

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3616

TO BE ANSWERED ON WEDNESDAY, THE 8<sup>TH</sup> AUGUST, 2018

Law to Curb Molestation/Rape

†3616. SHRI CHANDRA PRAKASH JOSHI:  
SHRI NARANBHAI KACHHADIYA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the present law is proving to be ineffective in preventing molestation/ rape of children below 12 years;
- (b) if so, whether the Government would consider to make a stringent law to prevent this;
- (c) whether the Government is considering to set up a Fast Track Court for speedy trial of such accused; and
- (d) if so, the time by which such measures are likely to come into effect along with the full details thereof?

ANSWER

Minister of State for Law & Justice and Corporate Affairs  
(SHRI P.P. CHAUDHARY)

(a) to (d): The Government of India has enacted the Criminal Law (Amendment) Act, 2013 for more effective action by providing for enhanced punishment for rape, aggravated rape, assault on women with intent to outrage her modesty and sexual harassment.

Further, the Union Government had submitted a Memorandum to the 14<sup>th</sup> Finance Commission for strengthening of the judicial system in states at an estimated expenditure of Rs.9749.00 crore, which, inter-alia,

included establishment of 1800 Fast Track Courts for cases of heinous crimes involving senior citizens, women, children, including rape cases etc at an estimated expenditure of Rs.4144.00 crore. The Commission endorsed the proposal of the Government and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution (from 32% to 42%) to meet such funding requirements. A total number of 727 Fast Track Courts have been set up in the country.

The Government has decided to prepare a scheme to set up fast track special courts to decide rape cases exclusively and to strengthen such courts where they already exist. The Government has promulgated the Criminal Law (Amendment) Ordinance, 2018 effecting amendments inter-alia in the Code of Criminal Procedure, 1973 such as in Section 173(1A) to provide that investigation in all rape cases shall be completed within two months from the date on which information was recorded by the Officer-In-Charge of Police Station. In addition to this under Section 309 of the Code, a provision has been made that the trial shall be completed within two months. A Bill to replace this Ordinance has been passed by the Lok Sabha on 30.07.2018.

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