

Indian President Approves Capital Punishment for Rape Cases

BY ROMIT GUHA
AND RAJESH ROY
THE WALL STREET JOURNAL

NEW DELHI - Indian President Pranab Mukherjee approved an ordinance strengthening sexual-assault laws Sunday, with death as the maximum punishment in cases of rape.

"This [ordinance] will come into effect immediately," a spokesman at India's Home Ministry said. The law will need to be ratified by Parliament within six weeks of the start of its next session, which opens February 21.

Under the current law, rapists can face sentences ranging from seven years to life imprisonment.

The government proposed the move—a legal order by the government when Parliament is not in session—on Friday in the wake of public demands for stern action after the brutal gang rape of a student in New Delhi on December 16.

The young woman died on December 29 from injuries suffered



Women pose with knives during a protest against rape in Mumbai.

Reuters

in the attack.

The incident spurred a public outcry and calls to strengthen laws prohibiting violence against women, including the death penalty for rape, prompting the swift action, though it typically takes years to

pass bills in India's Parliament.

The ordinance incorporates most of the suggestions of a three-member panel led by India's former Chief Justice J.S. Verma, set up a week after the rape to propose ways to strengthen criminal laws in

cases of sexual assault. The government added the death penalty, although the Verma panel didn't recommend it.

Five men and a juvenile have been accused of crimes including murder, kidnapping and rape in the case, and the five men have pleaded not guilty at the preliminary stages of a trial in a New Delhi court. The juvenile's trial is yet to start, and his lawyer could not be reached to comment.

Under current law, the accused could face the death penalty only if convicted on the murder charge and if the crime is considered "rarest of rare."

The government accepted the panel's suggestion that rape should be made gender neutral but didn't accept a proposal to remove an exception for marital rape, a senior minister said Saturday.

In India, husbands can't be punished for raping their wives. The minister didn't say why the suggestion was rejected.