

Bill Summary

The Maharashtra Exclusive Special Courts (for certain offences against women and children under Shakti law) Bill, 2020

- The Maharashtra Exclusive Special Courts (for certain offences against women and children under Shakti law) Bill, 2020 was introduced in the Maharashtra Assembly on December 14, 2020. The Bill provides for the establishment of special courts for the speedy trial of certain offences against women and children. Key features of the Bill are:
 - **Specified offences:** The Bill defines specified offences as offences of sexual violence against women and children, punishable under the Indian Penal Code, and the Protection of Children against Sexual Offences Act, 2012. These offences include rape, voluntarily causing grievous hurt by use of acid, and gang rape.
 - **Establishment of Exclusive Special Courts:** The state government will establish Exclusive Special Courts, in consultation with the High Court, for the speedy trial of specified offences. Each district in the state will have at least one such Court which will be presided over by a Judge who is or has been an Additional Sessions Judge or Sessions Judge in the state. The government shall nominate the Judge with the concurrence of the High Court.
 - **Jurisdiction of Exclusive Special Courts:** These special courts will conduct trials of the specified offences within their jurisdiction. While trying an offence, if the accused is charged with offences other than 'specified offences', the special courts can try them under the same trial.
 - **Special Public Prosecutor:** The state government will appoint a special public prosecutor for conducting trials before the Exclusive Special Courts. An advocate practicing for at least seven years may be appointed as a Special Public Prosecutor, and the tenure of the Prosecutor will be for the duration of the trial of the concerned offence.
 - **Special Police teams:** Special Police teams will be constituted at the district or commissionerate level for the investigation of the specified offences. These teams will be headed by an officer of the rank of Deputy Superintendent of Police, and every team should have at least one woman police officer and women personnel.
 - **Services to victims:** The Bill provides for the establishment of institutions by the state government for providing services to victims of specified offences. These services include medical care, psychiatric counselling, rehabilitation, and legal and financial aid.
 - **Women and Children Offenders Registry:** The state government will establish, operate and maintain a registry in electronic form which will contain details of persons convicted of specified offences. The registry will be made available to law enforcement agencies and will be linked to the National Registry of Sexual Offenders.

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