

Women Safety in Delhi

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By

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Being an urban Indian woman is to live in terror of sexual assault? "What is worse is the lack of outrage. That's what is wrong with our mistaken modernity, where you can wear

the latest label in clothes but still regard women as property or a sex object." The dominant culture of Delhi, she says, is contempt for a woman's person. But it is not restricted to Delhi-though **according to the National Crime Records Bureau (NCRB), the capital accounts for over 47% per cent of rapes and abduction of women in urban India.** For women across India, fear is a constant companion and rape is the stranger they may have to confront at every corner, on any road, in any public place, at any hour. According to data collected by women's organizations, a woman is raped every half-hour somewhere in India. It is a terror that is increasingly being brought home to urban women, as they strike out on their own in search of economic and social independence.

THE PROBLEM OF MINDSET:

What makes them so afraid? According to available data, only 10 per cent of the rapes get reported. Yet even that figure is so high: according to the ncrb data for 2003, there were 15,847 rapes, of which two-thirds were of women between the ages of 18 and 30. More worryingly, 81 per cent of the cases taken up by courts in 2003 are still pending justice and activists estimate the annual conviction rate is as low as 5 per cent. Clearly, despite a growing trend of migration to cities for education and work (according to nss data for 1999-2000, urban to urban migration is 10.14 per cent of the total migration by women), society at large is still not accustomed to women on their own-or with men who are not their fathers, husbands or sons.

When the call-centre worker was raped in Delhi, the key question was not why the police did not respond after her friend called within five minutes for help or what the PCR van parked nearby was doing. It was: what was she doing walking in an unsafe area at 2 in the night? When the Mumbai college student was raped, the question reflected a similar mindset. Why was she making out with her boyfriend in public? And when the cell phone company employee was almost raped by four men in Jaipur, it was the same statement again. She got what she was asking for by drinking and then eating alone at a restaurant in such a "conservative" city.

Single. Unsafe. Easy? These terms are often used indiscriminately in the backlash against the ongoing shift in gender power.

Rape, always the dark side of the moon, has acquired a far more vicious dimension now, when it is used to punish urban women, as the gap between the aspiration of the have-nots and the reality of the haves widens. When confronted with it in flesh, their first instinct appears to be to acquire, and when that fails, they do so by force. It is a pattern repeated especially when faced with the outsider-it could be the North-eastern woman raped in Delhi, the foreign tourist raped in Jodhpur or even the Swiss diplomat raped in Delhi.

With the breakdown of traditional bulwarks and women competing with men on equal terms especially in service sector industries where night shifts are de rigueur and interaction with customers/clients even at so-called odd hours expected, the estrangement of the sexes looks likely to grow. Globalization is gender neutral. It is only

interested in the end product, not who made it or how. As women transcend boundaries given to them by generations before them, they lose the protective umbrella of the family: they become anonymous. . Moreover, as more women live away from the places of their birth, they find society is not equipped to meet the challenges of housing them or providing transport for them. Working women's hostels are limited and public transport in most cities is not conducive to those who work late hours. Accommodation is always a problem.

Law is the last recourse, for the sloth in the police and judicial system is too deep-rooted. **In the Saheli survey, 95 per cent of the women said that they would not inform the police about the incident.**

Add to it the general attitude of the police, of paternal moralizing rather than policing despite gender sensitization campaigns. But when it comes to conviction rates, there is no such fervor. As activist Flavia Agnes puts it: "Society at large believes it can get away with rape. There is no accountability on the investigative machinery and the prosecution. Often FIRs are written in a haphazard manner, witness statements are not recorded, on-the-spot panchnamas are done carelessly. Also, doctors in public hospitals whose evidence is crucial do not record the injuries properly."

Legal reform is as important. There is a demand from women's organizations and the rather toothless National Commission for Women that the rape law be amended to bring non-penetrative and non-vaginal assault into the category of sexual assault; to make every police officer and doctor who has conducted investigations in a haphazard manner accountable with stringent stipulations; and to change the Indian Penal Code language from rape to "sexual assault". But sometimes even legal reform does not help: despite an amendment to the Indian Evidence Act, a woman's sexual history is still used as a defence through the backdoor.

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.

Sexual harassment

Half of the total number of crimes against women reported in 1990 related to molestation and harassment at the workplace. Eve teasing is a euphemism used for sexual harassment or molestation of women by men. Many activists blame the rising incidents of sexual harassment against women on the influence of "Western culture". In 1987, The Indecent Representation of Women (Prohibition) Act was passed to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner.

In 1997, in a landmark judgement, the Supreme Court of India took a strong stand against sexual harassment of women in the workplace. The Court also laid down detailed guidelines for prevention and redressal of grievances. The National Commission for Women subsequently elaborated these guidelines into a Code of Conduct for employers.

Dowry

In 1961, the Government of India passed the Dowry Prohibition Act, making the dowry demands in wedding arrangements illegal. However, many cases of dowry-related domestic violence, suicides and murders have been reported. In the 1980s, numerous such cases were reported.

In 1985, the Dowry Prohibition (maintenance of lists of presents to the bride and bridegroom) rules were framed. According to these rules, a signed list of presents given at the time of the marriage to the bride and the bridegroom should be maintained. The list should contain a brief description of each present, its approximate value, the name of whoever has given the present and his/her relationship to the person. However, such rules are hardly enforced.

A 1997 report claimed that at least 5,000 women die each year because of dowry deaths, and at least a dozen die each day in 'kitchen fires' thought to be intentional. The term for this is "bride burning" and is criticized within India itself. Amongst the urban educated, such dowry abuse has reduced considerably.

Child marriage

Child marriage has been traditionally prevalent in India and continues to this day. Historically, young girls would live with their parents till they reached puberty. In the past, the child widows were condemned to a life of great agony, shaving heads, living in isolation, and shunned by the society. Although child marriage was outlawed in 1860, it is still a common practice.

According to UNICEF's "State of the World's Children-2009" report, 47% of India's women aged 20–24 were married before the legal age of 18, with 56% in rural areas. The report also showed that 40% of the world's child marriages occur in India.

Female infanticides and sex selective abortions

India has a highly masculine sex ratio, the chief reason being that many women die before reaching adulthood. Tribal societies in India have a less masculine sex ratio than all other caste groups. This, in spite of the fact that tribal communities have far lower levels of income, literacy and health facilities. It is therefore suggested by many experts, that the highly masculine sex ratio in India can be attributed to female infanticides and sex-selective abortions.

All medical tests that can be used to determine the sex of the child have been banned in India, due to incidents of these tests being used to get rid of unwanted female children before birth. Female infanticide (killing of girl infants) is still prevalent in some rural areas. The abuse of the dowry tradition has been one of the main reasons for sex-selective abortions and female infanticides in India.

Domestic violence

The incidents of domestic violence are higher among the lower Socio-Economic Classes (SECs). The Protection of Women from Domestic Violence Act, 2005 came into force on October 26, 2006.

Trafficking

The Immoral Traffic (Prevention) Act was passed in 1956. However many cases of trafficking of young girls and women have been reported. These women are either forced into prostitution, domestic work or child labor.

INTRODUCTION:

ANALYZING ROLE OF WOMEN AND VIEWING "WOMEN" IN TODAY'S SCENARIO IN INDIA.

This paper attempts to question the state of 'women community' at large with situation depicting the growing rate of crime, oppression and subjugation which is historically unprecedented and its re-occurrence is in probability with struggle creating a wave of discontent and demanding an urgency to act upon. Does "she" fraternity stand anywhere amidst the social set-up at the very inception of society as a generic term?

The case of soumya vishwanathan or jegeesha ghosh do not sound unfamiliar to our ears...would it be wrong to comment that this might have been one of the many cases which seemed like a "yet again" kind of a situation? Why did it re-happen...this time with a new victim? Has anyone of us ever thought what impact lay on the mind of a girl who then is alarmed to remain within "SOCIAL CONSTRUCT" , further on limiting her mobility and re-define notion of terms such as " freedom" and "interest".

The cases are unlimited and display helplessness on part of individual on one hand and society on the other at large. But why then is a situation then prevailing wherein the grievances aren't addressed in an effective, efficient and affirmative manner? The next question thus would be that what deterrence will the criminal/ culprit have in such a scenario of delayed injustice and in some cases, no justice at all. At least, statistics about cases like these set out a pattern in which Indian Judiciary display their efficient {read inefficient} functioning. Leave aside strangers, almost every single day in newspaper, we read odd cases of minor girls being raped by their own family members especially relatives, which might take a larger version by some acquaintance in cities and by extension, even friends.

The question which arises on to is WHERE is women safe today? Not outside and not even at home. In today's world of globalization, economic liberation where we keep talking about of "Empowerment of Women"- where does she stand? Though today we see to a large extent that women have broken the shackles of being in narrow confines of their homes, yet when it comes to question of security, the situation is as grim as it can be. The transition phase where in a girl transforms and heads towards phase of womanhood- is married to a man [usually much elder to her]{in rural India, even-today the age-gap factor is crucial}. 90% of cases face a problem of internalization. Will it be wrong to constrict role of women as a maid-servant who is meant to do the household chore without being acknowledged and discharging all this as a part of her "natural duty" in her in-laws or is she perhaps an instrument for child bearing and rearing [extending generations] or as a trophy, which can be forcibly enjoyed (meaning derive sexual pleasure or as a meek spectator and still continues to do the same?

The SO-BE-IT kind of attitude due to factors such as Biographical indifference, the stereotype understanding that "man is superior to Women" in terms of ability to think, decision making and why is it that a women has to always compromise?

Coming to public domain, when we talk of political rights- it has taken such a lot of time to get even representation at the parliament level. Even though the irony of the situation that we have a woman president ,yet in parliament

when the issue of Representation on basis of Gender comes, a bill for 33% representation in the parliament has not got passed? Secondly ,numerous act with regard to the development of women like Act for Preservation of child Marriage, enrolment in schools so as to provide COMPULSORY PRIMARY EDUCATION below age of 14, abolition of child labour, abolition of dowry, Right to paternal property definitely seem to be very apt on paper but certainly not in practice. Referring to numerous unpleasant incidents which women face at their workplace lead one to re-think as to "Are women really justifying their existence in 'Rat-Race' of empowerment?"

Does freedom entail country be independent with its own constitution? What about notions of "freedom and equality" at the level of Gender? Would it be wrong to comment that Man is independent not only in constitutional sense, but defacto by BIRTH? So when a male child is born, the sequential happening in everyday life construct a set of notions which marks them distinct from their female counterparts. For instances, set timings for a girl to come back home early and typical notions in mindset of people in general with regard to assigned view of a FEMALE being suitable to professions like Receptionist/ Teacher as opposed against a BOSS/PROFESSOR, who usually is a male. This analysis needs a definite thought from a middle-class Indian perspective appreciating the fact that 70% of India is constitute by Rural elements comprising of stereo-typical notion which would be blamed in effect to the exposure and awareness they lack. Why are these kinds of stereotypes hard to be de-sterilized? In continuation, then certain professions become "MALE DOMAIN" which remains somehow their monopoly and females do not even consider being a part of that world which is therefore defined by "masculinity". Is it justified to assign professions like NURSE,PRIMARY SCHOOL TEACHER,HOUSE MAID and for instance a HOME-MAKER?[exceptions here are not to be considered]

Why is it that then profession like truck-driver, rickshaw puller, doctor which is associated with heavy physical labour and mental strength is usually not considered as "female professions". Why even today, parents assume their son as an engineer and daughter as a doctor? And even in medical profession, internal stratification as to a female would be a gynecologist- meaning a suitable domain. Why does large scale industry generally have a domination of male worker- again the reason is same- PHYSICAL INFIRMITY and LACK OF SECURITY.

Departing from the aforementioned series of societal construct moving further on the undertaking of how EVILS exemplify the attempt of equality since time immemorial. Social evils like child marriage, dowry, sati, widow oppression, flesh trade, female foeticide and the list goes endless. Even today, in large sections of Regional analysis, it is found that a woman is treated as a subjugated, oppressed and looked-down upon severely. In India, the institution of child marriage though has become less prominent; one cannot deny that it has not been completely wiped away firstly from the minds of "conservative outlook" and secondly from the deep rooted family tradition and values of rural set-up?

Why blame the rural set up? Doesn't the TRP rating of television soap opera "Balika Vadhu" speaks the story taking the example of Royal palaces of Rajasthan? Similarly how can we rule out sensitive marketing of brides in India? How? Dowry!!!!!!! A quite

evident a way of it. A system today where a "bride" is the agent to squeeze the wealth in its various forms to satisfy greed of groom's family as a part of "tradition", isn't then a trade in the name of sacred institution called MARRIAGE very acutely haunting the very thought of every parent the moment a girl child is born to them? At least that was what majority believed when a questionnaire was raised for survey-analysis to theorize the results of on growing variations in level of sex-ratio in the country.

Will women literacy ever improve above 37.11% in Bihar or will a chief-minister such as Rabri-devi stand as a sole icon dalit chief minister brings forth some unavoidable fact to our understanding and prompt thereby to question the deploring situation which is going to kill the developing prospects of nation.

No less than these issues are subject of debate like severity of young widows who are then tortured on parameters like SOCIAL STIGMA attached to them in form of their inauspicious presence in any family ritual and ceremony. Many a cases, in laws blame her for the husband's death and then deny them the property rights and other privileges which she is entitled to. How can one not get reminded of veteran film maker. Bimal Roy's path breaking issue based attempts like "bandini" and "sujata" which sought to sensitize the masses with the grappling scenario of modern day filmmaker like Deepa Mehta in movies like "water" depicted female protagonist being a child-widow who was brought up in widow home in benaras and then she being youngest of all old-widows was pushed unknowingly to flesh trade. Similarly "Chandni Bar" sought to portray life of a "Bar Dancer". Such diverse faces of women are not hidden from us though we may try to sheen/overlook them.

How poverty, lack of education thereby lack of work opportunities have driven many homely and helpless girls to detestful profession of prostitution. Not that ,this wasn't exciting in Ancient times, even kautilya in his "arthashastra" mentions about prostitution taxes- which means it was a recognized professions at that time. But does that mean it has to prolong its existence so many centuries later to this day? The list goes endless with girls being sold away due to scarcity of money and as fulltime profession brutally depicted in 1981 released Umrao jaan

Not only the electronic media but right from 1950's-1960's Hindi writers/novelists like Prem chand whose book "SEVA SADAN" also talks on same lines. Are these movies, writings just meaning a once-watch entertainment? Certainly not. Surely they do have connections with ground reality. Coming to female foeticide as yet another issue the thought provoking conclusion which I arrived at after being part of WE-The People show was that its not just pathetic state of statistical evidence but it is also clash of thoughts of parents who are not willing to have a female child because of aforementioned societal evils{ thereby strictly there is urgent need to improve state of affair and to re-assure the parents the situation would not head towards worse but should be immediately driven under control}

In the present-day situation, it has become essential to curb the crime rate. Not long ago was the most -hyped murder case of a girl named Arushi Talwar in Noida, questioning very existence of Law and Order and protective shield of citizen i.e. police force? Not escaping the fact that in the mentioned case, the negligence of police resulted in custody of victim's father who was later acquitted. Similar cases probes many innocent people misjudged as culprit and are therefore rotting in dungeon behind the bars.

Newspaper dated 17th Jan '09 quotes a 20 year old German women rape victim appears in court after one year which highlights the inefficiency on part of judiciary to impart justice –delayed justice is equivalent to injustice. There are thousands of other pending cases as long as 15-17 years waiting for judgement/ where is the justice? Today when any incident such as INCEST, molestation, robbery, rape, murder with regard to women occurs- 9/10 cases FIR is not lodged properly because of hesitancy on the part of constable whose aim to minimize the number of crime-cases creating a false statistics of low rate of crime prioritizing the stand/fall mechanism of party at centre. That is a strong reason even today, that many cases of women just get unheard until they are related to VIP.

The whole uproar – AFSPA [armed force special protection act] in which activist Irom Sharmila have been striving to protest where in Manorma a girl was raped by Indian army soldiers. Contrasting to another pillar of power, when a politician of UP, Amarmani Tripathi raped and murdered Madhumita, the whole nation was taken aback. Does this not question the whole-system as a whole?

The whole pit is not yet filled. Issues like lack of fund for old women who are left homeless and issues like how most HIV+ widows are treated outcast. Be it the severe instances when a nun in Orissa was raped and her breaking out in public conference probes us as youth to revolutionize and fight terror against evil. Is marriage at age below 25 the ultimate goal of parents who end up saving to fulfill the stains of cruel dowry system? Not deniable, but 70% of India comprising of such bitter reality have such issues on list of top-most priority. Doesn't this compel us to analyze whole issue under lens of every individual within household framework

Factors like health care provision for proper child-birth in villages where facilities need to reach the illiterate masses and effective functioning of women development cell is therefore essential for curbing of issues. The other side of the coin is to highlight to what extent has role of media accelerated whole terror on women fraternity through exaggeration simultaneously sensitizing and cautioning the role of extent of crime.

There has to be a way out? What? How will the change happen? Who is to bell the cat? It is a question to address as soon as possible before we end in a grimmer situation. But what can be done, if there is no initiative taken by every individual to ensure safety so that every woman positively feels to walk confident during any part of the day/night? Why blame everything to BAD government system? Where comes role as an individual citizen? Is right to freedom and expression just a glorifying rule//right provided under "fundamental right" by the government and constitution.

How do we uproot the deep persistent patriarchal notion within the minds? It will take ages to bring slight change...but yes! The need of hour is to comfort scene with bolder approach by every woman at par with man. Though the process is under construction, aforementioned elements needs specific measures. Otherwise the day is not so far when a woman will feel afraid on the basis of biological inefficiency to stand at par with man.

Safety of Women in Delhi- An Insight.

Statistically speaking, our country has one of the highest crimes rate against women.

Kiran Bedi, India's most decorated woman police officer pointed out that loss of ethics and values was the root cause of escalating cases of violence against women. Who has the right to decide what moral behaviour is? How does a girl going to a pub undermine our Indian culture? Does the same culture not mind a boy going to a pub? This kind of prejudice is not welcome in any developed nation. For a nation to develop overall, first it has to overcome discrimination on the basis of gender.

Our motherland, which has produced so many imminent women leaders is yet to free itself from the shackles of religious extremists. It is high time that we root out these evils and allow women to be on their own and let them decide what is morally, culturally and ethically right.

I was amazed when I heard a lady snapping, "Don't you know how to travel? Is it your first journey sitting with a lady?" The lady in the Metro was outraged. No one protested and the offender got down at the next station indifferently.

This is not the only case in which a lady has suffered misbehaviour in our liberalised society of DELHI, but there are other cases too when the weaker sex has been insulted or sexually harassed in this 'metro city'. Unfortunately, we, with our typical conservative womanhood ideas and concepts do not report to the authorities about 'sexual harassment' or sometimes we do not get proper support from the law-enforcement agencies. It is not DELHI only where the women are not safe but in every corner of our country women are taken as the 'weaker sex' and consequently, the crimes against women is on the rise. According to a recent survey, a crime in India is committed every seven minutes against women.

India, now-a-days, proudly proclaims its success as one of the foremost democratic nations of the world. But its democracy is for the people who have power, authority and economic stability to protect themselves. It's a reality that we often don't want to accept. Our society always tries to bludgeon women into taking the vow of silence. Is this because as Shobha De in her 'Superstar India from Incredible to Unstoppable' has said "Indians are peace loving?" Women always try to protect their virginity as they know very well that they are not safe in their own society. If the Indian women had got equality with men they would not have lobbied for the introduction of Women's Reservation Bill for 33 per cent reservation in Lok Sabha and in the state assembly seats, after having been provided with the reservation in the panchayats and municipalities.

On the one hand, Indian women raise their voice for equality with men in society and on another hand they venture to voice their urge for reservation. Why does this kind of dichotomy arise in Indian among women? Because, they know their social position of being the underdogs.

There are laws under Section -294, Section-323, Section-376(A), Section-376(B), Section-376(C), Section-376(D) for the women to protect them from 'sexual harassment'. But a current survey says, "It is common knowledge for every case

registered with the police, scores of cases of crimes committed against women go unreported.”

So, in the January, 2008, Women and Child Development Minister, who held a meeting with officials from the National Commission for Women and a group of lawyers, said, “The laws are being examined with the aim to ensure that they are implemented properly.”

Still, the condition of over 80 per cent of women is deplorable. One out of every three girls has been sexually molested before 18 years. Every 43 minutes a woman is kidnapped, every 26 minutes a molestation case takes place, every 54 minutes a woman is raped somewhere. It is a national shame, living in 21st century, that we cannot provide our women with social protection, even four decades after the Feminist Movement.

A SANSKRIT *shloka* says, “A woman is under the guardianship of her father before her marriage, dependant on her husband after her marriage and on her son after the death of her husband.” This attitude of treating women, as a ward or a dependant has been in existence for centuries. But, now all this has changed. With the spread of education, women have begun to claim equality with man.

Violence against women is partly a result of gender relations that assumes men to be superior to women. Given the subordinate status of women, much of gender violence is considered normal and enjoys social sanction. Manifestations of violence include physical aggression, such as blows of varying intensity, burns, attempted hanging, sexual abuse and rape, psychological violence through insults, humiliation, coercion, blackmail, economic or emotional threats, and control over speech and actions. In extreme, but not unknown cases, death is the result. These expressions of violence take place in a man-woman relationship within the family, state and society. Usually, domestic aggression towards women and girls, due to various reasons remain hidden.

Cultural and social factors are interlinked with the development and propagation of violent behaviour. With different processes of socialization that men and women undergo, men take up stereotyped gender roles of domination and control, whereas women take up that of submission, dependence and respect for authority.

A female child grows up with a constant sense of being weak and in need of protection, whether physical social or economic. This helplessness has led to her exploitation at almost every stage of life. The family socializes its members to accept hierarchical relations expressed in unequal division of labour between the sexes and power over the allocation of resources. The family and its operational unit is where the child is exposed to gender differences since birth, and in recent times even before birth, in the form of sex-determination tests leading to foeticide and female infanticide. The home, which is supposed to be the most secure place, is where women are most exposed to violence.

Sexual Harassment at Work

Sexual harassment as defined by the court stipulates:

- “Such unwelcome sexually determined behaviour (whether directly or by implication) as physical contact and advances,
- A demand or request for sexual favors, sexually coloured remarks,
- Showing pornography and any other unwelcome physical, verbal or non verbal conduct of sexual nature”.

National Commission for Women has laid down the code of conduct at work place to prevent sexual harassment of women, which has been sent to all Government offices, Ministries, and Universities with the hope that employers would become more sensitive towards women. The guidelines highlight that it shall be the duty of the employer to prevent or deter the commission of any act of sexual harassment at workplace would include unwelcome sexually determined behaviour by any person either individually or in association with other persons such as eve teasing, unsavory remarks, jokes causing embarrassment, innuendo and taunts, gender based insults or sexist remarks and unwelcome sexual overtones in any manner, touching or brushing against any part of the body, molestation or displaying pornographic or other derogatory pictures or sayings

Delhi most unsafe for women working at night: Survey Agencies

The national capital, infamous for crime against women, has infamous for crime against women, has been polled in an industry survey as the most unsafe city for the fair sex working in night shifts with companies in IT and ITeS, aviation and media sectors and hospitals.

A majority of 65 per cent of women in Delhi interviewed said they felt insecure working in night shifts, while the figure was the least for Mumbai at 26 per cent, according to a survey by industry chamber Assocham. Bangalore is the second most unsafe place for working women with 56 per cent of those polled expressing a sense of insecurity, the survey said. In Hyderabad and Chennai as many as 35 per cent and 28 per cent respectively shared similar feelings, it added.

The survey covered women working in companies engaged in business process outsourcing, IT firms, airlines, hospitals and media. It said the safety concern related to the movement outside their office premises and most of the women expect their employers to make security arrangements.

Can one be happy in such an environment? In order to be happy, one needs to feel free and secure. In the capital, a woman is anything but free and secure. A hostile environment as this is naturally not conducive to the development and maximization of the potential of women. It is true that women are no longer subservient, rather they have become spirited individuals determined to carve an identity of their own in society. A larger number is educated and is venturing out of their homes. This is a positive sign and more women need to be encouraged to do so. But the capital's appalling record with regard to the security of women serves as a deterrent rather than a medium of encouragement. **An unsavory reputation as this also has its bearing on the region's economy and talent pool.** Firstly, a number of women professionals may not wish to work in the capital, rather they would prefer to work in a place that can

afford them some measure of security. Secondly, parents who are non-residents are unwilling to send their children to study in the capital, despite Delhi being home to a large number of quality educational institutions.

Again, because of security reasons. Thirdly, the 'rape capital' tag also hurts the tourist economy; women tourists may become wary of visiting Delhi. Also, women tourists from outside the country may not want to visit the capital, which has a past record of molestation of international women tourists.

The laws, which punish perpetrators of the crime of sexual harassment, have not been able to effectively deter people from committing such crimes. This is because the root cause of such crimes lies in an attitude of disrespect towards the woman. Thus, it is this attitude of disrespect, which has to change. **To end this, awareness programmes should be launched that will stress upon the need to respect woman. These programmes should also educate people about the importance of the female figure in society and importantly, the urgent need to transform the hostile environment into a congenial one in which women can freely develop their potential. Last but not the least, it should also aim at making the woman respect herself as an individual with rights.**

Has anybody wondered why, when a woman calls up her parents and informs them that she is being harassed for more dowry, the parents don't pay much attention and when the daughter dies, they create an hue and cry. Why don't the parents try to bring the daughter back from her in-laws while she is alive; is it because even they do not mind the daughter dying?

Why is it that parents don't think twice before aborting a female child, or even abandoning a daughter when she is born? (Statistics speak in favour). Why is it that it is compulsory for men to wear helmet, while on a two wheeler, but not for women (their life has no worth)? Why is it that every women friendly law has met with a failure? Had dowry prohibition law been a success, the rate of female feticide had been less. Why is it that a woman is supposed to go on bearing children (even at the cost of her health) till she has at least one or two son? Has anyone heard of a couple who has gone ahead and given birth to many sons in quest for a daughter? Why is it that our police and judiciary always try to unite a couple and send a woman back to her matrimonial house, even if there is a danger to her life there? Is the mere fact of saving a family more important than saving the women's life?

EVERY HOUR that ticks by in India inflicts more brutality on women, with two rapes, two kidnappings, four molestations and seven incidents of cruelty from husbands and relatives, reveal the latest national crime statistics. Such incidents have been on a rise in India in the past few years. National Crime Records Bureau (NCRB) reveals an increasing trend of rapes from 2003 to 2006. "Rape incidents reported a substantial increase of 15 per cent in 2004 over 2003, a marginal increase of 0.7 per cent in 2005 over 2004 and an increase of 5.4 per cent in 2006 over 2005," the report said.

The country is progressing fast in all spheres but it is still unable to root out basic crimes against women.

CASES OF INCEST

INCESTUOUS ABUSE is one of the heinous crimes that our society has been facing since ages, but, there is nobody to confess it, neither the perpetrator nor the victim. It's a blindfolded situation, which is continuously searching for defence as well as justice. It is a shame for our numb society where we live in, but yes, this is the pinching truth, which cannot be eradicated so easily. Only few have the courage to unveil this naked reality.

Incestuous abuse is a forced sexual relation, which an older family member, or anyone so close to the family that he or she gains trust and becomes a part of the family, carries out. Presently, there are all possible cases of incestuous abuse including father, brother, cousin, grandfather, uncle and even recently, servants and tutors. And the victims who get subjected to such crime are between 10 to 16 years of age. Sometimes it becomes a one time experience, but at times it happens more than once, repeatedly.

The founder and executive director of RAHI Foundation (Recovering And Healing from Incest), an NGO, says, "There is a silence in the society, nobody wants to talk about it, as it is a shame for the family and sometimes, there is a fear of perpetrator that it must be kept secret." As a child, one does not have language to talk about it and blame and get their abuser punished. And even if they divulge such facts, they are not heard or are asked to hush up the matter. "A condition of denial exists in our society, which pressurizes the victim to remain silent," she explained.

A development and health journalist, working on gender and health issues, says, "People generally don't believe the victims and say that the girl must have invited the guy."

It's often that the victims don't go out and ask for justice, though they wish for justice. "Girls in our society feel embarrassed to confess such things, as they are not given freedom to raise their voices against such issues and moreover they are guided by family pressures," said a prominent women activist in the Centre for Social Research, Delhi. There is a fear that these realities will let down the prestige of their family. "The victims mostly fear acceptance." In India, women are not allowed to live independently, so practising their freedom and rights are beyond question

Moreover, we don't have adequate laws under incest abuse to punish the abusers. There is also a laxity on the part of judiciary that the few cases which are in notice remain pending. It is also that no women want to take her family member to the court in such cases.

Has anybody wondered why, when a woman calls up her parents and informs them that she is being harassed for more dowry, the parents don't pay much attention and when the daughter dies, they create an hue and cry. Why don't the parents try to bring the daughter back from her in-laws while she is alive; is it because even they do not mind the daughter dying?

Why is it that parents don't think twice before aborting a female child, or even abandoning a daughter when she is born? (Statistics speak in favour).

Why is it that it is compulsory for men to wear helmet, while on a two wheeler, but not for women (their life has no worth)?

Why is it that every women friendly law has met with a failure? Had dowry prohibition law been a success, the rate of female feticide had been less.

Why is it that a woman is supposed to go on bearing children (even at the cost of her health) till she has at least one or two son? Has anyone heard of a couple who has gone ahead and given birth to many sons in quest for a daughter?

Why is it that our police and judiciary always try to unite a couple and send a woman back to her matrimonial house, even if there is a danger to her life there? Is the mere fact of saving a family more important than saving the women's life?

AUTHORITIES CONCERNED:

The Delhi State Commission for Women has been set up under an Act of the Legislative Assembly of the National Capital Territory of Delhi, passed in 1994. The Delhi Act is based on the lines of the 1990 Act of Parliament under which the National Commission for Women was constituted. The geographical area of operation assigned to the State Commission is the National Capital Territory of Delhi which has a population of over 10 million.

The main objectives of the Commission are to ensure security, development and well-being of women in every sphere of national life - particularly to suggest and ensure implementation of steps against gender discrimination. The Commission is also to ensure that adequate provisions for women's advancement are included in all State policies, plans and programmes. The Commission is expected to review State laws and suggest new legislation and amendments to existing laws to meet the objectives of gender equity and advancement of women.

Programmes and Projects undertaken by Delhi Commission for Women

Security: DCW believed that security of women in the Capital must be ensured and this meant physical security, domestic harmony and legal protection. For this, the Chairperson pointed out, the basic requirements were:

- i. Full co-operation and assistance from the police.
- ii. Net-working with NGOs and the community neighborhood groups.
- iii. Legal assistance from the Commission through a consultant well-versed with the problems of women in Delhi and through legal aid centers.

PROJECTS:

Various projects started in 2000 and there were large number of projects such as SHGs, Mahila Panchayats, Short Stay Home, CICs, Helpline and Sahyogini going on. Presently projects such as SHGs, MPs, Short Stay Home are not functioning. Sahyogini, Helpline

and CICs are in operation. The Commission's role is that of a nodal agency for coordination with the police, NGOs etc.

The ongoing projects of 'Sahyogini' and 'Helpline' provided online/assistance and counselling to women in distress.

With this proactive approach, the Delhi Commission for Women has established a network with various NGOs, for economic and legal empowerment of women through Self Help Groups and Mahila Panchayats. The projects have been taken up on project basis. The goal of experiment of establishing SHGs is to create robust community based institutions which will not only empower the women economically but shall spur economic growth and development at community level.

Community Based Organizations (CBOs) are relatively small NGOs which function in slum and resettlement areas of Delhi. This project was started in April 2001 for formation of Self Help Groups (SHGs) and conducting legal awareness programmes through these CBOs/field NGOs in order to achieve the objective of involvement of larger number of NGOs in the Commission's mission of empowerment of women. Delhi Commission for Women supported smaller NGOs in an attempt to broaden the base of community based action for prevention of crimes against women and for economic empowerment of women.

26 CBOs/NGOs were selected for a one-day workshop as a pre-selection procedure. Finally, **16** CBOs were selected for the formation of SHGs and Mahila Panchayats (MPs). The target was setting up of 80 SHGs and **16** MPs in six months period.

The target for each CBO was 5 SHGs and 1 Mahila Panchayat. By the end of the project in September 2001, **77** Self Help Groups were formed and the Mahila Panchayats were in formation stage.

SHORT_STAY HOMES:

Women suffering from domestic violence and evicted from their homes and thus rendered shelterless are proposed to be looked in half-way-homes/ short-stay-homes, namely '**Sahelee**', to be experimentally set up within the community and run and supervised by Mahila Panchayats.

Delhi Commission for Women had delayed the implementation of setting up of 'Sahelee' as it awaited formation and firm setting up of Mahila Panchayats prior to establishing Short Stay Homes. The reason for this is that 'SAHELEE' which is 'manned' by a woman from the community, should be monitored by the Mahila Panchayat. At present Shakti Shalini has started one '**SAHELEE**'.

SELF HELP GROUPS

Since the reconstitution of the Commission in January 2000, the Commission started projects with the aim of making women economically empowered. One of the major

initiatives taken by the Delhi Commission for Women in the year 2000-2001 was to set up pilot projects in collaboration with partner NGOs for empowering women economically and thus helping prevent crimes against women. The Commission tied up with various NGOs working in various parts of Delhi for formation of Self-Help Groups.

What is SHGs

SHG is a group formed by the community women, which has specific number of members like 15 or 20. In such a group the poorest women would come together for emergency, disaster, social reasons, economic support to each other have ease of conversation, social interaction and economic interactions.

Objectives

- To sensitize women of target area for the need of SHG and its relevance in their empowerment process.
- To create group feeling among women.
- To enhance the confidence and capabilities of women.
- To develop collective decision making among women.
- To encourage habit of saving among women and facilitate the accumulation of their own capital resource base.
- To motivate women taking up social responsibilities particularly related to women development.

The SHG programme has assumed such enormous dimension in a brief period of about one year that these are as mentioned below:-

Self-Help Groups-more than 16,000 women have been involved.

Total No. of Groups	716
No. of Members (Approx.)	16000
	(in Rs.)
Total Saving	40,63,926.00
Loan given	26,48,375.00
Total recovery	10,01,844.00
Interest received	82,848.00
Default	11
Bank Account opened	282

Sahyogini:

Delhi Commission for Women is running family counseling unit called 'Sahyogini'. This is a continuing facet of services to women given by the Commission. A panel of Members

and Legal Advisers hold 'Sahyogini Sessions' where counseling is done for disputing parties. Many hearings are conducted before the Commission reaches a final conclusion of solution for the affected women. It exercises the powers of a Civil Court to ensure compliance of its summons for witnesses and for evidence. Often disputes are settled and families are reconciled. Follow up is also done periodically for the cases handled by the Commission.

What are the powers of Delhi Commission for Women ?

As per provisions of the Act, the Commission shall while investigating any matter referred to in the Act, have all the powers of a Civil Court trying suit and in particular, in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of any person from any part of India and examine him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing Commissions for the examination of witnesses and documents; and
- (f) any other matter which may be prescribed.

Provide some general information about the department?

DCW was formed to study ground level realities of Women, their difficulties and provide recommendation to the Govt. for amendment of the law. However now it has started providing counselling and resolution to issue face by the Women.

If any matter is not resolved in the Commission than where do they forward the application?

If the matter requires relief from local police, the same is sent to the concerned police station or D.C.P. or if it requires the relief through Court of Law, it is referred to DLSA (Delhi Legal Services Authority) for providing free legal aid to the complainant for filling an appropriate Court case

For filling complaint in DCW, is there written application required?

Yes, a written complaint has to be given in the Commission

How much the minimum time for filling complaint after the incident?

No fixed time to file a complaint after incident but preferably as soon as the incident has taken place. The complaint can be lodged immediately after the incident or even in case of threat for the incident

Does Delhi Commission for Women provide self defense programmes for women? What kind of safety provide by the department?

Delhi Commission for Women does not provide self defense programme. This is done by the Delhi Police. The Commission can, if approached by a complainant, immediately call the police or send the complainant to the police station with a letter for immediate help. The Commission ensures implementation of laws and acts pertaining to women, thus safeguarding their rights and interests

What is the procedure to file case in the Family Court of Delhi Commission for Women?

Complainant has to give it writing her complaint in the Commission. There is no specific procedure for filing the complaint to the Members dealing with family disputes. The same procedure is followed for all the complaints i.e. complaint can be lodged at the reception counter.

Give a introduction about Delhi Commission for Women

Delhi Commission for Women was set up under the Delhi Commission for Women Act, 1994 and it started functioning from June 1996. The Commission is an autonomous grantee institution set up under the said Act. The Commission's mandate includes investigation and examination of all matters relating to the safeguards provided for women under the Constitution and other laws. The Commission is enjoined to make recommendations for effective implementation of safeguards, which are necessary for improving the conditions of women in the capital. The Commission takes up cases of violation of provisions for women as conferred in the Constitution and looks into complaints and takes suo-moto notice of matters relating thereto.

What type of issues are solved under Helpline of Delhi Commission for Women ?

The issues dealt in under Helpline performed to: -
1. Matrimonial discord,

2. Family adjustment problems,
3. Physical and mental harassment by husband and in-laws,
4. Harassment by neighbours or others,
5. Child custody,
6. Maintenance, divorce & desertion,
7. Rape, Dowry death,
8. Physical abuse,
9. Legal advice and implication,
10. Others miscellaneous problems of women.

What type of cases are handled under Delhi Commission for Women ?

1. Matrimonial dispute; 2. Divorce; 3. Rape; 4. Dowry related issues/dowry death, suicide; 5. Maintenance; 6. Property related; 7. Sexual harassment at work place; 8. Harassment by neighbours; 9. Extra-marital relationships; 10. Abduction.

Can we register our complain online under Delhi Commission for Women ?

On line registration of complaints is also now possible by visiting the Commissions website www.dcw.delhigovt.nic.in. The complainant could also view the status of their complaints online.

Can I file complaint in any cell of DCW?

A woman can file her complaint in Helpline and Sahyogini

For filling of any complaint is there any kind of proof required?

The address of the complainant has to be given. For resolving the complaint, sometimes it is asked for.

What are steps taken by the Commission after lodging of complaint? Can a complaint be lodged without giving complainant's identity? What is the process to lodge the complaint and how much time does it take for any action?

The Commission after receipt of a complaint gets it registered, fed in the computer and a file opened immediately. A receipt is given to the complainant and her file is marked to a Member. The complainant has to disclose her identity so as to act on the complaint.

The complainant has to give in writing, her grievance so that the other party can be summoned and proper investigation done. Immediate action is taken on the complaint

Give detail about Rape Crisis Cell ?

Rape crisis cell is another program started by the Delhi commission for women in September 2005 to provide assistance to rape victims.

This is free legal service cell exclusively for rape victims.

A team of persons supervised by experienced lawyers provide legal services to the victims.

The rape crisis cell will assist the prosecutor in the trial, oppose the bail application of the accused, facilitate recording of statement under section 164 of the code of criminal procedure.

The telephone number is 011-23370557.

Police station in all 9 districts of Delhi intimate about a rape incident and the commission's helpline will take over to inform the concerned Crisis-Intervention-Center to promptly follow up the case and provide trauma counseling and other support to the victim.

This is a 24 hours service.

What is the help line no. of Rape Crisis Cell ?

Helpline No. 2337 0557

What type of services are provided through Rape Crisis Cell ?

The services include:

- the availability of advocates and coordinators to the victims/families round the clock
- free legal services to the rape victims/their families from the time the complaint is lodged in the police station.
- help will be available to the victims to lodge the complaint at the police station, recording the statement
- to assist the police in ensuring that relevant provisions of the law are applied in each case,
- to ensure sensitive handling of the case by the police,
- to oppose bail applications made by the accused and assist the prosecutor in the case
- to represent the victims' interest in the entire trial and if required at appellate stage also.

What is the procedure of hearing of complaints in Sahyogini & Helpline and who is the decision making person?

The complaints from aggrieved women are received by the Coordinators handling the Helpline. A definite time frame could not be fixed for the process, because the cases are registered after hearing them out. It is not practicable set a time frame for each complainant. It depends on the nature of the complaint and the gravity of the situation. Once registered, the complaints are handed over to the Record Keepers by the Coordinators for placing them before the Members for hearing the parties concerned and resolving the issue with legal assistance from the Counselors attached with each Member. Time frame for dealing with complaints are not fixed because of the different nature of complaints. Member of the department is the decision making person.

What is the process flow of complaint received through Helpline (For Online Counselling) and who is the decision making person?

The Complaints are received over telephone on two helpline numbers for online counseling. Also the complaints are received by e-mails / post, that are marked to the Helpline counseling room where they are registered in the computer software specially developed for the purpose. These registred complaints are thne marked to the Members of the Commission who preside over the hearings. A decision on complaint is made by the Member concerned.

Are there different helpline nos. for different types of complaints?

There are two Helplines - 23370597, 23379181 for general complaints from women. Rape Helpline ? 23370557 exclusively for rape incidents. It operates round the clock.

What is the time frame and norms relating to hearing of complaints in Sahyogini and Helpline ?

The complaints from aggrieved women are received by the Coordinators handling the Helpline. A definite time frame could not be fixed for the process, because the cases are registered after hearing them out. It is not practicable set a time frame for each complainant. It depends on the nature of the complaint and the gravity of the situation. Once registered, the complaints are handed over to the Record Keepers by the Coordinators for placing them before the Members for hearing the parties concerned and resolving the issue with legal assistance from the Counselors attached with each Member. Time frame for dealing with complaints are not fixed because of the different nature of complaints

Which type of information can not be withheld through RTI Act ?

The following type of information can be withheld:

Information, which will be against the interest of sovereignty and integrity of India or security of National Capital Territory of Delhi.

Information relating to personal matters of individual leading to invasion of personal privacy.

Trade and commerce secrets.

Information which may endanger the life and physical safety of any person.

Cabinet papers and records relating to deliberations of the Council of Ministers.

Minutes of advice, opinion and recommendations in taking executive decisions.

Information which may constitute a breach of privilege of Parliament or Legislative Assembly, etc.

What is the procedure for making penalty against department in case of fails to furnish the information asked for under the RTI Act within the time specified ?

Whosoever being bound to supply the information fails to furnish the information asked for under the Act within the time specified or fails to communicate the rejection order shall be liable to pay a penalty of Rs. 50/- per day for delayed period beyond the 30 days subject to a maximum of Rs. 500/- per application.

In case the information supplied is found to be false in any material particular and which the person bound to supply it knows or has reasonable cause to believe it to be false or does not believe it to be true, the person supplying the information shall be liable to pay a penalty of Rs. 1000/- per application.

Complaints about working of various departments/autonomous bodies/undertakings/Delhi Police for their non-performance, omissions and commissions etc. can be filed with the following address:

Secretary, Public Grievances Commission

Govt. of NCT of Delhi, M-Block, 2nd Floor, Vikas Bhawan, I. P. Estate, New Delhi-110 002.

What the procedure to establish Mahila Mandal? How many members are required to establish one?

Mahila Panchayats are formed by NGOs in the community in which there should ideally be about 15-20 women as members. This is one of the projects of the Commission now running as a network in Delhi.

Why is Mahila Panchayats made ?

Legal awareness and formation of Mahila Panchayats is another initiative taken for empowerment of women. These Mahila Panchayats offer crisis intervention and legal aid at community level and help tackle local level legal disputes and assist in reduction and reconciliation of violence against women.

How Mahila Panchayats (MPs) are formed and how they function ?

Delhi Commission for Women has promoted the setting up of Mahila Panchayats. Mahila Panchayats is an innovative collective approach for community participation in dispute redressal. After need assessment and motivation, community leaders are identified and these women are then motivated to volunteer as Mahila Panchayat Members. The 20 MPs members are trained in legal issues, dispute redressal mechanism, trained in the laws relevant to crimes against women, given exposure about the existing legal position regarding property, maintenance, marriage, custody, etc. They are also given training in counselling, FIR writing, pursuing with police station, how to proceed for legal recourse. The Mahila Panchayats itself acts as a "Watch Dog" and its members, after orientation, and training, can handle delicate and family disputes. They find solutions at the local level through the workers in the field itself. they link up with lawyers and issues which cannot be resolved at the Mahila Panchayat level are either resolved by the lawyers or alternative course of action is determined in consultation with lead NGO, lawyer and Delhi Commission for Women.

What are the main advantages of Lok Adalat under Delhi Commission for Women ?

The main advantages of Lok Adalat are:

It brings the parties to a compromise or settlement and legal sanctity is given to it.
It allows transfer of any compoundable matter or other proceedings pending before any civil or criminal court constituted under any law in the area, for arriving at a compromise or settlement.

It gives legal sanctity to the award which is binding on both the parties.

What are the main aims of Lok Adalat ?

The aim of the Lok Adalat was to provide an alternative to the mainstream legal system. The reason for holding Lok Adalat or people's court for family disputes lies in the growing dissatisfaction with the existing legal system and the need for immediate relief for women who are in distressed familial circumstances. The requirement of immediate redressal and speedy disposal of matrimonial dispute was felt as most acutely in the present socio-legal circumstances. In view of these circumstances, an attempt was made to bring justice to the door steps of women, who are in need. Thus, it was decided to organize Lok Adalat for considering cases of family disputes wherein women are involved. The Lok Adalat was organized with the following objectives amongst others:
Provide speedy justice to women

To generate awareness among the public regarding conciliatory mode of dispute settlement and legal sanctity of Lok Adalat

To gear up the process of organizing Lok Adalat

To encourage the public to settle their outside the formal set-up
To empower public especially women to participate in justice delivery system

Give detail about Crisis Intervention Centres .

CICs is a scheme for providing support to victims of rape, domestic violence and torture. To professionally handle the investigation of rape case of minor victims and to rehabilitate the needy ones amongst them, Delhi Commission for Women has motivated Delhi Police to expedite and expand the initiative of Rape Crisis Intervention Centres from 3 to 7 police districts of Delhi.

Delhi Commission for Women is working with a small group of Non-Governmental Organizations (NGOs) who can provide effective counselling to victims and to their families.

A disciplined drill is laid out under the Standing Instructions which enable these NGOs in carrying out functions of liaison with police and hospitals in the course of their duties. Delhi Police and the associated NGOs work in an integrated partnership under this scheme.

What is the objective of Crisis Intervention Centres ?

To provide a support structure to the CICs of Police Department.

To ensure transparency in the professional investigation, registration of FIR and medical examination.

To reduce trauma and provide counselling help to the victim, family and the immediate attached community.

Medical help where required, particularly for treatment of victim. (sometimes this is very expensive and financial support is needed).

To provide financial assistance to victim, family for the duration of investigation.

To help in the rehabilitation of the victim.

A panel of doctors and lawyers is encouraged district-wise and in some districts these are already existing. More panels are under formation.

Delhi Commission for Women provides financial assistance through Trusts and Rotary Club and looks forward to additional assistance from other donors.

Legal aid where necessary is being provided under this scheme.

Where have CICs(Crisis Intervention Centres) been set up ?

CICs have been set up in Nine Districts in Delhi: -

North?East District

East District

Central District

North District

North-West District

South District

South-West District
West District
West District.

Rape laws in India:

"The law of rape is not just a few sentences. It is a whole book, which has clearly demarcated chapters and cannot be read selectively. We cannot read the preamble and suddenly reach the last chapter and claim to have understood and applied it."

- Kiran Bedi., Joint Commissioner, Special Branch.

Sexual harassment and rape are two sides of the same coin. Both showcase the power of man to dominate that of women. Both have one victim- 'women'. Both are barbaric in nature; but many people extenuate sexual harassment to rape, just because the victims are not physically harmed. Whereas in rape- the victim is ravished like an animal for the fulfillment of desire and lust of another man. Both have the same object- to undermine the integrity of the victim, physically as well as mentally.

ONLINE COMPLAINT

Name of the Complainant:	<input type="text"/>
Father/Husband's Name:	<input type="text"/>
Correspondence Address:	<input type="text"/>
Office Address: (if any)	<input type="text"/>
Telephone No(Res):	<input type="text"/>
Telephone No(Off):	<input type="text"/>
Mobile No:	<input type="text"/>
Age:	<input type="text"/>
Sex:	<input type="checkbox"/> Female <input type="checkbox"/> Male
Area:	Central <input type="button" value="v"/>
Nature of the Complaint:	Abduction/ Illegal confinement/Kidnapping <input type="button" value="v"/>
Name & Address of the Respondent:	<input type="text"/>
Whether Complaint against NRI:	NO <input type="button" value="v"/>
Complaint in Brief:	<input type="text"/>
	(Not more than 100 words)
	<input type="button" value="SUBMIT"/> <input type="button" value="RESET"/>

NATIONAL COMMISSION FOR WOMEN.

The National Commission for Women was set up as a statutory body in January 1992 under the National Commission for Women Act, 1990 (Act No. 20 of 1990) of Govt. of India, to review the Constitutional and legal safeguards for women; recommend remedial legislative measures, facilitate redressal of grievances and advise the Government on all policy matters affecting women.

COMPLAINTS AND COUNSELLING UNIT

This cell is the "Core" unit of the commission and processes the complaints received oral, written or suo moto under Section 10 of the NCW Act. The complaints received relate to domestic violence, harassment, dowry, torture, desertion, bigamy, rape, and refusal to register FIR, cruelty by husband, derision, gender discrimination and sexual harassment at work place. During 1999, the Commission received 4329 complaints related to the above types of crimes against women.

The complaints are tackled as below:-

Investigations by the police are expedited and monitored.

Disaggregated data are made available to various state authorities to facilitate action.

Family disputes are resolved or compromised through counselling.

1. This gives the trend of crimes against women and suggests systemic changes needed for the reduction in crimes.
The complaints are analyzed to understand the gaps in routine functioning of government in tackling violence against women and to suggest correctional measures.
The complaints are also used as case studies for sensitization programmes for the police, judiciary, prosecutors, forensic scientists, defence lawyers and other administrative functionaries.

NET-WORKING

Women's movement in the country was brought to the fore front by the efforts of the NGOs. The Commission interacts and networks with the NGOs and the State Commissions for ensuring gender equality and empowerment of women. The commission also interacts with the media, social activists and academicians to suggest the ways of ensuring due representation of women in all spheres.

SEMINARS, WORKSHOPS AND CONFERENCES

The Commission conducts seminars, workshops and conferences and sponsors such events by providing financial assistance to research organizations and NGOs. The important areas so far covered include violence against women, sexual exploitation of women at work place, educational health and employment

aspects, women in agriculture sector, women in Panchayati Raj, custodial justice, mental health institutions etc.

LEGAL AMENDMENTS/BILLS PROPOSED

Amendment to:

- Criminal Procedure Code, 1973.
- Indian Penal Code, 1860.
- Indian Evidence Act, 1872.
- Dowry Prohibition Act, 1961.
- Commission of Sati (Prevention) Act, 1987.
- Hindu Marriage Act, 1955.
- Child Marriage Restraint Act, 1929.
- Indecent Representation of Women (Prohibition) Act, 1986.
- Immoral Traffic (Prevention) Act, 1956 (for elimination of child prostitution and devising a comprehensive package for rehabilitation).
- Medial Termination of Pregnancy Act, 1971.

- Family Courts Act, 1984.
- Foreign Marriage Act, 1969.
- Guardians and Wards Act, 1890.
- Indian Succession Act, 1925.
- Representation of the People Act, 1951.

Bills

- The Marriage Bill, 1994.
- The Domestic Violence to Women (Prevention) bill, 1994.
- The Orphan & Destitute Children (Adoption) Bill, 1994.
- The Criminal Laws (Amendment) Bill, 1994 (with reference to child rape).
- The Criminal Laws (Amendment) Ordinance, 1996.
- The Prevention of Barbarous and Bestly cruelty against Women Bill, 1995.
- The Constitution 81st Amendment Bill, 1996.

SARCAJC had raised the issue of Women's Security along with *Hindustan Times* reporting that Delhi government is planning to bring a new law to tackle the instances of misbehavior, sexual harassment with the women on the Delhi streets. This will enable marshals (in plain cloths) to take on who misbehave in public. The senior government officer: "...the city will host commonwealth games in 2010. A safe, clean environment for everyone is as much a part of the experience....we would not want women visitors to feel threatened while walking around the city..."

It seems the emphasis here is not on the safety of women in Delhi per se but on safety of women visitors to Delhi during Commonwealth Games. If image building of India is part of the benefit of hosting Commonwealth Games, then the whole point is getting lost. Nevertheless, the Delhi Government is taking

some positive steps and needs to be appreciated.

However, what about safety of women in the National Capital region, which includes Noida, Ghaziabad and Gurgaon? Adjoining Delhi, in the city of Ghaziabad, women don't not feel safe even in a government office like Tehasil. What to talk of women empowerment, their safety is at stake in Tehasil in Ghaziabad. And most deplorable trend is that people don't speak out when they see men misbehaving with a woman.

Why bother about Ghaziabad, since the Commonwealth Games- 2010 will be held in Delhi? But, this city is closest to the upcoming Commonwealth Village, compared to many colonies of power capital of India. It is home to numerous people who everyday commute to Delhi for work, like they do in Gurgaon & Noida. How can one ignore it?

SARCAJC appeals to the Chief Ministers of Haryana, Delhi and Uttar Pradesh for a combined action plan to make Ghaziabad, Noida, Gurgaon and Delhi a safer place for women. And we also appeal to people to speak out and protect woman from misbehaving culprits and not turn a blind eye.

But hang on, Marshall's cannot be everywhere in the NCR region. And many women don't want to report such instances to the police, who are not very sympathetic. And after media coverage of Arushi murder case, many feel reluctant in approaching the media too. Solution - a responsive helpline (operated by responsive women) for reporting such instances and marshals also carrying out sting operation on identified culprits/area based on complaints. Further, these culprits must be humiliated in front of the media.

This fundamental issue of women safety hit the headlines only after brutal death of a young female journalist. Why did the media wait for loss of a life to raise this issue with prominence, which has been so very obvious throughout.

WHAT IS RAPE?

SEXUAL OFFENCES

375. Rape – A man is said to commit 'rape' who except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions:

- First – Against her will
- Secondly – Without her consent.
- Thirdly – With her consent, when her consent has been obtained by putting her or any person whom she is interested in fear of death or of hurt.
- Fourthly – With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

- Fifthly – With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.
- Sixthly – With or without her consent, when she is under sixteen years of age.
- Explanation—Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

376. Punishment for rape – (1) Whoever, except in the case provided for by sub-section (2), commits rape shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may be for life, or for a term which may extend to ten years and shall also be liable to fine unless the woman raped is his own wife and is not under twelve years age, in which case, he shall be punished with imprisonment of either description for a term which may extend to two years or with fine, or with both:

Provided that the court may, for adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than seven years.

- (2) whoever-
 - a. being a police officer commits rape-
 1. within the limits of the police station to which he is appointed; or
 2. in the premises of any station house whether or not situated in the police station to which he is appointed; or
 3. on a woman in his custody or in the custody of a police officer subordinate to him; or
 4. on a woman in his custody or in the custody of a police officer subordinate to him; or
 - b. being a public servant, takes advantage of his official position and commits rape on a woman in his custody as such public servant or in the custody of a public servant subordinate to him; or
 - c. being on the management or on the staff of a jail, remand home or other place of custody established by or under any law for the time being in force or of a women's or children's institution takes advantage of his official position and commits rape on any inmate of such jail, remand home, place or institution; or
 - d. being on the management or on the staff of a hospital, takes advantage of his official position and commits rape on a woman in that hospital; or
 - e. commits rape on a woman knowing her to be pregnant; or
 - f. commits rape on a woman when she is under twelve years of age; or
 - g. commits gang rape,

shall be punished with rigorous imprisonment for term which shall not be less than ten years but which may be for life and shall also be liable to fine:

Provided that the court may, for adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment of either description for a term of less than ten years.

Explanation–1:Where a woman is raped by one or more in a group of persons acting in furtherance of their common intention, each of the persons shall be deemed to have committed gang rape within the meaning of this sub-section.

Explanation– 2: 'Women's or children's institution means an institution, whether called an orphanage or a home for neglected woman or children or a widow's home or by any other name, which is established and maintained for the reception and care of woman or children.

Explanation– 3: 'Hospital' means the precincts of the hospital and includes the precincts of any institution for the reception and treatment of persons during convalescence or of persons requiring medical attention or rehabilitation.

376A Intercourse by a man with his wife during separation: - Whoever has sexual intercourse with his wife, who is living separately from him under a decree of separation or under any custom or usage without her consent shall be punished with imprisonment of either description for a term which may extend to two years and shall also be liable to fine.

376B Intercourse by public servant with woman in his custody: - Whoever, being a public servant, takes advantage of his official position and induces or seduces, any woman, who is in his custody as such public servant or in the custody of a public servant subordinate to him, to have sexual intercourse with him, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

376C Intercourse by Superintendent of Jail, remand home etc. - Whoever, being the superintendent or manager of a jail, remand home or other place of custody established by or under any law for the time being in force or of a woman's or children's institution takes advantage of his official position and induces or seduces any female inmate of such jail, remand home, place or institution to have sexual intercourse with him. Such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extended to five years and shall also be liable to fine.

- Explanation 1 :- 'Superintendent' in relation to a jail, remand home or other place of custody or a woman's or children's institution includes a person holding any other office in such jail, remand home, place or institution by virtue of which he can exercise any authority or control over its inmates.
- Explanation 2:- The expression 'women's or children's institution' shall have the same meaning as in Explanation 2 to sub-section (2) of section 376.

376D Intercourse by any member of the management or staff of a hospital with any woman in that hospital - Whoever, being on the management of a hospital or being on the staff of a hospital takes advantage of his position and has sexual intercourse with any woman in that hospital, such sexual intercourse not amounting to the offence of rape shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

- Explanation:- The expression 'hospital' shall have the same meaning as in Explanation 3 to sub-section (2) of section 376

A mere legal approach by way of special laws and enhanced punishment cannot check increasing atrocities on women. The community as a whole has a crucial role in this regard.

In the absence of an adequate support mechanism and comprehensive legislation, most victims of rape suffer in silence while their violators often go away scot-free.

A new Bill proposes amendments to the existing laws to widen the scope of the definition of rape and to deal with other forms of sexual assault on women and minors. India's legal response to violence against women has by and large been characterised by the absence of sympathy for the victim.

'CRIMES AGAINST WOMEN HAVE GONE DOWN' – AN INTERVIEW:

Despite overwhelming concern among the citizens of Delhi over the recent spate of crimes against women, one person feels that crimes against women have, in fact, come down. Excerpts from the interview:

The recent surge in crimes against women in the capital is worrisome. The incidence of crimes against women has gone up over the last few years and Delhi is being talked about as India's crime capital. Why do you think this has happened?

When we talk of a spurt, we should compare Delhi with Delhi, not with Mumbai or with any other place. If we compare the situation in Delhi over the last five years, we find that crimes against women have gone down. While there were 355 cases of rape during this period last year, this year the number is 336.

But have not such crimes become more brazen than ever?

I would put it this way. There is no doubt that there is a perceptible, significant reduction in crimes against women over a period of five years in Delhi, including this year. But society as a whole, including the police, is not happy with the current levels of crimes against women. There is a strong feeling that it should reduce further. But there are many factors responsible for crimes to reduce. The first is the societal factor. Norms in society, how society behaves towards women and the girl child, how women and children are permitted freedom, how they are permitted to grow, take care of themselves, be independent, educated - these are the factors from the point of view of society. There are also some dos and don'ts as well and self-defence measures, which women have to consider.

But you would agree that women do not feel confident in approaching the police. Are there any reforms required within the police system to rectify this?

We have to create an atmosphere where the victim feels confident to come forward and approach the police. We have stated that it is not at all necessary for a victim of such a crime to come to the police station personally. She can call up wherever it is convenient

and the police will reach there. We have a helpline, which is very effective, and a round-the-clock mobile women police arrangement. The second aspect is, once it has been reported to the police, further action should be taken by the woman police officer. Thirdly, it should be investigated with professionalism so that very strong evidence comes on record, which ultimately leads to conviction. In Delhi, the police pay a lot of attention to this. The all-India figures of conviction for rape is 27 per cent, while in Delhi it is 47 per cent, almost double. The other aspect is certainty of punishment. Courts are really burdened with cases and it can be examined if we can have special courts for rape cases.

The NCRB has observed that the rates of conviction reflect only a low percentage of the total number of reported crimes. A large number of crimes actually go unreported. It is also true that the victims do not feel confident enough to report to the police.

It is not only that. There are other factors also. The aspect of social stigma is a very big thing, the attitude of parents is a very big thing, and the attitude of relations is a big thing. Delhi is different from anywhere else. We are improving it further. The level of confidence in the Delhi police is much higher than anywhere else.

Does this confidence in the Delhi Police cut across class lines? Does this apply to all sections of society?

Yes.

Lawyers and women's organizations dealing with such cases find that often shoddy investigation, delay in lodging FIRs, even refusal to lodge FIRs, and delayed medical examination of the victim create problems in the conviction of cases.

The police would never like to delay. The delay occurs because of hesitation and non-cooperation on the part of the victim and the family. In the case of the rape of the MAMC student, the victim's father refused to register a case. The victim and her parents were not available for any discussion for four days. We had to register the case ourselves.

But it is the police which registers the FIR, not the victim.

The police records the FIR at the instance of the victim, mostly on behalf of either the victim or the family members, but it is preferable from the victim. Because whatever goes into the FIR becomes the first report. It has a higher evidentiary value, as our ultimate aim is to get conviction.

Laws relating to rape and sexual assault have remained more or less unchanged since the introduction of the IPC in 1860. It was only in 1983 that some amendments to the rape law were made. Now, for the first time, a comprehensive piece of legislation covering almost every aspect of sexual assault against women and minors has been drafted at the initiative of the All India Democratic Women's Association (AIDWA). It is called the Criminal Law Amendment Bill. It is based on the 172nd report of the Law Commission to amend laws relating to sexual assault in Sections 375, 376, 354 and 509

of the IPC, the relevant sections of the Code of Criminal Procedure (CrPC), 1973, and the Indian Evidence Act. The Criminal Law Amendment Act, 2000 also assist the same.

Women's organizations that have been fighting against this social scourge for decades believe that the situation has only got worse. The general secretary of the All India Democratic Women's Association (AIDWA), does not feel that stringent laws will act as a deterrent. She said judges were found to be extremely reluctant to deliver the maximum punishment for child rape even with the existing law. The demand for a more stringent law was misplaced; what was needed was to step up drastically the rate of convictions in rape cases, she said. The other important aspect was the changing attitudes in the era of neo-liberalization. Women had become the object of fantasies to be played out by the sex market, she said.

Linked to this trend was an overwhelming sense of individualisation, manifested in a culture of non-intervention. "Therefore, you have a society which is totally silent and non-interventionist. Why is it that in Delhi young girls in buses don't find any support when they are harassed?" she asked. People get emboldened when they see such social silence around them, she remarked. There is almost a voyeuristic element in the passivity of the denizens of Delhi and it is here that the role of the Delhi Police becomes vital. University students feel that often the police themselves were found to be indulging in mild forms of ogling or eve-teasing or appeared completely non-serious about their responsibilities.

A Supreme Court advocate said that the number of cases charged was pitifully low. This was attributed to the poor quality of investigation, lodging of incomplete first information reports and even the refusal to lodge FIRs, and delays in the medical examination of the victim and in the collection of important evidence. Women's organizations and the Law Commission have made several recommendations time and again, but little has been done to make the law more helpful to the victim. Now, the Cabinet seems to have made up its mind regarding an amendment to the Indian Evidence Act to disallow cross-examination of the rape victim in court.

One major amendment required is that of Section 155(4) of the Indian Evidence Act, which allows a victim to be questioned about her sexual history. This is a long-standing demand of the women's movement, and the Law Commission subsequently recommended it to the government. The Union Cabinet seems to have accepted the recommendation but there is no indication when it will act.

THE definition of rape itself does not take into account forced anal and oral intercourse. Other crimes such as protracted sexual assault, marital rape, sexual assault by relatives and child rape have gone unrecognized by courts. Procedural laws too need to be amended drastically so as to save the victim from the trauma of repeated interrogation. The national capital also recorded the highest incidence of kidnapping and abduction among the 23 mega cities; rape (32.9 per cent of the total rape cases that year), molestation (23.3 per cent) and dowry deaths (17.4 per cent). The crimes against women identified under the IPC are rape (Section 376), kidnapping and abduction for different purposes (Section 363-373), homicide for dowry, dowry deaths or attempts to commit such crimes (Section 302/304B), torture, both mental and physical (Section

498A), molestation (Section 354), sexual harassment (Section 509) and importation of girls (Section 366B) and trafficking in women.

Populist slogans of death penalty for rapists have little meaning in a society where class and caste divisions are so entrenched and people with pelf and power can subvert the law

"The emergence of sexual harassment as a wrong and a form of discrimination against women has been articulated exclusively by the Indian courts, and has not been enacted into any statute," says Ratna Kapur, in her book, *Erotic Justice*.

Sexual harassment

The inability of Section 354 of the IPC to address adequately the claims of sexual harassment ultimately led to the filing of a class action petition in 1997 in the Supreme Court. The petition was brought by certain social activists and NGOs to assist in finding suitable methods for the realisation of the true concept of "gender equality" and to prevent sexual harassment of women in all workplaces through judicial process, to fill the vacuum in the existing legislation.. The draft Bill, the Protection of Women Against Sexual Harassment at Workplace Bill, 2007, is yet to be introduced in Parliament.

Anti-rape law

Under Section 375 of the IPC, a man is said to commit rape if he has sexual intercourse with a woman under any of the six specified circumstances. They are: i) it should be against her will; ii) without her consent; iii) when her consent has been obtained by putting in her, or in any person whom she is interested in, the fear of death or of hurt; iv) when she consents believing that he is her husband, whereas he is not; v) when she consents by reason of unsoundness of mind or intoxication or administration of stupefying substance; or, vi) when she is under 16 years of age. The provision also says that penetration is sufficient to constitute the sexual intercourse necessary for the offence of rape.

Researchers have found serious gaps in using this provision to secure the conviction of alleged rapists. Pratiksha Baxi says in her article in the book *The Violence of Normal Times* (edited by Kalpana Kannabiran, Women Unlimited, New Delhi, 2005), that the popular perception that women commonly lie about being raped inflects medical jurisprudence and in the testimony to rape.

She points to one of the medico-legal propositions that acquires an axiomatic status that an able-bodied adult woman cannot be raped by an unarmed man. According to her, in the trial courts, the view is that women have the natural ability to resist rape by crossing their legs. Here, she says, the male body is not thought of as a weapon, and women's ability to resist is seen as given in nature. When she conducted interviews with experts at the Forensic Science Laboratory, she found that the practice of using lie-detection tests on raped women was common. She added that medico-legal textbooks did not prescribe the use of lie-detection tests on raped women, and to the best of her

knowledge the documentation regarding such tests did not enter at the trial or appellate level.

For the victim, the process of testifying itself adds to her trauma. Pratiksha Baxi notes that it makes her relive the rape and humiliates her. Trial court Judges, she finds, recognize emotional distress produced by the testimony not as a sign of suffering but as a sign of complicity in a lie.

She adds: "The cross-examination of the victim itself produces trauma. It attacks the reputation and veracity of the victim. It makes her relive the rape and humiliates her. The production of trauma by the law itself is a serious issue that severely compromises the mental health of rape survivors."

WHAT THE EXPERTS HAS TO SAY:

1. The time of day men are most likely to attack and rape a woman is in the early morning, between 5 and 8:30 a.m.
2. The number one place women are abducted from/attacked at is grocery store parking lots. Number two is office parking lots/garages and number three is public restrooms. These men are looking to grab a woman and quickly move her to a second, secluded location where they don't have to worry about getting caught.
3. Only 2% of the rapists interviewed said they carried weapons because rape carries a 3-5 year sentence but rape with a weapon is 15-20 years.

Several defense mechanisms

4. If someone is following you on the street or in a garage or with you in an elevator or stairwell and if you feel they are suspicious, look them in the face and ask them a question, like what time is it, or make general small talk: "I can't believe it is so cold out here, we're in for a bad winter." Now you've seen their face and could identify them in a lineup, so you lose appeal as a target.
5. If someone is coming toward you, hold out your hands in front of you and yell "Stop" or "Stay back!" Most of the rapists said they'd leave a woman alone if she yelled or showed that she would not be afraid to fight back. Again, they are looking for an EASY target. If you carry pepper spray (the instructor was a huge advocate of it and carries it with him wherever he goes,) yelling "I HAVE PEPPER SPRAY" and holding it out will be a deterrent.
6. If someone grabs you, you can't beat them with strength but you can by outsmarting them. If they grab your wrist, pull your wrist back so your hand is in waving position (palm facing forward) and twist it toward yourself and pull your arm away. It is hard to hold onto wrist bones that are moving in that way. They stumble toward you and you stumble back, so you can use that momentum to

backhand them with your knuckles in the forehead, nose or teeth. If you are grabbed around the waist from behind, pinch the attacker either under the arm between the elbow and armpit or in the upper inner thigh HARD. Try pinching yourself in those places as hard as you can stand it; it hurts.

7. After the initial hit, always go for the groin. It is extremely painful if you slap a guy's testicles (do not be afraid, your life may be at stake!). You might think that you'll make the potential rapist really mad and make him want to hurt you more, but the rapists who were interviewed reported that they want a woman who will not cause a lot of trouble. Start causing trouble, and he'll take off.
8. If he puts his hands up to grab you, grab his first two fingers and bend them back as far as possible with as much pressure pushing down on them as possible. I saw the instructor do this to another man, without using much pressure, and he ended up on his knees and both knuckles cracked audibly. It works!

WHAT TO DO IF YOU SUSPECT YOU ARE BEING STALKED

If you think you are being stalked, phone or visit your local police immediately no matter how trivial the harassment may seem. This will enable them to record your complaint, log, and monitor and build a profile of the offender. Ask for the name and serial number of the officer you see or speak to.

To assist prosecution:

1. Keep a record of all events, telephone calls etc., noting as much detail as possible including time and date of incidents.
2. Try to get photographic or video evidence of your stalker's actions.
3. Do not throwaway parcels or letters. Try to handle them as little as possible and if possible place them in plastic sleeves or envelopes to preserve them.
4. You should read any mail you receive in case it contains threats or indecent / offensive language.

WORDS FROM A POLICE DETECTIVE ABOUT SEXUAL ASSAULT

Here are the most common mistakes women make that could result in them getting kidnapped, attacked, and/or raped:

1. Getting into the attacker's car when he pulls a gun and orders you to get into his vehicle.

Most attackers don't want to shoot you ... they want you to get into the car so that they can drive you to a deserted place and torture you. Don't comply. Run screaming. It is

MUCH more likely than not that he will just move on to an easier target.

2. Pulling over when a man drives alongside of you pointing at your car pretending something is wrong.

If this happens, drive to the nearest well-lit and populated gas station and look the car over yourself (or ask an attendant). Never pull over. Believe it or not, many women have fallen for this for fear of their car spontaneously exploding in the middle of the road. Not likely.

3. Not locking your doors while driving.

I have read several cases where the attacker simply walks up to a woman's car while she's at a traffic light and jumps in with his gun or knife drawn.

4. Opening your front door when you have not positively identified who is there.

If you don't have a peep hole, get one. I've seen countless cases where the attacker gains access to his victims simply by knocking on their door.

Don't let an attacker get into your home. He then has a private, relatively soundproof place to attack you.

5. Not being alert in parking lots.

If you go to the grocery store at night, don't be shy about asking for an escort to your car. Too many women are abducted from parking lots or even raped in the parking lot.

Look in your back seat before entering your car. Cars provide endless hiding places for attackers, both inside them and in between them.

Be aware of your surroundings by looking to the left and right and behind you with your head up all the time. You may appear paranoid and look funny to others, but an attacker will think twice about approaching someone who appears so aware of what's going on.

6. Trusting a clean cut, honest looking stranger.

I see mug shots of every sex offender. They do not look like monsters. They often look like they could be your friendly grocer, bank teller, waiter, neighbor, clergy, doctor, etc. They are every age between 15 and 90, and probably beyond. Only a small minority actually look scary.

7. Trusting people to be alone with your children.

This is a difficult one, because child molesters end up being the LAST person the parents

would believe is the molester.

STREET SMARTS

1. Study a map before going out; once on the street, use a pocket-size guidebook to avoid looking like a tourist. Your hotel's concierge or a female employee can mark any dangerous areas on your map.
2. Dress down.
3. Avoid jewelry--even a chain that's fake gold can be ripped off your neck. Do consider wearing a wedding ring.
4. Loop a money belt around your belt loops so that if someone cuts it, it won't fall from your waist.
5. Be wary when getting off a bus or train, or riding stairs and escalators; that's when pickpockets tend to strike.
6. Carry just one credit card and photocopies of important documents. Divide money for small and larger purchases so you don't have to expose a wad of bills. (When sharing with friends, keep a kitty for common expenses to make digging for cash in public places unnecessary.) Become familiar with foreign currency before you need to use it.
7. Have gratuities ready for porters and doormen.
8. Use prepaid phone cards instead of carrying your card number.
9. Ask the concierge to make any restaurant reservations, and have him or her say, "Please take care of our guest, she's coming alone and will need a taxi home."
10. Should a car start to follow you, immediately turn and walk the opposite way.
11. If you must ask for directions, approach families or women with children. To be extra safe, say, "Where is the --? I'm meeting my husband there."
12. On sidewalks, keep your handbag and other valuables away from the street side (and on escalators, away from the opposite ramp).

If attacked, run, fight, and yell as loud as possible.

Have you ever felt frightened or intimidated when out walking alone? Have you ever wondered what you should do if approached by an attacker? Have you ever worried about becoming yet another home invasion statistic?

The sad reality is that we live in an increasingly violent society in which the fear of crime is ever-present. Personal safety has become an issue of importance for everyone, but especially for women

The following points are ten things that every woman should know about personal safety, and are covered in the Laurs' published book, *Total Awareness: A Woman's Safety Book*:

1. Awareness: "self-defence." However, true self-defence begins long before any actual physical contact. The first, and probably most important, component in self-defence is awareness: awareness of yourself, your surroundings, and your potential attacker's likely strategies.

The criminal's primary strategy is to use the advantage of surprise. Studies have shown that criminals are adept at choosing targets that appear to be unaware of what is going on around them. By being aware of your surroundings and by projecting a "force presence," many altercations which are commonplace on the street can be avoided.

2. Use Your Sixth Sense. "Gut instinct." Whatever you call it, your intuition is a powerful subconscious insight into situations and people. All of us, especially women, have this gift, but very few of us pay attention to it. Learn to trust this power and use it to your full advantage. Avoid a person or a situation which does not "feel" safe--you're probably right.

3. Self-Defence Training. It is important to evaluate the goals and practical usefulness of a women's self-defence program before signing up. Here are two tips:

a) Avoid martial arts studios unless you specifically wish to train in the traditional martial arts techniques and are prepared for a long-term commitment. Many women's self-defence programs teach watered-down martial arts techniques that are complex and unrealistic under the stress of an actual attack;

b) The self-defence program should include simulated assaults, with a fully padded instructor in realistic rape and attack scenarios, to allow you to practice what you've learned.

4. Escape: What if the unthinkable happens? You are suddenly confronted by a predator who demands that you go with him--be it in a car, or into an alley, or a building. It would seem prudent to obey, but you must never leave the primary crime scene. You are far more likely to be killed or seriously injured if you go with the predator than if you run away (even if he promises not to hurt you). Run away, yell for help, throw a rock through a store or car window--do whatever you can to attract attention. And if the criminal is after your purse or other material items, throw them one way while you run the other.

5. Your Right to Fight. Unfortunately, no matter how diligently we practice awareness and avoidance techniques, we may find ourselves in a physical confrontation. Whether or not you have self-defence training, and no matter what your age or physical condition, it is important to understand that you CAN and SHOULD defend yourself physically. You have both the moral and legal right to do so, even if the attacker is only threatening you and hasn't struck first. Many women worry that they will anger the attacker and get hurt worse if they defend themselves, but statistics clearly show that your odds of survival are far greater if you do fight back. Aim for the eyes first and the groin second. Remember, though, to use the element of surprise to your advantage--strike quickly, and mean business. You may only get one chance.

6. Pepper Spray: Pros and Cons. Pepper spray, like other self-defence aids, can be a useful tool. However, it is important to understand that there can be significant drawbacks to its use. For example, did you know that it doesn't work on everyone? Surprisingly, 15-20% of people will not be incapacitated even by a full-face spray. Also,

if you're carrying it in your purse, you will only waste time and alert the attacker to your intentions while you fumble for it. Never depend on any self-defence tool or weapon to stop an attacker. Trust your body and your wits, which you can always depend on in the event of an attack.

7. Home Invasions: A Crime on the Rise. The primary way to prevent a home invasion is simply to never, ever open your door unless you either are certain you know who's on the other side or can verify that they have a legitimate reason for being there (dressing up as a repair person or even police officer is one trick criminals use). In the event that an intruder breaks in while you're home, you should have a safe room in your house to which you can retreat. Such a room should be equipped with a strong door, deadbolt lock, phone (preferably cell phone), and a can of pepper spray or fire extinguisher.

8. Avoiding Car-jacking. Lock all doors and keep windows up when driving. Most car-jackings take place when vehicles are stopped at intersections. The criminals approach at a 45-degree angle (in the blind spot), and either pull you out of the driver's seat or jump in the passenger's seat.

9. A Travel Tip. Violent crimes against women happen in the best and worst hotels around the world. Predators may play the part of a hotel employee, push their way through an open or unlocked door, or obtain a pass key to the room. As with home safety, never open your door unless you are certain the person on the other side is legitimate, and always carry a door wedge with you when you travel. A wedge is often stronger than the door it secures.

10. Safety in Cyberspace. Although the Internet is educational and entertaining, it can also be full of danger if one isn't careful. When communicating on-line, use a nickname and always keep personal information such as home address and phone number confidential. Instruct family members to do the same. Keep current on security issues, frauds, viruses, etc. by periodically referring to "The Police Notebook" Internet Safety Page <http://www.ou.edu/oupd/inetmenu.htm> and the FTC's website <http://www.ftc.gov/bcp/menu-internet.htm>.

The elbow is the strongest point on your body. If you are close enough to use it, do!

If you are ever thrown into the trunk of a car, **kick out the back tail lights and stick your arm out the hole** and start waving like crazy. The driver won't see you but everybody else will. This has saved lives.

The three reasons women are easy targets for random acts of violence are:

- 1) **Lack of Awareness** - You MUST know where you are & what's going on around you.
- 2) **Body Language** - Keep your head up, swing your arms, stand straight up.
- 3) **Wrong Place, Wrong Time** - DON'T walk alone in an alley, or drive in a bad

neighborhood at night.

Women have a tendency to get into their cars after shopping, eating, working, etc., and just sit (doing their checkbook, or making a list, etc.) **DON'T DO THIS!** The predator will be watching you, and this is the perfect opportunity for him to get in the passenger side, put a gun to your head, and tell you where to go. **AS SOON AS YOU GET INTO YOUR CAR, LOCK THE DOORS AND LEAVE.**

A few notes about getting into your car in a parking lot, or parking garage: Be aware: look around you, look into your car, at the passenger side floor, and in the back seat. **If you are parked next to a big van, enter your car from the passenger door.** Most serial killers attack their victims by pulling them into their vans while the women are attempting to get into their cars. This is a good reason to park away from big vans.

Look at the car parked on the drivers side of your vehicle, and the passenger side. If a male is sitting alone in the seat nearest your car, you may want to walk back into the mall, or work, and get a guard/policeman to walk you back out. **IT IS ALWAYS BETTER TO BE SAFE THAN SORRY.** (Better paranoid than dead.)

ALWAYS take the elevator instead of the stairs. (Stairwells are horrible places to be alone and the perfect crime spot.) Do not get on an elevator if there is a weirdo already on there. (Of course bad men don't always look bad.) Do not stand back in the corners of the elevator. Be near the front, by the doors, ready to get off or on. If you get on the elevator on the 25th floor, and the Boogie Man gets on the 22nd, get off when he gets on. Don't ride the elevator with him if you are not comfortable.

If the predator has a gun and you are not under his control, ALWAYS RUN! Police only make 4 of 10 shots when they are in range of 3-9 feet. This is due to stress. The predator will only hit you (a running target) 4 in 100 times. And even then, it most likely WILL NOT be a vital organ. RUN!

As women, we are always trying to be sympathetic: STOP IT! It may get you raped, or killed. Ted Bundy, the serial killer, was a good looking, well-educated man, who ALWAYS played on the sympathies of unsuspecting women. He walked with a cane, or a limp, and often asked "for help" into his vehicle or with his vehicle, which is when he abducted his next victim.

Tips to saving your life, if you have gotten into a violent situation:
REACT IMMEDIATELY - If he abducts you in a parking lot, and is taking you to an abandoned area, **DON'T LET HIM GET YOU TO THAT AREA.** If you are driving, react immediately in the situation, and crash your car while still going 5 mph. If he's driving, find the right time, and stick your fingers in his eyes. He must watch the road, so choose an unsuspecting time, and gouge him. It is your **ONLY** defense. While he is in shock, **GET OUT.** This sounds gross, but the alternative is worse if you do not act.

RESIST - Don't go along with him: Run, if you are able: **DON'T EVER GIVE UP!** You **DO NOT** want to get to a crime scene.

Always keep your distance when walking past strangers on the street or in dark areas.

GET A CELL PHONE: There are packages for \$19.95 a month that allow you to program only 911 into the dialing out program. (This is an alternative for parents who say it is too expensive for their kids to have a cell phone.)

BREAK DOWNS: Make every effort to avoid this by ALWAYS keeping your car in good working order. If your car breaks down:

LOCK YOUR DOORS. You better have a cell phone to call for help. If you don't have a cell phone: (shame on you) keep a blanket, warm clothes, a pair of boots, and a flashlight in your car always, for emergencies.

If it's noon on a business day, you may want to put your hazards on and walk to safety. If it's 2 AM, put on your warm clothes, and walk to a lighted area. You are a perfect target if you are sitting in your car broken down. Predators search the highways for easy targets like you.

If you're on a desolate road: walk away from the car (in your warm clothes) and go to some bushes, or some area AWAY from your vehicles. It will be cold, and uncomfortable, but you DO NOT want to stay in your car, and there are no psycho bogeymen waiting in the bushes who knew you were going to break down there and then.

Physical defenses that we can use against the violent predator: The EYES are the most vulnerable part of the body. Poke him there HARD. It may be your only window of opportunity.

The neck is also a vulnerable spot, but you MUST know where to grip, AND HAVE THE STRENGTH to cut off his breath. Punch him in the throat to cut off his air supply.

The last place is the KNEES. Everyone's knees are very vulnerable, and a swift kick here will take anyone down. **** A cautionary note about these things. If you do not do these things right the first time, you are in trouble, because it will only anger the individual, and that anger will be TAKEN OUT ON YOU. I'm not saying don't attempt them, it may be your only hope, but be forceful when you do.

If you are walking alone in the dark (which you shouldn't be) and you find him following/chasing you: **Scream "FIRE!" and not "help"**; People don't want to get involved when people yell "help" but "fire" draws attention because people are nosy. RUN!

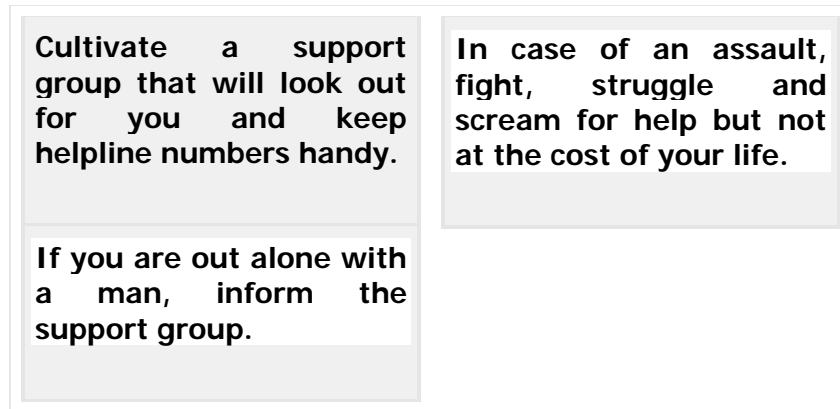
Find an obstacle, such as a parked car, and run around it, like Ring Around the Rosie. This may sound silly, but over the years, 5 women have told Pat Malone that this SAVED THEIR LIVES. **Your last hope is getting under the car.** Once you are under there, there are tons of things to hold onto, and he will not be able to get you out and will not come under for you (most likely). Usually they give up by this point. The catch here is that YOU MUST PRACTICE GETTING UNDER THE CAR. You must have a plan (he will

have one); know if you will be going on your back, front, from the side or back of the car. It must be practiced.

HAVE A PLAN. BE PREPARED TO ACT! AND ACT HARD! HAVE A PLAN!

RECOMMENDATIONS:

ATTACKING RAPE	
The do's...	...and don'ts
Enroll for self-defence lessons.	Don't talk to strangers.
Always carry a Swiss knife, pepper spray or sockful of coins that can be used as a weapon.	Avoid travelling alone as much as possible.
Women are entitled to legal counsel at a police station. So while lodging a report, insist on a legal representative.	Don't be distracted while travelling alone as women caught unawares are more vulnerable.
If there is a case of assault, molestation or rape, insist on examination by a woman doctor and also on a copy of the FIR and medical report.	Don't surrender to unreasonable demands even if they come from lawmakers or law-enforcers.
While travelling late at night, look out for suspicious people.	As much as possible, avoid giving a perception that you are alone and unprotected.
	While you should be cautious, don't live in fear.



If the mega-city of Delhi is more unsafe, it is because of

1. Growing social pathology in the Delhi, anonymity of the mass and indulgence given to the criminals
2. Inaction of the common people when violence happens against women.

1. For affective protection of women against violence are:

1. Need for enlightened youth volunteers- both boys and girls- who can really play good roles.
 2. Revamping Civil Defence, NCC, boys and girls scouts & NSS to address crime against women.
 3. Strong social bond and neighborhood bond.
2. For effective enforcement and summary trial of the criminals should be taken up by the Home Dept.
3. Suggestions like IT, Helpline, awareness, women police, and women conductors are valid. The women bus conductors in Bangalore city is definitely what the Delhi transport corporation needs to take up as a success story.
 4. "Government should make it mandatory installation of the Global Positioning System (GPS) in cabs used not only by BPOs but also other industries employing women at night shifts."
 5. Despite extensive use of the media, posters and pamphlets to publicize the awareness program, the Crime Cell in collaboration with NGOs are required to engage in mass contact and legal literacy programmes in the poorest areas.

6. The effective awareness and sensitization of the various elements of the criminal justice system. Police officers, lawyers, prosecutors and judges are all equally wary of a law that is moving at a faster pace than society. If they are convinced about the need for change, they can effectively pull society up by its boot straps by the sincere and judicious implementation of the law.
7. A need for multi professional approach to victims of crime to deal with rape and sexual abuse in which a representative of non-governmental social organizations is associated to assist in the medical examination of the victim and to provide assistance in treatment for trauma, counselling and rehabilitation.
8. Improving and systematizing the process of consultation and providing incentives to voluntary workers who have to diligently stay the course through sometimes lengthy legal procedures. Moreover, although women victims are definitely more comfortable with women investigators, prosecutors and judges, in the long term the need is to ensure sensitization of the large number of men involved in these professions, rather than limiting the dealing of such cases to women alone.
9. On a definite note free treatment at government hospitals and a special law to deal with atrocities against women needs to come up. Rehabilitation and medical assistance are therefore a must requirement.

And crediting rightly the Jagori team for recommending the following.

MAKING DELHI SAFE FOR WOMEN

Why are we concerned about women's safety?

Over the last few years, the issue of women's safety has become a major focus of public attention and concern in Delhi. A significant proportion of the respondents in a Public Perception Survey conducted during the preparation of the Human Development Report for Delhi feel that the streets of Delhi are becoming more and more unsafe for women.

One does not need to look at the statistics collected by the National Crime Records Bureau to agree that women in Delhi face high levels of violence – even a random scan of the daily newspapers is enough to support this statement.

Women are certainly unsafe on Delhi streets, running the daily risk of harassment, attack, assault, rape and murder.

On the other hand, they do not seem to be very safe at home either – official statistics show that, in Delhi as elsewhere, most crimes against women are committed by close relatives within the four walls of the home.

Women's organisations have been able to break the silence around the issue of violence.

Media coverage of incidents of violence has increased enormously.

Women have also become more confident about their rights and are approaching the police in greater numbers to register formal complaints.

Who is responsible for women's safety?

Violence against women is not just a women's concern.

Women's safety and security cannot be ensured through the efforts of women's organisations alone, no matter how committed or active they are.

We believe that making Delhi safer for women will have beneficial consequences for all citizens, and can happen only through partnerships between women and women's organisations, citizen's groups and community organisations, the police and law enforcement agencies, the administration and elected representatives.

The traditional approach to women's safety is based on restrictions and fear.

Women are told to stay away from places and situations that are potentially violent – to avoid public spaces and stay at home as much as possible, not to go out at night, not to travel alone, not to protest if someone misbehaves with them and so on. This approach has several unfortunate consequences.

First of all, it makes women alone responsible for their own safety – if something happens to them, it is assumed to have happened because they have not followed the rules.

Moreover, it restricts women's freedom and autonomy, and curtails their mobility and their ability to work and participate in social activities.

Reduces women's self-confidence and makes them physically and psychologically dependent on the protection of others. It prevents them from fulfilling their potentials and enjoying their rights as citizens.

Ironically, this restrictive approach does not really make women any safer – if anything, it increases their vulnerability by forcing them to live in fear and creating the feeling in their minds of being helpless victim.

Discussions on women's safety must therefore begin from the recognition of women's **right to a life free of violence.**

From this perspective, the responsibility for preventing violence and making the city safer for women lies with society as a whole, not with women alone.

What makes cities unsafe?

Many of the factors that make Delhi unsafe for women are common to other cities as well.

- A poor urban environment - dark or badly lighted streets, derelict parks and empty lots, badly maintained public spaces, inadequate signage, lack of public toilets.
- Empty streets at night because of early closing of shops and businesses or lack of a tradition of street life.
- Poor public transport and rude/unhelpful/abusive behaviour of bus drivers and conductors.
- Insufficient presence and unresponsive/aggressive attitudes of police and civic authorities.
- Isolation from neighbours and lack of community life.
- Traditional notions of privacy and refusal of neighbours/police to intervene in situations of domestic violence.
- Ideas and beliefs about appropriate behaviour, leading to reluctance to protest in cases of public violence.
- A 'macho' culture and a lack of respect for women and women's rights, leading to cases of violence being ignored or trivialised by the general public as well as those in positions of authority.

What can be done to make Delhi safe?

Police

- Training for police to equip them to deal sensitively and appropriately in cases of violence and violations of women's right to safety
- Recruitment and placement of women police officers in each police station
- Collaboration with women's NGOs for helpdesk in police stations
- Increase the number of PCR vans and police personnel
- Collaboration between senior officials and women's organisations to monitor and address violence against women - women's organisations could be invited to regular monthly review meetings taken by Police Commissioner
- Review of the functioning of the Crimes Against Women Cell to ensure that it responds appropriately to women's needs

Services for women facing violence

- Increase the number and improve the quality of available services including helplines, medical facilities, legal aid units, shelter homes and counselling centres.
- Enforce existing government guidelines on prevention and redressal of sexual harassment at the workplace
- Disseminate information on government commitment to women's safety and available services
- Training for women in self-defence

Infrastructure

- Improve urban infrastructure – lighting, signage, pavements, parks
- Signage in all public places giving details of helpline numbers and persons to be contacted in case of harassment
- Provision of clean and well-lighted toilets in all public areas
- Ensure adequate infrastructure in resettlement colonies, particularly affordable and clean toilets and drinking water points
- Provide night-shelters for homeless women
- Ensure services for mentally ill women and women with disabilities

- Sensitisation of bus drivers and conductors and signage on buses

Community action

- Strengthen community-level women's organisations.
- Gender sensitisation for resident Welfare Associations to enable them to respond to cases of domestic violence in their areas
- Collaboration between Resident Welfare Associations and women's organisations

Media

- Sensitization of media persons to issues of women's rights
- Formulation of a code of ethics in reporting cases of violence
- Public campaigns on women's safety
- Dissemination of information on available infrastructure and services

Finally conduct participatory 'safety audits' of various areas in Delhi, including residential areas, shopping centres, government buildings, educational institutions and cinema complexes. The audits are a means to identify 'unsafety' factors in the area, as well as to sensitise participants (who include members of the local community and clients/users of services) to the issue of women's safety.

Some factors that constitute a risk and/or create a feeling of vulnerability for women participating in the audit are common across these locations.

- Poor lighting.** Back lanes of markets and service lanes in residential colonies are badly lit and often obstructed with rubbish or debris. Underpasses and subways on main roads have non-functional lights. Parks within residential colonies seldom have any provision for lighting.
- Poor signage.** Road signs and house numbers are either missing or unreadable. Helpline numbers are not clearly displayed in public buildings. Signboards bearing the names and contacts of elected representatives do not have addresses and emergency contact numbers.
- Poor infrastructure.** Women's toilets few in number, dirty and ill-lit if free. Public phone booths are few, especially in affluent colonies. Private phone lines do not permit calls to toll-free helpline numbers. Bus stands are dilapidated, and the area behind them is a de facto urinal for men.
- Deserted and derelict spaces.** Few women are visible in public spaces after dark, unless accompanied by a man. Most public parks are deserted after dark. Vacant plots obscured with debris and building materials are scattered across

residential areas. In affluent colonies, houses are hidden behind high walls and no people are visible in the lanes.

- **Macho behaviour.** Verbal and physical aggression from police, car and bus drivers, bus conductors, parking attendants and people on the streets is a visible feature of public spaces. Sexually coloured and abusive language, provocative remarks and physical harassment are a constant element.

CONCLUSION:

The Indian Penal Code is a masterly document drafted and promulgated nearly 150 years ago. It has stood the test of time, and with minor amendments, proved it to be a valuable mechanism to come down on traditional crime. We need a revolutionary change of mindset before we can start making an impact.

We must at the same time remember that a police force can hardly protect an unsuspecting woman from her own uncle, cousin or neighbour who has gained her confidence. Repeated surveys have proved that a substantial number of such crimes are committed by those known to the victims, because easy access facilitates aggression perpetrated in the close preserve of a home. (According to the Delhi Police Commissioner, those hauled up for rape during the past year included 46 close relatives, such as grandfathers, fathers, brothers-in-law, uncles and cousins.) This does not for a moment downplay what the police can do to prevent violence against women or investigate attacks thoroughly so as to successfully prosecute offenders in a court of law.

IT is the police who can impart a sense of security among women. Ultimately, it is the fear of crime more than its actuality that haunts us all the time. Uniformed policemen near women's colleges. The tactic of having the police in plain clothes near campuses has also paid dividends in catching eve-teasers. However, what about rural women who do not have such protection? This is a problem that outstrips all logistics that the police can command.

Where there are resources in the form of a concentration of police manpower or prying investigative journalists, as in the case of a city or town, violation of the rights and privacy of women is under fair check. Where the police are thinly spread and the media find it difficult to get access to information, women are in real danger. This is where social controls and enlightened vigilance on the part of persons who hold non-governmental positions assume importance. They take the place of law enforcement agencies that are unable to give enough attention in areas where they just do not have a presence.

"Rape is not only a crime against the person of a woman; it is a crime against the entire society.... Courts are therefore expected to deal with sexual crimes against women with utmost sensitivity....A socially sensitized judge is a better statutory armour in cases of crimes against women than long clauses of penal

provisions containing complex exceptions and provisions... . An unmerited acquittal encourages wolves in society."

Despite the categorical stand taken by the highest court of the land in placing the maximum reliance on the statement of the victim and the circumstances surrounding the episode in question, so many rape cases fail at the trial stage itself. It is this that needs a thorough study rather than how to make the penalty for rape more severe. Where law enforcement agencies are unequal to a task, it is the community that should rise as a man to fill in the breach. We see this happening during major communal riots when a few enlightened members belonging to the aggressor community organize themselves and move swiftly to protect the minorities. One sees a clear role for non-governmental organizations in protecting women.

"Our criminal justice system is tilted in favors of the accused and the real victims of crime have by and large remained out of the focus of the welfare agencies, the government and the judicial system. Unlike in Western countries, in India the victims of crime, especially sexual crimes, remain neglected at every stage, be it trial, investigation or, most important, rehabilitation. The victims end up becoming mere pieces of evidence in the conviction process, with the system failing to provide them any succor to alleviate their pathetic living conditions," notes president of the Association for Development, which runs two projects, Pratidhi and Umeed, to help victims of crime. Pratidhi is run in collaboration with the Delhi Police and Umeed with the non-governmental organisation CRY (Child Relief and You). Their main focus is on sexual crimes. The two projects cover the most vulnerable areas of Delhi as far as sexual crimes are concerned, namely the low-income-group areas and the slum clusters in east, west, northwest and central Delhi.

The need for a rehabilitation mechanism - there is none at the moment - becomes all the more important if one takes a look at the profile of rape victims.

"Already traumatized by the experience, their bodies brutalized and minds benumbed, it is next to impossible for the victims to restart their lives all over again if there is no support mechanism. It is such a vicious circle: the families live in claustrophobic, cluttered environments which encourage such crimes, poor economic condition makes it difficult for them to pursue the lengthy course of law to get the accused convicted, thus enabling them to go scot-free. The victims, meanwhile, get ostracized in society, are forced to live on the fringes and in extreme circumstances, and commit suicide," says a social worker with Pratidhi, who works with victims of sexual abuse.

The need for a state-supported rehabilitation mechanism for rape victims has been pointed out by various women's organizations from time to time. Even bodies such as the DCW are ill-equipped to deal with the task, primarily because they do not have enough funds and secondly because they do not have the requisite trained staff. The DCW coordinates with NGOs for the rehabilitation of rape victims in cases that come to it. "Handling rape victims require a particular kind of sensitivity because the rehabilitation should be not only at the physical or material level, but at the psychological level too. This is because rape leaves a scar not only on the body, but on the mind. Existing government institutions like the DCW are hardly equipped for this

job," says a concerned authority. Here, he thinks, the NGOs can fill the gap and provide a helping hand. But the problem, he says, is that unlike in many other sectors where NGOs are active, there are no big funds for this segment which makes it difficult for even the NGOs to function as effectively as they should.

The need for a proper rehabilitation mechanism was best advocated by Kiran Bedi, India's first woman officer of the Indian Police Service, who described rape as a "failure of the state and society in carrying out their duties properly," in an interview published in *The Times of India*. She said: "The criminal justice system is tardy and cumbersome and many times works more for the rights of the accused than the victim." She also said that in many cases the victims shy away from seeking police help because they are "not at all sure of the response they will get". Regarding rehabilitation measures and protection for rape victims, she said: "Unfortunately, there are no measures or schemes in practice that are worthwhile and cover all as a system."

It is not that the need for such a mechanism has been felt only by women's organizations, NGOs or women like Kiran Bedi. It has drawn the attention of parliamentarians such as a member of the Rajya Sabha from Karnataka, who introduced a private member's Bill on the subject in the last session of Parliament. The Bill, introduced on July 19, 2002, is called "The Women Victims of Atrocities (Rehabilitation) Bill, 2002". It seeks a law to "provide for rehabilitation measures to be initiated by the state for women and girl victims of atrocities like rape, including gang rape, forced begging, prostitution or women thrown out of their households or offered as devdasi to be exploited in society, by providing vocational education, financial assistance to start their own ventures, and such other measures and for matters connected therewith or incidental thereto."

"Compensation should be an important component of the punishment for rape. The rapist should be made to pay a hefty fine and a part of his property should go towards the welfare and rehabilitation of his victim."

It is high time the government got an institutional mechanism in place to take care of the rehabilitation of women and girl victims of crimes, which are mostly sexual in nature. Recent amendments to laws and various Supreme Court rulings have undoubtedly strengthened the mechanism for investigation and prosecution, resulting in an increase (even though minuscule) in the number of women coming forward to report cases of rape. But there is no institutionalized system for their rehabilitation. This prohibits women, in the first place, from approaching the state for help when they become victims of such crimes because, for one, they are not sure of the response they will get, and secondly, they fear the aftermath, with an uncertain future ahead of them and no support whatsoever coming their way. Over 70 per cent of the victims become "untraceable" after they take the first step of getting a First Information Report (FIR) registered. "Women victims going missing soon after the incidence of rape are a common phenomenon. Most of the time the addresses given in the FIR turn out to be fake and in other cases they simply shift their residence to another locality so that they can live in anonymity," says Prasad.

If a supportive infrastructure were available, maybe more women and girl victims of crimes would muster the courage to come forward and report. The lack of such an infrastructure forces most such victims today to continue to lead miserable lives while the accused go scot-free in most cases. Even if they are punished, the offenders have their rights protected inside the jail.

The solution, it is argued, lies not in the stringency of the law but in its applicability. The scope of the law has to be widened, conviction rates have to improve, and the police have to inspire confidence so that victims feel emboldened to report crimes.

THE RECENT statement made by Pratibha Patel, the Indian President that self defence is a must for women and that they should learn Karate and Judo in order to save themselves from eve teasing, molestation and sex abuse seems to give the real picture of safety of women.

There are certain precautions, which should be taken by girls and women to avoid any untoward incident from taking place. Avoid traveling in a very crowded bus or train. If for example you are not traveling in the 'ladies' compartment then it becomes really tough for you to protect yourself. Even at really crowded events like festivals, pubs etc there is every chance of being groped by insane perverts.

Avoid overexposure at inappropriate places; it will only invite stares and lewd comments from people. I know this should not be the case; after all it's your choice to wear what you want. But in order to avoid getting into trouble, its imperative to dress at least decently. Stay away from strangers under the influence of alcohol either at pubs, discos or even on the street.

A survey by the national women's commission reports that 46.58 per cent of women report sexual harassment in the work place; only about 3.54 per cent report the matter to authorities; 1.4 per cent reported it to the police. Thus it is clearly evident that when it comes to reporting such incidents women lag far behind.

The biggest problem with eve-teasing and molestation is that victims seldom report incidents, so the perpetrators of these crimes are rarely prosecuted. This leads to a belief amongst them that no action will take place against them, and so they continue to sexually harass women. To understand why many victims don't speak up, take action or file complaints, one must first understand the psyche of community at large. Instead of pinning the blame squarely where it belongs, on the shoulders of the eve-teaser or molester, it views the victim critically. It alleges that her clothing, gait, behaviour or character was provocative and "immoral" and thus she was asking for it. Often, the victims too blame themselves and believe that some flaw within them led to the molestation. This attitude leads the victim to a sense of shame, and she feels that perhaps it is better to keep quiet about her trauma.

Another problem is that amongst those who witness such incidences, there is a reluctance to rescue the victim or become involved in any way. This attitude of turning a blind eye to any problem one doesn't consider one's own further compounds the victim's dilemma about speaking up, as she can never be sure whether anyone will come to her aid or she'll be left alone to tackle with the unpleasant and perhaps even dangerous molester. An empirical study manifest that people who have been meted out with capital punishment in India were poor or in minority or both. Nonetheless we do not intend to take sides all that we are trying to say that if justice is to be delivered it should undoubtedly be fair and reasonable. Justice should mean justice.

An overall rethinking about it as a societal as well as legal issue is required. Also if torture is deemed best for the rapist then, why not this torture be constructive? For instance, the convicted can be made to compensate the victim or her family by his income through employment or community services. The act of rape is the most heinous crimes against the humans so the punishment should also be very painful. So that others fear the crime.

Even if all this sound a bit dissatisfactory to the victim of rape or her family then it is submitted that capital punishment is quite a merciful punishment for a crime as heinous as rape. Why should the rapist be killed with a pain of just two seconds contrary to the victim who in a society like ours would still live with so much shame and un-acceptance? If the girl has to continue with this stigma throughout out her life let the rapist also live with.

So back to Sheila Dixit's comments – if you think Delhi is unsafe and women should not venture at night, why allow them work at night? Stop girls to work at night so that they can stay indoors and there will be no crime against women. Why can a handful of criminals create so fear that we have to be indoors at night? Instead of commenting on "being adventurous...", why can't you advice for more security, more patrolling and more safety?

Jasmine Dalal, a student of Class XI, has to commute ten kilometres by bus everyday. How does she find the traffic system? "The Blue Line buses are the main culprit in Delhi. Commuters are packed like sardines during peak hours in Blue Line buses. It is impossible to move in Blue Line buses as it is unsafe for women." When asked why did she not prefer to move in DTC buses, she said, "Getting DTC buses has now become a matter of luck. Either these are not available on time, or they do not care for the bus stops. The DTC drivers care only for the kilometres they travel in a day and not for the passengers."

Ritwika Paul, a resident of Safdarjung road is unhappy with the administration. Paul works in an MNC and arrives home late at night. "I am really afraid to move alone at night. Within two months, there have been seven cases of theft in this area, but the Delhi police has failed to nab the goons. Even after several complaints, there is hardly a single policeman in this area at night. Security guards posted at the gates are unarmed and are hardly a deterrence to the goons."

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