

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 365**

**TO BE ANSWERED ON THE 1ST DECEMBER, 2021/ 10 AGRAHAYANA, 1943 (SAKA)
NON-RATIFICATION OF UN CONVENTION AGAINST TORTURE**

365. SHRI SANJAY SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that despite the Law Commission's 2017 recommendation, Government has still not ratified the UN Convention against Torture;

(b) if so, the reasons therefor;

(c) whether it is a fact that India is amongst the only five countries in the world that are yet to ratify the 1987 UN Convention Against Torture; and

(d) if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI AJAY KUMAR MISHRA)**

(a) to (d): The 273rd Report of the Law Commission titled "Implementation of 'United Nations Convention against Torture and other Cruel Inhuman and Degrading Treatment or Punishment' through Legislation" was received in the Ministry of Home Affairs in December, 2017. As the Criminal Laws and Criminal Procedure are in the Concurrent List in Seventh Schedule to the Constitution of India, this Report was forwarded to all the State Governments/ Union Territory Administrations for their views / comments. All the State Governments/ Union Territory Administrations have furnished their inputs/comments on the Report. However, the Department related Parliamentary Standing Committee on Home

Affairs, in its 146th Report had recommended that there is a need for a comprehensive review of the Criminal Justice System of the country. Earlier, the Parliamentary Standing Committee in its 111th and 128th Reports had also stressed upon the need to reform and rationalize the criminal law of the country by introducing a comprehensive legislation in Parliament rather than bringing about piece meal amendments in respective Acts.
