

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1273**

TO BE ANSWERED ON THE 9TH FEBRUARY, 2021/ MAGHA 20, 1942 (SAKA)

DEATHS IN POLICE CUSTODY

1273. PROF. SAUGATA RAY:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of deaths in police custody in the country since the last three years, State-wise;**
- (b) whether the Government has taken action against the police officers responsible for such cases;**
- (c) if so, the details thereof;**
- (d) whether such cases will be handed over to National Investigation Agencies; and**
- (e) if so, the details thereof?**

ANSWER

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

(a):-State/UT wise number of cases of deaths registered in police custody received from the National Human Rights commission (NHRC) are indicated in the statement at Annexure.

(b) to (e):-As per Seventh Schedule of the Constitution of India, 'Police' and 'Public Order' are State subjects and the responsibility for maintaining law

and order, including investigations, registration and prosecution of crimes, conviction of the accused, etc. rests primarily with the respective State Governments. Disciplinary action against erring police personnel is taken by respective State Governments as per extant rules and procedures.

The NHRC has issued guidelines/procedures, from time to time, to be followed in cases of custodial deaths. As per these guidelines laid down by the NHRC, every death in police or judicial custody is to be reported within 24 hours of its occurrence to the NHRC. The Commission also calls for various reports such as inquest, post mortem report, magisterial enquiry report, viscera report etc. for ascertaining foul play or negligence, if any, by public servants, which resulted in the death in custody.

The Government of India has also issued guidelines regarding various aspects of custodial deaths to all State Governments and Union Territory Administrations to sensitize the functionaries at State, District and Subordinate levels to follow and adhere to the law of the land and the guidelines issued by the NHRC.

Annexure

Statement in respect of part (a) of Lok Sabha unstarred Question no. 1273 due for 09.02.2021 showing State/UT wise number of cases registered of deaths in Police custody for the last three years

Sr.No.	State/UT Name	2017-2018	2018-2019	2019-2020
1	ANDHRA PRADESH	2	5	3
2	ARUNACHAL PRADESH	3	2	0
3	ASSAM	11	5	2
4	BIHAR	7	5	5
5	GOA	0	0	0
6	GUJARAT	14	13	12
7	HARYANA	7	7	3
8	HIMACHAL PRADESH	2	1	4
9	JAMMU & KASHMIR	0	0	0
10	KARNATAKA	4	7	4
11	KERALA	3	3	2
12	MADHYA PRADESH	7	12	14
13	MAHARASHTRA	19	11	3
14	MANIPUR	1	3	2
15	MEGHALAYA	2	0	1
16	MIZORAM	1	1	1
17	NAGALAND	0	0	0
18	ODISHA	4	4	6
19	PUNJAB	10	5	6
20	RAJASTHAN	3	8	5
21	SIKKIM	0	0	0
22	TAMIL NADU	11	11	12
23	TRIPURA	1	0	1
24	UTTAR PRADESH	10	12	3
25	WEST BENGAL	5	5	7
26	ANDAMAN & NICOBAR	0	0	1
27	CHANDIGARH	0	0	0
28	DADRA & NAGAR HAVELI	0	0	0
29	DAMAN & DIU	0	0	0
30	DELHI	7	8	9
31	LAKSHADWEEP	0	0	0
32	PUDUCHERRY	0	0	0
33	CHHATTISGARH	3	3	3
34	JHARKHAND	6	3	2
35	UTTARAKHAND	0	2	1
36	TELANGANA	3	0	0
	TOTAL	146	136	112

Source:- NHRC