

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
STARRED QUESTION NO. *291**

TO BE ANSWERED ON THE 01ST JANUARY, 2019 / PAUSHA 11, 1940 (SAKA)

PROTECTION TO WITNESSES

***291. SHRI ASADUDDIN OWAISI:
SHRI JAGDAMBIKA PAL:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has directed the Union Government as well as the State Governments to provide round the clock police protection to witnesses who face threats for deposing against those accused in heinous criminal cases and intended to be concealed;

(b) if so, whether the witness protection scheme has been formulated in consultation with the National Legal Service Authority and the Bureau of Police Research and Development;

(c) if so, whether the Union Government has started the process of consultations with the States in this regard and if so, the details thereof along with the present status of the said scheme;

(d) whether the Government proposes to bring forward a legislation to make it mandatory for States to provide protection to such witnesses; and

(e) if so, the details thereof and the time by which such legislation is likely to be brought and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a) to (e): A Statement is laid on the Table of the House.

Statement referred in Lok Sabha Starred Question No. 291* for reply on 1ST January, 2019 regarding 'Protection to Witnesses'.

(a) to (e): The Ministry of Home Affairs has prepared a "Witness Protection Scheme, 2018" in consultation with the National Legal Service Authority, Bureau of Police Research & Development and the State Governments. This scheme provides for protection of witnesses based on the threat assessment. Hon'ble Supreme Court of India in its Judgment dated 05.12.2018 in Writ Petition (Criminal) No. 156 of 2016 has endorsed the Scheme and has also directed that the Union of India as well as States and Union Territories shall enforce the Witness Protection Scheme, 2018 in letter and spirit and that it shall be the 'law' under Article 141/142 of the Constitution, till the enactment of suitable Parliamentary and/or State Legislations on the subject.
