



ASIAN CENTRE FOR HUMAN RIGHTS

NEW DELHI, 14th February 2013

The State of Death Penalty in India 2013: Discriminatory treatment amongst the death row convicts

1. Executive summary: India awards one death sentence in less than every third day

Asian Centre for Human Rights (ACHR) opposes death penalty by any State and for any crime. The execution of Afzal Guru who was convicted for the 13th December 2001 attack on the Indian parliament at Tihar Jail, New Delhi on 9th February 2013 has exposed the discriminatory acts of the Government of India with respect to the treatment of death-row convicts. The circumvention of the Prison Manual by the Ministry of Home Affairs by the effective failure to inform the family members prior to the execution and subsequent imposition of curfew and ban on the right to freedom of association and assembly in various parts of Jammu and Kashmir since 9th February 2013 once again call for abolition of death penalty in India.

As ACHR goes to the press, President Pranab Mukhejee has rejected mercy petitions pending of four accused namely Gnanprakasham, Simon, Meesekar Madaiah and Bilavendran who were sentenced to death by the Supreme Court in January 2004 in connection with the killing of 21 policemen in a landmine blast at Palar in Karnataka in 1993. These convicts were given life imprisonment but the government had moved the Supreme Court, which awarded them the death sentence. It appears that the Government of India in its attempt to address political fallout of the botched up execution of Afzal Guru and the expressed position of the members of the United Progressive Alliance government on death penalty in certain cases will carry out further executions of death row convicts not connected with political sensitivities.

According to the National Crimes Records Bureau, Ministry of Home Affairs, Government of India, a total of 1,455 convicts or an average of 132.27 convicts per year were given death penalty during 2001 to 2011. This also implies that on average one convict is awarded death penalty in less than every third day in India. During this period, the highest number of death penalty has been imposed in Uttar Pradesh (370) followed by Bihar (132), Maharashtra (125), Karnataka and Tamil Nadu (95 each), Madhya Pradesh (87), Jharkhand (81), West Bengal (79), Delhi (71), Gujarat (57), Rajasthan (38), Kerala (34), Odisha (33), Haryana (31) etc.

During the same period i.e. 2001 to 2011, sentences for 4,321 convicts were commuted from death penalty to life imprisonment. This clearly indicates that thousands of convicts remain on death row. The highest number of capital punishment commuted to life imprisonment

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was in Delhi (2462), Uttar Pradesh (458), Bihar (343), Jharkhand (300), Maharashtra (175), West Bengal (98), Assam (97), Odisha (68), Madhya Pradesh (62), Uttaranchal (46), Rajasthan (33), Tamil Nadu, Punjab and Chhattisgarh (24 each), Haryana and Kerala (23 each), Jammu and Kashmir (18) etc.

Asian Centre for Human Rights urges the Government of India to abolish death penalty, among others, for the following reasons:

First, there is no scientific or empirical basis to suggest that death penalty acts as a deterrent against any crime. The execution of Nathuram Vinayak Godse for assassination of none other than the father of the nation, Mahatma Gandhi, has not acted as a deterrent against assassination of many prominent political leaders including former Prime Ministers Indira Gandhi and Rajiv Gandhi, former Chief Minister Beant Singh, Member of Parliament Lalit Maken and many other prominent political leaders.

On the other hand, though no execution had been carried out since the execution of Dhananjay Chatterjee on 14 August 2004, the number of murder cases have been reducing. According to the National Crimes Record Bureau, in 2001 a total of 36,202 murder cases were registered in India. Though the population of India increased from 1.028 billion in 2001 to 1.21 billion in 2011, the murder cases indeed reduced to 34,305 in 2011.¹

Second, death penalty is irreversible and irrevocable. Judges are human beings and to err is human. India is replete with erred judgements. Therefore, death penalty must be abolished to ensure that no innocent person is executed.

Third, as Mahatma Gandhi said, “*An eye for an eye will leave everyone blind.*” Justice must not be seen to be retributive.

Fourth, justice is meant for reform. Death penalty denies the opportunity to reform.

Fifth, justice is not synonymous of death penalty, and death penalty cannot be the only means or form of justice.

Sixth, about 140 countries have abolished the death penalty by 2012. These countries have not become more vulnerable than India or any other country which retains death penalty.

Finally and most importantly, India must follow its own civilisational values. Mythologies of India are full of stories of criminals being reformed. Valmiki, the author of the epic *Ramayana*, was a highway robber known as Ratnakara until he came under the influence of Maharshi Narada to leave the paths of sin. Similarly, according to Buddhist literature, Daku Angulimala (“dacoit who wears finger necklace/garland”) was a ruthless killer who was redeemed by a sincere conversion to Buddhism.

India as the land of Valmiki, Lord Buddha, Gandhi etc must follow its own civilisational values and take effective measures to join the countries which have abandoned retributive justice system and abolished death penalty. India must assuage the sentiments of the Afzal Guru’s family members who have effectively been not informed about the impending execution on 9th February 2013. The State itself must not be flouting or circumventing the rules as it erodes the belief in the rule of law.

Suhas Chakma
Director

1 . Please refer to the Annual Reports of the National Crimes Record Bureau, Ministry of Home Affairs, Government of India

2. An average of 132.27 persons awarded death penalty every year in India

i. The intensity of death penalty in India

According to the National Crimes Records Bureau, Ministry of Home Affairs, Government of India, a total of 1,455 convicts or an average of 132.27 convicts per year were given death penalty during 2001 to 2011. This also implies that on average on less than every third day, one convict is awarded death penalty in India. Death penalty therefore is not awarded in the rarest of rare cases but in most cases. During the same period, sentences for 4,060 convicts were commuted from death penalty to life imprisonment. This indicates that thousands of convicts remain on death row at any given point of time.

Table 1: Year-wise statistics of death penalty given and death penalty commuted during 2001-2011 as per the NCRB

Year	No. of Death Penalty	No. commuted to life imprisonment	No of Executed
2001	106	303	0
2002	126	301	0
2003	142	142	0
2004	125	179	1
2005	164	1,241	0
2006	129	1,020	0
2007	186	881	0
2008	126	46	0
2009	137	104	0
2010	97	62	0
2011	117	42	0
Total	1,455	4,321	1

ii. The geographical coverage

During 2001 to 2011, the highest number of death penalty was imposed in Uttar Pradesh (370) followed by Bihar (132), Maharashtra (125), Karnataka and Tamil Nadu (95 each), Madhya Pradesh (87), Jharkhand (81), West Bengal (79), Delhi (71), Gujarat (57), Rajasthan (38), Kerala (34), Odisha (33), Haryana (31), Assam (21), Jammu and Kashmir (20), Punjab (19), Chhattisgarh (18), Uttaranchal (16), Andhra Pradesh (8), Meghalaya (6), Chandigarh and Daman & Diu (4 each), Manipur and Himachal Pradesh (3 each), Tripura and Pondichery (2 each) and Goa (1). The rest States (Arunachal Pradesh, Mizoram, Nagaland, Sikkim) and UTs (Andaman & Nicobar Islands, Dadra & Nagar Haveli and Lakswadweep) registered nil.

Table 2: State wise statistics of death penalty awarded during 2001-2011 as per the NCRB

Name of states	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
Andhra Pradesh	1	3	1	0	0	0	0	0	0	0	3	8
Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0
Assam	3	1	1	2	8	1	2	2	1	0	0	21
Bihar	13	20	25	16	2	6	14	25	5	4	2	132
Chhattisgarh	1	5	2	0	0	0	7	2	1	0	0	18
Goa	0	0	0	0	0	0	1	0	0	0	0	1
Gujarat	3	0	5	19	8	0	0	0	8	0	14	57
Haryana	8	2	3	3	0	0	3	3	5	0	4	31
Himachal Pradesh	0	0	0	1	1	0	1	0	0	0	0	3
Jammu & Kashmir	4	0	0	0	0	0	3	0	3	1	9	20
Jharkhand	0	4	0	15	21	8	2	6	11	8	6	81
Karnataka	0	0	0	7	14	13	14	22	5	19	1	95
Kerala	2	0	11	1	4	3	5	3	5	0	0	34
Madhya Pradesh	4	4	4	6	11	9	22	17	2	4	4	87
Maharashtra	7	13	14	4	4	20	29	12	15	4	3	125
Manipur	0	1	1	0	0	0	0	1	0	0	0	3
Meghalaya	0	0	0	0	0	0	3	3	0	0	0	6
Mizoram	0	0	0	0	0	0	0	0	0	0	0	0
Nagaland	0	0	0	0	0	0	0	0	0	0	0	0
Orissa	5	0	0	5	0	7	14	0	0	2	0	33
Punjab	11	0	0	0	0	0	0	0	0	0	8	19
Rajasthan	1	0	11	2	6	6	3	3	0	4	2	38
Sikkim	0	0	0	0	0	0	0	0	0	0	0	0
Tamil Nadu	16	24	22	1	N/A	10	14	0	4	4	0	95
Tripura	0	0	0	0	0	0	2	0	0	0	0	2
Uttar Pradesh	19	34	35	33	51	24	30	15	57	25	47	370
Uttaranchal	0	0	2	0	1	11	0	0	2	0	0	16
West Bengal	6	3	0	3	24	1	6	8	10	12	6	79
A&N Islands	0	0	0	0	0	0	0	0	0	0	0	0
Chandigarh	0	0	0	0	0	0	2	1	1	0	0	4
D&N Haveli	0	0	0	0	0	0	0	0	0	0	0	0
Daman & Diu	0	4	0	0	0	0	0	0	0	0	0	4
Delhi	2	8	5	7	9	10	9	3	0	10	8	71
Lakswadweep	0	0	0	0	0	0	0	0	0	0	0	0
Pondichery	0	0	0	0	0	0	0	0	2	0	0	2
Total	106	126	142	125	164	129	186	126	137	97	117	1455

Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0
Delhi	0	2	3	0	919	806	726	0	4	1	1	2462
Lakswadweep	0	1	0	0	0	0	1	0	0	0	0	2
Pondichery	1	0	0	0	0	0	0	0	0	0	0	1
Total	303	301	142	179	1241	1020	881	46	104	62	42	4321

3. Violations of the non-derogable principles of the right to equality with respect to Afzal Guru's execution

The right to equality and non-discrimination is the cardinal principle of international human rights law and embodied in Article 14 of the Constitution of India.² The Supreme Court of India in a number of judgements including *E.P. Royappa v. State of Tamil Nadu* [1974 AIR 555, 1974 SCR (2) 348] and *Maneka Gandhi v. Union of India* [1978 AIR 597, 1978 SCR (2)621] held that State action must not be arbitrary but based on some rational and relevant principle which is non-discriminatory. The action of the State must not be guided by any extraneous or irrelevant considerations because that would be denial of equality. The principle of reasonableness and rationality which is legally as well as philosophically an essential element of equality or non-arbitrariness is projected by Article 14 and it must characterise every State action, whether it be under authority of law or in exercise of executive power without making of law.

In 1980, the Supreme Court in the *Bachan Singh Vs State of Punjab* case [(1982) 3 SCC 24, 1983 1 SCR 145 a] stated that the death penalty “ought not to be done save in the rarest of rare cases when the alternative option is unquestionably foreclosed”. Since 1980, the Courts in India awarded death penalty based on “the rarest of rare” doctrine. Once the accused have been convicted and awarded death penalty as per the *Bachan Singh* case, all death row convicts become equal among themselves. Therefore, any action by the executive following the judicial pronouncements with respect to the death row convicts must follow the principles of equality and non-discrimination.

The hanging of Guru is discriminatory on the following grounds.

First, there are hundreds of death-row convicts including those who have not been able to file mercy petitions before the President of India. Among those who have filed mercy petitions, there is already a queue with former President Pratibha Patil having rejected mercy petitions of Devinder Pal Singh Bhullar of Punjab, and Mahendra Nath Das of Assam in May 2011 and of Murugan, Santhan and Perarivalan in August 2011. Instead of following the queue, Guru was executed without any explanation as to the reasonableness and rationality of hanging him before the others.

Second, the Government of India has knowingly denied the right to appeal against the mercy petition to Afzal Guru. A number of High Courts and the Supreme Court of India have been hearing petitions pertaining to rejection of mercy petitions on the grounds of delay.

Case 1: Devender Pal Singh Bhullar

On 14.1.2003, the convict-appellant Devender Pal Singh Bhullar submitted a Mercy Petition urging the President of India to commute his death sentence to life imprisonment. On 25 May 2011, the President

2. Article 14. Equality before law.—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

dismissed his Mercy Petition.³ On 24.6.2011, Bhullar's wife Navneet Kaur filed a writ petition in the Supreme Court pleading that a mentally imbalanced person viz. her husband Devender Pal Singh Bhullar should not be executed as carrying out the death penalty would amount to cruelty and would be inhuman and violative of Article 21 of the Constitution as no person suffering from mental retardation could be executed.⁴ Bhullar was reportedly being treated at the Institute of Human Behaviour and Allied Science (IBHAS), Shahdara, New Delhi prior to the filing of the petition. As per his doctors, he has been suffering from hypertension since seven years and depression since six years.⁵ The writ petition filed by Navneet Kaur is pending adjudication.

Case 2: Mahendra Nath Das

It took 12 years for the President of India to reject the mercy petition of Mahendra Nath Das.⁶ In June 2011, Das's family filed a writ petition in the Gauhati High Court questioning the delay in deciding on the mercy petition and stating that Das had to endure severe mental trauma and physical agony because of the delay. On 7 June 2011, the Gauhati High Court issued an order staying the execution of the death sentence and further issued notices to the Assam government, Union Home Ministry and Superintendent of Jorhat Central Jail, asking them to file their responses and to explain the 12-year long delay by 17 June 2011. The Gauhati High Court on 17 June 2011 further extended the stay till 21 July 2011 after the Central Government sought time to file affidavit before the Court explaining circumstances that led to the inordinate delay.⁷ The appeal is pending adjudication.

Case 3: Santhan, Murugan and Perarivalan

On 31 August 2011, a Bench comprising justices C Nagappan and M Sathyanarayanan of the Madras High Court stayed the execution of three convicts namely Santhan, Murugan and Perarivalan who were sentenced to death in the case related to the killing of former Prime Minister Rajiv Gandhi. Their execution was set for 9 September 2011 after their mercy petitions were rejected by the President.⁸ The three convicts Santhan, Murugan and Perarivalan were sentenced to death by the Supreme Court in 1999 for their role in the assassination of then Prime Minister Rajiv Gandhi in 1991. Their mercy petitions, filed 11 years ago asking for their sentence to be commuted to life in prison, were rejected earlier in August 2011 by then President Pratibha Patil. The convicts challenged the rejection of the mercy petitions before the Madras High Court on the grounds that the President's office showed "an inordinate and inexplicable delay" in deciding their mercy petitions which has violated Article 21 of the Constitution (Protection of life and personal liberty).⁹

Case 4: Balwant Singh Rajoana

On 1 August 2007, the special CBI court had awarded death sentence to Balwant Singh Rajoana and Jagtar Singh Hawara in the Beant Singh assassination case. Three others namely Lakhwinder Singh, Gurmeet Singh and Shamsheer Singh were sentenced to life imprisonment for hatching the conspiracy to kill Beant Singh. Rajoana did not appeal against the judgment. The death penalty of Hawara, who filed an appeal against it,

3. Bhullar seeks life for delay in mercy decision, *The Pioneer*, 25 June 2011

4. Bhullar's wife urges SC to quash his death penalty, *The Statesman*, 26 June 2011

5. Lawyer pleads leniency for Bhullar on medical grounds; available at: <http://www.hindustantimes.com/StoryPage/Print/706932.aspx>

6. Dead man waiting, *Daily News and Analysis*, 19 June 2011

7. Dead man waiting, *Daily News and Analysis*, 19 June 2011

8. Rajiv Gandhi assassination: Madras HC stays execution of 3 killers, *The Indian Express*, 31 August 2011, <http://www.indianexpress.com/news/rajiv-gandhi-assassination-madras-hc-stays-execution-of-3-killers/839197/0>

9. Rajiv Gandhi assassination: Madras High Court stays convicts' execution for eight weeks, *NDTV*, 30 August 2011, <http://www.ndtv.com/article/india/rajiv-gandhi-assassination-madras-high-court-stays-convicts-execution-for-eight-weeks-130050>

was commuted to life sentence.¹⁰ On 27 March 2012, the Chandigarh sessions court directed the Patiala Jail authority to hang Balwant Singh Rajoana on 31 March 2012.¹¹ The Punjab Government put on hold the execution after two mercy petitions were filed by the Shiromani Gurdwara Parbandhak Committee (SGPC) and the Delhi Sikh Gurudwara Prabhandak Committee before the President of India.¹²

The interventions of the Courts across the country with regard to the above cases established that the decision of the President of India on mercy petitions is further subject to judicial review. This opportunity to appeal has been denied to Afzal Guru who was convicted for the December 2001 attack on the Indian parliament.

4. Mumbai serial blasts of 1993 Vs 26/11 Mumbai terror attack: Is India preferential?

In the war against terror, the terrorists' attacks on Mumbai on 26/11 and the parliament are often cited as the most gruesome and despicable crimes. Gruesome and despicable they are; however the pertinent question is whether the acts of the Government of India are preferential?

The Mumbai serial blasts in March 2003 led to the death of 257 people in comparison to 164 persons in the Mumbai terror attack on 26/11. The Government of India had no qualms to comply with international human rights standards and give assurance to the Government of Portugal that Abu Salem, a prime suspect in the 1993 Mumbai serial bomb blast case will not be given death penalty if found guilty. Abu Salem was arrested by Interpol along with his girl friend, actress Monica Bedi in Lisbon on 20 September 2002. His extradition was challenged before a Portuguese Court. Salem was extradited in November 2005 only after India gave assurances to the Portuguese court that Salem would not be given death sentence on conviction.

If India could indeed provide such assurance to an accused of Mumbai serial blast case of 1993, there is no reason as to why the same cannot be extended to others and death penalty eventually be abolished in India.

10. Beant Singh's killer won't be hanged on March 31, RediffNews, 26 March 2012, <http://www.rediff.com/news/report/beant-singhs-killer-wont-be-hanged-on-march-31/20120326.htm>

11. Beant Singh's killer Rajoana to be hanged on Saturday: Court, Times of India, 27 March 2012, http://articles.timesofindia.india-times.com/2012-03-27/india/31244317_1_patiala-jail-beant-singh-death-warrant

12. Gutless government puts hanging of Beant Singh killer on hold, India Today, 29 March 2012, <http://indiatoday.intoday.in/story/beant-singh-balwant-singh-rajoana-hanging-on-hold/1/179838.html>

5. Annexures: Death penalty statistics of the NCRB during 2001-2011

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2001

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	1	1	0
2	Arunachal Pradesh	-	-	-
3	Assam	3	2	0
4	Bihar	13	50	0
5	Chhattisgarh	1	21	0
6	Goa	0	0	0
7	Gujarat	3	1	0
8	Haryana	8	2	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	4	1	0
11	Jharkhand	0	0	0
12	Karnataka	0	0	0
13	Kerala	2	0	0
14	Madhya Pradesh	4	3	0
15	Maharashtra	7	1	0
16	Manipur	0	0	0
17	Meghalaya	0	1	0
18	Mizoram	0	0	0
19	Nagaland	0	6	0
20	Orissa	5	53	0
21	Punjab	11	24	0
22	Rajasthan	1	13	0
23	Sikkim	0	0	0
24	Tamil Nadu	16	1	0
25	Tripura	0	0	0
26	Uttar Pradesh	19	120	0
27	Uttaranchal	0	0	0
28	West Bengal	6	2	0
	TOTAL (STATES)	104	302	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	2	0	0
34	Lakswadweep	0	0	0
35	Pondichery	0	1	0
	TOTAL (UTs)	2	1	0
	TOTAL (ALL-INDIA)	106	303	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2002

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	3	1	0
2	Arunachal Pradesh	-	-	0
3	Assam	1	1	0
4	Bihar	20	89	0
5	Chhattisgarh	5	0	0
6	Goa	0	0	0
7	Gujarat	0	0	0
8	Haryana	2	8	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	0	0	0
11	Jharkhand	4	1	0
12	Karnataka	0	0	0
13	Kerala	0	0	0
14	Madhya Pradesh	4	17	0
15	Maharashtra	13	126	0
16	Manipur	1	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	4	0
20	Orissa	0	0	0
21	Punjab	0	0	0
22	Rajasthan	0	0	0
23	Sikkim	0	0	0
24	Tamil Nadu	24	6	0
25	Tripura	0	0	0
26	Uttar Pradesh	34	45	0
27	Uttaranchal	0	0	0
28	West Bengal	3	0	0
	TOTAL (STATEs)	114	298	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	4	0	0
33	Delhi	8	2	0
34	Lakswadweep	0	1	0
35	Pondichery	0	0	0
	TOTAL (UTs)	12	3	0
	TOTAL (ALL-INDIA)	126	301	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2003

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	1	1	0
2	Arunachal Pradesh	-	-	0
3	Assam	1	3	0
4	Bihar	25	73	0
5	Chhattisgarh	2	2	0
6	Goa	0	0	0
7	Gujarat	5	0	0
8	Haryana	3	0	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	0	5	0
11	Jharkhand	0	0	0
12	Karnataka	0	0	0
13	Kerala	11	1	0
14	Madhya Pradesh	4	1	0
15	Maharashtra	14	12	0
16	Manipur	1	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	5	0
20	Orissa	0	0	0
21	Punjab	0	0	0
22	Rajasthan	11	3	0
23	Sikkim	0	0	0
24	Tamil Nadu	22	6	0
25	Tripura	0	0	0
26	Uttar Pradesh	35	18	0
27	Uttaranchal	2	9	0
28	West Bengal	0	0	0
	TOTAL (STATEs)	137	139	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	5	3	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	5	3	0
	TOTAL (ALL-INDIA)	142	142	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2004

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	-	-	0
3	Assam	2	8	0
4	Bihar	16	6	0
5	Chhattisgarh	0	0	0
6	Goa	0	0	0
7	Gujarat	19	0	0
8	Haryana	3	3	0
9	Himachal Pradesh	1	0	0
10	Jammu & Kashmir	0	5	0
11	Jharkhand	15	44	0
12	Karnataka	7	0	0
13	Kerala	1	9	0
14	Madhya Pradesh	6	3	0
15	Maharashtra	4	16	0
16	Manipur	0	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	5	0	0
21	Punjab	0	0	0
22	Rajasthan	2	2	0
23	Sikkim	0	0	0
24	Tamil Nadu	1	0	0
25	Tripura	0	0	0
26	Uttar Pradesh	33	82	0
27	Uttaranchal	0	0	0
28	West Bengal	3	1	1
	TOTAL (STATEs)	118	179	1
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	7	0	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	7	0	0
	TOTAL (ALL-INDIA)	125	179	1

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2005

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	-	-	0
3	Assam	8	0	0
4	Bihar	2	33	0
5	Chhattisgarh	0	0	0
6	Goa	0	0	0
7	Gujarat	8	0	0
8	Haryana	0	0	0
9	Himachal Pradesh	1	0	0
10	Jammu & Kashmir	0	0	0
11	Jharkhand	21	132	0
12	Karnataka	14	0	0
13	Kerala	4	9	0
14	Madhya Pradesh	11	11	0
15	Maharashtra	4	2	0
16	Manipur	0	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	0	0	0
21	Punjab	0	0	0
22	Rajasthan	6	1	0
23	Sikkim	0	0	0
24	Tamil Nadu	NA	NA	NA
25	Tripura	0	0	0
26	Uttar Pradesh	51	117	0
27	Uttaranchal	1	15	0
28	West Bengal	24	2	0
	TOTAL (STATEs)	155	322	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	9	919	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	9	919	0
	TOTAL (ALL-INDIA)	164	1241	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2006

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	-	-	0
3	Assam	1	63	0
4	Bihar	6	27	0
5	Chhattisgarh	0	0	0
6	Goa	0	0	0
7	Gujarat	0	0	0
8	Haryana	0	3	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	0	3	0
11	Jharkhand	8	8	0
12	Karnataka	13	0	0
13	Kerala	3	1	0
14	Madhya Pradesh	9	0	0
15	Maharashtra	20	0	0
16	Manipur	0	0	0
17	Meghalaya	0	1	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	7	1	0
21	Punjab	0	0	0
22	Rajasthan	6	4	0
23	Sikkim	0	0	0
24	Tamil Nadu	10	0	0
25	Tripura	0	0	0
26	Uttar Pradesh	24	26	0
27	Uttaranchal	11	22	0
28	West Bengal	1	55	0
	TOTAL (STATEs)	119	214	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	10	806	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	10	806	0
	TOTAL(ALL-INDIA)	129	1020	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2007

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	-	-	0
3	Assam	2	17	0
4	Bihar	14	8	0
5	Chhattisgarh	7	1	0
6	Goa	1	0	0
7	Gujarat	0	0	0
8	Haryana	3	2	0
9	Himachal Pradesh	1	1	0
10	Jammu & Kashmir	3	0	0
11	Jharkhand	2	92	0
12	Karnataka	14	0	0
13	Kerala	5	0	0
14	Madhya Pradesh	22	0	0
15	Maharashtra	29	0	0
16	Manipur	0	0	0
17	Meghalaya	3	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	14	14	0
21	Punjab	0	0	0
22	Rajasthan	3	3	0
23	Sikkim	0	0	0
24	Tamil Nadu	14	0	0
25	Tripura	2	8	0
26	Uttar Pradesh	30	8	0
27	Uttaranchal	0	0	0
28	West Bengal	6	0	0
	TOTAL (STATEs)	175	154	0
29	A&N Islands	0	0	0
30	Chandigarh	2	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	9	726	0
34	Lakswadweep	0	1	0
35	Pondichery	0	0	0
	TOTAL (UTs)	11	727	0
	TOTAL (ALL-INDIA)	186	881	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2008

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	-	-	0
3	Assam	2	0	0
4	Bihar	25	21	0
5	Chhattisgarh	2	0	0
6	Goa	0	0	0
7	Gujarat	0	0	0
8	Haryana	3	2	0
9	Himachal Pradesh	0	1	0
10	Jammu & Kashmir	0	0	0
11	Jharkhand	6	1	0
12	Karnataka	22	2	0
13	Kerala	3	0	0
14	Madhya Pradesh	17	10	0
15	Maharashtra	12	1	0
16	Manipur	1	0	0
17	Meghalaya	3	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	0	0	0
21	Punjab	0	0	0
22	Rajasthan	3	2	0
23	Sikkim	0	0	0
24	Tamil Nadu	0	0	0
25	Tripura	0	0	0
26	Uttar Pradesh	15	5	0
27	Uttaranchal	0	0	0
28	West Bengal	8	1	0
	TOTAL (STATEs)	122	46	0
29	A&N Islands	0	0	0
30	Chandigarh	1	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	3	0	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	4	0	0
	TOTAL (ALL-INDIA)	126	46	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2009

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	0	0	0
3	Assam	1	0	0
4	Bihar	5	20	0
5	Chhattisgarh	1	0	0
6	Goa	0	0	0
7	Gujarat	8	1	0
8	Haryana	5	2	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	3	0	0
11	Jharkhand	11	10	0
12	Karnataka	5	0	0
13	Kerala	5	0	0
14	Madhya Pradesh	2	15	0
15	Maharashtra	15	4	0
16	Manipur	0	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	0	0	0
21	Punjab	0	0	0
22	Rajasthan	0	1	0
23	Sikkim	0	0	0
24	Tamil Nadu	4	8	0
25	Tripura	0	1	0
26	Uttar Pradesh	57	21	0
27	Uttaranchal	2	0	0
28	West Bengal	10	17	0
	TOTAL (STATEs)	134	100	0
29	A&N Islands	0	0	0
30	Chandigarh	1	0	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	0	4	0
34	Lakswadweep	0	0	0
35	Pondichery	2	0	0
	TOTAL (UTs)	3	4	0
	TOTAL (ALL-INDIA)	137	104	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2010

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	0	0	0
2	Arunachal Pradesh	0	0	0
3	Assam	0	2	0
4	Bihar	4	12	0
5	Chhattisgarh	0	0	0
6	Goa	0	0	0
7	Gujarat	0	0	0
8	Haryana	0	1	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	1	3	0
11	Jharkhand	8	8	0
12	Karnataka	19	0	0
13	Kerala	0	0	0
14	Madhya Pradesh	4	2	0
15	Maharashtra	4	11	0
16	Manipur	0	0	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	2	0	0
21	Punjab	0	0	0
22	Rajasthan	4	0	0
23	Sikkim	0	0	0
24	Tamil Nadu	4	1	0
25	Tripura	0	0	0
26	Uttar Pradesh	25	12	0
27	Uttaranchal	0	0	0
28	West Bengal	12	7	0
	TOTAL (STATEs)	87	59	0
29	A&N Islands	0	0	0
30	Chandigarh	0	2	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	10	1	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	10	3	0
	TOTAL (ALL-INDIA)	97	62	0

TABLE - 7.3
DETAILS OF DEATH SENTENCE AT THE END OF 2011

SL No	State /UT	SENTENCED TO DEATH DURING THE YEAR	WHOSE SENTENCE COMMUTED TO LIFE IMPRISONMENT	EXECUTED DURING THE YEAR
(1)	(2)	(3)	(4)	(5)
1	Andhra Pradesh	3	0	0
2	Arunachal Pradesh	0	0	0
3	Assam	0	1	0
4	Bihar	2	4	0
5	Chhattisgarh	0	0	0
6	Goa	0	0	0
7	Gujarat	14	1	0
8	Haryana	4	0	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	9	1	0
11	Jharkhand	6	4	0
12	Karnataka	1	0	0
13	Kerala	0	3	0
14	Madhya Pradesh	4	0	0
15	Maharashtra	3	2	0
16	Manipur	0	1	0
17	Meghalaya	0	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Orissa	0	0	0
21	Punjab	8	0	0
22	Rajasthan	2	4	0
23	Sikkim	0	0	0
24	Tamil Nadu	0	2	0
25	Tripura	0	0	0
26	Uttar Pradesh	47	4	0
27	Uttaranchal	0	0	0
28	West Bengal	6	13	0
	TOTAL (STATEs)	109	40	0
29	A&N Islands	0	0	0
30	Chandigarh	0	1	0
31	D&N Haveli	0	0	0
32	Daman & Diu	0	0	0
33	Delhi	8	1	0
34	Lakswadweep	0	0	0
35	Pondichery	0	0	0
	TOTAL (UTs)	8	2	0
	TOTAL (ALL-INDIA)	117	42	0

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