

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1615
ANSWERED ON:08.03.2016
Rate of Conviction
Senguttuvan Shri Balasubramaniam

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the rate of conviction in rape and attempted rape cases have decreased sharply as per the report of National Crime Records Bureau (NCRB) and if so, the details and reasons therefor;
- (b) whether the connivance on the part of the public prosecutors and the hostility of witnesses are the main reasons for the poor rate of conviction in women-specific offences and if so, the details thereof; and
- (c) whether the Government has any proposal to improve the efficiency of the judicial system so that the guilty do not walk scot-free and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): As per information provided by the National Crime Records Bureau (NCRB), States/UTs conviction rate of 24.2, 27.1 and 28.0 were reported under rape (section 376 IPC), showing a rising trend. State/UT wise conviction rate under rape during 2012-2014 is enclosed at Annexure-I. NCRB has started collection of data on attempt to commit rape (section

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376/511 IPC) since 2014. Conviction rate of 14.7 was reported under attempt to commit rape cases during 2014. State/UT wise such details are enclosed at Annexure-II.

(b) to (c): Criminal Law (Amendment) Act, 2013 provides for punishment for the offence of rape from a minimum term of seven years to life imprisonment and also death penalty. Section 376A and section 376E provides for death penalty to the perpetrators of rape causing death or resulting in persistent vegetative state of the victim and for repeat offenders respectively.

Amendments in criminal justice system is a continuous process to make the laws in sync with the social changes. The amendments in the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC) are carried out from time to time based on the recommendations of the Law Commission of India, various Court judgments and the reports of any other Committees specially constituted for the purpose. The Law Commission of India has been requested to undertake a comprehensive review of the

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criminal justice system and give a comprehensive report covering all aspects of criminal law so that comprehensive amendments can be made in the various laws viz. Indian Penal Code, Code of Criminal Procedure and the Indian Evidence Act, etc. The Law Commission has since been informed that they have identified certain focus areas of deliberations.

As per the seventh schedule to the Constitution of India `Police` and `Public Order` are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State Governments/ Union Territory Administrations.
