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Travel Warning and Safety Index-Moulding India's Image

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ABSTRACT

Peace – that is the other name for home. But for travellers world is paradise. Crime minor or major cause tumult in that paradise. Many report say rape is one of the fastest growing crime in India, that is the hair-raising issue for female tourists. Crime like “Latvian tourist murder case” shook the nation. People might forget these incidents but when ranking of Global peace index, world’s safest countries ranking etc published, it mould or dent the image of India for tourist.

Warning and caution are the terms that are worry some for tourist. When countries like America and Canada issue travel warning for their citizens, it not only influence the mind of their citizens but also of public at large. To improve India’s image there is need to curb crime rates. Tourist bring foreign economy in India and it play an important role in enhancing India’s economy. So everything is co-related.

The research work is to steer the exiting laws and law enforcement agencies to refine India image amidst tourist.

Keywords: *crime, rape, murder, tourist, ranking, index.*

I. INTRODUCTION

India is the largest country in South Asia and a place you will never forget. Beautiful cuisine iconic landmarks and a blend of diverse cultures are among the reasons why millions of tourist flock to the bustling metropolis and busy beaches every year. India is also the second most populous country in the world. The world largest democracy is one of the most populous and cheapest places to live but you may wonder if India is safe. More than a billion people call India home and its rich mix of cultures and religions make India so unique and attractive. But the crime, sexual violence and extreme poverty tarnished India’s image.

India was named the most dangerous country for women in 2018 beating Afghanistan, Saudi Arabia, Syria, Somalia and Yemen to shocking rates of sex crimes³. Slavery and human trafficking are rampant in India where gender harassment lack of objective education on dowry

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³ BBC news, <https://www.bbc.com/news/world-asia-india-42436817>.amp (accessed on 2023.02.20)

and gender pay gap are common issues for women in the country. Despite the high crime rate India is considered almost safe for tourists and violent crimes against foreigners are actually very rare. Petty theft can be a problem especially in tourist areas where poor safety and hygiene standards mean you are more susceptible to illness and accidents but there are ways to avoid it. Unrest continues and terrorism remains a threat. However crime rates are relatively low in most areas especially those frequented by foreigners so there is no reason to feel unsafe in India as long as you take precautions.

Many report say rape is one of the fastest growing crime in India, that is the hair-raising issue for female tourists. Crime like “Latvian tourist murder case” shook the nation.⁴ People might forget these incidents but when ranking of Global peace index,⁵ world’s safest countries ranking etc published, it mould or dent the image of India for tourist. There were several high-profile rape cases that occurred in India in 2018, which had a negative impact on the country's tourism industry.⁶ Some of the notable cases are:

In April 2018, an American tourist was drugged and raped in a hotel in the northern city of Jaipur. The accused was later arrested.

In June 2018, a 17-year-old girl was gang-raped in a village in the eastern state of Jharkhand. The incident sparked widespread protests in the state.

Death of a Swiss Tourist in Agra: In September 2018, a Swiss tourist was gang-raped in the central state of Madhya Pradesh. Swiss tourist was found dead in Agra, near the famous Taj Mahal. The case was investigated by the local police, and it was found that the tourist had been killed by a gang of robbers. The accused were later arrested.

Assault of a Japanese Tourist: In November 2018, a Japanese tourist was allegedly drugged and raped by a tour guide in the southern city of Chennai. The accused was arrested and charged with the crime. In 2019, a Japanese tourist was assaulted by a local man in Kerala. The tourist was cycling in the area when the man attacked him with a stick. The case was investigated by the local police, and the man was arrested.

Rape of a Spanish Tourist in Jaipur: In 2020, a Spanish tourist was raped by a man in Jaipur. The tourist had hired the man to take her on a tour of the city. The case was investigated by the local police, and the man was arrested and charged with rape.

Rape cases: There were several high-profile rape cases in India between 2018 and 2019, which

⁴ *Crime In India | National Crime Records Bureau*. <https://ncrb.gov.in/en/crime-india> (accessed 2023-02-23).

⁵ *Crime In India | National Crime Records Bureau*. <https://ncrb.gov.in/en/crime-india> (accessed 2023-02-23).

⁶ *Crime In India | National Crime Records Bureau*. <https://ncrb.gov.in/en/crime-india> (accessed 2023-02-23).

led to a decline in tourism. In particular, the rape and murder of a British tourist in Goa in March 2019 caused significant concern among tourists and the tourism industry.

Kashmir conflict: The conflict in Kashmir also impacted tourism in the region between 2018 and 2019. The Indian government imposed restrictions on travel to the region, and there were reports of violence and unrest, which deterred tourists from visiting. These incidents led to concerns about women's safety in India and resulted in a decline in the number of foreign tourists visiting the country. The Indian government has taken steps to address these concerns, including strengthening laws related to sexual assault and harassment, increasing the presence of police in tourist areas, and launching campaigns to promote women's safety.⁷

Death of a British Tourist in Goa: In 2021, a British tourist died in Goa after falling from a hotel balcony. The case was investigated by the local police, and it was found that the tourist had been drinking heavily prior to the incident.

Scam of Foreign Tourists in Delhi: In 2021, several foreign tourists were scammed by a gang of touts in Delhi. The touts had promised to take the tourists on a tour of the city, but instead, they took them to various shops and forced them to buy expensive products.

It takes many years to decide all these cases. If the tourist is An Indian, then there is no problem, but it is not possible for them to come here if they are foreign tourists. In such a situation, the Government of India should build fast courts for them so that the victim can get justice immediately. It is important to note that while such cases may occur, they are rare and do not represent the entire tourism industry in India. The Indian government and local authorities take such cases seriously and have taken steps to enhance the safety and security of tourists visiting the country.⁸

II. INDIA'S RANKING IN VARIOUS INDEXES

| Index | Index released by | First Rank | India's Rank | India's Rank earlier |
|----------------------------------|---------------------|------------|------------------|----------------------|
| Passport Index 2023 ⁹ | Henley and partners | Japan | 85 th | 83 rd |

⁷ *Delhi Crime Capital: Delhi remains most unsafe for women* / *Delhi news*. <https://indianexpress.com/article/cities/delhi/delhi-is-most-unsafe-for-women-ncrb-data-confirms-7511261/> (accessed 2023-02-23).

⁸ *News on India Today, December 6, 2022 - India Today*. <https://www.indiatoday.in/india/story/breaking-news-latest-updates-india-today-december-6-2022-2305797-2022-12-06> (accessed 2023-02-23).

⁹ *The Hindu*, January 20, 2023- <https://www.thehindu.com/news/national/henley-passport-index-2023-india-rises-two-spots-in-passport-strength-index/article66412252.ece/amp/> (accessed on 28.02.2023)

| | | | | |
|--|--------------------------------------|--------------|-------------------|-------------------|
| World travel and tourism development index ¹⁰ | World economic forums | Japan | 54 th | 46 th |
| World justice projects, Rule of Law index 2022 ¹¹ | World justice projects | Denmark | 77 th | 79 th |
| Global peace index2022 ¹² | The institute Of economics and peace | Iceland | 135 th | 135 th |
| Global terrorism index2022 ¹³ | Institute for Economics and peace | Afghanistan | 12 th | 8 th |
| Safety perception index,2023 ¹⁴ | Institute for Economics and peace | Uzabekistaan | 97 th | 59 th |

Crime, risk, unrest, uncertainty, violence, threat etc are the various factors which determines these ranking. So in order to improve India ranking or in moulding India image across the globe there is need for better laws with best ways to implement and execute them. Apart from better laws there in need for fast track courts which deal with tourist cases only. Like “Latvian tourist rape and murder case” incident took place in 2018 at Thiruvananthapuram, Kerala but criminals get punishment in 2022. Justice being served but to get that justice how much trouble a tourist suffer. For a local person it is easy to deal with day to day court proceedings but for tourist it is not feasible to come to court every now and then. For tourist there must be fast track court with facilities like live streaming.

¹⁰ The Economic Times, May 24,2022- https://m.economictimes.com/industry/services/travel/india-drops-8-ranks-in-wefs-travel-tourism-development-index-japan-top-scorer/amp_articleshow/91761636.cms (accessed on 28.02.2023)

¹¹ World justice project,2022- <https://worldjusticeproject.org/rule-of-law-index/global> (accessed on 28.02.2023)

¹² Global peace index 2022, by Vision of Humanity,- <https://www.visionofhumanity.org/maps/#/> (accessed on 20.02.2023)

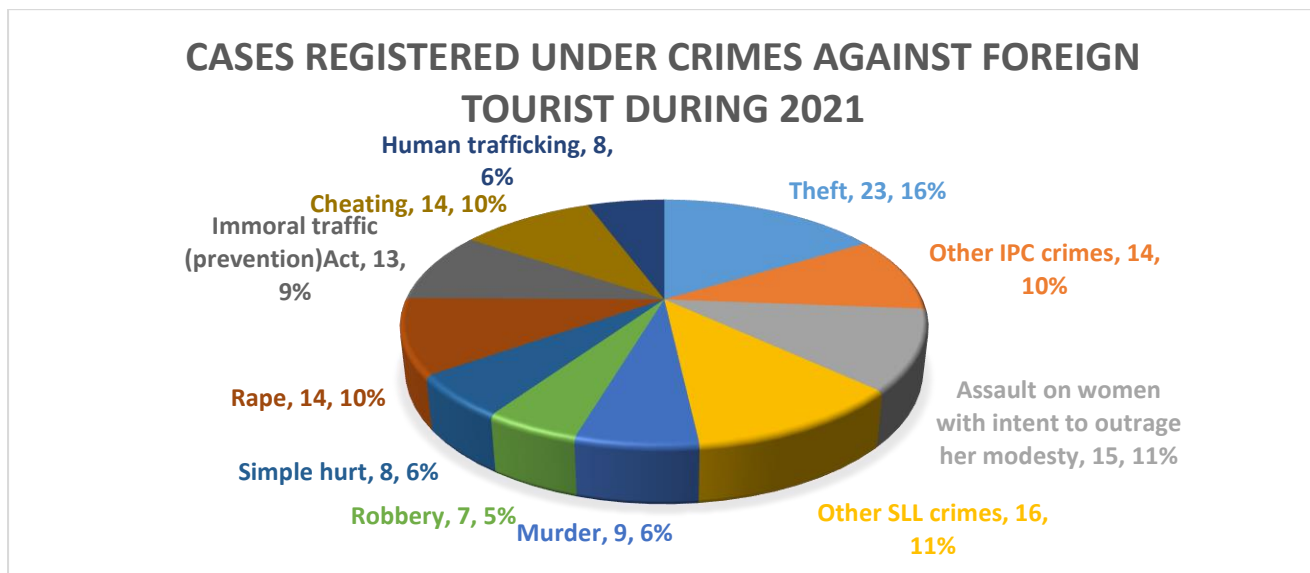
¹³ Institute for Economics and peace, 2022- <https://www.economicsandpeace.org/reports/> (accessed on 28.02.2023)

¹⁴ Safety perception index 2023, by vision of humanity, <https://www.visionofhumanity.org/wp-content/uploads/2023/02/SPI-2023-2.pdf> (accessed on 28.02.2023)

(A) Tourist safety Acts of India-

There is no specific law or act in India that is called the "Tourist Safety Act." However, there are various laws and regulations in place that aim to ensure the safety and security of tourists visiting India.

One such law is the Indian Penal Code, which criminalizes various offenses such as theft, assault, harassment, and sexual assault, among others. The Code of Criminal Procedure also outlines the procedures for investigation, arrest, and trial of individuals accused of such offenses. Additionally, the Ministry of Tourism has developed various guidelines and protocols for ensuring the safety of tourists. These include measures such as mandatory registration of hotels and other accommodation providers, certification of tour operators and travel agents, and the establishment of tourist police units in major tourist destinations. The ministry also provides a 24-hour multilingual tourist helpline to assist tourists in case of emergencies or other issues. In recent years, the Indian government has taken several steps to enhance the safety and security of tourists. For instance, it has introduced a tourist police force in major cities and tourist destinations, increased surveillance and security measures at airports and railway stations, and implemented strict safety standards for adventure activities such as trekking, mountaineering, and water sports.¹⁵



The primary law that governs the tourism industry in India is the Tourism Act of 2002. The act seeks to promote tourism as a means of generating foreign exchange, employment opportunities, and economic development. It also aims to protect and preserve the country's

¹⁵ Pizam, A. Tourism and Crime: Is There a Relationship? *Journal of Travel Research* **1982**, 20 (3), 7–10. <https://doi.org/10.1177/004728758202000302>.

natural and cultural heritage.

The act establishes the Ministry of Tourism as the apex body responsible for the development and promotion of tourism in India. The ministry formulates policies, plans, and programs for the development of tourism infrastructure, facilities, and services. It also provides financial assistance to state governments, private sector organizations, and individuals for the promotion of tourism.

There are also guidelines and regulations related to the conduct of tourists in India. These include rules and regulations for visiting national parks, wildlife sanctuaries, and other protected areas, as well as codes of conduct for tourists visiting religious and cultural sites. It is important for tourists visiting India to familiarize themselves with the relevant laws and regulations and to comply with them to ensure a safe and enjoyable trip.¹⁶

The Tourist Police: Many cities in India have a special police force called the Tourist Police. These police officers are trained to assist tourists and provide them with information and assistance.

The Tourist Visa: India has a specific type of visa for tourists, known as the "Tourist Visa." This visa is issued to foreign tourists who want to visit India for a short period of time. The visa is granted after a thorough background check of the applicant, which includes security checks.

The Indian Penal Code: The Indian Penal Code contains several provisions that protect tourists from crimes like theft, fraud, and harassment. The code also makes it illegal to assault or harm a tourist.

The Motor Vehicles Act: The Motor Vehicles Act in India provides guidelines for road safety, including regulations for drivers, pedestrians, and passengers. The act also sets rules for the use of seat belts and helmets.

The Disaster Management Act: In case of a natural disaster or any other emergency situation, India has the Disaster Management Act to provide timely help and assistance to tourists.¹⁷

Apart from these laws and regulations, the Indian government has also taken several initiatives to enhance the safety and security of tourists. For instance, the "Incredible India" campaign is a marketing campaign launched by the government to promote tourism and make tourists feel safe and welcome. Additionally, the government has set up helplines that tourists can call in

¹⁶ / *Ministry of Home Affairs*. <https://www.mha.gov.in/en> (accessed 2023-02-23).

¹⁷ *The Issues Faced By Tourism In India - An Overview - Inventiva*. <https://www.inventiva.co.in/trends/the-issues-faced-by-tourism-in-india/> (accessed 2023-02-23).

case of an emergency.

However, it is still important for tourists to exercise caution and take necessary precautions while traveling in India, such as avoiding traveling alone at night, being aware of their surroundings, and keeping their valuables safe. Warning and caution are the terms that are worry some for tourist. When countries like America and Canada issue travel warning for their citizens, it not only influence the mind of their citizens but also of public at large. To improve India's image there is need to curb crime rates. Tourist bring foreign economy in India and it play an important role in enhancing India's economy. So everything is co-related. The research work is to steer the exiting laws and law enforcement agencies to refine India image amidst tourist.

U.S. department of state issued travel advisories on a 4-point scale. Like other parts of South Asia face-saving rules are rarely enforced in India.¹⁸

This paper reports a review of tourism and crime studies accepted generally by tourism experimenters over the last 25 times. The studies are grouped into six approximately- defined areas sightseer areas as areas of high crime; excursionists as victims; excursionists as malefactors; tourism causing advanced situations of counter culturist or illegal exertion; terrorism and tourism; and policy responses to tourism and crime. The paper concludes that, on balance, tourism does contribute to an increase in crime, and can give certain conditions for culprits where the earnings from crimes against excursionists are high and the pitfalls are low. Adverse hype from the reporting of crime against excursionists is shown to have drastic goods on posterior sightseer figures.¹⁹

III. CONCLUSION AND FUTURE SCOPE

The lack of safety in India is among the most important reasons foreign excursionists avoid visiting it. The locals have occasionally refused to prop foreign citizens who have endured importunity because of communication problems. Foreign excursionists must thus feel safe from importunity by the government. There should also be strict corrections for those who kill foreign excursionists. As there will be fewer chances of tourists being defrauded by frauds with the government's appointment of trained tour guides, tourists will gain from it. We will attract foreign tourists to India if we take these and other precautions regarding their interests.

¹⁸ *The Issues Faced By Tourism In India - An Overview - Inventiva*. <https://www.inventiva.co.in/trends/the-issues-faced-by-tourism-in-india/> (accessed 2023-02-23).

¹⁹ MADAAN, N. *Cheating, theft, sexual crimes top tourist concerns in India | Pune News - Times of India*. <https://timesofindia.indiatimes.com/city/pune/cheating-theft-sexual-crimes-top-tourist-concerns-in-india/articleshow/59185196.cms> (accessed 2023-02-23).

In the ever expanding world of tourism, the civil and state governments are decreasingly emphasizing proper planning. As similar, the Ministry is seeking to balance the creation of tourism (which has proven to increase the GNP in developing countries in particular) with concern for securing the physical, social, and artistic terrain in the destination areas.

To balance tourism- related conditioning and the original terrain, planning is vital for the development of tourism- related conditioning. Development countries are especially vulnerable to this. As a result, the impact is important then since they must develop a crucial structure to maintain the being unique artistic characteristics and promote overall socio- profitable development. likewise, by conserving and enhancing their physical terrain, they will encourage tourism.

IV. REFERENCES

1. *Crime In India | National Crime Records Bureau*. <https://ncrb.gov.in/en/crime-india> (accessed 2023-02-23).
2. Pizam, A. Tourism and Crime: Is There a Relationship? *Journal of Travel Research* **1982**, 20 (3), 7–10. <https://doi.org/10.1177/004728758202000302>.
3. *Ministry of Home Affairs*. <https://www.mha.gov.in/en> (accessed 2023-02-23).
4. *News on India Today, December 6, 2022 - India Today*. <https://www.indiatoday.in/india/story/breaking-news-latest-updates-india-today-december-6-2022-2305797-2022-12-06> (accessed 2023-02-23).
5. *Delhi Crime Capital: Delhi remains most unsafe for women | Delhi news*. <https://indianexpress.com/article/cities/delhi/delhi-is-most-unsafe-for-women-ncrb-data-confirms-7511261/> (accessed 2023-02-23).
6. MADAAN, N. *Cheating, theft, sexual crimes top tourist concerns in India | Pune News - Times of India*. <https://timesofindia.indiatimes.com/city/pune/cheating-theft-sexual-crimes-top-tourist-concerns-in-india/articleshow/59185196.cms> (accessed 2023-02-23).
7. *The Issues Faced By Tourism In India - An Overview - Inventiva*. <https://www.inventiva.co.in/trends/the-issues-faced-by-tourism-in-india/> (accessed 2023-02-23).
8. *The Economic Times, May 24, 2022-* https://m.economictimes.com/industry/services/travel/india-drops-8-ranks-in-wef-s-travel-tourism-development-index-japan-top-scorer/amp_articleshow/91761636.cms (accessed on 28.02.2023)
9. *The Hindu, January 20, 2023-* <https://www.thehindu.com/news/national/henley-passport-index-2023-india-rises-two-spots-in-passport-strength-index/article66412252.ece/amp/> (accessed on 28.02.2023)
10. *World justice project, 2022-* <https://worldjusticeproject.org/rule-of-law-index/global> (accessed on 28.02.2023)
11. *Global peace index 2022, by Vision of Humanity,-* <https://www.visionofhumanity.org/maps/#/> (accessed on 20.02.2023)
12. *Institute for Economics and peace, 2022-* <https://www.economicsandpeace.org/reports/> (accessed on 28.02.2023)

13. Safety perception index 2023, by vision of humanity, <https://www.visionofhumanity.org/wp-content/uploads/2023/02/SPI-2023-2.pdf> (accessed on 28.02.2023)
