GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

RAJYA SABHA

UNSTARRED QUESTION NO. 2787

TO BE ANSWERED ON THE 18TH MARCH, 2020/ PHALGUNA 28, 1941 (SAKA)

**CONVICTION RATE OF POLICE PERSONNEL IN CUSTODIAL DEATHS**

2787. SHRI SANJAY SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that according to 'Crime in India' reports released by National Crime Records Bureau (NCRB) 2018, for 5479 cases registered for custodial deaths, only 41 police personnel were convicted;

(b) if so, the reasons for such a low conviction rate; and

(c) the steps taken to improve the conviction rate of police personnel who have been negligent in their duty?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI G. KISHAN REDDY)

**(a):** Yes Sir.

**(b) to (c)**: “Police”, “Prison” and “ Public Order” are State Subjects as per Seventh Schedule of the Constitution. It is for the respective State Governments to take action in every crime.

The Central Government does not intervene directly in these matters, but does issue advisories from time to time, while the National Human Rights Commission (NHRC) issues guidelines and recommendations. Pursuant to the guidelines issued by NHRC, every death in police custody in the country

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is reported to the Commission within twenty four hours by respective state police. After investigation/ inquiry, NHRC recommends monetary relief or disciplinary action/prosecution against erring public servant or both.

The disciplinary action against the erring police personnel is to be taken by respective State Government concerned as per extant rules, procedures etc.

Police reforms is an ongoing process. Further, NHRC has published a Manual on Human Rights for Police Reform in 2011. NHRC also makes efforts to sensitize officials through workshops, seminars and camps from time to time.

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