

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 5080**

TO BE ANSWERED ON THE 27TH MARCH, 2018 /CHAITRA 6, 1940 (SAKA)

KILLING OF WITNESSES

5080. SHRI A.P. JITHENDER REDDY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of the witnesses killed during each of the last three years and the current year, State-wise;

(b) the details of the witnesses who have gone missing and have not been found during the said period, State-wise;

(c) the details of the cases where accused coerced the witnesses to turn hostile or make a change in their statement during the said period, State-wise;

(d) the steps taken by the Government for the protection of witnesses and the success achieved as a result of these steps during the said period, State-wise; and

(e) whether the Government has any plan to bring in a witness protection law in the near future and if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)**

(a) to (e): Data on the number of witnesses killed, missing etc. are not maintained by National Crime Records Bureau (NCRB). The Law Commission of India in its 198th Report gave its recommendations on “Witness Identity Protection & Witness Protection Programme”. Based on its recommendations, the Questionnaire and the Bill was circulated to the State Governments/ UT Administrations. As there was no consensus

among the States, the matter was referred to Bureau of Police Research & Development (BPR&D) to examine the matter having regard to the observation of the States and feasibility of an implementable Identity Protection Programme so as to enable Government to take a considered view.

There are provisions in Section 195A of the Indian Penal Code (IPC) and Section 195A of the Code of Criminal Procedure (CrPC) to provide legal recourse to the witnesses. Amendments to Cr.P.C. is an ongoing and continuous process based on Law Commission reports, or otherwise, and by a consultative process. 'Police' and 'Public Order' are State subjects under the seventh Schedule to the Constitution of India and therefore, the State Governments are primarily responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the machinery of their law enforcement agencies, as also for protecting the life and property of the citizens including witnesses. The Union Government attaches highest importance to the matter of prevention of crime and therefore, has continued to urge the State Governments/ UT Administrations to give more focused attention towards improving the administration of criminal justice system and taking such measures as are necessary for prevention and control of crime within their respective jurisdictions.