

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1979
ANSWERED ON:17.12.2013
FAKE ENCOUNTERS
Deka Shri Ramen

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the National Human Rights Commission (NHRC) has taken cognizance of fake encounters reported from various parts of the country;
- (b) if so, the details thereof and the total number of fake encounters reported and accused arrested, convicted and the action taken against the guilty during each of the last three years and the current year, State-wise including Assam; and .
- (c) the steps taken by the Government to check such cases in future?

Answer

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

(a): Yes, Madam.

(b): Statements indicating the no. of cases registered on the basis of intimations about death during police action/death in alleged fake encounter, received by NHRC during the last three years and current year upto 15.11.2013 alongwith status thereof, State-wise is at Annexure-I.

The Commission does not maintain any separate record of the accused arrested and convicted.

A statement indicating the monetary relief recommended in cases of violation of human rights during the above period, including carry-forward cases, State-wise is at Annexure-I I. However, the Commission did not recommend disciplinary action/prosecution of the erring public servant in any case during the above period.

(c): NHRC has expressed concern in this regard and the guidelines were issued by them on 12.5.2010 to all the States/UTs, wherein revised procedure was conveyed to be followed in all cases of deaths in the course of police action. As per the Seventh Schedule of the Constitution of India, 'Police' and 'Public Order' are State subjects. As such, though advisories are issued by the Central Government in this regard, it is for the State Governments to take action in every crime.