GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
STARRED QUESTION NO.*244
TO BE ANSWERED ON 18.03.2021

CRIME AGAINST CHILDREN AND WOMEN

*244. SHRI P. WILSON:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to:

(a) whether Government has conducted any survey on increase in atrocities on children and women across the country, especially in Tamil Nadu;

(b) if so, the details thereof and the manner in which the National Commission for Women dealt with the same; and

(c) the details of the steps taken by Government to improve the safety of children and women across the country, especially in Tamil Nadu?

ANSWER

MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

A Statement is laid on the Table of the House.

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Statement referred to in reply to Rajya Sabha Starred Question No.*244 for answer on 18.03.2021 raised by Shri P. Wilson regarding 'Crime against children and women'.

(a) The National Crime Records Bureau (NCRB) collects and processes crime statistics including the crimes against women and children at the National level including Tamil Nadu.

(b) As informed by National Commission for Women (NCW), complaints are received by NCW from all over the country. The Commission broadly takes the following actions on the complaints registered:

(i) Complaints are taken up with the respondents for their written submission by issuing letters/ notices;
(ii) Complaints are taken up with the authorities concerned seeking Action Taken Reports;
(iii) whenever required, the Commission also constitutes Inquiry Committees.

(c) The Government of India has legislated various child centric Acts such as the Commissions for Protection of Child Rights Act (CPCR) 2005, Protection of Children from Sexual Offences (POCSO) Act, 2012 and the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) for protection and promotion of child rights.

While the JJ Act, 2015 ensures the safety, security, dignity and well-being of children, the POCSO Act, 2012 is a comprehensive law that provides protection to children from the offences of sexual assault, sexual harassment and pornography. The Government reviewed the POCSO Act, 2012 in the year 2019 in the light of the rise of incidences of child sexual abuse in the country inter-alia. Accordingly, the POCSO Act, 2012 was amended in 2019 in order to make it more effective in dealing with cases of child sex abuse. It addressed the need for stringent measures to deter child sex abuse in the Country on one hand and the menace of relatively new kind of crimes on the other hand. The CPCR Act, 2005 mandates establishment of National and State Commissions for protection of Child Rights in every State/UT for monitoring the best interest of Child.

With regard to cases of sexual assault and violence against women, the Government has taken a number of initiatives for its prevention and speedy investigation. These include legislations such as 'The Criminal Law (Amendment) Act, 2018', 'The Criminal Law (Amendment) Act, 2013', 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013', 'The Protection of Women from Domestic Violence Act, 2006', 'The Dowry Prohibition Act, 1961', etc. The Criminal Law (Amendment) Act, 2018 was enacted to prescribe even more stringent penal provisions including death penalty for rape of a girl below the age of 12 years. The Act also inter-alia mandates completion of investigation and trials within two months each.

The above mentioned Acts have all India jurisdiction, including Tamil Nadu. Police and public order are State subjects under the Seventh schedule to the Constitution of India.

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भारत सरकार
महिला एवं बाल विकास मंत्रालय
राज्य सभा
तारांकित प्रश्न संख्या *244
दिनांक 18 मार्च, 2021 को उत्तर के लिए

बच्चों और महिलाओं के विरूद्ध अपराध

*244. श्री पी. विल्सनः

क्या महिला एवं बाल विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने देशभर में, विशेषकर तमिलनाडु में बच्चों एवं महिलाओं पर अत्याचार में वृद्धि के संबंध में कोई सर्वेक्षण कराया है;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है और राष्ट्रीय महिला आयोग इससे किस प्रकार निपट रहा है; और

(ग) देशभर में, विशेषकर तमिलनाडु में बच्चों और महिलाओं की सुरक्षा में सुधार के लिए सरकार द्वारा क्या कदम उठाए गए हैं?

उत्तर

श्रीमती स्मृति ज़ूबिन इरानी महिला एवं बाल विकास मंत्री

(क) से (ग) : विवरण सदन के पटल पर प्रस्तुत है।

'बच्चोंम और महिलाओं के विरूद्ध अपराधविषय पर श्री पी. विल्सन द्वारा दिनांक 18 मार्च, 2021 को पूछे जाने वाले राज्य सभा तारांकित प्रश्न संख्यार 244 के उत्तंर में संदर्भित विवरण

(क) : राष्ट्रीय अपराध रिकॉर्ड ब्यूरो (एनसीआरबी) तमिलनाडु सहित राष्ट्रीय स्तर पर महिलाओं एवं बच्चों के विरुद्ध अपराधों सहित अपराध सांख्यिकी एकत्र एवं प्रोसेस करता है।

(ख) : राष्ट्रीय महिला आयोग (एनसीडब्ल्यू) द्वारा प्रदान की गई सूचना के अनुसार , एनसीडब्लयू द्वारा पूरे देश से शिकायतें प्राप्त की जाती हैं। मोटे तौर पर आयोग पंजीकृत शिकायतों पर निम्नलिखित कार्रवाई करता है :

i. पत्र/नोटिस जारी करके लिखित निवेदन के लिए शिकायतों पर प्रतिवादियों के साथ कार्रवाई की जाती है;
ii. कृत कार्रवाई रिपोर्ट प्राप्त करने के लिए संबंधित प्राधिकारियों के साथ शिकायतों पर कार्रवाई की जाती है;
iii. जरूरत पड़ने पर आयोग भी जांच समितियों का गठन करता है।

(ग) : भारत सरकार द्वारा बाल अधिकारों के संरक्षण एवं संवर्धन के लिए विभिन्न बाल केंद्रित अधिनियम बनाए गए हैं जैसे कि बाल अधिकार संरक्षण आयोग (सीपीसीआर) अधिनियम 2005 , यौन अपराधों से बालकों का संरक्षण (पोक्सो)अधिनियम 2012 और किशोर न्याय (बालकों की देखरेख एवं संरक्षण) अधिनियम 2015 (जेजे अधिनियम)।

जेजे अधिनिमय 2015 बच्चों की सुरक्षा , संरक्षा, गरिमा एवं कल्याण का सुनिश्चय करता है , जबकि पोक्सो अधिनियम 2012 एक व्यापक कानून है जो यौन हमला , यौन उत्पीड़न एवं पोर्नोग्राफी के अपराधों से बच्चों को संरक्षण प्रदान करता है। सरकार ने अन्य बातों के साथ देश में बाल यौन दुर्व्यवहार की घटनाओं में वृद्धि के आलोक में वर्ष 2019 में पोक्सो अधिनियम 2012 की समीक्षा की। तदनुसार बाल यौन दुर्व्यवहार के मामलों से अधिक प्रभावी ढंग से निपटने के लिए 2019 में पोक्सो अधिनियम 2012 में संशोधन किए गए। यह एक ओर देश में बाल यौन दुर्व्यवहार के निवारण के लिए कठोर उपायों की आवश्यकता को पूरा करता है और दूसरी ओर अपेक्षाकृत नए प्रकार के अपराधों की समस्या से भी निपटता है। सीपीसीआर अधिनियम 2005 बच्चों के सर्वोत्तम हित की निगरानी के लिए प्रत्येक राज्य/संघ राज्य क्षेत्र में राष्ट्रीय एवं राज्य बाल संरक्षण आयोगों की स्थापना का अधिदेश देता है।

जहां तक महिलाओं के विरुद्ध यौन हमला एवं अपराध के मामलों का संबंध है , इसके निवारण एवं शीघ्रता से जांच के लिए सरकार द्वारा अनेक पहलें की गई हैं। इनमें आपराधिक कानून (संशोधन) अधिनियम 2018, आपराधिक कानून (संशोधन) अधिनियम 2013 , कार्य स्थल पर महिलाओं का यौन उत्पीड़न (निवारण , प्रतिषेध एवं प्रतितोष) अधिनियम 2013, घरेलू हिंसा से महिलाओं का संरक्षण अधिनिमय 2006, दहेज प्रतिषेध अधिनियम 1961 आदि जैसे कानून शामिल हैं। 12 साल से कम आयु की लड़की से बलात्कार के मामले में मृत्यु दंड सहित और कठोर दंड का प्रावधान करने के लिए आपराधिक कानून (संशोधन) अधिनियम 2018 अधिनियमित किया गया। यह अधिनियम अन्य बातों के साथ 2 माह के अंदर जांच एवं सुनवाई पूरी करने का भी अधिदेश देता है।

उपर्युक्त अधिनियम तमिलनाडु सहित पूरे भारत में लागू हैं। भारत के संविधान की 7वीं अनुसूची के तहत पुलिस एवं कानून व्यवस्था राज्य के विषय हैं।

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SHRI P. WILSON: Sir, 'one rape is reported every five hours ten minutes', says a news source in India. Last year, a woman doctor was raped and murdered in Hyderabad. In fact, the entire House stood up and demanded that stringent laws have to be brought to punish these accused. Have you amended the Indian Penal Code or brought in a special law to impose punishment like surgical castration or chemical castration of the accused who are convicted by the last court?

SHRIMATI SMRITI ZUBIN IRANI: Sir, the distinguished Member is also an erudite legal eagle. I must say here that while this House has, time and again, debated many issues with regard to women's security and has witnessed, as has been done in Parliament, that legislations have been passed with regard to death penalty for rape of a young girl. Here, I would also like to add that given the legislative powers not only of the House but also the responsibility of the Executive, we have ensured that various programmes which strengthen investigation and protection of women across States are supported. The question that the hon. Member had asked was with regard to the State of Tamil Nadu. With your permission, Sir, I would like to answer here particularly with regard to Tamil Nadu, how we have ensured that fiscal support has been provided to strengthen security for women in the State. Sir, here, I would like to highlight that 800 help desks for police stations have been provided for. We have had One Stop Centres functioning even during lockdown in 32 Districts. We have had over 3,000 calls so that women could be provided support and rescued only through One Stop Centres. The 181 Helpline, in fact, has answered over 2.5 lakh calls of women only in Tamil Nadu so that they could be supported, rescued or rehabilitated. I would also like to say that apart from legislative processes, even in terms of fiscal and administrative support, the Government of India is committed to the safety and security of women in conjunction with all State Governments. Recently, in the National Capital, we, in fact, called upon all aspirational Districts, and, particularly, 100 Districts where we had the highest crime rate against women and children, we called up every District Collector and Superintendent of Police to come, engage with us and tell us what we can do to support their endeavours.

SHRI P. WILSON: Sir, the National Commission for Women has stated that in case of victims of acid attack, compensation has not been paid to 709 out of 1,273 cases. Secondly, regarding NALSA's compensation scheme for women victims/survivors of sexual assault and other crimes, 2018, what steps is this Government taking to see that the compensation is paid within time?

SHRIMATI SMRITI ZUBIN IRANI: Sir, as was articulated by me in the previous answer, in the recent meeting as well, there was a representative of NALSA who engage with all these Districts and all State agencies to highlight wherever the State agencies feel that there is a challenge with regard to ensuring compensation is fully paid to the victims, those challenges be brought to the notice of NALSA. Apart from NALSA, even the Ministry of Home Affairs has dedicated over Rs. 200 crores only under the Victims Compensation Fund. In the month of December, I held a meeting with all the State Government Ministers and Secretaries of the Ministry of Women and Child Development in the States, to highlight that wherever we have seen that the States have not fulfilled the compensation commitment to victims. So, through NALSA, through Ministry of Home Affairs, as also in our direct conversation with State Governments, we highlight whenever these challenges are brought to our notice.

SHRIMATI VANDANA CHAVAN: Sir, we enacted certain legislations to protect our women and children. In these legislations, we have constituted several agencies. It is needless to say that without these agencies doing investigation and adjudication, we cannot meet the ends of justice. I would like to know whether the Central Government and the Ministry monitors whether there are vacancies, and, if there are vacancies, what steps and actions the Ministry takes for the appointments.

SHRIMATI SMRITI ZUBIN IRANI: Sir, as the hon. Member rightly said, once the agencies are established, there is a need to monitor. For instance, under the Nirbhaya Fund, over 1,023 fast track courts were fiscally supported, especially for those Districts where there was high incidence of crime against women, and, where adjudication was indeed needed to be escalated, or, for that matter, processes had to be fastened. Sir, I must say that apart from providing fiscal support to fast track courts, not only my Ministry but all other Ministries that partake in various projects under the Nirbhaya Fund, individually also engage with the said department in States to ensure that projects such as Safe City Project are undertaken properly.

Again, I would like to draw your attention to the State of Tamil Nadu, particularly, Chennai. For safety purposes, CCTV cameras were given. Today, in the city of Chennai itself, we have over 1,37,000 CCTV cameras operational with public cooperation to ensure safety of women. So, be it establishment of CCTV cameras, be it establishment of fast track courts, or, for that matter, even child protection units

in various States, or, for that matter, filling up vacancies in JJBs, we periodically take it up with the State Governments.

श्रीमती जया बच्चन : सर, मैं माननीय मंत्री जी से यह जानना चाहती हूं कि ये जो victims हैं और जो crime commit करते हैं, आप किस तरह से इन दोनों को psychologically support करने के लिए काम कर रहे हैं?

SRIMATI SMRITI ZUBIN IRANI: Sir, through you, I would like to bring to the notice of the hon. Member that last year itself, in collaboration with NIMHANS, we set up a project called SAMVAD, which began as a project to provide support to children who are in need of mental health support. In fact, in the past six months, NIMHANS has trained 41,000 duty holders across the country. Our endeavour was to ensure that teachers, or for that matter, those who serve in child care institutions, or for that matter, who are in JJBs, and need that kind of training, can be upscaled and supported. NIMHANS has recently declared in the District level meeting, that I have just spoken about, that even if a particular District needs customization of mental health programme and care for women, they are happy to do that as well because in many Districts, language tends to become a big challenge. Additionally, I may want to add here that in the next two-three days, we are holding a meeting with all One Stop Crisis Centres in our country, and we are ensuring that each One Stop Crisis Centre engages with NIMHANS to provide mental health care support to women victims who reach out to us. There has also been another endeavour. My colleague, Jaishankar ji, is here from the MEA. He was kind enough to accept our proposal that women who go overseas as well need a particular Help Desk if they are ever in distress. The MEA has also supported that request of ours. And under Nirbhaya Fund, MEA will also help establish helplines for women in nations abroad so that Indian women are a phone call away from the Indian Embassy.

श्री शमशेर सिंह ढुलो: उपसभापति महोदय, माननीय मंत्री जी ने जो जवाब दिया है - तमिलनाडु के संबंध में जो क्वेश्चन था - कितना सर्वे हुआ, कितने क्राइम हुए, तमिलनाडु में और देश में भी - क्योंकि children और women के खिलाफ डिफ्रेन्ट टाइप के क्राइम्स होते हैं। मैं जानना चाहता हूं कि उसका क्या डेटा है, कितने केसेज़ पेंडिग हैं, कितने केसेज़ में सज़ा हुई है और उनमें स्पीडी जस्टिस देने के लिए क्या प्रबंध किए जा रहे हैं?

SHRIMATI SMRITI ZUBIN IRANI: Sir, since the Member would like to have details, let me here highlight that through our women helplines, we have helped in the State of Tamil Nadu, as has been referred to us by the State of Tamil Nadu, over two-and-a-

half-lakh women, and over 14,749 cases have been registered. There are 28 working women hostels in 18 Districts where women find shelter. There are over 32 One Stop Centres, as I had said earlier, where 10,519 cases came to the fore in the State of Tamil Nadu from 2018 up to February, 2021. There are 35 Short Stay Homes for women where women who have been deserted or trafficked can find Government support. Also, there has been a scheme called Ujjawala under which trafficked women get support from the Government so that they can be rehabilitated and reintegrated back with their families or society as they so desire. Over 1328 women have received support in that. Sir, the Member also sought numbers with regard to rescue and support to children in Operation Smile in the State of Tamil Nadu. Children who have been begging on the streets, children who are forced into child marriages, children who have been missing, from the 1st of February up to 15th of February, 2021, we have had over 2109 children rescued. Additionally, Tamil Nadu, as has informed us, has formed 32 Child Protection Committees in its State Districts. And 385 Child Protection Committees have been formed in blocks and over 12579 Committees have been formed in villages because of which 1483 child marriages have been prevented. Sexual abuse crimes under POCSO have been registered for 1733 children. 270 children have been rescued from beggary; over 692 children have been rescued from child labour and over 1117 children who had been missing have been found and reintegrated back with their families.

MR. DEPUTY CHAIRMAN: Q. No. 245.