

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION NO. †1906

TO BE ANSWERED ON THE 3RD AUGUST, 2016/ SRAVANA 12, 1938 (SAKA)

MEASURES FOR SAFETY AND SECURITY OF WEAKER SECTIONS

†1906. DR. SATYANARAYAN JATIYA:

Will the Minister of HOME AFFAIRS be pleased to state:

the measures being taken in the current scenario to make the safety and security of weaker sections, Scheduled Castes, Scheduled Tribes, women and deprived classes more effective to make social environment favourable for them through law and justice?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

The Criminal Law (Amendment) Act 2013, which has come into force since 3rd Feb, 2013 on crimes against women, has enhanced punishment for crimes like rape, sexual harassment, stalking, voyeurism, acid attacks, indecent gestures like words and inappropriate touch etc. The new law has provisions for increased sentence for rape convicts, including lifeterm and death sentence, besides providing for stringent punishment for offences such as acid attacks, stalking and voyeurism.

With an objective to deliver members of SCs and STs, a greater justice as well as be an enhanced deterrent to the offenders, the PoA Act has been amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016), notified in the Gazette of India Extraordinary on 01.01.2016 and enforced with effect from 26.01.2016. A new Chapter IV which specifically relates to 'Rights of Victims and Witnesses', inter-alia, includes provisions in regard to the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.

As per the seventh schedule to the Constitution of India 'Police' and 'Public Order' are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State Governments/ Union Territory Administrations.

Ministry of Home Affairs has issued advisories on 04.09.2009, 5.1.2015, 20.4.2015 and 12.05.2015 on Crime against women to all State Governments/UTs. These advisories have advised State Governments to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, set up Fast Track Courts, Family Courts, Crime against Women desks in each Police Station, improve the quality of investigations, minimize delays in investigations of crime against women and to undertake gender sensitization of the police personnel. These advisories specifically direct the States/UTs that "cases should be thoroughly investigated and chargesheets against the accused persons should be filed within three months from the date of occurrence, without compromising on the quality of investigation. Speedy investigation should be conducted in heinous crimes like rape, murder etc. The medical examination of rape victims should be conducted without delay.

Ministry of Home Affairs has issued Advisories dated 23rd May, 2016 on "The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015", dated 1st April, 2010 on "Measures needed to curb crime against Scheduled Castes/ Scheduled Tribes" and dated 3rd February, 2005 on "Need for effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989" which are available at

[http://mha.nic.in/sites/upload_files/mha/files/Advisory23052016_improve.](http://mha.nic.in/sites/upload_files/mha/files/Advisory23052016_improve.pdf)

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