

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2197

ANSWERED ON:29.11.2016

Custodial Deaths

Adhikari Shri Sisir Kumar;Kamal Nath Shri ;Scindia Shri Jyotiraditya Madhavrao

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there has been a sharp increase in the incidents of custodial deaths and torture in police custody in the country;
- (b) if so, the details thereof and the total number of such cases reported, separately and guilty personnel arrested, convicted and the action taken against them during the last three years and the current year, state-wise including Madhya Pradesh;
- (c) whether the National Human Rights Commission (NHRC) and various State Human Rights Commissions (SHRCs) have received representations/complaints in this regard; and
- (d) if so, the total number of such representations/complaints received by the NHRC and SHRCs in this regard along with the action taken thereon during the said period, State-wise;
- (e) whether the Government has prepared guidelines to stop such cases in conformity with the report of United Nation's Convention Against Torture,1997 and if so, the details thereof and if not, the reasons therefor;
- (f) whether the Union Government has issued directives to State Governments and Police Department in this regard; and
- (g) if so, the details thereof and the reaction of the State Governments and Police Department in this regard; and
- (h) the other steps taken by the Government to stop such cases in future?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJU)

(a) Based on the information received from National Human Right Commission (NHRC), the details of reported incidents of custodial death and torture are as under:-

S.No. Item 2013-14 2014-15 2015-16 2016-17 (upto 31.10.2016)

a) Death in Police Custody 140 130 153 88

b) Torture in Police Custody 303 431 493 293

It can be seen from the above table that the deaths in police custody and torture are showing mixed trend.

(b) A statement indicating State-wise details of death in police custody, torture in police custody and custodial deaths where NHRC recommended monetary relief, disciplinary action and prosecution during the last three years and the current year are given at Annexure I to IV respectively.

(c) to (e): Information is being collected and will be laid on the Table of the House.

(f) to (h) Pursuant to the guidelines issued by the National Human Right Commission every death in custody, police or judicial, natural or otherwise, is to be reported to the Commission within 24 hours of its occurrence.

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In all such case, the Commission calls for various reports including the inquest, post-mortem, video-graphy of post-mortem, magisterial inquiry report for ascertaining foul play or negligence, if any which resulted in the death.

During various workshops, seminars and camp sittings, the Commission sensitizes senior officers in State Governments for better protection of Human Rights.