

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 708**

TO BE ANSWERED ON THE 08TH FEBRUARY, 2023/ MAGHA 19, 1944 (SAKA)

CUSTODIAL TORTURE AND DEATH

708 SMT. PHULO DEVI NETAM:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has the data of all deaths under police custody for the last five years;**
- (b) if so, the State-wise details thereof;**
- (c) the status of investigation and payment of compensation regarding all these reported cases;**
- (d) whether Government has taken any steps to eliminate custodial torture and death; and**
- (e) if so, the details of the actions taken thereof?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a) to (b): As per the information provided by the National Human Rights Commission (NHRC), statement showing the State-wise number of cases registered about death in police custody for the last five years i.e. from 01.04.2017 to 31.03.2022 is at Annexure.

(c): As per the information provided by the NHRC, during the period from 01.04.2017 to 31.03.2022, in the incidents of deaths in police custody, the NHRC recommended monetary relief in 201 cases amounting to Rs.5,80,74,998/- and disciplinary action in 01 case.

(d) & (e): “Police” and “Public Order” are State subjects as per the Seventh Schedule to the Constitution of India. It is primarily the responsibility of the State Government concerned to ensure protection of human rights. However, the Central Government issues advisories from time to time and also has enacted the Protection of Human Rights Act (PHR), 1993, which stipulates establishment of the NHRC and State Human Rights Commissions to look into the alleged human rights violations by public servants. When complaints of alleged human rights violations are received by the NHRC, action is taken by the Commission as per the provisions laid down under the Protection of Human Rights Act, 1993. Workshops/ seminars are also organized by the NHRC from time to time to sensitize public servants for better understanding of human rights and, in particular, the protection of rights of persons in custody.

Information in respect of part (a) to (b) of Rajya Sabha Unstarred Question No. 708 for 08.02.2023

Statement Showing State-wise No. of Cases Registered with NHRC in respect of Deaths in Police Custody from 01.04.2017 to 31.03.2022

S No.	State/UT Name	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
1	ANDHRA PRADESH	2	5	3	3	1
2	ARUNACHAL PRADESH	3	2	0	1	0
3	ASSAM	11	5	2	1	9
4	BIHAR	7	5	5	3	18
5	CHHATTISGARH	3	3	3	3	2
6	GOA	0	0	0	0	1
7	GUJARAT	14	13	12	17	24
8	HARYANA	7	7	3	3	4
9	HIMACHAL PRADESH	2	1	4	0	0
10	JHARKHAND	6	3	2	5	5
11	KARNATAKA	4	7	4	5	8
12	KERALA	3	3	2	1	6
13	MADHYA PRADESH	7	12	14	8	8
14	MAHARASHTRA	19	11	3	13	30
15	MANIPUR	1	3	2	0	1
16	MEGHALAYA	2	0	1	2	4
17	MIZORAM	1	1	1	0	1
18	NAGALAND	0	0	0	0	2
19	ODISHA	4	4	6	4	2
20	PUNJAB	10	5	6	2	8
21	RAJASTHAN	3	8	5	3	13
22	SIKKIM	0	0	0	0	1
23	TAMIL NADU	11	11	12	2	4
24	TELANGANA	3	0	0	1	4
25	TRIPURA	1	0	1	0	1
26	UTTAR PRADESH	10	12	3	8	8
27	UTTARAKHAND	0	2	1	1	2
28	WEST BENGAL	5	5	7	8	5
29	ANDAMAN & NICOBAR	0	0	1	0	0
30	CHANDIGARH	0	0	0	0	0
31	DADRA & NAGAR HAVELI	0	0	0	0	0
32	DAMAN & DIU	0	0	0	0	0
33	DELHI	7	8	9	4	1
34	JAMMU & KASHMIR	0	0	0	2	2
35	LADAKH	0	0	0	0	0
36	LAKSHADWEEP	0	0	0	0	0
37	PUDUCHERRY	0	0	0	0	0
	TOTAL	146	136	112	100	175

Source: NHRC