help these women live with dignity.
  - **Working Women Hostel Scheme:** The Government implements this scheme to offer safe and conveniently located housing for working women. The scheme also aims to provide day care facilities for their children, where feasible, in urban, semi-urban, and rural areas with employment opportunities for women.
  - **Beti Bachao Beti Padhao(BBBP):** The scheme aims to prevent **gender biased sex selective elimination**, to ensure survival and protection of the girl child and to ensure **education** and participation of the girl child.
  - **Investigation Tracking System for Sexual Offences:** In 2019, the **Ministry of Home Affairs (MHA)** launched the "[Investigation Tracking System for Sexual Offences](#)" to assist States and Union Territories in monitoring and tracking time-bound investigations in sexual assault cases, as mandated by the **Criminal Law (Amendment) Act, 2018**.
  - **Emergency Response Support System (ERSS):** It provides a single emergency number (112) and computer-aided dispatch of field resources to distress locations.
  - **Safe City Projects:** It is an initiative of the **Ministry of Home Affairs**, in collaboration with the **Ministry of Women and Child Development under the Nirbhaya Fund**, aimed at creating a safe, secure, and empowering environment for women and girls in public spaces.
  - **Awareness Programs:** The Government conducts **awareness programs and publicity campaigns** on women's rights through workshops, cultural events, seminars, training programs, and media advertisements.

## What Should be the Way Forward?

- **Strengthening Implementation:** Existing laws and policies need to be implemented more effectively. This requires better training of law enforcement personnel, streamlining judicial processes, and ensuring accountability at all levels.
- **Fast-Track Courts:** Establish fast-track courts and enhance punishment for grave cases like rape, as recommended by [Justice Verma Committee](#). Increase women's representation in the judiciary.
- **Gender Sensitization:** Comprehensive **gender sensitization programs** should be introduced in schools, colleges, and workplaces to address the root causes of gender-based violence and discrimination.
- **Enhanced Police Training:** Improve training for police officers to handle gender-based violence cases more sensitively and effectively. This includes better evidence collection, victim support, and case documentation.
  - For example, implementing specialized police units like **SHE Teams**, a division of Telangana Police, for enhanced safety and security of women.
- **Improved Survivor Support Systems:** Expand and enhance support systems for survivors of violence, including **counseling services, rehabilitation programs, and economic assistance** to help them rebuild their lives.
- **Economic Empowerment:** Promote women's economic independence through **education, skill development, and employment opportunities**. Financial autonomy can reduce women's vulnerability to violence and exploitation.
- **Technology Utilization:** Leverage technology for **better reporting and tracking of crimes** against women. This could include user-friendly mobile apps for reporting crimes and AI-powered systems for data analysis.
- **Increased Women's Representation:** Boost the [representation of women in law enforcement](#)

[and the judiciary](#) to bring diverse perspectives and potentially improve the handling of gender-based violence cases.

- **Regular Impact Assessments:** Conduct periodic evaluations of existing schemes and policies to assess their effectiveness and make necessary adjustments.
- **Media Responsibility:** Encourage **responsible reporting** of crimes against women in the media, focusing on systemic issues rather than sensationalism.

## Recent Instructions of Union Ministry of Health and Family Welfare for Safety of Healthcare Professionals & Patients

- In response to the recent rape and murder mishap in Kolkata, the **Union Ministry of Health and Family Welfare** has directed all Central Government-run hospitals and major health institutes to enhance their security measures to address vulnerabilities while ensuring accessibility and safety for **healthcare professionals and patients**.
- The ministry's instruction outlines 12 key recommendations, including the installation of **high-resolution CCTV cameras, setting up control rooms for emergency response, and ensuring secure duty rooms and transport for female health professionals**.
- It emphasizes the need for **well-trained security guards, restricted access to sensitive areas**, and comprehensive emergency plans.
- Additionally, the instructions call for **improved lighting, regular security training for staff, and coordination with local police and emergency services**.

## Conclusion

The persistent challenge of crimes against women in India demands a **comprehensive, multi-pronged approach** to address this deeply entrenched societal problem. The grim statistics presented in the NCRB report serve as a sobering reminder that more needs to be done to ensure the safety and dignity of women in India.

The road ahead requires a steadfast **commitment from all stakeholders** to work in tandem towards creating a **safer and more equitable environment for women**. This endeavor must focus on proactive interventions that tackle the underlying social, cultural, and economic factors that perpetuate gender-based violence. Strengthening the **implementation of existing laws, enhancing gender sensitization programs, and providing comprehensive support services** for survivors are crucial steps.

Ultimately, the fight against crimes targeting women in India requires a sustained, concerted, and compassionate response from all corners of society. By working towards a future where women's rights and safety are inviolable, India can make meaningful progress towards achieving true gender equality and social justice.

### **Drishti Mains Question:**

Analyze the challenges faced by women at the workplace. What measures can be taken to improve compliance and enforcement of various legal provision like Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 ?

## UPSC Civil Services Examination Previous Year Question (PYQ)

### **Prelims:**

**Two of the schemes launched by the Government of India for Women's development are Swadhar and Swayam Siddha. As regards the difference between them, consider the following**

**statements: (2010)**

1. Swayam Siddha is meant for those in difficult circumstances such as women survivors of natural disasters or terrorism, women prisoners released from jails, mentally challenged women etc., whereas Swadhar is meant for holistic empowerment of women through Self Help Groups.

2. Swayam Siddha is implemented through Local Self Government bodies or reputed Voluntary Organizations whereas Swadhar is implemented through the ICDS units set up in the states.

**Which of the statements given above is/are correct?**

**(a)** 1 only

**(b)** 2 only

**(c)** Both 1 and 2

**(d)** Neither 1 nor 2

**Ans: (d)**

**Mains:**

**Q.** Is the National Commission for Women able to strategize and tackle the problems that women face at both public and private spheres? Give reasons in support of your answer. **(2017)**

**Q.** Discuss the positive and negative effects of globalization on women in India. **(2015)**

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