

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

RAJYA SABHA  
UNSTARRED QUESTION NO. 4577

TO BE ANSWERED ON THE 8<sup>TH</sup> MAY, 2013/VAISAKHA 18, 1935 (SAKA)

**TREATMENT OF RAPISTS AT PAR WITH MURDERERS.**

**4577. DR. PRABHA THAKUR:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the incidents of gang rape and rapes with minor girls are more heinous than that of murder;
- (b) if so, whether to treat the offender of rape as an offender of murder is justified;
- (c) whether the Government is contemplating further to award capital punishment in consonant with the public opinion in cases of gang rape, rapes with minor girls and sexual exploitation by near relatives; and
- (d) if so, the details thereof?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI MULLAPPALLY RAMACHANDRAN)**

(a)&(b): All offences of gang rape or rape of minor girls or murder are heinous crimes. These offences are dealt with under the relevant sections of the Indian Penal Code, 1860 and the Protection of Children from Sexual Offences Act, 2012 as amended from time to time.

(c)&(d): The Amendment in the Indian Penal Code, 1860 has recently been made by enacting the Criminal Law (Amendment) Act, 2013 (No.13 of 2013). As per the newly inserted section 376D in the Indian Penal Code, 1860, the offence of gang rape is punishable with a minimum rigorous imprisonment of twenty years extendable to life imprisonment, which shall mean imprisonment for the remainder of that person's natural life. The offence of rape on a woman when she is under sixteen years of age or the rape of a woman by relative, guardian or teacher or a person in a position of trust or authority towards the woman, is punishable with rigorous imprisonment of a minimum of ten years extendable to life imprisonment, which shall mean imprisonment for the remainder of that person's natural life.

