



HOW SHE FIGURES

Crime against women and girls in India
The NCRB data and metadata 1953–2022





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August 2025



Human Rights Advocacy and Research Foundation

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Preface



The quest for justice by the oppressed to restore their humanity is met with weaponised victimhood by the oppressor who vehemently claim, with total conviction, that equality would oppress *them*. Their sense of entitlement extends to a monopoly on grief as well. Since all institutions are controlled by the oppressors, this victimisation narrative is amplified to a crescendo that drowns out all reason and creates an alternate, dystopian, modified reality. Gender justice is no exception.

This report is a contribution to the empowerment effort of all those who use evidence-based approaches to cut through the noise. To go back to the basics with the data from the horse's mouth so that passionate discussions are informed by dispassionate evidence. To that end, we hope this will be the go-to book on recorded crime against women and girls in India – a book to keep on the table and keep coming back to.

It is data rich and yes, for some it would be heavy reading. Wading through 70 years of data across all rules and sections does require effort and persistence. But the result is a panoramic view and unrivalled insight into India's perception of, and response to, crime against women and girls within the larger context of gender-based violence.

Though the data collection to final print of this report took less than nine months, it has been an idea for almost a decade, delayed due to some black swan and grey rhino events, among them the passing of Ossie Fernandes, the Founder-Director of HRF, in November 2015. It is one among the several initiatives of Ossie for the progress of human rights arising from his abiding commitment to the empowerment of women and girls, especially those from the socially excluded communities, the transgender, and women living with disabilities.

In addition to HRF's work on strengthening women's participation in, and entry as elected presidents into, local self-government, he anchored the launch of a new collective effort to access the existing rights and claim new rights for women and girls just a few weeks before his passing. As is his wont, he kept away from the limelight, though he was the prime mover, and HRF was the secretariat. After he passed, HRF has continued the focus on the empowerment of women and girls – especially single women, those living with disabilities, or facing gender-based violence – from womb to tomb.



This report has benefitted from reviews by several domain experts, who unreservedly shared their wisdom distilled from decades of engagement on the intricacies, complexities, nuances, and paradoxes of justice. Annie Namala gave valuable suggestions on the overall presentation, Deepthi Sukumar on intersectionality, Assistant Professor Garima Jain on the scope and presentation, Kamakshi S on the budgets, and Dr Rameshnathan on the framework, content organisation, and style. Their feedback helped sharpen this report and will inform future editions. Kumaresan Asak translated the report into Tamil. We thank them all.

The final report is the collective effort of the HRF team – Geetha Vani S (data analysis, visualisation), Anitha C (design, production), Monisha Sundara Raman (edits), Chithra N and Divya N (field coordination), and Revathy R, Halcyon Fernandes, and Uma (Administrative support).

We look forward to feedback to make future editions your go-to book on the subject, always at arm's reach.

In solidarity,

P Tamilarasi.
Deputy director, HRF
1 March 2025

Glossary

AA	Acid Attack (Sec.326A IPC and 122 BNS).
Adivasi	Indigenous and tribal peoples, literally 'first dweller'. They are classified as scheduled tribes. Some tribes, especially from the northeast, do not like to be called Adivasi and prefer the term tribal.
AHTU	Anti Human Trafficking Unit.
Assault	Assault on Women with Intent to Outrage her Modesty (adult+children) (Section 354, 354A, 354B, 354C, 354D IPC and POCSO Act 8 &10 or POCSO Act and Sections 8 &10 r/w 354 IPC / 73, 74, 75, 76, 77 BNS).
AtAA	Attempt to Acid Attack (Sec. 326B IPC and 122(2)BNS).
AtM	Attempt to Commit Murder (Section 307 IPC and 107 BNS).
AtR	Attempt to Commit Rape (Section 376/511 IPC and 64/62 BNS).
AtS	Abetment to Suicide of Women (Sec. 305/306 IPC, and 105/106 BNS).
AWOL	Absent without leave.
BMG	Buying of Minor Girls (Sec. 373 IPC).
BS Laws	Bharatiya Nyaya Sanhita, 2023 replaces the Indian Penal Code (IPC) 1860, Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) which replaces the Code of Criminal Procedure, 1973 (CrPC), and Bharatiya Sakshya, 2023 (BS) which replaces the Indian Evidence Act, 1872 with effect from 1 July 2024.
CAG	Comptroller and Auditor General.
CAPF	Central Armed Police Force.
CAW	Crime against women.
CAWG	Crime against women and girls. This is a subset of violence against women and girls since not all violence (for instance rape) is recognised as crime.
CBI	Central Bureau of Investigation.
CCAW	Cybercrimes against women Sec.506, 503, 384 IPC r/w IT Act, Sec.67A/67B (Girl Child) of IT act r/w other IPC/SLL, Sec.354D IPC r/w IT Act, Sec.469 IPC r/w IPC and Indecent Rep. of Women (P) Act & IT Act, IT Act r/w IPC/SLL.
CC/ITA	Cyber Crimes/Information Technology Act (Sec. 67A/67B (Girls) IT Act).
CCTNS	The Crime and Criminal Tracking Network & Systems, the default software used by the police in India.



CEDAW	International Convention on the Elimination of all forms of Discrimination Against Women.
Charge-sheet	Case final report, submitted by the investigating officer to the jurisdictional court at the end of investigation when the case is found to be true and can be proved in court.
Charge-sheeting rate	$(\text{Cases charge-sheeted} \div \text{Cases disposed off by police}) * 100$.
CII	Crime In India, the flagship annual publication of the National Crime Records Bureau, NCRB.
CJI	Chief Justice of India.
CM	Chief Minister.
Collegium	Committee comprising the Chief Justice of India and the four senior-most judges of the Supreme Court.
Conviction rate	$(\text{Cases convicted} \div \text{Cases in which trials were completed}) * 100$.
CPO	Central Police Organisations.
Crime rate	Cases registered per 100,000 population.
Crone	Ten million. Popular Indian measurement unit, since it works out to 100 lakhs.
CrPC	The Criminal Procedure Code, 1973.
CSS	Centrally sponsored scheme. In a centrally sponsored scheme, 60% of the cost is borne by the union government and 40% by the state/UT governments, except for the Northeastern states, Sikkim, Jammu and Kashmir, Himachal Pradesh, and Uttarakhand (90:10), and UTs without legislature (100% by the union).
Dalit	Those who face extreme forms of caste oppression, especially untouchability. Some of them (the Buddhists, Hindus) are classified as scheduled castes, while others (Christians, Muslims) are not.
DGP	Director General of Police.
DLSA	District Legal Services Authority. Supposed to give free legal aid to those who cannot afford to pay for their own lawyers.
DM	District magistrate, popularly 'collector' or 'district collector'. In some states also referred to as DC.
DD/DM	Dowry Murder (Sec. 304B IPC, and 79 BNS)
DPA	Dowry Prohibition Act, 1961.
DSP	Deputy superintendent of police. Some states use the term DySP. In this report we use DSP for consistency.
DySP	Deputy superintendent of police. See also DSP.
ED	Enforcement Directorate.

ePOCSO	exclusive courts to try cases registered under the POCSO Act, 2012.
ESC	Exclusive special court.
ESPP	Exclusive special public prosecutors. Often political appointees, they have a track record of zero convictions. In this document the abbreviation SPP is used inclusive of ESPP for brevity.
FIR	First Information Report.
FSL	Forensic Science Laboratory.
FTSC	Fast Track Special Courts. Set up on the orders of the Supreme Court of India to try POCSO cases, but expanded by the union government to include rape against women as well thereby ensuring that they will fail.
HT	Human Trafficking (Sec. 370 & 370A IPC).
IEA	Indian Evidence Act, 1872.
ILO	International Labour Organisation.
IG	Importation of Girls (Sec.366B IPC, and 139 BNS).
Insult	Insult to the Modesty of Women (Section 509 IPC and 78 BNS).
IPC	Indian Penal Code, 1860.
IT	Information Technology, but contextually also intersectionality tax – the compounded premium paid by the vulnerable individuals and communities for each vulnerability.
ITA	Information Technology Act, 2000.
ITPA	Immoral Traffic (Prevention) Act, 1956. (SITA updated and renamed in 1986).
K&A (WG)	Kidnapping and Abduction of women and girls. Sec. 336 IPC, Sec. 364AIP, Sec. 366 IPC, Sec. 366A IPC, Sec.366B IPC, Secs.363A, 365, 367, 368, 369 IPC.
Lakh	100,000. Popular Indian measurement unit.
LPAG	Legal Performance Auditor General.
MC	Miscarriage (Sec.313 & 314 IPC, and 87/88 BNS)
MHA	Ministry of Home Affairs.
MLA	Member of Legislative Assembly.
MP	Member of Parliament.
Murder	Murder (Section 302 IPC and 101 BNS).
MR/GR	Murder with Rape/Gang Rape (Sec. 376A/376D IPC, and 66/70 BNS).



NATGRID	The National Intelligence Grid. Integrated intelligence database of 21 core security agencies under the Government of India.
NCRB	National Crime Records Bureau.
PCRA	Protection of Civil Rights Act, 1955. The revamp of the Untouchability (Offences) Act, 1955 in 1976. The 1976 amendment also changed its name but retained the year of enactment.
PMLA	The Prevention of Money Laundering Act, 2002.
POA	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended to date. Contextually, it includes the Rules 1995 as amended to date.
POCSO	Protection of Children from Sexual Offences Act, 2012. Section 4 & 6 of POCSO Act/Section 376 IPC, Section 8 & 10 of POCSO Act/Section 354 IPC, Section 12 of POCSO Act/Section 509 IPC, Section 14 & 15 of POCSO Act, Sections 17 to 22/ Other offences of POCSO Act, POCSO Act r/w Section 377 IPC/Unnatural Offences.
POSH	Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
PWDVA	The Protection of Women from Domestic Violence Act, 2005.
r/w	'read with'. A term used in criminal law to show how a specific offence(s) is connected with another offence or offences. For example murder r/w unlawful assembly; or murder r/w conspiracy.
Rape	Rape (Section 376 IPC, 64 BNS).
RTI	Right to information, also used as a popular abbreviation for the Right to Information Act, 2005.
SC	Scheduled caste, administrative classification of some communities based on historical discrimination based on work and descent. Drawing from Article 341 of the Constitution of India, these are implemented through 'Presidential Orders': Constitution (Scheduled Castes) Order 1950, and the periodic amendments, that lists the scheduled castes in its schedules. As of 2021, a total of 1258 communities have been classified as scheduled castes. No community has been specified as scheduled caste in the states of Arunachal Pradesh and Nagaland and the union territories of Andaman and Nicobar Islands and Lakshadweep. (see also Dalit).
SCI	Supreme Court of India.
SCRB	State Crime Records Bureau.
SDGP	Special Director General of Police.
SDM	Subdivisional magistrate.
SITA	The Suppression of Immoral Traffic in Women and Girls Act, 1956.
SLL	Special Local Laws (earlier special laws, SL and Local and Special Laws, L&SL).

SP	Superintendent of police.
ST	Scheduled tribe, an administrative classification of some tribal communities that grants them specific recognition under the Constitution of India. Drawing from Article 342 of the Constitution of India, these are implemented through 'Presidential Orders' Constitution (Scheduled Tribes) Order 1950, and the periodic amendments, that lists the scheduled tribes in its schedules. There are over 700 scheduled tribes spread all over India except in the states of Haryana and Punjab and the union territories of Chandigarh and Delhi. (See also Adivasi).
u/s	Under section of the Act.
UAPA	Unlawful Activities (Prevention) Act, 1967.
UT	Union Territory, administered directly by the union government. Has 100% budgetary support from the union government, including for the centrally sponsored schemes (CSS).
VAWG	Violence against women and girls. This is slightly different from, and more comprehensive than, Crime Against Women and Girls (CAWG), since not all violence is recognised as crime.
VUCA	Volatile, uncertain, complex, ambiguous. A military, and now business management, term to describe the present global conditions.

For those in a hurry...

1

WE, THE PEOPLE OF INDIA, having solemnly resolved to ... secure to all its citizens: JUSTICE, social, economic and political.



The Constitution of India, Preamble

We, the people of India, wake up periodically to incidents that ‘shock the conscience of the nation’, are outraged for a while, and then revert to norm. This outrage is managed by promising more stringent and evermore ridiculous punishments to perpetrators. But hard cases make bad law and worse precedent, as the Supreme Court of India has found.

How she figures is to help tune out the noise and focus on the signal for rational response, effective remedies, and sustainable solutions by drawing on the data from the annual *Crime In India* reports of the National Crime Records Bureau from 1953 to 2022, the relevant legislation, and judgements of the Supreme Court of India. If numbers are your forte or evidence is your priority, this is the book on crime against women and girls that you have been waiting for.

1.1 An overview

This report can be broadly divided into three parts.

Part I outlines the contours of the book and the story behind the data (chapters 1–3).

Part II is an immersive exploration to unveil the present status of the crimes against women and girls as revealed by the recorded data (chapters 4–7).

Part III suggests remedies and the way forward (chapters 8,9).

This data rich report could be heavy reading for some. If you want to skip the data, start at the beginning, saunter leisurely through the context, history, and the story of the data and its inclusion, skip the data chapters (chapters 5–7) and move directly to the remedies. For those in a real hurry, the findings and recommendations are summarised later in this executive summary.

When it comes to crime against women and girls the social, political, and religious leadership are all cut from the same cloth of horrors. Several parliamentarians, legislators, and elected representatives, assorted bapus, babas, seers, and ‘saints’ have been accused of serious sexual crimes including multiple rapes.



The first two chapters set the context. The next traces the history of crime recording at the India level and the rather chaotic quest for continuous improvement. Chapter 4 explores the metadata (the story behind the data), to understand how India understands violence against women and girls and when a particular aspect of the acknowledged violence was legally recognised as a crime.

Metadata reveals interesting nuggets such as the fact that until this millennium, women and girls were officially classified as property while men and boys were classified as citizens. The data on crime by and against transgenders is available only from 2021. The data regarding persons with disabilities – who we know are disproportionately affected by crime, especially gender and sex-based crime – is still not available, despite several recommendations to the government at the highest levels.

As recently as 2021, the Supreme Court of India has acted as an instrument of patriarchy to the extent of dismissing a case when the rapist married the victim – overturning its own precedents.

The recorded data tells us two things. The obvious one is the extent of the crime. More importantly though, it reveals the structural bias – intelligence and intent – of the state mechanisms. The interrogation of the available data in chapters 5 and 6 reveals some uncomfortable truths – from the fact that women are discriminated against, suppression and trivialisation of crimes against them (chapter 5), to additional discrimination and humiliation of women and girls from the scheduled communities (chapter 6). By the time we come to the data of crimes against girls from the scheduled tribes, we are left wondering if the law enforcement and the administration of justice is a continuation of the crime itself and left without doubt that, by default, they are ardent enforcers of social prejudice. That this conclusion is drawn from the official records spanning 70 years makes it all the more numbing.

The key findings (chapter 7) are well known and have been spoken about anecdotally but here is evidence in cold official statistics – evidence of suppression, trivialisation, sub-par investigations, indifferent trials, and incompetent officials.





Multi-generational delays, different yardsticks for justice, processes designed to wear out the traumatised victim, and systems designed to fail the victim become visible and impossible to unsee when the data is analysed.

The incontrovertible evidence of all pervasive, large-scale intersectional discrimination on the basis of caste, ethnicity, age, and gender – each reinforcing the other – with devastating real-world consequences for the women and girls, provides further food for thought. The evidence of increasing incompetence of the police (15% cases of rape and murder and 7.5% of rape, and 63.5% of cybercrime are disposed as ‘true but no clue’) and the judiciary (decreasing disposals despite exclusive special courts, increasing years to disposals – 13 years for IPC crimes against women, with domestic violence going up to 42 years and international trafficking of girls needing over 100 years for judicial disposal) are known, but still shock when backed by government data. The toxic male (I, insider, innocent) vs female (you, outsider, delinquent) paradigm in law enforcement and administration of justice is proved over and over by the data in chapters 5–7, testimony to the phallocratic capture of these critical institutions.

The innovative remedies suggested (chapter 8) are a legal compliance auditor on the lines of the CAG, recognising legal/judicial administration as a distinct discipline and career path similar to hospital administration, and an enhanced role for the collegium. Treating the administration of justice as critical infrastructure able to function during emergencies, especially when law and order has broken down, is another important recommendation since the rule of law is the foundation of a constitutional democracy, embedded in the basic structure doctrine.

The rest of the recommendations are nothing radically new, as the repeated references to the recommendations in the Crime In India report of 1953 makes evident. That they were not implemented lends credence to the assertion that the present implementation mechanisms are designed to fail (the victim),

India twists itself into legal knots to justify the anomaly that permits marital rape but prohibits domestic violence, struggling to explain why rape is a crime with an asterisk that says terms and conditions apply.





promote impunity (of the perpetrator), and reinforce misogyny (in society). More courts, more judges, adequate budget allocations and infrastructure, better quality of recruits in law enforcement (constabulary upwards) and the justice system (lawyers and judges), working together with the community, are all recommended in writing 70 years ago and reiterated several times since then.

Other suggestions are to implement niche remedies system-wide: victim rights and protection, subdivisional vigilance and monitoring committees, inflation-adjusted relief, inflation adjusted rehabilitation (which includes the entire family: pensions, a permanent government job, a house and land in a secure and protected location, free residential education up to graduation) that are present in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and justice at the doorstep which is already being done for other schemes by the governments of Tamil Nadu and Karnataka and can be extended to justice as well by the creative integration of the lok adalat and the legal services schemes.

By the time we get to the unfinished tasks (chapter 9) the soul killing fact that *rape against a woman is legal in India provided the rapist marries the victim either before or after raping her* sinks in. Judges need to know about the Stockholm syndrome, before letting off the perpetrators of kidnapping and abduction for marriage, because ‘the couple are happily married with children now’ – and recognise these ‘marriages’ for what they are: organised human trafficking resulting in life-long sexual servitude for the women.

In conclusion, the final chapter lists recent developments, many of them a continuation of the same dark pattern, some of them ominous. Though all is not lost and there are some sparks of light listed, there are miles to go before we, the people of India, can sleep – or awake into that heaven of freedom dreamt of, when we gave to ourselves our constitution.





1.2 Findings

1.2.1 Metadata insights

- India tracked cattle theft at the national level right from the first annual Crime In India report in 1953. It took till 1971 to similarly track rape.
- Gendered data on children apprehended for rape was tracked as early as 1958 but children as victims was recorded only since 2017.
- Till 2000, kidnapping of women and girls was considered a crime against property, while kidnapping of men and boys was a crime against life.
- Though there was a law to prohibit dowry since 1961, data is published only since 1988 – after 27 years.
- Crime In India has a separate chapter on ‘Crime Against Women’ only since 1992.
- Disaggregated data on rape in police custody has been omitted since 2016.
- In 2013, in the aftermath of the Nirbhaya case, there was a 35% jump in recorded rape, a pattern that will be repeated for 2024 and 2025 due to the Kolkata shock.
- In India it is legal to rape a woman provided the rapist marries the victim before or after the rape. Rape of girls was conditionally permitted till 11 October 2017.

1.2.2 Data trends

- The population of India increased from 547,949,809 (Census of India, 1971) when the CII report first recorded rape to 1,379,750,000 in 2022, i.e., by 2.5 times. In the same period, recorded rape increased by 13 times.
- Despite recognising more forms of violence against women and girls as crime, the proportion of recorded rape to recorded crime is increasing, indicating severe under-recording.
- The percentage of recorded rape to total crime against women (rape, attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women) has seen an upsurge of 50% in just





seven years – from 10.52% in 2015 to 15.5% in 2022 – a clear indicator of increasing crime against women and under-recording.

- There are 69,027 recorded rapes in 2022. However, the proportion of recorded attempt to commit rape (available from 2014) to recorded rape has remained stubbornly low at 0.1% from 2014 to 2018 before falling sharply to an implausible 0.05% in 2022.
- There are over 110,000 cases of rape pending in the trial courts for over 5 years.
- In 2021 and 2022, there are more recorded rapes of girls below 18 than of adult women.
- In 2022 alone, 28,847 women and 13,981 girls are recorded to be kidnapped to force them into marriage – a culturally sanctioned trafficking for lifelong sexual servitude.
- Victims are getting younger and older in absolute numbers and in relative terms. The disaggregated data reveals an increase in paedophilia. The 18 to 30 cohort was the most vulnerable from the time records were maintained in 1971 till 2017. Since 2018, the 12 to 18 age group has been the most vulnerable, overtaking the 18 to 30 cohort.
- The recorded rape against children is growing in leaps and bounds, including during the pandemic. The recorded child victims exceeded the adults in 2020 and has remained elevated since then. Though the number of registered cases decreased during the pandemic year 2020, the number of victims increased – only due to the increase in girl child victims.
- The pandemic year saw an increase in women being arrested for rape – up 54% for women aged 18 to 30, over 60% for women aged 30 to 45, over 113% for women aged 45 to 60, and up 40% for women above 60 years of age. Whether this is an aberration, or a manifestation of Madonna Whore Dichotomy (MWD) should be explored.





- The total arrested has shown relative stability at about 1.22 persons arrested for every recorded rape, peaking at 1.31 in 2014 and 1.33 in 2017. The lowest was in 2019 at just 1.13. Since then, it has stayed worryingly below the long-term average. There was a dip below the long-term average of persons arrested for rape from 2007 to 2011, and that did not end well either.
- Only in fire accidents, the recorded number of women (67%) is greater than the number of men (33%), possibly due to 'stove bursts'.
- *Cyber Stalking/Bullying of Women/Children* – the only cyber crime tracked from recording through the police investigation, trial, and persons convicted – of the 1,155 cases disposed by the police, 241 cases (21%) are 'true but no clue', a mindboggling level of incompetence.

1.2.3 Scheduled communities, systemic discrimination

When the intersectional lens is applied, the discrimination against women and girls from the scheduled communities is clinically exposed –

- There has not been even one conviction for inter-community attempt to commit rape of scheduled tribe women or girls since 2019.
- The incidence of recorded inter-community rape, its rate, and the percentage of minor girls is steadily increasing. There is disproportionate inter-community rape against minor girls in some states. As a pattern, it could reveal specific targeting of girls with rape as an instrument of caste and ethnic war those specific states.
- Rape is the most recorded inter-community crime against women and girls from the scheduled tribes in India. In 2022 it was the most recorded crime in 14 of the 19 states that have recorded at least one case. Attempt to commit rape was rarely recorded, making up just 1% of the recorded rape cases. Of the 19 states and union territories that recorded rape, 13 (68%) had no recorded attempt to commit rape.





- The charge–sheeting rate for crimes against scheduled castes has dropped by a third, declining from 78% in 2017 to just 52% in 2022. Meanwhile, conviction rates remain significantly lower, often less than half of the national average, accounting for only a quarter of the recorded data in 2022 (4.3% vs 19%).
- While the overall pendency in courts for the assault on girls has increased by about 50% in the five years from 2017 to 2022, it has increased by over 370% for girls from the scheduled tribes and over 450% for the scheduled castes.
- At the 2022 rate of disposal, it would take 10 years for the cases of insult to the modesty of women to be cleared with 18.5% chance of conviction, 8 years for women from the scheduled castes with a 4.8% possibility of conviction and 44 years for women from the scheduled tribes with 0% chance of conviction.

1.2.4 Courts throttling justice

- Courts have rarely disposed cases equal to the number charge–sheeted in any year, even in years when the police file fewer cases as is the trend in the recent past.
- Courts are literally waiting for the accused to die before taking up cases of crime against women and girls or letting them off due to advanced age.
- Fast Track Special Courts and exclusive POCSO courts were set up in 2019. They are expected to dispose 165 cases per annum – one every 1.6 working days.
- Conviction rate in 2022 for rape of girls is 30% and of women is 28.5%. In cases of rape–and–murder, it is 67% with a pendency rate of over 95%.
- The number of cases disposed by courts (18,517) in 2022 just about matches the 2016 disposals (18,099), despite 750 Fast Track Special Courts (FTSC) and 408 ePOCSO courts.
- FTSCs prioritise cases of adult women to the detriment of girls despite ePOCSO courts. The disposal of cases of girls is just half of what it was before the FTSCs and ePOCSO courts were set up – 4,683 in 2018, 1,949 in 2020, 2,305 in 2021, and 1,975 in 2022.





At the 2022 rate of disposal of crimes against women, the courts would need:

- 12 years just to clear the backlog of cases charge-sheeted before 1 January 2023, without hearing any subsequently registered case.
- 8 years (the shortest clearance time) for cases registered under sections 4 and 6 the POCSO Act, 2012 (233,445 pending cases). Cases registered under other POCSO sections will take 32 years.
- 8 years – *Insult to the modesty of women* r/w the POA for women from the scheduled castes, but with a conviction rate of just 4.3%.
- 9 years – *Rape* (178,485) but *murder-with-rape* would take 20 years.
- 12 years – *Cruelty by the husband* (786,675), the largest number of pending cases.
- 15 years – *Dowry deaths* (56,859), despite a small pool of suspects.
- 20 years – *Acid attack*.
- 21 years – *Kidnapping and abduction of women* (123,808) for marriage and 23 years for girls (51,646) – and 53 years for *kidnapping and abduction to murder* – well after their grandchildren are born.
- 39 years – *Cybercrimes* against women and girls.
- 49 years – *Protection of Women from Domestic Violence Act* – with a conviction rate of 18% – redefining the meaning of ‘protection’, and virtually guaranteeing demise before justice.
- 100 years – *Importation of girls from foreign country and buying of girls*. Selling girls is slightly more serious and would take only 95 years.
- In the case of *importation of girls from foreign country* just one of ten cases has ended in conviction since 2017, and not one case has been disposed from 2019 to 2022.

The police and judges are equipped for some crimes in the urban areas, not for crimes against women and girls:

- The *Excise Act* (charge-sheeting 99.5%, conviction rate 90.0%).



- *Motor Vehicles Act* (98.5%, 92.7%)
- *The Narcotics Drugs & Psychotropic Substances Act, 1985* (99.9%, 83.1%).

For the legacy crimes it is:

- *Murder* (charge–sheeting 81.5%, conviction rate 43.8%).
- *Rape* (77.9%, 27.4%).
- *Kidnapping and abduction* (36.4%, 33.9%).
- *Hurt* (including *acid attack*) (89.9%, 35.9%).
- *Rioting* (86.6%, 24.9%).
- The conviction rate for rape in metropolitan cities is 17.9%.

1.3 Recommendations

1.3.1 Police

- Reimagine enforcement to encompass degrading, and where possible eliminating, the enabling ecosystem of violence and crime.
- Shift from reactive policing to dismantling criminal ecosystems using intelligence–driven strategies and forensic–based investigations instead of informers and third–degree methods.
- Ensure women make up at least 50% of the force, strictly enforce the 33% quota, and mandate gender sensitisation training across all ranks.
- Upgrade forensic infrastructure, equip police stations with essential investigative tools, and conduct regular refresher courses to improve conviction rates and reduce acquittals.
- Train officers in cyber and AI–related crimes, address the high ‘true but no clue’ rate (63.5%), and redirect resources from political surveillance to protecting vulnerable groups online.
- Establish independent monitoring mechanisms, ensure citizens are informed when they become ‘persons of interest’, and enforce safeguards against custodial violence and police brutality.





- Strengthen rural law enforcement, improve witness protection, restore community policing, and ensure efficient case disposal.
- Reduce case pendency, uphold ‘innocent until proven guilty’, and prevent pretrial incarceration of undertrials through judicial accountability measures.
- Improve recruitment standards, address understaffing, and institutionalise continuous skill development to equip police for both legacy and emerging crimes.
- Collect and disclose information on the disability status of the victim and perpetrator in the annual Crime In India report (Add it to the FIR format and the CII data collection format).

1.3.2 Judiciary

- Reimagine justice so that it encompasses relief and rehabilitation for the victims, swift, sure, and firm correction for the perpetrator, and a healing justice for both families, the community, and society.
- Familiarise all officials administering justice in concepts such as the Stockholm syndrome, Madonna–Whore Dichotomy, and trauma.
- Create a constitutional position of a legal performance auditor (LPAG) on the lines of the CAG to monitor the compliance of the state in implementation of the judgements and the law. The performance auditor would tangentially audit the performance of special courts, exclusive special courts, and judges.
- Recognise legal/judicial administration as a distinct discipline and career path. Create and deploy a judicial administrative service (JAS).
- Treat the administration of justice as critical infrastructure able to function during emergencies, especially when law and order has broken down, since the rule of law is the foundation of a constitutional democracy, embedded in its basic structure.



- More courts, more judges, adequate budget allocations and infrastructure, better quality of recruits in law enforcement (constabulary upwards) and the justice system (lawyers and judges), working together with the community, are all recommended in writing 70 years ago and reiterated several times since then. Implement them.
- The number of courts required can be calculated by dividing the number of pending cases by the number of cases disposed in the current year (or a three-year average) and factoring in the statutory timeframe.

1.3.3 A whole of society approach

- Address toxic societal values through education and engagement, challenging harmful beliefs around self-esteem and respect, particularly among boys, to prevent gender-based violence.
- Combat hypermasculinity, militarism, and entitlement, addressing crimes like acid attacks and abductions, and using data to inform policy and action.
- Foster state-civil society cooperation, making crime data publicly available for predictive policing and collaborative problem-solving to enhance public safety.
- Shift to professional policing, with a mindset open to collaboration with civil society, acknowledging security as a collective responsibility.
- Prioritise justice in resource allocation for law enforcement and judiciary, ensuring the enforcement of legal provisions like the Right to Information and witness protection.
- Protect active citizens working on justice initiatives, ensuring safety from harassment and promoting partnerships with civil society organisations for effective work.
- Support civil society efforts like the India Justice Report, leveraging existing resources to raise awareness and tackle uncomfortable societal truths.





1.4 The way forward

- *Move from inertia to action:* There are sufficient recommendations from within the state, including from the judiciary. Prioritise the implementation of expert recommendations and tackle systemic inertia in addressing gender-based violence.
- *Overcome political and institutional resistance:* Ensure that genuine reform takes precedence over kneejerk cosmetic responses by addressing the resistance from those who benefit from the current system.
- *Leverage data for proactive interventions:* Actively use existing crime data to inform focussed interventions on prevention and early response to VAWG to dismantle the ecosystem that enables crime.
- *Redesign the justice system:* Rebuild the justice system to be more inclusive, victim-centric, and empathetic, ensuring it meets the needs of survivors, corrects the perpetrators, and hold officials accountable.
- Rule of law is the foundational basic structure of constitutional democracy, and personnel and physical infrastructure for the administration of justice should be treated as critical infrastructure, able to function independently in the most trying circumstances.
- *Promote a whole of society approach:* Foster sustained engagement by involving communities, civil society, and institutions in creating an environment where justice, healing, and protection for women and girls thrive.
- *Implement niche remedies system-wide:* Extend proven reforms to all laws affecting women, children, minorities, and to those laws vulnerable to misuse, including preventive and pre-trial detention laws:
 - a) victims' rights and protection, subdivisional vigilance and monitoring committees, inflation-adjusted relief, and rehabilitation present in the SCs and the STs (Prevention of Atrocities) Act, 1989,
 - b) the creative integration of the lok adalat and the legal services schemes, justice at the doorstep (being done for other schemes by the governments of Tamil Nadu and Karnataka), and
 - c) mandatory social audits (under MGNREGA), to the entire justice delivery system.

*Where knowledge is free, Where words come out from the depth of truth
Where tireless striving stretches its arms towards perfection.*



*Chitto jetha bhoysshunyo,
poem 35, Gitanjali, Rabindranath Tagore*

2.1 Prologue: Past in the present

We, the people of India, are inured to the horrors of violence against women and girls, consider institutional apathy and hostility to the victim a given, protection of the male perpetrator by the powerful the norm, the selective outrage normal, and the vicious cycle natural. Though Kolkata 2024 seems a repeat of Delhi 2012, unfortunately that is wishful thinking. Our memories are so short, and the anger so transient, that frequent repeats with greater frequency is a certainty not an aberration.

All our constitutional provisions, legislations, institutions, and state mechanisms have been repeatedly exposed as inadequate to address structural deficiencies. The waters are further muddied because newsbytes favour slogans over nuance in framing public opinion and often serve to hide the contradiction between the slogan and the practice of the demagogue. The ‘death to the rapists’ populists are the ones who honour the convicts and shield their ‘own’, leveraging populist rhetoric to prevent the rapists from facing the consequences of their action even when places of worship are desecrated. They demonise, shame, and intimidate the victims, praise the upbringing, culture, and family of the perpetrator. They have not only weaponised sexual violence, including rape, against women and girls, and wielded it against ‘the other’ but have even valorised and ritually honoured convicted murderer–rapists with ritual fire, garlands, and foot–touching obeisance.

The data on recording and disposal by the police are the strands available to weave the tapestry to reveal the big picture, the patterns, and the trends in violence against women and girls. Together with data on the functioning of law enforcement and the judiciary a 360-degree view to inform decision making can be constructed.



In contrast to this diversionary machismo, the human rights defenders seem almost docile in their call for the rule of law, due process, abjure kneejerk reactions, advocate relief and rehabilitation for the victims, swift, sure, and firm correction for the perpetrator, and a healing justice for both families, the community, and society. Indignant public opinion with short-term memory follows the testosterone fuelled ‘muscular’ slogan, blithely ignoring the contradictory practice, and complicity in crime, of the demagogues.

Of course, there are some rays of light in this gloom and doom scenario but they need superhuman patience to discover. There are a few path making judgements by the Supreme Court of India (SCI) such as Chief Justice J S Verma, Sujata V Manohar, and B N Kirpal in *Vishaka vs State of Rajasthan, 1997* that resulted in the Vishaka guidelines against sexual harassment (ironically based on a still ongoing 1992 Rajasthan case) and Justice Madan B Lokur of the renowned social justice bench of the SCI, in *Laxmi vs Union of India, 2015* which resulted in the guidelines for compensation in acid attack cases and, importantly, regulations for prevention.

The SCI has repeatedly held that *heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victims family and the offender have settled the dispute*, (*Gian Singh vs State of Punjab & Another* by Justices R.M. Lodha, Anil R. Dave, and Sudhansu Jyoti Mukhopadhaya, 2012) and reiterated (Justice Dipak Misra in *MP vs Madanlal, 2015*) that: *16. [...] We would like to clearly state that in a case of rape or attempt of rape, the conception of compromise under no circumstances can really be thought of.*

However, the supremes overturned their own precedents by dismissing a case when the rapist married the victim (Justices A.M. Khanwilkar and Dinesh Maheshwar, 2021). The rather uninspiring on-ground performance of state mechanisms lead to shrill cries for ‘instant justice’ and exemplary extra-judicial measures.





Prime Minister Rao's observation about state action regarding the scheduled castes and the scheduled tribes decades earlier are prescient.

There is a lack of sensitivity on the part of the police and the district administration. The law enforcers themselves, in many cases, fail to act promptly or collude with the other side.

Prime Minister P V Narasimha Rao inaugural address, meeting of chief ministers, 4 October 1991.

The words of Justice B V Nagarathna in *Bilkis Yakub Rasool vs Union of India* about the state of Gujarat, which got 11 Hindu gang rapists and child murders of Muslims released, could just as easily be said about virtually every state, state mechanism, and socioreligious institution when it comes to violence against women and girls, especially those from the scheduled communities or the working class:

the State of Gujarat has acted on the basis of the direction issued by this Court but contrary to the letter and spirit of law. [...] the State of Gujarat has acted in tandem and was complicit with [...] the petitioner–respondent.

From 'collusion' by a part of the state in 1991 to an entire state government 'acting in tandem' and 'complicit' in 2024. A chilling observation on the extent of decay by the highest court of the land, which they affirmed when rejecting a review petition by the state of Gujarat to remove the remarks.

2.2 From reaction to reason

Each time an incident cuts too close to the bone for the middle–class (camouflaged by the innocent sounding legalese: 'outrages the conscience of the nation') the politicians manage perceptions by promising 'death to the rapist' and even more sadistic punishment till the middle–class anger subsides. The mass media fans flames, bays for blood, highlights more instances across the country, and then goes silent at the end of the news cycle, which usually coincides with the public angst subsiding – more due to exhaustion than resolution – going back to their day job of cynically propping up the same perpetrators and the toxic



ecosystem till the merry-go-round returns and they hop on again. There are erstwhile mass media (now niche media) – such as *the Hindu*, and *the Deccan Herald* – that still have journalists, but they are rare and vastly outnumbered. For the populist media to even cover violence – and even then, with breathless sensationalism – it is crucial that the ‘victim’ must be from a privileged class, caste, and geographic location. This structural bias is a barrier to expose the heinous crimes and fails to shed light upon the violence against women and girls.

Apart from hard cases making bad law, neither outrage nor headline management address the underlying causes nor bring about the systemic changes required for sustainable solutions. The only solutions that will sustain are the ones that address the needs of *all* women, not just the property concerns of the semi-urban middle-class middle-aged male. Systems that prioritise the security of, and prevent the violence against, the most vulnerable women and girls – those from the scheduled communities, the fishers, those with disabilities, and yes, the babies – are the only hope for protecting *all* women and girls from violence. If the systems work for the most vulnerable, then they will work for all – including the able-bodied, sharp of mind, young adult male.

2.3 From metadata to data

Both the metadata and the data are analysed in this report. The metadata – the story behind when and why the data was included, excluded, or tweaked – reveals the nuanced understanding at the policy levels, how India wants to be perceived in genteel society, and how she is presented at international fora. The data, and the data gaps, reveal the stark social reality of non-implementation at the ground level. The metadata is the framework, showcasing the lay of the land. The data shines the light on implementation, revealing societal blind spots, the gaps in the functioning of state mechanisms, and institutional paralysis. Hopefully, shining the light will lead to insights as to where policy intervention is needed, and the instruments required to end this paralysis.





This report uses the data provided by the National Crime Records Bureau (NCRB) in its annual *Crime In India* (CII) reports – from the first *Crime In India* report (CII–1953) till the latest available (CII–2022) – to identify the broad trends in India’s attitude towards women and girls and its consequences. The full gendered dataset and the metadata are analysed since any analysis that uses only a partial dataset would be summarily dismissed on that count alone as ‘not the whole picture’ by apologists. Using the full dataset, and the metadata, a comprehensive worldview can be constructed that denies them spaces for rationalisation.

This is a data-rich report, and data provided by the NCRB informs every conclusion. It uses the most granular gendered data available over the 70 years of national level crime recording. Where disaggregated data on girls from scheduled communities are available, then the total crime against women and girls, crime against women, crime against girls, crime against scheduled caste women, crime against scheduled caste girls, crime against scheduled tribe women, and crime against scheduled tribe girls are all analysed.

It has the metadata – the dates from which the crimes were recognised and the data was collected (table 2) – and moves to data analysis that estimates the years to disposal after charge-sheeting for crimes against women and girls section-wise based on the disposal rate of 2022 (table 74), which bring out in graphic detail the all pervasiveness of misogyny as an essential characteristic of social organisation and permanently puts to rest the myth that misogyny is an aberration. Patriarchy is a foundational value of society which, after a while, transforms itself into phallocracy with misogyny as an intrinsic part. It is so normalised that embedded misogyny passes itself off as valued religio-cultural practices that even women yearn for and fastidiously reproduce. The analysis of the full 70-year dataset gives ample evidence of in practice phallocracy and misogyny with no place to hide nor any banal justification to provide.



Once the data is input, it only remains to interrogate this data to tease out the patterns. The patterns shyly come out of the shadows depending on the analysis and presentation. Though not all infirmities and dark corners will be exposed, the patterns, practices, and perpetrators are revealed in sufficient detail to provide sufficient insight to dismantle the enabling ecosystem before they can manifest or hurt anyone. Together, the metadata, data, and analysis reveal the trends and patterns in the recognition, recording, disposal, and institutional disposition towards violence and crime against women and girls.

The presently available data points are sufficient to prove the systemic consequences of socially embedded misogyny, casteism, ethnic, and ageist bias that pervades the law enforcement and the criminal justice system with the impact of intersectionality intensifying manifold all the way to the incontrovertible heart wrenching consequences on the most vulnerable of them all – the little tribal girls. They are sufficient to identify and rectify the performance from the institutional and systemic levels right up to the individual officer level, if anyone is so inclined.

Juxtaposing metadata and data help to identify missed opportunities, the gains, and loss over time. A major loss in the shift of authorship of the annual *Crime In India* report from the Intelligence Bureau to the National Crime Records Bureau has been the reduction of the report to just a barebones statistical handbook from a rich analytical, actionable report with insights, recommendations, acceptable performance range in police and court disposals, and international comparisons.

This omission of analysis and recommendations has also resulted in missed opportunities, even where we were well ahead of the curve and were in pole position to lead global response to CAWG. India identified and recorded rape as a gender and age neutral crime at least from 1958 yet failed to act on this knowledge. Though minuscule in comparison, there was data to show that women and girls do commit gender-based crime, but because of stereotyping there is disbelief that that women and girls were even capable of





gender-based crime. The full consequence of this disbelief will perhaps not be known, but the sharp increase in its recording during the pandemic shows that it is more prevalent than generally acknowledged. The untenable equivocation on rape is an inevitable outcome of inward-looking naval gazing to justify regression rather than benchmarking against global standards and working to exceed them.

Perpetuation of stereotypes has had devastating consequences on crime recording and even jurisprudence, resulting in stereotypes of 'victim' (upper class, caste, angelic females) and perpetrator (low class, caste, brute males) with horrific implications on administration of justice, including the perpetuation of the Madonna-Whore Dichotomy, (that women are either goddesses or whores), that sex workers and wives cannot be raped, that persons from 'good' families – meaning 'upper' castes – cannot rape or, if they do, should be honoured.

2.4 From ideology to insight

India purports to worship women, and goddesses occupy pride of place in the pantheons of indigenous religions and worship. Indian women often add the honorific 'Devi' (literally goddess) to their names by middle age. How does this deification of women and femininity translate into culture and tradition – the bedrock of everyday casual interaction? The Madonna-Whore Dichotomy, a psychoanalytic concept introduced by Sigmund Freud, is one obvious consequence. Denial of all human characteristics and even needs is another. In all cases it means exclusion from the public sphere and insidiously fosters, eventually requires, dependence on a male. Over centuries, these have become debilitating shackles draining agency from women and girls, and even foetuses, till they become 'burdens' in the popular consciousness reinforced by religious and cultural lore. These boundaries and perceptions are enforced by several forms of control from ideological indoctrination by formal institutions such as the schooling system to coercive apparatus of the state, to the benign socialising modelling of kith and kin to socioeconomic boycott and ostracism. This pernicious dichotomy cannot endure and should not be allowed to persist.



Philosophers postulate that the status of women in a society is a good indicator of the standard of its civilisation.

... the transformation of a historical era can always be determined by the condition of progress of women toward liberty, because it is here, in the relation of women to men, of the weak to the strong, that the victory of human nature over brutality appears most evident. The degree of female emancipation is the natural measure of general emancipation.

The Holy Family, Marx K and Engels F, 1845

It follows then, that this ‘progress towards liberty’ must be secured through strong institutions that counter the traditional barriers, including the socially sanctioned violence against women and girls deployed to enforce servitude should any woman be foolhardy enough to go beyond the implicit and explicit boundaries. This predicates an acknowledgement of such violence, followed by the will to address it by the institutions set up by each society. The foremost of such institutions is the state or, in common parlance, the government, though other sociocultural and religious institutions and, increasingly, business as well, are equally responsible and need to step up.

2.5 Measure what you treasure

In a country of about a billion and a half, there will always be anecdotes to buttress any narrative. Garland in Gujarat and kill in Kolkata make for catchy headlines, poor policy, flawed law, and unsustainable practice. When discussions gain momentum and perspectives from the Supreme Court of India align with prevailing right-wing narratives on gender it is time to take Occam’s razor to reveal the cold facts and a performance report of the institutions and state mechanisms of India becomes an imperative.

This report, therefore, shines light on the data (reality) and the metadata (aspiration). Shorn of the drama and passion of individual cases, shorn of faux agony and foxy outrage, the numbers help dispassionate analysis to arrive at a birds-eye view of what is happening, the scaffolding for such behaviour,





the societal norms and values that ferment such action, and the social structures that support these perversions. These indicators can guide towards better understanding – how did we get here? what are the pathways to reach destination justice? – and design appropriate calibrated action for immediate relief, long-term healing, and permanent solutions.

The management mantras ‘measure what you treasure’ and ‘what gets measured gets done’ hold good in crime recording as well, possibly in double or triple measure since societies are notorious for being in denial of their greatest faults and foibles. Blind spots are the bane of individuals, societies, nations, and the human race itself, as are cognitive biases. Data informed decision making, therefore, is an imperative, not an optional extra. It is only when an action is recognised as a crime, can its existence be acknowledged, its extent measured, its prevalence researched, its causes addressed, and the underlying enablers can be eliminated.

2.6 Comprehensive comprehension: Intersectional insights

Several forms of gender-based violence are not recognised as crimes in India. Of those recognised as crime, several are not tracked. Of those tracked, only some are collected at the union level and made public in the *Crime in India* reports. Even so, some of the data still remains scattered among different chapters. Discounting for the moment the larger question of gender-based *violence*, this fragmentation makes it difficult to understand the true extent of gender-based *crime*, its manifestations and the Kafkaesque journey of the crime and its survivors, through the byzantine alleys of the administration of justice.

This report brings together the different datasets of recorded crime against women and girls in the database of the government of India, made public in the annual *Crime In India* reports since inception in 1993 to 2022. When the different datasets are juxtaposed, the intersectional reality of class, caste, gender, and age, becomes evident. While the situation of women itself is disgraceful, it is only when the intersectional lens is applied that the true house of horrors is clinically



exposed – for instance that there has not been even one conviction for inter–community attempt to commit rape of scheduled tribe women or girls since 2019 or that the overall pendency in courts for the assault on girls has increased by about 50% in the five years from 2017 to 2022, it has increased by over 370% for girls from the scheduled tribes and over 450% for the scheduled castes.

It was important to do this consolidation and comparison to facilitate a comprehensive understanding of the interplay of various factors in addition to patriarchy and misogyny. Though the recognition of the iniquitous consequences of intersectionality has been present as a ‘gut feeling’ for several human rights defenders, social activists, and researchers, evidence from official sources across time, across India, and across the entire chain of enforcement and administration of justice will aid those with an open mind, willing to look beyond stereotypes and myths, in evidence–based policy intervention.

2.7 The assumptions

A key assumption in this report is that, given a big enough sample (‘big data’ in today’s parlance), broad patterns can be deduced with reasonable accuracy within the acceptable margin of error, overcoming the limitations of the individual data points. Patterns can be inferred and trends tracked based on the principle of locating where the pebble fell by tracking backwards from the ripples.

The margin of error in recording is assumed to be similar across time, and consistent within the same dataset and reporting authority. This is important since in a country of subcontinental dimensions such as India, with variations in crime, even the crime rate is an inexact measure. What is compared here are the data anomalies within the same dataset or crime series within a state – for instance rape, attempt to commit rape, assault on the modesty of women, insult to the modesty of women – and the performance of the mechanisms within a state and at the country level. This is more internally consistent than cross–state comparisons.





It is assumed that the data is made publicly available at about the time (sooner than later) when the crime is recognised as serious enough to merit disaggregated recording.

2.8 The data gaps

There are several instances mentioned by the NCRB where data is missing. The missing data from the anti-human trafficking units is but one. Delays in reporting by the state units have had some creative accounting by the NCRB, including repeating the previous years' figures. Disaggregated data for custodial death are no longer disclosed.

The more serious gap however is in the data structure itself for several crimes. Gendered data is available for only a few crimes. Even when gendered data is available, there is no data available for many points along the stages of administration of justice – from police recording and investigation (transferred, final report false, true but no clue, and charge–sheet), to trial (disposed without trial, acquitted, convicted), and persons arrested, acquitted, and convicted. These data points are required to track progress of a case, the timelines involved, the caseload, disposal rates and to crowd-source solutions.

To illustrate, there are separate tables in *Crime In India* with cybercrimes against women both in chapter 3 on crimes against women and in chapter 9 on cybercrimes. However, only *Cyber Stalking/Bullying of Women/Children* is tracked throughout the entire legal process. Others just have the number of registered cases up to charge–sheet. Once charge–sheeted, the status of the case becomes opaque. Similar is the case for crimes against children from the scheduled communities.

We have attempted to provide reasonable estimates of under–recording though our equalisation formula, and by developing the recorded heinous crime to recorded total crime ratio. Both need validation through rigorous testing.



2.9 The boundaries

It is important to stress that this book has extremely focussed boundaries. Wherever possible, it is to let the NCRB numbers speak for themselves. This precludes individual case studies which fall in the realm of ‘hard cases make bad law’ and for the limited purpose of this report, would be ‘noise’ and distraction. Though several of the reviewers suggested including case studies and personal narratives (at least as text boxes), we chose to keep the focus on the numbers to unveil the big picture with clinical detachment so that sustainable solutions can be evolved with surgical precision.

The remedies suggested are from India - all of them existing practices in isolation or silos, or are in niche legislation, or are from the NCRB recommendations. This is a reflection of the inward-looking tendency of the NCRB, which has skipped global comparisons and serves to short-circuit frivolous arguments of how they are incompatible comparisons. Though global comparisons would help locate India’s position and whether we are slipping or gaining over time, the internal data itself tells a powerful story.

This report has, by and large, stayed within the NCRB data and framework. We trust that this focus will enable others to weave the metadata, data, and findings in this report into their own reports. For instance, those using the CEDAW framework or responding to the final observations on the combined fourth and fifth periodic reports by India could point out that neither the union nor 33 of 35 states and union territories have complied with recommendation in para 39(c) *To automatically void all child marriages and ensure that the Protection of Children from Sexual Offences Act applies also to child brides*. Validation or comparisons with other data sources - NFHS, NHRC reports, academic studies - is also left to the genius of others depending on the needs of their reports.

Beginning with bringing data to discourse, it is hoped that the evidence will lead to informed decisions, which in turn will bring nuance to understanding, rationality to response, and sanity to statecraft.



Crime recording in India

*Where the clear stream of reason has not lost its way
Into the dreary desert sand of dead habit*

*Chitto jetha bhoysunyo,
poem 35, Gitanjali, Rabindranath Tagore*

3.1 A brief history

The first consolidated annual crime statistics of the whole country in the form of a report ‘*Crime In India*’ was published by the intelligence bureau for the calendar year 1953.⁵ The 1953 report has the annual data aggregates of cognisable crime from 1948 to 1951, and seven disaggregated data points of cognisable crime for 1952. In a reflection of the authors’ institutional priorities, competence, and expertise (and technological advances), the initial reports have more in-depth analysis, comparisons with selected countries based on Interpol data,⁶ and actionable recommendations, while the later ones have more data. International data and recommendations are absent in the later reports.

The Central Bureau of Investigation (CBI) compiled CII–1967. The National Crime Records Bureau (NCRB), was set up in 1986 as a repository of information on crime and criminals to assist investigators in linking crime to perpetrators based on the recommendations of the Tandon Committee, National Police Commission (1977–1981), and the union Ministry of Home Affairs (MHA) Task force (1985). The NCRB was tasked with bringing out the annual *Crime In India* report on 16 December 1987, and has published the report since then, starting with CII–1983 in December 1988 (Director S K Sharma, NCRB, preface, CII–1983). The NCRB comes under the MHA, as does the CBI. The state and district crime records bureaux come under the Ministry of Home Affairs of the respective states.

The data is collected by State Crime Records Bureaux (SCRbx) from the District Crime Records Bureaux (DCRBx) and sent to NCRB at the end of every calendar year under reference. Data from mega-cities (cities having population of

The initial NCRB reports had more in-depth analysis, comparisons with selected countries based on Interpol data, and actionable recommendations, while the later ones have more data.



10 lakh or more as per the latest census) is collected separately. District-wise data on some sections of the Indian Penal Code 1860, IPC, is collected and published separately.⁷ The data is consolidated at the state level by the SCRBS and at the union level by the NCRB in an elaborate and rigorous process.⁸ Though the data comes from the states, the states publish their reports only after the NCRB, indicating a high degree of coordination before making the data public.

Historical statistical data in open-source formats are made available on Open Government Data (OGD) Platform India website <http://data.gov.in> since 2015.⁹ All the *Crime In India* reports since 1953¹⁰ are available online¹¹ since 2016.¹²

3.2 The source

This report traces the trends in violence against women and girls (VAWG) in India through the metadata and data published in the annual *Crime In India* (CII) reports of the National Crime Records Bureau which, its directors assure us, is one of its kind with a stellar reputation.

‘Crime in India’ is being published since 1953 and is the most authentic source of information on crime and criminals. This kind of data has immense value to police officers for studying the crime trends in various parts of the country and planning strategies for crime prevention. This data is also widely used by researchers, criminologists and policy makers in India as well as abroad.

Director General Sudhir Pratap Singh, Bureau of Police Research and Development, Message CII–2016

Since its introduction in the year 1953, the report has made a formidable reputation for itself among various stakeholders including policy makers, police officials and researchers both nationally and internationally.

Director Ram Phal Pawar, NCRB, Foreword CII–2020.

The report published since 1953, covering various aspects of crime, is a principal reference document for the stakeholders for evaluation of the prevalent situation, planning policies and creating deterrence for future occurrence of crime in the society....

Crime data is consolidated by SCRBS at the state level and the NCRB at the national level through a rigorous process. Though sourced from states, state reports are published only after NCRB publishes the national report.





...Over the years, the report has proven itself to be a reference publication for evidence-based policy formulation. The data is also used by researchers for in-depth analysis of the subject for developing theories for better understanding of criminogenic factors.

Director Vivek Gogia, NCRB, Foreword to CII-2021

Crime in India, CII, is the flagship publication of the NCRB. It is the oldest and the most prestigious publication brought out by NCRB. The report is the only, and most comprehensive, databank available with the Government of India on the subject¹³... an only one of its kind, the publication provides authentic information depicting the crime scenario in the country in all its dimensions (CII-1992).¹⁴

Where we differ from the source is in the use of the term 'reported'. Perhaps the NCRB uses it in the sense of cases reported from the states to it. However, all cases reported to the authorities are not registered. Some are entered in the community service register (CSR), and fewer are registered as first information reports (FIR). Though there have been attempts to register all reported cases (as in Uttar Pradesh where an intensive drive was conducted to ensure that all crime, of which information was brought to the police station, was immediately registered in 1961, CII-1961), the NCRB data of 'reported' crime is only for the cases where FIRs have been registered. Therefore, in this report the term *recorded* rather than *reported* is used.

The NCRB data reflects only cases where the FIR is registered. So this report uses 'recorded' instead of 'reported' for accuracy.

3.3 The standards

Initially, India benchmarked itself against international standards and aligned domestic law with its international treaty obligations. The Suppression of Immoral Traffic in Women and Girls Act, 1956 is an Act to provide in pursuance of the International Convention signed at New York on the 9th day of May 1950 for the suppression of immoral traffic in women and girls. India ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1993.



CII used to have select data on crime in different countries in a section ‘*Comparative Crime Rates – India and some Selected Countries*’. Over time, India has become more inward looking, setting up ‘Bhartiya’ standards and benchmarks that are somewhat lower than the international standards. The unintended consequence is that it suggests that we, as a nation, believe that Indian women are less, and deserve less, than their global counterparts. International data are missing in the annual CII reports published by the NCRB since 2004.

As is international practice, in the non-census years, the crime rates are calculated based on the mid-year population projections so there would be a variation between the pre-census year 1990 (a projection from Census of India 1981), census year 1991 (provisional figures from the Census of India 1991) and 1992 (when actual figures from the Census of India 1991 become available). The figures will vary even more from 2021 since the figures are based on projections from 2011 as the census due in 2021 has not been conducted.

In line with international standards, the NCRB follows the principal offence rule. If multiple offences are registered in one FIR, only the most severe offence carrying the highest punishment is counted.

In line with international standards when multiple crimes are committed, the NCRB only counts the most severe crime. This is called the *principal offence rule*.¹⁵ The *Principal Offence Rule* refers to the system of recording each criminal incident as one crime. If many offences are registered in a single FIR case, only the most heinous crime i.e. the one that attracts maximum punishment will be considered as the counting unit (*Methodology Adopted, CII-2022*).

The ‘Limitations’ section of CII-2016 notes that *since the publication caters to the ‘Principal Offence Rule’ for classification of crime, the actual count of each crime head may be under reported. For example, in the Crime Criminal Tracking Network & Systems (CCTNS) database for 2016, for ‘Dowry Prohibition Act’, the FIR count is approximately 38,632 as compared to only 9,683 cases reported in ‘Crime in India’. These remaining cases could be tagged with more serious crimes like 304B, 306 and 498A of IPC.*¹⁶ Murder with rape is accounted as murder only. Dowry Prohibition Act when applied along with Section 304B of the IPC is counted as Dowry Murder only (CII-2021).





However, the principal offence rule is not applicable for the chapters on crimes against women, crimes against children, crimes against the scheduled castes and the scheduled tribes, juveniles in conflict with law, crime against senior citizens etc (CII–2016).

In addition to the principal offence rule, the police make up their own off the books rules and operating procedures to refuse to register multiple FIRs if the same or similar crime is repeated, even if the crime is repeated several times over several years (for instance sexual abuse over multiple years is counted only as one crime both for recording and sentencing). For the limited purpose of this report, these data gaps do not make a significant difference, though it does indicate a trust deficit between the police and society (if the crimes are not recorded because they are not reported) or suppression (if they were reported but not registered) and trivialisation (if they were reported but registered under less serious sections) of violence against women and girls by the police.

3.4 Nuances

Crime is the outcome of many social and economic factors, and recorded crime tells only a part of the story. Recorded crime is a double-edged indicator of the situation – at once disclosing the failure of the state mechanisms to prevent crime, while simultaneously revealing how seriously the mechanisms try to suppress recording crime or how seriously they take infringements of the law.

They are an indication of whether society trusts the law enforcement mechanisms sufficiently to prefer complaints, or do not complain due to a perception of futility for whatever reason – from incompetence, to bias, to being compromised. Since compensation (under the Protection of Children from Sexual Offences Act, 2012) and relief and socioeconomic rehabilitation (under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989) are tied to the stage of investigation and trial, recording in itself is a barrier or enabler of relief, compensation, and socioeconomic rehabilitation, in addition to being an instrument of justice.

Crime is the outcome of many social and economic factors, and recorded crime tells only a part of the story.



Some claim that recording crime makes more crime happen because of the copycat syndrome or that the increase in recording is due to the heightened sensitivity in a self-reinforcing loop. The sheer number of crimes recorded by the National Crime Records Bureau, NCRB, will always increase year-on-year due to reasons as varied as increase in population, awareness, access, and urbanisation. Though 'more incidence' of recorded crime is regarded as 'less law and order' and therefore perceived as a less efficient law enforcement machinery – especially by sensationalist mainstream media – and internalised by law enforcement, it is a fallacy. This fallacy leads to reluctant recording of crime by the police, who suppress registration to window dress their efficiency.

This, as the preface to CII-2020 (page ix) reminds us, is erroneous. The crime rate recorded in the reports of the state and national crime records bureaux, nuanced with its gravity, will provide a better picture (though there is no consensus on how it can be done till date). Recording depends upon how empowered the citizens are – awareness of the law, confidence in the law enforcement, accessibility of the recording location including the ability to reach the police station or website for registering the crime, ability to take time off to report and the risk-reward for doing so – and of course the willingness of the police to record the crimes reported to them. The social capital of the citizens – the more the middle-class the more the recording – ability to spend time chasing the cases, access to lawyers, stamina to carry it through the judicial system till resolution, all contribute to the willingness to engage with the system. Since these are relatively easier and more common in urban areas, crime recording will always be greater in cities. Therefore, labelling cities crime capitals is not only erroneous but also unhelpful.

Yet, the police treat the numbers recorded as an indicator of their inefficiency and become defensive – resulting in under-recording crime and suppression of the numbers at the initial stages itself. This data blackhole has multigenerational repercussions on crime prevention which will be exacerbated with the advent of data informed predictive policing which augmented intelligence has dropped on our laps.

Crime recording depends on citizen empowerment – legal awareness, trust in law enforcement, accessibility, time, risk-reward balance, police willingness and social capital. Urban areas naturally record more crimes due to easier access. Thus, marking the cities as 'crime capitals' is misleading and unhelpful.





3.5 The extent and exclusions

This report traces both the history of recording and the records themselves to assemble the mosaic. However, it also acknowledges upfront the voluminous literature that prove conclusively that recorded crime varies considerably from ground reality, that recorded crime is only a fraction of actual violence, and that recording itself is often incomplete. Not only are many forms of violence against women not even recognised as crimes (for instance in India rape is legal, subject to certain conditions), but even for the recognised crimes the official machinery simply refuses to record the reported crime, since the societal normative does not recognise it as a crime either due to caste or phallocratic considerations.

The toxic masculinity and male solidarity that permeates the entire state and society means that several complaints are not recorded. However since, by definition, NCRB cannot collect data on 'unrecorded crime', such data is not present in the CII reports. While aware that a study extrapolating data from the National Family Health Survey 2014–15 estimates that 99.1% of the cases of sexual violence are unreported, with the husband being the perpetrator in most of them, the problem and challenge of crime recording itself is beyond the scope of this report. The data of recorded crime itself is revealing and discloses several facets of our society and institutions that need deep cleansing and will take time to rectify.

There are several stories embedded into the NCRB data and they all merit exclusive discussions of their own. This report, however, focusses on the data points that spotlight crime against women and girls. Though the report is discursive, only the gendered data is considered. Consequently, only the data exclusive to crime against girls are analysed, and if the gendered data is not available, i.e., if data is only available for 'children', or 'sexual exploitation' in the chapter on cybercrime, it is omitted. Similarly, only cybercrime data points exclusively about women and girls are considered. Though witchcraft is given as a motive for murder (CII table 2A.2), and it is likely that almost all those murdered under that crime head are women, we do not include them under crimes

A study using National Family Health Survey 2014–15 data estimates 99.1% of sexual violence cases go unreported, mostly involving husbands.



This report's reliance on NCRB data is both a strength and a weakness. NCRB is the most authoritative, yet flawed by gaps, delays, and missing years. Population data lies with another department, and some states report late or not at all.

against women because disaggregated data is not available, it is not explicitly mentioned that it is data exclusively of women, and it is not included in the chapter on crime against women. Other data points, for instance murder, are considered but only as relief to highlight the female centric narrative.

3.6 Data, delay, and denial

This report's reliance on the NCRB data is both a strength and a weakness. A strength because the NCRB is the most authoritative publicly available source of crime data from across India, and a weakness because the NCRB reports do not have the data for all years, is plagued by data gaps, data integrity issues, delays, and denials beyond the expected range. Some of the gaps are beyond the control of NCRB and are because of the inherent DNA¹⁷ of government and reflected in the disclaimer '*Crime Rate is not calculated for City-wise Crimes under 'Children, SCs/STs & Senior Citizens' due to non-availability of Population figures of these groups in the cities (CII-2022)*'. Since the responsibility to provide the population figures is with another department, the solution lies outside the NCRB.

Then there is the perennial case of some states not providing information, or not providing it on time, despite the best efforts of the NCRB. Director B N Mullik flagged the issue in CII-1954, the very second report itself. *Due to the late receipt of the Annual Administration Reports from several States, it was not possible to compile the figures earlier though our intention was to get this report ready by the third quarter of the year. We, however, hope to improve on our performance next year.* It has only got worse over time despite the resolve and best effort of the compilers.¹⁸

In 1988, Director S K Sharma of the newly minted NCRB bemoaned that *we are aware that the publication has been inordinately delayed. The reasons for such a delay continue to be non-availability of data or inadequacy of the quality of data made available by the States* (preface, CII-1983, published in December 1988).





Virtually every CII report has a disclaimer that data has not been received, or received too late for verification, or somehow is not comparable. CII–1994 even has a chapter on the *chronical order on receipt of data*, perhaps in a wishful attempt to incentivise better compliance for future editions.¹⁹ There is a general disclosure in CII–2022 that *clarifications on data for Crime in India are pending from Nagaland. Hence, data from Nagaland State may be treated as provisional* – this after the 2022 report was published only in December 2023, one of the longest delays in recent times.²⁰ In retrospect, Director Mullik’s fond hope and implicit apology for being ‘late’ in bringing out CII–1954 in October 1955 seems rather quaint.

This delayed receipt requires the reader to be vigilant, but is not a deal breaker, since the data is rectified in subsequent editions. This report uses the data points from the time they became available, which is at different points in time, depending on when that form of violence was recognised as a crime, disaggregated, and recorded. For the readers’ convenience, figure 2 (table 2) has the year in which the data point was first published.

NCRB occasionally corrects data only to revert later, as seen with 2018 kidnapping figures—revised in 2019 but restored in 2020.

3.7 Revised revisions

In some years, for instance 1988, the NCRB repeats the previous year’s data for the particular state, just so that they can publication can publish the report and be done with it. These are rectified in subsequent years. Where the NCRB has updated or corrected the data in subsequent reports,²¹ the latest data provided by NCRB has been used. But that is not a foolproof method. The NCRB sometimes corrects the data in one year and then reverts to the original in a subsequent year, as it did for the data on kidnapping and abductions for 2018 which was corrected in 2019 and reverted to the 2018 data in 2020.

Where the mistakes are obvious, commonsense corrections are used: the typo in principle offence (CII–2016), or a formatting error when the tabular data in paragraph 7.3.1 of CII–1993 is out of kilt because Kidnapping and abduction runs to two lines.²²



3.8 Capability, competence, and disclaimers

Despite the elaborate data collection and verification process, some data is simply not available though it should be, given that they are required data points in the standard data collection formats and the national, state, and district bureaux strive to incorporate the changing patterns and present data in a form that will help the policy makers and planners in the face of accelerated social change and concomitant increase in crime (Director Ram Phal Pawar, NCRB, Foreword, CII–2020). Even in 1975, the 1970 data for the Suppression of Immoral Traffic in Women and Girls Act, 1956 is missing for Jammu and Kashmir.²³

If Jammu and Kashmir was a special case due to Article 370, let us consider another dimension. Human trafficking was recognised as a major crime and has been tracked separately from 2006 in chapter 6* (* is a part of the chapter number). CII–2022 mentions that 22 states and union territories have one anti human trafficking unit (AHTU) per district. However, even in 2022 there is a disclaimer that *‘This data represents only those human trafficking cases which are reported to respective AHTUs. Hence, it is advisable not to compare these figures with those given under different laws/sections of human trafficking elsewhere in the Report (CII–2022)*. Each has the following explanatory note: *Human Trafficking data published is based on annual data as provided by states/UTs from their Anti Human Trafficking Units.*

These disclaimers are proof enough that even for crime that is recognised, mandated to be recorded, and perhaps even enforced, the police simply lack the capacity for accurate record-keeping that is so vital for law enforcement. By CII–2013, and in subsequent editions, NCRB practically washes its hands off the authenticity of data.²⁴

NCRB has only compiled and collated the data and presented it in the form of this report. NCRB shall not be responsible for authenticity of this information.

Disclaimer, CII–2013

Even with rigorous data collection, some key information is often missing, even when mandated. Human trafficking, tracked since 2006, still suffers from reporting gaps, with NCRB disclaiming data accuracy.





So much for being the *most authentic source of information on crime and criminals... widely used by researchers, criminologists and policy makers in India as well as abroad [with] a formidable reputation ... among various stakeholders ... both nationally and internationally.* In case there is any doubt, virtually the same disclaimer is repeated – with elaboration and more emphatically – in the latest version, moving from *shall not be to is not*.

The information published in this report has been obtained from states/UTs Police and CAPFs/CPOs.²⁵ National Crime Records Bureau has only compiled and collated the data and presented it in the form of this report. As data is being furnished by states/UTs/ CAPFs/CPOs, NCRB is not responsible for authenticity of the information.

Disclaimer, CII-2022

While the data used in this report is recorded by an institution captured by toxic casteism and phalocracy – and is therefore the ‘victors’ narrative – the big data is within the acceptable margin of error for the inferences and conclusions drawn.

3.9 Entire, exclusive, elusive

To the degree possible, the entire data set has been used. Using just the data of the last three years was strictly off the table because of the exceptionalism of the pandemic year skewing the data (it did, but even the data anomaly tells a lot, as can be noticed in the report). Five years was an option. The decision to use the entire available dataset on crime against women and girls was taken since, as a young nation, we have passed several important milestones in our growth, apart from the rapid geopolitical changes and technological advances that have changed criminology beyond recognition. It would also, as an unintended consequence, pre-empt the ‘yes but’ defensiveness that has become the mandatory reflex reaction to any analysis that is not a sufficiently adulatory hysterical hagiography of the state of the nation.

Despite its reputation as the most authentic crime data source, NCRB repeatedly disclaims responsibility for accuracy. The CII-2022 report reinforces this, shifting from shall not be to is not responsible.



The 'entire data set' does not mean that the entire data is available from 1953. The metadata and the data in CII have evolved with the progress of human understanding and formalisation of knowledge. This has resulted in tracking indicators (data points) related to crime against women and women in crime from 1953, from when crime records are available at the national level in India. Some of the data is available only since 2017. Most are in between, with several major milestones and reorganisations along the way. So, the 'baseline' is a wide range of dates.

This unpacks the kaleidoscopic richness of the full spectrum of the crime records into workable data bytes without succumbing to the information overload induced paralysis as a consequence of trying to wade through the voluminous data available on the NCRB website and the web-only annexures. Even so, some data remains elusive and some are inconclusive.

Disaggregated data is crucial, as different crimes require different solutions. CII first recorded murder motives in 1953, refining categories over time—from 7 in 1971 to 27 in 2022. Effective prevention and response depend on granular data, ensuring targeted interventions and resource optimisation.

3.10 Outcome aligned data

Disaggregated data is important to address the crime specific cause. Since the causes are often different for the same crimes so must be their solutions. In 1953, CII first records motives for murder and points out that *the murders were mostly committed due to property disputes, love affairs and a fair proportion of the cases were the result of sudden provocations*. In CII–1971 *Section VII Motives of murder and culpable homicide not amounting to murder* has seven data points (including the catchall 'other causes', 39.5%) of which 'Sexual causes' (9.2%) is one (pie chart, page 64). Evolving over time, *table 2A.2. Motives of Murder*, in CII–2022, tracks 27 data points. The main motives for murder in 2022 are 'disputes' (9,962 cases), 'personal vendetta or enmity' (3,761 cases) and 'gain' (1,884 cases).

The preventive and restorative measures are disparate, depending on whether the 'dispute' or 'personal vendetta or enmity' was due differences over land, a love affair, or wages. They can be correctly applied only if decision appropriate data is made available with the required granularity i.e. required





level of disaggregation. The case for disaggregating crimes against adults and children is similar. Not only cannot the same solutions be applied, but application of a uniform 'solution' may even be counterproductive. The additional data points can help make the response more precise and can help in optimising the use of resources for prevention and detection.

The NCRB does have, and sometimes does disclose, extremely precise, granular data including the time of day in its priority areas. For instance, CII–2010 contains the observation *Maximum number of Traffic Accidental deaths occurred in the month of May (42,546) and during 6 PM to 9 PM (73,312)*. In similar vein, as will become evident, there exists NCRB data that could directly link the infamous 'stove–bursts' to dowry murder (See Section: 4.9 Gendered accidents, 2010)

Disaggregation is acknowledgement of an underlying pattern in crime, and the increased consciousness often results in increased recording. The recorded number of juveniles apprehended in 1959 surged 61% just a year after it was first collated in 1958. So did the recorded number of child victims of sexual abuse, including rape.

Table 17: Recorded kidnapping and abduction (Section 363–369, 371–373 IPC), (1982 to 2022) demonstrates the need and effect of disaggregated recording. It could be speculated as to why. It could be the result of declining sex ratio or more choice marriages leading to irate fathers filing false cases. It could be because of a combination of heightened sensitivity of the recording authority and assertiveness of the survivor due to solidarity of the women's movements post Nirbhaya. But all that is speculation. The data only points to an area that needs further study. Even so, just by disaggregation, the data reveals the disparate impact on women and men – 52,225 females (78.6%) were kidnapped or abducted compared to 14,216 males (21.4%) – and therefore where the solutions should focus.

CII–2010 contains the observation *Maximum number of Traffic Accidental deaths occurred in the month of May (42,546) and during 6 PM to 9 PM (73,312)*.



3.11 Caution: Continuous improvement

The NCRB tries to keep up with the advances in jurisprudence by tracking additional data points and by updating the presentation of the data in its annual report, *Crime In India*. It makes changes in the data collected and in data presentation to incorporate the changing reality such as advances in technology and its impact on society. It acknowledges up front the need for disaggregated data and specific data points to address crime, its causes, and redress by increasing visibility.²⁶

... good planning is indispensable to the development and implementation of effective programs for improving criminal justice system and reducing crime. Therefore, constant efforts have been made to incorporate the changing patterns and present data in a form that will help the policy makers and planners in the face of accelerated social change and concomitant increase in crime.

Director Ram Phal Pawar, Foreword, CII-2020.

Disaggregation exposes crime patterns and boosts recording, as seen in a 61% rise in juvenile apprehensions post-1958. Table 17 (1982-2022) shows kidnapping disproportionately affects women (78.6%). While causes remain unclear, data guides targeted solutions.

Understanding the NCRB data requires alertness on the part of the reader since the NCRB modifies and periodically refines data collection with new data points and presentation with new formats. Some of it is due to the evolution of thought (gender includes transpersons from 2021), better understanding (why all investigations are not ending up as charge-sheets), standardisation (all below 18 years of age are children in the more recent *Crime In India* reports), and better design for presentation (adding pie charts, tables, or a full chapter and consolidating tables for crime against women). So, different datasets are collected across time, and the collected data is presented in updated templates in different years as per the contemporary priority requirements.

There was a revised formula for calculating crime rate in 2012. Till 2012, the crime rate was calculated based on the total population, i.e. number of crimes against women ÷ mid-year projected (total) population in lakhs. From 2012 onwards, the crime rate is being calculated based on the population of women, i.e. the number of crimes against women ÷ mid-year projected population of women. Consequently, there is a jump in the crime rate for 2012 compared to 2011.





Reader awareness of the principal offence rule in recording is essential. Though there could be several caste-based hate-crimes, they would not show up as caste-based hate-crimes since they are recorded under more serious sections such as murder. Not being conversant with this rule of recording would confuse the reader as to why there are so few caste-based crimes presented in the general data (caste conflict, tables 1.2 and 1A.4, CII 2022) despite there being so many recorded that there are separate chapters for them.

While it is understandable and even expected that some data points will be disaggregated, in some cases data is shuffled around different tables and different chapters. Assault or use of criminal force to women with intent to disrobe (Section 354B IPC) was in table 3A.2 from inception in 2014 to 2016. From 2017 it is shifted to table 1.2. (#12.3) – though voyeurism (#12.4) and stalking (#12.5) are present in both tables. Similarly, cybercrime against women is found in table 18.8 from 2002 to 2013 under harassment, shifted to table 18.7 from 2014–16 with harassment omitted and insult included.

Age disaggregation of data on rape varies across years, as figure 1 (table 1) demonstrates.

There probably is a good reason for the change, but analysis becomes a challenge without comparable data. While some correlation can be made between the disaggregated data of 1971 to 2000 and 2014 to 2022, or the data set from 1988 to 2013, the reorganisation of data from 2014 to 2022 makes precise comparison (for instance of paedophilia) with the earlier periods challenging.

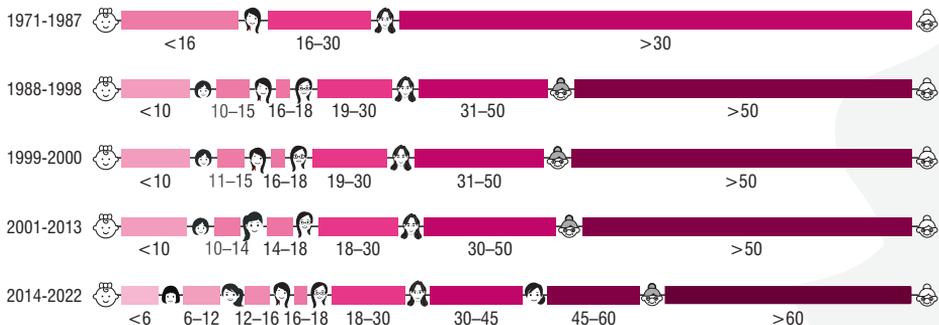


Figure 01 (Table 01): Patterns in recording rape: Age of victim (1971 to 2022)



Though there would probably be some logic in the final resting place, thinking through before placing the data in the first instance, and then sticking to it would be of immense help to independent citizen–analysts to contribute to nation building. The creative presentation by NCRB results in some data comparisons in this report being approximations. Fortunately, they are not deal breakers and the shift towards global standards is to be welcomed.



The metadata

It shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women.



The Constitution of India, Article 51A(e)

4.1 Progressive realisation

It is instructive to trace the progressive recognition of the violence against women and girls as crime by the Indian state through the annual *Crime In India* reports. The date from which the data of recorded crime is made publicly available is illuminating. It often reveals either that the action is recognised as a crime due to evolution of reason or that the crime has come into the forefront of national consciousness due to a) spurt in numbers or b) sheer ferociousness (with or without a surge in absolute numbers) that it shakes the conscience of the nation. In short, it reveals the progress of ideas and the success in its implementation.

The changes in terminology provide additional clues as to the contemporary manosphere – the collective conscious and institutional mindscape. Oftentimes the colloquial is used and then substituted by the formal legal terminology. Sexual harassment (Section 509 IPC) was referred to as eve teasing till 1997 and makes a brief reappearance in 2002 as Eve-teasing and Harassment under Cases Registered Under Cyber Crimes By Motives and Suspects.

The changes in 2011 are illustrative. Torture was replaced by Cruelty by Husband or His Relatives, Molestation by Assault on Women with Intent to Outrage her/their Modesty, and Sexual Harassment with Insult to the Modesty of Women. Shifts in classification as seen in Kidnapping and abduction of women and girls from crime against property (up to 200) to crime against life (2001 onwards), and Sexual harassment at office premises, at places related to work, in public transport, in other places from Insult (Section 509) in 2013 to Assault (Section 354 IPC) in 2017 also signify progress.

Terminology shifts reveal evolving institutional perspectives. Eve teasing (Sec. 509 IPC) persisted until 1997, resurfacing in 2002. In 2011, torture became cruelty by husband, and molestation was redefined as assault to outrage a woman's modesty.



Crime recording: Year first published in CII (1953 to date)

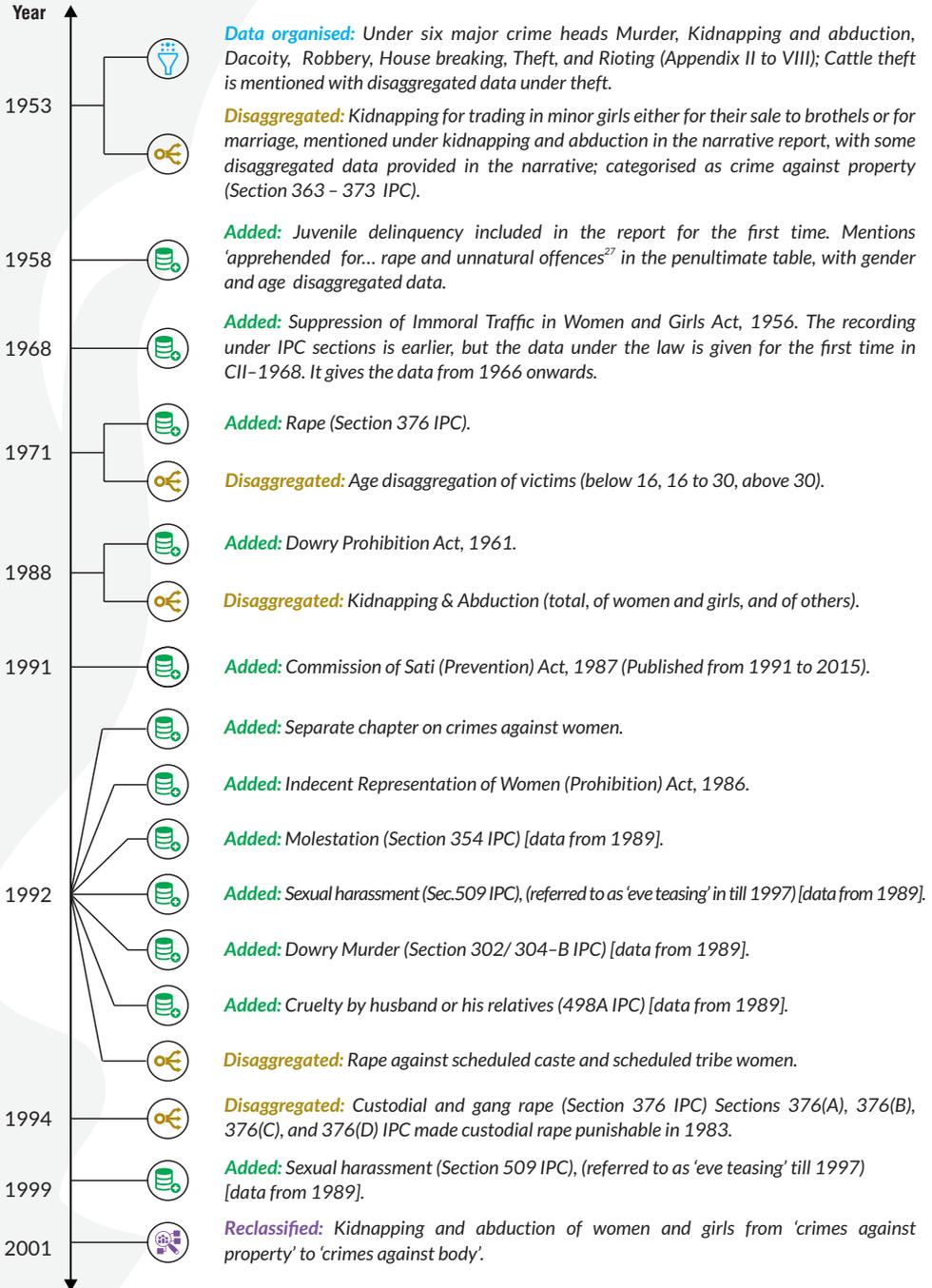


Figure 02 (Table 02): Crime recording: Year first published in CII (1953 to date)





Some data are no longer published (Sati) when the recorded crime is nil for some years. Data vanishing despite prevalence – for instance disposal of recorded rape in police custody – also provide insight.

Table 2: Crime recording (Year first published in CII) traces the history of crime recording (consolidation) at the union level in independent India through the annual *Crime In India* reports. The data for about two years prior is usually disclosed in the initial or subsequent years, most often in the data tables, but sometimes only in the narrative.

The sequence of enactment of the law and the sequence of crime recording paint slightly different pictures. Enacting the law signals recognition of a crime at the legislative level. Data collection and presentation demonstrates the efficiency in implementation of the legislative intent, evolution of social consciousness, and internalisation of the concept within the police force.

4.2 The inherited template (1953)

Crime In India is a compilation built on previous records that were maintained at the provincial level since pre-independence times and has the annual data aggregates of cognisable crime from 1948. Its first rendition, *Crime In India–1953*, organised the data into six major crime heads – murder, kidnapping, dacoity, robbery, housebreaking, theft – and the rest were clubbed under miscellaneous. Theft was disaggregated as ordinary theft and cattle theft. This is the pattern followed in the subsequent years as well, with more subheads being added from time to time and the presentation being improved.

4.3 Women and girls as property (1953–2000)

Gendered data is referenced in CII–1953 in the narrative text but not made public in the tables for a while. Kidnapping of minor girls (for sex trafficking or forced ‘marriage’) was recorded and consolidated at the all-India level right from the outset, with specific figures referenced in the CII–1953 narrative report itself.

Till 2000, kidnapping of women and girls was considered a crime against property, while kidnapping of men and boys was a crime against life.



Crime recording: Year first published in CII (1953 to date)

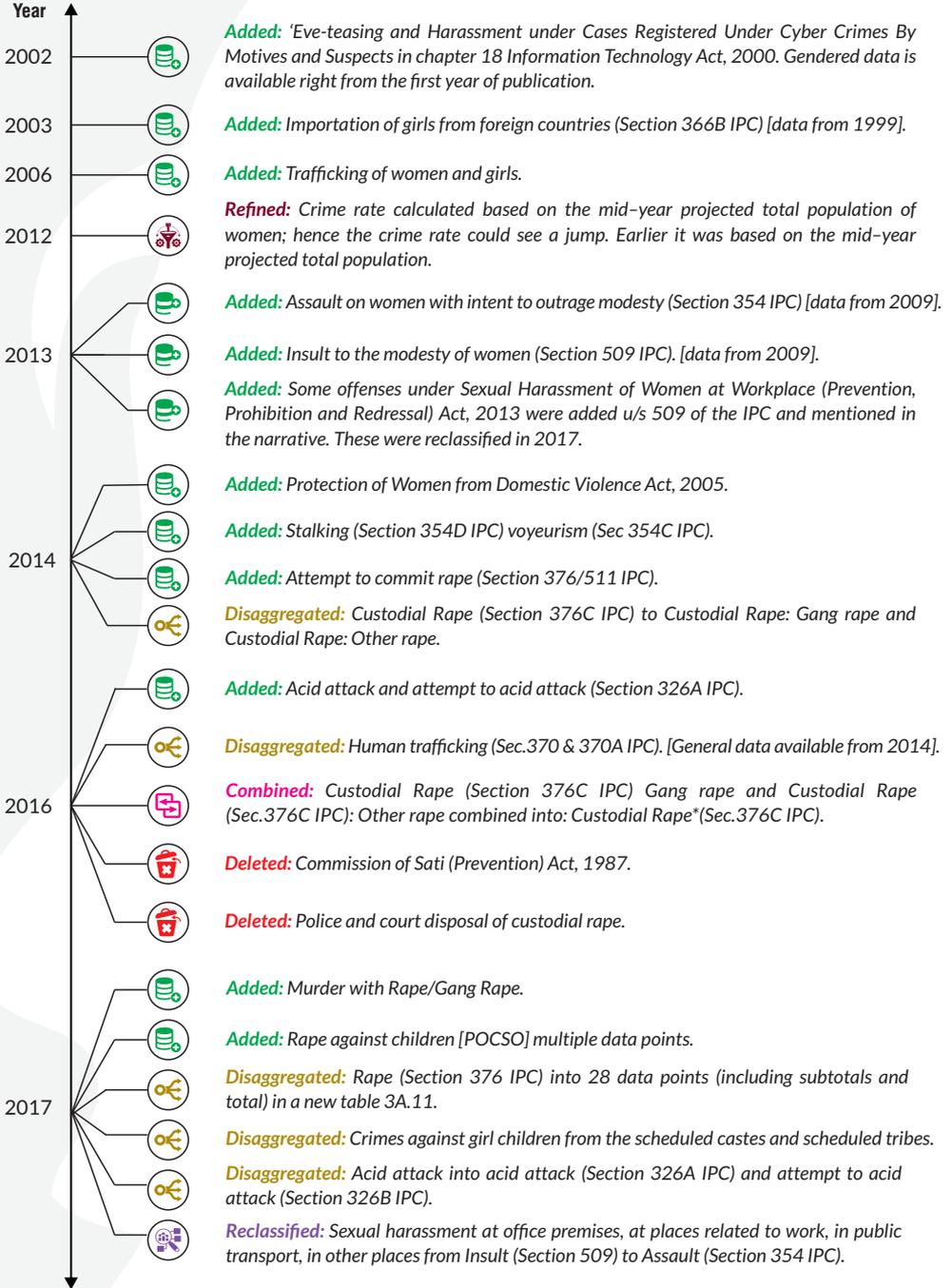


Figure 02 (Table 02): Crime recording: Year first published in CII (1953 to date)





Other forms of kidnapping consisted of trading in minor girls either for their sale to brothels or for marriage. There is greater awareness amongst the public about the necessity to stop kidnapping for prostitution or forcible marriage, and during the last year many important recoveries have been effected. In Delhi alone, as many as 144 girls were rescued from the brothels or other houses of entertainment.

*CII–1953.*²⁹

Disaggregated data on kidnapping & abduction (kidnapping & abduction (i) of women & girls (ii) of others) is made public since 1988 – 35 years after it was available. Till then all kidnappings and abductions were reported in aggregate as one data point.

Kidnapping and abduction were considered a crime against life (Chapter 1, para 1.1.10 Ai, CII–1998). In contrast, kidnapping and abduction *of women and girls* was classified a property crime (Chapter 1, para 1.1.10 Aii, CII–1998)³⁰ (akin to theft of cattle which was recorded) rather than one against life, the body, or autonomy of the individual. This accurate reflection of contemporary social norms that considered girls and women as property of patriarchy would continue till CII–2000. Enlightenment dawned with the new millennium, and it was moved back to ‘crimes against body’ in 2001 (*Executive summary, CII–2001*).³¹ In effect, the ‘personhood’ of women and girls was recognised albeit partially only in 2001 since, till 2000, their kidnap or abduction would only be a theft of the property of the paterfamilias.

As noted above, India collected the data on kidnapping of minor girls for sex trafficking since 1953. This is a landmark achievement since the specific supporting law – Suppression of Immoral Traffic in Women and Girls Act, 1956³² (SITA) – came later. This Act is historic because it is in direct consequence of international law, the *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, 1949 ratified by India. It is an Act to provide in pursuance of the International Convention signed at New York on the 9th day of May 1950 for the suppression of immoral traffic in women and girls. It was renamed in 1986 as

India tracked cattle theft at the national level right from the first annual Crime In India report in 1953. It took till 1971 to similarly track rape.



the Immoral Traffic (Prevention) Act, 1956 when there was better understanding of the roles and responsibilities of the state and state mechanisms. However, this belated understanding of the role of the state from suppression to prevention has not adequately translated into action on the ground, as demonstrated by the non-utilisation of the Nirbhaya fund for multiple years (*Towards violence free lives for women Tracking of union budgets (2018–21) for violence services*, Oxfam India 2021).

It would take till 1971 for another crime (rape) against girls and women to be recognised and recorded, though rape by girls was recorded from 1958 – a subconscious institutional expression of the vamp–witch trope. This inversion is on two counts – age and gender – identifying the juvenile before the adult perpetrator of the crime and identifying the number of perpetrators before acknowledging that such a crime exists by making the records of the incidence public. That it was done for over a decade – 1958 to 1971 – is an indicator of the deep social malaise that gives rise to this blind spot. Whether it was to nudge policy makers to address the issue at an early age, or to protect the women or the nation from such shameful information (but then why publish the data of juvenile incidence?), either way the lack of scientific detachment is unhealthy and unhelpful. Half a century later, this suppression arising from the wilful moralistic unwillingness to face reality due to misplaced idealism, would break to the surface during the 2020 pandemic in unforeseen ways.

In 2003, the importation of girls up to 21 years of age (Section 366–B IPC) was included as a separate data point. It was included within crime against women from 1994.

4.4 Rape: The first recognition (1971)

Rape is first mentioned in the CII–1958,³³ with 107 juveniles aged 7 to 21 being *apprehended* for ‘2. Rape and unnatural offences’ of the total of 107 juveniles recorded as being apprehended, three were girls and 104 were boys: two boys in the 7 to 12 age group, 47 boys and 2 girls in the age group 12 to 17, and 55 boys and 1 girl in the age group 17 to 21. Ironically,

It took until 1971 for rape against girls and women to be officially recognised and recorded, whereas rape by girls was documented as early as 1958 – reflecting a subconscious institutional bias rooted in the femmefatale stereotype.





data on ‘juvenile delinquency’ was collected only from that year, i.e., 1958. Curiously, rape is not presented under any of the 11 major heads of crime then or even a decade later.

Though rape (Section 376 IPC) was considered a criminal offence pre-1953, rape was recognised as a major crime with a specific mention and data only in CII-1971³⁴ – 24 years after independence and 18 years after the first *Crime In India* report was published. It is probably a coincidence that the report was published in September 1974 after the brutal custodial rape against the minor orphan tribal girl on 26 March 1972. The acquittal of the two drunk accused policemen – in June 1974 at the sessions court, and in September 1979 by the Supreme Court of India – galvanised civil society and eventually led to the amendment of the laws concerning rape in 1983.

As is the norm, it is likely that incidence of rape was being tracked and raised red flags a while earlier before being disclosed in CII-1971 as a recorded crime. Even in 1971, recorded incidence of rape was about one every 3.5 hours or about seven a day (in 2022, it is one every eight minutes, about 189 a day). It is mentioned in an inside paragraph of the narrative report (page 16, the third subhead, after *murder* and *culpable homicide not amounting to murder*) and not in the highlighted aggregates (table 2 on page 3 or table 3 on page 5, CII-1971). Those keen of eye may catch a mention in the pie chart *Crime Under Different Heads* on page 4 showing that rape was 0.03% of the recorded crimes of that year. Blink and you miss it.

Though the incidence of registered rape (2,487) is not mentioned in the tables, other tables mention related details. Under CII-1971 Section III *Persons arrested*, rape is point 4 in *table 14 Persons Arrested Under Important IPC Crime Heads During 1971 By Sex* (page 36) which reveals that a total of 2,726 persons (2,719 males, 7 females, 0.3% female) were arrested. Under the same section, *table 15 Number of persons Arrested by Sex during the year 1971* (page 37)³⁵ has the state and union territory-wise distribution, and *table 17 Number of Persons arrested per case under the IPC Crime and Offences under Local and Special Laws during 1967 to 1971* (page 41)

Gendered data on children apprehended for rape was tracked as early as 1958 but children as victims was recorded only since 2017.



reveals that data was not collected till 1971, and that the figure for 1971 is 1.21 persons arrested for each recorded rape. *Section VII Recidivism in table 37 Statement of Recidivism under Important heads of Crime During 1971* (page 67) notes that a total of 2,757 persons were arrested for rape in 1971 – 2,666 first time offenders, 85 first repeaters, five second repeaters, and one thrice or more.³⁶

CII–1971 provides data on the number of victims of rape disaggregated age–wise into three – below 16 years, 16 to 30 years, and above 30 years in *table 39 Statement showing the number of victims under different age groups for the Crime Head Rape in different states/UTs/cities during 1971* (page 68). Tamil Nadu was the only state, and Delhi the only union territory, where the recorded rape against girls below 16 is higher than recorded rape against women aged 16 to 30 in 1971. Of the 2,726 persons arrested for rape in 1971, seven (0.3%) were female.

CII–1971 disaggregated rape victims by age; Tamil Nadu and Delhi reported more cases for girls under 16 than women 16–30.

Likewise, out of the 16,018 murders, 1,498 of were due to sexual causes.

But ironically, custodial rape became a distinct offence only in 1983, with data included from 1994 after public outcry.

Additional data points provided on rape in CII–1971 are police disposal rate (73.9%), charge–sheeting rate (76.9%), compounding/ withdrawal rate (0.8%), completion rate of cases under trial during the year (32.1%), court disposal rate (32.9%), and conviction rate (39.1%). These data points are not exclusively for rape, but for 13 crimes under the IPC mentioned in different tables, of which rape is mentioned third, after murder and culpable homicide not amounting to murder.

Disaggregated murder motives show that of the 16,018 murders that year 1,498 were due to sexual causes.³⁷ The *number* of cases of rape charge–sheeted, disposed by the police, and the number of cases pending in court at the end of the year, are given from 1972, as also data on juveniles apprehended for rape (229).

Custodial rape was made a punishable offence with separate subsections 376(A), 376(B), 376(C), and 376(D) of the IPC only in 1983 as a consequence of the Supreme Court of India acquitting the custodial rapists of the minor orphan tribal girl. The data is available only from CII–1994, meaning it was added in the data collection formats only in 1993 and





published in April 1996, after the furore over the Rajasthan gang rape of 1992. Rape was a crime even earlier, at least since 1958 since juveniles were apprehended for it. Only the additional facets of custodial rape are recognised and included in 1994, with the onus of proof being shifted from the accuser to the accused – meaning that in cases where custodial rape is alleged, the custodians (the government officers) should prove that the accusations are false. Action could be taken against custodial rape even before 1994.

It took till 1992 for the rape against women from the scheduled communities to be tracked separately – well after rape was used as a weapon in caste-based hate-crime – three years after the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted, 21 years after rape was recognised as a major crime, and 45 years after independence. Disaggregated data for inter-community crimes against the scheduled castes and the scheduled tribes have been recorded post-1992.

The data for attempt to commit rape (Section 376/511 IPC), assault on women with intent to outrage her modesty (Section 354 IPC), and insult to the modesty of women (Section 509 IPC) are available from 2014. Attempt to commit rape is tracked only from 2014, despite the patriarchal³⁸ state tracking attempt to commit murder since 1988 – a gender tracking gap of 26 years.

Desegregated data on police disposal of rape cases – how the police dealt with rapes in police custody: how many were disposed as mistake of fact, true but no clue, charge-sheeted etc. – was disclosed only up to 2015 but not since then.

The following data points on police disposal have been condensed into just one since 2016.

1 Rape

1.1 Custodial Rape

1.1.1 Custodial Gang Rape

1.1.2 Custodial Other Rape

1.2 Rape other than Custodial

1.2.1 Rape Gang Rape

1.2.2 Rape Others

Since 2017, the rape against girls was recorded separately

Disaggregated data on police disposal of cases of rapes in police custody – how many were mistake of fact, true but no clue, charge-sheeted etc. – has been withheld since 2016. This not only results in a loss of data for accountability, but loss in transparency as to the impartiality of the internal investigations into crime by uniformed personnel.



under the Protection of Children from Sexual Offences Act, 2012 (POCSO) r/w Section 376 IPC. In 2017, the data for rape (Section 376 IPC), was disaggregated section-wise into 28 data points (including subtotals and total) and consolidated into table 3A.11. In the coming years, they will give a better picture of the patterns and trends so that more effective preventive and curative action can be taken.

The 'progress', such as it is, is closely entwined with several horrific personal tragedies exacerbated by a complicit state machinery steeped in caste supremacy, misogyny, and a wilful disregard for judicial principles and constitutional values.

4.5 Women, finally! (1992)

'Crime Against Women' as a separate chapter makes its first appearance in Chapter 6, CII-1992 which was published in May 1994. The new chapter was added '*to cope with the continuous demand for data on the burning issue of 'Crime Against Women'*'.³⁹ Data on crimes against women from 1989 were collected and presented with the caution that *Since the data has been compiled from monthly crime statements, they are to be treated as provisional. As the data do not distinguish true or false cases, they are not comparable with annual crime figures.*⁴⁰

The new chapter, the continuous demand, and burning issue, are probably unrelated to the fact that India ratified the Convention on the Elimination of all forms of Discrimination Against Women, CEDAW, on 9 July 1993. However, rape was still presented in a separate chapter 7 and merged with the chapter on crime against women only in CII-1994.

Data on Dowry Murder (Sections 302, 304B IPC), Molestation (Section 354 IPC), and Sexual harassment (Section 509 IPC), were added with data from 1989 (chapter 7, CII-1993).⁴¹ Sexual harassment was quaintly referred to as 'eve teasing' in 1992 and 1993 in the summary but up to 1997 in the text, and still later in parenthesis as explanatory text (it would pop up in cybercrime recording in 2002 as well). The term 'eve teasing' accurately reflects the still prevalent flippant social attitude towards sexual harassment. Even when a teenage student was literally harassed to death by nine men

Crime In India has a separate chapter on 'Crime Against Women' only since 1992.





in broad daylight in Chennai in 1998, the excuse (even by their female family members and other women) was that the boys were ‘only playing’ – blissfully unable to process that *‘the boys throw stones in jest, the victims die in earnest’*. The crime led to the Tamil Nadu Prohibition of Eve–Teasing Act, 1998, which was renamed the Tamil Nadu Prohibition of Harassment of Woman Act, 1998 in 2002.

The crimes were broadly classified under two categories – the crimes identified under the Indian Penal Code, 1860 (IPC) and those under Special Local Laws, SLL (earlier special laws, SL and Local and Special Laws, L&SL).

The crimes identified under the SLLs are *‘reprehensible social practices ... identified as offences punishable under the following special social enactments to safeguard women and their interests’*. The laws falling under this category, for which data are collected and made available, are:

- (a) Commission of Sati (Prevention) Act, 1987.
- (b) Dowry Prohibition Act, 1961.
- (c) Immoral Traffic (Prevention) Act, 1978.
- (d) Indecent Representation of Women (Prohibition) Act, 1986.

The crimes identified under the IPC, and for which data are collected and made available, are:

- (a) Rape (Section 376 IPC).
- (b) Kidnapping & Abduction for different purposes (Section 363–373 IPC).
- (c) Homicide for Dowry, Dowry Murder or their attempts (Section 302/304–B IPC).
- (d) Torture, both mental and physical (Section 498A IPC).
- (e) Molestation (Section 354 IPC).
- (f) Sexual harassment (Section 509 IPC), (in 1992 and 1993: ‘eve teasing’).
- (g) Importation of girls up to 21 years of age (Section 366B IPC).

By 1996, 17 Acts were identified as SLLs specifically for the protection of women. Though identified as laws affecting women significantly and as special social enactments to safeguard women and their interests, data on the following are not included in the chapter on crimes against women.



- (a) The Employees State Insurance Act, 1948.
- (b) The Plantation Labour Act, 1951.
- (c) The Family Courts Act, 1954.
- (d) The Special Marriage Act, 1954.
- (e) The Hindu Marriage Act, 1955.
- (f) The Hindu Succession Act, 1956.
- (g) The Maternity Benefit Act, 1961 (Amended in 1995).
- (h) The Medical Termination of Pregnancy Act, 1971.
- (i) The Contract Labour (Regulation and Abolition) Act, 1976.
- (j) The Equal Remuneration Act, 1976.
- (k) The Criminal Law (Amendment) Act, 1983.
- (l) The Factories (Amendment) Act, 1986.

Since 1996, the data on the Child Marriage Restraint (Amendment) Act, 1979 has been moved out of this list to the chapter on crimes against children.

Though there was a law to prohibit dowry since 1961, data is published only since 1988 - after 27 years.

4.6 Cruelty and dowry murder (1992)

Though the Dowry Prohibition Act has been in the statute books since 1961, data is published only since 1992 with data from 1989. Only after the horrific dowry murders became too many and too ghastly to ignore did the state make the necessary changes in the penal code and related legislation to enable enforcement. Section 304B was inserted in the IPC in 1986 to deal with dowry murder. Section 113B was added to the Indian Evidence Act providing for presumption as to dowry murder if a woman dies within seven years of marriage. Finally, the state set out to measure it in 1989 – 28 years after the Act and three years after the IPC and IEA were amended.

Following from ‘no measure no treasure’ this is an indicator that, for 28 years, the law was just to assuage the conscience of the liberals rather than an intent of the state, reflecting the embedded bias in the composition of the state machinery rather than the aspirations of society.

4.7 Proximity of the rapist (1999)

The proximity of the rapist to the victim and incest were tabulated separately from 1999 (Chapter 5, CII–1999). Of the total 15,468 recorded rape cases, 402 (2.6%) were incest,





12,998 (84.0%) were by known persons (probably overwhelmingly male, but not disclosed), and neighbours were involved in 30.1% – convincingly dispelling the myth of the home being a safe space for women and girls.⁴²

In CII–2022, this data is in *table 3A.4 Offenders Relation to Victims of Rape (Section 376 IPC)–2022*.

4.8 Cybercrime (2002)

Starting with the statement that *cybercrimes are new to India that is expanding rapidly on use of internet spreads in 2002, to cybercrimes are a new class of crimes rapidly increasing due to extensive use of Internet and I.T. enabled services. Considering the increasing trends of the crimes the Bureau has collected comprehensive data on cybercrimes in 2014 using revised proforma of ‘Crime in India’, NCRB has been a little ahead of the curve in recognising the importance of the threat potential and collecting statistics on cybercrime compared to the skills of their colleagues in enforcement.*

Cybercrimes were recorded separately in a dedicated chapter 18 from 2002, after the Information Technology Act, 2000, coincidentally the 50th year of publication and later incorporates the amendments of 2008. The statistical information on cybercrime was initially collected under the following heads:

- i) Offences registered under the Information Technology Act, 2000.
- ii) Offences under the IPC (with use of Computers).

It is to the credit of NCRB that gendered data is available right at the outset but regrettable that outmoded terms discarded by the NCRB in 1997 itself are used in 2002. There is no gendered recording of incidence under IPC. Under the IT Act, *Obscene Publication / Transmission In Electronic Form Sec. 67 (CII–2002 table 18)* could possibly have some data but it is not clear since it is neither disaggregated nor clarified that it is of women. However, the narrative in chapter 18⁴³ mentions *‘Eve-teasing and Harassment (11 cases) accounted for around 3 per cent’* and table 18.18 *Cases Registered Under Cyber*

As of CII–2022, only the crime head Cyber Stalking/Bullying of Women/Children is tracked through the entire process of recording, the police investigation, trial, persons arrested, and persons convicted.



*Crimes By Motives and Suspects During 2002 (States & Uts)*⁴⁴ notes that they are from Andhra (2), Maharashtra (5), Punjab (2), Chandigarh (1), and Delhi (1).

The data for cybercrime plays a mean game of peekaboo. From 2002 to 2013 it is in table 18.8, and records cyber harassment of women. From 2014 to 2016 it is in table 18.7 and records cyber insult of women. There is a field sexual exploitation from 2014 to 2016, but it is not gendered. Since it is unclear whether the crime head is exclusively about women and girls, it is omitted from the analysis. From 2017, cybercrime has its own chapter with six data points, excluding the serial numbers, names of states/UTs, and the total. From CII–2018, there is a separate table with cybercrimes against women both in chapter 3 on crimes against women and in chapter 9 on cybercrimes.

NCRB data reveals that women disproportionately account for fire accident deaths. CII–2010 reported 66.6% female fatalities in fire accidents, rising to 65.7% in 2013, possibly indicating the prevalence of 'stove-burst' dowry deaths.

In CII–2022, data on cybercrime against women is in table 3A.2 (ii) *SLL Crimes against Women (Crime Head-wise & State/UT-wise)* column 126 to 134, and a little more elaborately in table 9A.10 *Cyber Crimes against Women*. Table 9A.10 has seven state-wise data points – (i) Cyber Blackmailing/ Threatening, (ii) Cyber Pornography/ Hosting/ Publishing Obscene Sexual Materials, (iii) Cyber Stalking/ Cyber Bullying of Women, (iv) Defamation/ Morphing, (v) Fake Profile, (vi) Other Crimes Against Women, and (vii) Total Cyber Crimes Against Women. They cover the Indian Penal Code 1860, the Information Technology Act 2000, the Indecent Representation of Women (Prohibition) Act, 1986 and other special local laws.

As of CII–2022, *Cyber Stalking/Bullying of Women/Children* is the only crime head being comprehensively tracked throughout the entire legal process – from police reporting and investigation to trial, arrests, and convictions. According to table 9A.4 *Disposal of Cyber Crime Cases, Crime Head-wise*, 77% of cases in this category result in charge sheets, with 841 cases charge-sheeted in total. However, 241 of these cases are marked as 'true but no clue', indicating that despite confirming the offense, no suspect could be identified during the investigation.





In terms of judicial proceedings, table 9A.6 *Court Disposal of Cyber Crime Cases, Crime Head-wise* shows that the conviction rate for these cases stands at 23.6%. Table 9A.8 *Disposal of Persons Arrested for Cyber Crime Cases* reveals that out of those arrested, 19 individuals were convicted, while 68 were acquitted. These statistics underscore the ongoing challenges and efforts involved in addressing cybercrimes against women and children, from the initial stages of police investigation to the final court verdicts.

4.9 Gendered accidents (2010)

As mentioned earlier, NCRB does seem to have more granular, gendered data on dowry murders. In an unwitting nod to dowry murders, CII–2010 observes that *males out-numbered females in all kinds of accidental casualties due to unnatural causes at the national level except 'Fire Accidents' (where 66.6% of those killed were females as compared to 33.4% males)⁴⁵ and 65.7% to 34.3% males in 2013.⁴⁶* This data could directly link to the infamous 'stove–burst' dowry murders.

4.10 Monitoring the run-up (2013)

Grave crimes are the culmination of a series of escalations made possible within an enabling social ecosystem. The initial transgressions are always below the formal radar and frequently below the threshold of being 'taken seriously'. The lower the threshold, the greater the chances of early pattern detection, though it could mean an exponentially additional amount of data to be analysed. With the computing power available, that is no longer a barrier.

It took the Nirbhaya gang rape in New Delhi in December 2012, the subsequent citizens' protests, and the consequent Justice J S Verma commission to reappraise violence against women. That resulted in the Criminal Law (Amendment) Act, 2013 and, finally, the addition of assault on women with intent to outrage modesty and insult to the modesty of women to the tracked crimes in CII–2013.

Preventing heinous crimes like Nirbhaya requires addressing the lesser variants that lead to them – harassment, stalking, voyeurism, and similar acts. By tracking and acting on these smaller offences, and encouraging women to report them, such crimes can be prevented.



CII - 2014 collected data on attempt to commit rape (Section 376/511 IPC) and abetment of suicide of women (Section 306 IPC) for the first time, probably due to the Nirbhaya tailwinds.

This shifted the tacit premise of rape as a standalone event to an explicit recognition that it is a culmination of a process, the stages of which could be identified, and the vulnerabilities tracked and rectified. An individual perpetrator or victim need not (and in most cases will not) go through all the stages – but the community will. Though the stages are seldom sequential nor in a neat timeline, the broad pattern can be drawn out for prevention, even if the subaltern patterns that led to the ‘sudden explosion’ was not initially recognised. Studying the patterns is an important input for prevention – an additional reason to avoid capital punishment. Keeping the perpetrator alive, if only to study the internal workings of the mind in the progression to criminality, the opportunity, and the framework for self-justification, is essential to prevent others from travelling the same path and to craft the best paths for correction, rehabilitation, and healing.

The progression from the threshold of social tolerance to a formally recognised ‘insult’ (some of which are everyday harassment) to the various stages of assault (which includes voyeurism, stalking, attempt to acid attack, acid attack, and use of criminal force with intent to disrobe), to attempt to commit rape, and finally rape was defined and tracked due to the seismic shock to the system by the Nirbhaya case. Women who had been stalked are significantly more likely to experience physical violence or sexual assault by the same perpetrator ([Stalking in America: Findings from the National Violence Against Women Survey, 1998](#)). These data points are advance warning of the rising tide of violence in the society as a whole, not just against women and girls. Recognition of the violence as crimes provides an opportunity for women to formally complain and record the newly recognised crimes against them. If the signals are recognised and the warnings heeded, they provide some lead time for de-escalation and preventive action.

4.11 Monitoring casual cruelty (2014)

Attempt to commit rape and stalking were added to the list of tracked crimes in CII–2014. Most offences under the Sexual Harassment of Women at Workplace (Prevention, Prohibition





and Redressal) Act, 2013 were added into insult to the modesty of women u/s 509 of the IPC in 2014 as well, with both the Act and the monitoring probably being fast-tracked due to the Nirbhaya tailwinds.

In CII–2013, the chapter and data on ‘Crime against women’ had data on the cases of rape, assault on women with intent to outrage her modesty, insult to the modesty of women, importation of girls from foreign country, cruelty by husband or his relatives, kidnapping and abduction of women, the Dowry Prohibition Act, 1961, the Immoral Traffic (Prevention) Act 1978, the Indecent Representation Of Women (Prohibition) Act, 1986, the Commission of Sati Prevention Act, 1987 and the Commission of Sati Prevention Act 1987.

CII–2014 includes abetment of suicides of women, dowry murders, and the Protection of Women from Domestic Violence Act, 2005.⁴⁷ Data on attempt to commit rape (Section 376/511 IPC) and abetment of suicide of women (Section 306 IPC) were collected for the first time. Some of the existing data points were further disaggregated and included in the chapter on crime against women: kidnapping and abduction of women (Section 363, 364, 364A, 366 IPC: *Kidnapping and abduction Section 363 IPC, to murder, or ransom, of women to compel her for marriage, and for other purposes*), assault on woman with intent to outrage her modesty (Section 354 IPC: *Sexual harassment u/s 354A IPC, assault on woman with intent to outrage her modesty Section 354C IPC, Voyeurism Section 354C IPC, and Others*), and insult to the modesty of women (Section 509 IPC).

Assault on woman with intent to outrage her modesty (Section 354 IPC) for the first time collected data on *Sexual harassment (Section 354A IPC), Assault on woman with intent to outrage her modesty (Section 354C IPC), Voyeurism (Section 354C IPC) and Others*. Insult to the modesty of women (Section 509 IPC) included *insult at office premises, at places related to work, in public transport, in other places* which were collected for the first time in CII–2014.⁴⁸ When data on sexual harassment *at office premises, at places related to work, in*

CII reports have evolved to enhance clarity and relevance. Key updates include adding police casualty data in 1954, integrating IPC sections in 2006, and refining data from 2014–2016. Notable changes include finetuning Immoral Traffic (Prevention) Act, 1978 to present only women related figures



public transport, in other places was first published in CII–2017, it was reclassified as assault and recorded under the more stringent Section 354 IPC.⁴⁹

4.12 Data in transition – and deletion (2014–16)

There have been regular, incremental improvements and experimentation in presentation to make the *Crime In India* reports more user friendly. Over time, some data points have been removed due to decriminalisation, eradication, low recorded numbers, duplication, or otherwise. Just one year after inception, CII–1954 included additional statistics of persons involved in the recorded cases and casualties suffered by the police in the performance of their duties. Sections of the IPC were included in reporting from 2006 making it easier for those not in law enforcement nor legally trained to correlate the crime with the legislation.

The reports from 2014 to 2016 saw several additions, deletions, and reorganisation of the data and data points. In CII–2014, data on Immoral Traffic (Prevention) Act, 1978 was finetuned to present only women related figures.

CII–2015 disaggregated the data on rape, which hitherto included both women and girls, and presented them separately. From 2015, the chapter on crime against women contains only the data on rape related to women. The data on child rapes registered u/s 4 and 6 of the POCSO Act, 2012 was henceforth published separately in the chapter on crimes against children.⁵⁰

The Commission of Sati (Prevention) Act, 1987 was covered for the last time in CII–2015. It was dropped from CII–2016 and has not been published since.

In CII–2016 there was a brief reversal in the trend of increasing data points. The data on *Custodial Rape (Section 376C IPC) Gang rape* and *Custodial Rape (Section 376C IPC): Other rape* were published as separate data points in 2014 and 2015. In 2016 they were combined into one data point: *Custodial Rape*(Section 376C IPC)*. The asterisk (*) explaining the data states that it **May Include Rapes in Police*





Station/Jail/Hospital under whom Victims were in Custody. From 2017, the data on recorded rape was reorganised, expanded, and reinstated but only for the recording i.e., only up to the FIR stage.

In a significant omission, disaggregated data on police disposal of cases of rapes in police custody – how many were mistake of fact, true but no clue, charge-sheeted etc. – has been withheld since 2016 and has not been disclosed up to CII–2022, the latest year of publication. Seven data points on police disposal have been condensed into just one consolidated data point ‘rape’ since 2016. This not only results in a loss of data for accountability, but loss in transparency as to the impartiality of the internal investigations into crime by uniformed personnel. This, in turn, adversely impacts the credibility of the investigations and on the administration of justice system itself.

01	Total Final Report (FR) Cases	= True but lack of sufficient Evidence + False + Mistake of Fact or of Law + Non-cognizable
02	Total Cases Disposed by Police	= Cases Transferred to other PS + Cases not investigated u/s 157 CrPC + Total Final Reports (FR) + Cases Charge-sheeted
03	Charge-sheeting Rate	= (Cases Charge-sheeted/Cases disposed by Police)*100
04	Cases Pending Investigation at the end of the year	= Total Cases for Investigation – Cases Disposed by Police
05	Cases Pendency Rate	= (Cases Pending Investigation at the end of year ÷ total Cases for Investigation during the year)*100
06	Cases Disposed by Courts	= (Cases Pending Trial ÷ Total Cases for Trial)*100
07	Cases Pending Trial Percentage	= Cases withdrawn by Govt. + Cases Disposed by Plea bargaining + Cases Compounded + Cases Convicted + Cases Acquitted / Discharged

Due to the express direction of the Supreme Court of India, CII–2016 for the first time published the data on ‘missing (and traced) persons and children’. Also in 2016, possibly due to the increasing urbanisation of India and recognising different rural–urban crime patterns, disaggregated data on 19 metro cities with population above two million (20 lakhs) was given



separately⁵¹ in 10 chapters with suffix B or D from the parent chapter. A summary of all tables was consolidated in table 1A (Director Ish Kumar, NCRB, Foreword, CII–2016) considerably increasing ease of use.

Methodologically, the major change in CII–2016 was the revision of formulas in calculating disposal of cases by the police and the courts.

4.13 The death of Sati (2015)

Data on Commission of Sati (Prevention) Act, 1987 was published from 1992⁵² to 2015, and has not been published since 2016. No explanation has been given for the omission. In 1992, the first year of publication itself, victory was declared: *In the entire country just one case (from Andhra Pradesh) was reported during 1992, indicating that this Act has brought about the desired reforms in the society.* Just a year later in 1993, victory was declared again *this Act has brought about the desired impact in the society* (CII–1993) though 5 cases were recorded during the year.⁵³

CII–1993 indicates that the data was tracked at least since 1989. Though there was an increase in the recorded cases initially, from 36 recorded cases in 1989 to 52 in 1990, the long-term trend has been to zero – 1991 (17), 1992 (1), 1993 (5), 1994 (2), 1995 (1), 1997 (1), 2005 (1), 2008 (1), and 2011 (1). No cases were registered under this Act since then. From 1989 to 2015, just 108 cases were recorded under this Act, 88 of them in the first two years. Cases were recorded under this Act for only 11 of the 27 years of tracking, and in 8 of 24 years of publication. Crimes under this Act (which includes glorification of Sati) was recorded from Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Haryana, Maharashtra, Pondicherry, Punjab, Rajasthan, Uttar Pradesh, and West Bengal.

Data disclosure, and probably consolidation at the union level as well, stopped in 2016 after five consecutive years of nil crimes recorded under the Act. Rajasthan, the most visible face of Sati, recorded only one case in 1989 – a fact noted by CII. It was Uttar Pradesh and Maharashtra (29 of 36 cases) in





1989 that recorded the most crimes under this Act that year. In 1991, Haryana (9) followed by West Bengal (6) recorded the most cases. The last recorded cases were in Chhattisgarh in 2008 and Jammu and Kashmir in 2011.⁵⁴

4.14 Acid attacks (2016)

Acid attack, one of the most toxic expressions of male entitlement and inability to comprehend female rejection, is so normalised in Indian society that the Indian state did not take it seriously even when former prime minister Deva Gowda's nephew H D Lokesh threw acid on his (Deva Gowda's) wife and daughter-in-law on 21 February 2001. Though Additional Sessions Judge of Hassan A C Pujar sentenced Lokesh to eight years imprisonment and imposed a fine of ₹11,500 on 30 September 2002, a division bench of the High Court of Karnataka comprising Justice K Sreedhar Rao and Justice C K Kumaraswamy, partly allowed Lokesh's plea for reducing the sentence to time already served on 23 February 2007 i.e., to about six years, a 25% reduction. Ironically, the high court confirmed the lower court's order on conviction but dismissed the state's appeal to enhance it.

Acid attacks were made a criminal offence (Section 326A IPC) in 2013 but was recorded only in 2016 after the historic judgement of Laxmi vs Union of India, 2014.

Acid attacks were made a specific criminal offence (Section 326A IPC) in February 2013 with a penalty of imprisonment for a minimum of 10 years and a maximum of life. It took three years for it to be included in crime tracking— and even then, only after the historic judgement by Justice Madan B Lokur and Uday Umesh Lalit (*Laxmi vs Union of India* 2014 SCC 2 427, 10 April 2015) and after civil society groups such as the Acid Survivors Foundation India (ASFI) and the international Stop Acid Attacks campaign exposed the hollowness of official figures.

Acid attack and attempt to acid attack were added as a single data point in 2016. In 2017, they were disaggregated into two data points: acid attack as one and attempt to acid attack as the other. Both come under *assault on women with intent to outrage her modesty (sec.354 IPC)*.



4.15 The final location (2016)

After rearrangement, the separate chapter on crimes against women finally found its home in chapter 3 in CII–2016 bringing together the data to make the consequences of patriarchy (toxic masculinity and misogyny) more visible.

In the same year, NCRB initiated gender disaggregated coverage of crimes against weaker sections (the scheduled castes and the scheduled tribes). Chapter 7 was subdivided into four: Chapter 7A Crimes against the scheduled castes (States/Union Territories), Chapter 7B Crimes against the scheduled castes (Metropolitan cities), Chapter 7C Crimes against the scheduled tribes (states/UTs), and Chapter 7D Crimes against the scheduled tribes (Metropolitan cities). Gendered data is available in all these chapters.

4.16 Violence against girls (2017)

Despite recording rape *by* girls as early as 1958 (2 girls in the age group 12 to 17, and one in the age group 17 to 21), disaggregated recording of the child *victims* of rape took till 2017 – five years after the POCSO Act was passed. In 2017, violence against women and girls – rape (Section 376 IPC), attempt to commit rape (Section 376/511 IPC), assault on women with intent to outrage her modesty (Section 354 IPC), and insult to the modesty of women (Section 509 IPC) – was disaggregated to a) Women (18 years and above) b) Girls (below 18 years). Data on the under 18 recording was shifted to the chapter on crime against children, with just a mention in the data regarding women.

4.17 Enriching the recording (2017)

The last major reorganisation and disaggregation of data (as of CII–2022), including women– and girls–specific statistics, was in 2017. The overhaul was so extensive that CII–2017 could be published only in October 2019 (after 22 months) just three months before the 2018 report was published in December 2019 (after 12 months). Such delays were last seen in CII–1988 published in December 1990 (after 24 months) – 39 years earlier, long before computerisation, CCTNS,⁵⁵ and NATGRID.⁵⁶

CII–1953 called the overall conviction rate as 'not bad but improvable', citing 20% for house-breaking as 'very satisfactory' and 25% for robbery as 'not satisfactory'. Later editions dropped these performance benchmarks.





New data points were added, and some reorganised by shifting them to different chapters:

- a) Data for rape (Section 376 IPC), disaggregated section-wise into 28 data points (including subtotals and total) and consolidated into table 3A.11.
- b) Rape against girl children is included with the data spread across several sections of the POCSO Act.
- c) Disaggregated data of inter-community crime against women and girls from the scheduled communities.

4.18 The present picture (2022)

In CII–2022, data on crimes against women and girls are found in several chapters in hundreds of data points. The most comprehensive is chapter 3 with most of the data, including those drawn from other chapters.

Some summary data of crimes against women can be found in CII Chapter 1. Several of these data sets are not in CII Chapter 3, perhaps to avoid repetition, use less paper for the print version, and thereby save the planet.

CII Table 1.2 has summary data on 4 Dowry Murders, 12 Assault on Women with Intent to Outrage her Modesty (10 data sets), 13 Kidnapping and Abduction (3 data sets), 18 Rape, 19 Attempt to Commit Rape, 51 Cruelty by Husband or his Relatives, and 54 Insult to the Modesty of Women.

CII Table 1.3 has data on the four special local laws related to women: The Immoral Traffic (Prevention) Act 1956, the Dowry Prohibition Act 1961, the Indecent Representation of Women (Prohibition) Act 1986, and the Protection of Women from Domestic Violence Act 2005. One SLL is largely related to girls: 7 The Prohibition of Child Marriage Act, 2006 and another is mainly to check female foeticide: 8 The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

Disaggregated data on assault on women with intent to outrage her modesty (Section 354 IPC) is presented in CII Table 1A.4 state and UT-wise, and in 1B.4 city-wise from column 99 to 128. They include incidence, victim, and rate for each section-wise record: Assault on women with intent to

The gendered disaggregated data is available on the crime heads: disposal of cases by the police, disposal of cases by the courts, persons arrested age-wise and crime-wise, and crime against senior citizens, but not on witchcraft, honour killings and illicit relationship.



outrage her modesty (Total), Assault on women (Section 354 IPC), Sexual harassment, Assault on women with intent to outrage her modesty, Assault or use of criminal force on women with intent to disrobe (Section 354B IPC), Voyeurism (Section 354C IPC), and Stalking (Section 354D IPC). Sexual harassment is subdivided into Sexual harassment (Section 354A IPC) (Total), a) At work or office premises b) In public transport system c) In shelter homes for women and children, d) Other places. CII Chapter 3 does not have this level of detail.

The data on the recorded inter-community crimes (atrocities) against women and girls from the scheduled castes and the scheduled tribes is in CII Chapter 7. There is gendered data available on the disposal of cases by the police (II Chapter 17), disposal of cases by the courts (18), persons arrested age-wise and crime-wise (19), and crime against senior citizens (6). The reasons for murder are disaggregated (2A.2) and could give a clue as to whether the victim is most likely (though not exclusively) a woman: dowry, witchcraft, 'honour' killing,⁵⁷ and illicit relationship. Gendered data disaggregated age group-wise include those on victims of murder (2A.3), victims of kidnapping and abduction (2C.2), purpose of kidnapping and abduction (2C.2), and recovery of kidnapped and abducted persons (2C.5). In 2021 and 2022, gender metadata includes male, female, and transgender.

NCRB helpfully publishes recorded state and district-wise crime against women in 53 data points (54 if serial number is counted) as an electronic spreadsheet. The column number and the contents in CII-2022 are given for reference.

Column	Content
1	S. No
2	State/District
3	Murder with Rape/Gang Rape
4	Dowry Murders (Section 304B IPC)
5	Abetment to Suicide of Women (Section 305/306 IPC)
6	Miscarriage (Section 313 & 314 IPC)
7	Acid Attack (Section 326A IPC)
8	Attempt to Acid Attack (Section 326B IPC)
9	Cruelty by Husband or his relatives (Section 498A IPC)
	Kidnapping & Abduction of Women





Column	Content
10	Kidnapping & Abduction of Women (Total) (Col.11 to Col.14,Col.17 to Col.19 Col.25=Col. 28+Col.31+Col.34+Col.37+Col.40+Col.43+Col.52)
11	Kidnapping & Abduction (Section 336 IPC)
12	Kidnapping & Abduction in order to Murder (Section 364 IPC)
13	Kidnapping for Ransom (Section 364A IPC) Kidnapping & Abduction of Women to compel her for marriage (Section 366 IPC)
14	K&A of Women to compel her for marriage (Total) (Col.15+Col.16)
15	Women (Above 18 yrs)
16	Girls (Below 18 yrs)
17	Procuration of Minor Girls (Section 366A IPC)
18	Importation of Girls from Foreign Country (Section 366B IPC)
19	Kidnapping and Abduction of Women – Others (Secs.363A, 365, 367, 368, 369 IPC)
20	Human Trafficking (Section 370 & 370A IPC)
21	Selling of Minor Girls (Section 372 IPC)
22	Buying of Minor Girls (Section 373 IPC) Rape (Section 376 IPC)
23	Rape (Col.24+Col.25) Women (18 Yrs. And above)
25	Girls (Below 18 yrs) Attempt to Commit Rape (Section 376/511 IPC)
26	Attempt to Commit Rape (Col.27+Col.28)
27	Women (18 Yrs. And above)
28	Girls (Below 18 yrs) Assault on Women with Intent to Outrage her Modesty (Section 354 IPC)
29	Assault on Women with Intent to Outrage her Modesty (Col.30+Col.31)
30	Women (18 Yrs. And above)
31	Girls (Below 18 yrs) Insult to the Modesty of Women (Section 509 IPC)
32	Insult to the Modesty of Women (Col.33+Col.34)
33	Women (18 Yrs. And above)
34	Girls (Below 18 yrs)
35	Dowry Prohibition Act, 1961 Immoral Traffic (Prevention) Act 1956 (Women Victims cases only)
36	Immoral Traffic (Prevention) Act, 1956 (Total) (Col. 37 to Col.41)
37	Procuring, inducing Children for the sake of prostitution (Section 5)
38	Detaining a person in premises where prostitution is carried on (Section 6)
39	Prostitution in or in the vicinity of public places (Section 7)
40	Seducing or soliciting for purpose of prostitution (Section 8)
41	Other Sections under ITP Act
42	Protection of Women from Domestic Violence Act Cyber Crimes/Information Technology Act (Women Centric Crimes only)
43	Cyber Crimes/Information Technology Act (Women Centric Crimes only) (Col.44+Col.45)
44	Publishing or Transmitting of Sexually Explicit Material (Section 67A/67B (Girls) IT Act)



Column	Content
45	Other Women Centric Cyber Crimes (Ex. Blackmailing/ Defamation/Morphing/ Fake Profile)
	Protection of Children from Sexual Violence Act (Girl Child Victims only)
46	Protection of Children from Sexual Violence Act (Girl Child Victims only) (Total) (Col.47 to Col.52)
47	Child Rape (Section 4 & 6 of POCSO Act) / Section 376 IPC)
48	Sexual Assault of Children (Section 8 & 10 of POCSO Act) / Section 354 IPC)
49	Sexual Harassment (Section 12 of POCSO Act) / Section 509 IPC)
50	Use of Child for Pornography/Storing Child Pornography Material (Section 14 & 15 of POCSO Act)
51	POCSO Act (Sections 17 to 22) / Other offences of POCSO Act
52	POCSO Act r/w Section 377 IPC / Unnatural Offences
53	Indecent Representation of Women (Prohibition) Act, 1986
54	Total Crime against Women (IPC+SLL)

After the receipt of the complaint, the entire process – from if, when, and whether to register a first information report, to inquiry, inspection, investigation, trial, incarceration, and remission – is in the domain and discretion of officialdom. The police decide whether to register the first information report, FIR, and if so which section(s) of which Act(s) to invoke.

The data from charge–sheeting onwards is available only as a state–wise aggregate but not as state–wise, crime–wise disaggregate. Similarly, district–wise disaggregated data is available for women and children for rape (Section 376 IPC), attempt to commit rape (Section 376/511 IPC), assault on women with intent to outrage her modesty (Section 354 IPC), and insult to the modesty of women (Section 509 IPC). Disaggregated data available for the crimes against women and girls from the scheduled communities is limited to rape and assault on women with intent to outrage her modesty but is not available for attempt to commit rape or insult to the modesty of women.

These are not discrete, standalone data. They are the strands available to weave the tapestry to reveal the big picture, the patterns, and the trends in violence against women and girls. It requires data in two more dimensions – functioning of law enforcement and the judiciary – to construct a 360–degree view to inform decision making which are addressed in the next couple of sections.

4.19 Effective enforcement

Exclusive or even specific data points on enforcement, particularly for crimes against women, are sparse. One specific data point is the number of all women police stations. Indicators could be the number of women in the force at different levels, and the budget spend. Data points in common





with the other crimes are recording, investigating, and charge-sheeting. Though ‘common’ data points, they do provide gender specific insights. Recording itself is a decision of the police. Coupled with the sections of the IPC that the crime is recorded under, it provides insights to the sensitivity of the officials recording the crime.

The progress of the case from registering the first information report, FIR, through investigation and filing the case final report (charge-sheet if true and provable, else a closure report) is tracked right from the first Crime In India report of 1953. The penultimate section of the narrative *Result of Investigation* summaries the findings, and the details are provided in CII-1953 Annex IX *Statement of Cognisable Crime: Return of Cases*⁵⁸ which has the state and union territory (UT) wise data of the cases with the police and their disposal. There is data on the number of cases pending from the previous year, cases sent for trial in the current year, number of cases disposed, the number of convictions, and the conviction rate.

In CII-2022, the movement from recording through investigation to charge-sheeting is recorded from those pending from the previous year to the charge-sheeting rate and pendency percentage in 22 data points. The status of the final report is disclosed in nine data points, broadly under final report (six data points: cases ended as final report non-cognizable, false, mistake of fact or of law or civil dispute, cases true but insufficient evidence or untraced or no clue, cases abated during investigation, and total) and cases charge-sheeted (three data points: cases charge-sheeted out of cases from previous year, during the year, and total).

The final report excludes three data points from the ‘total cases for investigation’: cases not investigated u/s 157(1)(b) of the Code of Criminal Procedure 1973, CrPC, cases transferred to other state or agency, and cases withdrawn by the government during investigation. It excludes cases quashed at the investigation stage and cases stayed at the investigation stage.

The CII-2022 data on rape, tracks the progression of a case from recording to investigation and charge-sheeting, covering pending cases, charge-sheeting rates, and pendency percentages across 22 data points.



‘True but no clue’ is present in different tables under different titles right from 1983 stubbornly persisting at about 20% for all crime. It first makes its appearance in table 11 *Number of cases which could not be sent for trial for want of evidence* in 1983. By 1990 it moves to table 13 with the title *Final Report True Submitted*. From 2001 to 2013 it is in table 14 with the same title *Final Report True Submitted*. In 2014 and 2015, it can be found in CII table 5.5 *Disposal of Crime Committed Against Women Cases by Police Cases in Which Chargesheets were not laid but Final Report as True submitted*. In CII–2016 it is in 3A.5 *True but insufficient Evidence*. Since then, it is in 3A.5 as *Cases True But Insufficient Evidence or Untraced or No Clue*.

The ‘True but No Clue’ and ‘Disposed Without Trial’ are two data points of concern. The former reveals the investigative officers’ lack of capacity, while the latter exposes inefficiencies due to procedural lapses or insufficient evidence, both tied to investigative shortcomings.

The data point ‘*cases true but insufficient evidence or untraced or no clue*’, by whatever name called, is an important flag as to the skill requirement of the investigating officers and a capacity gap of law enforcement. It identifies a training need. In effect, charge–sheeting is only for cases that the investigating officer has found to be true *and* is confident can be proved beyond reasonable doubt in court. Even the ‘true but no clue’ cases are not charge–sheeted. Holding investigating and prosecuting officers accountable by triangulating these data points and conviction rates is eminently possible.

In ‘true but no clue’ the officer admits to his lack of capacity and expertise (a known unknown). ‘Disposed without trial’ is a data point recorded by the NCRB in the court disposal phase. ‘Disposed without trial’ is more pernicious than ‘true but no clue’ since it is an area that the experienced investigating officer mistakenly thinks they have expertise when they do not (an unknown unknown). ‘Disposed without trial’, is a scathing indictment of competence when it is due to procedural lapses or lack of evidence, but it could also be because of other reasons such as parties reaching a settlement after the charge–sheet is filed and before the trial commences. Though ‘parties reaching a settlement’ could be due to coercion – in which case it is a lapse by the investigating officer in not providing protection to the victim – the NCRB data does not yet reveal the reasons for disposal without trial. Therefore the ‘cases disposed without trial’ category is not included in our





analysis. ‘Cases disposed without trial’ is excluded by the NCRB from the calculation of the conviction rate as well, which is based solely on the number of convictions and the number of cases where the trial has been completed.

Even with the exclusion of ‘cases disposed without trial’ the available data does not quite paint a pretty picture. The proportion of ‘true but no clue’ cases has been steadily increasing overall from 8.13% (2017) to 9.37% (2022), and across all crimes against women with all-time highs in 2022. They are 15% of the murder-with-rape cases charge-sheeted in 2022. For rape it doubles from 3.52% (2017) to 7.25% (2022).

It beggars belief that rape in custody could ever come in this category of ‘true but no clue’ since the pool of suspects is so small (and verifiable), the window of opportunity is narrow, the location is specific, and the time is known. In 2002, there were three cases of rape in custody (table 1.3) of which two were found to be false, and the other was ‘true but no clue’ (table 4.1) so no charge-sheet was filed. CII-2006 reports that *2 cases of Custodial Rape were reported in the country. 1 case was declared false, 3 cases were charge-sheeted during the year and 1 such case remained under investigation. No judicial enquiry was ordered* (snapshots 2006). This is repeated in 2007 as well: *1 case of Custodial Rape was reported in the country. Charge-sheet was submitted in 1 case during the year and 1 such case remained under investigation. Out of the 7 cases for trial (including those pending trial from previous year), 1 case resulted in acquittal / discharge and the remaining 6 cases were pending trial at the end of the year* (snapshots 2007). Disaggregated police disposal of rape cases has been withheld since 2016, and CII-2022 does not have this information.

This self-confessed admission of incompetence (or cover-up) is incontrovertible, and disconcerting – not to mention loss of confidence in law enforcement by the citizens. It is unacceptable that the state, which claims a monopoly on violence and administration of justice, simply throws in the towel in such a large number of cases that are determined by itself to be true. Upgrading skills is a necessity and accountability is a non-negotiable.

Disaggregated data on police disposal of cases of rapes in police custody – how many were mistake of fact, true but no clue, charge-sheeted etc. – has been withheld since 2016. This not only results in a loss of data for accountability, but loss in transparency as to the impartiality of the internal investigations into crime by uniformed personnel.



4.20 Courts: Closing the circle

18. That the poor are more often than not at the receiving end in access to justice and access to the remedies available is evident from a fairly recent report prepared by the Supreme Court Legal Services Committee which acknowledges, through Project Sahyog, enormous delays in attending to cases of the poor and the needy.

Justice Madan B Lokur⁵⁹

Recording the process of the administration of justice at its different stages, provides another clue to the institutional mindset from the outset – initially by the intelligence bureau and then by the NCRB. That the NCRB includes this data at all is remarkable, since it is acknowledgement that these are all important stages and intrinsic components of a healing justice.

Right from inception, the Crime In India reports have included the conviction rates. Given the increasing number of pending cases, NCRB introduced more granular reporting. It discloses the number of cases being convicted from those charge-sheeted in the current year, and those from previous years. It has nine data points disaggregated by the period taken for a case to be disposed after charge-sheeting (duration of completion): less than a month, 1 to 3 months, 3 to 6 months, 6 to 12 months, 1 to 3 years, 3 to 5 years, 5 to 10 years, and more than 10 years (CII–2022 table 18A.5) and similar data for pending cases (CII–2022 tables 18A.7 and 18A.8). These data points are sufficient to know the average period by which witnesses can be intimidated and ensure that the trials are completed before the threshold is crossed.

The Supreme Court of India tried to tackle the issue of ‘completion of timely investigations and consequential trials in the offences under POCSO Act’ (suo moto Writ Petition (Criminal) No. 1/2019), with mixed results. It issued a direction on 25 July 2019 that each district of the country with more than 100 cases under the POCSO Act, an exclusive/designated special court will be set up which will try no other offence except those under the POCSO Act. A centrally sponsored scheme based on this direction was

Conviction data across nine time frames (CII–2022, Table 18A.5) reveals trial duration, while pending case data (Tables 18A.7, 18A.8) highlights delays. Understanding these timelines is key to preventing witness intimidation and ensuring timely justice.





launched on 2 October 2019 to set up ‘fast track special courts’ for the cases under the POCSO Act and all cases of rape in the eligible districts. It recommends that each ‘fast track special court’ court dispose 165 cases per annum.

Note that by the time the order of the Supreme Court of India became an implementable ‘centrally sponsored scheme’ it was already kneecapped. Instead of *‘try no other offense except those under the POCSO Act’* it became *‘... and all cases of rape’* – effectively doubling its workload and setting it up for failure. Though its orders were so blatantly in-your-face flouted, the supreme court supinely acquiesced.

Disaggregated data on the court disposal of cases for rape (total), rape against women: rape against girls, attempt to commit rape, assault (total), assault on women, assault on girls, and insult to the modesty of women are available only from 2017 onwards. The ‘cases disposed’ data is disaggregated into total, the scheduled castes, and the scheduled tribes, in an indication that the intersectional vulnerability of women and girls from the scheduled communities is recognised by the state mechanisms.

NCRB’s window dressing of the inconvenient data, as it went to as a government body, of the increasing number of pending cases and consequent cascading effect on waiting time is creative, simple, and deceptive. The ‘pendency percentage’ needs to be unpacked and demystified to understand the subterfuge. The pendency percentage is the percentage of pending cases to the sum of the cases sent to court in the particular year and those pending from the previous years. Though the number of pending cases is increasing year-on-year as the courts are simply not meeting the statutory requirement of timebound disposal of cases, in the formula used by the NCRB, the pendency rate will always be less than 100% or at most be 100% if no case is disposed in that year. This can be seen in the case for cyber crimes against women and girls in Arunachal, Manipur, Meghalaya, Mizoram, Ladakh, and Puducherry. It is also seen in the case of importation of girls from foreign country and buying of minor girls, where the number of pending cases increased in 2022 but the pendency percentage remains 100%.

Each Fast Track Special Court is expected to dispose at least 165 cases per annum - a case in just 1.6 working days, which could be spread out over the legally permissible time limit.



CII-1953 called the overall conviction rate as 'not bad but improvable', citing 20% for house-breaking as 'very satisfactory' and 25% for robbery as 'not satisfactory'. Later editions dropped these performance benchmarks.

However, the pendency percentage is a red herring. What is required for policy intervention is the *increase in pendency* – the increase in the number of pending cases year-on-year and the rate of increase – which is as different from the pendency rate as calculated by the NCRB as clear spring water is from sparkling methylated spirit – and just as easy to conflate by the ignorant. It is only when the right formula is used i.e., by comparing the number of cases pending at the start of the year to those pending at the end of the year that the *increase in pendency* becomes evident. Rather than the pendency rate, disclosing how many years it would take to dispose a charge-sheeted case at the present rate of disposal would be more useful.

The NCRB CII formula gives the erroneous impression that all is well with the courts, though they are all underwater by several times their annual disposal rate. Only the right formula (increase in pendency and/or years at the present rate of disposal) reveals the incontrovertible fact that the courts are going underwater and, at the existing rate, with the existing number of courts and officers, the time before a case is even taken up for hearing at the trial court will only increase from the present 120 months. The right formula makes it evident that more courts are necessary, not optional.

CII-1953 mentioned that the overall conviction rate was 'not bad [but] possible to improve', was 'very satisfactory' in the cases of house-breaking (20%), and 'not satisfactory' in the case of robbery (25%). Later editions omit this useful guidance on the acceptable performance.

In 2022, the court disposal of cases against women is tracked in 20 data points, starting from cases pending trial from the previous year to cases sent for trial during the year right up to cases disposed by courts, cases pending trial at end of the year, conviction, rate, and pendency percentage.



The India data

It shall be the duty of every citizen of India to develop the scientific temper, humanism and the spirit of inquiry and reform.



The Constitution of India, Article 51A(h)

5.1 More legislation and data points

In 2022, there were 445,256 recorded crimes against women (CAW) compared to the 10,233 recorded in 1971 when crime was first tracked with gendered data. The 43 times increase in recorded CAW far outstrips the population growth of 2.5 times during the same period. Only a part of the increase can be ascribed to better awareness of the law and better response by state mechanisms. They shine a harsh light on the fact that Indian men have become more insecure, suffer from an inferiority complex simultaneous with, or as a consequence of, society becoming more militarist and therefore more misogynist. Since not everyone can be in uniform and actually fight and win a war, machismo is promoted as a substitute. Fanning machismo always results in the imposter syndrome which leads to compensatory aggression to prove 'manhood'. The demonstration is always against the weakest – sometimes infants in arms.

Crime was recorded at the local level even during pre-independence. Crime In India brought together the data at the national level for the first time. As a new republic – our constitution was adopted on 26 January in 1950 – this was an ambitious endeavour. The volume *Crime In India 1953* was published within 12 months, in December 1954.

Though the first publication itself had data on crimes against women, it was not streamlined till 1992 when for the first time a chapter on *Crime Against Women* brought together the various gendered data. Till 1971, the only gendered data available on victims was the crime under the Suppression of Immoral Traffic in Women and Girls Act, 1956. The data on rape was disclosed publicly only in 1971. Since then, there has been growing understanding of the different forms of violence against women and girls in its various manifestations, and sometimes they are classified as crimes.

The data shines the light on implementation, revealing societal blind spots, the gaps in the functioning of state mechanisms, and institutional paralysis. The data, and the data gaps, reveal the stark social reality of non-implementation at the ground level.

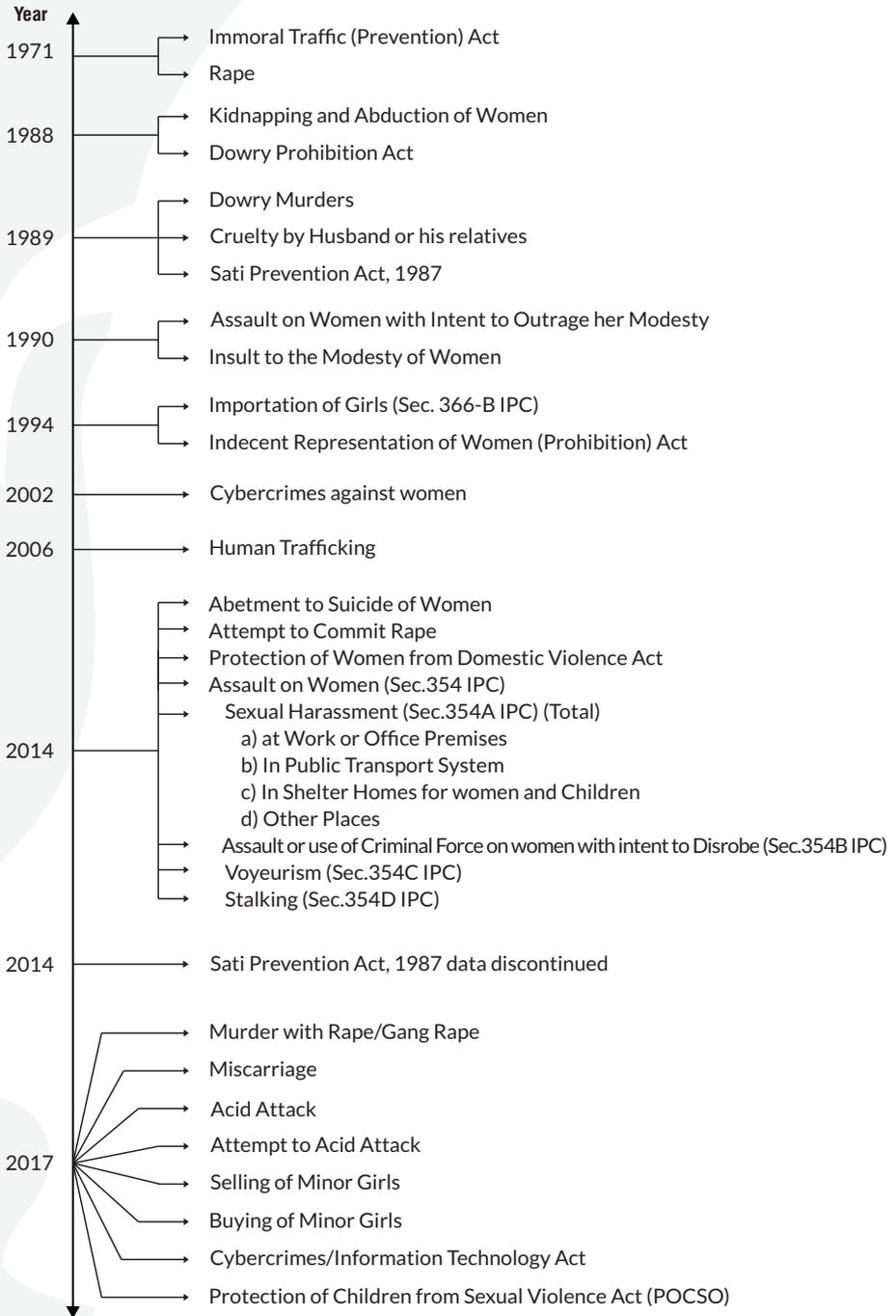


Figure 03 (Table 03): Crime against women and girls:
Data inclusion in Crime in India report, NCRB (1971 – 2022)



Over time, this recognition has led to several new legislations, special and local laws, and amendments to the existing legislation, so that the legal ecosystem could keep abreast of the developing knowledge base of society and ‘commonsense’ understanding. These include amendments to the Indian Penal Code 1860, the Indian Evidence Act 1872, and the Code of Criminal Procedure 1973, in addition to special and local laws such as the Commission of Sati (Prevention) Act, 1987, the POCSO Act, 2012 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013. Some of the understanding has found its way into the new BS laws.

The result of the better formal legal acknowledgement of the various forms of violence against women and girls is the widening scope of what is considered ‘violence’ and therefore, possibly, what is ‘unacceptable’. *Possibly*, because rape is sometimes considered violence but it is always acceptable within marriage. There is no discernible pattern in acceptability, since assault within marriage is a criminal offence. The acknowledgement and widening scope lead to an increase in the data points being tracked which, in turn, has resulted in an exponential increase in recorded crime against women, and in the crime rate.

The recorded data provides insights on the contemporary situation for posterity, some of it unintended. The hoary practice of fathers foisting cases on unwelcome suitors of their daughters is immortalised in the NCRB archives, predating the weaponisation of the POCSO Act, 2012. This gem is from Madhya Bharat which was later merged with present-day Madhya Pradesh.

In Madhya Bharat the increase in the figure of kidnappings and abductions was due to an old custom amongst the Adivasis by which girls were taken away for marriage, and where no compromise over the compensation to be paid was possible amongst the parties, the cases were reported to the police as abductions.

Kidnapping and abductions, CII–1955

In 2022, there were 445,256 recorded crimes against women compared to the 10,233 recorded in 1971 when crime was first tracked with gendered data. The 43x increase in recorded CAW far outstrips the population growth of 2.5x during the same period.



Recorded rape was 14% of all crimes against women in 1992, dropped to 10.2% in 2012, and increased sharply to 15.5% in 2022 (a 50% increase), despite several new crimes being recognised. This means that the police are simply refusing to record other crimes – both the ones recognised as crime earlier and the ones newly identified – ignoring it as 'boys will be boys' and therefore normalising such conduct.

Right from CII–1955, some patterns emerge from the recorded crime. Several crimes such as kidnapping and abduction for marriage, sati, and trafficking, are region specific, or are concentrated in specific regions. Kidnapping and abduction were initially recorded more in Assam, Tamil Nadu, West Bengal, Madhya Pradesh, Rajasthan, Delhi, and Manipur. Though known as specific crime prone areas since at least 1955, but for Tamil Nadu, Manipur, and Delhi, the rest remain toppers on the list in incidence and rate even in 2022, and the preventive action does not seem to have much effect if indeed any is being taken. The data has not yet informed decisions on prevention and certainly has not led to the social pipeline feeding the crime being dismantled nor the enabling ecosystem being repurposed.

5.2 Rape

5.2.1 Recorded crime

According to the data from the National Crime Records Bureau, the number of recorded rapes in India has been increasing steadily. In 1971, the first year in which data was collated nationally, 2,487 cases were recorded. By 1981 it was 5,409, doubled to 10,410 in 1991, with a decadal increase to 16,075 (2001), 24,206 (2011), and 31,677 (2021). In 2022, the latest year for which data is available, there are 31,516 recorded rapes of women in India.

India's population increased by 2.5 times or 251.80% from 547,949,809 in 1971 (Census of India, 1971) to 1,379,750,000 in 2022 (MoHFW estimates, 2020).⁶⁰ In contrast, recorded rape increased by almost 13 times, or 1273.70%. From 1992, the disaggregated numbers for women from the scheduled castes and the scheduled tribes is provided. The number of recorded cases of rape against women (excluding recorded inter–community rape) has been steadily increasing over the years. In 1992, there were 9,929 cases recorded, and in 2022 this number rose to 25,928. This represents an increase of 161.13% over the 31–year period. The recorded increase varies by community.





As awful as the recorded data is, even recorded rape is not accurately or comprehensively presented in the *Crime In India* report by the NCRB. The data in CII–2022 tables 3A.2(I) and 3.A.2(ii) *IPC Crimes against women (Crime head–wise & state / UT–wise)– 2022 Rape (Section 376 IPC)* reveals the total incidence of rape recorded under Section 376 of the IPC for both women and girls. They are presented together in table 4 for clarity.

Both CII–table 3A.2(I) and CII–table 3A.2(ii) have data on the recorded rape as a crime u/s 376 of the IPC. Yet, table, 3A.2(i) records only 1,004 instances of rape against minor girls whereas the next table 3A.2(ii) (Girl child rape, POCSO sections 4&6 r/w 376 IPC), records 37,511 instances of rape against minor girls – more than all the recorded rapes – more than doubling the number of rape against women and girls in the country from 31,516 to 69,027. Even assuming 1,004 cases to be double counted, it will still be 215% more – more than double what table 3A.2(i) indicates. This total of 69,027 translates to one incident of recorded rape every eight minutes in India, rather than one every seventeen minutes as is commonly believed.

From 2016, rape against children was recorded under POCSO in the chapter on crimes against children and (gradually?) removed from the crimes against women. *Table 5: Recorded rape (Section 376 IPC): Women, girls, and POCSO (2014 to 2022)* has the data from CII tables 3A.2(i) (columns 2,3, and 4) and table 3A.2(ii) POCSO 4&6, girls (column 5). Column 6 is the sum of column 2 Total and column 5 POCSO. The figures in table 5 for ‘b) children’ are for girls. The ‘actual total’ (column 6) disregards the numbers for children (column 4), though it is likely that at least from 2017 some of the crimes against children were not recorded under POCSO.

The data shows that some crimes are still being recorded only under the general law (Section 376 IPC), and not under both the general and the special law (POCSO) as required even seven years since the transition. It is a reflection on the competence, comprehension, and literacy of the police station level officials.

In 2021 and 2022, there are more recorded rapes of girls below 18 than of adult women.

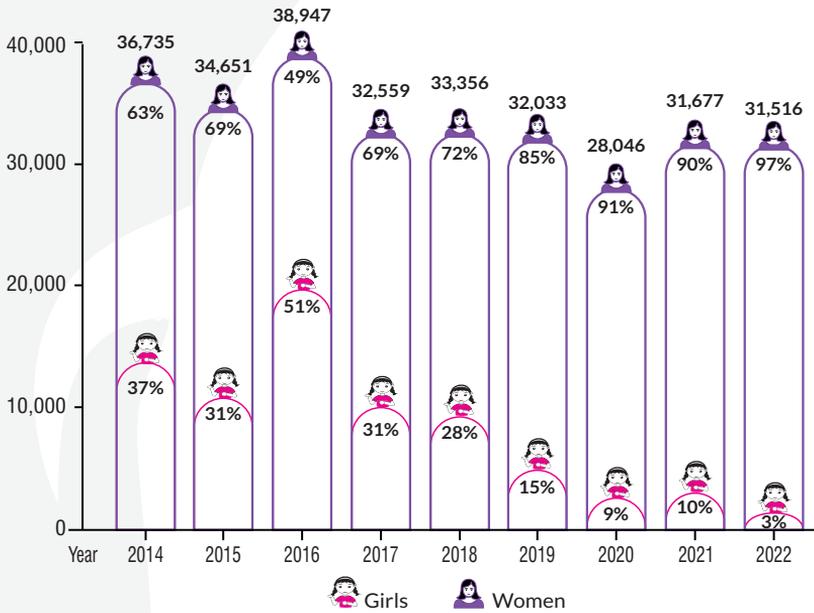


Figure 04 (Table 05): Recorded rape: Women & girls (2014 - 2022)
CII table 3A.2(I) (376 IPC)

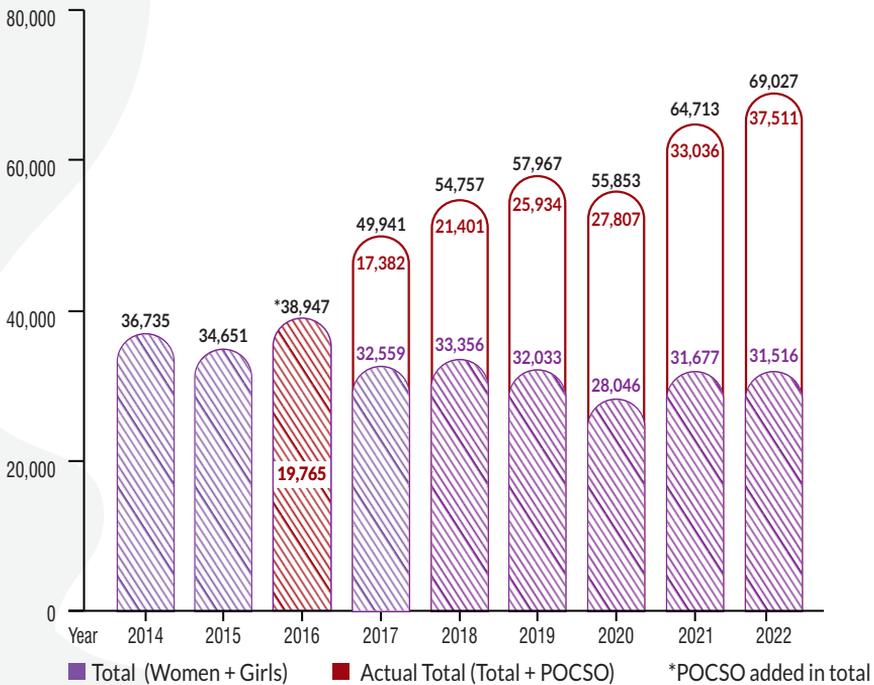


Figure 05 (Table 05): Recorded rape 2014 - 2022:
CII tables 3A.2(I) and 3A.2(ii) POCSCO 4&6, girls (376 IPC)



So, what is the total number of recorded rapes? While the first 'total' erroneously gives the impression that the number of recorded rapes went down drastically in 2017, the reality is that the recorded numbers are going up steadily and has almost doubled in the nine years from 2014 to 2022. The records show that the number of rapes of minor girls (Section 376 IPC r/w POCSO) has exceeded that of adult women (Section 376 IPC) in both 2021 and 2022 – a reversal of the global patterns and the previous Indian data.

5.2.2 Suppression and trivialisation

Once recording of rape started in 1971, it more than doubled from 2,487 to 5,409 in 1981, and again to 10,410 in 1991 to 24,206 in 2011 and 69,027 in 2022. However, recorded attempt to commit rape (AtR, available from 2014) to recorded rape remained stubbornly low at 0.1% from 2014 to 2018 before falling sharply to an implausible 0.05% in 2022. These figures imply that 99.9% of attempts to commit rape are successful (which would strain credulity). Alternatively, they would suggest that Indian men possess an implausibly high level of 'expertise' in committing rape without failure (which, hopefully, should strain credulity).

It is highly unlikely that sexual violence against women in India occurs in a binary of either successful rapes or no incidents at all—yet the official data seems to reflect such a pattern. If a woman is attacked but resists, escapes, or is rescued, such cases should logically be classified as either attempted rape or molestation. It is likely that many reported attempt to commit rapes are either not recorded, recorded under lesser offences, or even dismissed outright. The low recorded crime under these categories strongly suggests widespread systemic under-recording either through suppression or trivialisation.

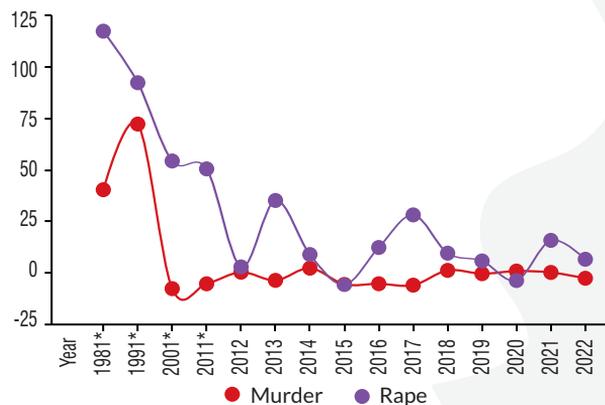


Figure 06 (Table 06): Murder and rape: Year-on-year increase % (1971 to 2022)



In contrast, the ratio of attempt to commit murder (AtM) to recorded murders presents a far more realistic pattern. This ratio has steadily risen from 0.76 to 2, meaning that for every recorded murder, two attempted murders are documented. This is a more reasonable reflection of reality, as not all homicide attempts are successful—some victims survive, and some attacks fail. In any functioning crime-recording system, failed attempts should be reflected in official data. The increasing AtM-to-murder ratio aligns with a more tempered and proportionate change in recorded murder cases, unlike the erratic and highly suspect recorded trends in rape, attempt to commit rape (AtR), Assault on Women with Intent to Outrage her Modesty (assault) and Insult to the Modesty of Women (insult).

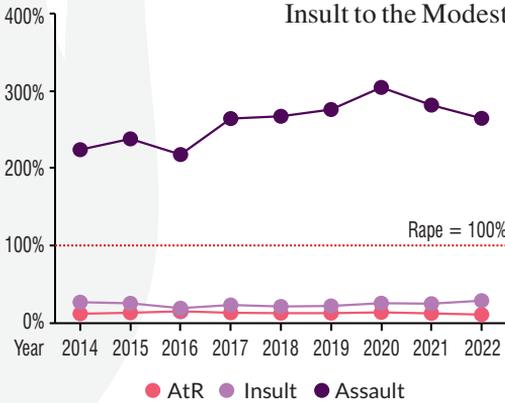


Figure 07 (Table 07): Crime against women & girls: Ratios compared to recorded rape (2014 - 2022)

The stark difference between the trends in rape, AtR, assault, and insult on the one hand and murder, AtM, grievous hurt, and simple injury on the other points to a systemic failure in recording gender-based violence accurately. Unlike AtM, which are documented at an increasing rate, AtR, assault, and insult appear to be significantly under-recorded or deliberately trivialised.

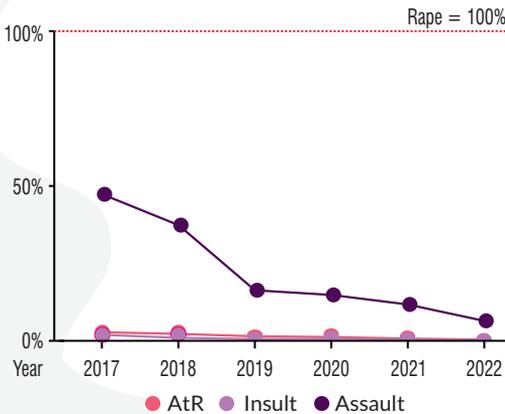


Figure 08 (Table 07): Crime against girls (POCSO): Ratios compared to recorded rape (2014 - 2022)

The data strongly validates the observation that administrative data deficiencies plague understanding of the magnitude of rape-related crimes in Indian women and girls (title of a [paper](#) by Dandona R, Gupta A, George S, Kishan S, Kumar GA, in BMC Public Health 22, 788 (2022)).

The ratio of recorded rape to murder has moved up 1600% from 0.15 in 1971 to 2.42 in 2022, in a better reflection of reality. Recorded rape





has been more than recorded murder since 2013 though under tragic circumstances. In 2013, in the aftermath of the Nirbhaya case, there was a 35% jump in recorded rape possibly due to heightened, but transient, police and public sensitivity. There will be a similar jump in recording for 2024 and a larger one for 2025 (because the increase will be only for half of 2024).

A part of the jump could be due to the broadened definition of rape that moved it beyond penetrative intercourse through the Criminal Law (Amendment) Act 2013, but it is doubtful if the dissemination and adoption would be that successful within the timeframe. The increase in the recorded figures for the later years could be partially influenced by the expanded definition that prioritised bodily autonomy and integrity over petty quibbling over measurements.

The data for attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women are available from 2014, and for children (under POCSO r/w Section 376 IPC) from 2017. Separately and jointly, they reveal a curious pattern as revealed in table 7.

Before diving into the figures, it is important to recall that *assault on woman with intent to outrage her modesty* (Section 354 IPC) is an aggregate that includes several data points such as *sexual harassment u/s 354A IPC*, *assault on woman with intent to outrage her modesty (Section 354C IPC)*, *assault or use of criminal force on women with intent to disrobe (Section 354B IPC)*, *voyeurism (Section 354C IPC)*, *stalking (Section 354D IPC)*, and *others*. In turn, *sexual harassment* (Section 354A IPC), includes *at office premises, at places related to work, in public transport, shelter homes for women and children, and in other places*.

Rape is the most recorded crime against children – several times the total of all other crimes – a clear indication of suppression and trivialisation. There was a 28% year-on-year jump when the rape against girls was recorded separately under POCSO in 2017 (r/w Section 376 IPC), and a 16% post pandemic spike in 2021.

The recorded rape against children is growing in leaps and bounds, even during the pandemic. The recorded child victims exceeded the adults since 2020. During the pandemic, the recorded number of victims increased a stunning 18% year-on-year for the 12 to 16 age group, and 7% for girls overall (0 to 18). Though the number of registered cases of rape decreased during the pandemic year 2020, the number of victims increased – only due to the increase in child victims.



The NCRB provides data on recorded attempt to commit rape from 2014 onwards. The rape–attempt to commit rape ratio follows the same trajectory as murder–attempt to commit murder, only in an even more unbalanced fashion (*table 7: Crime against women and girls: Suppression and trivialisation (2014 to 2022)*). Recorded attempt to commit rape is about 12–15% of recorded rape in a declining trend. The number of recorded attempt to commit rape is just about 10% for women and – hold your breath – 0.24% for girls. Then comes a (relative) spike with about 2.5 assaults recorded for every recorded rape against a woman, but just 0.64 for a girl. Recorded insults follow the same pattern: 0.28 for women and 0.01 for girls, though in this particular case the suppression in recording insults *could* be out of a misplaced sense of trying to 'protect their honour' and 'not spoiling their life' by getting their name into police records since victim blaming *is* an all–pervasive social crime.

But for 2012, there are more victims than cases at the national level in all the years 1953 to 2022. In 2012, there are 24,923 recorded cases of rape and 24,915 victims because Kerala recorded 25 more cases (incidence–1019, victims–994) and Gujarat registered one more (incidence–473, victims–472). More victims per case is an indicator of greater diffusion of violence in society as a whole, channelled by misogyny as gender–based violence.

Assault on women with intent to outrage her modesty ostensibly seems to be on the right track. Assault on women with intent to outrage her modesty includes sexual harassment (again disaggregated), assault or use of criminal force on women with intent to disrobe, voyeurism, and stalking. Over half the cases are registered as sexual harassment which is an aggregate that includes sexual harassment in the workplace, during commute, and all public spaces. When the data of the states is considered, the ratio to recorded rape becomes even more skewed.

These recorded figures are suspiciously underwhelming, strains credulity, and moves firmly into the realm of a willing suspension of disbelief. The pattern of the dissenting opinion of the Chief Justice of India Amal Kumar Sarkar holding that a female baby could not be said to possess womanly modesty in *State Of Punjab vs Major Singh*, 1966⁶¹ seems to be the implementation practice and social norm even decades into the new millennium.

The next 'pattern' is the absence of one. There is no correlation between the severity of the crime and its incidence. The normal pattern is that the more severe the crime, the less its





incidence. There will always be less rape/murder than attempt to commit rape/murder than assault/grievous injury which will be less than insult/simple hurt. In this case not only is the pattern missing, it literally zigzags.

It could be argued that these crimes are not recorded since the women/girls do not come forward to register cases of ‘insult to the modesty of women’. But then, it would be strange that women would report rape and assault with intent to outrage their/their daughters’ modesty but not report attempt to commit rape. It would be more likely that the police are not recording them or, worse, they are normalised in society.

To understand what is happening here, domain knowledge of system functioning is necessary. Anyone can file a complaint. It is only the police who can register the FIR and decide which sections to invoke. It is a bit beyond what CJID Y Chandrachud states in *Hariram Bhambhi vs Satyanarayan*, (Criminal Appeal No. 1278 of 2021):

12. Investigations in India are the exclusive domain of the police, where victims are often relegated to the role of being a spectator in the criminal justice system.

The reality is that after the complaint the *entire process* is determined by the state machinery. From deciding whether to register an FIR and if so which sections of which Acts to invoke all are in the hands of officialdom. The agency of the victims and witnesses stops at giving the complaint. After that they are just spectators.

Consequently, it can be safely determined that this data discrepancy of at least the data point ‘attempt to commit rape’ is incontrovertible evidence of suppression (by not recording) and trivialisation (recording under less serious provisions) by the police officer in charge of registration.

There are more cases than victims at the national level in only one of the 51 years (table 27). In 2012, there are 24,923 recorded cases of rape, and 24,915 victims. This is because in 2012, contrary to the usual practice of registering one or more victims per case, Kerala recorded 25 more cases





(incidence–1019, victims–994) and Gujarat registered one more (incidence–473, victims–472). This sensitivity has not been shown since. The one time that it happened earlier was at the state level in 1973, when Haryana recorded 64 cases and 51 victims – marking the first time that individual instances of crime were recorded as such rather than telescoping them into one crime across time and place.

When Nagaland (incidence–13, victims–18) and Dadar and Nagar Haveli (incidence–1, victims–2) recorded more victims than instances in 1985, it was such an unusual phenomenon that the shocked compilers explained it with a star – **No. of cases reported is less than the no. of victims of ‘rape’* – to let the alert reader know that it was not a mistake. More victims than cases registered is now the norm.

More victims per case is an indicator of greater diffusion of violence in society as a whole, channelled by misogyny as gender–based violence.

The pattern of recorded data on murder, attempt to commit murder, rape, and attempt to commit rape reveals that India still lags gender sensitive nations where the recorded murders are much less than the recorded sexual offences against women. The long–term trend of increased recording could indicate lessening stigma, heightened awareness, and greater sensitivity both in society and in the state mechanisms in tandem with increased assertiveness of survivors and their families.

In 1973 Haryana recorded 64 cases and 51 victims – marking the first time that individual instances of crime were recorded as such rather than telescoping them into one crime across time and place. In 2012, Kerala and Gujarat did likewise. This sensitivity has not been shown since.

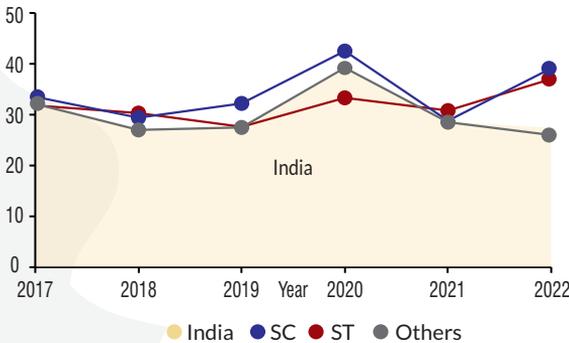


Figure 09 (Table 08): Rape: Conviction rate (2017 to 2022)

5.2.3 Conviction rates

The overall conviction rate for rape is about 28%. Subsequent to the peak of 39.3% in the pandemic year 2020, it has dropped to 28.6% in 2021 and to 27.4% in 2022. The long– term trend is decreasing conviction rates. As mentioned earlier, the victims and witnesses are spectators in the entire process.



The charge-sheet is filed by the investigating officer who has visited the spot, conducted inquiries, and is satisfied that the crime has taken place. In fact, each charge-sheet filed is a police officer vouching upon their honour and professional competence that the crime has taken place and that these are provable in court – the ‘true but no clue’ cases are not charge-sheeted. The courts only decide whether the perpetrators identified are proven beyond reasonable doubt to have committed the crime based on an unbroken chain of incontrovertible evidence.

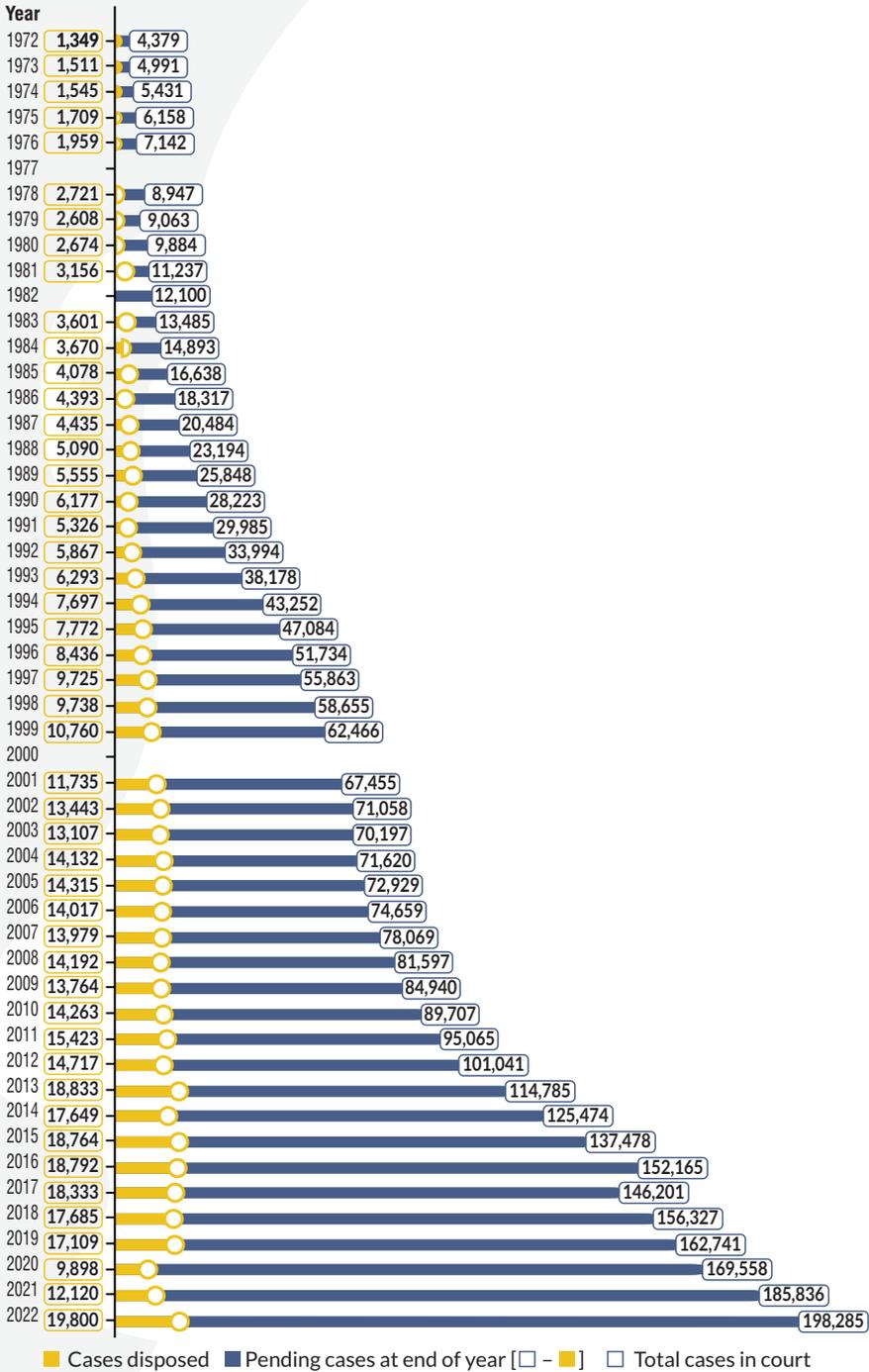
Therefore, every acquittal is (or should be) a professional set-back. Acquittals in heinous crimes should be professional suicide. Yet, with the conviction rates being below 30% and trending lower and, despite a clear order from the Supreme Court of India to hold those responsible for acquittal accountable (*Arumugam Servai vs State of Tamil Nadu 2011*, *State of Gujarat vs Kishanbhai 2014*), no action is taken. Over 70% of the victims and survivors do not get the healing that comes from closure, and the officials fail upwards.

5.2.4 Pendency in court

The NCRB calculates the pendency as the balance of cases at the end of the year compared to the sum of the cases carried forward from the previous year and the cases charge-sheeted in the current year. A more accurate description would be disposal percentage. For decision making, a better yardstick would be pendency years – the number of years it would take for the pending cases to be disposed at the current disposal rate. Just a simple division of the former by the latter would do. For instance, at the end of calendar year 2022, there are 178,485 cases of rape pending trial and 19,800 were disposed by the courts. Pending cases (178,485) ÷ Cases disposed (19,800) = 9 years. At the present disposal rate, there is a backlog of nine years, meaning it would take nine years just for the pending cases of rape to be cleared provided none are registered till 2031. This is a simple formula, with a simple result – simple enough to guide decision making on the extra human resources and physical infrastructure required to fulfil statutory functions.

Courts are literally waiting for the accused to die before taking up cases of crime against women and girls or letting them off due to advanced age. At the present rate of disposal, clearing backlog of dowry murders would take 15 years, cruelty by the husband would take 12 years, Kidnapping and abduction of women for marriage would take 21 years and 23 years for girls – well after their grandchildren are born.





■ Cases disposed ■ Pending cases at end of year [□ - ■] □ Total cases in court

Figure 10 (Table 09): Rape: Performance of the courts (1971 to 2022)

Disaggregated data not available till 1987

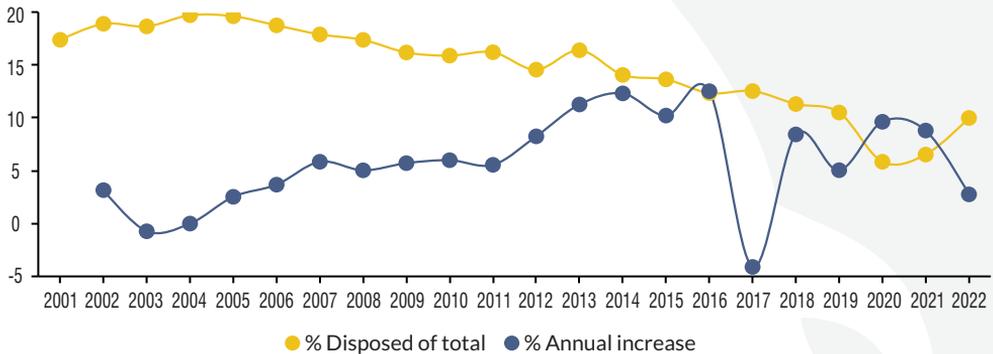


Figure 11 (Table O9): Rape: Performance of the courts (2001 to 2022)

Even according to the flawed NCRB definition, the pendency percentages for rape cases against all women at about 90% is worrisome. It has gradually increased over the years, reaching 94.2% in 2020 and then slightly decreasing to 93.5% in 2021 and 90.0% in 2022. The pendency rate for inter-community rape cases of scheduled community women and girls is higher by about 2%. This is surprising given that there were 487 designated special courts and 176 exclusive special courts to try inter-community atrocities in 2022. Cases of inter-community rape against scheduled castes had a consistently high pendency percentage, ranging from 89.4% in 2017 to 96.3% in 2020. In 2022, it was 92.4%. Similarly, cases of inter-community rape against scheduled tribes had a significant pendency percentage, ranging from 88.7% in 2017 to 96.8% in 2020. In 2022, it slightly decreased to 93.1%. Rape against women in general has pendency ranging from 87.29% in 2017 to 93.86% in 2020. In 2022, it decreased to 89.59%.

The actual picture is slightly different. The absolute number of pending cases of crimes against women and the relative increase over the years is steep. The NCRB notes right in 1992 – the first year in which ‘Crime against Women’ is a separate chapter – that it was a ‘disquieting status’ even regarding rape, a crime which ordinarily should be prioritised for hearing and disposal.

Out of the total cases [of rape] in which trials were completed, 41.5 per cent ended in conviction during 1990, 34.2 per cent in 1991 and 33.8 per cent in 1992. Thus, the



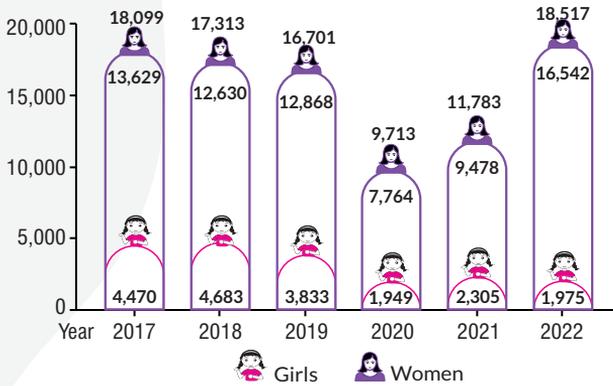


acquittal percentage is showing an upward trend over the years. The rate of disposal of cases in courts was 23.9 per cent in 1990, 18.6 per cent in 1991 and 18.1 per cent in 1992. On an average, 80 per cent of the cases remained pending for trial. This is a disquieting status.

Disposal of crime cases by courts. Rape. Chapter 6, para 6.9, CII-1992⁶²

By 2020, it was panic stations. CII-2020 notes that *Almost all the heinous crimes registered a pending percentage over 80 per cent at All-India level: Dacoity (90.0%), Robbery (87.3%), Attempt to Commit Murder (84.5%), Murder (85.8%), C.H. not amounting to Murder (85.5%) and Kidnapping & Abduction (83.7%). This appears to be a dangerous trend.*

Chart 4.7, Percentage disposal of IPC cases by courts – 2000, CII-2000⁶³



Rape, which had a pending percentage of 83.2% is missing in the above listing, possibly due to an oversight. So yes, with ‘a pending percentage of over 80 per cent’ it is very much a part of what ‘appears to be a dangerous trend’ – just a fraction less than kidnapping and abduction.

Figure 12 (Table 10): Rape: Trials completed

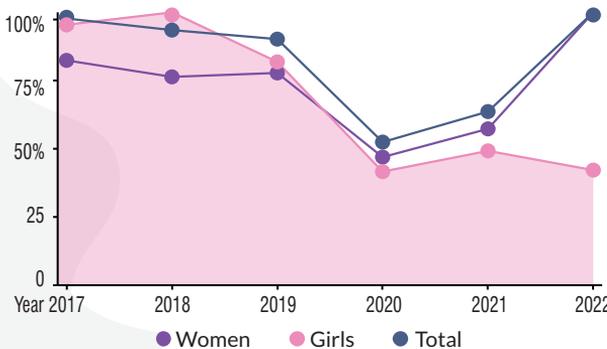


Figure 13 (Table 10): Rape: Court disposal – % Completed (compared to peak)

Right from 1971 – the first year for which there is data on rape – the number of cases charge-sheeted, i.e., being sent to court, is more than the number of cases disposed. So even for the heinous crimes, the courts have been underwater at least since then. Since the data for murder shows the same pattern from the inception of CII in 1953, it can be safely assumed that our



judicial system is not fit for purpose. There are 178,485 cases of rape pending *at the trial courts* as of 31 December 2022. Of them, about 60,000 are pending in the courts for more than three years – 28,102 for 3 to 6 months, 29,428 for 6 to 12 months, 62,521 for 1 to 3 years, 40,110 for 3 to 5 years, 15,251 for 5 to 10 years and 3,073 for more than 10 years (table 18A.7, volume III, CII–2022). Our calculations using the same NCRB data, on charge–sheets filed and cases disposed, indicate that *over 110,500 cases of rape* (not 18,324 as the NCRB would have us believe) have been pending in the courts for *over 5 years*.

There were 26,508 cases sent to courts in 2022 – down from 33,628 in 2016 but up from 23,693 of 2020 – and a record 19,800 cases were disposed. Yet there is a backlog of 6,684 cases (25%) in this year alone. With the disposal rate of just 10% of the cumulative cases in 2022 (up from 7% in 2021) the existing cases will take ten years to clear – meaning that a case of rape charge–sheeted in 2023 has a reasonable chance of coming up for hearing only in 2033. After that, it would be decades before appeals wind their way through the judicial system – for the Supreme Court of India to reduce the sentence to six months already served – making justice a distant dream in this lifetime.

With the base year as 1972, the first year for which pendency data is available, to 2022, the number of cases pending has increased 5900% i.e., 59 times in 50 years – and this doesn't include the 24,583 cases of minor girls. Only in one of the 50 years (1974) was the number of cases disposed greater than the number charge–sheeted in the year. It will require 10 years at the present rate with the existing number of courts, or ten times as many courts to be established to clear the cases in the timelines prescribed in law.

The 2022 upswing in the number of cases disposed (18,517) just about matches the 2016 disposals (18,099). Unpacking the numbers makes for a sombre assessment. Most of this gain is by prioritising cases of adult women to the detriment of girls. The disposal of cases of girls is just half of what it was before the FTSCs were set up – 4,683 in 2018 compared to 1,975 in 2022 which is lower than the 2,305 in 2021 and barely above the 1,949 in the pandemic year 2020.

From 1971 to 2022, there is a 6800% increase in the number of cases of rape against women and girls pending in court. There are 178,485 pending cases of rape against women – 110,553 of them for more than five years – and another 24,583 of rape against girls. But for 2 of the 51 years (2003 and 2004), the judges are unable to even dispose of the number of cases equal to the number charge–sheeted during the year. At this rate the number of pending cases will keep increasing and the backlog will never be cleared



How she figures

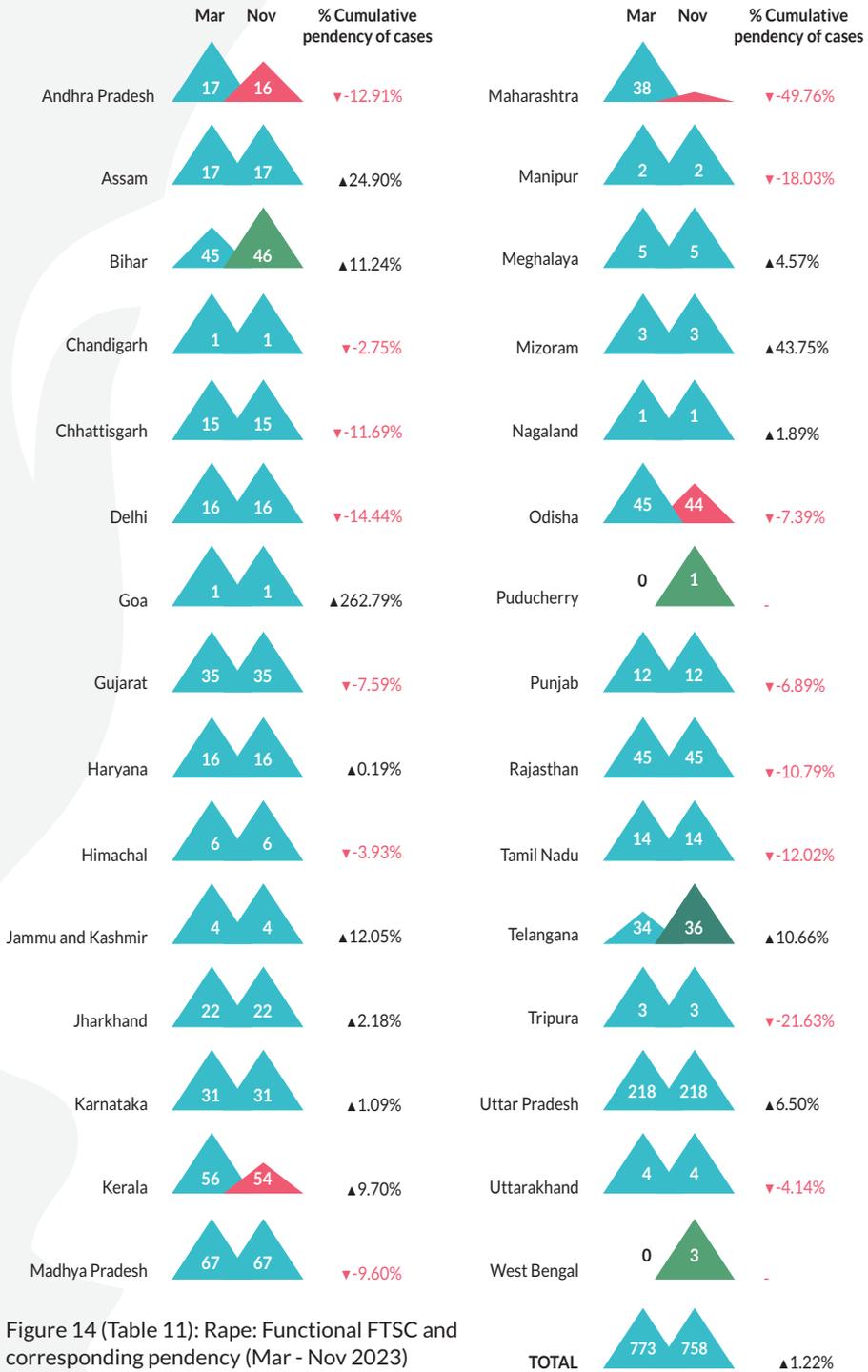


Figure 14 (Table 11): Rape: Functional FTSC and corresponding pendency (Mar - Nov 2023)



With all the exclusive special courts, the trials completed are at just about their 2017 levels, with a severe curtailing of the number of cases of children being taken up. Even cautious optimism would seem to be misplaced.

At the present rate, it appears that the entire justice system is precision engineered to fail the victim. The system that does not work for the victim, works for the perpetrator – which seems to be the design and desired outcome, given that the judiciary, the executive, and the administration has been aware of this for so long and have not taken any impactful remedial action.

5.2.5 Performance of ‘fast track special courts’

There was an attempt in 2019 to set up ‘fast track special courts’ (FTSC). The Supreme Court of India ordered that if there are more than 100 cases under the POCSO Act, 2012 in a district, an exclusive/designated special court should be set up which will try no other offence except those under the POCSO Act, 2012.

Based on this, a centrally sponsored scheme (CSS) for FTSCs for expeditious disposal of cases of rape and POCSO was set up on 2 October 2019. This is a temporary scheme only up to 31 March 2026 and no permanent infrastructure or asset can be created in this scheme. As a CSS, 60% of the cost is borne by the union government and 40% by the state/UT governments, except for the Northeastern states, Sikkim, Jammu and Kashmir, Himachal Pradesh, and Uttarakhand (90:10), and UTs without legislature (100% by the union government). Each FTSC has one presiding officer and seven support staff members with a budget of ₹82,31,000 in 2024–25 (₹72,92,000 for salaries). Each FTSC is expected to dispose 41 to 42 cases in each quarter and at least 165 cases in a year.⁶⁴

As of May 2024, of the 790 sanctioned FTSCs, 755 were functional, including 410 exclusive POCSO (ePOCSO) Courts in 30 states and union territories *to ensure the targeted disposal of rape and POCSO Act cases. As on 30 November 2023, there are 201,805 pending cases in 758 functioning courts* – 266 cases per court – up from 1,99,367 cases pending in 773 FTSCs on 31 March 2023.





Each FTSC is expected to dispose 165 cases per annum. With 270 working days in a year, it is expected to complete a case within 1.6 working days, which could be spread out over the legally permissible time limit.

While most states with functional FTSCs have reduced the number of pending cases, there are still 201,805 pending cases of rape—a majority of them pending for over a year. The number of pending cases has increased in eleven of the 30 states with FTSCs – Assam, Bihar, Goa, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Meghalaya, Mizoram, Nagaland, and Uttar Pradesh – in the eight-month period from 31 March 2023 to 30 November 2023. In addition to the increase in the number of pending cases, the graphic on the Ministry of Justice website shows that across the country, less than 10% of the cases are disposed within two months as required by law.⁶⁵

Despite the increase in pending cases, and a majority of the cases not being disposed within the statutory timeframe, there is a decrease of 15 functioning courts, and 35 of the 790 sanctioned courts have not even been set up yet – an incontrovertible indicator of the dichotomy in the pretension and practice of the state exemplified by the kill in Kolkata (pretension) and garland in Gujarat (practice).

The decrease in the number of FTSCs in Kerala is especially mystifying, since the number of pending cases has gone up by 645 (10%) from 6,648 to 7,293 but they have reduced the number of exclusive courts by 4% – from 54 to 52. The inability of a chronically fiscally stressed state unable to put up its 40% could be a possibility, but should it be children and women paying the cost?

The bulk of the FTSC shut down is from Maharashtra which shut down 18 (47%) of its 38 FTSCs – 82% of the 22 FTSCs shut down all-India. This 47% shut down of FTSCs in Maharashtra is when it still had 4,366 cases – more than 50% – pending. Being the richest state in India, with 60% of the required funds coming from the union, and a ‘double engine government’, it is surely not a case of inadequate finances. Rather than a sign of the efficiency of the FTSCs, Maharashtra serves as a reminder of the institutional capture by toxic misogyny and engineered institutional subversion – even when functioning within the boundaries of a cultist, credit hogging union government.





‘Fast track’. ‘Exclusive’. ‘Special’ courts. Set up in 2019. Underwater in 2023. But should it be surprising? Let the numbers do the talking.

Each FTSC is expected to dispose at least 165 cases per annum. A criminal court works through the year. The holidays are all Sundays (52), second and fourth Saturdays (24), about 12 days casual leave and 7 days medical leave, which comes to about 270 working days not including festivals. In practice it is much less but let us go with the maximum possible. With 270 working days a year, a trial court is expected to complete a case in just 1.6 working days, which could be spread out over the legally permissible time limit of 60 days (Section 346(1) Bharatiya Nagarik Suraksha Sanhita).

For context, the 176 exclusive special courts and the 487 designated special courts set up under Section 14 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 disposed about 30 cases per annum in 2022 (up from 18 cases per court per annum in 2021). Even at the upper band, that works out to two and a half cases per month. Several of the *exclusive* special courts dispose of cases numbering in the single digits per *annum*. The union government wants each court to dispose three cases per week. The union government’s ‘centrally sponsored scheme’ is therefore designed to fail.

Of course, there are judges such as the Kerala High Court Acting Chief Justice A Muhamed Mustaque Ayumantakath who disposed 50,000 cases at an average of 22 cases per day, but that is a luxury in a trial court. In a trial court a typical day starts with the rollcall of witnesses at 11:00, followed by recording statements at 12:00, lunch at 14:00, back at 14:45 for rollcall, 15:00 recording statements, arguments, and judgements, and closes at about 17:45. In a typical rape case, there are about 20 witnesses, including the doctors, and the witnesses from the side of the victim (3), and the accused (2).

The court has to complete at least ten steps, starting from stocktaking property to pronouncing the judgement. Table 12 has the steps, and the shortest and typical duration required (in working days) for each step.

Right from 1971 – the first year for which there is data on rape – the number of cases charge-sheeted, i.e., being sent to court, is more than the number of cases disposed. So even for the heinous crimes, the courts have been underwater at least since then. Our calculations indicate that over 110,500 cases of rape have been pending in the courts for over 5 years.



The overall conviction rate for rape is about 28%. Subsequent to the peak of 39.3% in the pandemic year 2020, it has dropped to 28.6% in 2021 and to 27.4% in 2022. The long-term trend is decreasing conviction rates. Over 70% of the victims and survivors do not get the healing that comes from closure, and the officials fail upwards.

Usually, or ideally, a case needs about 29 working days (more if there are more witnesses and the advocates are professional) at the trial court. These working days could be spread out over six months or more if the court is dealing with other cases, witnesses do not appear, an adjournment is given for whatever reason, or simply due to scheduled holidays and festivals. Though adjournments significantly impact the overall duration of the case, it does not change the working day count.

Even the truncated time of nine working days assumes a high degree of efficiency in, and synchronisation of, the judiciary, police, advocates, and witnesses. The 1.6 working days allocated per case in the centrally sponsored scheme just makes it a kangaroo court modelled on the traditional caste panchayats, precision engineered to fail. They can meet this deadline only if they operate divorced from modern judicial practices with prepackaged guilty pleas, presumption of guilt, prejudged convictions, summary hearings, and copy-paste judgements. And now, even these kangaroo courts are flailing.

It is not that the government at the highest levels does not know this. The Minister Of State (Women and Child Development) Savitri Thakur admitted as much in the Lok Sabha (Unstarred Question No. 4348) on 20 December 2024:

Several factors may contribute to the high pendency of cases, including shortage of judicial officers & supporting court staff, complex evidence, and insufficient cooperation amongst stakeholders such as the bar, investigation agencies, witnesses, and litigants, as well as the lack of proper application of rules and procedures.

In criminal cases, including POCSO cases, the criminal justice system relies on full support from various agencies such as police, prosecution, forensic labs, handwriting experts, and medico-legal experts & so on. Delays in receiving assistance from any of these allied agencies may exacerbate delays in case disposal.

All this in 1.6 working days?





5.3 Attempt to commit rape

5.3.1 Recording

NCRB has been providing data for attempt to commit rape since 2014 and age disaggregated data since 2017. The ever-increasing suppression of recording attempt to rape has already been pointed out. What is appalling is the suppression when it comes to girls. Despite the POCSO Act, despite the supposedly ‘child friendly’ support systems, despite heightened sensitivity of the state mechanisms, attempt to commit rape on girls is simply not recorded.

Recording has been uneven across states. The recorded numbers are coming down in some states that used to record higher numbers contributing to the downward spiral in recording. The ranking in table 14 is based on the data of calendar year 2022. The historical totals reveal a different pattern. Higher totals below their ‘natural’ place in sequence indicates that they are not recording (revealing?) as much as they did in the past.

The column ‘mean’ is the average recorded for the nine years (total ÷ 9 years). The last column (% mean) shows how much the recorded incidence of 2022 varies from the mean. This is a good indicator of suppression in recording. The number is a proxy indicator of how credible the recording is (within the larger credibility deficit of the minuscule recording vis a vis rape). The higher the number the better.

The data indicates that the India recording is suppressed by over 20% and has a credibility of only 79%. At the top are Mizoram and the Andaman and Nicobar Islands (225%), followed by Himachal Pradesh, Rajasthan, Haryana, Tamil Nadu, Odisha, and Andhra Pradesh all of which have an over 100% rating since they have recorded more cases in calendar year 2022 than their nine-year average. The figures

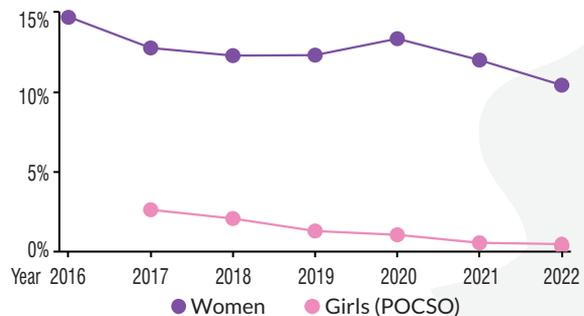


Figure 15 (Table 13): Recorded attempt to commit rape as % rape (2016 – 2022)



How she figures

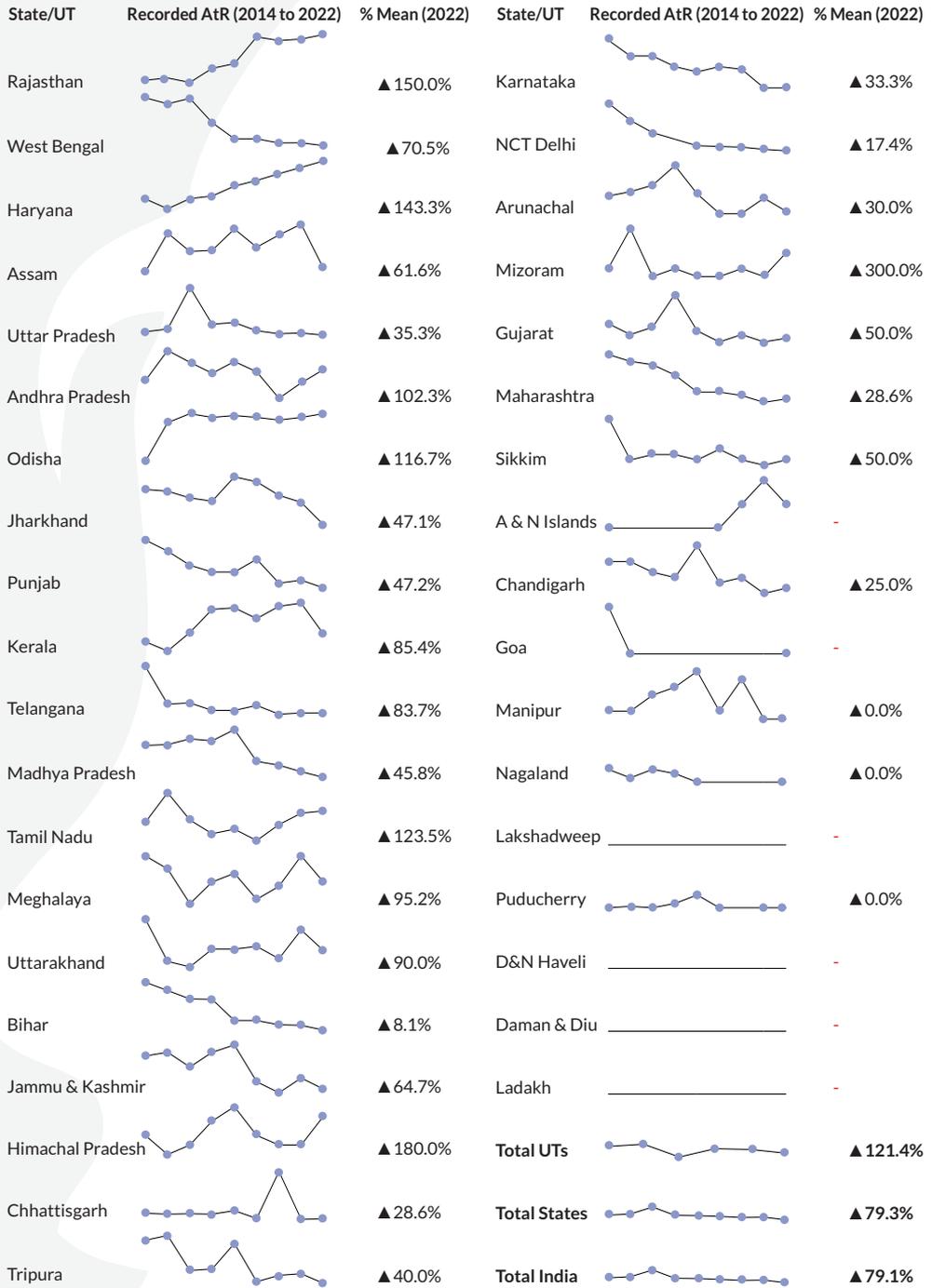


Figure 16 (Table 14): Recorded attempt to commit rape: States (2014 to 2022)

for Telangana (84.2), Kerala (84.8), Uttarakhand (90.5), and Meghalaya (96.3) ranging from 84% to 96%, are somewhat credible. At 8%, Bihar asks for a lot of trust bordering on faith in the omniscient.

West Bengal has a credibility of about 70%, which could be exaggerated, since the recorded crime is consistently decreasing and in 2022 is less than 50% of its recorded number in 2014.

5.3.2 Convictions

The conviction rate is going down to historic lows when it comes to recorded cases of attempted rape. In the short period from 2017 to 2022, the conviction rate has dropped by almost 25% from 27% to 20%. The decrease is consistent but for a slight increase in 2019 and a surge to 37% in the pandemic year. As if to compensate, the conviction rate dropped over a third to 21% in 2021 and has decreased further to 20% in 2022.

5.3.3 Pendency in court

When it comes to cases of attempted rape, not only is the conviction rate going down to historic lows, the number of cases where the trials have been completed has not reached pre-pandemic levels either. Though the police are filing ever fewer charge-sheets in continuous decline from 2017 onwards (see *table 15: Attempt to commit rape: Court disposal (2017 to 2022)*) and



Figure 17 (Table 15): Attempt to commit rape: Conviction rate

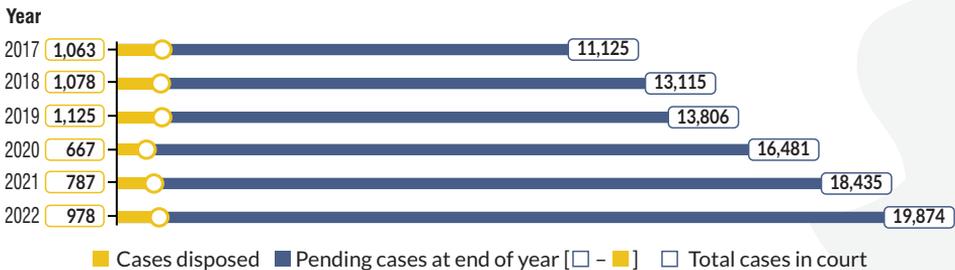


Figure 18 (Table 16): Attempt to commit rape: Performance of the courts (2017 to 2022)



filed less in 2022 than 2021, and less in 2021 than 2020 – the courts are completing much less as well. The number of pending cases has more than doubled within this short period.

5.4 Assault

Assault on women with intent to outrage her modesty (Section 354 IPC) is an aggregate of sexual harassment, assault or use of criminal force on women with intent to disrobe (Section 354B IPC), voyeurism (Section 354C IPC), and stalking (Section 354D IPC). Together with acid attack and attempt to acid attack, they record the progression towards ever more serious crimes such as attempt to commit rape and rape. The data is available from 2017.

The recorded numbers – rate or absolute numbers – of these crimes have decreased across the board from 2017 to 2022. The increase in recorded crime is inverse to the crime rate – crime rate of sexual harassment decreased from 3.4 to 2.7, and disrobing from

1.6 to 1.4, while the numbers of voyeurism increased from 1,090 to 1,451 and stalking from 8,145 to 10,116. The recorded pattern is erratic, even discounting for the pandemic. Given the large number of kidnapping and abductions, especially for marriage, this is a clear case of underrecording.

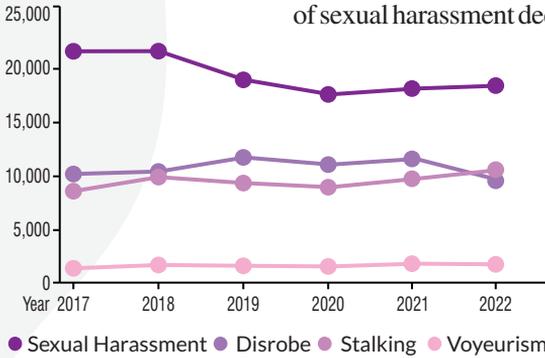
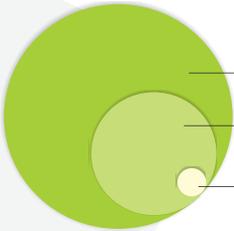


Figure 19 (Table 17): Unpacking Assault

5.5 Sexual harassment in the workplace

Sexual abuse of women in public spaces is recorded under *assault on woman with intent to outrage her modesty (Section 354 IPC)*. It is an aggregate that includes several data points such as *sexual harassment u/s 354A IPC, assault on woman with intent to outrage her modesty (Section 354C IPC), assault or use of criminal force on women with intent to disrobe (Section 354B IPC), voyeurism (Section 354C IPC), stalking (Section 354D IPC), and*



- ▶ Increase in pending cases **159%**
- ▶ Charge-sheeted **87%**
- ▶ Conviction rate **20%**

Figure 20 (Table 18): Recorded sexual harassment at work or office premises (2016 – 2022)



others. In turn, *sexual harassment* (Section 354A IPC), includes *at office premises, at places related to work, in public transport, shelter homes for women and children, and in other places.*

How seriously the state mechanisms treat the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 is revealed by the NCRB data. Sexual harassment (Section 354A IPC) is published since 2017, though data has been collected since 2014. Initially, in 2014, it was classified under insult to the modesty of women (Section 509 IPC). Since 2017, when data was published, it is classified under (level 1) *Offences affecting the Human Body*, (subcategory level 2) *Assault on Women with Intent to Outrage her Modesty*, (subcategory level 3) *Assault on Women (Section 354 IPC)*, (subcategory level 4) *Sexual Harassment*, (subcategory level 5), *Sexual Harassment (Section 354A IPC) (Total)* and finally (subcategory level 6) *a) at Work or Office Premises.*

Though the recorded number of cases under sexual harassment at work or office premises (Section 354A IPC), from 2016 to 2022 is ridiculously low, it is evident that the same pattern is repeated here. The courts have not disposed the number of cases charge-sheeted in the year even once, so much so that the pendency has increased by almost 60% in just six years. The pendency is inexorably increasing and is likely to spiral out of control soon. The conviction rate is on a death spiral, almost halving to 19.7% in 2022 from the 36.4% in 2017 – freeing two, three, and now four persons for every person convicted – just six short years from when tracking began.

Not as bad as the fate of the fast-track special courts that have gone underwater in just four years, but giving stiff competition, nevertheless.

The reasons could be many – from shoddy investigations, indifferent prosecution, to inefficient state mechanisms. There is certainly sufficient blame to go around. What is undeniable is that the courts are already underwater, and that the combination of lower conviction rates and longer pendency reinforce the impunity of the male bosses and the vulnerability of the women workers.

Only in fire accidents, the recorded number of women (67%) is greater than the number of men (33%), possibly due to 'stove bursts'.



5.6 Crime in the castle

5.6.1 Recording

The Indian male follows the feudal dictum of every man's home being his castle, his wife a chattel, and his children his serfs, with him holding the power of life and death over them.

Of the 445,256 recorded crime against women in 2022, most were registered under 'Cruelty by Husband or his Relatives' (140,019, 32.6%). To trace the pattern of escalation and disposal, four major crime heads are tracked: dowry murders, cruelty by husband or his relatives (Section 498A IPC), the Dowry Prohibition Act 1961, and the Protection of Women from Domestic Violence Act 2005, PWDVA.

Though some of the kidnapping and abduction for marriage, and sections of the Cyber Crimes/Information Technology Act could be intimate partner violence there is insufficient disaggregation to include them in this analysis. CII does have gendered data on women centric cybercrimes (*Women centric crimes, Publishing or Transmitting of Sexually Explicit Material (Section 67A/67B (Girls) IT Act) and Other Women Centric Cyber Crimes (Blackmailing/ Defamation/ Morphing/ Fake Profile)*) but not disaggregated by the type of relationship between the perpetrator and survivor as it has for rapes.

The general guideline on recording mentions the 'principal offence rule' and notes that *for example, in the Crime Criminal Tracking Network & Systems (CCTNS) database for 2016, for 'Dowry Prohibition Act', the FIR count is approximately 38,632 as compared to only 9,683 cases reported in 'Crime in India'. These remaining cases could be tagged with more serious crimes like 304B, 306 and 498A of IPC.* It reinforces our assertion that there is either a trust deficit

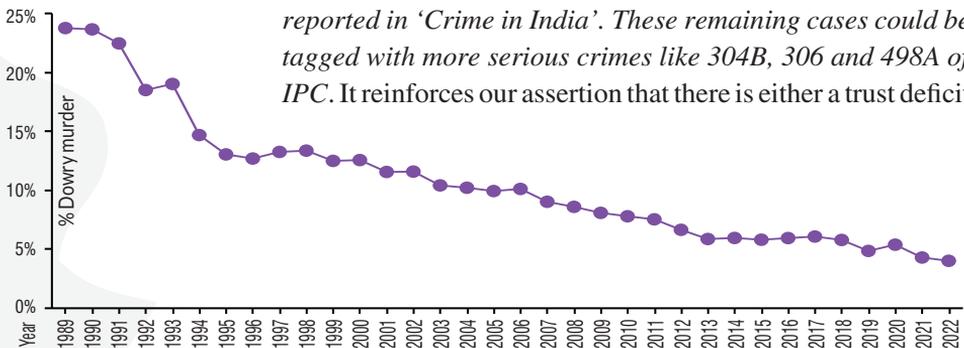


Figure 21 (Table 19): Recorded intra-family violence: % Dowry murder (1989 to 2022)

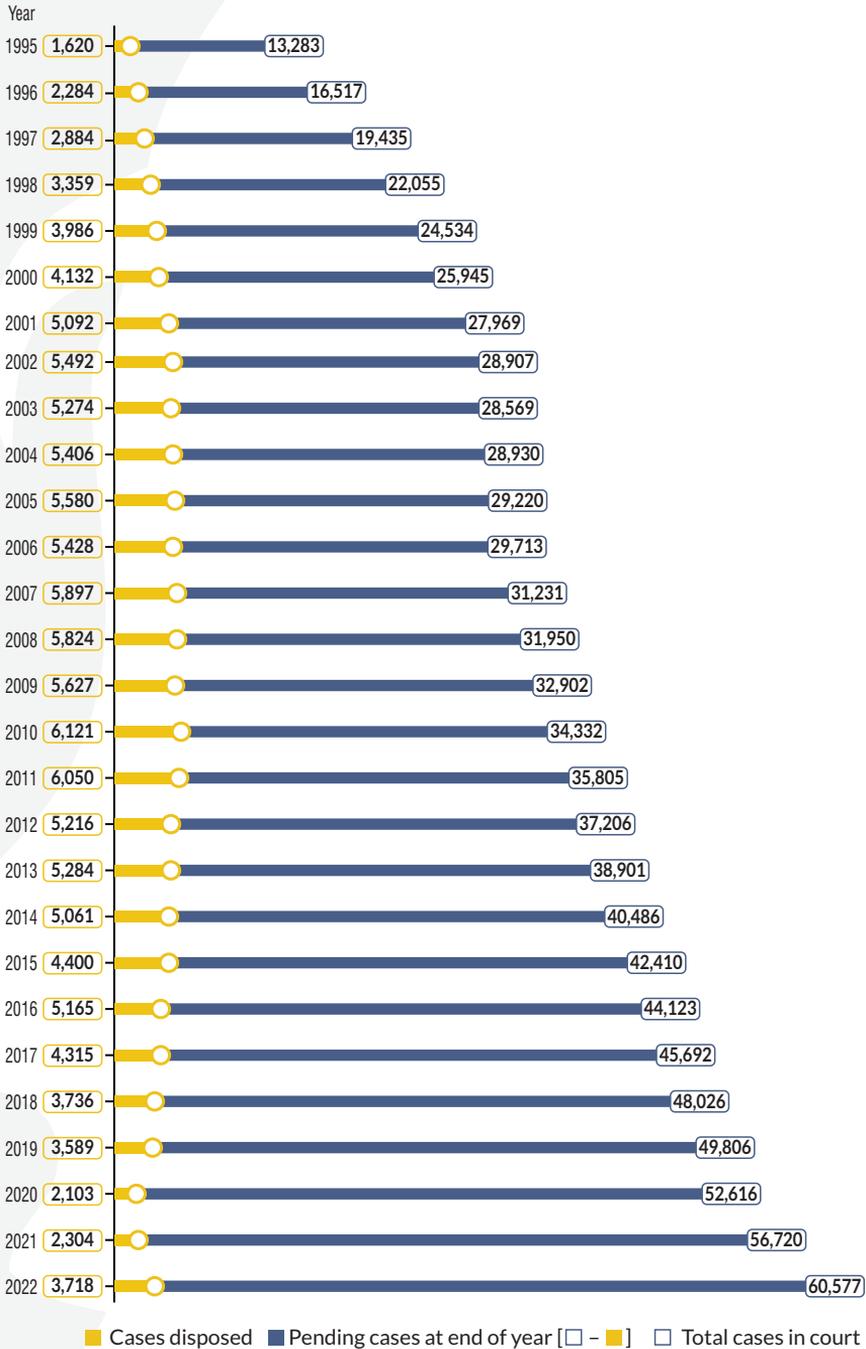


Figure 23 (Table 21): Dowry murders: Court disposal (1995 -2022)



Ten states are above the national average of 4.02% in dowry murders to total intimate crime – Bihar (16.29%), Chhattisgarh (5.65%), Dadar and Nagar Haveli and Daman and Diu (9.09%), Jharkhand (7.12%), Madhya Pradesh (5.71%), Odisha (4.68%), Puducherry (5.88%), Punjab (4.14%), Tripura (6.89%), Uttarakhand (6.59%), and Uttar Pradesh (7.83%) – a rather stark indication of under recording, even by Indian standards.

Some states that have a high number of recorded intimate crime are safer for women, though they record less than half the national average of dowry murders to recorded crime – Andhra (ranked 4 in number of recorded crime, rate 0.81%), Maharashtra (4, 1.55%), Telangana (6, 1.35%), and Kerala (12, 0.2%). These states, along with Himachal Pradesh (23, 0.50%), and Gujarat (16, 0.46%) with less than 1%, take intimate partner violence more seriously. Top of the league are Arunachal, Goa, Manipur, Mizoram, Nagaland, Sikkim, the Andaman and Nicobar Islands, Ladakh, and Lakshadweep that have a ratio of 9.0% – no recorded dowry murders but have recorded other intimate partner crimes. All are small states and union territories. But for Goa, all are predominantly indigenous and tribal states, with virtually 100% classified as scheduled tribes. It could indicate stronger community links.

These anomalies cannot be attributed to the ‘principal offence rule’, which in any case does not apply to data on crimes against women and girls, but rather provide direct evidence of the level of competence of the department as a whole (not just

In 2022 alone, 28,847 women and 13,981 girls are recorded to be kidnapped to force them into marriage.

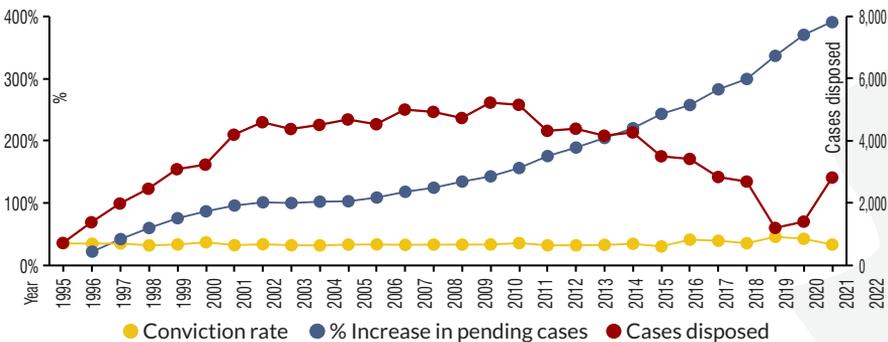


Figure 24 (Table 21): Dowry murders: Performance of the courts (1995 –2022)

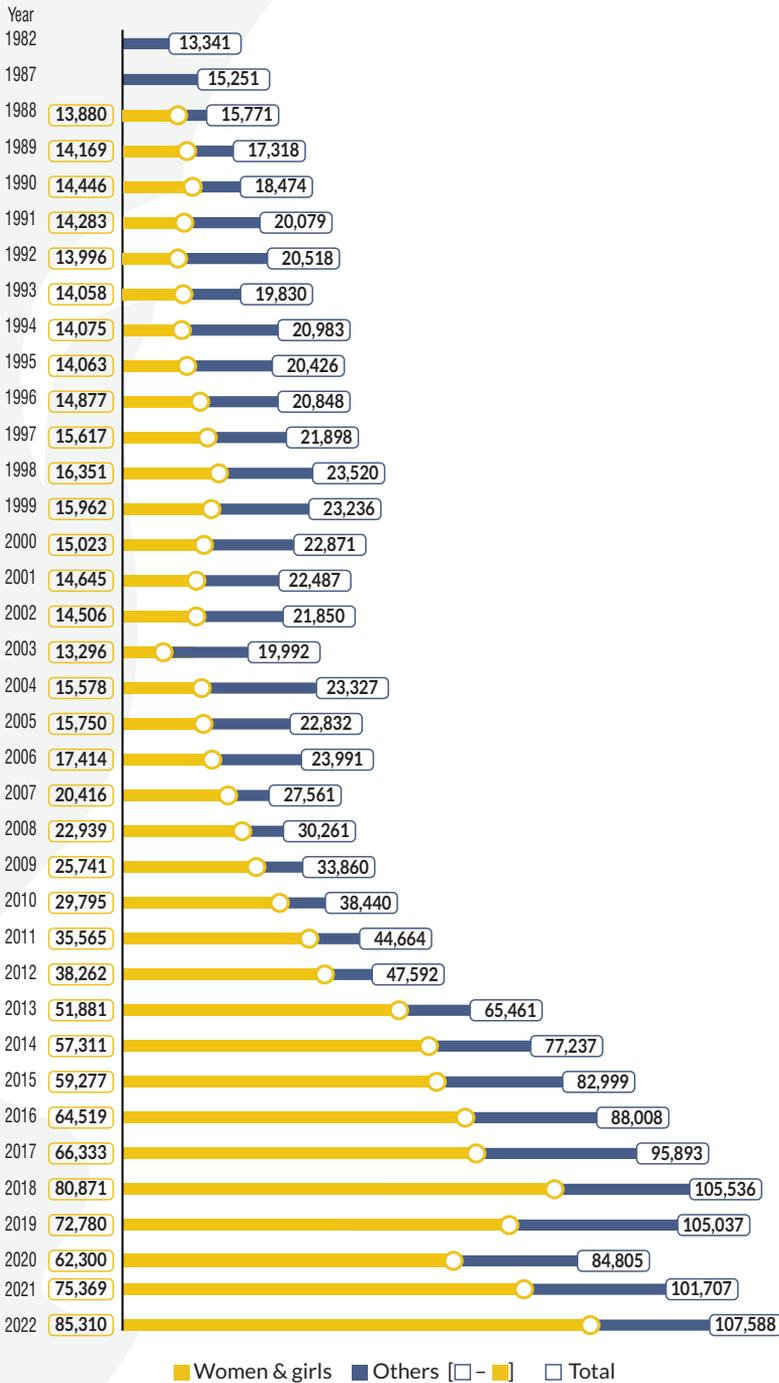


Figure 25 (Table 22): Recorded kidnapping and abduction (1982 –2022)



NCRB) in record keeping and crime registration, despite the several in-career trainings provided on data, data integrity, and record keeping, apart from the utter failure of the gender sensitisation programmes that do not seem to have made any dent on the ingrained toxic masculinity of the personnel.

Crime happens in an ecosystem and, to the extent that the recording does not accurately reflect the norm, it will need to prove its accuracy before it can be depended on for strategy.

5.6.2 Pendency in court

In the 28 years from 1995 to 2022 for which there is data, only in 2003 more cases of dowry murder (by just 2) were disposed by the court (5,274) than were charge-sheeted (5,272) in that year. In all other years the courts are underwater, with over 4,000 cases added to the pending cases in 2020 and another 3,905 added in 2021. For the past five years (2018 to 2022) an average of 6,284 charge-sheets were sent to court, and the courts disposed about 3090 cases (including the previously pending). This has resulted in about 3,200 cases being added to the pending cases per annum in the past five years – an increase of 15,968 pending cases.

The number of pending cases has gone up by almost five times from 11,571 in 1995 to 56,859 in 2022. There has been a long-term trend of decreasing court disposals from a high of 6,121 in 2010 to just 3,718 in 2022 – with the conviction rate favouring 2010 with 33.6% to 33.4% in 2022. Even in the pre-pandemic years disposals have been just 3,736 (2018) and 3,589 (2019). The pandemic years saw a sharp dip to 2,103 (2020) and 2,304 (2021). At the 2018 rate of disposal (the highest in five years) it will take over 15 years for just the backlog to be cleared – and more for some cases as more charge-sheets are filed.

But for the pandemic years 2020 and 2021 which saw a spike in the conviction rate to almost 46%, the long-term conviction rate stubbornly sticks to 34%.

Some states that have a high ratio of recorded intimate crime are safer for women. Top of the league are Arunachal, Goa, Manipur, Mizoram, Nagaland, Sikkim, the Andaman and Nicobar Islands, Ladakh, and Lakshadweep that have a ratio of 9.0% - no recorded dowry murders but have recorded other intimate partner crimes. But for Goa, all are predominantly indigenous and tribal states, with virtually 100% classified as scheduled tribes.



5.7 Kidnapping and abduction

Kidnap of minor girls (for sex trafficking or forced ‘marriage’) was compiled at the union level since 1953. The disaggregated data (kidnapping & abduction (i) of women & girls (ii) of others) is made available since 1988. As mentioned earlier, the treatment of kidnapping and abduction of women and girls as crime against property and other kidnapping and abduction (presumably of men and boys) as crimes against life exposes how the elite officials of the Indian state valued women and girls and their place in Indian society at least till 2000.

With disaggregation, the year-on-year *rate* of recorded kidnapping and abduction went up – from 0.1% increase in the five years 1982 to 1987 to an annual increase of 0.1% in 1989, 1990 and 0.2% in 1991. This pattern reveals two trends, and the increase is probably a combination of the two. The first is that ‘others’ were being recorded more because the police became more sensitive to kidnapping and abduction of men and boys whereas they earlier were conditioned to believe that kidnapping and abduction primarily, or even exclusively, affected women and girls (much like a man is believed to be primarily or exclusively the perpetrator and the woman the victim in rape, domestic violence, sexual harassment, and sexual abuse).

The second is that once the crime syndicates became more confident in tackling the weakest, they slowly move from the periphery on to the rest of society (blue oceans and greener pastures) using the expertise they gained when society looked away. This ‘expertise’ incentivises them since their primary hunting grounds would be saturated (therefore move to the uncontested blue oceans), less growth or returns from their initial hunting grounds (greener pastures), and their expertise frees up excess time and capacity. This is a known pattern of the exploitation of the weakest (the periphery) leaking into the mainstream (the centre) for multiple reasons. The usual policing response of a cordon sanitaire does not work for long.

The long-term trend shows that after the initial spurt, which is likely a result of heightened sensitivity, the increase is fairly stable till 2011: 2.2 overall, 1.6 for women, and 0.7 for others.

There are over 110,000 cases of rape pending in the trial courts for over 5 years



Deviation from this band would alert analysts who will alert the decision makers of a new trend in the making and a changed ground situation. The data affords a chance to identify trends and address them at the macrolevel before they become a systemic threat and much before they are identifiable on the ground.

In 2013 there is a noticeable increase in incidence and rate of kidnapping and abduction – up from 47,592 cases in 2012 to 65,461. Of the 65,461 cases, 30,045 (45.9%) were for marriage and 5,433 (8.3%) for illicit intercourse. This holds good even if the number of persons is considered. Marriage is the single largest cause for kidnap and abduction for both females (56.3%, 29,420 of 52,225) and males (5.1%, 719 of 14,216).⁶⁶

The spurt in 2013 would raise a red flag, unless it can be explained by an external event such as better (more recent) census data becoming available, post the Census of India 2011. The increase in rate is explained by the new refined statistical methodology which is more accurate. The rate of crime against women has been calculated using only female population and not the total population as was the case earlier.⁶⁷ But that does not explain the 36% year-on-year increase. Since the NCRB usually explains methodological changes, methodology can be ruled out as the reason for the sudden increases.

Though it does usually highlight the data trends in the Crime In India reports, NCRB does not explain the 36% year-on-year jump in the total incidence of crimes against women, the 46% increase in abductions of men in 2013, or the galloping increase in both recorded incidence, persons, and rates since then. It took 20 years since the data for kidnap and abduction was disaggregated in 1988 for the recorded incidence to double (from 15,771 to 30,261) but only five years till 2013 to double again (65,461). Abductions of women took 21 years to double (from 13,880 to 25,741) but only four years till 2013 to double again (51,881). The rates follow the same disturbing patterns, though at slightly longer intervals. From 2 overall and 1.7 for women in 1988, the crime rate for kidnapping and abduction stands at 7.8 overall and 12.7 for women in 2022.

Proactive approaches are required both for prevention and rescue at all points of the supply chain in human trafficking. The present NCRB reporting makes clear that the state mechanisms are groping in the dark, using blunt instruments, and not fit for purpose. For precision intervention, better quality of data is required.



Initially, from 1988 to 1999, kidnapping and abduction of women and girls was a little more than the number of recorded rape. From 2000 to 2007 recorded rape was more but not by much. Since 2008 however, the number of recorded kidnapping and abductions has increased in leaps and bounds. In 2022 it is 69,027 recorded rapes and 85,310 recorded kidnapping and abductions of women and girls – a difference of 20%. Of this 28,656 cases were for marriage (13,906 of them minor girls).

Logically, at least some of the 28,656 cases of kidnapping and abduction for marriage (28,847 victims of whom 13,981 are girls) should be added to the total of 69,027 recorded rapes in 2022 (then it would be a recorded rape every five and a half minutes). How many are 'compromised' in the traditional panchayats or new India's police stations, or how many perpetrators are acquitted by the courts due to them having married the victim, we will never know. What we do know is that it will take 21 years for women and 23 years for girls for their case backlog to be cleared – assuming no further cases of kidnapping and abduction for marriage are charge-sheeted until then (table 74) – and then only to see that less than 40% of the perpetrators will be convicted by the courts. That also we know.

5.8 Human trafficking

Human trafficking was recognised as a major crime and has been tracked separately from 2006 (chapter 6*). Till 2015, the data on human trafficking (Chapter 6A, CII) was consolidated from the statistics collected for the CII reports by clubbing various sections of IPC and SLL: importation of girls, Immoral Traffic (Prevention) Act, procurement, buying, and selling of minor girls, and cases under IPC sections 370 and 370A.

From 2016, the information is based on the monthly anti human trafficking data furnished by the anti human trafficking unit, AHTU, of the state/UT police. The AHTUs have reported 5,482 cases of woman trafficking. In contrast, there have been 9,279 cases recorded under immoral trafficking (see table 3).



As of 2022, there are 22 states and union territories with one AHTU per district. In 2022, the AHTUs have registered 2,250 cases of human trafficking overall. The highest number of registrations are in Telangana (391 cases), Maharashtra (295 cases), and Bihar (260 cases). More boys (1,819) than girls (1,059), but more women (2,535) than men (623) have been recorded as trafficked in 2022. Of the 6,693 persons trafficked in 2022, a majority were trafficked for labour (3,335), sexual exploitation for prostitution (1,983), domestic servitude (204), and forced marriage (195). Recording is uneven. Only Karnataka recorded trafficking for child pornography (47), only Odisha for petty crimes (1), and none for drug peddling.

Four states recorded trafficking for stealing organs. Bihar recorded 14 of 17 recorded cases of trafficking for removal of organs, the others being Assam, Punjab, and Odisha (1 each).

The data in the CII chapter on human trafficking is spotty, and even the NCRB has a disclaimer that *'This data represents only those human trafficking cases which are reported to respective AHTUs. Hence, it is advisable not to compare these figures with those given under different laws/sections of human trafficking elsewhere in the Report (CII-2022). These disclaimers are distressing confessions that the police simply lack the capacity for accurate record-keeping that is so vital for law enforcement. There are crime-records bureaux at the national, state, and district levels with dedicated staff. Technology makes it easier than ever before to collate information. The fact that it is not done reveals a lack of imagination at the highest levels, lack of cooperation at the operational levels, and state mechanisms that are simply not fit for purpose.'*

The 2014 ILO report *Profits and Poverty: The economics of forced labour*, estimated that forced labour resulted in a profit estimated at over \$150 billion. Forced sexual exploitation in the Asia Pacific is the single largest (\$32 billion) contributor though the profit per victim (\$5,000) is the lowest, but for Africa (\$3,900).

The judiciary in states with zero convictions and over 95% pendency likely lack expertise to recognise cybercrime and the capacity for disposal or both. Uttarakhand (conviction rate 0%, pendency rate 99.8%), Gujarat (0%, 98.7%), and Goa (0, 97.5%) fall in this category (CII-2022 table 9A.11).



With human trafficking transitioning to increasingly sophisticated forms and dark areas proliferating, this crime needs more attention. Globally, more victims escape on their own (41%) rather than through police (28%) or civil society (11%) action (UNODC Global Report on Trafficking in Persons, 2022). The report identifies South Asia as a region with higher levels of impunity where fewer traffickers are convicted and fewer victims are detected than the rest of the world. Due to several of its practices being embedded in the local culture and sanctioned by dominant religion, many victims of trafficking do not even identify themselves as victims.

Human trafficking is a gendered crime, with the purpose of trafficking differing based on gender in addition to other vulnerabilities such as caste, race, and ethnicity. The UN report finds that female victims are subject to physical or extreme violence at hands of traffickers at a rate three times higher than males, and children are subjected to extreme violence almost twice as often as adults. Women investigated for trafficking in persons are significantly more likely to be convicted than men.

CII-1954 acknowledges the critical role of a whole of society approach to the rule of law that goes beyond policing.

It appears that due to the better vigilance of social workers, many more cases of kidnapping and abduction, which would have gone undetected, have come to notice. This would indicate that the position in respect of this form of crime is worse than the figures would indicate and many cases of this nature have not seen the light at all.

Concerted vigilance work by social workers and not police measures alone are necessary to stop this form of crime. Methodological investigation in this direction has been started under the auspices of the Central Social Welfare Board, and, it is hoped, will provide early result.

Proactive approaches are required both for prevention and rescue at all points of the supply chain. The present NCRB reporting makes clear that the state mechanisms are groping in the dark, using blunt instruments, and not fit for purpose. For precision intervention, better quality of data is required. The



It is a truism that successful criminals never get caught and the most successful crimes are never detected. This would apply best to cybercrimes. The lack of recording could be indicative of the inability to recognise or comprehend the crime itself or acknowledge that early teens could be the most prolific perpetrators. The alleged leak that put at risk over 100 crore (one billion) individuals registered on the CoWIN platform was by a minor from Bihar, not exactly a state known for IT prowess. It took all the intelligence, fusion, and strategic operations of the Intelligence Fusion & Strategic Operations, (IFSO) of the Delhi Police to apprehend a minor – possibly much to their consternation, since their initial response was that his mother, a health worker, helped him.

So, in this dataset more than most others, the registration reflects police capability and social awareness even to recognise that a crime has been committed, go beyond age and gender stereotypes in casting the net for perpetrators, and have the capability to tackle it. The pendency virtually means impunity, since the longer it takes the better the tracks can be covered and the proceeds of crime can be hidden.

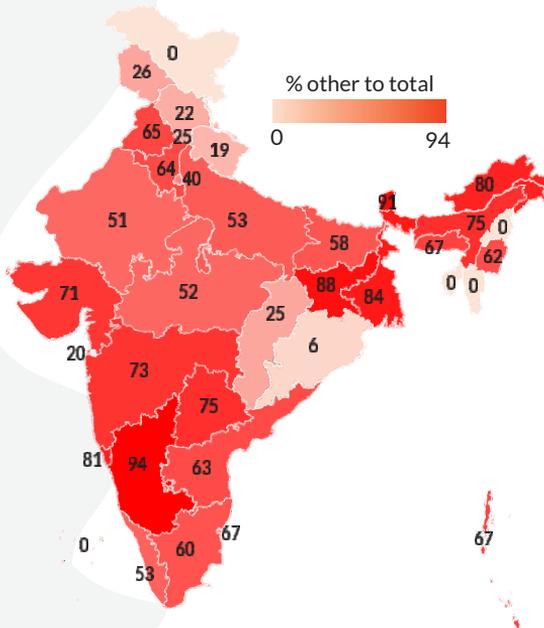


Figure 27 (Table 24): Cybercrimes against women and girls (2022)

Though Karnataka tops the chart in the number of crimes recorded and so very few are recorded in Bihar, the cravats should be kept in mind. It is a reflection not only of accessibility and ease of recording, but also that the

- a) Police recognise the seriousness of the crime,
- b) Women are aware that it is a crime, and
- c) Women are empowered enough (and possibly have kin and friendship support as well) to report the crime.

This empowerment is particularly important since it means that the woman and her family are beyond stigma and victim blaming, and can

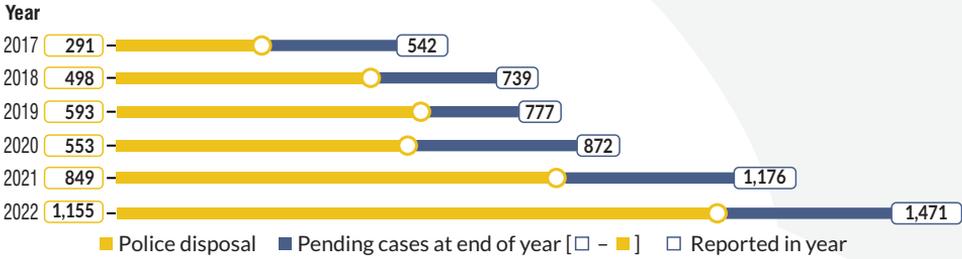


Figure 28 (Table 25) : Cyber Stalking/Bullying of Women/Children: Performance of police

locate the crime, guilt, and accountability on the persona of the perpetrator. On the other hand, there are states where the pendency rate of cybercrimes against women in courts is 100% – an indication that there are no judges with domain knowledge, or they do not recognise the seriousness, or that they deliberately want to grant impunity to the perpetrator, none of which is healthy for the administration of justice.

The disproportionate number of cases filed as ‘others’ in *table 24: Cyber Crimes against women and girls (2022)* makes it evident that either the data collection format is faulty, the law enforcement is incompetent, or they are not applying their mind in invoking the correct sections of the law. Instead, they seem to be lumping them all together under the omnibus ‘other’ in a rather intellectually lazy normalised behaviour of the state.

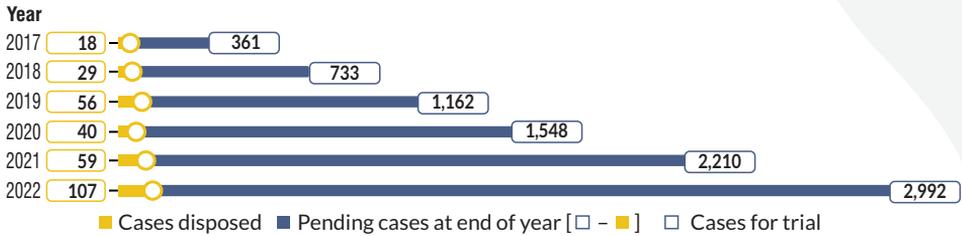


Figure 29 (Table 25): Cyber Stalking/Bullying of Women/Children: Performance of courts

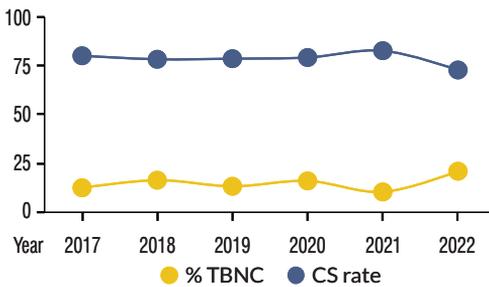


Figure 30 (Table 25): Charge-sheets

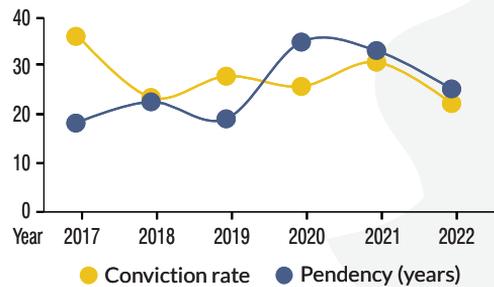


Figure 31 (Table 25): Conviction and pendency



Data of recorded domestic violence indicates that the police are not recording the crime till the consequences become too obvious to ignore, the crime and its gain are fait accompli, at which time they throw everything and the kitchen sink to record all possible sections against that one after-the-fact impossible-to-deny complaint.

In the case of *Cyber Stalking/Bullying of Women/Children* (CII-table 9A.4, serial number 11) – the only crime tracked from recording through the police investigation, trial, and persons convicted – of the 1,155 cases disposed by the police, 241 cases (21%) are ‘true but no clue’, a mindboggling level of incompetence. Coupled with the conviction rate of 23.6%, the competence of both the police and the prosecution is called to question. The saving grace is the charge–sheeting rate of 72.8% for cybercrime against women compared to the 29.6% charge–sheeting rate for all cybercrimes. Clutching at straws, cold comfort can be drawn from the silver lining to this appalling performance in that it is relatively better than the overall cybercrime record – 40,614 (63.5%) cases true but no clue and 18,925 (29.6%) charge–sheeted of the 63,988 total cases disposed by the police. Law enforcement is clearly not competent to tackle the cybercrimes of yesterday and ill–prepared for those of today.

The case of the courts is equally bad or worse. There were already 2,151 cases of cybercrime against women pending at the start of 2022, to which 841 were added as new charge–sheets. Just 107 cases were disposed i.e., 13% of the new charge–sheets, and 8% of the total 2,992 cases up for trial. Of them, 32 were compromised, 35 disposed without trial, 17 convicted (none from charge–sheets of the year), and 55 were acquitted. At the end of the year there were 2,885 pending cases, a 34% increase year–on–year – and a 27–year pendency at the contemporary rate of disposal. The conviction rate (23.6%) is half the overall conviction rate for all cybercrimes (46%).

The judiciary in states with zero convictions and over 95% pendency likely lack expertise to recognise cybercrime and the capacity for disposal or both. Uttarakhand (conviction rate 0%, pendency rate 99.8.%), Gujarat (0%, 98.7%), and Goa (0, 97.5%) fall in this category (CII–2022 table 9A.11).

5.10 Age no bar: Catch them young, or old, or anywhere

There is significant improvement in the longevity and wellbeing of Indians over time. At independence the average life expectancy of an Indian was 31.4 years. In 2022 it is about 70. The healthy lifespans have also increased, with ‘60 being



the new 40', and 80 being the new 50. The longer healthy lifespan significantly increases the vulnerability to, and opportunity for, crime.

5.10.1 Victims and survivors

The presentation of the records has changed over time. From 1971 to 1987, there were just three age groups: below 16, 16 to 30, and above 30. From 1988 to 1998, a new category 'up to 10 years' was added. In 1999 the groups were redone with the increasing lifespan and recognising 18 as the age of maturity being taken into consideration. The new categories were up to 10, 11 to 15, 16 to 18, 19 to 30, 31 to 50, and above 50. There was a slight tweak in 2001 to change the categories to 10 to 14 and 14 to 18. From 2014 the data structure has remained relatively stable, with the addition of 'below 6' and an 'above 60' groups. From 2017, the data for child rape was moved to chapter 4 on crimes against children. For consistency in comparisons, in figure 22a and 22b (table 27) the sum of both is used. Table 26 uses the data from CII table 3A.3.

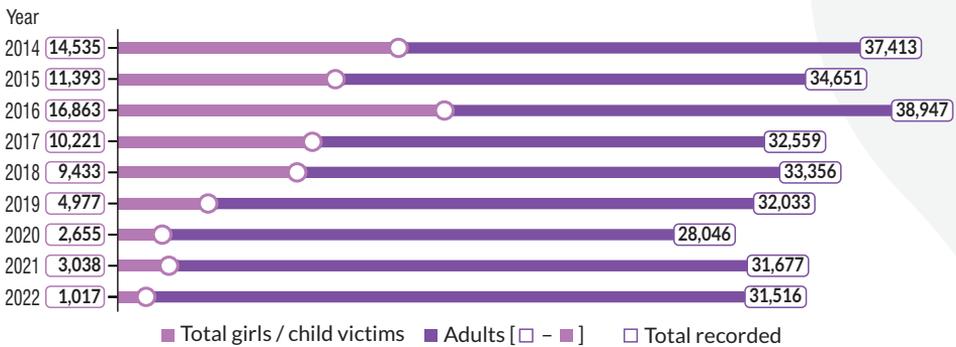


Figure 32 (Table 26): Recorded rape: Total female victims – Uncorrected (2014 – 2022)

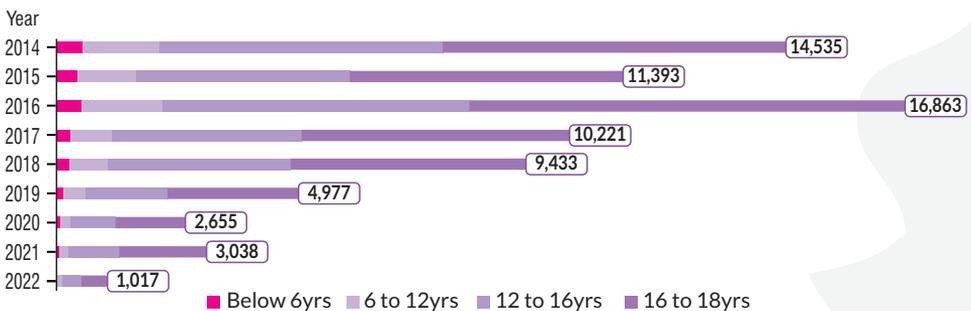


Figure 33 (Table 26): Recorded rape: Girl victims (Below 18 Years): Uncorrected (2014 – 2022)



How she figures

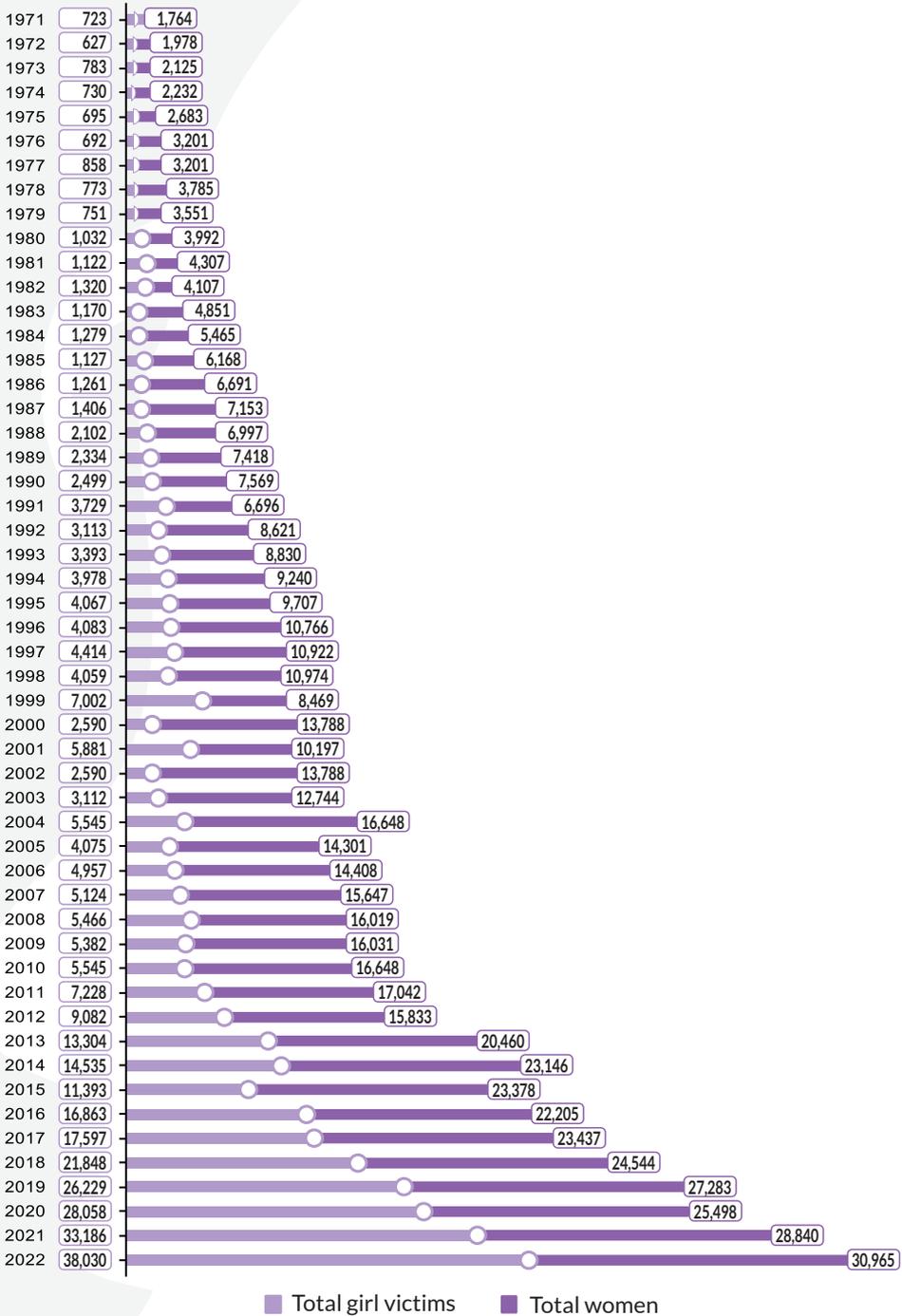


Figure 34 (Table 27): Recorded rape: Women & girl victims: Corrected age-wise (1971 – 2022)



In table 27, the data in table 26 is replaced with the data for the cases booked under POCSO r/w 376 IPC for girls in CII A3.9. Since the figures in CII A3.3 are disregarded, the figures in table 27 are almost certainly an undercount, but the conservative figure is sufficient for our purpose. Table 27 uses the contemporary age groupings. Though the comparisons are not watertight, it is sufficiently accurate for our purpose of discerning the big picture.

Some trends are immediately obvious – there is a steady increase in rape that far outstrips the increase in population. The metadata of recording has undergone significant changes. From three (below 16, 16 to 30, and above 30) it has evolved to eight data points (below 6, 6 to 12, 12 to 16, 16 to 18, 18 to 30, 30 to 45, 45 to 60, and 60 and above). Some of the change is due to the increase in longevity.

Disaggregation provides partial data for policy intervention – data that shows that rape against below 6-year-old girls rather than below 16s is incontrovertible evidence of the home not being a safe space (and possibly incest) and therefore where remedial measures need to focus. The underlying causes need to be further studied, since hate-based mobilisation (mainly based on caste and religion) that valorises the rape against women and girls from the demonised communities and endogamous purity from within, lifestyle changes, mass media influence, cognitive dissonance arising from the increasing insecurity of men and boys paradoxically concomitant with their increasing sense of entitlement, decreasing sex ratio, and the moral vacuum during cultural shifts consequent to mass migration and rapid urbanisation contribute to the overall increase.

As mentioned earlier, there is a sharp jump in recording in 2013, after the New Delhi Nirbhaya incident of December 2012. The most vulnerable are from the 16 to 30 age group. From the zero recorded rape against transgender in both 2021 and 2022 (not included in table 27), it is obvious that the sensitisation has not reached implementation levels. It is likely that either the police believe that rape against transgender is impossible or that the transgender and their guardians do not trust the police enough to file a complaint.



The age disaggregated data discloses additional facets of vulnerability. Though all are at risk, more victims are getting younger and older in absolute numbers and in relative terms. The disaggregated data reveals an increase in paedophilia. The 18 to 30 cohort was the most vulnerable from the time records were maintained in 1971 till 2017. Since 2018, the 12 to 18 age group has been the most vulnerable, overtaking the 18 to 30 cohort.

The recorded rape against children is growing in leaps and bounds, including during the pandemic. The recorded child victims exceeded the adults in 2020 and has remained elevated since then. During the pandemic, the recorded number of victims increased a stunning 18% year-on-year for the 12 to 16 age group, and 7% for girls overall (0 to 18), revealing a high degree of vulnerability. Though the number of registered cases decreased during the pandemic year 2020, the number of victims increased – only due to the increase in girl child victims.

Post pandemic, the number of recorded rape bounced back with a vengeance in 2021 – with an increase of 32% for 6 to 12 age group, 20% for 12 to 16, and 15% for the 16 to 18 age group marking an increase of 19% girl child victims of rape. There was a similar spike to 23% for 45 to 60-year-olds and an incredible 34% for the above 60s. Even factoring the low base, these are still pernicious trends since the rate of the increase is increasing.

5.10.2 Perpetrators

In a rather curious twist, the data of perpetrators is available before the data of the crime itself. What makes it even more curious is that it is gendered data of juveniles only and not of the adults. From 1958 to 2000, the gendered data of juveniles apprehended for rape is available in the juvenile delinquency section. And now for the final twist – from 1988 to 2000, in the age group 16 to 18, only the data of girls apprehended is available.

The recorded numbers decrease from 1971 since the age group has changed from 16 to 21 years to 16 to 18 years. It is further reduced from 1988 since the number of boys in the age group 16 to 18 (by far the largest number) has been removed (but possibly merged partially with the prior age group which has a bump the same year).

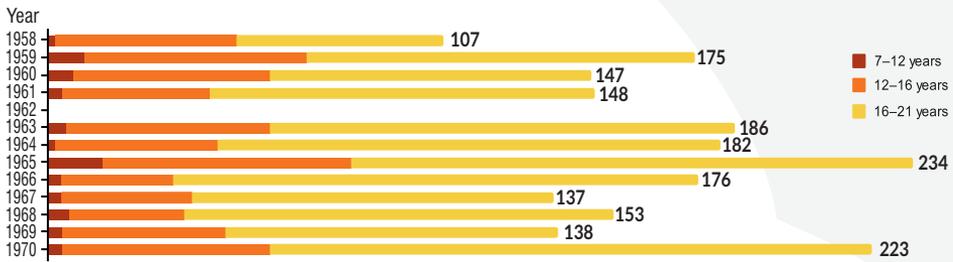


Figure 35 (Table 28): Recorded rape: Juveniles apprehended (1958 - 1970)

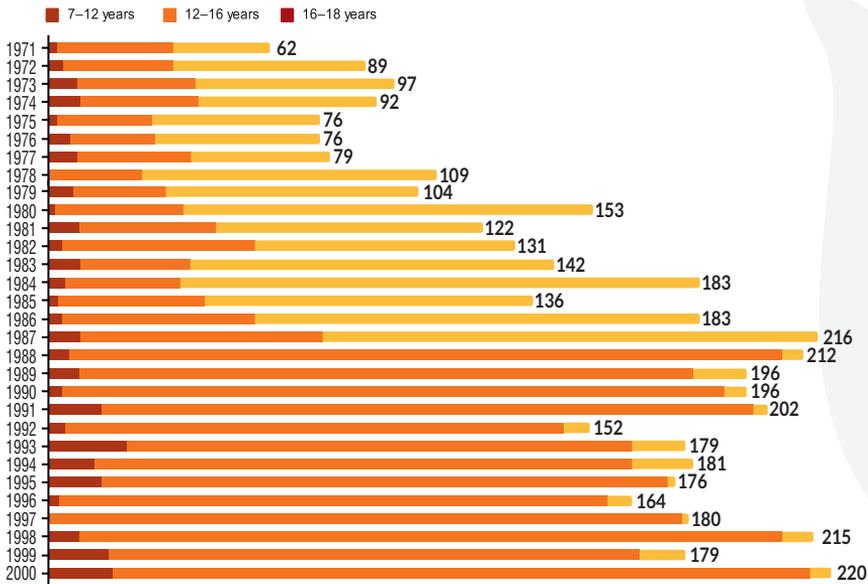


Figure 36 (Table 28): Recorded rape: Juveniles apprehended (1971 - 2000)

The number of transpersons arrested is published by the NCRB in CII from 2021. Two in the age group 30 to 45 were arrested in 2022.

Like the rest of recorded crimes against women, the recorded number of those arrested (in the case of juveniles 'apprehended') dramatically increased post 2012 with a sharp brake during the pandemic year 2020. However, there was no brake in the numbers arrested for the 45 to 60-year-olds (both men and women) which increased even during the pandemic year, which is a concern discussed below.



In 2020, there is a deviation from norm in the recorded arrest of women as perpetrators of rape. Contrary to the usual pattern, the pandemic year saw an increase in women being arrested – up 54% for women aged 18 to 30, over 60% for women aged 30 to 45, over 113% i.e. more than doubled for women aged 45 to 60, and up 40% for women above 60 years of age. Two girls in the age group 16 to 18 were arrested in 2020 compared to one in 2019. In practical terms, but for the youngest girls i.e. those below 16 years of age, more women of all age groups were arrested during the pandemic year than in the previous year.

While this is still only a fraction of the male numbers in absolute terms (1,507 of the total 32,610 arrested, 4.6%), this pattern needs attention. Whether this is an aberration, or a reality made visible during the pandemic, should be explored. In either case it is a manifestation of the Madonna–Whore Dichotomy infecting the system. All facets of governance, especially data and evidence–based work such as law enforcement and the administration of justice should embody the constitutional duty of scientific temper, and not let bias get in the way of recognising that women and girls are human and that they can, and do, commit crime.

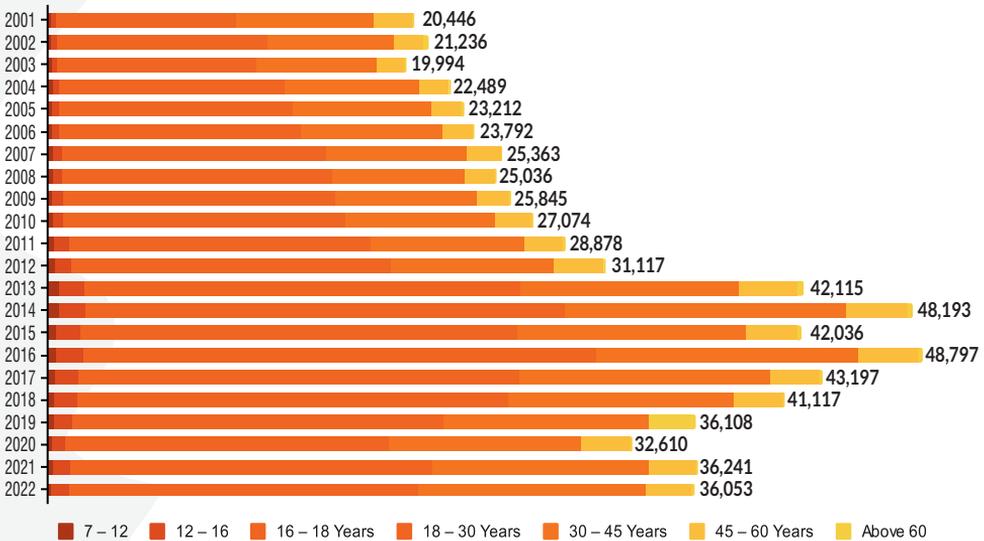


Figure 37 (Table 29): Recorded rape: Persons arrested, age-wise (2001 – 2022)

The total number arrested, or apprehended in the case of juveniles, has shown relative stability at about 1.22 persons arrested for every recorded rape, peaking at 1.31 in 2014 and 1.33 in 2017. The lowest was in 2019 at just 1.13 – even before the pandemic. Since then, it has stayed worryingly below the long-term average – worrying because fewer arrests mean greater impunity, preparing the ground for societal numbness, inducing indifference, and setting the stage for ever more gruesome crime. There was a dip below the long-term average of persons arrested for rape from 2007 to 2011, and that did not end well either. This time the dip is much deeper.

The inverse ratio signals that less persons are participating in the crime i.e. rape is being committed more and more by loners and introverts who are detached from society and therefore provide less clues about their intent. For instance, 'withdrawal' could be attributed to depression. Secrecy could be attributed to the 'intrinsic character' of adolescents and young adults (they are like that only), normalising the weakening of social bonds and distancing.

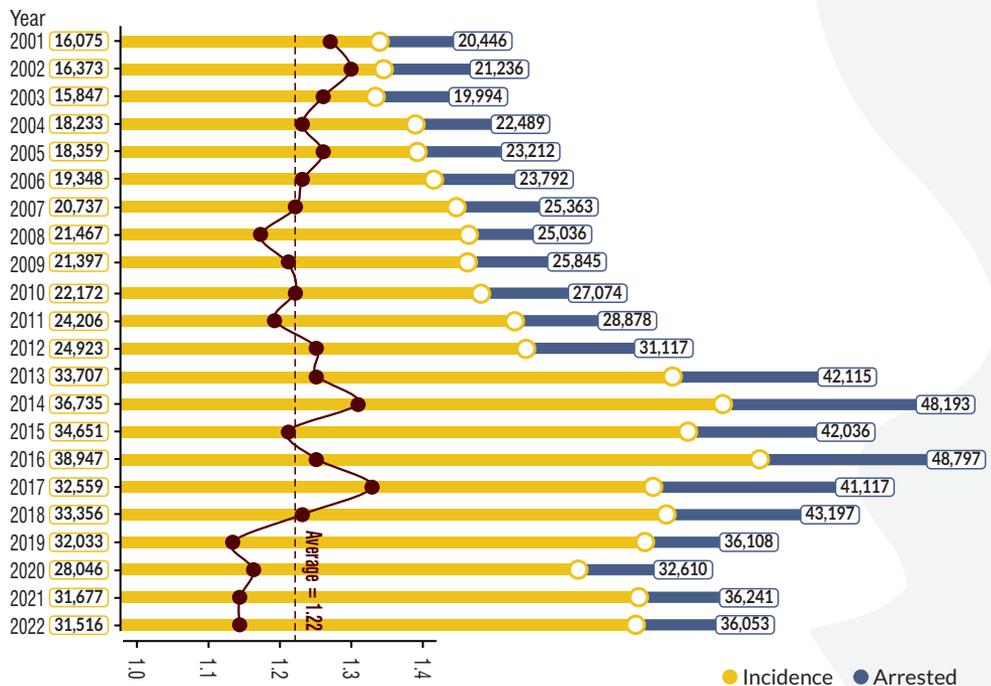


Figure 38 (Table 30): Recorded rape: Incidence and persons arrested (2001 – 2022)



This could indicate a fundamental change in the close-knit social networks which, it is popularly assumed, characterises Indian society and on which the police are dependent on for social controls, surveillance, and information. Or the police are letting go many of the conspirators, accomplices, aiders, and abettors.

The first means that the fundamentals of policing from first response to inquiry, investigation, and incarceration to correction, reintegration, and rehabilitation need to change to adapt to these lone rangers, factoring in the new social reality. The second means that the force has been compromised in competence and collective conscience. Either or both are not healthy for society and not even for law and order.

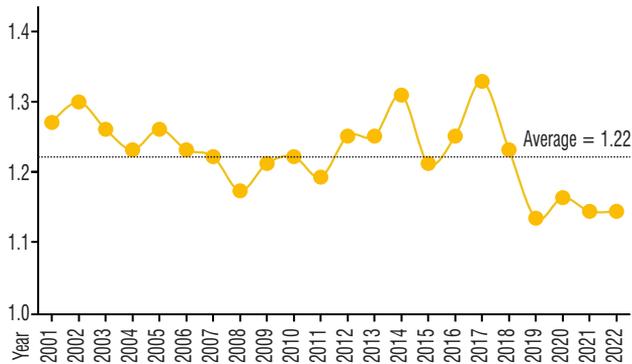


Figure 39 (Table 30): Recorded rape:
Persons arrested per incident (2001 – 2022)

Coupled with the earlier finding (table 27) that there are more victims per recorded case, these are strong indications that the law enforcement mechanism is no longer fit for purpose. More evidence of misalignment due to entrenched caste and misogyny is provided in 8.2 *Reimagine the administration of justice*. The horrible price for this misalignment is being paid for by the most vulnerable. Reforms are no longer sufficient when institutional capture is total. The force needs to be totally rebuilt.

The scheduled communities

6

The State shall, with special care, protect them [the Scheduled Castes and the Scheduled Tribes] from social injustice and all forms of exploitation.



The Constitution of India, Article 46

6.1 Incidence

6.1.1 Recorded atrocities against women and girls

Administration of justice for inter-community crimes against those from scheduled communities by those from non-scheduled communities is governed by the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, POA. Crimes specified in section 3 of the POA, committed by persons from non-scheduled communities (perpetrators) on persons from the scheduled communities (victims) are commonly referred to as 'atrocities'. The NCRB has been recording data on atrocities since 1992.

While any witness can file a complaint (Rule 5 POA), subsequently everything – including the mandatory immediate registration (Section 18A POA) – is handled by a deputy superintendent of police (DSP) or an officer of higher rank. First there is an inquiry by a DSP or a subdivisional magistrate (SDM, Rule 6 POA). If they confirm that an atrocity has taken place, then both the superintendent of police (SP) and the district magistrate (DM) do a spot inspection (Rule 12(1) POA). Then a special DSP is tasked with the investigation (Rule 12(3) POA). The investigation by the DSP is supervised by the superintendent of police, regularly monitored by the district magistrate. At every stage written reports are sent to the special court for periodic review. At the end of this intensely scrutinised investigation, the charge-sheet is filed if the case is found to be true *and* the investigating officer is confident of proving it beyond reasonable doubt in court. In all other cases, a case final report is filed.

Under the POA Act, any witness can file a complaint, but only a police officer of DSP or higher rank can inquire into it. Confirmed cases trigger SP and DM inspections, with a special DSP investigating under supervision. If found true and provable, a charge-sheet is filed; otherwise, the case is closed.

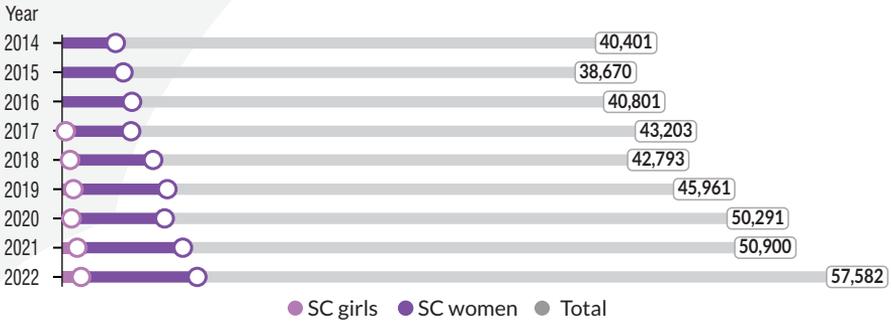


Figure 40 (Table 31): Recorded crime against scheduled castes (2014 – 2022)

Of the inter–community crimes against women, rape has been recorded from 1992. Further data points on inter–community crimes against women (attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women) are available from 2014. Data on atrocities disaggregated by age – adults and children (standardised as those girls and boys less than 18 years of age) which intersect with the POCSO Act, 2012 – are available from the calendar year 2017.

In contrast to most other crimes, inter–community crime, ‘atrocities’, against the scheduled communities increased during the pandemic lockdown year as well. This includes the increase in number of rapes. 2021 marks the first time since records were kept that there were more than 5,000 recorded inter–community rapes in a calendar year. This vile record was repeated in 2022. Neither the ritual nor physical distance nor ritual impurity provided any protection to these communities. The distance could probably even have accentuated their vulnerability.

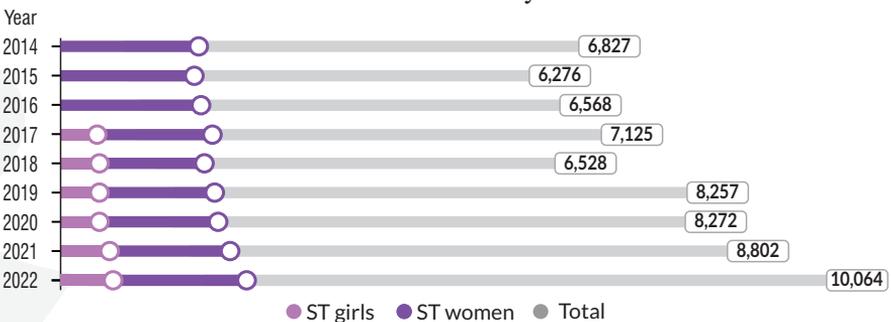


Figure 41 (Table 31): Recorded crime against scheduled tribes (2014 – 2022)





Even with the limited data available, an uncomfortable truth is self-evident – women and girls from the scheduled communities continue to be much more vulnerable to gender based violence than women belonging to other communities. Women from the scheduled communities are more likely to be raped by men from other communities (in addition to intra-community rape) than women belonging to other communities in total (by inter- and intra-community men). Remoteness does not provide adequate protection to the tribal communities.

6.2 Rape

6.2.1 Recording

There were 4,241 cases of rape against women and girls from the scheduled castes, and 1,347 against the scheduled tribes recorded in the calendar year 2022. The data shows that rape

is the most recorded inter-community crime against women and girls – higher than recorded attempts to commit rape (SC 104, ST 16), or assaults on women with intent to outrage her modesty (3439, 859) or insult to the modesty of women (226, 64). As we have seen earlier, this is an incontrovertible indicator of suppression and trivialisation which needs attention at the highest levels to accurately record, and then address, rapes and other atrocities against women and girls from the scheduled communities.

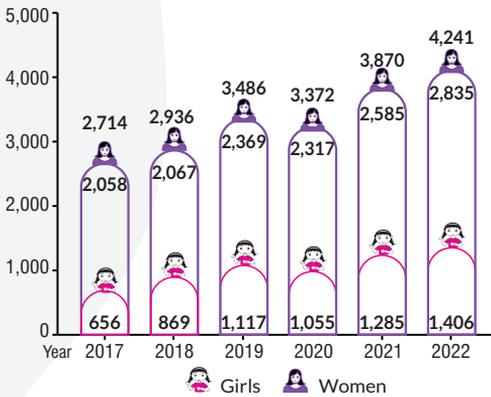


Figure 44 (Table 33): Rape – SC Women & Children

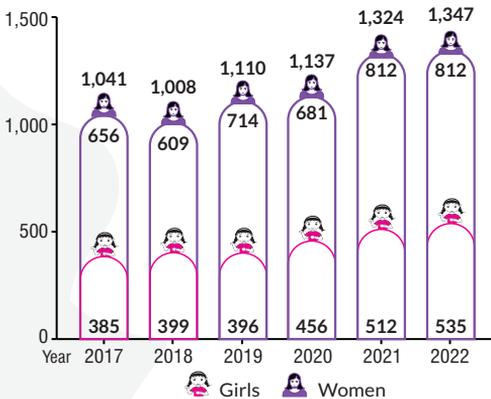


Figure 45 (Table 34): Rape – ST Women & Children

For women and girls from the scheduled communities this suppression and trivialisation is a distressingly common phenomenon. This pattern holds true for all years from 2014 to 2022 for women and girls from the scheduled tribes, and for 2019, 2021, and 2022 for women and girls from the scheduled castes as well. For those curious about the scheduled castes in 2020, the number of recorded rape (3,372) is one less than the number of



recorded assaults on women with intent to outrage their modesty (3,373).

From 2021, there are more than 5,000 recorded inter-community cases of rape per annum. About a third (33.23%) of the victims are minor girls from the scheduled castes and 39.6% are minor girls from the scheduled tribes.

Data of the rape cases reveal that women from the scheduled communities continue to be disproportionately affected by sexual violence. In 1992, there were 849 recorded cases of rape against scheduled caste women, and 334 recorded cases against scheduled tribe women (the figures included girls and no age-disaggregated data was published). By 2022, these numbers had increased to 4,241 and 1,347, respectively. This represents an increase of 400% for scheduled caste women and 300% for scheduled tribe women over the 31-year period (for details see *table 71: Inter-community rape: Vulnerability (1992 to 2022)*).

The NCRB data indicates that the recorded incidence of inter-community rape, its rate, and the percentage of minor girls is steadily increasing. It reveals that there is disproportionate inter-community rape against minor girls overall, due to the sharp spike in some states. Inter-community rape against children from the scheduled tribes shot up even during the pandemic. As a pattern, it could reveal specific targeting of girls with rape as an instrument of caste and ethnic war, as is evident from the state specific data.

In terms of percentages, inter-community rapes i.e. rape by men from non-scheduled communities on the women from the scheduled communities made up a significant proportion of all recorded rape cases over the years. In 1992, these inter-community rapes accounted for 10.65% of all recorded rape cases,

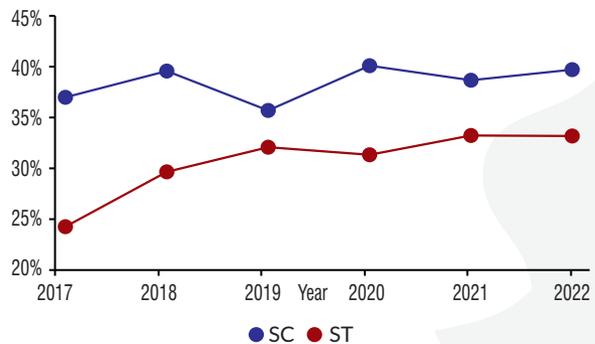


Figure 46 (Table 33, 34): Recorded inter-community rape: SC & ST % child incidence (2017 - 2022)



Rape is the most recorded inter–community crime against women and girls from the scheduled castes in India as a whole and in 10 states – Bihar, Chhattisgarh, Gujarat, Himachal, Jammu and Kashmir, Mizoram, Odisha, Tamil Nadu, Telangana, and Uttarakhand.

There is no recorded attempt to commit rape in 13 of 21 states and union territories that recorded rape. Of the 104 cases of attempt to commit rape against women from the scheduled castes, a bulk are recorded in Rajasthan (70). The rest are negligible in absolute terms – Bihar (1), Kerala (3), Uttar Pradesh (4), Uttarakhand (4), Andhra Pradesh (6), Jharkhand (8), and Haryana (8). However, Jharkhand (8 recorded attempt to commit rape to 12 rape, 67%) and Uttarakhand (4 of 17, 24%) are relatively better than the others in recording. Rajasthan comes in third (70 of 658, 11%). The rest may be vigilant in prevention or negligent in recording.

The data for the calendar year 2022 on inter–community crimes against women and girls from the scheduled tribes reveals that atrocities were recorded in 21 states and union territories compared to 20 in 2021. Mizoram and Manipur

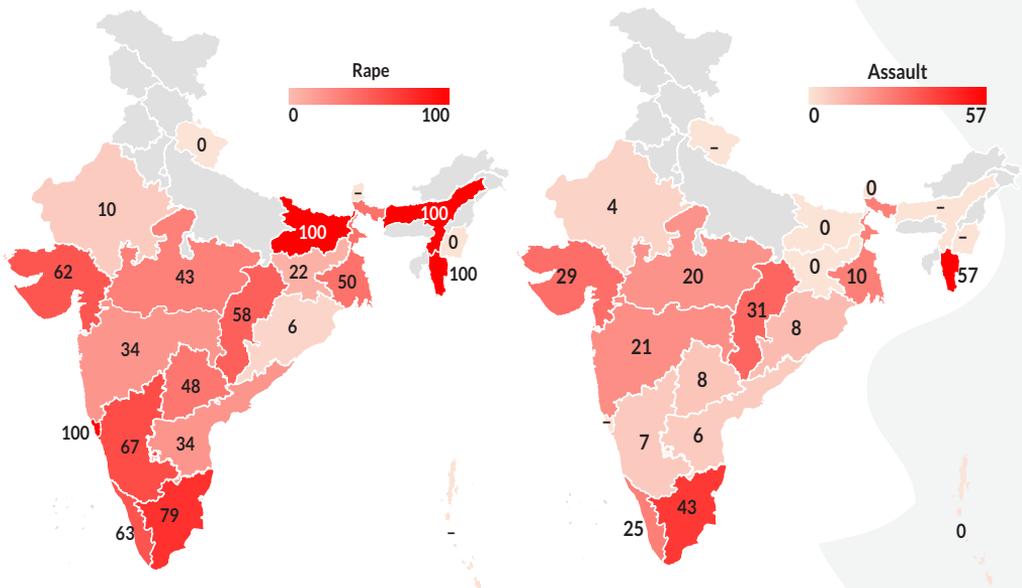


Figure 48 (Table 36): Recorded atrocities as % of total atrocities against scheduled tribes girl – 2022



recorded crimes against women in 2022 but not in 2021, while Uttar Pradesh did not in 2022. But for Sikkim and Andaman and Nicobar Islands, 19 of the 21 states and union territories recorded at least one case of rape.

Rape is the most recorded inter-community crime against women and girls from the scheduled tribes in India by a wide margin. It is the most recorded crime in 14 of the 19 states that have recorded at least one case in 2022. There is only 1% recorded attempt to commit rape compared to recorded rape. There is no recorded attempt to commit rape in 13 of 19 states and union territories that recorded rape. Of the just 16 cases of attempt to commit rape on women from the scheduled tribes, most are recorded in Rajasthan (9), followed by West Bengal (3), and one each in Andhra, Chhattisgarh, Karnataka, and Kerala. Tamil Nadu (11 of 14, 79%), Karnataka (34 of 51, 67%), Kerala (27 of 43, 63%), Gujarat (36 of 58, 62%), and Chhattisgarh (122 of 212, 58%), recorded more inter-community rapes of girls than women. West Bengal recorded 3 each (50%), and the sole recorded case in Mizoram, Bihar, Assam, and Goa was that of minor girls (100%). This could indicate that these states take crime against girls more seriously and recognise their personhood rather than be dismissive of their traumatic experience.

6.2.2 Recording atrocities against girls

In the period 2017 to 2022, four states (Arunachal Pradesh, Meghalaya, Nagaland, Tripura) and six union territories (Chandigarh, Dadar and Nagar Haveli, Daman and Diu, Jammu and Kashmir, Ladakh, Lakshadweep, and Puducherry) have not recorded even one inter-community rape against a girl from a scheduled community.

In 2022, sixteen states recorded rape against girls from the scheduled castes. Though the top three states remain the same, Haryana moves to 8th position from the 5th. Whether it is because of better recording in the other states or other factors are at play needs to be explored. Tamil Nadu (116 of 166, 70%), Karnataka (137 of 204, 67%), Gujarat (79 of 129, 61%), and Kerala (110 of 192, 57%) recorded more rapes against girls than women. Tamil Nadu also records more

Though the overall pendency for assault has increased by just about 50%, it has increased by over 450% for the scheduled castes and over 370% for girls from the scheduled tribes (2017 to 2022). For context this is 11 times the total for girls from the scheduled castes and 9 times the total for girls from the scheduled tribes.



assaults on girls than women (50 of 92, 54%) – the only state with the sensitivity to do so. Uttarakhand, Jharkhand, Delhi, Mizoram, Jammu and Kashmir, and West Bengal do not record any inter–community crime against girls from the scheduled castes.

Mizoram records more inter–community assaults on girls than women (4 of 7, 57%) from the scheduled tribes – the only state with the sensitivity to recognise the personhood of the girls from the scheduled tribes. Manipur, Uttarakhand, Sikkim, and Andaman and Nicobar Islands did not record any inter–community crime against girls from the scheduled tribes.

Analysis reveals a wide variation in the number of recorded rape, the number of recorded rape against children, and the percentage–wise ranking. The pattern of recorded inter–community rape against girls reveals a totally different dimension. On average, about 40% of the recorded rapes are of minor girls from the scheduled castes in 2022, up from 33% in 2021. Rajasthan which tops in recorded inter–community rape against scheduled castes is ranked 10 for recorded inter–community rape against scheduled caste girls. The top five states both in 2021 and 2022, in descending order of incidence are Madhya Pradesh (216, 37%), Maharashtra (194, 42%), Uttar Pradesh (142, 22%), Karnataka (137, 67%), and Telangana (126, 45%).

In terms of percentage recorded rape against girls from the scheduled castes, the top five states are Tamil Nadu (116, 70%), Gujarat (79, 61%), Karnataka (137, 67%), Kerala (110, 57%), and Telangana (126, 45%). Of them, Tamil Nadu, Gujarat, Karnataka, and Telangana recorded zero attempts to commit rape against girls from the scheduled castes – a clear indicator of suppression.

From 2017 to 2022, the period for which data is available, 21 states and union territories recorded inter–community rape against girls from a scheduled caste. The recording is gradually picking up, as the increase in percentage contribution shows. Haryana, whose recorded numbers are increasing is now in the eighth position because others are

But for 2018, the conviction rate for insult of the scheduled tribes is zero for all years from 2017 to 2022. For the scheduled castes it is 4.3% in 2022. The deep distrust of the police by the women from the scheduled communities and/or the bias of the police against them is clearly visible in these recorded data. Why would the women and girls from the scheduled communities want to submit themselves to torture if this is the outcome?



Till 2021, the judiciary used to mirror the larger social consciousness of all children being lesser humans but since then the pendency rate increase for children overall (19%) has halved compared to the overall increase (40%). Shockingly, the judiciary still disregards the trauma of children from the scheduled communities and considers them as being sub-human since the increase in pendency is 400% and 270%. Unfortunately, it is not an anomaly.

recording more. This reflects in its historically high contribution (8.12%). Tamil Nadu is inching up, which is reflected in its higher position though its historical contribution is less.

The data reveals other states where the *rate* of recorded inter–community rape against children from the scheduled castes is relatively high compared to the national average. This could be used with the other data to construct a holistic overview. States with larger populations tend to have lower rates.

The recorded rape against little girls from the scheduled tribes in 2022 is overwhelmingly from Madhya Pradesh, followed by Chhattisgarh. Together these two states account for about 52% of the recorded atrocities against little girls. They are followed by Maharashtra, Telangana, and Gujarat. Of them, Telangana shows an increasing trend.

The recording in Rajasthan and Odisha could require remedial action since there is a wide gap in total recorded rape and those recorded for girls. In 2022, the states retain their ranking in recorded crime.

There were 22 states and union territories that have recorded at least one inter–community rape against girls belonging to a scheduled tribe between 2017 to 2022. Of them, only the top 11 regularly record this crime. The others are one off, though Bihar and Goa have recorded cases in 2021 and 2022, West Bengal from 2022–24, and Jharkhand has recorded at least one in four years. Manipur, Uttarakhand, and Uttar Pradesh seem to have stopped recording.

The picture changes rather drastically when the rate is considered. Kerala again tops the table of recorded rate of inter–community rape against girls from the scheduled tribes, followed by Chhattisgarh. Kerala, Rajasthan, and Tamil Nadu have doubled all three parameters in just a year, while Gujarat and Odisha have halved it in 2022.

The pattern revealed in the registration of inter–community rape by rate and by age are different. The variation could be because of better sensitivity of the officials or the assertiveness of an aware citizenry. Though not among the top





five in terms of the recorded numbers, Kerala tops both years in the rate of crime.

The incidence of recorded inter-community rape, its rate, and the percentage of minor girls is steadily increasing. The NCRB data reveals that there is disproportionate inter-community rape against minor girls in some states. Table 41: *Recorded inter-community rape: Children (Scheduled Tribes), states (2022)* reveals that more cases of girls than women from scheduled tribes are recorded in 2022 from Chhattisgarh (122 of 212, 58%), Gujarat (36 of 58, 62%), Karnataka (34 of 51, 67%), Kerala (27 of 43, 63%), Tamil Nadu (11 of 14, 79%), Mizoram (5, 100%), Bihar (1, 100%), Assam (1, 100%), and Goa (1, 100%). As a pattern, it could reveal specific targeting of girls with rape as an instrument of ethnic war those specific states.

6.2.3 Charge-sheeting

When the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is invoked, the standards for investigation and charge-sheeting are so stringent that a charge-sheet means that it is a watertight case directly attested to by the professional integrity and competence of several senior officers of law enforcement (ADGP, SP, DSP), civil administration (DM), and the judicial system (Director of Prosecutions, special court).

In the cases of atrocities, 50% of the relief is given at this stage so delays in filing the charge-sheet or filing a closure report has several immediate and long-term impact and, frequently, intergenerational consequences as well.

The rate of charge-sheeting is coming down, across all social groupings. Overall, it has dropped 0.87% from 2017 to 2022 – 5.7% for women and 8% for children. It is on a long-term decline which needs to be addressed and arrested.

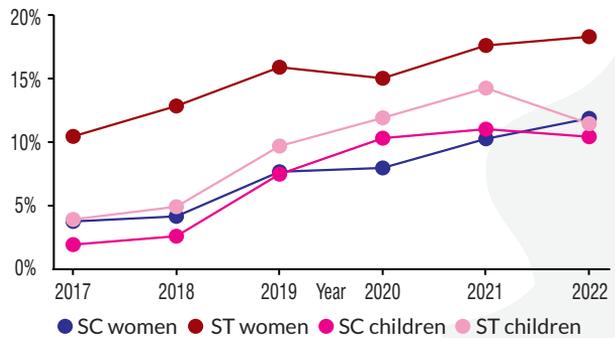


Figure 55 (Table 43): Recorded inter-community rape: % variation of charge-sheeting (2017 – 2022)



The silver lining is that there is a discernible difference in the charge-sheeting rate for the women and girls from the scheduled castes by about 10% and for the scheduled tribes by about 18%. This is an accelerating trend and is a positive development before being deflated by the dampener of the low conviction rate which bring us back to earth.

6.2.4 Convictions

The mean conviction rate for inter-community rape against women and girls from the scheduled communities (table 44: *Inter-community rape against scheduled communities: Convictions (2017 to 2022)*) is about 34%. Against women and girls from the scheduled castes it is about 34% but fluctuates widely. It increased from 33.5% in 2017 to 42.5% in 2020 but dropped steeply to 28.8% in 2021 and recovered to 39.1% in 2022. The conviction rate for rape against women and girls from the scheduled tribes is about 32%. It ranges from 27.6% in 2019 to 37% in 2022 (Table 8: *Rape: Conviction rate (total, scheduled communities), (2017 to 2022)*).

Of the four categories – total, scheduled caste, scheduled tribe, others – only the conviction rate of rape against scheduled tribe women increased in 2022 compared to 2021. There is a steady decline for all others from their peak performance of

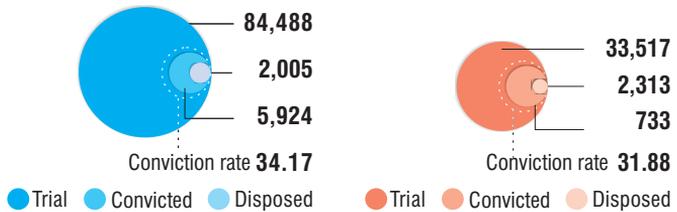


Figure 56 (Table 44): Inter-community rape convictions - 2022

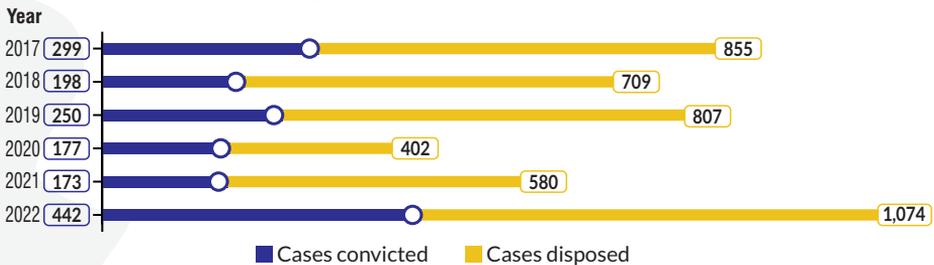


Figure 57 (Table 45): Inter-community rape against SC women (2017 - 2022)





2020. Though there is some improvement in 2022, there is just about a 2–3% difference between the conviction rate for rape overall and for inter–community rape against the women and girls from the scheduled communities in other years. Incredibly, in half the years for which data is available – 2017, 2019, and 2020 – the conviction rate for scheduled tribes is less than the national average. The minute increment in the higher figures is no solace. The entire record is rather surprising since the investigations and prosecution of the inter–community crimes against scheduled communities are done by senior officers – investigations by deputy superintendents of police or senior ranks, and prosecutions by special public prosecutors with a minimum of seven years’ experience or more who are paid more than other government prosecutors.

Conviction rates for inter–community rape peaked in the pandemic year 2020 to 42.5% for scheduled castes and 33% for scheduled tribes, before stunning reverses in 2021 and stabilising in 2022. In 2021, conviction rates were lower at barely 32%, increase in pendency to 232%, and cases disposed per annum plunging from 989 in 2017 to 881 in 2021 (–11%) for the scheduled castes, and from 443 in 2017 to 300 in 2021 (a mindboggling –32%) for the scheduled tribes. In 2022 there were record disposals and convictions, partially making up for the lapses of the previous years.

Even with the uptick in 2022, the courts have failed substantially in ensuring speedy justice and in ensuring the rights of survivors, dependents, informants, and witnesses. Despite record highs, less than 40% of the cases of rape have

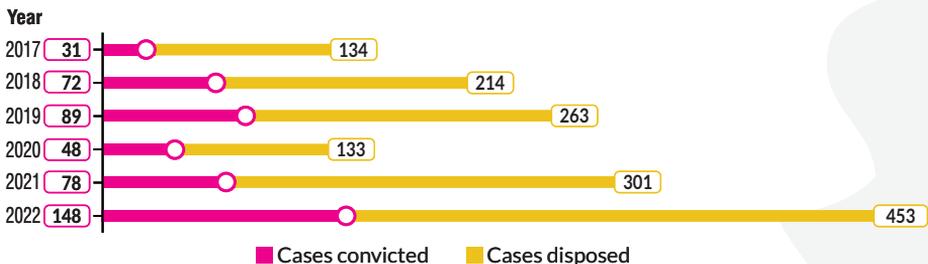


Figure 58 (Table 46): Inter–community rape against SC girls (2017 – 2022)



ever ended in conviction, in a decreasing trend but for the pandemic year (2020) and the bounce back year (2022). This is a direct consequence of the decrease in cases disposed each year despite the number of exclusive special courts increasing. The increasing disposal time is resulting in a decrease in conviction rate even for rape.

The impact of the fast-track special courts is not seen in the conviction rates or in the total cases disposed for women and girls from the scheduled castes perhaps due to the pandemic shock. The numbers were inching up even before but hopefully there will be better impact in the coming years. The performance of the FTSCs is of particular relevance since the trials of all sexual offences against children – including those of inter-community rape – are conducted there and not in the 176 exclusive special courts or 487 designated special courts established under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The courts work a shade less for the women and girls from the scheduled tribes in terms of cases disposed and overall conviction rate (conviction rates switch for women and girls

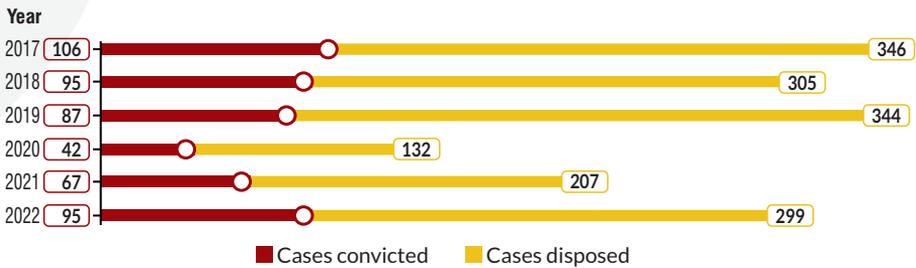


Figure 59 (Table 46): Inter-community rape against ST women (2017 – 2022)

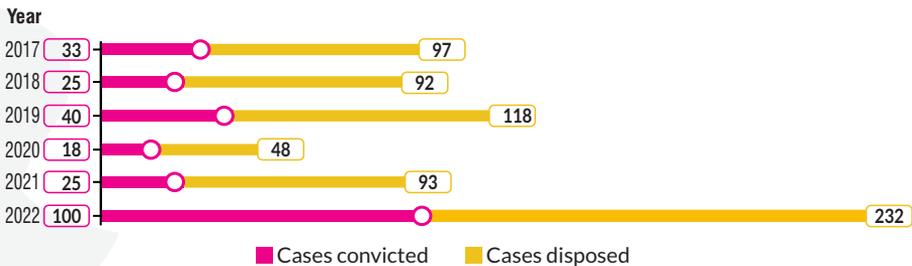


Figure 60 (Table 46): Inter-community rape against ST girls (2017 – 2022)



with the scheduled castes). The overall conviction rate for rape against women and girls from the scheduled communities is just about 34% compared to 51% for inter-community murder – another reminder of the hurdle to justice for women, and the deeply embedded systemic patriarchy.

To reiterate, the 34% conviction rate – a failure grade in Indian colleges, and just pass in high school – are for the cases where an officer of rank deputy superintendent of police or higher has completed the investigation and filed a charge-sheet (which excludes the ‘true but no clue’ cases) under the supervision of a superintendent of police and the district magistrate.

6.2.5 Pendency in court

The courts are a major bottleneck in the administration of justice. Despite the 755 FTSCs including 410 ePOCSO courts, and the 487 designated special courts and 176 exclusive special courts under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the number of pending cases is increasing. Courts have disposed less than 25% of the charge-sheeted cases of inter-community rape. The number of pending cases has more than doubled (2.6x) from 2017 to 2022 – reinforcing impunity of the perpetrator.

Pendency is increasing at a faster clip for the scheduled communities – at 125% for the scheduled castes and 106% for the scheduled tribes, compared to a 40% increase overall. This is a visible manifestation of the inherent bias of the state mechanisms, in this case the judiciary, against women and girls from the scheduled castes and much more against those from the scheduled tribes.

The data provides the disposal rate and insights into the prioritisation of resources by the state mechanisms, in this case the judiciary. Virtually every year the proportionate increase in pending cases is

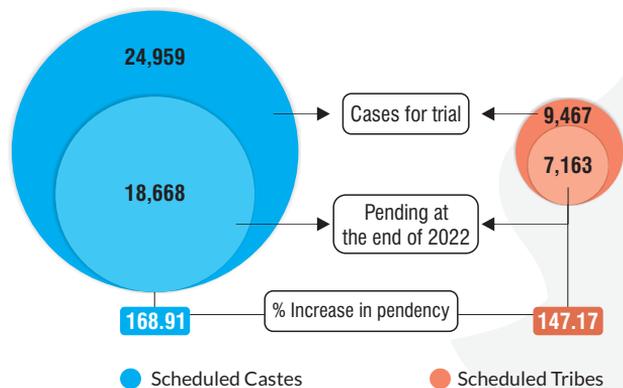


Figure 61 (Table 47): Rape pendency – 2022



much more for the scheduled communities, reaching absurdly high levels for girls from the scheduled tribes and stratospheric levels for girls from the scheduled castes.

Till 2021, the judiciary used to mirror the larger social consciousness of all children being lesser humans but since

then the pendency rate increase for children overall (19%) has halved compared to the overall increase (40%). In contrast, and shockingly in comparison, the judiciary still disregards the trauma of children from the scheduled communities and considers them as being sub-human since the increase in pendency is 400% and 270%. Unfortunately, it is the pattern not an anomaly. This pattern persists and becomes more pronounced as the data becomes more granular.

The delay in the case of the scheduled communities is especially worrisome since relief is dependent on the progress of the case. In most cases 25% of the relief depends on the completion of the trial and on conviction in others. Delays cause acquittals and therefore denial of relief as well, in addition to a miscarriage of justice. Disposal of just 8% of the pending cases of inter-community rape against scheduled caste women and girls, and just 12% of those against scheduled tribes is a recipe for just this outcome.

The scale and hardwired-into-the-system design for failure becomes all the more evident when juxtaposed with the statutory

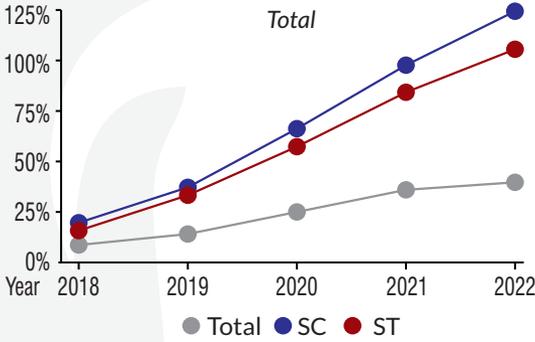


Figure 62 (Table 48): Rape pendency increase %

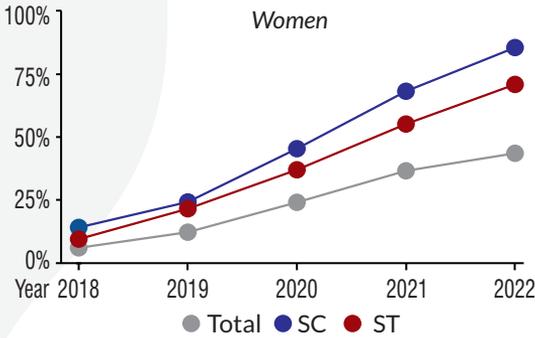


Figure 63 (Table 48): Rape pendency increase %

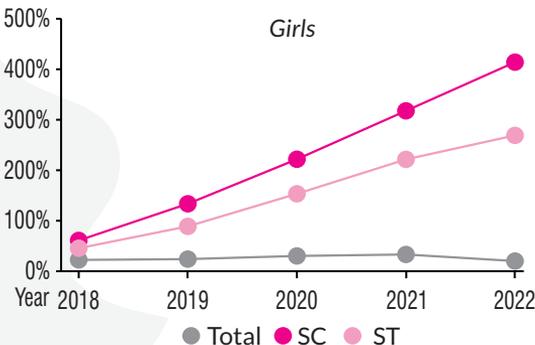


Figure 64 (Table 48): Rape pendency increase %



requirement that trials are supposed to be completed within two months of the charge-sheet being sent to court (Section 14, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989). Though the state governments are supposed to conduct surveys to identify atrocity prone areas, set up special police stations with constabulary from the scheduled communities in those areas, appoint special officers to coordinate prevention, relief, and rehabilitation, and set up exclusive special courts in these areas, not one state government has done so even 35 years after the Act was passed in 1989.

The fortification of judicial patriarchy with caste prolongs trauma and prevents closure. Though the NCRB does not give the state-wise breakup, it is fair to assume that disposal of inter-community rape is not a priority even for the exclusive special courts setup for the purpose to fulfil statutory obligations and the orders of the Supreme Court of India. The pendency is still on an upward spiral and the courts are still underwater.

6.3 Attempt to commit rape

6.3.1 Recording

The number of recorded inter-community attempt to commit rape has been going down since 2017. It could be because those that intersect with POCSO have been shifted elsewhere. Though there has been a general decline, it has gone up since 2019 for the scheduled tribes, till it declined in 2022. The total recorded is a fraction of the recorded inter-community rapes.

Of the 36 state and union territories, only 18 states have ever recorded an attempt to commit rape against a woman or girl from a scheduled caste and only 13 states have ever recorded

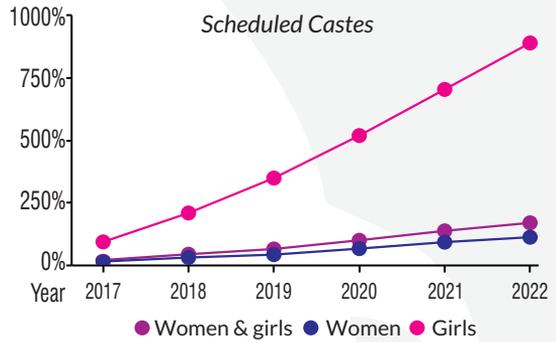


Figure 65 (Table 49, 50):
Rape pendency increase %

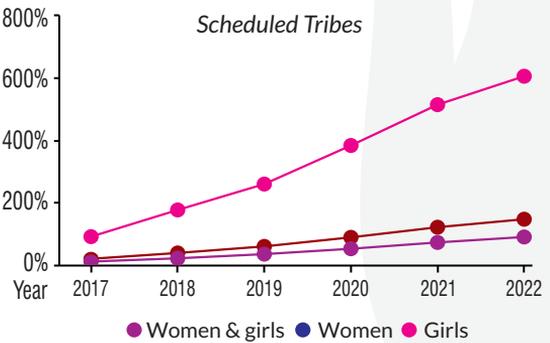


Figure 66 (Table 49, 50):
Rape pendency increase %

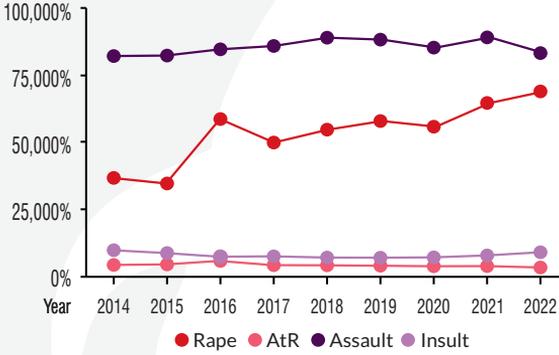


Figure 67 Recorded atrocities against women and girls (2014 – 2022)

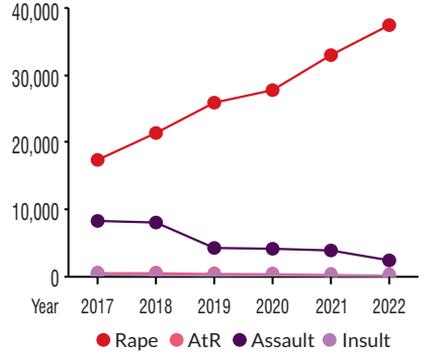


Figure 68 Recorded atrocities against girls (2014 – 2022)

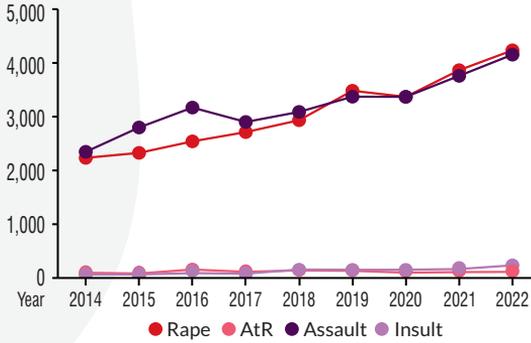


Figure 69 Recorded atrocities against SC women and girls (2014 – 2022)

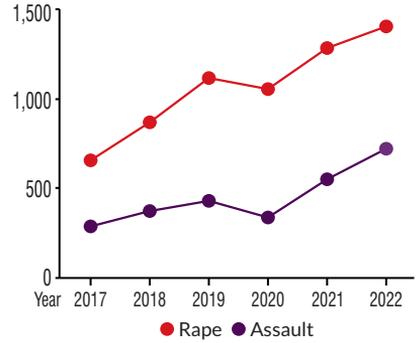


Figure 70 Recorded atrocities against SC girls (2014 – 2022)

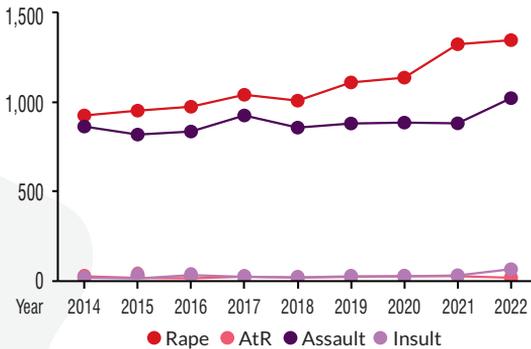


Figure 71 Recorded atrocities against ST women and girls (2014 – 2022)

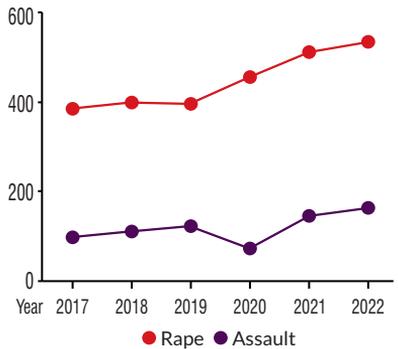


Figure 72 Recorded atrocities against ST girls (2014 – 2022)

(Table 7, 31 & 51)





an attempt to commit rape against a woman or girl from a scheduled tribe. No union territory has ever recorded an attempt to commit rape against a woman or girl from a scheduled community. The states (10 for scheduled castes and 7 for scheduled tribes) with a 0% mean ask for blind belief.

The overall reliability of these figures, even within the single digit credibility of rape to attempt to commit rape, is below 100%. Even this overall figure is a little deceptive, since the retrogression of some states is masked by more than average increase in others.

Some of the states that have recorded rape have not recorded attempt to commit rape. As pointed out earlier, the number of the more severe crime will always be less than the less serious ones. The recorded attempt to commit rape flies in the face of this common trend by always being an insignificant fraction of the recorded rape. This is either trivialisation and suppression by the police (the recording authority) or extreme distrust of the police by the scheduled communities – neither of which are good for the police.

6.3.2 Charge–sheeting

The charge–sheeting rate is down by a third for the scheduled castes – from 78% in 2017 to just 52% in 2022. The pattern for atrocities against the scheduled tribes seem to be the same overall. The charge–sheeting for attempt to commit rape is plummeting from 87% (2019) to 69% (2020) to just 42% (2021) before recovering to 57% (2022).

To understand the full import of the data on charge–sheeting, it needs to be compared with the charge–sheeting rate for rape. Then comes the heart stopping realisation that the charge–sheeting rate is virtually one third (for the scheduled castes) and one half (for the scheduled tribes) of the charge–sheeting rate for rape

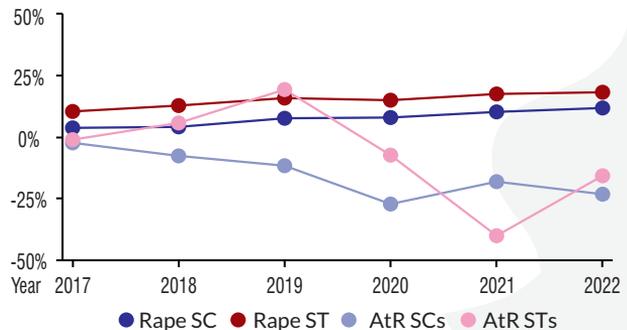


Figure 73 (Table 54): Attempt to commit rape: % variation to total charge–sheeting (2017 – 2022)

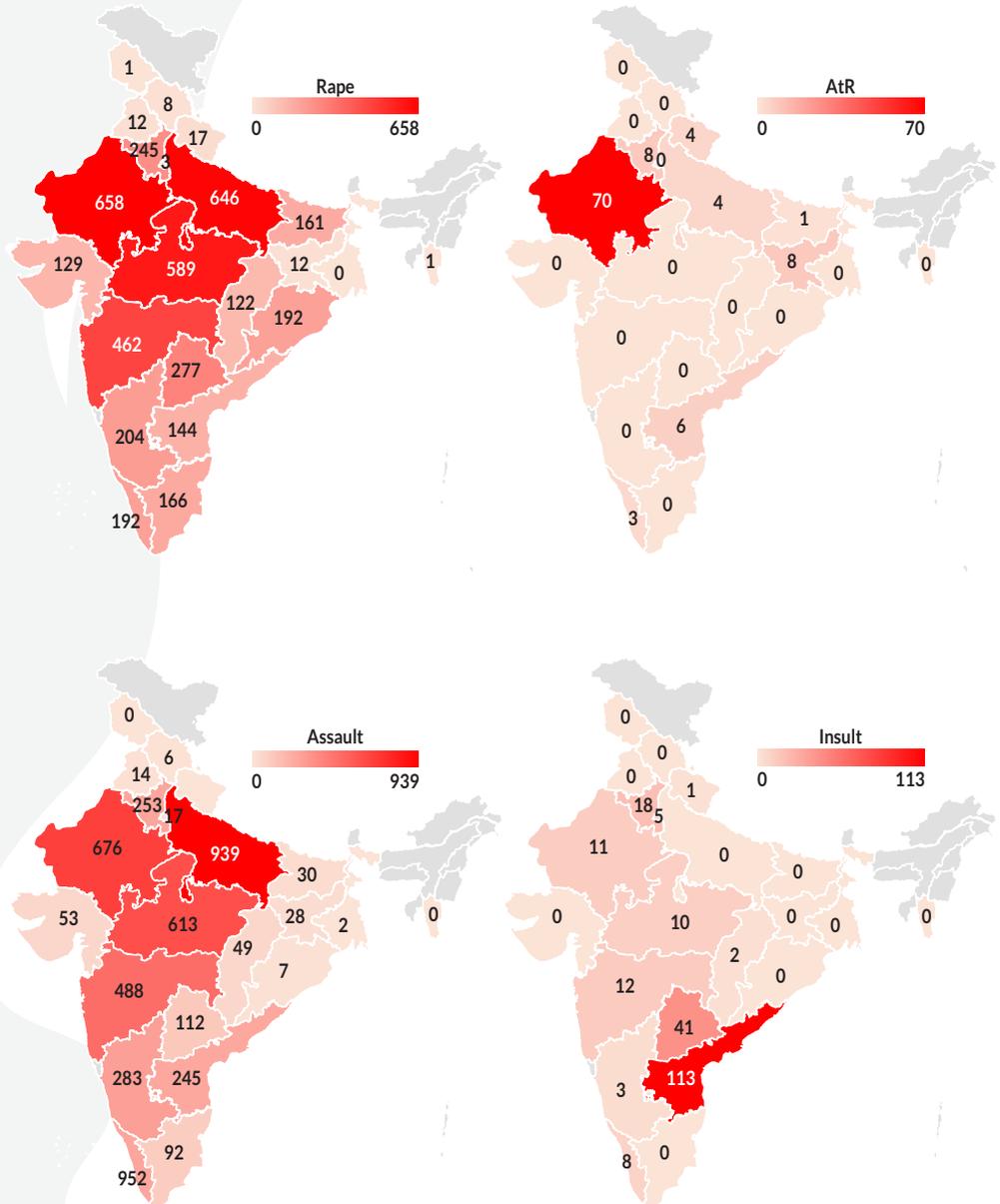


Figure 74 (Table 35 & 52): Recorded atrocities against scheduled castes – 2022



in the year. That this is an accelerating trend does not bode well. Apart from the already minuscule number of cases registered under this provision, the high rejection rates mean that invoking this section is the death knell for the victim’s quest for justice.

6.3.3 Convictions

The conviction rates are a cause for concern. There have been no convictions for inter– community attempt to commit rape against women and girls from the scheduled tribes for the four years from the calendar year 2019 to 2022. On the other hand, acquittals and disposals proceed at a quick clip as usual.

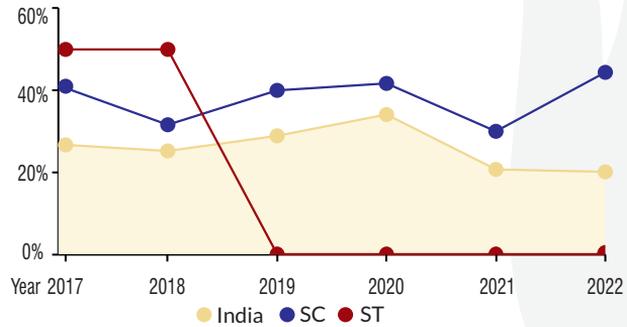


Figure 75 (Table 55): AtR – Conviction rate (2017 – 2022)

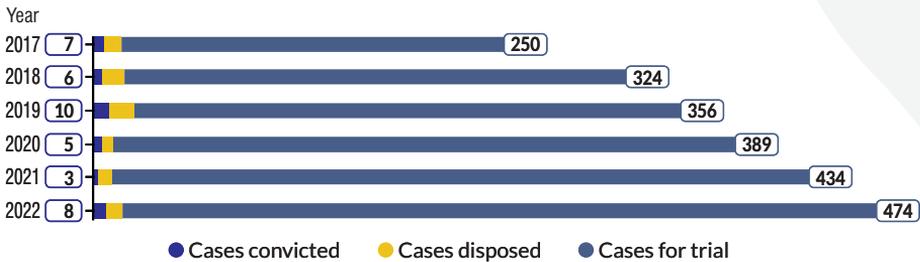


Figure 76 (Table 56): AtR – SC conviction (2017 – 2022)

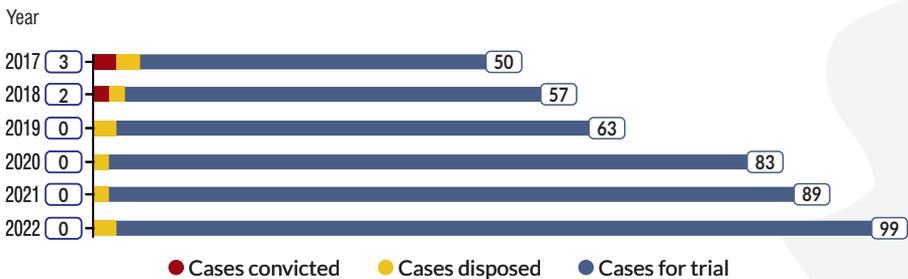


Figure 77 (Table 57): AtR – ST conviction (2017 – 2022)

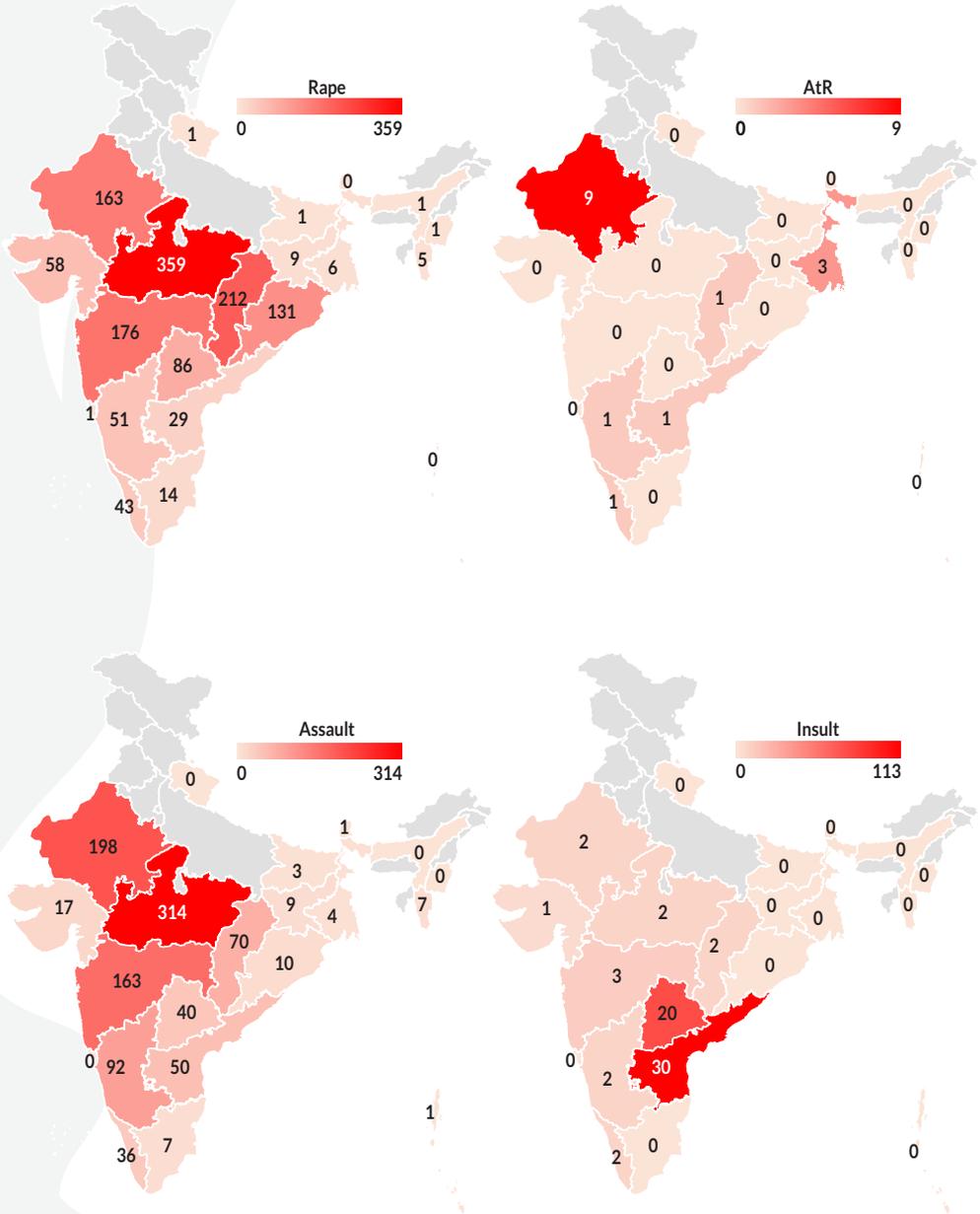


Figure 78 (Table 36 & 53): Recorded atrocities against scheduled tribes – 2022



6.3.4 Pendency in court

The court disposals in cases of inter-community attempt to commit rape are lackadaisical. The reason for reluctance to bring trials to completion is mystifying. They are much above the national average growth. The number of pending cases has almost doubled for the scheduled castes and more than doubled for the scheduled tribes. Though a shade better than the pendency for rape, it is still in the red zone.

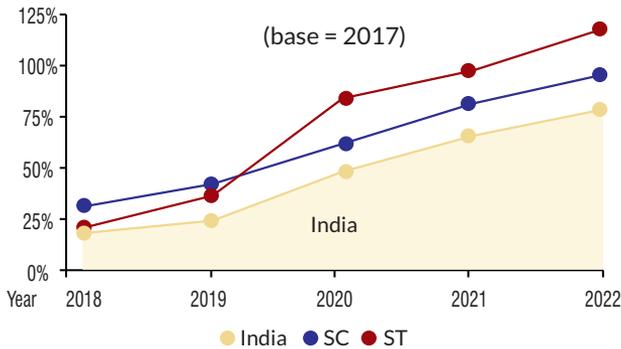


Figure 79 (Table 58): AtR: Pendency increase % (2018 – 2022)

6.4 Assault on women with intent to outrage her modesty

The data reveals how seriously the courts take this crime against women, and the variations depending on the social location of the women. The conviction rate remains low, and the cases are piling up.

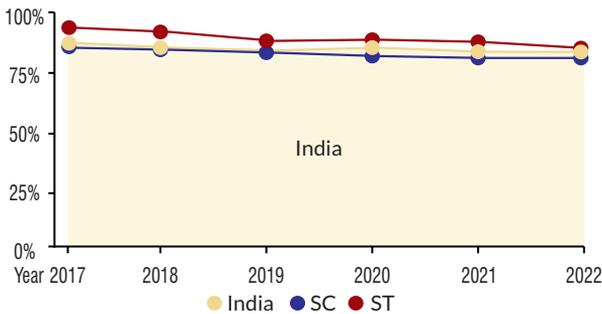


Figure 80 (Table 59): Assault on women: Charge-sheeting

The data (Table 59: Assault on women with intent to outrage her modesty: Charge-sheeting (2017 to 2022)) reveals the disparity right from the stage of charge-sheeting. The



charge-sheeting rate for assault on women and girls is less than that for rape overall. Within this, the charge-sheeting rate is less for women from the scheduled castes every year. This cannot be a coincidence since it is higher than the national average for every other category – girls from the scheduled castes, girls from the scheduled tribes, and women from the scheduled tribes.

Despite the investigating officer being of DSP rank or higher and the exclusive special public prosecutor being a senior advocate with seven years or more experience with higher salary, the conviction rate for assault on women from the scheduled castes is just a bit above the overall conviction rate (Table 60: Assault on women: Conviction and pendency (2017 to 2022)). The conviction rate for assault on women from the scheduled tribes is on a downward trend and is below the overall conviction rate since 2019, but for the pandemic year i.e., in three of the last four years.

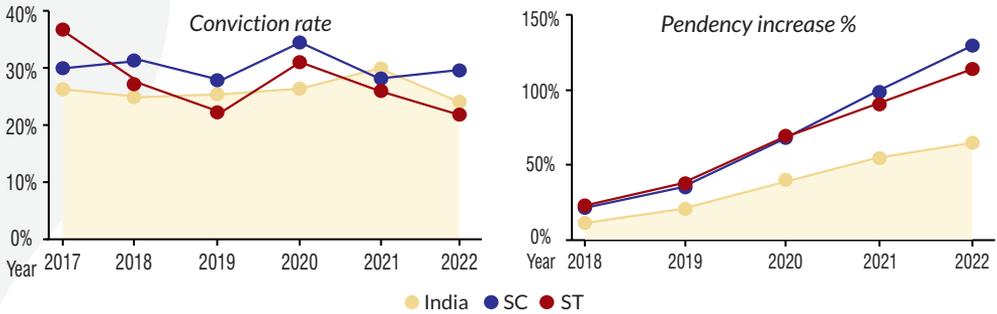


Figure 81 (Table 60): Assault on women (2017 - 2022)

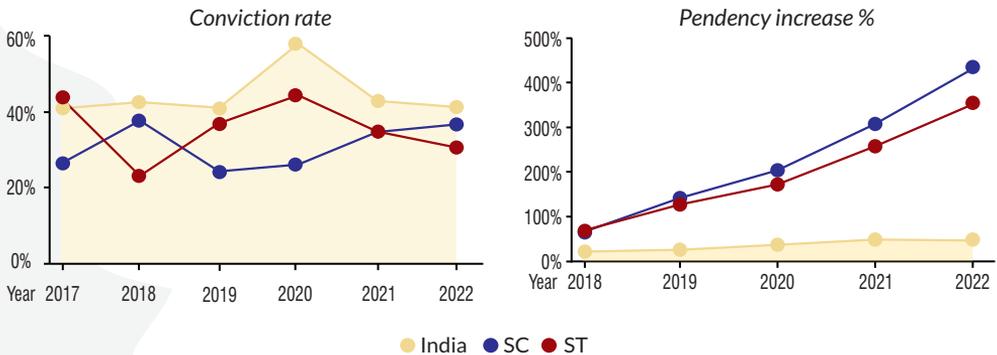


Figure 82 (Table 61): Assault on girls (2017 - 2022)



Despite the 487 designated special courts and 176 exclusive special courts under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act 1955, the pendency of cases of inter-community assault of women from the scheduled communities is increasing at a brisk pace. They have more than doubled for the scheduled castes (130%) and the scheduled tribes (114%) in the five years from 2017 to 2022 compared to a 65% rise overall.

The conviction rate for assault is still only about 40%, but it is higher than the overall average, across all social groupings. But contrary to the case of women, in a strange anomaly, the conviction rate for assault on children from the scheduled communities is less than the overall conviction rate.

The pendency of cases of inter-community assault of girls from the scheduled communities is increasing at a scorching pace – a clear indicator of how flippantly the judicial system treats the traumatised girls from the scheduled communities, and how much the judges and judicial officers are in solidarity with their caste brothers. To recall, the chances of conviction and rehabilitation diminish with time. Drag it long enough and justice is extinguished.

If the treatment of assault on women is a shocker, the treatment of assault on girls from the scheduled communities is a sucker punch. Though the overall pendency has increased by about 50%, it has increased by over 450% for the scheduled castes and over 370% for girls from the scheduled tribes in the five years from 2017 to 2022. This is 11 times the total for girls from the scheduled castes and 9 times the total for girls from the scheduled tribes. In contrast, the increase in pending cases for assault on women from the scheduled castes are about twice the total (which is bad enough and reflects poorly on the sense of urgency of the judges).

6.5 Insult to the modesty of women

6.5.1 Recording

Logically, the number of recorded insult to the modesty of women should be the highest among the recorded rape,

Overall case pendency rose 50%, but for ST girls it increased 370%, and for SC girls, it soared 450% – 9 and 11 times the total increase, respectively. In contrast, pending assault cases on SC women doubled the overall rise.

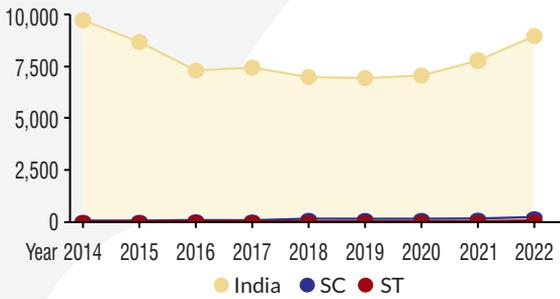


Figure 83 (Table 62): Recorded insult to the modesty of women (2014 - 2022)

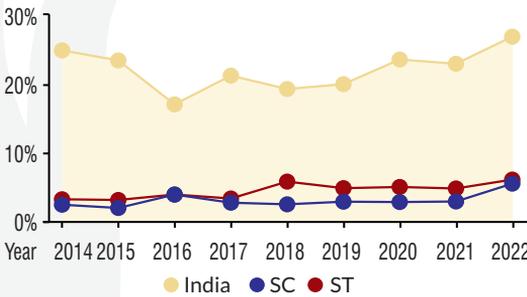


Figure 84 (Table 62): % Insult to rape of women (2014 - 2022)

attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women. However, it is the least recorded across all demographics.

While this could be due to suppression and trivialisation by the police when the women report the crime, as is the case in attempt to commit rape, in this case the lack of recording could be that the women themselves do not come forward to register relatively trivial crimes. The reluctance could be due to the difficulty in registration due to distance or access, or due to a trust deficit in the police and perception of the police station as

a hostile space or, as we shall see soon, due to the hostile process and high cost for a soul numbing outcome. Any of these reasons are clear indicators of a breakdown of the fundamental relationship between the police and the state mechanisms on the one hand and the women and communities on the other.

Recording under this section has been on a long-term decline from 2014 to 2019 and has still not reached the previous levels. At 2.5% of the total recorded, the recording for the scheduled castes has improved, but not so much for the scheduled tribes which is still under 1%.

6.5.2 Charge-sheeting

Charge-sheeting follows the general trend of insult to the modesty of women being less than the charge-sheeting for rape with even more variation for women from the scheduled communities. Overall, the charge-sheeting rate for atrocities against the scheduled communities is about 80%. There are considerably less charge-sheets filed for assault on women with



intent to outrage her modesty in all the years but for the scheduled tribes in 2020. This is a clear indication of suppression of crimes against women from the scheduled castes at the police station itself in both recording and charge-sheeting.

The abysmal rate of charge-sheeting, especially for those against women and girls from the scheduled castes, is a fit case for 'shaking the conscience of the nation'. It is evidence that casual violence is normalised, officially accepted, and condoned.

6.5.3 Convictions

But for 2018, the conviction rate for the scheduled tribes under this section has been zero for all years from 2017 to 2022 – despite the SP and DM monitored investigation by a DSP, prosecution by a senior special public prosecutor, discarding the 'true but no clue'. For the scheduled castes the outcome is not much better. Their conviction rates are often less than half the others, and just a quarter (4.3% vs 19%) of the recorded data for the calendar year 2022.

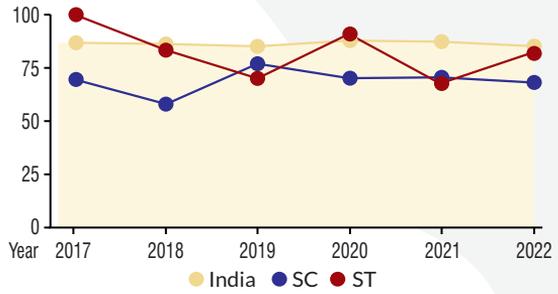


Figure 85 (Table 63): Insult to the modesty of women: Comparative charge-sheeting (2017 - 2022)

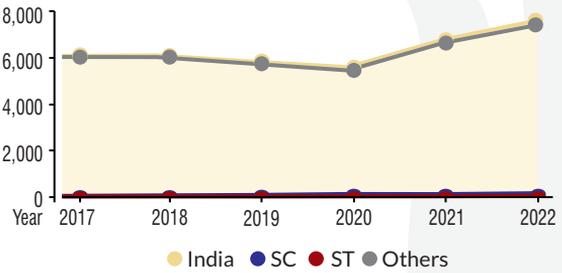


Figure 86 (Table 64): Insult to the modesty of women: Cases charge-sheeted (2017 - 2022)

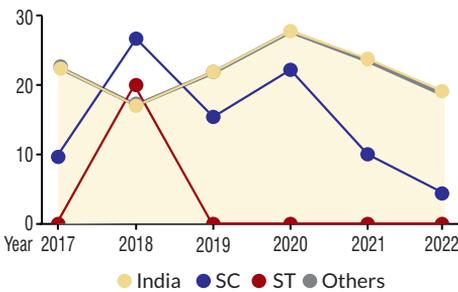


Figure 87 (Table 64): Insult to the modesty of women: conviction rate (2017 - 2022)

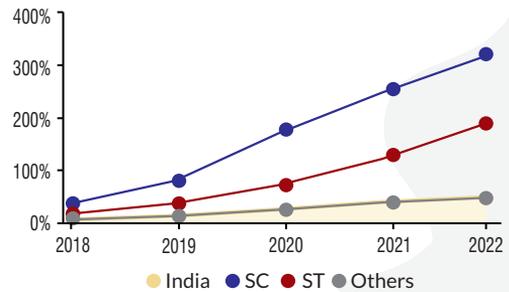


Figure 88 (Table 64): Insult to the modesty of women: % increase in pendency (2017 - 2022)



6.5.4 Pendency in court

The pendency of cases of insult to the modesty of women and girls from the scheduled communities at the courts, and more so its disparate rate of increase, follows the same script as the rest of the data in accentuating the intersectional discrimination faced by them. While the overall pendency increased by about 50% (48.91%) from 2017 to 2022, it increased by almost 200% (189%) for women from the scheduled tribes and over 300% (317%) for women from the scheduled castes.

At the 2022 rate of disposal, it would take 10 years for the cases of insult to the modesty of women to be cleared with 18.5% chance of conviction, 8 years for women from the scheduled castes with a 4.8% possibility of conviction and 44 years for women from the scheduled tribes with 0% chance of conviction.

The deep distrust of the police and the judiciary by the women from the scheduled communities and/or the bias of the police and judiciary – indeed the entire system – against them is clearly visible in these recorded data. Why would the women and girls from the scheduled castes and tribes want to submit themselves to torture if this is the outcome?



The findings

7

The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.

The Constitution of India, Article 38(1)

7.1 Recorded reality

7.1.1 Numbing numbers

That there is an exponential increase in recorded crime against women is undeniable. The rate of increase far surpasses the rate of increase of the population. The population of India increased from 547,949,809 (Census of India, 1971) when the CII report first recorded rape to 1,379,750,000 in 2022,⁶⁸ i.e., by 2.5 times or 251.80%. In the same period, recorded rape increased by 13 times, or 1273.70%. Though there are some crimes that have seen a greater increase, those are a result of better and more access (for instance cybercrime increases due to the accessibility of more people to mobile phones). The growth in crimes against women and the scheduled communities is much more than the growth in population, population density, mobility (ease of entry and exit), or urbanisation (all of them). Perhaps there are other factors at play, but this is surely not the demographic dividend the nation deserves.

One of the reasons rolled out is that more population (which increases the number of perpetrators and targets) and density (increases opportunity for surveillance and execution) equal to more crime. Here is Minister Of State (Women and Child Development) Savitri Thakur in the Lok Sabha (Unstarred Question No. 3024) on 13 December 2024:

Increased reporting of crime may be attributable to the increased level of awareness among citizens due to various measures taken by government in the last few years including the operationalisation of helplines such as Women Helpline - 181 and Emergency Response Support System (ERSS-112), concept of Zero e-FIR and provision of institutional support to the survivors.

Indian state has known what has to be done for 70 years and has not acted on it since it, being a dominant caste male institution, has benefitted the most from the inertia of status quo. This long festering wound has been known, and the remedies identified, for several decades, but the allure of feudal policing and administration of justice is intoxicating and irresistible.



And again, on 20 December 2024 (Unstarred Question No.4348):

Due to the increase in the population of the country and awareness of their rights amongst the public, filing of fresh cases is also increasing year after year.

The data ostensibly points to such a conclusion, and NCRB seems to concur. On several occasions it mentions that *crime increases with population*, the latest being in *Crime statistics: A note of caution* (CII–2022). On reflection a deeper self–confessed truth becomes self–evident that other cultural and social factors are at play, not only in crime, but in recording as well. The regional variations in crime recording are as much a factor of recognising some actions as crime as it is of occurrence. CII–2022 reflects on this phenomenon:

Crime is manifestation of myriad complex factors. The causes of criminal behaviour lie in the social processes and structures. People commit crimes due to the process of socialisation that does not develop strong sense of right or wrong and ever–increasing desires act as strong stimulus for taking to crime to fulfil these desires. The genesis of crime can be traced to interplay of various social, economic, demographic, local and institutional factors.

Especially when it comes to crimes against women, the religiously sanctioned toxic masculinity (which spills over into casteism as well) and male entitlement does seem to be deciding factors. Religious and cultural detoxification of the Indian male is an urgent necessity.

These figures from the police – the horse’s mouth – consolidated by the NCRB, track the progress of the cases, victims, and perpetrators through the system from reporting, investigation, arrests, trial, and disposal, with a glimpse of the functioning of state mechanisms. The multiple data points from millions of cases form a mosaic that are a strong validation of the intersectionality of gender, caste, and age, and sheds some light how intersectional caste, class, and gender–based violence play out on the fragile bodies of the most vulnerable. While all women face gender–based violence (a few of which are classified as crimes), some face

A high number of recorded crime does not automatically mean a lawless society. In some cases, a higher number of recorded crime may even be better, if the quality of recorded crime justifies it. Better benchmarks are the ratio of ‘heinous crimes’ to recorded crime, and the crime rate. However, for the data in the NCRB reports, the ratio does not decrease as it would have if there was a more conscientious constabulary.





additional forms and are more vulnerable to the violence and the institutional exploitation that follows. Women and girls from the scheduled communities fare worse than the India average, the scheduled tribes worse than the scheduled castes, and the girls more than the women. The recorded data of state response is proof that the Indian state regards women, especially girls from the scheduled communities, as less than human, with less than human rights and needs.

While the data reveals suppression and trivialisation in recorded crime, it also reveals regional variations in recognition of crime which seeps into its recording. These regional variations are not solely a factor of occurrence. Even conceding that in some cases cultural factors come into play – neither the victim nor the perpetrator nor the police may recognise that it is a crime (for instance wife beating) – hushing up bride-killing and leaving out key actors from the FIR and the charge-sheet are conscious choices of state mechanisms wallowing in misogyny.

7.1.2 Increase in crime or just better recording?

The total recorded crime will always go up – if only due to recognition of more instances as crime, easier access, greater awareness, increasing agency, and stronger support systems. A high number of recorded crime does not automatically mean a lawless society. In some cases, a higher number of recorded crime may even be better, if the quality of recorded crime justifies it. A better benchmark for comparison between places and people is the crime rate – the number of crimes per 100,000 population. Since communities, let alone societies and countries, cannot agree of what is a crime, comparisons become difficult. The only, sort of, globally agreed upon crime is homicide. So, the global comparisons are only the homicide (murder) rate (per 100,000 population) in a calendar year (1 January to 31 December).

With the diversity in India, comparisons are futile – several states are larger than most countries and some states are minuscule in comparison. If at all comparisons should be made, the crime rate is a better indicator. For the purpose of this report, where raw numbers between states are not the point of

The number of recorded crime rises with awareness and access, and is not an indicator of lawlessness. Crime rate is a better metric, with the homicide rate as the only global benchmark.



While the data reveals suppression and trivialisation in recorded crime, it also reveals regional variations in recognition of crime which seeps into its recording. These regional variations are not solely a factor of occurrence. Some are conscious choices of state mechanisms wallowing in misogyny.

comparison, there is another indicator that can be generated to answer the perpetual question: is crime really increasing or is the increase in recorded crime (due to better recording and more recognised crime) giving an impression of increase?

Based on the disclosed NCRB data, the answer is an unequivocal no. The increase is real. It is not an illusion or even a factor of population increase and urbanisation caused population density. It is not just the recorded crime that has increased. The violence and crime against women and girls have increased and it can be incontrovertibly proved from the publicly disclosed NCRB data itself. The giveaway is the ratio of heinous crime to recorded crime – the ratio of rape to total crime against women. If recording is the culprit, then this ratio would decrease as more crimes are added to the statute book and the new offences are registered. However, for the data in the NCRB reports, the ratio does not decrease as it would have if there was a more conscientious constabulary. Instead, the data proves the reverse. While the total percentage of recorded rape to total crime against women (rape, attempt to commit rape, assault on women, and insult to the modesty of women) is ever-so-slightly decreasing from 1989 to 2015, since then it has seen an upsurge of 50% – from 10.52% in 2015 to 15.50 in 2022. If the increase is just because more crimes are registered under the newer crimes, then the ratio would have gone down (even stagnation in the ratio is a negative, since more crimes are recognised). Instead, the ratio is going *up*.

There are additional clear indications that the increase in crime (and violence) is not just recording. The percentage increase of the recorded rape far outstrips the increase in population. There are increasing recorded cases of ever younger and elder victims and perpetrators.

Even the little progress in newly acknowledging, classifying, and legislating some forms of violence against women and girls as crimes is marred by the stubborn under-recording and trivialisation in recording as evidenced by the lack of recorded crime under attempt to commit rape and insult to the modesty of women. Despite all the limitations of data, it can be





concluded that violence against women is increasing by these three indicators alone. Add the explosive increase of crimes recorded under POCSO to the mix to deliver convincing evidence of a society unsafe for women and girls.

The clearest indicator that the increase in crime is not just better recording is the percentage of recorded rape to the total recorded crimes against women, tracked in *Table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)*. Even with just two data points, the data trend is revealing enough to dispel several myths.

The data in table 65: *Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)* indicates increased recording and the long-term trend in the quality of recording. From 1958 to 1970, only the Suppression of Immoral Traffic in Women and Girls Act, 1956 had exclusive data about crime against women. Rape was included in 1971. Kidnapping and abduction, though about 90% of it was crime against women and recorded since 1953, was not gendered till 1988. The addition of a separate chapter on crime against women in 1992 is a gamechanger. CII-1992 had data on crime against women from 1990, and the CII-1993 report had it from 1989. This led to a jump in recorded crime against women from 1989. It would be a while though for this recognition and recording to lead to adequate response at the policy and decision-making levels.

When coupled with the data on recorded rape and recorded attempt to commit rape of women – which is intensified several times over in the case of girls – it becomes clear that:

- a) Recognition of new crime in the law and including it in the data collection format, which is a function at the top of the decision-making pyramid, is (ostensibly) progressive.
- b) Recording, which takes place at the police station level, has not kept up with the times but, on the contrary, has become regressive. The police are finding new ways of not recording crime.
- c) Crime recording is more regressive for the more vulnerable, and intersectionality exacerbates the already fraught situation. This affects girls more than women,

When rape is the most recorded crime with practically no record of attempt to commit rape and then a spike in recorded assault on women followed by practically nil recorded outraging the modesty of women, it is evident that rape is recorded only when there is incontrovertible evidence and others are demoted to assault on women with intent to outrage her modesty in brazen suppression and trivialisation of the attempt to commit rape. The rest are simply not recorded, in outright suppression.

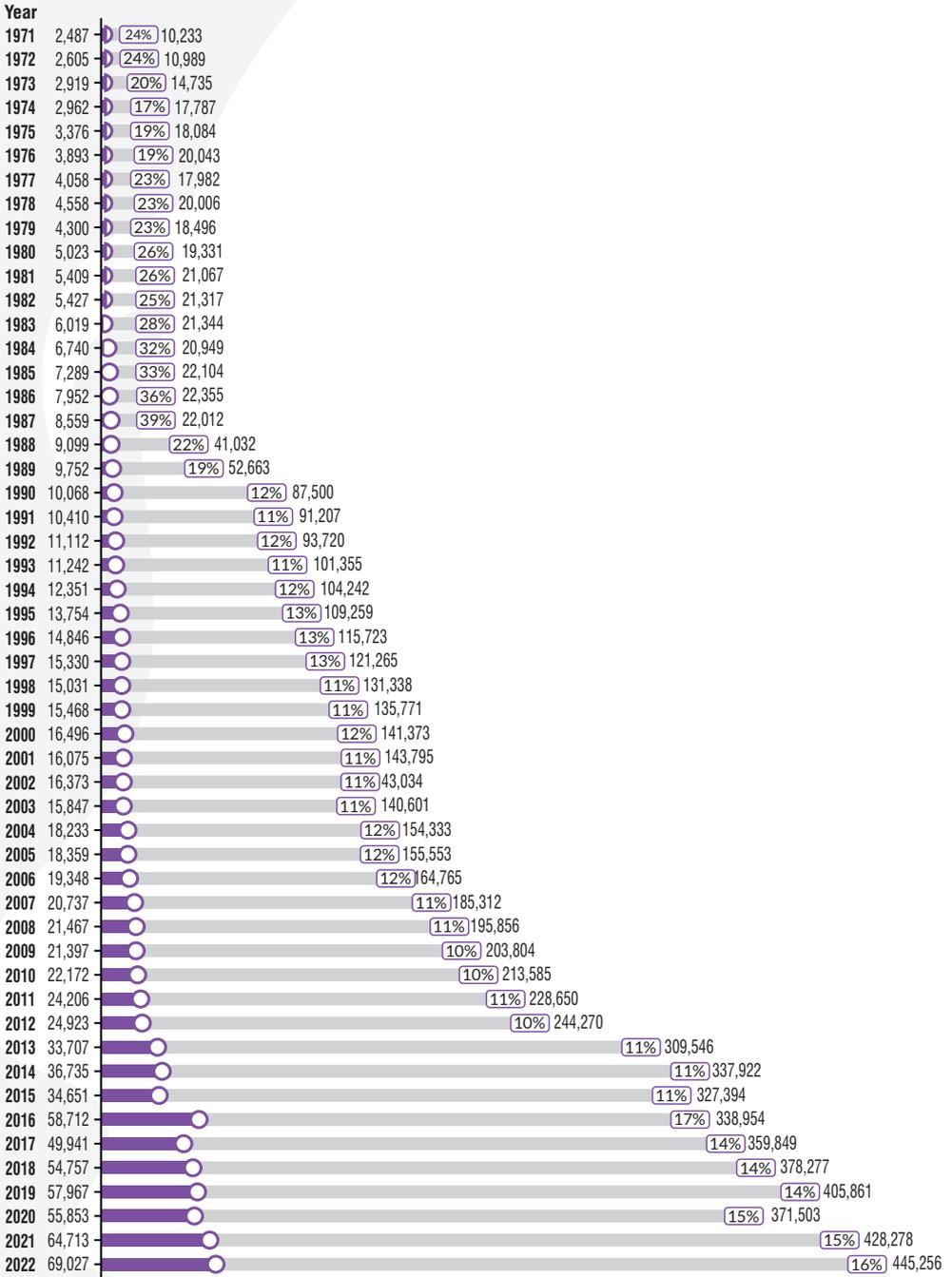


Figure 89 (Table 65): Recording myths: Ratio of recorded rape to recorded CAW (1971 - 2022)



girls from the scheduled castes more than the national average for girls, and for girls from the scheduled tribes more than those from the scheduled castes. (The data only shows inter–community rape against scheduled community women and girls. This is in addition to the intra–community crime that they face, which is hidden in the aggregate crime against women).

Similarly, the POCSO Act, 2012 not only made it mandatory to report all sexual offences against children but ensured that CII has gendered data recorded since 2017. Civil society organisations made children, parents, and teachers aware of the law and ‘good–touch bad–touch’ across the country. Combined, it resulted in a spurt in the number of recorded rape for girls and consequently in the total.

Other factors that have resulted in the increase in recording are computerisation and the implementation of CCTNS starting 2009, and online since 2014 which could have moderated the leakage (suppression?) of inconvenient data in the transfer between the district, state, and the union. The 1996–1998 Vishaka movement and the 2012 Nirbhaya case increased recording, with a noticeable bump in the short term, as earlier mentioned. The more accurate definition of rape in the Criminal Law (Amendment) Act, 2013 has also partially contributed to the increased recording.

7.1.3 Suppression and trivialisation?

While it is a truism that all crimes are not reported, much less recorded, there are ways to arrive at the truth through other means – much like discovering where the stone dropped from the ripples – and it is easier than it seems. Sufficiently large datasets are an eye in the sky, revealing patterns which are hidden on terra firma. Some proxy indicators are arguably more accurate than field data recorders – the night lights of a country are a dead giveaway as to its industrial production no matter what its GDP figures say, as several authoritarian regimes have discovered to their discomfort and dismay. Much of this data is available off the shelf, though it is highly classified in their own countries.

The proportion of recorded rape to all crimes against women declined to a low of 10.52% in 2015 as more crimes were recognised and recorded. Since 2015 there has been an inexorable increase to 15.5% in 2022 – with recorded crime against women increasing 35% from 329,243 to 445,256 but recorded rape virtually doubling (99%) from 34,651 to 69,027 – indicating a 32% backsliding, and possibly suppression, in just 7 years.



Recorded inter-community rape against the scheduled castes increased 400% in 31 years. The proportion of recorded rape to all recorded crimes against women has increased from 7.64% in 1992 to 13.46 in 2022. Recorded inter-community rape against the scheduled tribes has increased 303.29% from 1992 to 2022. The proportion to all rape cases has increased from 3.01% in 1992 to 4.27% in 2022.

While recording can be suppressed, diluted, or trivialised for each individual case earning laurels for the officer for upholding the mirage of ‘law and order’ in the district or upholding the ‘honour’ of the nation by masking the seriousness of that one case (individually intelligent), data analysis reveals the inconvenient truth (making for institutional idiocy). Each officer thinks that only they are masking one case though most officers are masking most cases – some more than others.

Analysis of the data unerringly reveals the 4I syndrome – individually intelligent, institutional idiots – and the incontrovertible trends of suppression (by not recording), trivialisation (recording under less serious provisions), induced fatigue (delay in investigation, charge-sheeting, trial, and judgement, and in the provision of relief, allowances, reimbursements, and socioeconomic rehabilitation), and condonation (of the official dereliction of duty that makes all the miscarriage of justice and impunity possible).

The degree of suppression of crime recording (or registering) can be calculated by assuming a progression in the severity of crime (from stalking, insult to the modesty of women, assault on women with intent to outrage her modesty, attempt to commit rape, and rape), and that each subsequent stage should have at most the same number of recorded crime. This flows from the logic that not all attempts to rape are successful, so there will necessarily be more attempts to rape than rape itself, and the registered crime should reflect this to be a more accurate reflection of reality. To the degree it varies, it reveals suppression of recording.

The unfortunate reality of witnesses being spectators after the complaint has been mentioned earlier. To reiterate, a witness reports the crime. The police record it under some particular sections of the law. When the rape is the most recorded crime with practically no record of attempt to commit rape and then a spike in recorded assault on women followed by practically nil recorded outraging the modesty of women, it is evident that rape is recorded only when there is incontrovertible evidence and others are demoted to assault on women with intent to





outrage her modesty in brazen suppression and trivialisation of the attempt to commit rape. The rest are simply not recorded, in outright suppression. Even if a complainant is strong, the investigation and decades long court delays are designed to break her spirit. The increase in percentage of recorded rape to total recorded crime (*Table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)*) is an incontrovertible indicator of suppression of recording crimes against women and girls and table 74 of the unconscionable delays in disposal.

The degree of trivialisation of crime recording (or registering) is calculated with the same assumption of the progression in the severity of crime and that each subsequent stage should have at most the same number of recorded crime. To make the calculation easy, it is assumed that any deviation from the norm is trivialisation, and the variation reveals the degree to which the crimes are not recorded under the correct head, but under more trivial sections.

The virtual absence of recorded attempt to commit rape, the zigzag pattern in recorded rape, attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women, and the fact that rape is the most recorded crime against girls (all years) and women (some years, some states) is an incontrovertible indicator of massive trivialisation of recorded crimes against women and girls (*table 7: Crime against women and girls: Suppression and trivialisation (2014 to 2022)*).

The increase in recorded crime is but half the narrative and to stop there is to miss the important lessons of the full narrative. There is an oft repeated platitude that the figures are not comparable (true) and the increase in crime recording does not mean an increase in crime (true) which seems to imply that all is well. Not true.

The data reveals incontrovertible evidence of suppression. While increase in the number of recognised criminal acts and recorded cases is good, when the proportion of the heinous crime goes up it is a disturbing trend. *Table 65: Recording*

The data highlights the disproportionate vulnerability of the women from scheduled communities particularly in cases of inter-community rape. In 1992, the percentage of total recorded inter-community rapes to the total recorded rapes were 46% for scheduled castes and 37% for the scheduled tribes which increased to 81% and 50% respectively in 2022, with a sharp rise from 2017 signifying a terrifying increase in vulnerability.



myths: Ratio of recorded CAW to recorded rape (1971 to 2022) has the data on the total crime against women, the recorded rape, and the percentage of recorded crime to recorded crime against women. It shows that the percentage reduced from 1971 and became erratic when NCRB and the nation were undergoing stress from 1980 peaking at 39% in 1988. Since then, there has been a secular decline till 2015 to a low of 10.52% as more crimes were recognised and recorded. Since 2015 there has been an inexorable increase to 15.5% in 2022 – with recorded crime against women increasing 35% from 329,243 to 445,256 but recorded rape virtually doubling (99%) from 34,651 to 69,027 – indicating a 32% backsliding, and possibly suppression, in just 7 years.

The ‘principal offence rule’ in recording does not help explain this anomaly either and could be clinching evidence of under-recording. If, as CII-2016 explains in ‘limitations’, the gaps can be explained by *these remaining cases could be tagged with more serious crimes*, it validates our assertion of under-recording. This under-recording could be because of a trust deficit between the police and the women (meaning that the women do not report every incident to the police), or the police not recording the crime until the consequences become too obvious to ignore, or too severe to disregard, at which time all possible sections are invoked in one FIR. Aggregation of all instances and violations into one FIR is ironclad evidence of a broken system that methodological explanations cannot wish away.

7.1.4 Equalised guesstimate

Apart from this under recording and, possibly unintentional, misrepresentation, the recorded data itself gives several clues of how much is being under recorded. Since women, world over, are at their most vulnerable from 16 to 45 years of age, the number of below 18 (girls) and above 18 (women) should be at least the same. By extrapolating the more granular state level data a reasonable estimate can be made.

An option for getting to a reasonable estimate is to add the crimes for under the same section of the IPC for women and girls, which the NCRB considerably provides. For instance,

Since 2021, the number of recorded rapes of minor girls (disaggregated under POCSO) has decisively overtaken that of women, indicating the increasing insecurity of Indian men who – even in the display of power – are so intimidated by women that they seek out ever younger girls.



recorded rape against women u/s 376 of the IPC in Tamil Nadu is 421 (including 5 below 18), and under POCSO r/w 376 IPC it is 3,573 (with 3,621 victims) – meaning only 421(10%) of the total 3,994 cases (or 3,989 cases if it is assumed that 5 cases are double counted) are recorded in table 3A.2(i). If it is assumed that there will be an equal number of women as children – a reasonable, though conservative, estimate given global patterns – then crimes u/s 376 of the IPC will shoot up from 421 to 7,146 – an increase of 1700%.

Another is to equalise the number of crimes to at least the number recorded under the more severe crime. For instance, the India records for attempt to commit rape would be increased to match that of recorded rape and the figures for insult would be matched upwards with assault. Since the recorded assault is higher than the (corrected) attempt to commit rape, the original value would remain. The resulting total is almost double the recorded crime (185%).

Done at the state level after integrating the crimes against girls under the same sections of the IPC, then the change in figures is even more dramatic – with increases in several orders of magnitude. Of course, it would still be only a guesstimate, but let us do so anyway, if only as an intellectual exercise. The calculation is only on an equalisation mode i.e., at least equal to the next serious crime. The incidence of crime will be much higher.

The figures even at the lower end of the scale show an increase of 81% overall from the published data. The number of attempt to commit rapes increase by 859% and 829% for insult. Recorded attempt to commit rape increases to 31,516

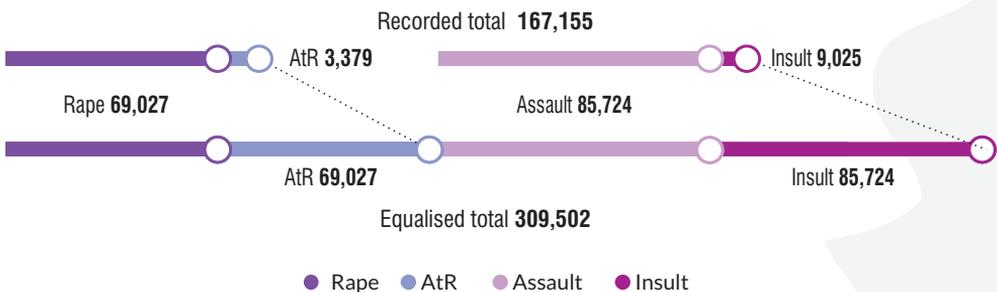


Figure 90 (Table 66): Equalised data: National guesstimate – 2022

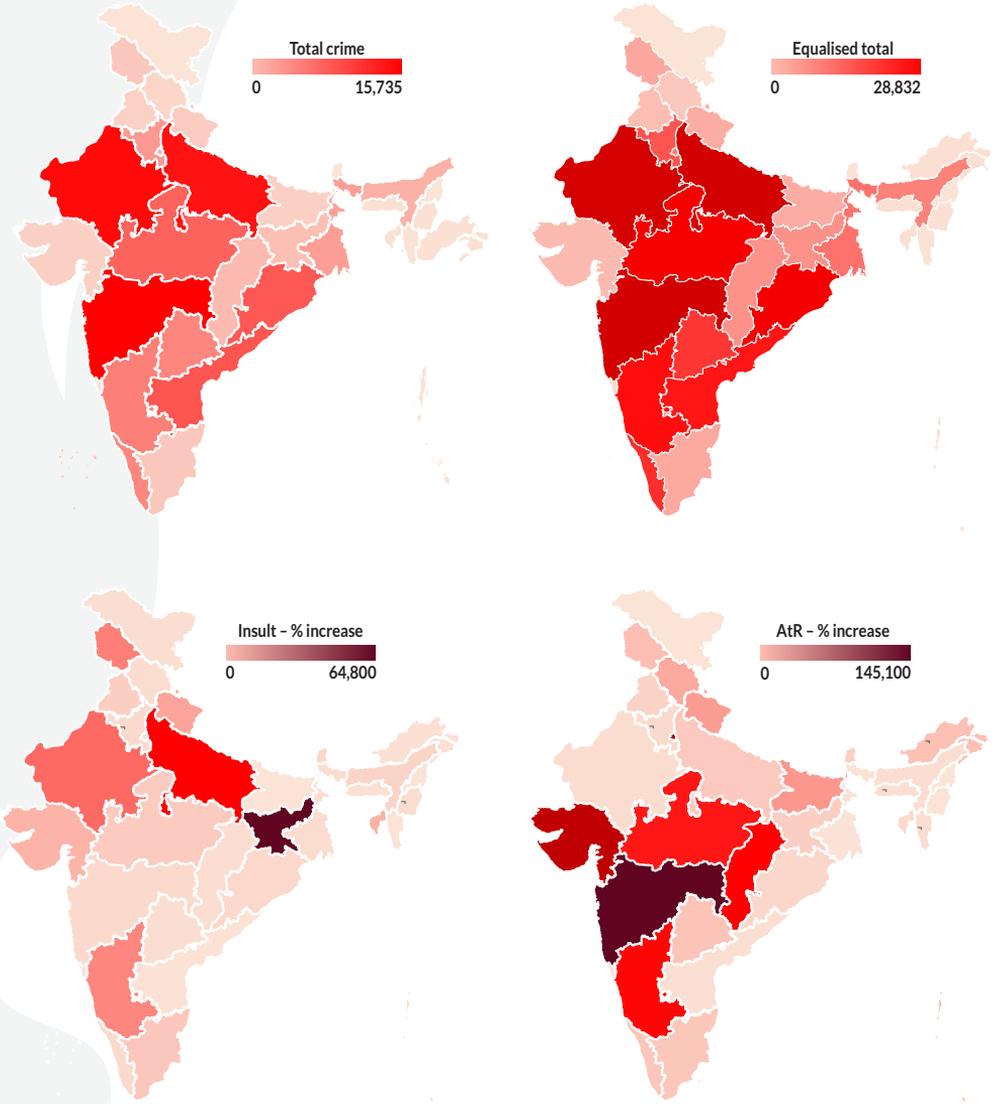


Figure 91 (Table 67): Equalised data: State guesstimate – 2022





from the originally disclosed 3,288 and insult to the modesty of women from 8,927 to 83,344 – both by almost 10 times indicating about 90% under-recording under each of those heads. The swings in 9 of 36 (25%) of the states are literally off the charts indicated by the number of ∞ in the table.

This, a guestimate using a factor of one, gives the most conservative estimate – the absolute minimum – that only equalises the count with the preceding recorded crime. If a factor of two is used (two insults for every assault, two assaults for every attempt to commit rape, etc.), then the projected increase will explode geometrically, as the maps on the facing page reveal. The estimates in *table 67: Equalised data: State guesstimate* are based on a conservative factor of one (1). Table 66 uses only the data of women, while table 67 uses data of women and girls.

7.1.5 The Nirbhaya effect

CII–2013 marks a watershed in crime recording in India, especially regarding crimes against women. In the aftermath of the December 2012 Nirbhaya case, it became impossible to unsee the crime against women, and difficult to revert to status quo ante afterwards. The recorded number of crimes against women shot up by 25–75% virtually overnight. In 2013, recorded rape for the first time exceeded recorded murder. From being just 72% of recorded murders, it slightly exceeded it in 2012, peaking at 128% in 2016. But for a dip during the pandemic year 2000, the pattern of recorded rape being more than the number of recorded murders has held. However, the difference between recorded murder and recorded rape is small. Therefore, it remains yet another indicator of under-recording.

Similar patterns are evident in charge-sheeting and court disposals. But for the pandemic year 2000 and its aftermath in 2021, there are more charge-sheets for rape than murder since 2013 signalling a positive long-term decline. Court disposals tend to favour murders in 7 of 11 years, though it has dropped from a high of 147% in 2012 to 83% in 2022.

Delays mean that the witnesses forget, grow old and tired, pass away, or move to other locations and investigating officers move on, are assigned another case, get transferred, promoted, retire, or move to other locations including abroad, making acquittals – a deliberate miscarriage of justice – a foregone conclusion.



The pandemic year saw an increase in women being arrested for rape - up 54% for women aged 18 to 30, over 60% for women aged 30 to 45, over 113% for women aged 45 to 60, and up 40% for women above 60 years of age. Whether this is an aberration, or a reality made visible during the pandemic, should be explored.

7.1.6 How much is weaponised or suppressed?

Rape is recorded under a separate subhead only in 1971, though it is recorded in detail – including gender-wise, with three age ranges – for juveniles *as perpetrators* from 1958. It is tantalizing, but speculative, to mull over the reason why. Was it because the young were prone to be rapists even then, and therefore that data point had to be tracked? Or were women even then shamed and coerced into silence? Or did misplaced morality prevent the data from being published for the honour of the woman, womanhood, or the nation? Or was it that the recorded crime, no doubt an awful mirror to society, reflected misuse of the law a la POCSO today by those opposing inter- or intra-community relationships of choice? Was a conscientious officer trying to highlight the participation of youth in crime make the case for value education for children as a priority for nation building in the young nation? The data does not tell us why.

7.1.7 Inherent bias

The contemporary patterns of recording up to the present day does point to some continuing bias against women mainly as victims but as perpetrators as well. *Table 29: Recorded rape: Persons arrested (2001 to 2022)* reveals that but for the youngest girls i.e. those below 16, women of all age groups were arrested more during the pandemic year than in the previous year – up 54% for women aged 18–30, over 60% for women aged 30–45, over 113% i.e. more than doubled for women aged 45–60, and up 40% for women above 60 years of age.

The under recording of women as perpetrators could be because the men don't report due to stigma and general disbelief that a woman is capable of any crime, much less a sexual one. In a similar vein, child sexual abuse against boys is likely under recorded or normalised. The curtains opened briefly during the pandemic. How the revelation will be addressed is not yet evident.

The recording of crimes by (2) and crimes against (0) transpersons could suffer from the same bias, though with data from only two years it is too early for patterns to emerge.





7.2 Hunting soft targets

The massive increase in recorded rape over recorded murder could indicate a breakdown of traditional restraints, when women (and children) were kept out of conflict. The increasingly insecure men and boys are turning to ‘soft targets’ in the increasingly militarised society. There is a discernible trend of hunting young girls for rape, often by wolfpacks of predators, followed by murder in the wan hope of hiding their crime to escape punishment. This cowardliness – in seeking the most vulnerable, invisible, and silenced, and hiding from the consequences of action – is an inherent characteristic of militarised societies, as are ethnoreligious totalitarianism, phallocracy, and fascism.

Lurking behind the phallocratic belief, that punishment for women includes punishment for the men and the community, is the fear of their own inadequacies (that they cannot stand up to a ‘real man’) and that men will fight back against murder which is an unacceptable risk for the effete perpetrator. This erroneous belief makes women more vulnerable to ‘punishment’ and more susceptible violence.

In 2020, during the pandemic lockdown when all recorded crime came down, the recorded number of girl victims of rape went up. The increase in number of even tribal girls is an indicator that the remoteness could not shield them even during the pandemic, and incontrovertible evidence of their extreme vulnerability and targeting.

In 2021 and 2022 the number of recorded rapes of minor girls (disaggregated under POCSO) has decisively overtaken that of women (see *Table 5: Recorded rape (Section 376 IPC): Women, girls, and POCSO (2014 to 2022)*). It is possibly an indicator of the increasing insecurity of Indian men who – even in the display of power – are so intimidated by women that they seek out ever younger girls.

This is a well-known phenomenon of compensatory aggression due to the male inability to deal with increasing equality. They deal with their feeling of impotence which is a

Women and girls from the scheduled communities continue to be much more vulnerable to gender based violence than women belonging to other communities.



Some form of support system and coping mechanism is evolving, both in the mindscape and in social networks to translate the awareness of exploitation into a quest for justice with at least a hope of self-defined success

consequence of the loss of privilege and entitlement by finding the weakest of the 'other' to dominate. They are already intimidated by their equals. The increase in rapes against little girls even during the pandemic year (it decreased for women, year-on-year) is a confirmation of this trend.

The increased recording is an indicator that the mothers are emboldened to break the social stigma of victim blaming to protect their girls even though they may not insist on their own travails being registered. Silent about their suffering, they guard their daughters and demand justice.

7.3 No sanctuary or refuge

7.3.1 No sanctuary for children

In CII-1999, the first recorded year of the proximity of the rapist, 2.6% were incest, 84.0% were by known persons, with neighbours involved in 30.1%. In CII-2022, *table 3A.4 Offenders Relation to Victims of Rape (Section 376 IPC) - 2022* records that of the 31,516 rapists, 2,324 (7.4%) were incest, 31,404 (96.6%) were known to the victim and about 30% were proximate at the residence or in the office.

In CII-2022, the recorded rape against minors is more than for adult women. This indicates that girls not safe at home, since rape against minors is 96% by known persons. The data on perpetrators reveals an increase in both recorded paedophilia and incest-rape. The increased vulnerability of girls from scheduled tribes even during the pandemic has already been mentioned.

This increase in recorded crime is despite the strong social stigma attached to disclosure, reflexive victim blaming hardwired into society, and socioeconomic boycott for lodging complaints. It indicates some progress in awareness at the community level and green shoots of a nascent support ecosystem.

Some form of support system and coping mechanism is evolving, both in the mindscape and in social networks to translate the awareness of exploitation into a quest for justice with at least a hope of self-defined success.





7.3.2 Risk in the refuge

Just as children are most at risk in their known surroundings and with people who are known to them, the risk triangle – vulnerability, opportunity, and impunity – stalk women at home, at work, public spaces, and the commute. The NCRB data proves that their ‘guardians’ in patriarchal societies are predators, leaving them no place to go.

This leads us to the other stark reality. Whether it is the patriarch at home, the senior in the workplace, or the custodian in the institution, a woman is always vulnerable and her custodians often turn serial violators. For women, the police station is more often a crime scene than a safe space. Most avoid it like the plague as far as possible. If women avoid police stations even after murderous assaults, it is a reflection on the police. The lack of recording as revealed by the incredible patterns reflects this toxic culture that perpetuates impunity and victimises the victim. This perception should be changed by active engagement.

7.4 Investigation: True but...

The usual data points on police efficiency are the time taken from receiving the complaint to registering the FIR and the time taken for investigation from the FIR to the charge-sheet. Some look at the charge-sheeting rate, and a few at the conviction rate. The standing committees formed in each state consequent to the judgement of the Supreme Court of India in *State of Gujarat vs Kishanbhai*, 2014, is tasked with fixing responsibility for acquittal on the investigating officer for shoddy investigation or the advocate for ineffective prosecution. Their findings will inform decisions on fixing accountability.

There is another data point on the competence of the police when it comes to investigations. *Table 68: CAW Police disposal: True but no clue (2017 to 2022) reveals* why some charge-sheets are not filed in the most heinous of crimes against women – murder with rape/gang rape and dowry murders – where the pool of suspects is so small, the window of opportunity is small, and the build-up is overt – that it should be relatively easy for professional investigators to fix

The police admit they are becoming more incompetent. Since 2017 the proportion of ‘true but no clue’ cases has been steadily increasing across all crimes against women with all-time highs in 2022. The ‘true but no clue’ cases are an eye popping 15% of the under-with-rape cases charge-sheeted in 2022.

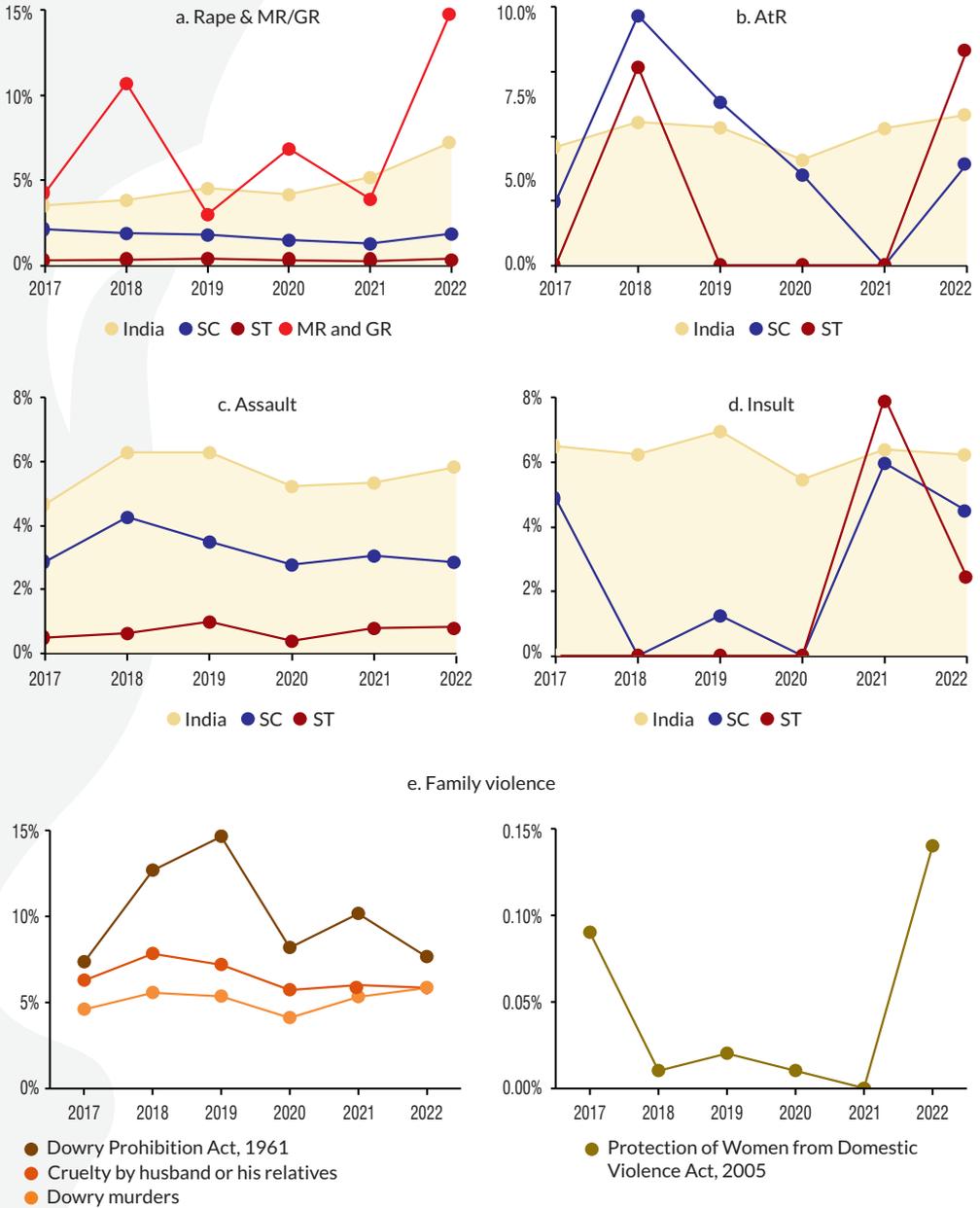


Figure 92 (Table 68): CAW Police disposal: True but no clue (2017 – 2022)



responsibility. However, even in these, the professionals reveal their incompetence as the NCRB data demonstrates.

The data in table 68 is literally where the highly trained professional investigators report that the case is true but they have no clue even in cases that should be slam-dunks – dowry murders, cruelty by husband or his relatives, Dowry Prohibition Act 1961, Protection of Women From Domestic Violence Act 2005, and murder with rape and gang rape.

The data is quite unforgiving. Since 2017, the proportion of ‘true but no clue’ cases has been steadily increasing, despite some swings, across all crimes against women with all-time highs in 2022. The ‘true but no clue’ cases are an eye-popping 15% of the murder-with-rape cases charge-sheeted in 2022, and doubles from 3.52% (2017) to 7.25% (2022) for rape. Even as a percentage of charge-sheets for all crimes against women, ‘true but no clue’ has increased from 8.13% (2017) to 9.37% (2022). Why they throw in the towel is an enigma, given patriarchy’s self-delusion about protecting women, but their self-confessed, documented, and increasing, incompetence is incontrovertible.

Of course, the police only do a passably good job since they lack the professional capacity as seen in the less than rigorous investigations, less than optimal paperwork, and the incredibly low conviction rates in cases of domestic violence, given the minuscule suspect pool, the pre-defined crime locations, and the narrow window of opportunity. As is usually the case, more is not necessarily better, and a smaller number of high-quality charge-sheets backed by quality investigations followed by effective prosecutions may be a better option.

The police giving up on one in ten cases as ‘true but no clue’ is simply unacceptable. When added to the charge-sheeting rate, this means that virtually all the complaints are found to be true by the investigating officer. This flies in the face of popular belief and the opinion of supreme court judges Adarsh Kumar Goel and Uday Umesh Lalit. Instead of blaming the victim, the Supreme Court of India should get to the bottom of this selective ‘impotence of the state’ and monitor its rectification.

In 2022, "true but no clue" cases accounted for 15% of charge-sheeted murder-with-rape cases. For rape alone, they more than doubled from 3.52% in 2017 to 7.25% in 2022, while crimes against women rose from 8.13% to 9.37% meaning one in ten cases remain unsolved.



With 40,614 (63.5%)
cybercrime cases
classified as 'true but no
clue', the role of the police
demands scrutiny. Despite
rigorous selection and
training, this high
percentage suggests flaws
in recruitment, education,
training, morale, and
accountability – raising
serious concerns about
effectiveness and integrity

With 40,614 (63.5%) cases 'true but no clue' being the overall cybercrime record, the role of the police needs to be re-examined. Ostensibly, the officers in the cybercrime wing are technically qualified, are selected after a gruelling qualification process, and undergo intensive, periodic in-service training. High levels of true but no clue points to large-scale irregularities in recruitment, poor state of the academic system both in imparting knowledge and certification, ineffective in-service training, low morale, low self-esteem, absent moral compass, defeatism, plain laziness or a deadly, impotence inducing, cocktail of them all.

Whether this situation is due to irregular recruitment, or a skill gap, or coverup due to professional malfeasance, or external pressure, urgent, systematic, structural remedial measures are imperative. Plugging corruption in recruitment, insulation from external pressure, better service providers for in-service training, and better qualified recruits who can benefit from in-service skills upgrades, will all have to be a part of the solution. Whatever the chosen solution, job appropriate skills and accountability are priority. Law enforcement needs skills enhancement, reset of the mindset, and a systems overhaul to tackle cybercrime.

The recommendation of CII-1953 for recruitment and training could perhaps be revisited and implemented, extending it to the administrative and judicial functionaries at all levels.

Better-class of recruits, particularly in the gazetted as well as in the non-gazetted ranks are necessary. A refresher course for the investigating officers is needed and [...] for the higher officers is also necessary [...] The rural police all over India has to be revived and brought back to the same state of efficiency as existed in the twenties.

They mean the twenties of the last millennium, the 1920s.

7.5 The judiciary is underwater

7.5.1 Unconscionable delays

The Supreme Court of India celebrated 2023 as the year when, for the first time, the number of cases disposed (52,191) exceeded the number of new cases before it (49,191). That is a milestone that rape-survivors – including those eligible for





fast-track courts – are yet to see and are unlikely to see in their lifetime. The data disclosed to the public shows that the courts are underwater: there are more cases coming in (charge-sheeted) than are going out (disposed), and the waiting times are increasing.

Delays mean that the witnesses forget, grow old and tired, pass away, or move to other locations and investigating officers move on, are assigned another case, get transferred, promoted, retire, or move to other locations including abroad, making acquittals – a deliberate miscarriage of justice – a foregone conclusion. If after all these hurdles the victim is still resolute, the Supreme Court of India repeatedly adds to this toxic mix by setting free the perpetrators due to their advanced age (who wouldn't be if the trials take 30 years?) after serving just six months (and the victim – who has aged the same number of years, but suffered a lot more aggravated by official harassment while the perpetrator was protected by the state institutions – dies of shock).

There is sufficient evidence that the weaker sections are being denied justice by the delays: by acquittal of the powerful (intimidation of witnesses, vanishing evidence) and the process as punishment of the poor when they are the defendants (by the long delays in their acquittal or sentencing). These are known consequences.

If trial of cases gets prolonged for months, memories of witnesses get blurred, and in their evidence they make mistakes and contradictions, which are exploited by the defence.

Suggestions for improvement, CII-1954

Pending cases have real world consequences on the victims, witnesses, and on the administration of justice – delayed relief, diminished ability of the state to provide protection to witnesses leading to witnesses and victims becoming hostile and consequently acquittal. Delays enable counter cases to be decided first or to be used as blackmail. This delay – deliberate or otherwise – leads to induced fatigue, delayed closure, destruction of livelihoods, disruption of life, and multi-generational psychosocial harm.

In 2023, the Supreme Court cleared more cases (52,191) than it received (49,191) – a milestone. Yet, rape survivors, even in fast-track courts, see no such progress. With charge-sheeted cases outpacing disposals, deferment, delays, and denial of justice persist.



CII–1953 identifies the aftereffects of this delay:

A large number of acquittals or discharges were due to the fact that many cases had to be registered as ‘counter cases’ in which false statements were made by the witnesses, and also because each side sought to implicate as many as possible from the opposite side. Many acquittals were also due to compromises being effected between the parties after the institution of the cases.

This explanation for cases of rioting in 1953 is eerily prescient about contemporary crimes against women and girls over 70 years later.

As recently as 2021, the Andhra Pradesh state annual report to the union government⁶⁹ reiterates the reasons for acquittal in courts. They are indicative of the pernicious effects of delay in disposal.

The 2021 Andhra Pradesh State Annual Report (Rule 18 POA) lists the reasons for acquittal in courts being witness turning hostile, lapses in investigation, and delay in trial – all attributable to negligence of duty. The concerned officials can be taken into task with punitive action or remarks in the Annual Confidential Report (ACR).

- i) Witnesses turning hostile: In most cases, complainant and important witnesses are turning hostile due to compromising with the intervention of village elders.
- ii) Lapses in investigation: a) Insufficient evidence b) Not establishing public place c) Procedural lapse d) Lack of scientific evidence e) Delay of charge–sheet.
- iii) Delay in trial: a) Delay in trial leads to acquittal b) Delay of trial is a result of designated special courts not exclusively hearing POA cases c) Special public prosecutors are overburdened with cases d) Frequent adjournment of cases. Granular data will enable this level of precision possible at all India level.

Note that all the reasons are because of inaction, non–action, and procrastination *by the state mechanisms and easily identifiable government officials*. They can easily be taken to task with punitive action or at least adverse remarks included in their in–service annual assessment, the annual confidential report (ACR). In fact, point i) *Witnesses turning hostile should* automatically draw charges of dereliction of duty under section 4(4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 for not providing protection to the victims and witnesses. However, no such action has been taken because this is the precise outcome desired. Many cases





are drawn out so that the perpetrator dies or can be, and all too often is, let off by the court due to their advanced age.

The consequence of this year-on-year increase in pendency is that from 1971 to 2022, there is a 6800% increase in the number of cases of rape against women and girls pending in court. There are 178,485 pending cases of rape against women – 110,553 of them for more than five years – and another 24,583 of rape against girls. But for two of the 51 years (2003 and 2004), the judges are unable to even dispose of the number of cases equal to the number charge-sheeted during the year, let alone clear the backlog. Since more cases are charge-sheeted than disposed each year, at this rate the number of pending cases will keep increasing and the backlog will never be cleared.

As of 30 November 2023, there were 201,805 pending cases in 758 functioning fast-track special courts – 266 cases per FTSC – up from 1,99,367 cases pending in 773 courts on 31 March 2023. There have been scattered success in reducing the absolute number of pending cases in some states, but overall, the number of pending cases has been increasing both at the state and at the national levels. Cases that are disposed within two months as required by law are about 5%.⁷⁰

States seem to be in a hurry to reduce the number of special courts despite not being able to complete the trials within the two months as required by law. Maharashtra shut down 18 special courts within six months though 4,366 cases were still pending, despite having a ‘double-engine’ government, with the same party in governance at the state and union levels. It is a classic case of how ‘a centrally sponsored scheme’ ostensibly designed to implement the orders of the Supreme Court of India is designed to flout the orders so as to protect the perpetrators.

7.5.2 Unconvincing convictions

Conviction rates are on a long-term decline, even in cases of rape. It is important to note that in cases of acquittal only the identity of the perpetrator and how the crime was committed could not be proved beyond reasonable doubt by the government prosecutor. There is no doubt whatsoever that a crime took place or who the victim was since senior police

From 1971 to 2022, rape cases pending in court have increased by 6800%. Currently, there are 178,485 pending cases, with over 110,000 unresolved for more than five years. In 49 of the past 51 years, judges have not cleared enough cases to match the number charge-sheeted.

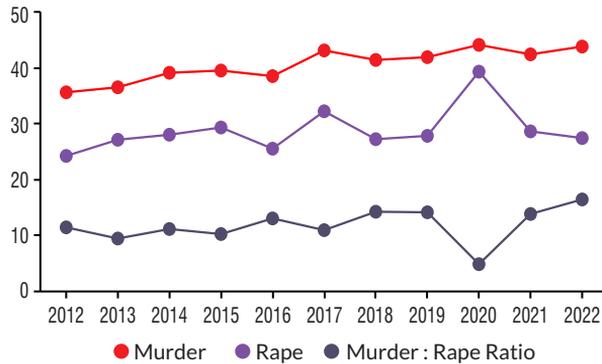


Figure 93 (Table 69): Rape and murder: Conviction rate (2012 – 2022)

officers have literally staked their personal and professional reputation on it being true by filing the charge-sheet (those that they were doubtful of proving are classified as *Cases True but Insufficient Evidence or Untraced or No Clue*).

The conviction rate raises concerns. But for the pandemic year when there was a 4.8–point gap, there is a persistent double–digit difference in the conviction rates rising to a high of 16.4 percentage points in 2022 (43.8% for murder to 27.4% for rape) – despite the numbers for rape against girls being removed from 2017.

Judges have largely discontinued the practice of passing strictures on the investigating officer or the prosecutor for acquittals. The Supreme Court of India mandated standing committees to fix responsibility for the acquittal on the investigating officer or the prosecuting officer in *State of Gujarat vs Kishanbhai, 2014* are dysfunctional. Taken together, the judges have largely abdicated their responsibility of holding accountable the state, in general, and the concerned officials, in particular.

At the present rate, the justice system is designed to fail or, more precisely, to fail the victim. When the system fails the victim, it works for the perpetrator. Whether that is the desired behaviour of the courts, or the desired outcome of the justice system, is the question the collegium needs to address.



7.6 Intersectional tax: Caste and gender based ‘justice’

7.6.1 Intersectional tax

There is an inescapable cost to be paid for each vulnerability, compounded by the cost of every other vulnerability. Multiple vulnerabilities lead to debility, marginalisation, exclusion, stigma, and death. The discounting of dignity leads to denial of personhood with the prevalence of multiple vulnerabilities. This phenomenon leads to the larger social consciousness of all children being lesser humans and children from the scheduled communities being sub-human. Plotting the consequences of the intersectionality of caste, age, and gender unveils the multifaceted vulnerability of women and girls, drawing out each location of manifestation, the intensity, and the probability.

The cost paid is the intersectional tax, IT. The cost and consequences of the intersectionality of caste, gender, and age increase by a factor of occurrence. Being poor and a woman (two vulnerabilities) does not just add to (1+1) or double (1x2) vulnerability, but more likely squares (2x2=4) the increase. Likewise, being poor, woman, and from a scheduled community (three vulnerabilities) would cube it (3x3=9 times), and four vulnerabilities would quadruple it (4x4=16 times). These are the insurmountable odds against them even before they reach the state mechanisms – and which, as seen earlier, is unfaithfully reproduced there as well.

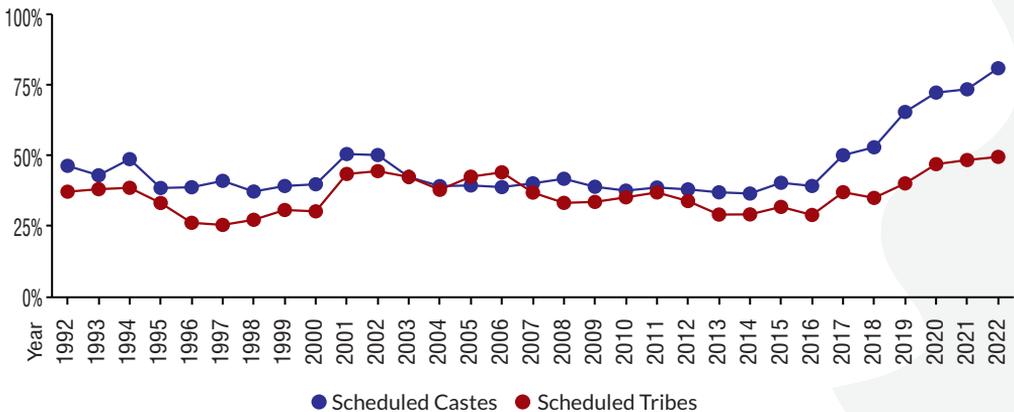


Figure 94 (Table 70 & 71): Inter-community rape: Vulnerability (1992 – 2022)



7.6.2 IT: Probability of occurrence

Intersectional tax is clearly visible in the recorded data of crime against women when disaggregated. The vulnerability, or probability of occurrence, of inter–community rape is calculated based on the percentage population to the percentage occurrence. Since the census of India has the most accurate details for the population of India, the percentage based on the contemporary decennial census is taken for the calculation.

So, how vulnerable are the women and girls from the scheduled communities? *Table 71 Inter–community rapes: Vulnerability (1992 to 2022)* details the recorded rapes in India from 1992 to 2022, along with the proportionate percentage of inter–community rapes against the scheduled castes and the scheduled tribes during the period.

Recorded inter–community rape against women and girls from the scheduled castes has increased from 849 in 1992 to 4,241 in 2022, representing an increase of 399.53% over the period of 31 years.

Overall, the data shows that there has been a significant increase in the number of recorded rape over the past three decades. That is but a part of the story. Recorded inter–community rape against women and girls from the scheduled castes has increased from 849 in 1992 to 4,241 in 2022, representing an increase of 399.53% over the period of 31 years. The proportion of recorded rape to all recorded crimes against women has increased from 7.64% in 1992 to 13.46 in 2022. Recorded inter–community rape against women and girls from the scheduled tribes has increased from 334 in 1992 to 1347 in 2022, representing an increase of 303.29% over 31 years. The proportion to all rape cases has increased from 3.01% in 1992 to 4.27% in 2022.

The proportion of recorded rape to total crimes against women (which includes intra–community rape against women from the scheduled communities) was 14% in 1992 and 15.5% in 2022 (with wild swings in the period 1971 to 1991 as data points were added, see table 65), table 71 reveals that the proportion of recorded inter–community rape against women from scheduled communities has doubled in the same period through a slow but sticky increase. The number of recorded rape against women (excluding inter–community rape against women from the scheduled communities) increased from 9,929 in 1992 to 25,928 in 2022, an increase of 161% in 31





years. In yet another indicator of the effects of intersectionality, the proportion of recorded rape against other women in rape cases has decreased from 89% in 1992 to 82% in 2022 while it has increased for the scheduled communities.

The data highlights the disproportionate vulnerability of the women from scheduled communities particularly in cases of inter–community rape. The proportion has been increasing over the years, with a sharp rise from 2017. In 1992, the percentage of total recorded inter–community rapes to the total recorded rapes were 46% for scheduled castes and 37% for the scheduled tribes which increased to 81% and 50% respectively in 2022 signifying a terrifying increase in vulnerability.

The proportionate vulnerability based on recorded rapes against the women from the scheduled castes decreased to 29% in 2013 – likely an outcome of the Nirbhaya case – but immediately increased again and has stayed elevated since then. Similarly, the proportionate vulnerability of the women from the scheduled tribes was 38.09% in 1993, which decreased to 25% in 1997, but increased again reaching 50% in 2022.

These figures are for proportionate vulnerability to inter–community rape which *is addition to* intra–community rape. The vulnerability of other women is about 61% from *all* rape.

When comparing the percentage of recorded rapes against women from the scheduled communities to their respective populations, it becomes evident that these communities face a disproportionately high incidence of inter–community sexual violence.

7.6.3 IT and police competence

The contamination of crime recording by India’s predominantly caste–infected patriarchal social values is revealed in the rather implausible recording of crimes against women in general and against women from the scheduled communities in particular. In 2022, India recorded only 10% attempt to commit rape for every recorded rape against a woman – and just 0.24% for girls. This cannot be attributed to social compulsions, since 264% assault on women with intent to

The police suffer debilitating setbacks to their skills and stamina when confronted with inter–community crimes against women and girls from the scheduled communities. In cases of murder with rape and gang rape, a stunning 15% of the cases were disposed by the police in 2022 as Cases true but no clue, and 7.25% of the cases of rape.



outrage her modesty are recorded. It is rather unlikely that women will report rape and assault with intent to outrage their modesty but shy away from reporting attempt to commit rape.

Intersectional tax has a strange effect on the police. Not the brightest of lights when it comes to crime against women, the police suffer further debilitating setbacks to their skills and stamina when confronted with inter-community crimes against women and girls from the scheduled communities. In cases of murder with rape and gang rape, a stunning 15% of the cases were disposed by the police in 2022 as *Cases True but Insufficient Evidence or Untraced or No Clue*. For rape 7.25% of the cases are disposed similarly (Table 68: CAW Police disposal: True but no clue).

The intersectional tax paid by the women from the scheduled castes is also revealed by the recording – just 3.7% attempt to commit rape and even lower at 1.9% for women and girls from the scheduled tribes. For the scheduled communities, recorded assault on women with intent to outrage her modesty compared to rape is lower than the India average (257%), just 106% for women from the scheduled castes and falling off the cliff for women from the scheduled tribes (82%). The recorded insult to the modesty of women to recorded assault on women with intent to outrage her modesty in India overall (9.01%) is over 260% more than that recorded for women from the scheduled castes (3.45%) and almost 360% more than for scheduled tribes (2.52%).

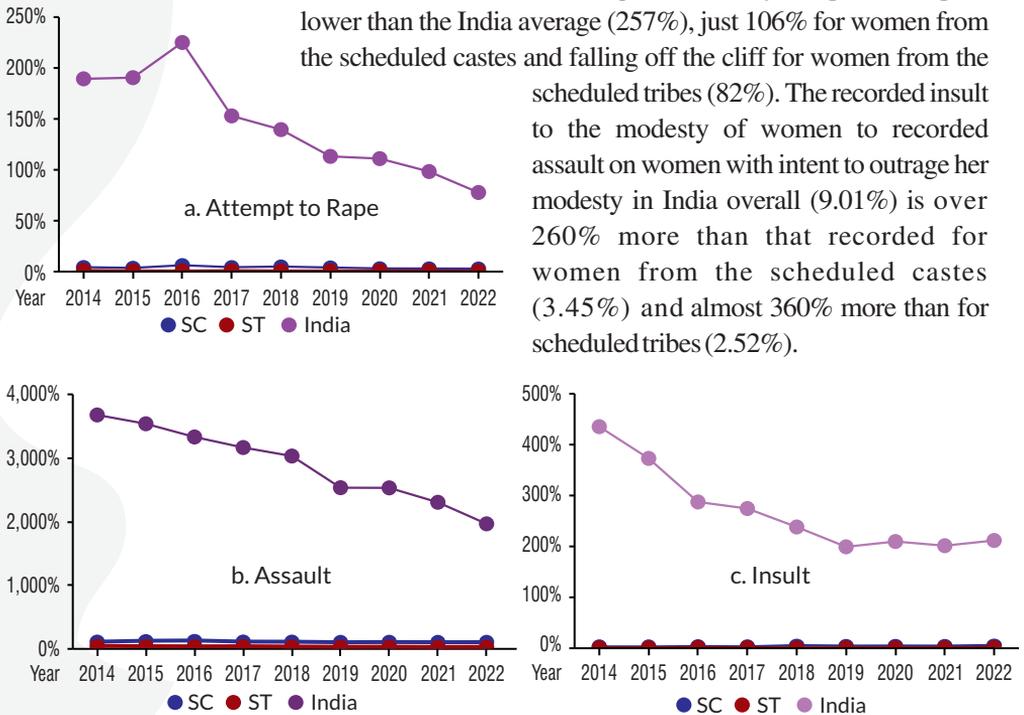


Figure 95 (Table 72): Atrocities % to recorded rape (2014 - 2022)



It is important to note that these figures reflect only recorded cases, and it is likely that many cases of rape go unrecorded (even when they are reported to the state mechanisms). Therefore, these statistics do not fully represent the actual prevalence of rape in India. The gaps in recorded attempt to commit rape, assault, and insult shows the difficulty in recording for the women in general, more difficult for women from the scheduled castes and most difficult for women from the scheduled communities. Add another layer of vulnerability for the girls.

Logically, as more and more crimes against women are recognised and recorded, the proportion of rape to the total recorded crime should decrease. However, as *table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)* reveals, the reverse is happening. Recorded rape was 14% of all crimes against women in 1992 and dropped to 10.2% in the two decades to 2012. Since then, it has been on a sharp upward trajectory to 15.5% in 2022 (a 50% increase), despite several new crimes being recognised. This means that the police are simply refusing to record other crimes – both the ones recognised as crime earlier and the ones newly identified – ignoring it as ‘boys will be boys’ and therefore normalising such conduct.

This is the intersectional tax, IT, of caste, gender, and age. Evidence of suppression and trivialisation, and the pernicious effect of the intersection of gender, caste, ethnicity, and class doesn’t get clearer than this.

7.6.4 IT and judicial neutrality

Intersectionality tax is prevalent in the judiciary too. Better conviction rates under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are a saving grace, but the increasing time lag for justice delivery is a dampener. The judicial system – bar a few exceptions – has adopted a policy of disengagement from the administration of justice, focussing instead on the technicalities and procedures to the detriment of justice delivery. It is common knowledge that the longer the delay the more likelihood of the victims and witnesses giving up. The now common ‘process as punishment’ is similarly well known. Those with power and

While pendency in court increased by 51% overall, it increased by 63% for the SCs and 72% for the STs. The conviction rate for both insult to the modesty of women from the STs and attempt to commit rape of ST women and girls is zero in 2022, with a backlog of 13 and 32 years respectively. This is the evidence of suppression and trivialisation, and the pernicious effect of the intersectional tax of class, caste, gender, and age.

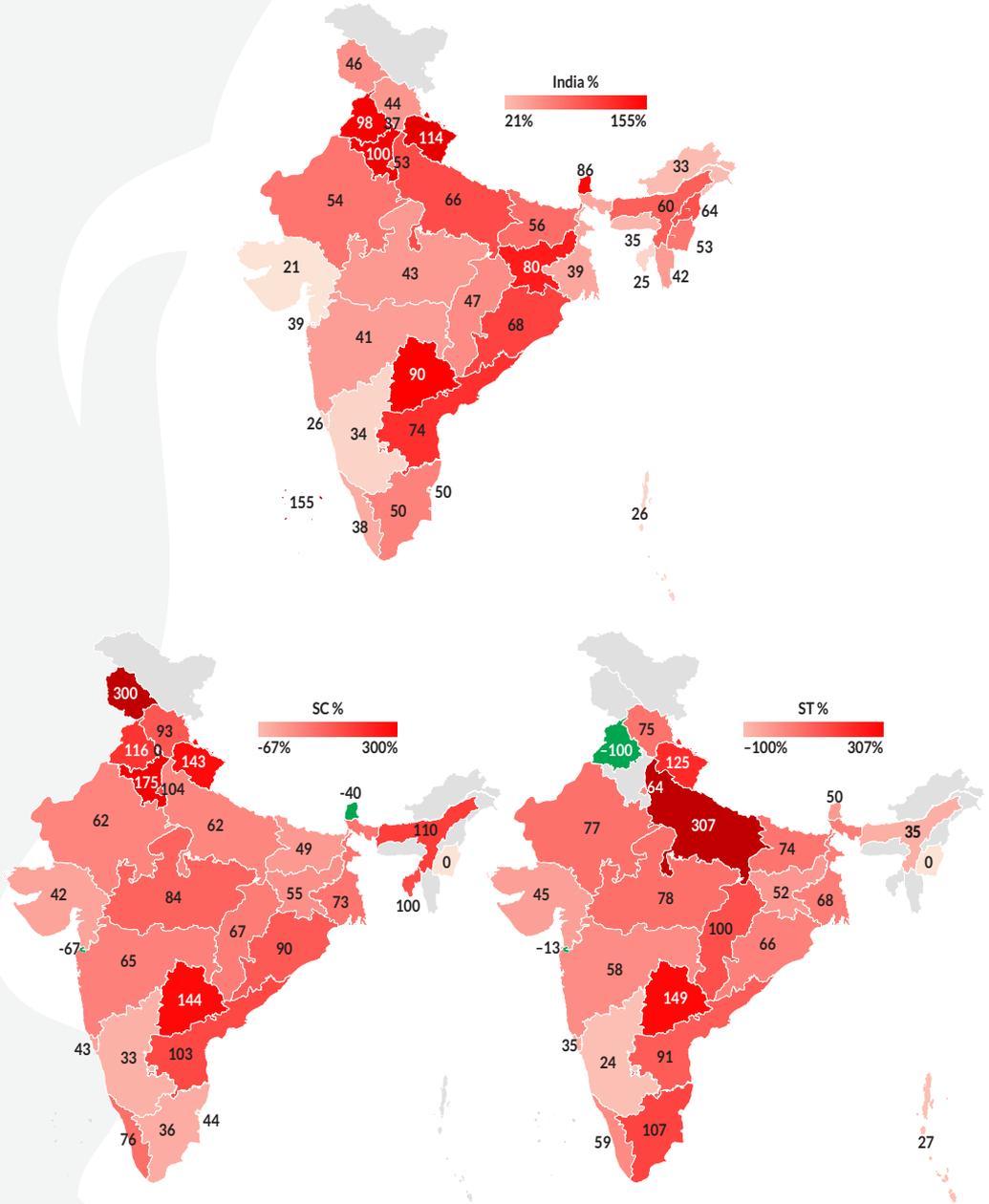


Figure 96 (Table 73): Crime against women: Relative increase in pending cases (2018 – 2022)



self draw out the process to induce fatigue and force hapless victims to surrender. Multiple vulnerabilities compound this effect manifold. The judiciary is complicit in this farce.

While the outcome of the trial could possibly depend on the arguments and the evidence laid out, the scheduling is totally under the control of the judicial system. The data of the NCRB reveals how the inherent bias comes into play in this, despite the special courts, and how judicial disengagement from justice plays out.

Once the charge-sheet is sent to the court, it indicates that the police and the prosecution are ready for trial. The process is now totally in the hands of the judiciary which determines the schedule. Though there are strict timelines for disposal, it is observed more in the breach. *Table 73: Crime against women: Relative increase in pending cases (2018 to 2022)* uncovers the hidden bias. While pendency increased by 51% overall, it increased by 63% for the scheduled castes and 72% for the scheduled tribes. The conviction rate for both *insult to the modesty of women* from the scheduled tribes and *attempt to commit rape* of scheduled tribe women and girls is zero in 2022, with a backlog of 13 and 32 years respectively.

There is more clinching evidence of judicial bias. Though exclusive special courts for rape and POCSO were established only in October 2019, a few months before the pandemic, 487 designated special courts and 176 exclusive special courts were in place for crimes against the scheduled communities for decades – some since the days of the Protection of Civil Rights Act, 1955. There was, and is, no reason for the increasing pendency in the cases where the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is invoked. There is nowhere to hide for this flagrant judicial discrimination.

The only probable equivalent of this ‘othering’ can be seen in *importation of girls from foreign country* (199) and *buying of minor girls* (52). Though there are literally hundreds of pending cases (and increasing each year), not even one case of either was completed in 2022 – the only two crimes against

In 2022, the conviction rate for both insult to the modesty of scheduled tribe women and attempt to commit rape against them was zero, with case backlogs of 13 and 32 years, highlighting stark judicial bias.



women so treated. For buying of girls, it is just one case disposed in 2017 (all acquitted), two in 2018 (both acquitted), three in 2019 (one acquitted), two in 2021 (both acquitted), and no disposals in 2020 or 2022.

In the case of *Importation of Girls from Foreign Country* it could be an indicator of protecting the trafficker as ‘one of us’ since the 199 girls are from ‘foreign’ countries. The miserable record of court disposal of cases under this section (crimes by ‘us’ against ‘not us’) is four cases (three acquitted) in 2017, six disposals (all acquitted) in 2018, and none disposed in 2019, 2020, 2021, and 2022. At the present rate of court disposals, impunity rules. Even the estimated 100 years to clear the present backlog could well be an underestimate (*see Table 74: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record*).

In heinous crimes, delayed justice makes rehabilitation meaningless. Victims age out of job benefits, are left with meagre pensions, with no escape from extreme vulnerability. This passive injustice fuels impunity, often worse than the crime itself.

7.6.5 IT and State-run rehabilitation

In heinous crimes, where statutory rehabilitation is due, long drawn-out proceedings ensure that rehabilitation is a farce, relief a parody, ‘compensation’ a joke, with the victim as the punchline. Those eligible for government jobs become too old and so get only a meagre pension to eke out the lives much below the official poverty line, instead of salaries and opportunities which would lift their family out of penury and the atrocity enabling ecosystem. Procedural delays are victim punishments, with multi-generational pecuniary, opportunity, and material cost. This denial of even the little upward mobility afforded by the rehabilitation after a heinous crime, is the caste duty of many who control the levers of justice. And they perform that duty to perfection, with ostensible ‘neutrality’.

This ‘passive’ neutral injustice is more pernicious and vicious than the active crime. The interminable delay compounded by uncertainty in investigation, charge-sheeting, trial, and judgement, and in the provision of relief, allowances, reimbursements, and socioeconomic rehabilitation results in exacerbated trauma and induced fatigue, where the victims agree to anything just to get it over with, for closure. The official passive ‘neutral’ condonation makes miscarriage of justice and impunity possible.





7.7 Institutions unfit for purpose

CII-2022 reveals incontrovertibly that the enforcement and judicial systems are not fit for purpose when it comes to crimes against women and girls. At present they are better suited to handle theft of motor vehicles and fail rather miserably in addressing gender-based crime against women and girls.

The records tell the story: Relatively unencumbered by the legacy burden of caste and misogyny, the police and judges are better equipped for the Excise Act (99.2% charge-sheeting, 85.3% convictions), Narcotics Drugs & Psychotropic Substances Act, 1985 (98.3%, 82.2%), and the Arms Act (98.5%, 65.5%) and best in the urban areas: the Excise Act (99.5%, 90.0%), Motor Vehicle Act (98.5%, 92.7%) and the Narcotics Drugs & Psychotropic Substances Act, 1985 (99.9%, 83.1%).

The entrenched interests, old boy networks, and bias is so all pervasive that the charge-sheeting rate of the police is significantly less than for other SLLs, and the conviction rate of the judges is less than half for all the legacy crimes – murder (charge-sheeting 81.5%, conviction rate 43.8%), rape (77.9%, 27.4%), kidnapping and abduction (36.4%, 33.9%), hurt (including acid attack) (89.9%, 35.9%), and rioting (86.6%, 24.9%). Incredibly, the conviction rate for rape in metropolitan cities is just 17.9%.

Logically, their systems and processes should be better at handling these legacy crimes since they have had literally centuries to hone the systems and acquire the skills for the 'old' and 'known' crimes. The gap is a clear indicator of the price being paid primarily by women and girls (and, by extension, society) for the phallocratic, class, and caste bias embedded in the police and the judiciary.

Required policy interventions

8

Equal justice [...]: The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity.



The Constitution of India, Article 39A

While this report's findings are neither new nor earthshattering, they provide incontrovertible official evidence of suppression and trivialisation of violence against women from the official records – from the horse's mouth – even when such violence is recognised as crime, and they are dutybound to record them as such. It provides sufficient evidence that the entire institutional setup is not aligned with the stated purpose, much less in harmony with the constitutional imperative.

This report attempts to make informed estimates of suppression and trivialisation from the trail left by data detritus and suggests simple yet impactful action to realign the system to its foundational values and so that it can deliver its stated desirable outcomes. None of the suggestions are pathbreaking, much less revolutionary. Many are already present in the quoted *Crime In India* reports and in several judgements of the Supreme Court of India. A combination of small, workable options will incrementally change the ecosystem and cumulatively propel it to a different level altogether.

These gamechangers do not require new legal instruments, state mechanisms, nor budgetary allocations. They are available now, off the shelf, *despite* the phallocratic state. Most have been spoken about, and many have been available, for decades. This report quotes almost exclusively from the recommendations of CII–1953 to emphasise that the remedies were known to, and brought to the attention of, the highest levels of government over 70 years ago. They only need to be slightly finetuned, streamlined, adapted for context, and constructively harmonised – taken off the shelf and dusted off as it were – for justice delivery, so that there is an alignment of structures, skills, and investments with objectives and desired outcomes.

The system always works. A system that does not work for the victim works for the perpetrator. The question before us is whether that is the desired outcome of the constitutional values.



8.1 Reimagine justice

8.1.1 A healing justice

The law is monochrome, justice a rainbow. There needs to be a paradigm shift in imagining justice. To truly see justice, our lens must be [kaleidoscopic](#), capturing the full mosaic of data, voices, and lived experiences. Having moved from the perspective of ‘an eye for an eye’, to ‘state sanctioned revenge’ (shades of ‘revenge is a kind of wild justice’), now justice needs to be reimagined from a victim centric and healing perspective that includes the victim, the perpetrator, their families, and the community.

There has been much progress in making the process and infrastructure more child friendly. Baby steps have been taken to do the same for women. They need to be taken to their logical conclusion. The reality is that the courts and the police stations are alien territory for most victims. Police stations are hostile places, if not crime scenes, for some victims. The crime is a result of multi-system failure, and the courts must always keep that in mind rather than get hyper-technical or keep the bar so high that even specialists’ trip and make unforced errors, let alone women already traumatised by sexual violence.

The courts therefore need to take a page from the humanitarian relief playbook: during disasters, the neediest cannot come to the relief worker, the relief worker must reach them. Similarly, the court must be, and the legal proceedings conducted, with the woman as the centre, in a joint search for justice, as a collective endeavour to deliver justice. The proceedings at the trial court should not preclude justice just because the victim does not meet the ideal standards of the law, much less the hyper-technical demands of misogynist-by-default judges. Adversarial court proceedings, as is the practice, leads to the advocate for the accused being a hired gun with the guiding principle that there is no second prize in war, rather than a valued colleague in the joint search for truth and justice.

It is widely accepted that a crime is not a standalone incident but the culmination of a process in an enabling ecosystem. The data proves that the specific forms of crime are committed in certain spaces under certain circumstances. Crime in that

There needs to be a paradigm shift in imagining justice from a victim centric and healing perspective that includes the victim, the perpetrator, their families, and the community.





sense, is very regional and depends on an ecosystem that trains, onboards, and enables practitioners. The data thus provides ample input to inform strategic plans to prevent crime by degrading the capacity of the ecosystem of criminal enterprise. At the higher courts, justice should encompass securing relief and rehabilitation for the victims, rebuilding multiple support systems, and dismantling the enabling ecosystem for crime, so that the vulnerability becomes history and the circumstances that gave rise to it are eradicated. It is only such an approach that will meet the ends of a healing justice. The basic template of how to go about degrading the enabling ecosystem and dismantling the supply chain, exists in the *Laxmi vs Union of India, 2015* judgement on acid attacks.

There are other models available, which can be streamlined to make them much more impactful with little or no additional financial resources. By bringing together the model of the Lok Adalat, the legal services authority, civil society organisations, and law colleges, justice delivery can be at the doorstep rather await victims to approach the inaccessible imperial court or the students' clubs within the college. Tamil Nadu's *illam thedi* and Karnataka's *Gruha Arogya* models for healthcare, literally searching for the house of those in need, are readymade models worth emulation.

Regular legal support camps by law colleges in association with the legal services authority at the appropriate levels with the public prosecutors in attendance at the taluk or subdivisional levels, and occasionally at remote villages, would do infinitely more for justice than waiting for the victims to approach the authorities with perfect recollection, documentation, and demeanour in times of distress and soul eviscerating despair. These camps would educate the survivors about the court procedures and their rights that the public prosecutors seldom do. These camps need to be systematised, conducted regularly at fixed dates, and included within the workload of each stakeholder.

This is a critical reform that the collegium is well placed to accomplish.

The courts must always keep in mind that courts and the police stations are alien territory for most victims, that police stations are hostile places, if not crime scenes, for some victims and that crime is a result of multi-system failure, and therefore not get hyper-technical with the traumatised victim of sexual violence.



8.1.2 A jurisprudence of restitution

Indian jurisprudence is woefully under-developed when it comes to ‘compensation’ which, even when ordered, remains absurdly low. The ‘compensation’ for the rape against a minor girl is at most ₹500,000 – barely a couple of months of a judge’s salary – with the judges frequently ordering much below that, and the state grudgingly complying after interminable delays just to shatter whatever little self-esteem remains in the survivor or her family. There is a vacuum when it comes to liability. Restitution is a foreign concept.

A jurisprudence of accountability, restitution, and healing needs to be developed simultaneously. A man throwing acid cannot get away with just a slap on the wrist and get out of jail after serving just half his sentence for good behaviour ([and good family and sanskriti](#)) and get on with life as if nothing has happened. A ‘fine’ of ₹2,000 reinforces impunity and entitlement rather than enabling accountability or correction. The perpetrator needs to be held liable for upending the victim’s life and pay for the medical expenses – mental health support, for the skin surgery, and maintenance – throughout the life of the survivor. This is not as a ‘punishment’ but as a *liability of conscience and consequence*. The damages should include the opportunity costs, estimated income of peers for life, and punitive costs as well. The government should pay this up front and recover it from the perpetrator through lifelong inflation adjusted monthly support, seizure and sale of assets including heritable assets or, most likely, by both.

Justice needs to be reimagined factoring power imbalance. Though FTSCs are supposed to do so, in a rather stunning reversal, despite this explicit statutory injunction, these special courts function on the premise that the defendant is the innocent victim and the plaintiffs are the ‘terrorists’ accusing ‘innocent citizens’.

The ₹300,000 given to the victim as immediate relief (erroneously termed ‘compensation’) should be inflation adjusted, and the first of several concomitant actions that together add up to total rehabilitation of the victim and a healing justice for the community. Obdurate courts, instead of treating this relief as a state responsibly to be disbursed suo moto, insist on applications from the traumatised victims with all the supporting documents and evidence and proof of multiple reminders to the government officials before they even deign to take note of the abnormal delay in providing





relief. Relief is a right of the victim (just as the salary and pelf of office for the judge) and should be given suo moto within the timeframe as a job function. If compensation should be given suo moto, without application to construction companies,⁷¹ relief for victims surely should be too.

Intent on thwarting justice to preserve the tottering patriarchal social structures and values they bear allegiance to, the courts persist on hyper-technical procedure and impossible standards for the victims to ensure process as punishment. The low standards expected of trained, tenured, professionals in state mechanisms in contrast to the impossibly high standards required of a traumatised victim in precarious life and livelihood circumstances has already been mentioned. That these standards must be fulfilled in the alien and intimidating environs of a court – a second home for the government employees – gives additional insight as to how the chips are stacked against the hapless victim.

8.1.3 Judicial neutrality

A large part of present jurisprudence was developed when the government (or more precisely the state) was the largest litigant (it still is). That jurisprudence – innocent till proved guilty – was because of the power imbalance between the lords and the serfs, the blue bloods and the commons. It considered the power imbalance and ensured that the law as a shield for, and the courts the refuge of, the poor. In the halcyon days of the Indian judiciary – the late 1970s and early 1980s, the days of Justice Krishna Iyer and V Chandrachud who indigenised the concept of class action suits to public interest litigation to India – that was the practice as well. However, now the courts have reversed direction and believe that the powerful have a monopoly on truth or at least let the process be the punishment, implicitly siding with power, by siding with the state in numerous cases invoking the UAPA and PMLA, and by siding with the perpetrator in crime against women and girls.

The special courts for women, children, and the scheduled communities have a different jurisprudence rooted in the original orientation of factoring in power and ensuring power balance. The exclusive and designated special courts under the

Inertia, disengagement, hyper-technicality, and their ilk are not neutrality. The right benchmark for neutrality, or active impartiality, is the Constitution of India, and the degree to which the constitution, constitutional values, and rule of law is upheld. By that standard, all state mechanisms have faltered, tripped, stumbled, and fallen short.



Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 function under the presumption of guilt, and that the plaintiff, being the weaker of the two, needs protection. The ePOCSO courts and the FTSC, though set up to clear backlog, also function on the same premise. Or that is the intent. In a rather stunning reversal, despite this explicit statutory injunction, these special courts function on the premise that the defendant is the innocent victim and the plaintiffs are the ‘terrorists’ accusing ‘innocent citizens’. Justice needs to be reimagined, factoring power imbalance, irrespective of the origin, presence, absence, or position of the tunic, blindfold, or eyelids of Justitia.

Though there are laudable statements by judges that reiterate that the legal process is a joint search for justice (*Gaurav Maini vs The State Of Haryana*), the courts remain imperial, despite closing in on a century of independence. Their false equivalence between the victim and the state machinery is the prime cause of this baked-in propensity for injustice. Coupled with disregarding victim trauma and bias towards power, it becomes a triad of injustice. A total reimagination of the role of the courts is required if it really wants the legal process to be a joint search for justice and the administration of justice to be a healing process.

Inertia, disengagement, hyper-technicality, and their ilk are not neutrality. The neutrality of the judiciary of the passive ‘see no evil, hear no evil’ kind seems to be what Desmond Tutu found abhorrent when he observed that *if an elephant has its foot on the tail of a mouse and you say that you are neutral, the mouse will not appreciate your neutrality...* because the neutral (impartial) act of justice there is to get the elephant off the mouse. The judiciary is expected to be similarly ‘neutral’ (active) in upholding the constitution and the rule of law not ‘neutral’ (passive) towards the crime, criminal, victims, or witnesses. A judge who delivers a verdict is not (or at least should not be) ‘for’ or ‘against’ the defendant or the victim but is ‘neutral’ in upholding the law and constitutional values. To quote Tutu again, *if you are neutral in situations of injustice, you have chosen the side of the oppressor*. It is in that enlightened benchmark that the judiciary must be, and must be seen to be, neutral in the restoration of justice.





The right benchmark for neutrality, or active impartiality, is the Constitution of India, and the degree to which the constitution, constitutional values, and rule of law is upheld. By that standard, all state mechanisms have, more often than not, faltered, tripped, and stumbled.

8.1.4 False equivalence, disregarding trauma

The imperial courts expect the impossible from the victims – holding the traumatised victims to standards that it doesn't hold itself to and doesn't even expect from the state mechanisms.

40. Any litigant who enters the court feels intimidated by the atmosphere of the court. Children and women, especially those who have been subjected to sexual assault are virtually overwhelmed by the atmosphere in the courts. They are scared. They are so nervous that they, sometimes, are not even able to describe the nature of the crime accurately. When they are cross examined in a hostile and intimidatory manner then the nervousness increases and the truth does not come out.

Justice Deepak Gupta⁷²

The victim is in a state of trauma, fear, living in extreme insecurity among the very persons who are threatening her. Despite repeated requests, neither the courts nor the police provide the statutory protection or the rehabilitation they are entitled to – which is why they turn 'hostile'. They are expected to always talk and behave rationally despite their trauma. During their trauma, they are expected to have the presence of mind to take note of, and report in minute detail, every small bit of the crime and its circumstances with an accuracy that the state mechanisms would struggle to do on a good day, the wherewithal for decades-long court proceedings, stamina to run the gauntlet of red-tape, the resilience to withstand the vicious hostility, slander, and socioeconomic boycott by neighbours, community, society, religious authorities and the state mechanisms including the police and judiciary, courage to be steadfast despite constant violence on them and their family, not to turn 'hostile' despite their precarity.

Courts must be mindful that the impacts trauma can have on the brain and body are as yet unpredictable. Trauma victims' memories are fragile. Their behaviour is illogical. This trauma is accentuated by the consciousness of their acute vulnerability. Vulnerability is always multidimensional, each vulnerability reinforcing the other and degrading resilience.



Trauma skews cognition, deepening victim vulnerability amid systemic failures, while officials operate with institutional safeguards and state-backed privileges, leaving victims to face precarity, legal burdens, and unjustly high procedural standards.

Trauma victims' memories are fragile. They can recall every detail of the perpetrator's shirt, but not the details of the perpetrator's face. Their behaviour is illogical – they walk right past a police officer to a friend ten kilometres away to report that she had just been raped. The impacts trauma can have on the brain and body are as yet unpredictable. This trauma is accentuated by the consciousness of their acute vulnerability. Vulnerability is always multidimensional, each vulnerability reinforcing the other and degrading resilience. The cause and effect are circular. The failure of multiple support systems that result in enhanced vulnerability, and a failure of all, leads to abuse and violence.

The contrast between officials of the state – who do the inquiry, inspection, investigation, charge-sheeting, prosecution, judgement, and incarceration – and the victim is stark. The judges, prosecutors, and police get their salaries every month and increments every year. The government employees are tenured with inflation-indexed pensions, free unlimited health services and police protection for life for self and spouse, and lifelong preferential treatment. They are cocooned from the precarity that is the everyday reality of the victim.

The reality of the victims is different. Victims live in precarious circumstances with no security amidst hostile communities, an annual income a fraction of the monthly take-home salary of the investigating officer, prosecutor, and yes, the judge as well. The victims are not supported by the society, police, or prosecution. They seldom have any legal knowledge or training. Yet they are required by the courts to be more competent and meet higher standards than the tenured officials with state backing and professional training.

8.1.5 Correct the state tilt

After preferring the complaint, the witnesses and victims are only observers in the entire process. The investigators and prosecutors are government employees, as are the judges. The victims and witnesses are at the beck and call of these officials who even decide which witness to call and what evidence to introduce.





Instead of correctly identifying the causes (incompetence, connivance, or complicity) and holding the prime movers (police, prosecutors, and the state mechanisms in general) accountable, the judges disregard the trauma of the victims, their bravery in running the gauntlet of the system, and indulge in victim shaming which is a step beyond victim blaming.

Even a cursory understanding of how the system works will bear this out. The acquittals are of cases where the entire process after the complaint is done by the professionally trained, highly skilled, government employees. The investigating officer sends only cases that have been found true after personal investigation and is confident of proving in court. Cases that are ‘true but no clue’ are not sent to court. From there the public prosecutor takes over. Trials are conducted according to the convenience of the prosecutor and infinite adjournments are the norm. Though the trials are supposed to be timebound, courts seldom pronounce judgements within the statutory time limits and, despite the burgeoning pendency, are notorious for permitting endless adjournments for the flimsiest of reasons. As mentioned earlier, the 1992 appeal in the Rajasthan gang rape is yet to be taken up for hearing by the high court. This despite having the might of the state and the majesty of the law behind them. Yet no official is held accountable for this unconscionable delay. It is this delay, coupled with lack of police protection, that turns victims ‘hostile’.

When mandatory relief is not paid, judges want to know if the survivor (or the victims’ family) has applied for it, reminded the officials, and followed ‘due procedure’ because the ‘officials have a heavy workload and might forget’. Yes, and the traumatised victims should have the presence of mind, the wherewithal, and the stamina to do so when their life and its support systems – including the family – are shattered. They are expected to file perfect complaints and have picture perfect 100% recall even in the face of personal trauma, societal hostility, police intimidation, attorney’s badgering, and whimsical judicial delays. No sane person, but one blinded by statism will take this position endemic to the Indian judiciary.

The judiciary needs to be rebuilt bottom up with appropriate redundancies, resilient infrastructure, and support to be fit for purpose. The collegium should step up to ensure that it has the necessary physical infrastructure, the human resources, and the wherewithal to ensure compliance with the law especially during emergencies, natural disasters, and other stressful situations.



The police and judges are better equipped for the Excise Act (99.2% charge-sheeting, 85.3% convictions), Narcotics Drugs & Psychotropic Substances Act, 1985 (98.3%, 82.2%), and the Arms Act (98.5%, 65.5%). The bias is so all pervasive that the charge-sheeting rate of the police is significantly less than for other SLLs.

Nowadays, harried time-stressed judges do not even pass strictures on investigating officers and prosecutors, which served to identify where the lapse lay. Instead of lauding the steadfastness and grit of the survivors in the teeth of active hostility of state mechanisms, judges even at the highest levels (Goel and Lalit) inveigh against victims as in the infamous judgements on dowry harassment and prevention of atrocities against the scheduled communities.

Surely the survivors of a life changing traumatic event with diminished faculties can be afforded at least the latitude given to the professionally trained and tenured police officials who charge-sheeted the case, yet could not defend their findings despite the backing of the mighty state? Let us examine the record of two institutions that function in rather sterile, well-structured and regulated environments compared to the rough and tumble of the victim.

The first is the NCRB. It is supposed to bring out a regular publication, the annual *Crime In India* report, with a well-regulated process and systems with all the might of the union ministry behind it. Despite the tens of dedicated employees with PhDs in senior positions of the ministry, they can neither bring out the annual *Crime In India* report on schedule nor, even then, do it without several disclaimers. They not only get a free pass but fail upwards.

The other is the Supreme Court of India. With all its institutional support at the highest levels, the super sanitised, serene and the ultra-rarified environs that it functions in, it stumbles and stumbles badly. Not that it cannot stumble. But the contrast to the harshness with which it treats the victims is striking. On 10 April 2015 it sentenced a person who had died on 14 October 2012, in a case under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 – an Act that is supposedly investigated, prosecuted, and monitored by India's best (*Ms S vs Sunil Kumar*. Criminal Appeal No. 1581 of 2009). Till 16 November 2016 – over seven months later – Justices Pinaki Chandra Ghose and R K Agrawal did not





even know that the accused had died since *the said fact was not within knowledge of this Court nor the attention of this Court was drawn to the said fact by the parties, including the State, and therefore on the basis of the statement made by the learned counsel appearing for the State, the judgment dated April 10, 2015, is recalled and this criminal appeal is dismissed for having become abated.* That's it.

Earlier, using the recorded crime in CII–2012, judges Adarsh Kumar Goel and Uday Umesh Lalit sagely pontificate that *most surprisingly the rate of charge–sheet filing for the year 2012, under Section 498A IPC was at an exponential height of 93.6% while the conviction rate was at a staggering low at 14.4% only and the CII–2013 statistic that the conviction rate of cases registered under Section 498A IPC was also a staggering low at 15.6%.* (paragraph 7 quoting paragraphs 10 and 11 of the brief) to sanctify the canard that *'the fact that most of such complaints are filed in the heat of the moment over trivial issues. Many of such complaints are not bona fide'* (paragraph 14, *Rajesh Sharma vs State of U.P.* Criminal Appeal No. 1265 of 2017 [Arising out of Special Leave Petition (Crl.) No. 2013 of 2017], 27 July 2017).

The leap of logic from *'complaints being filed in the heat of the moment over trivial issues'* to the conclusion that they are *'not bona fide'* is unexplained. Do they mean that complaints filed in the heat of the moment are not bona fide, or that complaints filed over trivial issues are not bona fide? Neither makes sense. The judges well know, or should know, that what is trivial for the perpetrator can be deadly serious for the victim. Waxing eloquent with amicus curie supported verbosity in victim blaming for the incompetence of the investigating, prosecuting, and judicial officials when it comes to crimes against women in 2017, (and in 2018 against the scheduled castes and the scheduled tribes as well), is not even perplexing, but just par for the course. Echoes of these judgements find resonance even in the closing days of 2024 in the next generation of supremes.

The conviction rate of the judges is less than half for all the legacy crimes – murder (charge–sheeting 81.5%, conviction rate 43.8%), rape (77.9%, 27.4%), kidnapping and abduction (36.4%, 33.9%), hurt (including acid attack) (89.9%, 35.9%), and rioting (86.6%, 24.9%). Incredibly, the conviction rate for rape in metropolitan cities is 17.9%.



Even so it is rich, especially when the Supreme Court of India maintains an exquisite silence on the 3% conviction rate in the Unlawful Activities (Prevention) Act 1967, UAPA, and *fractional* (0.42%) conviction rate under the Prevention of Money Laundering Act 2002, PMLA, refusing to intervene even when directly approached. Why would the supremes chastise the investigating officers when they do even a passably good job in the Protection of Women from Domestic Violence Act, 2005 of which the high charge-sheeting rate ostensibly is an indicator? It contradicts even their own stated position of speedy delivery of justice, and the constitutional mandate of special consideration for women and children.

The incestuous relationship between the arms of the state, and the infinite indulgence for insiders ensures impunity as a norm with nary a question. The excuse and justification machinery goes into overdrive if questioned. This overt bias – justifying the officials when they don't fulfil their responsibilities and blaming the victim for what the officials are supposed to do and therefore is beyond their control – needs to stop.

8.2 Reimagine the administration of justice

The present system for the administration of justice is not fit for purpose, especially when it comes to women and children, as demonstrated in 7.7 *Institutions unfit for purpose*. The 'reforms' and innovations are like a brand new smart switch pasted on a rusted wiring and indifferent power supply provided by the government in tribal areas when they want to evict the hapless communities. That it works at all is a miracle. That people expect justice from it is mass delusion. Just as voice activated appliances need up-to-date equipment from upstream power generation to dependable distribution to dependable last mile connectivity at the assured power range to wiring before the smart switch can function, the administration of justice too needs a total upgrade inside out, not just intermittent tinkering. The present reforms and innovations are but tinkering, akin to lipstick on a pig. Einstein's definition of madness – doing the same thing over

Law enforcement has been outed napping as the storm rages by its own records – 63.5% true but no clue in cybercrimes overall and 29% in cybercrime against women and girls. Law enforcement lacks expertise to tackle today's crime, let alone possesses expertise to address the AI crimewaves of the future.





and over and expecting a different result – holds good here as well. Pious pronouncements of even the CJI, no matter how well intentioned, are nothing but hot air if there are no fit-for-purpose on-ground mechanisms for implementation.

8.2.1 Fit for purpose state mechanisms: Police

The police need to be professionalised. Given that crime is the culmination of a process in an enabling ecosystem, policing needs to be strategic to prevent crime by degrading the capacity of the enabling ecosystem of criminal enterprise and dismantling the entire pipeline. Addressing individual crime, while important, is akin to treating symptoms, and is inefficient and insufficient. It is a drain on resources that society can deploy more productively elsewhere, and in most cases results in needing to run faster and faster just to stay at the same place. As the data shows, the police are flailing.

The police still depend on informers and third-degree methods and are steeped in toxic masculinity. If police incompetence is a given, the judiciary is complicit in approving this incompetence. Not only are under-trials incarcerated, but so are the accused. The Indian norm is guilty until proved innocent, except for the politically and bureaucratically connected (in which case you are innocent even if proved guilty and it could even be a qualification for becoming an MP or MLA). In civilised nations, citizens are informed when they become ‘persons of interest’ in an investigation i.e., before an investigation even starts. These are countries where surveillance is prohibited, which the Indian state with all its Israeli technology assisted voyeurism cannot match.

The ‘enhanced sensitivity’ of the establishment after the Nirbhaya cases lasted all of three years before the phallocracy took over. As the recorded crime data (*Table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)*) shows, this pattern is reflected eerily in a spike in recorded crimes against women and girls in 2013 and reverts to norm in three short years. No doubt a coincidence that will be repeated for CII-2024 and CII-2025 as well.

The high rate of acquittals - 70% for rape against girls and 72% for women - is proof enough that the investigation and prosecution are sub-par and not fit for purpose. Even in cases of rape-and-murder, the conviction rate is only 67% with a pendency rate of over 95% i.e., delay at present rate of disposal=20 years.



The flaws noted in CII-1953 and CII-1954 persist: poor recruitment, understaffing, ineffective rural policing, outdated forensics, case delays, and weak public cooperation. Urgent reforms in hiring, training, forensics, and community engagement are vital.

The rise of recorded rape hitting higher peaks each year and the absence of recorded attempts to commit rape makes better data recording and tracking a necessity. Absence of published data does not mean no crime. The continuing prevalence of custodial rape – though much less recorded in NCRB data than in news reports – indicates that toxic masculinity within the state mechanisms needs to be addressed on a priority.

The high rate of acquittals – 70% for rape against girls (5,595 convictions of 18,238 cases disposed) and 72% for women (5,067 convictions out of the 17,778 disposed) – is proof enough that the investigation and prosecution are sub-par and not fit for purpose. Even in cases of rape-and-murder, the conviction rate is only 67% (43 of 64 disposed) with a pendency rate of over 95% (1,269 cases, delay at present rate of disposal=20 years).

There needs to be more and better trained officials in legacy and emergent crime. The high numbers of ‘true but no clue’ cases, including in cybercrime against women and girls (29%), is a wakeup call that the law enforcement lacks expertise to tackle today’s crime, let alone possesses expertise to address the AI crimewaves of the future. Though there will always be legacy crime as background noise, cybercrime is the sunrise sector. The most vulnerable remain the same, as the data show. Law enforcement has been outed napping as the storm ranges by its own records – 63.5% true but no clue in cybercrimes. The resources and creative energy that the public servants undoubtedly possess could be better deployed to provide safety for the most vulnerable today, anticipating emergent threats, and preparing for the explosion in growth of cybercrime.

To ensure accurate and efficient recording of crime data, it is essential to employ dedicated data entry operators at the clerical level in every police station. Exclusive data entry personnel would streamline the documentation process, reduce errors, and provide near real time data, significantly improving the reliability of crime statistics and the usability of crime data. By relieving investigating officers of administrative burdens, this measure would allow law enforcement personnel to focus on core investigative responsibilities, ultimately enhancing both data integrity and operational efficiency.





The recommendation in CII–1953 still holds good in terms of recruitments and training.

Better–class of recruits, particularly in the gazetted as well as in the non–gazetted ranks are necessary...

A refresher course for the investigating officers is needed and, ... for the higher officers is also necessary ... The rural police all over India has to be revived and brought back to the same state of efficiency as existed in the twenties. [the 1920s]

CII–1954 elaborates on the reasons under the subhead ‘handicaps in the police work’.

The number of police is insufficient.... There has been a general fall in the standard of Police recruits of all ranks. Control over bad characters has been lost due to various reasons.

There has been no improvement in the methods of investigation because no facilities exist in any rural police station, and even in most of the urban police stations for scientific investigation. Very few States have yet provided themselves with forensic laboratories and very few investigating officers are provided with even the elementary instruments which are indispensable for scientific investigation.

Medico-legal examination still continues to be of an extremely poor standard.

Time lag in the disposal of cases in court continues to be serious. People are extremely reluctant to appear as witnesses in trials.

The rural chowkidari police is almost non-existent in its effectiveness, and thus the main weapon with which to fight crime in rural areas has disappeared.

Co-operation from the public in the detection and the investigation of crime is still extremely poor.

Slow walking time–sensitive cases, especially those impacting women and children, is not delivery of justice. There is an urgent need to ensure that half the force are women, and all enforcement officials being gender sensitive. As of 1 January 2023,⁷³ there are only 263,762⁷⁴ women police officers in the country – 12.32% of the total 21,41,305 – much below the 33% agreed to by all the states over a decade ago.

Multi–generational delays make mockery of the statutory relief and rehabilitation, which are tied to the different stages of the case. When justice is delayed by 30 years, which ‘children’ will be eligible for the statutory all expenses paid residential education up to graduation? Who will get the government job? These are live issues that the survivors and their families grapple with in the face of a hostile state. The intergenerational cost of justice delayed needs to be factored into the infrastructure for justice delivery



At the 2022 rate of disposal of crimes against women, the courts would need about 12 years just to clear the backlog of cases charge-sheeted before 1 January 2023, without hearing or clearing any case registered since 31 December 2022. The shortest clearance is eight years for cases under sections 4 and 6 of POCSO (other sections will take up to 32 years). Rapes would take 9 years and murder with rape will take 20 years.

This should be a monitored non-negotiable. There is a similar provision in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Rule 13(2)). The sensitisation could start with the 769 all-women police stations, AWPS (121 rural, 648 urban), but needs to be made service-wide with a realistic, but strictly enforced, timeline with monitored milestones.

8.2.2 Fit for purpose state mechanisms: Courts and judges

With decades long pendency, the courts are a part of the problem. They are a major bottleneck – so much so that even judges and lawyers advise against going to court. Reforming the unit system to give more points for the intersectional vulnerability of victims may help a bit in perception management by moving the congestion to another point in the long winding obstacle course that passes for case flow management. The judiciary is clueless as to the remedial action or, if they are, it is not visible in implementation.

The recommendation in CII–1953 still holds good (and they were not talking about the BS amendments).

There is a need for more magistrates for the speedy disposal of cases. The new amendments to the Criminal Procedure Code may help, but more magistrates are necessary.

Courts are literally waiting for the accused to die before taking up cases (the appeal filed in 1995 yet to come up for hearing in the High Court of Rajasthan) or letting them off due to advanced age ('special' DGP Rajesh Das of Tamil Nadu by the Supreme Court of India). Gaming the system to subvert justice is orchestrated from within.

The over 110,000 cases of rape pending for five years or more need more courts and judges for disposal. Just increasing the salaries of the judges is counterproductive and does not make them fit for purpose. Doubling and tripling the salaries does not mean that the judge can deliver three times as many judgements. It is critical to have more judges who work eight hours a day than a few judges working 24 hours a day – the biological rules of work come into force for everyone after the biological limits are reached.





Given the disposal rate, the number of courts need to be doubled and doubled again so that justice is routine not 'special' or 'fast tracked'. If '*the trial Court is under an obligation ... [to] proactively participate in the trial proceedings... for the just decision of the case*'⁷⁵ as Justices B R Gavai and Sandeep Mehta enjoin those in the subordinate judiciary, then their caseload should only be what is possible. What is possible can be calculated as the average of cases disposed per trial court per annum in the past five years, the data of which is available court-wise.

The present annual disposal rate is dismal (*Table 74: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record*). At the 2022 rate of disposal of crimes against women, the courts would need about 12 years just to clear the backlog of cases charge-sheeted before 1 January 2023, *without hearing or clearing any case registered since 31 December 2022*. The shortest duration that the *backlog* can be expected to be cleared is for cases registered under the POCSO Act, 2012 (233,445 pending cases, CII-2022) – and that is eight years for cases registered under sections 4 and 6 of POCSO (other sections will take up to 32 years). Cases booked under *insult to the modesty of women* r/w the POA for women from the scheduled castes would also take eight years, but with a conviction rate of just 4.3%. Rape (178,485) would take 9 years but murder-with-rape would take 20 years. Dowry murders (56,859), which a narrow pool of suspects, would take 15 years. Cruelty by the husband (786,675), by far the largest number of pending cases, would take 12 years. Kidnapping and abduction of women for marriage (123,808) would take 21 years and 23 years for girls (51,646) – well after their grandchildren are born.

If just the length of delay is considered, a conservative estimate would be that at the 2022 rate of disposal, cases charge-sheeted under importation of girls from foreign country and buying of girls would take a 100 years to be cleared. Selling girls is slightly more serious and would take only 95. This is not an anomaly but an accurate reflection of

In heinous crimes, where statutory rehabilitation is due, long drawn-out proceedings ensure that rehabilitation is a farce, relief a parody, 'compensation' a joke, with the victim as the punchline.

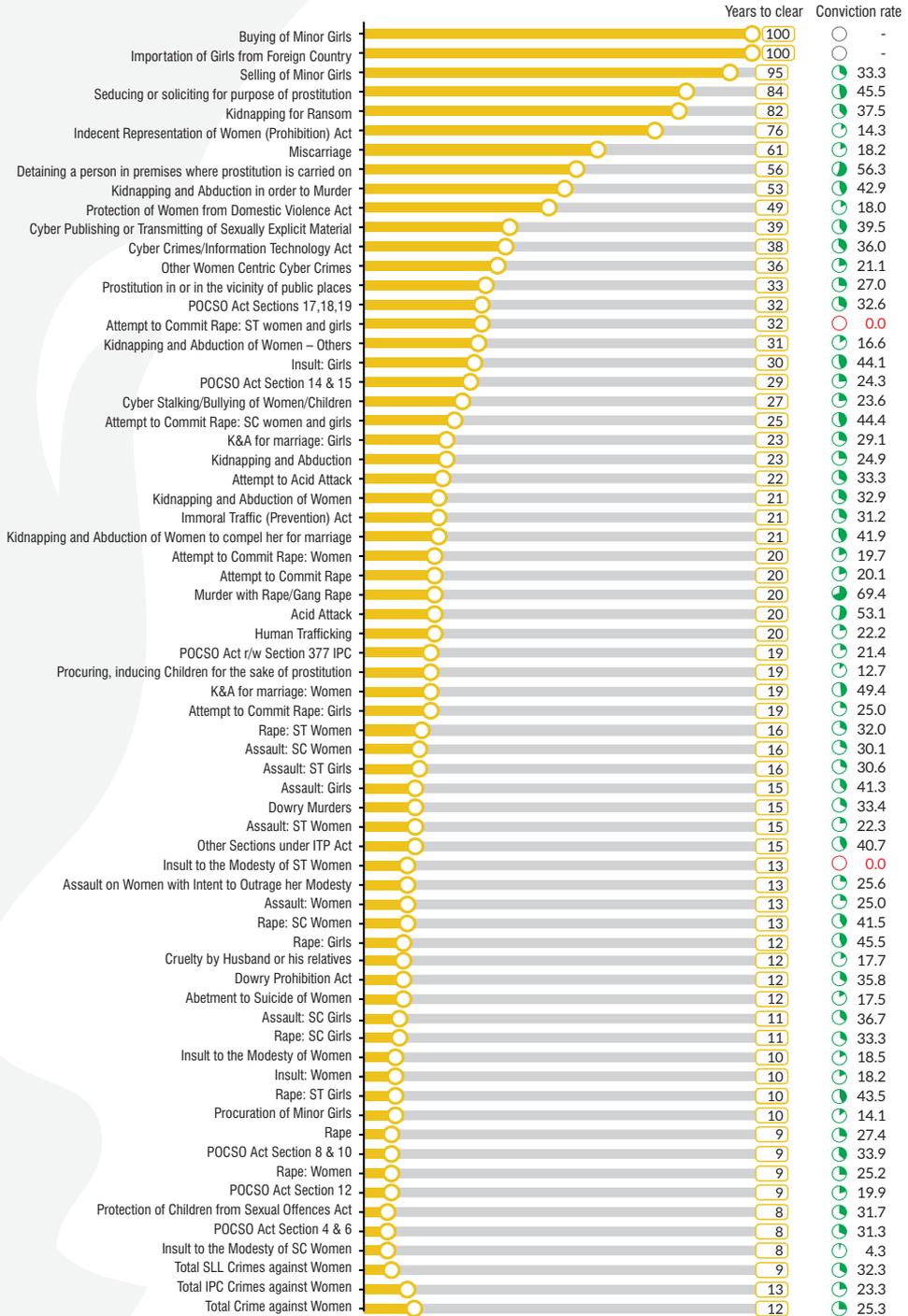


Figure 97 (Table 74): Estimated years to clear charge-sheeted cases pending in court (2022 backlog)





how seriously these crimes are viewed by the courts. In the case of *Importation of Girls from Foreign Country* just one of ten cases has ended in conviction since 2017, and not one case has been disposed since 2019. Cybercrimes would take about 39 years, acid attacks 20 years, and those under Protection of Women from Domestic Violence Act 49 years – virtually guaranteeing demise before justice.

These multi-generational delays make mockery of the statutory relief and rehabilitation, which are tied to the different stages of the case. When justice is delayed by 30 years, which 'children' will be eligible for the statutory all expenses paid residential education up to graduation? Who will get the government job? The three months provisions? as stipulated under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rule 12(4), Schedule, Annexure I? These are not rhetorical questions but live issues that the survivors and their families grapple with all too often, in the face of a hostile state. The intergenerational cost of justice delayed needs to be factored into the infrastructure for justice delivery.

There is an urgent need for more judges, support staff, and support infrastructure. More courts mean faster judgements, less impunity, and a better work-life balance for the judicial officers. Half the judges being women, and all judges being gender sensitive should be a monitored non-negotiable. There is already a similar provision in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 regarding administrative officials (Rule 13(1)) but, as the record shows, it is enforced more in the breach. Monitoring milestones, immediate correctives right from recruitment (appoint only women as judges until the overall objective of 50% of the judges as women is met) to promotions, is eminently possible.

To clear the backlog of appeals, where multi-decade delays are too common, a social justice bench dedicated to the laws for the protection of the weaker sections could be replicated at all levels. This would complement the exclusive special courts, unclog the pipeline for case clearance, and provide a cohort of judges well versed in the nuances of social justice. This approach would streamline justice delivery and enrich

The variation in pendency reveals the institutional discrimination. Despite exclusive special courts, at the 2022 rate of disposals, there is a backlog of 9 years for rape, 10 years for rape of ST girls, 11 for SC girls, 13 for SC women, 16 years for ST women, 15 years for dowry murder, murder-withrape 20 years, 35 years for cybercrimes against women, buying of minor girls 99 years, and selling of minor girls or importation from foreign countries 100 years.



Critical infrastructure is expected to function normally when society is under stress. Their capabilities, redundancies, and systems are built for efficiency in the specific stressful environment. The police and judicial system are expected to during emergencies. The pandemic revealed that the judiciary and the administration of justice system is impotent even in the face of a three-month lockdown.

jurisprudence since they will specialise and build case law. To enhance the efficiency and accessibility of judicial processes, India could establish specialised apex courts, similar to the model in Germany.

A part of the backlog could be addressed if the Supreme Court of India respected subsidiarity and took its role as a systems regulator seriously. The temptation to intervene in high profile cases should be avoided, especially when another court has already acted on it expeditiously.

Apart from the loss of face for inserting itself into a matter already being dealt with by the Kolkata high court, including handing over the case to the CBI, premature intervention narrowed the issue to the safety of doctors, rather than safety of women in the workplace, or more correctly the safety of women and girls in all places at all times. By allowing the Kolkata high court to deliberate on the case, the Supreme Court of India could have weighed in on the systems as they did in *Vishaka vs State of Rajasthan*, 1997 and *Laxmi vs Union of India*, 2015. Focussing on the big picture will enable the judges to fix the system unswayed by the individual cases.

Focussing on the systems and structures by the higher judiciary will enable rectification that will result in faster delivery of justice, better identification, prosecution, and conviction of the perpetrators, and timely rehabilitation of the survivors. This is the minimum required for a healing justice.

8.3 Justice as critical infrastructure

8.3.1 Resilience in the administration of justice

State mechanisms are critical infrastructure and need to be resilient – able to function normally under stress – during emergencies and ‘normal’ times. The increase in extreme weather events and climate emergencies are continuously redefining ‘normal’ and the world seems to be hurling lemming-mode into the unknown world of permanent catastrophes. It is accepted that the state needs to be capable of efficient functioning during disasters and emergencies – both of which have a high probability of descending into social unrest – and state mechanisms such as law enforcement and administration are close to the top of the list.





Critical infrastructure is expected to function normally when society is under stress. The ‘normal operational environment’, NOE, of critical infrastructure is acknowledged to be different and they are purpose built. Their capabilities, redundancies, and systems are built for efficiency in the specific NOE. War is the NOE of the military, and they are expected to function during war. Similarly, hospitals are expected to function normally during pandemics and the police and judicial system during periods of lawlessness.

The pandemic revealed that the judiciary and the administration of justice system is impotent even in the face of a three-month lockdown. More rapes were committed, recorded, and charge-sheeted in the pandemic year 2020 than in 2019. Yet the judiciary disposed less cases in the calendar year 2020 than in 2021. The courts have taken over three years to get over the three-month lockdown and get back to pre-pandemic levels of disposals.

8.3.2 The collegium

Just as hospital administration has grown to be a specialist discipline, so too must the administration of justice. In addition to the collegium selecting judges for the courts, it should similarly ensure that the system is fit for purpose. This administrative function would involve infrastructure and financial planning to ensure timely delivery of justice by clearing the bottlenecks at all levels. Though there are appalling delays at the trial courts, tortoises also move in the high courts as do snails in the supreme court. To reiterate, the appeal in the Rajasthan case is yet to be heard at the high court after 30 years, though the trial court passed the verdict in two years.

This is by no means an outlier – the verdict in the 1992 Vachathi appeal came in 2023, well after 54 of the 269 convicts embarked on their final journey. Due to the delay, but for the 17 convicted of rape, few spent time in jail though they were sentenced to between one and ten years of rigorous imprisonment. Therefore, the bottlenecks at all levels need to be identified, unclogged, and the infrastructure to prevent clogging and ensure smooth flow need to be in place, with sufficient excess capacity for annual growth and periodic surge in cases.

The collegium should step up to ensure that there is the necessary physical infrastructure, the human resources, and the wherewithal to ensure compliance with the law especially during emergencies, natural disasters, and other stressful situations. The chief justice should have a periodic review of the requirements of the entire administration of justice system to discharge their duties on time as legally mandated.



One of the orders that need an immediate performance audit is the State of Gujarat vs Kishanbhai, 2014 judgement, which has not been implemented or has been subverted in several states. Others are the performance of the POCSO courts and implementation of the PoSH Act, 2013. Based on these audits, the number of additional permanent courts to be set up can be arrived at.

The judiciary needs to be rebuilt bottom up with appropriate redundancies, resilient infrastructure, and support to be fit for purpose. The collegium should step up to ensure that it has the necessary physical infrastructure, the human resources, and the wherewithal to ensure compliance with the law especially during emergencies, natural disasters, and other stressful situations.

The chief justice should have a periodic review of the requirements of the entire administration of justice system to discharge their duties on time as legally mandated - from police to forensic labs to number and facilities in courts to correctional facilities and rehabilitation centres / halfway homes. This could be done with the DGP, DOP, and officials of similar rank from all states. It would mirror the national development council with the PM and the CMs. The identified requirements should feed into the union and state budgets. The generalist administrative officials are unlikely to have the expertise for this. They certainly have not prioritised it, despite being flagged in CII-1954 itself. There is a precedent for this. Within the framework of civilian control, the army calls the shots in the ministry of defence.

It cannot be left to the parliament or legislatures since a substantial number of elected representatives are implicated in either rape or murder or both. So they have a vested interest in status quo, i.e., a system that is dysfunctional, designed to fail, and denies justice to the victims.

The CJI led collegium can be entrusted with the responsibility of discharging this specialist task that has been languishing for almost a century despite several reminders. In an pathetic reflection of the victims giving up hope and their resigned acceptance of karma, the police have even stopped the reminders.

This is the 'judicial overreach' the nation is waiting for.





8.3.3 Legal performance auditor

A performance auditor of the implementation of the judgements and the law is required. While for the judges the judgement is the end, for the victims it is the start of another journey. The administration delays or denies implementation, and in some cases design systems to fail. The performance auditor would tangentially audit the performance of special courts, exclusive special courts, and judges. (The performance of the special public prosecutors, exclusive special public prosecutors, and investigating officers are already being – or should be – monitored by the standing committees set up consequent to the *State of Gujarat vs Kishanbhai, 2014* judgement). The Supreme Court of India did try a version of this with the mandate for the social justice bench.

Given the increased and increasing complexities of the world – VUCA: volatile, uncertain, complex, ambiguous, is now mainstream – a slightly different arrangement than an additional duty of a judge is suggested: a specific, specialised, dedicated legal performance audit team. Though allrounders and multitaskers are important, a VUCA world needs specialists performing specific tasks, not allrounders multitasking. Legal acumen and performance auditing are different functions with different skillsets and need different teams.

The legal performance auditor general, LPAG, would be the judicial equivalent of the comptroller and auditor general, CAG, to do periodic performance audits of the law, compliance with court orders, and state mechanisms for the administration of justice, including their compliance with court orders. Instituted at the union and state levels, it would be a permanent independent authority with the mandate to enforce recommendations at par with the election commission, and not a post-retirement sinecure.

One of the orders that need an immediate performance audit is the *State of Gujarat vs Kishanbhai, 2014* judgement, which has not been implemented or has been subverted in several states. Others are the performance of the POCSO courts and implementation of the Protection of Women from Sexual

The identified requirements should feed into the union and state budgets. It cannot be left to the parliament or legislatures since a substantial number of elected representatives are implicated in either rape or murder or both. So they have a vested interest in status quo, i.e., a system that is dysfunctional, designed to fail, and denies justice to the victims.



India must adopt a true 'innocent until proven guilty' system, limiting incarceration to imminent threats, not routine investigations. The NCRB must ensure impartial recording at every level – vigilance in prevention cannot excuse negligence in documentation.

Harassment Act, 2013. Based on these audits, the number of additional permanent courts to be set up can be arrived at, drawing from the number of cases that the courts are disposing now, and the number they can be reasonably expected to dispose per annum.

The criteria for the audit would be transparent – the bottom 25% of the states in terms of convictions, the budget spend, scheme-wise etc. The implementation of some orders, and the performance of some agencies (ED, CBI, all special courts and exclusive special courts under all laws), should always be monitored. The prior intimation of audit will ensure a supportive process to ensure better justice delivery by streamlining existing resources, allocating more resources, and acquiring appropriate capacity.

It is important that it be an independent body, not under the police (criminals in uniform as a high court famously observed), the civil service (which captures and neuters every pro-people initiative), and certainly not the politician who is more a law breaker than a law maker.

8.3.4 The NCRB

The NCRB has a critical role to play in the policing of the present and preparing for the policing of the future – starting with the acknowledgement that much of the future is already upon us. It needs to up its data game, since the entire augmented intelligence, AI, ecosystem depends on data. Bias in the data which reflects contemporary social bias has been the bane of evidence based, data informed decision making and predictive models. AI needs data to learn. Large areas being 'dark' will not help in policing or crime control/management, let alone predictive criminal justice. Biased policing results in biased data, which is not helpful, and is detrimental to moving forward. It is the cyber equivalent of labelling entire communities as 'criminal'.

India needs to move to an 'innocent until proved guilty' regime with incarceration being only for imminent threats and not resort to it for routine investigations. Civilised nations





follow the principle of ‘innocent until proved guilty’ and inform citizens when they become ‘persons of interest’. If India has to join the comity of such nations that respect citizens’ rights, then the NCRB becomes crucial. Vigilant in prevention but negligent in recording will no longer suffice, if at all it ever did. Unbiased data collection is a prerequisite, the capacity for which should be inbuilt into each unit and subunit up to the police outpost as a non-negotiable.

The NCRB’s prison statistics disclose that the oppressed communities and religious minorities are disproportionately incarcerated. While the political–economy of the prison industrial complex is beyond the scope of this report, the trends revealed in the analysis of the recorded crimes against women and girls before, during, and after the pandemic strongly indicate under–recording of crimes against women and girls by women. The bump in recording after major incidents is a proxy indicator for heightened sensitivity of law enforcement post defining incidents, to be considered as a training need identifier. These insights need to be used to weed out the social biases (of women as goddesses or whores) that have seeped into law enforcement, through training and verified through protocols and procedures that will catch and rectify these biases in the formative stages.

If NCRB wants CII to be *a principal reference document for the stakeholders for evaluation of the prevalent situation, planning policies and creating deterrence for future occurrence of crime in the society* (Foreword to CII–2021) or that *the report will be utilized by State/UT Police and Law Enforcement Agencies to predict such crime trends, which will enable them to adapt to these new challenges*, as NCRB Director Vivek Gogia would like to believe (Foreword to CII–2022), the data collection must be more robust, and the analysis should call out the gaps – especially gaps within the law enforcement that result in data gaps and restricts its utility. Bias is antithetical to rational decision making, and cognitive bias its death knell.

Extending the rights of victims and witnesses in the SCs and the STs (Prevention of Atrocities) Act, 1989 to all cases would enhance accountability by ensuring investigations and charge-sheets are completed within 60 days, with delays needing to be justified in writing. Trials must conclude within two months, handled by special courts. Witness protection is essential, and failure to provide it makes officers liable for negligence of duty.



By unwaveringly shining the light on the misalignment of values, stated purpose, systems, structures, skills, equipment, implementation, and performance of personnel, the NCRB, through its data collection, analysis, and presentation will be doing yeoman's service in making the state machinery for law enforcement and the administration of justice, fit for purpose.

8.3.5 Enhance accountability

While there will always be bad apples in large institutions, and more so in those that constantly interact with the darker side of humanity, the NCRB data provides incontrovertible evidence of a system designed to fail the victim and to provide impunity to the perpetrator. It shows up the deep-rooted toxic masculinity that pervades the entire police-judicial system that thwarts justice for women and girls.

A standing committee to fix accountability in cases of acquittal should be appointed as per the State of Gujarat vs Kishanbhai (2014) to review the performance of investigating officers and prosecutors and hold them accountable for negligence.

Under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 investigating officers who do not complete the investigation and file the charge-sheet within 60 days must give a written explanation (Rule 7(2A) POA). Judges should complete the trial within two months of the charge-sheet being filed and write down why trials are not conducted on a daily basis (Section 14(3) POA). It is the duty of the state government and the chief justice of the high court to establish a sufficient number of exclusive special courts to dispose cases within two months of the charge-sheet being filed (Section 14(1) POA). Witness protection is a duty of the state (Section 15A(11) POA) and the courts (Section 15A(6) POA) and, if done, will prevent the 'witness becoming hostile'. According to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 witnesses turning hostile automatically make the police officer in charge of their security (oftentimes the investigating officer for the case) liable for dereliction of duty.

These provisions could be extended for all cases. Chief justices, the director of prosecution, and the law minister of the concerned state should be held accountable for delays and pendency since it is their responsibility to set up an adequate number of courts to ensure compliance with the statutory requirements and the demands of justice.



Responsibility should be fixed for acquittal and those repeatedly failing in benchmarks should be retrained and if there is still no improvement, removed from service. Each state is supposed to have a standing committee to fix accountability. In the *State of Gujarat vs Kishanbhai, 2014* judgement, the Supreme Court of India ordered the home departments of all states to constitute a standing committee comprising of senior officials of the police and prosecution departments. These standing committees review all cases of acquittal and fix responsibility for the acquittal – on the investigating officer for negligent investigation, or the prosecutor for negligent prosecution.

This order and standing committee are applicable for all cases, not just for those booked for crimes against women and girls. This standing committee is a critical state mechanism to ensure delivery of justice for the vulnerable sections of society. To ensure impartiality and remove conflict of interest, to set the cat among the pigeons, these committees could report to the legal performance auditor general (LPAG).

8.4 Whole of society

8.4.1 Win-win social engagement

In the capitalist–patriarchal framework, the state always claims a monopoly on violence and the legitimate use of force. Its institutions, primarily the police but other coercive instruments as well, are tasked with maintaining law and order. If the security of women and girls is assured (a patriarchal imperative), then a virtual doubling of the economy is guaranteed (a capitalist objective) – not least because the energies in protection and prevention (a patriarchal imperative) can be channelised towards other productive endeavours for maximising returns and a strong economy (a capitalist objective). So even those abhor human rights, and detest a feminist approach even more, should be able to find a win-win even within their own meaning-making frameworks for a world with freedom, safety, and security for women and girls.

A comprehensive effort is needed to rebuild society's foundational values, grounded in equity and justice for all demographic groups, irrespective of gender, age, marital status, community, or socioeconomic status. This requires a nationwide commitment to fairness and inclusivity across every level of society.



8.4.2 ... but catch them young

This report lays bare the institutional consequence of the social normative and of what is socially acceptable. It holds the mirror to formal and informal institutions, and to Indian society itself.

India has crossed of hyper- and toxic-masculinity to militarism, weaponising rape and sexual violence with life changing consequences for those on the wrong side of the balance of power. The topsy turvy usage of the language of healing for war (surgical strike) and the language of war for healers (covid warrior) creates cognitive dissonance and is gaslighting on a grand scale. Normalising children as 'exam warriors' is but one indicator of how deep militarism has seeped into society.

To harness the power of predictive policing, unbiased crime data analytics models should be developed for law enforcement. Given resource limitations, granular data must be made public for analysis and solution implementation. Creating safe neighborhoods and ensuring security requires active citizen participation.

Hyper-masculinity and militarism valorise the sense of male entitlement which, given that the fragile male ego cannot accept rejection, triggers extreme violence as evidenced by the acid attacks and the 14,866 women and 13,981 girls (CII-2022) recorded as victims of 'kidnapping and abduction for marriage' which, as we have pointed out earlier, is trafficking for lifelong sexual servitude. While this kidnapping and abduction trend has been tracked for decades, the data has neither informed policy nor led to the much-required action for rectification. The ecosystem and hoary supply chain for this trafficking, instead of being targeted and eliminated, not only still exists but is gaining in strength, spreading its tentacles into new arenas, and controls an economy larger than several nation states, running its transboundary supply chain with considerable ease of business.

There is an urgent need to address the normative values of society. This needs to be a conscious process from womb to tomb – from birth, through school, college, employment and retirement, to ensure that toxic values are not passed on to the coming generations. The definition of self-esteem and 'respect' of boys and communities must change. In depth work on rebuilding the foundational values of society on a bedrock of equity and justice is required nation-wide for all demographic groups regardless of age, community, or socioeconomic strata.





8.4.3 Multi-sector partnerships

Nation-building and wellbeing is not a monopoly of the state or state mechanisms, and multi-sector partnerships especially with civil society, is a necessity. As Director, Intelligence Bureau, B N Mullik, wrote in the innocent days of the young republic *co-operation of the public is absolutely essential for the proper discharge of police duties and, whilst a lot more can be done by the police, it is also necessary to mobilise public opinion for this purpose* (CII-1953).

If the potential of better insights from larger datasets is to be realised – *develop models for predictive policing based on crime data analytics which will be useful for all the law enforcement agencies both in the centre and states/UTs*⁷⁶ – then, given that the limited resources of the state mechanisms already stretched beyond breaking point, the granular data needs to be put in the public domain for analysis, pattern identification, solution search, and implementation. Action for safe neighbourhoods and a secure nation in times of porous borders, needs active citizens' participation. Such an engagement of citizens is the only way forward.

In an increasingly complex world, institutions tasked with responsibilities need to do the heavy lifting. Professionals are essential. Within this primary anchor function and professionalism, a whole of society approach should be nurtured. The increasingly insular mindset of the police must be open to security being a social construct and be willing to be a partner with the 'civilians' rather than be isolationist or, god forbid, adversarial. It is this partnership that will bring in out-of-the-box thinking that is essential for being ahead of the curve in new domains (such as cybercrime by involving ethical hackers) and in legacy crime (such as terrorism by involving economists).

8.4.4 Citizens' watch

Rule of law, of which implementation of judicial orders is an integral part, is bedrock of democracy. Therefore, it should have the first call on finance and talent. Given the fragile finances at all levels, the state is unlikely to invest in a LPAG even if they are inclined to do so. But in a democracy, justice is a right not a privilege of patronage as even the legal services authority has become. Citizens cannot wait till the state allocates money for law enforcement or the administration of justice.

Active citizenship is an essential component of democracy, and there are many who would be willing and able to fulfil the function. The role of the courts is to ensure the protection and well-being of the citizens who take up this task, often at their own cost. The legislative instruments are already in place – the Right to Information Act 2005, the witness protection scheme – the courts just need to enforce the existing legal provisions to ensure that citizens can help the cause of justice.



Fortunately, the win-win situation with enabling legal provisions is staring at the face – active citizens. Active citizenship is an essential component of democracy, and there are many who would be willing and able to fulfil the function. The role of the courts is to ensure the protection and well-being of the citizens who take up this task, often at their own cost. The legislative instruments are already in place – the Right to Information Act 2005, the witness protection scheme⁷⁷ – the courts just need to enforce the existing legal provisions to ensure that citizens can help the cause of justice.

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 as amended to date has provision to provide monetary support to NGOs to ‘establish and maintain awareness centres and organising workshops’ (Rule 3(ix)) which could be extended for other Acts and crimes as well. However, most active citizens would raise financial resources required for the centres and workshops (or do so pro bono) if the courts can assure them of their safety and security and protect them and their dear ones from state (and state sponsored) harassment, targeting, and encounters. The India Justice Report brought out by the Commonwealth Human Rights Initiative (CHRI) is one such spinoff which adds value to the NCRB data with no additional cost to the government since CHRI raises the resources for this report. These initiatives should be encouraged and partnerships should be fostered to synergise them for optimum results, rather than cutting off their funding because they expose uncomfortable truths

The Mahatma Gandhi National Rural Employment Guarantee Act has within it the scope for mandatory social audits by citizens, paid for by the state exchequer. This could be extended to legislations of great social import such as those concerning women, children, the scheduled castes and the scheduled tribes, people with disabilities, and sexual minorities. Laws regarding other constitutionally recognised protected categories such as linguistic and religious minorities, and laws liable to misuse such as those on preventive detention and any that allow for pre-trial detention should be subjected to such mandatory state supported performance audits by citizens.



From paralysis to praxis

It shall be the duty of every citizen of India to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.



The Constitution of India, Article 51A(j)

There have been several expert recommendations, many from the NCRB itself and others from specially setup bodies, for a complete systems overhaul. The analysis has led to paralysis and the recommendations ignored to reinforce inertia. The task is to move from the inertia to initiative, to innovation, and on to decisive action – to praxis (action *and* reflection) from analysis induced paralysis.

There will probably be a positive spike in recording and convictions, and in the general functioning of state mechanisms in addressing crime against women and girls in 2024 and 2025. But that is likely to be a false dawn. The long-term evidence demonstrates that there are people in high places, including MPs, MLAs, director generals, ministers, and justices (chiefs and primes) who benefit from this dystopia. When the system fails the victim and works for the perpetrators, it actually works for *them*. *They* are the perpetrators. Hence the lack of political will, inertia, and dystopia.

The eerie similarity in two cases 30 years apart demonstrate how little has changed and a chilling reminder of how steeped in caste, religion, and patriarchy the constitutional institutions – including the judiciary – are. In 1992, the rapists of a *saathin* (government rural extension worker) who prevented a child marriage in Bhatari, Rajasthan because '*nephew and uncle cannot rape together*'... and because '*one of the accused was Brahmin while the rest are Gurjars and this kind of caste mixing is improbable*' (the appeal in the case, filed in 1995, has still not come up for hearing in the high court). eleven Hindu men from Gujarat who had committed gang rape and multiple murders of Muslim women and three-year-old babies in 2002 were set free in 2022 due to being *Brahmin's with good culture*

What are the investments we are prepared to make for the right kind of institutions to make a world safe for women and girls? That is the true test of how much Indian society values women and girls.



from good families, to be welcomed home with garlands, ritual fire, and obeisance. The union government concurred in early parole and remission of sentence, despite the convicts intimidating witnesses when out on parole in 2021. After the predictable media uproar, the SCI scrambled to get them back behind bars (*Bilkis Yakub Rasool vs Union of India*).

Rather than become more immersed in constitutional values, state mechanisms have been steadily infiltrated and captured by caste, religion, and misogyny. It is good that judges of the supreme court make politically correct statements in the safe confines of foreign universities. But it would be of immense help if they could ensure that the lofty jurisprudence and law enforcement that they eloquently lecture about abroad are enforced at home.

In India, male exceptionalism still rules. The 5,000 years old civilisation still ostentatiously practices 5,000 years old barbarities and simply refuses to let it go though it is well past its expiry date. Mahatma Gandhi's quip about Western civilisation could just as well be, perhaps more appropriately, applied at home.

9.1 The incomplete tasks

For a self-described 5,000-year civilization that claims to worship women, the formal recognition of crimes against women has taken time, revealing a society level institutional blind spot of worshipful, even deified, disbelief as the most charitable excuse or more likely as the cowardly expression of male supremacy. Much of the violence against women and girls is under the radar simply because it is not even recognised as violence, and the men determine which topics can be discussed in public and private spaces (gender-based violence isn't one of them). The threshold of *recognition*, let alone recording, of violence is unconscionably high, much of it brushed under the carpet as 'family' or 'personal' issues. Patriarchy is designed to make women believe that husbands can rape their wives (including themselves) and therefore the women do not perceive it as a crime.

The J S Verma Commission 2013 did propose that 'the exception for marital rape be removed' and that the law must 'specify that a marital or other relationship between the perpetrator or victim is not a valid defence against the crimes of rape or sexual violation'. That recommendation mysteriously vanished from the ordinance and the Criminal Law (Amendment) Act, 2013 brought in by the UPA government.





The Parliamentary Standing Committee on Home Affairs headed by Venkaiah Naidu of the BJP upheld the omission on the grounds that ‘the entire family system will be under great stress’ if marital rape were to be criminalised. Courage is always in short supply, across the political spectrum.

Seizing the nettle with both hands in 2017, the maverick ‘harmonious construction’ genius of Justices Madan B Lokur and Deepak Gupta⁷⁸ clinically striped ‘husbands’ of minor girls of their layers of immunity for marital rape, rationalisation by rationalisation, by reading down the *exception 2 to Section 375 of the IPC to now be meaningfully read as: “Sexual intercourse or sexual acts by a man with his own wife, the wife not being under eighteen years of age, is not rape”* emphasising with chutzpah that their judgement is conservative, conscientiously within their remit, *only to harmonize the system of laws relating to children*, because special laws such as POCSO and the Juvenile Justice Act take precedence over the general law, debunking every defence, while meticulously marshalling several precedents and the international treaty obligations of India to incontrovertibly bolster their rationale. They presciently recognised and pre-empted the exemption creep in paragraph 77... *Exception 2 to Section 375 of the IPC creates an artificial distinction between a married girl child and an unmarried girl child with no real rationale [...] Such an unnecessary and artificial distinction if accepted can again be introduced for other occasions for divorced children or separated children or widowed children.*

Despite this judgement, the Calcutta High Court gave such an appalling judgement in 2023, acquitting a 25-year-old man of kidnap and rape of a 14-year-old girl that the SCI had to step in suo moto⁷⁹ to ensure that the objective of the POCSO Act could not be ignored merely because child marriages continue, or worse still, abusers marry their minor victims to escape conviction. Noting that her family failed her and [25] *As held by us hereafter, the State machinery failed to act according to the law to take care of the victim [...] she had no option but to*

Justice needs to be nurtured and actualised by clinically dismantling the present toxic structures and systems. A system aligned with values and fit for purpose needs to be built from the bottom up with new imagination that puts the person at the centre and social healing as the outcome.



seek shelter where it was provided to her i.e. in the house of the accused [43] ... at [all] levels, there is a need for introspection and course correction. We include even the Judiciary in that. Ordering state supported rehabilitation, an outraged Justice Oka noted that [15.1] these observations are shocking, which will ex-facie invite a finding of perversity overturned the earlier judgement. Orally, Justice Bhuyan compared her predicament to case of the Stockholm syndrome. Providence does not similarly come to the rescue of everyone shortchanged by the courts – literally the court of last appeal.

Even today, the full legal personhood of women and girls is not recognised, as rape is not unequivocally an offence in India. When conditions align, the rape of women – about 30% of the population – is legal despite the three ‘revolutionary’ rather appropriately titled BS laws being in force from 1 July 2024. The newly minted BNS – which purports to ‘modernise the colonial era law’ – does not even equal the contemporary British law on which it was based. The British law has made several advances since the colonial era and unequivocally recognises the personhood and agency of women and girls. Whether in or out of wedlock, rape is always an offence in the UK since 1991.

The marital rape exception of Section 375, Exception 2 of the IPC, 1860 is retained in Section 63, Exception 2 of the BNS, 2023 (in most cases BS is just renumbered IPC – old wine in an old bottle, disarranged, with local labelling). In its defence of the indefensible – the continuing exceptionalism for marital rape against adult wives in the BS laws – the Narendra Modi led BJP Government of India still sticks to the ‘excessively harsh and disproportionate interference’ argument and others so thoroughly demolished by the two justices in 2017 in its October 2024 affidavit to the Supreme Court of India. Consequently, India twists itself into legal knots to justify the anomaly that permits marital rape but prohibits domestic violence, struggling to explain why rape is a crime with an asterisk that says terms and conditions apply.





Regrettably, this murky thinking sometimes still trips up the highest levels of the judiciary which consequently sets the rapist free because ‘he has married the victim’ acting with the jurisprudence of a feudal caste panchayat (khap/katta) rather than those of a constitutional democratic republic – despite the historic 2012 *Gian Singh vs State of Punjab* and the 2017 *Independent Thought vs Union Of India* judgements (The 20 August 2024 *In Re: Right To Privacy Of Adolescents* judgement will take time before percolating to other levels, state mechanisms, and arms of the state). It is also illustrative how exceptions for supremacy, in this case male supremacy, contaminate the entire system. Even Kafka would struggle to invent a country where the law permits rape but prohibits injury, protects the rapist and punishes the injurer.

In India, male exceptionalism *still* rules. The 5,000 years old civilisation still ostentatiously practices 5,000 years old barbarities and simply refuses to let it go though it is well past its expiry date. Mahatma Gandhi’s quip about Western civilisation could just as well be, perhaps more appropriately, applied at home.

9.2 From data to decision

Metadata paints with a broad brush, data provides precision. Ideally, metadata should inform policy, data should inform decision, and the analysis should impel action. Information on the recorded crimes at the periphery of society – of the women, children, people with disabilities, and the scheduled communities – is a data canary in the coalmine. They can help make possible proactive policy interventions to strengthen the preventive systems when the perpetrators are not yet organised nor have honed their expertise. If not, these problems will become problems of the centre and be permanently embedded in society.

The NCRB does have, and sometimes does disclose, granular data including the time and day of occurrence in its priority areas. For instance, CII–2010 reports that the *maximum number of Traffic Accidental deaths occurred in the month of May (42,546) and during 6 PM to 9 PM (73,312)*.⁷⁰ Other data

The presently available data points are sufficient to prove the systemic consequences of socially embedded misogyny, casteism, ethnic, and ageist bias that pervades the law enforcement and the criminal justice system with the impact of intersectionality intensifying manifold all the way to the incontrovertible heart wrenching consequences on the little tribal girls. They are sufficient to identify the performance of individual officers if anyone is so inclined.



The humongous data collected by the NCRB must be put to use. However, without political will and a whole of society approach, the data remains underused. When data doesn't inform decision-making or lead to action, it wastes valuable resources.

too indicate that there is much more granular data in the system than is made publicly available. However, it has been beyond the capacity, if not competence, of the state and state mechanisms to *act* on this data.

One stark evidence of the inability to act is the low uptake, and even lower utilisation, of the Nirbhaya fund which was specifically set up to support initiatives for the security of women and girls. Allotted funds remain unused for multiple years.⁸¹ There were few, if any, 'innovative' projects. (How would technology – read CCTVs – solve problems when most of the domestic violence and rape are within four walls by 'family'?). Over half of the total allocations are shared among just five states — Delhi, Karnataka, Maharashtra, Tamil Nadu, and Uttar Pradesh – none of whom could use even 25% of the allocation. Other states in the infamous list of those unable to spend even 25% are Andhra Pradesh, Kerala, Madhya Pradesh, and West Bengal. Some states spent nil.

Towards violence free lives for women Tracking of union budgets (2018–21) for violence services, calculates that the outlay (budget estimate 2020-21) to address violence against women and girls in the union budget is ₹30.67 per capita for the overall female population and ₹102.24 per survivor of gender-based violence. They calculate that the required budget allocation to effectively address gender-based violence is between ₹10,000–11,000 crores (₹100 to ₹110 billion) per annum. The present outlay is less than a quarter of that. The allocation is disproportionately for policing – though gender-based violence is not only policing issue, and even though it is known that preventive and remedial action are not within the purview of policing. The ministries of health, education, and urban development are missing in action, not even putting up proposals under the Nirbhaya fund.

Though the recommendation is several times the present allocation, the women and girls are certainly worth it. Even so, given the present protocol, most of the additional allocation will be cutback the very next year due to the budget formula of automatic cutback if 80% of the allocation is unused. The





Nirbhaya fund escaped this ignominy only because it was specifically made non lapsable. The discontinuance of FTSCs and ePOCSO courts due to budget constraints has been mentioned. *Towards violence free lives* recommends that the union government bear 90% of the costs for the states as well, which is a reasonable recommendation since the state budgets are overstretched and the present tax system favours the union.

CII–2022 has hundreds of gendered data points on crimes against women and girls. They cover the entire gamut from the process (registration to charge–sheeting, trial, and conviction), persons (arrests, to convictions, and discharge), pendency (charge–sheeting, trial, and disposal), and personnel. They render a good snapshot of the performance of the state mechanisms. This level of disaggregation is sufficient to identify and address the causes, mitigate the results, prevent the commission of the crime, and dismantle the enabling ecosystem. It just requires political will with a ‘whole of society’ response which, as the lack of systemic action on the available official information shows, is wanting.

The humongous amounts of data collected have led to paralysis rather than action, though the recommended action is upfront right from CII–1953, the first report. Data collected and unused is data hoarding, and data hoarding is counter–productive. Data that is not being turned into information, that does not inform decision making, and is not acted up on, is an avoidable drain on resources right from design and data collection to a secure storage nightmare.

Though the later NCRB CII reports repeatedly reiterate these recommendations, this report has deliberately quoted only the recommendations of Crime In India 1953 to highlight evidence that the Indian state has known what has to be done for 70 years and has not acted on it – naturally so since it, being a dominant caste male institution, has benefitted the most from the inertia of status quo. This long festering wound has been known, and the remedies identified, for several decades, but the allure of feudal policing and administration of justice has proved to be intoxicating and irresistible.

There is an urgent need for justice to be reimagined from a feminist, child friendly lens outside of the present one, since the present system applies a patriarchal bias to every aspect the of the criminal justice system.



It is a long road ahead to secure to all citizens JUSTICE, social, economic and political but it will determine what we on this day ADOPT, ENACT AND GIVE TO OURSELVES.

9.3 From decision to action

As the data demonstrates, the word ‘justice’ in ‘the administration of justice’ and ‘the justice system’ is a cruel joke on women and girls. Indian phallocracy has for far too long luxuriated in hunting with the wolves while camouflaged in the smoke and mirror delusion of justice, basking in liberal and even progressive legislation while kneecapping implementation. The chickens are coming home to roost with increasing intensity and frequency. The shortening intervals preclude respite and deny recovery before the onset of the next wave. Law enforcement cannot be a feudal adjunct of a democratic state in perpetuity.

The criminal justice system has toxic masculinity hardwired into its DNA. The accidental remnants of humanity are hollowed out by it being staffed by the individuals drawn from the same toxic pool. This toxicity is exacerbated by institutional capture. In such a situation, justice needs to be reimagined from a feminist, child friendly lens outside of the present one, since even ‘alternative dispute resolution’ has been elite captured. Or they must be retaken and remade in the image of justice from the perspective of constitutional values to be victim, witness, women, and child friendly.

This system is not aligned with values nor fit for purpose. A new system needs to be built from the bottom up, clinically dismantling the present toxic structures and systems along the way. A new imagination that puts the person at the centre and social healing as the outcome needs to be fostered and actualised.

To quote Justice Madan B Lokur:

We tend to look at crime in terms of numbers and statistics. While this is important, the time has come to look beyond numbers and look at the human side of crime. ... it is also time to look at the emotional and psychological impact of the crimes against members of these communities and tribes. Rehabilitation cannot be confined only to monetary relief but must take into account the entire personality of the victim, including counselling and holistic support.

Foreword, Citizens’ Audit Report 2023⁸²





The NCRB has given the numbers and the statistics. The elders of the supreme court have shared their wisdom. The task is to cocreate a system aligned with the purpose outlined by them. The present ‘victims’ should show and, where possible lead, the way to actualise the alternative vision. The rest of us have so obviously failed.

There is evidence. There are recommendations. Those with the ability to act – the political class, the civil service, and the state mechanisms, including the judiciary – have been found wanting. Some by abdicating their responsibilities, some by pulling their punches, and some by being myopic. Civil society wakes up only when ‘their own’ is affected. Reactions are episodic, kneejerk in response, extreme in retribution, transient in outrage, and short on systemic solutions. At other times everyone has more pressing priorities.

Despite progress, the manosphere is pervasive, and there is still a way to go in recognising and recording several crimes against women. A world fit for women and girls requires a whole of society approach which is, as yet, nascent. India was once ahead of the curve in collecting data for a scientific approach to the administration of justice, but blinded by phallocratic prejudice, frittered away its advantage by neither acknowledging nor acting upon the message conveyed by the evidence. Though late, it is imperative to regain its mojo. The time for sustained action, for a total systems overhaul, is overdue. The present chaos and crisis are clarion calls for decisive action. The big picture revealed by the cold data should lead to clarity and the evidence should lead to systems aligned with purpose – designed to succeed for the victim, correction for the perpetrator, and a healing justice for society.

It is a long road ahead *to secure to all citizens JUSTICE, social, economic and political* but it will determine what we *on this day ADOPT, ENACT AND GIVE TO OURSELVES.*

Epilogue: Tomorrow's prologue

10

*Where the mind is led forward by thee, Into ever-widening thought and action
Into that heaven of freedom, my Father, let my country awake.*

*Chitto jetha bhoysshunyo, poem 35,
Gitanjali, Rabindranath Tagore*

In 2017, Karnataka became the first state in India to declare all future child marriages void – *that henceforth every child marriage that is solemnized is void ab initio* when it passed the Prohibition of Child Marriage (Karnataka Amendment) Act, 2016. This Act classified all sexual intercourse with minors as non-consensual, within the ambit of the POCSO Act, 2012 and, therefore, criminal. It received presidential assent on 20 April 2017, earlier than the SCI judgement of 11 October 2017.

In 2020 Haryana became the second state to criminalise all sexual intercourse with minors (including ‘wives’) when it amended the law to void all future marriages of anyone below the age of 18 (received presidential assent on 28 September 2022). No other state has followed suit till date, despite the unambiguous advice of the Supreme Court of India in 2017.

On 16 December 2022, Justice Sanjaya Kumar Mishra of the Uttarakhand High Court directed the state government to pay a just, proper, and adequate compensation of ₹35 lakh to an acid attack survivor in addition to the amount already paid to her, provide vocational training, and lifelong medical treatment and expenses including travel and stay in the state or in New Delhi or in PGI, Chandigarh, because *6. In this case, the Court takes into consideration that there is a breach of a fundamental right of the victim petitioner, who is an acid attack survivor. The right to live a life with dignity has been breached in this case.*⁸³ Justice Mishra demonstrated both his legal acumen and mastery of craft when he designed the best possible solution by conscientiously converging the best of existing schemes, existing budget allocations, precedents, and legal provisions, into one harmonious wholesome package. Then he ordered the state to do its statutory duty to protect and rehabilitate the survivor based on the package.

The present system of administration of justice is an elaborate charade precision engineered to shield the criminal and punish the victim.



Meanwhile,

On 3 September 2024, the West Bengal Assembly in a special session passed the Aparajita Women and Child (West Bengal Criminal Laws Amendment) Bill, 2024 shortening the timelines for police and court disposal of the case, enhancing punishment, and buttressing the enforcement and judicial mechanisms. As of 10 February 2025, it awaits presidential assent.

On 10 October 2024, all the remaining accused in the 4 September 1987 sati case were acquitted. Earlier, on 31 January 2004, a special court in Jaipur acquitted all of the 11 accused in one case. 25 of those charged in the initial case were acquitted in November 2004, six were no longer alive, and five were declared as absconders.

On 15 October 2024, Justice Krishan Pahal of the Allahabad High Court granted bail to a rape accused after he promised to marry the 15-year-old victim (as per her school records) and take care of the newborn baby girl (though he had earlier refused and even threatened her for asking him to marry her). ‘Take care’ meant the accused was to deposit ₹200,000 in the bank account of the newborn baby girl within six months. He was also ordered to marry the survivor within three months. This, as the honourable judge tells us, was a very challenging case, and therefore:

a nuanced approach is required in cases involving adolescent relationships.

The challenge lies in distinguishing between genuine cases of exploitation and those involving consensual relationships. This requires a nuanced approach and careful judicial consideration to ensure justice is served appropriately,

This nuanced, carefully considered, judicial approach ensured that the appropriately served justice is life-long stigma and sexual servitude for the teenage woman. Who is going to tell him?





As of 31 October 2024, the total number of functional FTSCs reduced to 750, and the ePOSCO courts to 408, though there are still hundreds of thousands of cases pending more than the statutory maximum of 60 days (Section 346(1) Bharatiya Nagarik Suraksha Sanhita).

On 14 November 2024, Justice Rajesh Singh Chauhan of the Allahabad High Court, Lucknow Bench granted interim bail to a Hindu man accused of rape, kidnap, and charged under the POCSO Act, on the condition that he marries the survivor – a minor Muslim girl – under the Special Marriage Act.⁸⁴

On 10 December 2024, human rights day, Justice Nagarathna opined that (*Dara Lakshmi Narayana vs The State of Telangana*)⁸⁵

28 [...] there has been a growing tendency to misuse provisions like Section 498A of the IPC as a tool for unleashing personal vendetta against the husband and his family by a wife. [...] Sometimes, recourse is taken to invoke Section 498A of the IPC against the husband and his family in order to seek compliance with the unreasonable demands of a wife.

On 13 December 2024, Minister Of State (Women and Child Development) Savitri Thakur, (Lok Sabha, Unstarred Question No. 3086) admitted that *so far only approximately 74% of the total amount allocated under Nirbhaya Fund has been released* to a pointed question by Smt. Pratima Mondal on the details of the underutilization of the Nirbhaya Fund, with only 33 per cent being spent until 2022. No denial. Just a non-answer.

Also on 13 December 2024, she admitted (Unstarred Question No.3087) that only 802 of the sanctioned 878 One Stop Centres (OSC) were functional. Utilisation of funds ranged from 4% (Meghalaya, 2022–23) to 1338% (Himachal, 2022–23) indicating erratic expenditure. 24 of 36 (75%) states and union territories had not submitted utilisation certificates



for at least one of the preceding three years. Bihar, Jharkhand, Goa, Tripura, and West Bengal and the union territories of DNHDD and Lakshadweep did not submit an utilisation certificate in all the three years.

On 19 December 2024, Justice Nagarathna not only doubled down on her judgement of the week before but goes further down the rabbit hole. In *Dara Lakshmi Narayana vs The State of Telangana* she only quotes *GV Rao vs LHV Prasad (2000) 3 SCC 693* that 12. [...] *Marriage is a sacred ceremony.*

In *Rinku Baheti vs Sandesh Sharda*⁸⁶ her mind is made up. She speaks directly and elaborates that:

11. In this context we wish to observe that a Hindu marriage is a sacrament and is considered to be a sacred institution as a foundation for a family and not a commercial venture.

Moving decisively from a sacred *ceremony* to a *sacrament* and, probably,⁸⁷ a sacred *institution*, she does not explain how a secular judge has jurisdiction over a sacrament, which would logically put the ball squarely back in the court of the religious authorities – leaving the door wide open for the regressives of all religions that consider marriages as ‘sacraments’ to take control over women’s bodies and agency again. Hopefully that is not her intent, but then, hope is not jurisprudence.

On 18 February 2025, the Supreme Court of India imposed a cost of ₹5,000 on States of Andhra Pradesh, Arunachal Pradesh, Himachal Pradesh, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Telangana, West Bengal, Assam and the Union Territories of Dadra and Nagar Haveli, Daman and Diu, Jammu and Kashmir, Ladakh, and Lakshadweep for failing to file a status report on the effective implementation of the Protection of Women from Domestic Violence Act.

People still pay homage at the temple of Roop Kanwar, the last known sati in 1987.

The *saathin* who was gang-raped for preventing a child marriage in Bhatari, Rajasthan in, 1992 still awaits justice.



End notes

- ¹ W.P.(Cri.) No.–000666–000670 – 1992 <https://api.sci.gov.in/jonew/judis/13856.pdf> (13 August 1997).
- ² He was also the Judge-in-Charge of the E-Committee of the Supreme Court of India, that made much of the documents of the Supreme Court of India accessible by putting them online on the website sci.gov.in. The references to the judgements of the Supreme Court of India in this report were made possible because certified copies were freely available on <https://www.sci.gov.in/>
- ³ She is also slated to be the first woman chief justice of India and the first daughter to follow her father (E S Venkatramaiah, the 19th CJI) as one. Though her tenure will be just 35 days (25 September 2027 to 30 October 2027), there are rather stratospheric (and unrealistic) expectations of her and not just from women. However, while symbolically significant, it is best to temper expectations, given the track–records of the previous chief justices and hers as well. Individuals, no matter how sensitive and motivated, are products of the institution by the time they get to the top, and even if they manage to shake off the baggage, there is very little that an individual with a tenure can do against entrenched institutional bias. (Just ask Nobel peace laureate and former President of the USA Barrak Hussain Obama who ran on an anti–war ticket and could not even shutdown Guantanamo Bay, let alone stop the Afghan war, despite two terms).
- ⁴ Writ Petition (Cri.) No.491 Of 2022.
https://api.sci.gov.in/supremecourt/2022/38741/38741_2022_12_1501_49383_Judgement_08Jan2024.pdf
- ⁵ Introduction, CII–1954, B N Mullik, Director, Intelligence Bureau.
<https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1686381370Introduction1954.pdf>
- ⁶ See for instance Comparative Crime Rates – India and some Selected Countries, CII–1995.
https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653989935_EXCERPTS.pdf (accessed 11 July 2024).
Such data is available till 2004. https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653913940_Intl%20Stat.pdf
Crime Statistics of Different Countries for the year 2004 (Crime Rate).
- ⁷ <https://www.ncrb.gov.in/crimeinindia.html> (accessed 15 August 2024).
- ⁸ The data is entered by state/UT police at police station/district level. The first level data validation is done at the police station/district level during the data capturing process itself through the validation checks provided in the NCRB application. The second level data validation is done at the time of consolidation of district data by the state police through the NCRB application. The third level validation of state data is done by NCRB officials including by director/joint director (adm.)/deputy director (adm.)/CSO and other officers. Steep variations noticed over previous year both through application as well as manual screening are communicated to the respective state/UT for verification and rectification. Data from the central law enforcement agencies are furnished by the respective central agencies. After receiving final data from all states/UTs including metropolitan cities, All–India data is generated by NCRB – Methodology for Data Collection and Publication, CII–2022.
- ⁹ Director General Radhakrishna Kini A, NCRB, Foreword, CII–2015.
- ¹⁰ *To make data available in the public domain, the Bureau has uploaded all editions of the 'Crime in India' on the NCRB website i.e. <http://ncrb.nic.in>. The NCRB was awarded 'Digital India Award' for above feat in 2016.* (Director Ish Kumar, NCRB, Foreword, CII–2016, accessed 11 July 2024).
- ¹¹ <https://ncrb.gov.in/crimeinindiaallpreviouspublications.html>, accessed 10 April 2024.



¹² The data has been accessed over time. As of 1 July 2024, several data sets, such as the tables for CII–2000 (<https://www.ncrb.gov.in/crime-in-india-table-content?year=2000&category=>), are not available on the website at the indicated place (URLs), possibly due to maintenance and/or reorganisation of the data.

¹³ <https://www.ncrb.gov.in/crimeinindia.html> (accessed 15 August 2024).

¹⁴ Preface, CII–1992, https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653991912_preface1992.pdf

¹⁵ Though it may make sense in recording and analysis, its real-world consequences are catastrophic. In the infamous Uphar Cinema fire of 1997, criminal negligence that led to the death of 59 persons was treated as one crime and the sentence by the supreme court of India was two-years imprisonment in 2015 – which was reduced to time already served due to the ‘advanced age’ of the criminals who had dragged the case interminably. Ironically, they were later sentenced to seven years for tampering with the evidence. Apparently lying to the court is a more severe crime than murder.

¹⁶ https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1653888396_Limitation_0.pdf

¹⁷ Data Not Available, in this instance possibly aggravated because the census due in 2021 has not yet been done.

¹⁸ CII–1973 has handwritten corrections to the numbers and totals in tables 26, 33, and 55 which are rectified in subsequent editions – an indicator of the continuing diligence of the compilers.

<https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/surveyofcrime.pdf>

¹⁹ https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653990418_CHRONICLE_ORDER_OF_RECEIPT_OF_DATA.pdf

²⁰ As of 10 February 2025, CII–2023 is still awaited – an over 133% delay. Even allowing for enhanced data collection and presentation in 2016 and 2017, with a spillover to 2018, the lead time for CII–2022 has more than doubled since 2013 (6 months): 2014(7 months), 2015(7), 2017(10), 2017(22), 2018(12), 2019(9), 2020(9), 2021(8), 2022(12). The data indicates a growing comfort with the new formats overtime (decreasing lead time from 22 months for 2017 to 8 months for 2021) but then a spurt to 12 months – 25% from the previous year, and double the all-time best of six months (June of the next year) from 2011 to 2013. But for transition years (computerisation, new formats, new datasets) the last report that took 12 months to prepare was CII–2004, well before the Crime and Criminal Tracking Network & Systems (CCTNS) came online and reports were prepared directly from 2017. As on 1 July 2021, CCTNS is deployed in 16,276 (100%) and connectivity has been provided in 15,735 (97%) out of 16,276 police stations across the country. <https://digitalpolice.gov.in/DigitalPolice/AboutUs> (Accessed 13 July 2024).

After three consecutive years (2011, 2012, 2013) of bring out the report in six months, union Home Secretary Anil Gosamy was cautiously optimistic about bringing out the 2014 report within four months – by April 2015 if the states send in their data by the end of February 2015. Famous last words.

https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653897753_Message_5.pdf (Accessed 13 July 2024).

Data for 1953 to 2015 from Crime in India: Publication over the years, CII–2015, NCRB:

https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653896251_Publication%20over%20the%20years.pdf

For the curious, CII–2011, CII–2012, and CII–2013 were published fastest (by June the following year). CII–1984, published in February 1992, took the longest time (74 months), during the transfer of responsibility to the NCRB in December 1987. CII–1984, CII–1985, and CII–1987 were published together in February 1992. NCRB cleared the seven-year backlog under the leadership of Joint Director Janardhan Singh and Director L C Amarnathan by publishing CII–1991 in December 1992.

²¹ For instance, data for three previous years were corrected in CII–1960 for facility of comparison, Unsigned



- Introduction, CII–1960. <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1689771970INTRODUCTION.pdf>
- ²² <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter71993.pdf>
- ²³ Table 9, Cases Reported under Local and Special Laws, CII–1975.
- ²⁴ https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653897828_disclaimer2013.pdf
- ²⁵ UT=Union Territory; CAPF=Central Armed Police Force; CPO=Central Police Organisations.
- ²⁶ Director Ram Phal Pawar, NCRB, Foreword, CII–2017.
- ²⁷ p11 <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1689773436CRIMEININDIA31958.pdf>
- ²⁸ Table V, p29 <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1679313847CHAPTERSURVEYOFCRIME1968.pdf>
- ²⁹ <https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1686379857GENERALSITUATIONINTHECOUNTRY.pdf> (Accessed 14 July 2024).
- ³⁰ <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter11998.pdf> (Accessed 14 July 2024).
- ³¹ <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1679057426EXECUTIVESUMMARY0.pdf> (Accessed 15 August 2024).
- ³² Act 104 OF 1956 [30 December 1956].
- ³³ Under the last section '*Juvenile delinquency statistics*' in the first table '*juveniles apprehended under age groups*'.
³⁴ p11 <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1689773436CRIMEININDIA31958.pdf>
³⁴ p16. <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/surveyofcrimefullchapter1971.pdf>
- ³⁵ Table 15, CII–1971; <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/table151971.pdf>
- ³⁶ Yes, there is a difference in the data in CII table 15 and CII table 32.
- ³⁷ Table 31 CII–1971; <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/table311971.pdf>
- ³⁸ Patriarchy equates murder (of a man) to rape (against a woman) – and considers survivors as being in a state of living death. Murder of, or god forbid, by a woman or rape against a man is beyond patriarchal imagination. It is also expressed in 'honourable' sayings such as 'no country can be grateful at the cost of its sovereignty, a man of his honour, nor a woman of her chastity.'
- ³⁹ Preface, CII–1992, https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653991912_preface1992.pdf
 It is omitted in the 'improvements' note that follows possibly because the file for improvements 2005 has been erroneously uploaded.
https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653991941_improvements_1.pdf (Accessed 11 July 2024).
- ⁴⁰ CII–1994, <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter71994.pdf>
- ⁴¹ <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter71993.pdf>
- ⁴² Table 28, CII–1999 <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/table281999.pdf>
- ⁴³ https://www.ncrb.gov.in/uploads/2022/July/11/custom/crime-in-india/cyber-crimes_2002.pdf
- ⁴⁴ <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crime-in-india/table-18.8-2002.pdf>
- ⁴⁵ Snapshots 2010, https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653989883_SNAPSHOTS_2.pdf (Accessed 11 July 2024).
- ⁴⁶ Snapshots 2013, https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653895059_Snapshots_0.pdf
- ⁴⁷ https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653896669_Disclaimer2014.pdf
- ⁴⁸ https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter5_2014.pdf *Voyeurism (Section 354D IPC)* in CII–2014.
- ⁴⁹ Table 1.2 <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/16959893381653885627CrimeinIndia2017Volume100.pdf>



⁵⁰ https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter515.11.16_2015.pdf

⁵¹ The data is available since 1956, with the data for Bangalore, Bombay, Calcutta, Kanpur, Madras, Delhi, and Hyderabad being provided separately in Appendix I. Only the chapters are new.

⁵² <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter61992.pdf>

⁵³ Paragraph 6.7, CII–1992. <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter61992.pdf>

⁵⁴ Chapter V, CII–2011 https://www.ncrb.gov.in/uploads/2022/July/11/custom/crime-in-india/chapter-5_2011.pdf

⁵⁵ The Crime and Criminal Tracking Networks and Systems, initiated in 2009, linking over 14,000 police stations across India.

⁵⁶ The National Intelligence Grid, an integrated intelligence master database, initiated in 2009, operational since 2014.

⁵⁷ Many have pointed out that there is no honour killing. We concur. There have been many attempts to find an alternate term for this phallic rage induced crime, with little success. A term more widely acceptable, a more accurate alternative, is awaited.

Paradoxically, in phallocratic societies, honour (and virtue, and chastity, and purity, and ...) are all located in the female body at the vagina and dishonour in the penis. So once the bodies touch there is contamination, and when penis touches the vagina there is dishonour and defilement of the woman who till then was chaste, pure, pristine... This makes the congenitally defiled and dishonourable male go berserk and kill. Perhaps it would be better termed as phallic rage induced killing – PRIK for short.

⁵⁸ <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1686379941APPENDIXALLTOTALCONGNIZABLECRIME.pdf>

⁵⁹ Bench comprising Justice Madan B Lokur, Justice S Abdul Nazeer, and Justice Deepak Gupta in *M.A. Antony @ Antappan vs State of Kerala*, Review Petition (Cri.) No.245 Of 2010 In Criminal Appeal No. 811 of 2009

https://api.sci.gov.in/supremecourt/2009/19709/19709_2009_Judgement_12-Dec-2018.pdf

⁶⁰ The population data for 2022 is an estimate from the Report of Technical group on Population Projections (July 2020) National Commission on Population, Ministry of Health and Family Welfare (MoHFW), cited in CII–2022. The census of India was last done in 2011, and the decennial census of 2021 has been indefinitely postponed.

<https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf>

(Accessed 14 July 2024).

⁶¹ The accused had 'caused injuries to the vagina of a seven-and-a-half-month old child by fingering', was convicted under Section 323 IPC Voluntarily causing hurt, and awarded the maximum sentence: rigorous imprisonment for one year, fine of ₹1,000 with a further period of imprisonment for three months in default of payment of the fine. The question was only whether Section 354 IPC Outraging the modesty of a woman would apply. To their credit, by a majority opinion, the Supreme Court of India said yes.

<https://api.sci.gov.in/jonew/judis/2651.pdf>.

⁶² <https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chapter61992.pdf> (accessed 15 August 2024).

⁶³ Disposal of cases by police and courts. Chapter 4, CII–2000.

<https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/chap4.doc>

⁶⁴ <https://cdnbbsr.s3waas.gov.in/s35d6646aad9bcc0be55b2c82f69750387/uploads/2024/01/202401121490725560.pdf> (accessed 27 August 2024).

⁶⁵ <https://doj.gov.in/fasttrackspecialcourtfsts/> (accessed 3 September 2024).

⁶⁶ CII–2013, Chapter 3 Violent Crimes

https://www.ncrb.gov.in/uploads/2022/July/11/custom/crimeinindia/3violentcrimes_2013.pdf

⁶⁷ Disclaimer. https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653897828_disclaimer2013.pdf





- ⁶⁸ The population data for 2022 is an estimate from the Report of Technical group on Population Projections (July 2020) National Commission on Population, Ministry of Health and Family Welfare (MoHFW), cited in CII–2022. The census of India was last done in 2011, and the decennial census of 2021 has been indefinitely postponed. <https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf> (Accessed 14 July 2024).
- ⁶⁹ The Andhra Pradesh state annual report 2021 under Rule 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- ⁷⁰ <https://doj.gov.in/fasttrackspecialcourttfscs/> (accessed 25 October 2024).
- ⁷¹ Once the compensation is determined [...] the same is payable even in the absence of there being any representation or request being made. In fact, a duty is cast on the State to pay compensation – Justice B V Nagarathna, Civil Appeal No.9702 of 2024, *Kukreja Construction Company vs State Of Maharashtra* https://api.sci.gov.in/supremecourt/2019/5562/5562_2019_9_1501_55643_Judgement_13Sep2024.pdf The judgement approvingly quotes [para 17.1.c] *Kazi Moinuddin Kazi Bashiroddin vs Maharashtra Tourism Development Corporation, 2022* ... that, in matters relating to payment of amount of compensation to land losers, if at all two views are possible, the view that advances the cause of justice is always to be preferred rather than the other view, which may draw its strength only from technicalities.
- ⁷² Bench comprising Justice Deepak Gupta and Justice Madan B Lokur in *Nipun Saxena v Union of India*, 2018 SCC OnLine SC 2772, Writ Petition (Civil) No. 565 of 2012 https://api.sci.gov.in/supremecourt/2012/42374/42374_2012_Judgement_11-Dec-2018.pdf
- ⁷³ *Data on Police Organizations (DoPO)* report of the Bureau of Police Research and Development (BPR&D) https://bprd.nic.in/page/data_on_police_organization_dopo
- ⁷⁴ Though most states have a 33% goal, it varies from 0% to 33%. Table 3.2.1 Strength of Women Police, Reservation of Women Police, Women Population Per Women Police, https://bprd.nic.in/uploads/pdf/1716639795_d6fce11ed56a985b635c.pdf
- ⁷⁵ Paragraph 48, *Gaurav Maini vs The State Of Haryana*, Criminal Appeal No(s). 696 of 2010, Supreme Court of India, 09 July 2024.
- ⁷⁶ Director General Sudhir Pratap Singh, Bureau of Police Research and Development, Message, CII–2016.
- ⁷⁷ <https://bprd.nic.in/uploads/pdf/202402200805128576713WitnessProtectionScheme.pdf> (accessed 17 September 2024).
- ⁷⁸ *Independent Thought vs Union Of India*, Writ Petition (Civil) No. 382 of 2013 https://api.sci.gov.in/supremecourt/2013/17790/17790_2013_Judgement_11-Oct-2017.pdf
- ⁷⁹ *Suo Motu Writ Petition (C) No. 3 Of 2023 In Re: Right To Privacy Of Adolescents* With Criminal Appeal No.1451 of 2024, Abhay S Oka and Ujjal Bhuyan, 20 August 2024. https://api.sci.gov.in/supremecourt/2023/51208/51208_2023_6_1501_54805_Judgement_20-Aug-2024.pdf
- ⁸⁰ Snapshots 2010, CII–2010. https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1653989883_SNAPSHOTS_2.pdf (Accessed 11 July 2024).
- ⁸¹ *Towards violence free lives for women Tracking of union budgets (2018–21) for violence services*, Oxfam India 2021.
- ⁸² Citizens' Audit Report of the union report on the implementation of the Scheduled castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 for the calendar year 2021. https://www.cvmc.in/india/#flipbook-df_19292/9/
- ⁸³ https://www.verdictum.in/pdf_upload/display-1watermark-1450587.pdf
- ⁸⁴ Criminal Misc. Bail Application No. – 11293 of 2024 granted bail for four months to Ajay Kumar @ Golu @ Sanjay a Hindu man to marry a minor Muslim woman. The woman claimed to be 18, but 'She has not studied in any



educational institution, therefore, she is not having any educational documents. as per her radiological age (Annexure No. SA-IV), the Chief Medical Officer, Ambedkar Nagar has determined her age as 16-17 years on 16.04.2024' and she had no documents to prove otherwise. She also claimed 'she has already got married with the present applicant in one Hindu temple as per Hindu ritual, though, she is a Muslim girl. She has also submitted that she has got married in a Court also, but no such proof has been shown'.

⁸⁵ Why the otherwise boundary conscious judge went fishing is unclear, since the rest of the judgement is unexceptionable and to the point. As the evidence from the NCRB data proves, quoting *GV Rao vs LHV Prasad, (2000) 3 SCC 693* para 13 as precedent is unwarranted, and will be ammunition for the regressive to go back to the good old days of women as chattels. Bench comprising Justice B V Nagarathna and Justice Nongmeikapam Kotiswar Singh in *Dara Lakshmi Narayana vs The State Of Telangana*,

https://api.sci.gov.in/supremecourt/2024/2447/2447_2024_8_1501_57746_Judgement_10-Dec-2024.pdf

⁸⁶ Again, the judgement itself unexceptionable, but for these tangential comments that provide ammunition to the regressives. https://api.sci.gov.in/supremecourt/2023/3848/3848_2023_8_1501_58087_Judgement_19-Dec-2024.pdf Instead of following the 'this case is one among the many false cases' template, Justice Sudhanshu Dhulia and Justice Ahsanuddin Amanullah in *New India Assurance Co. Ltd. Vs Velu & Anr.*, 12 December 2024 are cognisant of the power dynamics and larger implications of their judgement. The wisdom is reflected in their wordcraft: *Merely because the FIR has been delayed a claim cannot be rejected but in the present case considering that all the available evidence points out towards ... Under these circumstances, we allow the prayer.* It demonstrates the consummate mastery of the craft when they write words to the effect 'normally this would be a case for conviction, but in this case, because of this, this, this, and this reasons, it is acquitted' – locating the case as an exception rather than the rule. Justice Nagarathna's formulations are problematic because they seem to indicate the misuse and weaponisation is the norm – which we, and several others, have shown is just not true. Bench comprising Justice B V Nagarathna and Justice Pankaj Mithal.

Instead of following the 'this case is one among the many false cases' template, Justice Sudhanshu Dhulia and Justice Ahsanuddin Amanullah in *New India Assurance Co. Ltd. Vs Velu & Anr.*, 12 December 2024 are cognisant of the power dynamics and larger implications of their judgement. The wisdom is reflected in their wordcraft: *Merely because the FIR has been delayed a claim cannot be rejected but in the present case considering that all the available evidence points out towards ... Under these circumstances, we allow the prayer.* It demonstrates the consummate mastery of the craft when they write words to the effect 'normally this would be a case for conviction, but in this case, because of this, this, this, and this reasons, it is acquitted' – locating the case as an exception rather than the rule. Justice Nagarathna's formulations are problematic because they seem to indicate the misuse and weaponisation is the norm – which we, and several others, have shown is just not true.

⁸⁷ 'Probably' because she qualifies it with 'is considered'. She does not mention if she subscribes to that view.



Data tables

Table 1: Patterns in recording rape: Age of victim (1971 to 2022)

1971-1987	1988-1998	1999-2000	2001-2013	2014-2022
	Up to 10 Years	Up to 10 Years	Up to 10 Years	Below 6 Years
Below 16 years	10 – 15 Years	11 – 15 Years	10 – 14 Years	6 Years & Above – Below 12 Years
	16 – 18 Years	16 – 18 Years	14 – 18 Years	12 Years & Above – Below 16 Years
16 – 30 years	19 – 30 Years	19 – 30 Years	18 – 30 Years	16 Years & Above – Below 18 Years
Above 30 years	31 – 50 Years	31 – 50 Years	30 – 50 Years	18 Years & Above – Below 30 Years
	Above 50 Years	Above 50 Years	Above 50 Years	30 Years & Above – Below 45 Years
				45 Years & Above – Below 60 Years
				60 Years & Above

Table 2: Crime recording: Year first published in CII (1953 to date)

Year	Crime head/Data point
1953	Data organised under six major crime heads Murder, Kidnapping and abduction, Dacoity, Robbery, House breaking, Theft, and Rioting (Appendix II to VIII); Cattle theft is mentioned with disaggregated data under theft. Kidnapping for trading in minor girls either for their sale to brothels or for marriage, mentioned under kidnapping and abduction in the narrative report, with some disaggregated data provided in the narrative; categorised as crime against property (Section 363 – 373 IPC).
1958	ADDED: Juvenile delinquency included in the report for the first time. Mentions ' <i>apprehended for... rape and unnatural offences</i> ²⁷ in the penultimate table, with gender and age disaggregated data.
1968	ADDED: Suppression of Immoral Traffic in Women and Girls Act, 1956. The recording under IPC sections is earlier, but the data under the law is given for the first time in CII-1968. It gives the data from 1966 onwards. ²⁸
1971	ADDED: Rape (Section 376 IPC). ADDED: Rape: Age disaggregation of victims (below 16, 16 to 30, above 30).
1988	ADDED: Dowry Prohibition Act, 1961.
1988	Disaggregated: Kidnapping & Abduction (total, of women and girls, and of others).
1991	ADDED: Commission of Sati (Prevention) Act, 1987 (Published from 1991 to 2015).
1992	ADDED: Separate chapter on crimes against women. ADDED: Indecent Representation of Women (Prohibition) Act, 1986. ADDED: Molestation (Section 354 IPC) [data from 1989]. ADDED: Sexual harassment (Section 509 IPC), (referred to as 'eve teasing' in till 1997) [data from 1989]. ADDED: Dowry Murder (Section 302/ 304-B IPC) [data from 1989]. ADDED: Cruelty by husband or his relatives (498A IPC) [data from 1989].
1992	Disaggregated: Rape against scheduled caste and scheduled tribe women.
1994	Disaggregated: Custodial and gang rape (Section 376 IPC). Sections 376(A), 376(B), 376(C), and 376(D) IPC made custodial rape punishable in 1983.
1999	ADDED: Sexual harassment (Section 509 IPC), (referred to as 'eve teasing' till 1997) [data from 1989].
2001	Reclassified: Kidnapping and abduction of women and girls from 'crimes against property' to 'crimes against body'.
2002	ADDED: ' <i>Eve-teasing and Harassment under Cases Registered Under Cyber Crimes By Motives and Suspects in chapter 18 Information Technology Act, 2000</i> . Gendered data is available right from the first year of publication.





Table 2: Crime recording: Year first published in CII (1953 to date)

Year	Crime head/Data point
2003	ADDED: Importation of girls from foreign countries (Section 366B IPC) [data from 1999].
2006	ADDED: Trafficking of women and girls.
2012	Refined: Crime rate calculated based on the mid-year projected total population of women; hence the crime rate could see a jump. Earlier it was based on the mid-year projected total population.
2013	ADDED: Assault on women with intent to outrage modesty (Section 354 IPC) [data from 2009]. ADDED: Insult to the modesty of women (Section 509 IPC). [data from 2009]. ADDED: Some offenses under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 were added u/s 509 of the IPC and mentioned in the narrative. These were reclassified in 2017.
2014	ADDED: Protection of Women from Domestic Violence Act, 2005. ADDED: Stalking (Section 354D IPC) voyeurism (Sec 354C IPC). ADDED: Attempt to commit rape (Section 376/511 IPC).
2014	Disaggregated: Custodial Rape (Section 376C IPC) to Custodial Rape: Gang rape and Custodial Rape: Other rape.
2016	ADDED: Acid attack and attempt to acid attack (Section 326A IPC).
2016	Disaggregated: Human trafficking (section 370 & 370A IPC). [General data available from 2014].
2016	COMBINED: <i>Custodial Rape (Section 376C IPC) Gang rape and Custodial Rape (Section 376C IPC): Other rape</i> combined into: <i>Custodial Rape*(Section 376C IPC)</i> . The asterisk (*) explaining that the consolidated data <i>May Include Rapes in Police Station/Jail/Hospital under whom Victims were in Custody</i> .
2016	DELETED: Commission of Sati (Prevention) Act, 1987. DELETED: Police and court disposal of custodial rape.
2017	ADDED: Murder with Rape/Gang Rape. ADDED: Rape against girls [POCSO], multiple data points.
2017	Disaggregated: Rape (Section 376 IPC) into 28 data points (including subtotals and total) in a new table 3A.11. Disaggregated: Crimes against girl children from the scheduled castes and scheduled tribes. Disaggregated: Acid attack into acid attack (Section 326A IPC) and attempt to acid attack (Section 326B IPC).
2017	Reclassified: Sexual harassment <i>at office premises, at places related to work, in public transport, in other places</i> from Insult (Section 509) to Assault (Section 354 IPC).



Table 3: Recorded crime against women and girls (1971 to 2022)

Year	Rape	K&A (WG)	DD/DM	Cruelty	IG	AKS	ATR	HT	MC	AA	ATAA	SMG	BMG	MR/GR	CC/IT Act	POCSO	PWDVA	CCAW	IRWA	Assault	Insult	Sati	DPA	IIPA	% Rape	
1971	2,487																							7,746	24.30%	
1972	2,605																								8,384	23.71%
1973	2,919																								11,816	19.81%
1974	2,962																								14,825	16.65%
1975	3,376																								14,708	18.67%
1976	3,893																								16,150	19.42%
1977	4,058																								13,924	22.57%
1978	4,558																								15,448	22.78%
1979	4,300																								14,196	23.25%
1980	5,023																								14,308	25.98%
1981	5,409																								15,658	25.68%
1982	5,427																								15,890	25.46%
1983	6,019																								15,325	28.20%
1984	6,740																								14,209	32.17%
1985	7,289																								14,815	32.98%
1986	7,952																								14,403	35.57%
1987	8,559																								13,453	38.88%
1988	9,099	13,880																					2,064	15,989	22.18%	
1989	9,752	11,673	4,215	11,603																		36	1,918	13,466	18.52%	
1990	10,068	11,699	4,836	13,450																		52	2,155	16,426	11.51%	
1991	10,410	12,300	5,157	15,949																		36	2,061	14,639	11.41%	
1992	11,242	12,077	4,962	19,750																		5	2,102	12,580	11.86%	
1993	11,242	14,058	5,817	22,064																		5	2,679	12,496	11.09%	
1994	12,351	12,998	4,935	25,946	167																	2	2,709	10,132	11.87%	
1995	13,754	14,063	5,092	31,127	191																	1	2,814	8,447	12.61%	
1996	14,846	14,877	5,513	35,246	182																	1	2,647	7,706	12.85%	
1997	15,330	15,617	6,006	36,592	78																	1	2,685	8,323	12.65%	
1998	15,031	16,381	6,917	41,318	146																	0	3,489	8,695	11.46%	
1999	15,468	15,962	6,699	43,823	1																	0	3,064	9,363	11.39%	
2000	16,496	15,023	6,995	45,778	64																	0	2,876	9,713	11.67%	
2001	16,075	14,645	6,851	49,170	114																	0	3,222	8,796	11.19%	
2002	16,373	14,506	6,822	49,737	76																	0	2,816	6,598	11.45%	
2003	15,847	13,296	6,208	50,703	46																	0	2,684	5,510	11.27%	
2004	18,233	15,578	7,026	58,121	89																	0	3,592	5,748	11.82%	
2005	18,359	15,750	6,787	58,319	149																	1	3,204	5,908	11.81%	
2006	19,348	17,414	7,618	63,128	67																	0	4,504	4,541	11.75%	
2007	20,737	20,416	8,093	75,930	61																	0	5,623	3,568	11.19%	
2008	21,467	22,939	8,172	81,344	67																	1	5,555	2,659	10.96%	
2009	21,397	25,741	8,383	89,546	48																	0	5,650	2,474	10.50%	
2010	22,172	29,795	8,391	94,041	36																	0	5,182	2,495	10.38%	
2011	24,206	35,565	8,618	99,135	80																	1	6,619	2,435	10.59%	
2012	24,933	38,262	8,233	1,06,577	59																	0	9,038	2,563	10.21%	
2013	33,707	51,881	8,083	1,18,866	31																	0	10,050	2,970	10.87%	
2014	36,785	57,311	8,455	1,22,877	13	3,734	4,234															0	10,709	2,579	10.88%	
2015	34,651	59,277	7,634	1,13,403	6	4,060	4,437															0	9,894	2,424	10.58%	
2016	38,712	64,519	7,621	1,10,378	5	5,282	5,729	659														0	9,683	2,214	16.43%	
2017	49,941	66,333	7,466	1,04,551	5	5,282	4,154	662	266	148	35	80	4	600	223	31,668	616	4,742	25	86,001	7,451	10,189	1,536	13.24%		
2018	54,757	72,751	7,166	1,04,551	4	5,037	4,097	854	213	131	37	40	8	1,244	294	38,802	579	6,030	22	89,097	6,992	12,826	1,459	13.70%		
2019	57,967	72,780	7,115	1,25,298	0	5,009	3,944	966	221	150	42	22	8	1,621	283	46,005	553	8,379	23	88,367	6,939	13,297	1,885	13.42%		
2020	55,853	62,300	6,966	1,11,549	1	5,040	3,741	646	239	105	33	12	2	2,334	219	46,123	446	10,405	12	85,392	7,065	10,366	868	13.99%		
2021	64,713	75,369	6,753	1,36,234	2	5,292	3,800	914	196	102	48	12	2	2,597	284	52,836	507	10,730	28	89,200	7,788	13,568	1,071	14.03%		
2022	69,027	85,310	6,450	1,40,019	1	4,963	3,288	781	236	124	38	8	3	2,940	248	62,095	468	14,409	28	83,344	8,972	13,479	946	14.30%		



Table 4: Recorded rape (Section 376 IPC), (2022)

Table number (in CII-2022)	Incidence	Victims	Rate	Women (18 Yrs. And above)			B) Girls (Below 18 yrs)		
				Incidence	Victims	Rate	Incidence	Victims	Rate
3A.2(i)	31,516	31,982	4.7	30,512	30,965	4.5	1,004	1,017	0.1
3A.2(ii) POCSO 4&6, girls							37,511	38,030	5.6

Rate is incidence per 100,000 population, in this case per 100,000 women or girls.

Table 5: Recorded rape (Section 376 IPC): Women, Girls, and POCSO (2014 to 2022)

Year	Total	a) Women	b) Girls	POCSO	Actual total
[1]	[2]	[3]	[4]	[5]	[6] = [2] + [5]
2014	36,735	36,735	13,766		36,735
2015	34,651	34,651	10,854		34,651
2016	38,947	19,182	19,765	19,765	38,947
2017	32,559	22,500	10,059	17,382	49,941
2018	33,356	24,044	9,312	21,401	54,757
2019	32,033	27,093	4,940	25,934	57,967
2020	28,046	25,406	2,640	27,807	55,853
2021	31,677	28,644	3,033	33,036	64,713
2022	31,516	30,512	1,004	37,511	69,027

Table 6: Recorded murder and rape: Incidence, ratio, increase (1971 to 2022)

Year	Crime head				Ratio			Year-on-year increase %	
	Murder	AtM	Rape	AtR	AtM to Murder	AtR to rape	Rape to murder	Murder	Rape
[1]	[2]	[3]	[4]	[5]	[6]=[3]+[2]	[7]=[5]+[4]	[8]=[4]+[2]	[9]	[10]
1971	16,180		2,487				0.15		
*1981	22,727		5,409				0.24	40.46%	117.49%
*1991	39,174	29,778	10,410		0.76		0.27	72.37%	92.46%
*2001	36,202	31,523	16,075		0.87		0.44	-7.59%	54.42%
*2011	34,305	31,385	24,206		0.91		0.71	-5.24%	50.58%
2012	34,434	35,138	24,923		1.02		0.72	0.38%	2.96%
2013	33,201	35,417	33,707		1.07		1.02	-3.58%	35.24%
2014	33,981	41,791	36,735	4,234	1.23	0.12	1.08	2.35%	8.98%
2015	32,127	46,471	34,651	4,437	1.45	0.13	1.08	-5.46%	-5.67%
2016	30,450	49,667	38,947	5,729	1.63	0.15	1.28	-5.22%	12.40%
2017	28,653	51,621	49,941	4,611	1.80	0.09	1.74	-5.90%	28.23%
2018	29,017	51,489	54,757	4,542	1.77	0.08	1.89	1.27%	9.64%
2019	28,918	51,254	57,967	4,280	1.77	0.07	2.00	-0.34%	5.86%
2020	29,193	57,831	55,853	4,036	1.98	0.07	1.91	0.95%	-3.65%
2021	29,272	55,672	64,713	3,984	1.90	0.06	2.21	0.27%	15.86%
2022	28,522	57,256	69,027	3,379	2.01	0.05	2.42	-2.56%	6.67%
Rate	2.1	4.1	4.7	0.5					
% IPC	0.8	1.6	0.9	0.1					

Source: Respective CII reports. Table 1.2 IPC Crimes (Crime head-wise). From CII-2017, the data for girls is given separately. Though the analysis and conclusions remain valid even with only the data from Table 1.2, the POCSO data has been added to the rape and AtR for consistency.
 Legend: AtM: Attempt to commit murder | AtR: Attempt to commit rape | *: Decadal increase (from 2011 it is year-on-year).



Table 7: Crime against women and girls: Suppression and trivialisation (2014 to 2022)

Year	Rape	AtR	Assault	Insult	Rape	AtR	Assault	Insult	Rape	AtR	Assault	Insult
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]
2014	36,735	4,234	82,235	9,735	POCSO				TOTAL			
2015	34,651	4,437	82,422	8,685								
2016	38,947	5,729	84,746	7,305	19,765							
2017	32,559	4,154	86,001	7,451	17,382	457	8,269	312	49,941	4,611	94,270	7,763
2018	33,356	4,097	89,097	6,992	21,401	445	8,030	172	54,757	4,542	97,127	7,164
2019	32,033	3,944	88,367	6,939	25,934	336	4,228	100	57,967	4,280	92,595	7,039
2020	28,046	3,741	85,392	7,065	27,807	295	4,110	132	55,853	4,036	89,502	7,197
2021	31,677	3,800	89,200	7,788	33,036	184	3,857	87	64,713	3,984	93,057	7,875
2022	31,516	3,288	83,344	8,972	37,511	91	2,380	53	69,027	3,379	85,724	9,025
Ratios (Compared to recorded rape)												
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]
		3÷2	4÷2	5÷2		7÷6	8÷6	9÷6		11÷10	12÷10	13÷10
2014		11.53%	223.86%	26.50%								
2015		12.80%	237.86%	25.06%								
2016		14.71%	217.59%	18.76%								
2017		12.76%	264.14%	22.88%		2.63%	47.57%	1.79%		9.23%	188.76%	15.54%
2018		12.28%	267.11%	20.96%		2.08%	37.52%	0.80%		8.29%	177.38%	13.08%
2019		12.31%	275.86%	21.66%		1.30%	16.30%	0.39%		7.38%	159.74%	12.14%
2020		13.34%	304.47%	25.19%		1.06%	14.78%	0.47%		7.23%	160.25%	12.89%
2021		12.00%	281.59%	24.59%		0.56%	11.68%	0.26%		6.16%	143.80%	12.17%
2022		10.43%	264.45%	28.47%		0.24%	6.34%	0.14%		4.90%	124.19%	13.07%

Table 8: Rape: Conviction rate (total, scheduled communities), (2017 to 2022)

Year	India	SC	ST	Others
2017	32.2	33.5	31.8	32.10
2018	27.2	29.4	30.3	26.99
2019	27.8	32.2	27.6	27.48
2020	39.3	42.5	33.3	39.20
2021	28.6	28.8	30.8	28.51
2022	27.4	39.1	37.0	25.98

Others' is a generated figure by subtracting the figures for SC and ST from the India total.



Table 9: Rape: Performance of the courts (1971 to 2022)

Year	Charge-sheeted	Pending from previous year	Total cases in court	Cases disposed	Pending end of year	% CS of current year disposed	% disposed of total	Annual increase (%)	Cumulative increase (%)
1971									
1972	1,656	2,723	4,379	1,349	2,984	81.46%	30.81%	NA	NA
1973	1,980	3,011	4,991	1,511	3,428	76.31%	30.27%	14.88%	14.88%
1974	1,199	4,232	5,431	1,545	3,837	128.86%	28.45%	11.93%	28.59%
1975	2,288	3,870	6,158	1,709	4,418	74.69%	27.75%	15.14%	48.06%
1976	2,718	4,424	7,142	1,959	5,128	72.08%	27.43%	16.07%	71.85%
1977									
1978	3,415	5,532	8,947	2,721	6,140	79.68%	30.41%	NDA	105.76%
1979	2,968	6,095	9,063	2,608	6,367	87.87%	28.78%	3.70%	113.37%
1980	3,549	6,335	9,884	2,674	7,130	75.35%	27.05%	11.98%	138.94%
1981	4,012	7,225	11,237	3,156	8,035	78.66%	28.09%	12.69%	169.27%
1982	4,065	8,035	12,100						
1983	4,600	8,885	13,485	3,601	9,799	78.28%	26.70%	NDA	228.38%
1984	5,017	9,876	14,893	3,670	11,128	73.15%	24.64%	13.56%	272.92%
1985	5,639	10,999	16,638	4,078	12,455	72.32%	24.51%	11.92%	317.39%
1986	6,070	12,247	18,317	4,393	13,757	72.37%	23.98%	10.45%	361.03%
1987	6,727	13,757	20,484	4,435	15,835	65.93%	21.65%	15.11%	430.66%
1988	7,244	15,950	23,194	5,090	17,882	70.27%	21.95%	12.93%	499.26%
1989	7,836	18,012	25,848	5,555	20,051	70.89%	21.49%	12.13%	571.95%
1990	9,762	18,461	28,223	6,177	21,465	63.28%	21.89%	7.05%	619.34%
1991	8,430	21,555	29,985	5,326	24,416	63.18%	17.76%	13.75%	718.23%
1992	9,578	24,416	33,994	5,867	27,844	61.25%	17.26%	14.04%	833.11%
1993	10,334	27,844	38,178	6,293	31,748	60.90%	16.48%	14.02%	963.94%
1994	11,304	31,948	43,252	7,697	35,405	68.09%	17.80%	11.52%	1086.49%
1995	11,679	35,405	47,084	7,772	39,130	66.55%	16.51%	10.52%	1211.33%
1996	12,648	39,086	51,734	8,436	43,016	66.70%	16.31%	9.93%	1341.55%
1997	12,936	42,927	55,863	9,725	45,955	75.18%	17.41%	6.83%	1440.05%
1998	12,954	45,701	58,655	9,738	48,685	75.17%	16.60%	5.94%	1531.53%
1999	13,575	48,891	62,466	10,760	51,508	79.26%	17.23%	5.80%	1626.14%
2000									
2001	14,054	53,401	67,455	11,735	55,572	83.50%	17.40%	NDA	1762.33%
2002	14,267	56,791	71,058	13,443	57,321	94.22%	18.92%	3.15%	1820.95%
2003	13,203	56,994	70,197	13,107	56,892	99.27%	18.67%	-0.75%	1806.57%
2004	14,889	56,731	71,620	14,132	56,878	94.92%	19.73%	-0.02%	1806.10%
2005	16,051	56,878	72,929	14,315	58,310	89.18%	19.63%	2.52%	1854.09%
2006	16,349	58,310	74,659	14,017	60,452	85.74%	18.77%	3.67%	1925.87%
2007	17,617	60,452	78,069	13,979	63,983	79.35%	17.91%	5.84%	2044.20%



Table 9: Rape: Performance of the courts (1971 to 2022)

Year	Charge-sheated	Pending from previous year	Total cases in court	Cases disposed	Pending end of year	% CS of current year disposed	% disposed of total	Annual increase (%)	Cumulative increase (%)
2008	17,614	63,983	81,597	14,192	67,202	80.57%	17.39%	5.03%	2152.08%
2009	17,738	67,202	84,940	13,764	71,042	77.60%	16.20%	5.71%	2280.76%
2010	18,654	71,053	89,707	14,263	75,295	76.46%	15.90%	5.99%	2423.29%
2011	19,785	75,280	95,065	15,423	79,476	77.95%	16.22%	5.55%	2563.40%
2012	21,565	79,476	101,041	14,717	86,032	68.24%	14.57%	8.25%	2783.11%
2013	28,755	86,030	114,785	18,833	95,731	65.49%	16.41%	11.27%	3108.14%
2014	30,840	94,634	125,474	17,649	107,529	57.23%	14.07%	12.32%	3503.52%
2015	30,001	107,477	137,478	18,764	118,520	62.54%	13.65%	10.22%	3871.85%
2016	33,628	118,537	152,165	18,792	133,373	55.88%	12.35%	12.53%	4369.60%
2017	28,750	117,451	146,201	18,333	127,868	63.77%	12.54%	-4.13%	4185.12%
2018	28,469	127,858	156,327	17,685	138,642	62.12%	11.31%	8.43%	4546.18%
2019	24,848	137,893	162,741	17,109	145,632	68.85%	10.51%	5.04%	4780.43%
2020	23,693	145,865	169,558	9,898	159,660	41.78%	5.84%	9.63%	5250.54%
2021	26,164	159,672	185,836	12,120	173,716	46.32%	6.52%	8.80%	5721.58%
2022	26,508	171,777	198,285	19,800	178,485	74.69%	9.99%	2.75%	5881.40%

Notes:

- The required data is not available for 1971, 1977, 1982, and 2000. Consequently, the subsequent year will not have the percentage annual increase. If you have access to this data, kindly share access details.
- For 1982, only the charge-sheated data is available. The number of cases pending is taken from the data of 1981, and the total cases in court is generated from the two.
- There is some difference in the number of cases pending at the beginning of the year and that at the end of the previous year. The figures match only from 2016 to 2022. This is a formula error in the original document.
- The decrease from 2017 is because the figures for children have been moved to the chapter on crimes against children under POCSO, and therefore is not an absolute decrease as seen in 2003 and 2004.

Legend: CS = Charge-sheet | NA = Not applicable | NDA = No data available.

Table 10: Rape: Court disposal (total, women, girls), (2017 to 2022)

Year	Trials completed			Completed compared to peak (%)		
	Total	Women	Girls	Total	Women	Girls
2017	18,099	13,629	4470	97.74%	82.39%	95.45%
2018	17,313	12,630	4683	93.50%	76.35%	100.00%
2019	16,701	12,868	3833	90.19%	77.79%	81.85%
2020	9,713	7,764	1949	52.45%	46.94%	41.62%
2021	11,783	9,478	2305	63.63%	57.30%	49.22%
2022	18,517	16,542	1975	100.00%	100.00%	42.17%



Table 11: Rape: Functional fast track special courts and corresponding pendency (31 March and 30 November 2023)

#	States/ UTs	Combined FTSCs (Rape & POCSO)			ePOCSO courts			Total FTSCs incl. ePOCSO			Cumulative Pendency of cases		
		31 Mar	30 Nov	Diff	31 Mar	30 Nov	Diff	31 Mar	30 Nov	Diff	31 March	30 Nov	Diff
1	Andhra	0	0	0	17	16	-1	17	16	-1	8,389	7,306	-1,083
2	Assam	0	0	0	17	17	0	17	17	0	4,084	5,101	1,017
3	Bihar	0	0	0	45	46	1	45	46	1	15,733	17,502	1,769
4	Chandigarh	1	1	0	0	0	0	1	1	0	218	212	-6
5	Chhattisgarh	4	4	0	11	11	0	15	15	0	2,600	2,296	-304
6	Delhi	5	5	0	11	11	0	16	16	0	4,460	3,816	-644
7	Goa	0	1	1	1	0	-1	1	1	0	43	156	113
8	Gujarat	11	11	0	24	24	0	35	35	0	6,800	6,284	-516
9	Haryana	4	4	0	12	12	0	16	16	0	4,168	4,176	8
10	Himachal	3	3	0	3	3	0	6	6	0	891	856	-35
11	J&K	2	2	0	2	2	0	4	4	0	440	493	53
12	Jharkhand	6	6	0	16	16	0	22	22	0	4,394	4,490	96
13	Karnataka	14	14	0	17	17	0	31	31	0	5,395	5,454	59
14	Kerala	42	40	-2	14	14	0	56	54	-2	6,648	7,293	645
15	Madhya Pradesh	10	10	0	57	57	0	67	67	0	11,388	10,295	-1,093
16	Maharashtra	21	10	-11	17	10	-7	38	20	-18	8,690	4,366	-4,324
17	Manipur	2	2	0	0	0	0	2	2	0	122	100	-22
18	Meghalaya	0	0	0	5	5	0	5	5	0	1,007	1,053	46
19	Mizoram	2	2	0	1	1	0	3	3	0	64	92	28
20	Nagaland	1	1	0	0	0	0	1	1	0	53	54	1
21	Odisha	22	21	-1	23	23	0	45	44	-1	12,039	11,149	-890
22	Puducherry		0	0		1	1		1	1		212	212
23	Punjab	9	9	0	3	3	0	12	12	0	1,612	1,501	-111
24	Rajasthan	15	15	0	30	30	0	45	45	0	6,991	6,237	-754
25	TamiNadu	0	0	0	14	14	0	14	14	0	5,057	4,449	-608
26	Telangana	34	36	2	0	0	0	34	36	2	7,647	8,462	815
27	Tripura	2	2	0	1	1	0	3	3	0	319	250	-69
28	UP	144	144	0	74	74	0	218	218	0	79,174	84,322	5,148
29	UK	4	4	0	0	0	0	4	4	0	941	902	-39
30	WB		0	0		3	3		3	3		2,926	2,926
	TOTAL	358	347	-11	415	411	-4	773	758	-15	199,367	201,805	2,438





#	Procedure	Description	Minimum time	Usual time
1	Stocktaking.	Verifying if all the documents have been sent to the court along with the charge-sheet.	0.5	1.0
2	Cognisance, summons, bail proceedings.	The court agrees to go forward with the prosecution, issues summons to the accused, and grants bail.	0.5	1.0
3	Frame charges.		0.5	0.5
4	Fixing date of trial.	The dates of the advocates, witnesses are coordinated for the trial.	–	.02
5	Witnesses' deposition.	Witnesses are examined. At most two witnesses can be thoroughly examined in a day. There are usually about 20 witnesses in a rape case.	3.0	20.0
6	Accused statement.	After the witnesses are examined, the statement of the accused is recorded.	1.0	1.0
7	Defence evidence.	The defence presents evidence, if any.	–	1.0
8	Arguments.	Arguments of the defence and prosecution.	1.0	1.0
9	Writing the judgement.	The judge will need time to refer to her notes and then write/dictate the judgement sufficiently in detail so that the reasoning holds up on appeal.	2.0	3.0
10	Judgement.	The judgement is pronounced.	0.2	0.3
	Total		8.7	29.0

Year	Total (Women & Girls)			Girls (POCSO)		
	Rape	Attempt to commit rape	Ratio	Rape	Attempt to commit rape	Ratio
2016	38,947	5,729	14.71%			
2017	32,559	4,154	12.76%	17,382	457	2.63%
2018	33,356	4,097	12.28%	21,401	445	2.08%
2019	32,033	3,944	12.31%	25,934	336	1.30%
2020	28,046	3,741	13.34%	27,807	295	1.06%
2021	31,677	3,800	12.00%	33,036	184	0.56%
2022	31,516	3,288	10.43%	37,511	91	0.24%



Table 14: Recorded attempt to commit rape: States (2014 to 2022)

State/UT	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total	Mean	% Mean
Rajasthan	373	407	340	550	620	1,019	965	987	1,053	6,314	702	150.1
West Bengal	1,656	1,551	1,646	1,225	944	944	872	875	826	10,539	1,171	70.5
Haryana	136	105	137	145	176	194	215	235	255	1598	178	143.6
Assam	227	499	370	378	527	400	485	561	253	3,700	411	61.5
Uttar Pradesh	324	422	1,958	601	661	358	251	277	198	5,050	561	35.3
Andhra Pradesh	165	206	190	175	191	177	141	162	180	1,587	176	102.1
Odisha	33	137	161	151	156	151	144	151	161	1,245	138	116.4
Jharkhand	208	202	179	168	251	234	188	164	88	1,682	187	47.1
Punjab	154	128	95	79	79	109	53	60	42	799	89	47.3
Kerala	36	30	42	57	58	51	59	61	41	435	48	84.8
Telangana	73	43	44	38	38	42	35	36	36	385	43	84.2
Madhya Pradesh	56	57	63	61	73	39	35	28	22	434	48	45.6
Tamil Nadu	16	29	17	11	13	8	15	20	21	150	17	126.0
Meghalaya	26	23	15	20	22	16	19	26	20	187	21	96.3
Uttarakhand	41	10	6	19	19	21	12	33	18	179	20	90.5
Bihar	484	403	321	317	110	110	69	63	17	1,894	210	8.1
Jammu & Kashmir	20	21	17	21	23	13	10	14	11	150	17	66.0
Himachal	5	1	3	8	11	5	3	3	9	48	5	168.8
Chhattisgarh	21	19	20	19	27	9	118	7	8	248	28	29.0
Tripura	35	38	16	17	33	9	13	14	8	183	20	39.3
Karnataka	22	16	16	12	10	12	11	4	4	107	12	33.6
NCT Delhi	70	46	29	20	11	10	9	6	4	205	23	17.6
Arunachal	10	12	15	24	11	2	2	9	3	88	10	30.7
Mizoram	1	6	0	1	0	0	1	0	3	12	1	225.0
Gujarat	6	3	5	14	4	1	3	1	2	39	4	46.2
Maharashtra	15	13	12	9	4	4	3	1	2	63	7	28.6
Sikkim	9	1	2	2	1	3	1	0	1	20	2	45.0
A & N Islands	0	0	0	0	0	0	1	2	1	4	0	225.0
Chandigarh	6	6	4	3	9	2	3	0	1	34	4	26.5
Goa	2	0	0	0	0	0	0	0	0	2	0	0.0
Manipur	1	1	3	4	6	1	5	0	0	21	2	0.0
Nagaland	3	1	3	2	0	0	0	0	0	9	1	0.0
Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0.0
Puducherry	0	1	0	3	9	0	0	0	0	13	1	–
D&N Haveli	0	0	0	0	0	0	0	0	0	0	0	–
Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	–
Ladakh							0	0	0	0	0	–
Total UTs				26	29	12	23	22	17	129	14	118.6
Total States	4,158	4,384	5,696	4,128	4,068	3,932	3,718	3,778	3,271	37,133	4,126	79.3
Total India	4,234	4,437	5,729	4,154	4,097	3,944	3,741	3,800	3,288	37,424	4,158	79.1



Table 15: Attempt to commit rape: Court disposal (2017 to 2022)

Year	Charge-sheets during the year	Total Cases for Trial	Cases Acquitted	Cases trials Completed	Conviction Rate	Completed to charge-sheeted
2017	3,441	12,188	742	1041	26.8	30.25%
2018	3,116	14,193	726	1055	25.2	33.86%
2019	2,935	14,931	727	1098	28.9	37.41%
2020	2,796	17,148	403	648	34.1	23.18%
2021	2,740	19,222	567	762	20.7	27.81%
2022	2,419	20,852	723	957	20.1	39.56%

Table 16: Attempt to commit rape: Performance of the courts (2017 to 2022)

Year	Pending trial from the previous year	Charge-sheets during the year	Total cases for trial	Cases which trials were completed	Disposed by courts	Pending trial at end of the year	Annual increase	Cumulative increase
2017	8,747	3,441	12,188	1,041	1,063	11,125	27.19	27.19
2018	11,077	3,116	14,193	1,055	1,078	13,115	18.40	49.94
2019	11,996	2,935	14,931	1,098	1,125	13,806	15.09	57.84
2020	14,352	2,796	17,148	648	667	16,481	14.83	88.42
2021	16,482	2,740	19,222	762	787	18,435	11.85	110.76
2022	18,433	2,419	20,852	957	978	19,874	7.82	127.21

Table 17: Unpacking 'Assault' (Section 354 IPC), (2017 to 2022)

#	Crime head	2017		2018		2019		2020		2021		2022		
		Cases	Rate	% IPC										
1	Sexual Harassment	20,948	3.4	20,962	3.3	18,334	2.8	17,003	2.6	17,539	2.6	17,809	2.7	0.5
2	Disrobe	9,720	1.6	9,949	1.5	11,238	1.7	10,580	1.6	11,102	1.7	9,101	1.4	0.3
3	Voyeurism	1,090	0.2	1,393	0.2	1,319	0.2	1,260	0.2	1,513	0.2	1,451	0.2	0.0
4	Stalking	8,145	1.3	9,438	1.5	8,890	1.4	8,512	1.3	9,285	1.4	10,116	1.5	0.3

Assault: Assault on Women with Intent to Outrage her Modesty (Section 354 IPC)
 Disrobe: Assault or use of criminal force on women with intent to disrobe (Section 354B IPC) Voyeurism (Section 354C IPC) Stalking (Section 354D IPC)

Table 18: Recorded sexual harassment at work or office premises (Section 354A IPC), (2016 to 2022)

Year	Recorded	Rate	Charge-sheeted	CS%	Court disposed	Convicted	C- rate	Pending cases	% Increase pending
2016								2,290	—
2017	479	0.1	374	87.4%	160	48	36.4	2,504	109.34%
2018	401	0.1	309	82.4%	139	28	25.5	2,674	116.77%
2019	505	0.1	431	80.7%	188	44	29.9	2,886	126.03%
2020	485	0.1	419	82.0%	87	22	30.1	3,218	140.52%
2021	418	0.1	353	84.0%	118	20	23.5	3,453	150.79%
2022	419	0.1	363	87.1%	164	24	19.7	3,630	158.52%

The increase in percentage of pending cases is calculated with 2016 as the base year.
 CS%= Charge-sheeting percentage.
 C-rate= Conviction rate



Table 19: Recorded intra-family violence (1989 to 2022)

Year	Dowry murder	Cruelty	DPA, 1961	PWDVA, 2005	% Dowry murder
1989	4,215	11,603	1,918		23.77%
1990	4,836	13,450	2,155		23.66%
1991	5,157	15,949	1,841		22.47%
1992	4,962	19,750	2,102		18.51%
1993	5,817	22,064	2,679		19.03%
1994	4,935	25,946	2,709		14.69%
1995	5,092	31,127	2,814		13.05%
1996	5,513	35,246	2,647		12.70%
1997	6,006	36,592	2,685		13.26%
1998	6,917	41,318	3,489		13.37%
1999	6,699	43,823	3,064		12.50%
2000	6,995	45,778	2,876		12.57%
2001	6,851	49,170	3,222		11.56%
2002	6,822	49,237	2,816		11.59%
2003	6,208	50,703	2,684		10.42%
2004	7,026	58,121	3,592		10.22%
2005	6,787	58,319	3,204		9.94%
2006	7,618	63,128	4,504		10.12%
2007	8,093	75,930	5,623		9.03%
2008	8,172	81,344	5,555		8.60%
2009	8,383	89,546	5,650		8.09%
2010	8,391	94,041	5,182		7.80%
2011	8,618	99,135	6,619		7.54%
2012	8,233	106,527	9,038		6.65%
2013	8,083	118,866	10,709		5.87%
2014	8,455	122,877	10,050	426	5.96%
2015	7,634	113,403	9,894	461	5.81%
2016	7,621	110,378	9,683	437	5.95%
2017	7,466	104,551	10,189	616	6.08%
2018	7,166	103,272	12,826	579	5.79%
2019	7,115	125,298	13,297	553	4.86%
2020	6,966	111,549	10,366	446	5.39%
2021	6,753	136,234	13,568	507	4.30%
2022	6,450	140,019	13,479	468	4.02%

PWDVA: Protection of Women from Domestic Violence Act, 2005



Table 20: Recorded intra-family violence: States (2022)					
State/UT	Dowry murder	Cruelty	DPA, 1961	PWDVA	% Dowry murder
Andhra Pradesh	100	11,964	298	0	0.81%
Arunachal Pradesh	0	74	0	1	0.00%
Assam	175	4,704	272	0	3.40%
Bihar	1,057	1,850	3,580	0	16.29%
Chhattisgarh	57	942	9	0	5.65%
Goa	0	6	0	0	0.00%
Gujarat	10	2,166	1	1	0.46%
Haryana	234	5,883	17	1	3.81%
Himachal Pradesh	1	196	1	2	0.50%
Jharkhand	208	850	1,796	67	7.12%
Karnataka	165	2,812	2,224	0	3.17%
Kerala	11	4,998	28	371	0.20%
Madhya Pradesh	518	8,486	63	10	5.71%
Maharashtra	180	11,367	28	1	1.55%
Manipur	0	10	0	0	0.00%
Meghalaya	1	28	3	0	3.13%
Mizoram	0	4	0	0	0.00%
Nagaland	0	3	0	0	0.00%
Odisha	263	5,322	34	0	4.68%
Punjab	71	1,640	4	0	4.14%
Rajasthan	451	18,847	8	3	2.34%
Sikkim	0	2	0	0	0.00%
Tamil Nadu	29	1,043	220	5	2.24%
Telangana	137	9,996	6	0	1.35%
Tripura	25	338	0	0	6.89%
Uttar Pradesh	2,138	20,371	4,807	3	7.83%
Uttarakhand	70	954	38	0	6.59%
West Bengal	406	19,650	0	0	2.02%
A&N Islands	0	5	0	0	0.00%
Chandigarh	1	83	0	0	1.19%
D&N Haveli, Daman & Diu	1	10	0	0	9.09%
Delhi	131	4,901	18	3	2.59%
Jammu & Kashmir	9	500	17	0	1.71%
Ladakh	0	2	0	0	0.00%
Lakshadweep	0	3	0	0	0.00%
Puducherry	1	9	7	0	5.88%
Total UTs	143	5,513	42	3	2.51%
Total states	6,307	134,506	13,437	465	4.08%
Total India	6,450	140,019	13,479	468	4.02%

Cruelty: Cruelty by husband or his relatives | Dowry: Dowry Prohibition Act, 1961
 PWDVA: Protection of Women from Domestic Violence Act, 2005



Table 21: Dowry murder: Court disposal (1995 to 2022)

Year	Charge-sheets current year	Cases from previous year	Total cases	Court disposal	Cases convicted	Conviction Rate	Cases pending at the end of year	Increase in % pending cases	Increase in pending cases
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]
1995	3,994	9,289	13,283	1,620	574	35.4%	11,571	2,282	–
1996	4,727	11,790	16,517	2,284	797	34.9%	14,133	2,343	22.14%
1997	4,791	14,644	19,435	2,884	1,019	35.3%	16,455	1,811	42.21%
1998	5,702	16,353	22,055	3,359	1,080	32.2%	18,523	2,170	60.08%
1999	6,060	18,474	24,534	3,986	1,338	33.6%	20,339	1,865	75.78%
2000	5,952	19,993	25,945	4,132	1,534	37.1%	21,623	1,630	86.87%
2001	6,060	21,909	27,969	5,092	1,653	32.5%	22,697	788	96.15%
2002	6,165	22,742	28,907	5,492	1,870	34.0%	23,296	554	101.33%
2003	5,272	23,297	28,569	5,274	1,708	32.4%	23,163	-134	100.18%
2004	5,767	23,163	28,930	5,406	1,735	32.1%	23,420	257	102.40%
2005	5,805	23,421	29,220	5,580	1,861	33.4%	23,494	73	103.04%
2006	6,220	23,493	29,713	5,428	1,830	33.7%	24,183	690	109.00%
2007	7,048	24,183	31,231	5,897	1,946	33.0%	25,250	1,067	118.22%
2008	6,700	25,250	31,950	5,824	1,948	33.4%	26,009	759	124.78%
2009	6,893	26,009	32,902	5,627	1,882	33.4%	27,148	1,139	134.62%
2010	7,232	27,103	34,332	6,121	2,059	33.6%	28,121	1,018	143.03%
2011	7,694	28,111	35,805	6,050	2,163	35.8%	29,669	1,558	156.41%
2012	7,537	29,669	37,206	5,216	1,684	32.3%	31,888	2,219	175.59%
2013	7,013	31,888	38,901	5,284	1,708	32.3%	33,468	1,580	189.24%
2014	7,653	32,843	40,486	5,061	1,672	33.0%	35,255	2,412	204.68%
2015	7,150	35,260	42,410	5,165	1,792	34.7%	37,062	1,802	220.30%
2016	7,067	37,056	44,123	4,400	1,325	30.5%	39,723	2,667	243.30%
2017	7,038	38,654	45,692	4,315	1,770	41.4%	41,377	2,723	257.59%
2018	6,652	41,374	48,026	3,736	1,459	39.6%	44,290	2,916	282.77%
2019	6,287	43,519	49,806	3,589	1,253	35.6%	46,217	2,698	299.42%
2020	6,109	46,507	52,616	2,103	956	45.9%	50,513	4,006	336.55%
2021	6,209	50,511	56,720	2,304	964	42.8%	54,416	3,905	370.28%
2022	6,161	54,416	60,577	3,718	1,231	33.4%	56,859	2,443	391.39%

The base year for calculating percentage increase is 1995.
 The cases pending from previous year (column 3) and cases pending at the end of the year (column 8) are from the CII reports of the respective years and sometimes do not match.





Table 22: Recorded kidnapping and abduction (Section 363-369, 371-373 IPC), (1982 to 2022)

Year	Total	Increase	Crime rate	Women and girls	Increase	Crime rate	Others	Increase	Crime rate
1982	13,341		1.9	*		*	*		*
1987	15,251	14.32%	2.0	*		*	*		*
1988	15,771	3.41%	2.0	13,880		1.7	1,891		0.2
1989	17,318	9.81%	2.1	14,169	2.08%	1.7	3,149	66.53%	0.4
1990	18,474	6.68%	2.2	14,446	1.95%	1.7	4,028	27.91%	0.5
1991	20,079	8.69%	2.4	14,283	-1.13%	1.7	5,796	43.89%	0.7
1992	20,518	2.19%	2.4	13,996	-2.01%	1.6	6,522	12.53%	0.8
1993	19,830	-3.35%	2.2	14,058	0.44%	1.6	5,772	-11.50%	0.7
1994	20,983	5.81%	2.3	14,075	0.12%	1.6	6,908	19.68%	0.8
1995	20,426	-2.65%	2.2	14,063	-0.09%	1.5	6,363	-7.89%	0.7
1996	20,848	2.07%	2.2	14,877	5.79%	1.6	5,971	-6.16%	0.6
1997	21,898	5.04%	2.3	15,617	4.97%	1.6	6,281	5.19%	0.7
1998	23,520	7.41%	2.4	16,351	4.70%	1.7	7,169	14.14%	0.7
1999	23,236	-1.21%	2.4	15,962	-2.38%	1.6	7,274	1.46%	0.7
2000	22,871	-1.57%	2.3	15,023	-5.88%	1.5	7,848	7.89%	0.8
2001	22,487	-1.68%	2.2	14,645	-2.52%	1.4	7,842	-0.08%	0.8
2002	21,850	-2.83%	2.1	14,506	-0.95%	1.4	7,344	-6.35%	0.7
2003	19,992	-8.50%	1.9	13,296	-8.34%	1.2	6,696	-8.82%	0.7
2004	23,327	16.68%	2.1	15,578	17.16%	1.4	7,749	15.73%	0.7
2005	22,832	-2.12%	2.1	15,750	1.10%	1.4	7,082	-8.61%	0.6
2006	23,991	5.08%	2.1	17,414	10.57%	1.6	6,577	-7.13%	0.6
2007	27,561	14.88%	2.4	20,416	17.24%	1.8	7,145	8.64%	0.6
2008	30,261	9.80%	2.6	22,939	12.36%	2.0	7,322	2.48%	0.6
2009	33,860	11.89%	2.9	25,741	12.22%	2.2	8,119	10.89%	0.7
2010	38,440	13.53%	3.2	29,795	15.75%	2.5	8,645	6.48%	0.7
2011	44,664	16.19%	3.7	35,565	19.37%	6.1	9,099	5.25%	0.8
2012	47,592	6.56%	3.9	38,262	7.58%	6.5	9,330	2.54%	0.8
2013	65,461	37.55%	5.3	51,881	35.59%	8.8	13,580	45.55%	1.1
2014	77,237	17.99%	6.2	57,311	10.47%	9.6	9,124	-32.81%	1.5
2015	82,999	7.46%	6.6	59,277	3.43%	9.8	18,629	104.18%	1.5
2016	88,008	6.04%	6.9	64,519	8.84%	10.5	18,894	1.42%	1.5
2017	95,893	8.96%	7.4	66,333	2.81%	10.7	14,199	-24.85%	1.1
2018	105,536	10.06%	8.0	80,871	21.92%	11.3	12,524	-11.80%	0.9
2019	105,037	-0.47%	7.9	72,780	-10.00%	11.2	11,795	-5.82%	0.9
2020	84,805	-19.26%	6.3	62,300	-14.40%	9.5	11,560	-1.99%	0.9
2021	101,707	19.93%	7.4	75,369	20.98%	11.3	13,695	18.47%	1.0
2022	107,588	5.78%	7.8	85,310	13.19%	12.7	12,815	-6.43%	0.9

The totals from 2014 do not match, and there are some extraordinary variations, since the formulas used by NCRB in CII for data presentation are different. As the NCRB helpfully discloses: The modification of sections of crime heads and revised proforma for data collection has resulted in a mismatch of cases/persons pending for investigation or trials brought forward in 2014 with the pending of the 2013 data for some crime heads (Disclaimer, CII-2014). From 2017 the data for girls has been consolidated separately which contributes to the variation.



Table 23: Cybercrimes against Women (State/UT-wise) - 2017-2022

#	State/UT	2017	2018	2019	2020	2021	2022	% total
1	Karnataka	729	1,374	2,698	2,859	2,243	3,904	25.48%
2	Maharashtra	1,119	1,262	1,503	1,632	1,697	2,530	17.98%
3	Telangana	196	336	288	649	883	1,262	6.67%
4	Uttar Pradesh	265	340	518	749	958	1,101	7.25%
5	Andhra Pradesh	173	217	356	375	471	637	4.11%
6	Assam	379	670	703	1071	856	610	7.91%
7	Odisha	62	228	437	560	574	574	4.49%
8	Rajasthan	89	116	188	238	297	498	2.63%
9	Tamil Nadu	53	77	124	306	248	401	2.23%
10	Madhya Pradesh	192	276	301	274	298	390	3.19%
11	Kerala	126	160	139	246	353	381	2.59%
12	Gujarat	94	184	226	277	349	352	2.73%
13	Haryana	79	112	251	222	266	327	2.32%
14	Chhattisgarh	89	64	85	117	194	279	1.53%
15	Delhi	76	79	56	51	151	250	1.22%
16	Punjab	61	97	87	110	179	194	1.34%
17	Uttarakhand	30	78	28	72	183	161	1.02%
18	West Bengal	270	170	170	344	201	142	2.39%
19	Jharkhand	26	13	43	20	70	106	0.51%
20	Bihar	36	14	60	47	56	84	0.55%
21	Himachal Pradesh	30	52	47	52	39	46	0.49%
22	Jammu & Kashmir	13	23	14	25	39	39	0.28%
23	Goa	9	21	5	19	15	32	0.19%
24	Meghalaya	6	32	21	39	21	27	0.27%
25	Chandigarh	5	5	13	10	12	16	0.11%
26	Puducherry	0	0	0	0	0	15	0.03%
27	Manipur	27	9	2	26	39	13	0.21%
28	A&N Islands	2	5	2	3	3	12	0.05%
29	Sikkim	0	1	1	0	0	11	0.02%
30	D&N Haveli, Daman & Diu	1	0	2	3	4	5	0.03%
31	Arunachal Pradesh	0	1	5	1	16	5	0.05%
32	Tripura	1	5	3	3	1	4	0.03%
33	Nagaland	0	2	1	2	1	1	0.01%
34	Mizoram	4	4	2	1	13	0	0.04%
35	Lakshadweep	0	3	0	2	0	0	0.01%
36	Ladakh	0	0	0	0	0	0	0.00%
	TOTAL ALL INDIA	4,242	6,030	8,379	10,405	10,730	14,409	100.00%





Table 24: Cybercrimes against women and girls (2022)

SL	State/UT	Cyber Blackmail	Cyber Pornography	Cyber Stalking	Defamation/Morphing	Fake Profile	Others	Total	% other to total
1	Karnataka	1	234	0	0	0	3669	3904	93.98%
2	Sikkim	0	1	0	0	0	10	11	90.91%
3	Jharkhand	0	10	2	1	0	93	106	87.74%
4	West Bengal	0	9	11	0	3	119	142	83.80%
5	Goa	1	4	1	0	0	26	32	81.25%
6	Arunachal Pradesh	0	1	0	0	0	4	5	80.00%
7	Chandigarh	0	2	2	0	0	12	16	75.00%
8	Telangana	23	14	279	0	3	943	1262	74.72%
9	Assam	10	101	3	0	41	455	610	74.59%
10	Maharashtra	11	75	578	3	27	1836	2530	72.57%
11	Gujarat	3	43	48	0	7	251	352	71.31%
12	Meghalaya	0	5	0	0	4	18	27	66.67%
13	Puducherry	0	5	0	0	0	10	15	66.67%
14	A&N Islands	0	3	1	0	0	8	12	66.67%
15	Punjab	3	33	26	0	6	126	194	64.95%
16	Haryana	12	71	28	0	7	209	327	63.91%
17	Andhra Pradesh	16	89	129	1	2	400	637	62.79%
18	Manipur	0	0	5	0	0	8	13	61.54%
19	Tamil Nadu	3	82	31	24	22	239	401	59.60%
20	Bihar	1	4	18	0	12	49	84	58.33%
21	Uttar Pradesh	2	450	27	1	4	617	1101	56.04%
22	Kerala	0	122	45	2	9	203	381	53.28%
23	Madhya Pradesh	8	96	82	2	1	201	390	51.54%
24	Rajasthan	16	136	79	3	11	253	498	50.80%
25	Delhi	2	118	24	0	5	101	250	40.40%
26	Jammu & Kashmir	0	25	2	0	2	10	39	25.64%
27	Chhattisgarh	3	200	7	0	0	69	279	24.73%
28	Himachal Pradesh	0	21	12	0	3	10	46	21.74%
29	D&N Haveli, Daman & Diu	0	4	0	0	0	1	5	20.00%
30	Uttarakhand	10	21	17	75	8	30	161	18.63%
31	Odisha	0	269	0	273	0	32	574	5.57%
32	Tripura	0	2	0	0	2	0	4	0.00%
33	Nagaland	0	1	0	0	0	0	1	0.00%
34	Mizoram	0	0	0	0	0	0	0	0.00%
35	Ladakh	0	0	0	0	0	0	0	0.00%
36	Lakshadweep	0	0	0	0	0	0	0	0.00%
	Total India	125	2251	1457	385	179	10012	14409	69.48%

Cyber Blackmailing: Threatening (Section 506, 503, 384 IPC r/w IT Act)

Cyber Pornography: Hosting/ Publishing Obscene Sexual Materials (Section 67A/67B(Girl Child) of IT act r/w other IPC/SLL)

Cyber Stalking: Cyber Bullying of Women (Section 354D IPC r/w IT Act)

Defamation: Morphing (Section 469 IPC r/w IPC and Indecent Rep. of Women (P) Act & IT Act)

Fake Profile: (IT Act r/w IPC/SLL) | Other Crimes against Women | Total Cyber Crimes against Women | % other crimes to total crimes



Table 25: Cyber Stalking/Bullying of Women/Children: Performance of police and courts

Year	PI	Reported in year	TBNC	Charge sheeted	Police disposal	%TBNC to disposed	CS rate	Cases for trial	Court Disposal	Cases convicted	Conviction rate	Cases pending	Pendency (years)
2017	82	542	36	233	291	12.37%	80.1	361	18	6	40.0	343	19
2018	331	739	81	390	498	16.27%	78.3	733	29	4	25.0	704	24
2019	559	777	78	466	593	13.15%	78.6	1,162	56	12	30.0	1,106	20
2020	742	872	88	438	553	15.91%	79.2	1,548	40	8	27.6	1,508	38
2021	1,061	1,176	87	702	849	10.25%	82.7	2,210	59	15	33.3	2,151	36
2022	1,396	1,471	241	841	1,155	20.87%	72.8	2,992	107	17	23.6	2,885	27

PI: Pending investigation | CS: Charge-sheet | TBNC: Cases True but Insufficient Evidence or Untraced or No Clue
Pendency = cases pending ÷ cases disposed
Source: TABLE 9A.4: Police Disposal and TABLE 9A.6: Court Disposal of Cyber Crime Cases (Crime Head-wise)

Table 26: Recorded rape: Girl victims (Below 18 Years): Uncorrected (2014 to 2022)

Year	Recorded cases (including adults)	Below 6 Years	6 Years & Above - Below 12 Years	12 Years & Above - Below 16 Years	16 Years & Above - Below 18 Years	Total Girl / Child Victims
2014	37,413	547	1,491	5,635	6,862	14,535
2015	34,651	451	1,151	4,244	5,547	11,393
2016	38,947	520	1,596	6,091	8,656	16,863
2017	32,559	298	818	3,759	5,346	10,221
2018	33,356	281	757	3,616	4,779	9,433
2019	32,033	144	428	1,648	2,757	4,977
2020	28,046	80	211	893	1,471	2,655
2021	31,677	53	183	1,030	1,772	3,038
2022	31,516	32	88	370	527	1,017

Source: CII 3A.3 Crimes against women



Table 27: Recorded rape: Women and girl child victims: Corrected age group-wise (1971 to 2022)

Year	Recorded Cases	Girls (Up to 18)				Total girl Victims	Women (Above 18 Years)				Total Victims	
		< 6 Years	6=>and <12	12=> and < 16	16=> and < 18		18 => and < 30	30 => and <45	45=> and <60	60=>		Total Women
1971 to 1987				< 16			16-30	30 >			16+	
1971	2,487			723		723	1,461	303			1,764	2,487
1972	2,605			627		627	1,642	336			1,978	2,605
1973	2,921			783		783	1,706	419			2,125	2,908
1974	2,962			730		730	1,806	426			2,232	2,962
1975	3,376			695		695	2,168	515			2,683	3,378
1976	3,893			692		692	2,576	625			3,201	3,893
1977	4,058			858		858	2,583	618			3,201	4,059
1978	4,558			773		773	3,058	727			3,785	4,558
1979	4,300			751		751	2,825	726			3,551	4,302
1980	5,023			1,032		1,032	3,220	772			3,992	5,024
1981	5,409			1,122		1,122	3,488	819			4,307	5,429
1982	5,427			1,320		1,320	3,188	919			4,107	5,427
1983	6,019			1,170		1,170	3,779	1,072			4,851	6,021
1984	6,740			1,279		1,279	4,398	1,067			5,465	6,744
1985	7,289			1,127		1,127	4,989	1,179			6,168	7,295
1986	7,952			1,261		1,261	5,305	1,386			6,691	7,952
1987	8,559			1,406		1,406	5,679	1,474			7,153	8,559
1988 to 1998			<=10	10-16			16-30	30 >				Total Victims
1988	9,099		233	1,869		2,102	5,832	1,165			6,997	9,099
1989	9,752		369	1,965		2,334	5,646	1,772			7,418	9,752
1990	10,068		394	2,105		2,499	6,028	1,541			7,569	10,068
1991	10,410		1,099	2,630		3,729	5,377	1,319			6,696	10,425
1992	11,708		532	2,581		3,113	7,000	1,621			8,621	11,734
1993	12,218		634	2,759		3,393	7,038	1,792			8,830	12,223
1994	13,208		734	3,244		3,978	7,442	1,798			9,240	13,218
1995	13,754		747	3,320		4,067	7,752	1,955			9,707	13,774
1996	14,846		608	3,475		4,083	8,281	2,485			10,766	14,849
1997	15,330		770	3,644		4,414	8,612	2,310			10,922	15,336
1998	15,031		626	3,433		4,059	8,414	2,560			10,974	15,033
1999, 2000			>=10	11 - 15	16 - 18		19 - 30	31 - 50	> 50			Total Victims
1999	15,468		731	2,422	3,849	7,002	6,500	1,927	42		8,469	15,471
2000	16,373		411	854	1,325	2,590	10,730	2,992	66		13,788	16,378



Table 27: Recorded rape: Women and girl child victims: Corrected age group-wise (1971 to 2022)

Year	Recorded Cases	Girls (Up to 18)				Women (Above 18 Years)					Total Victims	
		< 6 Years	6=>and <12	12=> and <16	16=> and <18	Total girl Victims	18 => and <30	30 => and <45	45=> and <60	60=>		Total Women
2001 to 2013			=> 10	10 - 14	14 - 18		18 - 30	30 - 50	> 50			
2001	16,075		530	1,440	3,911	5,881	7,881	2,248	68		10,197	16,078
2002	16,373		411	854	1,325	2,590	10,730	2,992	66		13,788	16,378
2003	15,847		389	931	1,792	3,112	9,873	2,811	60		12,744	15,856
2004	22,172		571	1,404	3,570	5,545	12,749	3,763	136		16,648	22,193
2005	18,359		557	1,174	2,344	4,075	10,809	3,381	111		14,301	18,376
2006	19,348		512	1,081	3,364	4,957	11,312	3,002	94		14,408	19,365
2007	20,737		617	1,355	3,152	5,124	11,984	3,530	133		15,647	20,771
2008	21,467		639	1,331	3,496	5,466	12,299	3,584	136		16,019	21,485
2009	21,397		710	1,760	2,912	5,382	12,812	3,124	95		16,031	21,413
2010	22,172		571	1,404	3,570	5,545	12,749	3,763	136		16,648	22,193
2011	24,206		875	1,707	4,646	7,228	13,264	3,637	141		17,042	24,270
2012	24,923		1,051	2,074	5,957	9,082	12,511	3,187	135		15,833	24,915
2013	33,707		1,584	2,843	8,877	13,304	15,556	4,648	256		20,460	33,764
2014-2022		< 6	6=>and <12	12=> and <16	16=> and <18		18=> and <30	30=> and <45	45=> and <60	60=>		Total Victims
2014	37,413	547	1,491	5,635	6,862	14,535	16,520	5,846	690	90	23,146	37,681
2015	34,651	451	1,151	4,244	5,547	11,393	16,966	5,677	637	98	23,378	34,771
2016	38,947	520	1,596	6,091	8,656	16,863	16,462	5,192	494	57	22,205	39,068
2017	49,941	639	2,089	6,603	8,266	17,597	16,900	5,895	503	139	23,437	41,034
2018	54,757	675	2,211	8,569	10,393	21,848	17,636	6,108	727	73	24,544	46,392
2019	57,967	686	2,514	9,318	13,711	26,229	19,653	6,716	851	63	27,283	53,512
2020	55,853	622	2,395	10,949	14,092	28,058	17,740	6,832	868	58	25,498	53,556
2021	64,713	650	3,157	13,173	16,206	33,186	20,065	7,627	1,070	78	28,840	62,026
2022	69,027	806	3,100	14,601	19,523	38,030	21,063	8,644	1,171	87	30,965	68,995

For 2017, the data is from CII table 3A.3. For the years 2016 to 2022 the data is from CII table 4A.9.



Year	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
Age	7-12 years			12-16 years			16-21 years			Total		
1958	2	0	2	47	2	49	55	1	56	104	3	107
1959	9	1	10	59	1	60	105	0	105	173	2	175
1960	7	0	7	52	1	53	86	1	87	145	2	147
1961	4	0	4	39	1	40	101	3	104	144	4	148
1962	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1963	5	0	5	55	0	55	126	0	126	186	0	186
1964	2	0	2	44	0	44	135	1	136	181	1	182
1965	14	1	15	65	2	67	151	1	152	230	4	234
1966	3	1	4	27	3	30	140	2	142	170	6	176
1967	4	0	4	35	0	35	97	1	98	136	1	137
1968	6	0	6	27	4	31	116	0	116	149	4	153
1969	4	0	4	44	0	44	88	2	90	136	2	138
1970	3	1	4	56	0	56	161	2	163	220	3	223
Age	7-12 years			12-16 Years			16-18 years			total		
1971	2	0	2	30	3	33	26	1	27	58	4	62
1972	4	0	4	31	0	31	53	1	54	88	1	89
1973	8	0	8	33	0	33	56	0	56	97	0	97
1974	9	0	9	33	0	33	50	0	50	92	0	92
1975	2	0	2	27	0	27	47	0	47	76	0	76
1976	4	2	6	22	2	24	46	0	46	72	4	76
1977	8	0	8	32	0	32	39	0	39	79	0	79
1978	0	0	0	26	0	26	82	1	83	108	1	109
1979	7	0	7	25	1	26	71	0	71	103	1	104
1980	2	0	2	36	0	36	113	2	115	151	2	153
1981	9	0	9	38	0	38	75	0	75	122	0	122
1982	3	1	4	54	0	54	72	1	73	129	2	131
1983	9	0	9	30	1	31	99	3	102	138	4	142
1984	5	0	5	30	2	32	146	0	146	181	2	183
1985	3	0	3	41	0	41	92	0	92	136	0	136
1986	4	0	4	53	1	54	125	0	125	182	1	183
1987	9	0	9	68	0	68	137	2	139	214	2	216
1988	6	0	6	200	0	200	NA	6	6	206	6	212
1989	8	1	9	168	4	172	NA	15	15	176	20	196
1990	4	0	4	183	3	186	NA	6	6	187	9	196
1991	7	8	15	178	5	183	NA	4	4	185	17	202
1992	5	0	5	138	2	140	NA	7	7	143	9	152
1993	22	0	22	140	2	142	NA	15	15	162	17	179
1994	12	1	13	148	3	151	NA	17	17	160	21	181
1995	15	0	15	158	1	159	NA	2	2	173	3	176
1996	3	0	3	154	0	154	NA	7	7	157	7	164
1997	0	0	0	173	5	178	NA	2	2	173	7	180
1998	8	1	9	197	0	197	NA	9	9	205	10	215
1999	17	0	17	144	5	149	NA	13	13	161	18	179
2000	17	1	18	193	3	196	NA	6	6	210	10	220

NA: Not available. The data for boys aged 16 to 18 years is not available from 1988 to 2000.



Table 29: Recorded rape: Persons arrested, age-wise (2001 to 2022)

	7 - 12		12 - 16		16 - 18 Years		18 - 30 Years		30 - 45 Years		45 - 60 Years		Above 60	
	Boys	Girls	Boys	Girls	Boys	Girls	Male	Female	Male	Female	Male	Female	Male	Female
2001	12	0	220	10	228	36	9,842	163	7,511	195	2,035	80	103	11
2002	15	1	224	2	303	6	11,531	184	6,861	192	1,577	64	269	7
2003	15	0	224	3	290	3	10,906	188	6,476	223	1,464	73	124	5
2004	17	0	240	5	387	7	12,379	197	7,329	220	1,504	89	108	7
2005	13	0	257	3	397	8	12,785	215	7,471	243	1,569	97	148	6
2006	14	0	239	4	432	2	13,214	224	7,576	259	1,614	93	114	7
2007	29	1	250	3	536	6	14,533	195	7,596	254	1,771	85	96	8
2008	7	0	284	0	550	12	14,742	227	7,063	326	1,610	90	105	10
2009	15	0	276	4	589	3	14,902	245	7,504	352	1,708	135	102	10
2010	10	0	275	1	645	6	15,380	253	8,091	311	1,822	131	134	15
2011	23	2	364	3	823	16	16,528	271	8,193	332	2,001	124	180	18
2012	33	0	391	5	881	6	17,431	398	8,685	404	2,598	128	149	8
2013	50	0	632	4	1,372	16	23,865	378	11,739	482	3,081	180	299	17
2014	23	0	632	1	1,484	4	26,416	343	15,053	522	3,271	191	229	24
2015	14	0	489	1	1,334	3	23,998	373	12,189	526	2,668	196	223	22
2016	27	2	463	1	1,553	8	28,182	396	14,015	562	3,115	191	264	18
2017	11	0	427	0	1,295	4	24,244	326	13,521	430	2,611	128	185	15
2018	23	0	414	2	1,237	2	23,689	369	12,106	405	2,589	103	167	11
2019	24	0	338	0	1,020	1	20,327	370	11,045	411	2,239	122	201	10
2020	10	0	235	0	775	2	17,394	571	10,112	659	2,427	261	150	14
2021	12	0	340	0	937	2	19,788	344	11,683	408	2,479	120	118	10
2022	7	0	247	1	981	3	19,147	322	12,280	382	2,408	112	150	13



Year	Incidence	Arrested	Rate	Variation
2001	16,075	20,446	1.27	1.037
2002	16,373	21,236	1.30	1.062
2003	15,847	19,994	1.26	1.029
2004	18,233	22,489	1.23	1.004
2005	18,359	23,212	1.26	1.029
2006	19,348	23,792	1.23	1.004
2007	20,737	25,363	1.22	0.996
2008	21,467	25,036	1.17	0.955
2009	21,397	25,845	1.21	0.988
2010	22,172	27,074	1.22	0.996
2011	24,206	28,878	1.19	0.972
2012	24,923	31,117	1.25	1.021
2013	33,707	42,115	1.25	1.021
2014	36,735	48,193	1.31	1.070
2015	34,651	42,036	1.21	0.988
2016	38,947	48,797	1.25	1.021
2017	32,559	43,197	1.33	1.086
2018	33,356	41,117	1.23	1.004
2019	32,033	36,108	1.13	0.923
2020	28,046	32,610	1.16	0.947
2021	31,677	36,241	1.14	0.931
2022	31,516	36,053	1.14	0.931
Total	572,364	700,949	1.22	1.000



Table 31: Recorded inter-community crime against women (total), (2014 to 2022)

Scheduled Castes									
Year	Total POA crimes	Total (Women and Girls)					Girls		
		Total	Rape	AtR	Assault	Insult	Rape	Assault	Total
2014	40,401	4,722	2,233	87	2,346	56			
2015	38,670	5,256	2,326	74	2,800	56			
2016	40,801	5,942	2,541	148	3,172	81			
2017	43,203	5,793	2,714	105	2,903	71	656	286	942
2018	42,793	6,307	2,936	132	3,091	148	869	372	1,241
2019	45,961	7,128	3,486	124	3,375	143	1,117	429	1,546
2020	50,291	6,979	3,372	90	3,373	144	1,055	336	1,391
2021	50,900	7,891	3,870	100	3,764	157	1,285	550	1,835
2022	57,582	8,731	4,241	104	4,160	226	1,406	721	2,127
Scheduled Tribes									
Year	Total POA crimes	Total (Women and Girls)					Girls		
		Total	Rape	AtR	Assault	Insult	Rape	Assault	Total
2014	6,827	1,828	925	24	863	16			
2015	6,276	1,797	952	15	818	12			
2016	6,568	1,853	974	13	835	31			
2017	7,125	2,009	1041	22	925	21	385	97	482
2018	6,528	1,900	1008	17	857	18	399	110	509
2019	8,257	2,035	1110	21	880	24	396	122	518
2020	8,272	2,071	1137	25	885	24	456	72	528
2021	8,802	2,259	1324	25	881	29	512	145	657
2022	10,064	2,449	1347	16	1022	64	535	163	698
<p>Disaggregation: Rape: A) Rape against Women (Section 376 IPC) (Above 18 years); B) Rape against Children (Section 4&6 of POCSO Act or POCSO 4&6 r/w 376 IPC) (Below 18 years) AtR: Attempt to Commit Rape (Section 376/511 IPC) Assault on Women with Intent to Outrage her Modesty: A) Assault on Women (Above 18 years) B) Assault of Children Insult to the Modesty of Women (Section 509 IPC). There is no age-disaggregated data on attempt to commit rape or insult to the modesty of women.</p>									

Table 32: Crime against women: Performance of the courts (total and scheduled communities), (2018 to 2022)

#	State/UT	India			Scheduled Caste			Scheduled Tribe		
		2018	2022	Δ 2018-22	2,018	2,022	Δ 2018-22	2018	2022	Δ 2018-22
1	Andhra Pradesh	34,253	59,575	73.93%	3,570	7,230	102.52%	688	1,314	90.99%
2	Arunachal	2,358	3,137	33.04%	0	2	-	0	0	-
3	Assam	56,247	90,075	60.14%	10	21	110.00%	46	62	34.78%
4	Bihar	74,099	115,796	56.27%	39,133	58,183	48.68%	380	663	74.47%
5	Chhattisgarh	23,317	34,270	46.97%	967	1,617	67.22%	1,301	2,599	99.77%
6	Goa	1,438	1,811	25.94%	21	30	42.86%	17	23	35.29%
7	Gujarat	81,138	98,357	21.22%	9,201	13,073	42.08%	2,195	3,189	45.28%
8	Haryana	20,580	41,260	100.49%	1,134	3,118	174.96%	0	1	
9	Himachal	6,509	9,370	43.95%	409	788	92.67%	16	28	75.00%
10	Jharkhand	16,667	30,019	80.11%	1,656	2,571	55.25%	847	1,285	51.71%
11	Karnataka	54,224	72,455	33.62%	7,874	10,490	33.22%	1,660	2,059	24.04%
12	Kerala	61,420	84,532	37.63%	2,594	4,575	76.37%	448	714	59.38%
13	Madhya Pradesh	85,063	121,682	43.05%	18,723	34,412	83.80%	7,422	3,192	77.74%
14	Maharashtra	192,200	271,761	41.39%	8,910	14,668	64.62%	2,640	4,183	58.45%
15	Manipur	675	1,033	53.04%	3	3	0.00%	3	3	0.00%
16	Meghalaya	2,362	3,182	34.72%	0	0	-	0	0	-
17	Mizoram	580	825	42.24%	0	5	-	0	26	-
18	Nagaland	151	248	64.24%	0	0	-	0	0	-
19	Odisha	100,649	169,572	68.48%	10,015	19,051	90.22%	3,983	6,613	66.03%
20	Punjab	7,582	14,989	97.69%	173	373	115.61%	2	0	100.00%
21	Rajasthan	75,882	116,630	53.70%	13,265	21,538	62.37%	3,158	5,590	77.01%
22	Sikkim	206	384	86.41%	5	3	-40.00%	2	3	50.00%
23	Tamil Nadu	18,932	28,345	49.72%	4,708	6,410	36.15%	82	170	107.32%
24	Telangana	35,894	68,332	90.37%	2,816	6,880	144.32%	795	1,977	148.68%
25	Tripura	4,106	5,143	25.26%	1	2	100.00%	0	2	
26	Uttar Pradesh	164,720	272,625	65.51%	47,359	76,556	61.65%	268	1,090	306.72%
27	Uttarakhand	6,244	13,353	113.85%	202	490	142.57%	16	36	125.00%
28	West Bengal	256,459	356,330	38.94%	521	900	72.74%	346	581	67.92%
29	A&N Islands	805	1,014	25.96%	0	0	-	26	33	26.92%
30	Chandigarh	678	930	37.17%	4	4	0.00%	0	0	
31	D&N Haveli and Daman & Diu	176	245	39.20%	3	1	-66.67%	16	14	-12.50%
32	Delhi	51,369	78,777	53.36%	251	511	103.59%	11	18	63.64%
33	Jammu & Kashmir	12,219	17,784	45.54%	3	12	300.00%	0	1	-
34	Ladakh	-	37	-	-	0	-	-	0	-
35	Lakshadweep	31	79	154.84%	0	0	-	0	0	-
36	Puducherry	540	812	50.37%	50	72	44.00%	0	0	-
	Total UTs	65,818	99,678	51.44%	311	600	92.93%	53	66	24.53%
	Total states	1,383,955	2,085,091	50.66%	173,270	282,989	63.32%	26,315	45,403	72.54%
	Total all India	1,449,773	2,184,769	50.70%	173,581	283,589	63.38%	26,368	45,469	72.44%



Table 33: Recorded inter-community rape: Women and Girls (Scheduled Castes), (2017 to 2022)

Year	Total			Women			Girls			% Girls Incidence
	I	V	R	I	V	R	I	V	R	
2017	2,714	2,771	1.3	2,058	2,104	1.0	656	667	0.3	24.17%
2018	2,936	2,957	1.5	2,067	2,086	1.0	869	871	0.4	29.60%
2019	3,486	3,514	1.7	2,369	2,386	1.2	1,117	1,128	0.6	32.04%
2020	3,372	3,396	1.7	2,317	2,329	1.2	1,055	1,067	0.5	31.29%
2021	3,870	3,893	1.9	2,585	2,606	1.3	1,285	1,287	0.6	33.20%
2022	4,241	4,252	2.1	2,835	2,839	1.4	1,406	1,413	0.7	33.15%

I = Incidence; V = Victims; R = Rate

Source: Crime in India, National Crime Records Bureau, respective years.

Table 34: Recorded inter-community rape: Women and Girls (Scheduled Tribes), (2017 to 2022)

Year	Total			Women			Girls			% Girls Incidence
	I	V	R	I	V	R	I	V	R	
2017	1,041	1,071	1.0	656	678	0.6	385	393	0.4	36.98%
2018	1,008	1,013	1.0	609	610	0.6	399	403	0.4	39.58%
2019	1,110	1,133	1.1	714	734	0.7	396	399	0.4	35.68%
2020	1,137	1,148	1.1	681	691	0.7	456	457	0.4	40.11%
2021	1,324	1,328	1.3	812	812	0.8	512	516	0.5	38.67%
2022	1,347	1,358	1.3	812	820	0.8	535	538	0.5	39.72%

I = Incidence; V = Victims; R = Rate

Source: Crime in India, National Crime Records Bureau, respective years.



Table 35: Recorded atrocities: Women and Girls (Scheduled Castes), states (2022)

#	State/UT	Rape (Section 376 IPC)			AtR	Assault			Insult	Ratio to rape %			Girls %	
		Total	Women	Girls		Total	Women	Girls		AtR	Assault	Insult	Rape	Assault
1	Rajasthan	658	595	63	70	676	601	75	11	10.64	102.74	1.67	9.57	11.09
2	Uttar Pradesh	646	504	142	4	939	820	119	0	0.62	145.36	0	21.98	12.67
3	Madhya Pradesh	589	373	216	0	613	469	144	10	0	104.07	1.7	36.67	23.49
4	Maharashtra	462	268	194	0	488	377	111	12	0	105.63	2.6	41.99	22.75
5	Telangana	277	151	126	0	112	104	8	41	0	40.43	14.8	45.49	7.14
6	Haryana	245	148	97	8	253	183	70	18	3.27	103.27	7.35	39.59	27.67
7	Karnataka	204	67	137	0	283	264	19	3	0	138.73	1.47	67.16	6.71
8	Kerala	192	82	110	3	252	169	83	8	1.56	131.25	4.17	57.29	32.94
9	Odisha	192	190	2	0	7	6	1	0	0	3.65	0	1.04	14.29
10	Tamil Nadu	166	50	116	0	92	42	50	0	0	55.42	0	69.88	54.35
11	Bihar	161	151	10	1	30	28	2	0	0.62	18.63	0	6.21	6.67
12	Andhra	144	86	58	6	245	232	13	113	170.14	4.17	78.47	40.28	5.31
13	Gujarat	129	50	79	0	53	44	9	0	0	41.09	0	61.24	16.98
14	Chhattisgarh	122	69	53	0	49	35	14	2	0	40.16	1.64	43.44	28.57
15	Uttarakhand	17	17	0	4	1	1	0	1	23.53	5.88	5.88	0	0
16	Jharkhand	12	12	0	8	28	28	0	0	66.67	233.33	0	0	0
17	Punjab	12	10	2	0	14	14	0	0	0	116.67	0	16.67	0
18	Himachal	8	7	1	0	6	3	3	0	0	75	0	12.5	50
19	Delhi	3	3	0	0	17	17	0	5	0	566.67	166.67	0	0
20	Mizoram	1	1	0	0	0	0	0	0	0	0	0	0	-
21	Jammu & Kashmir	1	1	0	0	0	0	0	0	0	0	0	0	-
22	West Bengal	0	0	0	0	2	2	0	0	-	-	-	-	0
	India	4,241	2,835	1,406	104	4,160	3,439	721	226	2.45	98.09	5.33	33.15	17.33

Disaggregation:
Rape: A) Rape against Women (Section 376 IPC) (Above 18 years); B) Rape against Children (Section 4&6 of POCSO Act or POCSO 4&6 r/w 376 IPC) (Below 18 years)
AtR: Attempt to Commit Rape (Section 376/511 IPC)
Assault on Women with Intent to Outrage her Modesty: A) Assault on Women (Above 18 years) B) Assault of Children
Insult to the Modesty of Women (Section 509 IPC).
There is no age-disaggregated data on attempt to commit rape or insult to the modesty of women.



Table 36: Recorded atrocities: Women and Girls (Scheduled Tribes), states (2022)

#	State/UT	Rape (Section 376 IPC)			AtR	Assault			Insult	Ratio to rape			% Girls	
		Total	Women	Girls		Total	Women	Girls		AtR	Assault	Insult	Rape	Assault
1	Madhya Pradesh	359	203	156	0	314	251	63	2	0.00	69.92	0.56	43.45	20.06
2	Chhattisgarh	212	90	122	1	70	48	22	2	0.47	22.64	0.94	57.55	31.43
3	Maharashtra	176	116	60	0	163	128	35	3	0.00	72.73	1.70	34.09	21.47
4	Rajasthan	163	146	17	9	198	190	8	2	5.52	116.56	1.23	10.43	4.04
5	Odisha	131	123	8	0	10	9	1	0	0.00	6.87	0.00	6.11	10.00
6	Telangana	86	45	41	0	40	37	3	20	0.00	43.02	23.26	47.67	7.50
7	Gujarat	58	22	36	0	17	12	5	1	0.00	20.69	1.72	62.07	29.41
8	Karnataka	51	17	34	1	92	86	6	2	1.96	168.63	3.92	66.67	6.52
9	Kerala	43	16	27	1	36	27	9	2	2.33	62.79	4.65	62.79	25.00
10	Andhra Pradesh	29	19	10	1	50	47	3	30	3.45	162.07	103.45	34.48	6.00
11	Tamil Nadu	14	3	11	0	7	4	3	0	0.00	28.57	0.00	78.57	42.86
12	Jharkhand	9	7	2	0	9	9	0	0	0.00	100.00	0.00	22.22	0.00
13	West Bengal	6	3	3	3	4	3	1	0	50.00	50.00	0.00	50.00	25.00
14	Mizoram	5	0	5	0	7	3	4	0	0.00	60.00	0.00	100.00	57.14
15	Bihar	1	0	1	0	3	3	0	0	0.00	300.00	0.00	100.00	0.00
16	Assam	1	0	1	0	0	0	0	0	0.00	0.00	0.00	100.00	–
17	Goa	1	0	1	0	0	0	0	0	0.00	0.00	0.00	100.00	–
18	Manipur	1	1	0	0	0	0	0	0	0.00	0.00	0.00	0.00	–
19	Uttarakhand	1	1	0	0	0	0	0	0	0.00	0.00	0.00	0.00	–
20	Sikkim	0	0	0	0	1	1	0	0	–	–	–	–	0.00
21	A&N Islands	0	0	0	0	1	1	0	0	–	–	–	–	0.00
	India	1,347	812	535	16	1,022	859	163	64	1.19	63.77	4.75	39.72	15.95

Disaggregation:
 Rape: A) Rape against Women (Section 376 IPC) (Above 18 years); B) Rape against Children (Section 4&6 of POCSO Act or POCSO 4&6 r/w 376 IPC) (Below 18 years)
 AtR: Attempt to Commit Rape (Section 376/511 IPC)
 Assault on Women with Intent to Outrage her Modesty: A) Assault on Women (Above 18 years) B) Assault of Children
 Insult to the Modesty of Women (Section 509 IPC).
 There is no age-disaggregated data for attempt to commit rape or insult to the modesty of women.





Table 37: Recorded inter-community rape: Girls (Scheduled Castes), states (2022)

#	State	Total	Girls	% state	% India
1	Madhya Pradesh	589	216	36.67%	15.36%
2	Maharashtra	462	194	41.99%	13.80%
3	Uttar Pradesh	646	142	21.98%	10.10%
4	Karnataka	204	137	67.16%	9.74%
5	Telangana	277	126	45.49%	8.96%
6	Tamil Nadu	166	116	69.88%	8.25%
7	Kerala	192	110	57.29%	7.82%
8	Haryana	245	97	39.59%	6.90%
9	Gujarat	129	79	61.24%	5.62%
10	Rajasthan	658	63	9.57%	4.48%
11	Andhra Pradesh	144	58	40.28%	4.13%
12	Chhattisgarh	122	53	43.44%	3.77%
13	Bihar	161	10	6.21%	0.71%
14	Punjab	12	2	16.67%	0.14%
15	Odisha	192	2	1.04%	0.14%
16	Himachal Pradesh	8	1	12.50%	0.07%
	India	4,241	1,406	33.15%	100.00%



Table 38: Recorded inter-community rape: Girls (Scheduled Castes), states (2017 to 2022)

#	State/UT	2017	2018	2019	2020	2021	2022	% 2022	Total	% Total
1	Madhya Pradesh	121	169	214	205	189	216	15.36%	1114	17.44%
2	Maharashtra	78	135	181	121	163	194	13.80%	872	13.65%
3	Uttar Pradesh	112	88	71	122	145	142	10.10%	680	10.64%
4	Karnataka	40	33	86	68	118	137	9.74%	482	7.55%
5	Telangana	42	53	61	64	118	126	8.96%	464	7.26%
6	Tamil Nadu	29	35	56	81	89	116	8.25%	406	6.36%
7	Kerala	25	77	81	73	105	110	7.82%	471	7.37%
8	Haryana	68	72	101	89	92	97	6.90%	519	8.12%
9	Gujarat	40	50	66	75	77	79	5.62%	387	6.06%
10	Rajasthan	13	33	63	39	63	63	4.48%	274	4.29%
11	Andhra Pradesh	26	36	38	39	49	58	4.13%	246	3.85%
12	Chhattisgarh	32	36	64	45	44	53	3.77%	274	4.29%
13	Bihar	6	8	6	9	5	10	0.71%	44	0.69%
14	Odisha	13	18	11	5	9	2	0.14%	58	0.91%
15	Punjab	4	11	7	10	10	2	0.14%	44	0.69%
16	Himachal Pradesh	2	10	5	5	5	1	0.07%	28	0.44%
17	Jharkhand	1	3	3	3	1	0	0.00%	11	0.17%
18	Uttarakhand	4	1	1	2	1	0	0.00%	9	0.14%
19	NCT Delhi	0	0	1	0	1	0	0.00%	2	0.03%
20	West Bengal	0	1	1	0	0	0	0.00%	2	0.03%
21	Sikkim	0	0	0	0	1	0	0.00%	1	0.02%
	Total UTs	0	0	1	0	1	0	0.00%	2	0.03%
	Total States	656	869	1,116	1,055	1,284	1,406	100.00%	6,386	99.97%
	Total India	656	869	1,117	1,055	1,285	1,406	100.00%	6,388	100.00%
	% to total	10.27%	13.60%	17.49%	16.52%	20.12%	22.01%	–	100.00%	–





#	State/UT	2021			2022		
		Incidence	Victims	Rate	Incidence	Victims	Rate
1	Kerala	105	105	3.5	110	110	3.6
2	Telangana	118	119	2.2	126	129	2.3
3	Madhya Pradesh	189	189	1.7	216	216	1.9
4	Haryana	92	92	1.8	97	97	1.9
5	Gujarat	77	77	1.9	79	79	1.9
6	Chhattisgarh	44	44	1.3	53	53	1.6
7	Maharashtra	163	163	1.2	194	195	1.5
8	Karnataka	118	118	1.1	137	138	1.3
9	Tamil Nadu	89	89	0.6	116	118	0.8
10	Andhra Pradesh	49	49	0.6	58	58	0.7
11	Rajasthan	63	63	0.5	63	63	0.5
12	Uttar Pradesh	145	145	0.4	142	142	0.3
13	Bihar	5	5	0.0	10	10	0.1
14	Himachal Pradesh	5	5	0.3	1	1	0.1
15	Punjab	10	11	0.1	2	2	0.0
16	Odisha	9	9	0.1	2	2	0.0
17	Delhi	1	1	0.0	0	0	0.0
18	Jharkhand	1	1	0.0	0	0	0.0
19	Sikkim	1	1	3.5	0	0	0.0
20	Uttarakhand	1	1	0.1	0	0	0.0
	Total States	1,284	1,286	0.7	1406	1413	0.7
	Total UTs	1	0	0.0	0	0	0.0
	India	1,285	1,287	0.6	1406	1413	0.7



Table 40: Recorded inter-community rape: Girls (Scheduled Tribes), states (2022)

#	State	Total	Girls	% State	% India
1	Madhya Pradesh	359	156	43.45%	29.16%
2	Chhattisgarh	212	122	57.55%	22.80%
3	Maharashtra	176	60	34.09%	11.21%
4	Telangana	86	41	47.67%	7.66%
5	Gujarat	58	36	62.07%	6.73%
6	Karnataka	51	34	66.67%	6.36%
7	Kerala	43	27	62.79%	5.05%
8	Rajasthan	163	17	10.43%	3.18%
9	Tamil Nadu	14	11	78.57%	2.06%
10	Andhra Pradesh	29	10	34.48%	1.87%
11	Odisha	131	8	6.11%	1.50%
12	Mizoram	5	5	100.00%	0.93%
13	West Bengal	6	3	50.00%	0.56%
14	Jharkhand	9	2	22.22%	0.37%
15	Bihar	1	1	100.00%	0.19%
16	Assam	1	1	100.00%	0.19%
17	Goa	1	1	100.00%	0.19%
	India	1,345	535	39.78%	100.00%



Table 41: Recorded inter-community rape: Girls (Scheduled Tribes), states (2017 to 2022)

#	State/UT	2017	2018	2019	2020	2021	2022	% 2022	Total	% Total
1	Madhya Pradesh	190	170	139	166	154	156	29.16%	975	36.34%
2	Chhattisgarh	72	85	102	104	101	122	22.80%	586	21.84%
3	Maharashtra	44	49	42	45	62	60	11.21%	302	11.26%
4	Telangana	21	21	25	38	38	41	7.66%	184	6.86%
5	Gujarat	16	20	40	35	62	36	6.73%	209	7.79%
6	Karnataka	4	7	11	13	30	34	6.36%	99	3.69%
7	Kerala	13	12	11	9	14	27	5.05%	86	3.21%
8	Rajasthan	5	7	4	9	9	17	3.18%	51	1.90%
9	Tamil Nadu	2	1	3	0	5	11	2.06%	22	0.82%
10	Andhra Pradesh	6	10	4	8	10	10	1.87%	48	1.79%
11	Odisha	8	9	7	22	18	8	1.50%	72	2.68%
12	Mizoram	0	0	0	0	0	5	0.93%	5	0.19%
13	West Bengal	0	0	0	3	2	3	0.56%	8	0.30%
14	Jharkhand	0	0	2	2	2	2	0.37%	8	0.30%
15	Bihar	0	0	0	0	2	1	0.19%	3	0.11%
16	Goa	0	0	0	0	1	1	0.19%	2	0.07%
17	Assam	0	0	0	0	0	1	0.19%	1	0.04%
18	Uttar Pradesh	0	7	6	1	0	0	0.00%	14	0.52%
19	Uttarakhand	2	1	0	0	0	0	0.00%	3	0.11%
20	Sikkim	0	0	0	0	1	0	0.00%	1	0.04%
21	A & N Islands	1	0	0	1	1	0	0.00%	3	0.11%
22	Manipur	1	0	0	0	0	0	0.00%	1	0.04%
	Total UTs	1	0	0	0	1	0	0.00%	2	0.07%
	Total States	384	399	396	455	511	535	100.00%	2,680	99.89%
	Total India	385	399	396	456	512	535	100.00%	2,683	100.00%



Table 42: Recorded inter-community rape: Girls (Scheduled Tribes), states and rates (2021, 2022)

#	State/UT	2021			2022		
		Incidence	Victims	Rate	Incidence	Victims	Rate
1	Kerala	14	14	2.90	27	27	5.60
2	Chhattisgarh	101	104	1.30	122	122	1.60
3	Tamil Nadu	5	5	0.60	11	11	1.40
4	Telangana	38	38	1.20	41	41	1.20
5	Madhya Pradesh	154	154	1.00	156	156	1.00
6	Karnataka	30	30	0.70	34	34	0.80
7	Goa	1	1	0.70	1	1	0.70
8	Maharashtra	62	63	0.60	60	61	0.60
9	Mizoram	–	–	–	5	7	0.50
10	Gujarat	62	62	0.70	36	36	0.40
11	Andhra Pradesh	10	10	0.40	10	10	0.40
12	Rajasthan	9	9	0.10	17	17	0.20
13	Odisha	18	18	0.20	8	8	0.10
14	West Bengal	2	2	0.00	3	3	0.10
15	Bihar	2	2	0.10	1	1	0.10
16	Jharkhand	2	2	0.00	2	2	0.00
17	Assam	–	–	–	1	1	0.00
18	Sikkim	1	1	0.50	–	–	–
19	A&N Islands	1	1	3.50	–	–	–
	India	512	516	0.50	535	538	0.50

Table 43: Recorded inter-community rape: Charge-sheeting (total, women, girls, SCs, STs) (2017 to 2022)

Year	All women			Scheduled Castes			Scheduled Tribes			% Variation			
	Total	Women	Girls	Total	Women	Girls	Total	Women	Girls	SCW	SCG	STW	STG
2017	86.6	83.1	95.8	89.8	87.3	97.6	95.6	93.4	99.5	3.70%	1.88%	10.39%	3.86%
2018	85.3	81.7	94.6	88.8	85.8	97.0	96.2	94.5	99.2	4.10%	2.54%	12.78%	4.86%
2019	81.5	80.0	90.3	87.7	83.6	97.0	94.4	91.9	99.0	7.61%	7.42%	15.83%	9.63%
2020	82.2	81.4	87.8	88.7	85.0	96.8	94.5	91.8	98.2	7.91%	10.25%	14.96%	11.85%
2021	80.4	79.7	86.7	88.6	84.9	96.2	94.5	91.6	99.0	10.20%	10.96%	17.54%	14.19%
2022	77.9	77.4	87.8	87.1	82.1	96.9	92.1	88.6	97.8	11.81%	10.36%	18.23%	11.39%

SCW: Scheduled Caste Women **SCG:** Scheduled Caste Girls **STW:** Scheduled Tribe Women **STG:** Scheduled Tribe Girls

Table 44: Inter-community rape against scheduled communities: Convictions (2017 to 2022)

Year	Cases for trial	Disposed without trial	Cases convicted	Cases completed	Cases disposed	Conviction rate
Total SC	84,488	57	2,005	5,867	5,924	34.17%
Total ST	33,517	14	733	2,299	2,313	31.88%
Total	118,005	71	2,738	8,166	8,237	33.53%

The column numbers below are from the NCRB table.
 Total Cases for Trial (Col.3+Col.4)
 Cases Disposed Without Trial (Col.6+Col.7+Col.8+Col.9+Col.10)
 Total Cases Convicted (Col.13+Col.14)
 Cases in which Trials were Completed (Col.15+Col.16+Col.17)
 Cases Disposed by Courts (Col.11+Col.18)
 Conviction Rate (Col.15 ÷ Col.18)*100
 Source: Crime in India, National Crime Records Bureau, respective years



Table 45: Inter-community rape (Scheduled Castes): Convictions (2017 to 2022)						
Year	For trial	Disposed without trial	Cases convicted	Trials completed	Cases disposed	Conviction rate
Total						
2017	9,300	4	330	985	989	33.5%
2018	10,855	6	270	917	923	29.4%
2019	12,463	17	339	1,052	1,069	32.2%
2020	14,353	5	225	530	535	42.5%
2021	17,322	8	251	873	881	28.8%
2022	20,195	17	590	1,510	1,527	39.1%
Total	84,488	57	2,005	5,867	5,924	34.2%
Women						
2017	8,179	3	299	852	855	35.1%
2018	9,059	3	198	706	709	28.0%
2019	9,899	18	250	789	807	31.7%
2020	11,045	3	177	399	402	44.4%
2021	12,896	3	173	577	580	30.0%
2022	14,662	8	442	1,066	1,074	41.5%
Total	65,740	38	1,539	4,389	4,427	35.1%
Girls						
2017	1,121	1	31	133	134	23.3%
2018	1,796	3	72	211	214	34.1%
2019	2,564	0	89	263	263	33.8%
2020	3,308	2	48	131	133	36.6%
2021	4,426	5	78	296	301	26.4%
2022	5,533	9	148	444	453	33.3%
Total	18,748	20	466	1,478	1,498	31.5%
<p>The column numbers below are from the NCRB table. For Trial (Col.3+Col.4) Cases Disposed Without Trial (Col.6+Col.7+Col.8+Col.9+Col.10) Cases Convicted (Col.13+Col.14) Trials Completed (Col.15+Col.16+Col.17) Cases Disposed by Courts (Col.11+Col.18) Conviction Rate (Col.15÷Col.18) *100 Source: Crime in India, National Crime Records Bureau, respective years</p>						



Table 46: Inter-community rape (Scheduled Tribes): Convictions (2017 to 2022)						
Year	For trial	Disposed without trial	Cases convicted	Trials completed	Court disposed	Conviction rate
Total						
2017	3,925	6	139	437	443	31.8
2018	4,422	1	120	396	397	30.3
2019	5,099	2	127	460	462	27.6
2020	5,658	0	60	180	180	33.3
2021	6,719	1	92	299	300	30.8
2022	7,694	4	195	527	531	37.0
Total	33,517	14	733	2,299	2,313	31.9%
Women						
2017	3,216	6	106	340	346	31.2
2018	3,444	1	95	304	305	31.3
2019	3,829	2	87	342	344	25.4
2020	4,062	0	42	132	132	31.8
2021	4,659	1	67	206	207	32.5
2022	5,203	2	95	297	299	32
Total	24,413	12	492	1,621	1,633	30.4%
Girls						
2017	709	0	33	97	97	34
2018	978		25	92	92	27.2
2019	1,270	0	40	118	118	33.9
2020	1,596	0	18	48	48	37.5
2021	2,060	0	25	93	93	26.9
2022	2,491	2	100	230	232	43.5
Total	9,104	2	241	678	680	35.5%
<p>The column numbers below are from the NCRB table. For Trial (Col.3+Col.4) Cases Disposed Without Trial (Col.6+Col.7+Col.8+Col.9+Col.10) Cases Convicted (Col.13+Col.14) Trials Completed (Col.15+Col.16+Col.17) Cases Disposed by Courts (Col.11+Col.18) Conviction Rate (Col.15÷Col.18)*100 Source: Crime in India, National Crime Records Bureau, respective years</p>						

Table 47: Inter-community rape against scheduled communities: Court disposal (2017 to 2022)							
Year	Pending 2017	Cases sent 2017 to 2022	Cases for trial	Cases disposed	Pending at the end of 2022	Percentage disposal	Increase in pendency
SC	6,942	18,017	24,959	5,924	18,668	23.73	168.91
ST	2,898	6,569	9,467	2,313	7,163	24.43	147.17
Total	9,840	24,586	34,426	8,237	25,831	23.93	162.51

Table 48: Inter-community rape against scheduled communities: Performance of the courts (2018 to 2022), (base = 2017)

Year	Total (Women & Girls)			Women			Girls		
	Total	SCs	STs	Total	SCs	STs	Total	SCs	STs
2018	8.43%	19.50%	15.59%	5.90%	14.01%	9.37%	21.57%	60.28%	44.77%
2019	13.89%	37.10%	33.17%	12.12%	24.14%	21.43%	23.13%	133.13%	88.24%
2020	24.86%	66.26%	57.32%	23.99%	45.32%	36.93%	29.42%	221.68%	152.94%
2021	35.86%	97.82%	84.35%	36.53%	68.16%	55.12%	32.34%	317.93%	221.41%
2022	39.59%	124.62%	105.72%	43.49%	85.53%	70.87%	19.26%	414.69%	269.12%

Table 49: Inter-community rape (Scheduled Castes): Court disposal (2017 to 2022)

Total (Women & Girls)									
Year	Cases pending	Cases during the year	Total cases for trial	Cases disposed	Cases pending at end of year	Disposal rate year	% disposed	% increase pendency	Cumulative pendency
2,017	6,942	2,358	9,300	989	8,311	41.94	10.63	19.72	19.72
2,018	8,309	2,546	10,855	923	9,932	36.25	8.50	19.53	43.07
2,019	9,567	2,896	12,463	1,069	11,394	36.91	8.58	19.10	64.13
2,020	11,394	2,959	14,353	535	13,818	18.08	3.73	21.27	99.05
2,021	13,818	3,504	17,322	881	16,441	25.14	5.09	18.98	136.83
2,022	16,441	3,754	20,195	1,527	18,668	40.68	7.56	13.55	168.91
Women									
2,017	6,429	1,750	8,179	855	7,324	48.86	10.45	13.92	13.92
2,018	7,269	1,790	9,059	709	8,350	39.61	7.83	14.87	29.88
2,019	7,993	1,906	9,899	807	9,092	42.34	8.15	13.75	41.42
2,020	9,093	1,952	11,045	402	10,643	20.59	3.64	17.05	65.55
2,021	10,643	2,253	12,896	580	12,316	25.74	4.50	15.72	91.57
2,022	12,316	2,346	14,662	1,074	13,588	45.78	7.33	10.33	111.35
Girls									
2,017	513	608	1,121	134	987	22.04	11.95	92.40	92.40
2,018	1,040	756	1,796	214	1,582	28.31	11.92	52.12	208.38
2,019	1,574	990	2,564	263	2,301	26.57	10.26	46.19	348.54
2,020	2,301	1,007	3,308	133	3,175	13.21	4.02	37.98	518.91
2,021	3,175	1,251	4,426	301	4,125	24.06	6.80	29.92	704.09
2,022	4,125	1,408	5,533	453	5,080	32.17	8.19	23.15	890.25



Table 50: Inter-community rape (Scheduled Tribes): Court disposal (2017 to 2022)

Total (Women & Girls)									
Year	Cases pending trial from the previous year	Cases sent for trial during the year	Total cases for trial	Cases disposed by courts	Cases pending trial at end of the year	Disposal rate year	Disposal % total	Annual increase in pendency	Cumulative increase in pendency (base= 2017)
2,017	2,898	1,027	3,925	443	3,482	43.14	11.29	20.15	20.15
2,018	3,475	947	4,422	397	4,025	41.92	8.98	15.83	38.89
2,019	4,064	1,035	5,099	462	4,637	44.64	9.06	14.10	60.01
2,020	4,617	1,041	5,658	180	5,478	17.29	3.18	18.65	89.03
2,021	5,475	1,244	6,719	300	6,419	24.12	4.46	17.24	121.50
2,022	6,419	1,275	7,694	531	7,163	41.65	6.90	11.59	147.17
Women									
2,017	2,578	638	3,216	346	2,870	54.23	10.76	11.33	11.33
2,018	2,865	579	3,444	305	3,139	52.68	8.86	9.56	21.76
2,019	3,178	651	3,829	344	3,485	52.84	8.98	9.66	35.18
2,020	3,465	597	4,062	132	3,930	22.11	3.25	13.42	52.44
2,021	3,927	732	4,659	207	4,452	28.28	4.44	13.37	72.69
2,022	4,452	751	5,203	299	4,904	39.81	5.75	10.15	90.22
Girls									
2,017	320	389	709	97	612	24.94	13.68	91.25	91.25
2,018	610	368	978	92	886	25.00	9.41	45.25	176.88
2,019	886	384	1,270	118	1,152	30.73	9.29	30.02	260.00
2,020	1,152	444	1,596	48	1,548	10.81	3.01	34.38	383.75
2,021	1,548	512	2,060	93	1,967	18.16	4.51	27.07	514.69
2,022	1,967	524	2,491	232	2,259	44.27	9.31	14.84	605.94



Table 51: Recorded inter-community attempt to commit rape (total, scheduled communities), (2014 to 2022)

Year	Recorded			Rate	
	Total	SCs	STs	SCs	STs
2014	4234	87	24		
2015	4437	74	15		
2016	5729	148	13		
2017	4154	105	22	77.9	78.9
2018	4097	132	17	71.0	81.3
2019	3944	124	21	64.2	86.7
2020	3741	90	25	54.3	69.2
2021	3800	100	25	57.6	42.1
2022	3288	104	16	52.0	57.1

Table 52: Recorded inter-community attempt to commit rape: Scheduled Castes (2014 to 2022)

#	State/UT	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total	Mean	% Mean
1	Rajasthan	22	13	25	31	41	72	57	67	70	398	44	158.3
2	Haryana	7	10	12	8	8	12	9	9	8	83	9	86.7
3	Jharkhand	5	1	1	5	9	4		2	8	35	4	205.7
4	Andhra Pradesh	2	5	17	10	7	6	7	4	6	64	7	84.4
5	Uttar Pradesh	32	22	77	40	48	12	6	9	4	250	28	14.4
6	Uttarakhand							1		4	5	1	720.0
7	Kerala	4	3	1	1	2	2	3		3	19	2	142.1
8	Bihar	3	0			0		1		1	5	1	180.0
9	West Bengal	0	2	1	1	0			1		5	1	0.0
10	Odisha	0	4	2		1	1	1			9	1	0.0
11	Punjab	4	1	1	1	4	3		2		16	2	0.0
12	Telangana	3	1	4	1	2	4	2	1		18	2	0.0
13	Madhya Pradesh	2	4	3	5	5	2		2		23	3	0.0
14	Tamil Nadu	1	5	1		2	2	3	2		16	2	0.0
15	Chhattisgarh					2					2	0	0.0
16	Karnataka	1	2	1	1	1	4		1		11	1	0.0
17	Gujarat			1							1	0	0.0
18	Maharashtra	1	1	1	1						4	0	0.0
	Total	87	74	148	105	132	124	90	100	104	964	107	97.1



	State	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total	Mean	% Mean
1	Rajasthan	11	3	1	9	5	9	10	12	9	69	8	117.4
2	West Bengal	4	3		3	4	4	6	3	3	30	3	90.0
3	Andhra Pradesh	1	2	3	4		1		8	1	20	2	45.0
4	Kerala		2	2	2		1			1	8	1	112.5
5	Chhattisgarh			1	1			1		1	4	0	225.0
6	Karnataka									1	1	0	900.0
7	Madhya Pradesh	5	2		2	5		1			15	2	0.0
8	Odisha	2	2		1	1	2	4			12	1	0.0
9	Telangana			1		1	4	3	1		10	1	0.0
10	Jharkhand	1		4		1					6	1	0.0
11	Uttar Pradesh		1								1	0	0.0
12	Bihar								1		1	0	0.0
13	Gujarat			1							1	0	0.0
	Total	24	15	13	22	17	21	25	25	16	178	20	80.9

Year	Crime	All women Total	Scheduled Castes	Scheduled Tribes	% Variation to total	
					Castes	Tribes
2017	Rape	86.6	89.8	95.6	3.70%	10.39%
2018		85.3	88.8	96.2	4.10%	12.78%
2019		81.5	87.7	94.4	7.61%	15.83%
2020		82.2	88.7	94.5	7.91%	14.96%
2021		80.4	88.6	94.5	10.20%	17.54%
2022		77.9	87.1	92.1	11.81%	18.23%
2017	Attempt to commit rape	79.8	77.9	78.9	-2.38%	-1.13%
2018		76.9	71.0	81.3	-7.67%	5.72%
2019		72.7	64.2	86.7	-11.69%	19.26%
2020		74.7	54.3	69.2	-27.31%	-7.36%
2021		70.4	57.6	42.1	-18.18%	-40.20%
2022		67.8	52.0	57.1	-23.30%	-15.78%
2017	Variance: Rape to attempt to commit rape	-6.8	-11.9	-16.7	75.00%	145.59%
2018		-8.4	-17.8	-14.9	111.90%	77.38%
2019		-8.8	-23.5	-7.7	167.05%	-12.50%
2020		-7.5	-34.4	-25.3	358.67%	237.33%
2021		-10.0	-31.0	-52.4	210.00%	424.00%
2022		-10.1	-35.1	-35.0	247.52%	246.53%

Table 55: Inter-community attempt to commit rape: Conviction (2017 to 2022)

Year	All women	SC	ST
2017	26.8	41.2	50.0
2018	25.2	31.6	50.0
2019	28.9	40.0	0.0
2020	34.1	41.7	0.0
2021	20.7	30.0	0.0
2022	20.1	44.4	0.0

Table 56: Inter-community attempt to commit rape (Scheduled Castes): Court disposal (2017 to 2022)

Year	Pending from previous year	New charge-sheets	Cases for trial	Cases convicted	Cases discharged	Cases acquitted	Trials completed	Cases disposed	Pending end of year	Conviction rate
2017	169	81	250	7	1	9	17	17	233	41.2
2018	231	93	324	6	1	12	19	19	305	31.6
2019	277	79	356	10	6	9	25	25	331	40.0
2020	332	57	389	5	0	7	12	12	377	41.7
2021	377	57	434	3	0	7	10	11	423	30.0
2022	423	51	474	8	0	10	18	18	456	44.4

Table 57: Inter-community attempt to commit rape (Scheduled Tribes): Court disposal (2017 to 2022)

Year	Pending from previous year	New charge-sheets	Cases for trial	Cases convicted	Cases discharged	Cases acquitted	Trials completed	Cases disposed	Pending end of year	Conviction rate
2017	35	15	50	3	0	3	6	6	44	50.0
2018	44	13	57	2	0	2	4	4	53	50.0
2019	50	13	63	0	2	1	3	3	60	0
2020	65	18	83	0	0	2	2	2	81	0
2021	81	8	89	0	1	1	2	2	87	0
2022	87	12	99	0	0	3	3	3	96	0

Table 58: Inter-community attempt to commit rape: Performance of the courts (2018 to 2022), (base = 2017)

Year	Total	SCs	STs
2018	17.89%	30.90%	20.45%
2019	24.10%	42.06%	36.36%
2020	48.14%	61.80%	84.09%
2021	65.71%	81.55%	97.73%
2022	78.64%	95.71%	118.18%



Table 59: Assault on women with intent to outrage her modesty: Charge-sheeting (2017 to 2022)

Year	Total all women	Scheduled castes			Scheduled Tribes		
		Total	Women	Girls	Total	Women	Girls
2017	87.6	85.5	84.7	93.4	93.9	93.3	99.0
2018	85.5	84.6	83.6	92.1	92.0	91.2	98.1
2019	84.3	83.4	81.9	93.7	88.3	86.8	98.1
2020	85.5	82.0	81.5	87.0	88.8	88.9	88.4
2021	83.8	81.2	79.3	93.2	87.9	86.2	97.1
2022	83.7	81.2	78.8	92.5	85.3	82.9	97.5

Table 60: Assault on women: Conviction and pendency (2017 to 2022)

Year	Conviction Rate			Increase in pendency		
	Total	SC	ST	Total	SC	ST
2017	27.8	31.5	38.2	–	–	–
2018	26.4	32.9	28.7	11.20%	21.30%	22.87%
2019	26.9	29.4	23.7	20.59%	35.02%	37.64%
2020	27.9	36.1	32.6	37.61%	65.64%	66.99%
2021	31.5	29.7	27.5	54.49%	98.69%	90.44%
2022	25.6	31.2	23.3	64.82%	129.71%	114.06%

Table 61: Assault on girls: Conviction and pendency (2017 to 2022)

Year	Conviction Rate			Increase in pendency		
	Total	SC	ST	Total	SC	ST
2017	40.9	26.3	43.8	–	–	–
2018	42.6	37.7	23.1	23.24%	68.56%	72.13%
2019	41.1	24.3	37.0	27.70%	149.86%	134.43%
2020	58.0	26.1	44.4	39.45%	215.45%	181.97%
2021	42.9	34.7	34.8	51.70%	324.93%	272.13%
2022	41.3	36.7	30.6	49.45%	455.28%	371.31%

Table 62: Recorded insult to the modesty of women (Section 509 IPC), (2014 to 2022)

Year	All women	SCs	STs	Others
2014	9,735	56	16	9,663
2015	8,685	56	12	8,617
2016	7,305	81	31	7,193
2017	7,451	71	21	7,359
2018	6,992	148	18	6,826
2019	6,939	143	24	6,772
2020	7,065	144	24	6,897
2021	7,788	157	29	7,602
2022	8,972	226	64	8,682



Table 63: Insult to the modesty of women: Comparative charge–sheeting (2017 to 2022)

Year	Charge–sheeting rate			Variation	
	Total	SC	ST	SC	ST
2017	86.8	69.5	100.0	-19.93%	15.21%
2018	86.2	57.9	83.3	-32.83%	-3.36%
2019	85.1	76.9	70.0	-9.64%	-17.74%
2020	87.8	70.1	90.9	-20.16%	3.53%
2021	87.3	70.5	67.6	-19.24%	-22.57%
2022	85.2	68.1	82.0	-20.07%	-3.76%

Table 64: Insult to the modesty of women (Section 509 IPC): Charge–sheeting, conviction, and pendency (2017 to 2022)

Year	Charge–sheeting				Conviction Rate				Increase in pendency			
	Total	SC	ST	Others	Total	SC	ST	Others	Total	SC	ST	Others
2017	6,089	41	11	6,037	22.6	10.0	0.0	22.7				
2018	6,108	62	15	6,031	17.1	26.7	20.0	17.0	6.39%	36.80%	17.39%	6.26%
2019	5,840	80	14	5,746	21.8	15.4	0.0	21.9	13.28%	80.00%	36.96%	12.98%
2020	5,599	122	20	5,457	27.7	22.2	0.0	27.8	25.56%	170.40%	71.74%	24.92%
2021	6,780	117	25	6,638	23.5	10.0	0.0	23.8	39.74%	248.00%	121.74%	38.80%
2022	7,621	156	41	7,424	18.5	4.3	0.0	19.0	48.91%	317.60%	189.13%	47.64%

Table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)

Year	Rape	Crime Against Women	% Rape
[1]	[2]	[3]	[4]
1971	2,487	10,233	24.30%
1972	2,605	10,989	23.71%
1973	2,919	14,735	19.81%
1974	2,962	17,787	16.65%
1975	3,376	18,084	18.67%
1976	3,893	20,043	19.42%
1977	4,058	17,982	22.57%
1978	4,558	20,006	22.78%
1979	4,300	18,496	23.25%
1980	5,023	19,331	25.98%
1981	5,409	21,067	25.68%
1982	5,427	21,317	25.46%
1983	6,019	21,344	28.20%
1984	6,740	20,949	32.17%
1985	7,289	22,104	32.98%
1986	7,952	22,355	35.57%
1987	8,559	22,012	38.88%
1988	9,099	41,032	22.18%
1989	9,752	52,663	18.52%
1990	10,068	87,500	11.51%



Table 65: Recording myths: Ratio of recorded CAW to recorded rape (1971 to 2022)

Year	Rape	Crime Against Women	% Rape
[1]	[2]	[3]	[4]
1991	10,410	91,207	11.41%
1992	11,112	93,720	11.86%
1993	11,242	1,01,355	11.09%
1994	12,351	1,04,242	11.85%
1995	13,754	1,09,259	12.59%
1996	14,846	1,15,723	12.83%
1997	15,330	1,21,265	12.64%
1998	15,031	1,31,338	11.44%
1999	15,468	1,35,771	11.39%
2000	16,496	1,41,373	11.67%
2001	16,075	1,43,795	11.18%
2002	16,373	1,43,034	11.45%
2003	15,847	1,40,601	11.27%
2004	18,233	1,54,333	11.81%
2005	18,359	1,55,553	11.80%
2006	19,348	1,64,765	11.74%
2007	20,737	1,85,312	11.19%
2008	21,467	1,95,856	10.96%
2009	21,397	2,03,804	10.50%
2010	22,172	2,13,585	10.38%
2011	24,206	2,28,650	10.59%
2012	24,923	2,44,270	10.20%
2013	33,707	3,09,546	10.89%
2014	36,735	3,37,922	10.87%
2015	34,651	3,27,394	10.58%
2016	58,712	3,38,954	17.32%
2017	49,941	3,59,849	13.88%
2018	54,757	3,78,277	14.48%
2019	57,967	4,05,861	14.28%
2020	55,853	3,71,503	15.03%
2021	64,713	4,28,278	15.11%
2022	69,027	4,45,256	15.50%

1 Data on rape for 1989, 1990, and 1991 have been corrected from CII-1993.

2 Data on crime against women for 2014 and 2015 have been corrected based on the updated data in CII-2016.

3 From 2017 rape against children has been moved to the chapter on children. In this table, that data has been added to the crime against women in the respective years. The total crime (column 2) remains the same.

4 This data differs a little from those in table 3 which, being a compilation from many tables in CII, is more comprehensive. The total crime against women in this table is directly from CII, so some data could be missing in CII (or they would be double counted in table 3). But for the purpose of our comparison, the difference does not make a significant difference, and the trend – which corroborates our point – holds good in both sets of data.

Table 66: Equalised data: National guesstimate (2022)

Crime	Rape	AtR	Assault	Insult	Total
Present	69,027	3,379	85,724	9,025	167,155
Equalised	69,027	69,027	85,724	85,724	309,502





Table 67: Equalised data: State guesstimate (2022)

State/UT	Crime					Equalised total					Increase %			
	Rape	ATR	Assault	Insult	Total	Rape	ATR	Assault	Insult	Total	ATR	Assault	Insult	Total
Andhra	621	180	5,884	3,145	9,830	621	621	5,884	5,884	13,010	245.00	0.00	87.09	32.35
Arunachal	74	3	67	20	164	74	74	74	74	296	2,366.67	10.45	270.00	80.49
Assam	1,113	253	1,984	149	3,499	1,113	1,113	1,984	1,984	6,194	339.92	0.00	1,231.54	77.02
Bihar	881	17	402	0	1,300	881	881	881	881	3,524	5,082.35	119.15	∞	171.08
Chhattisgarh	1,246	8	1,322	255	2,831	1,246	1,246	1,322	1,322	5,136	15,475.00	0.00	418.43	81.42
Goa	73	0	87	30	190	73	73	87	87	320	∞	0.00	190.00	68.42
Gujarat	610	2	693	17	1,322	610	610	693	693	2,606	30,400.00	0.00	3,976.47	97.13
Haryana	1,787	255	2,739	322	5,103	1,787	1,787	2,739	2,739	9,052	600.78	0.00	750.62	77.39
Himachal	359	9	492	77	937	359	359	492	492	1,702	3,888.89	0.00	538.96	81.64
Jharkhand	1,298	88	1,144	2	2,532	1,298	1,298	1,298	1,298	5,192	1,375.00	13.46	64,800.00	105.06
Karnataka	595	4	6,201	78	6,878	595	595	6,201	6,201	15,592	14,775.00	0.00	7,850.00	97.62
Kerala	814	41	4,940	572	6,367	814	814	4,940	4,940	11,508	1,885.37	0.00	763.64	80.74
Madhya Pradesh	3,029	22	5,564	265	8,880	3,029	3,029	5,564	5,564	17,186	13,668.18	0.00	1,999.62	93.54
Maharashtra	2,904	2	11,512	1,317	15,735	2,904	2,904	11,512	11,512	28,832	145,100.00	0.00	774.11	83.23
Manipur	42	0	67	11	120	42	42	67	67	218	∞	0.00	509.09	81.67
Meghalaya	75	20	63	22	180	75	75	75	75	300	275.00	19.05	240.91	66.67
Mizoram	14	3	28	0	45	14	14	28	28	84	366.67	0.00	∞	86.67
Nagaland	7	0	9	0	16	7	7	9	9	32	∞	0.00	∞	100.00
Odisha	1,464	161	7,327	689	9,641	1,464	1,464	7,327	7,327	17,582	809.32	0.00	963.43	82.37
Punjab	517	42	666	36	1,261	517	517	666	666	2,366	1,130.95	0.00	1,750.00	87.63



Table 67: Equalised data: State guesstimate (2022)

State/UT	Crime					Equalised total					Increase %						
	Rape	Assault	Insult	Total	ATR	Rape	Assault	Insult	Total	ATR	Assault	Insult	Total	ATR	Assault	Insult	Total
Rajasthan	5,399	1,063	83	15,043	5,399	5,399	8,508	27,814	412.73	0.00	10,150.60	84.90					
Sikkim	13	1	23	39	13	13	23	72	1,200.00	0.00	1,050.00	84.62					
Tamil Nadu	421	21	1,414	1,914	421	421	1,414	3,670	1,904.76	0.00	2,337.93	91.75					
Telangana	814	36	4,652	6,432	814	814	4,652	10,932	2,161.11	0.00	400.22	69.96					
Tripura	62	8	87	159	62	62	87	298	675.00	0.00	4,250.00	87.42					
Uttar Pradesh	3,690	198	10,548	14,491	3,690	3,690	10,548	28,476	1,763.64	0.00	19,078.18	96.51					
Uttarakhand	867	18	699	1,600	867	867	867	3,468	4,716.67	24.03	5,318.75	116.75					
West Bengal	1,111	826	2,477	4,814	1,111	1,111	2,477	7,176	34.50	0.00	519.25	49.07					
A&N Islands	12	1	32	50	12	12	32	88	1,100.00	0.00	540.00	76.00					
Chandigarh	78	1	42	123	78	78	78	312	7,700.00	85.71	3,800.00	153.66					
D&N Haveli, D&D	9	0	11	20	9	9	11	40	∞	0.00	∞	100.00					
Delhi	1,212	4	2,017	3,620	1,212	1,212	2,017	6,458	30,200.00	0.00	421.19	78.40					
Jammu & Kashmir	287	11	1,606	1,923	287	287	1,606	3,786	2,509.09	0.00	8,352.63	96.88					
Ladakh	5	0	1	7	5	5	5	20	∞	400.00	400.00	185.71					
Lakshadweep	4	0	1	5	4	4	4	16	∞	300.00	∞	220.00					
Puducherry	9	0	35	49	9	9	35	88	∞	0.00	600.00	79.59					
Total UTs	1,616	17	3,745	5,797	1,616	1,616	3,745	10,722	9,405.88	0.00	793.79	84.96					
Total states	29,900	3,271	79,599	121,323	29,900	29,900	79,599	218,998	814.09	0.00	830.66	80.51					
Total India	31,516	3,288	83,344	127,120	31,516	31,516	83,344	229,720	858.52	0.00	828.93	80.71					



Table 68: CAW Police disposal: True but no clue (total, SCs, STs) (2017 to 2022)								
Crime	Community	Police disposal	2017	2018	2019	2020	2021	2022
Murder with Rape and Gang Rape	India	True but no clue [TBNC]	9	24	7	12	9	36
		Total charge-sheeted	211	224	233	175	231	240
		TBNC as % charge-sheeted	4.27%	10.71%	3.00%	6.86%	3.90%	15.00%
Rape (Section 376 IPC)	India	True but no clue	1,012	1,093	1,127	987	1,355	1,921
		Total charge-sheeted	28,750	28,469	24,848	23,693	26,164	26,508
		TBNC as % charge-sheeted	3.52%	3.84%	4.54%	4.17%	5.18%	7.25%
	SC	True but no clue	50	48	52	44	45	70
		Total charge-sheeted	2358	2546	2896	2959	3504	3754
		TBNC as % charge-sheeted	2.12%	1.89%	1.80%	1.49%	1.28%	1.86%
	ST	True but no clue	3	3	4	3	3	5
		Total charge-sheeted	1027	947	1035	1041	1244	1275
		TBNC as % charge-sheeted	0.29%	0.32%	0.39%	0.29%	0.24%	0.39%
Attempt to Commit Rape (Section 376/511 IPC)	India	True but no clue	322	369	336	250	330	359
		Total charge-sheeted	7,038	6,652	6,287	6,109	6,209	6,161
		TBNC as % charge-sheeted	4.58%	5.55%	5.34%	4.09%	5.31%	5.83%
	SC	True but no clue	2	9	5	2	0	2
		Total charge-sheeted	81	93	79	57	57	51
		TBNC as % charge-sheeted	2.47%	9.68%	6.33%	3.51%	0.00%	3.92%
	ST	True but no clue	0	1	0	0	0	1
		Total charge-sheeted	15	13	13	18	8	12
		TBNC as % charge-sheeted	0.00%	7.69%	0.00%	0.00%	0.00%	8.33%
Assault on Women with Intent to Outrage her Modesty (Section 354 IPC)	India	True but no clue	3449	4721	4615	3848	4121	4174
		Total charge-sheeted	74056	75101	73334	73610	77168	71630
		TBNC as % charge-sheeted	4.66%	6.29%	6.29%	5.23%	5.34%	5.83%
	SC	True but no clue	72	109	92	74	96	95
		Total charge-sheeted	2514	2557	2634	2674	3145	3341
		TBNC as % charge-sheeted	2.86%	4.26%	3.49%	2.77%	3.05%	2.84%
	ST	True but no clue	4	5	7	3	6	7
		Total charge-sheeted	830	807	717	795	774	853
		TBNC as % charge-sheeted	0.48%	0.62%	0.98%	0.38%	0.78%	0.82%



Table 68: CAW Police disposal: True but no clue (total, SCs, STs) (2017 to 2022)

Crime	Community	Police disposal	2017	2018	2019	2020	2021	2022
Insult to the Modesty of Women (Section 509 IPC).	India	TBNC	396	382	407	306	434	475
		TCS	6089	6108	5840	5599	6780	7621
		TBNC as % TCS	6.50%	6.25%	6.97%	5.47%	6.40%	6.23%
	SC	TBNC	2	0	1	0	7	7
		TCS	41	62	80	122	117	156
		TBNC as % TCS	4.88%	0.00%	1.25%	0.00%	5.98%	4.49%
	ST	TBNC	0	0	0	0	2	1
		TCS	11	15	14	20	25	41
		TBNC as % TCS	0.00%	0.00%	0.00%	0.00%	8.00%	2.44%
Dowry murder	India	TBNC	322	369	336	250	330	359
		TCS	7,038	6,652	6,287	6,109	6,209	6,161
		TBNC as % TCS	4.58%	5.55%	5.34%	4.09%	5.31%	5.83%
Cruelty by Husband or his relatives	India	TBNC	5,705	6,476	6,926	5,489	6,860	7,198
		TCS	91,048	82,837	96,512	96,153	114,304	123,297
		TBNC as % TCS	6.27%	7.82%	7.18%	5.71%	6.00%	5.84%
Dowry Prohibition Act, 1961	India	TBNC	562	1,216	1,418	703	1,086	958
		TCS	7,654	9,598	9,683	8,604	10,703	12,547
		TBNC as % TCS	7.34%	12.67%	14.64%	8.17%	10.15%	7.64%
Protection of Women from Domestic Violence Act, 2005	India	TBNC	7	1	2	1	0	17
		TCS	7,654	9,598	9,683	8,604	10,703	12,547
		TBNC as % TCS	0.09%	0.01%	0.02%	0.01%	0.00%	0.14%
True but no clue: Total IPC crime against women			21,482	26,643	26,135	20,738	28,347	29,525
True but no clue: Total SLL crime against women			1,406	2,250	2,988	2,225	2,514	3,378
True but no clue: Total crime against women			22,888	28,893	29,123	22,963	30,861	32,903
Total Charge–sheeted			281,578	282,978	296,846	291,303	332,083	351,183
True but no clue as percentage of charge–sheeted			8.13%	10.21%	9.81%	7.88%	9.29%	9.37%
Rape (Section 376 IPC). Attempt to Commit Rape (Section 376/511 IPC). Assault: Assault on Women with Intent to Outrage her Modesty (Section 354 IPC). Insult: Insult to the Modesty of Women (Section 509 IPC). TBNC: True but no clue: Cases True but Insufficient Evidence or Untraced or No Clue. TCS: Total Charge–sheeted. Source: CII, Chapter 3, table 3A.5 Cases True but Insufficient Evidence or Untraced or No Clue.								





Table 69: Rape and murder: Recording to conviction (2012 to 2022)

Year	Murder				Rape				Murder: Rape ratios		
	Registered	Charge-sheated	Court disposed	Conviction rate	Registered	Charge-sheated	Court disposed	Conviction rate	Charge-sheet	Court disposal	Difference in conviction
2012	34,434	28,871	21,653	35.6	24,923	21,565	14,717	24.2	133.88%	147.13%	11.4
2013	33,201	27,040	21,283	36.5	33,707	28,755	18,833	27.1	94.04%	113.01%	09.4
2014	33,981	28,447	19,521	39.1	36,735	30,840	17,649	28.0	92.24%	110.61%	11.1
2015	32,127	28,632	19,642	39.5	34,651	30,001	18,764	29.3	95.44%	104.68%	10.2
2016	30,450	27,538	17,905	38.5	38,947	33,628	18,792	25.5	81.89%	95.28%	13.0
2017	28,653	25,995	19,582	43.1	32,559	28,750	18,333	32.2	90.42%	106.81%	10.9
2018	29,017	25,430	18,485	41.4	33,356	28,469	17,685	27.2	89.33%	104.52%	14.2
2019	28,918	23,563	17,062	41.9	32,033	24,848	17,109	27.8	94.83%	99.73%	14.1
2020	29,193	24,015	10,492	44.1	28,046	23,693	9,898	39.3	101.36%	106.00%	4.8
2021	29,272	26,382	10,416	42.4	31,677	26,164	12,120	28.6	100.83%	85.94%	13.8
2022	28,522	25,658	16,337	43.8	31,516	26,508	19,800	27.4	96.79%	82.51%	16.4

Table 70: The scheduled communities: Proportion to total population (1992 to 2022)

Year	% SCs	% STs
1992–2000	16.48%	8.08%
2001–2010	16.20%	8.20%
2011–2022	16.63%	8.63%



Table 71: Inter-community rape: Vulnerability (1992 to 2022)

Year	Total Cases	Scheduled Castes			Scheduled Tribes		
		Cases	% Rape	Vulnerability	Cases	% Rape	Vulnerability
[1]	[2]	[3]	[4]=[3]÷[2]	[5]	[6]	[7]=[6]÷[2]	[8]
1992	11,112	849	7.64%	46.36%	334	3.01%	37.20%
1993	11,242	797	7.09%	43.01%	346	3.08%	38.09%
1994	12,351	992	8.03%	48.73%	385	3.12%	38.58%
1995	13,754	873	6.35%	38.51%	369	2.68%	33.20%
1996	14,846	949	6.39%	38.78%	314	2.12%	26.18%
1997	15,330	1,037	6.76%	41.04%	315	2.05%	25.43%
1998	15,031	923	6.14%	37.26%	331	2.20%	27.25%
1999	15,468	1,000	6.46%	39.22%	384	2.48%	30.72%
2000	16,496	1,083	6.57%	39.83%	403	2.44%	30.24%
2001	16,075	1,316	8.19%	50.53%	573	3.56%	43.48%
2002	16,373	1,331	8.13%	50.18%	597	3.65%	44.48%
2003	15,847	1,089	6.87%	42.42%	551	3.48%	42.41%
2004	18,233	1,157	6.35%	39.17%	566	3.10%	37.87%
2005	18,359	1,172	6.38%	39.41%	640	3.49%	42.52%
2006	19,348	1,217	6.29%	38.83%	699	3.61%	44.07%
2007	20,737	1,349	6.51%	40.16%	627	3.02%	36.88%
2008	21,467	1,453	6.77%	41.78%	585	2.73%	33.24%
2009	21,397	1,350	6.31%	38.95%	589	2.75%	33.58%
2010	22,172	1,350	6.09%	37.58%	640	2.89%	35.21%
2011	24,206	1,557	6.43%	38.68%	772	3.19%	36.94%
2012	24,923	1,576	6.32%	38.02%	729	2.93%	33.88%
2013	33,707	2,073	6.15%	36.98%	847	2.51%	29.10%
2014	36,735	2,233	6.08%	36.55%	925	2.52%	29.16%
2015	34,651	2,326	6.71%	40.36%	952	2.75%	31.82%
2016	38,947	2,541	6.52%	39.23%	974	2.50%	28.96%
2017	32,559	2,714	8.34%	50.12%	1,041	3.20%	37.03%
2018	33,356	2,936	8.80%	52.93%	1,008	3.02%	35.00%
2019	32,033	3,486	10.88%	65.43%	1,110	3.47%	40.13%
2020	28,046	3,372	12.02%	72.29%	1,137	4.05%	46.95%
2021	31,677	3,870	12.22%	73.46%	1,324	4.18%	48.41%
2022	31,516	4,241	13.46%	80.92%	1,347	4.27%	49.53%

Columns 5 and 8 are calculated based on the prevalence [4] and the latest contemporary percentage population as revealed in the decennial census of India given in table 70: *The scheduled communities: Proportion to total population (1992 to 2022)*.



Table 72: Some are more equal: Recording (2014 to 2022)

Year	Rape			Attempt to commit rape			Assault			Insult		
	SC	ST	India	SC	ST	India	SC	ST	India	SC	ST	India
2014	2,233	925	36,735	87	24	4,234	2,346	863	82,235	56	16	9,735
2015	2,326	952	34,651	74	15	4,437	2,800	818	82,422	56	12	8,685
2016	2,541	974	38,947	148	13	5,729	3,172	835	84,746	81	31	7,305
2017	2,714	1,041	32,559	105	22	4,154	2,903	925	86,001	71	21	7,451
2018	2,936	1,008	33,356	132	17	4,097	3,091	857	89,097	148	18	6,992
2019	3,486	1,110	32,033	124	21	3,944	3,375	880	88,367	143	24	6,939
2020	3,372	1,137	28,046	90	25	3,741	3,373	885	85,392	144	24	7,065
2021	3,870	1,324	31,677	100	25	3,800	3,764	881	89,200	157	29	7,788
2022	4,241	1,347	31,516	104	16	3,288	4,160	1,022	83,344	226	64	8,972
Total	27,719	9,818	2,99,520	964	178	37,424	28,984	7,966	7,70,804	1,082	239	70,932
Average	3,080	1,091	33,280	107	20	4,158	3,220	885	85,645	120	27	7,881
Percentage to recorded rape												
2014				3.90%	1.07%	189.61%	105.06%	38.65%	3682.71%	2.51%	0.72%	435.96%
2015				3.18%	0.64%	190.76%	120.38%	35.17%	3543.51%	2.41%	0.52%	373.39%
2016				5.82%	0.51%	225.46%	124.83%	32.86%	3335.14%	3.19%	1.22%	287.49%
2017				3.87%	0.81%	153.06%	106.96%	34.08%	3168.79%	2.62%	0.77%	274.54%
2018				4.50%	0.58%	139.54%	105.28%	29.19%	3034.64%	5.04%	0.61%	238.15%
2019				3.56%	0.60%	113.14%	96.82%	25.24%	2534.91%	4.10%	0.69%	199.05%
2020				2.67%	0.74%	110.94%	100.03%	26.25%	2532.38%	4.27%	0.71%	209.52%
2021				2.58%	0.65%	98.19%	97.26%	22.76%	2304.91%	4.06%	0.75%	201.24%
2022				2.45%	0.38%	77.53%	98.09%	24.10%	1965.20%	5.33%	1.51%	211.55%
Average				3.48%	0.64%	135.01%	104.56%	28.74%	2780.78%	3.90%	0.86%	255.90%



Table 73: Crime against women: Relative increase in pending cases (2018 to 2022)

#	State/UT	All			SC			ST		
		2018	2022	Δ 2018-22	2018	2022	Δ 2018-22	2018	2022	Δ 2018-22
1	Andhra Pradesh	34,253	59,575	73.93%	3,570	7,230	102.52%	688	1,314	90.99%
2	Arunachal	2,358	3,137	33.04%	0	2		0	0	
3	Assam	56,247	90,075	60.14%	10	21	110.00%	46	62	34.78%
4	Bihar	74,099	115,796	56.27%	39,133	58,183	48.68%	380	663	74.47%
5	Chhattisgarh	23,317	34,270	46.97%	967	1,617	67.22%	1301	2,599	99.77%
6	Goa	1,438	1,811	25.94%	21	30	42.86%	17	23	35.29%
7	Gujarat	81,138	98,357	21.22%	9,201	13,073	42.08%	2195	3,189	45.28%
8	Haryana	20,580	41,260	100.49%	1,134	3,118	174.96%	0	1	
9	Himachal	6,509	9,370	43.95%	409	788	92.67%	16	28	75.00%
10	Jharkhand	16,667	30,019	80.11%	1,656	2,571	55.25%	847	1,285	51.71%
11	Karnataka	54,224	72,455	33.62%	7,874	10,490	33.22%	1660	2,059	24.04%
12	Kerala	61,420	84,532	37.63%	2,594	4,575	76.37%	448	714	59.38%
13	Madhya Pradesh	85,063	121,682	43.05%	18,723	34,412	83.80%	7422	13,192	77.74%
14	Maharashtra	192,200	271,761	41.39%	8,910	14,668	64.62%	2640	4,183	58.45%
15	Manipur	675	1,033	53.04%	3	3	0.00%	3	3	0.00%
16	Meghalaya	2,362	3,182	34.72%	0	0		0	0	
17	Mizoram	580	825	42.24%	0	5		0	26	
18	Nagaland	151	248	64.24%	0	0		0	0	
19	Odisha	100,649	169,572	68.48%	10,015	19,051	90.22%	3983	6,613	66.03%
20	Punjab	7,582	14,989	97.69%	173	373	115.61%	2	0	-100.00%
21	Rajasthan	75,882	116,630	53.70%	13,265	21,538	62.37%	3158	5,590	77.01%
22	Sikkim	206	384	86.41%	5	3	-40.00%	2	3	50.00%
23	Tamil Nadu	18,932	28,345	49.72%	4,708	6,410	36.15%	82	170	107.32%
24	Telangana	35,894	68,332	90.37%	2,816	6,880	144.32%	795	1,977	148.68%
25	Tripura	4,106	5,143	25.26%	1	2	100.00%	0	2	
26	Uttar Pradesh	164,720	272,625	65.51%	47,359	76,556	61.65%	268	1,090	306.72%
27	Uttarakhand	6,244	13,353	113.85%	202	490	142.57%	16	36	125.00%
28	West Bengal	256,459	356,330	38.94%	521	900	72.74%	346	581	67.92%
Union territories										
29	A&N Islands	805	1,014	25.96%	0	0		26	33	26.92%
30	Chandigarh	678	930	37.17%	4	4	0.00%	0	0	
31	D&N Haveli and Daman & Diu	176	245	39.20%	3	1	-66.67%	16	14	-12.50%
32	Delhi	51,369	78,777	53.36%	251	511	103.59%	11	18	63.64%
33	Jammu & Kashmir	12,219	17,784	45.54%	3	12	300.00%	0	1	
34	Ladakh		37			0			0	
35	Lakshadweep	31	79	154.84%	0	0		0	0	
36	Puducherry	540	812	50.37%	50	72	44.00%	0	0	
	Total UTs	65,818	99,678	51.44%	311	600	92.93%	53	66	24.53%
	Total states	1,383,955	2,085,091	50.66%	173,270	282,989	63.32%	26315	45,403	72.54%
	Total India	1,449,773	2,184,769	50.70%	173,581	283,589	63.38%	26,368	45,469	72.44%



Table 74: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record

#	Crime Head	Pending Trial from 2021	Cases Sentin 2022	Courts Disposed	Pending End 2022	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6÷5]	[10]
11	Buying of Minor Girls	49	3	0	52	-	100.0	100	1
8.6	Importation of Girls from Foreign Country	198	1	0	199	-	100.0	100	1
10	Selling of Minor Girls	570	7	6	571	33.3	99.0	95	3
17.4	Seducing or soliciting for purpose of prostitution	897	39	11	925	45.5	98.8	84	4
8.3	Kidnapping for Ransom	613	50	8	655	37.5	98.8	82	5
21	Indecent Representation of Women (Prohibition) Act	519	19	7	531	14.3	98.7	76	6
4	Miscarriage	622	117	12	727	18.2	98.4	61	7
17.2	Detaining a person in premises where prostitution is carried on	753	166	16	903	56.3	98.3	56	8
8.2	Kidnapping and Abduction in order to Murder	726	35	14	747	42.9	98.2	53	9
18.0	Protection of Women from Domestic Violence Act	2,636	436	61	3,011	18.0	98.0	49	10
19.1	Cyber Publishing or Transmitting of Sexually Explicit Material	2,409	1,230	92	3,547	39.5	97.5	39	11
19.0	Cyber Crimes/Information Technology Act	3,023	1,423	114	4,332	36.0	97.4	38	12
19.2	Other Women Centric Cyber Crimes	614	193	22	785	21.1	97.3	36	13
17.3	Prostitution in or in the vicinity of public places	1,218	117	39	1,296	27.0	97.1	33	14
20.5	POCSO Act Sections 17,18,19	4,184	576	144	4,616	32.6	97.0	32	15
13.4	Attempt to Commit Rape: ST women and girls	87	12	3	96	0.0	97.0	32	16
8.7	Kidnapping and Abduction of Women Others	23,368	3,815	851	26,332	16.6	96.9	31	17
15.2	Insult: Girls	1,099	51	37	1,113	44.1	96.8	30	18
20.4	POCSO Act Section 14 & 15	2,796	566	112	3,250	24.3	96.7	29	19
19.3	Cyber Stalking/Bullying of Women/Children	2,151	841	107	2,885	23.6	96.4	27	20
13.3	Attempt to Commit Rape: SC women and girls	423	51	18	456	44.4	96.2	25	21
8.42	K&A for marriage: Girls	46,262	7,608	2,224	51,646	29.1	95.9	23	22
8.1	Kidnapping and Abduction	60,002	13,869	3,143	70,728	24.9	95.7	23	23
6	Attempt to Acid Attack	169	35	9	195	33.3	95.6	22	24
8	Kidnapping and Abduction of Women	207,598	33,847	10,845	230,600	32.9	95.5	21	25
17	Immoral Traffic (Prevention) Act	9,487	880	474	9,893	31.2	95.4	21	26
8.4	Kidnapping and Abduction of Women to compel her for marriage	114,793	15,006	5,991	123,808	41.9	95.4	21	27
13.1	Attempt to Commit Rape: Women	17,084	2,331	906	18,509	19.7	95.3	20	28
13	Attempt to Commit Rape	18,433	2,419	978	19,874	20.1	95.3	20	29
1	Murder with Rape/Gang Rape	1,093	240	64	1,269	69.4	95.2	20	30
5	Acid Attack	585	97	33	649	53.1	95.2	20	31
9	Human Trafficking	3,410	760	203	3,967	22.2	95.1	20	32
20.6	POCSO Act r/w Section 377 IPC	260	26	14	272	21.4	95.1	19	33
17.1	Procuring, inducing Children for the sake of prostitution	2,904	211	153	2,962	12.7	95.1	19	34
8.41	K&A for marriage: Women	68,531	7,398	3,767	72,162	49.4	95.0	19	35
13.2	Attempt to Commit Rape: Girls	1,349	88	72	1,365	25.0	95.0	19	36
12.12	Rape: ST Women	4,452	751	299	4,904	32.0	94.3	16	37
14.11	Assault: SC Women	12,791	2,679	918	14,552	30.1	94.1	16	38
14.22	Assault: ST Girls	454	158	37	575	30.6	94.0	16	39
14.2	Assault: Girls	20,967	2,273	1,409	21,831	41.3	93.9	15	40



Table 74: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record

#	Crime Head	Pending Trial from 2021	Cases Sentin 2022	Courts Disposed	Pending End 2022	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6÷5]	[10]
2	Dowry murder	54,416	6,161	3,718	56,859	33.4	93.9	15	41
14.12	Assault: ST Women	3,867	695	280	4,282	22.3	93.9	15	42
17.5	Other Sections under ITP Act	3,715	347	255	3,807	40.7	93.7	15	43
15.4	Insult to the Modesty of ST Women	102	41	10	133	0.0	93.0	13	44
14	Assault on Women with Intent to Outrage her Modesty	476,724	71,630	38,424	509,930	25.6	93.0	13	45
14.1	Assault: Women	455,757	69,357	37,015	488,099	25.0	93.0	13	46
12.11	Rape: SC Women	12,316	2,346	1,074	13,588	41.5	92.7	13	47
12.2	Rape: Girls	25,312	1,293	2,022	24,583	45.5	92.4	12	48
7	Cruelty by Husband or his relatives	729,301	123,297	65,923	786,675	17.7	92.3	12	49
16	Dowry Prohibition Act	62,755	12,547	5,868	69,434	35.8	92.2	12	50
3	Abetment to Suicide of Women	24,574	4,561	2,308	26,827	17.5	92.1	12	51
14.21	Assault: SC Girls	1,568	662	181	2,049	36.7	91.9	11	52
12.21	Rape: SC Girls	4,125	1,408	453	5,080	33.3	91.8	11	53
15	Insult to the Modesty of Women	44,492	7,621	4,670	47,443	18.5	91.0	10	54
15.1	Insult: Women	43,393	7,570	4,633	46,330	18.2	90.9	10	55
12.22	Rape: ST Girls	1,967	524	232	2,259	43.5	90.7	10	56
8.5	Procurator of Minor Girls	7,898	1,071	838	8,131	14.1	90.7	10	57
12	Rape	171,777	26,508	19,800	178,485	27.4	90.0	9	58
20.2	POCSO Act Section 8 & 10	68,856	18,325	8,884	78,297	33.9	89.8	9	59
12.1	Rape: Women	146,465	25,215	17,778	153,902	25.2	89.6	9	60
20.3	POCSO Act Section 12	6,443	2,399	924	7,918	19.9	89.5	9	61
20	Protection of Children from Sexual Offences Act	203,186	58,575	28,316	233,445	31.7	89.2	8	62
20.1	POCSO Act Section 4 & 6	120,647	36,683	18,238	139,092	31.3	88.4	8	63
15.3	Insult to the Modesty of SC Women	435	156	69	522	4.3	88.3	8	64
	Total SLL Crimes against Women	281,606	73,880	34,840	320,646	32.3	90.2	9	
	Total IPC Crimes against Women	1,733,813	277,303	146,993	1,864,123	23.3	92.7	13	
	Total Crime against Women	2,015,419	351,183	181,833	2,184,769	25.3	92.3	12	

Data provided by States/UTs # Clarifications are pending from Nagaland.
 Base table 3A.7 Court Disposal of Crime against Women (Crime Head-wise)-2022 | Serial numbers based on table 3A.7.
 Ranking based on the number of years it would take for the backlog to be cleared, i.e., the longest duration ranks 1.





Table 74 TN: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record

#	Crime Head	Pending Trial from 2021	Cases Sent in 2022	Courts Disposed	Pending End 2022	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6+5]	[10]
17.4	Seducing or soliciting for purpose of prostitution	35	9	0	44	-	100.00	∞	1
20.6	POCSO Act r/w Section 377 IPC	38	0	0	38	-	100.00	∞	2
1	Murder with Rape/Gang Rape	18	6	0	24	-	100.00	∞	3
19.2	Other Women Centric Cyber Crimes	14	7	0	21	-	100.00	∞	4
12.2B	Rape: ST Girls	11	8	0	19	-	100.00	∞	5
13A	Attempt to Commit Rape: SC (women+girl)	15	0	0	15	-	100.00	∞	6
8.3	Kidnapping for Ransom	10	3	0	13	-	100.00	∞	7
12.1B	Rape: ST Women	9	3	0	12	-	100.00	∞	8
5	Acid Attack	9	1	0	10	-	100.00	∞	9
18	Protection of Women from Domestic Violence Act	3	6	0	9	-	100.00	∞	10
14.2B	Assault: ST Girls	2	4	0	6	-	100.00	∞	11
12.2	Rape: Girls	3	2	0	5	-	100.00	∞	12
4	Miscarriage	1	0	0	1	-	100.00	∞	13
6	Attempt to Acid Attack	1	0	0	1	-	100.00	∞	14
19.3	Cyber Stalking/Bullying of Women/Children	6	10	0	16	-	100.00	∞	15
9	Human Trafficking	45	3	1	47	0.00	97.90	47	16
15	Insult to the Modesty of Women	428	28	11	445	36.40	97.60	40	17
15.1	Insult: Women	428	28	11	445	36.40	97.60	40	18
20.5	POCSO Act Section 17,18,19	222	15	6	231	0.00	97.50	39	19
14.1A	Assault: SC Women	89	25	3	111	33.30	97.40	37	20
17.1	Procuring, inducing Children for the sake of prostitution	413	52	17	448	47.10	96.30	26	21
19	Cyber Crimes/Information Technology Act	78	56	8	126	25.00	94.00	16	22
17.3	Prostitution in or in the vicinity of public places	45	2	3	44	66.70	93.60	15	23
19.1	Cyber Publishing or Transmitting of Sexually Explicit Material	64	49	8	105	25.00	92.90	13	24
8.4A	K&A for marriage: Women	822	129	75	876	6.80	92.10	12	25
8.4	Kidnapping and Abduction of Women to compel her for marriage	1,031	172	98	1,105	7.30	91.90	11	26
17	Immoral Traffic (Prevention) Act	904	190	91	1,003	60.90	91.70	11	27
12.2A	Rape: SC Girls	205	105	26	284	20.00	91.60	11	28
14.2A	Assault: SC Girls	47	36	7	76	0.00	91.60	11	29
20.4	POCSO Act Section 14 & 15	63	31	8	86	50.00	91.50	11	30
3	Abetment to Suicide of Women	537	151	61	627	13.80	91.10	10	31
8.5	Procurator of Minor Girls	108	15	11	112	0.00	91.10	10	32
21	Indecent Representation of Women (Prohibition) Act	10	1	1	10	0.00	90.90	10	33
8.4B	K&A for marriage: Girls	209	43	23	229	8.70	90.90	10	34
2	Dowry Deaths	386	25	38	373	16.20	90.80	10	35
17.2	Detaining a person in premises where prostitution is carried on	73	22	9	86	88.90	90.50	10	36
12.1A	Rape: SC Women	186	42	22	206	10.00	90.40	9	37
8	Kidnapping and Abduction of Women	1,589	227	176	1,640	7.10	90.30	9	38



Table 74 TN: Estimated years to clear charge-sheeted crime against women and girls based on the 2022 disposal record

#	Crime Head	Pending Trial from 2021	Cases Sent in 2022	Courts Disposed	Pending End 2022	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6+5]	[10]
8.1	Kidnapping and Abduction	253	25	27	251	12.00	90.30	9	39
12	Rape	1,993	394	294	2,093	19.70	87.70	7	40
12.1	Rape: Women	1,990	392	294	2,088	19.70	87.70	7	41
14.1	Assault: Women	3,896	1,015	649	4,262	9.00	86.80	7	42
14	Assault on Women with Intent to Outrage her Modesty	3,911	1,017	652	4,276	8.90	86.80	7	43
20.2	POCSO Act Section 8 & 10	1,567	883	342	2,108	26.60	86.00	6	44
17.5	Other Sections under ITP Act	338	105	62	381	60.30	86.00	6	45
16	Dowry Prohibition Act	879	197	153	923	1.40	85.80	6	46
13	Attempt to Commit Rape	65	20	13	72	7.70	84.70	6	47
13.1	Attempt to Commit Rape: Women	65	20	13	72	7.70	84.70	6	48
20	Protection of Children from Sexual Offences Act	9,441	4,894	2,303	12,032	26.70	83.90	5	49
20.1	POCSO Act Section 4 & 6	7,119	3,651	1,792	8,978	27.20	83.40	5	50
14.2	Assault: Girls	15	2	3	14	0.00	82.40	5	51
7	Cruelty by Husband or his relatives	4,993	666	1,026	4,633	9.20	81.90	5	52
8.7	Kidnapping and Abduction of Women - Others	187	12	40	159	5.10	79.90	4	53
20.3	POCSO Act Section 12	432	314	155	591	21.10	79.20	4	54
14.1B	Assault: ST Women	2	3	2	3	0.00	60.00	2	55
8.2	Kidnapping and Abduction in order to Murder	0	0	0	0	-	-	-	-
8.6	Importation of Girls from Foreign Country	0	0	0	0	-	-	-	-
10	Selling of Minor Girls	0	0	0	0	-	-	-	-
11	Buying of Minor Girls	0	0	0	0	-	-	-	-
13B	Attempt to Commit Rape: ST (women+girl)	0	0	0	0	-	-	-	-
13.2	Attempt to Commit Rape: Girls	0	0	0	0	-	-	-	-
15A	Insult to the Modesty of SC Women	0	0	0	0	-	-	-	-
15B	Insult to the Modesty of ST Women	0	0	0	0	-	-	-	-
15.2	Insult: Girls	0	0	0	0	-	-	-	-
	Total IPC Crimes against Women	13,976	2,538	2,272	14,242	10.70	86.20	6	
	Total SLL Crimes against Women	11,315	5,344	2,556	14,103	26.50	84.70	6	
	Total Crime against Women	25,291	7,882	4,828	28,345	19.10	85.40	6	



Table 74 KA: Estimated years to clear charge-sheeted crime against women and girls based on the 2023 disposal record

#	Crime Head	Pending Trial from 2022	Cases Sent in 2023	Courts Disposed	Pending End 2023	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6+5]	[10]
14.2B	Assault: ST Girls	10	16	0	26	-	100.0	∞	1
5	Acid Attack	17	0	0	17	-	100.0	∞	2
15A	Insult to the Modesty of SC Women	7	8	0	15	-	100.0	∞	3
20.6	POCSO Act r/w Section 377 IPC	9	2	0	11	-	100.0	∞	4
19.2	Other Women Centric Cyber Crimes	8	0	0	8	-	100.0	∞	5
13A	Attempt to Commit Rape: SC (women+girl)	7	1	0	8	-	100.0	∞	6
15.2	Insult: Girls	5	0	0	5	-	100.0	∞	7
15B	Insult to the Modesty of ST Women	2	2	0	4	-	100.0	∞	8
19.3	Cyber Stalking/Bullying of Women/Children	3	1	0	4	-	100.0	∞	9
12.2	Rape: Girls	3	0	0	3	-	100.0	∞	10
8.2	Kidnapping and Abduction in order to Murder	0	2	0	2	-	100.0	∞	11
13.2	Attempt to Commit Rape: Girls	1	1	0	2	-	100.0	∞	12
10	Selling of Minor Girls	1	0	0	1	-	100.0	∞	13
8.7	Kidnapping and Abduction of Women- Others	395	11	2	404	0.0	99.5	202	14
17.4	Seducing or soliciting for purpose of prostitution	120	4	3	121	0.0	97.6	40	15
8.3	Kidnapping for Ransom	30	4	1	33	0.0	97.1	33	16
17.1	Procuring, inducing Children for the sake of prostitution	591	81	24	648	0.0	96.4	27	17
14.2A	Assault: SC Girls	63	20	3	80	0.0	96.4	27	18
14.1A	Assault: SC Women	782	222	38	966	5.4	96.2	25	19
1	Murder with Rape/Gang Rape	66	6	3	69	100.0	95.8	23	20
20.5	POCSO Act Section 17,18,19	412	22	20	414	0.0	95.4	21	21
12.1A	Rape: SC Women	460	68	25	503	8.0	95.3	20	22
17.2	Detaining a person in premises where prostitution is carried on	406	75	23	458	9.5	95.2	20	23
8.5	Procuration of Minor Girls	139	4	7	136	0.0	95.1	19	24
19	Cyber Crimes/Information Technology Act	149	176	16	309	66.7	95.1	19	25
19.1	Publishing or Transmitting of Sexually Explicit Material	141	176	16	301	66.7	95.0	19	26
3	Abetment to Suicide of Women	1,389	280	97	1,572	2.2	94.2	16	27
17.3	Prostitution in or in the vicinity of public places	264	28	17	275	0.0	94.2	16	28
13	Attempt to Commit Rape	60	8	4	64	25.0	94.1	16	29
13.1	Attempt to Commit Rape: Women	59	7	4	62	25.0	93.9	16	30
17	Immoral Traffic (Prevention) Act	1,998	246	138	2,106	3.0	93.9	15	31
14.1B	Assault: ST Women	199	62	17	244	5.9	93.5	14	32
15	Insult to the Modesty of Women	631	106	53	684	10.5	92.8	13	33
15.1	Insult: Women	626	106	53	679	10.5	92.8	13	34
12.2A	Rape: SC Girls	411	140	40	511	20.0	92.7	13	35
12.1B	Rape: ST Women	96	12	9	99	0.0	91.7	11	36
20.4	POCSO Act Section 14 & 15	103	25	12	116	25.0	90.6	10	37
16	Dowry Prohibition Act	9,561	2,113	1,114	10,560	0.9	90.5	9	38
8	Kidnapping and Abduction of Women	1,611	117	170	1,558	2.4	90.2	9	39
17.5	Other Sections under ITP Act	617	58	71	604	2.9	89.5	9	40



Table 74 KA: Estimated years to clear charge-sheeted crime against women and girls based on the 2023 disposal record

#	Crime Head	Pending Trial from 2022	Cases Sent in 2023	Courts Disposed	Pending End 2023	Conviction Rate	Pendency Percentage	Estimated years	Rank
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9=6+5]	[10]
4	Miscarriage	14	5	2	17	0.0	89.5	9	41
9.0	Human Trafficking	71	11	9	73	11.1	89.0	8	42
20.3	POCSO Act Section 12	644	207	94	757	10.6	89.0	8	43
8.4B	K&A for marriage: Girls	66	6	8	64	0.0	88.9	8	44
8.1	Kidnapping and Abduction	731	77	92	716	4.4	88.6	8	45
12.2B	Rape: ST Girls	77	41	16	102	6.7	86.4	6	46
20.2	POCSO Act Section 8 & 10	1,867	498	332	2,033	8.5	86.0	6	47
2	Dowry Deaths	1,496	159	245	1,410	2.5	85.2	6	48
21	Indecent Representation of Women (Prohibition) Act	5	1	1	5	0.0	83.3	5	49
14.1	Assault: Women	27,712	6,608	5,758	28,562	1.4	83.2	5	50
14	Assault on Women with Intent to Outrage her Modesty	27,722	6,609	5,760	28,571	1.4	83.2	5	51
20	Protection of Children from Sexual Offences Act	10,841	3,691	2,537	11,995	9.7	82.5	5	52
7	Cruelty by Husband or his relatives	13,426	2,774	2,830	13,370	1.3	82.5	5	53
14.2	Assault: Girls	10	1	2	9	0.0	81.8	5	54
20.1	POCSO Act Section 4 & 6	7,806	2,937	2,079	8,664	9.9	80.6	4	55
12	Rape	3,393	585	773	3,205	3.6	80.6	4	56
12.1	Rape: Women	3,390	585	773	3,202	3.6	80.6	4	57
6	Attempt to Acid Attack	4	1	1	4	0.0	80.0	4	58
8.4	Kidnapping and Abduction of Women to compel her for marriage	316	19	68	267	0.0	79.7	4	59
8.4A	K&A for marriage: Women	250	13	60	203	0.0	77.2	3	60
13B	Attempt to Commit Rape: ST (women+girl)	1	0	1	0	0.0	0.0	0	61
8.6	Importation of Girls from Foreign Country	0	0	0	0	-	-	-	-
11	Buying of Minor Girls	0	0	0	0	-	-	-	-
18	Protection of Women from Domestic Violence Act	0	0	0	0	-	-	-	-
	Total IPC Crimes against Women	49,901	10,661	9,947	50,615	1.7	83.6	5	
	Total SLL Crimes against Women	22,554	6,227	3,806	24,975	7.3	86.8	7	
	Total Crime against Women	72,455	16,888	13,753	75,590	3.2	84.6	5	





Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
1948	Legislation	The Employees State Insurance Act, 1948, provided maternity benefits to employed women.	Though Crime In India (CII) mentions this Act as a significant legislation for women's rights, the CII reports exclude labour law violations, focusing only on cognisable crimes under the Indian Penal Code (IPC) and Special and Local Laws (SLL) due to differing investigative and judicial processes.
1951	Legislation	The Plantation Labour Act, 1951, introduced creches for working women and prohibited night work.	Encouraged participation of women in the workforce by ensuring their children are being taken care of. This is not tracked in the CII reports.
1953	Data	The first CII report categorised crime under six major heads, including cattle theft but excluding rape, murder, kidnapping and abduction, dacoity, robbery, house-breaking, and theft.	CII-1953, published in December 1954, consolidated crime data at the national level. Theft was one of the major heads, subdivided into ordinary theft and cattle theft. Crime against women was not a major or disaggregated data point.
1954	Legislation	The Family Courts Act, 1954 set up separate courts to settle marriage and family disputes.	Being a part of a wave of legal reforms for women, it established dedicated family courts.
1954	Legislation	The Special Marriage Act, 1954 recognised the right to marry someone of the opposite sex of their own choice, irrespective of caste and religion, and ensured property and inheritance rights.	Despite the provisions murder due to marriages of choice (often due to inter-caste choice, but even within social boundaries) continues. Data on these murders has been published only since 2014. Gendered data is not disclosed, obscuring the extent to which women are targeted.
1955	Legislation	The Hindu Marriage Act, 1955, set 18 as the minimum age for marriage of Hindu women and includes provisions for divorce, child custody, and alimony.	The Act emerged after the defeat of the Hindu Code Bills, which sought to reform polygamy, endogamy, caste discrimination, and patriarchal inheritance laws to modernise Hindu society.
1956	Legislation	The Suppression of Immoral Traffic in Women and Girls Act, 1956.	<ul style="list-style-type: none"> This Act was passed pursuant to India's obligation under Article 35 of the International Convention for the Suppression of Immoral Traffic in Persons and the Exploitation of the Prostitution of others which India ratified in 1950. Under Article 23 of the Convention, traffic in human beings is prohibited and any contravention of the prohibition is an offence punishable by law. Cases of trafficking and abduction of women and girls were recorded under IPC sections earlier, but data under the law first appeared in CII-1968, with data from 1966.
1956	Legislation	The Hindu Succession Act, 1956 granted daughters equal rights in the self-acquired property of the parents but denied them coparcenary rights.	The complex definitions of inheritance, based on religion, family ties (agnates, cognates), or related by blood (full, half, or uterine), diluted its purpose.



Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
1958	Data	Data on juvenile perpetrators of rape included in CII, mentions ' <i>apprehended for rape and unnatural offences</i> , with gender and age disaggregated data.	The CII report had gendered data on the juvenile perpetrators - recognising that girls also can be perpetrators of rape. This 'de-stereotyping' is ahead of its time, but the data has not influenced policy, practice, or public perception across institutions.
1961	Legislation	The Dowry Prohibition Act, 1961 prohibits the giving or taking of dowry and protects married women from cruelty and violence.	NCRB started recording dowry related crimes under this Act from 1988 (27 years late). Dowry Deaths included as a specific crime head in CII-1989.
1961	Legislation	The Maternity Benefit Act, 1961.	A pan-Indian law for the welfare of women mentioned in CII, though no data on violation is published in the CII reports.
1971	Data	Rape became a major crime head.	CII added data on Rape (Section 376 IPC) with age disaggregation of victims (below 16, 16 to 30, and above 30).
1971	Data	Disaggregation of murder motives in CII reports. One of the subcategories is sexual causes, but it is not gendered.	Introduced nuanced data tracking on murder, which is helpful to identify the triggers and thus in designing preventive measures.
1971	Data	Disaggregation of murder motives in CII reports. One of the subcategories is sexual causes, but it is not gendered.	Introduced nuanced data tracking on murder, which is helpful to identify the triggers and thus in designing preventive measures.
1971	Legislation	The Medical Termination of Pregnancy Act, 1971 grants women a qualified right to abortion but fails to uphold bodily autonomy.	The Supreme Court of India in K S Puttaswamy vs Union of India, 2018 upheld the right to choose whether to have children as a fundamental right under Article 21 of the Indian Constitution.
1972	Incident	Mathura, a minor, orphan, tribal girl, was raped in a police station in Maharashtra on 26 March.	CII-1971, published in 1974, included data on rape and rape victims for the first time. However, the Supreme Court of India acquitted the policemen in 1983.
1973	Event	All women police stations were started with the first one being inaugurated by then prime minister Indira Gandhi in Kozhikode, Kerala on 23 October 1973.	All Women's Police Stations (AWPS) enabled more women victims to report violence against them, including violence within the family, especially by the husband towards the wife which was earlier dismissed as a private matter. AWPS is one of the reasons that led to increased documentation of crimes against women.
1976	Legislation	The Contract Labour (Regulation and Abolition) Act, 1976, has provisions to ensure welfare and protection of women in contract labour.	Mentioned as a law related to crimes against women by the National Crime Records Bureau (NCRB) in CII. The data is not disclosed yet.





Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
1976	Legislation	The Equal Remuneration Act, 1976. The Act requires that employers pay men and women the same for the same or similar work.	The Act remains poorly implemented, with no NCRB CII data. UN Women reports that India's gender pay gap narrowed from 48% in 1993–94 to 28% in 2018–19. However, post-COVID, it widened by 7% as female wages fell while male wages rose.
1978	Legislation	Immoral Traffic (Prevention) Act, 1978, revised version of the Suppression of Immoral Traffic in Women and Girls Act, 1956.	This version clearly reflects the government's duty to prevent trafficking and protect vulnerable individuals.
1983	Data	Dowry deaths (Section 304B IPC) included in the NCRB statistics from CII-1988.	It took 27 years after the Dowry Prohibition Act came into force for dowry deaths to be included in the CII reports.
1983	Legislation	The Criminal Law (Amendment) Act, 1983 amended the IPC, CrPC, and the Indian Evidence Act in response to the Supreme Court's acquittal of the accused policemen in the 1972 Mathura case.	The amendment classified custodial rape as a separate crime under the IPC (Sec 376C, 376D). The burden of proof in cases of custodial rape shifted to the accused. This also introduced Section 228A, criminalising the publication of a victim's identity for rape cases.
1983	Legislation	The Criminal Law (Amendment) Act, 1983 amended the IPC, CrPC, and the Indian Evidence Act in response to the Supreme Court's acquittal of the accused policemen in the 1972 Mathura case.	The amendment classified custodial rape as a separate crime under the IPC (Sec 376C, 376D). The burden of proof in cases of custodial rape shifted to the accused. This also introduced Section 228A, criminalising the publication of a victim's identity for rape cases.
1986	Legislation	Indecent Representation of Women (Prohibition) Act, 1986.	<ul style="list-style-type: none"> Prohibits depictions of women that are sexually explicit, objectifying, or demeaning. CII started to track this from 1992.
1986	Legislation	The Factories (Amendment) Act, 1986, introduced provisions for the health, safety, welfare of women.	The Act imposed night shift restrictions and required adequate facilities for the safety of women. It's a pan-Indian law for women's welfare, though CII reports don't publish violation data.
1986	Data	The NCRB was established as a separate unit under the union ministry of home affairs.	A dedicated agency for centralised crime data compilation, to improve data consistency and granularity over time.
1987	Incident	The Roop Kanwar Sati incident led to the Commission of Sati (Prevention) Act, 1987. It remains the last known sati nationwide.	Sati – the suicide, the homicide, its abetment, or its glorification – became a specific crime head in NCRB data in 1992 until its removal in 2016. The recorded cases were for glorification, and not of the actual suicide.
1989	Legislation	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 includes specific crimes against women from scheduled communities.	Disaggregated data on rape against women from the scheduled communities was added from 1992. Recognises the intersectionality in crimes against women from marginalised communities.



Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
1992	Incident	Bhanwari Devi, a social worker with the Government of Rajasthan, was gang raped as she tried to stop a nine month old child's marriage.	Many women lawyers and women's activists filed a PIL in the Supreme Court under the collective platform, Vishaka.
1992	Data	A separate chapter on crimes against women is added to CII. The consolidated data provides an overview of the cost of patriarchy and its results in the crime against women.	<ul style="list-style-type: none"> CII started tracking: Indecent Representation of Women (Prohibition) Act, 1986. Molestation (Section 354 IPC) [data from 1989]. Sexual harassment (Section 509 IPC). Dowry Deaths. (Section 302/ 304B IPC). Cruelty by husband or his relatives (498A IPC) [data from 1989].
1994	Legislation	The Pre-Natal Diagnostic Techniques (Regulation And Prevention of Misuse) Act, 1994.	Criminalised female foeticide or, more precisely, sex-determination of the foetus using ultrasound scanning or other medical technology.
1997	Judgement	<i>Vishaka vs State of Rajasthan</i> Judgement.	Defined, and laid down guidelines for addressing, sexual harassment in the workplace. Data on workplace harassment related crimes were included from CII-2013 onwards.
1997	Judgement	<i>D.K. Basu vs State of West Bengal</i> , introduced guidelines on police procedures in law enforcement.	It prevented arbitrary arrest, and directed that women police officers should be present to arrest women, and that arrests and interrogation of women should be before 6pm.
1999	Data	Added incest and relationship data for rape offenders and victims in CII.	Enhanced understanding of familial and proximate offenders.
2000	Legislation	Information Technology Act, 2000. Several provisions protect women from online abuse, harassment, and exploitation.	Recognised cyber crimes against women. Gendered data was disclosed in CII right from the outset in 2002. However, sexist and trivialising language (eve-teasing) was used.
2000	Data	CII reclassifies kidnapping and abduction of women and girls from 'crimes against property' to 'crimes against body'.	Recognition that women and girls are persons in their own right, and not chattels of men.
2002	Data	CII reports began disclosing cybercrime against women, later expanding to cover emerging fraud in online transactions, e-commerce, and phishing.	Cases of cyberstalking, bullying, and morphing were reported separately. Data on crimes like publishing or transmitting child sexual abuse material, child pornography, were added. The report included gendered data from the outset.
2003	Data	Importation of girls from foreign countries (Section 366B IPC) added to the NCRB data.	Highlighted international trafficking issues. [data from 1999].





Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
2005	Legislation	Protection of Women from Domestic Violence Act (PWDVA), 2005.	Recognised domestic violence as a legal offense. Data added to CII in 2014.
2005	Legislation	Protection of Women from Domestic Violence Act (PWDVA), 2005.	Recognised domestic violence as a legal offense. Data added to CII in 2014.
2006	Legislation	Prohibition of Child Marriage Act, 2006, prohibits solemnization of marriages where the bride is below 18 years of age and related incidental matters.	According to a 2023 UN report, a third of the world's child brides live in India, with 23% of brides married before 18 years of age. Though it has decreased from 48% in 1995, it still needs progress.
2012	Incident	Nirbhaya Case: Gang rape and murder of a nursing student in New Delhi in a moving public transport bus.	Protests led to the Justice Verma Commission, the recommendations of which informed the Criminal Law (Amendment) Act, 2013, improving definitions of rape and crimes against women. The Nirbhaya Fund was created later to finance preventive measures against gender-based violence.
2012	Incident	POCSO: Protection of Children from Sexual Offences.	Multiple gendered data points on rape and sexual abuse of children added to CII.
2013	Legislation	The Criminal Law (Amendment) Act, 2013, expanded definitions of sexual offenses including rape; added stalking, voyeurism, and trafficking.	The definition of rape expanded to include penetration by the penis, by digit or object by a man into a woman's vagina, mouth, or anus without her consent or against her will was added to NCRB data in 2014
2013	Legislation	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Issued guidelines on constituting internal complaints committees in every government and private institution with more than 10 women. Popularly called POSH (prevention of sexual harassment) committees.	Recorded under 'Insult to the modesty of women' (Section 509 IPC) in CII-2013, with data from 2009. It was later reclassified as 'Assault on women with intent to outrage modesty' (Section 354 IPC) and included in CII-2017.
2014	Data	Data disaggregation for stalking (Section 354D IPC), voyeurism (Section 354C IPC), and attempt to rape (Section 376/511).	It enabled a more nuanced analysis of gender-specific crimes, viewing them as a process of progressive escalation from 'minor' origins to disastrous consequences, rather than isolated standalone events.
2015	Judgement	<i>Laxmi vs Union of India judgment</i> , guidelines on acid attack prevention.	<ul style="list-style-type: none"> Introduced compensation schemes and preventive measures for acid attacks. CII-2016 added acid attack and attempted acid attack (Section 326A IPC).
2016	Data	Disaggregation of human trafficking into sections 370 and 370A IPC Disaggregated acid attacks and attempted acid attack into Section 326A and 326B IPC, respectively.	Improved visibility of trafficking and acid attacks.



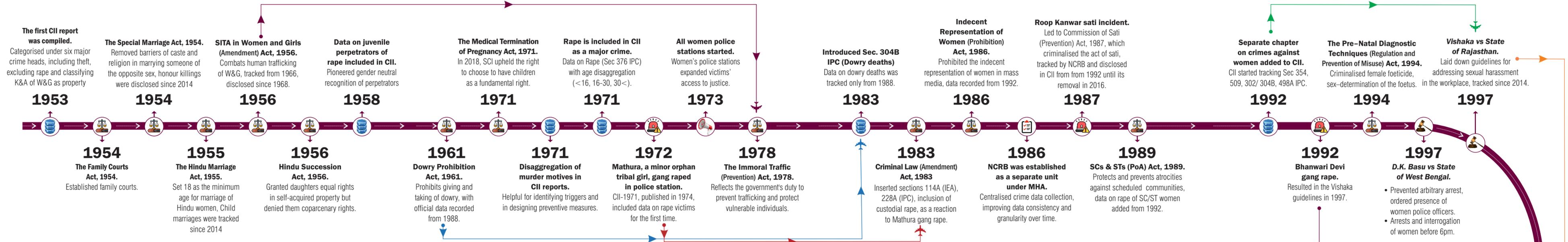
Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
2016	Legislation	Karnataka passed the Prohibition of Child Marriage (Karnataka Amendment) Act, 2016, declaring all future child marriages void ab initio,	The Act received presidential assent on 20 April 2017. The judgement on <i>Independent Thought Vs Union Of India 2017</i> , referred to this Act as a model for all states. In 2020, Haryana became the second state to apply Karnataka's legislative model.
2017	Judgement	<i>Independent Thought vs Union of India</i> quashed exception 2 to Section 375 of the IPC). Criminalised marital rape of all minors (below 18).	The judgement held that the POCSO Act, being a special Act, took precedence over the IPC exceptions, and therefore criminalised all rape, including marital rape, of children below 18 years of age. It also highlights gaps in legal protections against marital rape.
2017	Judgement	<i>In Rajesh Sharma vs State of U.P. (2017)</i> , Justices Adarsh Kumar Goel and Uday Umesh Lalit noted that many domestic violence complaints are filed impulsively over trivial issues and are often not bona fide.	Lent legitimacy to the fiction that Section 498A IPC is mostly misused by women, restricting their application and undermining its effectiveness. Despite recalling the guidelines in <i>Social Action Forum for Manav Adhikar v. Union of India, 2018</i> , its impact lingers, as seen in the 2024 rulings of the Supreme Court of India in <i>Dara Lakshmi Narayana vs Telangana</i> and <i>Rinku Baheti vs Sandesh Sharda</i> .
2017	Data	Disaggregation of rape (Section 376 IPC) into 28 data points in CII. CII also added two separate tables – Cyber Crimes against Women and Cyber Crimes against Children.	The further disaggregation of rape data (under Section 376 IPC) provided granular details of gender/age specific crimes. CII-2017 highlights the vulnerability and locations of rape.
2019	Judgement (suo moto case)	Subsequent to the order of the Supreme Court of India, 790 Fast Track Special Courts (FTSC) for rape and ePOCSO courts were sanctioned under a centrally sponsored 'Fast Track Special Courts (FTSC) Scheme'	By May 2024, there were 755 FTSCs, (including 410 ePOCSO courts) established over the country. However, by October 2024, the number dropped to 750 FTSCs (408 ePOCSO courts), with 95% cases still pending beyond the 60-day statutory limit.
2019	Legislation	The Marital Rape bill, a private member's bill was introduced in parliament by Kanimozhi, to eliminate marriage as an exemption for not being charged with rape.	It aims to amend the Criminal (Amendment) Act, 2019, with the recommendations of Justice Verma committee, Beijing declaration, and CEDAW, to recognise and include marital rape as a punishable offence.
2020	Incident	The Hathras gang rape and murder exposed the state's callousness in addressing caste-based violence against women from marginalised communities.	Demand for stricter implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 especially the investigation, rehabilitation, and official accountability components.
2021	Data	Inclusion of transpersons in NCRB gender-specific crime categories both as victims and perpetrators.	Marked a significant step towards gender inclusive crime recording.

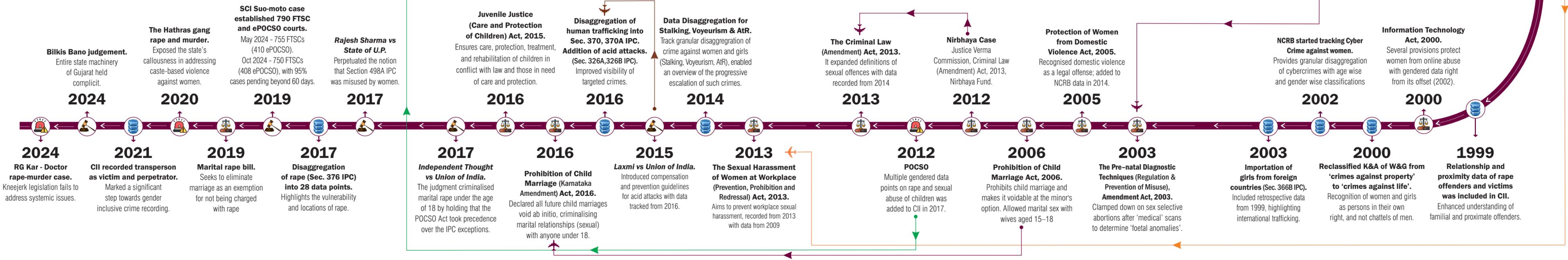


Table 75: Trend and milestones impacting crime against women and girls (1948 to 2024)

Year	Development Type	Details	Impact on Crime Data/Policy
2024	Judgement	The <i>Bilkis Yakub Rasool vs Union of India & Ors. (2024)</i> judgment on the remission of sentence for the multiple-murder and gang-rapists. The entire state machinery of Gujarat was held complicit.	The judgment quashed the remission granted to the convicts, sharply criticising the Government of Gujarat for abusing its discretion and acting 'in tandem' with the convicts.
2024	Judgement	<i>The Bilkis Yakub Rasool vs Union of India & Ors. (2024)</i> judgment on the remission of sentence for the multiple-murder and gang-rapists. The entire state machinery of Gujarat was held complicit.	The judgment quashed the remission granted to the convicts, sharply criticising the Government of Gujarat for abusing its discretion and acting 'in tandem' with the convicts.
2024	Incident	RG Kar Medical College: The rape and murder of a postgraduate trainee doctor, sparked widespread outrage	It led to a knee-jerk legislative response that failed to address the deeper systemic issues. The suspects were subsequently imposed life-time imprisonment.
2024	Legislation	West Bengal's anti-rape bill, the Aparajita Woman and Child Bill, arised out of uproar due to RG Kar medical college rape and murder case.	It has provisions for capital punishment for rape convictions resulting in the victim's death or leaving her in a vegetative state. The bill was rejected by Calcutta High Court, and is now waiting for Presidential assent.



Trends and milestones impacting crime against women and girls



Data
Event
Incident
Judgement
Legislation
Policy | Data

AtR: Attempt to rape (Sec. 376/511) **ePOCSO:** Exclusive - Protection of Children from Sexual Offences Act **IEA:** Indian Evidence Act **K&A:** Kidnapping and Abduction
CII: Crime In India **FTSC:** Fast Track Special Court **IPC:** National Crime Records Bureau **NCRB:** National Crime Records Bureau **MHA:** Ministry of Home Affairs **SCI:** Supreme Court of India
SITA: Suppression of Immoral Traffic in Women and Girls (Amendment) Act, 1978 **W&G:** Women and Girls

~ Did you know ~

- India tracked cattle theft at the national level right from the first annual Crime In India report in 1953. It took till 1971 to similarly track rape.
- Gendered data on children apprehended for rape was tracked as early as 1958 but children as victims was recorded only since 2017.
- Till 2000, kidnapping of women and girls was considered a crime against property, while kidnapping of men and boys was a crime against life.
- Though there was a law to prohibit dowry since 1961, data is published only since 1988 - after 27 years.
- Crime In India has a separate chapter on 'Crime Against Women' only since 1992.
- There are over 110,000 cases of rape pending in the trial courts for over 5 years.
- In 2021 and 2022, there are more recorded rapes of girls below 18 than of adult women.
- Only in fire accidents, in the recorded number of victims, the women (67%) are more than the men (33%), possibly due to 'stove bursts'.
- In 2022 alone, 28,847 women and 13,981 girls are recorded to be kidnapped to force them into marriage.
- Conviction rate in 2022 for rape of girls is 30% and of women is 28.5%. In cases of rape-and-murder, it is 67% with a pendency rate of over 95%.
- Courts are literally waiting for the accused to die before taking up cases of crime against women and girls or letting them off due to advanced age.
- In India it's legal to rape a woman provided the rapist marries the victim before or after the rape.
- In 2013, in the aftermath of Nirbhaya, there was a 35% jump in recorded rape. There will be a similar jump in recording for 2024 and 2025.



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