

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:135
ANSWERED ON:27.02.2007
CUSTODIAL DEATH
Subba Shri Moni Kumar

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the total number of custodial death reported by the National Human Rights Commission (NHRC) during each of the last three years as on date, State-wise and UT-wise;
- (b) the action taken by the Government against erring officials;
- (c) the compensation paid to the next of kin of each custodial death victim, Statewise; and
- (d) the steps taken by the Government to stop such custodial death in future?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

- (a): As per the reports received by the National Human Rights Commission (NHRC) from States /Union Territories, a statement indicating the number of custodial deaths for the years 2003-2004, 2004-2005 and 2005-2006 is annexed. (Annexure-I)
- (b): Law and Order is a State subject. The NHRC, however, makes recommendations to the State Governments concerned to take disciplinary action, which include prosecution as well as compensation, against the errant officers involved in custodial deaths, wherever their guilt has been established after inquiry by NHRC.
- (c): As per the reports received by the NHRC, the State-wise details of compensation awarded to the dependents in each custodial death case is annexed. (Annexure-II (a) and II (b)).
- (d): The NHRC has issued guidelines to all State Governments/Union Territories to inform the Commission of incidents of custodial death within 24 hours of its occurrence. The Commission recommends disciplinary/departmental action as well as initiation of prosecution against the delinquent police officials in cases where prima-facie case of custodial violence is established. The Chairperson and Members of the NHRC during their visits to the States/Union Territories, always emphasize upon state functionaries the need to curb the occurrence of custodial deaths. Besides, the Commission from time to time, while disposing of cases of custodial deaths, makes appropriate observations to the State authorities to prevent recurrence of such custodial deaths in future.