

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:228  
ANSWERED ON:05.08.2003  
CUSTODIAL DEATHS  
M. DURAI;PRAVEEN RASHTRAPAL

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) the total number of custodial deaths reported in various jails in the country due to inhuman treatment and third degree methods adopted by police officials during the last one year as on date, State-wise;
- (b) whether National Human Rights Commission (NHRC) has urged the Government to formulate certain guidelines for dealing with the prisoners in jails;
- (c) if so, the details thereof;
- (d) whether the Government have accepted the advice of NHRC and issued directives to States; and
- (e) if not, the reasons therefor?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI)

(a)to(e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.228 FOR 5TH AUGUST, 2003

(a): The National Human Rights Commission (NHRC) registers cases of deaths in judicial custody based on report received from various States. During the last one year i.e. 29.7.2002 to 28.7.2003, the Commission has registered 1151 deaths in judicial custody. There are various reasons for these deaths, which include natural deaths, deaths due to illness, and atrocities committed while in custody etc. State-wise details of custodial deaths in jails during the last one year is annexed.

During the last one year, from 29.7.2002 to 28.7.2003, the Commission has disposed of 263 cases relating to deaths in judicial custody. In no case, death was found to have been caused due to inhuman treatment and third degree methods adopted by police officials.

(b),(c),(d)&(e): The Commission has, from time to time, been issuing instructions/ making recommendations to the State Governments/Union Territory Administrations for improving the conditions of jails, providing medical treatment to prisoners and their humane treatment. Instructions have also been issued to the State Governments/Union Territory Administrations in dealing with matters relating to deaths in police and judicial custody. During the visits of the Chairpersons, Members and Special Rapporteurs of the Commission to various jails in the country, the need for humane treatment of prisoners lodged and to curb the occurrence of custodial deaths in jails have been emphasised with the concerned State authorities. The Central Government has also issued suitable instructions in this regard.

Annexure

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.228 FOR 5TH AUGUST, 2003.

State      Judicial Custody

Andhra Pradesh	111
Arunachal Pradesh	2
Assam	13
Bihar	145
Goa	1
Gujarat	33
Haryana	41
Himachal Pradesh	3
Jammu & Kashmir	-
Karnataka	51
Kerala	56

Madhya Pradesh	31
Maharashtra	114
Manipur	-
Meghalaya	4
Mizoram	3
Nagaland	-
Orissa	39
Punjab	57
Rajasthan	49
Sikkim	-
Tamil Nadu	73
Tripura	1
Uttar Pradesh	157
West Bengal	45
A & Nicobar Island	-
Chandigarh	6
D and Nagar Haveli	-
Daman and Diu	-
Delhi	26
Lakshadweep	-
Pondicherry	-
Chhattisgarh	38
Jharkhand	43
Uttaranchal	9

Total 1151