

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3692
ANSWERED ON:04.09.2012
AMENDMENT IN CRIMINAL LAW
Viswanathan Shri P.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Judiciary in its recent pronouncement has recommended castration as a mode of punishment for convicted rapists;
- (b) if so, the details thereof and the reaction of the Government in this regard;
- (c) whether the Government is considering to amend the IPC as suggested by the learned judges;
- (d) whether the Government has any proposal to amend the criminal law to impose separate punishment for serial offenders for each offence instead of commuted sentence; and
- (e) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (c): In an order on the sentence dated 30.4.2011 delivered by Additional Session Judge (North-West), Rohini Courts, Delhi , in the case No. 1159/2009, the Ld. Judge has, inter alia, made observations as follows:

"â€¦,this is a crime which is required to be addressed differently and a full public debate with regard to imposition of Castration (both Surgical and Chemical) as an alternative punishment for the offence of rape and molestation is the crying need of the honour."

The above remarks are in the nature of Obiter-Dicta. They do not call for specific compliance. However, modern jurisprudence, and our Justice system follows the correctional approach rather than a policy of revenge.

(d) to (e): Presently, there is no such proposal to impose separate punishment for serial offenders for each offence instead of commuted sentence.