

**Bill No. VIII of 2024**

THE NATIONAL COMMISSION FOR PROTECTION FROM  
HONOUR CRIME BILL, 2024

A

BILL

*to provide for protection from honour crime by establishing a National Commission for  
Protection from Honour Crime and prescribing punishments for honour crime  
and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

5 1. (1) This Act may be called the National Commission for Protection from Honour  
Crime Act, 2024.

Short title and  
commencement.

(2) It shall come into force on such date as the Central Government may, by  
notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires—

Definitions.

10 (a) “aggrieved person” means any person against whom an honour crime is  
committed;

- (b) “appropriate Government” means in the case of a State, the Government of that State; in the case of a Union Territory, the Union Territory Administration and in all other cases, the Central Government;
- (c) “citizen” means any Indian citizen;
- (d) “Commission” means the National Commission for Protection from Honour Crime, constituted under section 11 of the Act; 5
- (e) “economic abuse” includes deprivation of all or any economic or financial resources to which the aggrieved person(s) is entitled under any law or custom whether payable under an order of a court or otherwise;
- (f) “honour crime” means the crime defined under section 3 of the Act; 10
- (g) “physical abuse” means any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the aggrieved person(s) and includes assault, criminal intimidation and criminal force;
- (h) “prescribed” means prescribed by rules made under this Act. 15
- (i) “sexual abuse” means any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of a woman;
- (j) “verbal and emotional abuse” includes—
- (i) insults, ridicule, humiliation, name calling and insults or ridicule specially with regard to not having a child or a male child; and 20
- (ii) repeated threats to cause physical pain to any person in whom the aggrieved person is interested.

## CHAPTER II

### OFFENCE OF HONOUR CRIME AND PUNISHMENTS

- Honour crime      **3.** (1) Any person or several persons in furtherance of common intention, who indulges in or incites acts of violence against any person or persons, who has gone against or hurt the sentiments of religious, cultural or societal norms being followed by them, shall be guilty of the offence of honour crime. 25
- (2) The acts of violence referred to in sub-section (1) may include the following:
- (a) doing any such act which causes death of the aggrieved person(s); 30
- (b) attempting any such act which may cause death of the aggrieved person(s);
- (c) abetting in any such act which may cause death of the aggrieved person(s);
- (d) conspiring to do any such act which may cause death of the aggrieved person(s);
- (e) destroying or causing to destroy evidence relating to honour crime; 35

- (f) causing or attempting to cause disruption of any of the functions of the Commission.

*Explanation:* For the purposes of this section, “act” means,-

- 5 (a) harming or injuring or endangering the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person(s) or attempting to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or
- 10 (b) harassing, harming, injuring or endangering the aggrieved person(s) with a view to coerce that person or any other person related to that person to meet any unlawful demand for any dowry or other property or valuable security; or
- (c) such act that has the effect of threatening the aggrieved person(s) or any person related to him or her by any conduct mentioned in clause (a) or (b); or
- 15 (d) otherwise injuring or causing harm, whether physical or mental, to the aggrieved person(s).

(2) Honour crime shall be a non-bailable offence under any law for the time being in force and the burden of proof shall be on the accused.

- 20 4. Whoever commits an honour crime resulting in the death of a person or persons shall be punished with death or imprisonment for life and shall also be liable to fine . Punishment for honour crime resulting in death.
- 25 5. Whoever does any act of honour crime with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine; and if hurt is caused to any person or persons by such act, the offender shall be liable either to imprisonment for life, or to such punishment as is hereinbefore mentioned. Punishment for attempt of honour crime resulting in death.
6. Whoever abets the commission of an honour crime resulting in death of the aggrieved person(s), shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both. Punishment for abetment of honour crime resulting in death.
- 30 7. Whoever is a party to a criminal conspiracy to commit an honour crime resulting in death of the aggrieved person(s) shall be punished with imprisonment for life or rigorous imprisonment for a term which may extend to two years or upwards. Punishment for conspiracy to honour crime resulting in death.
- 35 8. Whoever secretes or destroys any document or electronic record, which he may be lawfully compelled to produce as evidence in a Court of Justice, or in any proceeding lawfully held before a public servant, as such, or obliterates or renders illegible the whole or any part of such document or electronic record with the intention of preventing the same from being produced or used as evidence before such Court or public servant as aforesaid, or after he shall have been lawfully summoned or required to produce the same for that purpose, shall be punished with imprisonment of either description for a term which may extend to 40 two years, or with fine, or with both. Punishment for destruction of evidence relating to honour crime.

Punishment for disruption of the functions of the Commission.

9. Whoever voluntarily obstructs the Commission in the discharge of its functions, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Duty of the citizens.

10. (1) Any person who is aware of an honour crime resulting in death or an attempt or conspiracy thereof should inform the Commission without expectation of payment or reward and without any duty of care or special relationship, voluntarily come forward to inform them about the same. 5

(2) If it is proved that one had knowledge of an honour crime being committed or attempt or conspiracy thereof and refused to share the same with the Commission or other concerned authorities, it would amount to abetment and shall be punishable accordingly under the provisions of this Act. 10

### CHAPTER III

#### THE NATIONAL COMMISSION FOR PROTECTION FROM HONOUR CRIME

Constitution of the National Commission for Protection from Honour Crime.

11. (1) **The Central Government shall, with effect from the appointed day, by notification in the official Gazette, constitute a body to be known as the National Commission for Protection from Honour Crime to exercise the powers conferred upon and to perform the functions as assigned to it, under this Act.** 15

(2) The head office of the Commission shall be at New Delhi.

(3) The Commission shall have the power to regulate its own procedure.

Composition of the Commission.

12. The Commission shall consist of the following to be appointed by the Central Government, in such manner as may be prescribed:- 20

(a) a person of eminence who has done outstanding work for the eradication of honour crime – Chairperson;

(b) eight Members, having knowledge and experience in dealing with issues of such severity as of honour crime; 25

Provided that at least two of the Members shall be women.

Term of office and other conditions of service of the Chairperson and Members.

13. (1) The Chairperson and Members of the Commission shall hold office for a period of five years:

Provided that no Chairperson or any other member shall hold office after he or she has attained: 30

(a) in the case of the Chairperson, the age of sixty-five years; and

(b) in the case of a Member, sixty years.

(2) **The salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members shall be such as may be prescribed by the Central Government:** 35

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or any Member, as the case may be, shall be varied to his or her disadvantage after his or her appointment.

5 **14.** (1) The Chairperson or a Member may, by writing given under his or her hand to the Central Government, resign from his or her office at any time. Resignation  
and removal.

(2) Subject to the provisions of sub-section (3), the Chairperson may be removed from his office by an order of the Central Government on the ground of proved misbehaviour or incapacity.

10 (3) Notwithstanding anything contained in sub-sections (1) and (2), the Central Government may, by order, remove from office the Chairperson or any other Member, if the Chairperson or, as the case may be, such other Member, -

(a) is adjudged an insolvent; or

(b) engages during his or her term of office in any paid employment outside the duties of his or her office; or

15 (c) refuses to act or has become physically or mentally incapable of acting in his or her official capacity; or

(d) is of unsound mind and stands so declared by a competent court; or

(e) has so abused his or her office as to render his or her continuance in office detrimental to the public interest; or

20 (f) is convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude; or

(g) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission:

25 Provided that no person shall be removed from office under sub-sections (2) and (3), unless that person has been given a reasonable opportunity of being heard in the matter.

**15.** (1) If the Chairperson or, as the case may be, a Member,--

Vacancies

(a) is removed under sub-sections (2) and (3) of section 7; or

(b) tenders his or her resignation under sub-section (1) of section 7;

his or her seat shall thereupon become vacant.

30 (2) If a vacancy occurs in the office of the Chairperson or a Member, whether by reason of his or her death, resignation or otherwise, such vacancy shall be filled within a period of ninety days by making a fresh appointment in accordance with the provisions of section 3 and the person so appointed shall hold office for the remainder of the term of office for which the Chairperson, or a Member, as the case may be, in whose place he or she is so  
35 appointed would have held that office.

Officers and staff of the Commission..

16. (1) The Commission may appoint such number of officers and staff as it may consider necessary for the efficient discharge of its functions under this Act.

(2) **The mode of recruitment, the salary and allowances payable to, and other terms and conditions of service of the officers and staff of the Commission appointed under sub-section (1) shall be such as may be prescribed.**

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#### CHAPTER IV

##### POWERS AND FUNCTIONS OF THE COMMISSION

Powers and functions of the Commission.

17. The Commission shall perform all or any of the following functions, namely:-

- (a) examine and review the safeguards provided by or under any law for the time being in force for the protection of citizens from honour crime and recommend measures for their effective implementation; 10
- (b) present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports on the working of those safeguards;
- (c) inquire into violation of human rights and recommend initiation of proceedings in such cases; 15
- (d) examine all factors that inhibit the enjoyment of rights of citizens due to religious, cultural or societal norms and recommend appropriate remedial measures;
- (e) study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on honour crime and make recommendations for their effective implementation in the best interest of citizens; 20
- (f) **undertake and promote research in the field of abolition of honour crime;**
- (g) **spread human rights literacy amongst various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, media, seminars and other available means;** 25
- (h) inquire into complaints and take suo motu notice of matters relating to,-
  - (i) deprivation and violation of human rights relating to honour crime;
  - (ii) non-implementation of laws providing for protection from honour crime;
  - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the victims of honour crime and to provide relief to such victims, 30

and take up the issues arising out of such matters with appropriate authorities; and

- (i) such other functions, as it may consider necessary, for the promotion of rights against honour crime and any other matters incidental to the above functions. 35

Inquiry by the Commission.

18. The Commission may take any of the following steps upon the completion of an inquiry held under clause (c) of section 17 of this Act, namely:-

- (i) where after inquiry, the Commission finds any violation of a serious nature of any of the provisions of this act or contravention of the provisions of any law for the time being in force, it may recommend to the appropriate Government or authority, the initiation of proceedings for prosecution or such other action, as it may deem fit, against the concerned person or persons; 40

- (ii) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;
- (iii) recommend to the appropriate Government or authority for the grant of such interim relief to the victim or the members of his or her family as it may consider necessary.

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**19.** (1) The Commission shall prepare every year, in such form and within such time as may be prescribed by the Central Government an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government.

Annual and Special Reports.

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(2) The Commission shall also from time to time, prepare and submit to the Central Government, special reports on any matter which, in its opinion, is of such urgency or importance that it should not be deferred till submission of the annual report.

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(3) The Central Government shall cause the annual and special reports of the Commission to be laid before each House of Parliament along with a memorandum of action taken or proposed to be taken on the recommendations of the Commission and the reasons for non-acceptance of the recommendations, if any, within a period of one year from the date of receipt of such report(s).

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**20. (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.**

Central Government to provide funds.

(2) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed and the accounts shall be audited by the Comptroller and Auditor General of India at such intervals as may be specified by him.

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(3) The accounts of the Commission as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

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**21.** The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Act not in derogation of any other law.

**22.** The provisions of this Act and rules made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have an overriding effect.

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**23.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty.

Power to remove difficulties.

**24. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

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(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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## STATEMENT OF OBJECTS AND REASONS

Young couples, particularly women, who go against the religious, cultural norms and/or societal norms being followed by a person or a group of persons are often subjected to various crimes like harassment, violence, sexual abuse and even murder, under the pretext of preserving honour. Recently, there has been a significant increase in the number of such crimes across the country. Such horrendous honour crimes need to be eradicated from the society. A clear message should be given to the perpetrators that they will be severely dealt with.

This Bill aims to achieve the said objective by creation of a mechanism, which will work efficiently to address this social malady and for this purpose it is proposed to declare honour crime as a non-bailable offence, prescribing punishments for various honour crimes and constitute a National Commission for Protection from Honour Crimes Board to look into such matters.

Hence this Bill.

V. SIVADASAN



## FINANCIAL MEMORANDUM

Clause 11 provides for the constitution of the National Commission for Protection from Honour Crime and appointment of a Chairperson and Members therein. Clause 13 provides for the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members of the Commission, whereas Clause 16 provides for the salary and allowances payable to and other terms and conditions of service of the officers and staff of the Commission. Clause 17 inter alia provides that the Commission shall undertake and promote research in the field of eradication of honour crime as well as spread human rights literacy and promote awareness of the safeguards available for protections of these rights amongst various sections of the society through all available means. Clause 20 of the Bill provides that the Central Government, shall after due appropriation made by Parliament by law in this behalf, grant such sums of money to the Commission, as it may think fit for carrying out the purposes of this Act.

The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 24 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.



RAJYA SABHA

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*to provide for protection from honour crime by establishing a National Commission for  
Protection from Honour Crime and prescribing punishments for honour crime  
and for matters connected therewith or incidental thereto.*

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*(Dr. V. Sivadasan, M.P.)*