
**The Legislative Protection and Rights of Women
in Contemporary Indian Society — A Study
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Abstract: Fundamental for the progress of the country is the progress of its citizens, both men and women. Though women constitute half of the world's population, there is a significant gender gap in economic, social, political and other aspects of life. Gender-based violence and discrimination against women persist globally. The Constitution of India provides for equality and equal rights of the citizens in its Preamble, Fundamental Rights and Duties and also in the Directive Principles for State Policy. The Government of India has brought a significant number of legislations, schemes and programme to improve the status of women in every sphere of life and society. This study will critically examine the constitutional and legal provisions addressing to prevent gender-based violence, discrimination, and exploitation of women in India and their impact as revealed in available secondary data.

Key words: Constitutional provisions, Legal Provision, Laws, Development Policies and Schemes, Violations of Women's Rights, Crimes.

I. Introduction:

Every woman is a creator in the ideals of nationhood. I want the women of India to have consciousness of the great and dynamic nation whose energies have to be mobilized and harmonized for common purpose. -Smt. Sarojini Naidu

According to studies, women of ancient India used to enjoy a very respectful and powerful position. In the vedic age, women also enjoyed equal status and right with the men counterpart as envisaged from various religious books and epics. However, the scenario started to worsen with time and women were put under various restrictions in the society. Restricted access to education, child marriage, ban on widow remarriage, 'devdashi' custom, 'Sati' custom, etc. became part of the Indian social system. However, condition of women started improving during the late British rule and after independence. The independent India made many acts and provisions for improving the condition of women towards equality.

The Indian Constitution has given due importance to gender equality in its Preamble, Fundamental Rights and Directive Principles. The Constitution also empowers the state to adopt measures against discrimination of women. There are some specific provisions to ensure the rights of women which are incorporated in Directive Principles of State Policy. However, in spite of constitutional and legislative provisions, gender discrimination and injustices are common scenario in the society. Within the framework of the Constitution, various laws have been framed aiming at women's security in different spheres. India has also adopted various international conventions and human rights guidelines committing to secure equal rights of women. The International Labour

Organization in 1989 defined Social Security as “protection provided by the society to its members against the economic and social distress caused by the stoppage or reduction in earnings resulting from sickness, maternity, employment injury, unemployment, invalidity, old age and death, the provision of medical care and provision of subsidies for families with children” (ILO 2004).

In this paper an attempt has been made to analyze various provisions made under the Constitution, Acts passed by the Parliament, laws and regulations framed by the Government towards equality and protection of rights and interests of women in India. Studies have been made collecting material through secondary sources like various research articles, books, websites of various government departments and ministries. We have tried to understand and analyze such various provisions made by the Government to provide protection to women and find its benefit towards women empowerment and awareness of women of their rights and make observation accordingly. We have organized this paper in seven sections. We have summarized existing literature in section-II. Section III discusses labour force participation of male and female which determines economic power of the concerned person, In Section IV we enumerate the constitutional and legal provisions for the benefit of women. In Section V we have discussed the provisions made in Indian Penal Code and Code of Criminal Procedure, in section VI, special steps taken by the government for women has been enlightened, in section VII we presented statistics of crimes against women and finally in section VIII we make concluding observations.

II. Literature Review:

Women across the world faced many obstacles on their journey towards equality and empowerment. In the United Nations' Third World Conference on Women held in Nairobi in 1985, women's empowerment gained a thrust and emphasis was given on uplifting of economic status, redistribution of social power and control of resources in favor of women.

Gupta, et.al. (2024) found women empowerment as their capacity to decide on their life and work and earn equivalent social, political, financial and other rights. Even though women perform at the outdoors, additionally to their involvement and responsibility at home, and contribute to the financial need of the family, still they have to struggle for their socio-economic and political rights. The Constitution of India has provided women with equal rights, the Government of India has made many Act and Rules to safeguard the rights of women and bring equality in the society. However, active involvement of the society is required to wipe out the segregation and disparity towards women.

Rai (2021) discussed various provisions of the Constitution for women like safeguards granted to women by the Indian Constitution, Directive Principle of State Policy, Fundamental Duty. The Preamble of the Constitution itself provides equality for every citizen of the country and that the state will work on the concept of equality. Article 14 provides equality and equal protection of law for every person within the territory of India. Article 15 prohibits discrimination and Article 16 provides equal opportunity for every citizen regarding employment. In Article 39A, the State is directed to promote justice, equal opportunity and legal aid and Article 39D provides equal pay for equal work for both men and women. Apart from this, various acts and laws have been passed by the Parliament of India to safeguard the interest of women protecting discrimination in their

social, economic and political interest. However, due to lack of awareness and interest among women, the discrimination still persists.

Balasubramanian T. et. al. (2021) found that the Constitution of India has provided fundamental rights to all citizens including women in India. The Parliament of India has passed various acts and laws to safeguard the interest of women. He found that there is correlation women literacy with health, child mortality and economic growth. Reservation for women in village council is an important step by the government towards strengthening women's political rights. However, inspite of the government making laws to protect and upheld the interest of women, the implementation is on the part of the women and they have to come out to establish their rights.

Sharma et.al.(2023) in their research paper discussed about the legal provisions for empowering women. Some of the acts and rules came into force before independence and the Parliament of India has passed many acts and rules towards safeguarding the women's interest after independence. Indian Penal Code (IPC) also has incorporated many provisions for women like Section 304, 354, 366, 371, 494, 498 etc. Indian Code of Criminal Procedure (Cr. PC) deals with the procedure for administration of criminal law in India. Section 46, 51, 98, 197, 416 etc. of the Cr.PC provides safeguard to women. They considered women's illiteracy, economic dependence and lack of knowledge about their rights as the main hindrances towards their progress and equality.

III: Labour Force Participation:

Labour is required for production of goods and services and pursuing other economic activities and Labour Force Participation Rate (LFPR) is the percentage of population in the labour force. Table-1 reveals that LFPR of female of all ages is less than their male counterparts in both rural and urban sectors. The difference is more pronounced in urban areas than in rural areas.

Table-1: Labour force participation rates (in per cent) in Usual Status estimated from PLFS (2023-24) for persons of age 15 years and above and persons of all ages

Age Group	Rural			Urban			Rural + Urban		
	Male	Female	Person	Male	Female	Person	Male	Female	Person
15 years and above	80.2	47.6	63.7	75.6	28.0	52.0	78.8	41.7	60.1
all ages	57.9	35.5	46.8	59.0	22.3	41.0	58.2	31.7	45.1

Source: Annual Report, PLFS, 2023-24, MoSPI

Table-2 presents data on Worker Population Ratio (WPR) which is defined as the percentage of workers in the population. The data reveal that the WPR of female is less in both rural and urban area and the difference is more pronounced in urban areas than in rural areas. For all ages, male-female gap in WPR is more than 26 percentage points whereas if one considers effective age groups of 15 years and above, the difference is huge 37 percentage points.

Table-2: WPR (in per cent) in Usual Status estimated from PLFS (2023-24) for persons of age 15 years and above and persons of all ages

Age Group	Rural			Urban			Rural + Urban		
	Male	Female	Person	Male	Female	Person	Male	Female	Person
15 years and above	78.1	46.5	62.1	72.3	26.0	49.4	76.3	40.3	58.2
all ages	56.3	34.8	45.6	56.4	20.7	38.9	56.4	30.7	43.7

Source: Annual Report, PLFS, 2023-24, MoSPI

We have presented latest data on unemployment rate (UR) in Table-3. The UR is defined as the percentage of unemployed persons in the labour force. From table 3 it is understood that unemployment rate of female in urban area is more than that of female in rural area. The lower unemployment rate of women in rural area hides quality of female employment there which we will take up in Table-4.

Table-3: Unemployment Rate (in per cent) in Usual Status estimated from PLFS (2023-24) for persons of age 15 years and above and persons of all ages

Age Group	Rural			Urban			Rural + Urban		
	Male	Female	Person	Male	Female	Person	Male	Female	Person
15 years and above	2.7	2.1	2.5	4.4	7.1	5.1	3.2	3.2	3.2
all ages	2.7	2.1	2.5	4.4	7.1	5.1	3.2	3.1	3.2

Source: Annual Report, PLFS, 2023-24, MoSPI

Table 4 shows the broad category of employment in rural and urban area (Self employment, Regular wages / salaried employees, Casual labour), the rate of self employment of male is less than female, however in the subcategory of “Own account worker, employer” the rate of male workers dominates the same of female whereas, in the subcategory of “Helper in household enterprise” (may be low-paid or unpaid too) rate of female workers is much more than the rate of male. In case of “Regular wage / salaried employees”, in rural area the rate of female is half the rate of male, whereas in urban area rate of female is slightly higher than the rate of male. In the parameter of casual worker, the rate of female is less than male in both rural and urban area. Therefore, the table clearly exhibits that quality of employment is mostly low with increase in casualisation of employment. Only about one-fifth of the employments are under regular wage or salary. Self employment dominates both the rural and urban sectors.

Table-4: Percentage Distribution of Workers in Usual Status by status in Employment
Estimated from PLFS (2023-24)

	Employment Status	Male	Female	Person
		RURAL		
(i)	Own account worker, employer	47.0	31.2	41.0
(ii)	Helper in household enterprise	12.4	42.3	23.7
1.(i+ii)	Self employed*	59.4	73.5	64.7
2.	Regular wage/ salaried employees	15.8	7.8	12.7
3.	Casual labour	24.9	18.7	22.5
4.	All	100.0	100.0	100.0
		URBAN		
(i)	Own account worker, employer	35.1	28.5	33.4
(ii)	Helper in household enterprise	4.7	13.8	7.0
1.(i+ii)	Self employed*	39.8	42.3	40.4
2.	Regular wage/ salaried employees	46.8	49.4	47.5
3.	Casual labour	13.4	8.3	12.1
4.	All	100.0	100.0	100.0
		RURAL + URBAN		
(i)	Own account worker, employer	43.5	30.7	39.0
(ii)	Helper in household enterprise	10.1	36.7	19.4
1.(i+ii)	Self employed*	53.6	67.4	58.4
2.	Regular wage/ salaried employees	24.9	15.9	21.7
3.	Casual labour	21.5	16.37	19.8
4.	All	100.0	100.0	100.0

Source: Annual Report, PLFS, 2023-24, MoSPI

Table-5 reveals an interesting picture of work distribution. Female workers dominate agricultural sector and it is well known that wages in agricultural sector is less than in the other sectors. It is also found that the percentage of female worker is more in other services; the reason behind it may be vulnerability of wages and work in this sector. Further, PLFS, 2023-24 data also reveals that 58% of workers with regular wage do not have any written job contract, 47.3% employees not eligible for paid leave. It clearly reveals a very harsh reality in the employment front.

Broad Industry	Rural			Urban			Rural + Urban		
	Male	Female	Person	Male	Female	Person	Male	Female	Person
Agriculture	49.4	76.9	59.8	4.8	12.3	6.7	36.3	64.4	46.1
Mining & Quarrying	0.3	0.0	0.2	0.4	0.1	0.3	0.3	0.1	0.2
Manufacturing	8.1	8.5	8.3	19.3	24.1	20.5	11.4	11.6	11.4
Electricity, Water, etc.	0.5	0.1	0.4	1.3	0.5	1.1	0.7	0.2	0.5
Construction	17.7	3.9	12.5	13.2	3.0	10.5	16.4	3.7	12.0
Trade, Hotel & Restaurant	10.9	3.9	8.3	26.7	15.0	23.6	15.5	6.1	12.2
Transport, Storage & Communications	5.9	0.1	3.7	13.2	4.9	11.0	8.1	1.1	5.6
Other services	7.1	6.5	6.9	21.2	40.1	26.2	11.3	13.0	11.9
All	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Annual Report, PLFS, 2023-24, MoSPI

From the above data it may be mentioned that the labour force participation rate of female is still behind the male counterpart, the reasons behind that might be unequal wages, lack of infrastructure suitable for female workers, their safety, medical and maternity benefits and more. To protect the interest of women, provide equality and safeguarding from other hindrances, the government has brought many legislations to provide a society free from gender discrimination.

IV. Constitutional & Legal Provisions for the benefit of women

The importance of women's equal participation in the society and polity was given emphasis soon after the independence. Thus independent India took various measures for safeguarding the women's interest. Articles 14, 15, 325, 326 of the Constitution of India provide specific safeguard for women in India. Article 38, 39, 42 have given equal right, equal pay, equal means of livelihood, proper work condition and maternity relief. The historic 73rd and 74th Constitution Amendment Acts, 1992 reserved 1/3rd seats for women in the Panchayat raj and Municipal bodies.

The Constitution of India resolved "to secure to all its citizens JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation." It assures the dignity of the individuals irrespective of their sex or community and women benefit from these rights equally with men as citizens of India. The constitutional provisions that aim to empower Indian women are enumerated in Mukhopadhyay & Chattopadhyay (2025, Table 2, p.20).

The 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. Some acts which have special provisions to safeguard women and their interests are:

A. Laws before Independence:

- i. Hindu Widow Remarriage Act 1856
- ii. The Indian Evidence Act, 1872
- iii. The Indian Christian Marriage Act, 1872 (15 of 1872)
- iv. The Married Women's Property Act, 1874 (3 of 1874)
- v. The Guardians and Wards Act, 1890
- vi. The Workmen's Compensation Act, 1923
- vii. The Trade Unions Act 1926
- Viii. The Child Marriage Restraint Act, 1929 (19 of 1929)
- ix. The Payments of Wages Act, 1936
- x. The Payments of Wages (Procedure) Act, 1937
- xi. Hindu Women's Property Rights Act- 1937
- xii. The Muslim Personal Law (Shariat) Application Act, 1937
- xiii. Employers Liabilities Act 1938

B. Laws after Independence:

- i. The Minimum Wages Act, 1948
- ii. The Factories Act, 1948
- iii. The Employees State Insurance Act, 1948

- iv. The Minimum Wages Act, 1950
- v. The Plantation Labour Act, 1951
- vi. Mines Act-1952
- vii. The Family Courts Act, 1954
- viii. The Special Marriage Act, 1954
- ix. The Hindu Marriage Act, 1955
- x. The Protection of Civil Rights Act 1955
- xi. The Hindu Succession Act, 1956 (Amendment in 2005)
- xii. Immoral Traffic (Prevention) Act, 1956
- xiii. The Maternity Benefit Act, 1961 (Amended in 1995)
- xiv. Dowry Prohibition Act, 1961
- xv. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966
- xvi. The Indian Divorce Act, 1969 (4 of 1969)
- xvii. The Medical Termination of Pregnancy Act, 1971
- xviii. The Contract Labour (Regulation and Abolition) Act, 1976
- xix. The Equal Remuneration Act, 1976
- xx. The Criminal Law (Amendment) Act, 1983
- xxi. The Family Courts Act, 1984
- xxii. The Factories (Amendment) Act, 1986.
- xxiii. Indecent Representation of Women (Prohibition) Act, 1986
- xxiv. The Muslim women Protection of Rights on Dowry Act 1986
- xxv. Commission of Sati (Prevention) Act, 1987
- xxvi. The Pre-Natal Diagnostic Techniques (Regulation and Prevention of misuse) Act 1994
- xxvii. The Protection of Women from Domestic Violence Act, 2005
- xxviii. The Prohibition of Child Marriage Act, 2006
- xxix. Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

Among the Legislations made for the benefit of women, we discuss a few of the important Acts below:

i) The Minimum Wages Act, 1948: It is one of the most important legislation to prevent exploitation of workers. It was aimed at securing welfare of the workers by fixing minimum wages for both men and women worker workers and thus providing social justice.

ii) The Factories Act, 1948: This is one of the principal legislations for the workers to regulate safety, health and welfare of them and protecting them from industrial and occupational hazards. This also laid down specific provision for women workers to ensure their safety. Engagement for women for any work between 7:00 pm to 6:00 am, employ them for cleaning, lubricating, adjusting movable parts are prohibited under the Act.

iii) The Employees State Insurance Act, 1948: The Act applies to factories with 10 or more workers and government factories and provides benefit to them in case of injury, sickness and maternity.

iv) The Plantation Labour Act, 1951: This Act is provides welfare and regulate conditions of work in plantation. Under the Act, engaging women worker, except in medical units, from 7 p.m. to 6 a.m. is prohibited. An interval of at least half an hour is compulsory for

women after a continuous period of five hours.

v) Mines Act, 1952: This was enacted for the protection and safety of mine workers. It prohibits engagement of women in the mines located underground and works which are hazardous to life, safety and health of women workers. It also fixed the maximum load to be carried by a woman and directed to arrange for separate washrooms for women workers.

vi) Maternity Benefit Act, 1961: The major legislation for women worker is the Maternity Benefit Act to promote the welfare of working women. The Act applies all establishments employing more than ten persons. It provides maternity benefits to women for a certain period before and after childbirth and medical bonus. It also entitles a woman to get leave with wages for a period of six weeks in case of miscarriage.

vii) The Beedi & Cigar Workers (Conditions of Employment) Act, 1966: This Act regulates the conditions of service and welfare of the workers employed in the beedi and cigar establishments directly or through agency. It also applies to persons working in this field from home. Since a significant number of workers in this field are women, this act is important for them.

viii) The Equal Remuneration Act, 1976: This is arguably the most important Act for women workers as this provides for equal pay to both men and women for equal work of similar nature. It abolishes gender discrimination between men and women in remuneration and recruitment process.

ix) Indecent Representation of Women (Prohibition) Act, 1986: This Act prevents indecent representation of women in any form and prohibits indecency, exploitation and obscenity of women through any kind of medium like painting, writing, advertisements, publications.

x) Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996: This Act provides employment and service condition of building and construction workers and ensures their safety, health and welfare measure. This Act also provides for facilities of crèches and medical benefit to women workers.

xi) The Protection of Women from Domestic Violence Act, 2005: This Act ensures protection of the rights of women against violence occurring within the family.

xii) Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013: This Act provides comprehensive guidelines regarding formation of Internal Complaints Committees (ICC), procedure of filing complaints and redressal mechanism for harassment at the workplace. This was aimed at protection of fundamental rights of equality under Article 14 and 15, right to practice any profession and right to safe working environment under Article 19(1)(g) of the Indian Constitution. This Act was introduced after the landmark Judgment of the Honourable Supreme Court of India in Vishaka and Others vs. State of Rajasthan and Others. It provides detailed guidelines on Constitution of Internal Complaints Committee, Constitution of Local Complaints Committee, Complaint of sexual harassment, Conciliation, Inquiry into complaint, Action during pendency of

inquiry, Inquiry report, Punishment for false or malicious complaint and false evidence, Determination of compensation, Prohibition of publication or making known contents of complaint and inquiry proceedings and Appeals. It also describes the duties of employer, ICC and penal provisions.

V. Provisions made in Indian Penal Code and Code of Criminal Procedure

A. Indian Penal Code (IPC) and provisions related to women's safety —

1. Section 304 (b) of the IPC enumerates penalties regarding dowry death- It has been provided that in case of dowry death, the person guilty of such offence can be punished with imprisonment for seven years or also life imprisonment in some cases. An unnatural death of a women is counted as dowry death if a woman dies unnaturally within 7 years of her marriage and is harassed by her husband or his family or relatives in dowry related matters.

2. Section 354: enlighten on attempt to outrage the modesty of a woman- A person may be imprisoned for two years or imposed financial penalty or both if it is found that the person tried to outrage the modesty of a woman, attacked her or used criminal force against the woman.

3. Section 366: discuss about forced kidnapping for marriage and punishment of imprisonment of 10 years with fine

4. Section 366 (a): It provides measures for inappropriate relations with a girl less than 18 years of age and punishment.

5. Section 371: Provision for non-bailable warrant with punishment of 10 years imprisonment and fine has been made for treating a woman as slave or other kind of inferior manner.

6. Section 376 (b): It provides women's safety in custody or jail and provisions of punishment for the offence.

7. Section 498: Violence against woman of any kind, verbal, physical, mental or economic provides for non-bailable punishment of 3 years.

VI. Special Steps towards Women Empowerment

Though constitutional provisions and acts are made for woman empowerment and development, the safeguards to look after the purpose are necessary. The following initiatives have been taken in this regard:

1. National Commission for Women

In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc. it works at national as well as state level.

2. The National Plan of Action for the Girl Child (1991-2000)

The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

3. Short Stay Home for Women and Girls (SSH)

Short Stay Home for women provides temporary accommodation for homeless women and girls.

4. National Policy for the Empowerment of Women, 2001

The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a “National Policy for the Empowerment of Women” in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

5. Reservation for Women in Local Self – Government

The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

6. Rajiv Gandhi National Crèche Scheme

This provides crèche and day care facilities to working women to their children while they are at work.

7. Assistance to States for Feed and Fodder Development

Under this scheme, women worker gets aids for feed and fodder. This scheme was implemented from April 2005.

8. Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG) or SABLA

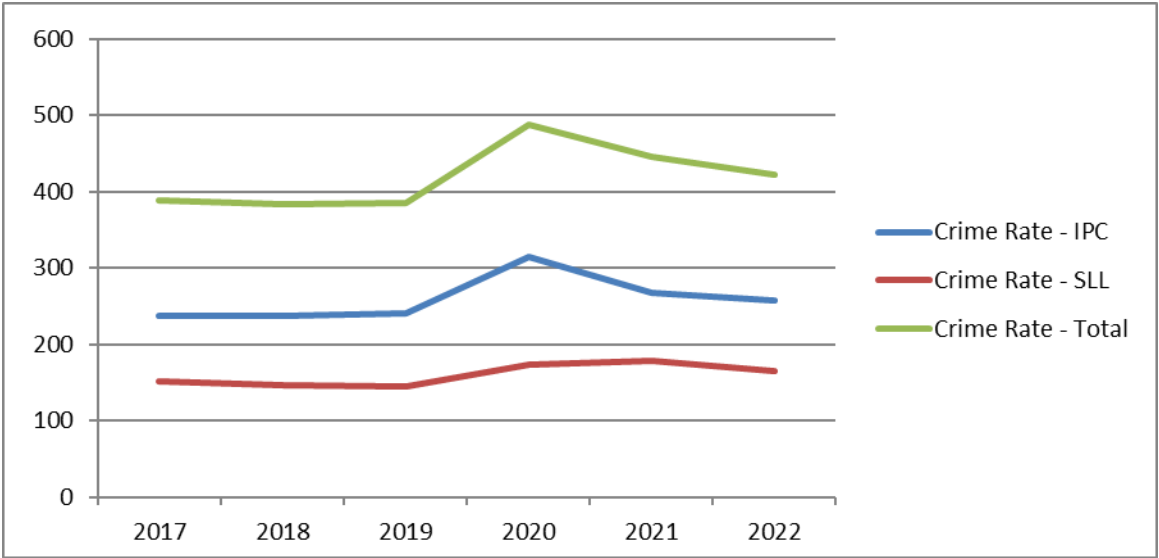
It was introduced for all-round development of adolescent girls. It aimed at providing awareness of health, hygiene, family, child care, training and non-formal education.

9. Ujjawala

This schemes provides rehabilitation services, basic amenities, counselling, legal aid and aimed to prevent trafficking of women and children.

VII: Crime against Women:

In spite of several provisions under the Constitution and legislations, there is significant number of crimes against women in India. In the following tables we represent the statistics of crimes in India and discuss about the rate of crimes during 2017-25.



Note: Crime Rate is calculated as Crime Incidence per 100,000 of population
IPC indicates Indian Penal Code while SLL indicates Special & Local Laws
Source: National Crime Records Bureau (NCRB)

Chart-1 reveals that the incidence of crime (number of FIRs registered) has increased consistently from 2017 to 2020 and decreased in 2021 and 2022. One reason behind this decrease may be that 2021 and 2022 were COVID pandemic and post pandemic year respectively, when activities outside home was restricted. The other reason may be less reporting of offences, which if true, is more alarming.

Table-6: Crime Rates under IPC and Special & Local Laws (SLL) in 2022 (State-wise Total)

State	Rate of Cognizable Crimes (IPC)	Rate of Cognizable Crimes (SLL)	Rate of Total Crimes IPC+ SLL
Kerala	661.0	613.7	1274.8
Nagaland	45.4	26.3	71.8
Tripura	88.7	21.3	110.1
West Bengal	158.5	24.3	182.8
All India	258.1	164.1	422.2

Source: National Crime Records Bureau (NCRB)

Table-6 reflects the incidence of IPC and SLL crimes in 2022. Among the states in India, in 2022, Kerala (661.0) was on the top in crime rate (IPC), while Nagaland (45.4) had the lowest crime rate. West Bengal with a crime rate of 158.5 per 100,000 population was ranked 20th among all states and UTs in India. In the parameter of rate of SLL crimes in 2022, Kerala (613.7) was on the top, Tripura (21.3) had the least crime rate while West Bengal (24.3) was ranked 27th among the states. In case of total crime rate in 2022, Kerala (1274.8) is on the top, Nagaland (71.8) has the lowest crime rate, and West Bengal had a crime rate of 182.8 while the national average rate was 422.2.

Table-7: Crime Rates against Women under IPC during 2017-2022

Table-7: Crime Rates against Women under IPC during 2017-2022

	Nature of crime	2017	2018	2019	2020	2021	2022
1	Assault on Women with Intent to Outrage her Modesty – TOTAL	13.6	13.8	13.8	13	13.4	12.4
(a)	Assault on Women	7.5	7.4	7.4	7.3	7.5	6.7
(b)	Sexual Harassment – TOTAL	2.8	3.3	3.4	2.6	2.6	2.7
i	At Work or Office Premises	0.1	0.1	0.1	0.1	0.1	0.1
ii	In Public Transport System	0.1	0.1	0.1	0.1	0.1	0.1
iii	In Shelter Homes for women and Children	0.1	0.1	0.1	0.1	0.1	0.1
iv	Other Places	2.6	3	3.1	2.4	2.5	2.5
(c)	Assault or use of Criminal Force on women with intent to Disrobe	1.7	1.5	1.6	1.6	1.7	1.4
(d)	Voyeurism	0.2	0.2	0.2	0.2	0.2	0.2
(e)	Stalking	1.4	1.5	1.3	1.3	1.4	1.5
2	Kidnapping and Abduction of Women to compel her for marriage	7.9	8	7.4	3.8	4.2	4.3
3	3. Procurement of Minor Girls	4.2	4	3.5	0.6	0.6	0.4
	Total Crime rates against women	25.7	25.8	24.7	17.4	18.2	17.1

Source: National Crime Records Bureau (NCRB)

The Table-7 reveals crime rates against women under IPC during 2017-2022. It shows that the number and rate of assault on women, sexual harassment are less in 2022 than in 2017. A significant decrease in number and rate is noticed in the parameters of 'kidnapping' and 'procurement of minor girls'. In 2017, number of cases of kidnapping was 105037 (rate: 7.9) whereas in 2022 it was 28656 (rate: 4.3). In the parameter of 'procurement of minor girls', the number in 2017 was 56591 (rate: 4.2) and in 2022 it was 1827 (rate: 0.4). Incidence of sexual harassment was 20962 (rate-2.8) in 2017, in 2020 it was 17003(rate-2.6) and in 2022 it was 17809 (rate-2.7). Sexual harassment at workplace has also decreased in 2022 from 2017. Pandemic situation may be a reason for lesser numbers of incidences from 2020; other reasons may be less reporting or more vigilance.

Table-8: Crime head wise SLL (Special and Local Laws) Crime rates against Women

Crimes	2017	2018	2019	2020	2021	2022
The Dowry Prohibition Act	1.6	2	2	1.6	2	2
The Immoral Traffic (Prevention) Act	0.3	0.3	0.3	0.2	0.3	0.2
The Protection of Women from Domestic Violence Act	0.1	0.1	0.1	0.1	0.1	0.1
The Indecent Representation of Women (Prohibition) Act	0	0	0	0	0	0
Total Crimes (rate) Against Women	2.1	2.4	2.4	1.8	2.4	2.3

Source: National Crime Records Bureau (NCRB)

In Table-8 we present the data on the number and rate of crimes under various Acts and we find that total crimes have increased during 2021 and 2022. A significant increase in number and rate is noticed in the parameters of 'Total crimes under SLL' and 'Dowry Prohibition Act'. In 2017, number of cases of total crimes (SLL) was 12957 (rate: 2.1) whereas in 2022 it was 15472 (rate: 2.3). In the parameter of cases under 'Dowry Prohibition Act', the number in 2017 was 10189 (rate: 1.6) and in 2022 it was 13479 (rate: 2.0).

Table-9: Crimes against Women (IPC) Section-wise in 2022

	State with highest rate		States with lowest rate		West Bengal	All India
	State	R	State	R	R	Rate
Assault on Women (Sec. 354 IPC)	Rajasthan	16.2	Nagaland	0.0	2.5	6.7
Sexual Harassment (Sec.354A IPC) (Total)	Uttar Pradesh	4.0	Nagaland	0.8	0.7	2.7
Kidnapping and Abduction of Women to compel her for marriage (Sec.366 IPC)	Uttar Pradesh	8.6	Sikkim and Mizoram	0.0	1.0	4.3
Procuration of Minor Girls (Sec.366A)	Haryana	10.1	Arunachal Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Uttar Pradesh, Uttarakhand	0.0	0.1	0.4

Source: National Crime Records Bureau (NCRB)

Note: R= Crime Rate per lakh population

Table-9 presents a snapshot of data for 2022 on IPC section-wise crimes against women. In case of Assault on women, Rajasthan tops the list with incidence of 6356 (rate: 16.2), Nagaland reports no such incidence and West Bengal was ranked 11th position with incidence of 1194 (rate: 2.5). Number of incidence all over India was 44867 (rate: 6.7).

In case of Sexual Harassment, Uttar Pradesh tops the list with incidence of 4530 (rate: 4.0), Nagaland is at the last with incidence of 9 (rate: 0.8) and West Bengal is at 11th position with incidence of 326 (rate: 0.7). Number of incidence all over India was 17809 (rate: 2.7).

In 2022 in case of Kidnapping and Abduction of Women, Uttar Pradesh tops the list with incidence of 9558 (rate: 8.6), Sikkim and Mizoram on the other hand, reported no incidence and West Bengal is at 10th position with incidence of 485 (rate: 1.0). Number of incidence all over India was 28656 (rate: 4.3).

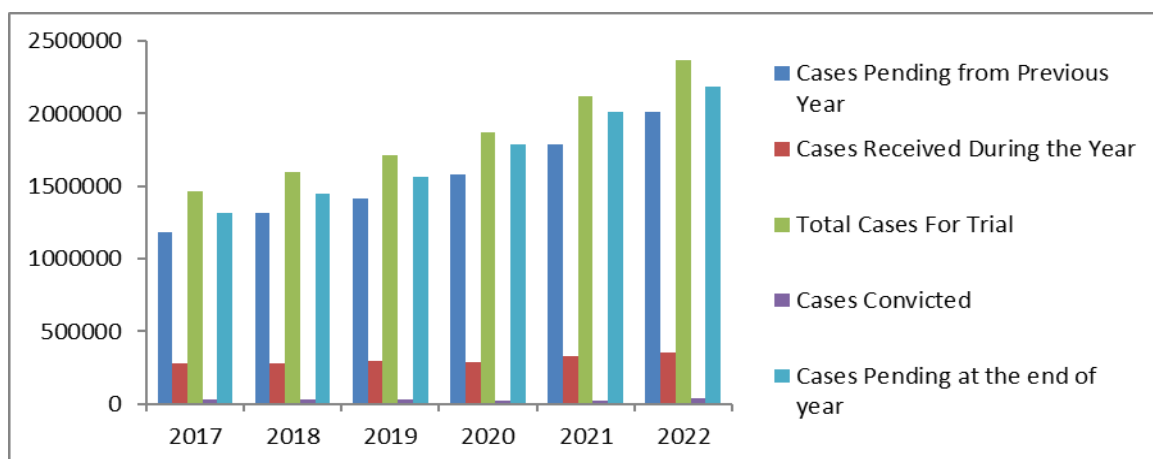
In case of Procurement of minor girls in 2022, Haryana tops the list with incidence of 918 (rate: 10.1), ten states reported no incidence and West Bengal is at 10 with incidence of 26 (rate: 0.1). Number of incidence all over India was 1827 (rate: 0.4).

Table-10: Crime against Women – Police Disposal 2017 to 2022

Year	2017	2018	2019	2020	2021	2022
Cases Pending from Previous Year						
IPC	150566	153139	157731	171793	171730	166665
SLL	19393	23397	27368	29569	30861	33250
Total	169959	176533	185099	201362	202591	199915
Cases Reported During the Year						
IPC	315215	323345	343177	311354	357671	365300
SLL	44634	54932	62684	60149	70607	79956
Total	359849	378277	405861	371503	428278	445256
Total Cases For Investigation						
IPC	465882	476586	501017	483284	529527	535574
SLL	64035	78350	90138	89765	101525	114459
Total	529917	554936	591155	573049	631052	650033
Cases Chargesheeted						
IPC	244382	236431	243423	237013	268921	277303
SLL	37196	46547	53423	54290	63162	73880
Total	281578	282978	296846	291303	332083	351183
Chargesheeting Rate						
IPC	78.3	74.7	73.7	76.0	74.4	72.6
SLL	91.6	90.5	88.9	92.2	91.3	90.6
Total	79.8	76.9	76.0	78.6	77.1	75.8
Pendency Percentage						
IPC	32.9	33.4	34.0	35.4	31.6	28.6
SLL	36.5	34.3	33.0	34.4	31.8	28.7
Total	33.3	33.6	33.8	35.2	31.7	28.6

Source: National Crime Records Bureau (NCRB)

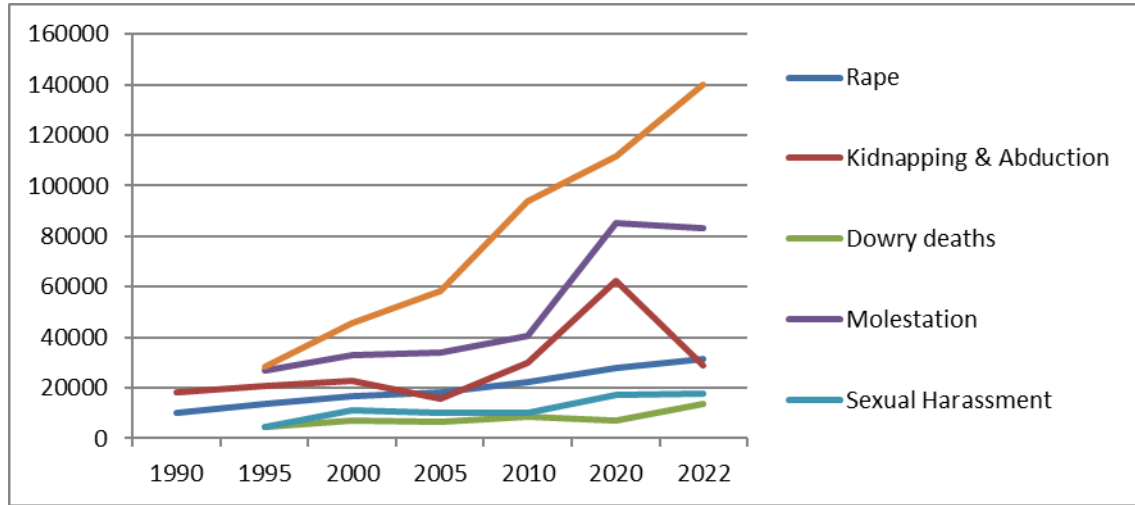
Table 10 shows the police disposal of cases for crime against women from 2017 to 2022. Cases reported in the year 2022 was highest during 2017 to 2022. Number of cases charge sheeted was highest in 2022 but the rate of charge sheeting was highest in 2020. Pendency percentage was maximum in 2020. Let us turn our focus to the disposals of cases related to the crime against women. This is presented in Chart-2.

Chart-2: Crime against women – Court disposal, 2017 to 2022

Source: National Crime Records Bureau (NCRB)

The Chart-2 shows the court disposal of cases for crime against women from 2017 to 2022. Cases received in the year 2022 was highest during 2017 to 2022. Number of cases in which convicted was highest in 2022 but the rate was highest in 2020. Pendency percentage was maximum in 2020. It is clearly visible that though the cases are increasing over the years, conviction rates are very low. Charge sheeting rate in police cases remained between 75.8 to 79.8 and conviction rate in court cases remained between 23.1 to 29.8. Rest of the court cases remained pending, rate of which is as high as 89.6 to 95.5. Let us now have a long time series view of crimes against women during 1990 to 2021 which is presented below in Chart-3.

Chart-3: Crimes against women 1990 to 2022



Source: National Crime Records Bureau (NCRB)

Above table- 13 and chart-11 showing crimes against women from 1990 to 2022 reflects that cases of various crimes against women have increased over a period of thirty years. Increase in population, awareness of people and reporting to competent authority may be a reason behind it.

VIII. Conclusion:

In recent years, the empowerment of women has been recognized as the central issue in determining the status of women. From the Fifth Five Year Plan (1974-78) there has been a shift in the approach to women’s issues, that is from women’s welfare to their development. The National Commission for Women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels. The State has ratified and adopted recommendation of international bodies and associations for human rights to secure equal rights of women. Recommendation of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993 has also been adopted by the country. Women’s empowerment and their social protection have been greatly enriched and inspired by women’s movement and non-Government Organizations with insight and concern into women’s rights. However, gaps between the goals enunciated in the Constitution, legislation, policies, plans, programmes, and the reality of the status of women in India still exists.

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