GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

LOK SABHA
UNSTARRED QUESTION NO. 1062

TO BE ANSWERED ON THE 08TH FEBRUARY, 2022/ MAGHA 19, 1943 (SAKA)

CUSTODIAL DEATHS

1062.   ADV. DEAN KURIAKOSE:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has the data of all deaths under Police custody during the last three years;

(b) if so, the details thereof, State-wise;

(c) whether the Government has the data regarding all encounter deaths that happened during the period;

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

(e) whether the Government has taken any steps to eliminate custodial torture and death; and

(f) if so, the details thereof.

ANSWER

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

(a) to (d) : As per information received from the National Human Rights Commission (NHRC) details of cases (State/UT Wise) registered in respect of Custodial deaths (Police) and death in Police Encounters are given at Annexure A & Annexure B, respectively.

(e) to (f) : "Police" and "Public Order" are State subjects as per the Seventh Schedule to the Constitution of India. The Ministry of Home Affairs and the National Human Rights Commission (NHRC) issue advisories from time to time

to ensure protection of human rights. Further, pursuant to the guidelines issued by the NHRC, every death in custody, police or judicial, natural or otherwise, is to be reported to the Commission within 24 hours of its occurrence. The Commission also issued guidelines for video filming of post-mortem and circulated model autopsy form to rule out any negligence/foul play or torture in cases of custodial deaths. If an enquiry by the Commission into custodial death discloses negligence by a public servant, the Commission recommends to authorities of Central/State governments for initiation of proceedings/ prosecution against the erring public servant(s). Disciplinary action against the erring public servant is to be taken by the respective government/authority, as per extant rules, procedures, etc.

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State-wise Registration of cases during last three years under Incident Head Custodial Death (Police)

Sr.No.	State/UT Name	No. of Cases Registered		
		01/04/2018 To 31/03/2019	01/04/2019 To 31/03/2020	01/04/2020 To 31/03/2021
1	ANDHRA PRADESH	5	3	3
2	ARUNACHAL PRADESH	2	0	1
3	ASSAM	5	2	1
4	BIHAR	5	5	3
5	CHHATTISGARH	3	3	3
6	GOA	0	0	0
7	GUJARAT	13	12	17
8	HARYANA	7	3	3
9	HIMACHAL PRADESH	1	4	0
10	JHARKHAND	3	2	5
11	KARNATAKA	7	4	5
12	KERALA	3	2	1
13	MADHYA PRADESH	12	14	8
14	MAHARASHTRA	11	3	13
15	MANIPUR	3	2	0
16	MEGHALAYA	0	1	2
17	MIZORAM	1	1	0
18	NAGALAND	0	0	0
19	ODISHA	4	6	4
20	PUNJAB	5	6	2
21	RAJASTHAN	8	5	3
22	SIKKIM	0	0	0
23	TAMIL NADU	11	12	2
24	TELANGANA	0	0	1
25	TRIPURA	0	1	0
26	UTTAR PRADESH	12	3	8
27	UTTARAKHAND	2	1	1
28	WEST BENGAL	5	7	8
29	ANDAMAN & NICOBAR	0	1	0
30	CHANDIGARH	0	0	0
31	DADRA & NAGAR HAVELI	0	0	0
32	DAMAN & DIU	0	0	0
33	DELHI	8	9	4
34	JAMMU & KASHMIR	0	0	2
35	LADAKH	0	0	0
36	LAKSHADWEEP	0	0	0
37	PUDUCHERRY	0	0	0
	TOTAL	**136**	**112**	**100**

State wise Registration of Cases during last three years under Incident Head
Death in Police Encounter

Sr.No.	State/UT Name	No. of Cases Registered		
		01/04/2018 To 31/03/2019	01/04/2019 To 31/03/2020	01/04/2020 To 31/03/2021
1	ANDHRA PRADESH	2	1	1
2	ARUNACHAL PRADESH	5	1	1
3	ASSAM	7	4	4
4	BIHAR	9	5	3
5	CHHATTISGARH	53	39	24
6	GOA	0	0	0
7	GUJARAT	2	0	0
8	HARYANA	5	1	3
9	HIMACHAL PRADESH	1	0	0
10	JHARKHAND	17	6	5
11	KARNATAKA	0	2	0
12	KERALA	1	2	0
13	MADHYA PRADESH	1	3	6
14	MAHARASHTRA	11	3	1
15	MANIPUR	0	0	0
16	MEGHALAYA	1	0	0
17	MIZORAM	0	0	0
18	NAGALAND	1	0	1
19	ODISHA	14	3	3
20	PUNJAB	1	1	1
21	RAJASTHAN	0	2	0
22	SIKKIM	0	0	0
23	TAMIL NADU	0	3	3
24	TELANGANA	1	4	5
25	TRIPURA	0	0	0
26	UTTAR PRADESH	22	26	16
27	UTTARAKHAND	0	0	0
28	WEST BENGAL	0	1	0
29	ANDAMAN & NICOBAR	0	1	0
30	CHANDIGARH	0	0	0
31	DADRA & NAGAR HAVELI	0	0	0
32	DAMAN & DIU	0	0	0
33	DELHI	2	2	0
34	JAMMU & KASHMIR	0	2	5
35	LADAKH	0	0	0
36	LAKSHADWEEP	0	0	0
37	PUDUCHERRY	0	0	0
	TOTAL	156	112	82