

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2016
ANSWERED ON:01.12.2009
DEATHS IN JAIL
Singh Shri Radha Mohan

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether a number of deaths of prisoners lodged in various jails have been reported from various State;
- (b) if so, the reasons therefor alongwith the total number of prisoners who died during each of the last three years, State-wise, gender-wise and jail-wise;
- (c) whether the Government has issued any directives to all the Jail Superintendents to investigate such instances and take remedial measures; and
- (d) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SHRI AJAY MAKEN)

(a)&(b): As per the information received from the National Human Rights Commission (NHRC), the total number of deaths in judicial custody during the last three years are as under:-

Year	Number of Deaths
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2006-07	1477
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2007-08	1787
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2008-09	1528
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More than 90 percent of deaths were natural deaths. The main reasons for the remaining deaths were suicide, murder by inmate, assault by outside elements, death due to firing and negligence by jail personnel.

A statement indicating the year-wise, State-wise and gender-wise details of cases of deaths in judicial custody is at Annexure. Data relating to jail-wise deaths are not maintained centrally.

(c)&(d): No Madam. 'Prison' is a State subject under list II to the Seventh schedule of the Constitution. The responsibility of the prison administration and its management, therefore, primarily lies with the respective State Governments.

However, the National Human Rights Commission has issued guidelines to all the State Governments for reporting of deaths in Police and Judicial custody, whether natural or otherwise, within 24 hours of their occurrence. In order to keep a check on the number of deaths in custody, the Commission is calling for various reports, inquest report and magisterial enquiry report to evaluate acts of omission/commission by public servants in the death in custody. The commission has also been making efforts to sensitize officers during workshops, seminars and interactions with them during visits to the various States, for better protection of human rights.