

AJAY BHALLA, IAS



गृह सचिव
Home Secretary
भारत सरकार
Government of India
North Block,
New Delhi

D.O. No.25017/14/2018-WS-III

10th September, 2019

Dear Chief Secretary,

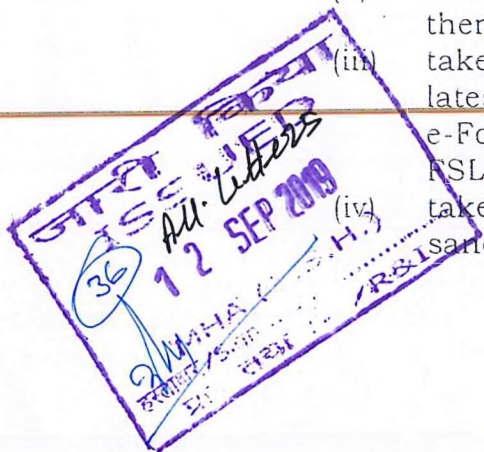
As you are aware, safety of women is a priority for the Government. The Central Government had enacted the Criminal Law (Amendment) Act 2018, which, inter-alia mandates death penalty for offence of rape of women below 12 years of age; and completion of investigation and trials within two months in all rape cases. You would agree that State Forensic Science Laboratories (FSLs) play important role and assist the investigating officer to complete investigation in the specified time frame. Therefore, strengthening of FSLs is critical to the delivery of justice in rape cases as well as in other crimes. Strengthening of FSLs has also been emphasized by the Supreme Court in its various judgments, especially in the context of timely investigation and speedy trials in criminal cases.

2. For augmenting FSLs capacities, the Ministry of Home Affairs (MHA) has provided following assistance:

- (i) Rs.105.90 crore has been provided under the scheme for Modernization of Police Forces in 2019-20 for modernization of FSLs.
- (ii) Rs.131.09 crore has been sanctioned for special projects for strengthening the DNA Analysis Unit, Cyber Forensic Unit and other related activities in FSLs under the Nirbhaya Fund in 13 States/UT for 2018-21.
- (iii) Rs.93.76 crore has already been released to States/UTs for developing Cyber Forensic Laboratories for training and capacity augmentation.

3. Considering the important role being played by FSLs in crime investigation, you are requested to:

- (i) review the capacities of existing FSL facilities in your State/UT;
- (ii) identify gaps in the FSL facilities in your State/UT and address them so as to reduce pendency;
- (iii) take action for modernization of FSLs, including provision of latest forensic equipment and trained manpower, deployment of e-Forensics, and other measures for enhancing capacities of FSLs.
- (iv) take requisite steps to ensure timely utilization of funds sanctioned in this regard by the Central Government.




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4. Further, it is equally imperative to ensure that the opinion of forensic experts is seen as unbiased scientific opinion and independent of the controls of investigation agencies. You may be aware that the National Human Rights Commission (Malimath Committee) in its Report "*State-of-the-Art Forensic Science: For better Criminal Justice*", recommended that every State should establish 'Forensic Science Organization' as an autonomous body under the Home Department of the State. In view of the above, you are requested to consider reporting of State FSLs directly to the Home Department in your State/UT. Some States/UTs are already doing it. This will ensure FSLs to maintain their operational independence.

5. May I request you for early and effective action in this regard. Your response would be deeply appreciated.

With regards,

Yours sincerely,


(Ajay Bhalla)

To
Shri Chetan B. Sanghi, IAS
Chief Secretary
Andaman & Nicobar Administration Secretariat,
Port Blair

OK