

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UN-STARRED QUESTION NO. 1195
TO BE ANSWERED ON 30.07.2025

GENDER-BASED VIOLENCE AND PROTECTION

1195. SMT. PHULO DEVI NETAM:

Will the Minister of Women and Child Development be pleased to state:

- (a) whether over 31,000 rapes were reported in 2022, with conviction rates around 27-28 per cent, if so, how does Government plan to ensure higher conviction rates and better protection for victims; and
- (b) the reasons that 25 per cent of the Nirbhaya fund allocation has remained unutilised as of 2023-24?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

(a): as per the latest report of National Crime Records Bureau (NCRB) for the year 2022, the cases of rape reported were 31516 and the conviction rate was 27.4%.

‘Police’ and ‘Public Order’ are State subjects under the Seventh Schedule to the Constitution of India, responsibility to maintain law and order and protection of life and property of the citizens and investigation and prosecution of crime against women rests primarily with the respective State Governments; they are legally competent to deal with such crimes.

However, recognizing the seriousness of the issue and with a view to strengthening the criminal justice system through legislative and institutional framework, the Government of India has taken several measures to ensure higher conviction rates and better protection for victims of rape and other sexual offences:

(i) The Government of India with an aim to modernize and improve the criminal justice system has enacted Bharatiya Nyaya Sanhita (BNS) 2023, Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, and Bharatiya Sakshya Adhiniyam (BSA) 2023, which came into effect from 1st July 2024. These laws consolidate and streamline offences against women and children under chapter V of BNS, and adopt a more victim-centric approach.

(ii) The BNSS safeguards the rights of victims throughout the legal process. It introduces provisions of e-FIR and zero FIR to facilitate swift registration of complaints for serious offenses against women including offence of rape, ensuring timely police action.

(iii) Section 179 of BNSS exempts women from attending the police station for interrogation and provides for examination at their residence. Section 180 of BNSS provides for recording of statement of a victim of rape by a woman police officer or any other woman officer. In order to provide additional protection to the victim and enforce transparency in investigation relating to an offence of rape, the statement of victim shall be recorded through audio/video means by police.

(iv) Section 183 of BNSS further provides that in offences against woman including that of rape, statement of the victim is to be recorded as far as practicable, by a woman Magistrate and in her absence a male Magistrate in the presence of a woman to ensure sensitivity and fairness, creating a supportive environment for victim.

(v) Section 193 also mandates that the victim should be updates of the progress of her case within 90 days. The section also mandates that in cases of rape and cases under section 4, 6 and 8 of POCSO Act, investigation has to be completed within a period of two months. Section 346 of BNSS mandates that in certain offences including the offence of rape inquiry or trial has to be completed within a period of two months from the date of filing of the charge-sheet.

(vi) Section 396 of the BNSS, establishes a framework for victim compensation scheme that mandates every State Government to prepare a scheme for providing funds for the purpose of compensation to the victim or the dependents who have suffered loss or injury as a result of the crime and who require rehabilitation. In order to support and supplement the State Victim Compensation Schemes, Rs 200 crore as a one-time grant under Nirbhaya Fund was released to the State Governments/ UTs under the Central Victim Compensation Fund (CVCF) to enable compensation to victims of various crimes especially sexual offences including rape, acid attacks, etc.

(vii) The Government of India has consistently provided assistance for stronger institutional frameworks by putting in place various technology enabled platforms like Inter-operable Criminal

Justice System (ICJS) which enables the police, investigators, prosecutors and the Courts to use this system for speedy justice from the stage of filing of FIR till conviction, Investigation Tracking System for Sexual Offences (ITSSO), Crime Multi Agency Centre (Cri-MAC), National Database of Sexual Offenders (NDSO) and National Database of Human Trafficking Offenders (NDHTO).

(viii) Under the Nirbhaya fund, financial assistance has been provided for setting up Fast Track Special Courts (FTSCs) including exclusive POCSO Courts nationwide for expeditious disposal of rape and POCSO Act cases since the year 2019. As on 30.05.2025, 747 FTSCs (including 406 ePOCSO) are operational in 30 State/UTs which have disposed of more than 3.30 lakh cases significantly reducing delays in trial.

(ix) Recognizing the important role of forensic analysis in the cases of heinous crimes, the government has established a state-of-art Centre Forensic Science Lab in Chandigarh. The DNA laboratory has four independent units for examination of crime case pertaining to sexual assault and child abuse namely Sexual Assault and Homicide Unit, Human /Disaster victim Identification, Paternity detection Unit and Mitochondrial DNA unit with an annual examination capacity of 2,000 cases. Further, under the Nirbhaya fund financial assistance to 30 States/UTs have been provided for Strengthening of DNA Analysis and Cyber Forensic Capacities in State Forensic Science Laboratories.

(x) To improve investigation and trial readiness 35,306 Investigating Officers, Prosecutors, and Medical Officers have been trained. Additionally, 18,020 Sexual Assault Evidence Collection (SAEC) Kits have been distributed to facilitate accurate and timely evidence collection.

(b): Under the Nirbhaya Fund which has been established for interventions specially aimed at safety and security of women, upto the financial year 2024-25, a total amount of Rs 7712.85 Crore has been allocated. The total amount released by the Ministries/ Departments and utilized out of the Nirbhaya fund is Rs 6232.83 Crore which is nearly 81% of the total allocation.

The projects/ schemes under Nirbhaya Fund are demand driven. The projects/ schemes initially appraised by Empowered Committee (EC) under Framework for Nirbhaya Fund generally have a staggered implementation schedule. Some of the appraised projects are directly implemented by Central Ministries/ Departments. However, majority of the projects are implemented through State Governments and Union Territory (UT) Administrations, in which Central Government releases funds to States/ UTs as per prescribed fund sharing pattern of respective States/ UTs. Implementation on the ground is done by the Implementing Agencies of States or UTs as per the approved timelines. Further, there are schemes, which require recurring expenditure for providing

services for a long time, in respect of which, further funds are released upon receipt of Utilisation Certificates (UCs) and Statement of Expenditure (SoE) from the Implementing Agency (IA)/ Authority as per provisions of General Financial Rules (GFR). Hence, it is possible that more funds have been actually utilised, but Utilisation Certificates (UCs) and Statement of Expenditure (SoE), as required, as per provisions of GFR have not yet been received from States/ UTs/ IAs. The States/ IAs are regularly requested to submit UCs and SoEs on time. Various other factors such as time taken in getting required approvals from competent authorities, procedure to be followed for award of contract/ tender etc., also affect implementation timelines of schemes/ projects.
