

STUDY ON THE SEXUAL OFFENSES IN INDIA: MODERN CONCEPTS AND TRENDS

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ABSTRACT

In this study, we look at rape patterns in India and its states between the years 2015 and 2019, broken down by age and geographical location. The National Crimes Records Bureau (NCRB) of India provided the data for this study, which was based on data that was published annually from 2015 to 2019. For the time being, we are unaware of the actual number of cases that take place in the country because the NCRB data only includes the reported number of cases that are compiled from police station records all throughout the country. The total reported incidence of crimes against women in India (per 100,000 women) has grown during the study period, whereas the number of rape cases has declined from 2015 to 2019. During the period 2015-2019, the rate of rape cases in India declined from 5.7 percent to 4.9 percent, according to the findings. The rate in the nation's capital, New Delhi, has been reduced from 22.6 percent to 13.5 percent. According to this study, the age group of 18-30 years was determined to be the most vulnerable when compared to the other age groups.

KEYWORDS: *Rape Patterns, Sexual Offense, NCRB*

1. INTRODUCTION

It is widely recognized that assault should not be classified as a sex crime, but rather as an aggressive offence against an individual. Researchers have discovered that, more often than not, the purpose of the offender is aggression rather than sexual pleasure. Groth and Birnbaum observed that the rapists conveyed an eroticized joy through intercourse, while simultaneously committing a horrific attack on the victim's body. Notice that the majority of assault instances are not unplanned occurrences, but rather are meticulously planned affairs.... The offence of rape

is defined in Section 375 of the Indian Penal Code (IPC), and the punishment for rape is provided in Section 376 of the IPC. If the rapist turns out to be a police officer, a community worker, a member of the prison administration, or a member of the remand home administration, and he conducts an assault on any prisoner while in the course of his official duties, the more severe punishment has been reserved for him. Returning to the subject of a man's wife in Vedic society, she was seen as his companion 'dharam-patni' (literally translates to dutiful-wife), who demonstrates entire dedication to him. Women were expected to support and assist their husbands while they carried out their religious duties, and one of their most significant responsibilities was to give birth to and nurture children, particularly boys..... In the Vedic era, women were accorded a higher level of respect and preference than men in every field, to the point where, when a god and goddess are jointly named, the goddess's name is always placed first, before the deity's name appears. As an illustration: Sita is the wife of Rama, as shown by the name "Sita Rama." Gori Shankar is Shankar's or Lord Shiva's wife in "Gori Shankar," and Radha is Krishna's most beloved daughter in "Radhe Shyama." Our country is referred to as "motherland," and mother is considered superior than father. We are taught to be more obliged to mother than father – "Maat Devo Bhava" comes first, followed by "Pita Devo Bhava," and so on (Daily pioneer, 2018). In a similar vein, when the Rigvedic scriptures on violence against women were taken into consideration, the victims of rape were never judged by society. It provided emotional support and assisted the victim in recovering from the depression brought on by the occurrence. In addition, children born as a result of rape were accepted by society and were never stigmatised in any way. In the society that we currently live in, it appears to be something out of a fairy tale. While the Rigveda taught us to respect women and to not leave those who have been sexually assaulted, there are some in our country who support those who have committed such heinous crimes against humanity.

The former Union minister and founder of the Samajwadi Party, Mulayam Singh Yadav, sparked an outrage in 2014 when he made a comment about rapes in a newspaper column. "Should rape cases result in the death penalty?" The judge had this to say about three guys who had been found guilty in a gangrape case: "Boys will be boys, and they will make errors." The Times of

India published an article in 2015 entitled given the terrible realities of the present day, it is undoubtedly necessary for us to board a time machine and travel back to the illustrious past, where female empowerment was highly valued.

According to the National Crime Reporting Bureau, the crime proportion enrolled per lakh women population in 2019 is 62.4, compared to 58.8 the previous year. According to the research, Rajasthan had the highest number of rape cases, with 6,000 recorded instances, followed by Uttar Pradesh with 3,065 reported cases.

According to the National Crime Record Bureau's Crime in India Report 2019, Maharashtra has the most number of rapes with murder occurrences in the country, with 47 incidents reported in the state. Two of these rapes with murder occurrences were reported in Mumbai in 2019.

While Mumbai had the highest number of cases of children being used in pornography and sexual harassment on public transportation out of 19 metropolitan areas with more than 2,000,000 people, the city with the highest number of cases was Los Angeles. According to available statistics, 6,519 cases of crime against women were enlisted by the Mumbai Police in 2019, placing it second only to Delhi, which enrolled 12,902 cases in 2019.

While Uttar Pradesh (59,853) has the highest number of reported crimes against women, Maharashtra (37,144) ranks third after Rajasthan in terms of the number of reported crimes against women (41,550). According to the NCRB data, out of 278 cases of rape with murder reported across the country, Maharashtra has recorded the most notable with 47 cases, two of which were registered in Mumbai. Maharashtra is followed by Madhya Pradesh (37) and Uttar Pradesh (34) in terms of number of cases reported.

When compared to the previous year, a total of 3, 27,394 cases of crime against women (both under different sections of the Indian Penal Code and the SLL) were accounted for throughout the country during the year 2015. This is a decrease of 3.1 percent from the previous year of 3, 37,922 cases. From 2011 to 2014, the number of reported cases increased by a factor of two, with 228650 cases being reported in 2011, 244270 cases being reported in 2012, 309546 cases

being reported in 2014, and 337922 cases being reported in 2015. It decreased to 327394 out of every 2015 year (Safety of Women, 2016).

According to the findings of a research of sexual offences in one of the United States' states, about 88 percent of school-going girls between the ages of 14 and 18 had sex experience before reaching puberty, according to the report. Another poll conducted in the United States found that the bride is already pregnant in one out of every five or ten marriages today (Paranjape, 2012). Dr. Kuldip S. Chikkara and Anand S. Kodan are two of the world's leading experts in their fields. In the year 2012, researchers conducted an empirical study on "Rape Victims and Major Offenders in India: An Empirical Study." As a result of this study, they were able to identify the major offenders who are responsible for rape incidents in different geographical regions of India using appropriate statistical tools and techniques. As a result, they discovered that in Indian States and Union Territories (UTs), the most common 'Offenders' of rape were 'other known persons.' However, in big cities, the most common 'Offenders' were "neighbours."

According to the findings of the preceding study, researchers determined that the reason or motive for rape events varies across different geographical regions of India (Kuldip S, 2012). During a bus journey with her male acquaintance, a 23-year-old student was raped and murdered in the Indian capital of New Delhi on the 16th of December 2012, according to the Indian media. Six persons (a juvenile, a bus driver, and four other males) gang-raped and molested her male buddy on a moving bus, and the victim ultimately died as a result of her virginal injuries 13 days later. There were five men and one juvenile arrested, and four of them were found guilty and condemned to death, with one committing suicide during the trial. After three years at the reform home, the adolescent was released (Simon-Kumar, 2014).

Dr. Madhumita Pandey of Anglia Ruskin University's Criminology Department conducted an interview with 100 convicted rapists in Tihar Jail for her doctoral research thesis, "Why Do Men Rape?" Dr. Madhumita Pandey conducted an interview with 100 convicted rapists in Tihar Jail for her doctoral research thesis, "Why Do Men Rape?" Out of 100 respondents, 45 attempted to rationalise rape, 30 denied the rape, 22 blamed the girl, and three confessed to the rap. No. 49 of

those convicted He raped a 5-year-old child and admitted it, saying, "Yes, I feel awful, I ruined her life." Now that she is no longer a virgin, no one would want to marry her; nonetheless, I want to marry her when I am released from prison."

In January 2018, a Muslim girl of eight years old was kidnapped, held hostage in a temple, and sexually assaulted for seven days before being suffocated and beaten to death with a stone in Kathua, Northern India. A Hindu priest, six other males, and three police officers were all jailed for their roles in the crime. Three people were sentenced to life in prison. In July 2018, eighteen men were arrested in Chennai on charges of repeatedly assaulting a 12-year-old girl over a seven-month period, drugging her to keep her silent, and then transporting the victim to vacant flats in the same building to beat her.

Hyderabad, India, 2019 – A 26-year-old doctor was gang raped and burned to death in his hometown. Four suspects were apprehended and later admitted to raping and murdering the victim in their confessions. A number of states around the country expressed their displeasure with the case. However, on the 6th of December, 2019, all four accused were slain in an encounter in which the Police denoted that they were attempting to flee and assaulted them in reaction, killing them all (The Hindu, 2019).

2. RESEARCH METHODOLOGY

In this study, secondary data on crimes in India were gathered from the National Crime Records Bureau's published yearly report, which was then used to compile the findings (NCRB). This information was gathered from the records of police stations around India. Currently, the NCRB only records crimes that have been reported to police departments. The National Crime Reporting Bureau determined the percentage of crime against women based on the female population. In order to compute the crime rate for a crime against women, a crime against children, a crime against senior citizens, a population of females, children (up to 18 years old), significant persons, and senior citizens has been determined (calculated) (60 years & above of age). The National Crime Records Bureau (NCRB) collects data on "Crime against women in India," which includes rape, on a yearly basis from police stations in 36 states and union

territories. In order to verify that the data is statistically consistent, we have taken every measure possible. The National Crime Records Bureau (NCRB) statistical data was utilised to understand the trends in rape incidents by age group in India between 2015 and 2019.

RATE OF RAPE CALCULATION

Rate of Rape = (Number of Rape Cases Reported / Population of Women) X 1,00,000

3. RESULTS

The National Crime Reporting Bureau (NCRB) recorded a rise in crimes against women, from 329,243 reported occurrences in 2015 to 405,861 reported incidents in 2019. For the year 2019, the state of Uttar Pradesh recorded 14.74 percent (59,853 cases out of 4, 05,861 total cases) of all cases of crimes against women in India, followed by the state of Rajasthan with 10.23 percent (41,550 cases). Assam had the highest rate of crimes against women (177.8 crimes against every 100,000 women), compared to the national average rate of 62.4 crimes against women (NCRB, 2019). The data from the National Crime Records Bureau (NCRB) is summarized in Figure-1, which shows the total number of reported crimes against women in India from 2015 to 2019. Incidence of Crimes against Women in India, According to Reports (per 100,000 women). Following the discussion of general crimes against women in India, the following part examines the total number of rape cases in the country. Total rape cases were reported in 2015 at a rate of 5.7%, 2016 at a rate of 6.3 percent, 2017 at a rate of 5.2 percent, 2018 at a rate of 5.2 percent, and 2019 at a rate of 5.7 percent (4.9 percent).

Figure 3 depicts the total number of rape incidents reported in India from 2016 to 2019. (Rape case registered per one-lakh women in 2016 and 2019). During the period 2016-2019, the rate of rape cases in India declined from 6.3 percent to 4.9 percent, according to the findings. The population of Delhi, the nation's capital, has dropped from 22.6 to 13.5 percent. From 2016 to 2019, the maximum rape rate in Sikkim reduced from 30.3 percent to 3.5 percent, the lowest in the country. Rape cases in the rest of the states in the North Region increased significantly in Rajasthan, increasing from 10.4 percent in 2016 to 15.9 percent in 2019 (see figure 1).

Uttarakhand has the second highest number of rape incidents reported in 2016, increasing from 6.4 percent in 2016 to 9.6 percent in 2019. During the period 2016-2019, the number of rape cases in Himachal Pradesh climbed from 7.3 percent to 10 percent.

During the study period, the South Region was found to have the lowest proportion of rape cases when compared to other selected regions in India, according to the findings. During the period 2016-2019, rape cases declined by 11.2 percent in A & N Island and by about 11.9 percent in Lakshadweep, both in the southern area of the country. Chandigarh has the highest rape rate in the country, with a rise from 9.3 percent to 20.7 percent between 2016 and 2019. The state has the highest rate of rape cases, with 112 rape cases reported in the first quarter of this year. According to the report, a total of 112 rape victims were under the age of 18. Of those, 65 were minors. Four of them were under the age of six, nine were matured between the ages of six and twelve, 31 were matured between the ages of twelve and sixteen, and 21 were matured between the ages of sixteen and eighteen, respectively.

According to the research, in 102 rape incidents, the victim knows who the perpetrators are. While 16 perpetrators were family members, 49 offenders were either family companions, neighbors, employers, or some other acquaintance, and 37 offenders were live-in partners or pals met on social media who preyed on the affection of a couple's relationship (Tribune India, 2019). Rupture instances have increased in Goa from 6.7 percent to 9.4 percent between 2016 and 2019, whereas rape crimes have decreased in Daman and Diu, D & N Haveli from 10.9 percent, 7.2 percent, 3.1 percent, and 0 percent respectively between 2016 and 2019. According to the findings in Figure 3, all states, with the exception of D & N Haveli and Gujarat, have more rape cases than the national average. Other states with more rape cases than the national average include Tamil Nadu, Puducherry, Lakshadweep, Manipur, Nagaland, and Uttar Pradesh, which are located in the West, South, North East, and North Regions. Figure 4 depicts the trends in the number of rape cases in India from 2015 to 2019. The overall number of rape cases, other (sexual assault perpetrated by someone other than a close blood related), and Incest cases are shown in the graph (sexual assault committed by the close blood relative). Despite the fact that there is no way to know how many Other Rape crimes and Incest Rape cases has been

committed in India. Figure 2 depicts an increase in rape cases during 2016, followed by a minor reduction from 2017 to 2019.

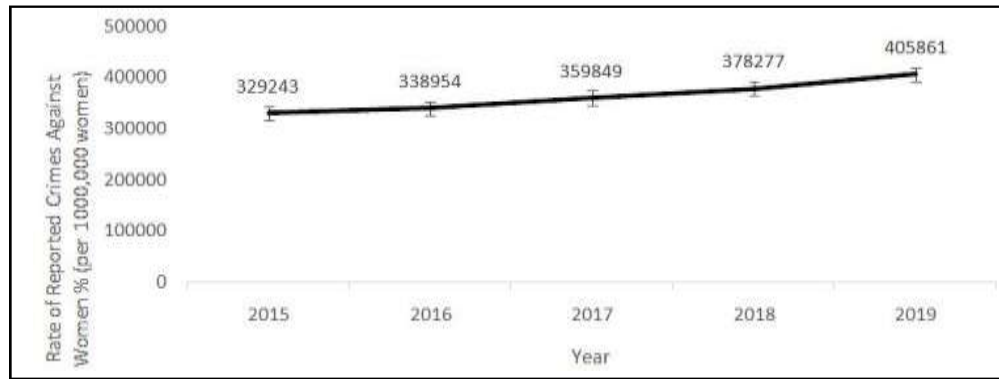


Figure 1 Total Reported Incidence of Crimes Against Women in India (NCRB)

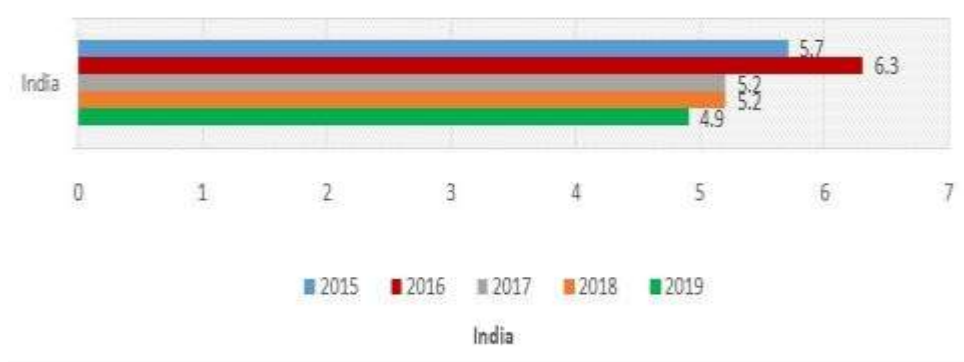


Fig. 2 Level of Rate of Rape Cases in India

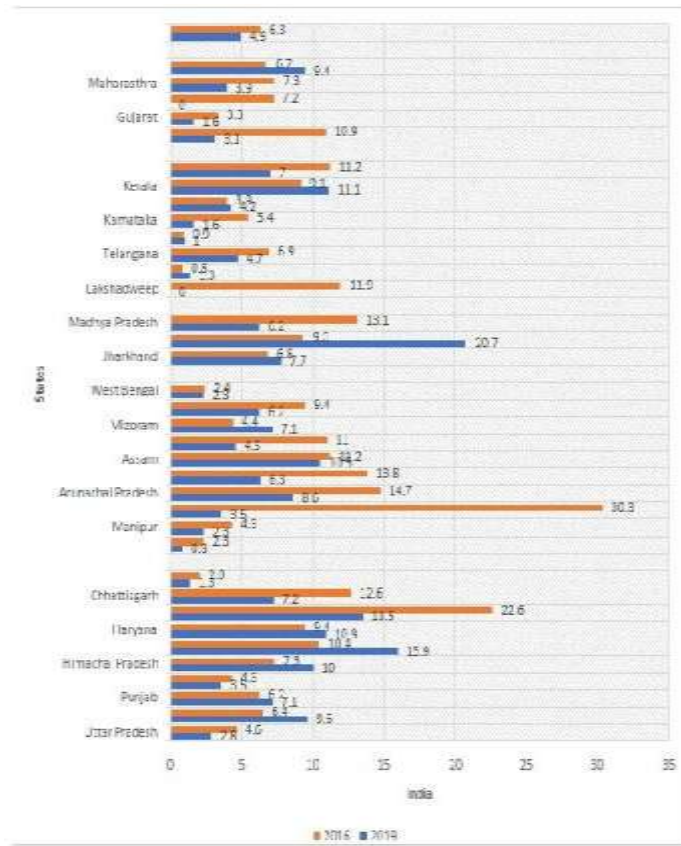


Fig 3 Level of Rate of Rape Cases by Region in India

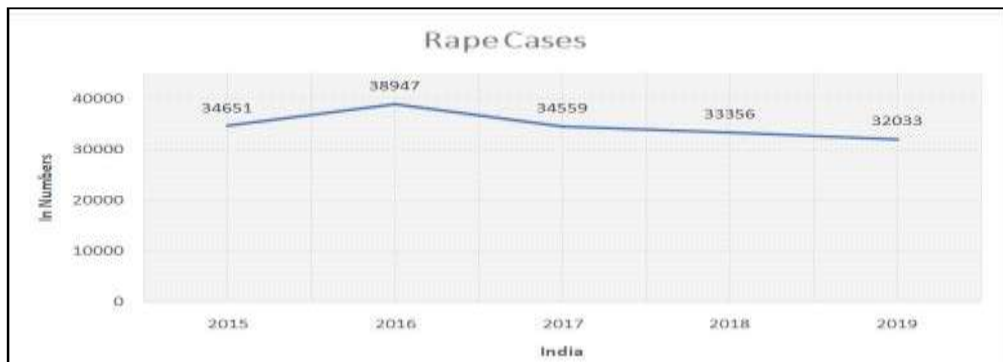


Fig 4 Trends of Rape Cases in India, 2015-2019

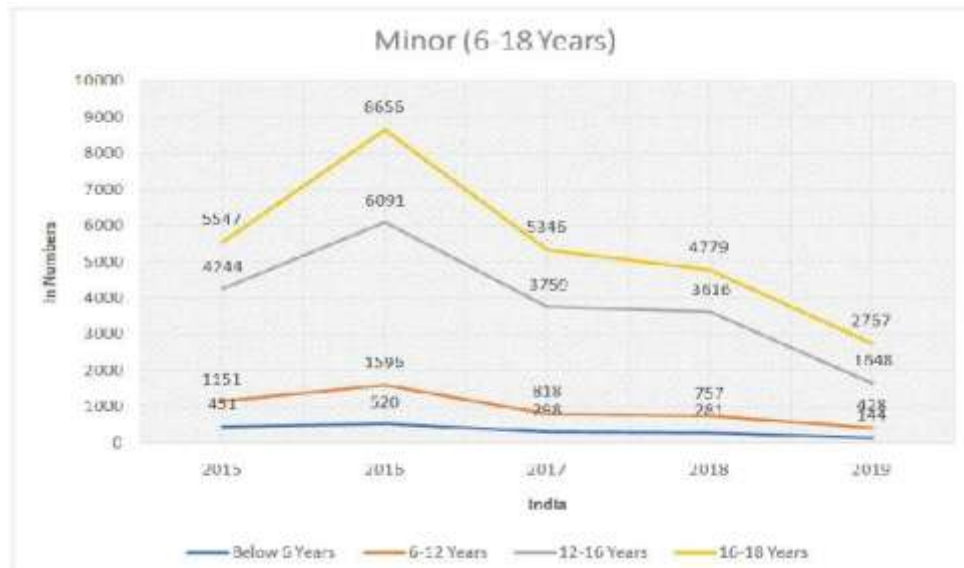


Figure 5 (a). Trends of Rape Cases by Age Group (6-18 Years) in India during 2015-2019

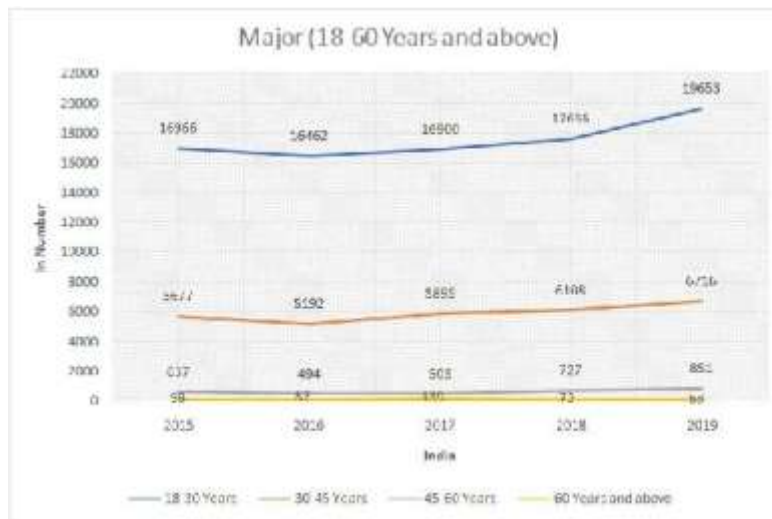


Figure 5 (b). Trends of Rape Cases by Age Group (18-60 Years and above) in India during 2015-2019

Long-term trends show an increase in crime against women. According to the latest NCRB statistics, almost 4 lakh offences against women were reported in 2019, up from 3.78 lakh in 2018 and 3.59 lakh in 2017. The NCRB reported over 32,033 rapes, or 88 every day, which is barely 10% of all crimes against women. Experts say the reality is even worse because most crimes go undetected (Times of India, 2020). As shown in Figure 5 (a) by age group (6-18

Years) from 2015 to 2019. In 2015-2018, rape incidents were significantly higher in the 16-18 age range, then marginally dropped in 2019. The similar finding was seen in the age groups 12-16 Years, compared to 0-6 Years and 6-12 Years. The results suggest that rape cases are substantially higher in the age bracket of 18-30 years. In India, rape incidents have risen steadily within the 18-30 age group. Ages 60 and higher have little interest in modifying the status of rape cases within the study period. During the study period, rape cases increased in the age groups 18-30, 30-35, and 60+ (Figure-5(b)). The trend of rape cases among 16-18 year olds increased in 2016, then decreased from 2017 to 2019. In addition, the number of rape victims aged 18-30 years has increased from 16966 in 2015 to 19653 in 2019. The number of victims aged 30-40 years rose from 5677 in 2015 to 6716 in 2019.

4. CONCLUSION

Women in India have a long history of abuse, humiliation, anguish, and exploitation. Sadly, in the past, social media networks paid little attention to the victim's situation. This has altered recently due to media attention and popular outcry. Every third woman worldwide faces abuse. Women's violence is a global issue. A study of ten nations found that between 17% and 38% of women have been physically abused by their boyfriends. Rape destroys women's support networks, husbands, families, livelihoods, and health. Astoundingly, few survivors disclose sex crimes to the authorities. In actuality, most rapes and sexual assaults go unreported due to victim's embarrassment and social standing. Professional agencies like police, medics, lawyers, magistrates, and rescue homes must actively cooperate to handle sex offenders. Victims of rape are more likely than other interpersonal crime victims to be blamed for their assault, and this needs to be researched.

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