

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:405  
ANSWERED ON:26.02.2013  
CUSTODIAL DEATHS  
Rao Shri Nama Nageswara

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

- (a) whether cases of custodial deaths and torture in police custody are on the rise in the country;
- (b) if so, the details of custodial deaths reported and the action taken against the guilty personnel during each of the last three years and the current year, State and UT-wise;
- (c) whether the Government has analysed the reasons for the increasing custodial deaths in the country;
- (d) if so, the outcome thereof; and
- (e) the preventive steps taken/proposed to be taken by the Government to arrest custodial deaths in the country?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH)

(a) & (b): No, Madam. The data of National Human Rights Commission (NHRC), pertaining to the cases of custodial deaths in police custody and police torture registered during the years 2009-10 to 2011-12 shows a mixed trend. While NHRC registered 124, 146 and 128 cases of custodial deaths during the above period, the number of cases of police torture registered by them for the same period were 615, 855 and 675 respectively. Statements indicating the State-wise details of custodial deaths and police torture cases registered by NHRC for the period 2009-10 to 2011-12 and also for the year 2012-13 (upto 15.2.13) are enclosed at Annexure I & II. During the above period, disciplinary action in 28 cases and prosecution in 2 cases was also recommended by NHRC against the concerned public servants.

(c) to (e) : 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 such crimes. The Central Government issues advisories, while the NHRC issues guidelines and recommendations to be followed by the States/UTs in all cases of deaths in the course of police action. In addition, workshops /seminars are also organized by NHRC from time to time for sensitizing officers in State Governments for better protection of human rights and particularly, protection of rights of persons in custody.