

Witness Protection Scheme

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What is the Witness Protection Scheme?

- Witness Protection Scheme, 2018 provides for protection of witnesses based on the threat assessment and protection measures inter alia include protection/change of identity of witnesses, their relocation, installation of security devices at the residence of witnesses, usage of specially designed Court rooms.

Features of the scheme

- Objective of the scheme is to **ensure that the investigation, prosecution and trial of criminal offences is not prejudiced** because witnesses are intimidated or frightened to give evidence without protection from violent or other criminal recrimination.
- The Scheme provides for **three categories** of witness as per threat perception:
 1. Category 'A': Where the threat extends to life of witness or his family members, during investigation/trial or thereafter.
 2. Category 'B': Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation/trial or thereafter.
 3. Category 'C': Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's, reputation or property, during the investigation/trial or thereafter.
- The Scheme provides for a **State Witness Protection Fund** for meeting the expenses of the scheme. This fund shall be operated by the Department/**Ministry of Home** under State/UT Government and shall comprise of the following:

- Budgetary allocation made in the Annual Budget by the State Government;
- Receipt of amount of costs imposed/ ordered to be deposited by the courts/tribunals in the Witness Protection Fund;
- Donations/ contributions from Philanthropist/ Charitable Institutions/ Organizations and individuals permitted by the Government.
- Funds contributed under Corporate Social Responsibility.
- First reference to witness protection came in the 14th report of the Law Commission of India. 198th report of the Commission titled 'Witness identity protection and witness protection programs' is dedicated to the subject.