

Crimes Against Women in India : An Overview

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Abstract - A girl is at risk of being a victim or target of crime from the moment she is born, if not sooner. Let's examine the potential dangers at different times in a woman's life. The kind of crimes also differs among phases. Important points are shown in the tables and diagrams that follow. According to the 2012 report by India's National Crime Records Bureau, the country's overall crime rate was 46 per 100,000 people, the rape rate was 2, the dowry homicide rate was 0.7, and the domestic cruelty rate was 5.9 per 100,000. It is estimated that 27.5 million women in India are victims of sexual assault, despite the fact that India has one of the lowest rates of sexual violence in the world (8.5%). The 2006 study also indicated that just 1% of victims of sexual assault in relationships or outside of marriage ever go to the police for aid. Through this work, the researcher has made an effort to discuss the topic of crimes against women in the present day. Crimes committed against women in India are the primary topic of this study. There are a variety of ways in which women in India are confined. There is no one demographic that is disproportionately affected by crime. Indian women have always had trouble with their periods, not just now. Despite several laws and other government initiatives, the rate of violence against women has not decreased.

Keywords - Crimes, Sexual Harassment, Physical abuse, Domestic violence, Rape, Acid attack

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INTRODUCTION

The previous two decades have seen unprecedented development in India. Tragic atrocities against women persist despite progress and change. This is what the United Nations concluded in a report from 1980. Women make up half the population yet are responsible for over two-thirds of the world's labor hours, earn just a tenth of the world's income, and own much less than 100% of the world's property.' Throughout Indian history and culture, women have had a privileged position of respect and veneration.

The Indian Constitution of 1950 was a major factor in lowering discrimination levels. The Indian Constitution has several anti-discrimination measures, including some that specifically target women. The Constitution's first paragraph respects men and women equally. A wide range of immoral behaviors, including prostitution, unlawful imprisonment, trafficking, dowry extortion, rape, assault, workplace harassment, gang rape, acid attack, abduction, and others, are perpetrated against women for financial gain. Some examples of crimes committed against women are listed below, broken down by age group:

Stage 1	Foeticide and infanticide	Pregnancy detection techniques may contribute to female foeticide in societies that place a high value on male heirs, either for economic or cultural reasons.
Stage 2	School going age	When compared to males, girls are less likely to get an adequate primary and secondary education, and they may be subjected to prejudice at the hands of their parents and educators.
Stage 3	Adolescence	Adolescent girls are particularly vulnerable to sexual assault, whether it be online or offline; exploitation and violence; acid assaults; rape; early marriage; or even the spread of HIV/AIDS.

Stage 4	Marriage	After being married, many women face physical, financial, and emotional abuse at the hands of their husbands and in-laws.
Stage 5	Motherhood	Pregnant women are not always guaranteed access to quality healthcare or nutritious meals. Aborting a female fetus is frequently unavoidable for her.
Stage 6	Workplace	Women are frequently the targets of exploitation, wage discrimination, advancement stagnation, and physical, financial, and emotional abuse.

At each of these points, women are expected to keep silent while they suffer or have their voices drowned out if they do speak out. She has no idea that she can take legal action against these wrongdoers or that she even has rights to do so. The moment has come for women to stand up for themselves, therefore if you see any acts of cruelty or criminality, please report them to firengo.com.

India ranks 53rd in the World Economic Forum's (WEF) first-ever gender gap analysis among 58 countries. The gender gap between men and women is quantified in five key categories, including economic engagement, economic opportunity, political empowerment, access to education, and access to reproductive health care, in a 2005 study titled "The Women's Empowerment: Measuring the Global Gender Gap." The study draws on research conducted by the United Nations Development Fund for Women to examine gender disparity throughout the world. The low score illustrates the wide gap between men and women across the index's five dimensions.

PROBLEM OF CRIMES AGAINST WOMEN IN INDIA

Rape, kidnapping, abduction, murder for dowry, torture, molestation, harassment, and the importation of females are all offenses punishable under the IPC (Indian Penal Code, 1860) in India.

Rape

While there is significant disagreement about what exactly constitutes "rape," there is consensus that the act is wrong. Rape is defined as a crime under Section 375 of the Indian Penal Code, which dates back to 1860. A guy is accused of rape if his penis enters the woman's vagina to any significant degree. It makes no difference how deep within the vaginal canal it travels. It constitutes rape to insert one's penis into a woman's vagina in any way. This is often the case due to clause (a) of Section 375, which states that rape occurs when a male inserts his penis into a woman's vagina, mouth,

urethra, or anus. One of the worst crimes ever perpetrated against a woman is rape. It is the fourth most frequent crime committed against women in India. When a man has sexual intercourse with a woman, he commits rape if he inserts his penis or any other part of his body, to any depth, into her vagina, mouth, urethra, or anus, or if he compels her to do so. If he inserts any object or part of his body other than his penis into her vagina, urethra, or anus, or if he manipulates any part of her:—

- Contrary to her wishes.
- Without asking her.
- With her knowledge and approval, when she is threatened with physical harm or death in order to provide that approval.
- By convincing her that you are her spouse and gaining her approval.
- If she is under the influence of alcohol or otherwise not of sound mind, she may give assent to anything without fully appreciating the depth and breadth of its implications.
- When she is under 18, whether or not she gives her permission.
- When she is unable to provide her permission by giving it.

Under the following sections of the Indian Penal Code, a victim of rape may submit a First Information Report with local authorities.

376- The Consequences of Rape

376A- Retribution for bringing about the victim's demise or prolonged vegetative state.

376B- Husband's Extramarital Affairs on Wife While Apart

376C- Having a Sexual Relationship with a Superior Official

376D- Group rape

The crime requires sexual contact between a man and a woman. Under this provision, a boy must be at least 12 years old to be considered an adult, whereas a boy under 12 but older than 7 is considered to have qualified immunity. The crime is committed if there is penetration against her will. It is not consent on the side of a female if she does not object to intercourse due to misunderstanding. It is not permissible to get permission from a woman if she is threatened with physical harm or death. When a girl under the age of 18 is sexually involved with you, with or without her permission, you have committed rape.

Exception: If a man makes sexual contact with his wife before she becomes 15, regardless of whether she gives her permission or not, he has committed rape. To prevent males from abusing their marital privileges too soon, this kind of check was essential.

Once a woman has given her husband the "matrimonial consent" of being married to her, he can never be found guilty of rape against her.

A study found that in 2017, over 32,500 rape incidents were reported to authorities. About half of the victims were adults in their twenties and thirties, while the other victims were mostly youngsters. In 2017, only roughly 18,300 rape cases were resolved by Indian courts. Another 127,800 cases were still outstanding at year's end. Only 26% of defendants were found guilty in 2017.

Important case that shook India

An MD was gang raped in November of 2019 in the area around Hyderabad. The next day following her murder, her corpse was discovered. The victim left her scooter at the toll booth and rode a cab to work. Her scooter's tires were punctured by the time she got back to it. She was seen by two truckers and one of their passengers. Instead of really helping her, they just shove her into the bushes and rape her there. They loaded her corpse into the truck and dumped her remains 27 kilometers away from where they had burned her beneath the bridge. Nationwide, people took to the streets to demand the death penalty for those who had committed crimes. People were calling for changes to rape penalties.

The Chief Minister has been instructed to expedite the matter. Evidence from closed-circuit television and cell phones led to the arrest of four suspects by the police. They were put into judicial detention for a period of 14 days during which their confessions were recorded. In order to recreate the crime scene, the accused were transported to the actual site of the incident. Police in Hyderabad said that two of the suspects attempted to steal firearms from officers, despite being requested to surrender and receiving several warning shots. On the national route between Bangalore and Hyderabad, this occurred under a bridge.

Some others were protesting the police officers, claiming that the confrontation was staged. The accused's first postmortem was performed at the local government hospital the day of the first encounter. The high court mandated a re-post mortem, which was conducted by the forensics team at AIIMS in Delhi. Disha's victim's name was made up. The hashtag #justicefordisha was also used by the protesters, who were angry over the rising crime rate of kidnapping women in India. In India, kidnappings often occur for the purpose of a wedding. In 2018, there were 10 kidnappings of women each day in Delhi, with the victim often knowing her abductor. Abduction and kidnapping are acts of extreme violence. The crime of kidnapping or abducting a female, or of procuring or importing a girl, is defined in the Indian Penal Code. accepting something from a child is accepting it at its exact meaning.

Kidnapping is of two kinds:

- kidnapping from India, and
- Kidnapping from lawful guardianship.

The victim of a crime under this subsection may be a man or female of any age. Kidnapping is defined as the forcible removal of a person from their legal guardian or removal of a minor from India without their permission. No crime is committed if a private has reached legal adulthood and given his permission to be transported. For the purpose of the kidnapping offense, the age of consent is 16 for males and 18 for girls. The rights of guardians are secondary to the protection of children and, by extension, those of unsound mind, under the requirements of those sections under this subject. Abduction occurs when a person is forcibly relocated to another location or is convinced to make the transfer via the use of deception. There has to be physical violence. If a woman is kidnapped, abducted, or induced, it must be with the intent that she may be compelled to marry any someone against her will, or with the knowledge that she is likely to be so married; or with the intent that she may be forced or seduced to illicit intercourse, or with the knowledge that she is likely to be so forced or seduced. It makes no difference whether the abducted lady is married or single.

Procurement of minor girl- The procurement of a young girl has evolved into a pressing issue. India's crime rate has been climbing steadily in recent years. To commit this violent crime, one must induce a girl under the age of 18 to leave her home or to attempt or perform an act with the aim or knowledge that she would be coerced or enticed into having sexual relations with another person. Whether or whether the girl has been coerced or has engaged in sexual misconduct before, to seduce her is to incite or persuade her to engage in such behavior.

Importations of girl from foreign country- Preteen females are the primary focus. Under this provision, it is illegal to bring females under the age of 21 into India from any nation outside India for the purpose of prostitution.

The most recent statistics from the National Crime Records Bureau shows that there were 95,893 kidnappings and abductions in 2017, an increase of 9% from the previous year. Seventy-five percent were female victims, of whom ninety percent were found alive. With 27.6 instances per one lakh of population, Delhi had the highest rate of kidnapping and abduction, followed by Assam (23.9) and Haryana (15.7). Girls (those under the age of 18) make up the largest percentage (43.9%) of victims of kidnapping and abduction.

CRUELTY BY HUSBAND OR RELATIVES OF HUSBAND AND DOMESTIC VIOLENCE

Abuse of any kind, whether sexual, physical, or mental, is considered cruel. In India, dowry is also a major factor. Section 498-A of the Indian Penal Code

from 1860 provides the relevant definition. The purpose of this subsection is to address dowry-related fatalities.

It first appeared in 1983. The purpose of the law is to shield wives from male relatives who abuse them. For the purposes of this clause, harassment is the same as cruelty. A person's spouse is considered a relative together with the spouse's parents, siblings, children, grandchildren, and great-grandchildren. The context of the law determines how to interpret the word "relative." Someone who is connected to you biologically, via marriage, or through adoption,

In India, one out of every three women is subjected to sexual and/or physical abuse at home. The poll found that 27 percent of Indian women had suffered physical assault since the age of 15. Women in rural regions are more likely to have experienced physical violence than women in metropolitan areas.

On most of these occasions, the spouses have been the ones to resort to such cruel behavior. Thirty-one percent of married women report experiencing physical, sexual, or passionate brutality from their spouses. Physical violence is the most common kind of domestic abuse (33%), followed by emotional abuse (13%). Eighty-three percent of the married women in the research who had experienced physical cruelty since the age of 15 blamed their present partners.

However, among women who are not married, the most common sources of physical violence are their mothers or stepmothers (56%), dads or stepfathers (33%), sisters or siblings (27%), and teachers (15%).

However, the most distressing aspect of spousal-brutality is that nearly one-third of married women who have experienced spousal-brutality have reported experiencing physical wounds; 8% have had eye wounds, injuries, disengagements, or consumes; and 6% have had profound injuries, broken bones, broken teeth, or other genuine injury. However, just 14% of women who experienced this violence sought assistance to end it. Still, they are under stress for reasons other than their helplessness to stop the atrocities. Surprisingly, domestic violence against women in India is pervasive.

According to the data provided in the overview, 54.8% of Indian women aged 40 to 49 have some grasp of the concept of domestic aggression. Younger women had an almost same incidence of advocating for substance abuse. Young women between the ages of 15 and 19 were the most likely to agree that husbands should be violent. There is a clear divide between urban and rural areas in how women perceive domestic violence. In a national survey, 54.4% of rural women agreed with domestic violence, but just 46.8% of urban women did.

Indian women are really concerned about their sexual rights. Six percent of Indian women surveyed said they have experienced sexual cruelty at some point in their

lives, confirming this fear. Over 83% of married women who have survived sexual violence blame their present spouse, whereas 9% blame an ex-husband. For 5.4% of women, the most disturbing kind of sexual violence was when their partner used physical force to force them to have sex. About 4% said their partner forced them to engage in sexual activity they did not want to, and 3% said their partner forced them to engage in additional sexual activity they did not want to.

The fact that married people are exempt from assault regulations gives guys the green light to 'go after' women even when they're at home alone. These statistics provide a glimpse into the pervasive sexual harassment and violence against women and children in India. It's the same for single women who aren't married.

According to the study, other family members were the most common perpetrators of sexual violence against single women (27%), followed by boyfriends (18%), friends and coworkers (17%), and family members (11%). People with whom women have close relationships are more likely to commit sexually violent acts. The overview study warned that women may face a "mixed bag of viciousness," including both physical and sexual violence.

Acid Attack

Acid attacks, also known as acid throwing, are violent assaults in which a corrosive material, such as acid, is thrown at a person with the goal to cause disfigurement, injury, or death. Attackers hurl acid at their victims, often at the face, causing severe burns and skin damage and sometimes even exposing and dissolving the bones underneath. Long-term effects of such assaults may include lifelong eyesight, facial and bodily scars, and severe emotional, social, and financial challenges. Voluntarily inflicting grave harm with acid is punishable under Section 326A of the Indian Penal Code, 1860, as is throwing or trying to hurl acid under Section 326B. If someone throws acid at you or tries to, you have the right to use deadly force in self-defense under Section 100 of the Indian Penal Code.

Obscenity and Pornography

Explicit sexual imagery or descriptions in literature or film that are meant to titillate or offend the sensibilities of an adult reader are considered pornographic. The goal of pornographic depictions is to stimulate sexual desire. Books, periodicals, postcards, pictures, sculptures, drawings, paintings, movies, videos, and websites are all examples of pornographic media. The emergence of unlawful websites hosting pornographic and other sexually explicit content may be directly attributed to the rise in popularity of the Internet and other forms of electronic communication. While no single Indian law defines obscenity or pornography, the Indian Penal Code of 1860, the Information Technology Act of 2000, and the Indecent Representation of Women

(Prohibition) Act of 1986 all address these issues and make the publication, transmission, or sale of such materials illegal.

Sections 292, 293, 294, 354, 354-A, 354-B, 354C, 509 of the Indian Penal Code, 1860.

Sections 66-E, 67, 67-A, 67-B of the Information Technology Act, 2000

Section 6 of the Indecent Representation of Women (Prohibition) Act, 1986

DOMESTIC VIOLENCE

To put it simply, domestic violence occurs when one adult in a relationship uses physical force or other forms of coercion to gain control over another adult. It's the use of violence or other types of abuse to instill dread in a partner. Abuse may take many forms, including physical contact, sexual assault, and threats. Subtle forms of abuse include making a person feel like they have no value, denying them access to resources, and restricting their freedom of movement. Section 12 of the Domestic Violence Act, 2005 allows for an Application to be made with the Magistrate. The Magistrate may issue restraining orders, protective orders, and orders for financial relief or compensation. Along with a dowry demand, abuse on the part of the husband or his family might be grounds for a complaint under Section 498A. The Supreme Court interpreted the term "shared household" in the case of *SR Batra v Taruna Batra* AIR 2007 SC 1088 to indicate a residence that either belongs to or is rented by the husband, or to the joint family of which the husband is a part. It cannot be considered family property if it is the exclusive possession of the mother-in-law. In *Sudha Mishra v. Surya Chandra Mishra* RFA 299/2014, the Delhi Court ruled that a woman has no legal right to claim and occupy her father-in-law's home under the Domestic Violence Act.

CRUELTY/DOWRY DEMAND

Section 498-A of the Indian Penal Code was added to address the rising prevalence of dowry-related violence and homicide. Whoever, as the spouse or relative of a woman's husband, cruelly treats her must be punished by imprisonment for a time which may exceed to three years and fine. Harassment to force a woman to meet any unlawful demand for any property or security, or on failure to meet the demand, qualifies as cruel treatment under this definition. So does any intentional act that is likely to cause a woman to commit suicide, or grave injury or danger to her life, limb, or health (whether physical or mental). In 1983, the Criminal Procedure Code was amended by adding Section 198-A. In 2005, legislation was introduced to protect women from dowry harassment as well as other forms of domestic violence. The Indian Penal Code, 1860 ("IPC") was updated with a new section 304-B that defines dowry-related homicide as a crime punishable by a minimum of seven years in prison and

a maximum of life in prison. Demanding dowry at the time of or after a marriage is illegal under Section 4 of the Dowry Prohibition Act, 1961, even if no cruelty is involved.

Some rural areas of India still hold women in prison-like conditions. Two major contributors to violence against women are economic deprivation and a lack of education. Abuse of women dates back to the dawn of civilization. Women in India face several challenges throughout all of the country's settings, from the countryside to the cities. The prevalence of crimes against women may be traced back to an ineffective legal justice system, lax enforcement of the law, and a dysfunctional political system.

SEXUAL HARASSMENT OF WOMEN AT WORK PLACE

Workplace sexual harassment The purpose of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 is to protect women against harassment in the workplace. As defined by the Equal Employment Opportunity Commission, sexual harassment occurs when one person subjects another to unwanted physical contact such as grabbing, brushing, touching, pinching, or eve teasing; when one person makes an unwelcome demand or request, either directly or by implication, for sexual favors from another; when one person displays sexually explicit visual material such as photographs, cartoons, pin-ups, calendars, screensaver versions of computers, or pornographic e-mails; or when one The Supreme Court of India's Vishakha Guidelines for preventing sexual harassment have been replaced with this law. Each location with 10 or more workers must have a dedicated Internal Complaints Committee. Employers and local governments will be required to establish grievance committees to examine all complaints, and the Act applies to people in schools and hospitals. Within three months after the date of the occurrence, or the date of the last incidence in the event of a series of episodes, any aggrieved woman may make a written complaint to the Internal Committee/Local Committee. The victim may also submit a complaint with the authorities under Sections 294, 354, 354A, and 509 of the Indian Penal Code, 1860.

The declaration of an unwanted human interaction is inappropriate conduct, not only the violation of respect, flawless access to government-directed assets, and acceptable access to tranquil closeness guaranteed by law. Misconduct in the workplace is detrimental and creates an atmosphere of sadness and inadequacy.[9] It's a serious problem in the Indian workplace that's become a primary reason why people no longer value their time at work.

In the twenty years between 1981 and 2001, the gender gap in the labor force has shrunk. The Supreme Court Vishakha Guidelines were

formalized in the 2013 Act, which guarantees every working woman the fundamental right to a life of dignity. The Vishakha presiding court (1997) of India's Supreme Court did more than just firmly ground the contention that every instance of inappropriate behavior of women in the workplace was a human rights infringement; it also developed the framework and masterminded approval on bad behavior at work space (Prevention, Prohibition, and Redressal) Act, 2013 in India. Sexual harassment and assault in the workplace are not uncommon occurrences, yet they are seldom addressed or discussed. It's an evidence of the superiority of males and the inherent weakness of men to control women. Inappropriate workplace conduct is a common problem for working women. It causes and contributes to a decrease in the number of women in authoritative positions in larger organizations. The rate of improper actions is increasing.

The Sexual Harassment of Women in the Workplace (Prevention, Prohibition, and Redressal) Act of 2013 provides a standard remedy in the form of a multiyear prison sentence that can go up to five years and a fine of up to one million dollars if the harassment rises to the level of a crime. This episode provides a handful of preventative measures that may be used in the workplace; the topic of sexual harassment has to be discussed openly at worker social events and business delegate conferences. Given the many ways in which they may affect others and the world, women are often portrayed as agents of transformation.

Case Title: Vishakha et al. v. State of Rajasthan It's a seminal ruling in the fight against sexual harassment in the workplace for women. Social activist Bhanvari Devi. She was participating in a development program funded by the government of Rajasthan to prevent child marriage. She felt it was her responsibility to intervene to prevent the daughter of thakurs from being married off as a youngster. A baby younger than a year. Just a baby, at that point. Her attempts were fruitless because thakurs had mandated a social boycott of her. Thakur and his five pals gang-raped her in front of her husband. At the police station that night, the female constables mocked her repeatedly. The cops demanded that she deposit her lehenga there as evidence. She could only cover herself in her husband's dhoti. The accused was found not guilty at trial.

The supreme court ruled that the rape was part of a coordinated campaign of retaliation. However, the Supreme Court noted (after a writ petition was filed by the victim, Vishakha) that this violates articles 14, 19, and 21 of the Indian Constitution, which provide citizens the right to a decent life and the fundamental necessity of a safe working environment. The Supreme Court of the United States provided a clear definition of sexual harassment in this decision. Guidelines for businesses and workers to follow in creating a safe workplace were established by the Supreme Court. This action was taken to guarantee women's complete respect in the workplace. The

victim also has the option to request the offender's transfer.

VICTIMS SUFFER SILENTLY FOR A LONG TIME

Women in India often endure hardships in silence. Every five minutes, a woman is assaulted, according to a BBC investigation. The primary factors which limit the woman from speaking voice against abuse are lack of financial support, lack of familial support, and compromise for the sake of children. They face more barriers to education, housing, healthcare, and the labor market.

The alarmingly low rate of literacy in India is a serious problem. According to data collected in 2001, male literacy was at 80.9% while female literacy was at 64.6%. The majority of women rely on their husbands' income. They must have pondered a thousand times about the family's future and the community at large before they spoke out. The majority of crimes committed against women are never reported (95%+). Only about half as many incidences of violence against women were recorded in states like Bihar, Uttar Pradesh, and Jharkhand. A larger percentage of people report crimes in certain states than in others. The irony is that they referred to women as Devis while also abusing, torturing, and even killing them.

LAWS TO PROTECT WOMEN AGAINST CRIMES

- The Indian Penal Code, 1860
- The Sexual Harassment Of Women At Work Place (Prohibition, Prevention, and Redressal) Act 2013
- Protection Of Women From Domestic Violence Act, 2005
- The Dowry Prohibition Act, 1961
- The Indecent Representation Of Women (Prohibition) Act, 1986
- The Immoral Traffic Prevention Act, 1956
- The Commission of Sati Prevention Act, 1961
- The Constitution of India, 1950 also ensures gender equality under Article 14.

The crime rate against women has been rising despite the enactment of several legislation protecting victims.

SUGGESTIONS TO IMPROVE THE IMPLEMENTATION AND WOMEN RELATED LAWS

Fast Track Courts- All cases involving women should be heard in expedited settings. Abuse of women victims should be given high consideration. It is imperative that additional expedited trial courts be.

Strict Punishments- The potential for severe punishment discourages lawbreakers. Everyone who commits a crime should face severe consequences.

The majority of crimes should be considered non-bailable. Women need to know their rights, thus it's important that more cases be reported and more people learn about them. States need to take the lead in informing women of their legal rights. The emancipation of women is equally necessary.

Proper Planning- Police departments should develop strategies to curb violence against women. They need to plot ways in which women might become more self-reliant. Department of Police - The police force is crucial to the effective enforcement of the law. Victims deserve more of their cooperation. Women should be encouraged to report crimes to police.

CONCLUSION

As crimes against women continue to rise throughout the world, it is more important than ever to take action to safeguard female victims. Every member of society has a role to play in ensuring that women feel secure in our community. Every woman deserves to be treated with respect and dignity. Laws alone aren't enough; everyone should make a personal commitment to treat all women with dignity and equality. Women's contributions to society go well beyond their traditional responsibilities as caregivers and family breadwinners. Women are essential to the well-being and success of their households. Women are our society's true creators. The only way forward in India is for women to be treated equally to men. However, many Indians still hold the outdated view that women are inferior to men. Women's empowerment campaigns are like a breath of fresh air for women in a world where they are still not allowed to make choices on their own behalf. In a country like India, where women face a lot of discrimination, women's empowerment is a pressing issue. A society free of fear is one in which women may thrive.

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