

# Bill Summary

## The Prevention of Torture Bill, 2010

- The Prevention of Torture Bill, 2010 was introduced in the Lok Sabha on April 26, 2010 by the Minister of Home Affairs, Shri P. Chidambaram. The Bill was passed by the Lok Sabha on May 6, 2010 and is pending in the Rajya Sabha.
- India signed the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment on October 14, 1997. A law needs to be enacted for India to be able to ratify the Convention.
- The Bill seeks to provide for punishment for torture inflicted by public servants. It states that if a public servant acts in a way that causes grievous hurt to a person or endangers the life, limb and health of a person in order to obtain information or a confession, the act shall be termed as torture. However, it exempts any hurt caused due to an act that falls within purview of any procedure established by law.
- Any public servant who tortures a person to obtain information or confession or on the grounds of religion, caste, race, or language shall be liable to imprisonment for upto ten years and a fine.
- A court shall take cognizance of an offence under the Act if a complaint is made within six months after the commitment of the offence.
- The central or state government needs to give sanction for a court to take cognizance of an offence committed by a public servant (if employed by the centre or state). In any other case, the authority competent to remove the accused shall have to give sanction.

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