

Law Commission's concern over misuse of POTA

824. DR. AKHILESH DAS: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Law Commission of India has called upon Government to take steps to provide safeguards to prevent misuse of the Prevention of Terrorism Act; and

(b) if so, details thereof, indicating the context and background in which the recommendation has been made?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) The Prevention of Terrorism Act, 2002 has the necessary in-built safeguards to prevent misuse of the powers contained therein. These provisions were incorporated in the Act after duly taking into account the recommendations of the Law Commission at that time. After the enactment of the Prevention of Terrorism Act, 2002, the Law Commission has not made any recommendation or report in this regard.

Rape of minor girl

825. SHRIMATI KAMLA MANHAR : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news-item "Police treads warily in minor rape case" appearing in the media;

(b) if so, what action has been taken against the culprit and the hospital authorities for raping minor girl in the vicinity of the hospital;

(c) whether it is a fact that former Police Commissioner intervened and tried to hush up the case by influencing the police officials; and

(d) if so, what action Government have taken or propose to take against the former police Commissioner/official for protecting the criminals in the case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Yes, Sir.

(b) On the basis of the complaint lodged by the victim, a criminal case under relevant sections of law was registered the same day. The

place of incident was inspected and the victim got medically examined. The accused was also got medically examined on the following day after his arrest.

(c) No, Sir.

(d) Does not arise.

Compulsory registration of marriages

826. DR. ALLADI P. RAJKUMAR: Will the Minister of HOME AFFAIRS be pleased to refer to answer to Unstarred Question 2214 given in the Rajya Sabha on the 12 March, 2003 and state:

(a) whether the Supreme Court recently suggested to enact legislation for compulsory registration of marriages in the country to prevent menace of child marriage; and

(b) if so, the action taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SWAMI CHINMAYANAND): (a) No such recent suggestion/decision of the Supreme Court has been brought to our notice.

(b) Question does not arise in view of reply to part (a) above.

Prosecution of women for adultery

827. SHRI AMAR SINGH:

SHRI ABU ASIM AZMI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Justice Malimath Committee on reforming the criminal justice system has recommended that women should be prosecuted for committing adultery;

(b) if so, the details thereof; and

(c) Government's reaction in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI L.D. SWAMI): (a) to (c) The Malimath Committee on Reforms of Criminal Justice System in its Report has, *inter alia*, recommended to make section 497 of the Indian Penal Code, 1860 which is regarding offence of adultery, as gender neutral.