Low convication rate in rape cases

362. SHRI AJAY SANCHETI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether cases of rape have increased recently;

(b) if so, the State-wise details for 2010, 2011 and 2012;

(c) whether conviction rate in case of rape has come down drastically;

(d) if not, how present conviction rate compares with that of 1953, 1973 and 1983; and

(e) the steps taken to curb the increasing incidents of rape in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH): (a) and (b) As per information provided by the National Crime Records Bureau (NCRB) a total number of 21,397, 22,172 and 24,206 cases of rape were reported in the country during 2009, 2010 and 2011 respectively, thereby showing a rising trend. State/UT wise cases registered, cases chargesheeted, cases convicted, cases conviction rate, persons arrested, persons chargesheeted and persons convicted under rape during 2009-2011 are given in the Statement *(See* below). The data for the year 2012 is yet to be compiled.

(c) and (d) The conviction rate of rape cases over the years indicate a declining trend.

1953	1973	1983	2009	2010	2011
Not collected	44.3%	37.7%	26.9%	26.6%	26.4%

(e) As per Seventh Schedule, 'Police' and 'Public Order' are State subjects under the Constitution, and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, including crimes against women lies with the State Governments and Union Territory Administrations. However, the Union Government attaches the highest importance to the matter of prevention and control of crime against women. Ministry of Home

Affairs has sent a detailed advisory dated 4th September, 2009 on crimes against women to all State Governments/UTs. The advisory on women has *inter-alia,* advised State Governments to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, set up Fast Track Courts and Family Courts, improve the quality of investigations, minimize delays in investigations of crime against women, set up 'Crime against Women Cells' in districts, to undertake gender sensitization of the police personnel and set up special women courts. The point 5(xi) of the advisory specifically directs the States/UTs that "Cases should be thoroughly investigated and charge sheets against the accused persons should be filed within three months from the date of occurrence, without compromising on the quality of investigation. Speedy investigation should be conducted in heinous crimes like rape. The medical examination of rape victims should be conducted without delay."

The President of India on 3rd February, 2013 has promulgated Criminal Law (Amendment) Ordinance 2013 on crimes against women which enumerated all types of sexual crimes against women. It also proposes enhanced punishment for other crimes of sexual harassment against women. In addition amendments are made to the Criminal Procedure Code 1973 and Indian Evidence Act 1872 to protect the rights of victims of sexual assault.

Statement

Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV) under Rape during 2009-2011

Sl. No.	State	2009						2010	
		CR	CS	CV	PAR	PCS	PCV	CR	CS
1	2	3	4	5	6	7	8	9	10
1	Andhra Pradesh	1188	965	118	1487	1302	182	1362	1210
2	Arunachal Pradesh	59	46	3	60	51	3	47	34
3	Assam	1631	1004	128	1644	1040	235	1721	1110
4	Bihar	929	763	178	1086	1043	237	795	533
5	Chhattisgarh	976	982	219	1128	1117	243	1012	942
6	Goa	47	24	7	56	41	7	36	44
7	Gujarat	433	377	33	610	597	44	408	391
8	Haryana	603	525	125	848	832	230	720	590
9	Himachal Pradesh	183	176	29	250	260	40	160	139
10	Jammu and Kashmir	237	196	12	303	301	12	245	177
11	Jharkhand	719	687	294	765	764	341	773	705
12	Karnataka	509	401	33	595	567	48	586	512
13	Kerala	568	615	53	694	751	57	634	644
14	Madhya Pradesh	2998	2951	562	4243	4221	854	3135	3089
15	Maharashtra	1483	1433	182	2075	2076	225	1599	1458
16	Manipur	31	5	0	22	7	0	34	4
17	Meghalaya	112	67	7	110	96	7	149	80

Statement

Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV) under Rape during 2009-2011

2010				2011					
CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV
11	12	13	14	15	16	17	18	19	20
141	1761	1674	173	1442	1216	111	1758	1783	157
4	49	40	4	42	38	4	47	41	4
95	1629	1153	117	1700	1012	179	1470	1080	165
227	892	816	280	934	820	210	1185	1036	246
204	1198	1203	270	1053	1027	217	1257	1253	240
5	50	62	7	29	33	4	34	46	4
33	617	620	40	439	409	31	621	616	46
113	866	853	161	733	532	135	801	820	175
21	197	204	38	168	143	29	187	183	46
3	266	259	5	277	231	14	349	346	18
171	836	911	194	784	604	185	758	731	220
54	771	703	82	636	533	74	837	812	84
45	659	779	52	1132	706	31	1226	798	390
777	4387	4407	1230	3406	3223	826	4593	4603	898
146	2180	2145	202	1701	1565	205	2533	2422	268
1	22	5	1	53	5	1	24	5	2
4	135	73	4	130	81	0	128	83	0

1	2	3	4	5	6	7	8	9	10
18	Mizoram	83	86	58	81	117	53	92	94
19	Nagaland	22	25	10	27	29	16	16	13
20	Odisha	1023	834	146	1119	1100	183	1025	1126
21	Punjab	511	440	158	681	631	234	546	438
22	Rajasthan	1519	967	221	1388	1387	296	1571	972
23	Sikkim	18	19	5	19	19	5	18	31
24	Tamil Nadu	596	515	91	776	776	111	686	487
25	Tripura	190	169	24	336	169	24	238	185
26	Uttar Pradesh	1759	1312	623	2918	2168	1187	1563	1171
27	Uttarakhand	111	98	49	138	146	83	121	104
28	West Bengal	2336	1572	130	1748	1707	132	2311	1866
	TOTAL State	20874	17254	3498	25207	23315	5089	21603	18149
29	Andaman and Nicobar Islands	18	14	1	36	27	1	24	20
30	Chandigarh	29	17	16	38	25	26	31	29
31	Dadra and Nagar Haveli	4	4	1	5	5	1	3	4
32	Daman and Diu	1	1	0	1	1	0	1	1
33	Delhi UT	469	440	178	557	615	195	507	449
34	Lakshadweep	1	0	0	0	0	0	0	0
35	Puducherry	1	8	4	1	8	4	3	2
	TOTAL UT	523	484	200	638	681	227	569	505
	TOTAL ALL INDIA	21397	17738	3698	25845	23996	5316	22172	18654

Source: Crime in India.

Note: Information on disposal by police and courts includes the information on pending cases from previous years also.

11	12	13	14	15	16	17	18	19	20
84	112	125	123	77	68	46	74	70	40
14	17	19	12	23	20	16	27	19	29
132	1363	1369	188	1112	1037	148	1224	1219	204
166	766	654	244	479	426	155	598	571	208
202	1343	1355	298	1800	1119	205	1642	1634	358
2	21	30	1	16	12	11	25	12	11
105	777	682	136	677	478	72	837	611	110
28	320	226	32	205	238	24	258	248	28
705	2580	1842	1304	2042	1580	816	3571	2398	1325
58	171	159	86	129	98	48	149	143	73
90	2395	2242	128	2363	2004	79	1870	2104	121
3630	26380	24610	5412	23582	19258	3876	28083	25687	5470
0	39	28	0	13	22	0	28	48	0
14	44	38	16	27	21	9	27	31	10
2	3	4	2	4	3	0	4	3	0
0	1	1	0	1	0	0	0	0	0
141	602	532	201	572	477	186	707	647	243
0	0	0	0	0	0	1	0	0	1
1	5	2	1	7	4	0	29	20	0
158	694	605	220	624	527	196	795	749	254
3788	27074	25215	5632	24206	19785	4072	28878	26436	5724