

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2841
ANSWERED ON:17.08.2004
CUSTODIAL DEATHS
Saradgi Shri Iqbal Ahmed;Sidhu Shri Navjot Singh

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the custodial deaths in the country are on increase;
- (b) if so, total number of custodial deaths reported during the last two years and thereafter in the country, State-wise;
- (c) the action taken against the erring officials;
- (d) whether the union Government is considering any legislation to check increasing custodial deaths; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO HODLYA GAVIT)

(a) & (b): The total number of cases of custodial deaths in Judicial Custody and Police Custody reported to the National Human Rights Commission (NHRC) during the last two years are as under:-

Year All States/UTs

2002-03	1340
2003-04	1462

A statement showing the State-wise number of custodial deaths reported to the NHRC during the years 2002-03 and 2003-04 (up to 31.7.2004) is annexed at Annexure -I.

(c):The NHRC had recommended disciplinary action against the erring officials in five cases. The NHRC has also recommended total payment of compensation of Rs. 13,05,000/- in 17 cases of deaths in Judicial Custody and Rs. 12,65,000/- in 14 cases of deaths in Policy Custody during the period from 1.4.2002 to 31.7.2004.

(d) & (e): `Police` and `Public Order` are State subjects as listed in List II of the Seventh Schedule of the Constitution.However, the Union Government have been issuing guidelines to the State Governments from time to time advising them to ensure that adequate steps are taken to check instances of violation of human rights.