



An Institute for Civil Services

Gist of **RStv** Debate  
RAJYA SABHA

# FIGHTING CRIMES AGAINST WOMEN



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01	<b>POLITICAL SCIENCE ADVANCE</b> 2020 BY: Dr. PIYUSH CHAUBEY	STARTS	<b>12</b> OCTOBER
02	<b>GS MAINS QIP 2020</b> (QUALITY IMPROVEMENT PROGRAMME)	STARTS	<b>14</b> OCTOBER
03	<b>ETHICS &amp; ESSAY</b> TEST SERIES 2020 BY: MANOJ K. JHA	STARTS	<b>17</b> OCTOBER
04	<b>POLITICAL SCIENCE</b> TEST SERIES 2020 BY: Dr. PIYUSH CHAUBEY	STARTS	<b>24</b> OCTOBER
05	<b>HISTORY</b> TEST SERIES 2020 BY: PIYUSH KUMAR	STARTS	<b>18</b> OCTOBER
06	<b>GEOGRAPHY</b> TEST SERIES 2020 BY: PRINCE MISHRA	STARTS	<b>17</b> OCTOBER
07	<b>GS MAINS</b> TEST SERIES 2020 (SECTIONAL + MOCK)	STARTS	<b>18</b> OCTOBER
08	<b>GS MAINS MOCK</b> TEST SERIES 2020 (TOTAL 20 TESTS)	STARTS	<b>01</b> NOVEMBER

# FIGHTING CRIMES AGAINST WOMEN

## INTRODUCTION

- The Centre has issued a fresh advisory to states and Union Territories on mandatory action in cases of crimes against women.
- The Centre said the probe into rape cases must be completed within two months as per law and that dying declaration of a victim can't be discarded.
- The detailed three-page advisory of the home ministry came days after the alleged gangrape and murder of a woman in Haathras, Uttar Pradesh sparked nationwide outrage.
- The home ministry said there should be compulsory registration of a first information report in case of a cognizable offence under the CrPC.

## EDITED EXCERPTS FROM THE DEBATE



### What is the new advisory?

- The probe into rape cases must be completed within two months as per law.
- The dying declaration of a victim can't be discarded merely because it has not been recorded by a magistrate.
- There should be compulsory registration of an FIR in case of a cognisable offence under the CrPC.

- The law also enables the police to register an FIR or a Zero FIR, in cases-
- Crime is committed outside the jurisdiction of the police station.
- In the event of receipt of the information on the commission of a cognisable offence, which includes cases of sexual assault on women.
- Any lapses need to be investigated into and stringent action is taken immediately against the concerned officers responsible for the same.
- The Section 173 of CrPC provides for completion of the police investigation in relation to rape in two months.
- The Section 164-A of CrPC provides that in rape or sexual assault investigation, the victim should be examined by a registered medical practitioner under consent within 24 hours from the time of receiving the information relating to the commission of such offence.

### Legal Provisions

- The Crimes Identified Under The Indian Penal Code (IPC)
- Rape (Sec. 376 IPC)
- Kidnapping & Abduction for different purposes ( Sec. 363-373)
- Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- Torture, both mental and physical (Sec.498-A IPC)
- Molestation (Sec. 354 IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (up to 21 years of age)
- The Crimes Identified Under The Special Laws (SLL)



### Major Challenges in India

- **Late registration of FIR:** The FIRs are not filed on time and many time FIRs are not even registered even though SC verdict in LalithaKumari Case is clear that FIR in cases of cognizable offence must be registered.
- **Irrelevant questions:** There are a lot of unnecessary questions asked from the victim and the family of the victim when it comes to violence against women, especially rape, etc.
- **Unfriendly system:** With many legal provisions for women, the country is still considered to be extremely women unfriendly country. There is a general lackadaisical attitude from the authorities especially with regard to crimes against women.
- The **Criminal Law Amendment Act of 2013** and **Justice Verma Committee** did not bring the desired changes as was expected out of them.
- **Fake propagandas:** The country and the media houses discuss the crime & punishment only after the incident and our conversation doesn't go to prevention.
- **Lack of reporting:** Most of these crimes don't even make it to statistics.

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**16**  
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## Way Forward for Women Safety

- **Focus on prevention of crime:** Every conversation must be about prevention of the crime and it is only when we start focusing on insuring the fewer crimes are committed like having better patrolling, better lighting, etc.
- **Cultural shift:** There is a need for a cultural shift in the way people think as most crimes still happen within the confines of homes & victims are raped by people they know well like relatives/friends.
  - ▶ The country needs an open social & cultural condemnation of the overt masculinity that is still prevalent in our country.
- **Rewarding structure:** There must be some form of praise or incentive to a police officer or anyone for that matter who ensure justice to the victims and the women must feel safe to approach any policemen.
  - ▶ The service of the policemen or any other authority towards women should be a criteria for the advancement of their career.
- **Accountability:** The authorities that do not do their duty should be shamed & punished under IPC section 166a which was introduced by the Verma Commission.
- **Eradicating the blame game:** The shifting of the blame on one another should be stopped and the family and at least mothers & other women needs to stand by the side of the victim and she should be given the benefit of doubt.
- **Women empowerment:** Rape is mostly a case of display of power and less about sex/caste/religion — victims need to be empowered which is also a part of prevention. Every women in the country should be trained the technique of self-defense and should become anti-rogue squad in herself.
- **Education:** Younger generation needs to be educated that women and men are equally placed in society and deserve as much respect as the other.
- **Culture of prevention:** We need to create a culture of prevention and parents should be held equally responsible or accountable for their child's behaviour.
- **Strengthening the system:** Building a criminal intelligence and they should be updated regularly and be put under surveillance.
  - ▶ Every district needs to have an easily accessible & competent forensic lab and needs to build criminal intelligence.
  - ▶ There is a need to separate investigation from maintaining Law and Order and we need to step-up community policing.
- **United approach:** The country needs to have a much more united approach, activism should not be anything but the crime and the punishment that should be meted out quickly, efficiently and correctly.
  - ▶ All the stakeholders need to get their act together, including Law makers, police officers, forensic dept., prosecutors, judiciary, medical & health dept., NGOs, rehabilitation centers.

## CONCLUSION

Mere framing of stringent provisions in law are not sufficient, but the problem requires several capacity-building measures with unfailing attitude of police to adhere to these mandatory requirements, in order to deliver criminal justice in the country. We need to ensure that lesser crimes are committed and the crimes that do happen should be dealt with in a timely manner and those found guilty are actually punished.

This needs to be looked at as a prevention issue, while policing reforms, & criminal reforms are important in ensuring prevention & justice, they can't be seen as a silver bullet, crime against women cannot be resolved in the court of law alone. A holistic approach & changing the entire ecosystem is what is required

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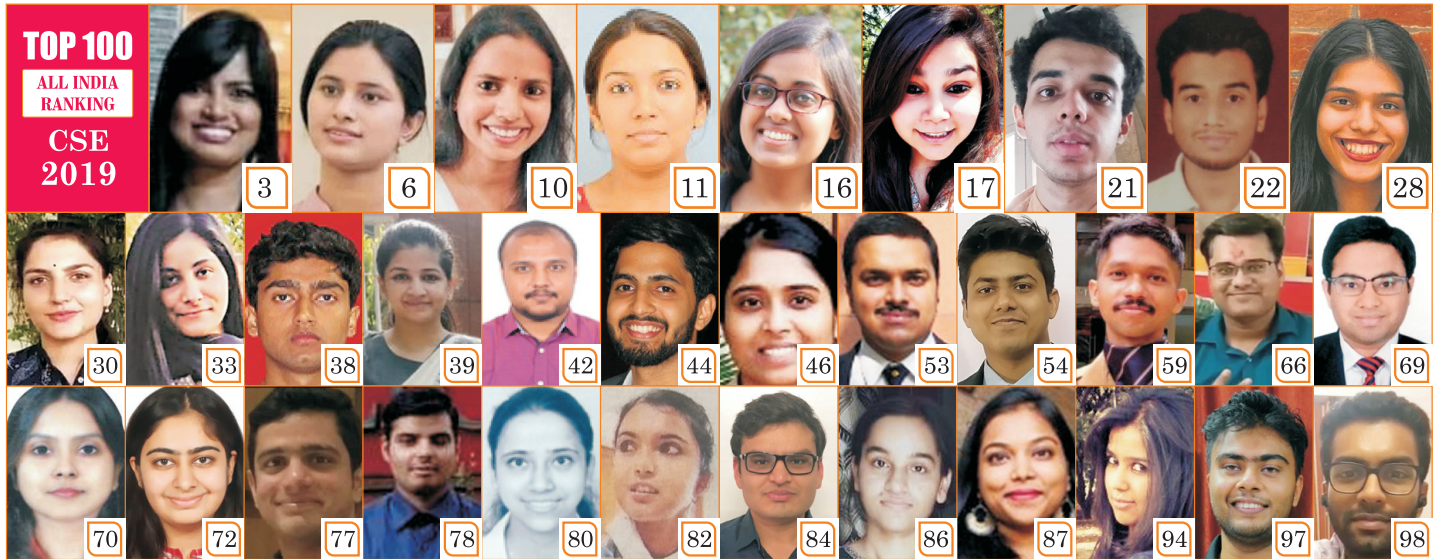
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