

Chapter-6

Crime against Children

There is no separate classification of offences against children. Generally, the offences committed against children or the crimes in which children are the victims are considered as crime against children. Indian penal code and the various protective and preventive special and local laws specifically mention the offences wherein children are victims. The age of child varies as per the definition given in the concerned Acts and sections but age of child has been defined to be below 18 years as per The Juvenile Justice (Care and Protection of Children) Act, 2000. Therefore an offence committed on a victim under the age of 18 years is construed as crime against children for the purpose of analysis in this chapter.

It is also to be borne in mind that the offences that are analysed in this chapter do not form an exclusive block of offences that are reported in the country. They are included in the IPC/SLL cases already discussed in other relevant chapters. The offences mentioned in this chapter have been culled out from various reported crimes in the country wherein the victims of the offences were children.

The data on crimes against children is compiled through the revised annual returns w.e.f. year 2001. Cumulative totals of crime statistics available on monthly basis were used for this analysis till 2000. The revised annual returns have additional heads like 'murder of children' and 'other crimes', therefore, incidents of crimes against children

during 2001 and later years may not be comparable with the figures of year 2000 and before.

The crime rate for crimes committed against children has been calculated using children population only (upto 18 years of age) based on Ministry Of Health & Family Welfare's mid-year estimated children population.

The cases in which the children are victimised and abused can be categorised under two broad sections:

- 1) Crimes committed against children which are punishable under Indian penal code (IPC).
- 2) Crimes committed against children which are punishable under special and local laws (SLL).

Specific sections/Acts under above two categories are as follows:

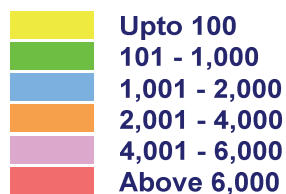
- 1) **Crime against children punishable under the Indian penal code (IPC) are:**
 - a) Murder (Section 302 IPC)
 - b) Foeticides (Crime against a foetus) Section 315 & 316 IPC
 - c) Infanticides (Crime against newborn child) (0 to 1 year) Section 315 IPC.

INCIDENCE OF CRIME AGAINST CHILDREN DURING 2013

(All India 58,224)



Incidence (No. of Cases)



- d) Abetment to suicide (abetment by other persons for commitment of suicide by children) Section 305 IPC.
- e) Exposure & abandonment (Crime against children by parents or others to expose or to leave them with the intention of abandonment): Section 317 IPC.
- f) Kidnapping & abduction:
 - i) Kidnapping from India (Section 360 IPC).
 - ii) Kidnapping from lawful guardianship (Section 361 IPC).
 - iii) Kidnapping for ransom (Section 364 A).
 - iv) Kidnapping for murder (Section 364).
 - v) Kidnapping for camel racing etc. (Section 363 IPC).
 - vi) Kidnapping for begging (Section 363-A IPC).
 - vii) Kidnapping to compel her marriage (Section 366 IPC).
 - viii) Kidnapping for slavery etc. (Section 367 IPC).
 - ix) Kidnapping child for stealing from its person (under 10 years of age only) (Section 369 IPC).
- g) Procurement of minor girls (for forcing or seducing to illicit intercourse) (Section 366-A IPC).
- h) Selling of minor girls for prostitution (Section 372 IPC).
- i) Buying of minor girls for prostitution (Section 373 IPC).

- j) Rape (Section 376 IPC)

2) **Crime against children punishable under 'Special and local laws' are:**

- a) Immoral Traffic Prevention Act, 1956 (where minors are abused in prostitution).
- b) Child Labour (Prevention & Regulation) Act, 1986.
- c) Prohibition of Child Marriage Act, 2006.
- d) Protection of Children from Sexual Offences Act, 2012.

Note:

It is to be noted that the Bureau is compiling data on 'Prohibition of Child Marriage Act, 2006', which also includes Child Marriage Restrain Act.

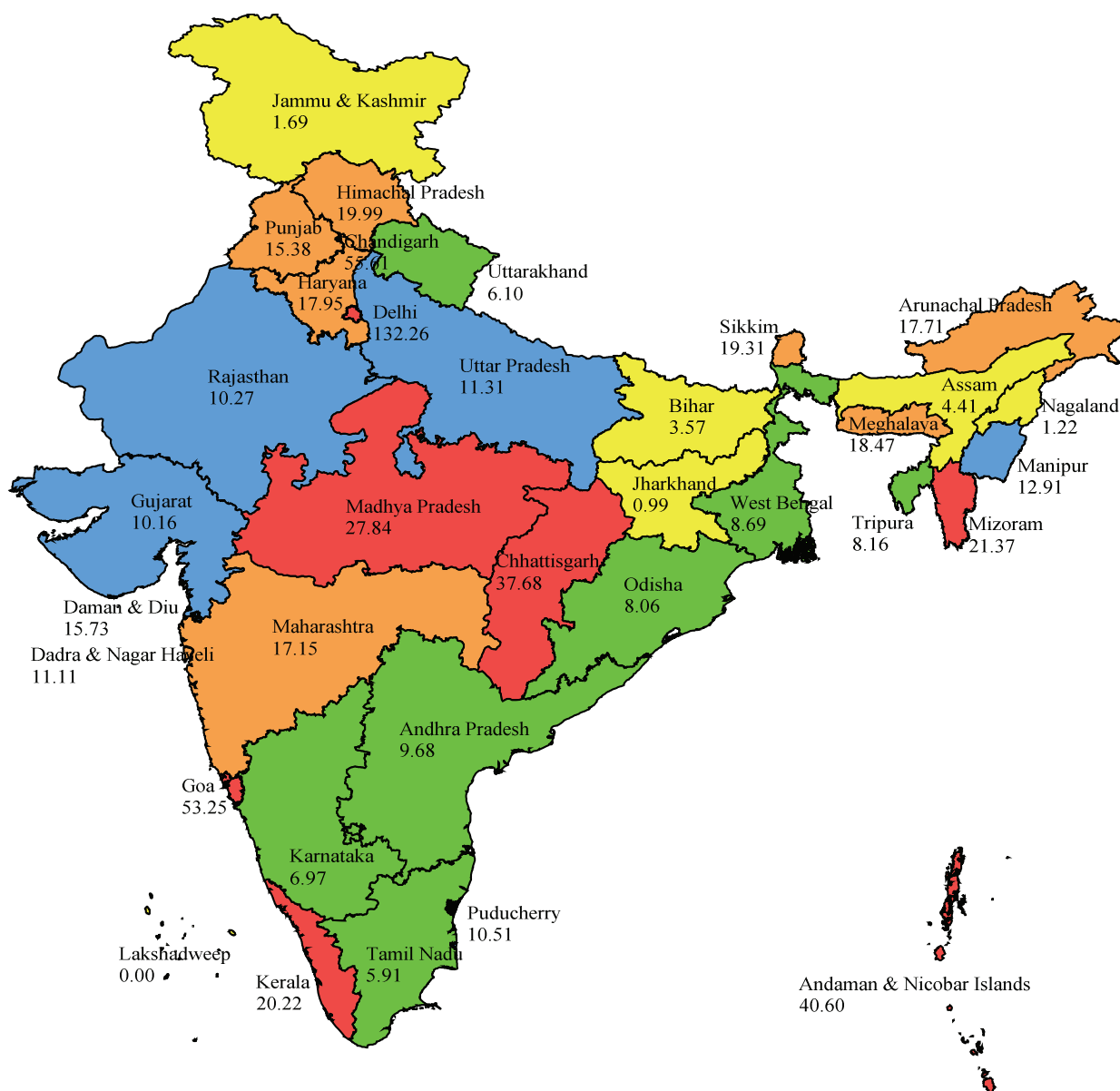
Crime incidence

(Incidence- 58,224)

A total of 58,224 cases of crimes against children were reported in the country during 2013 as compared to 38,172 cases during 2012, showing an increase of 52.5%. Some IPC crimes have shown a substantial increase during 2013 as compared to 2012. These crimes were kidnapping & abduction (54.2%), procurement of minor girls (51.3%), abetment to suicide (49.3%) and rape (44.7%). Uttar Pradesh accounted for 16.9% of total crimes committed against children reported in the country. The next in order was Madhya Pradesh (14.2%), Delhi (12.4%) and Maharashtra (11.0%).

RATE OF CRIME AGAINST CHILDREN DURING 2013

(All India 13.23)



Rate of Crime

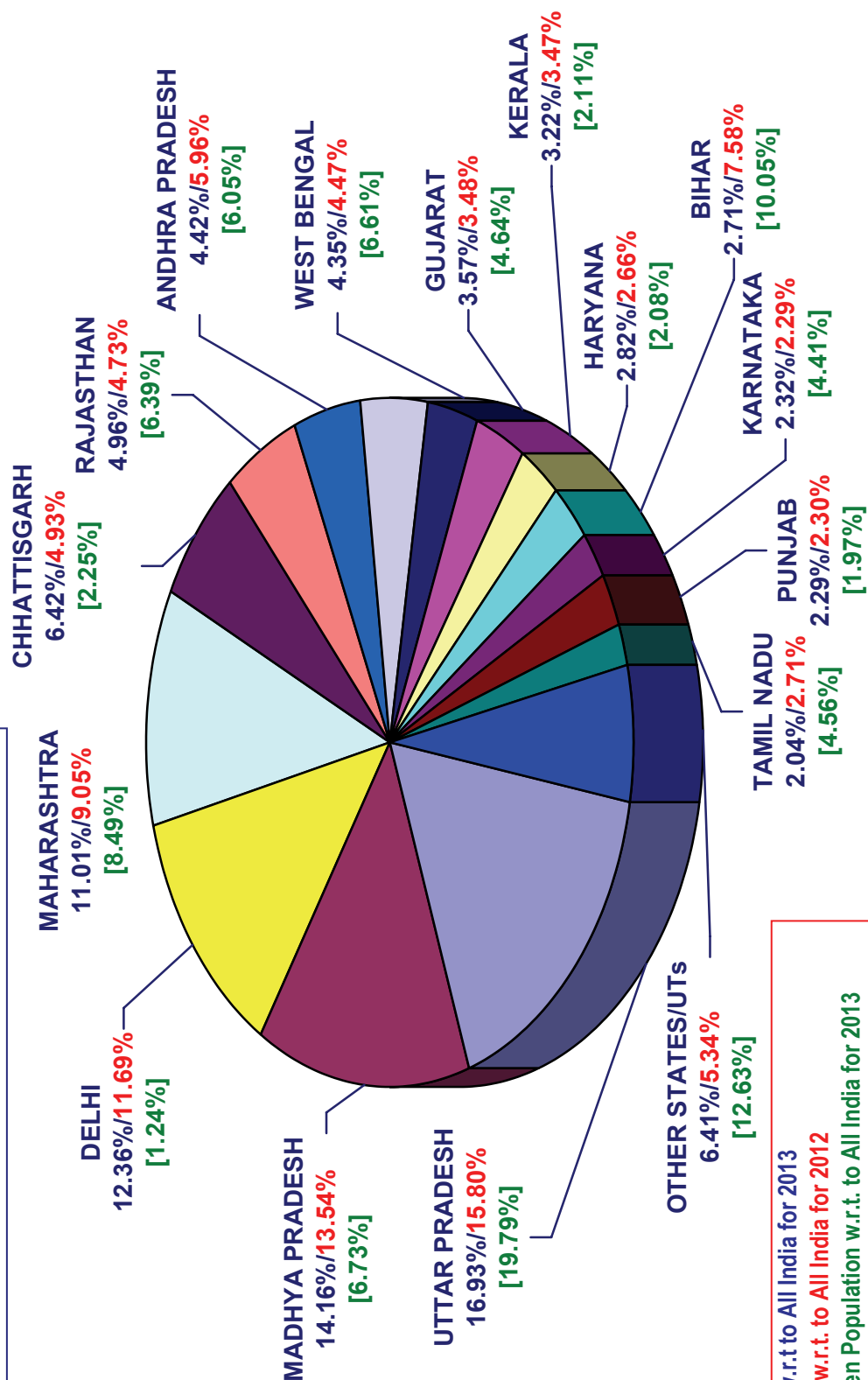


Note:

Rate of Crime against Children means number of crimes against children per one lakh population of Children.
 Estimated population of Children (upto 18 years) used for calculation of Crime Rate.

Crime against children – State/UT-wise distribution during 2013 / 2012

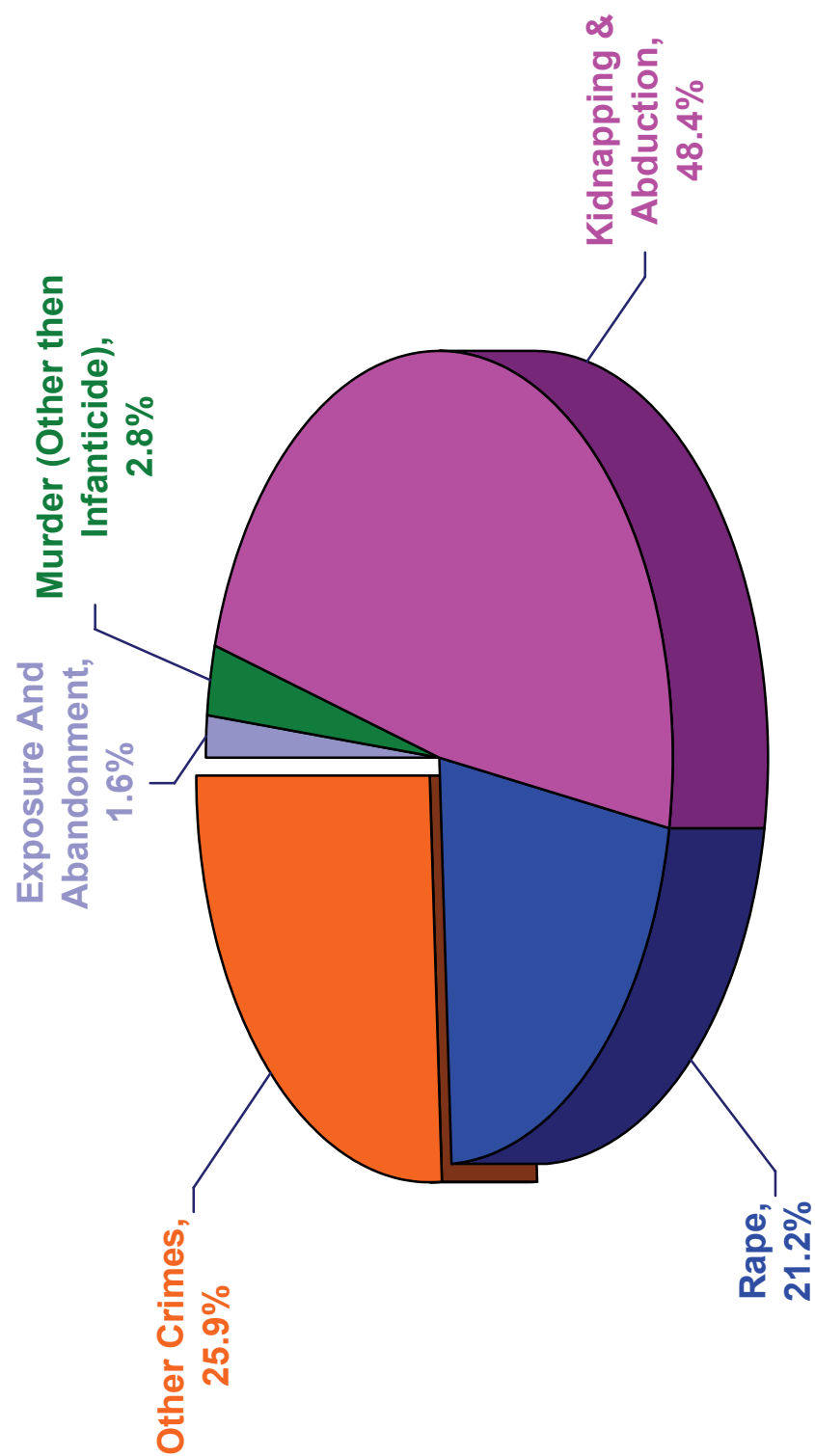
Figure 6.1



Percentage of Crime w.r.t to All India for 2013
 Percentage of Crime w.r.t. to All India for 2012
 Percentage of Children Population w.r.t. to All India for 2013

Crime against children crime head-wise percentage distribution during 2013

Figure 6.2



Crime rate

(Rate- 13.2)

The crime rate i.e. incidence of crimes committed against children per one lakh population of children was observed as 13.2 at All India level during 2013. The crime rate was highest in Delhi (132.3) followed by Chandigarh (55.6), Goa (53.3), A&N Islands (40.6), Chhattisgarh (37.7) and Madhya Pradesh (27.8) as compared to the national average of 13.2.

Crime head-wise analysis

The State/UT-wise and crime head-wise incidents of crimes are presented in **Table-6.2**.

Murder (Including Infanticide) (Sec. 302 IPC and 315 IPC)

(Incidence- 1,739 Rate- 0.4)

A total of 1,739 cases of murder of children (including infanticides) were reported in the country against 1,678 cases in 2012 resulting in an increase of 3.6% in 2013 over 2012. Uttar Pradesh has reported the highest number of such cases (492) accounting for 28.3% of the total cases reported in the country. Arunachal Pradesh, Goa, Nagaland, Sikkim, A&N Islands, D&N Haveli, Lakshadweep and Puducherry did not report any case of child homicide during the year 2013.

Infanticide (Sec. 315 IPC)

(Incidence- 82 Rate-Negligible)

A total of 82 Infanticide cases were reported in the country during the 2013. The incidents increased by 1.2% in the year 2013 over 2012 (from 81 cases in 2012 to 82 in 2013). Maximum of infanticides were reported in Chhattisgarh (15 cases) followed by Tamil Nadu (13 cases)

and Uttar Pradesh (10 cases), together accounting for 46.3% of total such incidents reported at National level.

Rape

(Sec. 376 IPC)

(Incidence- 12,363 Rate- 2.8)

A total of 12,363 cases of child rape were reported in the country during 2013 as compared to 8,541 in 2012 accounting for an increase of 44.7% during the year 2013. Maximum of child rape cases were reported in Madhya Pradesh (2,112 cases) followed by Maharashtra (1,546 cases) and Uttar Pradesh (1,381 cases). These three States together accounted for 40.8% of the total child rape cases reported in the country.

On an average, 3 children out of one lakh children population are victims of rape. For every one lakh children population, maximum of such incidents were reported in Mizoram and A & N Island (16 children each) followed by Delhi (14 children), Sikkim and Goa (12 children each).

Kidnapping & abduction

(Sec. 363 to 373 IPC)

(Incidence-28,167 Rate-6.4)

A total of 28,167 cases of kidnapping & abduction of children were reported during the year 2013 as compared to 18,266 cases in the previous year accounting for a increase of 54.2%. Uttar Pradesh (6,002 cases) followed by Delhi (5,809 cases) has accounted for 21.3% and 20.6% respectively of the total cases reported in the country.

On an average, 107 children for every one lakh children population were victims of

Table-6 (A)
Crimes against children in the country and % variation in 2013 over 2012

Sl. No.	Crime Head	Year			% Variation in 2013 over 2012
		2011	2012	2013	
(1)	(2)	(3)	(4)	(5)	(6)
1.	Murder	1,451	1,597	1,657	3.8
2.	Infanticide	63	81	82	1.2
3.	Rape	7,112	8,541	12,363	44.7
4.	Kidnapping & Abduction	15,284	18,266	28,167	54.2
5.	Foeticide	132	210	221	5.2
6.	Abetment of suicide	61	144	215	49.3
7.	Exposure & abandonment	700	821	930	13.3
8.	Procuration of minor girls	862	809	1,224	51.3
9.	Buying of girls for prostitution	27	15	6	-60.0
10.	Selling of girls for prostitution	113	108	100	-7.4
11.	Other crimes (including Prohibition of Child Marriage Act 2006)	7,293	7,580	13,259	74.9
	Total	33,098	38,172	58,224	52.5

kidnapping & abduction in Delhi as compared to the national level average of 6.4 during 2013.

Foeticide (Sec. 315 & 316 IPC)
(Incidence-221 Rate-Negligible)

A total of 221 cases of foeticide were reported in the country during 2013 as compared to 210 cases in the year 2012 indicating a rise of 5.2%. Madhya Pradesh, Rajasthan, Haryana and Uttar Pradesh have reported 79 cases, 34 cases, 21 cases and 17 cases respectively of such crimes.

Abetment to suicide (Sec. 305 IPC)
(Incidence- 215)

215 cases of abetment to suicide of children were reported during the year 2013 as compared to 144 cases in the year 2012 denoting an increase of 49.3% during 2013.

Exposure & abandonment (Sec. 317 IPC)
(Incidence-930 Rate- 0.2)

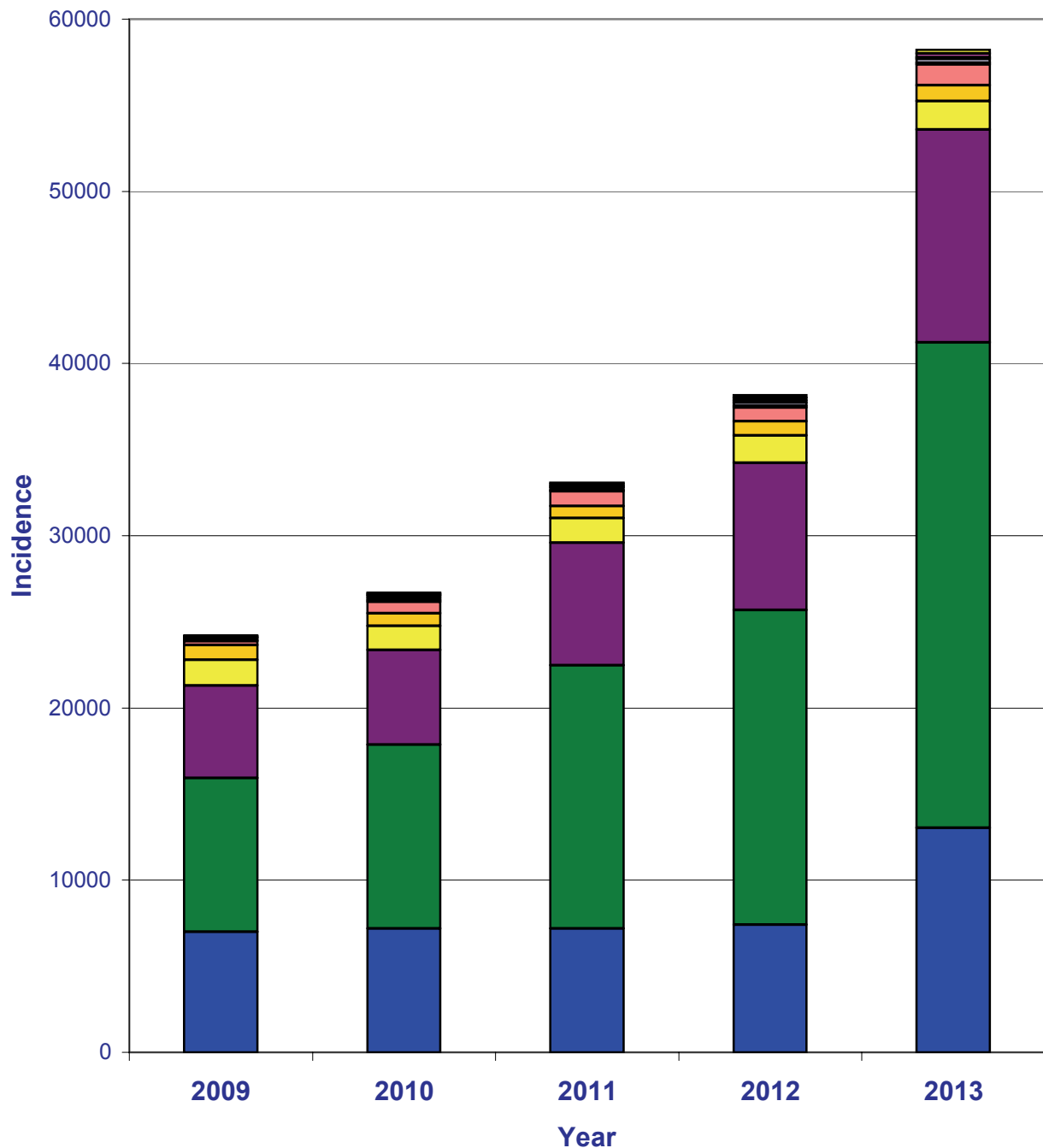
A total of 930 cases were reported during 2013 as compared to 821 cases during 2012 showing an increase of 13.3% during the year 2013. Maharashtra has reported the highest number of such cases (259 out of 930 cases), followed by Rajasthan (226 out of 930 cases) accounting 27.9% and 24.3% of total such incidents reported at the National level.

Procuration of minor girls (Sec. 366A IPC)
(Incidence-1,224 Rate 0.3)

1,224 cases were reported in the year 2013 as compared to 809 such cases in the year 2012, accounting for an increase of 51.3% over 2012. West Bengal has reported 486 such cases indicating a

Crime head wise incidence of crime against children during 2009-2013

Figure 6.3



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|-----------------------------------|-----------------------------------|
| Other Crimes | Kidnapping & Abduction |
| Rape | Murder |
| Exposure & Abandonment | Procurement of Minor Girls |
| Infanticide | Foeticide |
| Selling of Girls for Prostitution | Prohibition of Child Marriage Act |
| Abetment of Suicide | Buying of Girls for Prostitution |

share of 39.7% at the national level followed by Bihar (193) and Assam (129). Details are given at **Table 6(A)**.

**Buying/selling of girls for prostitution
(Sec. 373/372 IPC)
(Incidence...6/100)**

6 cases of 'buying of girls under section 373 of IPC' and 100 cases of 'selling of girls under section 372 of IPC' for prostitution were reported in the country during the year 2013 against 15 and 108 such cases respectively in the year 2012. Jharkhand and Maharashtra (2 cases each) accounted for 33.3% each of total cases of 'buying of girls for prostitution' and West Bengal has accounted for 69.0% (69 cases out of 100 cases) of the total cases of 'selling of girls for prostitution' reported in the country.

Disposal of crimes by police & courts

The general trend of disposal of IPC and SLL crimes by police & courts has already been discussed in detail in **Chapter-4**. The average charge-sheeting rate for all the crimes against children (IPC & SLL) was 83.4% in 2013, which is marginally lower than charge-sheeting rate of 2012(84.7%). The highest charge sheet rate was observed in cases under 'rape' (98.3%) followed by 'prohibition of child marriage act' (95.1%), 'selling of girl for prostitution' and 'murder' (89.2% each). The lowest charge sheet rate was found in cases of 'exposure & abandonment' (10.7%). The details are presented in **Table-6.5**.

The conviction rate at the national level for these crimes stood

at 30.9%. The conviction rate under crime head 'foeticide' (52.2%) was highest followed by 'Infanticide' (other than murder) (44.0%) during the year 2013. State/UT-wise and crime head-wise details are presented in **Table-6.3** to **Table-6.8**.

Disposal of persons arrested by police & courts

The details of disposal of arrested persons for committing crimes against children are presented in **Table-6.9** to **Table-6.12**. 70.5% of arrested persons (50,933 out of 72,282 arrested persons) for these crimes were charge-sheeted by the police and correspondingly, only 6,970 persons were convicted representing 31.1% conviction rate of arrested persons, which is almost same as conviction rate (case-wise) for crimes committed against children (30.9%).

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