

# Indian Women and Crime: A Socio Legal Decadal Trend analysis of Crimes against Women in Agra



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## Abstract

From birth to death, in times of peace as well as war, women face discrimination and violence at the hands of the state, the community and the family. Every year, millions of women are raped by partners, relatives, friends and strangers, by employers, colleagues, security officials and soldiers. During armed conflicts violence against women is often used as weapon of war. In Indian settings, violence seems to be more of a result of learnt behavior and male societal dominance. In line with the objectives, a statistically random sample of 325 women who had been victims of crime in the age group 18-45 was selected. As part of the study, a baseline survey of the first investigation reports was conducted to assess the various crimes against women in the years 2002-2006 and then compared to 2012-2016. The ten year archival analysis showed that a total number of 5438 crimes were reported in the period 2002-2006 and 6212 crimes were reported in the period 2012 to 2016. There was an increase in the number of recorded crime incidents from 2002 to 2004 and from 2015 to 2016. Crime incidents steadily decreased after the year 2014. There was a decrease in 163 reported cases between cases between the years 2014 and 2015. In order to improve their economic status, economic role based organisations of women such as cooperative, trade union and self-employment entrepreneur groups should be organised, particularly in rural areas ; more and more training facilities should be provided to them for achieving higher productivity in agriculture, side jobs and family employment . The government should undertake steps for bringing about an entire change in the attitude of society towards fair sex and equip them to stand on their own feet. Hoodlums should not be provided political patronage. Crimes like rape, kidnapping, eve-teasing and indecent exposure can be grouped primarily as social evils and laws alone cannot prevent them.

**Keywords:** Violence, Crime against Women.

## Introduction

Advancement of right of women has been the concern of world community since the end of Second World War. The Preamble of the Charter of the United Nations mentions the determination of the peoples of the United Nations "to reaffirm reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women" and "to employ international machinery for the promotion of the economic and social advancement of the people." Similarly provisions are also incorporated of the Charter of the United Nations instrument which provide for the protection and advancement of the rights of women. Equality on the basis of sex and individuality of women has also been recognized by the Indian Constitution. The Preamble of the constitution aims at providing to all its citizens equality of status and opportunity as well as justice –Social , Economic and Political. Moreover, a number of laws have been enacted to improve the lot of women. But neither the constitution nor the laws have been successful in changing the status of women. They continue to be exploited as a result of which they remain dependent-socially, economically and psychologically –upon men. There still exists the segregation of roles between men and women as well as division of authority.

## Review of Literature

In a 1980 study of 1000 victims of child abuse, A.B.Dave, et al found that 81 per cent could be classified as victims of physical abuse, 7 per cent of what the authors call neglect, 9.3 per cent of sexual abuse and 2.7 per cent of emotional abuse (Karlekar, 1999: 11). None of these categories can be treated as exclusive and it is important to note that

studies of this kind are extremely difficult to undertake (Karlekar, 1999: 11). This particularly so in the area of sexual relations where the overall attitude of secrecy and suppression which governs any discussion or reference to sex making it difficult to come to any definite conclusion on the extent of sexual abuse of children. Yet of available figures, of almost 10,000 reported rapes in 1990, an alarming 25 per cent are of girl children below the age of 16 and about a fifth are those under ten. A recent analysis done by the Crimes Against Women Cell, Delhi Police, points out that of the 143 rape cases registered between January and June 1992, 107 or almost 75 per cent were in the age range 7 - 18 years. Forty of the rapists were immediate neighbours and seven were relatives. Conversations with those in charge of the cell indicate that such cases are on the increase (Karlekar, 1999:11).

In identifying factors leading to wife beating, both Visaria and Ahuja, in their survey, have tested the co-relationship between wife beating and education. According to Visaria's (1999) survey in Gujarat, illiterate women face more violence than literate women. Relationship between abusive behaviour and level of education has been found to be statistically significant (Visaria 1999:12). Illiterate women and those with education up to primary level (class 4) tend to be more subjected to violence as compared to those who had received education beyond the primary level. However, one has to keep in mind that the percentage of literate women in Gujarat is overall only between 20% to 50%. In one district, Banas Kantha in Kutch, the total percentage of literate women is even lesser than 20%. In contrast a study by Ahuja (1998) shows that there is no significant relationship between beating and educational level of the couple. Educated women are beaten as much by their husbands as those who are illiterate or less educated. About one-fourth of the battered (24%) in Ahuja's study were those who were moderately educated and about one-fourth (26%) were highly educated. However, he added that men whose educational attainment is low, are more likely to beat their wife than men who are better educated. Study findings of Ahuja shows that although women of all ages are victims of wife-battering, a larger number of victims (72%) are among those with an age difference of upto 10 years between spouses. According to the survey findings of Visaria (1999), women who experience domestic violence early in their marriage, continue to be subjected to it even with increase in age. His findings point out that family structure, the presence or absence of children, and the size of the family have little co-relation with wife battering. The study also points out that family income, husband's occupation and employment of women are not co-related with wife- battering. According to survey findings of Visaria (1999) joint family tends to offer women some protection or acts as a deterrent to husbands using physical force to subdue them.

The forms of violence commonly found by Ahuja (1998) were slapping, kicking, tearing hair, pushing and pulling, hitting with an object, attempting

to strangle and threatening. Forms of psychological abuse were also found to exist, for instance, verbal abuse, sarcastic remarks in the presence of outsiders, imposing severe restrictions on freedom of movement, totally ignoring the wife in decision-making processes, making frequent complaints against her to her parents, friends, neighbours, and kin much to the embarrassment of the wife. Some of the reasons given by the women were financial matters, behaviour with in-laws, back-biting, talking to any male without the liking of the husband, asking for money, preventing him from drinking and husbands personality traits.

Some of the worse forms of violence has been reported by Visaria in her study (1999), for instance, beating with sticks or iron rod, knives, utensils, blades and ladles, throwing women against objects or bashing their heads against the walls, burning of breasts and vagina. In addition, sexual assaults in the form of both hitting women in the vagina by kicking or forcing her into sexual intercourse were reported by nearly 10% of the women. Some of the women who had become victim of this form of violence indicated that injury in their private parts cannot be noticed by anyone and they would be too ashamed to talk about it to others. A couple of women also hinted that men know that their wives cannot report such punishment even to their own parents or seek medical treatment due to a sense of shame. Some of the reasons given by women, in the survey done by Visaria is, meals not served properly, economic constraints, financial matters, men wasting money at tea stalls, drinking of alcohol, men feeling that women are paying less attention to the children and vis-à-vis, men feel women have a lot of free time and so on. Regarding the impact of violence, the majority of studies reported findings around the mental health implications of intimate partner violence. Results reported by Chen et al. in their US- based study of Hispanic women, indicated that women who had experienced sexual abuse from their intimate partner were at far higher odds (OR 42.60, 95% CI: 2.39-758.61) of developing depression than women with either a history of physical (OR 10.28, 95% CI: 1.54-68.77) or psychological abuse (OR 5.83, 95% CI: 2.11-16.16) when compared with non abused women.

#### **Research Questions and Objectives of The Study**

From birth to death, in times of peace as well as war, women face discrimination and violence at the hands of the state, the community and the family. Every year, millions of women are raped by partners, relatives, friends and strangers, by employers, colleagues, security officials and soldiers. During armed conflicts violence against women is often used as weapon of war. In Indian settings, violence seems to be more of a result of learnt behavior and male societal dominance. Intra-individual and Social Psychological explanations of violence state that there is an intergenerational transmission of violence. Individuals learn how to behave violently through direct experience of and exposure to violence (modeling). People learn to use violence to get what they want and that those who are violence love you

the most. Women are infested with learned helplessness i.e.women learn that the violence is beyond their control and become depressed and unable to help themselves .The research questions that come to the mind of the researcher are-Which crimes against women are more common in the Indian Perspective?Do the incidences of crimes against women reduce over time?Is there a change in the nature of crimes against women over the decade?Has the decadal educational and occupational drive for women enabled them to come forward and report crimes against them? How do victims of crimes react and face the accused? What problems do women face in dealing with the police and legal proceedings?

In line with the objectives, a statistically random sample of 325 women who had been victims of crime in the age group 18-45 was selected. The data was collected through repeated visits to Agra

Mahila Thanas among 42 other police stations and various NGOs operating in this region.As part of the study ,a baseline survey of the first investigation reports was conducted to assess the various crimes against women in the years 2002-2006 and then compared to 2012-2016.

The data instruments investigated the following variables in relation to victims of crime.-

Background information ; including Socio economic status, family structure and urban/rural setting, education and occupation.Type of crime committed against them,Place of crime, Persons involved and motivation in crime.

**Findings of The Study**

Trend Analysis was performed to investigate and document the trends of violent crime incidents in Agra from 2002-2006 and then from 2012-2016.Findings are illustrated in the preceding Tables

**Table 1**  
**Types of Violence Against Women in Agra District (2002-2006)**

Type of Crime	2002	2003	2004	2005	2006
Dowry Death	59	49	53	72	38
Suicide	28	36	26	31	31
Murder	10	15	10	14	8
Rape	57	33	29	36	39
Torture for Dowry	306	326	163	271	217
Outraging Modesty	106	83	55	85	88
Obscene acts and songs	114	82	55	80	177
Chain Snatching	33	40	32	46	35
Kidnapping & Abduction	106	94	72	103	85
Immoral Traffic (P) Act	3	4	4	5	4

The trend analysis of violent crimes between 2002 and 2006 is shown in Figure 1 above. The five year (2004-2013) archival analysis showed that a total number of 5348 violent crime incidents against

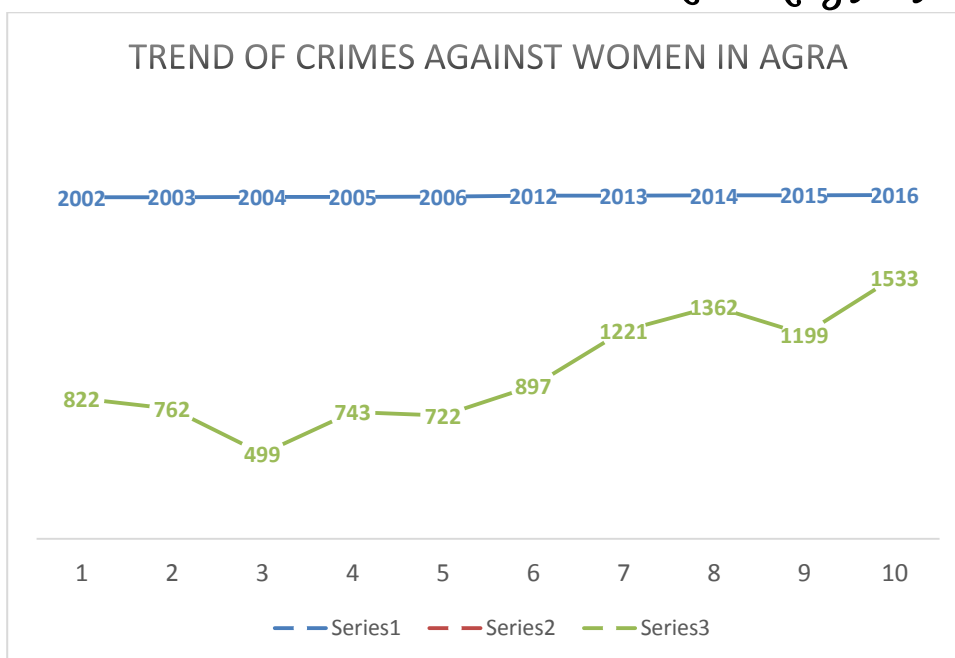
women were recorded throughout Agra . The highest number of violent crime incidents against women were recorded in the year 2002 (822 cases) followed by the year 2003 (762 cases)

**Table 2**  
**Types of Violence against Women in Agra District (2012-2016)**

Type of Crime	2012	2013	2014	2015	2016
Dowry Death	85	89	84	76	86
Suicide	14	11	21	12	12
Murder	36	35	39	30	26
Rape	43	72	66	60	81
Torture for Dowry	319	397	389	378	565
Outraging Modesty	131	228	373	275	363
Obscene acts and songs	26	67	55	26	18
Chain Snatching				2	
Kidnapping & Abduction	241	319	331	336	376
Immoral Traffic (P) Act	2	3	4	4	6

The trend analysis of violent crimes against women between 2012 and 2016 is shown in Figure 2 above. The five year (2012-2016) archival analysis showed that a total number of 6212 violent crime

incidents against women were recorded throughout Agra. The highest number of violent crime incidents against women were recorded in the year 2016 (1533 cases) followed by the year 2014 (1362 cases).



The trend analysis of crimes against women in Agra between 2002-2006 and 2012-2016 is shown in above figure. The ten year archival analysis showed that a total number of 5438 crimes were reported in the period 2002-2006 and 6212 crimes were reported in the period 2012 to 2016. There was an increase in the number of recorded crime incidents from 2002 to 2004 and from 2015 to 2016. Crime incidents steadily decreased after the year 2014. There was a decrease in 163 reported cases between cases between the years 2014 and 2015.

Based on the trend, it is clear that the rate of violent crimes is fluctuating and worrisome. Also it should be noted that, these figures do not include unreported cases that had happened in Agra. Thus, the total number of crimes against women in Agra is estimated to be much higher than that reported.

The investigator in his visits to the Agra Protection Home found that-

40% of victims were married women. All of them were victims of harassment due to unlawful demands or dowry demands of in-laws. 20% were victims of assaults to outrage modesty. 40% of the subjects reported to be victims of rape. One girl was abducted and lured to be imported to another country. They perceived that the motivation in crime was generally money or sexual satiety and display of dominance. Asked as to what the respondents' thought was the motive of crime, 20% reported Personal Rivalry, 40% lack of money, 40% due to thrill and pleasure. All victims reported that the crimes against them were committed indoors in absence of family members or by the family members themselves in unison.

Case studies revealed that most women were forced to beggary and prostitution due to monetary demands and poor living conditions. Here they also faced torture at the hands of Police.

**Discussion**

Considering the position of Agra in comparison with other districts of Uttar Pradesh, NCRB in its study found that the state of Uttar Pradesh which has being in the limelight for number of recent gruesome crime against women, has now topped the chart in the annual 2015 report published by National Crime Record Bureau. As per report, after state capital Lucknow, Agra has reported second highest number of cases of crime committed against women.

The report which was published in public domain, state that UP filed 35,527 cases of crime committed against women in the year 2015 and contributed 10.9 per cent to all India total, followed by West Bengal 33,218 cases and Maharashtra 31,126. Crime such as cruelty by husband and his relatives, assault on women with intent to outrage her modesty, sexual harassment, rape, dowry death, kidnapping and abduction for murder, voyeurism and stalking were the major contributors for cases of crime committed against women in UP. According to NCRB, there were 8,660 cases of cruelty by husband and his relatives followed by 7885 of assault on women with intent to outrage her modesty, 5,925 of sexual harassment, 3025 rape, 2335 dowry deaths, 519 stalking a woman, 61 of voyeurism and 73 cases of kidnapping and abduction of murder of women. Of the total crime number, barring dowry deaths state capital Lucknow reported maximum cases in all categories followed by Agra and others. Lucknow reported 793 cases of cruelty by husband cases followed by Ghaziabad 474, Kanpur 377 and Agra 358. In assault on women with intent to outrage her modesty, 286 cases were reported in Lucknow followed by 206 in Agra and 145 in Meerut.

Analysis of cases revealed certain anomalies in the existing law and order system of the Indian Society, which are as follows-

**Non-Registration of Crimes  
Problems of Evidence**

Police are also accused of withholding and destroying evidence in many cases, at the behest of the alleged perpetrators who might have caste or other community links with the police officers.

**Time and Money**

The length of time it takes to pursue a case of torture through the courts encourages victims to make compromises under pressure from perpetrators and their own community or family.

**Mental Torture**

Above all; to get justice, the judicial process is no less than the suffering of rape itself.

**Threats and Harassment**

There is no protection programme for victims or witnesses in India leading generally to a very high number of acquittals in criminal cases due to victims or witnesses testimony and the resulting lack of evidence.

**Justice or Impunity?**

One of the main factors in assessing whether governments have shown due diligence in addressing violence by non state actors in whether those responsible for such violations are brought to justice.

**Relief and Rehabilitation**

Many sections of the rules are not implemented in many of rape cases.

**The Role of Community**

Members of the victim's caste community or their family members can place enormous pressure on women victims of violence to either compromise or not pursue justice at all through formal justice at all through formal justice system.

**Conclusion**

One of the main cause why domestic violence prevails and continues is the lack of alternatives among the victims. Women and children may be economically dependent on abusers. Elderly people and children may feel too powerless to escape. Language or cultural barriers may isolate victims from seeking help. Victims generally feel, it is better to suffer in silence than to be separated from loved ones. They keep hoping for improvement, but it is normally observed that, without help, violence gets worse. Victims may also feel helpless, guilty or worthless. They may feel ashamed of the poor quality of the relationship. Abusers may fear the consequences of seeking help, unaware that continuing as before may be even more dangerous. Family members may be unaware of the help that is available from the local agencies. They may also be unaware of their legal rights.

In India we have no provision for protection of a complainant, not even under the Prevention of Dowry Act. A woman who has complained of harassment goes back to the very people against whom she has complained. What security can she possibly feel in such a situation, and how can she continue to act on her complaint? She obviously continues to be victimised often paying the ultimate price (Bedi K, 1999). Many complainants are faced with eviction from the family home, are cut off without maintenance, and are unable to follow the complaint

precisely because they have no means to do so.

Frequent, unexplained injuries, reluctance to seek medical treatment for injuries or denial of their existence, fear in the presence of certain family member/s, social isolation, disorientation or grogginess, especially in elders indicating misuse of medication and decline in physical appearance and personal hygiene indicating increased isolation and a lack of desire to continue living are some of the indicators of violence (Aravamudan G, 1995)

There is no doubt that we are in a midst of a great revolution in the history of women. The evidence is everywhere; the voice of women is increasingly being heard in Parliament, courts and in the streets. The Constitution of India guarantees equality of sexes and in fact grants special favour to women. These can be found in three articles of the Constitution. Article 14 says that the government shall not deny to any person equality before law or the equal protection of the laws. Article 15 declares that government shall not discriminate against any citizen on the ground of sex only. No citizen shall be barred from roads, shops hotels or public places on the grounds of sex only. Moreover, the government can pass special laws in favor of women. Article 16 guarantees that no citizen shall be discriminated against in matters of public employment on the grounds of sex only.

Equality, however, does not mean absolute equality in a mathematical sense. This would be humanly impossible to achieve. Just as all men cannot claim right to equal salary, housing, education and comforts, women cannot claim them as of birthright. What the Constitution guarantees is that equals will not be treated unequally without any good reason. A woman shall not be denied a job, for instance, merely because she is a woman. But if she is rejected because of poor marks in the written test or interview, she has no right to claim the job. She should be denied a benefit merely on account of sex or an arbitrary or unreasonable rule. As education is the basic imperative for the women to be strong and healthy both in brain and brawn some measures should also be undertaken to increase literacy among them.

**Modified Role of Legislature and Judiciary**

In order to improve their economic status, economic role based organisations of women such as cooperative, trade union and self-employment entrepreneur groups should be organised, particularly in rural areas ; more and more training facilities should be provided to them for achieving higher productivity in agriculture, side jobs and family employment . There should be reservation for women in all training and professional colleges. More attention should be paid to population, education and family planning as these are crucial to improve the status of women. Elementary education should primarily be entrusted to women at policy making, advisory, administrative and operational levels. The law and procedures should be modified to eradicate all the evil practices for changing the thinking of men folk about the fair sex. Procedure for addressing their grievances should be simplified relating their arrest

and remand in police station should not be ornamental in nature but productive in practice ; laws relating to marriage, divorce inheritance, polygamy , Polyandry dowry , widow-remarriage and certain atrocious practices such as rape, assault and wife-beating should be recast keeping in view the best interests of womenfolk. The cases relating to rape, eve teasing, kidnapping, abetment, bride burning, dowry death should preferably be investigated and adjudicated in camera by women. Services punishments should be provided for heinous crimes like rape, kidnapping and abduction of women, their wrongful confinement and their being forced to indulge in immoral practices. There should be speedy disposal of such cases. The government should undertake steps for bringing about an entire change in the attitude of society towards fair sex and equip them to stand on their own feet. Hoodlums should not be provided political patronage. Crimes like rape, kidnapping, eve-teasing and indecent exposure can be grouped primarily as social evils and laws alone cannot prevent them. On the other hand, as more laws are passed, there is a danger that the police and local authorities will get more powers which they may misuse. More awareness among women and encouragement to register cases at the police station even at the risk of some publicity are needed to fight these evils.

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### Remarking An Analisation

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