

Misbehaviour with African women in Delhi

2279. DR. BHARATKUMAR RAUT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether some African women gave statement before a Magistrate accusing of misbehaviour and assault by a Minister of Delhi Government and his supporters in the midnight of January 15-16 at Khirki Extension in Malaviya Nagar, New Delhi;

(b) whether these Ugandan nationals were allegedly forced by the said Minister to undergo medical tests at AIIMS and police officers were forced to arrest them on the charge of running drug and sex rackets;

(c) whether any FIR has been lodged by the police and if so, the details of the accused; and

(d) the action Delhi Police has taken/proposes to take in this case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) to (d) On the complaint of one Ugandan woman, a case *vide* FIR No. 76/14 dated 19.1.2014 u/s 153A/323/354/506/ 509/ 452/427/ 147/149 IPC, P.S. Malviya Nagar, New Delhi has been registered against unknown persons, on the direction of Hon'ble Court u/s 156(3) Cr. PC.

Guidelines regarding clemency to death row convicts

2280. DR. CHANDAN MITRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there are any guidelines to regulate grant of clemency to death row convicts under Article 72;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the steps taken by Government to have a transparent procedure based on objectively verified parameters while examining and recommending such cases of clemency?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) to (d) No specific guidelines can be framed for examining the mercy petitions due to vast majority of different types of cases

and varied circumstances. However, the broad guidelines generally considered while examining the mercy petitions in the Ministry of Home Affairs provide that clemency may be justified on the following grounds.

- i. Personality of the accused (such as age, sex or mental deficiency) or the circumstances of the case (such as provocation or other similar justification).
- ii. Cases in which the Appellate court has expressed its doubt as to the reliability of the evidence and has nevertheless decided on conviction.
- iii. Cases where it is alleged that fresh evidence is obtainable mainly with a view to seeing whether fresh enquiry is justified.
- iv. Where the High Court has reversed on appeal an acquittal by a Session Judge or has on appeal enhanced the sentence.
- v. Difference of opinion in a Bench of two Judges necessitating reference to the third Judge of the High Court.
- vi. Consideration of evidence in fixation of responsibility in gang murder cases.
- vii. Long delays in the investigations and trial etc.

The Government has always adopted a uniform and transparent procedure in dealing with mercy petition cases under Article 72 of the Constitution.

Gun manufacturing unit in deep forests run by Maoists

2281. SHRIMATI SMRITI ZUBIN IRANI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that our security forces had unearthed a gun manufacturing unit deep into the forests of Jharkhand which was being run by Maoists as reported in a prominent English Newspaper on 2 January, 2014;

(b) if so, the details thereof mentioning the products found there and arrests made;

(c) whether the security forces had unearthed any such units throughout the country in the years 2012 and 2013; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH): (a) and (b) 'The Indian Express' dated 02.01.2014 reported unearthing of a gun