

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**RAJYA SABHA**  
**STARRED QUESTION NO.6\***  
TO BE ANSWERED ON 02.02.2022

**SEXUAL VIOLENCE WITHIN MARRIAGES**

6\*: SHRI BINOY VISWAM:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether Government has taken any position regarding inclusion of "marital rape" as an offence under the IPC;
- (b) whether Government acknowledges the prevalence of rape/sexual abuse within marriages or has conducted any study/research on the same, if so, what steps have been taken to address the same;
- (c) the total number of protection orders passed in cases registered under the Protection of Women from Domestic Violence Act, State-wise and category of protection order-wise; and
- (d) the total number of domestic violence crisis centers run by Government or in partnership with civil society organisations?

**ANSWER**

MINISTER OF WOMEN AND CHILD DEVELOPMENT  
(SHRIMATI SMRITI ZUBIN IRANI)

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

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**STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED QUESTION NO.\*6 FOR 02.02.2022 ASKED BY SHRI BINOY VISWAM REGARDING 'SEXUAL VIOLENCE WITHIN MARRIAGES'**

(a) to (d): The matter of marital rape is sub-judice before the High Court of Delhi in Review Petition in W.P. (Criminal) No. 284/ 2015 filed by RIT Foundation against the Union of India. Further, the Department related Parliamentary Standing Committee on Home Affairs, in its 146th Report had recommended that there is a need for a comprehensive review of the Criminal Justice System of the country. Earlier, the Parliamentary Standing Committee in its 111th and 128th reports had also stressed upon the need to reform and rationalize the criminal law of the country by introducing a comprehensive legislation in Parliament rather than bringing about piece-meal amendments in respective Acts. Accordingly, the Government of India has initiated the process for comprehensive amendments to criminal laws in consultation with all stakeholders.

The Protection Orders under the Protection of Women from Domestic Violence Act, 2005 (PWDVA) are issued by the Magistrates, who are assisted by the Protection Officers in the discharge of his functions under this Act. These authorities are functionaries under the State Governments. As such, the data regarding the number of protection orders passed in cases registered under PWDVA are maintained by the respective State Governments.

The Ministry of Women and Child Development implements the One Stop Centre (OSC) Scheme across the country with effect from 1<sup>st</sup> April 2015 under Nirbhaya Fund with the objective to provide integrated support and assistance under one roof with a range of services including police, medical, legal aid and counseling, psychological support to women affected by violence (including domestic violence) - both in private and public spaces. Under the scheme, Central Government provides 100% financial assistance directly to Districts for setting up and management of OSCs. As of now, 733 OSCs have been approved, out of which 704 are operational in 35 States/ UTs which have assisted more than 4.54 lakh women. In addition, the Ministry implements Universalisation of Women Helpline (WHL) Scheme with the aim to provide 24 hour emergency and non-emergency response to women, including the women affected by violence or who are in distress, across the country through referral services and connecting them with OSCs. Women helpline is operational in 34 States/ UTs and have handled more than 66 lakh calls.

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