

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1328

ANSWERED ON:31.07.2001

CUSTODIAL DEATHS

MADHAVRAO SCINDIA;MOHAMMED SHAHABUDDIN;RAM PRASAD SINGH;RENUKA CHOWDHURY;SUSHIL KUMAR
SAMBHAJIRAO SHINDE

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the details of custodial deaths during the each of the last three years, State-wise;
- (b) whether the Human Rights Commission alongwith the State Human Rights Commission have gone into such cases and their findings have been communicated to the respective Governments for action;
- (c) if so, the number of cases decided by the Human Rights Commission; and
- (d) the action taken by the State Governments against the police officials named by the Human Rights Commission?

Answer

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

(a)to(d): A statement indicating the State-wise and year-wise details of custodial deaths (both police and judicial custody) reported to the National Human Rights Commission (NHRC) for the years 1998-99, 1999-2000 and 2000-2001 is at Annexure-A.

The NHRC has taken cognizance of all the reported cases. There are, in all, 3416 such cases. 593 cases have been disposed of by the Commission upto 2000-2001 after considering the reports. Out of these 593 cases, 508 cases were found to be on account of natural deaths and 85 cases were concluded to be unnatural deaths. Out of these 85 cases the Commission recommended payment of compensation to the next of kin of the deceased in 44 cases. In 38 cases it recommended both payment of compensation to the next of kin of the deceased and initiation of disciplinary proceedings against the delinquent police officials and in 3 cases the Commission recommended only disciplinary proceedings. An additional 608 cases have also been disposed of by the Commission as being due to natural deaths in the year 2001-2002 (till date). The remaining 2215 cases are under consideration of the Commission at various stages.

Out of 85 cases in which the Commission had recommended award of compensation and initiation of disciplinary proceedings against the erring officials, the concerned State Governments have furnished compliance report in terms of the recommendations of the NHRC in 59 cases and the remaining 26 cases are at different stages of action by them.

ANNEXURE `A`

STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO.1328 FOR REPLY ON 31ST JULY, 2001

STATEMENT SHOWING YEAR-WISE/STATE-WISE DETAILS OF CUSTODIAL DEATH REPORTED BY THE STATE GOVERNMENT TO THE COMMISSION

STATE 1998 1999 TOTAL 1999 2000 TOTAL 2000 2001 TOTAL
JC PC JC PC JC PC JC PC JC PC

ANDHRA PRADESH	96	25	121	73	11	84	76	2	78
ARUNACHALPRAD	1	2	3	0	4	4	1	1	2
ASSAM	22	15	37	22	11	33	11	11	22
BIHAR	182	10	192	155	7	162	137	2	139
GOA	1	0	1	2	2	4	3	2	5
GUJARAT	37	8	45	19	13	32	27	11	38
HARYANA	18	4	22	24	5	29	20	4	24
HIMACHAL PRAD	0	2	2	0	1	1	2	1	3
J & KASHMIR	0	0	0	0	0	0	1	0	1
KARNATAKA	40	10	50	35	6	41	41	5	46
KERALA	25	4	29	14	6	20	26	1	27
MADHYA PRADESH	99	19	118	58	13	71	37	11	48
MAHARASHTRA	98	20	118	126	30	156	104	19	123

MANIPUR 0 3 3 1 0 1 0 0 0
MEGHALAYA 6 1 7 2 0 2 0 1 1
MIZORAM 0 0 0 0 0 0 0 1 1
NAGALAND 0 1 1 0 0 0 0 0 0
ORISSA 68 0 68 45 1 46 55 2 57
PUNJAB 43 12 55 42 11 53 48 13 61
RAJASTHAN 47 3 50 45 3 48 38 3 41
SIKKIM 0 0 0 0 0 0 0 0 0
TAMIL NADU 41 14 55 48 9 57 24 4 28
TRIPURA 0 0 0 0 0 0 0 2 2
UTTAR PRADESH 222 20 242 141 18 159 121 10 131
WEST BENGAL 40 6 46 43 19 62 38 9 47
A&N ISLANDS 2 0 2 2 1 3 2 0 2
CHANDIGARH 0 0 0 0 0 0 2 1 3
D&N HAWELI 0 0 0 0 0 0 0 0 0
DAMAN&DIU 1 0 1 0 0 0 0 0 0
DELHI 17 0 17 19 6 25 28 9 37
LAKSHDWEEP 0 0 0 0 0 0 0 0 0
PONDICHERRY 0 1 1 0 0 0 0 0 0
CHHATISGARH 0 0 0 0 0 0 29 1 30
JHARKHAND 0 0 0 0 0 0 33 1 34
UTTARANCHAL 0 0 0 0 0 0 6 0 6
TOTAL CASES 1106 180 1286 916 177 1093 910 127 1037

JC- JUDICIAL CUSTODY
PC-POLICE CUSTODY