

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION NO.656

TO BE ANSWERED ON THE 29TH APRIL, 2015/VAISAKHA 9, 1937 (SAKA)

WOMEN SUBJECTED TO MARITAL RAPE

656. SHRIMATI KANIMOZHI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) according to United Nations Population Fund that 75 per cent of the married women in India are subjected to marital rape, whether Government has taken cognizance of the fact;

(b) whether it is a fact that UN Committee on Elimination of Discrimination against Women has recommended to India to criminalise marital rape;

(c) in the view of this, whether Government will bring an amending bill to the IPC to remove the exception of marital rape from the definition of rape; and

(d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): No Sir.

(b) & (c): The Ministry of External Affairs and Ministry of Women and Child Development have reported that UN Committee on Elimination of Discrimination against Women has recommended to India inter alia, to criminalise marital rape. The Law Commission of India, while making its 172nd Report on Review of Rape Laws did not recommend criminalization of marital rape by amending the Exception to section 375 of the Indian Penal Code and hence presently there is no proposal to bring any amendment to the IPC in this regard.

(d): It is considered that the concept of marital rape, as understood internationally, cannot be suitably applied in the Indian context due to various factors e.g. level of education/illiteracy, poverty, myriad social customs and values, religious beliefs, mindset of the society to treat the marriage as a sacrament, etc.
