

NATIONAL DATABASE ON SEXUAL OFFENDERS (NDSO)

MAINS, GS 1: Social empowerment.

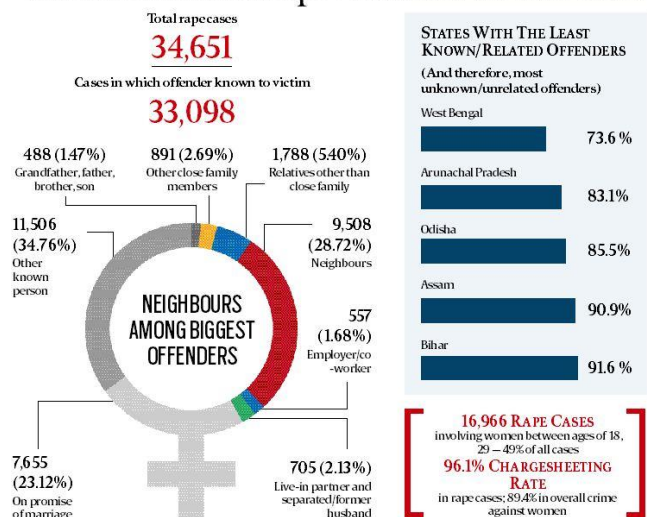
MAINS, GS 2: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

IN NEWS: The government has launched an online National Database on Sexual Offenders (NDSO) which will have names, addresses, photographs and fingerprint details of persons convicted on charges of rape, gang rape, offences related to Protection of Children from Sexual Offences Act, and stalking.

SEXUAL CRIME STATISTICS IN INDIA:

- Rape accounts for about 12% of all crimes against women. The distribution of reported cases is quite uneven across the nation.
- A state-wise analysis suggests that the extent of under-reporting tends to be higher on average in states with low female literacy. In states such as Bihar, Uttar Pradesh and Jharkhand, less than 0.5% of incidents of violence against women were reported. Tamil Nadu and Karnataka also saw very low reporting of such crimes despite a higher female literacy rate.
- According to the National Crimes Records Bureau, in 2016 the rape of minor girls increased by 82% compared with the previous year. Chillingly, across all rape cases, 95% of rapists were not strangers but family, friends and neighbours.
- Indian government surveys show that 42% of girls in the country have been sexually abused.

Offender known to rape victim in over 95% cases



ABOUT NATIONAL DATABASE ON SEXUAL OFFENDERS (NDSO):

- NDSO is initiative under National Mission for Safety of Women aimed at curbing crimes against women and children. It will mainly include database of sexual offenders in the country convicted under charges of rape, gang rape, POCSO and eve teasing 2005 onwards.
- It will have database of containing key details of convicted sexual offenders such as their names, residential address, photographs, fingerprints, DNA samples, Aadhaar numbers and Personal Account Numbers (PANs).
- It will be maintained by National Crime Records Bureau (NCRB) for regular monitoring and tracking by State Police. The database will not compromise an individual's privacy.

Out in the open Highlights of the sex offenders' registry

- The database will contain biometric records of sex offenders across India
- It would also contain the records of juveniles offenders and paedophiles
- Information on "arrested and chargesheeted" offenders will be available only to law enforcement agencies
- Data for "convicted" offenders will be accessible to the public



- The "Registry of Sex Offender" will store information on arrested and charge-sheeted offenders but with a clause that limits access to officers with the requisite clearance. At a later stage, juvenile offenders are also likely to be included in the database.

GOVERNMENT EFFORTS IN PLACE:

- The Government has made changes to the present rape law in place under the criminal law including the IPC, Criminal Procedure Code (CrPC), Evidence Act and POCSO Act.

- Minimum punishment in case of rape of women has been increased from the rigorous imprisonment of 7 years to 10 years, extendable to life imprisonment.
- Protection of Children from Sexual Offences (POCSO) Act, was introduced in 2012 with the aim of protecting children, below the age of 18 years, from sexual abuse and assault.

CONCERNS OVER THE DATABASE:

- There is no legal basis for creating such a database. Indeed, it seems to have been set up through executive action.
- A permanent database of personal information serves to vilify offenders even after they have served their sentences, and undermines the idea of rehabilitation in prison.
- Being listed in such a registry will likely cause social and economic harm to the convicts, who are often already poor and marginalised – they will have difficulty finding jobs or face harassment from police.
- There is also no clarity on the procedure for the collection, storage and deletion of the data; safeguards to ensure its confidentiality and privacy; or the economic and social consequences of being listed in the registry.

ROADMAP TO SAFEGUARDS: The solution lies in improving investigation and trial processes, avoiding undue delays, and providing support to the victims to come forward and testify in court, without further harassment. A registry of sexual offenders is not the quick fix solution that our politicians desire. For a workable solution, time, effort and money need to be spent on long-term institutional reforms.

PREVIOUS YEARS UPSC MAINS QUESTIONS:

- Is the national commission for women able to strategize and tackle the problems that women face at both public and private spheres? (2017)
- The setting up of a Rail Tariff Authority to regulate fares will subject the cash strapped Indian Railways to demand subsidy for obligation to operate non-profitable routes and services. Taking into account the experience in the power sector, discuss if the proposed reform is expected to benefit the consumers, the Indian Railways or the private container operators. (2014)
- A national Lokpal, however strong it may be, cannot resolve the problems of immorality in public affairs.' (2013)