

Dissolution of District Panchayats in Andaman and Nicobar Islands

345. SHRI MANI SHANKAR AIYAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Lieutenant Governor of the Andaman and Nicobar Islands has recommended the dissolution of the District Panchayats in the Union Territory; and

(b) if so, the reaction of Government to this proposal?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) and (b) Yes, Sir. The Lieutenant Governor of Andaman and Nicobar Islands has recommended the dissolution of the District Panchayats in the Union Territory. However, at present, this Ministry is not considering any proposal to dissolve the District Panchayats in the Union Territory of Andaman and Nicobar Islands.

Supreme Court's notice on honour killings

346. SHRIMATI SHOBHANA BHARTIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether, in view of the growing incidents of honour killings in the country, the Supreme Court has issued notices to the Central Government and nine State Governments, asking them to furnish their stand on the issue and to explain why they have not come out with a more stringent law to curb the growing menace;

(b) the stand of Government regarding honour killings;

(c) whether Government proposes to enact a new law to curb such killings; and

(d) whether, in the light of the recent honour killings, Government has initiated any inquiry into the role of caste Panchayats across the nation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN): (a) Yes, Sir.

(b) to (c) 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 crime of honour killing and other forms of violence. Ministry of Home Affairs has sent a detailed advisory dated 4th

September, 2009 to all States/UT Governments wherein States/UTs have been advised, *inter alia*, to take comprehensive review of the effectiveness of the machinery in tackling the problem of violence against women, and to take appropriate measures to curb the 'Violation of Women's Rights by so called 'Honour Killings' and to prevent forced marriage in some States. Government is considering the necessity to amend the existing law or otherwise to enact a separate law in order to tackle honour killings.

(d) No, Sir.

Under-trials in different States

347. SHRI H.K. DUA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the total number of under-trials in different States in the country;
- (b) how many of them are still in Jails for more time than a sentence would have warranted, if convicted; and
- (c) whether Government is considering to get such cases reviewed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN): (a) As per the statistics compiled by National Crime Record Bureau (NCRB), the total number of undertrial prisoners in the country at the end of 2008 were 263218 (provisional).

(b) The Prisons being a State subject under List II of the Seventh Schedule to the Constitution of India, information relating to the number of undertrials in jails for more time than a sentence would have warranted, if convicted are not maintained centrally.

(c) With a view to decongest the prisons and reduce the under of undertrials, the Central Government has taken various legislative and administrative measures which include:

- (i) Amendment in the Code of Criminal Procedure, 1973 by inserting a new article viz. 436A which provides that where an undertrial prisoner, other than the one accused of an offence for which death has been prescribed as one of the punishments, has been under detention for a period extending to one-half of the maximum period of imprisonment provided for the alleged offence, he should be released on personal bond, with or without sureties. It also provides that in no case will an undertrial prisoner be detained beyond the maximum period of imprisonment for which he can be convicted for the alleged offence;