

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2770
ANSWERED ON:11.12.2012
LAW FOR RAPE CASES
Bhagora Shri Tarachand

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government proposes to make stringent laws that provides a rapist to be convicted for whole life;
- (b) if so, the details thereof; and
- (c) the steps taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R. P. N. SINGH)

(a) to (c): The Criminal Law (Amendment) Bill, 2012 has been introduced in the Parliament on 4th December, 2012.

The highlights of the Bill include substituting Sections 375, 376A and 376B by replacing the existing Sections 375, 376, 376A, 376B, 376C and 376D of the Indian Penal Code, 1860, replacing the word 'rape' wherever it occurs by the words 'sexual assault', to make the offence of sexual assault gender neutral, and also widening the scope of the offence sexual assault.

The punishment for sexual assault will be for a minimum of seven years, which may extend to imprisonment for life and also fine for aggravated sexual assault, i.e., by a police officer within his jurisdiction or a public servant/manager or person taking advantage of his position of authority etc. The punishment will be rigorous imprisonment which shall not be less than ten years, which may extend to life imprisonment and also fine.

The age of consent has been raised from years to 18 years in sexual assault. However, it is proposed that the sexual intercourse by a man with own wife being under sixteen years of age is not sexual assault. Provision for enhancement of punishment under sections 354 and 509 of IPC and insertion of sections 326A and 326B in the IPC for making acid attack a specific offence have been made.