

youths in Central Paramilitary Forces to deter them from the lure of naxalites/maoists?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH):

(a) It is true that the CPI (Maoist) are targeting youth belonging to the disadvantaged strata of society, for recruitment to its armed cadres in their strongholds in the states of Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Maharashtra, Orissa and West Bengal.

(b) There is no scheme of special recruitment drive for recruiting tribal youth in Central Paramilitary Forces (now called Central Armed Police Forces). However, recruitment of constables (General Duty) in Central Armed Police Forces is being done through Staff Selection Commission, wherein 20% vacancies in Border Guarding Forces and 40% vacancies in forces other than Border Guarding Forces are allotted to militancy affected areas, including Left Wing Extremism affected areas.

#### **Salient features of Communal Violence Bill**

\*230. SHRI MOHAMMED ADEEB: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill has been finalized; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH):

(a) No, Sir.

(b) Does not arise.

#### **Increasing custodial deaths in Maharashtra**

\*231. SHRI SANJAY RAUT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that incidents of custodial deaths and torture are increasing continuously, particularly in Maharashtra;

(b) if so, the details thereof;

(c) whether lack of co-ordination between Centre and State Governments is the reason behind increasing custodial deaths; and

(d) whether Government has formulated any policy to avoid such custodial deaths and torture in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH):  
(a) and (b) A State-wise statement, including Maharashtra, indicating number of cases of custodial deaths reported and complaints alleging torture registered by National Human Rights Commission (NHRC) during the years 2008-09 to 2010-11, is given in the statement-I and statement-II respectively (See below). During the above period, while the number of custodial death cases in Maharashtra were 155, 128 and 130 respectively; thereby, showing a mixed trend; the number of torture cases during the same period were 4, 7 and 8 respectively, indicating an increasing trend.

(c) and (d) As per the Seventh Schedule of the Constitution of India, "Police" and "Public Order" are State Subjects. However, the Central Government does issue advisories, while the National Human Rights Commission (NHRC) issues guidelines and recommendations. NHRC has framed guidelines for reporting all deaths in custody whether natural or otherwise, within 24 hours of its occurrence. The NHRC also calls for various reports for ascertaining any foul play or negligence by public servants, which resulted in custodial death.

Further, Section 176 of the Criminal Procedure Code has been amended vide Code of Criminal Procedure (Amendment) Act 2005 to provide that in cases of death or disappearance of a person or rape of a woman while in custody of the police, there shall be a mandatory judicial inquiry and in case of death, examination of the dead body shall be conducted within twenty four hours of death.

A bill titled "The Prevention of Torture Bill, 2010" which was introduced in Lok Sabha on 26.04.2010 and passed on 06.05.2010, has since been considered by a Rajya Sabha Select Committee. The Bill, inter alia, provides for punishment to those involved in offence of torture.

***Statement-I***

*Details of custodial death cases registered by NHRC*

	2008-09	2009-10	2010-11	
States/UTs	No. of Cases	No. of Cases	No. of Cases	Total
1	2	3	4	5
Andhra Pradesh	149	114	106	369
Arunachal Pradesh	3	1	0	4

1	2	3	4	5
Assam	38	21	33	92
Bihar	142	141	136	419
Goa	2	1	5	8
Gujarat	95	67	75	237
Haryana	60	45	45	150
Himachal Pradesh	7	6	7	20
Jammu & Kashmir	1	4	6	11
Karnataka	77	35	20	132
Kerala	45	50	47	142
Madhya Pradesh	93	93	84	270
Maharashtra	155	128	130	413
Manipur	0	0	2	2
Meghalaya	4	3	3	10
Mizoram	0	0	4	4
Nagaland	3	2	6	11
Orissa	58	48	55	161
Punjab	78	110	97	285
Rajasthan	64	83	85	232
Sikkim	0	2	1	3
Tamilnadu	80	76	77	233
Tripura	8	2	2	12
Uttar Pradesh	320	348	331	999
West Bengal	117	72	73	262
Andaman & Nicobar	0	0	1	1
Chandigarh	5	2	5	12
Dadar & Nagar Haveli	1	0	0	1
Delhi	20	10	22	52
Puducherry	2	2	2	6
Chhattisgarh	42	42	37	121

1	2	3	4	5
Jharkhand	63	75	60	198
Uttarakhand	13	16	19	48
TOTAL	1745	1599	1576	4920

***Statement-II***

*Details of Torture Cases Registered By NHRC*

States/UTs	2008-09 No. of Cases	2009-10 No. of Cases	2010-11 No. of Cases	Total
1	2	3	4	5
Andhra Pradesh	5	2	6	13
Arunachal Pradesh	1	0	2	3
Assam	2	7	9	18
Bihar	12	7	8	27
Goa	0	1	0	1
Gujarat	10	4	5	19
Haryana	18	12	15	45
Himachal Pradesh	0	0	2	2
Jammu & Kashmir	1	2	4	7
Karnataka	8	3	8	19
Kerala	2	3	7	12
Madhya Pradesh	8	9	6	23
Maharashtra	4	7	8	19
Manipur	0	2	2	4
Meghalaya	1	5	3	9
Mizoram	0	0	1	1
Nagaland	1	1	0	2
Orissa	4	1	8	13
Punjab	1	2	5	8
Rajasthan	7	13	22	42
Tamilnadu	70	21	21	112

1	2	3	4	5
Tripura	0	2	0	2
Uttar Pradesh	396	489	667	1552
West Bengal	6	2	8	16
Andaman & Nicobar	0	0	1	1
Chandigarh	2	0	1	3
Delhi	17	19	31	67
Puducherry	1	0	1	2
Chhattisgarh	0	3	8	11
Jharkhand	6	7	5	18
Uttarakhand	14	21	21	56
TOTAL	597	645	885	2127

**Army chopper at disposal of ITBP unit at Milam Glacier**

\*232. SHRI TARUN VIJAY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the status of motorable road connecting Munshiari (Uttarakhand) to Milam glacier border post;

(b) whether the Indo-Tibetan Border Police (ITBP) unit gets Army chopper facility at Milam glacier post;

(c) how many such requests are received in one year on an average; and

(d) whether Government is considering to put one chopper at ITBP disposal for Milam glacier post?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) Out of a length of 62.32 Km. of Munsiari - Milam road, formation work on 20.36 Km has been completed.

(b) The Indo-Tibetan Border Police (ITBP) is provided airlift support by the Indian Air Force and the Border Security Force (BSF).

(c) Between August, 2010 and July, 2011, the ITBP placed 13 requisitions with Border Security Force and 5 requisitions with the Indian Air Force.

(d) No, Sir.