

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 196**

**TO BE ANSWERED ON THE 11TH DECEMBER, 2018/ AGRAHAYANA 20, 1940
(SAKA)**

COMPENSATION FOR CUSTODIAL DEATHS

196. SHRI A.P. JITHENDER REDDY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of cases of custodial deaths where compensation has been recommended by National Human Rights Commission (NHRC) since January 2014 till June 2018, State-wise;

(b) the number of cases of custodial deaths occurred between January 2014 and June 2018, prison and State-wise;

(c) whether mandatory judicial inquiries have been initiated in cases of death, disappearance of a person, rape of a woman while in custody of the police, as prescribed under section 176 of the Code of Criminal Procedure;

(d) if so, the details thereof during the said period, State-wise;

(e) whether prosecution has been initiated against police officers for causing custodial deaths; and

(f) if so, the details thereof during the said period, State-wise?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a): During the period from 1.1.2014 till June 2018, the Commission has made recommendations for payment of monetary relief of Rs.10,34,24,999/- in 616 cases of prima-facie violation of human rights on account of death in judicial custody and monetary relief of Rs.5,12,19,998/- in 225 cases of prima facie violation of human rights on account of death in police custody. State-wise details are at annexures A and B respectively.

(b): State-wise details of the number of cases registered from January 2014 till June 2018 on the basis of intimations received from the State Governments in respect of deaths in Judicial Custody and Police Custody are at Annexures C and D respectively.

(c) & (d): In accordance with the provision of section 176(i) (a) of the Code of Criminal Procedure, Judicial enquiries are being held in custodial death cases by the authorities in the State Government. However, the Commission does not maintain record of the enquiries. States concerned are statutorily bound to initiate judicial enquiry u/s 176(1A) Cr PC.

(e) & (f): In 47 cases of deaths in Judicial Custody during the above mentioned period, the Commission recommended disciplinary action against the erring Public Servants. In three cases of deaths in Police Custody and the Commission recommended disciplinary action against the erring Public Servants. Prosecution is in the domain of State Governments. State-wise cases, where NHRC recommended disciplinary action and prosecution, has also been given in Annexures A and B.

**Information in respect of part (a) of Lok Sabha Unstarred Question No. 196
for 11.12.2018**

**Statement Showing Statewise Total No. of Cases Registered, Disposed,
Pending**

Incident Head DEATH IN JUDICIAL CUSTODY-INTIMATION (Inc. Code 301)

From 01/01/2014 to 30/06/2018

(Data as per CMS as on 05/12/2018)

SrNo	State/UT Name	Registration	Disposal	Pending
1	ANDHRA PRADESH	179	99	80
2	ARUNACHAL PRADESH	15	2	13
3	ASSAM	108	77	31
4	BIHAR	482	234	248
5	GOA	9	8	1
6	GUJARAT	208	179	29
7	HARYANA	227	127	100
8	HIMACHAL PRADESH	23	13	10
9	JAMMU & KASHMIR	20	20	0
10	KARNATAKA	37	31	6
11	KERALA	182	106	76
12	MADHYA PRADESH	584	524	60
13	MAHARASHTRA	528	414	114
14	MANIPUR	3	1	2
15	MEGHALAYA	12	6	6
16	MIZORAM	13	8	5
17	NAGALAND	11	7	4
18	ODISHA	223	153	70
19	PUNJAB	753	641	112
20	RAJASTHAN	351	197	154
21	SIKKIM	3	1	2
22	TAMIL NADU	292	230	62
23	TRIPURA	21	9	12
24	UTTAR PRADESH	1669	853	816
25	WEST BENGAL	503	289	214
26	ANDAMAN & NICOBAR	4	3	1
27	CHANDIGARH	12	9	3
28	DADRA & NAGAR HAVELI	1	0	1
29	DAMAN & DIU	1	0	1
30	DELHI	182	99	83
31	LAKSHADWEEP	0	0	0
32	PUDUCHERRY	2	2	0
33	CHHATTISGARH	248	153	95
34	JHARKHAND	242	129	113
35	UTTARAKHAND	87	70	17
36	TELANGANA	140	84	56
	TOTAL	7375	4778	2597

ANNEXURE -D

Information in respect of part (a) of Lok Sabha Unstarred Question No. 196 for 11.12.2018
Statement Showing Statewise Total No. of Cases Registered, Disposed, Pending
Incident HEAD DEATH IN POLICE CUSTODY -INTIMATION (Inc. Code 807)
From 01/01/2014 to 30/06/2018
(Data as per CMS as on 05/12/2018)

SrNo	State/UT Name	Registration	Disposal	Pending
1	ANDHRA PRADESH	17	11	6
2	ARUNACHAL PRADESH	10	2	8
3	ASSAM	39	15	24
4	BIHAR	28	3	25
5	GOA	2	2	0
6	GUJARAT	52	40	12
7	HARYANA	29	10	19
8	HIMACHAL PRADESH	6	3	3
9	JAMMU & KASHMIR	1	1	0
10	KARNATAKA	18	17	1
11	KERALA	19	4	15
12	MADHYA PRADESH	30	21	9
13	MAHARASHTRA	100	74	26
14	MANIPUR	2	0	2
15	MEGHALAYA	9	6	3
16	MIZORAM	5	3	2
17	NAGALAND	2	1	1
18	ODISHA	19	14	5
19	PUNJAB	23	17	6
20	RAJASTHAN	19	11	8
21	SIKKIM	0	0	0
22	TAMIL NADU	35	24	11
23	TRIPURA	3	1	2
24	UTTAR PRADESH	51	19	32
25	WEST BENGAL	37	19	18
26	ANDAMAN & NICOBAR	1	0	1
27	CHANDIGARH	0	0	0
28	DADRA & NAGAR HAVELI	0	0	0
29	DAMAN & DIU	0	0	0
30	DELHI	20	3	17
31	LAKSHADWEEP	0	0	0
32	PUDUCHERRY	1	0	1
33	CHHATTISGARH	15	2	13
34	JHARKHAND	22	5	17
35	UTTARAKHAND	3	2	1
36	TELANGANA	17	13	4
	TOTAL	635	343	292

ANNEXURE-A

Information in respect of part (b) of Lok Sabha Unstarred Question No. 196 for 11.12.2018
Statement Showing Statewise No. of Cases (Including Carry Forward) Where National
Human Rights Commission Recommended Monetary Relief, Disciplinary Action and
Prosecution regarding Incident Head DEATH IN JUDICIAL CUSTODY-INTIMATION (Inc.
Code 301)

From 01/01/2014 to 30/06/2018
(Data as per CMS as on 05/12/2018)

State/UT Name	No. of Cases (including carry forward)	Amount (in Rs.)	Disciplinary Action (including carry forward)	Prosecution (including carry forward)
ANDHRA PRADESH	35	5900000	0	0
ARUNACHAL PRADESH	1	100000	0	0
ASSAM	5	700000	0	0
BIHAR	56	9649998	7	0
CHHATTISGARH	30	4500000	3	0
DELHI	26	4000000	2	0
GUJARAT	18	3600000	0	0
HARYANA	26	4300000	3	0
HIMACHAL PRADESH	2	400000	1	0
JHARKHAND	23	3950000	0	0
KARNATAKA	1	100000	0	0
KERALA	12	2200000	0	0
MADHYA PRADESH	20	3350000	6	0
MAHARASHTRA	37	5100000	1	0
MANIPUR	1	300000	0	0
MEGHALAYA	2	300000	0	0
MIZORAM	1	300000	0	0
NAGALAND	4	550000	0	0
ODISHA	8	800000	0	0
PUDUCHERRY	1	100000	0	0
PUNJAB	28	3950000	4	0
RAJASTHAN	37	5650000	4	0
TAMIL NADU	13	3100000	3	0
TELANGANA	18	3000000	0	0
TRIPURA	1	25000	0	0
UTTAR PRADESH	175	31250001	11	0
UTTARAKHAND	4	800000	0	0
WEST BENGAL	31	5450000	2	0
TOTAL	616	103424999	47	0

ANNEXURE-B

Information in respect of part (b) of Lok Sabha Unstarred Question No. 196 for 11.12.2018.
Statement showing State wise No. of Cases (Including Carry Forward) where National Human Rights Commission Recommended Monetary Relief, Disciplinary Action and Prosecution regarding Incident HEAD DEATH IN POLICE CUSTODY -INTIMATION (Inc. Code 807)

From 01/01/2014 to 30/06/2018
(Data as per CMS as on 05/12/2018)

State/UT Name	No. of Cases (including carry forward)	Amount (in Rs.)	Disciplinary Action (including carry forward)	Prosecution (including carry forward)
ANDHRA PRADESH	10	1240000	0	0
ARUNACHAL PRADESH	4	700000	0	0
ASSAM	4	1100000	0	0
BIHAR	5	850000	0	0
CHHATTISGARH	3	700000	0	0
DELHI	3	700000	0	0
GUJARAT	31	6149998	1	0
HARYANA	12	2675000	0	0
HIMACHAL PRADESH	4	500000	0	0
JHARKHAND	11	2450000	0	0
KARNATAKA	4	400000	0	0
KERALA	6	550000	0	0
MADHYA PRADESH	13	3100000	0	0
MAHARASHTRA	43	11725000	0	0
MANIPUR	1	500000	0	0
MEGHALAYA	6	800000	0	0
MIZORAM	4	325000	0	0
NAGALAND	1	100000	0	0
ODISHA	2	800000	0	0
PUDUCHERRY	3	1000000	0	0
PUNJAB	2	200000	0	0
RAJASTHAN	2	400000	0	0
TAMIL NADU	7	2325000	0	0
TELANGANA	8	1480000	0	0
TRIPURA	1	100000	0	0
UTTAR PRADESH	27	7150000	1	0
UTTARAKHAND	2	1100000	1	0
WEST BENGAL	6	2100000	0	0
TOTAL	225	51219998	3	0
