



REPORT NO.

230

PARLIAMENT OF INDIA
RAJYA SABHA

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE
ON HOME AFFAIRS

TWO HUNDRED THIRTIETH REPORT

ON

ATROCITIES AND CRIMES AGAINST WOMEN AND CHILDREN

(Presented to Rajya Sabha on 15th March, 2021)
(Laid on the Table of Lok Sabha on 15th March, 2021)



Rajya Sabha Secretariat, New Delhi
March, 2021/ Phalguna, 1942 (Saka)

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*to be appended at later stage

**DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON HOME AFFAIRS
(re-constituted w.e.f. 13th September, 2020)**

1. **Shri Anand Sharma** - **Chairman**

RAJYA SABHA

1. Shri S. R. Balasubramoniyam
2. Shri P. Bhattacharya
3. Dr. Anil Jain
4. Shri Satish Chandra Misra
5. @ Shri Neeraj Shekhar
6. Shri Ram Chandra Prasad Singh
7. Shri Rakesh Sinha
8. #Vacant
9. Shri Bhupender Yadav

LOK SABHA

10. Shri Sanjay Bhatia
11. Shri Adhir Ranjan Chowdhury
12. Dr. (Shrimati) Kakoli Ghosh Dastidar
13. Shri Dilip Ghosh
14. Shri Dulal Chandra Goswami
15. Shrimati Kirron Kher
16. Shri Gajanan Chandrakant Kirtikar
17. Shri Dayanidhi Maran
18. Shri Raja Amareshwara Naik
19. Shri Jamyang Tsering Namgyal
20. Shri Ranjeetsingh Naik Nimbalkar
21. Shri Lalubhai Babubhai Patel
22. Shri Gajendra Singh Patel
23. Shri R.K. Singh Patel
24. Shri Vishnu Dayal Ram
25. Shri Pothuganti Ramulu
26. Shrimati Sarmishta Sethi
27. Dr. Satya Pal Singh
28. *Shri P.P. Mohammed Faizal
29. Shri Ravneet Singh
30. Shrimati Geetha Viswanath Vanga

SECRETARIAT

Dr. P.P.K. Ramacharyulu, Secretary
Shri Vimal Kumar, Joint Secretary
Dr. (Smt.) Subhashree Panigrahi, Director
Shri Ashwani Kumar, Additional Director
Shri Pritam Kumar, Under Secretary
Shri Akshay Sharma, Assistant Committee Officer

@ Shri Neeraj Shekhar, MP, Rajya Sabha nominated w.e.f. 23rd December, 2020 to fill the vacancy caused by expiry of his previous Rajya Sabha Term
*Shri P.P. Mohammed Faizal, MP, Lok Sabha nominated w.e.f. 30th December, 2020 to fill the vacancy caused by shifting of Shri Rajveer Singh (Raju Bhaiya), MP, Lok Sabha to Committee on Education, Women, Children, Youth and Sports.
Consequent upon the resignation of Shri Dinesh Trivedi from the membership of Rajya Sabha w.e.f. 12th February, 2021.

PREFACE

I, the Chairman of the Department-related Parliamentary Standing Committee on Home Affairs, having been authorized by the Committee to submit the Report on its behalf, do hereby present this Two Hundred Thirtieth Report on 'Atrocities and Crimes Against Women and Children'.

2. The Committee, in its meeting held on 14th October, 2020 decided to examine the subject 'Atrocities and Crimes Against Women & Children' and held six meetings, i.e., on 27th October, 18th November, 2nd December, 17th December, 2020, 6th January and 20th January, 2021. In these meetings, the Committee heard the views of the representatives of the Ministry of Home Affairs, Ministry of Women and Child Development, Delhi Police, State Governments of Tamil Nadu, Maharashtra, Rajasthan, Uttar Pradesh, Haryana and West Bengal and three NGOs namely All India Women's Conference (AIWC), Jagori and Action India.

3. The Committee, while making its observations/recommendations, has mainly relied upon the following documents:-

- (i) Background Notes furnished and Presentations made by representatives of Ministry of Home Affairs, Ministry of Women & Child Development, Delhi Police, NGOs namely All India Women's Conference (AIWC), Jagori, Action India and State Governments of Tamil Nadu, Maharashtra, Rajasthan, Uttar Pradesh, Haryana and West Bengal and other officials during various meetings of the Committee;
- (ii) Replies received to the questionnaires sent by the Secretariat from the Ministry of Home Affairs, Ministry of Railways, Ministry of Law & Justice, Delhi Police, State Governments of Tamil Nadu, Maharashtra, Rajasthan, Uttar Pradesh, Haryana and West Bengal, NGOs namely All India Women's Conference (AIWC), Jagori, Action India, All India Dalit Mahila Adhikar Manch (AIDMAM) and Indian Leadership Forum Against Trafficking (ILFAT);
- (iii) Replies to the queries/comments/suggestions of the Members, raised during the Committee's meetings, as furnished by the Departments/Ministries and other stakeholders during various meetings of the Committee; and
- (iv) Verbatim transcripts of the meetings of the Committee held on 27th October, 18th November, 2nd and 17th December, 2020, 6th and 20th January, 2021.

4. The Committee considered the draft Report in its meeting held on 10th March, 2021 and adopted the same.

5. For the facility of reference and convenience, observations and recommendations of the Committee have been printed in bold letters in the body of the Report. For further convenience, abbreviations used in the Report have been compiled in a table under the acronyms section.

10th March, 2021
New Delhi
Phalgun 19, 1942 (Saka)

Anand Sharma
Chairman
Department-related Parliamentary
Standing Committee on Home Affairs

ACRONYMS

AHTU	Anti-Human Trafficking Units
AIDMAM	All India Dalit Mahila Adhikar Manch
AIWC	All India Women's Conference
ADG	Additional Director-General
AWPSs	All Women Police Stations
ASHA	Accredited Social Health Activist
BPR&D	Bureau of Police Research & Development
BBBP	Beti Bachao Beti Padhao
BSF	Border Security Force
CDR	Call Data Report
CIS	Cyber and Information Security
CDTIs	Central Detective Training Institutes
CCTV	Closed Circuit Television
CVCF	Central Victim Compensation Fund
CrPC	Code of Criminal Procedure
CCTNS	Crime and Criminal Tracking Network System
Cri-MAC	Crime Multi-Agency Centre
CCPWC	Cyber Crime Prevention against Women and Children
CAW	Crime Against Women
CFSL	Central Forensic Science Laboratory
CIF	Childline India Foundation
CAPT	Central Academy for Police Training
CWC	Cyber Women Cells
CyPAD	Cyber Prevention Awareness and Detection
CIC	Crisis Intervention Centre
CSO	Capacity Support Officer
CP	Child Pornography
CSAM	Child Sexual Abuse Material
COE	Centers of Excellence
C-DAC	Centre for Development of Advanced Computing
DHCLSA	Delhi High Court Legal Service Authority
DNA	Deoxyribonucleic Acid
DMRC	Delhi Metro Rail Corporation
DSLISA	Delhi State Legal Service Authority
DCPCR	Delhi Commission for Protection of Child Rights
DFSS	Directorate of Forensic Science Services
DPA	Dowry Prohibition Act
ERSS	Emergency Response Support System

EC	Emigration Clearance
FTC	Fast Track Courts
FIR	First Information Report
FSLs	Forensic Science Laboratories
FTSCs	Fast Track Special Courts
GRP	Government Railway Police
IJM	International Justice Mission
ILFAT	Indian Leadership Forum Against Trafficking
IPC	Indian Penal Code
ITSSO	Investigation Tracking System for Sexual Offences
ICT	Information and Communication Technology
IO	investigating officers
IIT	Indian Institutes of Technology
JJC	Juvenile Justice Committee
JJBs	Juvenile Justice Boards
LEA	Law Enforcement Agencies
LNJP NIC&FS	Lok Nayak Jayaprakash Narayan National Institute of Criminology & Forensic Science
LCs	Local Committees
MoSJ&E	Ministry of Social Justice and Empowerment
MO	Modus Operandi
MHA	Ministry of Home Affairs
MOW&CD	Ministry of Women & Child Development
MoU	Memorandum of Understanding
MEA	Ministry of External Affairs
MOOC	Massive Open Online Courses
NCMEC	National Center for Missing and Exploited Children
NIT	National Institute of Technology
NCFL	National Cyber Forensic Lab
NIA	National Investigation Agency
NIPCCD	National Institute of Public Cooperation and Child Development
NGOs	Non- Governmental Organizations
NDSO	National Database of Sexual Offenders
NCRB	National Crime Records Bureau
NCPCR	National Commission for Protection of Child Rights
NCW	National Commission for Women
OSCs	One-Stop Centres
ITSSO	Online Investigation Tracking System for Sexual Offences

NCERT	National Council of Educational Research and Training
PWDVA	Protection of Women from Domestic Violence Act
PCMA	Prohibition of Child Marriage Act
POCSO	Protection of Children from Sexual Offences Act
PFOs	Public Facilitation Officers
PSV	Public Service Vehicle
PGE	Protector General of Emigrants
RPF	Railway Protection Force
RGR	Rape & Gang Rape
RWAs	Resident Welfare Associations
SJPUs	Special Juvenile Police Units
SCIM	Safe City Implementation and Monitoring
SAEC	Sexual Assault Evidence Collection
SMS	Short Message Service
SOP	Standard Operating Procedure
SHO	Station House Officer
SAECK	Sexual Assault DNA Evidence Collection Kits
SPUWAC	Special Police Unit for Women and Children
SAARC	South Asean Association for Regional Cooperation
SOP	Standard Operating Procedure
SCERT	State Council of Educational Research and Training
SHGs	Self-Help Groups
UNCTOC	United Nations Convention on Transnational Organized Crime
UNODC	United Nations Office on Drugs and Crime
UTs	Union Territories
UAE	United Arab Emirates
VLTDs	Vehicle Location Tracking Devices
VPN	Virtual Private Network
W/IOs	Women Investigating Officers
WHL	Women Helpline

CHAPTER-I

INTRODUCTION

1.1 Introduction

1.1.1 The role of women in the inexorable journey of a country on a path of development can scarcely be overemphasized. It is a truism that the country's development can only be wholesome if the women enjoy a dignified status and their innate potential is blossomed. India has the glorious periods in its ancient history when women enjoyed the status equal to that of men; they were even venerated and their scholarship recognized. With the passage of time, Indian society underwent tremendous change in its orientation towards women, adversely impacting their growth. Women's status witnessed a sharp decline with pervasive gender stereotypes in society. As a result, they were treated as unequal and vulnerable despite our Constitutional commitment to the sublime democratic values of equality and dignity to all citizens. Atrocities and crimes against women was a natural consequence of the lowering status of women.

1.1.2 Though the status of women mirrors the social, economic and political development of the country, women are facing a life cycle of violence right from their birth to old age with varying degrees of prevalence and forms. The atrocities perpetrated upon women at present have many manifestations, which include sexual assaults, domestic violence, caste-based discrimination, dowry-related deaths, honour killing, witch-hunting, sexual harassment, violence against sexual minorities, trafficking, and forced and/or early marriages. Besides, there are multiple concerns about the violence faced by women with disabilities, lack of access to sexual and reproductive rights, sex selection practices, among others.

1.1.3 In contemporary society, even children are not spared. Since they are emotionally and physically vulnerable, they are also being subjected to various atrocities and crimes. Guardians of children's interest who are supposed to protect them under all circumstances are often found to be exploiters and perpetrators of crime on them. The major crimes against children include kidnapping and abduction, sexual harassment, trafficking of minors, physical and emotional abuse, neglect and exploitation through child labour, child pornography, etc. With the advancement of technology and increased use of the internet, there has also been an increase in cyber crimes against women & children. The consequences of crimes against women and children are debilitating, impacting their health and well-being.

1.1.4 The Government of India is committed to bringing an end to all kinds of atrocities and crimes against women and children. A host of penal provisions to deal with such crimes besides a number of empowerment measures to create a positive enabling environment for them to excel in their pursuits are in place. The right to life as enshrined in Article 21 of the Constitution of India constitutes a basic human right which includes the right to life with dignity sans violence. Further, the Constitution while according to equality to women provides for positive discrimination in favour of women in recognition of their social, economic and educational disadvantages. The Government of India recognizes that the assured safety of women and children in the country is the outcome of several factors which includes stringent deterrence to offenders, effective justice delivery mechanism including redressal of complaints in a timely manner in cases of crimes against women & children, easily accessible institutional support structure to victims for rehabilitation, etc.

1.1.5 The successive Governments have endeavored to put in place effective mechanisms to provide for an environment of safety for all women to work, live and fulfill their aspirations. In order to ensure a life with dignity for women and children in accordance with Article 21 of the Constitution of India, alongside several legislative interventions, various women specific schemes have also been rolled out by the Government from time to time.

1.2 Role of the Ministry of Home Affairs

1.2.1 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens including crime against women/girls rest with the respective States Governments. The State Governments are competent to deal with such offenses under the extant provisions of law. However, the Ministry of Home Affairs (MHA) at the Centre as the nodal Ministry administers the Indian Penal Code, 1860 (IPC) and the Code of Criminal Procedure, 1973 (CrPC) which define various crimes and prescribe penalties for the perpetrators.

1.2.2 The Ministry of Home Affairs is committed to ensure that there are sufficient provisions in the law for stringent action for crimes against women and children. A summary list of legal provisions under IPC and CrPC applicable in cases of crimes against women/girls is given in **Annexure-I** which is indicative of the comprehensive legal architecture put in place by way of legislative institutions and practices evolved through jurisprudence.

1.2.3 In the process of examining the subject, the Committee heard the views of the Ministry of Home Affairs in detail. In the meeting of the Committee held on 27th October, 2020, the Special Secretary, Ministry of Home Affairs briefed the Committee about the initiatives taken by the Ministry to prevent crimes against women and steps taken to ensure their safety which include the creation of a Woman Safety Division in the Ministry of Home Affairs, creation of a national database on sexual offenders for use by the law enforcement agencies, launch of Cyber-Crime Reporting Portal, notification of standardized procedures for forensic evidence collection for dealing with sexual assault cases, specialized training to investigative and medical officers on forensic evidence, strengthening of forensic sciences capabilities at national and state levels in the country, issuance of advisories for the proper and effective implementation of the measures taken by the Government.

1.2.4 The Committee was further informed that the Ministry of Home Affairs has been striving to deal with the atrocities and crimes against women and children by issuing effective advisories to State Governments and Union Territories (UTs) towards augmentation of technology, infrastructure and training. The modules regarding the inter-operable criminal justice system have been created that include Crime and Criminal Tracking Network System (CCTNS), e-courts, e-prosecution, e-prisons, e-forensics, etc. Moreover, the Crime Multi-Agency Centre (Cri-MAC) is an intelligence-sharing system that has been developed for sharing intelligence inputs to check criminal activities. The Ministry of Home Affairs has also been endeavoring to bring all States on board by providing funds to establish forensic laboratories, distributing kits to assist in the investigation of crimes besides helping them to optimize their available resources. Apart from the above, the Ministry of Home Affairs has been issuing advisories to the States/UTs from time to time which are meant to focus on the legal provisions and also for their proper and effective implementation to check atrocities and crimes against women and children.

1.2.5 The States have been issued advisories to ensure that the police personnel remains ever responsive and sensitive to handle complaints on crimes against women; to strictly comply with the provisions of law for compulsory registration of FIR, including registration of "Zero" FIR wherever required in the event of offenses on women; to take punitive action for any failure in this regard by any police official; to complete investigation in sexual assault cases within two months, to use of National Database on Sexual Offenders for identifying and tracking repeat sexual offenders; to review periodically the forensic capacities and take action for modernization of forensic laboratories; to operationalize Women Help Desks; to set up Anti-Human Trafficking Units in every District; and to use Sexual Assault Evidence Collection (SAEC), Kit.

1.2.6 The Committee was also informed by the Ministry of Home Affairs that to strengthen measures for the safety of women, to instill a greater sense of security in them and for the speedy and effective administration of justice in cases relating to sexual offenses; the Government has amended criminal laws from time to time. The Criminal Law (Amendment), Act 2013 was enacted for effective deterrence against sexual offenses and that has broadened the definition of rape to include non-penetrative sex and made the criminal provisions relating to rape and sexual violence more stringent. Further, the Criminal Law (Amendment) Act, 2018 was enacted *inter-alia* to prescribe even more stringent penal provisions including the death penalty for the rape of a girl below the age of 12 years. The Act also mandates completion of investigation and trials within two months.

1.3 Initiatives of the Ministry of Home Affairs

1.3.1 To facilitate States/Union Territories in the prevention of crime, timely action by law enforcement agencies in cases, especially in crimes against women, the Ministry of Home Affairs has undertaken the following initiatives in recent years:

- (i) **Investigation Tracking System for Sexual Offences (ITSSO)**- It is an online analytical tool, which has been launched to monitor and track police investigations in two months in sexual offenses as per the Criminal Law (Amendment) Act, 2018. The matter is being reviewed with the States/UTs periodically, including in the Inter-State Zonal Council meeting based on ITSSO data.
- (ii) **National Database of Sexual Offenders (NDSO)** - The NDSO has stored data of nearly 9 lakh sexual offenders in the country. The Police officers in the process of investigation can use this database to identify repeat offenders and receive alerts on sex offenders. Employers can request the Police for verification of their employees working in vulnerable areas, like educational institutions, hotels, public transportation, etc.
- (iii) **Adjournment Alert module**- The alert mechanism module has been developed as a step towards facilitating States/UTs to ensure timeliness in the disposal of criminal cases. As per the new feature, whenever a Government Prosecutor seeks an adjournment in a criminal case more than twice, the system has a provision to send an alert to senior officers to prevent unavoidable delays.
- (iv) **Cri-MAC (Crime Multi-Agency Center)**- The Cri-MAC facility was introduced on 12th March, 2020, for police stations and higher offices in all States/UTs to share information on heinous crimes and other issues related to coordination in cases of inter-state crimes. It can be

used to spread alerts /information on crimes and inter-state criminals to the States/UTs through email and SMS.

- (v) **Modus Operandi (MO) module**- It has been made available online for investigating officers across the country. This feature can act as a vital investigative aid for police officers. States and UTs have been asked to use this facility and trainings have also been undertaken by the National Crime Records Bureau (NCRB).
- (vi) **Emergency Response Support System (ERSS)** - It is a pan-India, single, internationally recognized number, i.e. 112 based system for various emergencies, with the computer-aided dispatch of field resources to the location of distress. In addition to this, two National level Automatic Alert Services have been launched that generate and send alerts to concerned police stations on missing & found the person and missing & found vehicle matches.
- (vii) **Cyber Crime Prevention against Women and Children (CCPWC) scheme**- It has been initiated for the prevention of cyber crimes across the country. The Scheme promoted the dissemination of messages on cyber crime awareness through SMS, Twitter handle @Cyber Dost, Radio campaign & publishing of Handbook for Adolescents / Students, etc. Apart from the above, the Ministry of Home Affairs has also approved and allocated funds for setting up and strengthening of Women Help Desks in Police Stations, including Police Stations in rural areas, setting-up Anti-Human Trafficking Units (AHTU) in all districts, the establishment of State Forensic Science Laboratories (FSLs) in States.

1.4 National Crime Records Bureau (NCRB)

1.4.1 For the States/Union Territories (UTs) to efficiently perform in their constitutionally assigned areas of primary concern, the Ministry of Home Affairs has been facilitating coordination and easy flow of information between States/UTs. The National Crime Records Bureau, an attached office of the Ministry of Home Affairs, has been *inter-alia* collecting and publishing crime statistics at the national level. The NCRB has defined the protocol and format for reporting of crime data by the States/ UTs. States/UTs report data to NCRB, which is then published by NCRB annually in the form of a report titled “Crime in India”.

1.4.2 The NCRB has also launched new central citizen services on its portal digitalpolicecitizenservice.gov.in that can be accessed online and are relevant for cases of crimes against women and children. These services include 'Missing Person Search' that allows citizens to search online for their missing kins from the national database of the recovered unidentified found person/ unidentified dead bodies as also the information on proclaimed offenders.

1.5 Bureau of Police Research & Development (BPR&D)

1.5.1 The Bureau of Police Research & Development (BPR&D) was established under the Ministry of Home Affairs in 1970 with the primary objective of modernization of police force by promoting a speedy and systematic study of the police problems and applying science and technology in the methods and technique used by police.

1.5.2 To promote gender sensitization among the police personnel in States/UTs, BPR&D has issued a Standard Operating Procedure (SOP) for investigation and prosecution of rape cases against women to all

States/UTs.

1.6 Role of the Ministry of Women & Child Development

1.6.1 The Ministry of Women & Child Development (MOW&CD) is the nodal Ministry for the advancement of women and children. It formulates plans, policies/ programmes, guides and coordinates the efforts of both governmental and non-governmental organizations for the safety of women and children.

1.6.2 The Ministry is also the nodal Ministry to appraise proposals/ schemes for Nirbhaya Fund which is dedicated to the safety and security of women in the country. The innovative projects under Nirbhaya Fund include strengthening mechanisms to combat Crime Against Women (CAW), leveraging technology for women's safety and creating safe spaces for women. The details of the schemes along with allocation and utilization of funds under the Nirbhaya Fund have been discussed in the next chapter.

1.6.3 The Secretary, Ministry of Women & Child Development briefed the Committee in its meeting held on 18th November, 2020 about the legislative measures, schemes and programmes, initiatives taken through Nirbhaya Fund, and other measures taken by the Ministry to protect women's rights and ensure their safety which is as follows-

Legislations Administered by the Ministry of Women & Child Development

1.6.4 Apart from the IPC and CrPC, there are Special and Local Laws (SLL) which are administered by the Ministry of Women & Child Development which include:

(i) **The Immoral Traffic (Prevention) Act, 1956**

The Act is the premier legislation for the prevention of trafficking for commercial sexual exploitation.

(ii) **The Dowry Prohibition Act, 1961**

The Act was enacted recognizing the need to address the social evil of dowry. The Act defines dowry and penalizes the giving, taking or abetting the giving and taking of dowry.

(iii) **The Protection of Women from Domestic Violence Act (PWDVA), 2005**

The Act recognizes the right of all women to live free from violence occurring within the private sphere of the home.

(iv) **The Prohibition of Child Marriage Act (PCMA), 2006**

The Act was enacted to prohibit the solemnization of child marriages where a person who is a female has not completed 18 years of age and if a male has not completed 21 years of age.

(v) **The Sexual Harassment of Women at the Workplace (Prevention, Protection and Redressal) Act (the SH Act), 2013**

The Act was enacted to provide a safe and secure environment to women at the workplace.

(vi) **Protection of Children from Sexual Offences Act (POCSO), 2012**

The Act was enacted as a special law for the protection of children from the offense of sexual assault, sexual harassment and pornography while safeguarding the interest of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offenses through designated Special Courts to protect children from sexual abuse and exploitation. It has been

amended in 2019 to make it more effective in dealing with cases of child sexual abuse in the country.

(vii) **Juvenile Justice (Care and Protection of Children) Act, 2015**

The Act was enacted to consolidate and amend the law relating to alleged children found to be in conflict with the law. It also covers the need for care and protection of children by catering to their basic needs through proper care, protection, development, treatment, social re-integration, by adopting a child-friendly approach in the adjudication and disposal of matters in the best interest of children. The law also caters to their rehabilitation through the process provided, institutions and bodies established.

1.6.5 To facilitate proper monitoring and implementation of the laws relating to children, the National Commission for Protection of Child Rights (NCPCR) has been set up as a statutory body under the administrative control of the Ministry of Women & Child Development. The Commission's mandate is to ensure that all laws, policies, programmes, and administrative mechanisms are in consonance with the child rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.

1.7 The National Commission for Women (NCW)

1.7.1 The NCW investigates and examines all matters relating to constitutional safeguards for women; looks into complaints of non-compliance of policy decisions, guidelines, or instructions aimed at mitigating hardship and ensuring welfare and relief to women. It also takes *suo-moto* notice of matters relating to deprivation of women's rights and has a 24x7 online complaint portal for crimes committed against women. The Commission has also been working with different State Commissions and investigating the complaints throughout the country.

1.7.2 Apart from the above legislation and establishment of Commissions, the Government of India has taken several schematic /programmatic interventions for ensuring the safety and security of women in recent years. These include-

- (i) **Beti Bachao Beti Padhao (BBBP)**-It aims to prevent gender-biased sex selective elimination, to ensure the survival and protection of the girl child, to ensure her education, with an overall aim of increasing the child sex ratio and to address issues of disempowerment of women over a life-cycle continuum.
- (ii) **One-Stop Centres (OSCs)**- It has been established across the country to strengthen mechanisms for addressing concerns of women affected by violence, facilitate access to an integrated range of services including medical aid, police assistance, legal aid/case management, psychosocial counseling, and temporary support services to women affected by violence.
- (iii) **Universalization of Women Helpline (WHL) Scheme**- It is being implemented since 1st April, 2015 to provide an immediate and 24-hour emergency and non-emergency response to women affected by violence across the country by referral service.
- (iv) **Swadhar Greh Scheme**- It envisions an institutional framework for supporting widows, destitute women and aged women.
- (v) **Ujjawala Scheme**- It has been launched to prevent trafficking of women and children for commercial sexual exploitation, to facilitate the rescue of victims and for placing them in safe custody, to provide rehabilitation services by providing basic amenities/needs, to facilitate the

reintegration of victims into the family and society, and to facilitate the repatriation of cross border victims.

- (vi) **Sexual Harassment Electronic Box (SHe-Box, www.shebox.nic.in)** -It is an online portal developed to enable women to file complaints related to sexual harassment at the workplace irrespective of their work status.
- (vii) **National Cyber Crime Reporting Portal-** It has been developed by the Ministry of Home Affairs to facilitate online reporting of complaints pertaining to online Child Pornography/ Child Sexual Abuse Material or sexually explicit content such as Rape/Gang Rape content.

1.8 Role of the State Governments

1.8.1 As per the Seventh Schedule to the Constitution of India 'Police and Public Order' are State subjects, so, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the State Governments/ UT Administrations. The States are also making legislative and schematic interventions for the protection, welfare, safety and security of women & children. Therefore, the State Governments are important stakeholders in preventing atrocities and crimes against women & children.

1.9 Role of the Non-Governmental Organizations (NGOs)

1.9.1 The Non- Governmental Organizations (NGOs) are supplementing the efforts of the Government at the Centre and State levels and playing important role in curbing atrocities and crimes against women & children. They are working at the grass-roots level towards empowering women by helping them in getting education and health services, skill development, financial support, raising awareness, etc. The NGOs are also working for the rehabilitation of victims of violence by providing shelter, legal assistance, medical aid, counseling services to help them to live with dignity and bring back into the social fabric.

1.9.2 The perspective and efforts of the State Governments, Delhi Police, NGOs working in the field of women's safety on various issues including registration, investigation, the conviction of crimes, Fast Track Courts, Helpline numbers, Women and Children Help desks, One-Stop Centres, shelter homes, representation of women in State Police, training of police personnel, gender sensitization of society trafficking of women & children, missing children, cyber crimes against women & children, along with other important issues related to the atrocities and crimes against women & children have been discussed in detail in subsequent chapters.

CHAPTER-II

Major Issues Concerning Atrocities and Crimes against Women and Children

2.1.1 National Crime Records Bureau (NCRB) publishes a report titled "Crime in India" containing comprehensive information on cases registered, persons arrested and their disposal under major heads of 'Indian Penal Codes and Special and Local Laws'. The report contains a dedicated chapter on crimes against some vulnerable sections of the society including women and children. The Report is quite comprehensive and the only data bank available with the Government on the subject.

Details of crimes registered against women (Crime head-wise) as published by NCRB for five years from 2015-2019 and percentage variation in 2019 over 2018:-

Sl. No.	Crime head	Year					% Variation in 2019 over 2018
		2015	2016	2017	2018	2019	
1.	Murder with Rape/Gang Rape	-	-	223	294	283	-3.7
2.	Dowry Deaths	7634	7621	7466	7166	7115	-0.7
3.	Abetment to Suicide of Women	4060	4466	5282	5037	5009	-0.6
4.	Miscarriage	66	587	266	213	221	3.8
5.	Acid Attack	140	160	148	131	150	14.5
6.	Attempt to Acid Attack	30	46	35	37	42	13.5
7.	Cruelty by Husband or his relatives	113403	110378	104551	103272	125298	21.3
8.	Kidnapping and Abduction of Women	59283	64519	66333	72751	72780	0.0
9.	Human Trafficking	713	659	662	854	966	13.1
10.	Selling of Minor Girls	-	-	80	40	22	-45.0
11.	Buying of Minor Girls	-	-	4	8	8	0.0
12.	Rape	34651	38947	32559	33356	32033	-4.0
13.	Unnatural Offences	108	489	-	-	-	-
14.	Attempt to Commit Rape	4437	5729	4154	4097	3944	-3.7
15.	Assault on Women with Intent to Outrage her Modesty	82422	84746	86001	89097	88367	-0.8
16.	Insult to the Modesty of Women	8685	7305	7451	6992	6939	-0.8
A.	Total IPC Crime against Women	315632	325652	315215	323345	343177	6.1
17.	Dowry Prohibition Act	9894	9683	10189	12826	13297	3.7

18.	Immoral Traffic (Prevention) Act	2424	2214	1536	1459	1185	-18.8
19.	Protection of Women from Domestic Violence Act	461	437	616	579	553	-4.5
20.	Cyber Crimes/Information Technology Act	792	930	600	1244	1621	30.3
21.	Protection of Children from Sexual Violence Act	-	-	31668	38802	46005	18.6
22.	Indecent Representation of Women (Prohibition) Act	40	38	25	22	23	4.5
B.	Total SLL Crime against Women	13611	13302	44634	54932	62684	14.1
	Total(A+B)	329243	338954	359849	378277	405861	7.3

State/UT-wise Cases Registered (CR) under Crime against Women during 2015- 2019

SL	State/UT	2015	2016	2017	2018	2019
1.	Andhra Pradesh	15967	16362	17909	16438	17746
2.	Arunachal Pradesh	384	367	337	368	317
3.	Assam	23365	20869	23082	27687	30025
4.	Bihar	13904	13400	14711	16920	18587
5.	Chhattisgarh	5783	5947	7996	8587	7689
6.	Goa	392	371	369	362	329
7.	Gujarat	7777	8532	8133	8329	8799
8.	Haryana	9511	9839	11370	14326	14683
9.	Himachal Pradesh	1295	1222	1246	1633	1636
10.	Jammu & Kashmir	3366	2850	3129	3437	3069
11.	Jharkhand	6568	5453	5911	7083	8760
12.	Karnataka	12775	14131	14078	13514	13828
13.	Kerala	9767	10034	11057	10461	11462
14.	Madhya Pradesh	24231	26604	29788	28942	27560
15.	Maharashtra	31216	31388	31979	35497	37144
16.	Manipur	266	253	236	271	266
17.	Meghalaya	337	372	567	571	558
18.	Mizoram	158	120	301	249	170
19.	Nagaland	91	105	79	75	43
20.	Odisha	17200	17837	20098	20274	23183
21.	Punjab	5340	5105	4620	5302	5886
22.	Rajasthan	28224	27422	25993	27866	41550
23.	Sikkim	53	153	163	172	125
24.	Tamil Nadu	5919	4463	5397	5822	5934
25.	Telangana	15425	15374	17521	16027	18394
26.	Tripura	1267	1013	972	907	1070

27.	Uttar Pradesh	35908	49262	56011	59445	59853
28.	Uttarakhand	1465	1588	1944	2817	2541
29.	West Bengal	33318	32513	30992	30394	30394
	TOTAL STATE(S)	311272	322949	345989	363776	391601
30.	A&N Islands	136	108	132	147	135
31.	Chandigarh	468	414	453	442	515
32.	D&N Haveli	25	28	20	38	49
33.	Daman & Diu	29	41	26	16	33
34.	Delhi	17222	15310	13076	13640	13395
35.	Lakshadweep	9	9	6	11	38
36.	Puducherry	82	95	147	166	95
	TOTAL UT(S)	17971	16005	13860	14460	14260
	TOTAL (ALL INDIA)	329243	338954	359849	378236	405861
Source: Crimes in India						

2.1.2 An analysis of the above NCRB data clearly indicates that crimes against women have continuously been on the rise. The reported crimes against women have increased in the country by 7.3% in 2019 over the previous year. The data for 2019 shows that 4, 05,861 cases of crime were reported against women. The total number of rape cases reported in the year 2019 stands at 32,033. The State-wise figures also show that crimes against women have been reported throughout India.

State/UT-wise Cases Reported (CR), Cases Charge sheeted (CCS), Cases Convicted (CON), Persons Arrested (PAR), Persons Charge sheeted (PCS) and Persons Convicted (PCV) under Crime against Children during 2017-19

Sl.	State/UT	2017						2018						2019					
		CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV
1	Andhra Pradesh	2397	1564	134	2409	2230	225	2672	2082	148	2941	3089	252	2524	1690	148	2894	2825	187
2	Arunachal Pradesh	138	63	0	103	104	0	166	82	3	112	89	3	153	74	1	128	87	1
3	Assam	4951	2364	75	6016	3831	76	5447	3334	81	5851	3458	85	6608	3710	97	5462	4186	98
4	Bihar	5386	3087	79	9143	3943	104	7340	3516	127	6279	5340	163	9320	4722	156	9113	7472	194
5	Chhattisgarh	6518	5016	1124	6175	6091	1367	6924	4932	1146	6553	6098	1348	5665	3879	1057	4656	4887	1295
6	Goa	196	157	14	158	218	22	182	136	7	126	195	14	167	124	7	126	164	10
7	Gujarat	3955	3022	26	4133	4147	44	4929	3731	129	4945	4915	137	4685	3426	116	4590	4555	138
8	Haryana	4169	1965	418	2911	2539	524	4869	2435	458	3309	3259	600	5119	2283	417	3037	2947	493
9	Himachal Pradesh	528	261	33	389	332	34	772	431	29	548	601	35	748	382	57	490	510	69
10	Jammu & Kashmir	359	146	5	248	230	7	473	236	11	342	329	11	470	223	12	328	310	17
11	Jharkhand	1247	602	38	966	743	63	1479	978	74	1435	1153	84	1674	1139	273	1379	1297	288
1	Karnataka	5890	3101	316	4136	4054	345	6131	3754	677	4632	4652	710	6305	3227	375	3947	4232	404
1	Kerala	3562	3030	198	3985	3390	206	4253	3436	286	4719	3978	333	4754	3808	212	5611	4365	240
	Madhya Pradesh	19038	14386	2363	18883	19341	3087	18992	13633	2914	16452	17826	3892	19028	11576	2264	14317	16779	3077
	Maharashtra	16918	7558	635	13141	9394	741	18892	8127	683	13211	10120	779	19592	9277	844	13606	11501	961
	Manipur	109	44	4	85	48	5	128	57	5	121	66	5	148	85	9	139	109	14
	Meghalaya	379	224	5	403	324	5	385	223	21	322	250	21	379	379	147	490	444	147
	Mizoram	220	210	61	228	222	66	198	221	37	242	226	43	125	117	72	140	121	76
	Nagaland	93	53	15	65	55	26	70	37	11	53	43	11	59	35	4	48	42	4
	Odisha	3185	2474	54	2773	2759	62	5217	2721	77	3014	3346	80	7012	2787	50	3255	3601	51
	Punjab	2133	1067	171	1860	1573	220	2308	1362	233	2021	1791	287	2625	1523	280	2307	1991	379
	Rajasthan	5180	3180	590	4157	4109	691	5150	2969	564	3900	3943	687	7385	4137	895	5411	5438	1270
	Sikkim	190	125	23	177	157	28	221	137	33	179	161	45	163	103	12	124	113	12
	Tamil Nadu	3529	3008	539	4670	3747	623	4155	3410	766	5586	4053	918	4139	3026	606	5189	3762	717
	Telangana	3580	2183	489	2792	2786	511	3747	2307	183	3480	3157	186	4212	3026	215	3559	3773	264
	Tripura	276	205	32	293	256	34	271	237	20	316	332	21	311	252	43	312	287	49
	Uttar Pradesh	19145	12757	2171	18822	18953	3826	19936	13496	2528	22446	21146	4838	18943	13725	2665	21219	20938	4120
	Uttarakhand	829	428	53	508	511	55	1306	577	48	716	742	56	1214	783	156	958	978	178
	West Bengal	6551	4947	49	5010	5309	52	6286	5904	101	6357	7020	124	6286	5904	101	6357	7020	124
	Total State(s)	120651	77227	9714	114639	101396	13049	132899	84501	11400	120208	111378	15768	139813	85422	11291	119392	114734	14877
	A&N Islands	119	117	3	129	151	3	162	145	6	177	182	6	153	121	14	139	134	14
	Chandigarh	275	104	39	169	150	59	288	111	37	166	150	54	264	98	28	140	117	33
	D&N Haveli	31	14	3	19	19	3	38	31	1	33	36	1	53	51	0	59	54	0
	Daman & Diu	24	13	3	15	20	4	34	10	4	14	13	4	43	12	1	24	14	1
	Delhi UT	7852	2738	242	4100	3274	270	8246	2941	321	4311	3471	427	7783	2386	945	3602	2858	975
	Lakshadweep	4	4	0	22	21	0	8	7	0	8	7	0	26	11	0	28	13	0
	Puducherry	76	64	0	73	77	0	89	78	1	51	78	1	50	51	9	76	80	9
	Total UT(s)	8381	3054	290	4527	3712	339	8865	3323	370	4760	3937	493	8372	2730	997	4068	3270	1032
	Total (all India)	129032	80281	10004	119166	105108	13388	141764	87824	11770	124968	115315	16261	148185	88152	12288	123460	118004	15909

Source : Crime in India
Note : Due to non-receipt of data from West Bengal in time for 2019, Data furnished for 2018 has been used

2.1.3 The NCRB data on crimes against children for three years (2017-2019) presents a very sorry state of affairs. The data shows that even the children have not been spared and subjected to physical and

emotional abuse, neglect and exploitation. The statistics pertaining to crimes against women and children show that the situation is very disturbing and raises serious questions on the state of law and order all across the country.

2.1.4 As per the Seventh Schedule to the Constitution of India 'Police and Public Order' are State subjects, so, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the State Governments/UT Administrations. The Ministry of Home Affairs issues advisories to help the State Governments/UT Administrations to deal with crimes against women and children. Therefore, the State Governments are important stakeholders related to the subject. To gain the perspective and efforts of the State Governments in ensuring the safety and security of women and children in States and to prevent crimes against them, the Committee decided to hear the views of one State from every region of the country. Accordingly, the Committee heard the views of representatives of the State Governments of Haryana Maharashtra, Rajasthan, Tamil Nadu, Uttar Pradesh, and West Bengal in the three meetings of the Committee held on 17th December, 2020, 06th January and 20th January, 2021.

2.1.5 The NGOs have also been playing a significant role in preventing and providing services to survivors of violence. Their efforts range from prevention to provisioning of psycho-social and physical support services to women violence survivors. The NGOs also conduct research on attitudes, perceptions and behaviors of men, community mobilization, conducts gender sensitization, orientation, educational programmes and awareness campaigns, etc. Therefore, the Committee heard the views of three selected NGOs namely All India Women's Conference, Jagori, and Action India on the subject in its meeting held on 2nd December, 2020.

2.1.6 The written views of All India Dalit Mahila Adhikar Manch (AIDMAM) were also obtained to get an insight into the crimes against women and children of the SC/ST community. Similarly, the views of the Indian Leadership Forum against Trafficking (ILFAT) were obtained on the issue of Human Trafficking.

2.2 Reasons for Atrocities and Crimes against Women and Children

2.2.1 The Bureau for Police Research and Development (BPR&D) that functions under the administrative domain of the Ministry of Home Affairs conducted a Research Study on “National Survey on Status of Crime against Women in India”. In its research, BPR&D studied different types of crimes against women, quantified incidences of crimes in different region/areas (Urban and Rural), identified factors for non-reporting and non-registration of crimes, profiled victims and offenders, identified structural weaknesses (law and society) contributing to the commission of crimes against women. The BPR&D identified the gaps in the enforcement system and gave a Recommendation on likely remedial action. Some of the key findings of the study included:

- (i) Unmet expectations based upon rigidly defined gender roles were found to be the primary factor for domestic violence.
- (ii) Men use beating to “discipline” women not meeting their demands and expectations.
- (iii) Long-standing customs put considerable pressure on women to accept abuse.
- (iv) In most sexual assault cases, the perpetrators are persons known to the victim and could be from the neighborhoods or nearby places.
- (v) In many cases, the victims do not offer resistance as the victim may be badly traumatized. In 32% of the cases surveyed, victims had lost consciousness due to the

administering of drugs.

- (vi) Despite the legal provisions and awareness, molestation and sexual harassment are not considered a serious offences. The cases are increasing even in Universities due to this reason, and that most of these incidents go unreported.
- (vii) Main public places where harassment occurs are bus-stops, spaces outside girls' colleges and schools, and areas where coaching institutions are frequented by girls.
- (viii) Kidnappings of women occur for various reasons depending on the region and include abductions for ransom and kidnapping for sexual exploitation.

2.2.2 The All India Women's Conference (AIWC) informed the Committee that the main reasons for increasing atrocities and crimes against women are lack of awareness, education, employment opportunity and no fear of law. The situation has also aggravated due to shifting of population from rural to urban areas, police apathy and delay in getting justice, poverty, changing family pattern of nuclear families, patriarchal mindset, unequal power, traditions & customs derogatory to women and resistance to change, etc.

2.2.3 The Committee discussed the subject Atrocities and Crimes against Women and Children and associated issues in six meetings which *inter-alia* included registration, investigation, the conviction of crimes, Fast Track Courts, helpline numbers, women and children help desks, Nirbhaya Fund, shelter homes, one-stop centres, representation of women in State Police, the safety of women in public transports, strengthening of the institution of NCRB, BPR&D, National Commission for Women, advisories of MHA, the role of NGOs, etc. The major issues examined by the Committee and its Recommendation thereon are given in the succeeding paragraphs.

2.3 Registration of Crimes Against Women and Children

2.3.1 It is a general perception that cases of crimes against women and children are not getting registered at the police station and in time. This not only leads to delay and denial of justice to the victim and family but also encourages the perpetrators to commit crimes in the future.

2.3.2 The Committee was informed by the representatives of the State Government of Rajasthan that hassle-free filing of FIRs has been encouraged which is also reviewed at the highest level. An administrative order has been issued to all the Superintendents of Police (SP) that in case a victim or a party comes to the office of the SP with a complaint that FIR has not been registered at the SHO level at the Police Station, the SP will register an FIR under Crime and Criminal Tracking Network & System (CCTNS) and send it for further investigation to the concerned Station House Officer (SHO). Further, an Additional Director-General (ADG) rank officer has been posted for looking after the crimes against women. For building confidence and empowering women, a system of reception has been developed in the Police Stations.

2.3.3 It was further informed that Rajasthan State Police Department is conducting decoy operations in which citizens are sent to file a cognizable offense report in a Police Station to check whether it is being registered or not. In 2018 and 2019, 24 and 17 decoy operations were conducted respectively. In cases where Station House Officer has not registered cases, he is being punished as per the Department's norm which includes both minor penalties as well as a major penalty. Besides, for the Police personnel who do not follow mandatory duty, which they are legally bound to do, the case is registered against that errant officer under Section 166A of IPC as far as atrocities against women are concerned. Some NGOs and RTI

activists are assisting people to go to Police stations in cases of violence. Because of all these reasons people have become aware and are reporting cases.

2.3.4 The State Government of Uttar Pradesh informed the Committee that they have multiple forums for women to register their cases for which two emergency helpline numbers 112 and 1090 are also used. Wherever there is a case of non-registration of crime, Uttar Pradesh Government or Uttar Pradesh Police is taking prompt and strict action against concerned officials.

2.3.5 The Government of Haryana informed the Committee that they have a policy of free registration of crimes, as per the Supreme Court guidelines and the MHA instructions. The practice has been developed where all such calls or complaints could be registered through any means like directly to Police through telecall, WhatsApp, e-mail or by visiting Police Station. These complaints are centrally stored in one place and directly monitored by the SP. This has led to a rise in the registration of crimes. Besides, there have been instances where the tendency is to add rape offenses against the in-laws but are found false. But, once registered, they are reflected in the data. The side effect of the registration is an increase in the number of cases. It was further informed that it has been the bane of policing in India that they try to suppress crime figures to show a better performance, which only encourages the criminals.

2.3.6 The representatives of the NGO, All India Women’s Conference (AIWC) informed the Committee that access to the Police Station for women is difficult and in the case of children, it becomes all the more difficult. Local customary laws and lack of legal awareness are also creating a lot of hurdles in rural areas. Therefore, the Panchayats should be involved and made aware of the legal system.

2.3.7 The representatives of the NGO, Jagori in their deposition before the Committee emphasized taking serious note of non-registration of cases by Police. Further, an increase in reporting of cases of crimes against women should not be discouraged, because if there is under-reporting, that means either woman does not have faith in the system or the machinery is not performing their duty.

2.3.8 Regarding the reasons for women not approaching the Police Station, the NGO -Action India, informed the Committee that it is a behavioral lapse. The Police are insensitive and unsympathetic towards women/survivors. In order to reduce their burden, they are reluctant to file a complaint/FIR. Besides, they also attributed certain reasons like rampant corruption and police harassment for women not complaining in the Police Station.

2.3.9 The Ministry of Home Affairs has advised all the States for compulsory registration of FIR in case of cognizable offence under CrPC. The Police can register a Zero-FIR in case the crime is committed outside the jurisdiction of Police Station. The number of Zero FIR and number of concerned Police official against whom action has been taken in the State of Haryana, Rajasthan, Maharashtra and West Bengal during the past three years is as below-

States	Zero FIR			FIR registered against concerned Police official for the delay in registration
	2017	2018	2019	
Haryana	114	225	201	18
Rajasthan	8	11	80	8
Maharashtra	450	604	402	1
West Bengal	5	13	30	Nil

2.3.10 The State Government of Tamil Nadu informed the Committee that there is no system of registering “Zero” FIRs in the State. However, FIR is registered in the Police Station where the complaint is given and transferred to the jurisdictional Police Station where it is re-registered as fresh FIR. There has been no instance of action taken against the Police officers for delayed registration of FIRs.

2.3.11 The State Government of Uttar Pradesh informed the Committee that there is no provision of zero FIR as CCTNS does not provide for any Zero FIR.

Observation/Recommendation

2.3.12 The Committee notes that cases of crimes against women and children are not getting registered at the police station and in time and is one of the main reasons for delay and denial of justice to the victim and family. The Committee appreciates the initiative taken by the Rajasthan Police for conducting decoy operations to check whether FIRs are being registered at Police Stations or not. The Committee strongly recommends that such decoy operations should be conducted at regular intervals throughout the country. This will create alertness amongst ground-level Police officials and will lead to the registration of more cases. The Committee also recommends developing and promoting online registration of FIR for different categories of complaints particularly, for the crimes committed against women and children. In this regard, the MHA should issue a detailed advisory to all the States/UTs.

2.3.13 The Committee believes that it is important to give due importance to a complaint by women about sexual harassment or incidences of violence through free and easy registration of FIRs in any Police Station. In cases of delay in lodging an FIR by victim/family members etc., police must seek and record the reasons for the delay in the FIR sheet. The Committee, therefore, recommends that the MHA should introduce Zero-FIR in all the States and Union Territories. The Committee further recommends that the Ministry of Home Affairs should provide the facility of lodging Zero-FIR in Crime and Criminal Tracking Network & System (CCTNS).

2.3.14 The Committee expresses its concern over the tendency of registration of false cases and misuse of laws. The Committee observes that after an investigation about the veracity of cases, appropriate penal action should be taken by fixing accountability of the Police personnel who have registered false cases. At the same time, those individuals who register false cases must not get off scot-free. The Committee, therefore, recommends that the MHA should advise States to take strict actions against the Police personnel and individuals who have registered false cases. The MHA may take up the matter with the Ministry of Law and Justice and if need be, laws should be amended to add stringent provisions against false cases.

2.4 Conviction Rate

2.4.1 The Conviction rate in crimes against women during the years 2017-19 as furnished by the NCRB is as follows-

Conviction Rate under Crimes against Women During 2017-2019

SL. No.	Crime Head	2017	2018	2019
1.	Murder with Rape/Gang Rape	57.9	61.2	63.2
2.	Dowry Deaths	41.4	39.6	35.6

3. Abetment to Suicide of Women	13.1	15.7	15.8
4. Miscarriage	38.1	18.2	25.0
5. Acid Attack	35.0	65.4	54.2
6. Attempt to Acid Attack	33.3	40.0	40.0
7. Cruelty by Husband or his relatives	15.9	13.0	14.6
8. Kidnapping and Abduction of Women	24.9	25.8	23.7
9. Human Trafficking	42.4	31.9	20.0
10. Selling of Minor Girls	0.0	40.0	38.5
11. Buying of Minor Girls	0.0	50.0	66.7
12. Rape	32.2	27.2	27.8
14. Attempt to Commit Rape	26.8	25.2	28.9
15. Assault on Women with Intent to Outrage her Modesty	27.8	26.4	26.9
16. Insult to the Modesty of Women	22.6	17.1	21.8
17. Total IPC Crimes against Women	23.9	21.9	22.2
18. Dowry Prohibition Act	23.2	24.1	21.5
19. Immoral Traffic(Prevention)Act	26.3	35.0	23.7
20. Protection of Women from Domestic Violence Act	47.3	59.3	21.9
21. Cyber Crimes/Information Technology Act	16.7	15.6	10.8
22. Protection of Children from Sexual offences Act	33.1	34.0	34.8
23. Indecent Representation of Women (Prohibition)Act	19.6	25.0	31.8
24. Total SLL Crimes against Women	30.0	32.1	32.2
Total Crime against Women	24.6	23.1	23.7

Source : Crime in India

2.4.2 The conviction rate under crimes against children during the period from 2017 to 2019 is given in Table at page 15.

2.4.3 The tables depict that the conviction rate in crimes against women and children for the past three years has been low. The conviction rate in cases of crimes like rape, cruelty by husband or his relatives, violation of Protection of Women from Domestic Violence Act, human trafficking, violation of Cyber Crimes/Information Technology Act and Protection of Children from Sexual offenses Act, have been amongst the lowest.

2.4.4 The Committee was informed by the State Government of Uttar Pradesh that they are conducting prosecution drives to improve the conviction rate in crimes against women and children. It has helped in increasing the conviction rate as in 2019, the conviction rate was 29.28% under POCSO Act and in 2020, and it has increased to 37.51%. In rape cases also, the rate of conviction has increased from 34.36% in 2019 to 47.45% in 2020. In other sexual offenses, it has increased from 34.97% in 2019 to 38.15 % in 2020. They have a separate prosecution department headed by Additional Director-General (ADG) level officer who undertakes special drives from time to time to coordinate with the District level Monitoring Committees.

2.4.5 The Government of West Bengal informed the Committee that crime against women has been showing a decreasing trend and the charge-sheets rate in case of crime against women is 94% in their State. It was further informed that the conviction rate is not good and in this regard, the interface between the Judiciary and the Executive comes to the fore.

2.4.6 The poor conviction is also due to a lack of evidence against the criminal. On being queried about the problems faced by the rape victims during the medical examination and investigation process, the NGO 'All India Women's Conference (AIWC)' stated before the Committee that the problems faced by the rape victims include delay in medical examination leading to the disappearance of evidence, insensitiveness of doctors, apathy & insensitiveness of Police, lack of counseling, etc.

2.4.7 Regarding investigation and prosecution in heinous crimes against women, NGO Action India informed the Committee that at times it becomes difficult to prove a case of rape or even a case of violence due to improper charge sheets within the time frame. Therefore, charge sheets need to be filed properly and within the stipulated time frame.

2.4.8 On the issue of non-filing of final report and charge sheet within 60 days by police, the MHA replied that investigation is a factor of availability of evidence, witnesses to adequately substantiate the case theory to file a prosecution charge which varies from case-to-case. 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. Information on reasons for the delay in the investigation in criminal cases is not maintained centrally.

2.4.9 The NGO, Jagori apprised the Committee that the focus should be on the certainty of conviction and not on the death penalty in heinous crimes against women. It is also very important to take every single complaint of sexual harassment seriously by the law enforcement agencies (LEAs) because failure to do so emboldens the culprits and they continue to commit even more heinous crimes.

2.4.10 The MHA informed the Committee that an analytical tool- "Online Investigation Tracking System for Sexual Offences (ITSSO)" has been provided to law enforcement agencies to monitor and track Police investigations within two months in sexual offenses as per the Criminal Law (Amendment) Act, 2018. The data is dynamically maintained by the Police and the same is not published. Further, the Supreme Court of India has observed to ensure non-disclosure of identities of victims and provide protection to the victim and families.

2.4.11 The MHA further informed the Committee that forensics plays a critical role in the successful investigation, prosecution and conviction. A State-of-Art DNA Laboratory at Central Forensic Science Laboratory (CFSL), Chandigarh has been functioning since 23rd December, 2019. Apart from a capacity to handle 2000 cases, it is planned as leading research and development laboratory in this field. Similarly, projects for strengthening State level forensic sciences laboratories have been approved in 20 States/UTs on the basis of demand-gap assessment and requisition by States/UTs. Several States have procured necessary equipment and manpower for DNA and Cyber Forensics and have commenced operations. These include Himachal Pradesh, Madhya Pradesh, Mizoram, Punjab, Rajasthan, Tamil Nadu and West Bengal. Others are in various stages of procuring the necessary equipment.

2.4.12 As part of an initiative for strengthening DNA analysis, based on requests from States/UTs, Cyber-forensics and related facilities in the States, MHA has approved projects in 16 State Forensic Science Laboratories (FSLs) at a total cost of Rs.157.98 crore taking into account the demand and gap-analysis.

2.4.13 To enhance capacities and develop skill sets of Investigation Officers, Prosecution Officers and Medical Officers in State/UTs, who are handling forensic evidence in sexual assault cases, guidelines have been issued for collection, handling and transportation of forensic evidence. Training modules have

started in BPR&D and Lok Nayak Jayaprakash Narayan National Institute of Criminology & Forensic Science (LNJP NIC&FS), New Delhi. A total of 9397 Investigation Officers/Prosecution Officers and Medical Officers have been trained. BPR&D has distributed 14,950 Sexual Assault Evidence Collection Kits to States/UTs.

Observation/Recommendation

2.4.14 The Committee is constrained to note the abysmally low conviction rate in crimes against women and children which also shows a serious mismatch between the measures adopted and their implementation. The Committee further notes that an analytical tool- "Online Investigation Tracking System for Sexual Offences (ITSSO)" has been provided to law enforcement agencies to monitor and track Police investigations within two months in sexual offenses as per the Criminal Law (Amendment) Act, 2018. The Committee, therefore, recommends that the MHA should take up the matter with all the States/UTs for stringent implementation of the analytical tool ITSSO. Further, the MHA should also work out a mechanism for gathering information on reasons for the delay in the investigation in criminal cases on annual basis, preferably in analytical tool ITSSO itself. Based on information so gathered, the MHA can analyze and issue necessary SOPs/advisories to States/UTs for taking necessary corrective steps.

2.4.15 The Committee is of the strong view that timely and proper medical and forensic examination in rape cases is crucial in the collection of evidence, investigation and trial. The Committee appreciates the steps undertaken by the Ministry of Home Affairs for strengthening State Forensic Sciences Laboratories and DNA analysis and setting up of forensic laboratories in the country. The Committee, however, observes that there is a strong requirement for establishing a network of forensic laboratories in the country as the forensic evidence are of crucial importance in the investigation and filing of charge sheets leading to the presentation of a higher number of cases before the Courts. The Committee, therefore, strongly recommends that the Ministry of Home Affairs should take steps towards setting up at least one forensic laboratory in every State capital in the country, on priority.

2.4.16 The Committee is of the view that there is an urgent need for the media to show restraint and responsible behavior in reporting the cases of crimes against women and children. The Committee believes that sensationalizing these cases in media demonstrates a lack of sensitivity and leads to re-victimization of the survivors and embarrassment of their family. Further, the media should focus more on publicizing the penalty/punishment imposed on the culprits than the incidents of crime. This will certainly not only create fear of law but will also act as a deterrence. The Committee, therefore, recommends that the MHA should take up the matter with the concerned Ministries to ensure non-disclosure of identities of victims and provide protection to the victims and families which has also been the observation of the Hon'ble Supreme Court of India.

2.5 Fast Track Courts

2.5.1 The Committee was informed by the Ministry of Law and Justice that Fast Track Courts (FTCs) are set up by the State Governments as per their need and resources in consultation with the High Courts concerned. The 14th Finance Commission recommended setting up 1800 FTCs for dealing with cases of heinous nature, cases related to crimes against women, children, senior citizens, etc., and requested States to utilize enhanced funds made available through devolution.

2.5.2 The Department of Justice has proposed for supporting the setting up of 2499 FTCs in the next five years (2021-26), and the proposal has been submitted to the 15th Finance Commission. State-wise details of Fast Track Courts (FTCs) and details on the number of cases pending (as on November, 2020) is under-

States/UT-wise details of Fast Track Courts and number of cases pending (as on November 2020)

Stat us of State-Wise Fast Track Courts as of November 2020			
S. No.	States/UT	No. of Court functional as on November 2020	number of cases pending as on the end of the Month (November 2020)
1.	Andhra Pradesh, Amrawati*	21	6153
2.	Assam	16	9267
3.	Mizoram	2	146
4.	Chhattisgarh	23	6114
5.	Delhi*	10	4266
6.	Maharashtra	115	150959
7.	Haryana	4	746
8.	Punjab	7	472
9.	Jammu & Kashmir	1	168
10.	Jharkhand	40	5168
11.	Karnataka	8	1593
12.	Kerala	23	3932
13.	Madhya Pradesh	1	50
14.	Manipur	6	471
15.	Sikkim	2	16
16.	Tamil Nadu	73	91110
17.	Tripura	11	1418
18.	Uttar Pradesh	372	437763
19.	Uttarakhand	8	1307
20.	West Bengal*	88	53288
21.	Telangana	29	10144
	Total	860	784551

*Data in respect of Andhra Pradesh, Delhi & West Bengal is available only up to 30.09.2020

2.5.3 Further, in pursuance of the Criminal Law (Amendment) Act, 2018, the Department of Justice is implementing a centrally sponsored scheme since August, 2019 for setting up of 1023 Fast Track Special Courts (FTSCs) across the country for expeditious trial and disposal of pending cases related to 'rape' and cases booked under the protection of Children from Sexual Offences (POCSO) Act, 2012'. Keeping in view the direction of the Hon'ble Supreme Court, a total of 389 dedicated POCSO courts are proposed to be set up out of 1023 FTSC under the scheme for the trial of POCSO Act cases exclusively in Districts where the pendency of such cases is more than 100 cases. A total of 31 States/UTs had been identified. The scheme has commenced in 28 States/UTs. The state of West Bengal, A&N Island and Arunachal Pradesh are yet to join the Scheme. Funds have been released for setting up 842 FTSCs including 363 exclusive POCSO Courts. The total estimated cost of the project to set up Fast Track Special Courts is Rs. 767.25 crore which has a Central share of Rs. 474.00 crore to be incurred from Nirbhaya Fund.

2.5.4 State-wise details of FTSC for Rape and POCSO cases set up under Special Fast Track Court

Scheme are as below:-

S.No.	State	FTSC for Rape	FTSC POCSO courts
1	Andhra Pradesh	08	08
2	Bihar	48	45
3	Chhattisgarh	15	11
4	Delhi	0	00
5	Gujrat	35	24
6	Assam	07	07
7	Mizoram	0	0
8	Nagaland	01	0
9	Maharashtra	22	25
10	Goa	0	0
11	Himachal Pradesh	03	03
12	Jammu & Kashmir	0	0
13	Jharkhand	22	08
14	Karnataka	08	08
15	Kerala	17	0
16	Madhya Pradesh	67	26
17	Manipur	02	0
18	Meghalaya	04	04
19	Odisha	15	15
20	Punjab	03	03
21	Haryana	16	12
22	Chandigarh	01	0
23	Rajasthan	56	26
24	Tamil Nadu	14	14
25	Tripura	03	01
26	Telangana	09	09
27	Uttar Pradesh	218	76
28	Uttarakhand	04	0
	Total	597	325

2.5.5 When asked about the criteria used for the establishment of these courts and whether the establishment of these courts has led to a shortage of judges in the regular courts, the Ministry of Law and Justice replied that the primary criteria for the establishment of Fast Track Courts are the pendency of cases and no such reports have been received that the establishment of FTCs has led to shortages of Judges.

2.5.6 The Committee enquired about the reasons for the pendency of cases in Fast Track Courts. The Department of Justice, Ministry of Law & Justice replied that some of the major reasons for pendency of cases are-

- (i) The rate of filing cases is more than disposal.
- (ii) Non-attendance by a witness.
- (iii) Frequent adjournments are taken by advocates.
- (iv) Difficulties in service of summons.

2.5.7 It was informed by the representative of West Bengal in the meeting of the Committee held on 20th January, 2021 that 123 fast track special courts are to be established in the state under the Special Fast

Track Court Scheme, out of which 20 courts would be exclusively for the trial of cases under the POCSO Act.

2.5.8 To strengthen the prosecution machinery, the Department of Legal Affairs, Ministry of Law & Justice, has requested States/UTs to create additional posts in parallel to the establishment of Fast Track Special Courts. Accordingly, it has requested all States/UTs to appoint one Public Prosecutor preferably, from a regular cadre in every Fast Track Special Court.

2.5.9 Further, to ensure process efficiency, the MHA has enabled an 'e-Prosecution online application' for all Districts in the country. This online application has been developed on the Inter-Operable Criminal Justice System and is linked with Crime and Criminal Tracking Network and Systems and the e-Courts to enable improved work-flow. The e-Prosecution hardware installation and application deployment is complete in all the Districts. Software configuration has been completed in 422 prosecution Districts. Apart from this, 3904 personnel have been trained through 106 training programs. At present 26.91 lakh records are available for use. As part of the e-Prosecution application, an Adjournment Alert Module has been deployed for States/UTs. As per the new feature, whenever a Government Prosecutor seeks an adjournment in a criminal case more than twice, the system has a provision to send an alert to senior officers to prevent procedural-delays.

Observation/Recommendation

2.5.10 The Committee notes the initiative of the Ministry of Law & Justice for setting up 1023 Fast Track Special Courts (FTSCs) for expeditious trial and disposal of cases related to rape and the POCSO Act. Further, the cases registered under POCSO Act during the last 3 years (2017-19) were 31,668, 38,802 and 46,005 respectively. The Committee is perplexed to note that against the 1023 Fast Track Special Courts only 597 Courts including 325 exclusive POCSO courts have been made operational in 24 States/UTs. This shows that although there has been an increase in cases over years, the lack of such courts will further delay the course of dispensing justice which will subsequently reduce the faith of victims in the justice delivery system. The Committee, therefore, recommends that the Ministry of Home Affairs should take up the matter with the Ministry of Law & Justice to expedite the setting up of remaining Fast Track Courts (FTC) in a time-bound manner and that these courts should also adjudicate on the pending cases within a time frame.

2.5.11 The Committee strongly recommends that the law enforcing agencies should be provided with the "public prosecutors" for their assistance to ensure proper investigation, collection of evidence, timely submission of charge sheet and strong presentation of the case before the court. The Committee strongly feels that this would certainly help in increasing the number of conviction cases. Further, the officer senior to public prosecutors should remain vigilant to prevent seeking unnecessary adjournments from the courts. In this regard, the new feature i.e. Adjournment Alert Module provisioned under the e-Prosecution online application can be used optimally to prevent procedural-delays.

2.6 Representation of Women in Police

2.6.1 The need for increasing the number of women in the Police forces in States/UTs has been considered essential for ensuring greater women participation in the development initiatives towards good governance, including the criminal justice system. This was a need arising out of empirical

evidence that low representation of women in Police forces creates a barrier for women seeking to approach Police Stations when a crime is committed against them. MHA has been, accordingly, issuing advisories to States/UTs to ensure adequate representation of women in the Police forces. In line with the Recommendation of the Second Administrative Reforms Commission, *vide* MHA advisory dated 4th September, 2009, States/UTs were advised to ensure that 33% of Police forces are women. This has been reiterated by MHA in its advisories dated 22nd April, 2013 and 12th May, 2015 also.

2.6.2 In the case of UTs, MHA *vide* its order dated 26th March, 2015, has mandated 33% reservation for women horizontally and in each category (Scheduled Caste, Scheduled Tribe, OBCs and others) in all direct recruitment in non-Gazetted posts from Constable to Sub-Inspector in the Police forces of UTs, including Delhi Police.

2.6.3 As per available information, as a result of the several initiatives taken in this regard, the representation of women in Police forces in the States/UTs has increased from 1.10 lakhs in the year 2014 to 2.15 lakhs in the year 2019 which is as under-

Strength and percentage of Women in Police in States/UTs

As on 01.01.2020

Sl No.	States/UTs	Actual Strength of Total Police (Civil + District Armed Reserve (Dar) + Spl. Armed +Irb)	Actual Strength of Woman Police (Civil + District Armed Reserve (Dar) + Spl. Armed + Irb)	Percentage of Woman Police (Civil + District Armed Reserve (Dar) + Spl. Armed + Irb)
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	59,553	3,483	5.85%
2	Arunachal Pradesh	12,546	1,087	8.66%
3	Assam	71,608	5,434	7.59%
4	Bihar #	91,862	23,245	25.30%
5	Chhattisgarh	63,839	4,510	7.06%
6	Goa	7,907	836	10.57%
7	Gujarat	84,078	9,847	11.71%
8	Haryana	52,088	4,344	8.34%
9	Himachal Pradesh @	17,623	3,375	19.15%
10	Jharkhand	64,938	4,635	7.14%
11	Karnataka	83,259	6,895	8.28%
12	Kerala	53,723	3,884	7.23%
13	Madhya Pradesh	99,496	6,001	6.03%
14	Maharashtra	2,14,776	26,890	12.52%
15	Manipur	29,410	2,676	9.10%
16	Meghalaya	14,760	851	5.77%
17	Mizoram	8,081	580	7.18%
18	Nagaland	28,113	2,739	9.74%
19	Odisha	58,455	5,854	10.01%
20	Punjab	85,947	7,337	8.54%
21	Rajasthan	95,262	9,339	9.80%
22	Sikkim	5,678	458	8.07%
23	Tamil Nadu	1,12,745	20,861	18.50%
24	Telangana ~	48,877	2,500	5.11%
25	Tripura	22,791	1,169	5.13%
26	Uttar Pradesh	3,03,450	29,112	9.59%
27	Uttarakhand	21,106	2,578	12.21%

28	West Bengal ^	97,775	9,491	9.71%
29	A & N Islands *	4,302	553	12.85%
30	Chandigarh	7,711	1,448	18.78%
31	D & N Haveli	801	49	6.12%
32	Daman & Diu	424	59	13.92%
33	Delhi	82,195	10,110	12.30%
34	Jammu and Kashmir	80,938	2,677	3.31%
35	Ladakh	1,673	309	18.47%
36	Lakshadweep !	267	28	10.49%
37	Puducherry	3,431	260	7.58%
All India		20,91,488	2,15,504	10.30%

Observation/Recommendation

2.6.4 The Committee notes with disappointment that women presently constitute 10.30% of the Police force. The Committee fails to understand the delay on the part of States/UTs to give adequate representation to women in Police forces. The Committee notes that MHA has regularly advised the States to ensure that 33% of Police forces are women and has made it mandatory in UTs. But, no States/UT Police in the country has representation even close to 33%. The Committee, therefore, recommends that the MHA may advise States/UTs to conduct special recruitment drives to recruit women at all levels in a time-bound manner. The Ministry may also coordinate with States and UTs to remove all administrative bottlenecks for the same.

2.7 Helpline Numbers

2.7.1 The Committee in its meeting held on 17th December, 2020, 06th January and 20th January, 2021 heard the representatives of the Government of Maharashtra, Tamil Nadu, Rajasthan, Uttar Pradesh, Haryana and West Bengal and was informed about the helpline numbers operational in their States for the safety and security of women and children. The information submitted by State Governments before the Committee has been compiled in a tabular form as under-

Sl. No	State	Helpline Numbers	No. of call received
1.	Haryana	1091, 181, (women helpline 1098(child helpline)	More than 94000 calls in 2020 (through 1091) 24525 calls(through 181)
2.	Rajasthan	100, 112, 1090	--
3.	Uttar Pradesh	112, 1090, 181	42,000 calls (through 1090) in 2020
4.	West Bengal	112, Anti-Stalking Help Line Number (8017100100) has been established for city of Kolkata.	-
5.	Maharashtra	103 and 1090 for Mumbai, Thane & Navi Mumbai. 1091 for rest of Maharashtra 1512 GRP helpline	2820 (up to October 2020)
6.	Tamil Nadu	100,181,1091	19626 calls in 2020 (through 100/112) 3453 calls in 2020(through 181)

			980 calls (through 1091)
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2.7.2 The Committee was informed by the State Government of Uttar Pradesh that they are running a service under which, if any woman who is stranded at an isolated area at night and is not getting any other means of transport and needs to be dropped to her house, calls them through helpline number, then the concerned authorities provide necessary help to her.

2.7.3 The Committee in the meeting of the Committee held on 06th January, 2020, sought to know from the State Government of Uttar Pradesh the reason for abysmally low receipt of complaints (only 42000 in 2020) received on the popular helpline number 1090 despite having a population of 23 crores. The representative of the State Government of Uttar Pradesh informed the Committee that efforts are being made to increase awareness among people about these helpline numbers through digital wall paintings in villages, conducting nukkad-nataks and social media like Facebook, etc.

2.7.4 The Committee was informed by the MHA in its background note that the Emergency Response Support System (ERSS) helpline number 112 has been operationalized in 30 States/UTs (Andhra Pradesh, Arunachal Pradesh, Chhattisgarh, Gujarat, Goa, Haryana (Panchkula), Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Mizoram, Nagaland, Punjab, Rajasthan, Telangana, Tamil Nadu, Tripura, Uttarakhand, Uttar Pradesh, West Bengal, Andaman & Nicobar Islands, Chandigarh, Daman & Diu and Dadra & Nagar Haveli, Delhi, Lakshadweep, Puducherry, Ladakh and Maharashtra (Mumbai city). The Ministry has undertaken awareness campaigns to popularize the use of ERSS and the '112 India' mobile application through print, electronic and digital media and advised all States/UTs to popularize its benefits. Creative materials for the awareness campaign have been shared with the States/UTs for the purpose and volunteers have been asked to enroll for the assistance.

2.7.5 The Ministry of Women and Child Development is implementing the scheme of women helpline since 1st April, 2015 and provides emergency and non-emergency referral and information service to women affected by violence through a toll-free 24-hour telecom service. While the women helpline is set up in any one city of the State/UT, women from any District of the respective State/UT can avail of the services of the women helpline. As per available information, a total of 33 women helplines are operational across India catering to the needs of the women affected by violence and distress.

2.7.6 The Committee was informed that the Ministry of Women & Child Development also operates Child helpline No. 1098 which is operational 24x7. It is an emergency phone outreach service for children in crisis that links them to the emergency as well as long-term care and rehabilitation services. The service can be accessed by any child in crisis or an adult on their behalf by dialing a four-digit toll-free number (1098). Further, the Ministry of Women & Child Development is also collaborating with the Ministry of Railways to rescue and rehabilitate children in difficult circumstances who came in contact with Railways by setting up child help desks at Railway platforms. Presently, the service is being extended through Childline India Foundation (CIF)-the Mother NGO managing Childline. Local Childline partner units are available in 598 Districts and at 139 Railway Stations.

2.7.7 Apart from the above, the National Commission for Women has operationalized Whatsapp helpline no. 7217735372 since 10th April, 2020 for reporting cases of domestic violence during COVID-19.

2.7.8 Till June, 2020, 3.05 lakh women were assisted through one-stop centres (OSC) and more than 54

lakh women were assisted through women helplines across the country. During 2014-20, 4.22 Lakh children have been assisted through the Child Protection Services Scheme and 13.84 Lakhs children were assisted through Child helpline1098.

2.7.9 As per BPR&D annual publication, 'Data on Police Organizations' as on 1st January, 2020, there are 75 Apps for citizen services by Police in various States/UTs, with approximately 84 lakh downloads. The National Commission for Protection of Child Rights has launched POCSO e-Box App for the registration of complaints against child abuse in a confidential manner.

2.7.10 When asked about the efficacy of helpline numbers in reducing crimes against women and children, representatives of the NGO, Action India replied that a helpline number is meant to ease a survivor when a call for help is made. But, in reality, the helpline is not helpful, as they either take long to respond with no or less counselling facility. It is also observed that at times the help reaches late.

Observation/Recommendation

2.7.11 The Committee notes that multiple helpline numbers are used for different categories of complaints about crimes against women and children which also vary from State to State. The Committee strongly recommends that there should be a single three-digit helpline number that can be uniformly accessed across all States/UTs. This will be more beneficial to people who travel and commute from one State to another including the foreigners who visit different States during their stay in India. The Committee, therefore, recommends that the MHA should advise all States/UTs to integrate their helpline numbers with 112 for creating a three-digit common Pan-India helpline number. A common national helpline number for women would provide a single platform for everyone who is in distress and can be accessed in every nook and corner of the country. The helpline number may also be linked to other State-sponsored support services like shelters, one-stop centers, counseling, emergency transport assistance and other protection measures holistically.

2.7.12 The Committee believes that the reason for receiving a very low number of calls to the helpline numbers is due to low publicity of the numbers. The Committee, therefore, recommends that the Ministry of Home Affairs should advise States to publicize and promote the use of helpline numbers notified by them in their respective States in an aggressive and continuous manner. This should compulsorily be done in regional and local languages through mainstream print, electronic and digital media, public transports, advertisements, TV channels, social media, cover page of school books, etc. The Committee feels that when a common platform will be formulated for having a unique and universal helpline number for the entire nation, the same should also be duly publicized so that all vulnerable sections including children, women, foreign visitors, everybody would be able to remember it.

2.7.13 The Committee further recommends that the MHA should conduct a nation-wide study on call-drops on these helpline numbers and steps taken to ensure follow-up of these calls. All efforts should be made to ensure that response time for a distress call is minimal and help reaches in time to the victim. Moreover, a counseling facility over the call should also be facilitated for further guidance and to calm down the victim in distress.

2.8 Women and Children Help Desks and All Women Police Stations

2.8.1 The Union Government had been advising the States/UTs to set up exclusive women help desks in Police Stations, and few States have also taken action in this regard. In order to fast-track the exercise, MHA has sanctioned Rs.100 crore to States/UTs in 2020 for setting up women help desks in 10,000 Police Stations. These Desks shall focus on making the Police Stations more women and children friendly and approachable as the first and single point of contact for any woman coming to a Police Station, ensuring a lady Police officer is deployed at these help desks. These help desks would have enlisted a panel of experts like lawyers, psychologists and NGOs to facilitate legal aid, counseling, shelter, rehabilitation and training, etc. The officials of the women's help desk would be trained to be sensitive towards women as well as children.

2.8.2 The information furnished by the State Governments in response to a questionnaire on the number of women and children help desks operational in States are as follows-

Sl. No	State	Number of Women & Children help Desks
1.	Haryana	116 operational, 84 under process
2.	Rajasthan	886
3.	Uttar Pradesh	1584
4.	West Bengal	552
5.	Maharashtra	1129
6.	Tamil Nadu	1346

2.8.3 When asked about the performance of women's help desk at Police Stations, NGO Action India replied that the women help desk at Police Stations is found to be empty most of the time. It is also seen that the women help desks are manned by male Police officers. These officers are highly insensitive and unsympathetic. The victim feels more vulnerable and lack of proper response makes the victim feel further helpless.

2.8.4 Regarding the women's Police station, the State Government of Haryana informed that 33 all women Police Stations have been opened where the entire staff is women. The idea is that if the victim is a woman, there should be no hesitation in approaching the Police in case of crime like dowry, domestic violence, etc. This has contributed to the increased reporting of crimes.

2.8.5 The State Government of Uttar Pradesh informed that women without hesitation can tell their problems and complaints in privacy to "All Women Police Station In-Charge" who is there on the help desk so that immediate action is taken.

2.8.6 The State Government of West Bengal informed that there are 48 women Police Stations in the State which means that in one District, there will be multiple Police Stations. In Kolkata alone, there are 8 women Police Stations.

2.8.7 When asked about the status of allocation of funds for the creation of dedicated Police Stations for Women, the Ministry of Home Affairs replied that it does not separately allocate funds for the creation of dedicated Police Station for women. Further, information on the total number of dedicated Policed Station for women and funds allocation for the creation of such Police Stations is not maintained centrally. However, as per "Data on Police Organizations- 2020" published by BPR&D, out of the total of 16,955

sanctioned Police Stations for women, 9,705 Police Stations are located in rural areas, whereas 4,725 Police Stations are located in urban areas and the remaining 2,525 are the Special Purpose Police Stations.

2.8.8 The Committee sought to know about the experience of having an all-women Police Station in the States. The Committee was informed by the representative of Haryana that an MoU has been signed with the Ashoka University, Centre for Gender Studies to conduct the impact study of all women Police Station. It was also informed that the creation of all-women Police Stations has led to an increase in registration of cases like dowry, domestic violence, etc.

Observation/Recommendation

2.8.9 The Committee is of the considered view that it is important to instill confidence amongst women so that they can fearlessly approach Police Station to register their complaint. The Committee appreciates the steps taken towards establishing all women Police Station but feels that this will not be sufficient to cater to the need of the vast population. The Committee, therefore, recommends that MHA may ask States to conduct a comparative study on having all-women Police Stations *vis-a-vis* traditional Police Stations. A survey may also be conducted among people to check whether all women Police Stations have actually helped in the ease of reporting of crimes. Based on the outcome of the survey, the Ministry may advise the States Governments to further increase the number of all-women Police Stations.

2.9 Nirbhaya Fund

2.9.1 The Government of India has set up a dedicated fund called Nirbhaya Fund for the implementation of initiatives aimed at enhancing the safety and security of women in the country. Under the Nirbhaya Fund, the proposed projects should have the features like a direct impact on safety and security concerns of women, optimum use of existing infrastructure, innovative use of technology, no duplication of existing government schemes/programmes, provision for real-time intervention as far as possible. The Central Ministries/Departments, States/UTs, Autonomous and other government bodies can submit proposals as per the prescribed procedure. The Ministry of Women and Child Development is the nodal authority for the appraisal of the schemes/proposals received under the Nirbhaya Fund.

2.9.2 Women Safety Projects from various States/UTs as well as Union Ministries for assistance under the scheme are appraised and approved by an Empowered Committee in the Ministry of Women and Child Development in terms of the scheme guidelines. The women safety projects being undertaken by MHA seeks to enable assistance to the States/UTs in specific areas which would enhance their capacities to prevent/reduce crimes against women. A majority of these projects by MHA aim at benefitting both rural and urban women. Details of schemes with funds approved are given below:-

SI. No.	Project	Total Approved (in Rs. Cr.)	Outreach (Rural, Urban)
1.	112 Emergency Response Support System	385.69	Rural and urban
2.	One-time assistance to States/UTs for Victim Compensation Fund	200.00	Rural and urban

3.	Cyber Crime Prevention against Women and Children	223.19	Rural and urban
4.	Proposal for providing the facility of Social Workers/Counsellors at the District and Sub-Divisional Police Station Level in Delhi	5.07	Delhi
5.	New building with women-centric Facilities for Special Unit for Women and Children (SPUWAC) and Special Unit for North East Region (SPUNER) at Nanakpura, Delhi	23.53	Delhi
6.	Various other activities under Delhi Police 'Safety of Women' Scheme in Delhi	10.20	Delhi
7.	Safe City Proposal for 8 Cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai)	2840.05	Urban
8.	Establishment of a State-of-the-art DNA Analysis facility at CFSL, Chandigarh	99.76	Rural and urban
9.	Training of Investigation Officers/Prosecution Officers/Medical Officers in forensic evidence and procurement of Forensic Kits for sexual Assault cases	26.46	Rural and urban
10.	Strengthening DNA analysis, cyber forensic & related facilities in 20 State Forensic Sciences Laboratories	189.21	Rural and urban
11.	Setting up/strengthening of Women Help Desks in Police Stations in the country	100.00	Rural and urban
12.	Setting up/ Strengthening of Anti-Human Trafficking Units in all Districts	100.00	Rural and urban
Total		4171.93	

2.9.3 The Ministry of Home Affairs is in the process of implementing projects under Nirbhaya Fund such as Emergency Response Support System (ERSS), Central Victim Compensation Fund (CVCF), Cyber Crime Prevention against Women and Children (CCPWC), Delhi Police projects on the safety of women, Safe City projects in selected eight cities, the establishment of a state-of-the-art DNA Lab at Central Forensic Science Laboratory (CFSL), Chandigarh, strengthening of State/UT forensic laboratories, training and capacity building for the investigating/prosecution/medical officers in the areas of forensic investigation, anti-human trafficking and setting up of women desks in Police Stations across the country.

2.9.4 These projects involve capacity building through the infusion of appropriate equipment and technology to improve the safety of women, including better surveillance using drones, CCTV cameras, automatic number plate recognition to track and alert Police in crime hot-spots in the city, as well as technology-enabled infrastructure like smart lighting systems to eliminate dark alleys, toilets for women which can be located on maps, etc. These involve tender-based procurement, which is an ongoing and continuous activity, and hence the funds released to States/ UT are largely committed expenditure for the project. The States/UT and the Ministry of Home Affairs are regularly reviewing the projects.

2.9.5 The Committee was informed by the Secretary, Ministry of Women & Child Development that the accrual of Nirbhaya Fund stands at Rs.9,288.45 crore and so far Rs.3,581.11 crore has been disbursed and released through the concerned Ministries. The Committee was further informed that project formulation

capacity sometimes is not there in some of the State Governments and agencies. At the central level, some of the best practices are being formulated and offered to the States. Also, the successful projects of the States under the Fund are also shared with other States to make their own proposal by considering the successful projects. This will aid the process of project formulation at the concerned State and District level. The allocation and utilization status of Nirbhaya Fund by the State Governments as submitted by them in a reply to a questionnaire are as follows-

Sl. No.	State	Allocation (Rs. In crore)	Utilization (Rs. In crore)
1.	Haryana	-	-
2.	Rajasthan	30.77	26.14
3.	Uttar Pradesh	(2019-20) 97.58 (2020-21) 115.18	(2019-20) 18.31 (2020-21) 107.37
4.	West Bengal	(2016-20) 86.61	45.92
5.	Maharashtra	213.99	20.75
6.	Tamil Nadu	177.10	28.75

2.9.6 The Committee was informed by the above-mentioned state Governments that they are spending funds on the establishment and strengthening of forensic & DNA labs, creation of Anti-Human Trafficking Unit, Women Help Desks, etc. It was also informed that some of the projects are under process and also Government orders are awaited in some of the projects.

Observation/Recommendation

2.9.7 The Committee notes that the Ministry is implementing twelve projects/schemes for which Rs. 4171.93 crore has been approved. The Committee further notes that only Rs.3,581.11 crore has been disbursed from Nirbhaya Fund out of Rs.9,288.45 crore which is around 38.55%. The Committee is, however, disappointed to note the under-utilization of the Nirbhaya Fund by States which is a dedicated fund for implementation of initiatives aimed at enhancing the safety and security of women in the country. The Committee, therefore, recommends that the MHA should coordinate with MoW&CD and also undertake due consultations with States to improve the utilization of the funds allocated to them and expeditiously implement the projects/schemes for which allocation has been made and take all necessary steps to overcome the bottlenecks. A Committee may also be formed at a central level under MoW&CD to oversee and improve the utilization of the Nirbhaya Fund across States/UTs.

2.9.8 The Committee is disappointed to note that Nirbhaya Fund is continuously diverted towards other Schemes/Projects. The Committee takes a very serious note of this and strongly recommends that the Ministry should desist from sanctioning funds for such schemes from Nirbhaya Fund and adhere to the original purpose of Nirbhaya Fund.

2.10 Safe City project

2.10.1 The Committee was informed by MHA that the Safe City Projects are comprehensive and integrated projects developed by the Police and Municipal Corporations of the city, in view of the demands of their women residents and to plug any gaps in existing infrastructure. The project's inter-alia involves GIS-based crime mapping for identifying crime hot spots, conducting crime scene analysis and filling in gaps in the existing eco-system. It also aims at involving the community for enhancing women's safety.

Safe City project is presently undertaken in 8 cities - Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai. The projects are actively underway and are in various stages of procurement and installation of assets/resources.

2.10.2 The Ministry monitors the implementation of these projects regularly in consultation with the States/Union Territories and implementing agencies. A Safe City Implementation and Monitoring (SCIM) portal has been created for enabling proper monitoring. The state implementing agencies upload the details about the assets installed and made operational under the project. It has been decided to take up new cities under the “Safe City Projects” in Phase II after implementations of the ongoing Safe City Projects and on the basis of the outcomes achieved.

2.10.3 To identify and control crime against women and children at ‘Dark Spots’ with less/no street lighting across the country, the Ministry of Home Affairs, in its advisory dated 12th May, 2015 on a comprehensive approach towards preventing crimes against women, *inter-alia*, has requested States/UTs to provide for proper lighting of roads, streets and other lonely stretches.

2.10.4 Hon’ble Supreme Court of India, *vide* its order dated 2nd December, 2020, has directed installation of CCTV cameras in all Police Stations. In order to facilitate States/ UTs, the MHA has been providing assistance as part of the scheme for Modernization of Police Forces for various measures *inter-alia* including installation of CCTV in Police Stations. Further, the States/UTs have also been advised to include a budgetary component for the installation of CCTV in Police Stations in their State Annual Action Plan for the year 2021-22, in compliance with the directions of the Apex Court.

Observation/Recommendation

2.10.5 The Committee strongly recommends extending the Safe City Project to all the major cities including Capitals of all States/UTs in Phase II. The Committee also recommends that the MHA may advise States/ UTs to install CCTV cameras equitably in urban and rural areas. The MHA may take up with States to encourage NGOs, Resident Welfare Associations (RWAs) and private individuals to install CCTV cameras. The Committee further recommends that a detailed Standard Operating Procedure (SOP) may be released by MHA regarding the installation of CCTV cameras, storage of recordings, quick and easy retrieval of the stored data to different law enforcing agencies, etc., through appropriate advisory.

2.11 Shelter Homes

2.11.1 States have opened shelter homes that provide different services to the poor, destitute, widow, etc. The services at these homes include accommodation, food, clothing, counseling, skills, etc. The number of shelter homes and services provided by them in the States of Haryana, Uttar Pradesh, Rajasthan, West Bengal, Maharashtra and Tamil Nadu are as follows-

Sl. No	State	Number of Shelter Homes (Swadhar Greh)	Services provided
1.	Haryana	2	These homes provide accommodation, maintenance and clothing allowance, education and training to the young widows and destitute women for their rehabilitation.

2.	Rajasthan	17	are available. Women who are neglected or disdained are not only provided accommodation food, shelter and medical facilities but are also imparted vocational training at the shelter sites for their rehabilitation
3.	Uttar Pradesh	Operational in 12 Districts	In these homes, women in distress, Homeless/destitute women, the victim of any form of abuse, victims of domestic violence and immoral trafficking are being provided with a safe environment, shelter, food, medical assistance, counseling, vocational training, etc.
4.	West Bengal	36	There are thirty-three shelter homes in the State for women in difficult circumstances under 'Swadhar Greh'. Additionally, two Protective Homes for victims of trafficking are being run under the 'Ujjawala' Scheme and one shelter Home (Pankaj Acharya Mahila Abas) is run by the West Bengal Social Welfare Board.
5.	Maharashtra	42	The State Government of Maharashtra informed the Committee that there are forty-two shelter homes in the State. It provides shelter, clothes, allowance, education and skills to destitute women for their rehabilitation.
6.	Tamil Nadu	35	A Scheme for Women in difficult circumstances was launched by the Department of Women and Child Development. The scheme through the provisions of shelter, food, clothing, counseling, training, clinical and legal aid aims to rehabilitate such women in a difficult circumstance. At present, the erstwhile short stay homes are merged with Swadhar Greh and the scheme is implemented by the Commissionerate of Social Welfare and NMP.

2.11.2 The Committee was informed by the Ministry of Women and Child Development that the Ministry has launched the Swadhar Greh Scheme that targets women victims of unfortunate circumstances who need institutional support for rehabilitation so that they could lead their life with dignity. The Scheme envisages providing shelter, food, clothing and health as well as economic and social security for the women victims of difficult circumstances which include widows, destitute women, and aged women. For widows, a special home namely 'Krishna Kutir' has been established in Vrindavan, UP having the capacity to cater to 1000 widowed women.

2.11.3 The Committee sought to know whether the shelter homes in States are run by them only or Centre allocates funds to them. The representative of MoW&CD replied that the Central Government also allocates funds to States for running shelter homes.

Observation/Recommendation

2.11.4 The Committee notes that the number of shelter homes set up by States is insufficient to meet the desired objective of providing temporary relief and dwelling arrangements to the victimized women. The Committee, therefore, recommends that the Ministry of Home Affairs may take up the issue with the MoW&CD to set up more shelter homes. The Committee also recommends providing adequate food, clothing, medicines and other basic amenities in all the shelter homes.

2.11.5 The Committee further recommends that CCTV cameras in all shelter homes should be installed on priority and in a stipulated time frame so as to prevent incidents of physical abuse of

the inmates. Moreover, a central database of all shelter homes and their inmates in the country may be prepared and a comprehensive survey/audit may also be conducted through independent agencies/NGOs and State Women Commission about the living conditions, safety and satisfaction level of the inmates residing in these shelter homes.

2.12 One-Stop Centres (OSCs)

2.12.1 One-Stop Centres have been established across the country to strengthen mechanisms for addressing concerns of women affected by violence, facilitate access to an integrated range of services including medical aid, Police assistance, legal aid/case management, psychosocial counseling, and temporary support services to women affected by violence. The number of One-Stop Centres and services in the States of Haryana, Uttar Pradesh, Rajasthan, West Bengal, Maharashtra and Tami Nadu are as follows-

Sl. No	State	Number of One-Stop Centres	Services provided
1.	Haryana	22 (one in each District)	One-Stop Centre has helped in ensuring Women's safety and security through integration with Women Helpline 181. These OSCs ensure women safety and security and have been set in all the Districts in a phased manner to provide integrated support and assistance to women affected by violence, both in private and public space under one roof to facilitate immediate, emergency and non-emergency access to a range of services including shelter medical aid, legal assistance, psycho-social counseling.
2.	Rajasthan	33	It provides medical, Police, legal, counseling and temporary shelter services are provided round the clock.
3.	Uttar Pradesh	75	It provides integrated support and assistance to women affected by violence under one roof, i.e short stay, medical assistance, legal aid, counseling & Police intervention
4.	West Bengal	23	The OSC has been functioning as a safe space for women and girls under 18 years of age who have faced violence. It puts them in touch with immediate medical, legal and psychological care, and also functions as a transit space until further steps are taken in their cases.
5.	Maharashtra	37	OSCs have been helpful for women safety and security as it provides 4-5 days of residential facilities for the needy women in crisis, Sufficient staff as per guidelines is provided to take care of these women. Also legal guidance, medical help and counseling is provided to women through these OSCs
6.	Tamil Nadu	34	The centres provide integrated support and assistance to women affected by violence, both in private and public spaces under one roof and facilitates like immediate emergency and non-emergency access to a range of services including medical, legal, psychological and counseling support to fight against any forms of violence against women.

2.12.2 The representative of the State Government of Uttar Pradesh informed the Committee in its meeting held on 6th January, 2021 that they have developed an interlinking system between Women & Child Development Department, Prosecution Department and Health Department of the State. A single window system has been initiated to help women who are victims of crime on the lines of a single window system for helping the industries. The interlink has already been established between WCD Department, Prosecution Department, Police Department and Health Department in Lucknow city as a trial and in some time it will be launched in the entire State.

Observation/Recommendation

2.12.3 The Committee notes that the above-mentioned States have established One-Stop Centres in all Districts nearer to or within public hospitals. But, the Committee feels that considering the increasing crimes against women, more Centres are required. The Committee, therefore, recommends that the Ministry of Home Affairs should take up with the Ministry of Women & Child Development to advise States to open at least one One-Stop Centre at every sub-divisional level.

2.12.4 The Committee also believes that it is important to have involvement of social organizations and State Women Commissions in checking the functioning and the quality of services rendered by the One-Stop Centres and, therefore, recommends that grass-root Panchayati Raj Institutions, local NGOs and State Women Commissions should be involved in conducting a periodic safety audit of the One-Stop Centres.

2.12.5 The Committee is of the view that the inadequacy of post-incident services may lead to their re-victimization and affects their rehabilitation. Therefore, adequate investments and interventions should be made focusing on both prevention of violence and post-incident service provisions to adequately meet the requirements of the survivors that are highly sensitive in nature. The Committee is of the considered view that post-trauma counseling is needed for violence against women as only framing stringent legal provisions and the administrative mechanism is not enough. Post-trauma counseling of the victims of violence should include proper medical attention, emotional assistance along with financial assistance to the victim for rehabilitation.

2.12.6 The Committee appreciates the initiatives, like interlinking of departments and creation of a single-window system to help women victims of violence, taken by the State Government of Uttar Pradesh. The Committee, therefore, recommends that other States should also establish synergy and coordination amongst various departments concerned with the safety and security of women and children.

2.13 Safety of Women in Public Transport

2.13.1 Harassment of women in public transport is a common phenomenon. As a consequence, they feel insecure about the violence and that leads to forced immobility. The Committee sought to know about the steps taken by State Governments for the safety and security of women in public transport.

2.13.2 The State Government of Haryana informed the Committee that the Women Helpline No.1091 is prominently displayed at all important public places viz. Bus Stands, Railways Stations, etc. During the year 2020, a total of 94,403 calls were received out of which 2,945 FIRs were registered. Further, any woman can download the 'Durga Shakti App' and seek immediate Police help by simply pressing an

ALERT button as it has a system of a panic call in case of distress. Further, in Gurugram, there is a mandatory verification of the drivers who are employed on cabs along with CCTV monitoring and an automatic number plate recognition system.

2.13.3 The State Government of Uttar Pradesh informed the Committee that UP-GPS, CCTV and panic buttons are being installed for the safety of women in city buses operated in Lucknow city. Apart from this, women/girls of the state can register any crime, sexual harassment and violence through a phone call on 1090 or 112, on which immediate assistance is provided by the Police Response Vehicle (PRV) of UP-112. Also, according to the nature of the victim's complaint, legal action is taken by registering the complaint at the concerned Police Station.

2.13.4 The State Government of Rajasthan informed the Committee that 'Raj cop Citizen App', provides SOS/Emergency Contact for women and citizens in distress. Pressing the panic button flashes the location of the woman's smartphone in the Police control room, which is used to contact her and provide assistance. The App also allows for sending a distress SMS to pre-designated 5 emergency contact numbers of the woman/person in trouble. Further, the Transport Department is in the process of mandatorily installing panic buttons as well as Vehicle Location Tracking Devices (VLTDs) in buses which will be connected to a Central Command Center for monitoring and quick response.

2.13.5 The State Government of West Bengal informed the Committee that they have made it mandatory to install Vehicle Location Tracking Devices (VLTD) along with Panic Buttons in passenger transport vehicles for the safety and security of passengers, particularly women and children. In the buses of State Transport Undertakings, email ID and helpline numbers are provided to register the incidents of sexual harassment and violence in public transport, if any. Further, in all-new buses being introduced under the State Transport Corporations CCTV, panic button and GPS have been installed.

2.13.6 The State Government of Maharashtra informed the Committee that to ensure women's security measures during the train journey, CCTV Cameras have been installed at Railway stations, GRP Helpline No.1512, the Toll-free Help Line No.103 and 1090 for Mumbai, Thane & Navi Mumbai. For the rest of Maharashtra Help Line No.1091 is functioning for Women. Help centres at State transport bus stands have been created to provide immediate help and assistance to women and children, help centres/desks are established at State Transport Bus stands.

2.13.7 The State Government of Tamil Nadu informed the Committee that the aggrieved woman can directly approach the Police Station and seek Police help through anyone of the helplines (112,181 and by using the KAVALAN mobile App).

2.14 Safety of women and children in trains

2.14.1 The Ministry of Railways informed the Committee that Policing on Railways being a State subject, prevention of crime, registration of cases, their investigation and maintenance of law & order in Railway premises as well as on running trains are the statutory responsibility of the State Governments, which they discharge through Government Railway Police (GRP)/District Police. However, Railway Protection Force (RPF) supplements the efforts of GRP to provide better protection and security of passenger areas and passengers. Cases of Indian Penal Code (IPC) crime in Railways are registered and investigated by the concerned Government Railway Police.

2.14.2 The Committee sought to know about the mechanism available for women and children to register the incidents of crimes, particularly sexual harassment against them during the course of their journey by trains. The Ministry of Railways replied that the States are having different mechanisms for lodging FIR and registration of crimes. However, to facilitate travelling passengers in running trains to report a crime, First Information Report (FIR) forms are available with TTE, Guard, or RPF/GRP train escorting staff. After filling the form, it may be handed over to one of the said officials for registration of the case at the next Police Station irrespective of the jurisdiction for taking cognizance of it. If the place of occurrence does not fall in their jurisdiction, the case is registered under Zero FIR and transferred to the concerned Government Railway Police Station that has actual jurisdiction. Further course of action is taken by the Police as per extant legal provisions.

2.14.3 The measures taken by the Railway Protection Force to sensitize the Railway Police personnel towards crime against women and children and ensure their safety in trains/railway stations *inter-alia* includes modules of gender sensitization in the training of officials, escorting of trains by Railway Protection Force, Security Help Line number 182 (Toll-free) that is operational (24X7) for security-related assistance to passengers in distress, CCTV Cameras in trains, awareness campaigns through social media platforms *viz.* Twitter, Facebook, etc.

Observation/Recommendation

2.14.4 The Committee is of the considered view that public transport system can play a cardinal role in ameliorating the living conditions of women. Therefore, it is important to mainstream gender-related considerations into public transport so as to provide safe, comfortable, and convenient transport to women and reduce gender inequality. The Committee notes that multiple agencies/authorities are involved across States for managing public transport. The Committee is of the view that it is important to have coordination and cooperation between them. The Central Ministry should consult States/UTs and develop a uniform system of safety features in public transport in the country.

2.14.5 The Committee notes that some States have proposed CCTV surveillance, panic button and controllers in public transport to make road transport safe for women. The Committee understands the importance of the safety features in public transport and, therefore, recommends that the Ministry of Home Affairs may take up the matter with the Ministry of Road, Transport and Highways to prepare guidelines for mandatory installation and regular maintenance of CCTV cameras, GPS, panic button and controllers in public transport across the country in a time-bound manner. The transport system should display the helpline numbers along with the name, ID, etc. of the operating staff.

2.14.6 The Committee takes note of the mechanism available to register FIR in running trains. The Committee recommends that the Ministry of Railways may be pursued to widely publicize the facility of registration of cases in the running train through print, electronic and digital media and also expedite installation of CCTV cameras in trains and railway stations all across the country.

2.14.7 The Committee notes that different States have devised customized Apps for registration of complaints in public transport and observes that different Apps in different States will make it difficult for a person travelling across the States to make a complaint. The Committee, therefore, in order to facilitate and ensure easy registration of complaints, recommends that the Ministry of

Home Affairs should explore and take up the matter with the concerned Ministries at the Central level in coordination and consultation with States to devise a Pan-India common App on the lines of Pan India Helpline Number ‘112’ for registration of cases in all modes of public transport.

2.15 Strengthening of Institutions

National Crime Records Bureau (NCRB)

2.15.1 The National Crime Records Bureau (NCRB), an attached office of MHA, has been *inter-alia* collecting and publishing Crime Statistics at the National level. The NCRB has defined the protocol and format for reporting crime data by the States/UTs. The States and UTs report data to NCRB, which is then published by NCRB as "Crime in India". This Report is available in the public domain on the website of NCRB.

2.15.2 The NCRB has published crime data annually till the year 2019. The NCRB publishes crime statistics for 19 metropolitan cities with a population of more than 2 million people. These are the Metropolitan Cities of Ahmedabad, Bengaluru, Chennai, Coimbatore, Delhi, Ghaziabad, Hyderabad, Indore, Jaipur, Kanpur, Kochi, Kolkata, Kozhikode, Lucknow, Mumbai, Nagpur, Patna, Pune and Surat. The NCRB does not separately maintain data on crime against women in rural areas.

2.15.3 While statistical information is maintained by the NCRB, "Police" and "Public order" being State subject, the NCRB does not maintain information on specific cases of crime or the reasons for any increase or decrease in instances of crime in any State or UT. Similarly, details of action taken against public servants whether it is a police officer or a medical officer for non-compliance with the law (including non-filing of FIRs under 166A and 166B of the Indian Penal Code) are also not maintained separately. Moreover, the NCRB does not collect data on crimes committed against migrant women and children. Further, the NCRB follows the ‘Principal Offence Rule’ for crime statistics.

Observation/Recommendation

2.15.4 The Committee takes note of the data collected by the National Crime Records Bureau (NCRB) under different heads of crime on crimes against women and observes that there is no further segregation of data on the basis of different social parameters like education, income, caste, etc. The Committee, therefore, recommends that the Ministry of Home Affairs should explore the possibility of further desegregating the data pertaining to atrocities violence against women. This will help in understanding the prevailing situation of crimes against women and help in taking corrective measures by the law enforcement agencies. It is also important to create a database of other offenders like the criminals engaged in molesting, drug trafficking, etc.

2.15.5 The Committee further recommends that the MHA should take up the matter with the Ministry/Department/Organization concerned to prepare a national database of destitute women/children living on the streets, religious places, railway stations, etc., as they are also highly vulnerable to crimes. The database thus gathered will help in providing food, shelter, protection from the vagaries of nature, counseling and rehabilitation, etc., to such people particularly, women and children who are in dire need of help and assistance from the Government.

2.15.6 The Committee observes that the 'Principal Offence Rule' followed by NCRB for crime statistics has lacunae as in a particular case where more than one offense has been committed, only the most serious offense is considered. The Committee, therefore, recommends that NCRB may review the 'Principal Offence Rule' so as to ensure that data is collected and reflected in their statistics in such a way that no crime gets unaccounted for.

National Commission for Women (NCW)

2.15.7 In the meeting held on 18th November, 2020, the representative of the National Commission for Woman (NCW) apprised the Committee that the NCW investigates and examines all matters relating to constitutional safeguards for women, to look into complaints of non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardship and ensuring welfare and relief to women. It also takes *suo-moto* notice of issues/matters relating to deprivation of women's rights and has a 24x7 online complaint portal for crimes committed against women. The Commission has also been working with different State Commissions and investigating the complaints throughout the country. The Commission has also launched a new WhatsApp number [+91 7217735372] during COVID-19 lockdown for registering complaints related to domestic violence against women.

Observation/Recommendation

2.15.8 The Committee appreciates the work done by the National Commission for Women (NCW) in taking cognizance of atrocities and crimes against women all across the country. The Committee observes that there is still a need to delve deep into rural areas of the country where similar crimes occur frequently without getting reported. The Committee, therefore, recommends that the MHA should take up the matter with the Ministry of Women & Child Development and NCW to take more positive actions against crimes taking place particularly, against the poor and vulnerable women in rural areas of the country.

Bureau of Police Research and Development (BPR&D)

2.15.9 The Bureau of Police Research & Development (BPR&D) was established under the Ministry of Home Affairs in 1970 with the primary objective of modernization of police force by promoting a speedy and systematic study of the police problems and applying science and technology in the methods and technique used by police.

2.15.10 BPR&D along with its Central Detective Training Institutes (CDTIs) and Central Academy for Police Training (CAPT) have been undertaking training courses, which includes the following-

- (i) Investigation in Rape cases;
- (ii) Capacity building of women Police officers;
- (iii) Use of videography/photography in the scene of the crime during the investigation;
- (iv) Sensitization of Police officers for Juvenile Justice;
- (v) Training of trainers- investigation of crime against women (especially sexual assault cases);
- (vi) Regional workshop on crime against women and children;
- (vii) Crime against women and children;
- (viii) Workshop on children and women safety; and
- (ix) Webinar for prison officers on the management of women and children in prison

2.15.11 The BPR&D, in association with the State Police, has also organized 260 training courses for investigators on women's safety, in which 6659 Police officers were trained in the FY 2018-19 and 2019-20. In the year 2020-21, 8 training courses for 300 Police officers were conducted for Police officers. A total of 49 courses have been held for training 1245 Public Prosecutors in the years 2018-19 and 2019-20. In the FY 2020-21, 180 courses for training 4500 Investigation officers and 20 courses to train 500 Public Prosecutors are underway. BPR&D also undertook a webinar on "Safety of Women and Children during Pandemic" for nearly 1500 Police officers of all ranks from all over the country. This was followed up with a 5-day online training course on National Police Perspective Management for Police officers of the rank of Additional SP, focusing on gender issues.

2.15.12 Training and skill-building programs for investigation officers, prosecution officers and medical officers for handling, collection and transportation of evidence in sexual assault cases are being undertaken in BPR&D and Lok Nayak Jayaprakash Narayan National Institute of Criminology and Forensic Sciences. So far, more than 9000 officers have been trained. Along with this BPR&D has distributed more than 14000 Sexual Assault DNA Evidence Collection Kits (SAECK) to States/UTs.

2.15.13 It also conducts sensitization programmes for Police officials associated with the investigation of POCSO cases on top priority so that charge sheets are filed in a timely manner to facilitate completion of trials within the time frame contemplated under the POCSO Act.

Observation/Recommendation

2.15.14 The Committee is of the considered view that an in-depth study is required on the changing patterns of crimes under various heads to understand the reasons for different types of crime, the types of offenders, etc., so as to ascertain the reasons for the failure of the existing public policy governance mechanisms in curtailing/preventing atrocities and crimes against women and children. The Committee, therefore, recommends that the MHA should take up with the BPR&D for conducting a scientific study in this regard. This will help in the identification of root causes of crime and in making necessary legislative and schematic interventions and also to redesign training modules to prevent atrocities and crimes against women and children.

2.15.15 The Committee observes that the stringent provisions in the law have not acted as deterrence in preventing crimes against women and children and have made a very limited impact. This is a matter of grave concern for the nation and it becomes important to understand the efficacy of laws in preventing crimes against women and children. The Committee, therefore, recommends that the MHA must advise and pursue with all States/UTs to conduct a study on the effectiveness of laws. The study may also highlight the provisions in the laws/schemes that have helped in addressing the cause of crimes against women and children.

2.16 Advisories issued by the MHA

2.16.1 The Union Home Secretary in the meeting of the Committee held on 27th October, 2020 informed the Committee that the atrocities and crimes against women are a very complex problem. It needs a little more effort, continuous monitoring and maybe involvements of the States, civil society and more people. In order to make the governance process more inclusive, the Ministry of Home Affairs issues advisories from time to time to States/UTs to curb atrocities and crimes against women and children through their initiatives.

2.16.2 The State Government of Haryana informed the Committee that the advisory of MHA dated 9th October, 2020 has been issued to all District field units with the direction that the contents of the advisory may be circulated to all Police Stations under their jurisdiction with the direction to implement the same diligently with respect to cases of crime against women. The advisory has also been forwarded to Director, Haryana Police Academy, Madhuban, Karnal to include the same in the training syllabus of basic induction courses as well as in-service courses conducted by them.

2.16.3 The State Government of Rajasthan informed the Committee that the advisories have been duly circulated, in the form of SOPs to all Districts/units for compliance through percolation down to the Police Station level. Various other circulars/directions have been issued from Police Head Quarter, which is in line with the direction received from MHA on the subject like hassle-free and assured registration of complaints, time-bound investigation, with special emphasis on disposal of cases of rape within two months, compliance of various new laws, guidelines issued by Hon'ble Supreme Court/High Court/Commissions, setting up cyber cells and upgrading technical skills of police personnel to deal with such crimes against women, etc.

2.16.4 The State Government of Uttar Pradesh informed the Committee that the advisory of MHA on "Mandatory action by Police" in cases of crime against women was forwarded by their Home Department to ensure compliance of the guidelines, advisory issued regarding registration of crime, evidence collection and a forensic examination in crime against women. For prevention and effective control of crime against women and various instructions, circulars have also been issued by the Director General of Police, U.P which are being executed from the Police Station level.

2.16.5 The State Government of West Bengal informed the Committee that the advisories have been circulated among all concerned for compliance of instructions related to the crime against women. The advisory of MHA dated on 9th October, 2020 on "Mandatory action by police in cases of crime against women" along with aforesaid advisories, has been circulated among all District Police/Police Commissionerates for strict compliance. Further, the MHA's advisory dated 05th December, 2019 regarding timely and pro-active action by Police in cases of crimes against women has been partially complied with. The implementation of the "ITSSO & NDSO" will be done as soon as the CCTNS backbone starts functioning fully. The Sexual Assault Evidence Collection Kits (SAECK) has been distributed to the Districts/Commissionerates. Police Personnel have been trained regarding the use of SAECK.

2.16.6 The State Government of Maharashtra informed the Committee that in compliance with advisories of MHA women Helplines (Nos. 103 and 1090) have been established, 12 Anti-Human Trafficking Units (AHT Units) have been established and 24 AHT units are under process, efforts have been made to complete the investigation of rape cases within a period of 2 months and directions have been given to all the police units to take necessary steps for prevention of sexual assault/exploitation of women in quarantine centres.

2.16.7 The State Government of Tamil Nadu informed the Committee that the advisories issued by the MHA have been communicated to the field officers for compliance. Regular training programmes are being conducted for the IOs of cases of crimes against women to apprise them of the latest developments in the law and technology.

2.16.8 The Committee enquired the MHA about the initiatives taken with regard to sharing of

experiences and adoption of the best practices. The MHA replied that NCRB has organized conferences on CCTNS good practices and success stories in October, 2018 and December 2020 in which officers of States/UTs shared their good practices and success stories in dealing with crimes in general with the help of the CCTNS platform. All these good practices were also compiled in the form of compendiums which were made available to senior officers and nodal officers of all the States/UTs.

2.16.9 Further, BPR&D regularly undertakes research projects on Police issues, including those on crimes against women, which are published in National Police Research Repository. Further, the BPR&D also issues Standard Operating Procedures and Guidelines on various aspects of criminal investigation and policing which are based on best practices in various States/UTs. These publications are shared with the States/UTs for implementation at the field level as per requirements.

Observation/Recommendation

2.16.10 The Committee notes that States have been complying with the advisories issued by MHA regarding crimes against women. The Committee recommends that MHA should periodically publicize the outcome on the advisories that are being issued to the States/UTs and action taken thereon by them. This will act as a motivating factor and will also create healthy competition between States/UTs.

2.16.11 The Committee observes that it is important to learn from the relevant experiences of the past which would be helpful in combating the atrocities and crimes against women and children in the future. The Committee, therefore, recommends that the MHA should also take advice from States/UTs that have been successful in curbing the issues of atrocities and crimes against women and children. The MHA should accordingly, devise a mechanism so that the best practices of all the State Governments and all police departments may be compiled in the form of compendiums and shared on one platform for the use of all senior/nodal officers at the Central/States/UTs level.

2.17 Role of NGOs in Assisting the Victimized Women and Children

2.17.1 The NGOs are supplementing the efforts of the Government towards empowerment of women and in extending the benefits of the policies and schemes to women and children. Several NGOs are prominently providing various services that *inter-alia* includes counseling services, legal aid, medical facilities and financial support to the victims of crimes involving women and children. They are also carrying out an impact assessment of the policy decisions affecting women and children, organizing training, workshops, campaigns to end violence against women and children, etc. Therefore, the Committee decided to hear the views of three leading NGOs having all India presence namely All India Women's Conference, Jagori, and Action India which are working in the matters related to protection, welfare, and empowerment and safety of women and children. Their depositions before the Committee and written replies have been duly taken into consideration by the Committee.

Observation/Recommendation

2.17.2 The Committee deeply appreciates the efforts made by the NGOs towards extending various welfare services to women and children, particularly meant for their safety and protection. The Committee observes that the engagement and involvement of the Government with the NGOs/Civil Society/Social Organizations is very important and crucial because the NGOs are working at the

grass-root level. They can feel the pulse of the community and over the period have acquired experience and learned about the difficulties of the victims of atrocities and crimes at the ground level. The Committee, therefore, recommends that the Ministry of Home Affairs should focus on building public and private partnerships by involving NGOs and other social organizations as part of their Schemes/Programmes/Projects. The NGOs and community should be directly involved in all schemes/projects/ programmes particularly, those aiming at enhancing legal awareness, strengthening reporting mechanisms including helpline numbers, expediting justice delivery systems and designing of schemes and interventions of the Government meant for rescue, rehabilitation, counseling of the victims. This will help in instilling confidence among women and children and improve their overall safety. The NGOs should also be involved in Consultative Committees in the Government, Panels of schools and colleges and other institutions to create awareness and conduct programmes on gender sensitization.

2.17.3 NGOs can play a crucial role in reforming the delinquents and bringing the diverted children back into the mainstream by getting them enrolled in schools/vocational courses so that these children instead of again getting involved in crimes and other illegal activities at juvenile age can be involved in the betterment of the community and society. The Committee, therefore, recommends that the Ministry of Home Affairs should conduct mapping of the NGOs and identify the Schemes/Programmes/Projects for which their help can be used effectively.

2.17.4 The Committee observes that in the rural, far-flung tribal areas, the people are generally very innocent and they accept the atrocities as a way of life largely due to lack of education, awareness of the existing laws and regulations, etc. In absence of any organization to assist them, they are unable to access the justice delivery system in comparison to women in urban areas who are educated, aware and have easy and faster access to legal systems. The Committee further notes that generally, the NGOs have confined their activities to the urban areas and metropolitan cities. The Committee, therefore, recommends that the Ministry of Home Affairs should take necessary measures to incentivize and encourage the NGOs to increase their presence in rural and tribal areas to reach out to the vulnerable and helpless sections of the society. Further, the NGOs should also increase their online presence so that they can extend their services to distant areas.

2.18 Conditions of Sex-Workers

2.18.1 The Committee also showed concern towards the condition of sex workers in the country. The Ministry of Home Affairs informed the Committee that the safety of women in crime-prone areas including those who are living in the red-light area or forced into prostitution is of utmost priority for the Government of India. The Ministry of Women and Child Development (MoW&CD) informed that they do not support legal sanctity to sex work. The MoW&CD does not also endorse monetization of women's sexuality or sexual exploitation or abuse of women in any manner. It has been Government's endeavor to put in place effective mechanisms to provide a safe environment for all women, to work, live and fulfill their potential. Incidences of crime against women cannot be controlled unless the mindsets of people in general change.

2.18.2 However, the Ministry of Women and Child Development is undertaking Ujjawala scheme, which is a comprehensive scheme launched with the objective to prevent trafficking of women and children for commercial sexual exploitation, to facilitate the rescue of victims and for placing them in safe custody, to

provide rehabilitation services by providing basic amenities/needs, to facilitate the reintegration of victims into the family and society, and to facilitate the repatriation of cross border victims.

2.18.3 All India Women's Conference has visited a brothel and interviewed some sex workers and submitted the findings to the Committee that has been duly considered.

Observation/Recommendation

2.18.4 The Committee notes the response of the Ministry of Women and Child Development (MoW&CD) that they do not support the legal sanctity of sex work. However, the Committee is of the considered view that sex workers are faced with hardships, very much susceptible and more often the victims of violence. They are made to suffer in oblivion due to the apathy of law, authorities and society at large. The sex workers are not even getting the basic rights and amenities under the Constitution of India. The sex workers alike any other citizen, are also entitled to their rights and social security. The Committee, therefore, recommends the Government must take concrete action to ameliorate the plight of sex workers in the country. The Ministry of Home Affairs should take up with MoW&CD to arrange for legal aid, rehabilitation, adequate health care facilities, and education with hostel facilities for the children of sex workers. The efforts of the Government would bring the sex workers and their children to the mainstream of society.

2.19 Issue of Transgender

2.19.1 The Committee while deliberating on the subject "Atrocities and Crimes against Women and Children" delved upon the problems being faced by the transgender community and observed that transgender are an integral part of our society but are not being given the due respect and recognition to be treated as a normal human being. The Members of the Committee observed that a lot needs to be done for them so that as an integral part of the society they can also enjoy all the rights, entitlement and resources. The Committee further observed that they are deprived of basic amenities, shelter, education, employment, skill development, toilet facility in public places, etc. This has happened mostly due to the apathy of the society and authorities towards them and also partly due to their feeble voice in placing their demands to bring significant improvements.

Observation/Recommendation

2.19.2 The Committee recommends that the Ministry of Home Affairs must make sincere efforts to create an environment where the transgender can become an integral part of the society. The Ministry of Home Affairs should pursue with the concerned Ministries to arrange for providing food, shelter, clothing and toilet facilities in all public places. The Committee further recommends that inclusive policies should be framed for the transgender community so that they integrate themselves in the social mainstream, live a dignified life and contribute meaningfully to the society and economy. Further, any abuse/insult undermining the transgender should be made punishable under the law.

2.20 Atrocities and Crimes against Women and Children of SC/ST Community

2.20.1 The women and children belonging to the SC/ST community are subjected to all kinds of violence including sexual violence. The National Crime Records Bureau (NCRB) has recorded

1,31,430 incidents of crime against Dalit (SC) men and women (total) under the SC/ST (PoA) Act during the last three years from 2017 to 2019. Among this, crimes against women and children (minor girls) constitute 15.73% (20,675 incidents). This includes the offenses of rape, attempt to rape, and assault on women to outrage the modesty, insult to modesty and kidnapping and abduction to compel her to marriage. The table given below clearly reflects a consistent increase in the cases against SC women and children every year.

Forms of Offences against SC Women & Children - 2017 to 2019

	Crime Head	2017	2018	2019	Total	% increase in 2019 over 2017
1	Assault on Women to Outrage the modesty (Sec 354 IPC)	2903	3091	3375	9369	16.25
2	Rape (Sec 376 IPC)	2714	2936	3486	9136	22.14
3	Attempt to Rape (Sec 376/511 IPC)	105	132	124	361	15.32
4	Insult to Modesty (Sec 509 IPC)	72	148	143	363	50.00
5	Kidnapping & Attempt to compel her for marriage (Sec 366 IPC)	527	493	357	1377	Decline 48 % (-47.61)
	Total	6321	6800	7485	20606	15.55

Disposal of the cases against SC women and children by the courts under PoA Act r/w IPC (2017-2019)

Conviction rate for the crime committed against SCs women and minor girls under PoA Act (2017-2019)							
Crime Head (2017-2019)	Total Cases for Trial including cases from Previous year	Cases in which Trials were Completed	Number of Cases ending in Conviction	Number of Cases ending in Acquittal	Number of cases Pending Trial at the End of the year	Conviction Rate	Pendency percentage
Assault on Women with intent to Outrage her Modesty	28706	2913	910	1766	25751	31.26	89.6
Rape	32618	2954	939	1828	29637	32.85	88.9
Attempt to commit rape	930	61	23	30	869	37.6	93.4

Insult to the Modesty of Women	583	61	10	50	521	17.36	89.06
K&A of women to compel her for marriage	1787	459	926	1385	399	22.03	66.8
Procreation of Minor girls	79	14	49	63	16	20.1	76.83
Total/Avg.	64,703	6462	2857	5122	57193	26.86	84.09

2.20.2 The pendency rate of crimes against Dalit women and girls at Special Courts is high for all forms of violence. It is highest for an attempt to rape and kidnapping and abduction of women to compel for marriage (93.4%), followed by an assault on women with intent to outrage her modesty (89.6%), an insult to modesty of women (89.06%) and rape (88.9%).

2.20.3 The Ministry of Social Justice and Empowerment is the nodal agency for the socio-economic development of SCs and STs. The Ministry has taken several socio-economic welfare schemes for the women and children belonging to SC and ST communities for providing legal assistance, free legal aid and lawyer to the SC/ST women and children to conduct their cases through Legal Service Authorities. The Ministry also provides scholarships to the SC and ST students like Post Matric Scholarship.

2.20.4 The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, which also falls within the provisions of Article 17 of the Constitution, was enacted to prevent the commission of offenses of atrocities against members of Scheduled Castes (SCs) and Scheduled Tribes (STs). This Act was further amended in 2015 to make it more effective. The amendments include new offenses, expanded scope of presumptions, institutional strengthening, which *inter-alia* includes the establishment of Exclusive Special Courts and specification of Exclusive Special Public Prosecutors to exclusively try the offenses under the PoA Act to enable expeditious disposal of cases, power of Special Courts and Exclusive Special Courts to take direct cognizance of offense and as far as possible, completion of trial within two months from the date of filing of the charge sheet, establishing rights of victims and witnesses, and strengthening preventive measures. Further, Section 18 of the PoA Act was amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018 (No. 27 of 2018) and enforced on 20th August, 2018, and now conduct of a preliminary inquiry before registration of an FIR, or to seek approval of any authority prior to arrest of an accused, is no longer required.

2.20.5 An advisory had been issued on 1st April, 2010 regarding sensitizing and training police personnel, minimizing delays in the investigation of cases of atrocities against Scheduled Castes and Scheduled Tribes, recruitment of a sufficient number of persons belonging to SCs and STs as police personnel and programmes for creating awareness among vulnerable sections of the society and legal course open to them. MHA has issued an advisory dated 23rd May, 2016 for strict compliance with the Amended PoA Act. The State Governments and Union Territory Administrations are primarily responsible for the prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction including crimes against members of Scheduled Castes and the Scheduled Tribes as also for implementation of provisions of the Protection of Civil Rights Act and the PoA Act.

2.20.6 The Committee while examining the subject Atrocities and Crimes against Women and Children desired to take views of a national-level organisation working for the protection and welfare of SC/ST

women and children. The Committee accordingly solicited the written views of All India Dalit Mahila Adhikar Manch (AIDMAM).

2.20.7 The AIDAM informed the Committee in its reply that there is an increase in the incidents against SC and ST women in recent years and the major reason for the same is the poor implementation of the existing laws and apathetic attitude of the law enforcing agencies like police, administration, judges and lawyers. The poor investigation, delay in arrest, high acquittal rate motivates and boost the confidence of dominant and powerful communities for perpetration.

2.20.8 It was informed by the AIDMAM that these provisions are sufficient to provide adequate protection and prevention to the violence against the SC and ST women but due to the inadequate and improper implementation of these laws, there is an increase in cases of caste and gender-based atrocities. It only requires prompt action in registering the FIR; free, fair and impartial investigation; sensitivity building among duty bearers and unbiased action of the law enforcing agencies to protect the rights of the women and children.

2.20.9 When asked whether there have been instances where police officers do not take any action even after complaints have been made by the SC/ST women and children, AIDMAM informed the Committee in its reply that it happens in case of SC survivors, the police generally refuses or delays the filing of the complaint. In many instances, the survivors and/or their families are out rightly abused with casteist slurs and innuendoes, humiliated and shunned from reporting, while in some they are discouraged or threatened against reporting.

Observation/Recommendation

2.20.10 The Committee notes the submission of the All India Dalit Mahila Adhikar Manch (AIDMAM) regarding difficulties being faced by the women belonging to the SC/ST communities in getting registered the cases of atrocities and crimes committed against them. The Committee observes that this is primarily due to the poor implementation of the existing laws and the apathetic attitude of the law enforcing agencies. Moreover, the high acquittal rate motivates and boosts the confidence of dominant and powerful communities for continued perpetration. The Committee, therefore, recommends that the Ministry of Home Affairs must make holistic efforts towards sensitizing concerned public authorities and people at large through regular training and sensitization programmes. The Committee strongly recommends that the law enforcement agencies (LEA) should include the provisions of the PoA Act while registering cases of rape, sexual harassment, etc., committed against SC/ST women.

2.20.11 The Committee further recommends that the Ministry of Home Affairs should also take up with the Ministry of Education to educate the students about the cultural diversity of the country and to promote and include human rights education in the school curriculum at the Pan-India level to promote gender equality, eradication of caste system and to increase scientific temperament.

2.20.12 The Committee also recommends that the MHA should take up the matter with the Ministry of Social Justice and Empowerment (MoSJ&E) for providing housing, livelihood, education facility and safety including free legal support for the rehabilitation of the survivors of caste and gender-based violence. The Committee further recommends that the NGOs and

individuals working for the protection and welfare of SC/ST women and children should also be involved for the same.

2.21 Atrocities and Crimes Against Women And Children during Covid-19 Pandemic

2.21.1 The Number of cases of crimes against women increased during COVID-19 lockdowns specially the case of domestic violence against women. NGO Jagori received 478 complaints of domestic violence during COVID-19 Pandemic lockdowns (18th March to 29th June), 2020. Further, the data of the National Commission for Women (NCW) shows that 1,169 complaints of domestic violence were received between 1st April and 31st June, 2020.

2.21.2 The nature-wise report of the complaints received by NCW in the Year 2020 is as under-

S.No.	Nature	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1	Acid Attack	1	2	0	0	0	3	1	0	0	0	3	1	11
2	Bigamy / Polygamy	10	7	6	6	18	14	23	8	10	11	10	18	141
3	Cyber Crime against women	32	21	37	55	73	103	110	68	59	48	42	56	704
4	Denial of Maternity Benefits to women	9	10	13	2	6	13	5	9	9	6	8	6	96
5	Dowry death	32	17	18	9	27	27	49	32	29	26	37	27	330
6	Free legal aid for women	5	7	4	0	6	4	5	3	6	5	4	7	56
7	Gender Discrimination including equal right to education & work	1	0	0	1	1	0	5	0	1	0	2	0	11
8	Harassment of married women/Dowry harassment	267	221	203	62	159	273	493	352	372	429	509	448	3788
9	Indecent Representation of Women	2	1	1	1	8	3	1	3	4	2	3	0	29
10	Outraging modesty of women/Molestation	112	103	103	29	140	203	330	173	131	112	124	119	1679
11	Police Apathy against women	81	89	83	24	85	118	146	118	131	136	133	132	1276
12	Protection of Women against Domestic Violence	271	302	298	315	393	461	660	539	492	495	485	586	5297
13	Rape/Attempt to Rape	142	112	90	12	54	82	149	108	88	111	151	137	1236
14	Right to exercise choice in marriage/Honour Crimes	41	28	34	6	26	45	60	24	30	52	48	66	460
15	Right to live with dignity	374	436	388	239	474	611	778	613	889	873	1210	830	7715
16	Sex selective abortion / female foeticide / amniocentesis	0	0	0	0	0	0	2	0	0	0	4	2	8
17	Sexual Assault	12	10	19	4	1	8	14	9	5	4	11	13	110
18	Sexual Harassment	22	20	19	11	8	42	50	32	29	33	56	54	376
19	Sexual Harassment of Women at workplace	21	18	19	8	5	13	16	27	19	14	23	18	201

20	Stalking / Voyeurism	18	16	9	15	12	19	13	7	11	9	10	5	144
21	Traditional practices derogatory to women rights i.e. sati pratha, devdasi pratha, witch hunting	0	0	0	0	0	0	0	0	0	2	2	0	4
22	Trafficking / Prostitution of women	6	4	3	1	2	1	4	2	2	4	8	3	40
23	Women's right of custody of children in the event of divorce	3	0	0	0	2	0	0	1	1	1	1	1	10
24	Total	1462	1424	1347	800	1500	2043	2914	2128	2318	2373	2884	2529	23722

2.21.3 The total number of complaints received by NCW in the year 2020 was 23,722. The highest numbers of complaints received were 7,715 under the right to live with dignity, 5,297 under the protection of women from domestic violence, 3,788 under the harassment of married women/dowry harassment, 1,679 under outraging modesty of women/molestation, 1,236 under rape/attempt to rape, etc.

2.21.4 As submitted by NGO Jagori, the impact of the COVID-19 Pandemic and lockdowns on women and children *inter-alia* includes increased unpaid care work during the lockdown, increase in child marriage, increased violence and harassment at home, loss of jobs particularly in the informal sector, lack of women's access to sexual and reproductive health care services, etc.

2.22 Response of the Government

2.22.1 Maintenance of law and order, protection of life and property of citizens including prevention of domestic violence against women is primarily the responsibility of the State Governments and Union Territory Administrations. Nevertheless, giving high priority to the safety of women, the Central Government has also taken a number of initiatives in this regard during the last six months. The Government has ensured that their schemes of One Stop Centres (OSCs), Universalisation of Women Help Line (WHL), Ujjawala Homes, SwadharGreh, Emergency Response Support System (112) and various authorities under women-centric laws such as 'The Protection of Women from Domestic Violence Act, 2005', 'The Dowry Prohibition Act, 1961', 'The Prohibition of Child Marriage Act, 2006' etc., remain operational and available for providing assistance to women during COVID-19 lockdowns. The Government has also undertaken sensitization programs for the concerned officials of States and UTs for this purpose.

2.22.2 From the beginning of lockdown due to the COVID-19 Pandemic, the National Commission for Women (NCW) launched an advertisement campaign through electronic and social media inviting women who have suffered any kind of violence to come forward and report it. Further, in addition to handling complaints received through regular modes, NCW has also launched a WhatsApp number 7217735372 on 10th April, 2020 for reporting domestic violence cases. The additional modes provided by NCW facilitated reporting of cases, including from women who had been experiencing violence at home for the past several years. The complaints received by NCW are acted upon by coordinating with victims, police and other authorities to provide the necessary assistance.

2.22.3 In order to ensure that States/UTs took sufficient measures to prevent human trafficking arising during the Pandemic, MHA has issued a detailed advisory dated 6th July, 2020 to all States/UTs to:

- (i) Immediately devise a coordination mechanism among various departments of the States.

- (ii) Generate awareness among the masses through media against human trafficking.
- (iii) Engage with local Panchayats, Village Watch and Ward, Municipal Committees, etc. on the issue of Human Trafficking.
- (iv) To arrange specific intelligence and surveillance mechanism to identify gangs who may be involved in such activities.
- (v) Sensitization of Police Posts in State border areas and other such vulnerable areas prone to trafficking.
- (vi) Shelter homes for destitute women remained functional throughout lockdown and provided shelter, food, clothing and health as well as economic and social security for the women victims.
- (vii) Increase vigilance at railway stations, bus depots to keep watch on the movement of susceptible people.
- (viii) State labour departments were alerted to remain extra vigilant to ensure that people are not duped in the name of providing employment etc.

Observation/Recommendation

2.22.4 The Committee notes that there was a sudden spurt in domestic violence and trafficking of women and children during the unprecedented COVID-19 Pandemic outbreak. This was mainly due to disruption in economic activities, work from home and family spending more time at home during lockdowns. The female migrant workers and their children were trafficked and had gone missing during lockdowns. The Committee observes that steps may be taken under both rural and urban employment guarantee schemes focusing especially on poor women so that cash transfers through DBT in their names could continue for a longer time. Currently, in many rural areas, a moratorium on interest rates for SHGs or loan repayments would also help because they are the women who are supporting their families in a big way. Some of these steps would raise women's participation in employment and also lead to a reduction in violence against them in an effective manner.

Chapter-III

Issues Concerning Atrocities and Crimes against Women and Children in Delhi

3.1.1 The long history of policing in Delhi begins with the institution of Kotwal that came to an end with the crushing of the revolt of 1857, the first war of freedom by the British. An organized form of policing was established by the British with the adoption of the Indian Police Act of 1861. Delhi being a part of erstwhile Punjab remained a unit of the Punjab Police even after becoming the capital of India in the year 1912. Delhi Police underwent the process of reorganization twice; first, in the year 1946 and second, in the year 1948, when the first Inspector General of Police (IGP) of Delhi was appointed. In the year 1966, on the basis of the Khosla Commission Report, the Delhi Police was once again reorganized. As per this, four Police Districts, namely, North, Central, South and New Delhi were constituted. In the year 1978, the Delhi Police Act was passed and the Commissioner System was introduced with effect from 1st July, 1978.

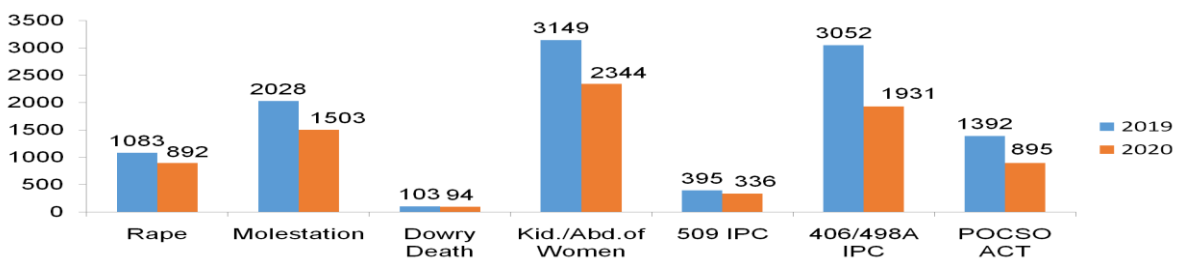
3.1.2 The Delhi Police (DP) is the law enforcement agency for the National Capital Territory of Delhi (NCT) which comes under the jurisdiction of the Ministry of Home Affairs (MHA), Government of India. The Delhi Police along with its primary task to maintain law and order is also committed to the safety and security of women and children. In order to curb crimes against women and children, they have taken a number of pro-active core policing and community policing actions and initiatives.

3.1.3 As per the official statistics of the National Crime Records Bureau (NCRB), crimes committed against women under different crime heads during the period from 2017 to 2019 is as under-

Crime Against Women Cases in NCT of Delhi for the year 2017-2019

Sl. No	Crime Head	2017	2018	2019
1	Rape	1229	1215	1253
2	Dowry Death	120	153	116
3	Molestation	2874	2705	2355
4	Sexual Harassment	619	552	456
5	Cruelty by Husband	2735	3416	3792
6	Kidnapping and Abduction of Women	3783	3715	3672
7	Dowry Prohibition Act	11	15	26
8.	POCSO ACT	1558	1596	1736

Crimes against Women and Children



Rape : Victim - Accused Relationship

3.1.4 The data indicates that 1253 cases of rape, 2355 cases of molestation and 3672 cases of kidnapping and abduction of women, 1736 cases under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), 56 cases of trafficking of children (under 370 & 370A) and 5527 cases of kidnapping and abduction of children (under section 363 IPC) have been reported in Delhi in the year 2019 itself. To have an understanding of the measures/initiatives taken by the Delhi Police to curb the atrocities and crimes against women and children, the Committee heard the views of the Delhi Police in its meeting held on 18th November, 2020.

3.2 Delhi Police Set-Up for Crimes against Women and Children

3.2.1 The Committee was informed that the Special Police Unit for Women and Children (SPUWAC), formerly known as Crime against Women Cell, Nanakpura, New Delhi, has now emerged as the nodal agency of Delhi Police for policy, planning, implementation, monitoring and coordination with other stakeholders for handling crimes against women as well as children. The SPUWAC is also handling Cyber Women Cells (CWC) in all the Police Districts of Delhi since the year 1986 to assist women suffering from dowry harassment and cruelty in their matrimonial life. This Unit also has a Police Station functioning since March, 2008 with the power to register cases pertaining to atrocities against women. During the year 2020 (up to 31st October) 22 cases were registered at PS/CWC. A 24-Hour Helpline (1091) and a vehicle designated as Women Police Mobile Team is also functioning under this Unit to attend distress calls round the clock.

3.2.2 Further, Crime against Women (CAW) Cells have been created in all 15 Districts which are headed by ACP. Helpline Number under, Emergency Response Support System (ERSS) 112 has been enforced to respond to distress calls 24x7 with more than 775 GPS fitted Mobile Vans. Besides, Crime Branch handles sensational and important cases. Cyber Prevention Awareness and Detection (CyPAD) and District Cyber Cells have been created in all Districts to handle cyber-related complaints. Anti-Human Trafficking Units (AHTU) have been set up under Crime Branch in all Districts to deal with human trafficking and missing children.

3.3 Percentage of women personnel in Delhi Police

3.3.1 The Government of India has approved 33% reservation for women horizontally and in each category (SC, ST, OBC & others), in all direct recruitments for filling up vacancies in non-Gazetted posts from Constable to Sub-Inspector in Police forces of all the Union Territories including Delhi Police. For this the Ministry of Home Affairs had issued advisories dated 22nd April, 2013 and 12th May, 2015 advising State Governments and Union Territory Administrations to provide 33% reservation to women in police forces in order to increase the representation of women in police forces. Delhi Police has already implemented the provisions. At present, the percentage of women in Delhi Police is 10.58%. After completion of the ongoing recruitment process, the percentage of women in Delhi Police will be 13.93% which will be further increased to 33%.

Observation/Recommendation

3.3.2 The Committee observes that the Ministry of Home Affairs has issued advisories in 2009, 2013 and 2015 to provide 33% reservation to women so as to ensure adequate representation of women in police forces in States and UTs with the objective of giving priority to the security of women. However, even after a decade, the representation of women in Delhi Police has not reached

14% which comes directly under MHA. As women police need to be given important assignments relating to the handling of crimes against women and children, the Committee strongly recommends that the Ministry of Home Affairs should take up the matter with Delhi Police to conduct special recruitment drives so as to increase the representation of women in Delhi Police on a priority basis in a time-bound manner. The details of such special recruitment drives may also be intimated to this Committee.

3.4 Initiatives of Delhi Police for safety and security of women and children in Delhi

3.4.1 The following initiatives have been undertaken by the Delhi Police:

(i) Helpline numbers

3.4.2 The following helpline numbers are operational in Delhi for women -

S. No.	Heading	Helpline Number
1	Command and Control Centre (ERSS)	112
2	Women Help Line	1091
3	Women Anti-Stalking Help Line	1096
4	Student & Senior Citizen Help Line	1291
5	North-East Help Line	1093
6	Foreigners' Helpline	8750871111

3.4.3 The Commissioner of Police, Delhi informed the Committee that multiple helpline numbers have been created to extend more help to the women. He further informed that 112 is a common helpline number and anyone can use it. The Committee also discussed the adequacy of staff handling these calls and the need to analyze the call data to find out the areas that are more vulnerable, the police stations that are receiving more calls and other related data.

Observation/Recommendation

3.4.4 The Committee observes that a victim in distress is mostly in a state of panic and s/he may not be able to recall the specific dedicated number from amongst the multiple helpline numbers. Moreover, transferring of the call from one line to another, if feasible, will only lead to loss of precious time. The Committee is surprised to note that a 10 digit helpline number for foreigners has been issued by the Delhi Police which is not of much help as firstly, it is difficult to remember for a foreign visitor and secondly, anyone in distress and panic will not be in a position to dial 10 digit number even if one remembers the same. The Committee, therefore, recommends that there should not be more than 1 or 2 helpline number/s and for foreigners the number of digits should be reduced to 3 or 4 digits. The Committee further observes that the majority of the people are unaware of these helpline numbers as these are not well advertised. The Committee recommends that besides making provision for adequate staff strength involved in handling the helpline numbers, more publicity should be given to the helpline numbers through print and electronic media including TV, social media like "Facebook" and "Twitter", etc. Appropriate advisories may also be issued to foreigners visiting India.

3.4.5 The Committee further recommends that the Ministry of Home Affairs and Delhi Police should conduct a detailed study on the distress calls received on helpline numbers to discern a pattern so as to find out whether it increases or decreases during night time, on weekends and from which areas more calls are received. The analysis of this study will help the Delhi Police in developing a clear understanding of the pattern of these distress calls and taking appropriate steps to redress the same.

(ii) Himmat Plus App

3.4.6 The Himmat Plus SOS App for women was re-launched on 06th February, 2018. The App has been made bilingual, transformed from an Emergency Safety App to a Utility App with a simple registration process. The Facebook page of Delhi Traffic Police and the Twitter handle of Delhi Police has also been linked through the App to provide traffic updates as well as other updates of Delhi Police for the benefit of the users. A special feature for scanning the QR code of the drivers of the Taxis, Three Seater Auto rickshaws (TSRs) and e-Rickshaws has been built in the new App. Its user interface is being made more user-friendly and an effective advertising campaign is also being planned. During the year 2020 (up to 31st August), 8203 persons registered on the App.

3.4.7 The Committee observes that considering the population of Delhi, only 8,203 persons have registered on Himmat Plus App during the year 2020 (up to 31st August, 2020). This is a disappointing figure and shows that either the App is not up to the mark or the Delhi Police have not been able to adequately publicize the same. The Committee, therefore, recommends that the Ministry of Home Affairs along with Delhi Police should explore the plausible reasons for the poor subscriber base of the App. In case of any drawbacks noticed in the App, necessary updations may be carried out to make it more citizen-centric, citizen-friendly and user-friendly. Steps may also be taken to publicize the App using social media platforms like Facebook, Twitter, etc.

(iii) Exclusive Help Desks for Women in Police Stations

3.4.8 Separate Women Help Desk is being created in all 206 Police Stations in Delhi. These Desks are functioning 24X7 to attend to women complainants. The facility of one dedicated telephone line has also been provided in all the Police Stations on this desk. Further, public perception of police image is incumbent on many facets of police performance but the most important contributory factor is how well a complainant is received when s/he approaches a police station with a grievance. Keeping this in mind, Delhi Police has initiated this innovative scheme in all Police Stations wherein well-trained and sensitized female police officers are posted as the initial contact point of the police station, designated as the Public Facilitation Officers (PFOs). These PFOs are attired in a specially designed civilian dress so that the fear of uniform does not become a barrier for the complainant in communicating the problem to the police.

(iv) Handling of women complainants

3.4.9 Delhi Police informed the Committee through their background note that woman complainants are handled with respect and sympathy. Complaints made by women are being recorded verbatim, as stated by them, preferably by a lady police officer and investigated without any uncalled-for remarks or observations by the police officers concerned. The non-registration of FIR is considered as serious lapse and action is taken against erring staff. There has been no case under 166-A IPC for non-registration. There is also monitoring of all complaints/PCR calls by senior formation every morning.

Observation/Recommendation

3.4.10 The Committee takes note of the initiatives taken by the Delhi Police in terms of the creation of exclusive women help desks and female police officers designated as the Public Facilitation Officers (PFOs). The Committee strongly recommends that efforts may be made on priority to ensure posting of a women police officer in ‘Help Desks for Women’ in all the police stations so that the women complainant can unhesitatingly express her grievances at the women help desks. To ensure that there is no casual approach on the part of the police personnel in the registration of FIR, decoy operations may be carried out on regular intervals. In this regard, the recommendation of the Committee at para 2.3.12, Chapter 2 of this Report may be seen.

(v) Exclusive Women IOs & Time-Bound Investigation

3.4.11 Delhi Police informed the Committee through the background note that investigation of crimes against women is exclusively conducted by women investigating officers (W/IOs). The W/IOs are dealing with the cases in the stipulated time period in rape and POCSO cases which are being monitored by W/Inspectors and ACsP/DCsP. The charge sheet in rape cases are filed within 20 days of the arrest of the offender and the entire investigation has to be concluded at the earliest in a period of maximum 60/90 days, as applicable, as per CrPC. As expeditious completion of investigation of rape cases is of paramount importance to Delhi Police, investigation in every rape case is closely monitored by the concerned DCP and the endeavor is to file charge sheet within twenty days of arresting the accused. For the speedy trial of gang rape cases, at the request of Delhi Police, the Hon'ble Delhi High Court has issued directions to the District Courts in Delhi that all gang rape cases be fast-tracked. The Committee was also informed that in the year 2020, in 78% rape and POCSO cases the final report was filed which was 55% since 1st April, 2018.

Observation/Recommendation

3.4.12 The Committee appreciates the substantial improvement in the year 2020 in the filing of the final report in Rape and POCSO cases as compared to previous years. However, the Committee recommends that Delhi Police should identify the reasons that hinder the filing of the final report within the stipulated period and address them in the right earnest. The Committee recommends all cases may be tracked through Investigation Tracking System for Sexual Offences (ITSSO) and ensure certainty of conviction on filed charge sheets. This will instill confidence among women and children and also create fear of law among people and culprits. The Delhi Police should further improve upon investigation, filing of charge sheets, collection of evidence, forensic and DNA examination in order to have a better conviction rate in cases of crimes against women and children in Delhi which will certainly help Delhi to become a role model for the rest of the country.

(vi) Updation of Legal Knowledge and Skills for better Investigation and Conviction

3.4.13 In order to further improve the investigation and conviction, Delhi Police through its Legal Cell has taken several steps to update the Investigation Officers (IOs) in the latest Court rulings and orders, such as preparing an advance monthly calendar of all such cases pending trial in District Courts, High Court and Supreme Court. Synopsis of various observations/directions issued by the District Courts are being compiled on monthly basis and circulated to all Districts/Units for improving skills of Investigating Officers. These monthly booklets flag the issues/lapses which relate to shortcomings in the investigation

due to non-compliance of statutory provisions, procedural lapses committed by IOs and other factors affecting speedy trial and court proceedings. These orders are segregated offense-wise and are compiled. Towards the end of improving conviction rate, joint training programmes are also conducted for Investigating Officers and Police Personnel to improve their skills.

3.4.14 Besides, training of IOs are continuously done in specialized courses like scientific investigation, the law of extradition, important case studies and cyber-crimes, etc. to conduct a proper investigation. A number of workshops and short duration of courses are also being imparted to W/IOs to secure the conviction of offenders. Delhi Police gives priority to all aspects of scientific investigation, forensic science, knowledge of criminal laws and procedures in all its basic training programmes meant for various ranks.

(vii) Crises Intervention Centre (CIC)

3.4.15 Crisis Intervention Centre (CIC) has been set up in each district to provide assistance and rehabilitation support to victims of rape and sexual abuses through an integrated partnership with Delhi Commission for Women and empanelled NGOs. 5239 rape victims have received assistance from these Centres (CIC) during the period from 1st January, 2018 to 31st December, 2020.

(viii) SMART Policing and Force Multipliers for women safety

3.4.16 As a part of SMART Policing and using technology in policing, Delhi Police has launched the Safe City Project to monitor the busy junctions and city spaces in the interest of reduction of crime and making the city safe for women and citizens. The following initiatives have been initiated by Delhi Police under the 'Safe City Project':-

1. 10,000 CCTV Cameras to be installed at crime-prone areas to prevent crime against women.
2. Setting up of Command and Control Centres at Police Headquarters, District level and Police Station level.
3. Emergency Operation Centre for quick response to women in distress.
4. 24 X 7 Real-Time Video Analytics including Facial recognition System, Automatic Number Plate recognition to identify suspected persons/vehicles.
5. Deployment of dedicated 88 Emergency Response Vehicles for the safety of women. 02 Mobile Command Control Centres having facilities of CCTV Cameras, video analytics, integration with Emergency Operation Centre, etc.

(ix) CCTV Surveillance

3.4.17 Delhi Police has been endeavoring to ensure surveillance of public places through CCTV cameras on 24x7 basis. Real-time video analytics and the generation of actionable alerts have also been installed for the same. Through community policing initiatives, Delhi Police has got over 2 lakh CCTV cameras installed at public and market places through the cooperation of public and stakeholders (Residents Welfare Associations/Market Welfare Associations, etc.) for surveillance of public places to make the city safer for women and children. The details of CCTV cameras installed/ proposed to be installed in Delhi by Government and Non-Government/ private entities are as under-

Installed at Markets and Border Check Posts		4274
Installation in Progress		
Markets	2727	
Rohini	650	
MPLAD	820	
Others	195	
Proposed		
Safe City	10,000	
Crime Mapping areas	6630	
Public/Non Govt.		2.60 Lakhs
Installed by GNCT Delhi		1.40 Lakhs

Observation/Recommendation

3.4.18 The Committee notes that CCTV cameras not only act as deterrence and prevent crimes from taking place but also facilitates investigation on the commission of a crime. The Committee observes that the installation of 10,000 CCTV cameras would not be sufficient considering the large area of NCT of Delhi, population and crime hotspots as identified by Delhi Police. The Committee, therefore, recommends that Delhi Police should review and increase the proposal of installation of 10,000 CCTV cameras under the Safe City Project in Delhi.

3.4.19 As there are more non-governmental CCTV cameras than those installed by the Government of NCT of Delhi, the Committee recommends MHA and Delhi Police to have a coordinated approach in the collection and analysis of footages of CCTVs installed by the Government and as well as private entities. A mechanism may also be worked out to keep track of these cameras to ensure that they remain functional so that Police can have easy access at the time of need. Efforts should also be taken for raising mass awareness about the CCTV cameras in Delhi. The CCTV surveillance will help in making streets, markets, transport and other public places safer, particularly, for women and children.

(x) Police Patrolling and all women PCR Vans

3.4.20 The identified vulnerable routes used by women while returning from entertainment hubs and malls are being patrolled with the increased redeployment of pickets, PCR vans and motorcycle patrols, etc. Action against consuming alcohol in a public place has been intensified. Special checking at Metro Stations and Railway Stations for the safety and security of women commuters is being done. Directions from the transport department have been got issued for all public transport vehicles to display the name of the driver and staff along with photographs and Public Service Vehicle (PSV) No. inside the bus.

3.4.21 Further, Fifteen Police Control Room Vans, manned by all-women staff, from driver to I/C Van are stationed at the following places, i.e (i) C-Hexagon- Rajpath (ii) Jesus & Mary College (iii) India Gate Inner Circle (iv) American Centre / K.G. Marg (Janpath) (v) Rajeev Chowk (Metro Station) (vi) Khan Market Metro Station (vii) Patel Chest Hospital (viii) DU Metro Station Vishwa Vidhyalaya (ix) Karol Bagh (Metro Station) (x) Mata Sundri College (xi) S.V. College (South Campus) (xii) Lady Shri Ram College (South Campus) (xiii) Dayal Singh College, CGO Complex (xiv) Gargi College, Nehru College (xv) Laxmi Bai College, Ashok Vihar. This service is proposed to be extended to other areas prone to Crime against Women.

Observation/Recommendation

3.4.22 The Committee takes note of the 15 all-women Police Control Room vans in Delhi and recommends that a survey may be conducted by Delhi Police about the effectiveness of having all women PCR vans *vis-à-vis* traditional PCR vans and suitably increase its numbers if found effective.

(xi) Self-Defence Training

3.4.23 The Special Police Unit for Women and Children (SPUWAC) has been organizing self-defense training programmes under the Sashakti Scheme of Delhi Police for girls and women since the year 2002 with the aim to empower them to deal with hostile and unsafe situations. The SPUWAC is making all efforts to empower women through demonstrations and training in techniques of martial arts. From 2002 to date, total of 7095 self-dense programmes have been conducted across the Districts from which 14,12,698 girls/women have benefitted. Further, 740 one-day workshops have been organized benefitting 1,23,314 participants. Besides this, 539 street plays have been organized since the year 2015 on various women issues in crowded places of Delhi. Also, 360 Gender sensitization programmes have been conducted since 2015 in Delhi wherein 1,22,995 participants have benefitted. During 2020 (up to 31st October 2020), total of 12 Gender Sensitization programmes have been conducted in the schools/colleges in which 4412 participants took part. Similarly, 23 street plays (Nukkad Natak) have been organized on various women-related issues such as illiteracy, pre-natal sex determination, begging, eve-teasing and domestic violence, etc., all across Delhi.

Observation/Recommendation

3.4.24 The Committee appreciates the efforts of the Special Police Unit for Women and Children (SPUWAC) in imparting self-defense skills to girls/women. The Committee, however, recommends that the Ministry of Home Affairs should take up with the Ministry of Education to ensure that self-defense training are imparted in all educational institutions as part of the regular curriculum right from childhood. Similarly, arrangements can also be made to organize such training for working women by identifying Government office clusters. Delhi Police should also encourage Residential Welfare Associations and private companies to hold self-defense training programmes and awareness campaigns for their women residents/employees at regular intervals.

(xii) Sensitization of Police Personnel

3.4.25 Regular workshops/webinars are being conducted by Delhi Police to sensitize/educate police personnel to enable them to deal with crime against women and children. During the year 2020, a total of 2537 police personnel was sensitized by conducting 32 workshops/webinars on the subjects *viz.* Gender Sensitization, POCSO and Women Safety.

(xiii) Thana level Women Safety Committee

3.4.26 It has representatives of NGOs relating to empowerment of women, RWA, Market Welfare Associations (MWA) Principals of prestigious colleges/schools, one ex-serviceman, Home guard in-charge, Civil defense in-charge; SHO and ACP/Sub Division to oversee the issue of women safety. Meetings with representatives of various NGOs that are working in the field for the empowerment of

women are organized on monthly basis to discuss the matters related to the safety and security of women in Delhi.

(xiv) Counseling and Mediation Services

3.4.27 As a first step in a matrimonial dispute, counseling is being provided through professional counselors. Counseling through expert counselors is one of the major tasks to sort out marital disputes through professional counseling. A Counseling Wing was set up in the year 2008 under the SPUWAC. Presently, the District Crime Against Women (CAW) Cells (operational in each police district, under the supervision of an ACP and the DCP) are also equipped with professional counselors to counsel the warring parties in matrimonial disputes. As a second step in solving matrimonial disputes, mediation between the parties is being done through professional mediators such as advocates, retired police personnel appointed by the Delhi High Court Legal Service Authority (DHCLSA).

(xv) Traffic Police

3.4.28 Traffic police have launched special drives against public transport vehicles with films and tinted glasses, unauthorized buses picking up passengers from crowded bus stands, and against TSR/Taxi drivers for refusal or misbehavior. Special deployment of the staff, outside metro stations, designated bus stops, malls and identified vulnerable routes, is being done to induce confidence and provide on-the-spot help to public transport users.

Observation/Recommendation

3.4.29 The Committee observes that last mile connectivity needs to be improved to ensure the safety of women, specially working women, who get down on metro station at odd hours and have to reach home crossing lonely stretches on the way. The Committee had examined this issue in detail while examining the subject ‘The Management of Worsening Traffic Situation in Delhi.’ The Committee in its 222nd Report had recommended that the Delhi Metro Rail Corporation (DMRC) needs to undertake multi-modal integration measures at all metro stations. The Committee recommends that the Ministry of Home Affairs should take up this issue with concerned authorities to speed up the creation of infrastructure for last-mile connectivity.

(xvi) Instructions to BPOs

3.4.30 To ensure that woman employees are not made to travel alone with the cab driver, a duly verified security guard or a male colleague (a regular employee of the company) is invariably present in each cab carrying women staff during the night hours i.e. from 8 PM to 7 AM. As directed by Delhi Police, BPOs exercise effective checks and controls on the movement of the vehicle by installing GPS systems in the cabs used for transportation of the employees in order to prevent unwarranted activities by cab drivers, such as picking up strangers, straying away from the designated route, etc.

(xvii) Nirbhaya Fund

3.4.31 On the proposed Action Plan of Delhi Police under Scheme for Safety of Women (Financed from Nirbhaya Fund), Administrative Approval and Expenditure Sanction of the Competent Authority was obtained from GOI/MHA for the Financial Year 2019-20. Accordingly, out of the total allocated amount

of Rs. 4,47,00,000/- under Scheme for Safety of Women (Financed from Nirbhaya Fund) during the Financial Year 2019-20, an amount of Rs. 4,34,32,463/- (97%) have been utilized on account of various works i.e. procuring equipment, imparting training, Nukkad Natak, Pantomime Shows, etc.

(xviii) Crime Hotspots

3.4.32 Delhi Police has identified and mapped crime hotspots in Delhi which will help in taking special measures to deal with crimes. Delhi Police analyses the number of calls coming from each area in a district and diverts their focus there instead of undertaking routine patrolling on designated routes. Delhi Police has identified the criminogenic factors that are active at hotspots which are as follows-

- (i) Socio-economic factors and high influx of migrant population;
- (ii) Urban anonymity;
- (iii) Delinquent behavior- higher concentration of persons with criminal involvement;
- (iv) Loosening of social structures and family control;
- (v) Common toilet facilities;
- (vi) Living in cramped condition; and
- (vii) Insufficient presence of police due to high density of population.

Observation/Recommendation

3.4.33 The Committee appreciates the work done by Delhi Police in the identification and mapping of crime hotspots in Delhi. The Committee observes that by identification of such hotspots and their mapping, the Police will be in a position to control the crime and monitor the miscreants in a more efficient and effective manner. The Committee, therefore, recommends that the Ministry of Home Affairs should advise States/UTs for identification and mapping of crime hot spots in Metropolitan cities under their jurisdiction. This will help to track, monitor and control the incidents of crimes and also help in developing a uniform policing system in all Metropolitan cities of the country. In the first stage, all the Metropolitan cities may be mapped and later on the same may be extended to other major cities of the country with high crime graphs, in a phased manner, depending on the outcome from the Metropolitan cities.

(xix) Social Service Unit for Empowerment

3.4.34 In order to empower women and children, a Social Service Unit project has also been started. Under this service, a project called "Violence Free Home – A Women's Right" funded by NCW is operational in all 15 Districts. The other Project under Social Service Unit is a pilot project at a sub-divisional level to provide psycho-social-legal service to the women survivors of violence. Under this, there are total of 48 Social Workers/Professional Counselors and 01 capacity Support officer (CSO) deployed in 20 Police Stations in 10 Districts of Delhi to facilitate women victims of violence, Children in need of care and protection and elderly people through the agency of trained social worker located within the police system. This project was started in the year 2018. In the year 2019, a total of 2667 complaints was received by professional counselors and 3136 (469 carried forward from the previous year) have been disposed of after intervention.

(xx) Tracing of Missing Children

3.4.35 In the meeting of the Committee held on 18th November, 2020 Delhi Police informed the Committee that the common reasons for missing children as identified by them are “lost the way, academic pressure, scolding by parents, elopement, runaway, left on their own will, family circumstances, etc.” Surprisingly, trafficking was not mentioned as a common reason for missing children.

3.4.36 The data on missing and traced children in Delhi are as under:

Missing Children	Reported Missing			Traced		
	2020 (up to 31 st Oct.)			2020 (up to 31 st Oct.)		
	Male	Female	Total	Male	Female	Total
Up to 8 Years	156	106	262	107 (68%)	71 (67%)	178 (68%)
8 – 12 Years	202	100	302	160 (79%)	81 (81%)	241 (80%)
12-18 Years	634	2309	2943	513 (81%)	1697 (73%)	2210 (75%)

3.4.37 The recovery rate of missing children by Delhi Police has been 68%, 80% and 75% for missing children up to 8 years of age, 8-12 years of age and 12-18 years of age respectively.

3.4.38 The Committee sought to know about the incentives that are given for tracing missing children. The representative of Delhi Police replied that in this Incentive Scheme, all constables and head constables, who trace more than 50 children in 12 calendar months, are given incentives by way of out-of-turn promotions. It has helped in tracing more children. Delhi Police has announced the following incentive for tracing of Missing Children in 12 calendar months-

- (i) Out of turn promotion : 50 missing children
- (ii) Asadharan Karya Puraskar : 15 missing children

Observation

3.4.39 The Committee takes strong note that Delhi Police has not identified ‘trafficking’ as a common reason for missing children. The Committee believes that trafficking of children is an alarming issue and has, therefore, discussed it in-depth in Chapter IV of this Report.

(xxi) Special Juvenile Police Units (SJPUs)

3.4.40 For effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015, the Joint Commissioner of Police, SPUWAC is appointed as the Nodal Officer of Delhi Police. Special Juvenile Police Units (SJPUs) have been established in each of the 15 Districts and 03 Units have been established for railways and metro stations and airport. Training and sensitization of police personnel have been conducted regularly for handling juvenile justice issues in coordination with all stakeholders-

National Institute of Public Cooperation and Child Development (NIPCCD), National Commission for Protection of Child Rights (NCPCR), Delhi Commission for Protection of Child Rights (DCPCR), Delhi State Legal Service Authority (DSLISA), Juvenile Justice Boards (JJBs), Juvenile Justice Committee (JJC) of High Court and Non-Governmental Organizations (NGOs), etc.

Overall Recommendation

3.4.41 The Committee is aware that the NCT of Delhi covers a large area adjoining three States of Haryana, Rajasthan and Uttar Pradesh. The Committee observes the porous borders exist in the region where a large movement of people takes place on a daily basis. This necessitates strict vigilance, cooperation and coordination amongst the police forces of all the three bordering States and Delhi. The Committee, therefore, recommends that the Ministry of Home Affairs in coordination with the three bordering States and Delhi Police should establish a permanent coordination mechanism that will help in effective tracking, monitoring and preventing crimes. The Committee is of the view that it is essential for optimal reporting of crimes and prompt investigation thereof when the crimes committed in NCR involve other bordering State/s and *vice-versa*.

CHAPTER-IV

TRAFFICKING OF WOMEN AND CHILDREN

4.1.1 The trafficking of women and children is the gravest form of abuse and exploitation of human beings. Women and children are trafficked for a range of purposes, including forced and exploitative labour, farms and private households, sexual exploitation, forced marriage, etc. The crux of the problem is that the trafficking of women and children, being a highly secretive and clandestine trade, remains under-reported and untraced.

4.1.2 As per data published by the NCRB, State/UT-wise number of women (above 18 yrs.) and children (below 18 yrs. Male, Female and Total) trafficked and rescued during the year 2017-2019 is as under-

States/UT-wise Children and Women Victims of Trafficking during 2017-19

Sl. No.	States/UTs	2017				2018				2019			
		Children			Women	Children			Women	Children			Women
		Male	Female	Total		Male	Female	Total		Male	Female	Total	
1.	Andhra Pradesh	2	24	26	312	1	15	16	351	0	18	18	380
2.	Arunachal Pradesh	0	0	0	0	3	0	3	0	1	3	4	0
3.	Assam	23	164	187	106	35	203	238	114	24	56	80	132
4.	Bihar	362	33	395	56	529	10	539	80	261	33	294	22
5.	Chhattisgarh	14	31	45	26	45	56	101	74	52	61	113	94
6.	Goa	0	1	1	74	3	6	9	93	0	2	2	88
7.	Gujarat	0	2	2	17	0	1	1	25	0	2	2	20
8.	Haryana	0	9	9	13	3	23	26	6	3	3	6	14
9.	Himachal Pradesh	1	2	3	12	0	3	3	13	0	1	1	14
10.	Jammu & Kashmir	0	1	1	0	1	0	1	0	0	0	0	0
11.	Jharkhand	17	314	331	78	124	94	218	30	34	138	172	48
12.	Karnataka	48	101	149	89	3	5	8	178	12	30	42	112
13.	Kerala	24	36	60	21	40	105	145	38	22	155	171	27
14.	Madhya Pradesh	46	75	121	47	29	44	73	19	47	76	123	92
15.	Maharashtra	44	90	134	520	27	46	73	698	34	61	95	475
16.	Manipur	5	8	13	10	0	2	2	3	2	3	5	151
17.	Meghalaya	0	3	3	0	0	22	22	2	0	30	30	1
18.	Mizoram	60	0	60	2	2	0	2	1	3	22	25	27
19.	Nagaland	0	0	0	0	0	0	0	0	0	2	2	18
20.	Odisha	60	57	117	61	41	90	131	64	94	108	202	250
21.	Punjab	7	1	8	2	14	6	20	7	1	8	9	8
22.	Rajasthan	849	37	886	11	346	27	373	6	636	17	653	6
23.	Sikkim	0	5	5	0	0	2	2	2	0	0	0	2
24.	Tamil Nadu	21	16	37	135	5	3	8	12	21	22	43	16
25.	Telangana	12	112	124	300	4	4	8	373	1	70	71	263
26.	Tripura	6	6	12	2	0	1	1	0	0	1	1	1
27.	Uttar Pradesh	27	11	38	24	2	39	41	49	16	16	32	94
28.	Uttarakhand	6	9	15	22	6	12	18	40	5	11	16	20
29.	West Bengal*	20	299	319	66	11	148	159	96	11	148	159	96
	Total State(s)	1654	1447	3101	2006	1274	967	2241	2374	1280	1097	2377	2871

30.	A&N Islands	0	0	0	0	0	0	0	0	0	0	0	0
31.	Chandigarh	0	0	0	0	0	0	0	0	0	1	1	1
32.	D&N Haveli	0	0	0	0	0	0	0	0	0	0	0	0
33.	Daman & Diu	0	0	0	3	0	0	0	0	0	0	0	0
34.	Delhi UT	383	51	434	31	432	99	531	58	462	74	536	30
35.	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0
36.	Puducherry	0	0	0	0	0	0	0	0	0	0	0	5
	Total UT(s)	383	51	434	34	432	99	531	58	462	75	537	36
	Total (All India)	2037	1498	3535	2040	1706	1066	2772	2432	1742	1172	2914	2907

States/UT-wise Children and Women Victims Rescued during 2017-19

Sl. No.	States/UTs	2017		2018		2019	
		Children	Women	Children	Women	Children	Women
1.	Andhra Pradesh	27	371	16	437	15	410
2.	Arunachal Pradesh	0	0	3	0	3	0
3.	Assam	154	99	182	97	73	126
4.	Bihar	395	56	537	73	294	22
5.	Chhattisgarh	77	79	101	74	112	94
6.	Goa	1	74	9	93	2	88
7.	Gujarat	2	17	1	25	2	16
8.	Haryana	9	14	24	5	6	14
9.	Himachal Pradesh	2	10	0	11	1	15
10.	Jammu & Kashmir	1	0	1	0	0	0
11.	Jharkhand	103	44	201	19	102	39
12.	Karnataka	149	89	8	178	42	112
13.	Kerala	86	102	112	45	179	29
14.	Madhya Pradesh	97	41	72	16	124	93
15.	Maharashtra	148	482	74	693	95	917
16.	Manipur	12	10	2	3	4	151
17.	Meghalaya	3	0	5	2	29	0
18.	Mizoram	0	0	2	1	25	27
19.	Nagaland	0	0	0	0	2	18
20.	Odisha	117	61	131	64	202	250
21.	Punjab	7	0	15	5	18	7
22.	Rajasthan	886	11	373	6	653	6
23.	Sikkim	5	0	2	2	0	2
24.	Tamil Nadu	37	135	27	22	42	16
25.	Telangana	30	354	8	381	71	263
26.	Tripura	12	2	1	0	2	1
27.	Uttar Pradesh	38	28	41	45	32	98
28.	Uttarakhand	15	22	18	40	16	20
29.	West Bengal	450	80	154	94	154	94
	Total State(s)	2863	2181	2120	2431	2300	2928
30.	A&N Islands	0	0	0	0	0	0
31.	Chandigarh	0	0	0	0	1	1
32.	D&N Haveli	0	0	0	0	0	0
33.	Daman & Diu	0	3	0	0	0	0
34.	Delhi UT	429	27	364	35	536	30
35.	Lakshadweep	0	0	0	0	0	0
36.	Puducherry	2	0	0	0	0	5
	Total UT(s)	431	30	364	35	537	36
	Total (All India)	3294	2211	2484	2466	2837	2964

4.1.3 The data shows that in the year 2017, 3535 children and 2040 women were trafficked. In the year 2018, 2772 children and 2432 women were trafficked and in the year 2019, 2914 children and 2907 women were trafficked. Further, 3294 children and 2211 women were rescued in 2017, 2484 children and 2466 women were rescued in 2018 and 2837 children and 2964 women were rescued in 2019.

4.1.4 The Ministry of Home Affairs is in the process of implementation of projects under the Nirbhaya Fund and has approved the release of Rs.100 crore under the said fund to all States and UTs for establishing/strengthening Anti-Human Trafficking Units (AHTUs) with office infrastructure and purchasing Computers, Mobile Phone instruments, Digital Cameras, Four-wheelers, Motor Cycles and landline phones with broadband, etc. The AHTUs will be manned by State Police officials who will be assisted by officers of other relevant departments of respective States.

4.1.5 The MHA has also engaged with the Ministry of Railways as many traffickers use Railways as a major mode of transport for trafficking of the victims to other States and border areas. Railway Board has been asked to rope in Railway Protection Force (RPF) and Government Railway Police (GRP) for apprehending the incidents of trafficking at Railway Stations. They have been advised to ask GRP and RPF officials to remain alert and vigilant in addressing such incidents.

4.1.6 The MHA has also taken up with the Ministry of Labour & Employment and has advised them to sensitize officers of Labour Department in all States and UTs to keep watch on illegal placement agencies in the States who indulge in exploiting children with the false promise of a job. The MHA has circulated a comprehensive scheme to address the issue of human trafficking to all States and UTs advising them to establish an Anti-Human Trafficking Bureau at the State capital level, Anti-Human Trafficking Units (AHTUs) at every District level and monitor investigations at every Police Station level through Women Help Desks.

4.1.7 For promoting inter-State coordination, the Ministry of Home Affairs (MHA) regularly engages with States and UTs through various advisories and meetings and advises them to achieve greater inter-State coordination mechanisms to counter human trafficking. In addition, a national-level communication platform - Crime Multi-Agency Centre (Cri-MAC) was launched by MHA on 12th March, 2020 to achieve the objective of inter-State coordination in locating and identifying the trafficked victims as also in prevention, detection and investigation of crimes. The Cri-MAC facilitates the dissemination of information about significant crimes including human trafficking cases across the country on a real-time basis and enables inter-State coordination.

4.1.8 Training is provided to State Police Personnel in prevention and investigation of human trafficking in partnership with BPR&D, United Nations Office on Drugs and Crime (UNODC), Border Security Force (BSF), etc. This aims at capacity building of law enforcement agencies and generating awareness among them. States have also been advised to sensitize Police personnel deployed at bus depots and State Borders/ Inter-State Check Posts, etc., to keep watch on suspicious activities of transporting victims of trafficking, especially children.

4.1.9 The National Investigation Agency (NIA) Act has been amended on 25th July 2019 and NIA has been notified as the national investigating and coordinating agency responsible for investigating cases of trafficking in persons under Section 6 of the NIA Act which are inter-State or international in nature and such other cases as may be assigned to it by the Central Government.

4.1.10 The MHA has issued periodic advisories to Border Security Force (BSF), Sashastra Seema Bal (SSB) and State Governments to engage and coordinate with each other to address the issue of trafficking in border areas. The MHA has recently released funds to BSF and SSB to establish Anti-Human Trafficking Units (ATHUs) in border areas and strengthen their infrastructure to counter human trafficking. In addition, bilateral Memorandum of Understandings (MoUs) with neighboring countries like Bangladesh and Myanmar are also considered useful in the repatriation of victims of trafficking. India has also been engaging with other neighboring countries to sign such MoUs to achieve greater collaboration and coordination in addressing the crime of trafficking.

4.1.11 The Protector General of Emigrants (PGE) in the Ministry of External Affairs is the authority responsible for protecting the interests of Indian workers proceeding abroad for employment purposes. They have developed “eMigrate” and “Madad” portals which, *inter-alia* serve the purpose of registering and resolving grievances and complaints of such nature. Emigration Clearance (EC) is a safety measure that ensures that emigrants are not duped overseas and clearance is granted after verifying offered salary, working terms and conditions of the employment contract as well as credentials of foreign employer and insurance through Pravasi Bhartiya Bima Yojna, etc. The MHA has been engaging with PGE, Ministry of External Affairs (MEA) in connection with strengthening response against trafficking of victims to foreign countries and save victims from being duped by unscrupulous travel and employment agents in the name of lucrative overseas employment, etc.

4.1.12 To address cross-border human trafficking, the following actions have been taken by MHA:

- (i) India signed a bilateral MoU for the Prevention of human trafficking with the Government of Bangladesh on 6th June, 2015. A Joint Task Force of officials of India and Bangladesh was constituted to periodically review the actions and initiatives required to contain human trafficking. Six meetings of the task force have been held so far and the last meeting was held on 11th and 12th March, 2019.
- (ii) An MoU was signed with the UAE on cooperation in prevention and combating human trafficking on 25th January, 2017. A Joint Task Force meeting between India and UAE was held at Abu Dhabi, UAE on 4th and 5th August, 2019. The second meeting of the Joint Task Force took place virtually on 9th December 2020.
- (iii) A bilateral MOU on human trafficking was signed with Cambodia on 27th January, 2018.
- (iv) A bilateral MOU on human trafficking was signed with Myanmar 27th February, 2020.
- (v) India signed the SAARC Convention on Prevention and Combating Trafficking in Women and Children in Prostitution in 2002.
- (vi) In collaboration with MEA, a Standard Operating Procedure (SOP) for repatriation of Nepalese children was issued to all States and UTs on 26th December, 2018.
- (vii) In the year 2011, India ratified the United Nations Convention on Transnational Organized Crime (UNTOC) and its Protocols namely (i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and (ii) Protocol against the Smuggling of Migrants by Land, Sea and Air. Officers dealing with Human trafficking regularly attend the meetings convened by UNODC and make use of the experience gained during the interactions in these meetings especially the Working Group Meetings held annually on Trafficking in Persons and Smuggling of Migrants.

4.1.13 The Committee was apprised by the Ministry of Women and Child Development (MoW&CD) that it has initiated the 'Ujjawala' Scheme for prevention of trafficking and rescue, rehabilitation and reintegration of victims of trafficking for commercial sexual exploitation. MoW&CD has been in the process of integrating its various schemes regarding shelter homes and 'Ujjawala', etc., with a view to achieve a greater focus on providing rehabilitation to victims of trafficking. The Ministry is also working on the draft legislation of human trafficking, which has a dedicated focus on the rehabilitation of victims.

4.2 Written submission of Indian Leadership Forum Against Trafficking (ILFAT) on the trafficking of women and children

4.2.1 Indian Leadership Forum Against Trafficking (ILFAT) is a forum by the trafficked survivors for the trafficked survivors. The forum acts as a catalyst and convener for sharing expertise, insights and evidence relevant to human trafficking in India. ILFAT engages in policy and law consultation processes as well as with media to share its findings and experiences in the system in order to strengthen the system together. The Committee was informed by the ILFAT in its written submission that the most common reasons for Human trafficking are-

- i. The Panchayats and District Administration provides no protection services to trafficked people, or help to deal with economic distress, or cope with violence in the family or community;
- ii. the Anti Human Trafficking Units (AHTUs) do not focus on mapping, identification and tracking traffickers who operate in the rural areas;
- iii. preventive strategies like migration registers are not effective in combating trafficking because the burden and onus of registering in these registers lie with the families, and traffickers ensure that they avoid any such process; and
- iv. the AHTUs in most districts across India are either not functional or notified, and do not have specifically designated officers. As a result, traffickers who are in the source States, are never traced, arrested, or prosecuted. Even if the victims' family registers a case in the home district, the local Police register such cases under sections of kidnapping and abduction and refuse to apply trafficking sections because the officers take the plea that the outcome of that case is in another location and therefore, the case can only be registered under abduction or kidnapping. These cases almost are never successful in conviction.

4.2.2 When asked about the effectiveness of AHTUs in tracking and curbing the trafficking of women and children, the ILFAT informed the Committee that the investigation done by AHTUs are superior to an investigation by local Police officers. AHTUs being focused units and investigating only human trafficking cases are able to conduct investigations across state borders and collect necessary circumstantial evidence to strengthen the prosecution case. They have the expertise or skills, intelligence gathering and understand the nuances of the crime of trafficking. It has been seen that charge sheets filed by AHTUs are stronger than local Police Stations.

4.2.3 The Committee was also informed by the ILFAT that wherever AHTUs have been functional, there has been a remarkable difference in terms of service delivery between AHTUs and local Police Stations. Survivors experience a much better quality of investigation and treatment by AHTUs as compared to local Police Stations. Hence, getting AHTUs to function to their full capacity is not only important for swift investigation but also to ensure that the victims get fair treatment from law enforcement.

4.2.4 For rehabilitation of victims of trafficking, the ILFAT informed the Committee that the shelter homes, which are meant for rehabilitation and relief, are not good enough. There is an indication that shelters run with no transparency and accountability. Overall, it is not an environment fit for physical and emotional healing. The shelter homes provide basic training in the computer course, tailoring and beautician course, etc. However, they are insufficient to support survivors in earning a livelihood post reintegration into society. For instance, the survivors are unable to use skills learned in tailoring with no access to the sewing machine. A majority of the survivors have reported that they were denied a job despite showcasing the certificate of computer training received from the shelter home due to lack of continued education. Therefore, for a survivor to get fully rehabilitated, self-independence is important. For that to happen, it is necessary that victims of trafficking be trained and skilled in vocations and areas which will allow them to seek respectable livelihoods.

4.2.5 To strengthen existing anti-human trafficking laws in the country, ILFAT informed the Committee that currently there is a multiplicity of laws, which deals with different forms of trafficking under the different laws in silos. Some laws define and penalize only one part of human trafficking and the punishment of traffickers is weakened by fragmented prosecution of the organized crimes under different laws. Moreover, the existing legislations are inadequate and the definitions are outdated. There is no uniformity for addressing the proper rehabilitation mechanism and victim compensation that supports the long-term well-being of the survivors. There is also ambiguity on the roles and powers of the law enforcement agencies in the inter-State investigation of trafficking.

4.2.6 The ILFAT informed the Committee that due to COVID-19 Pandemic induced lockdowns, thousands of migrant labours with their families returned back to their villages from various States due to which many women and young girls have lost their livelihoods and employment and are facing lots of challenges. So many criminals who are noticed/identified as traffickers have deceived and cheated innocent girls and women and pushed them into the vicious cycle of prostitution.

Observation/Recommendation

4.2.7 The Committee notes that the MHA has allocated Rs.100 crore for the establishment of Anti-Human Trafficking Units (AHTUs) in all States/UTs under the Nirbhaya Fund. The Committee understands the importance of these units and the requirement of office infrastructure, computers and other logistics for its establishment and operational needs and therefore, recommends that MHA may allocate adequate funds to the States/UTs for establishment and strengthening of AHTUs in States/UTs including representation of female officers. An additional requirement of funds, if any, may be raised with the Ministry of Finance in the coming financial year (2021-22) at the RE stage so that AHTUs are established and made operational without further delay.

4.2.8 The Committee also recommends that the Government should establish a National Anti-Human Trafficking Bureau to investigate trans-border trafficking across States as well as cases of human trafficking involving a foreign country. It should also cooperate and coordinate with the Anti-Human Trafficking Bureau at the State capital level and intelligence agencies for making concerted and holistic efforts in tracking, tracing and rescuing trafficked women and children. The Committee further recommends that the MHA should develop a mechanism for convergence and coordination between the different agencies, institutions, organizations, departments (Home, WCD, Labour, Railways, Transport and Health) for smooth and better accessibility of services to the

victims and survivors of trafficking.

4.3 Missing Children

4.3.1 The Committee was informed by the Ministry of Women & Child Development that it has developed a national tracking system for missing and vulnerable children which has been implemented across the country. The MoWCD has also launched the 'Khoya-Paya' platform on 2nd June, 2015 where citizens can report missing children as well as sightings of their whereabouts. The details of children, who have been found, can also be reported on this platform. The Portal has been integrated with CCTNS for efficient working. As per data published by the NCRB, a list of State/UT-wise total number of children (below 18 yrs.) missing in the country during 2017 to 2019 is given below-

States/UT-wise Missing Children (Below 18 years) during 2017-19

S. No.	States/UT	2017	2018	2019
1.	Andhra Pradesh	3616	3150	3286
2.	Arunachal Pradesh	74	34	46
3.	Assam	1651	2120	2067
4.	Bihar	8493	12072	12404
5.	Chhattisgarh	3341	4237	4460
6.	Goa	45	47	62
7.	Gujarat	2172	2417	1983
8.	Haryana	3814	3739	3978
9.	Himachal Pradesh	368	481	534
10.	Jammu & Kashmir	725	800	661
11.	Jharkhand	1099	993	972
12.	Karnataka	3195	2864	1385
13.	Kerala	1755	2153	2335
14.	Madhya Pradesh	14116	15320	17058
15.	Maharashtra	8581	6928	8276
16.	Manipur	97	107	137
17.	Meghalaya	148	163	148
18.	Mizoram	1	3	0
19.	Nagaland	103	97	53
20.	Odisha	7446	3491	5503
21.	Punjab	2724	2587	2843
22.	Rajasthan	3403	3521	4697
23.	Sikkim	88	57	43
24.	Tamil Nadu	5844	5333	5814
25.	Telangana	4304	4410	4566
26.	Tripura	166	198	179
27.	Uttar Pradesh	5161	5704	6089
28.	Uttarakhand	877	938	1103
29.	West Bengal	19671	16027	16027
	Total State(s)	103078	99991	106709
30.	A&N Islands	43	56	55
31.	Chandigarh	513	540	528
32.	D&N Haveli	8	4	7
33.	Daman & Diu	34	30	30
34.	Delhi UT	15252	14986	12239
35.	Lakshadweep	0	0	0
36.	Puducherry	43	49	49

	Total UT(s)	15893	15665	12908
	Total (All India)	118971	115656	119617

4.3.2 The data shows that 1,18,971, 1,15,656 and 1,19,617 children went missing in the country in 2017, 2018 and 2019 respectively, The State of West Bengal and Madhya Pradesh have reported a maximum number of missing children from 2017-2019.

4.3.3 In the meeting of the Committee held on 18th November, 2020 Delhi Police informed the Committee that the common reasons for missing children as identified by them are “lost the way, academic pressure, scolding by parents, elopement, runaway, left on their own will, family circumstances, etc.”

4.3.4 The MHA in its background note informed the Committee that it has advised State Governments/UT Administrations to undertake the following steps in case of missing children:-

- (i) In case of complaint with regard to any missing children made in a Police Station, the same should be reduced into a First Information Report and appropriate steps should be taken to see that follow-up investigation is taken up immediately thereafter.
- (ii) In the case of every missing child reported; there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise.
- (iii) Whenever any complaint is filed before the Police authorities regarding a missing child, after referring the information to the Magistrate concerned, Police authorities should continue with the inquiry into the complaint.
- (iv) Each Police Station should have, at least, one Police Officer, specially instructed, trained and designated as a Juvenile Welfare Officer in terms of Section 63 of the Juvenile Act. Special Juvenile Officer on duty in the Police Station should be present in shifts.
- (v) Para-legal volunteers, who have been recruited by the Legal Services Authorities, should be utilized, so that there is, at least, one paralegal volunteer, in shifts, in the Police Station to keep a watch over the manner in which the complaints regarding missing children and other offenses against children are dealt with.
- (vi) The State Legal Services Authorities should also work out a network of NGOs, whose services could also be availed of at all levels for the purpose of tracing and reintegrating missing children with their families which, in fact, should be the prime object, when a missing child is recovered.
- (vii) Every found/recovered child must be immediately photographed by the Police for purposes of advertisement and to make his relatives/guardians aware that the child having been recovered/found.
- (viii) Photographs of the recovered child should be published on the website and through the newspapers and television so that the parents could locate their missing child and recover him or her from the custody of the Police.
- (ix) The State authorities shall arrange for adequate shelter homes to be provided for missing children, who are recovered and do not have any place to go to. Such shelter homes or after-care homes will have to be set up by the State Government concerned and funds to run the same will also have to be provided by the State Government together with proper infrastructures.

Observation/Recommendation

4.3.5 The Committee is aghast to note the sorry state of affairs in the National Capital Territory of Delhi so far as missing children is concerned. The NCRB data shows 15252, 14896 and 12239 children went missing in Delhi in 2017, 2018 and 2019 respectively. Despite the fact that an advisory has been issued by the MHA to State Governments/ UT Administrations that ‘in case of every missing child reported; there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise’. Delhi Police has not even cited ‘trafficking’ as a reason for missing children in their submission.

4.3.6 The Committee takes note of the advisory issued by MHA to States/UTs regarding missing children and recommends that the Ministry of Home Affairs may take up with States/UTs to ensure the availability of Juvenile Welfare Officer and Para-legal volunteer as per the extant provision of law in a time-bound manner in each Police Station for proper registration and investigation of cases of missing children and rehabilitation of the recovered children.

CHAPTER-V

Cyber Crimes against Women and Children

5.1.1 Cyber space is a complex environment consisting of interactions between people, software and services, supported by worldwide distribution of Information and Communication Technology (ICT) devices and networks. Regardless of the multiple benefits, it offers, cyber space has emerged as the most pernicious domain adversely affecting the safety of women and children. With greater technological penetration in the society and more innovations in ICT, cyber space is anticipated to be more complex in the future with the potential to further exacerbating the crime scenario, particularly against women and children. Unlawful use of the ICT devices and networks to commit or facilitate the commission of crime has been broadly considered as cyber crime with the following key characteristics:

- i. Cyber crimes can be considered as the digital analogy of the normal crime committed in the physical world.
- ii. In the cyber space, replication of cyber crime can be very fast and speedy; hence prevention, timely detection and quick reaction are essential.
- iii. The mentality of the criminal in cyber space is different from that in the physical space. Generally, a cybercriminal inside a closed room using a cyber world feels more secure, powerful and indulges in criminal activities with anonymity. This criminal mentality needs to be closely monitored in the cyber space.
- iv. Owing to its vastness, it is difficult to monitor cyber space manually. The use of automated tools having a refined algorithm to detect any occurrence of such crime is required so that as soon as the act is initiated, remedial measures can be triggered.

5.1.2 Cyber crimes are fast gaining ground in India. It's now ubiquitous as ICT devices have expanded their frontiers in rural areas making a vast segment of the population vulnerable to these new forms of crimes. The situation gets further worsened due to the prevalence of widespread illiteracy and technological ignorance among people. The Police with the responsibility to look after the law and order problem in their respective States and Union Territories are equally hard-pressed to keep pace with this new form of a challenge which is fast spreading its reach in the country in form of fraudulent money transaction, a breach in data security and privacy, use of pornography, a commission of sexual offenses and terrorism, etc., Transcending boundaries between states and the countries, the cyber crimes against women and children are on an upward spiral as is evident from the data maintained by National Crime Records Bureau (NCRB).

5.2 Data on cyber crimes against women and children

5.2.1 As per data maintained by NCRB, total cyber crimes against women and children registered during the last 3 years 2017-2019, are as under:-

Year	Number of cases registered
2017	4330
2018	6262
2019	8684

5.2.2 The major cyber crimes against women and children as reported by NCRB has been cyber blackmailing/threatening, cyber pornography/hosting, cyberstalking/bullying, defamation/morphing, fake profile, etc., details of which are as follows-

Details of cyber crime cases registered under crimes against women and children during 2017-2019

Sl .	Crime Head	2017							2018							2019						
		CR	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R	CR	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R	CR	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R
1	Cyber Blackmailing/Threatening (Sec. 506,503,384 IPC r/w IT Act)	132	116	1	6	16.7	59	125	113	155	1	8	12.5	89	110	113	190	3	8	37.5	131	90
2	Cyber Pornography/Hosting/Publishing Obscene Sexual Materials (Sec.67A/67B (girl Child) of IT act r/w other IPC/SLL)	271	368	2	10	20.0	174	224	862	731	3	19	15.8	493	609	1158	1118	3	50	6.0	909	629
3	Cyber Stalking/Cyber Bullying of Women (Sec.354D IPC) r/w IT Act	555	331	5	11	45.5	347	382	738	593	3	17	17.6	695	617	791	787	18	38	47.4	1096	664
4	Defamation/morphing (Sec.469 IPC r/w other IPC sections and Indecent Representation of Women (P) Act & IT Act)	50	48	0	0	-	7	8	62	77	0	1	0.0	25	25	61	94	0	1	0.0	54	37
5	Fake Profile (IT Act r/w IPC/SLL)	147	93	0	2	0.0	78	108	207	154	1	4	25.0	114	149	289	264	1	6	16.7	164	233
6	Other Crimes against Women	3087	2402	22	66	33.3	1019	1425	4048	4739	16	59	27.1	1861	1814	5967	8366	26	216	12.0	2844	2041
	Total Cyber Crimes against Women	4242	3358	30	95	31.6	1684	2272	6030	6449	24	108	22.2	3277	3324	8379	10819	51	319	16.0	5198	3694

Source: Crime in India
 Note : Due to non-receipt of data from West Bengal in time for 2019, Data furnished for 2018 has been used
 Conviction Rate = (Cases Convicted*100)/Cases in which trials were completed)

Crime Head-wise Cases Registered (CR), Cases Pending Investigation at the end of the Year (CPIEY), Cases Convicted (CON), Cases in which Trials were Completed (CTC), Conviction Rate (CVR), Cases Pending Trial at the end of the Year (CPTEY) & Persons Arrested (PAR) under Cyber Crime against Children during 2017-19

Sl .	Crime Head	2017							2018							2019						
		C R	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R	C R	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R	C R	CPIE Y	CO N	CT C	CV R	CPTE Y	PA R
1	Cyber Blackmailing/Threatening (Sec. 506,503,384 IPC r/w IT Act)	1	8	0	0	-	7	5	4	2	0	0	-	14	13	3	2	0	0	-	16	7
2	Fake Profile (IT Act r/w IPC/SLL)	3	0	0	0	-	2	2	3	3	2	2	100.0	0	0	1	3	0	0	-	1	1
3	Cyber Pornography/Hosting or Publishing Obscene Sexual Materials depicting children (Sec.67B of IT act r/w other IPC/SLL)	7	4	0	0	-	6	19	44	21	1	1	100.0	27	36	102	95	2	2	100.0	167	104
4	Cyber Stalking/Bullying (Sec.354D IPC r/w IT Act)	7	3	0	0	-	8	6	40	20	0	0	-	30	34	45	31	0	1	0.0	60	54
5	Internet Crimes through Online Games etc (Sec 305 IPC r/w IT Act)	0	0	0	0	-	0	0	0	0	0	0	-	0	0	1	0	0	0	-	1	4
6	Other Crimes against Children	70	50	0	3	0.0	38	40	141	104	4	4	100.0	103	128	153	110	2	7	28.6	218	179
	Total Cyber Crimes against Children	88	65	0	3	0.0	61	72	232	150	7	7	100.0	174	211	305	241	4	10	40.0	463	349

Source: Crime in India
 Note : Due to non-receipt of data from West Bengal in time for 2019, Data furnished for 2018 has been used
 Conviction Rate = (Cases Convicted*100)/Cases in which trials were completed)

5.2.3 Considering the continuous increase in cyber crimes against women and children which is not only alarming but disturbing too, the Committee decided to assess the efforts, initiatives and preparedness of the Ministry of Home Affairs to deal with the increasing threat and incidents of such cyber crimes against women and children.

5.3 Reasons for the increase in cyber crime

5.3.1 The Committee sought to know about the reasons for the increase in cyber crimes in the country. The MHA replied that with the proliferation of the internet, the traditional ways of committing offenses have undergone a change. Further, cyberspace is a complex environment of people, software, hardware

and services on the Internet. Therefore, the increasing use of the internet, anonymity, availability of many social media platforms and lack of awareness on the safe use of cyber space could be the reasons for the growth of cyber crimes in the country.

5.3.2 The representative of the Ministry of Home Affairs in its meeting held on 20th January, 2021 deposed before the Committee that cyber crimes are increasing all across the world. Cyber crimes disproportionately affect the weaker sections, especially women and children. Cyber crimes like stalking, online harassment and bullying, sexting, etc., have suddenly acquired wide currency after the cyber space has become more populated and instruments to perpetrate these crimes in the cyber space have become widespread. These crimes are difficult to trace and investigate because they are anonymous. The Committee was further informed that there is a need to generate a new dimension of investigation and prosecution in the cyber world. The instrumentalities, procedures and mechanisms also need to be disseminated among the Law Enforcement Agencies (LEAs) of the country.

5.4 Legislative provisions for handling cyber crimes in the country

5.4.1 The Committee was informed by the Ministry of Home Affairs in its background note that there is no legal definition for cyber crime. Any offense which is committed against a computer resource or with the aid of a computer resource is considered a cyber crime. Most of the cyber crimes are offenses committed with the aid of computer resources and such offenses are analogous to traditional crimes covered in IPC or other statutes. These offenses are dealt with as per legal provisions of the Information Technology (IT) Act, 2000 and other relevant statutes such as the Indian Penal Code (IPC) 1860, Prevention of Children from Sexual Offences (POCSO) Act, 2012, etc.

5.4.2 The Government of India has strengthened the legal framework from time to time for dealing with cyber crime against women and children such as child sex abuse material, publishing or transmission of obscene content; and publishing or transmitting of sexually explicit material, etc. The specific provisions for curbing cyber crime against women and children are as under:

I. Information Technology Act, 2000

- (i) Section 66E: Punishment for violation of privacy.
- (ii) Section 67: Punishment for publishing or transmitting obscene material in electronic form.
- (iii) Section 67A: Punishment for publishing or transmitting of material containing the sexually explicit act, etc., in electronic form.
- (iv) Section 67B: Punishment for publishing or transmitting of material depicting children in the sexually explicit act, etc., in electronic form.
- (v) Section 75: Act to apply for offense or contravention committed outside India.

II. The Protection of Children from Sexual Offences (POCSO) Act, 2012 as amended in 2019

- (i) Section 14 (1) Punishment for using a child for pornographic purposes.
- (ii) Section 15 (1) Punishment for storage of pornographic material involving a child.

III. Indian Penal Code, 1860

- (i) Section 354A - Sexual harassment and punishment for sexual harassment.

- (ii) Section 354C- Voyeurism.
- (iii) Section 354D –Stalking.
- (iv) Section 509-Word, gesture, or act intended to insult the modesty of a woman.

5.5 Challenges in dealing with Cyber Crimes

5.5.1 The Ministry of Home Affairs apprised the Committee that cyber crime is a digital analogy of the crimes committed in the physical world. But owing to the inherent challenges of the cyber space, its vastness, borderless character and the anonymity that it offers, tackling cyber crimes becomes even more challenging. The cyber crimes committed against women and children are happening because people with perverse and criminal intent use cyber space to their advantage. The important legal and technological challenges in dealing with cyber crimes are as follows-

Legal Challenges

- i. The transnational nature of cyber crime leads to jurisdictional complexity, making investigation and prosecution difficult. Lack of harmonization in legislations amongst countries leads to difficulty in investigation and prosecution of cyber terrorism offenses.
- ii. The Information Technology Act, 2000, as amended in 2008, provides for the legal framework to deal with e-commerce, cyber security, cyber crime and cyber terrorism. Anonymity, Traceability, Attribution, are the key legal challenges.

Technological Challenges

- i. Many cyber crimes are committed using modern cyber crime tools such as malicious software ('malware'), botnets, onion routing and others. These technologies are used with obfuscation, anonymity, computational power and deniability of trace back to the source in mind.
- ii. The use of many forms of malware and botnets allow criminals to avoid technical controls such as antivirus software and internet filters, as well as to avoid law enforcement.
- iii. There are many tools such as Virtual Private Network (VPN) services that allow criminals to remain anonymous online or to traceback the source of the crime challenges. Among these tools, the botnets pose the greatest challenge for a number of reasons.
- iv. Addressing cyber crime, particularly attribution, requires specialized investigative skillsets and forensic tools.

5.5.2 The Committee while discussing various crimes against women and children in the meeting held on 18th November, 2020, expressed concerns about the increasing instances of cyber crime and associated technological challenges. The Committee observed that technology is a double-edged weapon with the potentiality to be misused. It is misused to recruit young people for terrorism and other criminal activities like sexual offenses, pornography, etc. To deal with it, collective national effort needs to be made by taking all States/UTs on board to revisit the guidelines, directives and monitoring mechanisms besides improving and upgrading the technology with time to minimize the commission of crimes against women and children.

5.5.3 In the meeting held on 20th January, 2021, the Committee deliberated on the jurisdictional complexity involved in cyber crimes that a person is looted in one State and the offenders are in another State. Therefore, it becomes important to have close coordination and cooperation between the States to

facilitate and support the investigation of cyber crimes involving multiple States. In the said meeting the Committee also raised serious concerns on the multiple aspects of technological challenges associated with the increasing cyber crimes. The Committee observed that cyber technology is not only being used for committing crimes against women and children but also is being used to commit financial frauds like hacking of bank accounts, etc. Money-lending apps have come up creating havoc in many States.

5.5.4 The Committee showed its concern regarding the unauthorized virtual private networks (VPN) and the dark web which are bypassing the security walls and need to be blocked. Moreover, cyber criminals are well versed with technology and are finding new ways to commit cyber crimes.

5.5.5 The representative of MHA replied that the Ministry is extremely cognizant of the fact that financial crimes have another very deleterious and harmful side effect of increasing instances of illegalities in the cyber space. The Ministry has identified few pockets where these financial crimes are rampant and a Joint Criminal Investigation Taskforce has been created comprising of the law enforcement agencies of all the adjoining States. It has given significant outcomes in terms of investigating the cyber crimes in the concerned area and also where crimes of this nature are committed across the country. The Ministry has also identified hotspots where cyber financial frauds are committed.

Observation/Recommendation

5.5.6 The Committee notes that there are instances where the cyber crime is committed in one State and the offender is located in another State. The Committee understands the jurisdictional complexity involved during tracing, tracking and investigation of cyber crimes. The Committee, therefore, recommends that MHA should take necessary steps to empower all State Police and law enforcement agencies (LEAs) to take appropriate action regardless of State boundaries while examining a cyber crime. The Ministry must advise the States/UTs that when investigating officers (IO) visit outside their jurisdictional State for investigation of a cyber crime, they should be provided with optimum support from the local law enforcement agencies of other States and UTs, as required.

5.5.7 The Committee takes note of the fact that cyber crimes transcend geographical boundaries. The crimes are taking place in India while criminals are located in some other countries. Therefore, the Committee recommends the Ministry of Home Affairs to take up this issue with the Ministry of External Affairs and the Ministry of Electronics and Information Technology to develop an understanding of sign pacts with different countries, especially with those countries that are linked with maximum cases of cyber crimes. Better coordination with counter-crime agencies of foreign countries is highly required to effectively handle the cases of trans-national cyber crimes.

5.5.8 The Committee notes with anxiety the technological challenge posed by Virtual Private Network (VPN) services and Dark Web that can bypass cyber security walls and allow criminals to remain anonymous online. As of date, VPN can easily be downloaded as many websites are providing such facilities and advertising them. The Committee, therefore, recommends that the Ministry of Home Affairs should coordinate with the Ministry of Electronics and Information Technology to identify and permanently block such VPNs with the help of internet service providers. The Committee also recommends that a coordination mechanism should also be developed with international agencies to ensure that these VPNs are blocked permanently. The Ministry must take initiatives to strengthen the tracking and surveillance mechanisms by further

improving and developing the state-of-the-art technology to put a check on the use of VPN and the dark web.

5.6 Interventions of the Ministry of Home Affairs in handling cyber crimes

5.6.1 As per the Seventh Schedule of the Constitution of India, 'Police' and 'Public Order' are State subjects. States/UTs are primarily responsible for the prevention, detection, investigation and prosecution of crimes through their Law Enforcement Agencies (LEAs). The LEAs take legal action as per provisions of law against the offenders.

5.6.2 The Committee was informed by the Ministry of Home Affairs that taking into account the increase of cyber crimes in the country, the Ministry of Home Affairs has created a new Division "Cyber and Information Security (CIS) Division" which deals with cyber crime related complaints, issues guidelines/advisory to States/UTs regarding cyber crimes, coordinates with States/UTs on various issues to meet the growing demands of cyber security and cyber crime in the country.

5.6.3 The Ministry of Home Affairs in the meeting of the Committee held on 20th January, 2021, informed that in order to have an overriding and overarching framework for investigation and prosecution of cyber crimes, the Ministry has taken a lead by creating an ecosystem, both for educating the law enforcement agencies about cyber crimes and evolving new and modern techniques for investigating and prosecuting these crimes. The Ministry has also created a National Database of Sexual Offenders (NDSO) that has stored data of nearly 9 lakh sexual offenders in the country. The Police officers can use this database to identify repeat offenders to investigate cases and also receive alerts on sex offenders.

5.6.4 The Ministry of Home Affairs further apprised the Committee that a new Division designated as "Women Safety" has also been created to deal with issues connected with the security of women.

5.6.5 The Committee sought to know whether National Database on Sexual Offenders includes cyber criminals also, the MHA replied that it is included if the case is registered under Section 354 of IPC.

Observation/Recommendation

5.6.6 The Committee observes with satisfaction that a National Database of Sexual Offenders (NDSO) has been created by the Ministry of Home Affairs for the use of the Law Enforcement Agencies (LEA) to identify repeat offenders, receive alerts on sex offenders as also in the investigation. The Committee, therefore, recommends that NDSO may include the offenders and criminals proliferating in cyber space who are repeatedly engaged in cyber pornography, cyber blackmailing, cyber-stalking/bullying, etc. This is highly essential to strengthen the investigation machinery involved in the identification, tracking the offenders committing cyber crimes, particularly against women and children.

5.6.7 The Ministry of Home Affairs is implementing two Schemes for the prevention of cyber crimes in the country which are detailed below:-

(I) Cyber Crime Prevention against Women and Children (CCPWC)

5.6.8 Cyber Crime Prevention against Women and Children has been constituted with a total estimated

outlay of Rs.223.198 crore to address cyber crime-related issues against women and children. Its key components are as follows:-

(i) Online Cybercrime Reporting Portal

5.6.9 A “Cybercrime Reporting Portal (www.cybercrime.gov.in)” which was launched on 20th September 2018, is a centralized online platform that allows citizens to report online content pertaining to child pornography (CP)/child sexual abuse material (CSAM) or sexually explicit content such as rape/gang rape (CP/RGR) content. A revamped cyber crime reporting portal www.cybercrime.gov.in was launched on 30th August, 2019 to enable citizens to report complaints pertaining to all types of cyber crimes with a special focus on cyber crimes against women and children.

5.6.10 The Ministry of Home Affairs informed the Committee that the Portal provides a centralized mechanism for reporting incidents of all types of cybercrimes including child pornography/rape-gang rape and allows de-centralized dealing of each complaint by concerned State/UT Government, District Cyber Cell or the concerned law enforcement officer, as per crime jurisdiction and provisions of law. It was further informed that once a case is registered on the cyber portal, it is transferred to the jurisdictional State/ UT and it becomes obligatory on them to investigate that FIR. Besides, a toll-free number '155260' has also been made operational for citizens to get assistance in lodging online complaints in their language.

5.6.11 The cyber crimes against women and children can also be lodged on State Crime and Criminal Tracking Network and Systems (CCTNS) Citizen Portals. In addition to the above, the complainant can approach the nearest Police Station or Cyber Police Station and lodge a complaint which is transferred to the concerned LEA/PS, which has jurisdictional command over it, for taking further legal action.

5.6.12 Besides, a Cyber Volunteers Module has also been made available on National Cyber Crime Reporting Portal, wherein public/cyber users can register themselves, and report objectionable contents promptly to the Police/cyber cell. State Nodal officers will take necessary action on these reported incidences. The Ministry of Home Affairs has also issued an advisory to all States/Union Territories for setting up institutional arrangements for handling cyber crime at State and District levels.

(ii) Capacity Building

5.6.13 National Crime Records Bureau has developed a Massive Open Online Courses (MOOC) platform under the Indian Cybercrime Coordination Centre (I4c) called the 'CyTrain' portal. It helps in the capacity building of police officers/judicial officers through an online course on critical aspects of cybercrime investigation, forensics, prosecution, etc. along with certification. So far, more than 2,600 Police officers from States/UTs have been registered and more than 600 Certificates have been issued through the portal. Furthermore, eCyberLab for online practical training has been integrated with CyTrain Portal. eCyberLab tools can be broadly categorized into disk forensic, network forensic, mobile forensic, live forensic, Call Data Report (CDR) analysis forensic, workstation, forensic field kits and video forensics, etc.

(iii) Research & Development

5.6.14 As part of research and development, multiple Centers of Excellence (COE) are being developed in the country. Bureau of Police Research & Development (BPR&D) has been designated as a nodal

agency for supervision and monitoring of research and development projects. So far, nine projects have been identified for technical research in the field of cyber crimes and approved by the Government for its execution. Funds have also been released to the selected Institutions as per conditions laid down in the Memorandum of Understanding (MoU) signed between BPR&D and the Institute concerned.

(iv) Awareness

5.6.15 The MHA informed the Committee that an awareness campaign has been planned to reach out to the masses and reinforce messages on prevention and spread awareness on cyber crime which, *inter alia*, includes a radio campaign, a handbook for adolescents/ students and SMS sent on cyber crime awareness. A Twitter handle '@CyberDost' has been created to spread awareness on cyber crime prevention in which 700 tips have been tweeted and has more than 2.8 lakh followers. Moreover, Cybersafety and security awareness weeks have been organized through the Centre for Development of Advanced Computing (C-DAC) in association with the Police Department in different States and alerts/advisories have also been issued to States/UTs from time to time.

Observation/Recommendation

5.6.16 The Committee appreciates the re-launch of revamped Cyber Crime Reporting Portal and operationalization of toll-free numbers which will help the citizens report cyber crimes and avail assistance in lodging online complaints.

5.6.17 The Committee takes note of the measures taken by the Ministry of Home Affairs to spread awareness about cyber safety and cyber crime among the people across the country. The Committee, therefore, recommends that the Ministry of Home Affairs should take all steps in giving due publicity to the cyber crime reporting portal through regional and local languages. The publicity should also be given on television and from time to time through caller tune message as it has been done during COVID-19. The Committee also recommends that to facilitate easier and immediate reporting of complaints, One-Stop Centers (OSCs), Central Government-run helpline number 112 (ERSS) and State helpline numbers should also include cyber-related crimes against women and children under their ambit and to provide immediate psycho-social support, emotional assistance and counseling services to the victims of cyber crimes. The Committee further recommends that the Ministry of Home Affairs may also issue Advisories to States/UTs to raise awareness through print and electronic media including social media about the mechanisms available to citizens for reporting cyber crimes against women and children, particularly for sexual abuse as well as the distribution of pornographic material.

5.6.18 The Committee observes that it is very important to conduct a nation-wide campaign to create awareness amongst all sections of the society regarding the use and misuse of cyber space and also about the evolving technology which is being leveraged to commit different and new types of cyber crimes. It is also very important to protect minor children/juveniles from indulging in crimes like stalking, online-trolling, molesting, etc. The Committee recommends that cyber safety lesson plans should be included in the educational institutions to make students aware of internet safety and its responsible use. Further, the educational institutions should be instructed to hold sessions with parents to make them identify at an early stage, any signs of their children being a victim of any of the cyber crimes. The Committee also expresses its concern regarding the growing use of online streaming sites/ apps showing sexually abusive content in movies, serials, etc. and feels that appropriate regulation thereof is required to save the society from its deleterious impact.

(II) Indian Cyber Crime Coordination Centre (I4C) Scheme

5.6.19 It has been constituted with an outlay of Rs.415.86 crore to deal with cyber crimes in a coordinated and comprehensive manner. It is the nodal point to fight against all types of cybercrimes. It will also provide a centralized platform for reporting cyber crimes and enhancing the capacity of the law enforcement agencies besides generating greater awareness among the masses. Its key components are-

(i) National Cybercrime Ecosystem Management

5.6.20 Advisories have been issued on Cyber Crime Ecosystem Management Unit to all States/UTs for flagging the unlawful/inappropriate content pertaining to child pornography (CP), rape-gang rape (RGR), sexually explicit material, terrorism, etc., for removal/blocking by appropriate authorities.

(ii) National Cybercrime Training Centre

5.6.21 Standardized training programs have been prepared for law enforcement agencies, public prosecutors and judicial officers for improving the conviction rate and cyber crime awareness in cyber crime cases, in consultation with the stakeholders. The State Governments/Union Territories have also been requested to organize training programs. So far, more than 13,000 police personnel, judicial officers and prosecutors have been provided training on cyber crime awareness, investigation, forensics, etc. Apart from these, four workshops were conducted for capacity building of LEAs and officials of the Ministry of Women & Child Development (MoW&CD).

5.6.22 A Workshop for Law Enforcement Authorities on the functioning of Cybercrime Reporting Portal (www.cybercrime.gov.in) was organized by National Crime Records Bureau (NCRB). The hands-on training was provided to all the participants for taking appropriate action on complaints reported through the Cybercrime Reporting Portal. Sessions were also organized on "provisions under the law for tackling cases related to child pornography (cp), child sexual abuse material (CSAM)/rape and gang rape (RGR) or other obscene content" and "orientation program of police personnel on sexual offenses and pornography".

(iii) National Cyber Forensic Lab (NCFL) Ecosystem

5.6.23 A grant of Rs.95.77 crore has been provided to all the States/UTs to set up cyber forensic cum training laboratories, training and hiring of the junior cyber consultant to provide hands-on training to LEAs, Public Prosecutors and Judicial Officers. So far, cyber forensic cum training laboratories have been commissioned in 16 States namely, Arunachal Pradesh, Andhra Pradesh, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Odisha, Sikkim, Telangana, Uttarakhand and Uttar Pradesh. The commissioning of cyber forensic and training laboratories for the remaining States will be done by 31st March 2021.

5.6.24 A National Cyber Forensic Laboratory has been developed at Dwarka which provides hands-on training in forensics and also helps the States in making the investigation more effective. The Ministry of Home Affairs has also identified nine research projects that have been taken up with different Indian Institutes of Technology (IIT), National Institute of Technology (NIT) and other research organizations.

5.6.25 The Directorate of Forensic Science Services (DFSS) has been assigned to set up a National Cyber crime Forensic Laboratory (NCFL) at Hyderabad for evidentiary purpose, with an outlay of Rs.37.34

crores. The establishment of this laboratory will provide the necessary forensic support in cases of evidence related to cyber crimes, preserving the evidence and its analysis in line with the provisions of the Information Technology Act, 2000 and Evidence Act, 1872 and will reduce turnaround time. This laboratory will act as a Model Laboratory for other Central and State Forensic Science Laboratories in the country. The lab is expected to be made fully operational during the current financial year 2020-21.

Observation/Recommendation

5.6.26 The Committee appreciates the commissioning of Cyber Forensic-Cum-Training Laboratories in 16 States namely, Arunachal Pradesh, Andhra Pradesh, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Odisha, Sikkim, Telangana, Uttarakhand and Uttar Pradesh. The Committee recommends that the Ministry should closely co-ordinate with the remaining States/UTs for timely commissioning of cyber forensic and training laboratories by 31st March 2021. The Committee also recommends the timely establishment of NCFI at Hyderabad. The Ministry may also review the budgetary allocation and seek appropriate funds and extend necessary support to the States/UTs towards setting up the Cyber forensic-cum-training laboratories.

5.6.27 The Committee observes that so far, about 13,000 police personnel, judicial officers and prosecutors have been provided training on cyber crime awareness, investigation, forensics, etc., and still many of the States/UTs have not come on board for the purpose. The Committee recommends that the Ministry should advise States/UTs to provide training to more personnel so that they are well trained to deal with the increasing cyber crimes.

5.6.28 The Committee further observes that the nature of crimes is evolving and changing on daily basis due to technological advancement. It is, therefore, important for the Centre to have coordination with the States/UTs for optimal utilization of existing resources. The Committee recommends that the existing National-Level Training Centre at Dwarka, New Delhi, established by the Ministry of Home Affairs should be used to provide short and long term training and refresher courses periodically to all the senior officers of the States/UTs who are involved in monitoring and handling cyber crimes in their respective States/UTs so that they can be educated properly to meet the challenges and technological advancement. The trained officers should further train their counterparts/subordinates in their States/UTs.

(iv) National Cybercrime Research and Innovation Centre

5.6.29 It has been established at the BPR&D HQ, New Delhi and Cyber Research Innovation & Capacity Building Centre established at the Central Detective Training Institute (CDTI), Hyderabad to examine the issues faced by LEAs pertaining to cyber crimes and develop an appropriate solution. It has prepared a detailed syllabus with a lecture plan for imparting training on cyber investigation and digital forensics in four modules i.e. basic, intermediate, advanced and special advanced.

5.6.30 Apart from the above, regular consultations are held among Ministries, industries, academia & other stakeholders to identify the areas of cooperation and develop a holistic approach to deal with cyber crimes.

5.6.31 While discussing the cyber crimes involving women and children in the meeting of the Committee held on 20th January, 2021, the Committee made an observation and raised a query that internal and external security are dealt with by different Ministries. But, cyber crimes are being committed from both within and outside the country which creates a need for a separate Ministry for cyber security in the country.

5.6.32 The MHA replied that cyber crimes are being dealt with across several Ministries and agencies. Intelligence Bureau has its mechanism, the Ministry of Electronics and Information Technology has an organization that guards the borders of India in the internet world, keeps track of content that is being sent in and malware coming in especially from inimical countries. Besides, there are agencies that function under other security agencies. Therefore, the action against cyber crimes is multi-faceted and distributed across agencies. To have a comprehensive approach, a cyber crime policy is now being generated. There has been intense discussion and some forums are being created which can enable coordination seamlessly across these various agencies. The MHA accordingly, opined that creating a separate Ministry is not a solution *per se* unless there are agencies that are specialized in handling different aspects of cyber crime.

Observation/Recommendation

5.6.33 The Committee, taking note of the reply of the MHA, observes that there is a need for optimal use of the resources and assets that are dispersed amongst various agencies. The Committee, therefore, recommends the Ministry of Home Affairs to create a National Nodal Agency for inter-State, inter-agency coordination among Centre, State/UT Ministries/Departments and intelligence agencies. This will help in combating cyber crimes effectively through a concerted centralized effort and would facilitate faster and easier redressal of cyber crime cases.

5.7 Efforts of the MHA to block cyber pornographic content and other obscene contents on the internet

5.7.1 The MHA informed the Committee that although Section 79 of the IT Act gives the immunity to the Intermediaries, Section 79(3) (b) states that if the Intermediaries are notified by a lawful authority that some offense is happening due to online content which is using their platforms, then as per the Information Technology (Intermediaries Guidelines) Rules, 2011, they are required to take down such content within 36 hours of being notified. If they do not remove it, then they are liable for abetment.

5.7.2 The National Crime Record Bureau (NCRB) has been notified as an agency of the Government of India to issue notices to intermediaries under section 79(3)(b) of the IT Act for removal of Child Pornography (CP), Rape & Gang Rape (RGR) content on 13th August, 2018. NCRB has issued 13 notices to the intermediaries under section 79(3)(b) of the IT Act.

5.7.3 Additionally, a Memorandum of Understanding (MoU) has also been signed between the National Crime Records Bureau (NCRB), India and the National Center for Missing and Exploited Children (NCMEC), USA regarding receiving of Tipline report on online child pornography and child sexual exploitation contents from NCMEC. So far, more than 3.83 lakh Cyber Tipline reports have been shared with concerned States/UTs and over 600 FIRs have been registered on the basis of these Tiplines.

Observation/Recommendation

5.7.4 The Committee is of the view that social media have become very popular and are being used by certain vested interests and elements to target young children by trapping them with false information. The Committee, therefore, recommends that the MHA along with the Ministry of Electronics and Information Technology should have regular interaction with popular social media entities to create a system of deterrence as a preventive measure to stop this kind of trapping of children. Comprehensive guidelines can also be prepared for social media intermediaries to counter such vested interests.

5.7.5 The Committee observes that dependency on cyberspace has been growing exponentially with the constant adoption of digital services, tools, and applications. This has also led to an increase in cyber crimes and associated challenges. To address the challenges, a targeted approach from different angles is needed which will include imparting proper training to law enforcement agencies, investing in the right cyber security solutions, evolving dynamic prevention methods and raising mass awareness on the use and misuse of the cyber space.

CHAPTER-VI

Sensitizing Police and Public on Gender Issues

6.1.1 The root causes of atrocities and crimes against women and children involve much larger issues that are more societal and behavioral and can only be remedied through proper education, training and sensitization. There are multiple factors due to which the crimes against women and children are increasing and showing an upward trend. Alarming, the younger generations are more involved in these crimes. Therefore, sensitizing police and the public on gender issues becomes of utmost importance, besides strengthening law enforcement agencies and building adequate infrastructure in the country.

6.2 Sensitization of the Police Personnel

6.2.1 Crimes against women manifest in various forms. In most cases Police are the first point of contact for the distressed and therefore their role is critical in handling and prevention violence against women. Being front-line functionaries, the police are expected to respond in an empathetic and sensitive manner. It is important to remove any prejudice and bias of police officers towards victims of gender-based crimes as well as women colleagues. To achieve that goal required professionalism in terms of knowledge, skills and attitudes may be instilled in them for dealing with cases of violence against women more effectively. The Committee sought to know about the measures taken by State Governments towards sensitization of police personnel.

6.2.2 The State Government of Haryana informed the Committee that the police personnel are imparted training on gender sensitization and Crime Against Women (CAW). 6 courses on gender sensitization have been held in the past 3 years in which 327 personnel have been trained. Further, 21 courses on crime against women have been held in which 868 personnel have been trained.

6.2.3 The State Government of Rajasthan informed the Committee that Police personnel has been sensitized about various mandatory legal provisions and guidelines about the priority of medical examination of a rape victim while ensuring her privacy, consent (esp. in case of minors), etc., as per Section 164-A of CrPC. The Crime Branch, which is mandated to deal with matters related to crime prevention, investigation and other related policy issues, was reorganized to create a new branch (Civil Rights and AHT) to specifically focus on crime against weaker sections of society, including women and children. This has led to better monitoring of various regular and special tasks related to the subject. Various circulars and guidelines are issued by this branch to infuse professionalism in the Police response. Further, the subject of gender sensitization is an integral component of the curriculum of all basic, promotion and refresher courses conducted for Police personnel in the state across all ranks. Special Courses on the subject are also organized from time to time.

6.2.4 The State Government of Uttar Pradesh informed the Committee that gender sensitization has been included as a subject in the training of Deputy Superintendent of Police, Sub-Inspector, Platoon Commander and Constables. Various training workshops are being organized for the prevention of harassment of women. Participation in national-level training programs has also been organized through the specialized and reputed institutions of the country. Apart from this, short-term workshops/seminars for Police personnel are also held regularly at the district level. Further, training is provided on "Child Protection and Sexual Sensitivity".

6.2.5 The State Government of West Bengal informed the Committee that training programmes for Police officers have been conducted by the Department of Women and Child Development & Social Welfare on the implementation of various legislations related to women and children and also on how to handle matters related to them in a sensitive and responsible manner. The training programmes conducted are as follows:

- (i) Training on 'Track the Missing Child' portal to the Child Welfare Police Officers of all districts on the online registration of missing and recovered children.
- (ii) Training of Special Juvenile Police Unit (SJPU) and AHTUs on the application of special laws for children to combat trafficking.
- (iii) Training for Officers-in-Charge of Women Police Stations on combating child trafficking.
- (iv) Workshop with the Investigating Officers of West Bengal and Maharashtra on the challenges faced in case of interstate rescue and investigation of trafficked cases.

6.2.6 The steps taken by Police in this regard are noted below:

- (i) The strength of women's Police has been increased substantially over the years. Their strength in West Bengal Police has increased from 6,600 to 8,579 which is an increase of 30% in the period from 01/01/2017 to 01/01/2020. This change in gender composition has enabled Police to be more sensitive in their response towards crime related to women.
- (ii) Sensitization of Police personnel is done on a regular basis by way of special training programmes at the district level, at CID headquarters and state Police training academy (SVSPA).
- (iii) A State Task Force in connection with POCSO cases has also been formed for monitoring and implementation of cases of the POCSO Act.

6.2.7 The State Government of Maharashtra informed the Committee that One Day Training Module on Crime against Women & Human Trafficking at all Police units is being conducted to impart training to IO's regarding amendments in laws related to Crime against Women and Children jointly with the organization like International Justice Mission (IJM) and Save the Child India. One-day Training Workshop is organized for the Deputy Superintendent of Police who heads the Special Juvenile Police Unit (SJPU) in each District. They were given training about provisions and amendments regarding the prevention of offenses against Women and Children and Juvenile Justice Act, 2015.

6.2.8 Also, two days Training-cum-Workshop was organized with the help of NGOs – Save the Children and DALSA at Thane for 87 Police officials of Konkan Range on investigation and evidence collection of offenses under the Indian Penal Code Sections 376, 354; POCSO Act; Juvenile Justice Act, 2015; Bombay Prevention of Begging Act 1959; Child Labour Act 1986; and human trafficking and its changing dimensions of Juvenile Justice.

6.2.9 The State Government of Tamil Nadu informed the Committee that gender sensitization has been incorporated in the basic institutional training for DSPs, SIs and Constables. Further regular training programmes are being conducted for the serving Police officers through in-service training centres.

6.2.10 The Committee was informed by the MHA that BPR&D has conducted a study on "Trust deficit in Police" considering training and sensitization of Police, including taking prompt action, improvement in investigation skills, and proper coordination with community, as also improving infrastructure and Police

manpower. Some of the important recommendations in the study are as below:

- (i) Prompt registration of complaint
- (ii) Reducing response time of the Police
- (iii) Improving physical and human infrastructure in Police Stations
- (iv) Roster for shift duty and filling up of vacant posts
- (v) Increased Police-Public interface
- (vi) Increased access to timely and correct information
- (vii) Zero tolerance for corruption

6.2.11 The Committee notes the direction of Hon'ble Supreme Court for installation of CCTV cameras in Police stations which is as under -

“The State and Union Territory Governments should ensure that CCTV cameras are installed in each and every Police Station functioning in the respective State and/or Union Territory. Further, in order to ensure that no part of a Police Station is left uncovered, it is imperative to ensure that CCTV cameras are installed at all entry and exit points; the main gate of the police station; all lock-ups; all corridors; lobby/the reception area; all verandas/outhouses, Inspector's room; Sub-Inspector's room; areas outside the lock-up room; station hall; in front of the police station compound; outside (not inside) washrooms/toilets; Duty Officer's room; the back part of the police station, etc. CCTV systems that have to be installed must be equipped with night vision and must necessarily consist of audio as well as video footage. In areas in which there is either no electricity and/or internet, it shall be the duty of the States/Union Territories to provide the same as expeditiously as possible using any mode of providing electricity, including solar/wind power. The internet systems that are provided must also be systems that provide clear image resolutions and audio. Most important of all is the storage of CCTV camera footage which can be done in digital video recorders and/or network video recorders. CCTV cameras must then be installed with such recording systems so that the data that is stored thereon shall be preserved for a period of 18 months. If the recording equipment, available in the market today, does not have the capacity to keep the recording for 18 months but for a lesser period of time, it shall be mandatory for all States, Union Territories and the Central Government to purchase one which allows storage for the maximum period possible, and, in any case, not below 1 year. It is also made clear that this will be reviewed by all the States so as to purchase equipment which is able to store the data for 18 months as soon as it is commercially available in the market.”

Observation/Recommendation

6.2.12 The Committee strongly believes that women should not feel scared to go to Police Station when they require help. The Committee recommends framing of Standard Operating Procedure (SOP) for ensuring Police accountability and sensitivity to deal with cases of violence against women. Periodic sensitization and training of ground-level officials should also be done so that the cases can be registered under appropriate sections of the laws. The Committee recommends that a monitoring mechanism should also be created at the district level to check the behavior and take cognizance in case of Police insensitivity/ remark/ comment and initiate strict action against the

errant official.

6.2.13 The Committee notes that the ‘Key Recommendations’ made by the BPR&D in its study “Trust deficit in Police” are highly relevant and recommends that those should be implemented in a time-bound manner. The Committee would like to be informed about the progress made in this regard.

6.2.14 The Committee notes the direction of the Supreme Court regarding the installation of CCTV cameras in Police stations and recommends that the Ministry of Home Affairs may issue advisory to State/UT Governments at the earliest for installation of CCTV cameras in all Police Stations within a time frame. The Committee would like to be informed about the progress made in this regard.

6.3 Making Gender Sensitization a Part of School Curriculum

6.3.1 The Committee sought to know through a questionnaire about the steps taken by State Governments to include gender sensitization as an integral part of the school curriculum. The replies of the state Governments are as under:-

6.3.2 The State Government of Haryana informed the Committee that various Departments (Education, Health, Women and Child, Police, Welfare, etc.) have formulated modules according to different age groups of children and the same have been incorporated in textbooks of class 6th from the session 2019-2020. The aim of the Chapter is to teach the children to know about their body, body boundaries, protection from abuse and preparing them to deal with everyday life e.g. identifying and responding to a potentially dangerous situation, preventing abuse, and seeking help. Further, training of teachers has been done in Module for children of age group 13-18 years under Adolescent Education Programme whereas teachers have been trained in module for children of age group 07-12 years.

6.3.3 Good Touch-Bad Touch Initiative has been launched to generate awareness among students and whom to contact in case of abuse. Under the initiative, the children will learn about safe and unsafe touch; how to keep themselves safe and how to report unsafe situations. The goal is to prevent incidents of child sexual abuse by increasing awareness, etc. This has also been included in the curriculum by the State Council of Educational Research and Training (SCERT).

6.3.4 The State Government of Rajasthan informed the Committee that the Department of School Education has included chapters on gender discrimination and atrocities against women in the syllabus of class-X and crimes against women and their penalties in the syllabus of class-XII to sensitize the students about gender discriminations and penal provisions. These chapters also include various forums available for protection and redressal of women-related atrocities, etc.

6.3.5 The State Government of Uttar Pradesh informed the Committee that girl education was raised in remote areas. Messages were circulated to educate and empower girls through radio and Doordarshan. Movies based on gender equality were screened on YouTube channels. Kasturba Gandhi Residential Girls School is providing education to girls from class 6th to 12th. Besides self-defense training programs, life skills education, sports activities, exposure visits, training in stitching, embroidery, etc., is also provided under Scout Guide, theatre and vocational education. Under Mission Shakti, a massive campaign is being carried out in all the schools of the State, in which teachers are constantly communicating with children and parents on the issue of gender equality, etc.

6.3.6 The State Government of West Bengal informed the Committee that the existing State-approved curriculum is followed in all Govt. /Govt. Sponsored/Govt. aided schools of West Bengal and provide much emphasis on gender sensitization amongst students. The notion of gender sensitization has come to fruition through the textbooks in the following four modus operandi: Narratives, Illustrations, Cover designs and Activities. These are the most important areas of any textbook because it is through narration, illustrations, etc., that the important concepts are introduced and explained. Stories from women writers and stories where the central character is a female have been chosen. Cyber crime is also an integral part of the subject "Modern computer application" taught at the higher secondary level. Besides, secondary/higher secondary level teachers have also been sensitized about different cyber crimes, etc.

6.3.7 The State Government of Maharashtra informed the Committee that State Government has already made state curriculum and syllabus to cater to gender sensitization issue. In all subjects, equal importance is given to all genders. In textbooks for stories and pictures due care has been taken regarding gender sensitization. For example, if a woman is picturized doing cooking and men are working in the field, it insidiously brings gender bias. Therefore, a review was carried out and all the images or descriptions that bring gender bias into the discourse were identified and removed. The School Education Department has established an equity cell whose aim is to monitor whether educational content has anything which is creating an impression of gender bias. Apart from these, self-defense training is also imparted to girls in schools, etc.

6.3.8 The State Government of Tamil Nadu informed the Committee that as a part of reforms, gender sensitization is included in core subjects from Classes 1 to 12 in the textbooks of Tamil, English, Science and Social Science. For example, the topics of achieving equality in the 6th standard, Women Empowerment in the 7th standard, Human Rights in the 8th & 9th standard, etc., are included,

6.3.9 The Committee was informed that the Ministry of Education under Samagra Shiksha is imparting self-defense training to girls of class VI to XII studying in Government schools. The Fund for this purpose is provided for three months @ Rs.3000/-per school per month for inculcating self-defense skills including life skills for self-protection and self-development among the girls. Self-defense training is a life skill that helps girls to be more aware of their surroundings to remain prepared for the unexpected at any time. Through self-defense training, the girls are taught to become psychologically, intellectually and physically strong enough to protect themselves in times of distress.

6.3.10 Further, Adolescent Education Programme is being implemented by NCERT which aims at facilitating the process of comprehensive integration of these needs and concerns in the school education curriculum and teacher education system. The ultimate goal of the programme is to empower adolescent learners to acquire knowledge of their needs and concerns related to the period of adolescence and develop life skills that will enable them to practice informed and responsible behavior

6.3.11 The Ministry of Home Affairs informed the Committee that NCERT has been addressing the concerns related to valuing the safety and security of girls and women through school and teacher education in the country. The Department of Gender Studies of the NCERT has been carrying out gender sensitization programmes since 1979 for various stakeholders including teachers and teacher educators. In all its capacity-building programs, there are sessions related to socialization practices, gender-related violence, laws for the safety and security of girls and self-defense techniques for girls. The programme also includes sessions on cyber crime and POCSO Act. In these programs, the NCERT takes special care to involve both male and female participants, as it is pertinent to sensitize males to confront patriarchy and

gender stereotypes. In all the programmes emphasis is laid on making schools a zero-tolerance zone with respect to gender violence.

6.3.12 Apart from sensitization programmes, training material for teacher educators on Gender Equality and Empowerment in three volumes has been developed by the NCERT. These volumes are widely disseminated by the NCERT in all its various programmes and its softcopy is available on NCERT's website.

6.3.13 Efforts have been made by NCERT to make all textbooks gender-inclusive in their content, portrayal and visual depiction. The textbooks address gender concerns such as women's work and equality, growing up concerns of boys and girls, diversity and discrimination, the declining sex ratio in India, etc. Women have also been depicted in unconventional roles, as financially independent and as decision-makers. The textbooks at the elementary stage emphasize the values of equity and social justice enshrined in the Constitution. They also highlight questioning of customary practices such as child marriage, showing men/boys as emotional, sharing household chores and in child-rearing and caring practices.

6.3.14 Now, National Education Policy, 2020 is in place which will provide directions for new National Curriculum Frameworks, new syllabus and textbooks creating more space for gender issues in education.

6.3.15 Further, the School Health Programme under Ayushman Bharat is a joint collaborative programme between the Ministry of Education and the Ministry of Health and Family Welfare. This initiative is envisaged to facilitate an integrated approach to health programming and more effective learning at the school level. The curriculum of the School Health Programme is proposed to be transacted with the help of various interactive methods like group discussions, role play, art, theatre, puppetry, etc. till upper-primary stage and go on to include field visits, surveys, and celebrating specific days like No Tobacco Day or Menstrual Hygiene day at Secondary and Senior Secondary levels. Different activities and case studies and questionnaires have been incorporated in the resource material, so as to effectively inform the children about healthy behavior.

6.3.16 In the meeting held on 6th January, 2021, the Committee discussed operation Nirbheek in Delhi in 2015, in which a complaint box was placed in every school and a female officer was appointed as a Nirbheek officer who used to open the complaint box. In those complaints, the children revealed the crimes committed during school hours by the teachers, by their colleagues and family members.

Observation/Recommendation

6.3.17 The Committee considers operation Nirbheek as a very constructive measure for regular interaction of Police officers with the children and recommends that the MHA may take up with the Ministry of Education for implementation of the programme in every school all across the country, both Government as well as private. As part of this, a complaint box may be placed in every school and a female Police officer may be appointed as a Nirbheek Officer, who would open the complaint box regularly on an appointed day. In those complaints, the children may reveal the crimes committed during school hours by the teachers, by their colleagues and by their family members. The Police then can register an FIR on the basis of the complaint and also provide counseling and support to the victimized children.

6.3.18 The Committee also recommends that in school and college curriculum, in addition to gender

sensitization, there should be more content about leadership, sacrifice and the remarkable role played by women in all walks of life. This will create a feeling of respect for the women, and help in addressing the negative mindset/stereotypes that exist in society.

6.3.19 The Committee is of the considered view that due to lack of legal awareness particularly, amongst minor children/juveniles, they are getting involved in crimes like stalking, online-trolling, molesting, etc., in their schools/colleges, considering these as non-criminal activities. Therefore, it is necessary to impart knowledge of cyber security to them so that they do not get targeted by offenders. The Committee, therefore, recommends that the Ministry of Home Affairs may take up with the Ministry of Education to include the basics of cyber security in the school curriculum at an early age. It may include the general information of cyberspace, threats and challenges associated with cyber security, details of the online activities that are punishable under the law to make them aware of do's and don'ts while engaging in online activities. This will educate the children about the use and misuse of cyber space and also act as a deterrent to stop them from committing cyber crimes. A nationwide campaign may also be conducted in schools for creating awareness among parents to recognize early signs of child abuse, risks of online addiction, cyber-bullying, explicit content, etc. to improve the online safety of their child.

6.3.20 The Committee further recommends that it should be mandatory in all educational institutions to teach 'Social Media Regulations' covering aspects on all social and legal requirements so as to ensure increased awareness and compliance. Institutions must also formulate penalties and actions corresponding to the violation of the guidelines. The MHA may take up the matter with the Ministry of Education in this regard at an appropriate level.

6.4 Gender Sensitization of Society

6.4.1 As per NCRB data percentage share of known cases to total rape cases was 94.2% of rapes in 2019. Further, many persons involved in the incidents of sexual harassment are illiterate. This shows that the problem is more societal than educational. The Committee believes that gender sensitization should be from bottom to top. It is, therefore, important not to confine gender sensitization programmes to educational institutions only and should involve the whole society.

6.4.2 The representative of the State Government of Uttar Pradesh informed the Committee in the meeting held on 6th January, 2021 that they have launched Mission Shakti for women's safety, respect and freedom. Under this, various spheres of activities like webinars, self-defense workshops, nukkad natak, village-level awareness programmes, trainings and several other activities were aligned by 25 participating departments of the Government across the State.

6.4.3 The representative of the State Government of Haryana informed the Committee that historically, Haryana has one of the lowest sex ratios in the country. Therefore, they have been paying a lot of attention not only to the sensitization of all law enforcement agencies, including the Police, against crimes relating to women and children but also to the general status in society of women in the State.

Observation/Recommendation

6.4.4 The Committee is of the view that the litmus test of any civil society is to see how well educated, well protected and adequately respected its women are. The heinous crimes that are still

taking place against women and children indicate that contemporary society is seriously lacking to qualify the test. The Committee notes that according to NCRB data of 2018, more than 90% of cases of rape were committed by someone known to the victim. This depicts that the main reasons for the crimes against women are societal. Therefore, it is important to promote gender sensitization in the educational curriculum from the schooling stage so that good values are inculcated and imbibed which over a period of time will be reflected in society. But, there are many people who do not go to school and are committing heinous crimes against women and children, therefore, it is important not to confine gender sensitization programmes to educational institutions only and should involve the entire society in a holistic manner.

6.4.5 The Committee further observes that crimes against women and children are on the rise and are happening all across the country. At times, the brutality that follows these crimes shocks the human consciousness and these images flash out of India, across the world, which brings a very bad name to the country.

6.4.6 The Committee is of the view that it is very important to consider the prevention of crimes as not only a law and order issue but also a social responsibility. The Committee, therefore, recommends, that a national effort is required to create social awakening with the involvement of social, religious organizations and society as a whole to awaken the conscience of people, sensitize and mobilize masses opinion on the atrocities and crimes against women and children.

6.4.7 The Committee recommends that a nation-wide Women Safety Week in educational institutions, Government Ministries/Departments may be observed so as to make the general public aware of the dignity and respect of women. The awareness programs like plays, nukad natak, poster making, etc., should be organized during this week. RWAs should also be roped in to organize the same in residential areas.

6.4.8 The Committee also recommends that all political leaders should conduct a campaign to raise awareness among masses about the gender sensitization which will have a deep and lasting impact and change the pattern and attitude of society towards women. The Committee further recommends that gender sensitization training of the Police, public and officers in the bureaucracy should be conducted regularly on their roles and responsibilities. Further, SOPs and guidelines about gender sensitization should also be updated and circulated from time to time.

6.4.9 The Committee further recommends that the Government should make an all-out effort to stop the practice of honour killing and other social evils prevalent among many communities. Besides, efforts should also be made to ensure that evils like witch-hunting/witch branding are addressed and stigmatization of women eliminated. In this regard, States/UTs can share their initiatives and experiences with each other.

6.4.10 The Government strongly recommends that adequate budgetary allocation be made for community-based programmes and services to create public awareness and motivation to influence mindsets at large. It is also important to develop a public-private partnership involving all segments of society to bring behavioral changes through proper communication initiatives at the national, state and local level and to work towards large-scale social mobilization on gender-related issues.

6.5 Sensitization on Legal Issues

6.5.1 There is a need to eradicate violence and discrimination against women through well-planned legal awareness programmes which empower women with the knowledge of the constitutional and legal provisions to realize their rights and entitlements. The Committee, therefore, sought to know about the efforts of the States to create legal awareness among women.

6.5.2 The State Government of Haryana informed the Committee that District Legal Services Authorities (DLSAs) has extended assistance to the female victims of domestic violence in the filing of their cases. Legal Literacy camps/outreach awareness programmes have been held across the State of Haryana for women on several social-economic issues associated with them and apprised them about the various welfare schemes of Centre/State Governments meant for their protection and rehabilitation.

6.5.3 The Committee was further informed by the representatives of the Government of Haryana that they have implemented Mahila Police Volunteer Scheme as a pilot project, which is an initiative of the Ministry of Women and Child Development. Under the scheme, in a village, one educated woman becomes a Mahila Police Volunteer for women empowerment to make women aware of the legal rights and to counsel them on how to approach various Government agencies for help. The scheme continued for two years. A project report has been submitted to the Ministry of Women & Child Development (MoW&CD). Now, the Central Government will decide to extend the scheme in all districts.

6.5.4 The State Government of Rajasthan informed the Committee that a special campaign called "AAWAJ"(Awareness against Women Related Crime and Awareness for Justice) was organized by Rajasthan Police in the year 2020 to spread awareness about atrocities against women. All Social Media handles of Rajasthan Police at the state as well as district level are actively used to spread awareness about legal provisions and forms of assistance available to victims of crime, especially women. The 'Sathin' Scheme of the Department of Women & Child Development, Government of Rajasthan is a program mandated to connect women to all schemes of development, particularly in rural areas and also to foster legal awareness amongst them.

6.5.5 The State Government of Uttar Pradesh informed the Committee that Nari Shashaktikaran Abhiyan is being run for the socio-economical empowerment of women. Balika Jagrukta Suraksha Abhiyan is being run in schools to protect women and girls from unsafe touch, violence and exploitation and make them aware of various helpline numbers. Children are also taught self-defense tricks to deal with them when they are in trouble. Mission Shakti has also taken few steps to ensure women's security and empowerment by organizing various awareness programmes, etc.

6.5.6 The State Government of West Bengal informed the Committee that a range of awareness generation programmes has been conducted by the Department of Women and Child Development & Social Welfare and district administrations on the legal issues related to crimes against women and children, as well as their legal rights and entitlements. The orientation of students on human trafficking and online safety and a comprehensive module has been prepared on child and laws preventing child marriage and has organized sensitization sessions on this subject for the Self Help Groups networks under the State Rural Livelihood Mission, etc.

6.5.7 The State Government of Maharashtra informed the Committee about the steps taken to create legal awareness among women which includes Observance of Balika Diwas, NALSA (Compensation

Scheme for Women Victims/Survivors of Sexual Assault/other crimes, 2018). Legal literacy camps on the “International Women’s Day” on 8th March, 2020 were organized on various laws.

6.5.8 The State Government of Tamil Nadu informed the Committee that regular awareness programmes are conducted by the officers of All Women Police Stations (AWPSs) in rural areas with the help of audiovisual clips to educate the rural women about their legal rights.

6.5.9 NGO Jagori informed the Committee that most of the survivors of violence have incomplete information about legal procedures and solutions, the cost of litigation and the ensuing fees. Travel allowance to and from the court is also a major barrier to access justice, as these add up to court and the fees of the lawyers.

Observation/Recommendation

6.5.10 The Committee takes note of the Mahila Police Volunteer Scheme which has been implemented as a pilot project in Haryana by the Ministry of Women and Child Development. The Committee also notes that a project report has been submitted to MoW&CD. The Committee, therefore, recommends that the Ministry of Home Affairs should pursue the matter with the concerned Ministry of MoW&CD for an early analysis of the project report and if found useful, a feasibility study for uniform implementation of the Mahila Police Volunteer Scheme throughout the country may be undertaken. The State-wise individual schemes may also be studied and the best practices followed under these schemes may be adopted and integrated with Mahila Police Volunteer Scheme for an effective legal awareness campaign for women. For the purpose, Accredited Social Health Activist (ASHA) workers/Anganwadi workers and district-level legal volunteers may also be involved as a facilitator to spread legal awareness among women.

6.5.11 The Committee is of the strong view that Panchayats can play a critical role in responding to violence against women and children. The Committee, therefore, recommends that Panchayats should be sensitized to respond to violence in a priority and sensitive manner as per the provisions of the laws. Regular training and orientation programmes should be conducted with women members of local Gram Panchayat and female staff attached to the child care centres and Self-Help Groups (SHGs) to counsel individuals who are found mistreating and abusing women. In order to increase legal awareness among working women, Local Committees (LCs) need to be strengthened. The awareness level of the women employed in informal sectors, who are engaged in agriculture and other farm and non-farm-related activities, should also be enhanced through appropriate advocacy and counseling.

6.6 Community Policing

6.6.1 The Committee was informed by the Government of Rajasthan that they have launched an initiative ‘Samudaeek Sampark’ in which reputed and important persons of a village of that particular area are invited in their area's Police Station, and an informal community liaison is created which plays a role of a bridge between the Police and the society. If there is a crisis or something has to be communicated to the people, these groups of people come to the police and suggest or advise on the issues.

6.6.2 The State Government of Haryana informed the Committee that they have formed a Durga Shakti Rapid Action Force which does the job of community policing among women and also responding to women in distress.

Observation/Recommendation

6.6.3 The Committee is of the opinion that crimes against women and children cannot be controlled by law and enforcement agencies alone. The role of community and society by large is very important as the root causes of all atrocities and crimes lie in the society itself. The Committee, therefore, recommends that the MHA may create a community policing and social awareness mechanism in coordination with the Ministry of Women & Child Development and advise States to promote community policing in their jurisdictions involving women organizations and authorities at the Panchayat level. This will not only help in increased reporting of crimes and enhancing legal awareness but also go a long way in building confidence among women.

6.7 Legal Provisions to Prevent Crimes Against Women

The Criminal Law Amendment Act, 2013 and 2018

6.7.1 The Criminal Law Amendment Act, 2013, has broadened the definition of rape to include non-penetrative sex and made the criminal provisions relating to rape and sexual violence more stringent. New offenses such as an acid attack, stalking, sexual harassment, voyeurism and disrobing have also been included. Duty has been cast on all hospitals to provide free medical treatment to victims of acid attacks and rape. Similarly, it is mandatory for all Police officers to lodge FIR of all offences punishable under section 326A-B, 354-B, 370-A, 376, 376A-E, 509 IPC; failure to do the same will attract penal provisions against the officer concerned. The Criminal Law (Amendment) Act, 2018 was enacted which has increased the quantum of punishment for rape from 7 to 10 years. The amendments also prescribe a prison sentence of 20 years to life or death sentence, for the rape of a girl under 12 years while perpetrators involved in the gang rape of a girl below 12 years of age will get life imprisonment or death.

6.7.2 When asked through a questionnaire, whether Police also registers the case under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 while registering cases of rape, sexual harassment, etc., for these crimes committed against SC/ST women. All India Dalit Mahila Adhikar Manch (AIDMAM) replied that it is not being practiced by every police station. In most States, the SC/ST Act is invoked but the proper sections are not included. This happens because of a lack of awareness and knowledge of the police officials about the Act.

Observation/Recommendation

6.7.3 The Committee recommends that the MHA may advise States/UTs to ask their ground-level Police officials to also invoke the clauses of The Scheduled Castes and Tribes (Prevention of Atrocities Act), 1989 when rape and sexual violence is committed against women belonging to SC/ST community.

Dowry Prohibition Act (DPA), 1961

6.7.4 Recognizing the need to address the social evil of dowry, the Dowry Prohibition Act was enacted in 1961. The Act defines dowry and penalizes the giving, taking, abetting the giving and taking or advertising for dowry with imprisonment and fine. It also lays down a built-in implementation mechanism in the form of Dowry Prohibition Officers to ensure effective and efficacious enforcement of the law.

6.7.5 As per NCRB data, the number of cases registered under DPA, 1961 has been 10,189, 12,826 and 13,297 in 2017, 2018 and 2019 respectively. There has been an increase of 3.7% in the number of cases in 2019 as compared to 2018. State/UT-wise data on cases registered under Dowry Prohibition Act, 1961 and Dowry Deaths during 2017-2019 are given below-

States/UT-wise Cases Registered under Dowry Prohibition Act during 2017-19

S. No.	States/UT	2017	2018	2019
1.	Andhra Pradesh	434	320	472
2.	Arunachal Pradesh	0	0	0
3.	Assam	191	1138	1377
4.	Bihar	1097	2094	3289
5.	Chhattisgarh	35	18	7
6.	Goa	0	0	0
7.	Gujarat	0	2	2
8.	Haryana	21	18	24
9.	Himachal Pradesh	1	1	1
10.	Jammu & Kashmir	1	1	0
11.	Jharkhand	1186	1224	1899
12.	Karnataka	1567	1568	1745
13.	Kerala	9	3	3
14.	Madhya Pradesh	44	77	59
15.	Maharashtra	36	36	26
16.	Manipur	0	0	0
17.	Meghalaya	1	0	1
18.	Mizoram	0	0	0
19.	Nagaland	0	0	0
20.	Odisha	2316	1595	243
21.	Punjab	4	5	3
22.	Rajasthan	1	5	4
23.	Sikkim	0	0	0
24.	Tamil Nadu	225	206	237
25.	Telangana	11	12	6
26.	Tripura	0	0	0
27.	Uttar Pradesh	2938	4371	3833
28.	Uttarakhand	50	104	26
29.	West Bengal	0	7	7
	Total State(s)	10168	12805	13264
30.	A&N Islands	0	0	0
31.	Chandigarh	0	1	1
32.	D&N Haveli	0	0	0
33.	Daman & Diu	0	0	0
34.	Delhi UT	11	15	26
35.	Lakshadweep	0	0	0
36.	Puducherry	10	5	6

	Total UT(s)	21	21	33
	Total (all India)	10189	12826	13297

States/UT-wise Cases Registered under Dowry deaths during 2017-19

S. No.	States/UT	2017	2018	2019
1.	Andhra Pradesh	152	140	112
2.	Arunachal Pradesh	0	0	1
3.	Assam	171	174	156
4.	Bihar	1081	1107	1120
5.	Chhattisgarh	74	79	76
6.	Goa	1	0	1
7.	Gujarat	9	9	9
8.	Haryana	245	216	248
9.	Himachal Pradesh	3	4	4
10.	Jammu & Kashmir	8	8	8
11.	Jharkhand	248	252	299
12.	Karnataka	206	200	194
13.	Kerala	12	17	8
14.	Madhya Pradesh	632	547	550
15.	Maharashtra	233	200	196
16.	Manipur	0	0	0
17.	Meghalaya	1	1	3
18.	Mizoram	0	0	0
19.	Nagaland	0	0	0
20.	Odisha	326	372	342
21.	Punjab	68	67	69
22.	Rajasthan	457	404	452
23.	Sikkim	0	1	0
24.	Tamil Nadu	48	55	28
25.	Telangana	251	186	163
26.	Tripura	33	18	38
27.	Uttar Pradesh	2524	2444	2410
28.	Uttarakhand	60	63	57
29.	West Bengal	499	444	444
	Total State(s)	7342	7008	6988
30.	A&N Islands	1	0	0
31.	Chandigarh	1	6	6
32.	D&N Haveli	0	0	3
33.	Daman & Diu	0	0	2
34.	Delhi UT	120	153	116
35.	Lakshadweep	0	0	0
36.	Puducherry	2	0	0
	Total UT(s)	124	159	127
	Total (all India)	7466	7167	7115

6.7.6 The Committee was informed by the representative of State Government of Haryana in the meeting held on 20th January, 2021 that nearly 10% of the rape cases registered in State are those in which married woman registers a case of dowry harassment against in-laws. The tendency is to add rape offenses against the in-law but most of these are found false. But, once registered, they are reflected in the data.

6.7.7 The Committee was informed by the representative of the State Government of Uttar Pradesh in the meeting held on 6th January, 2021 that they have encouraged free registration under dowry and harassment by in-laws and have registered cases under Sections 498/394 of IPC.

Observation/Recommendation

6.7.8 The Committee notes that as per NCRB data, 7,466, 7,167 and 7,115 dowry deaths have taken place in 2017, 2018 and 2019, respectively. The Committee believes that dowry deaths should be considered as a heinous crime. The Committee observes that the objective of the Dowry Prohibition Act, 1961, was to eradicate dowry system and punish the offenders. Over a period of time, some cases of misuse of the provisions of the Act have come to notice. The Committee expresses its concern over the arrest of family members and relatives of the husband in the absence of any *prima-facie* evidence against them to justify the arrest. There are also instances when false and exaggerated allegations are made by the complainant to implicate the family members and relatives. The Committee, therefore, recommends that adequate legal provisions should be made through amendments in the Dowry Prohibition Act, 1961, so as to prevent its misuse for the harassment on the basis of false complaints. The Police may have the right for arrest/detention of the family members and relatives only when there is *prima-facie* evidence on record to justify such arrest/detention.

The Protection of Women from Domestic Violence Act (PWDVA), 2005

6.7.9 The Protection of Women from Domestic Violence Act, 2005 (PWDVA) recognizes the right of all women to live free from violence occurring within the private sphere of the home. The objective of the law is to prevent violence and provide emergency relief in case of such situations irrespective of the status of their relationship with the respondent. The law is civil in nature and defines domestic violence to include all acts of omission and commission that cause injury to a woman's physical, sexual or mental health and includes specific forms of violence such as physical, sexual, verbal, emotional and economic abuse. It seeks to provide relief to women in the form of protection orders, residence orders, monetary relief, custody orders and compensation orders. It also protects women living in live-in relationships, provided that such relationships are in the nature of marriage.

6.7.10 As per NCRB data, the number of cases registered under section 498A of IPC for 'Cruelty by Husband or His Relatives' has been 1,04,551, 1,03,272 and 1,25,298 in years 2017, 2018 and 2019 respectively with an increase of 21.3% in 2019 over 2018. The number of cases registered under the Prevention of Women from Domestic Violence Act (PWDVA), 2005 have been 616, 579 and 553 in years 2017, 2018 and 2019 respectively and shows a decrease of 4.5% in 2019 over 2018. The State/UT-wise data on cases registered under Protection of Women from Domestic Violence Act (PWDVA), 2005 during 2017-2019 is as under-

States/UT-wise Cases Registered under Protection of Women from Domestic Violence Act, 2005 during 2017-19

S. No.	States/UT	2017	2018	2019
1.	Andhra Pradesh	0	0	0
2.	Arunachal Pradesh	0	2	0
3.	Assam	0	13	0
4.	Bihar	81	0	0
5.	Chhattisgarh	2	1	0

6.	Goa	0	0	0
7.	Gujarat	1	0	0
8.	Haryana	3	2	2
9.	Himachal Pradesh	4	8	3
10.	Jammu & Kashmir	0	0	0
11.	Jharkhand	70	79	73
12.	Karnataka	0	0	1
13.	Kerala	137	175	194
14.	Madhya Pradesh	241	275	248
15.	Maharashtra	11	9	11
16.	Manipur	0	0	0
17.	Meghalaya	0	0	0
18.	Mizoram	0	1	0
19.	Nagaland	0	0	0
20.	Odisha	0	1	1
21.	Punjab	0	1	3
22.	Rajasthan	9	3	2
23.	Sikkim	0	0	0
24.	Tamil Nadu	1	0	0
25.	Telangana	0	0	1
26.	Tripura	0	0	0
27.	Uttar Pradesh	51	1	5
28.	Uttarakhand	0	0	0
29.	West Bengal	3	6	6
	Total State(s)	614	577	550
30.	A&N Islands	0	0	0
31.	Chandigarh	0	0	0
32.	D&N Haveli	0	0	0
33.	Daman & Diu	0	0	0
34.	Delhi UT	2	2	3
35.	Lakshadweep	0	0	0
36.	Puducherry	0	0	0
	Total UT(s)	2	2	3
	Total (all India)	616	579	553

6.7.11 NGO Jagori informed the Committee that some of the cases of domestic violence go unreported in the country. The reasons for underreporting of incidents of domestic violence by women survivors are personal (embarrassment, fear of retaliation, economic dependency, fear of losing kids or home), societal (imbalanced power relations for men and women in society, the privacy of the family, victim-blaming attitudes, lack of acceptance and support from natal families), and institutional (humiliation by Police, entrenched patriarchal practices within courts, inadequate shelter and short-stay homes and One Stop Centres). In many cases, the terrifying violent situation can become the survivor's normal' as survivors are often made to feel that they can 'control' the abuse in future by not making the perpetrators angry.

6.7.12 NGO Jagori further informed the Committee that women's participation in labour force is low in the country because of which women have low economic stature or earning power which further lowers their stature in the family and becomes a reason for domestic violence. Therefore, the Government needs to take appropriate steps to increase the participation of women in labour force.

Observation/Recommendation

6.7.13 The Committee notes that there is a variation in a number of cases registered under 498A of

IPC and Protection of Women from Domestic Violence Act (PWDVA), 2005. The numbers of cases under PWDVA show a decline, but cases under 498A of IPC show an increase in 2019. Therefore, the Committee recommends that the Ministry of Home Affairs should advise States/UTs to conduct periodic sensitization and briefing particularly, to the ground-level officials concerned with PWDVA so that the women facing domestic violence can be better equipped to access justice. Due publicity should be given by the States/UTs to the 'Protection of Women from Domestic Violence Act (PWDVA), 2005' through newspapers, TV channels and other means to create awareness among the people. A nationwide study may also be conducted to monitor the progress with regard to the implementation of various laws meant for preventing crimes against women.

The Sexual Harassment of Women at the Workplace (Prevention, Protection and Redressal) Act, 2013 (the SH Act).

6.7.14 The Sexual Harassment of Women at the Workplace (Prevention, Protection and Redressal) Act, 2013 (the SH Act) was enacted to provide a safe and secure environment to women at the workplace. It covers all women, irrespective of their age or employment status and protects them against sexual harassment at all workplaces both in the public and private sector, whether organized or unorganized. The domestic workers are also included under the ambit of the Act. The law provides for a mechanism in the form of an Internal and Local Committee to provide redressal in cases of sexual harassment. It also casts a duty on employers to sensitize employees by carrying out various awareness generation programmes and workshops.

6.7.15 The Ministry of Women & Child Development has developed Sexual Harassment Electronic Box (SHe-Box, www.shebox.nic.in) which is an online portal developed to enable women to file complaints related to sexual harassment at the workplace irrespective of their work status.

Observation/Recommendation

6.7.16 The Committee notes the creation of Internal and Local Committee to provide redressal in cases of sexual harassment against women employed in both formal and informal sectors. The Committee, therefore, recommends that the district administration may conduct surveys of different workplaces and types of work in which the women in their districts are involved and constitute local committees accordingly. The Committee is of the view that the women working in informal sectors are poor and migrant workers and are uneducated, unaware of the laws and whom to approach in case atrocities and crimes are committed against them. Therefore, the Committee also recommends that MHA may advise States to ask all employers to sensitize their employees by organizing orientation and awareness programmes at regular intervals about the legal provisions, Sexual Harassment Electronic Box Portal and helpline numbers dealing with violence against women.

6.8 Legal Provisions to Prevent Crimes against Children

The Prohibition of Child Marriage Act (PCMA), 2006

6.8.1 The Prohibition of Child Marriage Act (PCMA), 2006 was enacted to prohibit the solemnization of child marriages where a person has not achieved marriageable age. According to the Act, child marriage is

a cognizable and non-bailable offense. The Act also mandates the appointment of Child Marriage Prohibition Officers.

6.8.2 The NCRB data shows that the cases registered under The Prohibition of Child Marriage Act, 2006 have been 395, 501 and 525 in years 2017, 2018 and 2019 respectively, which shows an increase in child marriages in India. As per NCRB published data, State/UT-wise cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under Prohibition of Child Marriage Act (PCMA) during 2017-2019 is at

Observation/Recommendation

6.8.3 The Committee strongly believes that unless and until the social and economic reasons for children being forced into early marriages is not understood, it will not be possible to root out this problem from the society. The Committee, therefore, recommends that MHA along with MoW&CD and States should study the socio-economic reasons behind child marriages and make necessary schematic interventions to address them. The Committee recommends that those who violate the law in this regard should be punished which would act as a deterrent. The Committee would also like to be informed whether all States/UTs have appointed Child Marriage Prohibition Officers as required under PCMA, 2006.

Protection of Children from Sexual Offences Act (POCSO), 2012

6.8.4 The Protection of Children from Sexual Offences Act (POCSO), 2012 was enacted as a special law for the protection of children from the offense of sexual assault, sexual harassment and pornography while safeguarding the interest of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offenses through designated Special Courts to protect children from sexual abuse and exploitation. It has been amended in 2019 to make it more effective in dealing with cases of child sexual abuse in the country. The strong penal provisions, including the death penalty, are expected to deter the possible perpetrators from committing the crime. The amended Act addresses the menace of child pornography by introducing a definition of child pornography and introducing suitable punishment. The provisions are expected to curb the trend of storage, transmission, or commercial use of Child pornography materials. Besides, the amended Act provides direct protection to children affected by natural calamities or similar situations, by making provisions to treat the sexual crimes against children during such difficult times, as aggravated crimes, inviting stricter punishment. It also covers the crime of inducing early sexual maturity in children by providing chemical substances/hormones, for their abuse. As per NCRB crime data, the numbers of cases registered under the POCSO, Act have been 32,608, 39,827 and 47,325 in years 2017, 2018 and 2019 respectively. The data shows that there has been an increase of around 18% in 2019 as compared to 2018.

6.8.5 The Committee was informed by the State Government of Maharashtra in the meeting held on 17th December, 2020 that they have tabled a draft amendment to the Indian Penal Code, POCSO Act, CrPC and a Bill for special courts in their Legislative Assembly. The amendments include enhanced punishment in some cases including the death penalty, non-disclosure of the name of the victims of molestation and acid attack cases apart from rape in the media as also the prescribed time frame and special courts to complete investigations and trials.

6.8.6 The State Government of Tamil Nadu informed the Committee that there are some difficulties in the implementation of the POCSO Act in some cases. There have been instances where a girl below 18 years of age marries a boy of above 18 years with consent. But, when a complaint is made by a girl's family, the boy gets arrested under the child marriage, POCSO Act, etc. This becomes a very complex issue and these kinds of cases are in large numbers which is more than 40%.

6.8.7 The State Government of Uttar Pradesh informed the Committee that their senior officials have been doing a review of the POCSO Act cases and have managed to get a good conviction rate. Further, the conviction in some cases has been achieved in 14, 10 and 9 working days of the court. In 2020, out of 999 cases, the conviction of life imprisonment was made in 91 and the death penalty in 4 cases.

Observation/Recommendation

6.8.8 The Committee notes that there has been a large number of cases under the POCSO Act where the age of the juveniles has been below the threshold age for applicability of the law. The Committee believes that minor sexual offenders may commit more serious and heinous crime if left untreated/uncounselled. Therefore, it is very important to relook at these provisions because more and more juveniles are getting involved in such crimes. The Committee, therefore, recommends that the MHA may take up with MoW&CD to review the current age limit of 18 years and see if it can be reduced to 16 years for the applicability of the POCSO Act, 2012.

Observations/Recommendations- At a Glance

Registration of Crimes Against Women and Children

The Committee notes that cases of crimes against women and children are not getting registered at the police station and in time and is one of the main reasons for delay and denial of justice to the victim and family. The Committee appreciates the initiative taken by the Rajasthan Police for conducting decoy operations to check whether FIRs are being registered at Police Stations or not. The Committee strongly recommends that such decoy operations should be conducted at regular intervals throughout the country. This will create alertness amongst ground-level Police officials and will lead to the registration of more cases. The Committee also recommends developing and promoting online registration of FIR for different categories of complaints particularly, for the crimes committed against women and children. In this regard, the MHA should issue a detailed advisory to all the States/UTs.

(Para 2.3.12)

The Committee believes that it is important to give due importance to a complaint by women about sexual harassment or incidences of violence through free and easy registration of FIRs in any Police Station. In cases of delay in lodging an FIR by victim/family members etc., police must seek and record the reasons for the delay in the FIR sheet. The Committee, therefore, recommends that the MHA should introduce Zero-FIR in all the States and Union Territories. The Committee further recommends that the Ministry of Home Affairs should provide the facility of lodging Zero-FIR in Crime and Criminal Tracking Network & System (CCTNS).

(Para 2.3.13)

The Committee expresses its concern over the tendency of registration of false cases and misuse of laws. The Committee observes that after an investigation about the veracity of cases, appropriate penal action should be taken by fixing accountability of the Police personnel who have registered false cases. At the same time, those individuals who register false cases must not get off scot-free. The Committee, therefore, recommends that the MHA should advise States to take strict actions against the Police personnel and individuals who have registered false cases. The MHA may take up the matter with the Ministry of Law and Justice and if need be, laws should be amended to add stringent provisions against false cases.

(Para 2.3.14)

Conviction Rate

The Committee is constrained to note the abysmally low conviction rate in crimes against women and children which also shows a serious mismatch between the measures adopted and their implementation. The Committee further notes that an analytical tool- "Online Investigation Tracking System for Sexual Offences (ITSSO)" has been provided to law enforcement agencies to monitor and track Police investigations within two months in sexual offenses as per the Criminal Law (Amendment) Act, 2018. The Committee, therefore, recommends that the MHA should take up the matter with all the States/UTs for stringent implementation of the analytical tool ITSSO. Further, the MHA should also work out a mechanism for gathering information on reasons for the delay in the investigation in criminal cases on annual basis, preferably in analytical tool ITSSO

itself. Based on information so gathered, the MHA can analyze and issue necessary SOPs/advisories to States/UTs for taking necessary corrective steps.

(Para 2.4.14)

The Committee is of the strong view that timely and proper medical and forensic examination in rape cases is crucial in the collection of evidence, investigation and trial. The Committee appreciates the steps undertaken by the Ministry of Home Affairs for strengthening State Forensic Sciences Laboratories and DNA analysis and setting up of forensic laboratories in the country. The Committee, however, observes that there is a strong requirement for establishing a network of forensic laboratories in the country as the forensic evidence are of crucial importance in the investigation and filing of charge sheets leading to the presentation of a higher number of cases before the Courts. The Committee, therefore, strongly recommends that the Ministry of Home Affairs should take steps towards setting up at least one forensic laboratory in every State capital in the country, on priority.

(Para 2.4.15)

The Committee is of the view that there is an urgent need for the media to show restraint and responsible behavior in reporting the cases of crimes against women and children. The Committee believes that sensationalizing these cases in media demonstrates a lack of sensitivity and leads to re-victimization of the survivors and embarrassment of their family. Further, the media should focus more on publicizing the penalty/punishment imposed on the culprits than the incidents of crime. This will certainly not only create fear of law but will also act as a deterrence. The Committee, therefore, recommends that the MHA should take up the matter with the concerned Ministries to ensure non-disclosure of identities of victims and provide protection to the victims and families which has also been the observation of the Hon'ble Supreme Court of India.

(Para 2.4.16)

Fast Track Courts

The Committee notes the initiative of the Ministry of Law & Justice for setting up 1023 Fast Track Special Courts (FTSCs) for expeditious trial and disposal of cases related to rape and the POCSO Act. Further, the cases registered under POCSO Act during the last 3 years (2017-19) were 31,668, 38,802 and 46,005 respectively. The Committee is perplexed to note that against the 1023 Fast Track Special Courts only 597 Courts including 325 exclusive POCSO courts have been made operational in 24 States/UTs. This shows that although there has been an increase in cases over years, the lack of such courts will further delay the course of dispensing justice which will subsequently reduce the faith of victims in the justice delivery system. The Committee, therefore, recommends that the Ministry of Home Affairs should take up the matter with the Ministry of Law & Justice to expedite the setting up of remaining Fast Track Courts (FTC) in a time-bound manner and that these courts should also adjudicate on the pending cases within a time frame.

(Para 2.5.10)

The Committee strongly recommends that the law enforcing agencies should be provided with the "public prosecutors" for their assistance to ensure proper investigation, collection of evidence, timely submission of charge sheet and strong presentation of the case before the court. The Committee strongly feels that this would certainly help in increasing the number of conviction cases. Further, the officer senior to public prosecutors should remain vigilant to prevent seeking

unnecessary adjournments from the courts. In this regard, the new feature i.e. Adjournment Alert Module provisioned under the e-Prosecution online application can be used optimally to prevent procedural-delays.

(Para 2.5.11)

Representation of Women in Police

The Committee notes with disappointment that women presently constitute 10.30% of the Police force. The Committee fails to understand the delay on the part of States/UTs to give adequate representation to women in Police forces. The Committee notes that MHA has regularly advised the States to ensure that 33% of Police forces are women and has made it mandatory in UTs. But, no States/UT Police in the country has representation even close to 33%. The Committee, therefore, recommends that the MHA may advise States/UTs to conduct special recruitment drives to recruit women at all levels in a time-bound manner. The Ministry may also coordinate with States and UTs to remove all administrative bottlenecks for the same.

(Para 2.6.4)

Helpline Numbers

The Committee notes that multiple helpline numbers are used for different categories of complaints about crimes against women and children which also vary from State to State. The Committee strongly recommends that there should be a single three-digit helpline number that can be uniformly accessed across all States/UTs. This will be more beneficial to people who travel and commute from one State to another including the foreigners who visit different States during their stay in India. The Committee, therefore, recommends that the MHA should advise all States/UTs to integrate their helpline numbers with 112 for creating a three-digit common Pan-India helpline number. A common national helpline number for women would provide a single platform for everyone who is in distress and can be accessed in every nook and corner of the country. The helpline number may also be linked to other State-sponsored support services like shelters, one-stop centers, counseling, emergency transport assistance and other protection measures holistically.

(Para 2.7.11)

The Committee believes that the reason for receiving a very low number of calls to the helpline numbers is due to low publicity of the numbers. The Committee, therefore, recommends that the Ministry of Home Affairs should advise States to publicize and promote the use of helpline numbers notified by them in their respective States in an aggressive and continuous manner. This should compulsorily be done in regional and local languages through mainstream print, electronic and digital media, public transports, advertisements, TV channels, social media, cover page of school books, etc. The Committee feels that when a common platform will be formulated for having a unique and universal helpline number for the entire nation, the same should also be duly publicized so that all vulnerable sections including children, women, foreign visitors, everybody would be able to remember it.

(Para 2.7.12)

The Committee further recommends that the MHA should conduct a nation-wide study on call-drops on these helpline numbers and steps taken to ensure follow-up of these calls. All efforts should be made to ensure that response time for a distress call is minimal and help reaches in time to the victim. Moreover, a counseling facility over the call should also be facilitated for

further guidance and to calm down the victim in distress.

(Para 2.7.13)

Women and Children Help Desks and All Women Police Stations

The Committee is of the considered view that it is important to instill confidence amongst women so that they can fearlessly approach Police Station to register their complaint. The Committee appreciates the steps taken towards establishing all women Police Station but feels that this will not be sufficient to cater to the need of the vast population. The Committee, therefore, recommends that MHA may ask States to conduct a comparative study on having all-women Police Stations *vis-a-vis* traditional Police Stations. A survey may also be conducted among people to check whether all women Police Stations have actually helped in the ease of reporting of crimes. Based on the outcome of the survey, the Ministry may advise the States Governments to further increase the number of all-women Police Stations.

(Para 2.8.9)

Nirbhaya Fund

The Committee notes that the Ministry is implementing twelve projects/schemes for which Rs. 4171.93 crore has been approved. The Committee further notes that only Rs.3,581.11 crore has been disbursed from Nirbhaya Fund out of Rs.9,288.45 crore which is around 38.55%. The Committee is, however, disappointed to note the under-utilization of the Nirbhaya Fund by States which is a dedicated fund for implementation of initiatives aimed at enhancing the safety and security of women in the country. The Committee, therefore, recommends that the MHA should coordinate with MoW&CD and also undertake due to consultations with States to improve the utilization of the funds allocated to them and expeditiously implement the projects/schemes for which allocation has been made and take all necessary steps to overcome the bottlenecks. A Committee may also be formed at a central level under MoW&CD to oversee and improve the utilization of the Nirbhaya Fund across States/UTs.

(Para 2.9.7)

The Committee is disappointed to note that Nirbhaya Fund is continuously diverted towards other Schemes/Projects. The Committee takes a very serious note of this and strongly recommends that the Ministry should desist from sanctioning funds for such schemes from Nirbhaya Fund and adhere to the original purpose of Nirbhaya Fund.

(Para 2.9.8)

Safe City project

The Committee strongly recommends extending the Safe City Project to all the major cities including Capitals of all States/UTs in Phase II. The Committee also recommends that the MHA may advise States/ UTs to install CCTV cameras equitably in urban and rural areas. The MHA may take up with States to encourage NGOs, Resident Welfare Associations (RWAs) and private individuals to install CCTV cameras. The Committee further recommends that a detailed Standard Operating Procedure (SOP) may be released by MHA regarding the installation of CCTV cameras, storage of recordings, quick and easy retrieval of the stored data to different law enforcing agencies, etc., through appropriate advisory.

(Para 2.10.5)

Shelter Homes

The Committee notes that the number of shelter homes set up by States is insufficient to meet the desired objective of providing temporary relief and dwelling arrangements to the victimized women. The Committee, therefore, recommends that the Ministry of Home Affairs may take up the issue with the MoW&CD to set up more shelter homes. The Committee also recommends providing adequate food, clothing, medicines and other basic amenities in all the shelter homes.

(Para 2.11.4)

The Committee further recommends that CCTV cameras in all shelter homes should be installed on priority and in a stipulated time frame so as to prevent incidents of physical abuse of the inmates. Moreover, a central database of all shelter homes and their inmates in the country may be prepared and a comprehensive survey/audit may also be conducted through independent agencies/NGOs and State Women Commission about the living conditions, safety and satisfaction level of the inmates residing in these shelter homes.

(Para 2.11.5)

One-Stop Centres (OSCs)

The Committee notes that the above-mentioned States have established One-Stop Centres in all Districts nearer to or within public hospitals. But, the Committee feels that considering the increasing crimes against women, more Centres are required. The Committee, therefore, recommends that the Ministry of Home Affairs should take up with the Ministry of Women & Child Development to advise States to open at least one One-Stop Centre at every sub-divisional level.

(Para 2.12.3)

The Committee also believes that it is important to have involvement of social organizations and State Women Commissions in checking the functioning and the quality of services rendered by the One-Stop Centres and, therefore, recommends that grass-root Panchayati Raj Institutions, local NGOs and State Women Commissions should be involved in conducting a periodic safety audit of the One-Stop Centres.

(Para 2.12.4)

The Committee is of the view that the inadequacy of post-incident services may lead to their re-victimization and affects their rehabilitation. Therefore, adequate investments and interventions should be made focusing on both prevention of violence and post-incident service provisions to adequately meet the requirements of the survivors that are highly sensitive in nature. The Committee is of the considered view that post-trauma counseling is needed for violence against women as only framing stringent legal provisions and the administrative mechanism is not enough. Post-trauma counseling of the victims of violence should include proper medical attention, emotional assistance along with financial assistance to the victim for rehabilitation.

(Para 2.12.5)

The Committee appreciates the initiatives, like interlinking of departments and creation of a single-window system to help women victims of violence, taken by the State Government of Uttar Pradesh. The Committee, therefore, recommends that other States should also establish synergy and coordination amongst various departments concerned with the safety and security of women and children.

(Para 2.12.6)

Safety of women and children in trains

The Committee is of the considered view that public transport system can play a cardinal role in ameliorating the living conditions of women. Therefore, it is important to mainstream gender-related considerations into public transport so as to provide safe, comfortable, and convenient transport to women and reduce gender inequality. The Committee notes that multiple agencies/authorities are involved across States for managing public transport. The Committee is of the view that it is important to have coordination and cooperation between them. The Central Ministry should consult States/UTs and develop a uniform system of safety features in public transport in the country.

(Para 2.14.4)

The Committee notes that some States have proposed CCTV surveillance, panic button and controllers in public transport to make road transport safe for women. The Committee understands the importance of the safety features in public transport and, therefore, recommends that the Ministry of Home Affairs may take up the matter with the Ministry of Road, Transport and Highways to prepare guidelines for mandatory installation and regular maintenance of CCTV cameras, GPS, panic button and controllers in public transport across the country in a time-bound manner. The transport system should display the helpline numbers along with the name, ID, etc. of the operating staff.

(Para 2.14.5)

The Committee takes note of the mechanism available to register FIR in running trains. The Committee recommends that the Ministry of Railways may be pursued to widely publicize the facility of registration of cases in the running train through print, electronic and digital media and also expedite installation of CCTV cameras in trains and railway stations all across the country.

(Para 2.14.6)

The Committee notes that different States have devised customized Apps for registration of complaints in public transport and observes that different Apps in different States will make it difficult for a person travelling across the States to make a complaint. The Committee, therefore, in order to facilitate and ensure easy registration of complaints, recommends that the Ministry of Home Affairs should explore and take up the matter with the concerned Ministries at the Central level in coordination and consultation with States to devise a Pan-India common App on the lines of Pan India Helpline Number '112' for registration of cases in all modes of public transport.

(Para 2.14.7)

Strengthening of Institutions

The Committee takes note of the data collected by the National Crime Records Bureau (NCRB) under different heads of crime on crimes against women and observes that there is no further segregation of data on the basis of different social parameters like education, income, caste, etc. The Committee, therefore, recommends that the Ministry of Home Affairs should explore the possibility of further desegregating the data pertaining to atrocities violence against women. This will help in understanding the prevailing situation of crimes against women and help in taking corrective measures by the law enforcement agencies. It is also important to create a database of other offenders like the criminals engaged in molesting, drug trafficking, etc.

(Para 2.15.4)

The Committee further recommends that the MHA should take up the matter with the Ministry/Department/Organization concerned to prepare a national database of destitute women/children living on the streets, religious places, railway stations, etc., as they are also highly vulnerable to crimes. The database thus gathered will help in providing food, shelter, protection from the vagaries of nature, counseling and rehabilitation, etc., to such people particularly, women and children who are in dire need of help and assistance from the Government.

(Para 2.15.5)

The Committee observes that the 'Principal Offence Rule' followed by NCRB for crime statistics has lacunae as in a particular case where more than one offense has been committed, only the most serious offense is considered. The Committee, therefore, recommends that NCRB may review the 'Principal Offence Rule' so as to ensure that data is collected and reflected in their statistics in such a way that no crime gets unaccounted for.

(Para 2.15.6)

The Committee appreciates the work done by the National Commission for Women (NCW) in taking cognizance of atrocities and crimes against women all across the country. The Committee observes that there is still a need to delve deep into rural areas of the country where similar crimes occur frequently without getting reported. The Committee, therefore, recommends that the MHA should take up the matter with the Ministry of Women & Child Development and NCW to take more positive actions against crimes taking place particularly, against the poor and vulnerable women in rural areas of the country.

(Para 2.15.8)

The Committee is of the considered view that an in-depth study is required on the changing patterns of crimes under various heads to understand the reasons for different types of crime, the types of offenders, etc., so as to ascertain the reasons for the failure of the existing public policy governance mechanisms in curtailing/preventing atrocities and crimes against women and children. The Committee, therefore, recommends that the MHA should take up with the BPR&D for conducting a scientific study in this regard. This will help in the identification of root causes of crime and in making necessary legislative and schematic interventions and also to redesign training modules to prevent atrocities and crimes against women and children.

(Para 2.15.14)

The Committee observes that the stringent provisions in the law have not acted as deterrence in preventing crimes against women and children and have made a very limited impact. This is a matter of grave concern for the nation and it becomes important to understand the efficacy of laws in preventing crimes against women and children. The Committee, therefore, recommends that the MHA must advise and pursue with all States/UTs to conduct a study on the effectiveness of laws. The study may also highlight the provisions in the laws/schemes that have helped in addressing the cause of crimes against women and children.

(Para 2.15.15)

Advisories issued by the MHA

The Committee notes that States have been complying with the advisories issued by MHA regarding crimes against women. The Committee recommends that MHA should periodically publicize the outcome on the advisories that are being issued to the States/UTs and action taken

thereon by them. This will act as a motivating factor and will also create healthy competition between States/UTs.

(Para 2.16.10)

The Committee observes that it is important to learn from the relevant experiences of the past which would be helpful in combating the atrocities and crimes against women and children in the future. The Committee, therefore, recommends that the MHA should also take advice from States/UTs that have been successful in curbing the issues of atrocities and crimes against women and children. The MHA should accordingly, devise a mechanism so that the best practices of all the State Governments and all police departments may be compiled in the form of compendiums and shared on one platform for the use of all senior/nodal officers at the Central/States/UTs level.

(Para 2.16.11)

Role of NGOs in Assisting the Victimized Women and Children

The Committee deeply appreciates the efforts made by the NGOs towards extending various welfare services to women and children, particularly meant for their safety and protection. The Committee observes that the engagement and involvement of the Government with the NGOs/Civil Society/Social Organizations is very important and crucial because the NGOs are working at the grass-root level. They can feel the pulse of the community and over the period have acquired experience and learned about the difficulties of the victims of atrocities and crimes at the ground level. The Committee, therefore, recommends that the Ministry of Home Affairs should focus on building public and private partnerships by involving NGOs and other social organizations as part of their Schemes/Programmes/Projects. The NGOs and community should be directly involved in all schemes/projects/ programmes particularly, those aiming at enhancing legal awareness, strengthening reporting mechanisms including helpline numbers, expediting justice delivery systems and designing of schemes and interventions of the Government meant for rescue, rehabilitation, counseling of the victims. This will help in instilling confidence among women and children and improve their overall safety. The NGOs should also be involved in Consultative Committees in the Government, Panels of schools and colleges and other institutions to create awareness and conduct programmes on gender sensitization.

(Para 2.17.2)

NGOs can play a crucial role in reforming the delinquents and bringing the diverted children back into the mainstream by getting them enrolled in schools/vocational courses so that these children instead of again getting involved in crimes and other illegal activities at juvenile age can be involved in the betterment of the community and society. The Committee, therefore, recommends that the Ministry of Home Affairs should conduct mapping of the NGOs and identify the Schemes/Programmes/Projects for which their help can be used effectively.

(Para 2.17.3)

The Committee observes that in the rural, far-flung tribal areas, the people are generally very innocent and they accept the atrocities as a way of life largely due to lack of education, awareness of the existing laws and regulations, etc. In absence of any organization to assist them, they are unable to access the justice delivery system in comparison to women in urban areas who are educated, aware and have easy and faster access to legal systems. The Committee further notes that generally, the NGOs have confined their activities to the urban areas and metropolitan cities. The Committee, therefore, recommends that the Ministry of Home Affairs should take necessary measures to incentivize and encourage the NGOs to increase their presence in rural and tribal areas

to reach out to the vulnerable and helpless sections of the society. Further, the NGOs should also increase their online presence so that they can extend their services to distant areas.

(Para 2.17.4)

Conditions of Sex-Workers

The Committee notes the response of the Ministry of Women and Child Development (MoW&CD) that they do not support the legal sanctity of sex work. However, the Committee is of the considered view that sex workers are faced with hardships, very much susceptible and more often the victims of violence. They are made to suffer in oblivion due to the apathy of law, authorities and society at large. The sex workers are not even getting the basic rights and amenities under the Constitution of India. The sex workers alike any other citizen, are also entitled to their rights and social security. The Committee, therefore, recommends the Government must take concrete action to ameliorate the plight of sex workers in the country. The Ministry of Home Affairs should take up with MoW&CD to arrange for legal aid, rehabilitation, adequate health care facilities, and education with hostel facilities for the children of sex workers. The efforts of the Government would bring the sex workers and their children to the mainstream of society.

(Para 2.18.4)

Issue of Transgender

The Committee recommends that the Ministry of Home Affairs must make sincere efforts to create an environment where the transgender can become an integral part of the society. The Ministry of Home Affairs should pursue with the concerned Ministries to arrange for providing food, shelter, clothing and toilet facilities in all public places. The Committee further recommends that inclusive policies should be framed for the transgender community so that they integrate themselves in the social mainstream, live a dignified life and contribute meaningfully to the society and economy. Further, any abuse/insult undermining the transgender should be made punishable under the law.

(Para 2.19.2)

Atrocities and Crimes against Women and Children of SC/ST Community

The Committee notes the submission of the All India Dalit Mahila Adhikar Manch (AIDMAM) regarding difficulties being faced by the women belonging to the SC/ST communities in getting registered the cases of atrocities and crimes committed against them. The Committee observes that this is primarily due to the poor implementation of the existing laws and the apathetic attitude of the law enforcing agencies. Moreover, the high acquittal rate motivates and boosts the confidence of dominant and powerful communities for continued perpetration. The Committee, therefore, recommends that the Ministry of Home Affairs must make holistic efforts towards sensitizing concerned public authorities and people at large through regular training and sensitization programmes. The Committee strongly recommends that the law enforcement agencies (LEA) should include the provisions of the PoA Act while registering cases of rape, sexual harassment, etc., committed against SC/ST women.

(Para 2.20.10)

The Committee further recommends that the Ministry of Home Affairs should also take up with the Ministry of Education to educate the students about the cultural diversity of the country and to promote and include human rights education in the school curriculum at the Pan-India level

to promote gender equality, eradication of caste system and to increase scientific temperament.

(Para 2.20.11)

The Committee also recommends that the MHA should take up the matter with the Ministry of Social Justice and Empowerment (MoSJ&E) for providing housing, livelihood, education facility and safety including free legal support for the rehabilitation of the survivors of caste and gender-based violence. The Committee further recommends that the NGOs and individuals working for the protection and welfare of SC/ST women and children should also be involved for the same.

(Para 2.20.12)

The response of the Government

The Committee notes that there was a sudden spurt in domestic violence and trafficking of women and children during the unprecedented COVID-19 Pandemic outbreak. This was mainly due to disruption in economic activities, work from home and family spending more time at home during lockdowns. The female migrant workers and their children were trafficked and had gone missing during lockdowns. The Committee observes that steps may be taken under both rural and urban employment guarantee schemes focusing especially on poor women so that cash transfers through DBT in their names could continue for a longer time. Currently, in many rural areas, a moratorium on interest rates for SHGs or loan repayments would also help because they are the women who are supporting their families in a big way. Some of these steps would raise women's participation in employment and also lead to a reduction in violence against them in an effective manner.

(Para 2.22.4)

Percentage of women personnel in Delhi Police

The Committee observes that the Ministry of Home Affairs has issued advisories in 2009, 2013 and 2015 to provide 33% reservation to women so as to ensure adequate representation of women in police forces in States and UTs with the objective of giving priority to the security of women. However, even after a decade, the representation of women in Delhi Police has not reached 14% which comes directly under MHA. As women police need to be given important assignments relating to the handling of crimes against women and children, the Committee strongly recommends that the Ministry of Home Affairs should take up the matter with Delhi Police to conduct special recruitment drives so as to increase the representation of women in Delhi Police on a priority basis in a time-bound manner. The details of such special recruitment drives may also be intimated to this Committee.

(Para 3.3.2)

Initiatives of Delhi Police for safety and security of women and children in Delhi

The Committee observes that the Ministry of Home Affairs has issued advisories in 2009, 2013 and 2015 to provide 33% reservation to women so as to ensure adequate representation of women in police forces in States and UTs with the objective of giving priority to the security of women. However, even after a decade, the representation of women in Delhi Police has not reached 14% which comes directly under MHA. As women police need to be given important assignments relating to the handling of crimes against women and children, the Committee strongly recommends that the Ministry of Home Affairs should take up the matter with Delhi Police to conduct special recruitment drives so as to increase the representation of women in Delhi Police on a priority basis

in a time-bound manner. The details of such special recruitment drives may also be intimated to this Committee.

(Para 3.4.4)

The Committee further recommends that the Ministry of Home Affairs and Delhi Police should conduct a detailed study on the distress calls received on helpline numbers to discern a pattern so as to find out whether it increases or decreases during night time, on weekends and from which areas more calls are received. The analysis of this study will help the Delhi Police in developing a clear understanding of the pattern of these distress calls and taking appropriate steps to redress the same.

(Para 3.4.5)

The Committee observes that considering the population of Delhi, only 8,203 persons have registered on Himmat Plus App during the year 2020 (up to 31st August, 2020). This is a disappointing figure and shows that either the App is not up to the mark or the Delhi Police have not been able to adequately publicize the same. The Committee, therefore, recommends that the Ministry of Home Affairs along with Delhi Police should explore the plausible reasons for the poor subscriber base of the App. In case of any drawbacks noticed in the App, necessary updations may be carried out to make it more citizen-centric, citizen-friendly and user-friendly. Steps may also be taken to publicize the App using social media platforms like Facebook, Twitter, etc.

(Para 3.4.7)

The Committee takes note of the initiatives taken by the Delhi Police in terms of the creation of exclusive women help desks and female police officers designated as the Public Facilitation Officers (PFOs). The Committee strongly recommends that efforts may be made on priority to ensure posting of a women police officer in ‘Help Desks for Women’ in all the police stations so that the women complainant can unhesitatingly express her grievances at the women help desks. To ensure that there is no casual approach on the part of the police personnel in the registration of FIR, decoy operations may be carried out on regular intervals. In this regard, the recommendation of the Committee at para 2.3.12, Chapter 2 of this Report may be seen.

(Para 3.4.10)

The Committee appreciates the substantial improvement in the year 2020 in the filing of the final report in Rape and POCSO cases as compared to previous years. However, the Committee recommends that Delhi Police should identify the reasons that hinder the filing of the final report within the stipulated period and address them in the right earnest. The Committee recommends all cases may be tracked through Investigation Tracking System for Sexual Offences (ITSSO) and ensure certainty of conviction on filed charge sheets. This will instill confidence among women and children and also create fear of law among people and culprits. The Delhi Police should further improve upon investigation, filing of charge sheets, collection of evidence, forensic and DNA examination in order to have a better conviction rate in cases of crimes against women and children in Delhi which will certainly help Delhi to become a role model for the rest of the country.

(Para 3.4.12)

The Committee notes that CCTV cameras not only act as deterrence and prevent crimes from taking place but also facilitates investigation on the commission of a crime. The Committee

observes that the installation of 10,000 CCTV cameras would not be sufficient considering the large area of NCT of Delhi, population and crime hotspots as identified by Delhi Police. The Committee, therefore, recommends that Delhi Police should review and increase the proposal of installation of 10,000 CCTV cameras under the Safe City Project in Delhi.

(Para 3.4.18)

As there are more non-governmental CCTV cameras than those installed by the Government of NCT of Delhi, the Committee recommends MHA and Delhi Police to have a coordinated approach in the collection and analysis of footages of CCTVs installed by the Government and as well as private entities. A mechanism may also be worked out to keep track of these cameras to ensure that they remain functional so that Police can have easy access at the time of need. Efforts should also be taken for raising mass awareness about the CCTV cameras in Delhi. The CCTV surveillance will help in making streets, markets, transport and other public places safer, particularly, for women and children.

(Para 3.4.19)

The Committee takes note of the 15 all-women Police Control Room vans in Delhi and recommends that a survey may be conducted by Delhi Police about the effectiveness of having all women PCR vans *vis-à-vis* traditional PCR vans and suitably increase its numbers if found effective.

(Para 3.4.22)

The Committee appreciates the efforts of the Special Police Unit for Women and Children (SPUWAC) in imparting self-defense skills to girls/women. The Committee, however, recommends that the Ministry of Home Affairs should take up with the Ministry of Education to ensure that self-defense training are imparted in all educational institutions as part of the regular curriculum right from childhood. Similarly, arrangements can also be made to organize such training for working women by identifying Government office clusters. Delhi Police should also encourage Residential Welfare Associations and private companies to hold self-defense training programmes and awareness campaigns for their women residents/employees at regular intervals.

(Para 3.4.24)

The Committee observes that last mile connectivity needs to be improved to ensure the safety of women, specially working women, who get down on metro station at odd hours and have to reach home crossing lonely stretches on the way. The Committee had examined this issue in detail while examining the subject 'The Management of Worsening Traffic Situation in Delhi.' The Committee in its 222nd Report had recommended that the Delhi Metro Rail Corporation (DMRC) needs to undertake multi-modal integration measures at all metro stations. The Committee recommends that the Ministry of Home Affairs should take up this issue with concerned authorities to speed up the creation of infrastructure for last-mile connectivity.

(Para 3.4.29)

The Committee appreciates the work done by Delhi Police in the identification and mapping of crime hotspots in Delhi. The Committee observes that by identification of such hotspots and their mapping, the Police will be in a position to control the crime and monitor the miscreants in a more

efficient and effective manner. The Committee, therefore, recommends that the Ministry of Home Affairs should advise States/UTs for identification and mapping of crime hot spots in Metropolitan cities under their jurisdiction. This will help to track, monitor and control the incidents of crimes and also help in developing a uniform policing system in all Metropolitan cities of the country. In the first stage, all the Metropolitan cities may be mapped and later on the same may be extended to other major cities of the country with high crime graphs, in a phased manner, depending on the outcome from the Metropolitan cities.

(Para 3.4.33)

The Committee takes strong note that Delhi Police has not identified ‘trafficking’ as a common reason for missing children. The Committee believes that trafficking of children is an alarming issue and has, therefore, discussed it in-depth in Chapter IV of this Report.

(Para 3.4.39)

The Committee is aware that the NCT of Delhi covers a large area adjoining three States of Haryana, Rajasthan and Uttar Pradesh. The Committee observes the porous borders exist in the region where a large movement of people takes place on a daily basis. This necessitates strict vigilance, cooperation and coordination amongst the police forces of all the three bordering States and Delhi. The Committee, therefore, recommends that the Ministry of Home Affairs in coordination with the three bordering States and Delhi Police should establish a permanent coordination mechanism that will help in effective tracking, monitoring and preventing crimes. The Committee is of the view that it is essential for optimal reporting of crimes and prompt investigation thereof when the crimes committed in NCR involve other bordering State/s and *vice-versa*.

(Para 3.4.41)

Written submission of Indian Leadership Forum Against Trafficking (ILFAT) on the trafficking of women and children

The Committee notes that the MHA has allocated Rs.100 crore for the establishment of Anti-Human Trafficking Units (AHTUs) in all States/UTs under the Nirbhaya Fund. The Committee understands the importance of these units and the requirement of office infrastructure, computers and other logistics for its establishment and operational needs and therefore, recommends that MHA may allocate adequate funds to the States/UTs for establishment and strengthening of AHTUs in States/UTs including representation of female officers. An additional requirement of funds, if any, may be raised with the Ministry of Finance in the coming financial year (2021-22) at the RE stage so that AHTUs are established and made operational without further delay.

(Para 4.2.7)

The Committee also recommends that the Government should establish a National Anti-Human Trafficking Bureau to investigate trans-border trafficking across States as well as cases of human trafficking involving a foreign country. It should also cooperate and coordinate with the Anti-Human Trafficking Bureau at the State capital level and intelligence agencies for making concerted and holistic efforts in tracking, tracing and rescuing trafficked women and children. The Committee further recommends that the MHA should develop a mechanism for convergence and coordination between the different agencies, institutions, organizations, departments (Home, WCD,

Labour, Railways, Transport and Health) for smooth and better accessibility of services to the victims and survivors of trafficking.

(Para 4.2.8)

Missing Children

The Committee is aghast to note the sorry state of affairs in the National Capital Territory of Delhi so far as missing children is concerned. The NCRB data shows 15252, 14896 and 12239 children went missing in Delhi in 2017, 2018 and 2019 respectively. Despite the fact that an advisory has been issued by the MHA to State Governments/ UT Administrations that ‘in case of every missing child reported; there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise’. Delhi Police has not even cited ‘trafficking’ as a reason for missing children in their submission.

(Para 4.3.5)

The Committee takes note of the advisory issued by MHA to States/UTs regarding missing children and recommends that the Ministry of Home Affairs may take up with States/UTs to ensure the availability of Juvenile Welfare Officer and Para-legal volunteer as per the extant provision of law in a time-bound manner in each Police Station for proper registration and investigation of cases of missing children and rehabilitation of the recovered children.

(Para 4.3.6)

Challenges in dealing with Cyber Crimes

The Committee notes that there are instances where the cyber crime is committed in one State and the offender is located in another State. The Committee understands the jurisdictional complexity involved during tracing, tracking and investigation of cyber crimes. The Committee, therefore, recommends that MHA should take necessary steps to empower all State Police and law enforcement agencies (LEAs) to take appropriate action regardless of State boundaries while examining a cyber crime. The Ministry must advise the States/UTs that when investigating officers (IO) visit outside their jurisdictional State for investigation of a cyber crime, they should be provided with optimum support from the local law enforcement agencies of other States and UTs, as required.

(Para 5.5.6)

The Committee takes note of the fact that cyber crimes transcend geographical boundaries. The crimes are taking place in India while criminals are located in some other countries. Therefore, the Committee recommends the Ministry of Home Affairs to take up this issue with the Ministry of External Affairs and the Ministry of Electronics and Information Technology to develop an understanding of sign pacts with different countries, especially with those countries that are linked with maximum cases of cyber crimes. Better coordination with counter-crime agencies of foreign countries is highly required to effectively handle the cases of trans-national cyber crimes.

(Para 5.5.7)

The Committee notes with anxiety the technological challenge posed by Virtual Private Network (VPN) services and Dark Web that can bypass cyber security walls and allow criminals to remain anonymous online. As of date, VPN can easily be downloaded as many websites are providing such facilities and advertising them. The Committee, therefore, recommends that the

Ministry of Home Affairs should coordinate with the Ministry of Electronics and Information Technology to identify and permanently block such VPNs with the help of internet service providers. The Committee also recommends that a coordination mechanism should also be developed with international agencies to ensure that these VPNs are blocked permanently. The Ministry must take initiatives to strengthen the tracking and surveillance mechanisms by further improving and developing the state-of-the-art technology to put a check on the use of VPN and the dark web.

(Para 5.5.8)

Interventions of the Ministry of Home Affairs in handling cyber crimes

The Committee observes with satisfaction that a National Database of Sexual Offenders (NDSO) has been created by the Ministry of Home Affairs for the use of the Law Enforcement Agencies (LEA) to identify repeat offenders, receive alerts on sex offenders as also in the investigation. The Committee, therefore, recommends that NDSO may include the offenders and criminals proliferating in cyber space who are repeatedly engaged in cyber pornography, cyber blackmailing, cyber-stalking/bullying, etc. This is highly essential to strengthen the investigation machinery involved in the identification, tracking the offenders committing cyber crimes, particularly against women and children.

(Para 5.6.6)

The Committee appreciates the re-launch of revamped Cyber Crime Reporting Portal and operationalization of toll-free numbers which will help the citizens report cyber crimes and avail assistance in lodging online complaints.

(Para 5.6.16)

The Committee takes note of the measures taken by the Ministry of Home Affairs to spread awareness about cyber safety and cyber crime among the people across the country. The Committee, therefore, recommends that the Ministry of Home Affairs should take all steps in giving due publicity to the cyber crime reporting portal through regional and local languages. The publicity should also be given on television and from time to time through caller tune message as it has been done during COVID-19. The Committee also recommends that to facilitate easier and immediate reporting of complaints, One-Stop Centers (OSCs), Central Government-run helpline number 112 (ERSS) and State helpline numbers should also include cyber-related crimes against women and children under their ambit and to provide immediate psycho-social support, emotional assistance and counseling services to the victims of cyber crimes. The Committee further recommends that the Ministry of Home Affairs may also issue Advisories to States/UTs to raise awareness through print and electronic media including social media about the mechanisms available to citizens for reporting cyber crimes against women and children, particularly for sexual abuse as well as the distribution of pornographic material.

(Para 5.6.17)

The Committee observes that it is very important to conduct a nation-wide campaign to create awareness amongst all sections of the society regarding the use and misuse of cyber space and also about the evolving technology which is being leveraged to commit different and new types of cyber crimes. It is also very important to protect minor children/juveniles from indulging in crimes like stalking, online-trolling, molesting, etc. The Committee recommends that cyber safety lesson

plans should be included in the educational institutions to make students aware of internet safety and its responsible use. Further, the educational institutions should be instructed to hold sessions with parents to make them identify at an early stage, any signs of their children being a victim of any of the cyber crimes. The Committee also expresses its concern regarding the growing use of online streaming sites/ apps showing sexually abusive content in movies, serials, etc. and feels that appropriate regulation thereof is required to save the society from its deleterious impact.

(Para 5.6.18)

The Committee appreciates the commissioning of Cyber Forensic-Cum-Training Laboratories in 16 States namely, Arunachal Pradesh, Andhra Pradesh, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Odisha, Sikkim, Telangana, Uttarakhand and Uttar Pradesh. The Committee recommends that the Ministry should closely co-ordinate with the remaining States/UTs for timely commissioning of cyber forensic and training laboratories by 31st March 2021. The Committee also recommends the timely establishment of NCFL at Hyderabad. The Ministry may also review the budgetary allocation and seek appropriate funds and extend necessary support to the States/UTs towards setting up the Cyber forensic-cum-training laboratories.

(Para 5.6.26)

The Committee observes that so far, about 13,000 police personnel, judicial officers and prosecutors have been provided training on cyber crime awareness, investigation, forensics, etc., and still many of the States/UTs have not come on board for the purpose. The Committee recommends that the Ministry should advise States/UTs to provide training to more personnel so that they are well trained to deal with the increasing cyber crimes.

(Para 5.6.27)

The Committee further observes that the nature of crimes is evolving and changing on daily basis due to technological advancement. It is, therefore, important for the Centre to have coordination with the States/UTs for optimal utilization of existing resources. The Committee recommends that the existing National-Level Training Centre at Dwarka, New Delhi, established by the Ministry of Home Affairs should be used to provide short and long term training and refresher courses periodically to all the senior officers of the States/UTs who are involved in monitoring and handling cyber crimes in their respective States/UTs so that they can be educated properly to meet the challenges and technological advancement. The trained officers should further train their counterparts/subordinates in their States/UTs.

(Para 5.6.28)

The Committee, taking note of the reply of the MHA, observes that there is a need for optimal use of the resources and assets that are dispersed amongst various agencies. The Committee, therefore, recommends the Ministry of Home Affairs to create a National Nodal Agency for inter-State, inter-agency coordination among Centre, State/UT Ministries/Departments and intelligence agencies. This will help in combating cyber crimes effectively through a concerted centralized effort and would facilitate faster and easier redressal of cyber crime cases.

(Para 5.6.33)

Efforts of the MHA to block cyber pornographic content and other obscene contents on the internet

The Committee is of the view that social media have become very popular and are being used by certain vested interests and elements to target young children by trapping them with false information. The Committee, therefore, recommends that the MHA along with the Ministry of Electronics and Information Technology should have regular interaction with popular social media entities to create a system of deterrence as a preventive measure to stop this kind of trapping of children. Comprehensive guidelines can also be prepared for social media intermediaries to counter such vested interests.

(Para 5.7.4)

The Committee observes that dependency on cyberspace has been growing exponentially with the constant adoption of digital services, tools, and applications. This has also led to an increase in cyber crimes and associated challenges. To address the challenges, a targeted approach from different angles is needed which will include imparting proper training to law enforcement agencies, investing in the right cyber security solutions, evolving dynamic prevention methods and raising mass awareness on the use and misuse of the cyber space.

(Para 5.7.5)

Sensitization of the Police Personnel

The Committee strongly believes that women should not feel scared to go to Police Station when they require help. The Committee recommends framing of Standard Operating Procedure (SOP) for ensuring Police accountability and sensitivity to deal with cases of violence against women. Periodic sensitization and training of ground-level officials should also be done so that the cases can be registered under appropriate sections of the laws. The Committee recommends that a monitoring mechanism should also be created at the district level to check the behavior and take cognizance in case of Police insensitivity/ remark/ comment and initiate strict action against the errant official.

(Para 6.2.12)

The Committee notes that the ‘Key Recommendations’ made by the BPR&D in its study “Trust deficit in Police” are highly relevant and recommends that those should be implemented in a time-bound manner. The Committee would like to be informed about the progress made in this regard.

(Para 6.2.13)

The Committee notes the direction of the Supreme Court regarding the installation of CCTV cameras in Police stations and recommends that the Ministry of Home Affairs may issue advisory to State/UT Governments at the earliest for installation of CCTV cameras in all Police Stations within a time frame. The Committee would like to be informed about the progress made in this regard.

(Para 6.2.14)

Making Gender Sensitization a Part of School Curriculum

The Committee considers operation Nirbheek as a very constructive measure for regular interaction of Police officers with the children and recommends that the MHA may take up with the

Ministry of Education for implementation of the programme in every school all across the country, both Government as well as private. As part of this, a complaint box may be placed in every school and a female Police officer may be appointed as a Nirbheek Officer, who would open the complaint box regularly on an appointed day. In those complaints, the children may reveal the crimes committed during school hours by the teachers, by their colleagues and by their family members. The Police then can register an FIR on the basis of the complaint and also provide counseling and support to the victimized children.

(Para 6.3.17)

The Committee also recommends that in school and college curriculum, in addition to gender sensitization, there should be more content about leadership, sacrifice and the remarkable role played by women in all walks of life. This will create a feeling of respect for the women, and help in addressing the negative mindset/stereotypes that exist in society.

(Para 6.3.18)

The Committee is of the considered view that due to lack of legal awareness particularly, amongst minor children/juveniles, they are getting involved in crimes like stalking, online-trolling, molesting, etc., in their schools/colleges, considering these as non-criminal activities. Therefore, it is necessary to impart knowledge of cyber security to them so that they do not get targeted by offenders. The Committee, therefore, recommends that the Ministry of Home Affairs may take up with the Ministry of Education to include the basics of cyber security in the school curriculum at an early age. It may include the general information of cyberspace, threats and challenges associated with cyber security, details of the online activities that are punishable under the law to make them aware of do's and don'ts while engaging in online activities. This will educate the children about the use and misuse of cyber space and also act as a deterrent to stop them from committing cyber crimes. A nationwide campaign may also be conducted in schools for creating awareness among parents to recognize early signs of child abuse, risks of online addiction, cyber-bullying, explicit content, etc. to improve the online safety of their child.

(Para 6.3.19)

The Committee further recommends that it should be mandatory in all educational institutions to teach 'Social Media Regulations' covering aspects on all social and legal requirements so as to ensure increased awareness and compliance. Institutions must also formulate penalties and actions corresponding to the violation of the guidelines. The MHA may take up the matter with the Ministry of Education in this regard at an appropriate level.

(Para 6.3.20)

Gender Sensitization of Society

The Committee is of the view that the litmus test of any civil society is to see how well educated, well protected and adequately respected its women are. The heinous crimes that are still taking place against women and children indicate that contemporary society is seriously lacking to qualify the test. The Committee notes that according to NCRB data of 2018, more than 90% of cases of rape were committed by someone known to the victim. This depicts that the main reasons for the crimes against women are societal. Therefore, it is important to promote gender sensitization in the educational curriculum from the schooling stage so that good values are inculcated and imbibed which over a period of time will be reflected in society. But, there are many people who do not go to

school and are committing heinous crimes against women and children, therefore, it is important not to confine gender sensitization programmes to educational institutions only and should involve the entire society in a holistic manner.

(Para 6.4.4)

The Committee further observes that crimes against women and children are on the rise and are happening all across the country. At times, the brutality that follows these crimes shocks the human consciousness and these images flash out of India, across the world, which brings a very bad name to the country.

(Para 6.4.5)

The Committee is of the view that it is very important to consider the prevention of crimes as not only a law and order issue but also a social responsibility. The Committee, therefore, recommends, that a national effort is required to create social awakening with the involvement of social, religious organizations and society as a whole to awaken the conscience of people, sensitize and mobilize masses opinion on the atrocities and crimes against women and children.

(Para 6.4.6)

The Committee recommends that a nation-wide Women Safety Week in educational institutions, Government Ministries/Departments may be observed so as to make the general public aware of the dignity and respect of women. The awareness programs like plays, nukad natak, poster making, etc., should be organized during this week. RWAs should also be roped in to organize the same in residential areas.

(Para 6.4.7)

The Committee also recommends that all political leaders should conduct a campaign to raise awareness among masses about the gender sensitization which will have a deep and lasting impact and change the pattern and attitude of society towards women. The Committee further recommends that gender sensitization training of the Police, public and officers in the bureaucracy should be conducted regularly on their roles and responsibilities. Further, SOPs and guidelines about gender sensitization should also be updated and circulated from time to time.

(Para 6.4.8)

The Committee further recommends that the Government should make an all-out effort to stop the practice of honour killing and other social evils prevalent among many communities. Besides, efforts should also be made to ensure that evils like witch-hunting/witch branding are addressed and stigmatization of women eliminated. In this regard, States/UTs can share their initiatives and experiences with each other.

(Para 6.4.9)

The Government strongly recommends that adequate budgetary allocation be made for community-based programmes and services to create public awareness and motivation to influence mindsets at large. It is also important to develop a public-private partnership involving all segments of society to bring behavioral changes through proper communication initiatives at the national, state and local level and to work towards large-scale social mobilization on gender-related issues.

(Para 6.4.10)

Sensitization on Legal Issues

The Committee takes note of the Mahila Police Volunteer Scheme which has been implemented as a pilot project in Haryana by the Ministry of Women and Child Development. The Committee also notes that a project report has been submitted to MoW&CD. The Committee, therefore, recommends that the Ministry of Home Affairs should pursue the matter with the concerned Ministry of MoW&CD for an early analysis of the project report and if found useful, a feasibility study for uniform implementation of the Mahila Police Volunteer Scheme throughout the country may be undertaken. The State-wise individual schemes may also be studied and the best practices followed under these schemes may be adopted and integrated with Mahila Police Volunteer Scheme for an effective legal awareness campaign for women. For the purpose, Accredited Social Health Activist (ASHA) workers/Anganwadi workers and district-level legal volunteers may also be involved as a facilitator to spread legal awareness among women.

(Para 6.5.10)

The Committee is of the strong view that Panchayats can play a critical role in responding to violence against women and children. The Committee, therefore, recommends that Panchayats should be sensitized to respond to violence in a priority and sensitive manner as per the provisions of the laws. Regular training and orientation programmes should be conducted with women members of local Gram Panchayat and female staff attached to the child care centres and Self-Help Groups (SHGs) to counsel individuals who are found mistreating and abusing women. In order to increase legal awareness among working women, Local Committees (LCs) need to be strengthened. The awareness level of the women employed in informal sectors, who are engaged in agriculture and other farm and non-farm-related activities, should also be enhanced through appropriate advocacy and counseling.

(Para 6.5.11)

Community Policing

The Committee is of the opinion that crimes against women and children cannot be controlled by law and enforcement agencies alone. The role of community and society by large is very important as the root causes of all atrocities and crimes lie in the society itself. The Committee, therefore, recommends that the MHA may create a community policing and social awareness mechanism in coordination with the Ministry of Women & Child Development and advise States to promote community policing in their jurisdictions involving women organizations and authorities at the Panchayat level. This will not only help in increased reporting of crimes and enhancing legal awareness but also go a long way in building confidence among women.

(Para 6.6.3)

Legal Provisions to Prevent Crimes Against Women

The Committee recommends that the MHA may advise States/UTs to ask their ground-level Police officials to also invoke the clauses of The Scheduled Castes and Tribes (Prevention of Atrocities Act), 1989 when rape and sexual violence is committed against women belonging to SC/ST community.

(Para 6.7.3)

The Committee notes that as per NCRB data, 7,466, 7,167 and 7,115 dowry deaths have taken place in 2017, 2018 and 2019, respectively. The Committee believes that dowry deaths should be considered as a heinous crime. The Committee observes that the objective of the Dowry Prohibition Act, 1961, was to eradicate dowry system and punish the offenders. Over a period of time, some cases of misuse of the provisions of the Act have come to notice. The Committee expresses its concern over the arrest of family members and relatives of the husband in the absence of any *prima-facie* evidence against them to justify the arrest. There are also instances when false and exaggerated allegations are made by the complainant to implicate the family members and relatives. The Committee, therefore, recommends that adequate legal provisions should be made through amendments in the Dowry Prohibition Act, 1961, so as to prevent its misuse for the harassment on the basis of false complaints. The Police may have the right for arrest/detention of the family members and relatives only when there is *prima-facie* evidence on record to justify such arrest/detention.

(Para 6.7.8)

The Committee notes that there is a variation in a number of cases registered under 498A of IPC and Protection of Women from Domestic Violence Act (PWDVA), 2005. The numbers of cases under PWDVA show a decline, but cases under 498A of IPC show an increase in 2019. Therefore, the Committee recommends that the Ministry of Home Affairs should advise States/UTs to conduct periodic sensitization and briefing particularly, to the ground-level officials concerned with PWDVA so that the women facing domestic violence can be better equipped to access justice. Due publicity should be given by the States/UTs to the 'Protection of Women from Domestic Violence Act (PWDVA), 2005' through newspapers, TV channels and other means to create awareness among the people. A nationwide study may also be conducted to monitor the progress with regard to the implementation of various laws meant for preventing crimes against women.

(Para 6.7.13)

The Committee notes the creation of Internal and Local Committee to provide redressal in cases of sexual harassment against women employed in both formal and informal sectors. The Committee, therefore, recommends that the district administration may conduct surveys of different workplaces and types of work that women in their districts are involved and constitute local committees accordingly. The Committee is of the view that the women working in informal sectors are poor and migrant workers and are uneducated, unaware of the laws and whom to approach in case atrocities and crimes are committed against them. Therefore, the Committee also recommends that MHA may advise States to ask all employers to sensitize their employees by organizing orientation and awareness programmes at regular intervals about the legal provisions, Sexual Harassment Electronic Box Portal and helpline numbers dealing with violence against women.

(Para 6.7.16)

Legal Provisions to Prevent Crimes against Children

The Committee strongly believes that unless and until the social and economic reasons for children being forced into early marriages is not understood, it will not be possible to root out this problem from the society. The Committee, therefore, recommends that MHA along with MoW&CD and States should study the socio-economic reasons behind child marriages and make necessary

schematic interventions to address them. The Committee recommends that those who violate the law in this regard should be punished which would act as a deterrent. The Committee would also like to be informed whether all States/UTs have appointed Child Marriage Prohibition Officers as required under PCMA, 2006.

(Para 6.8.3)

The Committee notes that there has been a large number of cases under the POCSO Act where the age of the juveniles has been below the threshold age for applicability of the law. The Committee believes that minor sexual offenders may commit more serious and heinous crime if left untreated/uncounselled. Therefore, it is very important to relook at these provisions because more and more juveniles are getting involved in such crimes. The Committee, therefore, recommends that the MHA may take up with MoW&CD to review the current age limit of 18 years and see if it can be reduced to 16 years for the applicability of the POCSO Act, 2012.

(Para 6.8.8)

ANNEXURES

The Indian Penal Code, 1860 (IPC) - Summary

Section in IPC	Provision
Sec 166A	Public servant disobeying direction under law
Sec 166B	Punishment for non-treatment of victim
Sec 228A	Disclosure of identity of the victim of certain offences, etc
Sec 304B	Dowry death
Sec 313	Causing miscarriage without woman's consent
Sec 314	Death caused by act done with intent to cause Miscarriage. if act done without woman's consent
Sec 326A	Voluntarily causing grievous hurt by use of acid, etc
Sec 326B	Voluntarily throwing or attempting to throw acid
Section 354	Assault of criminal force to woman with intent to outrage her modesty
Section 354A	Sexual harassment and punishment for sexual harassment
Section 354B	Assault or use of criminal force to woman with intent to disrobe
Section 354C	Voyeurism
Section 354D	Stalking.
Section 366	Kidnapping, abducting or inducing woman to compel her marriage, etc
Section 366A	Procurator of minor girl
Section 366B	Importation of girl from foreign country

Section 370	Trafficking of person.
Section 370A	Exploitation of a trafficked person.
Section 373	Buying minor for purposes of prostitution, etc.
Section 375	Rape
Section 376	Punishment for rape.
Section 376A	Punishment for causing death or resulting in persistent vegetative state of victim
Section 376AB	Punishment for rape on woman under twelve years of age
Section 376B	Sexual intercourse by husband upon his wife during separation
Section 376C	Sexual intercourse by a person in authority
Section 376D	Gang rape
Section 376DA	Punishment for gang rape on woman under sixteen years of age
Section 376DB	Punishment for gang rape on woman under twelve years of age
Section 376E	Punishment for repeat offenders
Section 493	Cohabitation caused by a man deceitfully inducing a belief of lawful marriage
Section 494	Marrying again during life-time of husband or wife
Section 495	Same offence with concealment of former marriage from person with whom subsequent marriage is contracted
Section 496	Marriage ceremony fraudulently gone through without lawful marriage

The Code of Criminal Procedure, 1973 (CrPC) - Summary

Section in CrPC	Provision
Section 26	Courts by which offences are triable
Section 53A	Examination of person accused of rape by medical practitioner
Section 54A	Identification of person arrested
Section 125	Order for maintenance of wives, children and parents
Section 154	Information in cognizable cases
Section 160	Police officer's power to require attendance of witnesses
Section 161	Examination of witnesses by police
Section 164	Recording of confessions and statements
Section 173	Report of police officer on completion of investigation
Section 197	Prosecution of Judges and public servants
Section 198B	Cognizance of offence
Section 273	Evidence to be taken in presence of accused
Section 309	Power to postpone or adjourn proceedings
Section 327	Court to be open
Section 357B	Compensation to be in addition to fine under section 326A or section 376D of Indian Penal Code
Section 357C	Treatment of victims
Section 439	Special powers of High Court or Court of Session regarding bail