

## THE CONDITION OF INDIAN WOMEN IN 21ST CENTURY: IN THE PERSPECTIVE OF CRIMES AGAINST WOMEN

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### **ABSTRACT**

*It is commonly said that Women are progressively being regarded as major, strong and valuable contributors to men's lives. Women hold an important and worthy place in Vedic society. The Vedas praised them as mothers and idolised them as Goddesses. However, in India women have long been repressed, depressed, and controlled in a patriarchal system. Male oppression against women is a serious phenomenon. Most women all over the world are strongly affected by their fear of being assaulted. Based on the report of NCRB, the number of total offences against women identified in 2020 was 9,782. In India, there are numerous criminal offences against women, such as molestation, raping, attempted kidnapping, dowry homicide, abuse (mentally and physically), acid attack, child marriage, and the import and export of girls up to the age of 21, domestic abuse, sexual harassment in the workplace, and so on. Based on the report of National Crime Records Bureau (NCRB), most women in India are highly unstable in their marital lives. In India, violence towards women is a common practice and day by day it increasing at an alarming rate. In that circumstances, social workers should take a massive liability on their shoulders. But that liability is that of women themselves, and women need to organize themselves.*

**KEYWORDS:** *Women, Crime, Violence, Laws, Rights*

### **INTRODUCTION**

Indian women's role has shifted dramatically over millennia. Men and women had equal status in all spheres and aspects of life during the early Vedic period. However, the position of Indian women in society started to deteriorate further during the medieval ages, when marriages of child and ban on widow remarriages became commonplace in some Indian communities.

Some Devadasis have been physically subjugated in some places of India. Polygamy was adept by the rulers of Hindu Kshatriya for political motives. Many Muslim women were restricted to the purdah areas of their home. The Act of Restriction on Child Marriage was passed in 1929, which set 14 yrs. age as the minimum age for a girl's marriage. Gandhiji admonished people to prohibit marriages of child and urged remarriage of widowed girls by young men, although he himself married at the age of 13.

In 2011, India's President, Opposition leader and Speaker of Lok Sabha have all been women. Rajya Sabha passed the Women's Reservation Bill on 9<sup>th</sup> March, 2010, which defines that 33% of seats in the Parliament of India and state legislatures must be reserved for women. Our Indian Constitution affirms gender equality and prohibits discrimination based on sex.

In 1976, the Equal Payment Act provides for equal salary for men as well as women for same work. In 1976, the Factories (Amendment) Act provides creches compulsorily where with a minimum of 30 women are employed.

But still crime against Women has been on increase. Indian women continue to face multiple problems, including ferocious victimization through acid attack, imperative prostitution of girls, rape, spousal rape, dowry death etc. A report by Thomson Reuters Foundation in 2012 ranks India as the bad performing country in G20. In India 2,08,456, 3,94,499, 11,58,208, 14,02,809 cases were reported in the year 2018, 2019, 2020, 2021 accordingly. The Public Health Foundation of India reports that India's crime rate relating rape cases has increased by 70.7% over the previous two periods and in 2021, 3,06,389 crime cases were reported which is higher than the previous year. As per NCRB report of 2012, 30,942 crime cases were committed against women. However, the number has fallen slightly to 29,836 crimes in the 2013 report. In 1998, the NCRB reported that by 2010, the rate of increase in violence against women would outpace population growth.

The NCRB reported that in 2020 there were 3,71,503 recorded crimes against women. According to NCRB, the absolute number of crimes against women reported in 2020 was 9,782 cases. In 2020, there were 938 cases of assault against women, and harassing physically remained at 862 in 2020. In 2020, 967 assault cases towards women were registered. The most common criminal offences against women are brutality by the spouse of the women and his relatives, rape, kidnapping etc.

Domestic violence against women during lockdown has multiplied, as per data from the NCW (National Commission for Women) 1,477 complaints of internal violation from women were received between the time March 25<sup>th</sup> to May 31<sup>st</sup>. In that short time period, many grievances were registered than the previous ten years. Throughout the year 2020, when movement restrictions were levied in different areas of the country, the NCW received 5,297 domestic violence grievances. That was almost 79% more than in 2019. Data from the NCRB report (2018) had shown that more than 90% of physically assault cases are happened by people who are known to them. During the Covid-19 period, criminal cases towards women have increased crosswise the country. As per NCW data, in 2021, there were 31,000 grievances of criminal cases against women.

In the late 1970s, the role and activities of some Feminist has increased. Mathura rape case was the first issue nationwide to bring women's groups together. In 1979-1980, some police officers accused of raping a girl of Mathura at a police station led to nationwide protests. Some female protestors also joint over some issues such as gender biasness, health, safety, and literacy of women.

Many women in Muslim community in India have asked the fundamental leaders' the clarification of rights of women under the Shariat law and have complained the triple talaq system. In 2006, the media spotlighted the case of a Muslim rape victim, Imrana who was raped by her father-in-law. Some Muslim clerics said that she must get married his father-in-law, which led to widespread protests and eventually the accused was punished for 10 years in prison.

Likewise, women in Christian community have fought for equivalent rights in separation and succession for years. In 1994, women's organizations and all churches, drafted a bill entitled "Christian Marriage and Matrimonial Causes Bill". In 2014, the Indian Law Commission applied to the govt. to amend the law to give same possessions to Christian women.

### TYPE OF CRIMES

There is various type of crimes against women like

#### Acid Attack

India is the fourth utmost unsafe place in the world for living women. In India, throwing acid on women face have been reported vastly. Criminal target the women who refuse to marriage or file a divorce petition against their husband. For criminal, acid attack is a form of revenge, and it is an easily available product and easy way to finish a life of a woman. The number of acid throwing cases have been expanding day by day. In 2020 it totaled 182 in India. As per NCRB report, Delhi, West Bengal, Uttar Pradesh contributes to nearly half of acid attack in India.

#### Child Marriage

In the past, widowed girls were doomed to lead lives of torment, shaved heads, lives of isolation and marginalized by the society. Child marriage is still a common practice, though it was banded in 1860. The Restriction of Child Marriage Act in 1929 is the country's appropriate legislation. As per UNICEF's "The State of the World's Children-2009" report, 48% of Indian women aged 20-23 were married before their 18th birthday, a figure that rises to 57% in rural areas. It also showed that 41% of the world's marriages of child occur in India. The number of registered cases under the PCM (Prohibition of Child Marriage) act increased in 2021 than the previous year. Bihar ranks highest in child marriage in India.

#### Domestic Violence

In India, domestic violence or ferocity is pervasive. About 69% of Indian women are sufferers from this. This cruelty was addressed in 1980s legally and in the year 1983, Section 498A was introduced by Criminal Law Act, which means "Husband or relative of a woman's husband subjecting her to cruelty". According to NALSA which full name is National Legal Services Authority, 3,582 cases were received regarding domestic cruelty or violence between the months April to June, 2021.

In India, a woman is raped every half hour and a dowry death occurs in every hour despite being legally protected from domestic violence under the Act of Protection of Women from Domestic Violence.

#### Dowry

Year	Reported Dowry Deaths
2008	8172
2009	8383
2010	8391
2011	8618
2012	8233
2018	7167
2019	7141
2020	6966

In 1961, the Dowry Prohibition Act was passed by the Indian Govt. According to this act dowry demands in marriages is illegal. In 1985, the Dowry Prohibition Rules were formulated. Bride burning is a common practice in India till now. That terms criticized in India very much. In the urban area, this dowry exploitation was greatly reduced among the educated people. But still, the NCRB reported 8,620 dowry deaths in 2011. Uttar Pradesh had the highest number of reported dowry deaths in 2020.

### Sex-Selective Abortion

As per 2011 Census report, the Sex Ratio of child in Indian States is Boy per 100 Girls – 103 – 107 in West Bengal [0-1 Age]. Supreme Court has declared that Pre- Natal sex determination is a punishable Act. But it has been seen in the statistics report that there are only 850 females per 1000 males in many parts of India. All over the world, India ranked 132 out of 148 countries on the Gender Inequality Index as per the Report of Global Human Development, 2013. According to the report of UNEPA (United Nations Population Fund), there are 4 crore 6 lakh females 'missing' cases in India due to boy preference. In India, the highest number of infanticide cases reported in 2020 was Tamil Nadu.

Gender bias is less noticeable in Tribal societies in India than other caste groups. Although they have lower income power than other caste groups, they have lower literacy rates and receive few health benefits. In 1994, Prohibition of Sex Selection act. was passed by the Indian government. This act specifically prohibiting doctors or anyone else from providing that kind of information. The killing of young girls is still widespread in some rural parts of India. The main reason for sex-selective abortions and killing of young girls is the continued exploitation of the dowry system in India.

### Accusations of Witchcraft

In India, many people have a strong belief in superstitious practices. In Assam and West Bengal there were around 750 deaths linked to witchcraft allegations between 2003 and 2008. In 2008, Chhattisgarh state authorities reported that minimum 100 women are molested every year on suspicion of being witches. This type of cases also increasing day by day.

### Rape

State	Reported rapes in India
2008	21467
2009	21397
2010	22172
2011	24206
2012	24923
2013	33707
2014	36735
2015	34651
2016	38947
2017	32559
2018	33356
2019	32032
2020	28046

Rape is declared by the UN's human-rights chief as a "national problem". It is a most common crime in India. Although marital rape declared as unlawful, but still stating in a exception clause under Section 375 which stated that if a women is not being under 15 years of age then sexual intercourse by a husband with his wife will not judge as rape. New

rape cases reported in every 30 minutes all over the world. New Delhi ranks the top in rape cases among the Indian cities. Rape cases in India doubled after 1990 till date. In 2020, an average of 77 rape cases were reported each day in India. Rajasthan is number one for rape cases in 2021.

### **Physical Harassment and Assaults**

Exploitation of women in workplace is increasing day by day. In 1997, the Indian Supreme Court established detailed guidelines for avoiding and remedying complaints. Subsequently, for employers the National Women's Commission elaborated these guidelines in Code of Conduct.

CEDAW or Convention on Elimination of All Forms of Discrimination against Women arguing that there are 53% women had experienced sexual harassment in workplace, 72% of women were maltreated through online social sites. Compared to 376 complaints related to sexual harassment in 2020, last year (in 2021) NCW received 624 complaints in this category.

### **Trafficking**

In 1956, The Prevention of Immoral Traffic Act was passed by Govt. of India. However, many women trafficking cases have been reported who are either in prostitution work or domestic work etc. In 2020, 4970 Human Trafficking cases were registered from across India. The National Human Rights Commission of India reported that 40,000 children are kidnapped every year. West Bengal, Rajasthan, Gujarat are the three states with the highest number of human trafficking cases. There are 85% of child trafficking cases occur in Assam, West Bengal, Bihar and Haryana. The highest number of human trafficking cases occur in Assam and West Bengal.

The Indian Constitution has provided several women's safety laws and constitutional rights to the women to deal with the above various types of crimes as well as for the safety of women in India. Some of the important Women's safety laws in India are: Hindu Widows Remarriage Act. of 1856, Indian Penal Code of 1860, Maternity Benefit Act. of 1861, Indian Evidence Act. of 1872, Married Women's Property Act. of 1874, Child Marriage Restraint Act. of 1929, Muslim Personal Law (Shariat) Application of 1937, Minimum Wages Act. of 1948, Hindu Marriage Act. of 1955, Immoral Traffic (prevention) Act. of 1956, Dowry Prohibition Act. of 1961, Indian Divorce Act. of 1969, Code of Criminal Procedure of 1973, Equal Remuneration Act. of 1976, Protection of rights on divorce Act. Of Muslim women in 1986, Commission of Sati (Prevention) Act. of 1987, The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act. of 1994, Protection of Women from Domestic Violence Act. of 2005, The Compulsory Registration of Marriage Act. Of 2006, Prevention of Children from Sexual Offences Act. of 2012, Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act. of 2013, etc.

### **WOMEN'S CONSTITUTIONAL RIGHTS IN INDIA**

The CSW (Commission of the Status of Women) is a global intergovernmental body which exclusively promoting the gender equality and the empowerment of the women. In Indian Constitution, Art. 15(3) empowers the state to make 'any special provision for women and children, even in violation of the fundamental obligation of non-discrimination among citizens, inter alias of sex. Art. 16(2) says that no citizen shall be discriminated against or be ineligible for any employment or office under the state on the ground of sex. Art. 23(1) says that traffic in human beings and forced labor are prohibited. Art. 51 (A) (e) expresses to renounce practices derogatory to the dignity of women.

SHGs (Self-help groups) and NGOs such as the SEWA (Self-Employed Women's Association) have played an important role in promoting rights of women in India. The year 2001 has declared as the Year of Women's Empowerment by the Indian govt. and for that the National Policy was adopted.

## CONCLUSION

Data from the NCRB shows that about 45,003 crime cases were reported against Scheduled Castes persons at the time when cruelty against Dalits formed a political inversion and triggered a strong debate nationwide. Rajasthan recorded the highest crime rate (57.3) against SC, Andhra Pradesh (52.3) is the 2<sup>nd</sup>, Bihar (38.9) is the 3<sup>rd</sup> and Madhya Pradesh (36.9) is in the 4<sup>th</sup> position per 100,000 population.

Crimes against women in India are becoming more common and increasing at an alarming rate. A great responsibility rests on our social activists. However, the greatest concern will lie with the women themselves. They should know their rights and laws and need to be organized. The acceptance of an offensive system like the dowry by educated women shows that women have never try to observed the true connotation of constitutional and legal rights. India's sex ratio still shows Indian society prejudices against women, and much remains to be done in this regard.

So, lastly, it can be said that though the status and condition of today's Indian Women is high and they are economically, socially, politically empowered, many laws are enacted by the Parliament for the safeties of women but still the overall picture of women's position and condition in India is not much safe and satisfactory. Therefore, awareness raising among the women is very much needed and for this education is one of the best weapons. By acquiring education, they will be able to develop more awareness in themselves.

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