

JULY 21, 1998

211 *Written Answers*

(d) whether the Government have cleared the said proposal;

(e) if so, the details thereof; and

(f) if not, the reasons therefor and the time by which this proposal is likely to be cleared?

THE MINISTER OF STATE OF THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DALIT EZHILMALAI) : (a) No, Sir.

(b) to (f) Do not arise.

#### **Custodial Deaths**

4948. DR. JAYANTA RONGPI :  
PROF. AJIT KUMAR MEHTA :  
SHRI MOHAN SINGH :  
SHRI SURESH CHANDEL :  
SHRI MADHAVRAO SCINDIA :  
SHRI NARENDRA BUDANIA :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of custodial deaths, including deaths caused by harassment and ill-treatment during each of the last three years till date, State/UT-wise;

(b) the number of cases in which the police was involved for such deaths;

(c) the number of persons/officials punished, State/UT-wise; and

(d) the steps taken/proposal to be taken by the Union Government to bring reforms in the investigation process and use of third degree methods to extract confessions?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : (a) and (b) Available information in regard to deaths in Police custody and Judicial custody is given in the enclosed statement.

(c) Details about individual cases are not maintained at the Central level.

(d) This Ministry has issued guidelines to the State Governments to ensure that the police forces conduct themselves in a humane manner and that alleged cases of police excesses, if any, are taken serious note of and dealt with promptly and firmly. This Ministry has also advised the State Governments to scrupulously follow the directions of the Supreme Court on arrest and detention as contained in its judgement dated 18.12.1996 in Writ Petition CRL. No. 539 of 1986—Shri D.K. Basu V/s. State of West Bengal.

#### **Statement**

#### **Custodial Deaths**

| S. No. | Names of the States/<br>Union Territories | PC<br>1995-96 | JC | PC<br>1996-97 | JC | PC<br>1997-98 | JC  | PC<br>01.04.98 to<br>30.06.98 | JC |
|--------|---|---------------|----|---------------|----|---------------|-----|-------------------------------|----|
| 1      | 2   | 3             | 4  | 5             | 6  | 7             | 8   | 9                             | 10 |
| 1.     | Andhra Pradesh                            | 10            | 45 | 27            | 70 | 21            | 52  | 02                            | 22 |
| 2.     | Arunachal Pradesh                         | —             | —  | 02            | —  | 02            | 02  | 02                            | —  |
| 3.     | Assam                                     | 07            | 15 | 13            | 12 | 14            | 20  | 03                            | 08 |
| 4.     | Bihar                                     | 08            | 67 | 14            | 79 | 09            | 110 | 03                            | 46 |

| 1   | 2                | 3  | 4  | 5  | 6   | 7  | 8   | 9  | 10 |
|-----|------------------|----|----|----|-----|----|-----|----|----|
| 5.  | Goa              | —  | —  | 02 | —   | —  | 03  | 01 | —  |
| 6.  | Gujarat          | 15 | 04 | 18 | 32  | 15 | 04  | 01 | 20 |
| 7.  | Haryana          | 04 | 05 | 02 | 07  | 03 | 08  | —  | 03 |
| 8.  | Himachal Pradesh | —  | 01 | 01 | —   | —  | —   | —  | —  |
| 9.  | Jammu & Kashmir  | 15 | —  | 04 | —   | 02 | —   | —  | —  |
| 10. | Karnataka        | 03 | 10 | 08 | 28  | 06 | 35  | —  | 04 |
| 11. | Kerala           | 02 | 02 | 06 | 09  | 06 | 29  | —  | 04 |
| 12. | Madhya Pradesh   | 02 | 07 | 08 | 07  | 18 | 43  | —  | 23 |
| 13. | Maharashtra      | 09 | 25 | 21 | 180 | 19 | 115 | —  | 23 |
| 14. | Manipur          | 04 | —  | 01 | —   | 01 | —   | —  | —  |
| 15. | Meghalaya        | —  | 03 | —  | 10  | 02 | —   | —  | —  |
| 16. | Mizoram          | —  | 02 | —  | —   | —  | 01  | —  | —  |
| 17. | Nagaland         | 02 | —  | 02 | 01  | 01 | —   | —  | —  |
| 18. | Orissa           | 02 | 08 | 03 | 10  | 04 | 19  | —  | 22 |
| 19. | Punjab           | 08 | 06 | 05 | 12  | 11 | 26  | —  | 15 |

| 1     | 2                    | 3   | 4   | 5   | 6   | 7   | 8   | 9  | 10  |
|-------|----------------------|-----|-----|-----|-----|-----|-----|----|-----|
| 20.   | Rajasthan            | 06  | 11  | 05  | 25  | 06  | 11  | —  | 15  |
| 21.   | Sikkim               | 01  | —   | —   | —   | —   | —   | —  | —   |
| 22.   | Tamil Nadu           | 04  | 01  | 03  | 18  | 11  | 55  | —  | 11  |
| 23.   | Tripura              | —   | —   | —   | —   | 03  | —   | —  | —   |
| 24.   | Uttar Pradesh        | 13  | 24  | 32  | 139 | 16  | 169 | —  | 75  |
| 25.   | West Bengal          | 14  | 37  | 06  | 42  | 10  | 43  | —  | 11  |
| 26.   | Andaman & Nicobar    | —   | —   | —   | —   | —   | —   | —  | 01  |
| 27.   | Chandigarh           | —   | —   | —   | —   | —   | —   | —  | —   |
| 28.   | Dadra & Nagar Haveli | —   | —   | —   | —   | —   | —   | —  | —   |
| 29.   | Daman & Diu          | —   | —   | —   | —   | —   | —   | —  | —   |
| 30.   | Delhi                | 07  | 33  | 05  | 19  | 12  | 29  | —  | 02  |
| 31.   | Lakshadweep          | —   | —   | —   | —   | —   | —   | —  | —   |
| 32.   | Pondicherry          | —   | —   | —   | —   | 01  | —   | —  | —   |
| Total |                      | 136 | 308 | 188 | 700 | 193 | 819 | 42 | 305 |

PC—Police Custody

JC—Judicial Custody