

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 3694**

**TO BE ANSWERED ON THE 17<sup>TH</sup> MARCH, 2020/PHALGUNA 27, 1941 (SAKA)**

**CAPITAL PUNISHMENT**

**3694. SHRI PARVESH SAHIB SINGH VERMA:**

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

- (a) the details of offences in which capital punishment can be awarded by courts;**
- (b) the details of procedure for execution of capital punishment after it has been awarded by courts; and**
- (c) whether the Ministry is planning to amend the procedure so as to expedite the process of execution of death sentences and if so, the details thereof?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI G. KISHAN REDDY)**

**(a): The capital punishment is awarded by the Courts as per the provisions contained in various Acts and criminal laws.**

**(b): The award of capital punishment by trial court requires confirmation by the High Court. It can also be challenged under section 366 of Criminal Procedure Code by a convict in High Court and Supreme Court by way of filing Special Leave Petitions, writ petitions, review petitions and curative petitions. A convict can also file application under Code of Criminal Procedure**

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**and mercy petition to the Governor of the concerned State under Article 161 and President of India under Article 72 of the Constitution of India for remission, commutation, reprieve or suspension of the sentence. The Trial Court issues warrant to execute the death sentence, taking into account various factors of the case.**

**(c): The Government has filed a Miscellaneous Application on 22.01.2020 in Supreme Court in Writ Petition (Criminal) No. 55 of 2013 seeking clarifications / modifications of the guidelines passed by the Supreme Court in the common final judgment and Order dated 21.01.2014 in the case of Shatrughan Chauhan and Another vs UOI & Others to curtail delay in execution of death sentence.**

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