

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:362

ANSWERED ON:20.08.2004

METHOD OF EXECUTION OF DEATH SENTENCE

Ajnala Dr. Rattan Singh;Paraste Shri Dalpat Singh

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) Whether the Law Commission has completed its study on the method of execution of death sentence;
- (b) if so, the details thereof;
- (c) Whether it has been circulated to all concerned Bar Councils, leading lawyers for inviting their views on it;
- (d) if so, the views expressed by them; and
- (e) The steps taken by the Government thereon?

Answer

MINISTER OF LAW & JUSTICE (SHRI H.R.BHARDWAJ)

(a) to (d): Yes, Sir. The Law Commission of India has completed its study and submitted its 187th Report on 'Mode of Execution of Death Sentence and Incidental Matters'. The Law Commission made extensive consultations with eminent Advocates, Judges, Medical Practitioners, etc. before making the recommendations. The Report was laid on the Table of Lok Sabha on 9.7.2004 and on the Table of Rajya Sabha on 12.7.2004. In this Report, the Law Commission has recommended that:

- (i) the alternate mode of execution of death sentence should be by administering lethal injection;
- (ii) before passing final order as to the mode of execution of death sentence, the Court should hear the accused on that question;
- (iii) A statutory right of appeal to the Supreme Court be provided against the judgment of High court confirming or awarding death penalty; and
- (iv) This appeal should be heard by a Bench consisting of atleast five Judges of the Supreme Court.
- (e) The Report of the Law Commission has already been forwarded to the Ministry of Home Affairs for further action.