

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS  
LOK SABHA  
UNSTARRED QUESTION NO. 518**

**TO BE ANSWERED ON THE 25<sup>TH</sup> JUNE, 2019/ ASHADHA 4, 1941 (SAKA)**

**PROTECTION TO WITNESS**

**518. SHRI ASADUDDIN OWAI SI**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) whether the Supreme Court has directed the Union as well as State Governments to provide round the clock police protection to witness 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 framed in consultation with National Legal Service Authority (NLSA) and Bureau of Police Research and Development;**

**(c) if so, whether the Government has started the process in consultation with the States in this regard;**

**(d) if so, whether the Government proposes to bring forward a legislation to make it mandatory for States to provide such protection to witness; and**

**(e) if so, the time by which such legislation is likely to be enacted?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI NITYANAND RAI)**

**(a) to (e): The Ministry of Home Affairs has prepared “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. As per Article 141/142 of the Constitution, the Witness Protection Scheme, 2018 endorsed in the said Judgment of the Supreme Court is binding on all Courts within the territory of India and enforceable in all States and Union Territories.**