

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3291
ANSWERED ON:10.12.2002
CUSTODIAL DEATH IN MAHARASHTRA
MOHAN RAWALE

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government are aware of highest number of custodial deaths in Maharashtra;
- (b) if so, the reasons therefor;
- (c) whether National Human Rights Commission has inquired into the matter;
- (d) if so, details thereof;
- (e) whether the Government have given any instructions to the State Government in this regard;
- (f) if so, details thereof; and
- (g) the fresh steps taken/proposed to be taken by the Government/ NHRC in the matter?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO)

(a) & (b): As reported by the National Human Rights Commission (NHRC), the highest number of custodial deaths occurred in the State of Bihar in the years 1999-2000 and 2000-2001 and in Uttar Pradesh in 2001-2002 and not in Maharashtra.

(c) & (d): NHRC has registered the following cases of custodial deaths during the last three years relating to the State of Maharashtra.

Year	No. of cases
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1999-2000	156
2000-2001	123
2001-2002	152

NHRC to whom all cases of custodial deaths in the States are reported has enquired into these deaths and recommended suitable compensation to those affected. The Commission has recommended compensation in 10 cases during the year 1999-2000 and in one case during the year 2000-2001. The commission has also recommended disciplinary proceedings against guilty officials in two cases for the year 1999-2000.

(e) to (g): Law and Order is a State subject. However, NHRC has on various occasions, directed the concerned authorities, in appropriate cases, to take necessary steps to curb the occurrence of custodial deaths and also for improving the conditions in jails. NHRC has also issued instructions for streamlining the procedure for reporting custodial deaths to avoid any delay in sending the post-mortem and Magisterial Inquiry Reports along with their videography to the Commission within the prescribed time limit. Further the Commission has also emphasized the need to curb the occurrence of custodial deaths to all State Governments.