

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:261

ANSWERED ON:16.03.2010

CRIME AGAINST WOMEN

Kaswan Shri Ram Singh;Majumdar Shri Prasanta Kumar

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether several cases of dowry deaths, and other crimes against women have been reported in the country in the recent past;
- (b) if so, the details thereof;
- (c) whether the Supreme Court in a recent judgment has observed that the convicts in cases of bride burning should be awarded capital punishment;
- (d) if so, the details thereof and the reaction of the Government thereto; and
- (e) the steps taken by the Government for strengthening the laws concerning crimes against women including those in their matrimonial homes and make them more deterrent?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(SHRI AJAY MAKEN)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.261 FOR 16.03.2010

(a) & (b): The detailed information regarding dowry deaths and other crimes against women, as obtained from the National Crime Records Bureau, during the last three years 2006, 2007 and 2008 is placed at Annexure-I and Annexure-II respectively.

(c) and (d): The Supreme Court of India in Civil Appeal No. 206 of 2003 decided on 10.01.2006 [Appellants: Union of India (UOI) and Ors. Vs. Respondent: Devendra Nath Rai] reiterated its earlier guidelines that death sentence must be awarded in exceptional circumstances which, inter-alia, include cases of 'bride burning' or 'dowry deaths' or when murder is committed in order to remarry for the sake of extracting dowry once again, or to marry another woman on account of infatuation. The relevant extract of the judgement is at Annexure-III.

(e): As per Seventh Schedule, 'Police' and 'Public Order' are State subjects under the Constitution, and as such the primary responsibility of prevention detection, registration, investigation and prosecution of crimes, including crimes against women, lies with the State Governments. However, the Union Government attaches highest importance to the matter of prevention of crime against women and has enacted various legislations such as the Protection of Women from Domestic Violence Act, 2005, section 498A of the Indian Penal Code and the recent amendments carried out in the Code of Criminal Procedure (CrPC) under the Code of Criminal Procedure (Amendment) Act, 2008 which has been notified on 31st December, 2009. The main amendments inter-alia, include -

(i) All rape cases shall be tried in the court of a woman judge as far as practicable (section 26).

(ii) In camera trial of sexual offence cases shall be conducted as far as practicable by a woman judge (section 327).

(iii) In order to prevent trials in rape cases from being unduly delayed, the inquiry or trial in such cases shall, as far as possible, to be completed within a period of two months from the date of commencement of the examination of witness (section 309).

(iv) In an offence of rape, the recording of the statement of the victim shall be conducted at the residence of the victim or in place of her choice and as far as practicable by a woman police officer in the presence of her parents or guardian or near relatives or social worker of the locality (section 157).