

Muslim youths as undertrial prisoner

1782. SHRI PRASANTA CHATTERJEE: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether scores of Muslim youths are in jail as undertrial prisoner in terrorism related cases; and
- (b) if so, the details of the undertrial prisoners?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH): (a) and (b) No such data is Centrally maintained as "Law & Order" and "Prisons" are State subject as per the 7th Schedule of the Constitution of India. However, after the formation of the National Investigation Agency (NIA) in 2009 for investigating cases pertaining to terrorism, 52 cases of terrorism and extremism have been assigned to NIA. In these cases, 325 persons are chargesheeted undertrial accused, out of which 195 persons are Muslims, 117 persons are Hindus and 13 belong to other religions.

Soft stand of Government on offenders of heinous crimes

1783. DR. BHARATKUMAR RAUT: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government is all set to pass the legislation for the rape crimes and the women violence in the light of recent recommendations of the Justice Verma Committee to prevent crimes against women;
- (b) whether it is a fact that the proclamation of the ordinance in this connection is not sufficient and denies many recommendations of Justice Verma to amend the Criminal Procedure Code and the Armed Forces Special Powers Act; and
- (c) the reasons behind the soft stand taken by Government for the offenders of such heinous crimes?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) to (c) Government has already promulgated the Criminal Law (Amendment) Ordinance, 2013 on 3.2.2013 to provide for more stringent punishment for cases of sexual assault. The enhanced punishments for offence of sexual assault under sub-section (1) and (2) of section 376, section 376A, section 376B, section 376C, section 376D and section 376E of

Indian Penal Code in the Ordinance range from a minimum punishment of 7 years, extendable to life imprisonment which will mean imprisonment for the rest of that person's natural life or to death. Justice J.S. Verma Committee recommended amendments in the Indian Penal Code, the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872. Most of the amendments proposed by Justice Verma Committee has been incorporated in the Criminal Law (Amendment) Ordinance, 2013.

Justice J.S. Verma Committee in its report also recommended the following:

"The following amendment shall be made to Section 6 of the Armed Forces (Special Powers) Act, 1958:

No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act.

Provided that, no sanction shall be required if the person has been accused of committing an offence under Section 354, Section 354A, Section 354B, Section 354C, Section 376(1), Section 376(2), Section 376(3), Section 376A, Section 376B, Section 376C, Section 376D or Section 376E of the Indian Penal Code, 1860."

Section 6 of the Armed Forces (Special Powers) Act, 1958 gives protection to the armed forces personnel with respect to the acts done or purported to be done in exercise of the powers conferred under the Act. The Act does not mandate requirement of sanction for prosecution of any security personnel who is alleged to have committed an offence/sexual assault and hence the amendment to section 6 of the Armed Forces (Special Powers), Act, 1958 is not necessary.

Blasts in Hyderabad

†1784. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether many people lost their lives and many were injured due to the recent bomb blasts in Hyderabad;

(b) whether any facts/evidences have been found during the investigation of the said bomb blasts till date;

†Original notice of the question was received in Hindi.