

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.3086
TO BE ANSWERED ON 13.12.2024

UTILISATION OF NIRBHAYA FUND

3086. SMT. PRATIMA MONDAL

Will the Minister of Women and Child Development be pleased to state:

- (a) the details of the steps being taken to address the increase in crimes against women and children from 2.4 lakh in 2012 to 4.5 lakh in 2022, as well as the doubling of POCSO incidents from 32,600 in 2017 to 63,400 in 2022, as reported in NCRB data;
- (b) the details of the underutilization of the Nirbhaya Fund, with only 33 per cent being spent until 2022; and
- (c) whether any measures are being implemented to ensure effective use of the fund for safety of women, if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

- (a) 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India and the responsibility to maintain law and order, protection of life and property of the citizens including investigation and prosecution in cases of crime against women rests with the respective State Governments; they are competent to deal with such crimes.

Increased reporting of crime, as reflected in NCRB report, may be attributable to the increased level of awareness among citizens due to various measures taken by the government in the last few years including the operationalisation of helplines such as Women Helpline -181 and Emergency Response Support System (ERSS-112), provisions of Zero-FIR, e-FIR and institutional support to the survivors.

However, the Government gives highest priority to safety and security of women and children and has taken several initiatives in this regard.

A crucial aspect of the protection of women and children is having in force 'protective legislation & rule framework'. The Government of India with an aim to modernize and improve the criminal justice system has enacted Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS) and Bharatiya Sakshya Adhinyam (BSA) which came into effect from 1st July, 2024. In BNS 2023, the offences against women and children earlier scattered in Indian Penal Code, 1860 have been brought together and consolidated under Chapter-V of BNS. In these 3 new codes, the primacy is accorded to ensuring justice rather than the punitive measures alone. They have introduced new provisions to strengthen laws related to women and children, specifically, Section 111 of BNS related to "organized crime", Section 63 relating to intercourse with minors within marriage, Section 69 related to sexual intercourse on false promise of marriage, employment, promotion or by suppressing the identity and Section 95 related to hiring, employing or engaging a child to commit an offence etc. In respect of the crimes related to buying a child for the purposes of prostitution (Section 99), gang rape (Section 70) and exploitation of a trafficked person (Section 144) the punishment has been increased. Further, in respect of certain severe crimes against women like buying child for the purposes of prostitution (section 99 of BNS), organised crime (Section 111), kidnapping or maiming a child for purpose of begging (Section 139) mandatory minimum punishment has been prescribed. Also, Sections 75 and 79 of BNS 2023 provide additional legal protections against harassment, covering actions like unwelcome sexual advances, requests for sexual favours, sexually coloured remarks and also word, gesture or act intended to insult modesty of a woman. A woman facing sexual harassment at workplace has an option to file a complaint under these provisions.

Additionally, provisions under section 398 BNSS which introduce Witness Protection Schemes, survivor-centric provisions in recording of statements [Section 176(1), Sections 179 Section 193(3) & 195 of BNSS and acknowledging the critical need to shield witnesses from threats and intimidation and Section 2(1)(d) of BSA which now enables electronic or digital record on emails, documents on computers, laptop or smartphone, messages and voice mail messages stored on digital devices under definition of documents can also be referred for protection of women and children.]

Further, a number of schemes/ projects have been/ are being implemented by the Government under 'Nirbhaya Fund' for enhancing the safety and security for women and girls in the country. 827 Anti-Human Trafficking Units have been set up for prevention of human trafficking and support to the victims. To ensure that the Police Stations are more women friendly and approachable, as they would be the first and single point of contact for any woman walking into a police station 14,658 Women Help Desks (WHDs) have been set up, of which 13,743 are headed by women. Cyber Forensic cum Training Labs have also been established in 33 States/UTs with 24,264 person trained in handling cyber related cases. To provide integrated support and assistance to women affected by violence and facilitate immediate, emergency and non-emergency access to a range of services including police, medical, legal aid and counselling, psychological support to fight against any forms of violence against women, 802 OSCs have been made functional in 36 States/UTs wherein over 10.12 lakh women have been assisted so far. To provide help and support to needy women and women in distress, Emergency Response Support System (ERSS-112) has been established in all 36 States and UTs for various emergencies, with computer aided dispatch of field/ police resources. In addition to ERSS, a fully functional dedicated Women helpline (WHL-181) is operational in 35 States/ UTs except West Bengal. The WHL has also been integrated with ERSS. So far, Women Helplines have handled over 1.95 crore calls and assisted over 81.64 lakh women.

To ensure that justice is delivered to unfortunate women and young girls who are victims of heinous sexual offences, Government has been providing financial assistance to States/ UTs for setting up Fast Track Special Courts (FTSCs) since 2019. So far, 790 Fast Track Special Courts (FTSCs) have been approved, out of which 750 including 408 exclusive POCSO (e-POCSO) courts are operational in 30 States/UTs, having disposed of more than 2,87,000 cases of rape, and offences under POCSO Act across the country.

To ensure safety of public places where women work and live, sub-projects under the Safe City Projects have been implemented in 8 Cities (namely Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai). To ensure safe transportation for women, rail and road transport projects like Integrated Emergency Response Management System (IERMS), Video Surveillance System at

Konkan Railway, Artificial Intelligence (AI) based Facial Recognition System (FRS) integrated with Video surveillance Systems, including Command-and-Control Centre at 7 major railway stations and tabs for safety of lone woman passenger on board the train by Ministry of Railways, and projects like Vehicle Tracking Platform with command and control centre across States/ UTs, and some State specific projects like Uttar Pradesh Road transport Corporation (UPSRTC), Bengaluru Metropolitan Transport Corporation (BMTTC), Telangana State Road Transport Corporation (TSRTC), etc. by Ministry of Road Transport and Highways, have been implemented.

(b) & (c): So far, approximately 74% of the total amount allocated under Nirbhaya Fund has been released/ utilised by the Ministries/ Departments/ Implementing Agencies (IAs) administering such projects/ schemes. The projects/ schemes under Nirbhaya Fund are demand driven. The projects/ schemes initially appraised by Empowered Committee (EC) under Framework for Nirbhaya Fund have a staggered implementation schedule. Some of the appraised projects are directly implemented by Central Ministries/ Departments. However, majority of the projects are implemented through State Governments/ Union Territory (UT) Administrations, in which Central Government releases funds to States/ UTs as per prescribed fund sharing pattern of respective States/ UTs. Implementation on the ground is done by the States/ UTs as per the approved implementation period. Further, there are schemes, which require recurring expenditure for providing services, in respect of which, further funds are released upon receipt of Utilisation Certificates (UCs) and Statement of Expenditure (SoE) from the Implementing Agency (IA)/ Authority as per provisions of General Financial Rules (GFR). Hence, it is possible that more funds have been actually utilised, but Utilisation Certificates (UCs) and Statement of Expenditure (SoE), as required, as per provisions of GFR have not been received from States/ UTs/ IAs. The States/ IAs are regularly requested to submit UCs and SoEs on time. Various other factors such as time taken in getting required approvals from competent authorities, procedure to be followed for award of contract etc., also affect implementation of schemes/ projects.

An Empowered Committee (EC) of Officers constituted under the Framework for Nirbhaya Fund initially appraises and recommends the proposals for funding under Nirbhaya Fund. It also broadly reviews the status of implementation and status of expenditure of approved projects from time to time, in coordination with the Ministries/

Departments/Implementing Agencies concerned. Further, the Project/ Scheme Implementing Ministries/ Departments/ Agencies also review the progress of implementation at their level.
