

Supreme Court direction on mercy petitions

2876. SHRI JAI PRAKASH NARAYAN SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the details of mercy petitions of death row convicts pending before the President with the date (s) of its pendency;
- (b) whether Government has received any direction from the Hon'ble Supreme Court in this regard;
- (c) if so, details in this regard; and
- (d) by when the case of convict of Parliament House attack would be decided?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) The details of 17 mercy petition cases of death convicts which are pending before the President of India is given in Statement (*See below*).

(b) and (c) While deciding the Criminal Appeal No. 338 of 2007, the Supreme Court of India vide its order dated 18th September, 2009 has reminded the concerned Governments to dispose of the mercy petitions expeditiously.

(d) The mercy petition case of Mohd. Afzal has already been submitted to the President's Secretariat on 27.07.2011. However, the power under Article 72 of the Constitution does not contain any limitation as to the time in which the power conferred might be exercised.

Statement

The Details of Mercy Petition Cases of Death Pending Before the President of India

Sl. No.	Name of Condemned prisoner (s) & State	Status of the case
1	2	3
1.	Gurmeet Singh Uttar Pradesh	Submitted to President's Secretariat on 18.05.2007 & resubmitted on 09.12.2009. Decision awaited.
2.	Dharam Pal, Haryana	Submitted to President's Secretariat on 07.02.2000 and resubmitted 11.07.2005 and 10.09.2010. Decision awaited.

1	2	3
3.	Suresh and Ramji, Uttar Pradesh	Submitted to President's Secretariat on 08.04.2004 and resubmitted 21.06.2005 and 19.02.2011. Decision awaited
4.	Om Prakash, Uttarakhand	Submitted to the President's Secretariat on 14.05.2004 and resubmitted on 11.07.2005, 29.04.2011 & 22.07.2011. Decision awaited.
5.	Simon, Gnana Prakash, Madaiah and Bilavendra-Karnataka	Submitted to the President's Secretariat on 02.05.2005 and resubmitted on 25.05.2011, Decision awaited.
6.	Praveen Kumar, Karnataka	Submitted to the President's Secretariat on 08.09.2005 and resubmitted on 15.07.2011 Decision awaited.
7.	Satish, Uttar Pradesh	Submitted to the President's Secretariat on 14.07.2008 and resubmitted on 15.07.2011. Decision awaited.
8.	Mohd. Afzal, Delhi	Submitted to the President's Secretariat on 27.07.2011. Decision awaited.
9.	Saibanna, Karnataka	Submitted to the President's Secretariat on 28.09.2007 and resubmitted on 06.09.2011. Decision awaited.
10.	Kunwar bahadur Singh & Karan Singh, Uttar Pradesh	Submitted to the President's Secretariat on 05..01.2006 and resubmitted on 06.09.2011. Decision awaited.
11.	Laliya Doom and Shiv Lai, Rajasthan	Submitted to the President's Secretariat on 02.05.2005 and resubmitted on 14.10.2011. Decision awaited.
12.	Jafar Ali, Uttar Pradesh	Submitted to the President's Secretariat on 18.08.2006 and resubmitted on 02.11.2011. Decision awaited.
13.	Prajeet Kumar Singh, Bihar	Submitted to the President's Secretariat on 04.01.2012. Decision awaited.
14.	Sonia and Sanjeev, Haryana	Submitted to the President's Secretariat on 1.02.2008 and resubmitted on 21.05.2009 and on 18.01.2012. Decision awaited.

1	2	3
15.	Sunder Singh, Uttarakhand	Submitted to the President's Secretariat on 03.02.2012. Decision awaited.
16.	Bandu Baburao Tidake, Karnataka	Submitted to the President's Secretariat on 23.10.2008 & resubmitted on 12.03.2012. Decision awaited.
17.	Bantu, Uttar Pradesh	Submitted to the President's Secretariat on 12.03.2012. Decision awaited.

Separate budget for Disaster Management Authority

2877. SHRI A.A. JINNAH : Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether budget has been earmarked separately for Disaster Management Authority in the current financial year;
- (b) if so, the details thereof;
- (c) whether the Authority has a separate office structure Centrally as well as State-wise; and
- (d) if so, what is the hierarchy/office structure in Tamil Nadu?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) Yes, Sir. In the Budget Estimate for the year 2012-13 under Demand No. 55 - Other Expenditure of Ministry of Home Affairs, National Disaster Management Authority (NDMA) has been given separate allocation of Rs. 33.31 crore under Non-Plan and Rs. 150.00 crore under Plan. The details are given in Statement (*See below*).

(c) NDMA has the office structure only at central level and it does not have separate office statewide. State Disaster Management Authority (SDMA) is constituted in each State and Union Territory and it is independent of NDMA.

(d) SDMA of Tamil Nadu has the hierarchy/office structure given as follows:

1. Chief Minister- Chairperson, Ex-officio.
2. Minister for Revenue.
3. Chief Secretary, Ex-officio.
4. Secretary, Revenue.
5. Secretary, Finance.