

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
STARRED QUESTION NO. \*136**

**TO BE ANSWERED ON THE 12<sup>TH</sup> FEBRUARY, 2019/ MAGHA 23, 1940 (SAKA)**

**WITNESS PROTECTION SCHEME**

**\*136. SHRI C.N. JAYADEVAN:**

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

**(a) whether the Supreme Court has asked the States to implement a scheme framed by the Union Government to protect the witnesses in criminal trials from threat, intimidation and undue influence;**

**(b) if so, the details thereof;**

**(c) whether the Union Government has framed such a scheme; and**

**(d) if so, the details thereof and the names of the States that have taken steps to implement the scheme so far?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI HANSRAJ GANGARAM AHIR)**

**(a) to (d): A statement is laid on the Table of the House.**

**STATEMENT REFERRED IN REPLY TO LOK SABHA STARRED QUESTION NO. \*136 FOR 12.02.2019 REGARDING WITNESS PRORECRION SCHEME.**

**(a) to (d): The Ministry of Home Affairs prepared a “Witness Protection Scheme, 2018” in consultation with the National Legal Service Authority, Bureau of Police research & Development and the State Governments. Witness protection Scheme provides for protection of witnesses based on the threat assessment and protection measures *inter alia* includes protection/change of identity of witnesses, their relocation, installation of security devices at the residence of witnesses, usage of specially designed Court rooms, etc.**

**The 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. The Hon’ble Supreme Court has also directed that the Union of India as well as States and Union territories shall enforce the Witness protection Scheme, 2018 in letter and spirit and that it shall be the ‘law’ under Article 141/142 of the Constitution, till the enactment of suitable Parliamentary and/or State Legislations on the subject. The Ministry of Home Affairs has requested all State government/UT Administrations vide its letter dated 14.01.2019 to implement the Witness Protection Scheme as per the direction of the Hon’ble Supreme Court.**

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