

India now has a witness protection scheme



Ending the long awaited need of protecting witnesses judiciously, the Supreme Court has ordered implementation of a witness protection scheme that safeguards witnesses of crimes from all sorts of hostility and provides enough security.

On Wednesday, the bench of Supreme Court justices A.K. Sikri and S. Abdul Nazeer said that the Witness Protection Scheme, 2018 is needed to be put into place and directed all the states to bring it into effect immediately. The apex court has already approved the scheme and directed all the governments ? central, states and territories to "enforce" it "in letter and spirit", and respect the witnesses' right to life and testify freely in courtrooms.

The scheme has been framed by the Central government in consultation with the National Legal Services Authority (NALSA) and Bureau of Police Research and Development (BPRD). As per India's first every witness protection scheme, witnesses connected with any sorts of crimes will be provided with all levels of witnesses. The protection will range from something as simple as providing a police escort to the witness up to the courtroom, or as high as offering temporary residence in a safe house, giving a new identity, and relocation at an undisclosed place for witnesses of cases linked with criminal and high-profile groups.

The Supreme Court has ordered all Indian governments to enact the scheme immediately under Article 141/142 of the Constitution, without the need of legislation being passed in the Parliament. And hence strengthen the Indian judicial, law and order system that is crippled by "traumatic experience" and "sordid phenomena" where witnesses become victims of hostility that supports the acquittal of criminal without proper prosecution.