

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:849

ANSWERED ON:14.08.2012

KHAP PANCHAYATS

Rajesh Shri M. B.;Sainuji Shri Kowase Marotrao

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court has delivered any judgement on khap panchayats and honour killings;
- (b) if so, the details thereof and the action taken by the Central and State Governments in this regard;
- (c) whether the Supreme Court has directed the Government to immediately suspend and chargesheet officials who fail to act against castiest violence and initiate departmental proceedings against them;
- (d) if so, the number of officials suspended, chargesheeted and officials against whom departmental inquiries have been initiated; and
- (e) the details of advisories issued by the Central Government to the State Governments regarding ban on khap panchayat?

Answer

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

(a) to (e) Supreme Court has delivered several judgments condemning Khap Panchayats and Honour Killings. These are ;

(i) Arumugam Servai versus State of Tamil Nadu (Criminal Appeal No. 958 of 2011) dated 19th April 2011.

(ii) Criminal Appeal No. 1117 of 2011 @ SLP (Crl)No. 1208 of 2011 dated 9th May 2011 in the case of Bhagwan Dass Vs State (NCT) of Delhi

(iii) Hon'ble Supreme Court in Writ Petition (Criminal) 208 of 2004 in Lata Singh's case (supra) Supreme Court in its judgment in the Arumugam Servai versus State of Tamil Nadu (Criminal Appeal No. 958 of 2011) has directed the State Government to immediately suspend and chargesheet the District Magistrate/Collector and SSP/ SPs of the district as well as other officials concerned who fail to act against castiest violence.

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 Governments/Union Territory Administrations. However, Government of India is deeply concerned with the welfare of women and through various schemes and advisories to the State Governments/Union Territory Administrations, augments the efforts of the States /UTs.

Ministry of Home Affairs has issued a detailed advisory on crime against women dated 4th Sept, 2009, to all the State/Union Territory Governments wherein the States have been directed to conduct a comprehensive review of the effectiveness of its law and order machinery in tackling the problem of violence against women and to take appropriate measures aimed at increasing its responsiveness to such violence. Para XXX of the advisory specifically advises to take Special steps should also be taken to curb the 'Violation of Women's Rights by so called Honour Killings, to prevent forced marriage in some northern States, and other forms of Violence'.

Ministry of Home Affairs MHA has also circulated the Judgments of Hon'ble Suprme Court to all the State Govts. / UT Administrations for necessary and appropriate action.