

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 2615**

**TO BE ANSWERED ON THE 11TH AUGUST, 2021/ 20 SRAVANA, 1943 (SAKA)
INCREASING DEATHS UNDER POLICE CUSTODY**

2615. SHRI DEREK O' BRIEN:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there have been reports of increasing deaths under police custody;**
- (b) whether the NCRB report on 'Prison Statistics' documented that there have been 1775 inmate deaths under judicial custody, if so, the view of Government with regard thereto;**
- (c) whether Government has taken any steps, so far, to curb these deaths and ensure penalty for those officers found guilty; and**
- (d) if so, the measures taken and the details of its impacts, if no, steps have been taken, the reasons therefor?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a): No Sir. No such increasing trend has been noticed.

(b): "Prison Statistics India 2019" report published by National Crime Record Bureau (NCRB) mentions 1775 deaths in Prisons for the year 2019. The data is uploaded by the respective State/ Union Territories and NCRB has limited role of collating and publishing this data.

(c) to (d): "Police", "Public Order" and "Prisons" are State Subjects in the Seventh Schedule of the Constitution of India. It is for the respective State Governments to take steps to curb these deaths. The Ministry of Home

Affairs and the National Human Rights Commission (NHRC) issue advisories from time to time to ensure protection of human rights. Further, pursuant to the guidelines issued by the NHRC every death in custody, police or judicial, natural or otherwise, is to be reported to the Commission within 24 hours of its occurrence. If an enquiry by the Commission into custodial death discloses negligence by a public servant, the Commission recommends to authorities of Central/State governments initiation of proceedings for prosecution against the erring public servant. Disciplinary action against the erring public servant is to be taken by the respective state government as per extant rules, procedures, etc.
