

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2161

ANSWERED ON:27.03.2012

SUPREME COURT GUIDELINES ON ATROCITIES AGAINST WOMEN

Gowda Shri D.B. Chandre

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court or any High Court have laid down guidelines regarding revealing of the identity of women who are victims of rape or other atrocities, etc.;
- (b) if so, the details thereof;
- (c) whether these guidelines have been violated in some States particularly in Uttar Pradesh;
- (d) if so, the details thereof; and
- (e) the action taken by the Union Government to ensure that the State Governments strictly adhere to the said guidelines?

Answer

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

(a) to (e): Supreme Court in a Judgment on Delhi Domestic Working women's Forum vs Union of India dated 19.10.1994 have directed that in all rape trials anonymity of the victims must be maintained as far as necessary.

Some instances have been reported where inadvertent mistakes on part of State Police has lead to divulgence of identity of rape victims.

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 and Union Territory Administrations. However, the Union Government attaches highest importance to the matter of prevention and control of crime against women. Ministry of Home Affairs has sent a detailed advisory dated 4th September, 2009 to all State Governments/UTs, wherein they have been, inter-alia, advised to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, improve the quality of investigations, minimize delays in investigations of crime against women, set up 'Crime against Women Cells' in districts, advised to undertake gender sensitization of the police personnel, special women courts and initiate steps for security of women working in night shifts at call centres. Majority of the States/ UTs have established 'women Cells'. Some States/UTs have also set up 'All Women Police stations' at district level and 'Mahila / children help desk' at police station level.

Ministry of Home affairs in a separate comprehensive advisory on Media Policy of Police in March 2010 has advised States / UTs to scrupulously adhere to guidelines while dealing with the media Point 2 (V) specifically advises for meticulous compliance with the legal provisions and court guidelines regarding protection of the identity of juveniles and rape victims and under no circumstances should the identity of juveniles and victims in rape cases be disclosed to the media.