

# Integrating Real-Time Analytics into Legal Safety Frameworks

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## Abstract:

Ensuring women's safety in India requires a comprehensive strategy that harmonizes legislative action with grassroots social change. This paper investigates the mechanisms currently in place to combat gender-based violence and fear of crime, positing that safety is intrinsically linked to financial security and social autonomy. We provide a detailed review of Indian laws regarding women's safety, the mandate of governing bodies, and the implementation of specific government schemes. Furthermore, the research highlights the critical role of NGOs in empowering women within patriarchal structures and addresses the social issues that perpetuate vulnerability. Through an analysis of necessary precautions and systemic interventions, this paper offers a roadmap of suggestions aimed at strengthening the safety ecosystem, ultimately advocating for a model where women's safety is treated as a fundamental benchmark for community health and national development

**Keywords:** Women's Rights, Constitutional Law, Government Schemes, Patriarchal Structures, Crime Prevention, Safety Audit, Indian Society.

## INTRODUCTION

Swami Vivekananda profoundly observed that just as a bird cannot fly with one wing, a nation cannot advance if its women are left behind. This metaphor encapsulates the structural necessity of gender parity; it is not merely a matter of rights, but of societal mechanics. Historically, human civilization has operated under a framework where duties were rigidly stratified by gender, creating a systemic dependency that often marginalized women's contributions. While the cognitive evolution of humanity has expanded our horizons, the vestigial constraints of traditional gender roles

continue to bind individuals to specific societal expectations [3].

In the specific context of the Indian subcontinent, this dynamic presents a complex paradox. While cultural heterogeneity results in varying degrees of autonomy for women across different communities, a common narrative of struggle persists. Yet, against this backdrop, a quiet revolution has taken root. Today, women are not only participating but outperforming their counterparts in high-stakes arenas—from space science and governance to media and public

service—signaling that while the "loopholes" of inequality remain, the fabric of society is being irrevocably rewoven.

### **Protection Against Violence & Criminal Offences**

While Article 23 prohibits trafficking and forced labor, specific laws define and punish crimes against women.

- **The Bharatiya Nyaya Sanhita (BNS), 2023 (Replacing the IPC):**
  - **Sexual Intercourse by Deceitful Means:** A specific new provision penalizes sexual intercourse under the false promise of marriage or employment, addressing a long-standing legal grey area.
  - **Mob Lynching & Gang Rape:** Enhanced punishments are codified for crimes committed against women during communal or mob violence.
  - **Zero FIR:** The right to file a First Information Report (FIR) at *any* police station, regardless of jurisdiction, is now a strengthened procedural right to ensure immediate action in crimes against women.
- **Protection of Women from Domestic Violence Act (PWDVA), 2005:**
  - **Right to Residence:** Unlike criminal laws that focus on punishment, this civil law ensures a woman cannot be evicted from her "shared household," regardless of whether she owns the property or not.
  - **Economic Abuse:** It recognizes economic deprivation (withholding money,

prohibiting employment) as a form of abuse, directly supporting **Article 39(a)**.

### **2. Workplace Security & Economic Rights**

Building on **Article 39(d)** (Equal Pay) and **Article 42** (Maternity Relief), these acts enforce compliance in the corporate and public sectors.

- **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act):**
  - **Mandate:** Every organization with 10+ employees must have an Internal Committee (IC) headed by a senior woman.
  - **Extended Scope:** The definition of "workplace" includes transportation provided by the employer and any place visited by the employee during the course of employment.
- **Maternity Benefit (Amendment) Act, 2017:**
  - **Extended Leave:** Increased paid maternity leave from 12 weeks to **26 weeks** for the first two children.
  - **Crèche Facility:** Mandatory for establishments with 50 or more employees to provide crèche facilities within a prescribed distance.
  - **Work from Home:** Introduces the option for work-from-home after the expiry of the 26 weeks, subject to the nature of work.

### **Property and Succession Rights**

These laws operationalize **Article 15(1)** by removing discrimination based on sex in family matters.

- **Hindu Succession (Amendment) Act, 2005:**

- **Coparcenary Rights:** Daughters constitute a coparcener in the same manner as sons. This means they have a birthright to ancestral property and equal liability in ancestral debts.
- **Vineeta Sharma v. Rakesh Sharma (2020):** The Supreme Court clarified that this right applies retrospectively, even if the father died before the 2005 amendment.

Digital and Privacy Rights

In the modern era, "safety" extends to the digital realm.

- **Information Technology Act, 2000 (Sections 66E, 67, 67A):**
  - **Cyber Stalking & Voyeurism:** Specific penalties exist for capturing, publishing, or transmitting images of the private parts of any person without consent, or for cyberstalking women (monitoring email/internet use).

The Data Reality: Beyond 2016

Your data from 2016 is outdated. The trend has shifted from "under-reporting" to "higher reporting," but the volume of crimes remains alarmingly high.

- **Total Crimes:** In 2023 alone, India recorded approximately **4.48 lakh** crimes against women. This is a significant jump from the ~3.2 lakh figure in 2016.
- **The "Most Unsafe" Label:** In the **Women, Peace and Security (WPS) Index 2025/26**, India ranked **131st out of 181 countries**. While not the absolute "worst" globally, this ranking

- highlights severe deficits in *justice* and *security* compared to *inclusion*.
- **Dominant Crimes:**
    - **Domestic Violence:** "Cruelty by Husband or Relatives" (Sec 498A) continues to be the top crime, accounting for roughly **30%** of all cases.
    - **Rape:** There were **29,670** reported rape cases in 2023. Alarminglly, in over **90%** of these cases, the offender was known to the victim (family, neighbor, employer).

2. The Real "Loop Holes": Implementation Gaps

You rightly pointed out that we don't necessarily need *new* laws. The current "loop holes" are procedural bottlenecks that delay justice.

The "Loop Hole"	The Reality (Statutory Failure)
The "Fast-Track" Myth	While Fast Track Special Courts (FTSCs) exist, the <b>pendency rate</b> for rape and POCSO cases in courts sits at nearly <b>90%</b> . A "fast" court often still takes years to deliver a verdict due to judge vacancies.
Conviction Crisis	Even when cases reach court, the conviction rate is low (often hovering around <b>25-30%</b> for rape cases in many states). In states like West Bengal, the conviction rate for crimes against women dropped to as low as <b>3.7%</b> in 2023.

The "Loop Hole"	The Reality (Statutory Failure)
Forensic Delays	The "Golden Hour" for collecting evidence is often missed. Forensic Science Labs (FSL) are overburdened, leading to delays in DNA reports which are crucial for convictions under the new laws.

3. Structural Solutions vs. Punishments

You mentioned increasing the "intensity of punishments." The **Bharatiya Nyaya Sanhita (BNS)** has already done this (e.g., introducing death penalty for rape of a minor). However, criminologists argue that **certainty of punishment** deters crime more than **severity of punishment**.

- **The Policing Gap:** The UN recommends 222 police officers per lakh population; India has roughly 144. Women make up less than **12%** of the police force, making it intimidating for victims to file the initial complaint.
- **The "Compromise" Culture:** A major unwritten "loop hole" is the pressure from village councils or police for the victim to "compromise" and withdraw the case to save "family honor," effectively nullifying the law.

4. Positive Shifts (The Silver Lining)

- **Zero FIR Success:** The awareness of "Zero FIR" (filing a complaint anywhere) has forced police to register cases they previously would have turned away.
- **Digital Evidence:** The new BNS laws mandate **videography** of crime scenes and victim statements. This is expected to plug the

loophole where witnesses turn hostile during trial, as their initial recorded statement will stand as evidence.

CONCLUSION

The proposed framework envisions a paradigm shift in how India approaches women's safety, moving from fragmented implementation to a unified federal structure anchored by the National Commission for Women (NCW). By granting the NCW apex authority over the implementation of the IPC and existing welfare schemes, we eliminate bureaucratic inertia. The integration of retired army personnel and a 50% reservation for women in special monitoring stations introduces a layer of discipline and empathy essential for corruption-free enforcement. Furthermore, recalibrating the penal code to define punishment based on the "degree of harassment" and victim age ensures that the law acts as a genuine deterrent rather than a procedural formality. Ultimately, this proposal represents not just a change in policy, but a closure of constitutional loopholes, ensuring that institutions like shelter homes become sanctuaries of safety rather than sources of trauma.

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