

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 3253**

TO BE ANSWERED ON THE 16TH MARCH, 2021/ PHALGUNA 25, 1942 (SAKA)

CUSTODIAL DEATHS

3253. SHRI PINAKI MISRA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of custodial deaths in the country during the last three years, including in 2020, State/UT-wise;

(b) the number of cases of custodial deaths where the National Human Rights Commission (NHRC) recommended paying compensation during the above mentioned period, State/UT-wise;

(c) the number of cases of custodial deaths where the NHRC recommended initiating prosecution against police officers during the above mentioned period, State/UT-wise;

(d) the status of implementation of these recommendations;

(e) whether the Government is considering to monitor the implementation of the DK Basu Guidelines by the States, if so, the details thereof and if not, the reasons therefor; and

(f) whether the Government is considering to ratify the UN Convention Against Torture, if so, the details thereof and if not, the reasons therefor?

ANSWER

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

(a) to (d): As per information received from National Human Rights Commission (NHRC) details of cases (Stat/UT wise) registered in respect of Custodial deaths are given at Annexure-A. Details of cases where monetary

relief, disciplinary action, prosecution was recommended are given at Annexure-B.

(e) “Police and Public Order” are state subjects as per the seventh schedule to the Constitution of India and as such D K Basu guidelines are implemented by State/UT Governments. The Ministry of Home Affairs and NHRC also issues advisories from time to time to ensure protection of human rights.

(f) Ratification of the United Nations Convention against Torture would require an enabling legislation framing of which is a dynamic process and is undertaken, taking into account the views of the various stakeholders.

ANNEXURE-A

Statement in respect of Lok Sabha Unstarred Question No. 3253 for 16.03.2021 showing total no. of cases registered in respect of custodial deaths (Police & Judicial) during the last three years up to 28.02.2021.

Sr.No.	State/UT Name	2017-18		2018-19		2019-20		2020-21(up to 28.02.2021)	
		Police	Judicial	Police	Judicial	Police	Judicial	Police	Judicial
1	ANDHRA PRADESH	2	36	5	43	3	26	3	45
2	ARUNACHAL PRADESH	3	3	2	6	0	2	1	2
3	ASSAM	11	29	5	30	2	32	1	17
4	BIHAR	7	109	5	114	5	105	3	139
5	GOA	0	0	0	3	0	2	0	1
6	GUJARAT	14	50	13	67	12	53	15	78
7	HARYANA	7	46	7	65	3	74	1	38
8	HIMACHAL PRADESH	2	6	1	15	4	7	0	8
9	JAMMU & KASHMIR	0	4	0	8	0	5	2	7
10	KARNATAKA	4	11	7	1	4	4	4	3
11	KERALA	3	38	3	33	2	27	1	28
12	MADHYA PRADESH	7	114	12	143	14	143	8	144
13	MAHARASHTRA	19	125	11	149	3	91	11	117
14	MANIPUR	1	1	3	0	2	1	0	1
15	MEGHALAYA	2	2	0	3	1	4	2	5
16	MIZORAM	1	2	1	4	1	0	0	3
17	NAGALAND	0	2	0	0	0	5	0	2
18	ODISHA	4	54	4	61	6	59	4	80
19	PUNJAB	10	127	5	117	6	93	1	57
20	RAJASTHAN	3	91	8	74	5	79	3	61
21	SIKKIM	0	2	0	3	0	0	0	3
22	TAMIL NADU	11	72	11	89	12	57	2	52
23	TRIPURA	1	5	0	5	1	6	0	1
24	UTTAR PRADESH	10	390	12	452	3	400	3	395
25	WEST BENGAL	5	138	5	115	7	115	8	158
26	ANDAMAN & NICOBAR	0	0	0	1	1	0	0	0
27	CHANDIGARH	0	2	0	4	0	2	0	2
28	DADRA & NAGAR HAVELI	0	0	0	0	0	0	0	0
29	DAMAN & DIU	0	0	0	1	0	0	0	0
30	DELHI	7	42	8	44	9	47	4	37
31	LAKSHADWEEP	0	0	0	0	0	0	0	0
32	PUDUCHERRY	0	0	0	1	0	1	0	0
33	CHHATTISGARH	3	54	3	55	3	56	3	59
34	JHARKHAND	6	50	3	64	2	43	4	37
35	UTTARAKHAND	0	17	2	18	1	24	1	44
36	TELANGANA	3	14	0	9	0	21	1	21
	TOTAL	146	1636	136	1797	112	1584	86	1645

ANNEXURE-B

Statement in respect of Lok Sabha Unstarred Question No. 3253 for 16.03.2021 showing total no. of cases of custodial deaths (Police & Judicial) wherein NHRC recommended monetary relief, disciplinary action, prosecution during the last three years up to 28.02.2021

MONETARY RELIEF RECOMMENDED BY NHRC FROM 01.04.2017 TO 28.02.2021							
SR.NO	POLICE CUSTODY			JUDICIAL CUSTODY		DISCIPLINARY ACTION	PROSECUTION
	STATE/UT NAME	No. of Cases	Amount (Rs.)	No. of Cases	Amount (Rs.)		
1	ANDAMAN & NICOBAR	1	3,00,000	1	2,00,000	0	0
2	ANDHRA PRADESH	5	9,00,000	26	58,50,000	0	0
3	ARUNACHAL PRADESH	6	15,00,000	5	10,00,000	0	0
4	ASSAM	9	29,00,000	12	31,00,000	0	0
5	BIHAR	11	30,50,000	72	1,69,00,000	5	0
6	CHHATTISGARH	7	21,00,000	29	72,00,000	0	0
7	DAMAN & DIU	0	0	1	3,00,000	0	0
8	DELHI	5	15,00,000	33	76,99,999	0	0
9	GUJARAT	20	48,49,998	13	31,00,000	0	0
10	HARYANA	5	15,00,000	21	57,50,000	0	0
11	HIMACHAL PRADESH	3	8,00,000	2	4,00,000	0	0
12	JHARKHAND	10	25,50,000	35	71,00,000	0	0
13	KARNATAKA	2	2,00,000	1	1,00,000	0	0
14	KERALA	2	6,00,000	10	23,00,000	0	0
15	MADHYA PRADESH	8	21,00,000	15	37,00,000	1	0
16	MAHARASHTRA	24	71,50,000	26	54,00,000	0	0
17	MANIPUR	1	5,00,000	2	6,00,000	0	0
18	MEGHALAYA	5	8,00,000	2	3,00,000	0	0
19	MIZORAM	4	7,25,000	2	3,00,000	0	0
20	NAGALAND	0	0	4	5,50,000	0	0
21	ODISHA	2	8,00,000	9	27,00,000	0	0
22	PUDUCHERRY	1	5,00,000	1	5,00,000	0	0
23	PUNJAB	4	14,00,000	44	89,00,000	0	0
24	RAJASTHAN	3	7,00,000	27	48,49,996	1	0
25	TAMIL NADU	7	19,25,000	6	16,00,000	0	0
26	TELANGANA	5	11,00,000	18	34,25,000	0	0
27	TRIPURA	1	1,00,000	0	0	0	0
27	UTTAR PRADESH	12	36,25,000	180	3,99,75,002	5	0
28	UTTARAKHAND	0	0	5	10,00,000	0	0
29	WEST BENGAL	11	36,00,000	27	55,50,000	0	0
30	TOTAL	174	4,77,74,998	629	14,03,49,997	12	0