**Executive Summary**

Rape is the serious crime not only against the body but the soul of the victim. This is the only crime in which victim become the accused for the society. Several amendments and recommendations were proposed in the past to tackle this crime and to make the procedure to seek justice easier for the victim. The Mathura case 1972 which created a stir in which plea was rejected on the grounds of inadequate testimony of the witnesses created the nationwide sensation and people demanded justice which is followed by widespread protests. Following this uproar certain amendments were made in 1983-

1. For the first time minimum punishment was announced for this crime.
2. Special cases in which consent is taken by the girl due to threat, or girl being minor or mentally unsound.
3. Burden of proof of consent is shifted to the accused

Even after such amendments rape cases have increased over the decade. Conviction rate is as low as 26 per cent. People have lost their confidence in the system due to which they do not co-ordinate with the police and often hesitated to reach the police for any help. After December incident, when people protested in masses to seek justice for all rape survivors, it pressurizes our system to make necessary amendments in the law to make law easier for the victim and, also to ensure safety of the women. Justice Verma Committee was set up to review the law and suggest reforms in view of present scenario of our society. The following recommendations were made by the committee-

1. Broaden the definition of rape to sexual assault.
2. Shifted the burden of proof on accused i.e. if victim says she has not given any consent the court presumes no consent.

III. Minimum punishments are increased.



IV. Death penalty is announced for rarest of rare case in which victim is dead or is in vegetative state.

1. Advised to keep hold of political powers if a political leader is accused.

VI. Recommended to remove marital rape as an exception.

But, when the ordinance was passed in parliament some of the recommendation like for marital rape, hold of political leader powers, etc were not incorporated in the bill. However, rigorous punishments in cases of custodial rape, gang rape, etc are included.

Despite proper guidelines for investigation and medical assistance in rape cases, there is lack in implementation due to which quality of evidences suffers.

Reasons for lack in implementation-

1. Lack of adequate staff both in police and hospitals cases.
2. Staff is overburdened with the existing cases.
3. No proper professional training for investigating the crimes is given to the police officials.

IV. Doctors are not trained to deal with survivor of rape cases adequately. They still practice finger test and give comments regarding whether woman is habituated to sex or not.

1. Lack of coordination by public as no one wants to indulge in such cases.

VI. Misuse of bails and power by the accused.

Following recommendations are suggested in view of our present scenario to combat the problem faced by our system-

1. Promote Zero FIR system.
2. Common Platform where Police officers and Women Organizations, NGOs and individuals can meet and discuss the issues faced by people and action should be taken against the complaint.
3. Special Units in every police station for handling rape crimes specifically.
4. Increase in Staff of the police.
5. Up gradation of Training with scientific skills to the investigating Officer.
6. Innovation and updation in communication to involve masses by police.
7. Gynaecologists should be trained and sensitize to handle rape cases.
8. A specialized Unit to handle rape victims with necessary infrastructure should be there in every hospital.
9. Participation from Private Hospitals.
10. Increase of man power in Forensic Laboratories.

