

Changing Dimension of Women Safety in India: A Critical View

Dr. Chandra Prakesh Gupta^{1*}, Gayatri Choudhary²

¹ Research Guide, Head & Associate Professor, Apex School of Law, Apex University, Jaipur -303002

² Research Scholar, Apex School of Law, Apex University, Jaipur -303002

Abstract - The woman is God's best creation, yet the worst sufferer. The safety of women in India has now turned into a significant issue in India. The pace of crime against women in the nation has increased by and large. Women pause for a moment before stepping out of their homes, especially around evening time. This is sad, the sad truth of our country which lives in constant dread. Women in India have been given equivalent rights as men. Notwithstanding, individuals who keep this guideline don't. They add to the development and improvement of our nation; yet, they are living in dread. Women are currently standing firm on respected footings in the nation, yet regardless of whether we look in the background, we see that they are being taken advantage of. Consistently we read about the awful crimes against women in our nation like this are a standard. Gender-based brutality and women's safety is increasingly perceived as key wellbeing, advancement, and common liberties issue. Various approaches and strategies are used with fluctuating degrees of success. To put forth significant progress in attempts to advance women's safety, compelling and successful automatic and strategy approaches must be recognized and shared generally. Sharing and advancing successful approaches (legal and social) also increases the probability that scarce resources for women's safety can be used really.

Keywords - Women safety, Crime against women, Laws to protect women rights

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INTRODUCTION

Man and woman are two halves of humanity. Neither can reach its highest creative excellence without the cooperation of the other. Man and women are born equal and both play vital role in the creation and development of their families in particular and the society. Through the ages we have placed woman on a pedestal "mother of mankind". On the other hand, the most horrendous cruelties have been inflicted on her, often without reason and mostly without just cause. Status of women is a benchmark of social progress and is a very important part of the human development index in the human rights jurisprudence. In spite of her contributions in the life of every individual human being, she still belongs to a class or group of society which is in disadvantaged position on account of several social barriers and impediments she has been the victim of tyranny at the hands of men who dominate the society. The issue of crime against women is not another thing and it has been in our society for ages. Today, women's safety has turned into a test in the country. Those huge claims of the government are seen to seethe before these detestable demons. Consistently large leaders talk lofty things and consistently new tales of these heinous crimes are coming to the front. Has India had such awful days? That we individuals of the nation can't safeguard our daughters-in-law together? In a

country that worships Maa Durga, Maa Kali, is this insult to the nation and not the mother.

Today we as a whole met up Not ready to give a safe climate to women. Every young lady can't meander openly in her own city, her nation even after it is dull, Leave the darkness, nowadays girls are undependable even out so everyone can see even in their own house, just think whose shortcoming of society Or on the other hand, those girls who need to fly, need to be something. Even today some individuals are not emerging from the scope of their restricted reasoning. Just take me for it, the shortcoming in this is of human reasoning. Who can't endure the freedom of girls in some structure or the other, their self-respect? Which is eating this nation like termites? Today the nation needs to push forward with the times by removing it from the domain of fundamentalist reasoning. All things considered, why even after so numerous efforts of the government, these misdeeds are not taking the name of stopping. Today, in the event that these daughters-in-law are not secured, then, at that point, worshiping of mothers in this nation is pointless, because where women are not respected, can we give respect to mothers in that country. Today there is a need for public consciousness to raise a voice against this because on the off chance that we don't understand our responsibility today, then, at that point, it will be impossible to bring back

the respect of women in the country. Save Baan and Shaan and make this autonomous India genuinely free for all.

WOMEN SAFETY

Women's safety involves strategies, practices, and policies which intend to diminish gender-based savagery (or viciousness against women), including women's feeling of dread toward crime. Women's safety involves safe spaces. Space is not impartial. Space that causes dread restricts development and thus the local area's use of the space. The absence of development and solace is a type of social exclusion. Conversely, space can also drum up some excitement of safety and solace and can serve to discourage savagery. Accordingly arranging and strategy around safety should always include and consider women. Women's safety involves independence from destitution. Women's safety involves freedom from poverty. This includes safe access to water, the existence and security of communal toilet facilities in informal settlements, slum upgrades, gender-sensitive Street and city design, safe car parks, shopping centers and public transportation.

Women's safety involves monetary security and independence. Family pay plays a strong job in the cessation of battering. Resource gathering and preparation is a central strategy for adapting to abusive relationships. Similarly, women's financial strengthening reduces their weakness to situations of viciousness as they become less reliant upon men and better ready to settle on their own decisions. Women's safety involves self-worth. In safe homes and communities, women reserve the privilege to esteem themselves, to be enabled, to be respected, to be free, to have their rights esteemed, to be adored, to have solidarity with other family and local area members, and to be perceived as equivalent members in society.

Women's safety involves strategies and policies that happen before viciousness has happened to forestall execution or victimization. This can occur by further developing information and attitudes that correspond to the origins of domestic or sexual viciousness, such as adherence to societal norms supportive of brutality, male superiority, and male sexual qualification. Besides, women's and girls' full investment in local area life must be advanced, partnerships between nearby local area organizations and neighborhood governments must be pursued, and remembering a full diversity of women and girls for neighborhood decision-making processes must be advanced. Anticipation efforts include strategic, long-haul, comprehensive initiatives that address the risk and defensive factors connected with execution, victimization, and bystander conduct.

GROUND REALITY

The NCRB figures are dreary. It shows on normal more than 100 rapes are accounted for each day

across our nation, that is 35000 plus revealed cases each year and unreported might be several hundred thousand of domestic savagery, sexual harassment, everything being equal, and a lot more rape incidents. The most well-known forms of gender-based savagery include family or domestic viciousness (counting accomplice brutality), sexual brutality (rape, sexual abuse, sexual double-dealing, and trafficking), and women's safety in broad daylight spaces (counting public transportation, offices, etc).

In the crimes against women over 80% are of the extensively on three primary areas: domestic or accomplice savagery, sexual viciousness, and women's safety at open places as well as local area safety.

Brutality and insecurity are a result of various related risk factors and can take various forms. For instance, one source of insecurity for women has constrained evictions from land or housing, which can increase women's weakness to homelessness and destitution, thus increasing their probability of going to pay age schemes which might leave them susceptible to viciousness and disease. Women's absence of secure ownership of property can imply that women must regularly depend on men, and may become helpless against domestic savagery and less prone to leave situations of brutality. Clearly, these situations are a combination of social, monetary, and physical savagery. Factors that trigger, increase the chances of, or are straightforwardly connected with gender-based savagery: Lack of justice, frail correctional measures towards offenders, Lack of/ineffectual basic services, with emphasis on wellbeing or potentially victim/recovery/psychological services and counseling services for women, Lack of/inadequate gender-based policies, Economic inequalities (joblessness of women, women's destitution, women's monetary reliance on their partners, and so on), Discrimination (gender, race, sexual direction), Issues of movement, displaced person status and absence of migration papers, Illiteracy, Drugs, and liquor abuse (counting trafficking of drugs), Race, culture or nationality, Disaster.

A wide focus on women's safety also involves multi-stakeholder, multi-issue approaches. If we look at the sexual brutality cases, it is exceptionally sad to say that our nation is not a superior spot for women. As per the National Crimes Records Bureau (NCRB), India recorded 88 rape cases consistently in 2019. NCRB report highlights that rape weakness of a young lady or woman has increased up to 44% in the last 10 years. Consistently there are cases of assault, fierce homicide, protest, demonstrations, and online appeal. We as a whole fault her for being out late hours, for wearing uncovering, western dresses, for being in the male organization and the list is endless. Be that as it may, what might be said about three years' child young ladies and what will

she wear? Crimes against Women-Why is the way to justice so lengthy or never.

Less than a single digit of these cases see perpetrators sentenced, regularly after lengthy tiring court trials. Nirbhaya which shook the conscience of the nation took north of seven years to get justice served to the family. How lengthy would crimes against women be able to do without speedy justice and how lengthy will it take our metro society to address the base of this issue. The answer to the first is sooner on the off chance that the Government and all stakeholders associated with recording, investigating the case, and conducting trials authorize the laws set up with speed and transparency. The answer to the second is a long lengthy street for which we really want champions, mindset, and conduct changes in all strata of society where gender sensitivity and gender fairness are basic for the safety of women. While the Government has set up laws like POSH, POCSO, and schemes like Nirbhaya Fund, Campaigns like Beti Bachao, Beti Padhao, Sukanya Samridhi Yojana, the execution, and implementation should be a pressing focus region. The long pandemic has just worsened the situation of viciousness against women.

CURRENT SCENARIO

Now, this questing rises that what are the reasons behind these increasing crimes against women? The major reasons of these crimes against women are the Patriarchal mindset of society. Human beings are social animals; society shapes their attitudes, thinking, and beliefs. Rape exists because of male-centric misogynistic culture that overlooks it, whether verifiably or expressly. Man-centric society has adapted men to have faith in their superiority. The males are always considered as more impressive than women, of which they make use. Objectification of women by media outlets is another reason why males underestimate them. In the manner in which women are depicted in film songs, the words used to describe them are actually quite disgusting.

Delayed punishment is another major reason for increasing crimes against women. Awarding capital punishment is subject to the rarest of intriguing cases. Capital punishment will be articulated on the off chance that the crime has been perpetrated in a very horrible and unpleasant way. Compulsory capital punishment is against the constitutional rights of fairness, right to life and personal freedom ensured under articles 14 and 21. In case capital punishment is allowed execution takes ages.

In our society individuals hesitate to discuss sex or menstruation straightforwardly and conceal such things from their adult sons and daughters. The normal conservative mindset of parents and relatives restricts their youngsters to interact with the opposite sex. Lack of awareness is also a reason. Our society, families, schools, and institutions neglect to bring awareness among youngsters, youths with respect to sex, sex-

related crimes. No legitimate counseling is given to adult boys and girls. The girls can't share their problems with anybody regardless of whether they are tormented, harassed. And Lack of Infrastructure is also a severe cause. Due to the absence of lavatory facilities, women need to go outside for crap, and going out in the evening, or in the night hours is undependable for them. There are numerous roads, streets, lanes without streetlights, or streetlights are not working which causes darkness. Dim and desolate stretches are the best places for any sort of crime or rape.

Being a woman they are facing so much suffering and struggling for equality. In our country, women are evicted forcefully from their lands, housing or property, Feticide, kidnapping, Honor crimes and hurtful conventional practices for women, Violence against women, Murder, etc

LEGAL FRAMEWORK

Gender-based violence is present at various levels, beginning with discrimination at birth, further perpetuated through discrimination in education, nutrition, employment, wages and direct/indirect acts of sexual aggression. There have been several approaches to countering gender-based violence including campaigns, legislation and institutional mechanisms. In the 70s and 80s, women's movements were at the forefront of a vibrant 'second wave of feminism', unleashing strident women's agitations against issues such as dowry related violence and death, rape and sexual assault.⁴ This phase was significant as it signaled breaking the silence around violence against women (VAW) which led to several legal reforms including a comprehensive Prevention of Domestic Violence Act and one on Sexual Assault. A Bill on the Prevention of Sexual Harassment at the Workplace is also pending, though there is a Supreme Court judgment on the issue since 1992. There are also several sections of the Indian Penal Code that deal with sexual harassment. Even after the enactment of numerous laws for the assurance of women, the atrocities against them still exist. Whenever we talk about the powerful execution of such laws, we can't consider just the government responsible. There are various representatives who come in the method of the execution of laws and giving legitimate justice to women. Society should also be faulted for the various difficulties looked at by women. Accordingly, there is a need to see if the issue lies in the requirement of such laws for the security of women or the reasoning of the society that needs to be changed to make this society a superior and safer spot for women to stay. The government has created various laws for the assurance of women against domestic brutality or sexual assault at the working environment, the **Dowry Prohibition Act, 1961**, and so forth Various Legislations.

PROGRESSIVE PATH

During the hour of the 1970s, numerous nations in the west have passed laws against Domestic Violence yet in our country; we just had not many laws for the insurance of the rights of the women like the Dowry Prohibition Act 1961 or Abolition of Sati. Around the 1990s work was made by the government to pass the act for the security of women from savagery. However, subsequent to considering the increasing scenarios of the crime against women in the country, the government at long last passed the Domestic Violence Act in the year 2005. Under this Act, domestic viciousness includes a danger to abuse or actual abuse which could be physical abuse or sexual abuse. This Act also encompasses the term mercilessness as characterized under section 498A of IPC. On the off chance that the respondent violates the insurance request passed by the court, it would be punishable with the imprisonment of one year or a fine can be imposed on him for Twenty Thousand Rupees.

Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013

This Act was enacted in the year 2013. The Supreme Court understood that we want such legislation after the case of Vishaka v. State of Rajasthan. This Act has been enacted to give assurance to women in the working environment against any sort of sexual harassment. This Act also accommodated the setting up of the Internal Complaint Committee at each association for the redressal of the problems of the women employees who will more often than not get harassed at their workplaces either by their employees or bosses. The Act defines sexual harassment as any physical advances, contact, any sort of sexual favors, showing erotic entertainment, passing sexually hued remarks, and so forth

Indian Penal Code, 1860

Section 376 of the Indian Penal Code has described the various types of acts that will constitute rape and the punishment for the same is imprisonment of seven years with a fine. Before the amendment, rape was not especially characterized under the Indian Penal Code. Before the amendment, section 375 was used to accommodate a sexual offense. In any case, the new law for sexual assault was expected at the present law does not characterize the various sort of assault that women are by and large subjected to. There were inadequacies in the law connecting with rape and it was suggested that some changes should be made in the law.

To safeguard the interest of females there is the **Prohibition of Child Marriage Act, 2006**, to stop child marriages. **Special Marriage Act, 1954**, the objectives of this act is to give – a special type of marriage in specific cases, accommodate registration of specific marriages and, to accommodate separate. The Dowry system is one of the significant challenges in our society which is leading to women tormenting, beating, domestic violence, and killing. To abolish this tradition

govt. has created **Dowry Prohibition Act, 1961**. According to this act asking for Dowry is a crime. **Indian Divorce Act, 1969** is enacted for dissolution of marriage, nullity of marriage, legal separation, and restitution of intimate rights. Family Courts are established to document, hear, and dispose of such cases.

Women are now working in various sectors and contributing to society. To safeguard their profession and personal life **Maternity Benefit Act, 1961** was created and amended as per the current scenario. This act regulates the work of women and maternity benefits ordered by law. It states that a woman is qualified to get maternity benefits, which include maternity leave, nursing breaks, medical remittance, and so on. **Medical Termination of Pregnancy Act, 1971**, **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, **Obscene Representation of Women (Prevention) Act, 1986**, **National Commission for Women Act, 1990**, **Equivalent Remuneration Act, 1976** and many more provision is there in our country. Our government has tried to make legislation and impose weighty punishments on the accused. But still, our women are struggling for equality and their safety in their own country.

JUDICIAL RESPONSE

On account of LalitaToppo v. the State of Jharkhand and Anr. (2018), which was heard by the Supreme Court of India, the Complainant, who was not the Respondent's legally married wife, moved toward the Court to get upkeep under the provisions of the Protection of Women from Domestic Violence Act, 2005, supposing that she won't be permitted to support under Section 125 of the Code of Criminal Procedure, 1973.

In this instance, the Appellant was in a live-in relationship, with which she had a youngster. Whenever the couple got separated, the Appellant sought support from her spouse, for which the Gumla Family Court permitted, giving her Rs 2000 every month and Rs 1000 to her kid. The Appellant recorded an allure in the High Court, which viewed the family court's decision as inaccurate and decided for the accomplice. The Appellant then, at that point, went to the Supreme Court. The issue engaged with the case was whether a live-in accomplice can seek upkeep under the Domestic Violence Act, 2005?

In the Supreme Court a three-judge Bench composed of the then-CJI Ranjan Gogoi, Justices U.U. Lalit and K.M. Joseph observed that a live-in accomplice will be committed to considerably more alleviation than that envisaged by Section 125 of the Code of Criminal Procedure, 1973. Making reference to the provisions of the Domestic Violence Act, the seat noticed that the applicant in the case would have a solution for seeking support under the Act despite the fact that she is not a legally married wife

and thus not committed to being kept up with under Section 125 of the Code of Criminal Procedure. It was also observed by the Court that domestic savagery, as indicated by the provisions of the Domestic Violence Act, also includes financial abuse.

The milestone case of Vishaka and others Vs. State of Rajasthan set down guidelines for the forestalling and redressal of the complaints by women who were sexually harassed at work environment. The Guidelines entrusted the Employer with the commitment to give a safe and woman agreeable environment. It was in 1997 in Vishaka Vs. The state of Rajasthan and others, that interestingly sexual harassment had been expressly legally characterized as an unwanted sexual gesture or conduct whether straightforwardly or in a roundabout way as:

1. Sexually hued remarks
2. Physical contact and advances
3. Showing sexual entertainment (showing pornography)
4. An interest or request for sexual favours
5. Some other unwanted physical, verbal/non-verbal conduct is sexual in nature

It was in this milestone case that sexual harassment was distinguished as a separate illegal way of behaving. The basic factor in sexual harassment is the unwantedness of the way of behaving. Accordingly having the effect of such actions on the beneficiary is more significant instead of the aim of the culprit which is to be considered.

In the previously mentioned case, the judgment was conveyed by J.S.Verma. C.J, for the benefit of Sujata Manohar and B.N.Kirpal, JJ., on a writ appeal recorded by Vishaka-a non Governmental association working for gender equity via PIL seeking implementation of basic rights of working women under Article.21 of the Constitution.

The quick cause for documenting the request was the supposed fierce assault of a social specialist in Rajasthan. The Supreme Court in absence of any enacted law (which still remains absent-save the Supreme Court guidelines as stated hereunder) to accommodate the viable implementation of basic common liberties of gender equity and assurance against sexual harassment, set out the accompanying guidelines:

1. Every one of the employers responsible for the workplace whether in general society or the private sector, should find suitable ways to forestall sexual harassment without bias to the consensus of his commitment, he should make the accompanying strides:

- a. Express disallowance of sexual harassment which includes physical contact and advances, interest or request for sexual favours, sexually shaded remarks, showing explicit or some other unwanted physical, verbal/non-verbal conduct of sexual nature should be seen, published and circled in suitable ways.
 - b. The rules and regulations of government and public sector bodies connecting with conduct and discipline should incorporate rules restricting sexual harassment and accommodate fitting penalties in such rules against the guilty party.
 - c. As regards private employers, steps should be taken to remember the aforesaid prohibitions for the Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.
 - d. Appropriate work conditions should be given in respect of work leisure, wellbeing, and cleanliness to additionally ensure that there is no hostile climate towards women and no woman should have reasonable grounds to accept that she is disadvantaged regarding her business.
2. Where such conduct amounts to specific offences under the Indian Penal Code or some other law the business shall start suitable action as per the law, by submitting a question with the fitting power.
 3. Victims of sexual harassment should have the choice to seek transfer of the culprit or their own transfer. As stated by the Supreme Court, these guidelines are material to:
 - The business or other responsible persons or different institutions to forestall sexual harassment and to give procedures for the resolution of complaints;\
 - Women who either draw an ordinary salary, get an honorarium, or work in a deliberate limit in the government, private or coordinated sector go under the domain of these guidelines.

PREVENTIVE STEPS

1. Express disallowance of sexual harassment should be told and circled.
2. Inclusion of disallowance of sexual harassment in the rules and regulations of government and public sector.
3. Inclusion of disallowance of sexual harassment in the standing orders under the Industrial Employment (Standing Orders) Act, 1946 by the private employers.
4. Provision should be made for proper work conditions for women.

Attire Export Promotion Council Vs. AK. Chopra case is the first case where the Supreme Court applied the law set down in Vishakas case⁵ and maintained the dismissal of a superior official of the Delhi based Apparel Export Promotion Council who was viewed as at real fault for the sexual harassment of a subordinate female worker at the

work environment on the ground that it abused her essential right ensured by Article.21 of the Constitution.

In the two cases, the Supreme Court observed, that " In cases including Human Rights, the Courts must be alive to the International Conventions and Instruments as far as possible to give impact to the principles contained in that such as the Convention on the Eradication of All Forms of Discrimination Against Women, 1979 [CE DAW] and the Beijing Declaration guiding all state parties to go to suitable lengths to forestall such discrimination."The guidelines and judgments have recognized sexual harassment as a question of force applied by the culprit to the victim. Thusly sexual harassment as well as being an infringement of the right to safe working conditions is also an infringement of the right to real honesty of the woman.

CONCLUSION AND SUGGESTIONS

Crimes against women happen each moment in India. Women are undependable, whether it is in their houses, public places, or in the working environment. Your safety in your hands sounds like a worn-out maxim to rehash. Given the number of crimes that are carried out against women, it is relevant that women know about the laws that are set up to safeguard them. Recollecting information is power. As a parent, wife, girl, worker, and a woman these are rights set up to safeguard you and it is critical that you know about these.

The government, albeit after numerous years of freedom, has taken efforts to foster various laws for the insurance of women from various atrocities looked by them through the hands of society. In any case, there are sure loopholes as various brokers are coming in the effective execution of justice. For the compelling implementation of the laws created for the assurance of women, it is truly necessary that the women became mindful of the various rights which have been given to them under the previously mentioned acts. Some women are proficient, yet they are still not mindful of the rights accessible to them. Accordingly, it is truly necessary to make them mindful of their rights. At the same time, the authorities should show some sensitivity towards the victim and assist them inside and out with evening assuming it means making a special effort or taking additional efforts for them. For making the requirement of the laws powerful it is imperative that we overcame any issues among victims and the justice system and gave them essential direction and support. Sexual Assault, brutality are acts that incredibly affect their physical and psychological wellness. Alongside giving direction to them, it is necessary to give different kinds of assistance like medical therapy and psychiatric therapy.

Also, the government in each state should empower various social groups and NGOs in each district, to

broaden their support and participation for the security and care of the women who have been a victim of viciousness, or any sort of assault, especially the unskilled women who don't know about their rights and nobody in their family could support them. The police officers should be given special preparation to manage every one of the victims of viciousness and sexual assault. At the hour of such cases, it should be ensured that there should be an ever-increasing number of women police officers in the station. Assuming we deal with all such measures there can be viable execution of the laws produced for their insurance.

After carefully studying all the aspects of this problem, one thing is also understood that the safety of women is not only the responsibility of the government or the law. For this, we also have to change the thinking of our society. Coming generations need to be made aware that men and women are equal. They have to be made aware of our Indian culture. They have to be taught to respect women, treat them as their equal, and have respect for them. More emphasis has to be given to moral education. So that this crime should automatically end in the society and at the same time, by improving the law and order, it has to be made that the criminals should be punished on time and such punishment should be lesson for other people. In spite of all problems, measures should be taken to ensure safety and security for women at any cost. A total women safety mechanism is required to make our country safe for women.

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Corresponding Author

Dr. Chandra Prakesh Gupta*

Research Guide, Head & Associate Professor, Apex School of Law, Apex University, Jaipur -303002