



Study of Offences Against Women in India and Provisions Related to Protection of Women in Indian Laws

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Abstract : There are a variety of psychological, economical, sociological forms of victimization of women. In our society we have been seen that women are economically discriminated at working places. At the same time women are also exploited physically, emotionally and sexually by their husbands. It is shocking to hear that women had no right to decide whether they

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could continue their pregnancy or terminated it. The following are categories of crimes against women in India:

Sexual offences, Offences for gain, Molestation and rape, Harassment at home leading to suicide and murder of young brides, Immoral trafficking, exploitation of women. Physical torture, Mental Cruelties.

Causes of crime against women in india

Crimes against women is not considered from only physical point of view but also sociological aspect also. There are records of women raped, beaten, abduct, and given humiliating treatment. Women have been subjected to socioeconomic and culture deprivations for such a long time that there is a general indifference and lack of awareness of crimes against them. Over 32000 murders, 19,000 rapes, 7500 dowry deaths and 36500 molestation cases are the violent crimes reported in India in 2006 against women. At least one out of three women has been beaten, forced into sex, or abused during her lifetime, according to a study based on 50 surveys from around the world. On most occasions, the abuser was a member of the woman's family or someone known to her. One woman in four has been abused during pregnancy. More than 60 million women worldwide are considered 'missing' as a result of sex-selective abortions and female infanticide, according to an estimate by Nobel Laureate Amartya Sen.



- The World Health Organisation has reported that up to 70% of female murder victims are killed by their male partners.;
- 1 crime committed against women every three minutes;
- 1 molestation case every 15 minutes;
- 1 sexual harassment case every 53 minutes;
- 1 kidnapping and abduction case every 23 minutes;
- 1 rape case every 29 minutes;
- Four out of 10 women in India have experienced violence in the home;
- 45% of women have suffered at least one incident of physical or psychological violence in their life;
- 26% have experienced at least one moderate form of physical violence;
- More than 50% of pregnant women have experienced severe violent physical injuries.
- According to the NCRB, approximately 6,000 women are killed in India every year because of dowry. Unofficial estimates are as high as 15,000 deaths a year. In other words, between 16 and 40 women die every day because of dowry.

Women are made victims of incest, rape and domestic violence that often lead to trauma, physical handicap or death. Rape is used as a weapon of war, a strategy used to subjugate and terrify the entire communities. Soldiers deliberately impregnate women of different ethnic groups and abandon them when it is too late to get an abortion. The Platform for Action adopted at the Fourth World Conference on Women declared that rape in armed conflict is a war-crime and could, under certain circumstances, be considered genocide.

Issues Concerning Crime against Women in the Society:

• **Domestic Abuse:**

As part of the historical Indian culture; women as a gender have always been kept at a lower stand than the men; described as the weaker sex and often equalized to the position of being the domesticated help. At the behest of the male-favored society, lies the subjugation of women's position in a regular home to be one which is devoid of any political or social status, one which



views women's purpose in life to contribute towards the ever-growing population and disrespect towards any independent choices so made for their own progression.

Studies have shown that six out of every 10 husbands have at least once raised hands on their wives ; according to the NCRB, 38% of cases reported in the year 2013 revolved around domestic cruelty – a few statistics which are indicative of how the current scenario does not favour the women's position for the developing country³. Madhya Pradesh, in 2014 had topped the NCRB's report on the number of rape cases – of which 5% cases were related to marital rape.

• **Sexual Harassment:**

To understand the impact of sexual harassment on women one must listen to the account of its victims as no one conveys the meaning and the truth of sexual harassment better than the women who have endured it. Sexual harassment is bullying or coercion of a sexual nature⁵; it is a violation of women's human rights and a prohibited form of violence against women in many countries. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment. Sexual harassment causes physical as well as psychological impact on a women's body.

Women's are not just harassed at work place but also at public, schools, colleges and even at home. Sexual harassment includes many things such as actual or attempted rape or sexual assault, unwanted pressure for sexual favors, looks or gestures⁶.

Many at times sexual harassment cases are not even registered due to involvement of family name, pressure from the person who assaults, fear of isolation from society. In order to curb down the sexual harassment cases and to prevent it from happening more; is to encourage the employers to take necessary steps in cases of sexual harassment and employees have to speak up for themselves that such act will not be tolerated, in schools and other institutions a department must be setup to look in to cases of sexual harassment and provide rehabilitation to the victims and necessary steps towards the assaulter.

• **Human Trafficking:**

According to the 2014 NCRB report, there have been over 5466 cases of human trafficking that have gone reported. Taking into consideration the rising levels of unreported cases as well, the figure of the reported trafficking cases lead us with enough information as to the situation currently underlying India's position with respect to the women crimes. As young as 11-16 year



old girls are forced to move from their original birth countries to several other parts of the country (the rural villages and sections of India) wherein they are forced into practicing prostitution or are either sold as part of the organized crime that is so promulgated in such areas. Sometimes, girls from India are trafficked to other nooks and corners of the world such as the Middle East, Central Asia, South-East Asia and Africa (China, Bangkok rank very high on the list)⁷ and are forced into the sex trade at a very early age in their lives.

Law in India is silent as to domestic worker's rights in accordance to pension, security, medical benefits and the situation in India therefore remains stagnant as to this aspect when compared to other countries such as the US wherein the law mandates in almost all the states that the need to protect domestic workers on equitable footing as employees in the company is a rule that ought to be followed

• **Child Labor:**

India is considered as one of the fastest growing economies and also the home to the largest number of child laborers in the world. Women are considered of lower status in society and because of which they face many gender discriminations. Girls do enormous work at home as well as at field. According to the survey done by MV foundation⁹ of the families of girl children engaged as farm laborers in cotton seed farms, it was found that while girls worked 29.4 days in a month on wage work, the women worked 22.2 days and the men 18.6 days. Further, girl's contribution to family income is about 28%. Although many laws have been passed in India to protect girl child labor, and uplift women's status "the issue of Child Rights in India is still caught between legal and policy commitments to children on the one hand, and the fallout of the process of globalization on the other.

Many non-governmental organizations have been working to eradicate child labor. Despite all the efforts of NGOs, a lot has to be done to (girl) child labor, to raise awareness in the society at large and hence to make child labor part of history.

Provisions related to Protection of Women in Indian Laws:

• *Constitution of India:*



- Article 32: Provides for the remedies for the enforcement of the Fundamental Rights conferred in Part III.
- Article 14: Provides for the equality before law.
- Article 15: Provides for the prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
- Article 19 (1) (g): Provides for the freedom to practise any profession, or to carry on any occupation, trade or business.
- Article 21: Provides for the protection of life and personal liberty.

The Indian Penal Code:

- Sections 292 to 294 of the Indian Penal Code deal with obscenity. It talks about how books that have obscene pictures or figures are punishable under the law of the land.
- Section 354 of the Indian Penal Code deals with the assault or criminal force used on a woman, with intent to outrage her modesty and gives a punishment of an imprisonment for two years, with or without a fine.
- Section 375 of the Indian Penal Code describes rape as the penetration of the penis into the vagina or mouth of a woman and if he does this against her will or without her consent, he is said to have committed the act of rape against the woman. Section 376 gives the punishment for rape and it states that he shall be imprisoned for not less than ten years which may extend to imprisonment for life and shall also be liable to fine.
- Section 498 A of the Indian Penal Code deals with a husband or the relative of a husband who subjects a woman to cruelty which may include any act that pushes a cause grave injury to her limb or health and is punishable with an imprisonment for a term of three years, with or without a fine.

CONCLUSION:

The problem of crime against women is not new. Women in Indian society have been victims of ill-treatment, humiliation, torture and exploitation for as long as written records of social organization and family life are available. These records are replete with incidents of abduction,



rape, murder and torture of women. But, regretfully, female victims of violence have neither been given much attention in the literature on social problems or in the literature on criminal violence nor has any attempt been made to explain why both the public and the academicians alike have ignored for so long the hard fact that women have continuously been ruthlessly exploited in our society.

Since women are easy victims, they experience a great deal of direct behavioral violence in every society. The use of violence against women as a form of control is not only pervasive, but varied in its expression. Such variations reflect social and cultural differences which have resulted in battering, rape, incest, foot-binding, infibulations, dowry death, selective malnourishment, bride burning, female infanticide, gang rape, forced prostitution, homicide, sexual harassment, international sexual trafficking and slavery, sexual degradation, child prostitution, violent pornography, child sexual abuse, abuse of widows and elderly women etc.

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