

Women Harrasment in India : A Study

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ABSTRACT

In the Indian modern country is fast emerging as a global power but for half of its population, the women across the country, struggle to live life with dignity continues. There are several causes of sexual as well as moral abuse which are very often highlighted by the media in Indian modern society, and a lot of those also remain unexplored. Although, such violence against women, sexual harassment, exploitation to women is not of recent origin, its trace is found in the history of ancient India. The paper has attempted to find out the Indian perspectives women exploitation in modern society. Recent news of Gang Rape in New Delhi 23 Year Old Woman was raped by 6 people in a Moving Bus in New Delhi in December, 2012. The girl was hospitalized for several days and was also taken to Singapore for advanced Treatment. UN Women in India stresses the urgent need to promote and protect the safety of women and girls in India. Every girl and woman should be able to live safely and free of violence. These crimes need to end sexual harassment and violence cannot be tolerated. We urge that political will must translate into concrete action and stronger implementation of already existing laws and regulations. For the improvement of women's issues U.N. declaration of 1975 as women's year and the period of 1975-1985 as women's decade due to the international recognition of the problems faced by women's all over the world. In spite of constitutional and legal safeguards, the women in India continue to suffer; due to lack of awareness of their rights, illiteracy and oppressive practices and customs. This article attempts to understand the stages and different forms of women exploitation in present society.

Keywords:- Women exploitation, Sexual harassment, Crime against women, Delhi Gang rape, Indian culture, Patriarchy

Introduction

Indian woman bearing the torch of cultured living through self-sacrifice, physical and mental endurance, and compassion is waxing eloquence for retrogressive drudgery. It lends rationale for under-nutrition of girls, unequal health care, inequitable access to

resources, and denial of property rights all reserved for women born into a tradition that hails women's capacity for forbearance. In the 21st century India is fast emerging as a global power but for half of its population, the women across the country, struggle to live life with dignity continues. Women are facing problems

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in every sphere of life whether employment, access to health care or property rights. The attention required is still not being paid to the issues that concern this section of population. On the other hand, India is fast developing but women's in India continue to be discriminated. Therefore, they cannot build their capacity and are often suppressed by man folk in the society in subsequent time without any protest due to their inbuilt fear of socio-economic isolation. Some of them without tolerating the exerted force by the men folk choose, dark way of living like prostitution. A significant proportion of them who are not associated with the prostitution are compelled to face harassment and teasing at different times at different place in the form of Rape, Kidnapping, Dowry, Sexual harassment, trafficking etc.

Objectives

1. To examine the stages of women exploitation.
2. To understand the different forms of women exploitation in present society.
3. To know the Indian penal and special local laws of crimes against women.
4. To provide some suggestion to overcome of these issues.

Exploitation of Women in India

Incidences like sexual abuse by near relatives, co-habitation with near or dear friends and subsequent decline of marriages and issues relating to illegal pregnancy etc. are the real fact, the information of which remains mostly in darkness. In addition, girl students molested by teachers or repeated sexual abuse by antisocial activists are also an unfortunate reality.

With the passage of time, days and society, there are a lot of movements relating to this exploitation of women but still men are forward in status as compared to women and

Indian society is male dominated where female are being exploited spatially. According to Purana, there was violence against women in ancient India, but there was strong punishment for that offence irrespective of caste (Das, 1990). However, some main aspects of such exploitation may be highlighted as following :

1. Use of women to earn money
2. Physical and mental harassment by men in society
3. Trafficking of women
4. Violence against women

Stages of Women Exploitation and Present Indian Perspectives

In the grip of growing consumerism, violence against women has been rapidly increasing and a legitimate human right issue in connection to their socio-economic stability has got impetus. Trafficking of women is strongly associated with economic disparity as prevailing in the country which brings massive development of women into prostitution (Barry, 1995). Therefore, several researches, systematic investigations are being performed to find out the spatio-temporal variation in this regard to ensure women a dignified life. International research network on violence against women (IRNVAW) has been studying worldwide pattern of such violence to share experiences and formulate strategy implication in this context. Contrary to popular belief, child prostitutes are not primarily children lower socio-economic circumstances but also from families from higher income group (Flowers, 1994).

Pre-birth stage of women: If a cyclic concept of women exploitation is assumed for convenience of research, one can identify the stages at which they are being victimized. For example, at the stage pre-birth, despite illegal, sex selective abortion has been taking place,

because in many developing countries like India, it is still thought that baby girl would be a burden of a family in future and in rural areas, the same is considered along with the concept that they would not be economically and socially productive as they have not physically strong like men.

The adolescence stage of women: At the stage of adolescence, pitiable form of violence or exploitation is noticed in the form of prostitution, trafficking, early marriage, crime committed against women etc. This is a stage when they become matured, can understand the social and economic bondage and being realized this tyranny, they are either compelled to choose prostitution or unintentionally abused for sex.

Reproductive stage of women: At reproductive age, they have to face domestic violence, if get married. Moreover, at this time, they are sexually, psychological and physically tortured by intimate partner or non-partner also. Consequently, homicide is very common as read out in common newspapers in all parts of the country. At the time of elderly, she becomes helpless due to absence of workability or sexual beauty. Consequently, they are again ignored and exploited.

Different Forms of Women Exploitation in Present Society

Exploitation of women are various forms and different natures. It include crimes involving sexual exploitation for economic gains like prostitution and trafficking, adultery, abduction, rape, wrongful confinement, and murder etc. on the one hand and crimes related to women's property like dishonest misappropriation, criminal breach of trust, domestic violence, dowry extortion and outraging the modesty of women etc. on the

other. These crimes are not only injurious and immoral for the women but for the society as a whole.

Domestic Violence: In Indian family the man is the master and women is the inferior and subordinate partner and societal pressure force women to maintain this status quo.

Female Infanticide and Feticide: This is playing a significant role in lop sided sex ratio in India. Poor families in certain regions of the country sometimes resort to killing baby girls at birth, to avoid an unwanted burden on family resources. Sex selective abortion has also been common in the country.

Dowry : The Dowry Prohibition Act of 1961 marks the first attempt by the Government of India to recognize dowry as a social evil and to curb its practice. The act was modified with the Dowry Prohibition Amendment Act of 1984, which has again been modified with Dowry Prohibition Bill 1986. Women's organization have played key role in this process of change. The 1961 Act define dowry and makes the practice of dowry-giving and taking, a punishable offence.

Recent news of Gang Rape in New Delhi: 23 Year Old Woman was raped by 6 people in a Moving Bus in New Delhi in December, 2012. The girl was hospitalized for several days and was also taken to Singapore for advanced Treatment.

Delhi gang rape victim regains consciousness, next 48 hours critical: The 23-year-old victim of the brutal gang rape has reportedly regained consciousness at Delhi's Safdarjung hospital where she is being treated for her injuries. NDTV reported that the girl is communicating with doctors and nurses by writing because she is still not in a position to talk.

Table 1 : Rape Victim and Accused Relation-2002

Sl. No	Accused relationship	No. of rape victim	%age of rape victim
1	Neighbours	207	29.32%
2	Friends	200	28.32%
3	Relatives	59	08.35%
4	Employers/co-workers	17	02.41%
5	Other Known persons	197	27.90%
6	Unknown/stranger	26	03.68%
	Total	706	99.98%

Source: Delhi Police (The Hindu news Staff Reporter NEW DELHI, January 19, 2013)

The above table shows Maximum number of rape victim was committed by the known persons such as Neighbours, friends, relatives, employed/co-workers and known persons. Only 3.68% cases were committed by the unknown persons. This table shows women are not safe even their family, neighbours, relatives and known persons in present society.

Some Indian Penal Code and Special Local Laws of Crimes Against Women

Police records show high incidence of crimes against women in India. The National Crime Records Bureau reported in 1998 that the growth rate of crimes against women would be higher than the population growth rate by 2010. Earlier, many cases were not registered with the police due to the social stigma attached to rape and molestation cases. Official statistics show that there has been a dramatic increase in the number of reported crimes against women. Although Women may be victims of any of the general crimes such as ‘Murder’, ‘Robbery’, ‘Cheating’, etc., only the crimes which are directed specifically against Women are characterized as ‘Crimes Against Women’.

Various new legislations have been brought and amendments have been made in existing laws with a view to handle these crimes effectively. These are broadly classified under two categories.

(1) The Crimes under the Indian Penal Code (IPC)

- (i) Rape (Sec. 376 IPC)
- (ii) Kidnapping & Abduction for specified purposes (Sec. 363 - 373 IPC)
- (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- (iv) Torture - both mental and physical (Sec. 498-A IPC)
- (v) Molestation (Sec. 354 IPC)
- (vi) Sexual Harassment (Sec. 509 IPC)
- (vii) Importation of girls (upto 21 years of age) (Sec. 366-B IPC)

(2) The Crimes under the Special & Local Laws(SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. The gender specific laws for which crime statistics are recorded throughout the country are -

- (i) Immoral Traffic (Prevention) Act, 1956
- (ii) Dowry Prohibition Act, 1961
- (iii) Indecent Representation of Women (Prohibition) Act, 1986
- (iv) Commission of Sati (Prevention) Act, 1987

Methodology

This article based on secondary data. **Crime Head-wise Incidents of Crime Against Women** reports identifies number of women exploitation which was held during the 2005 to 2009. The value of this reports consist of the women exploitation in different causes such as rape, kidnap, dowry death, torture ,molestation,

sexual harassment, Sati Prevention Act, 1987, Immoral Traffic (Prevention) Act, 1956, Indecent Representation of Women (Prohibition)

Act, 1986, Dowry Prohibition Act, 1961. The Crime Head-wise Incidents of Crime Against Women during 2005 - 2009 is shown in chart I.

**Chart I :
Crime Head-wise Incidents of Crime Against Women during 2005 - 2009
and Percentage variation in 2009 over 2008**

Sl. No	Crime Head	Year					
		2005	2006	2007	2008	2009	%age variation in 2009 over 2008
1.	Rape (Sec. 376 IPC)	18,359	19,348	20,737	21,467	21,397	-0.3
2.	Kidnapping & Abduction (Sec. 363 to 373 IPC)	15,750	17,414	20,416	22,939	25,741	12.2
3.	Dowry Death (Sec. 302 / 304 IPC)	6,787	7,618	8,093	8,172	8,383	2.6
4.	Torture (Sec. 498-A IPC)	58,319	63,128	75,930	81,344	89,546	10.1
5.	Molestation (Sec. 354 IPC)	34,175	36,617	38,734	40,413	38,711	-4.2
6.	Sexual Harassment (Sec. 509 IPC)	9,984	9,966	10,950	12,214	11,009	-9.9
7.	Importation of Girls (Sec. 366-B IPC)	149	67	61	67	48	-28.3
8.	Sati Prevention Act, 1987	1	0	0	1	0	-100.0
9.	Immoral Traffic (Prevention) Act, 1956	5,908	4,541	3,568	2,659	2,474	-6.9
10.	Indecent Representation of Women (Prohibition) Act, 1986	2,917	1,562	1,200	1,025	845	-17.6
11.	Dowry Prohibition Act, 1961	3,204	4,504	5,623	5,555	5,650	1.7
	Total	1,55,553	1,64,765	1,85,312	1,95,856	2,03,804	4.1

Source: National Crime records bureau

Crime head-wise analysis (IPC) Rape (Sec. 376 IPC) (Incidence 21,397 Rate 1.8)

An increasing trend in cases of rape has been observed during 2005 - 2008. However, incidence of rape has marginally declined during 2009 as compared to 2008. These cases reported an increase of 5.4% in 2006 over 2005, an increase of 7.2% in 2007 over 2006, an increase of 3.5% in 2008 over 2007 and a decline of 0.3% in 2009 over 2008. Madhya Pradesh has reported the highest number of

Rape cases (2,998) accounting for 14.0% of total such cases reported in the country. However, Mizoram has reported the highest crime rate 8.3 as compared to National average of 1.8. Rape cases have been further categorised as Incest Rape and other Rape cases.

Incest Rape (Incidence 404) : Incest rape cases have increased by 30.7% from 309 cases in 2008 to 404 cases in 2009 as compared to 0.3% decrease in overall Rape cases. Chhattisgarh (107) has accounted for the highest

(26.5%) of the total such cases reported in the country.

Kidnapping and Abduction (Sec. 363-373 IPC) (Incidence 25,741 Rate 2.2): These cases have reported an increase of 12.2% as compared to previous year (22,939). Uttar Pradesh (5,078) has accounted for 19.7% of the total cases at the National level. Delhi UT has reported the highest rate at 9.3 as compared to the National average of 2.2.

Molestation (Sec. 354 IPC) (Incidence 38,711 Rate 3.3): Incidents of Molestation in the country have decreased by 4.2% over the previous year (40,413). Madhya Pradesh has reported the highest incidence (6,307) amounting to 16.3% of total such cases. Tripura has reported the highest rate (10.8) as compared to the National average of 3.3.

Sexual Harassment (Sec. 509 IPC) (Incidence 11,009 Rate 0.9) The number of such cases has decreased by 9.9% over the previous year (12,214). Andhra Pradesh has reported 32.0% of cases (3,520) followed by Uttar Pradesh 22.9% (2,524). Andhra Pradesh has reported the highest crime rate 4.2 as compared to the National average of 0.9.

Dowry Prohibition Act (Incidence 5,650 Rate 0.5) the cases under this Act have increased by 1.7% as compared to the previous year (5,555). 24.1% cases were reported from Andhra Pradesh (1,362) followed by Bihar (1,252) accounting for 22.2% of total cases at the National level. The highest crime rate was reported from Orissa at 2.3 as compared to 0.5 at the National level.

Conclusion

Though the status of women in India, both historically and socially, has been one of the respect and reverence, but the hard truth is that even today, they are struggling for their own identity, shouting for diffusion of their voices and fighting for their own esteem. Every day, they cross among the fears and fraught for

individuality. In Indian modern society it is very much essential to all women get educated to solve all women issues in any society and in any circumstance, in order to live with honour, Education will only give them strength and societal status. Finally the offender may set free, and the victim may treat as offender in marvelous India. May god punish the Guilty, that's my prayer.

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