

in the current year, and we are continuing with it in the current year. The Finance Minister has again provided Rs.30 crore for each of the districts. I am sure the implementation of the small but very necessary developmental works will bring some relief to the people in the affected districts.

Special Courts for speedy trial of rape cases

*464. SHRI PANKAJ BORA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government proposes to set up Special Courts to ensure speedy trials and relief and rehabilitation of rape victims and victims of criminal injuries like burns and acid attack; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH) : (a) to (b) A Statement is laid on the Table of the House.

Statement

(a) to (b) At present, there is no proposal under consideration.

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 the highest importance to the matter of prevention and control of crime against women. Ministry of Home Affairs has sent a detailed advisory dated 4th September, 2009 on crimes against women to all State Governments/UTs. The advisory on women have *inter-alia*, advised State Governments to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, set up Fast Track Courts and Family Courts, improve the quality of investigations, minimize delays in investigations of crime against women, set up 'Crime against Women Cells' in districts, to undertake gender sensitization of the police personnel and set up special women courts. Majority of the States/UTs have established 'Women Cells'. Some States/UTs have also set up 'All Women Police stations' at district level and 'Mahila/children help desk' at police station level.

SHRI PANKAJ BORA : Sir, I thank the hon. Home Minister for his answer. But I have a question to ask him. In reply to my question, "whether Government proposes to set up Special Courts to ensure speedy trials..," he has stated that it's a State subject. I do agree with it. And to set up Special Courts, first of all, we need judges. We all know that we are running short of judges. As the hon. Supreme Court has observed,

there should be 50 judges per one million population in our democracy. We have 15. However, the Supreme Court, as late as 19th April 2012, in the case of *Brij Mohan Lal Vs. the Union of India*, had directed the Central Government and the respective States to create ten per cent of the total regular cadre of State as additional posts for district and subordinate judicial service, and the burden of fund should be shared totally between the State Governments and the Central Government under the grants of the 13th Finance Commission. In view of the observation of the Supreme Court, will the Minister take initiative in this regard?

SHRI P. CHIDAMBARAM : Sir, I have seen the judgment of the Supreme Court dated April 19, 2012 in the case of *Brij Mohan Lal versus Union of India*. Certain directions have been given to the State Governments and the Central Government. The most important direction is, “to create ten per cent of the total regular cadre of the State as additional posts within three months from today and take up the process for filling such additional vacancies as per the Higher Judicial Service and Judicial Services Rules of that State immediately thereafter”. I have no doubt that the States will implement the judgment within three months and the Supreme Court will, of course, ask for a report on the implementation. The implementation of this judgment will be done through the Ministry of Law and Justice.

SHRI PANKAJ BORA: Sir, now, I come to my second supplementary. Everybody knows that rape is a very heinous crime. If justice is delayed, justice is denied. Many a time, it is delayed because of inordinate delay in collecting evidence, conducting medical examination of the victim and collecting clothing or apparels, etc. for forensic examination. Will the Minister kindly let us know if there is any stipulated time-frame within which, after reporting of such an incident to the law enforcement authority, the medical examination of the victim should be done and the clothing or apparels, etc., should be sent for forensic examination? Is there any specific time-frame for that?

SHRI P. CHIDAMBARAM : Sir, there is no specific time-frame stipulated in any law nor can I stipulate a time-frame for the State Police to follow. But, I am sure that the State Police are fully aware of the seriousness and the gravity of such cases and they will collect forensic evidence and send it for forensic reports as early as possible. This is not a matter in which I can give directions. The State Governments, the State Cabinet, the State Ministers and the DGPs are the ones who enforce law in the States and, I am sure, they will take note of what the hon. Member says, which is a genuine grievance. In many cases, delay defeats the investigation and trial.

SHRIMATI SMRITI ZUBIN IRANI : Sir, while the hon. Minister in his response has highlighted the responsibility of the State Governments in containing crimes against women and ensuring speedy justice, I would request the hon. Minister to give his view on the fact that as on 15th March 2012, the Ministry of Women and Child Development

has not spent a penny out of the relief and rehabilitation of rape victims package of Rs.140 crore. So, I seek the view of the hon. Minister on the same.

SHRI P. CHIDAMBARAM : Sir, if that statement is correct, it is unfortunate. I shall bring it to the notice of the concerned Minister. ...*(Interruptions)*...

SHRIMATI SMRITI ZUBIN IRANI : I would just like to highlight to the hon. Minister that the view that I put forth is correct. It is available on the website of the Ministry of Women and Child Development. ...*(Interruptions)*...

MR. CHAIRMAN : Now, Dr. Seema. ...*(Interruptions)*...

DR. T.N. SEEMA : Sir, we know that the number of rape cases and other sexual assaults have increased in our country. But, at the same time, the conviction rate in rape cases has declined in the last few decades. There was a report in the newspaper based on the Government data which shows that the conviction rate in rape cases is only 26 per cent. My question is: How is the Ministry going to address this issue of declining conviction rate in rape cases?

SHRI P. CHIDAMBARAM : Sir, at the risk of repetition, I would say that these are not matters in which the Ministry can improve or better the conviction rate. Conviction rate is based upon the nature of evidence collected, the efficiency with which the prosecution is conducted, the nature of defence in each case and how the Judge takes a view. I ask myself: How does the Ministry improve the conviction rate? We are certainly impressing upon the State Governments whenever there is an opportunity that the gravity of these cases requires that the best investigators and prosecutors are put on the job and when there is a case of rape or sexual assault, every effort must be made to bring the culprits to book and punish them. But, these are matters which the State Police and the State investigators and prosecutors must pay attention to.

MR. CHAIRMAN : Shrimati Stanley.

SHRIMATI JAYA BACHCHAN : Sir,...

MR. CHAIRMAN : I can only take three questions. I can't take more than that.

श्रीमती जया बच्चन : सभापति जी, मैंने आपके सामने और सदन के सामने उस दिन मंत्री जी से एक प्रश्न किया था और उन्होंने कहा था कि इस तरह से rape cases और cases of atrocities on women में जो culprits हैं, मैं आपको लिस्ट भेजूंगी कि उनके खिलाफ क्या कार्यवाही की गई है, कैसे उनको punish किया गया है, लेकिन आज तक उस सवाल का जवाब नहीं आया, आज तक वह लिस्ट मेरे पास नहीं आई। मैं आपके सामने यह complaint दर्ज करती हूँ कि सारे हाउस के सामने मंत्री महोदया ने यह वादा किया था ...*(व्यवधान)*...

MR. CHAIRMAN : If a reply has not been sent....

SHRI P. CHIDAMBARAM : Sir, did she ask me or the Minister of Women and Child Development? Did I give the statement or the Minister of Women and Child Development?

SHRIMATI JAYA BACHCHAN : The Minister of Women and Child Development.

SHRIMATI VASANTHI STANLEY : Mr. Chairman, Sir, through you, I would like to know from the hon. Minister regarding the increase in number of rape victims. They need immediate assistance and rehabilitation. The National Commission for Women has come out with many recommendations on this issue, including immediate assistance of Rs. 20,000 within 15 days of the report. I would like to know: Has there been any follow up action taken on the recommendations by the National Commission for Women on this issue?

SHRI P. CHIDAMBARAM : Sir, with due respect, I would like to say that this question should be put to the Minister of Women and Child Development. She must be examining this report and she will have the answer. ...(*Interruptions*)...

SHRIMATI JAYA BACHCHAN : Sir, the women in this country are suffering today because this is the kind of answer we get from one of the senior-most Ministers. There was a report in the newspapers yesterday that three women were burnt in Delhi.

MR. CHAIRMAN : Please sit down.

SHRIMATI JAYA BACHCHAN : It is their Government which is in power in Delhi. Sir, it was headline news. I want an answer. Just because it is a women's issue, he can't say that it is not my Department. I am sorry.

MR. CHAIRMAN: We go to question 465.

Targets set to achieve objective of slum free India

*465. SHRIMATI NAZNIN FARUQUE : Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

(a) whether it is a fact that Government has set physical and financial targets, for the next four years to achieve the objective of slum free India by 2013-14;

(b) if so, the State-wise and year-wise details thereof especially in North East States;

(c) the achievement made so far and if there are shortfalls, the reasons therefor; and

(d) the details of corrective measures taken in this regard?