



NLU Report on Death Sentence

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Why in News

Recently, the **fourth edition** of '**The Death Penalty in India: Annual Statistics**' was published by **Project 39A** of **National Law University (NLU), Delhi**.

The report states that higher number of death sentences awarded in India in recent years relates to the cases of sexual offences.

Key Points

- The number of death sentences awarded for murders involving sexual offences in 2019 was the highest in four years.
 - **Trial courts:** Imposed 102 death sentences in 2019, a significant drop from 162 death sentences in 2018. However, the percentage of sexual offences in these cases increased from 41.35% in 2018 to 52.94% in 2019.
 - **High Courts:** 65.38% of cases of confirmations of death sentences involved sexual offences along with murder.
 - **Supreme Court:** In 2019, the SC dealt with 27 capital punishment cases, the highest number since 2001. It confirmed the death penalty of seven cases out of which four were of murder involving sexual offences. It commuted a total of 17 cases of the death penalty.
 - **Warrants Issued: Six death warrants were issued** in 2019 against one in 2018, with all warrants eventually stayed by the courts.

All warrants that were issued indicate a lack of compliance with the guidelines issued in the case of **Shabnam vs Union of India (2015)**, which requires that a warrant for execution not be issued until the reasonable time for exhausting all remedies under the law has lapsed and specifies procedures to be followed in issuing such warrant.

- **Reasons Stated**

- Amendment to the **Protection of Children from Sexual Offences (POCSO) Act**, introducing stringent mandatory minimum punishments and death penalty for penetrative sexual assault on children was a major development.
- Andhra Pradesh's amendment to the **Indian Penal Code** to introduce the death penalty for rape under **Disha** Act.
- Widespread discussions on capital punishment in 2019 involving sexual offences against women and children.

National Law University

It was established in **2008** under the **National Law University Act, 2007** with the objective of imparting comprehensive and interdisciplinary legal education.

Project 39A

- It is inspired by **Article 39-A** of the Indian Constitution, a provision that furthers the intertwined values of **equal justice and equal opportunity** by removing economic and social barriers.
- Using empirical research to re-examine practices and policies in the criminal justice system, Project 39A aims to trigger new conversations on legal aid, torture, DNA forensics, mental health in prisons, and the death penalty.

Source: TH