

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:532
ANSWERED ON:24.02.2009
ATROCITIES AGAINST WOMEN
Ajaya Kumar Shri S.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any proposal to depute special police officials to probe cases of atrocities against women;
- (b) if so, the details thereof; and
- (c) if not, details of measures to ensure expeditious investigation of cases relating to atrocities against women?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(DR. SHAKEEL AHMAD)

(a) to (c): 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. However, the Union Government has issued advisory to the State Governments from time to time to give focused attention to the prevention and control of crimes within their jurisdiction with special emphasis on prevention of atrocities against women. A copy of the consolidated advisory issued on 5th May, 2004 enumerating various steps for improving effectiveness of the machinery in tackling atrocities against women and increasing responsiveness of the law and order machinery is Annexed. The Government had constituted Sorabhjee Committee to draft a new police Act. The draft Model Police Act inter-alia provides that "Each Police Station shall have a Women and Child Protection Desk, staffed, as far as possible, by women police personnel to record complaints of crimes against women and children and to deal with the tasks relating to administration of special legislations relating to women and children". The draft model Police Act has been sent to all States for consideration as Police is a State subject.

File No. 15011/21/2004-SC/ST Cell Government of India Ministry of Home Affairs

New Delhi dated 5th May, 2004. To The Chief Secretaries,

All State Governments & Union Territory Administrations

Subject: Crime against Women-measures needed to curb-regarding.

Sir/Madam,

The Government of India have been advising the State Governments from time to time regarding the steps that need to be taken to afford a greater measure of protection to the women and in particular to prevent incidence of crimes against them. The advisories issued earlier with particular reference to the crime against women vide DO letters No. 15018/214/94-GPA. VI dated 17.4.1995, No. 24013/65/96-GPA. VI dated 12.9.1996, No. 15018/214/96-GPA. VI dated 18.3.1997, No. 24013/84/97-GPA. VI dated 6.10.97, No. 24013/50/98-GPA. VI dated 8/11.9.1998 and No. 24013/83/2001-GPA. VI dated 19/26.3.2002 may be referred to in this regard. These advisories, inter-alia, include gender sensitization of the police personnel, adopting appropriate measures for swift and salutary punishment to public servants found guilty of custodial violence against women, minimizing delays in investigations of murder, rape and torture of women and improving its quality, setting up a 'crime against women cell' in districts where they do not exist, providing adequate counseling centers and shelter homes for women who have been victimized, setting up of special women courts, and improving effectiveness of schemes developed for the welfare and rehabilitation of women who are victimized with greater emphasis on income generation to make the women more independent and self-reliant.

2. Through the aforesaid advisories, the State Governments were also requested to undertake a comprehensive review of the effectiveness of the machinery in tackling the problem of women and to take appropriate measures aimed at increasing the responsiveness of the law and order machinery. No doubt, some State Governments have taken some measures in this regard, however, the inputs regarding crime against women available with this Ministry indicate that these measures need to be strengthened further, so that the women folk feel secure, enjoy their human rights and live their life with dignity and respect that they deserve.

3. The National Commission for Women has been undertaking visits to various States to review the status of women and has also been conducting its own investigations in certain cases of serious incidents of crime against women. The Commission has been making available findings of their inquiry to the concerned State Governments as well as to this Ministry. The reports of the inquiries conducted by the Commission in these specific incidents indicate that the level of sensitiveness and care with which crime against women should be handled is not up to the desired level. The Commission has pointed out laxity and insensitiveness on the part of

certain police officials in some specific cases. The Commission has observed that filing of FIRs even in heinous cases continues to be a problem. Some critical observations & recommendations made by the National Commission of Women in its various reports of investigations into major incidents of crime against women are annexed herewith.

4. The Government of India is deeply concerned with this trend and ground situation and would therefore reemphasize that urgent action should be taken on the following:-

(i) Crime prone areas should be identified and a mechanism be put in place to monitor infractions in schools/colleges for ensuring safety and security of female students. Women police officers in adequate number fully equipped with policing infrastructure may be posted in such areas.

(ii) There should be no delay whatsoever in registration of FIR in all cases of crime against women.

(iii) All out efforts should be made to apprehend all the accused named in the FIR immediately so as to generate confidence in the victims and their family members.

(iv) Cases should be thoroughly investigated and charge sheets against the accused persons should be filed within three months from the date of occurrence, without compromising on the quality of investigation. The medical examination of rape victims should be conducted without delay.

(v) Help-line numbers of the crime against women cells should be exhibited prominently in hospitals/schools/colleges premises, and in other suitable places.

(vi) Women police cells in the police stations and exclusive women police stations should be set up as needed.

(vii) Police officials charged with the responsibility of protecting women should be sensitized adequately.

(viii) Police personnel should be trained adequately in special laws dealing with atrocities against women. Enforcement aspect should be emphasized adequately so as to streamline it.

(ix) Women police officials in the State Police Force should be recruited widely.

(x) Close coordination between the police and the NGOs dealing with the interests of women may be ensured.

(xi) The local police should arrange for patrolling in the affected areas and more especially in the locality of the weaker sections of the society. Periodic visits by DM & SP will create a sense of safety and security among these sections of the people.

(xii) Through counseling through professional counselors is required for victims as well as her family to overcome the trauma of the crime.

(xiii) The effectiveness of schemes developed for welfare and rehabilitation of women who have been victimized should be improved.

5. It is requested that action taken in this regard may be reviewed by the State Governments and UT Administrations and a report indicating the present status sent to this Ministry within a month.

6. The receipt of this letter may kindly be acknowledged immediately.

Yours faithfully, Sd/ (A.K. SRIVASTAVA) Joint Secretary (CS)