

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:2300
ANSWERED ON:13.03.2001
LEGISLATION ON CHILD ABUSE
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Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the number of cases of child abuse and rape have increased during the last three years;
- (b) if so, the details thereof;
- (c) whether the Government propose to enact a separate legislation on child rape and sexual abuse; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI SUMITRA MAHAJAN)

(a) & (b): The incidence of crimes in the entire country for the last three years (cases relating to child rape, infanticide, foeticide, abetment of suicide, exposure and abandonment, kidnapping and abduction of children, procurement of minor girls) reported by the National Crimes Records Bureau is as under:-

1998	5802
1999	4881
2000	1557+

+ (up to December, 2000. Figures of victims of child rape not shown)

(c) & (d): The Immoral Traffic (Prevention) Act, 1956 (ITPA) supplemented by the Indian Penal Code (IPC) prohibits trafficking in human beings including children and lays down severe penalties. However in order to make the provisions of the ITPA and the IPC more stringent and effective, the National Commission for Women had recently held county-wide consultations involving lawyers, members of judiciary, police force, social workers etc. to consider amendments in the ITPA and laws concerning rape. The proposed amendments to ITPA are under compilation by the Commission. The Commission has made the following recommendations on amendments of laws concerning rape which have been forwarded to the Ministry of Home Affairs for appropriate action:-

- i) the age of the consent under Sections 375 and 376 of the Indian Penal Code needs to be raised to 18 years from the existing 16 years to bring it in uniformity with the provisions of Child Marriage Restraint Act, 1929;
- ii) broader definition of rape;
- iii) deletion of exception given to marital rape under Section 375 of IPC;
- iv) compensation to rape victims by statutory provisions;
- v) amendments in the Cr.P.C. to reduce procedural delays in the trial of rape cases;
- vi) enhancement of punishment when the accused knowingly transmits HIV to the victim.