



# drishti

## The Big Picture: National Database Of Sexual Offenders

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For the first time, India released the National Database of Sexual Offenders in September 2018. **The registry contains key details like names, photographs, residential address, fingerprints, DNA samples, and PAN and Aadhaar numbers, of convicted sexual offenders.** The database, which will be maintained by the National Crime Records Bureau, will also contain **over 4.5 lakh cases.** The cases have profiles of first-time and repeat offenders as well. Before India, UK, US, Australia, Canada, Ireland, New Zealand, South Africa, and Trinidad have maintained the data record. However, in the US, documents can be accessed by the public. But in India, the details will be available only to the law enforcement agencies. The decision to set up the database was taken in this year (2018) following nationwide outrage over cases of sexual assault on minors.

*DRISHTI INPUT*

## What is the National Database of Sexual Offenders?

- **India became the ninth country in the world** to have a National Database on Sexual Offenders (NDSO), accessible only to law enforcement agencies **for the purpose of “investigation and monitoring”**.
- The database will be maintained by the National Crime Records Bureau, which will also track whether the State police are updating the records on time or not. The database also includes offenders convicted under charges of rape, gang rape, and eve-teasing.
- **At present, the database contains 4.4 lakh entries.** But, as of now, it does not have records of juvenile offenders, but they are likely to be included in the later stage.
- NDSO will maintain a database of cases classified as posing a **low danger for a period of 15 years**. The database of cases, which are classified as a **moderate danger, will be stored for 25 years**. The data for cases involving repeat and habitual offenders criminals, convicted gang rapists, and custodial rapes will be stored permanently.

## Purpose of NDSO

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- The rise in the sexual offenders in the past couple of years is alarming.
- In 2015-16 alone the increase was around 10000 sexual offenders. On the one hand, there is a continuous increase in the sexual offenders and on the other the conviction rate is very low. As compared to 2007 the conviction rate has dipped down to almost half.
- The NDSO's purpose is to act as a deterrent against future assault. This database would prevent the registered offenders from committing the crime again, as it has been seen that in most of the cases it is a repeat offence.
- To make the police verification system more robust that will help in the recruitment process. Especially, in schools, playhouse, household maid, etc.
- Since India already had a database for economic offenders (civil), NDSO is only a logical follow up to list the perpetrators of heinous crimes.

## Limitations

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- Even though it is a good exercise but it is limited in scope. Only the registered cases would be circulated. Lakhs of cases go unreported every year. Consequently, the success of the database would depend upon the quantum of cases being reported.
- In most of the cases (around 28%), the offenders are either a family member or a person who wields extreme power. In such situations, the cases go unreported.
- The arrested and the charge sheeted data will be circulated through the Crime and Criminal Tracking Network and Systems. However, it only the police and the investigative agencies that would be privy to the data. The data will not be shared with the general public.

- It does not have the power to stop crime.

### Should the Database be Made Public?

- First, following the western countries, the list/database ought to be in the public domain. So that the general public could take precaution against such perpetrators. Further, the name being made public would shame the person and would act as a deterrence.
- However, on the other hand, if the name is made public it leaves little scope for the perpetrator to reform. Might make them more adamant to commit more crime.

### Way Forward

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- One positive thing is that more and more women are coming forward and registering cases of a sexual offence against the perpetrators. **Favorable media coverage and de-stigmatization** of such cases by widespread campaign have empowered the women to come forward.
- Now, the **conviction rate has to go up**. An entire criminal justice system has to speed up.
- Mandatory registration of FIRs and if cases are found where police are reluctant to register a case then **immediate prosecution** of the police personnel.
- The number of police with respect to population is abysmally low in case of India. Hence, **the number of police personnel has to go up substantially**. Besides the frequency of patrolling has to increase drastically. Induction of more women constable in the police force can also act as one of the solutions.
- It is the **law enforcement agencies that have to use the data judiciously**. Constant updating of the data is a must.
- Most importantly, the fundamental change should be instituted from within the family. Values should start from home itself. Most of the heinous crimes are committed within the four corners of the walls. That is a space where the police, that is the state cannot enter. Hence, **family morality has to stand vanguard against such depraved actions**.