

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:133

ANSWERED ON:09.08.2011

COMMUNAL VIOLENCE BILL

Adhalrao Patil Shri Shivaji;Owaisi Shri Asaduddin

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the draft of 'The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005' has been finalised by the Union Government;
- (b) if so, the details and salient features thereof;
- (c) whether grievances/representations made by certain religious organisations were taken into consideration, before finalising the Bill; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

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

STATEMENT IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 133 FOR 09.08.2011

(a) & (b): 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's 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.

The salient features of this Bill include:

- (i) Provision 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 punishment for offences relating to communal violence and for certain other offences;
- (iv) Provision for speedy investigation and trial of offences through Special Courts;
- (v) Institutional arrangements for relief and rehabilitation measures for victims of communal violence;
- (vi) Provision for compensation to the victims of communal violence and provision 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) Prohibition of any discrimination in providing compensation and relief to the victims of communal violence on grounds of sex, caste, community or religion.

(c) to (d): A number of recommendations/suggestions regarding the Bill from various civil society groups and stakeholders, including religious organizations, were received in this Ministry. These recommendations/suggestions were examined in consultation with Ministry of Law & Justice.

The National Advisory Council (NAC) in its meeting held on 14.7.2010 expressed the opinion that there was a need to draft a fresh law on the subject. Subsequently, on 25.7.2011, the NAC has sent a draft Bill titled 'Prevention of Communal and Targeted Violence (Access to Justice & Reparations) Bill, 2011' to this Ministry for consideration.