

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 292**

**TO BE ANSWERED ON THE 15TH SEPTEMBER, 2020/BHADRAPADA 24, 1942 (SAKA)
CUSTODIAL DEATHS**

292. SHRI KARTI P. CHIDAMBARAM:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of custodial deaths each month during the last year, State-wise;**
- (b) the number of deaths in police encounters during the said period, State-wise;**
- (c) the number of instances of rape in police custody during the said period, State-wise;**
- (d) the nature and status of action taken against perpetrating police officials; and**
- (e) the details of any special redressal measures taken by the Government given this problem?**

ANSWER

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

(a) : As per information available with National Human Rights Commission (NHRC), State/UT- wise and month-wise data in respect of custodial deaths (Judicial & Police) during the period from 01.04.2019 to 31.03.2020 is at Annexure 'A-1' & 'A-2 respectively.

(b) : As per information available with NHRC, State/UT wise data in respect of deaths in encounter during the period from 01.04.2019 to 31.03.2020 is at Annexure 'B'.

(c) : As informed by NHRC, one case of rape in police custody in the State of Rajasthan has been registered in the Commission during the year 2019-20.

(d) : As per 7th Schedule of the Constitution of India, 'Police' and 'Public Order' are State subjects and the responsibility of maintaining law and order, including

investigation, registration and prosecution of crimes, conviction of the accused, protection of life and property, etc, rest primarily with the respective State Governments. Hence, any action against erring police officials has to be taken by the respective State Governments.

As reported by NHRC, it did not make any recommendation for action against the erring police personnel. It has, however, recommended monetary relief to the tune of Rs. 4.44 crore in cases of custodial deaths and Rs. 88 lakh in cases of encounter deaths.

(e) Ministry of Home Affairs has issued an advisory on 13.07.2020 to all the State Governments/ UT Administrations requesting them to sensitize and direct all the functionaries at State, district and below level to follow and adhere to law of the land and the guidelines issued by NHRC on custodial deaths, and to act firmly against any abuse of law in respect of Custodial Deaths.

Moreover, Members, Special Rapporteurs and senior officers from NHRC carry out periodical visits to various jails to evaluate the living conditions and make recommendations for better protection of human rights. During various Camp Sittings, Open Hearings, Workshops and Seminars, NHRC makes efforts to sensitize public servants in this regard.

Statement in respect of part (a) of Lok Sabha Unstarred Question No. 292 for 15.09.2020 showing state-wise total no. of cases registered in respect of custodial deaths (Police & Judicial) during the period from 01.04.2019 to 31.03.2020.

States/UTs	No. of Cases	
	Police Custody	Judicial Custody
ANDHRA PRADESH	4	26
ARUNACHAL PRADESH	0	2
ASSAM	2	32
BIHAR	5	105
GOA	0	2
GUJARAT	12	53
HARYANA	3	74
HIMACHAL PRADESH	4	7
JAMMU & KASHMIR	0	5
KARNATAKA	4	4
KERALA	2	27
MADHYA PRADESH	14	143
MAHARASHTRA	3	91
MANIPUR	2	1
MEGHALAYA	1	4
MIZORAM	1	0
NAGALAND	0	5
ODISHA	6	59
PUNJAB	6	93
RAJASTHAN	5	79
SIKKIM	0	0
TAMIL NADU	12	57
TRIPURA	1	6
UTTAR PRADESH	3	400
WEST BENGAL	7	115
ANDAMAN & NICOBAR	1	0
CHANDIGARH	0	2
DADRA & NAGAR HAVELI	0	0
DAMAN & DIU	0	0
DELHI	9	47
LAKSHADWEEP	0	0
PUDUCHERRY	0	1
CHHATTISGARH	3	56
JHARKHAND	2	43
UTTARAKHAND	1	24
TELANGANA	0	21
TOTAL	113	1584

Statement in respect of part (a) of Lok Sabha Unstarred Question No. 292 for 15.09.2020 showing month-wise total no. of cases registered in respect of custodial deaths (Police & Judicial) during the period from 01.04.2019 to 31.03.2020

Month	No. of Cases in police custody	No. of Cases in judicial custody
April 2019	11	135
May 2019	9	160
June 2019	10	133
July 2019	14	140
August 2019	9	114
September 2019	12	101
October 2019	6	134
November 2019	10	136
December 2019	4	130
January 2020	11	180
February 2020	5	122
March 2020	12	99
Total	113	1584

Annexure-B

Statement in respect of part (b) of Lok Sabha Unstarred Question No. 292 for 15.09.2020 showing state-wise total no. of cases registered in respect of encounter deaths during the period from 01.04.2019 to 31.03.2020.

STATE	No. of Cases
ANDHRA PRADESH	1
ARUNACHAL PRADESH	1
ASSAM	4
BIHAR	5
GOA	0
GUJARAT	0
HARYANA	1
HIMACHAL PRADESH	0
JAMMU & KASHMIR	2
KARNATAKA	2
KERALA	2
MADHYA PRADESH	3
MAHARASHTRA	3
MANIPUR	0
MEGHALAYA	0
MIZORAM	0
NAGALAND	0
ODISHA	3
PUNJAB	1
RAJASTHAN	2
SIKKIM	0
TAMIL NADU	3
TRIPURA	0
UTTAR PRADESH	26
WEST BENGAL	1
ANDAMAN & NICOBAR	1
CHANDIGARH	0
DADRA & NAGAR HAVELI	0
DAMAN & DIU	0
DELHI	2
LAKSHADWEEP	0
PUDUCHERRY	0
CHHATTISGARH	39
JHARKHAND	6
UTTARAKHAND	0
TELANGANA	4
ALL OVER INDIA	0
FOREIGN COUNTRIES	0
TOTAL	112