

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:2362  
ANSWERED ON:16.08.2011  
ATROCITIES AGAINST PRISONERS BY POLICE  
Singh Smt. Meena

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the Government has received any report against police personnel with regard to ill treatment and torture of prisoners lodged in jails;
- (b) if so, the details thereof and the total number of such cases reported alongwith the action taken against accused police personnel during each of the last three years and the current year, State-wise;and
- (c) the steps taken by the Government to protect the human rights of prisoners and also to amend the relevant laws to prevent such incidents?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a) & (b): A State-wise Statement, indicating the number of complaints received by National Human Rights Commission (NHRC) regarding alleged harassment to prisoners in prison during the last three years and current year (up to 31.07.2011), is at Annexure. However, NHRC did not make any recommendation for disciplinary action/prosecution of the erring Public Servants.

(c): As per the Seventh Schedule of the Constitution of India, "Police" and "Public Order" are State Subjects. It is for the State Governments to take action in every crime. In view of this, the Central Government does not intervene directly in such cases, but only issues advisories, while the National Human Rights Commission (NHRC) issues guidelines and recommendations.

A bill titled "The Prevention of Torture Bill, 2010" which was introduced in Lok Sabha on 26.04.2010 and passed on 06.05.2010, has since been considered by a Rajya Sabha Select Committee. The Bill, inter alia, provides for punishment to those involved in offence of torture.