

the population register shall be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of local registrar. Rule 5 States “Every official of the Central Government, State Government, local bodies or their undertakings shall assist the Registrar General of Citizen Registration or any person authorized by him in this behalf, in preparation of that database relating to each family and every person, and in implementing the provisions of these rules. Rule 16(4) States that “for the purposes of implementing and carrying out the provisions of these rules, the district registrar, the sub-district or Taluk Registrar and the Local Registrar of Citizen Registration shall be under the supervision and control of the Registrar General of Citizen Registration. Further, Rule 18 States that “The Registrar General of Citizen Registration may, in consultation with the Central Government, issue from time to time, such guidelines to the State Governments as are considered necessary for implementation of these rules.” These have been clearly clarified to the State/UT Governments.

The processes of the NPR have been carefully devised after considerable deliberations at the level of an Empowered Group of Ministers (EGoM), pilot trials, consultations with the States/UTs, advice of other Ministries. Accordingly, the Government of India has issued guidelines for preparation of NPR by collecting information on specific characteristics of all usual residents through a house-to-house enumeration by the designated Government officials, appointed for the purpose under the provisions of the Act. The NPR will also have photographs, 10 finger prints and 2 IRIS of all usual residents who are of age 5 years and above. The biometric data would also be collected in the presence of designated government, officials. The data under NPR is being collected as per the laid down the procedures. The NPR is a mandatory and legal obligation. The State/UT Governments are obliged to create the NPR. The Aadhaar campaign on the other hand is “Voluntary”. This position has also been made clear to the State/UT Governments by the Government of India.

Abolishing capital punishment

†1627. SHRI JAI PRAKASH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) in the perspective of worldwide protest against capital punishment, whether Government is considering to abolish it and hold a National debate on such proposal; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) and (b) There is no proposal under consideration of the Government

†Original notice of the question was received in Hindi.

to abolish capital punishment. According to the law declared by the Supreme Court, death penalty is awarded only for crimes of a heinous nature and in the rarest of rare cases.

Cases of custodial torture and deaths

1628. SHRI ISHWAR SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that the cases of custodial torture and deaths are increasing in the country day by day;

(b) if so, the facts and details thereof;

(c) whether the Supreme Court has also expressed its concern over custodial torture and deaths and asked the Union Government to firmly deal with such heinous crime committed by men in uniform; and

(d) if so, further steps Government proposes to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH): (a) and (b) A statement indicating the details of cases registered by National Human Rights Commission (NHRC) regarding custodial death/torture during the last three years is given in Statement (*See below*).

(c) and (d) "Police" and "Public Order" are State Subjects under the Constitution of India. It is for the State Governments to take appropriate action in every crime. The Government has issued the necessary guidelines to all the State Governments to comply with the directives of the Supreme Court that entails devising of proper procedures to be followed while making arrests.

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. The Union Government has also been issuing guidelines to the State Governments from time to time advising them to ensure that adequate steps are taken to check instances of custodial torture and deaths.

However, a Bill titled "The Prevention of Torture Bill, 2010" was introduced in Lok Sabha on 26.4.2010. The Bill passed in Lok Sabha on 6.5.2010 has also been considered by the Rajya Sabha Select Committee and the recommendation made by the Committee is under examination by the Government. The Bill, *inter alia*, provides for punishment to those involved in the incident of torture and specifies the time limit for taking cognizance of the offence of torture. The bill would act as a deterrent for Public Servants from indulging in custodial deaths and abuse of power by police authorities.