

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1585
ANSWERED ON:03.08.2010
COMMUNAL VIOLENCE BILL
Owaisi Shri Asaduddin

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the present status of 'The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005';
- (b) the salient features of the Bill alongwith the reasons for pendency;and
- (c) the time by which the Bill is likely to be enacted?

Answer

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

(a) to (c): A statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) to (c) OF LOK SABHA UNSTARRED QUESTION NO. 1585 FOR 3.8.2010 REGARDING COMMUNAL VIOLENCE BILL

(a): The Bill titled 'The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005' was introduced in the Rajya Sabha on 5.12.2005 and was referred to the Department-related Parliamentary Standing committee on Home Affairs. The committee submitted its report on 13.12.2006 to the Parliament. After necessary inter-Ministerial consultations, and the Government decision thereon, notices were given in March, 2007, December 2008, February 2009, December 2009 and again in February 2010 in the Rajya Sabha for consideration and passing of the Bill. The Bill could not be taken up for consideration on these occasions.

(b): The salient features of this Bill are as under:-

- (i) Provides for declaration of certain areas as communally disturbed areas by the State Governments;
- (ii) Measures for prevention of acts leading to communal violence;
- (iii) Enhanced punishments for offences relating to communal violence and for certain other offences;
- (iv) Provides for speedy investigation and trial of offences through Special Courts;
- (v) Institutional arrangements for relief and rehabilitation measures for victims of communal violence;
- (vi) Provides for compensation to the victims of communal violence and provide for special powers to the Central Government in certain cases;
- (vii) Constitution of a National Communal Disturbance Relief and Rehabilitation Council, State Communal Disturbance Relief and Rehabilitation Council and District Communal Disturbance Relief and Rehabilitation Council; and
- (viii) Prohibits any discrimination in providing compensation and relief to the victims of communal violence on grounds of sex, caste, community or religion.

(c): In recent times, a number of recommendations/ suggestions regarding the aforesaid Bill from various civil society groups and stakeholders were received in this Ministry through Ministry of Law & Justice. These recommendations/ suggestions have been examined in this Ministry in consultation with Ministry of Law & Justice. Subsequently, the National Advisory Council (NAC) in its meeting held on 14.7.2010 has, inter alia, expressed the opinion that there is a need to draft a fresh law on the subject. The opinion of the NAC is under examination in the Ministry. In view of the facts stated above, it is not possible to lay down a definite time frame for the introduction or enactment of the aforesaid Bill.