




# One-Day Interdisciplinary National Seminar



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## Violation of Human Rights and Indian Women

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Violence against women is on the rise and in day to day life we acknowledge the  
violence against women and exploitation. On the one hand we speak equality  
for women on the other hand the principles are ignored, when the issue of women  
is raised in the present paper highlight the violation and status such violation.

### Objectives

1. Study the constitutional and legal provision regarding protection of women rights.
2. Study of present status of violence against women.
3. Study of administrative mechanism that deal with violence against women.

### Introduction:

In 21<sup>st</sup> century women rights have acquired very pivotal position development process. All countries have agreed to the point that without due to protection and promotion of women rights, the dream of health and welfare society is and utopia. For create happy and healthy society the government must ensure that the rights of human beings cannot be violated. The development level of any nation is directly depend upon the existence of the rights granted their citizen and overall development of women personality is possible only after granting them sum basic rights which are natural in essence hence liberal democracy have been promoting and upholding these rights since its evolution.

Hence the world become more conscious about women rights, the international organization like UNO the emphasize the necessity of promoting of women rights. For long time the independence of Asian and Africa countries focused more on the rights of their citizens, which is evident in constitutional and legal provision of these countries.

### Constitutional and Legal Provision regarding women rights in India:

In part III of Indian constitution Article 14 to 32 deals with the women or fundamental rights of citizens. Article 14 is on equality. Most significant Article 15 that deals with prohibition of discriminating on the ground of religion, race, caste, sex or place of birth. Also Article 21 is on right to live, right to live with dignity has been ensure to dignity of life of women.

Indian Constitution has made special provision for women likewise to empower and protect the dignity of women. Nation commission for women who was constituted in 1992 under the at 1990 of government of India to look after issues related to women followed by state level commission for women who assigned duty of monitoring women related activities including violence act. Various programmers have started to improve the status of women in our country, this is evidence in the government reservation policy in the political process and government jobs, and women are strongly encouraged to participate in the political-administrative process. That's why women have proven their ability and working shoulder to shoulder with men every field.

The principle of gender equality is enshrined in the constitution of India. In order uphold and implementing constitution mandated, the state has enacted various laws intended to ensure equal rights, check social discrimination and various forms of violence. These laws classified under two categories.

### A ) Crimes Under The Indian Penal Codes (IPC):

1. Rape (sec. 376)
2. Attempt to commit rape (sec. 376/511)
3. Kidnapping and abduction of women (363 to 369)



4. Dowry death (304 B)
5. Assault on women with intention to outrage her modesty (354)
6. Insult to modesty of women (509)
7. Cruelty by husband or his relatives (498)
8. Importation of girls from foreign countries (304 B)
9. Abetment of suicide of women (306)

**B) Crimes under the Special and Local Laws:**

Special Laws enacted for protection of women are as follows:

1. The Dowry prohibition Act, 1961
2. The recent representation Act, 1986
3. The commission of Sati prevention Act, 1987
4. The protection of women from domestic violence Act 2005.
5. The immoral traffic (prevention) Act 1956.

However, various laws enact to handle the crimes against women's effectively, the women are continuously targeted and violence against women has increase in India.

**Incidence of Crimes against womens :**

According to NCRB data 2015, A total of 32734 cases of crimes against women reported in the country during the year 2015 as compared to 31022 in the year 2014, the showing increase of 3.1% during to year 2015. The crimes have continuously increased during 2011-14 with 228656 cases in 2011, which further increased to 244270 cases 2012 and 309546 cases in 2013, to 337912 cases in 2014.

**Crime Rate:** Following table shows overall crimes against women and crimes rate.

The crime rate in India under the crimes against women is 53.9% (in 2015) per one lack female population. Delhi is the highest rate of crimes against women overall with 17104 cases, the capital recorded a crime rate 184.3%. Asam is the second with rate 148.2% with 23258 cases, Telangana is a third with rate of 83.1% with 15135 cases.

Uttar Prades has biggest Nation share with 10.9% of total crimes committed against womens at India level by registering 35527 cases and West Bengal is 10.1% of total cases by registering 33218 cases in 2015.

**Trend Analysis:**

The crimes head wise details of cases reported under crimes against women during the year 2011 to 2015 along with percentage variation are presented as below table.

Sr. No.	Crime Head	Year					% Variation in 2015 over 2014
		2011	2012	2013	2014	2015	
1	Rape	24206	24923	33707	36735	34651	5.7
2	Attempt to commits rape	-	-	-	4232	4434	4.8
3	Kidnapping & Abduction of Women	35565	38262	5188	57311	59277	3.4
4	Dowry Death	8618	8233	8083	8455	7634	-9.7
5	Assault on women with intend to outrage her modesty	42968	45351	70739	82235	82422	0.2
6	Insult to the modesty of women	8550	9173	12589	9735	8685	-10.8
7	Cruelty by husband or his relatives	99135	106527	118866	122877	113403	-7.7



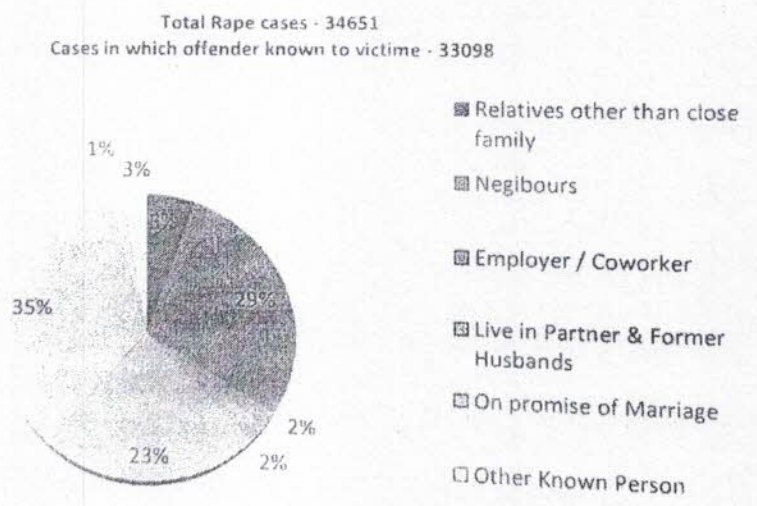
Sl. No.	Category	2014	2015	% Change
8	Crimes against girls/boys	80	41	-48.8
9	Crimes against women	3734	4060	8.7
10	Crimes against children	325327	314575	-3.3
11	Crimes against persons	0	0	0
12	Crimes against property	154	147	-4.5
13	Crimes against animals	10050	9894	-1.6
14	Crimes against public	126	461	8.2
15	Crimes against society	2070	2424	17.1
16	Crimes against women	2436	11742	138.1
17	Crimes against women	9508	11742	23.5
18	Crimes against women	228650	244270	10.8
19	Crimes against women	309546	337922	10.8
20	Crimes against women	327394	327394	0
21	Crimes against women	-	-	-3.1

Source: NCRB 2015

Crimes against women during the year 2015 have decreased by 3.1% over the year 2014. The IPC component of crimes against women has decreased by 43.2% over the year 2011. The IPC component of crimes against women has decreased by 30.9% of total crimes and the remaining 3.9% were special local law crimes against women.

**Rape Crimes:**

The cases of rape have fallen by 5.7% coming down from 36735, in 2014 to 34651 in 2015. Incidents of gang rape too have shown decrease from 2034 in 2014 to 2113 in 2015. According to NCRB 2015, offender known to rape victim in over 95% cases.



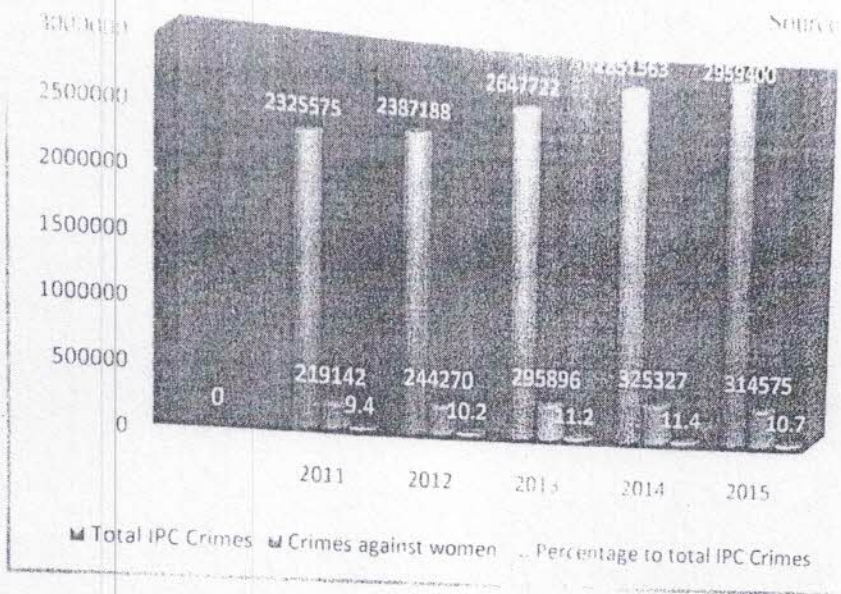
Incident of assault on women in intend to outrage her modesty in the country have increased 0.2% with 82235 cases in 2014 to 82422 cases in 2015. Kidnapping and abduction of women also increased in 2015 to 59277 cases from 27311 in 2014. Forcing women in to marriage continuous to be the main reason to kidnap her. According to NCRB data 2015 close to 54% all abduction to women were carried out force to them in to marriage.



Proportion of Crimes against women IPC towards total IPC Crime

Sr. No.	Year	Total IPC Crimes	Crimes against women (IPC Cases)	Percentage to total IPC Crimes
1	2011	2325575	219142	9.4
2	2012	2387188	244270	10.2
3	2013	2647722	295896	11.2
4	2014	2851563	325327	11.4
5	2015	2959400	314575	10.7

Source: NCR



Proportion IPC Crimes against women in total IPC crimes has increased during last five years from 9.4% in year 2011 to 10.7% during the year 2015.

The Crimes under the Special and Local Law Analysis:

- Dowry Prohibition Act 1961:**  
The cases registrar under this act has decreased by 1.6% with 9894 cases during year 2015 as compared to 2014 with 10050 cases. The dowry death cases decreased by 9.7% during the year 2015 with 7634 cases over the previous year 8485 cases. 30.6% of total cases reported in UP (2335 cases) alone followed by Bihhar 1154 cases. Bihhar & Uttar Prades have highest crime rate (2.3 each) in dowry death.
- Indecent Representation of Women Prohibition Act 1986:**  
A decrease of 14.9 (40 cases) Crime registered in the year 2015 as compared to previous year 47 cases.
- Commission of Sati Prevention Act 1987:**  
Like previous year this year also no case registers under this act.
- Protection of Women Domestic Violence Act 2005:**  
Under this act total 461 cases register during 2015 showing and increased of 8.2% from 426 cases in 2014.
- Immoral Traffic (P) Act 1956:**  
Under this act total 2424 cases registered in 2015.



**Disposal of Crime Cases against Women by Police:**

Total 47327 cases were filed during 327394 cases in 2015 and 11914 cases pending investigation during the year 2015 out of this cases Police completed investigation in 24078 cases. In 2015 police Charge sheets submitted in 245341 cases showing 89.4% disposal rate.

**Disposal of Crimes Cases against women by Court:**

Total 27187 cases were filed by trial during 2015 out of them 27844 cases ended conviction and 1140 cases were pending for trial at end of the year 2015. In 2015 2175 cases were pending in court. This is very harmful situation.

**Disposal of Arrest by Police and Court:**

Total 454331 person were arrested under the crime against women during 2015 out of 454331 person were arrested since 2015. A total 209239 person under custody or on bell for trial. Out of them 49889 person were convicted by court. The total of 180428 person acquitted from charges by court and 4068 person discharged by court for lack of evidence in 2015. In rape cases 4068 person trial completed by court. 7185 person were convicted. 16849 people acquitted and 552 people were discharge by court during 2015.


**Conclusion:**

India is known for his rich culture and his inheritance of tolerance followed by the respect to women. But now a days this impression is declined due to violence against women and harassment at the public places. If we project our self to be intellectual and educated then what will be the hardship of women if we have accepted equality as principle of survival then we not apply this in case of women. Women are the creature of this world. they share equal burden of male family. they are the mother of many great people of our mother land then why they are humiliated for many domination and self proud.

Today they have proven their ability in almost all sectors so we must respect their status and promote their ability as well as treat them respectfully. If we are sincere we will get the result let us all say no to violence against women.

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