

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3053

ANSWERED ON:24.04.2012

FAKE ENCOUNTERS

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Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the total number of cases of fake encounter reported/registered, the action taken against the accused personnel and the compensation paid to the families of the victims during each of the last three years and the current year, State-wise including Bihar and Chennai;
- (b) the total number of fake encounter cases solved/unsolved and the steps taken by the Government to solve all the cases;
- (c) whether the Government proposes to formulate a concrete policy to check fake encounters; and
- (d) if so, the details thereof?

Answer

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

- (a): State-wise details of the total 426 cases registered by the National Human Rights Commission (NHRC) of alleged fake encounters by police, defence and central armed police forces during the period 2009-10 to 2011-12 are placed at Annexure I. For the current year 2012-13, as on 17.4.12, no such case has been registered. During the above period, in none of the cases, any recommendation for disciplinary action / prosecution of the public servants was made by NHRC. A statement indicating State-wise details of monetary relief / compensation recommended by the NHRC during the period 1.4.2009 to 31.3.2012 is at Annexure II.
- (b): Against 426 cases of alleged fake encounters, 84 cases have been solved and the remaining 342 are unsolved. For expediting the unsolved cases, concerted efforts are made by NHRC for obtaining the inquest reports, post-mortem report, magisterial inquiry report etc. from the concerned State Governments.
- (c) & (d) : 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. The Central Government issues advisories, while the National Human Rights Commission (NHRC) issues guidelines and recommendations to be followed by the States/UTs in all cases of deaths in the course of police action.