

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 6204**

**TO BE ANSWERED ON THE 11<sup>TH</sup> APRIL, 2017/ CHAITRA 21, 1939 (SAKA)**

**INHUMAN TREATMENT IN POLICE CUSTODY**

**6204. SHRI BADRUDDIN AJMAL:  
SHRI DILIPKUMAR MANSUKHLAL GANDHI:**

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

**(a) whether the Government proposes to enact an effective law to prevent torture and inhuman treatment of individuals in police custody;**

**(b) if so, the details thereof;**

**(c) whether the Government has paid compensation to the family members of persons who died in police custody;**

**(d) if so, the details thereof and the total funds granted during each of the last three years and the current year, State-wise;**

**(e) whether the Government has issued any directive to States and Police Departments to sensitize the police forces in this regard; and**

**(f) if so, the details thereof and the other corrective steps taken to stop such cases in future?**

**ANSWER**

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

**(a) & (b): "Police" and "Public Order" are State subjects under the Seventh Schedule of the Constitution of India and it is primarily the responsibility of the State Government to appropriately prevent and ensure non-occurrence of police atrocities and protect the human rights of the citizen. A proposal to suitably amend Section 330 and Section 331 of Indian Penal Code to define the words "Torture" and "Public Servants" is under active examination in this Ministry in consultation with the concerned Ministries.**

**(c) & (d): As per Section 18 of Protection of Human Rights Act, 1993, the National Human Rights Commission may recommend payment of compensation or damages to the complainant or to the victim or the members of his family. As per information received from National Human Rights Commission, statements indicating state-wise and year-wise details of the cases where the Commission recommended monetary relief for family members of the persons who died in police custody during the last three years and the current year upto 31-03-2017 are at Annexure I to IV.**

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

**In all such cases, 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.**

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**STATEMENT SHOWING YEAR-WISE -INCLUDING NO. OF CASES CARRY FORWARD DEATH IN POLICE CUSTODY (DISPOSED) WHERE NHRC RECOMMENDED MONETARY RELIEF DURING THE YEARS 2013-2014, 2014-2015, 2015-2016 AND 2016-2017 (31/03/2017)**

**2013-2014**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
ANDHRA PRADESH	4	760000
BIHAR	1	100000
GUJARAT	2	600000
HARYANA	2	600000
JHARKHAND	3	900000
KARNATAKA	3	600000
KERALA	1	100000
MADHYA PRADESH	2	600000
MAHARASHTRA	8	2400000
RAJASTHAN	1	100000
TAMIL NADU	2	1000000
TELANGANA	2	300000
UTTAR PRADESH	8	2800000
UTTARAKHAND	1	100000
<b>TOTAL</b>	<b>40</b>	<b>10960000</b>

**2014-2015**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
BIHAR	1	100000
DELHI	1	100000
GUJARAT	3	300000
HARYANA	3	450000
MADHYA PRADESH	2	500000
MAHARASHTRA	3	750000
TAMIL NADU	1	300000
TELANGANA	1	100000
UTTAR PRADESH	3	1100000
<b>TOTAL</b>	<b>18</b>	<b>3700000</b>

**2015-2016**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
ANDHRA PRADESH	1	100000
BIHAR	1	50000
CHHATTISGARH	1	100000
GUJARAT	3	300000
HIMACHAL PRADESH	2	200000
JHARKHAND	2	600000
KARNATAKA	1	100000
KERALA	1	50000
MADHYA PRADESH	1	100000
MAHARASHTRA	1	500000
PUDUCHERRY	2	500000
RAJASTHAN	1	300000
UTTAR PRADESH	3	700000
UTTARAKHAND	1	100000
<b>TOTAL</b>	<b>21</b>	<b>3700000</b>

**2016-2017**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
ANDHRA PRADESH	2	180000
GUJARAT	2	400000
HARYANA	1	100000
JHARKHAND	1	100000
MAHARASHTRA	3	800000
UTTAR PRADESH	1	25000
WEST BENGAL	1	200000
<b>TOTAL</b>	<b>11</b>	<b>1805000</b>

**STATEMENT SHOWING YEAR-WISE NO. OF CASES-INCLUDING CARRY FORWARD DEATH IN POLICE CUSTODY(PENDING) WHERE NHRC RECOMMENDED MONETARY RELIEF DURING THE YEARS 2013-2014, 2014-2015, 2015-2016 AND 2016-2017 (31/03/2017)**

**2013-2014**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
ANDHRA PRADESH	1	200000
MAHARASHTRA	2	1000000
UTTAR PRADESH	2	200000
<b>TOTAL</b>	<b>5</b>	<b>1400000</b>

**2015-2016**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
ARUNACHAL PRADESH	1	100000
JHARKHAND	1	100000
KERALA	1	100000
MADHYA PRADESH	2	600000
MAHARASHTRA	1	500000
UTTAR PRADESH	1	100000
WEST BENGAL	1	500000
<b>TOTAL</b>	<b>8</b>	<b>2000000</b>

**2016-2017**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
ASSAM	2	500000
BIHAR	1	100000
GUJARAT	4	800000
HARYANA	3	625000
JHARKHAND	1	100000
KERALA	3	300000
MADHYA PRADESH	2	600000
MAHARASHTRA	13	3025000
MEGHALAYA	2	300000
MIZORAM	2	200000
NAGALAND	1	100000
PUNJAB	1	100000
TELANGANA	2	280000
UTTAR PRADESH	6	1200000
<b>TOTAL</b>	<b>43</b>	<b>8230000</b>

NO PENDING CASES FOR MONETARY RELIEF FOR THE YEAR 2014-2015.

**STATEMENT SHOWING YEAR-WISE NO. OF CASES-INCLUDING CARRY FORWARD ALLEGED DEATH IN POLICE CUSTODY (DISPOSED) WHERE NHRC RECOMMENDED MONETARY RELIEF DURING THE YEARS 2013-2014, 2014-2015, 2015-2016 AND 2016-2017 (31/03/2017)**

**2013-2014**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
BIHAR	1	100000
HARYANA	1	300000
MADHYA PRADESH	2	800000
MEGHALAYA	1	500000
TAMIL NADU	1	500000
TELANGANA	1	100000
UTTAR PRADESH	3	1500000
<b>TOTAL</b>	<b>10</b>	<b>3800000</b>

**2014-2015**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
BIHAR	1	200000
CHANDIGARH	1	100000
JHARKHAND	1	200000
MANIPUR	2	1000000
UTTAR PRADESH	3	900000
<b>TOTAL</b>	<b>8</b>	<b>2400000</b>

**2015-2016**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
ANDHRA PRADESH	1	80000
KARNATAKA	1	200000
MANIPUR	1	500000
MEGHALAYA	1	500000
TELANGANA	1	100000
UTTARAKHAND	1	200000
<b>TOTAL</b>	<b>6</b>	<b>1580000</b>

**2016-2017 (UPTO 31/03/2017)**

NAME OF STATE/UT	NO. OF CASES	AMOUNT
JHARKHAND	1	500000
ODISHA	1	100000
PUNJAB	1	100000
<b>TOTAL</b>	<b>3</b>	<b>700000</b>

**STATEMENT SHOWING YEAR-WISE NO. OF CASES-INCLUDING CARRY FORWARD ALLEGED DEATH IN POLICE CUSTODY (PENDING) WHERE NHRC RECOMMENDED MONETARY RELIEF DURING THE YEARS 2013-2014, 2014-2015, 2015-2016 AND 2016-2017 (31/03/2017)**

**2013-2014**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
UTTAR PRADESH	2	400000
<b>TOTAL</b>	2	400000

**2014-2015**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
UTTAR PRADESH	1	500000
<b>TOTAL</b>	1	500000

**2015-2016**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
MANIPUR	1	100000
UTTAR PRADESH	4	1800000
DELHI	1	500000
<b>TOTAL</b>	6	2400000

**2016-2017**

<b>NAME OF STATE/UT</b>	<b>NO. OF CASES</b>	<b>AMOUNT</b>
GUJARAT	1	500000
HARYANA	1	100000
KERALA	1	100000
MANIPUR	2	800000
ODISHA	2	150000
UTTAR PRADESH	4	500000
<b>TOTAL</b>	11	2150000

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