

**DEATH
PENALTY
INDIA
REPORT**

CENTRE ON THE
DEATH PENALTY

NATIONAL LAW
UNIVERSITY, DELHI

Aim of the project

Socio-economic profile of prisoners

Interaction with the **criminal justice system**

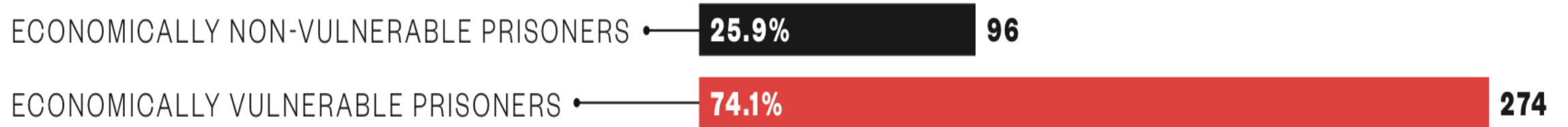
Coverage of the project

Fieldwork from **June 2013 to January 2015**
373 prisoners included as part of study (12
women, 361 men)

Conversational interviews with prisoners
and their families conducted guided by
questionnaires

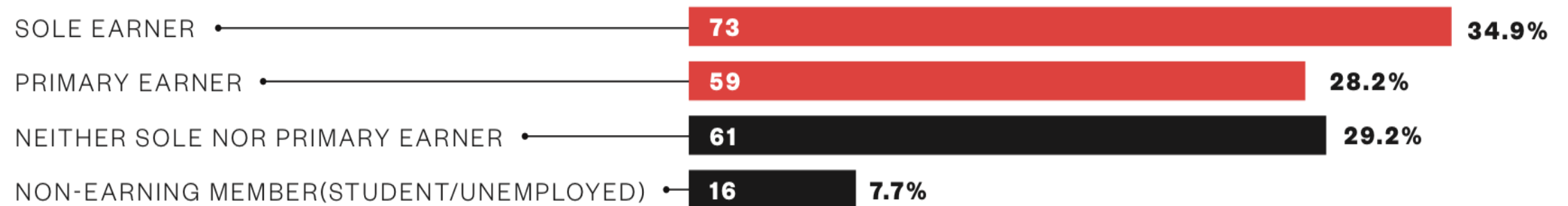
Who gets the death penalty?

Economic profile



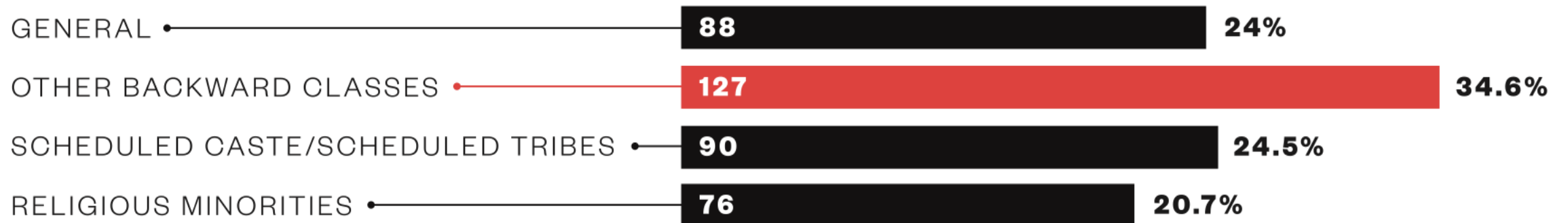
Who gets the death penalty?

Economic profile



Who gets the death penalty?

Caste & religious profile



Who gets the death penalty?

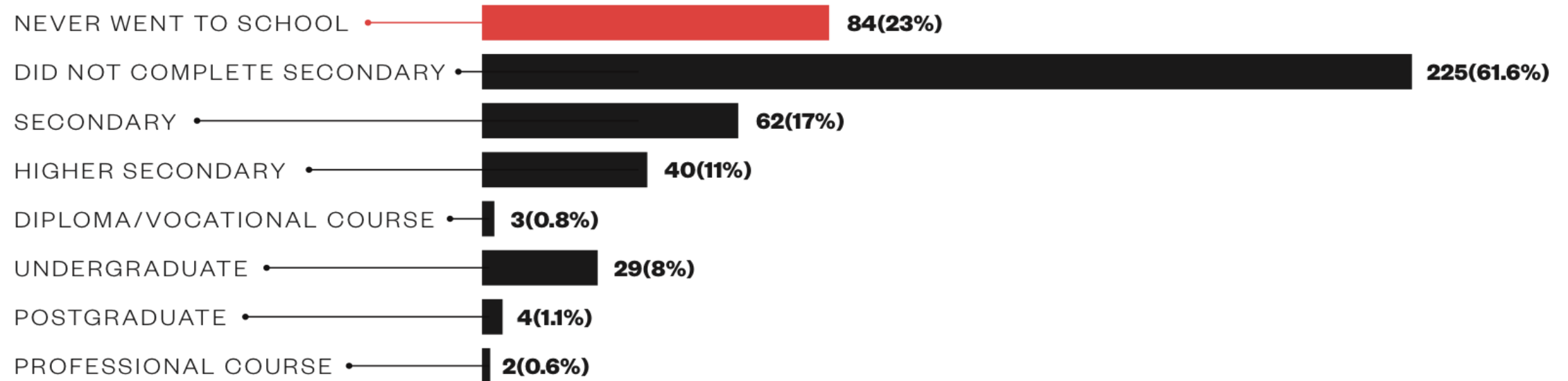
State-wise caste & religious profile

Maharashtra (**50%**), Karnataka (**36.4%**) and Madhya Pradesh (**36%**) have a significantly high proportion of prisoners belonging to scheduled castes and scheduled tribes

Gujarat (**79%**), Kerala (**60%**) and Karnataka (**31.8%**) have a significantly high proportion of prisoners belonging to religious minorities

Who gets the death penalty?

Educational profile



108 prisoners (30.2%) were economically vulnerable, had not completed their secondary education and belonged to the religious minorities or SC/STs

**EXPERIENCE
WITH THE CRIMINAL
JUSTICE SYSTEM**

Custodial Violence

80% prisoners admitted to being tortured in police custody

78.3% prisoners who said that they had confessed in police custody, admitted to making confessions due to torture

Procedural violations

64.3% prisoners said that they were not produced before a Magistrate within 24 hours of arrest

89.4% prisoners did not have a lawyer at the time of first production before the Magistrate

Legal Assistance

70.6% prisoners at the trial court and **68.7%** prisoners at the High Court level had private representation. In the Supreme Court, this figure dramatically fell to **29.9%**

Of the prisoners accessing private lawyers in the trial courts and High Courts, **70.6%** were economically vulnerable

Interaction with lawyers

For **70.2%** prisoners, their trial court lawyers did not discuss their case details with them

68.4% prisoners never interacted with or even met their High Court lawyers

44.1% prisoners did not know the names of the lawyers representing them in the Supreme Court

5.8% prisoners (18 prisoners)
claimed to be juveniles at the
time of the incident

Seeking Mercy

70.4% prisoners did not have a lawyer
while preparing their mercy petitions

**EXPERIENCE
OF LIVING
ON DEATH ROW**

Conditions of incarceration

Confined in **death barracks**

Not permitted to **work** or access
educational opportunities

Kept in **solitary** confinement

Challenges of **family visits**

IMPACT ON FAMILIES

Though it is
the convict
who is sentenced
to death,
it is
his family that
dies everyday.

Shivmani

**DEATH SENTENCES
IN INDIA
(2000–2015)**

Prisoners
sentenced to
death by trial
courts in India:
2000-2014

1,810

29.8% prisoners were acquitted by the end of the appellate process

Sentences for 65.3% prisoners were reduced to life imprisonment

Sentences for 4.9% (73) prisoners were confirmed by the Supreme Court

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