

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO.2197**

**TO BE ANSWERED ON THE 29<sup>TH</sup> NOVEMBER, 2016/AGRAHAYANA 8, 1938 (SAKA)**

**CUSTODIAL DEATHS**

**2197. SHRI KAMAL NATH:  
SHRI JYOTIRADITYA M. SCINDIA:  
SHRI SISIR KUMAR ADHIKARI:**

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

- (a) whether there has been a sharp increase in the incidents of custodial deaths and torture in police custody in the country;**
- (b) if so, the details thereof and the total number of such cases reported, separately and guilty personnel arrested, convicted and the action taken against them during the last three years and the current year, state-wise including Madhya Pradesh;**
- (c) whether the National Human Rights Commission (NHRC) and various State Human Rights Commissions (SHRCs) have received representations/complaints in this regard; and**
- (d) if so, the total number of such representations/complaints received by the NHRC and SHRCs in this regard along with the action taken thereon during the said period, State-wise;**
- (e) whether the Government has prepared guidelines to stop such cases in conformity with the report of United Nation's Convention Against Torture, 1997 and if so, the details thereof and if not, the reasons therefor;**
- (f) whether the Union Government has issued directives to State Governments and Police Department in this regard; and**
- (g) if so, the details thereof and the reaction of the State Governments and Police Department in this regard; and**
- (h) the other steps taken by the Government to stop such cases in future?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI KIREN RIJIJU)**

**(a) Based on the information received from National Human Right Commission (NHRC), the details of reported incidents of custodial death and torture are as under:-**

<b>S.No.</b>	<b>Item</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17 (upto 31.10.2016)</b>
<b>a)</b>	<b>Death in Police Custody</b>	<b>140</b>	<b>130</b>	<b>153</b>	<b>88</b>
<b>b)</b>	<b>Torture in Police Custody</b>	<b>303</b>	<b>431</b>	<b>493</b>	<b>293</b>

**It can be seen from the above table that the deaths in police custody and torture are showing mixed trend.**

**(b) A statement indicating State-wise details of death in police custody, torture in police custody and custodial deaths where NHRC recommended monetary relief, disciplinary action and prosecution during the last three years and the current year are given at Annexure I to IV respectively.**

**(c) to (e): Information is being collected and will be laid on the Table of the House.**

**(f) to (h) Pursuant to the guidelines issued by the National Human Right Commission every death in custody, police or judicial, natural or otherwise, is to be reported to the Commission within 24 hours of its occurrence.**

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**In all such case, the Commission calls for various reports including the inquest, post-mortem, video-graphy of post- mortem, magisterial inquiry report for ascertaining foul play or negligence, if any which resulted in the death.**

**During various workshops, seminars and camp sittings, the Commission sensitizes senior officers in State Governments for better protection of Human Rights.**

## INFORMATION IN RESPECT OF PART (a) &amp; (b) OF LOK SABHA UNSTARRED QUESTION NO. 2197 FOR 29.11.2016

Statement showing Statewise Total No. of Cases Registered, Disposed, Pending during the last three years and current year  
in CUSTODIAL DEATH (Police)

Sr.No.	State/UT Name	01/04/2013 to 31/03/2014			01/04/2014 to 31/03/2015			01/04/2015 to 31/03/2016			01/04/2016 to 31/10/2016		
		No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending
1	ANDHRA PRADESH	2	0	2	5	2	3	6	3	3	1	0	1
2	ARUNACHAL PRADESH	1	1	0	3	0	3	3	0	3	1	0	1
3	ASSAM	13	6	7	7	0	7	9	2	7	8	1	7
4	BIHAR	9	2	7	6	0	6	8	0	8	4	0	4
5	GOA	0	0	0	0	0	0	1	1	0	1	0	1
6	GUJARAT	10	2	8	13	6	7	10	1	9	8	4	4
7	HARYANA	6	1	5	4	2	2	6	1	5	7	0	7
8	HIMACHAL PRADESH	2	1	1	2	1	1	0	0	0	1	0	1
9	JAMMU & KASHMIR	0	0	0	1	1	0	0	0	0	0	0	0
10	KARNATAKA	0	0	0	4	4	0	4	2	2	0	0	0
11	KERALA	3	2	1	4	1	3	5	0	5	4	1	3
12	MADHYA PRADESH	6	3	3	3	1	2	7	5	2	4	3	1
13	MAHARASHTRA	20	7	13	26	8	18	24	21	3	14	10	4
14	MANIPUR	0	0	0	0	0	0	0	0	0	1	0	1
15	MEGHALAYA	4	0	4	3	2	1	4	0	4	0	0	0
16	MIZORAM	1	0	1	0	0	0	2	0	2	1	0	1
17	NAGALAND	0	0	0	1	0	1	0	0	0	1	0	1
18	ODISHA	4	2	2	2	1	1	7	3	4	0	0	0
19	PUNJAB	3	2	1	1	1	0	3	2	1	5	1	4
20	RAJASTHAN	3	2	1	4	2	2	5	3	2	5	2	3
21	SIKKIM	0	0	0	0	0	0	0	0	0	0	0	0
22	TAMIL NADU	9	6	3	9	5	4	4	4	0	4	2	2
23	TRIPURA	1	0	1	0	0	0	2	0	2	0	0	0
24	UTTAR PRADESH	15	4	11	10	3	7	15	2	13	6	0	6
25	WEST BENGAL	11	4	7	8	1	7	10	2	8	5	2	3
26	ANDAMAN & NICOBAR	0	0	0	0	0	0	1	0	1	0	0	0
27	CHANDIGARH	0	0	0	0	0	0	0	0	0	0	0	0
28	DADRA & NAGAR HAVELI	0	0	0	0	0	0	0	0	0	0	0	0
29	DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0	0
30	DELHI	4	1	3	2	1	1	4	2	2	1	0	1
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
32	PUDUCHERRY	0	0	0	0	0	0	1	0	1	0	0	0
33	CHHATTISGARH	2	1	1	1	0	1	3	0	3	2	0	2
34	JHARKHAND	6	1	5	5	0	5	4	0	4	4	1	3
35	UTTARAKHAND	0	0	0	2	1	1	1	0	1	0	0	0
36	TELANGANA	5	2	3	4	3	1	4	2	2	0	0	0
	GRAND TOTAL	140	50	90	130	46	84	153	56	97	88	27	61

## INFORMATION IN RESPECT OF PART (a) &amp; (b) OF LOK SABHA UNSTARRED QUESTION NO. 2197 FOR 29.11.2016

Statement showing Statewise Total No. of Cases Registered, Disposed, Pending during the last three years and current year in CUSTODIAL TORTURE (Police)

Sr.No.	State/UT Name	01/04/2013 to 31/03/2014			01/04/2014 to 31/03/2015			01/04/2015 to 31/03/2016			01/04/2016 to 31/10/2016		
		No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending
1	ANDHRA PRADESH	8	7	1	9	4	5	7	5	2	2	2	0
2	ARUNACHAL PRADESH	0	0	0	1	1	0	0	0	0	0	0	0
3	ASSAM	1	1	0	7	7	0	0	0	0	0	0	0
4	BIHAR	12	10	2	19	11	8	14	8	6	4	2	2
5	GOA	0	0	0	3	3	0	1	1	0	0	0	0
6	GUJARAT	4	4	0	4	4	0	8	4	4	2	0	2
7	HARYANA	22	22	0	34	24	10	35	25	10	23	11	12
8	HIMACHAL PRADESH	0	0	0	0	0	0	1	1	0	0	0	0
9	JAMMU & KASHMIR	2	2	0	1	1	0	0	0	0	0	0	0
10	KARNATAKA	3	2	1	3	2	1	5	2	3	1	0	1
11	KERALA	3	2	1	4	3	1	5	2	3	2	1	1
12	MADHYA PRADESH	14	10	4	19	8	11	16	13	3	15	7	8
13	MAHARASHTRA	11	8	3	13	5	8	7	4	3	4	1	3
14	MANIPUR	2	2	0	0	0	0	2	1	1	0	0	0
15	MEGHALAYA	0	0	0	2	2	0	0	0	0	0	0	0
16	MIZORAM	0	0	0	0	0	0	0	0	0	0	0	0
17	NAGALAND	0	0	0	0	0	0	0	0	0	0	0	0
18	ODISHA	11	11	0	29	13	16	19	14	5	6	6	0
19	PUNJAB	3	3	0	9	9	0	6	4	2	4	2	2
20	RAJASTHAN	18	17	1	32	15	17	19	14	5	23	8	15
21	SIKKIM	0	0	0	0	0	0	0	0	0	0	0	0
22	TAMIL NADU	5	4	1	7	2	5	18	9	9	7	1	6
23	TRIPURA	0	0	0	0	0	0	0	0	0	0	0	0
24	UTTAR PRADESH	121	101	20	145	106	39	246	154	92	154	75	79
25	WEST BENGAL	7	6	1	21	8	13	17	5	12	3	3	0
26	ANDAMAN & NICOBAR	0	0	0	0	0	0	0	0	0	0	0	0
27	CHANDIGARH	1	1	0	0	0	0	4	0	4	0	0	0
28	DADRA & NAGAR HAVELI	0	0	0	0	0	0	0	0	0	0	0	0
29	DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0	0
30	DELHI	41	32	9	44	29	15	35	17	18	27	9	18
31	LAKSHADWEEP	0	0	0	1	1	0	0	0	0	2	0	2
32	PUDUCHERRY	0	0	0	3	1	2	0	0	0	0	0	0
33	CHHATTISGARH	6	3	3	3	2	1	7	0	7	3	3	0
34	JHARKHAND	4	4	0	10	6	4	9	3	6	3	0	3
35	UTTARAKHAND	2	2	0	5	5	0	5	2	3	4	1	3
36	TELANGANA	2	2	0	3	3	0	7	4	3	4	1	3
	GRAND TOTAL	303	256	47	431	275	156	493	292	201	293	133	160

**INFORMATION IN RESPECT OF PART (b) OF LOK SABHA UNSTARRED QUESTION NO. 2197 FOR 29.11.2016**

**Statement showing Statewise No. of Cases under Incident Head CUSTODIAL DEATH (Police)  
where NHRC recommended Monetary Relief during the last three years and current year (01/04/2013 to  
31/10/2016)**

<b>State/UT Name</b>	<b>No of Cases</b>	<b>Amount (in RS.)</b>
<b>ANDHRA PRADESH</b>	<b>8</b>	<b>1240000</b>
<b>ARUNACHAL PRADESH</b>	<b>1</b>	<b>100000</b>
<b>ASSAM</b>	<b>2</b>	<b>500000</b>
<b>BIHAR</b>	<b>3</b>	<b>250000</b>
<b>CHHATTISGARH</b>	<b>1</b>	<b>100000</b>
<b>DELHI</b>	<b>1</b>	<b>100000</b>
<b>GUJARAT</b>	<b>11</b>	<b>1700000</b>
<b>HARYANA</b>	<b>6</b>	<b>1150000</b>
<b>HIMACHAL PRADESH</b>	<b>2</b>	<b>200000</b>
<b>JHARKHAND</b>	<b>7</b>	<b>1700000</b>
<b>KARNATAKA</b>	<b>4</b>	<b>700000</b>
<b>KERALA</b>	<b>6</b>	<b>550000</b>
<b>MADHYA PRADESH</b>	<b>8</b>	<b>2300000</b>
<b>MAHARASHTRA</b>	<b>25</b>	<b>7875000</b>
<b>MIZORAM</b>	<b>2</b>	<b>200000</b>
<b>NAGALAND</b>	<b>1</b>	<b>100000</b>
<b>PUDUCHERRY</b>	<b>2</b>	<b>500000</b>
<b>RAJASTHAN</b>	<b>2</b>	<b>400000</b>
<b>TAMIL NADU</b>	<b>3</b>	<b>1300000</b>
<b>TELANGANA</b>	<b>5</b>	<b>680000</b>
<b>UTTAR PRADESH</b>	<b>22</b>	<b>5925000</b>
<b>UTTARAKHAND</b>	<b>2</b>	<b>200000</b>
<b>WEST BENGAL</b>	<b>2</b>	<b>700000</b>

**Statement showing Statewise No. of Cases under Incident Head CUSTODIAL DEATH (Police)  
where NHRC recommended Disciplinary Action in 3 Cases and Prosecution in 0 Case  
during the last three years and current year (01/04/2013 to 31/10/2016)**

<b>BIHAR</b>	<b>1</b>
<b>UTTAR PRADESH</b>	<b>1</b>
<b>UTTARAKHAND</b>	<b>1</b>

**INFORMATION IN RESPECT OF PART (a) & (b) OF LOK SABHA UNSTARRED QUESTION NO. 2197 FOR 29.11.2016**  
**Statement showing Statewise No. of Cases under Incident Head CUSTODIAL TORTURE (Police)**  
**where NHRC recommended Monetary Relief during the last three years and current year (01/04/2013 to**  
**31/10/2016)**

<b>State/UT Name</b>	<b>No of Cases</b>	<b>Amount (in RS.)</b>
<b>ASSAM</b>	<b>1</b>	<b>200000</b>
<b>BIHAR</b>	<b>2</b>	<b>75000</b>
<b>DELHI</b>	<b>4</b>	<b>175000</b>
<b>HARYANA</b>	<b>2</b>	<b>75000</b>
<b>JHARKHAND</b>	<b>1</b>	<b>50000</b>
<b>MADHYA PRADESH</b>	<b>1</b>	<b>300000</b>
<b>ODISHA</b>	<b>1</b>	<b>500000</b>
<b>RAJASTHAN</b>	<b>1</b>	<b>25000</b>
<b>TAMIL NADU</b>	<b>2</b>	<b>65000</b>
<b>TRIPURA</b>	<b>1</b>	<b>30000</b>
<b>UTTAR PRADESH</b>	<b>15</b>	<b>1855000</b>
<b>WEST BENGAL</b>	<b>1</b>	<b>75000</b>

**Statement showing Statewise No. of Cases under Incident Head CUSTODIAL TORTURE (Police)**  
**where NHRC recommended Disciplinary Action in 1 Case and Prosecution in 0 Case**  
**during the last three years and current year (01/04/2013 to 31/10/2016)**

<b>HARYANA</b>	<b>1</b>
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