



INDIAN JOURNAL OF
LEGAL REVIEW

VOLUME 4 AND ISSUE 1 OF 2024

INSTITUTE OF LEGAL EDUCATION



INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Free and Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 4 and Issue 1 of 2024 (Access Full Issue on – <https://ijlr.iledu.in/volume-4-and-issue-1-of-2024/>)

Publisher

Prasanna S,

Chairman of Institute of Legal Education (Established by I.L.E. Educational Trust)

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 – info@iledu.in / Chairman@iledu.in



ILE Publication House is the
**India's Largest
Scholarly Publisher**

© Institute of Legal Education

Copyright Disclaimer: All rights are reserve with Institute of Legal Education. No part of the material published on this website (Articles or Research Papers including those published in this journal) may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher. For more details refer <https://ijlr.iledu.in/terms-and-condition/>

“HOMICIDE IN THE NAME OF HONOUR: AN EMERGING HATE CRIME IN INDIA: A THEMATIC STUDY”

AUTHOR – N. GOWTHAMAN, ASSISTANT PROFESSOR (CRIME AND TORT), GOVERNMENT LAW COLLEGE, CHENGALPET.

BEST CITATION – N. GOWTHAMAN, HOMICIDE IN THE NAME OF HONOUR: AN EMERGING HATE CRIME IN INDIA: A THEMATIC STUDY, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 4 (1) of 2024, Pg. 41-49, APIS – 3920 – 0001 & ISSN – 2583-2344.

Abstract

All over the world, every year around 5000 women are killed by members of their own family, many of them in the name of redeeming the honour. Killing their siblings by members of the family are commonly known as “Honour killings”. Honour killing is a global phenomenon and has been widely reported not alone in India. The peculiar characteristics of India are that the entire society is divided by caste and community. As a result, Honour killings recur when conflict arises between diversified caste and communities. Intolerance of the so-called upper caste people to the inter-caste marriages or pre-marital relationships between adolescents are the prime causes of Honour killings in India. Inter-caste or intra-caste factors predominate as a reason behind people killing their children for restoring their disrepute Honour. Even marriages in the same gotra have emerged as a catalyst of Honour killing in India.

Hate crimes are often committed on the basis of differences in personal characteristics. But, the key element of any hate crime is the presence of bias motivation. The criminal act alone does not define a hate crime; rather the investigation of the crime must conclude that the offender was bias motivated.⁴² The NGO-Evidence reported that 16 out of 39 honour killing cases were scheduled caste victims. As per this data, near about 50% honour killings is a caste biased motivated hate crime in Tamilnadu.⁴³ The present issue of honour killing considered as a hate crime in the above aforesaid characters

Key wods – Honour killing ., Hate crime, Message crime, homicide, caste

GRASP - EDUCATE - EVOLVE

⁴² Hate crime 2014, prepared by Tennessee Bureau of Investigation, USA.

⁴³ The data collected by the researcher from the Madurai based NGO EVIDENCE – the study period is 2011-2015.

Introduction

Human beings are the only species on Earth that evolved with the sixth sense. Human knowledge is the outcome of their sixth sense, which enable them to think. Humans created patterns to organize themselves in various ways and different phases of their life. The growth of human knowledge is an evolutionary process, which facilitated the species to identify their needs and requirements. In the beginning, food and shelter were the primary needs. In the evolutionary process of trial and error, humans learned to identify their potentials. The uniqueness and individuality of each person were not the same and therefore they created their own space despite living as a group or community. Then followed the self-respect of a particular person, every individual considered it above their life. Human societies began to comprehend things and wished to live with dignity among other people. Dignity is the term associated with rationalism. Almost all the government bodies and syndicates are striving to ensure the right to live with full dignity and equality among their citizens. Constitutional provisions have equally obligated by the state towards the protection of equality and liberty.

But the occurrence of crimes such as 'murder' hitherto but callously addressed as 'Honour Killing' stands to prove that the right is neither protected on marriageable young ones nor the state endeavoured to protect the same. Honour Killing, defined as killing to restore one's honour predominantly refers to incidents of award of death to the woman or man by members of their own family for marrying on self against the family's wishes. The encyclopaedic meaning of Honour killing also referred to as shame killing is the murder of an individual, either an outsider or a member of a family, by someone seeking to protect what they see as the dignity and honour of their family

All over the world, every year around 5000 women are killed by members of their own family, many of them in the name of redeeming

the honour.⁴⁴ Killing their siblings by members of the family are commonly known as "Honour killings". Honour killing is a global phenomenon and has been widely reported not alone in India but also in countries like Iran, Turkey, Afghanistan, Iraq, Jordan, Pakistan, Bangladesh and many other countries.⁴⁵ Generally, Honour killings are committed against women when compared to men, because they bring embarrassment to their families. Honour killings are committed predominantly when one chooses his or her life partner against the wishes of their family members, given the importance of their religious, social and economic status.

India is a nation with pluralistic and multifaceted societies which has a long history rooted in traditional and cultural values. Each societal group has their traditional values, customary practices and norms and self-imposed social code of conduct. These groups identified themselves as a recognized caste and chose a particular profession. So, a person born in a particular caste or gotra is bound to follow the customary rules and regulations and deviations least tolerated irrespective of their achievements and status. Every caste has its code of conduct including marriages which is stringently followed.⁴⁶ In northern India, Honour killings are reported in Punjab, Rajasthan, Haryana, Uttar Pradesh where people marry without their family's acceptance and in instances of "sagothra" or same 'clan' marriages and sometimes when marriage solemnised outside the caste and religion. In contrast Honour killings do occur in South India during inter-caste marriages and due to social and economic status variance. The State of Punjab and Haryana notoriously leads in the number of Honour killing cases in India.

In many Indian communities, they consider women's Honour once lost through her

⁴⁴<http://www.unfpa.org/sites/default/files/pub-pdf/swp2000eng->

⁴⁵The United Nations Commission on Human Rights-the report of the special rapporteur...concerning cultural practices in the family that are violent towards women(E/CN-4/2002/83)

⁴⁶Ghurye, G.S. Caste, Classes and Occupation, Popular Book Depot, Bombay-7, 1961, pp. 2-7.

act or perceived behaviour, then there is no way to restore it. Other members, who consider inter-caste marriages as dishonour, suffer the disrespect and social stigma due to the shameful activities of the family members. In several incidents of Honour killing there is a formal collective decision of family members and sometimes community members are also involved in murdering the young married couple. It is important to note that, the crimes of Honour are not restricted to any particular gender. Men are also prone to Honour killings by the family members of the women with whom they are perceived to have an inappropriate relationship.⁴⁷ Similarly, it is not always that men play the exclusive role in the commission of Honour killing; rather in many cases women also play a crucial part. On the whole Honour, crimes have no outlines in extending their violence on the radical society. Honour killing is the zenith of enmity which arises between the gap of love and hatred.

Intolerance of the so-called upper caste people to the inter-caste marriages or pre-marital relationships between adolescents are the prime causes of Honour killings in India. Inter-caste or intra-caste factors predominate as a reason behind people killing their children for restoring their disrepute Honour. Even marriages in the same gotra have emerged as a catalyst of Honour killing in India, precisely in the States of Haryana and Punjab.⁴⁸ In North India, the same gotra marriage is the main cause for Honour killing, but the position is varied in South India.⁴⁹ In Haryana, the then Chief Minister Mr Bhupinder Singh Hooda's home

district Rohtak at Gharnavathi village, a Jhat Community girl Nidhi Barak was married to Dharmendra Barak. The couple families belonged to the same gotra so members of the community perceived that they fall under the brother and sister relationship and violate gotra norms (bhaichara i.e., brotherhood). The newly-wed couple was lynched and the limbs of Dharmendra Barak were broken, he was beheaded and the body was dumped in front of his house. The police arrested Nidhi Barak's parents, brothers and uncle for this crucial murder.⁵⁰ Inter-caste marriages and inter-religious marriages serve as the main cause for Honour killings. The research work carried out by Satnam Singh Deol⁵¹ at the State of Haryana during 2005-2013, revealed that out of 100 cases, 47 cases of Honour killings are committed on issues of inter-caste marriages, in which 17 cases are of same gotra marriages, 6 were inter-religious marriages and the rest 30 cases due to intolerance by family members as to the relationship between boy and girl of the same village.

Union minister of state for Home Affairs Ajay Kumar Mishra informed in Lok Sabha that as many as 145 incidents of Honour killing took place in India between 2017 and 2019.⁵² There were 7048 reports of honour-based violence in the UK between Jan 2011 and Aug 2016.⁵³ The National Day of Memory for victims of Honour Killings takes place each year on 14th July in the UK. 'Honour' based violence reflects a patriarchal form of violence, dominance over women and restricting their sexual autonomy. The high incidence of crimes, their underreporting and callous investigation by police makes the topic serious, viewed in the light of the absence of specific law and its treatment under general provisions of penal law by adversarial means of trial.

Hate Crimes

⁴⁷ Afghan couple stoned to death – Central & South Asia. Al Jazeera English (16.08.2017).

⁴⁸ The Times of India, July 4th 2010. In 2010, The London Metropolitan University conducted a conference on the "International Child Abduction, relocation and forced marriages". In this conference, Legal Experts such as Anil and Ranjit Malhotra presented a paper on their research study that said that "1000 young people have been done to death every year owing to Honour killings due to marriage issues". According to the above conference reports, 900 Honour killings happened in Uttar Pradesh, Punjab and Haryana States. Another 100 Honour killings are from other parts of the country.

⁴⁹ Hon'ble Madras High Court cited in the judgment of Dilip Kumar case that out of 47 cases of Honour killing, in Tamil Nadu, in 22 cases either of the party to marriage belongs to Dalit or Scheduled Caste. Madras High Court Judgment dated 13/04/2014 in B. Dilip Kumar vs. The Secretary, Government of Tamil Nadu and Other (WP No. 26991 of 2014).

⁵⁰ "The Hindu" daily Chandigarh online edition dated 20-09-2013.

⁵¹ International Journal of Criminal Justice Sciences, (IJCS) ISSN No. 0973-5089 July-December 2014, Volume 9(2) pp. 192-208.

⁵² PTI, New Delhi, Aug 11, 2021.

⁵³ <https://www/bbc.co.uk>.

The term hate crime refers to “unlawful, violent, destructive, or threatening conduct in which the perpetrator is motivated by prejudice toward the victim’s putative social group”.⁵⁴ The most crucial point in the case of a hate crime is the underlying motivation, while a conventional crime might be motivated by a desire to expropriate resources from the victim for the personal gain of the offender. In the case of hate crimes, there is a deliberate intention to victimize an individual because of his membership in a certain social group. Hate crime focuses on hostility or prejudice against the groups in question. Hostility carries the ordinary, definition of ill-will, unfriendliness, spite, ill-feeling, contempt, prejudice, resentment, dislike and hatred. The public order offences of stringing up and focusing on hatred itself and the intention or likely effect of the offence in question.⁵⁵ Hate crimes are criminal acts (i.e., killing) activated by prejudice or hate towards the victim as a representative of a wider social group. Hate crime can include “message crimes” designed to gain popularity and potentially media attention, to symbolize prejudice or threat towards the group of which the victim is supposed to be a member.⁵⁶

Hate crimes are characterized by a deliberate intention to suppress the downtrodden and oppressed communities furthermore by murdering the few radical people, who try to escape the discrimination. In India, communities are positioned based on their caste and religion that is vital in hate crimes where these caste hierarchies and religious majority and minority is followed sincerely. Hate crimes are used as an exclusive tactic to maintain the existing hierarchy in society. Many hate crimes result from dominant groups concerns about minority group encroachment. After witnessing all these

mishaps in India, there is no particular legislation to prevent hate crime from happening in the nation.

Honour killing is one of the extreme violence perpetrated upon women by men. It is an evil practice and a gross violation of the right to life with human dignity. It appears to be the worst possible form of discrimination based on sex, caste, creed and communities. The National Crime Records Bureau ⁵⁷(NCRB) compiles the crime data and publish the same from 1955 till this date. Since 2013, various categories have been included in their report. These are part of the annual crime report which for the first-time recorded motives behind the murder under the various new categories. As per the data, 28 people are behind the victims of the Honour killing in the year 2014.⁵⁸ In the year 2015, 192 cases of Honour Killing were reported in the “Crime in India Report” by NCRB. Later, in the year 2017 the NCRB report that was published after a year delay left out hate crimes, Honour killings and lynching because it found available data on it unreliable and vague.⁵⁹ But, the Honourable High Court of Madras pointed out 47 Honour killing cases committed in the period from 2010 to 2015 in the State of Tamil Nadu.⁶⁰ On analyzing these data, we can decipher that there is a huge number of Honour killings have been committed. The Honour killings prevailing and emerging as a hate crime across India adds to the turmoil of the victims and their oppressed communities. Despite the fact the cases are filed and brought to the Hon’ble bench of judges, there are no appropriate laws to redress these issues to date.

Honour Killing as a Hate Crime

“Honour killing is peak of hatred; it is the gap between love and hatred or like and dislikes”

Honour killing is considered a violation of criminal law. But it is not ordinary domestic violence because it is not committed by the

⁵⁴ Green Donald, Laurence McFalls and Jennifer Smith (2001), Hate Crime: An Emergent Research Agenda, Annual Review of Sociology, 27, p. 480.

⁵⁵ Hate crime and crimes against older people report 2011-12, British Crime Survey, p. 29. www.cps.gov.uk

⁵⁶ Unlawful killings in Africa – A study prepared for the UN Special Rapporteur on extrajudicial summary or arbitrary executions, p. 175. www.cghr.polis.cam.ac.uk

⁵⁷<http://ncrb.nic.in>

⁵⁸ The Times of India 3/18/2016

⁵⁹ The Telegraph online edition visited on 22/10/2019

⁶⁰ B. Dilip Kumar vs State of Tamil Nadu in W.P. No. 26991 of 2014 order dated 13-04-2016

family members alone. The village elders, khap panchayat (In Tamil Nadu Katta panchayat) members, caste panchayat Goondas commit the offence of Honour killing based upon the order of extrajudicial, illegal bodies. In Tamil Nadu, Kanyakumari District women or girls who commit inter-caste marriages are killed by the village elders in the name of "samharam". At the same time, Honour killing cannot be considered as sheer communal violence. Sociologists remarked the act as a societal shame. Anthropologists approached the concept of Honour killing through communal background and used the word "offence of cultural lack". The Scheduled Castes or Scheduled Tribes consider it as an atrocity.⁶¹ Police authorities classify Honour killing into the column of organized crimes. Honour killing is not only an organized crime but also the individual's unfair response to inter-caste marriages. In Tamil Nadu Erode district, Gobichettipalayam taluk, Nallagoundanpalayam Rajammal Rangasamy killed her son, Selvaraj, because he married a Scheduled Caste woman. This incident occurred on the fifth day after marriage. The perpetrator Rajammal threw a large stone on the head of her son, who lost his life at the scene of occurrence. Mr. Balakrishnan, the third additional session's judge of Karur awarded a life sentence to the convict.⁶² Love never takes revenge or life. Honour killing is never a crime of passion. Since the crime of passion is committed against the loved ones in an aggravated state of mind, without any preparation. Most of the Honour killings are pre-planned and executed without any guilt. If at all they love their children they would be emotionally weak, but the reaction of caste Hindus towards inter-caste marriages is monstrously resulting in hatred for the scheduled castes and tribes population. Although a sect of progressive and radical people combat against these evils, on the other hand, the majority goes dumb.

Honour killing is a discriminatory act based on various factors such as gender, class,

ethnicity and age, status, power of the individual and caste vote bank politics. Honour killing is not only a harmful traditional practice (HTP). It is the outgrowth feudal mindset. The Forward class community who tops the Four Varnas (Brahmins), never indulged in the crime of Honour-killing in Tamil Nadu during the research period of the thesis. It was the other two varnas filling the gap between Brahmins and Shudras following such inhumane practices. Particularly the newly rich and politically powerful families considered inter-caste marriages as dishonour. The offenders mostly belonged to educationally backward classes, who habitually involved in this type of hate crime by the illusion of caste Honour. Religion has minimal impact compared to caste in Indian mixed marriages. The inter-caste marriages hurt the emotions of the parents, especially when the upper caste boy or girl choose his or her life partner from the lower caste families. This intricacy is not just an emotion or concern for their children; it reflects sheer hatred of the oppressed population.

Honour killing is a discriminatory act based on various factors such as gender, class, ethnicity and age, status, power of the individual and caste vote bank politics. Honour killing is not only a harmful traditional practice (HTP). It is the outgrowth feudal mindset. The Forward class community who tops the Four Varnas (Brahmins), never indulged in the crime of Honour-killing in Tamil Nadu during the research period of the thesis. It was the other two varnas filling the gap between Brahmins and Shudras following such inhumane practices. Particularly the newly rich and politically powerful families considered inter-caste marriages as dishonour. The offenders mostly belonged to educationally backward classes, who habitually involved in this type of hate crime by the illusion of caste Honour. Religion has minimal impact compared to caste in Indian mixed marriages. The inter-caste marriages hurt the emotions of the parents, especially when the upper caste boy or girl choose his or her life partner from the lower

⁶¹Udumalaipet Sankar Honour killing case

⁶²Makkal Kalam (Tamil monthly journal) Aug 2015

caste families. This intricacy is not just an emotion or concern for their children; it reflects sheer hatred of the oppressed population. Hate crime in the disguise of Honour killing encourages message crime designed to gain popularity and potentially media attention to proclaim prejudice or as a threat to the victim's community. In Parthiban's Honour killing case, he had a love affair with his college classmate. On behalf of this, he was murdered with cut injuries in the neck, knife stabbing in the chest and cut through the private part of his body. These types of cruel murders convey the message to society and the deterrent effect to the minds of young couples and teenage lovers. This case confirms Honour killing is a hate crime.⁶³ Honour killing in India is a multi-facet of various culture and Institutions. Caste is an age-old institution in India and religion is another institution in Indian society. Both influences the private and public lives of Indians. Both Institutions are having societal norms and culture but sometimes the activities of these institutions violate personal life and liberty ensured by the Indian Constitution. It is not only as crime but a social evil and legislation that comes into effect under one umbrella.

Kerala, Kannur district, Ermel village hundreds of Malayalam speaking girls marries the Jat dominated village Hindi speaking boys.⁶⁴ It is the best illustration of inter-linguistic marriage. May be, geographically India considered as a sub-continent, as per the view of the cartographic school of criminological thought,⁶⁵ it is an Intra – Continental marriage.

In this situation, the researcher recollected the memories of American Vice President (Incumbent) Mrs. Kamala Harris' history that their family members (including her mother) married a foreign male. Generally, it is an inter-continental marriage the Asian-American particularly Indo-American women

attained the highest entity in her career. It is possible due to high ideals of Kamala's maternal grandfather, formerly ICS officer and he belongs to so-called upper caste in India. But he accepted Kamala's parents' inter-caste marriage through their liberal, tolerated mind set up. It is an outcome of education and economical status of her family. Their off springs also involved inter-caste, inter-religious marriages but not in India.

Kousalya Sankar is an anti-caste activist and human rights defender nominated by the US embassy, India for 'International Women of Courage Award – 2021' for her sustained campaign against honour killing and other caste-based violence's in Tamil Nadu.

In India, villages in Karnataka, the so-called upper caste people only are entitled to maintain the male buffalo, which is used for breeding purpose. The people belonging to lower caste doesn't have to maintain male buffaloes. That was narrated by the Professor Aravind Malakathi in his autobiography.⁶⁶

In Tamilnadu, some villages in Southern districts, Dalits have no right to breed and maintain the male pet dogs. It is a preventive measure of Dalits' dog conjunction with upper caste female dogs. This prohibition based upon the 'pure blood theory'. This source in undated psychological impression in division of animal would rise a question dealing the human tendency

The Bollywood film Vicky Donar, is a film about the sperm donation. So, the present era, is scientifically developed and miracles occurred in the medical field. But this circumstances, Indian peoples committing the honour killings in the name of honour of the caste⁶⁷

In Tamilnadu, believes that small God / Goddess (eg., Madurai Veeran) getting power from Lord Shiva at Kailas. They arise from outcome of the inter-caste marriages and

⁶³Honour killing in Tamilnadu, Junior Vikadan dated 16/06/2013.

⁶⁴The India today (Tamil) dated 25/07/2012.

⁶⁵ Otherwise called as Geographical School of Criminology or French School of Criminology

⁶⁶ Government Brahmins autobiography of the author, Professor of Kanna language in Mysore University at Manasa Gangothiri.

⁶⁷ The India Today (Tamil), June 20, 2012.

related honour killings. Now-a-days, presidential God Kailash⁶⁸ walk in the name of Law and seated at court of justice.

So, the researcher believed that law and court collectively prevent, prohibit the newly emerging hate crime of honour killing. The existing legislations have no capacity or calliper to prevent the honour killings. At the same time, honour killing characters and hate crime characters is floating in the same boat.

Finally, the researcher concluded that "THE HONOUR KILLING AS A NEW EMERGING HATE CRIME IN INDIA" based on aforesaid characters for the above-mentioned reasons.

Suggestions and Recommendations

Commands and Demands:

State commands the People and the People demands the State for their co-existence. State is a sovereign authority. It commands its subjects by the laws. So, the researcher demands powerful law against the honour based hate crime for the following reasons.

During the course of study and reading about the laws and factors responsible for crime against young couples, the researcher would suggest following measures to control the crime against honour killing. On the basis of both doctrinal and empirical study on the topic, the researcher would like to put forth the following suggestions:

1. There is a necessity to constitute National Crime Prevention Policy for Honour Killing and also there is a need to setup the National Plans for eradication of hate crimes.
2. The Union Government should take initiatives to ensure an adequate new stringent hate crime legislation on honour killings and to impose serious penal sanction for the requirement to Criminal Procedure Code 1973 for the purpose of framing the charges.

3. Anti-honour killing legislation may be formulated with other honour crimes also. It is made up with comprehensive in nature. The anti-honour killing legislations having some special features, that addressing the following characteristics substantive hate crime laws, penalty enhancement laws and other general sentencing policy provisions.
4. The nature of legislation shall be a comprehensive in nature and it includes, prevention of crime, prohibition of the offence, protection to the witnesses and redressal to the victim shall be necessary in the new hate crime legislation.
5. Sensitization about this issue National Judicial Academy and State Judicial Academies create the sensitization to the judges of High Court and other Judicial Officer in routine manner.
6. The hate crime classified by the Crown Prosecution Service (CPS) in England, three categories i.e., homophobic and transphobic hate crime, Disability hate crime and Crime against older people. There is no statutory definition of a crime against an older person and no general statutory offence. Similarly, in India there is no definition for crime against newly married youths. So, the researcher feels a new law is needful one with following characteristics.
 - (a) Motive of the offence of the Honour Killing is considered as a constituent part of the crime. The prosecution does not therefore need to prove hatred as the motivating factor behind an offence. Nor does the whole offence need to be motivated by hostility; it can play a part only, provide one element of the offending behavior or it can provide the sole reason.
 - (b) The bill shall conglomerates only new type of offences. It objects to provide protection to the young newly

⁶⁸ A K Perumal, researcher and Tamil writer on folklore.

married couples who involved in the mixed marriages including inter-caste, inter-religion, inter-linguistic, inter community, etc. to save them from various crimes and atrocities committed on them on the basis of hate or bias, etc. this research study identified the bias or hatredness as caste as a leading factor. These offences may be described as hate crime or biased motivated crimes. Because the offender, perpetrators intentionally select the person against whom the crime is committed or select the property, which is damaged or is otherwise affected by the crime on the basis of the castes and communities.

(c) Negligence of the duty of the public servant and enhance punishment – the public servant avoid or devoid the duty resulting offence of hate crime – honour killing shall be punished strictly.

(d) The research study prescribes three categories of punishment in the proposed bill.

- (1) Death penalty (The perpetrators of the honour killing includes preparation, planning, abiding, attempt, harboring offenders, erasing the evidences in disposal of bodies, murder of the children born out of mixed marriages)
- (2) Non - Commutable Life Imprisonment not less than 30 years (the attempt to commit the honour killing, instigates and abetment of suicide by the young couples)
- (3) Fine and forfeiture of the property Compensation (the perpetrators of the honour killing property shall be confiscated / forfeiture of the half of the property)
- (4) Minimum / mandatory punishment – the honour killing perpetrators only punish with death penalty and the law shall not allow any other alternative to this. It is a minimum mandatory punishment.

(5) Enhanced punishment – the crime repeaters or recidivist shall be punished with enhanced punishment likely to death penalty and forfeiture of the entire property.

(e) The bill may give the protection to the various kinds of hate crimes, the protection may broadly, be divided into following categories

- (1) Protection from social disabilities
- (2) Protection from personal atrocities and vengeance
- (3) Protection from atrocities affecting properties
- (4) Protection from malicious prosecution
- (5) Protection from political disabilities
- (6) Protection from economic boycott
7. Killings or attempted where the victims had prior contact with the police but were not adequately protected. It is also suggested that to provide special police protections to the victim or relatives of victim
8. Special Fast Track Courts comprehensively the power of family court under the Family Court Act, 1984 for the disputes relating to marriage.
9. Providing legal assistance to the young couples and their legal heirs through the Legal Services Authority Act.
10. Appointment of the special public prosecutor shall be wish and whims of the victims of this hate crimes.
11. Eviction of potential perpetrators from the disturbed area.
12. Cancellation of the fire arm license of the perpetrators and grand new gun license to the young couples who are under the threat of honour killing.
13. The perpetrators shall not be allowed in anticipatory bail in case of the hate crime of honour killing. Section, 438 of Cr.P.C shall be inoperative in this issue.
14. The 17th law commission has suggested comprehensive Witness Identity Protection (WIP) and Witness Protection

- (WP)⁶⁹ program to prevent witnesses from turning hostile under threat from the accused and to ensure the criminal trials. The researcher strongly recommended to enact the law on the basis of recommendation of law commission for witness protection in honour killing cases because, most of the accused in honour killing cases acquitted due to hostile witness.
15. In this present hate crime legislation should not considered the juvenile delinquent as a victim by the necessary amendment of the Juvenile Justice (Care and Protection of Children) Act, 2015.
 16. The perpetrators committed the honour killing, the court shall deny the probation to the convicts under the Probation of Offenders Act, 1958.
 17. Sensitization of the executive authorities through over Centre for Legal Education including Law University, all Law teachers should undertake basic training in recognizing sign of hate crime. Law Colleges creating the awareness to the scheduled to other educational institutions through Legal Aid Clinics.
 18. Prepare a guidelines for the hate crime of honour killing for the purpose of investigation agencies and prosecution agencies. Support to capacity building programmes in justice delivery system.
 19. Support to establishment of a comprehensive referral system including police, medical personnel, teachers, NGO's, religious and community leaders and others in order to ensure that potential victims can be protected.
 20. Hence the researcher strongly believes that psychological counselling and welfare measures also changing the age-old mind set of the perpetrators.
 21. The union government granting aid to the inter-caste marriage couples in the name of Ambedkar Social Welfare Scheme. It should be extended to the other types of mixed marriages.⁷⁰
 22. Support programs to addresses complex needs of survivors. Survivors should be provided with compensation as well as legal, psychological and social assistance.
 23. Under Section 482 of the Cr.P.C, each and every High Court to quash the F.I.R, this provision may not be extended to honour killing cases.
 24. The guidelines enumerated by the Supreme Court of India in a leading Shakhthivahini case, may be considered by the legislature during the preparation of Bill.
 25. Inter-caste marriages can be one of the significant steps to reduce the caste prejudices, abolition untouchability and spread the values of liberty, equality, fraternity, etc. in the society.⁷¹ As per the Article 51A(h) and (j) of the Constitution of India and the virtue of scientific temper the Government of India promote the ideals of mixed marriages including the inter-caste marriage for the future generations

⁶⁹ 198th Law Commission report by justice M.Jagannadharao.

⁷⁰ Dr. Ambedkar scheme for social integration through inter-caste marriages supported by Dr.Ambedkar foundation, Ministry of Social Justice and Empowerment of India.

⁷¹ The annihilation of caste, Dr.B.R.Ambedkar, 1936.