



Persistent Issue of Violence Against Women in India

For Prelims: [Indian Medical Association](#), [Fifteenth Finance Commission](#), [Concurrent list](#), [National Crime Records Bureau](#), [First Information Report](#), [PoSH Act](#), [Vishakha guidelines](#), [Beti Bachao Beti Padhao Scheme](#), [Ujjawala Scheme](#), [NIRBHAYA Fund](#)

For Mains: Women's Safety in India and Legal Reforms, Issues Related to Women, Role of societal norms and women empowerment

[Source: TH](#)

Why in News?

The recent rape and murder of a trainee doctor in Kolkata have **reignited nationwide concerns about women's safety** and intensified protests by healthcare workers, who are now **calling for a Central law to protect them**.

- Despite stricter laws, **crimes against women persist and continue to rise**, underscoring the urgent need for comprehensive reforms.

What are the Demands of Healthcare Workers?

▪ Demands:

- **Central Protection Act:** The [Indian Medical Association \(IMA\)](#) is advocating for the Implementation of a nationwide law to ensure the safety of healthcare professionals, similar to global examples like the **United Kingdom's National Health Service (NHS) zero-tolerance policy and the United States's felony (*crime that is serious enough to be punishable*) classifications for assaults**.
 - In the **US, felonies are categorised into classes** based on their maximum prison sentences.
 - Ranging from Class A felonies, the most serious, carry a maximum sentence of life imprisonment or death to Class E felonies range from more than 1 year to less than 5 years.
- **Enhanced Safety Measures:** Better lighting, security guards, and monitored security cameras in hospitals and medical facilities.
 - Ensuring **safer working and living conditions for doctors**, including well-lit corridors and secure wards.
 - Installation of security systems and emergency response mechanisms in healthcare settings.

▪ Current Provisions:

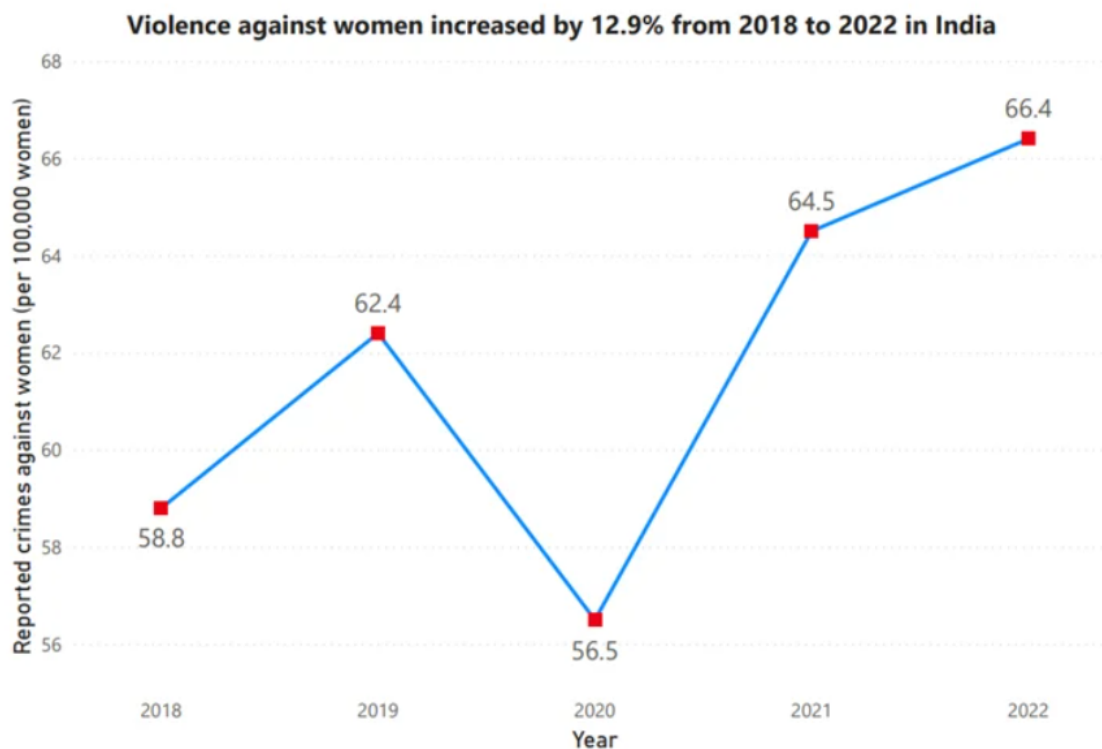
- **State Responsibilities:** [Health and law and order are primarily State subjects](#), with the Union government lacking centralised data on attacks on medical professionals.
 - **N.K. Singh, Chairman of the Fifteenth Finance Commission**, suggested that health **should be shifted to the Concurrent list under the Constitution**, as it is currently under the State List.

- **Ministry of Health and Family Welfare Order:** Mandates filing of a [First Information Report \(FIR\)](#) within six hours of any violence against healthcare workers.
- **National Medical Commission (NMC) Directives:** Requires medical colleges to develop policies for safe work environments and timely reporting of incidents.
- **Central Government Response for Demands:** The **Health Ministry** has stated that the Kolkata incident is covered under existing legal provisions and that a **Central Protection Act is unnecessary**, as 26 States and Union Territories already have laws protecting healthcare workers.
 - These State laws define violence against healthcare personnel as [cognisable and non-bailable](#), encompassing doctors, nurses, and paramedical staff.

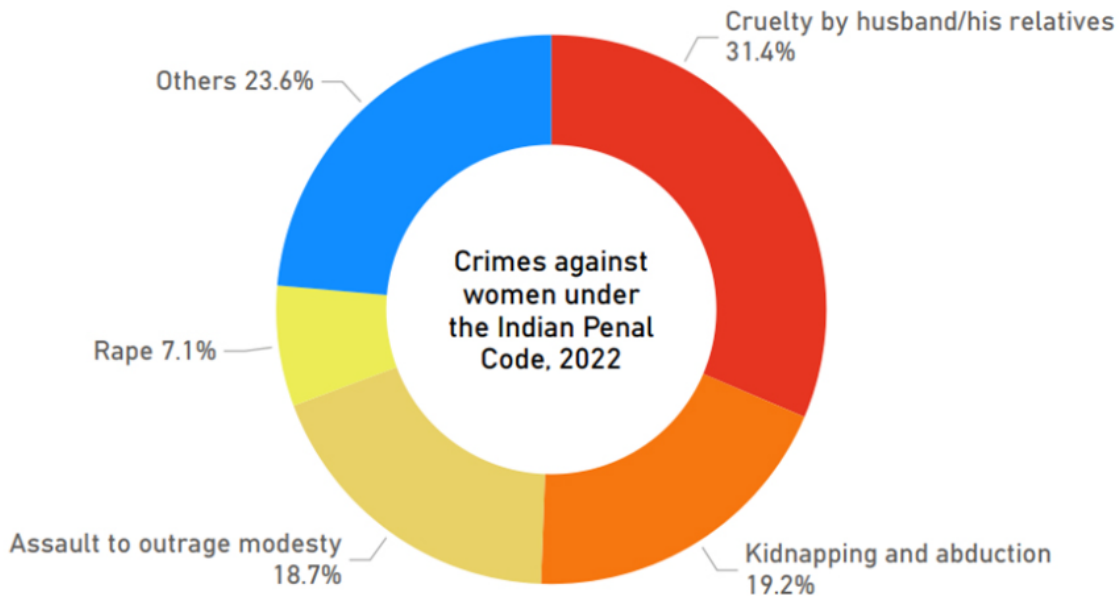
What do the Crime Statistics Reveal About Women's Safety in India?

- **Rising Crime Rates:** The [National Crime Records Bureau \(NCRB\)](#) reported 445,256 cases of crime against women in 2022.
 - From 2018 to 2022, reported crimes against women rose by 12.9%, reflecting both increased incidents and improved reporting.
 - The [Women and Men in India 2023 report](#) shows a rise from 359,849 cases in 2017 to **over 445,000 in 2022, averaging 1,220 cases daily, averaging 51 First Information Report (FIRs) per hour.**
 - The [National Family Health Survey-5](#) found that **nearly one-third of women aged 15-49 in India** have experienced some form of violence.

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- **Types of Crimes:** The most common crimes include [cruelty by husbands or in-laws](#) (31.4%), [kidnapping and abduction](#) (19.2%), [assault to outrage modesty](#) (18.7%), and [rape](#) (7.1%).
 - These figures underscore the persistent threats women face, even within their homes.



- **Persistently High Rape Cases:** The number of reported rapes remains alarmingly high, with annual reports consistently exceeding 30,000 cases since 2012, except for a decline during the [Covid-19 pandemic](#) in 2020.
 - Attacks peaked at nearly 39,000 in 2016. **By 2018, one woman was reporting a rape every 15 minutes across the country**, highlighting the alarming frequency of these crimes.
 - In 2022, over 31,000 rape cases were reported, reflecting the ongoing severity of the issue.
 - Despite tougher laws, **conviction rates for rape have remained low**, fluctuating between **27%-28% from 2018 to 2022**.
- **Impact of the Pandemic:** The **Covid-19 pandemic** exacerbated violence against women, with the crime rate jumping from 56.5 per 100,000 women in 2020 to 64.5 in 2021. Factors such as **economic strain, social isolation, and reverse migration contributed to this surge**.
- **Workplace Harassment:** Despite the enactment of the [Protection of Women from Sexual Harassment Act, 2013 \(POSH Act\)](#), sexual harassment in the workplace remains a concern, with cases increasing slightly from 402 in 2018 to 422 in 2022.
 - However, these numbers are **likely underreported due to societal biases and fear of repercussions**.
- **Index on Women's Safety:** According to the Georgetown Institute **2023 Women Peace and Security Index**, India scored 0.595 out of 1 point, placing it in rank **128 among 177 countries** in terms of women's inclusion, justice, and security.
 - The index also states that **India is among the top 10 worst countries for political violence targeting women in 2022**.

What are India's Initiatives Related Women Safety?

- **Legislations:**
 - **International Conventions:** India ratified key international conventions, including the [Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#) in 1993.
 - India also endorsed the **Mexico Plan of Action (1975)** aimed at full gender equality and ending gender discrimination and the **UN General Assembly Session on Gender Equality and Development and Peace for the 21st century**.
 - **The Immoral Traffic (Prevention) Act, 1956:** Prohibits commercial sex work and

trafficking of persons for prostitution.

- **Indecent Representation of Women Act, 1986:** Prohibits indecent representation of women in advertisements and publications.
- **National Policy for the Empowerment of Women, 2001:** Aims for women's advancement and empowerment, addressing violence against women and providing mechanisms for prevention, assistance, and action.
- **Eleventh Five-Year Plan (2007-2012):** Acknowledges violence against women (VAW) as a major issue, focusing on domestic violence and rape.
- **Protection of Women from Domestic Violence Act, 2005:** Provides support for women victims of **domestic violence**, including shelter and medical facilities, with mandatory Protection Officers.
- **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) (PoSH) Act, 2013:** The **POSH Act** addresses sexual harassment faced by women in the workplace, aiming to **ensure a safe work environment**.
 - It defines sexual harassment to include unwelcome physical contact, sexual advances, demands for sexual favours, sexually coloured remarks, and showing pornography.
 - The Act is based on the **Vishakha guidelines** established by the **Supreme Court** in the case of **Vishakha & Others v. State of Rajasthan, 1997** which addressed workplace harassment.
 - It draws from the **Indian Constitution's Article 15** and international norms like **CEDAW**.
- **Criminal Law (Amendment) Act, 2013:** Enacted for effective legal deterrence against sexual offences.
 - **Further, the Criminal Law (Amendment) Act, 2018** was enacted to prescribe even more stringent penal provisions including the death penalty for the rape of a girl below the age of 12 years.
- **Jawaharlal Nehru National Urban Renewal Mission (JNNURM):** Recommends incorporating **gender considerations in urban development** to enhance safety for women.
- **Protection of Children from Sexual Offences (POCSO) Act, 2012:** Protects children from sexual offences, providing a legal framework for their protection and ensuring strict penalties for offenders.
- **Strategies and Measures:**
 - **Beti Bachao Beti Padhao Scheme:** Focuses on **preventing gender-biased sex selection** and ensuring the survival, protection, and education of the girl child.
 - **Ujjawala Scheme:** Aims at **preventing trafficking, rescuing** and rehabilitating victims of trafficking and commercial sexual exploitation.
 - **NIRBHAYA Fund:** Aims at supporting **initiatives for the safety and security of women**, including setting up **emergency response systems and improving public infrastructure**.
 - **Ministry of Women and Child Development Initiatives:** Administers schemes like **Swadhar Greh Scheme**, provides **short stay homes for women** in difficult circumstances, and conducts awareness programs.
 - **Women Safety in Trains:** Introduction of the **182 Security helpline**, CCTV cameras in ladies' compartments, and the '**R-Mitra**' mobile app for emergencies.
 - **Safety and Security for Women Tourists:** Measures include the '**Incredible India Help Line**,' **Code of Conduct for Safe Tourism**, and directives for state governments to ensure a secure environment for tourists.
 - **Safety of Women in Metro:** Delhi Metro Rail Corporation (DMRC) has dedicated **women-only coaches**, reserved seats, and dedicated Central Industrial Security Force staff for safety.
 - **Scheme for Universalisation of Women Helpline:** Provides 24-hour emergency and non-emergency response through a publicized helpline.
 - **Mobile Apps:**
 - **Suraksha:** Designed to provide women with a quick and easy way to send distress signals and their location to the police in case of an emergency.
 - **Amrita Personal Safety System (APSS):** Wearable device for communication with family and police.

- **VithU:** Emergency app that sends alerts to contacts.

Why are Laws and Regulations Falling Short for Women Safety?

- **Implementation Gaps:** Strict laws enacted after the 2012 Nirbhaya case, like the **Criminal Law (Amendment) Act, 2013**, enforcement remains inconsistent across different regions and police jurisdictions.
 - Implementation of regulations, like establishing **Internal Complaints Committees (ICC) in organizations**, remains inadequate.
 - Additionally, in 2018 the [Securities and Exchange Board of India \(SEBI\)](#) requires listed companies to report cases of sexual harassment annually, but data remains inconsistent and scattered.
- **Systemic Issues:** **Corruption** within the legal and law enforcement systems can undermine efforts to address crimes against women. **Bribery and misconduct can result in cases being mishandled or dismissed.**
 - Many incidents of violence are not reported due to **fear of retaliation, lack of trust in the system**, or perceived inefficacy of the legal process.
- **Cultural and Social Norms:** Deeply ingrained societal attitudes and norms can **undermine legal protections**. In some communities, violence against women may be normalised or not taken seriously.
 - Cultural attitudes and **victim-blaming can discourage women** from reporting crimes or seeking help, fearing stigma and societal judgement.
- **Legal Challenges:** Victims often **face a high burden of proof**, which can lead to **low conviction rates**. The requirement for **substantial evidence** and the legal complexity of cases can deter victims from pursuing justice.
 - The judicial process can be cumbersome, leading to prolonged trials and delayed justice for victims. This can also **discourage survivors from reporting crimes**.
- **Economic Dependence:** Economic factors can also play a significant role. Women who are **financially dependent on their abusers** may find it difficult to leave abusive relationships, even if legal protections are in place.
- **Resistance to Change:** Resistance to reform within **institutions and among policymakers** can delay or obstruct efforts to improve laws and regulations.
 - **Legal frameworks may not evolve quickly enough** to address emerging forms of violence or changes in societal attitudes.
- **Lack of Awareness and Education:** There is often limited awareness among **women about their legal rights and available support services**. This lack of knowledge can prevent them from accessing justice and support.

International Approaches in Promoting Women's Safety

- **Key International Initiatives:**
 - **International Day for the Elimination of Violence Against Women: The [United Nations](#)** observes **25th November** as the International Day for the Elimination of Violence Against Women every year.
 - **United Nations Women Safe Cities and Safe Public Spaces for Women and Girls:** Aimed at creating safe and inclusive public spaces for women and girls. It recognizes that **public spaces are essential for women's participation in society, but they can also be places of fear and harassment.**
 - Focuses on integrating gender perspectives into safety strategies, developing tools to combat violence against women, and promoting women's participation in urban planning.
 - **Gender Inclusive Cities Programme:** It is funded by the **UN Trust Fund** in Support of Actions to Eliminate Violence Against Women.
 - This initiative aims to improve women's safety in **cities like Dar es Salaam, Delhi, Rosario, and Petrozavodsk** by promoting equal access to public spaces.
 - **UN Development Fund for Women (UNIFEM):** It provides financial and technical assistance to promote gender equality and women's empowerment.
- **National Approaches:**
 - **United Kingdom:** The London Authority's strategy tackles violence against women and

girls by **boosting Safer Transport Teams**, running awareness campaigns, and enhancing enforcement.

- **Latin America:** Cities like Bogota have developed safety strategies, including **women-only subway cars and police stations**.

Way Forward

- **Nationwide Protection Law:** Advocate for a Central Protection Act that mirrors the UK's zero-tolerance policy (protection from violence and intimidation for assaults).
 - This legislation should provide uniform protection for all working professionals, ensuring consistent and comprehensive safeguards across the country.
 - Strengthen the **monitoring mechanisms to ensure compliance** with existing laws such as the PoSH Act, 2013. Regular audits and reports should be mandated to track effectiveness and compliance.
- **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.
- **Local Security Measures:** Implementing specialised police units like **SHE Teams** to address and prevent violence against women.
 - SHE Teams is **a division of Telangana Police** for enhanced safety and security of women. The She Teams have **successfully provided security and support to women**, helping victims of sexual harassment for offences **ranging from online stalking to physical harassment and violence**.
- **Safe City Designs:** Integrating safety features into urban planning, such as improved street lighting and secure public spaces.
- **Support Systems:** Strengthen support systems for victims, including counselling services and legal aid. Ensure victims have access to resources without additional barriers.
- **Public Awareness Campaigns:** Launch nationwide campaigns to raise awareness about women's rights, workplace safety, and available legal recourse using media, educational institutions, and community organizations.

Drishti Mains Question:

Despite existing legal provisions, crimes against women in India persist. Critically evaluate the reasons for the high rates of violence and suggest comprehensive reforms to address these issues.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Mains

Q. We are witnessing increasing instances of sexual violence against women in the country. Despite existing legal provisions against it, the number of such incidences is on the rise. Suggest some innovative measures to tackle this menace. **(2014)**