

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 3768**

TO BE ANSWERED ON THE 21st DECEMBER, 2021/AGRAHAYANA 30,1943 (SAKA)

HATE CRIME

**3768. SHRIMATI MANEKA SANJAY GANDHI:
SHRI GAURAV GOGOI:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has made any efforts to define 'hate crime' in the criminal law framework of the country;

(b) if so, the details thereof and if not, the reasons therefor;

(c) whether it is true that the National Criminal Records Bureau (NCRB) had collected data on the hate crimes, cow vigilantism and mob lynchings, but left it out of its 2017 Report, and if so, the reasons thereof;

(d) whether the Government has made any effort to give effect to the guidelines laid down by the Supreme Court in Tehseen Poonawalla v. Union of India; and

(e) if so, the details thereof, and if not, the reasons therefor?

ANSWER

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

(a) & (b): The intention of the Government is to create a legal structure which is citizen - centric, prioritises to secure life, preserve human rights and provide speedy justice to the vulnerable sections of the society. The amendments in laws is a continuous process and amendments are made taking into account the views of various stake holders.

(c): In the year 2017, NCRB collected data on cases of mob-lynching, hate crimes etc. It was observed that the data was unreliable as these crimes etc have not been defined. Hence, collection of data in this regard was discontinued .

(d) & (e): 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. Advisories dated 23.07.2018 and 25.09.2018 were issued to the State Governments/UT Administrations for implementation of the judgment of the Hon'ble Supreme Court in the matter of Tehseen Poonawalla v. Union of India.

The Government through audio- visual media has also generated public awareness to curb the menace of mob lynching. The Government has also sensitized the service providers to take steps to check the propagation of false news and rumours having potential to incite mob violence and lynching.
