

4.6 Impediments in Empowerment

4.6.1 Violence against women and girls (VAWG) is one of the most widespread, persistent and devastating human rights violations in the world and remains largely unreported due to the impunity, silence, stigma and shame surrounding it.

In general terms, it manifests itself in physical, sexual and psychological forms, encompassing:

- Intimate partner violence (battering, psychological abuse, marital rape, femicide);
- Sexual violence and harassment (rape, forced sexual acts, unwanted sexual advances, child sexual abuse, forced marriage, street harassment, stalking, cyber-harassment);
- Human trafficking (slavery, sexual exploitation);
- Female genital mutilation; and
- Child marriage.

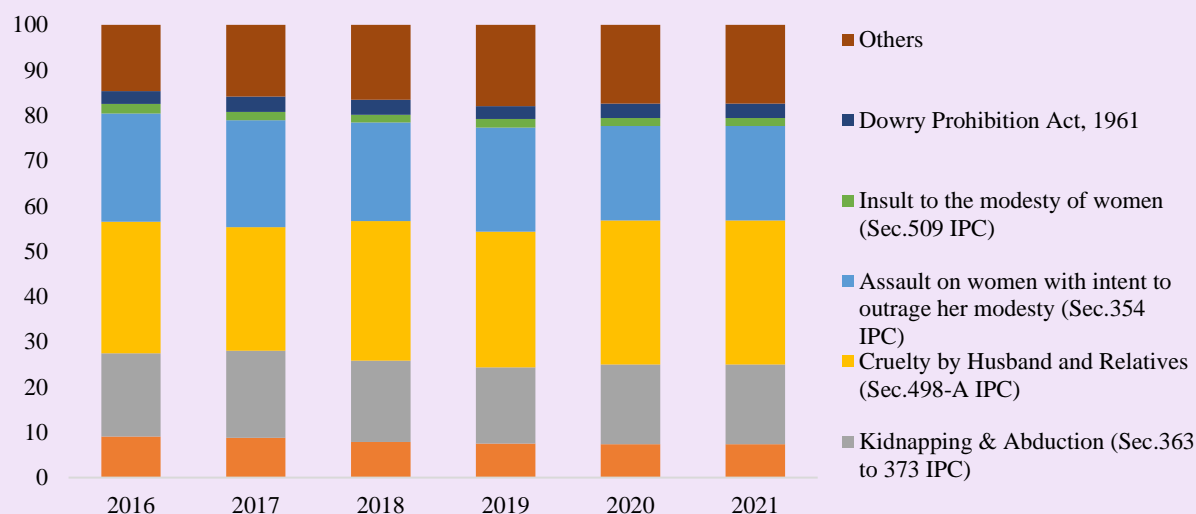
4.6.2 In this Chapter, occurrence rates of various crimes against women have been compiled to understand the impact of the various existing legal provisions. Status of disposal of cases of crime against women by Police as well by Courts of Law has also been included. A special focus has been laid on rape victims, suicide victims and Disability.

4.6.3 The Declaration on the Elimination of Violence Against Women issued by the UN General Assembly in 1993, defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

4.6.4 The adverse psychological, sexual and reproductive health consequences of VAWG affect women at all stages of their life. While gender-based violence can happen to anyone, anywhere, some women and girls are particularly vulnerable - for instance, young girls and older women, women who identify as lesbian, bisexual, transgender or intersex, migrants and refugees, indigenous women and ethnic minorities or women and girls living with HIV and disabilities, and those living through humanitarian crises.

4.6.5 Violence against women continues to be an obstacle to achieving equality, development, peace as well as to the fulfilment of women and girls’ human rights. All in all, the promise of the Sustainable Development Goals (SDGs) - to leave no one behind - cannot be fulfilled without putting an end to violence against women and girls.

Figure 4.16: Year-wise Status of Major Crimes Committed Against Women



Source: Crime in India, National Crime Records Bureau, Ministry of Home Affairs.

4.6.6 On examination of the data for the years 2016 to 2021 it can be observed that three major crimes viz. Cruelty by Husband and Relatives, Assault on women with intent to outrage her modesty and Kidnapping & Abduction constituted more than 70% of the total crime committed against women with the rate of Cruelty by Husband and Relatives faced by women in their own house accounting for one-third of all crimes. The data shows that compromising the safety of women starts from home itself. The policy makers can address this issue by enforcing the existing laws and spreading awareness on their provisions among both men and women. It may also be noted that the above analysis and interpretation is on the basis of FIRs registered (gathered by NCRB) and the number could be on a higher side if the unregistered cases are also taken in to account (**Table 6.1**).

4.6.7 Data on distribution of rape victims by age-group show that (**Table 6.3**) majority of the rape victims are in the age group of 18-30 years. The probable reason behind the high numbers in this specific age group may be that the females in this age group are coming under “labour force” category requiring travel between workplace and home. Further, late working hours and site work place could also be a reason. However, the fact is that such conditions should not be a burden or barrier to women in their fundamental right to “work and earn”. Various measures have already been taken by the government viz. an act to prevent sexual harassment at work place, women help line etc. Still, more needs to be done in the area of gender sensitisation. Lower percent in the less than 16 years age group could also be due to non-reporting in the fear of social-stigma.

4.6.8 Data provided by NCRB covers only reported cases of crime. Besides this administrative data, incidence of violence is also captured by the National Family Health

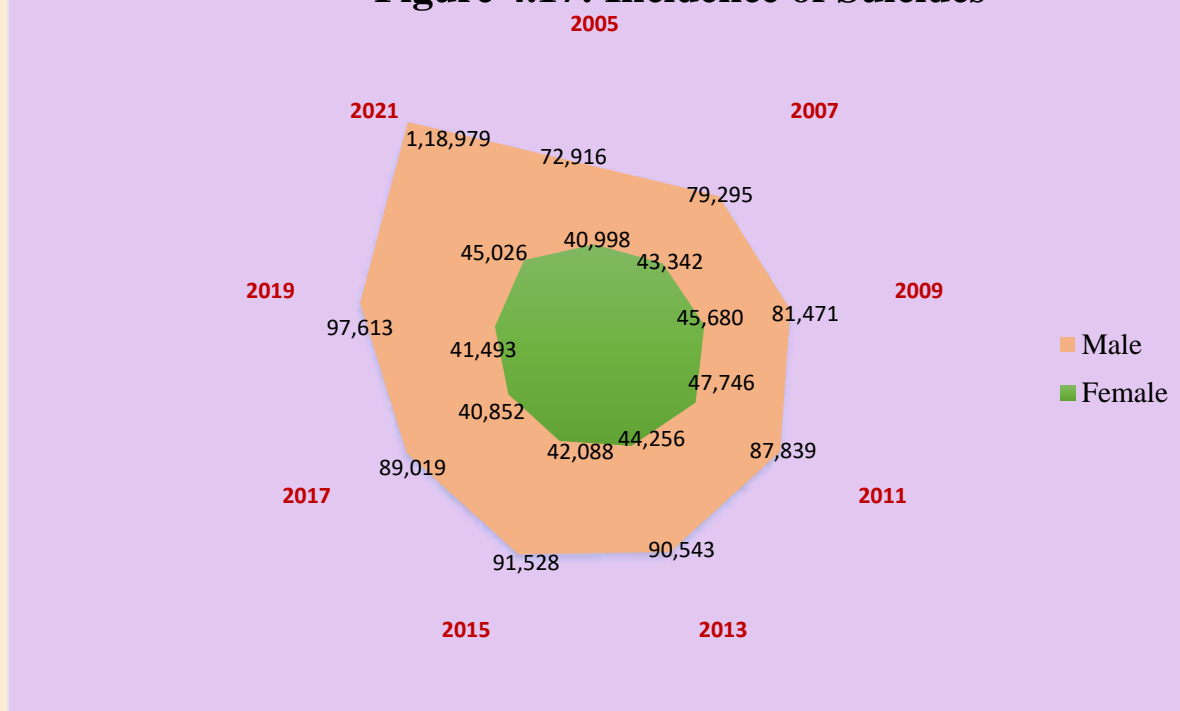
Survey. As per this survey also, one-third of the women in the country are facing violence from their husband. Percentage of ever married women age 18-49 years (**Table 6.4**) who have ever experienced emotional, physical or sexual violence committed by their husband, however, has slightly decreased from 33.3% in 2015-16 to 31.9% in 2019-21 but it is still quite high.

4.6.9 To bring down violence and crime rate, it is of utmost importance that the perpetrator is punished and timely. It is aptly said that justice delayed is justice denied. NCRB maintains data on disposal of cases of crimes committed against women by both the police and the courts. As per the latest data published by NCRB, 68% of the total cases for investigation were disposed by the police. Disposals were maximum in the category of “the Assault on women with intent to outrage her modesty” (74%) followed by those in categories “Rape (71%)”, “Cruelty by husband or relatives (71%)” and “Attempt to commit rape (70%)” (**Table 6.5**). Total cases for trial in 2021 were 21.22 lakh of which 83536 cases (3.93%) have been disposed off. During the year, 1.1% cases were convicted and 2.84% acquitted. These clearly indicate the high pendency in courts and the need for quicker disposal (**Table 6.6**).

4.6.10 As mentioned earlier, child marriage is one of the components of crime against women; it robs the childhood and threatens their lives and health. Girls who marry before 18 are more likely to experience domestic violence and less likely to remain in school. As per NFHS, the percentage of women aged 20-24 years married before age 18 years has decreased from 26.8 in 2015-16 to 23.3% in 2019-21. (**Table 6.7**). Prevalence of child marriage is more than 40% in Bihar, Tripura and West Bengal and between 30 to 40 percent in Assam and Jharkhand. It is disheartening to note that marriage of girls below the age of 18 years is prevalent in all the States & UTs despite legal provisions against it. This calls for creating more awareness in the public on the ill effects of early marriage on girls.

4.6.11 One of the consequences of child marriage is adolescent birth rate which adversely affects the health of women and make her more vulnerable. Adolescent fertility rate is the number of births per 1,000 women ages 15-19 years. Having children in the early life of women acts as an impediment in health, education, economic independence and socio-economic condition. The data from NFHS shows (**Table 6.9**) adolescent fertility rate for women age 15-19 years has decreased from 51 in 2015-16 to 43 in 2019-21.

Figure 4.17: Incidence of Suicides



Source: *Accidental Deaths and Suicides in India, National Crime Records Bureau, Ministry of Home Affairs*

4.6.12 In India, suicide is an emergency and serious public health issue. Physical and mental illness, disturbed interpersonal relationships and economic difficulties could be the major reasons for suicide. From 2004 onwards, a mixed trend was observed in suicide rate in India. The highest ever suicide rate of 12 per lakh population was recorded in 2021. From 2004 to 2011, the ratio of male to female suicide incidence remained constant at 1.8 but from 2012 onwards, it started rising and reached at 2.6 in 2021. (**Table 6.10**)

4.6.13 Women and girls with disabilities face systemic marginalization and attitudinal and environmental barriers that lead to their lower economic and social status; increased risk of violence and abuse, including sexual violence; discrimination as well as harmful gender-based discriminatory practices; and barriers to access education, health care, including sexual and reproductive health, information and services, and justice as well as civic and political participation. This hinders their participation on an equal basis with others. For addressing their problems through focussed policies and programmes, there is need to have a robust system of data collection mechanism on disability. Compared to health, education, employment etc, data on disability is very scarce. Administrative records like the disability certificate etc have partial coverage. Disability questions are included in the population census but we have had no census after 2011. The Ministry of Statistics and Programme Implementation conducted a Survey of Persons with Disabilities during July 2018 to December 2018 as a part of 76th round of National Sample Survey (NSS). In NSS 76th round survey, for classification of disabilities, all the specified disabilities as stated in *The Rights of Persons with Disabilities Act, 2016* were considered. As per this survey, percentage of differently abled person was 1.9% for females and 2.4% for males. (**Table 6.12**).