

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2360

ANSWERED ON:16.08.2011

MERCY PETITIONS

Aaron Rashid Shri J.M.;Abdulrahman Shri ;Gowda Shri D.B. Chandre;Khaire Shri Chandrakant Bhaurao;Mahajan Smt. Sumitra;Owaisi Shri Asaduddin;Verma Smt. Usha

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of clemency plea filed and pending with the Government at present;
- (b) whether the Supreme Court has made an adverse remark on the long pendency of mercy petitions of condemned prisoners and asked the reasons for delay in deciding them;
- (c) if so, the response of the Government thereto;
- (d) the steps taken/being taken by the Government to process such petitions expeditiously;
- (e) whether the Government proposes to fix a time frame for disposal of mercy petitions by amending the Constitution; and
- (f) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

- (a): Presently, 18 mercy petition cases of death convicts are pending under Article 72 of the Constitution.
- (b) & (c): While deciding the Criminal Appeal No. 338 of 2007, the Supreme Court of India vide its order dated 18th September, 2009 has reminded the concerned Governments to dispose of the mercy petitions expeditiously.
- (d): As per the order of Hon'ble Court, the cases of mercy petitions are processed expeditiously in consultation with the Governments/Departments concerned for a final decision of the President of India under Article 72 of the Constitution. However, the power under Article 72 of the Constitution does not contain any limitation as to the time in which the power conferred might be exercised.
- (e): No, Madam.
- (f): Doesn't arise.