

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2366

ANSWERED ON:12.03.2013

SUPREME COURT DIRECTIVE ON HONOUR KILLING AND KHAP PANCHAYAT

Adhi Sankar Shri ;Punia Shri P.L. ;Ramasubbu Shri S.;Shankar Alias Kushal Tiwari Shri Bhisma

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court has issued any directives to the Union and the State Governments regarding honour killings and khap panchayats;
- (b) if so, the details thereof and the reaction of the Union and the State Governments in this regard; and
- (c) the other measures taken by the Union and the State Governments to enact a suitable legislation to deal with khap panchayat dictated violence against couples?

Answer

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

(a)to (c): Supreme Court has delivered several judgments issuing directives and condemning Khap Panchayats and Honour Killings. Ministry of Home Affairs has circulated these Judgments of Hon'ble Supreme Court to all the State Govts. / UT Administrations for necessary and appropriate action. The judgements 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 (Cr)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)

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.

A detailed advisory, dated 04.09.2009 has been sent to all State Government / UT Administrations wherein Para 5 (XXX) of the advisory specifically advises the States / UTs to take Special steps to curb the 'Violation of Women's Rights by so called Honour Killings or prevent forced marriage in some northern States, and other forms of Violence'.

Many of the States are providing Shelter Homes and security to such couples who are threatened by 'Honour Killings'.