



**Letter to Chief Ministers/Administrators of all States/Union Territories  
communicating the modified instructions regarding videography of post-mortem  
examinations in respect of deaths in jail**

**Justice J.S. Verma**  
Chairperson  
(Former Chief Justice of India)

D.O. No. 3/2/99-PRP&P  
राष्ट्रीय मानव अधिकार आयोग  
**National Human Rights Commission**

21<sup>st</sup> December, 2001

Dear

May I invite your kind attention to the communication dated 10th August, 1995 addressed to you by my predecessor Justice Ranganath Misra regarding videography of post-mortem examinations in respect of cases of deaths in police custody and in jails. I am happy to find a significant impact of the observance of these instructions on the general level of custodial violence in the country.

An analysis of the cases of custodial death reported to the Commission during the last five years by various States has highlighted the need for re-examination of the instructions on videography in cases of death in jails from the aspect of their utility and the practical difficulties pointed out by some of the jail authorities. A scrutiny of the reports has revealed that, while death in police custody is very often a result of custodial violence, majority of deaths reported from jails are due to illness aggravated by negligence in giving proper treatment. Although the Commission views the post-mortem examination as essential even in such cases, it feels, the requirement of videography of the examination can be relaxed to some extent.

The Commission has, therefore, decided to modify its earlier instructions. The instructions regarding videography of post-mortem examinations in respect of deaths in police custody will remain in force as before. The requirement of videography of post-mortem examinations in respect of deaths in jail will be applicable only in the following cases:-

- (i) Where the preliminary inquest by the Magistrate has raised suspicion of some foul play.
- (ii) Where any complaint alleging foul play has been made to the concerned authorities or there is any suspicion of foul play.

It is requested that these instructions may be passed on to all concerned for future action.

With regards,

Yours sincerely,  
Sd/-  
**(J.S. Verma)**

To

Chief Ministers/Administrators of all States/Union Territories.