

# TORTURE IN INDIA 2009



Asian Centre For Human Rights



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ASIAN CENTRE FOR HUMAN RIGHTS

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First published June 2009

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**Cover Photos** Coutesy: <http://media.photobucket.com/image/torture%20india/Nitajk/september%202007/october%2007/tehelka.jpg>

**ISBN** : 978-81-88987-21-4

**Price Rs.:** 545/-

*Published by:*

**Asian Centre For Human Rights**

C-3/441-C, Janakpuri, New Delhi - 110058, India

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**Acknowledgement:** This report is being published as a part of ACHR's "National Campaign for Prevention of Torture in India" - a project funded by the European Commission under the European Initiative for Human Rights and Democracy (EIDHR) – the European Union’s programme that aims to promote and support human rights and democracy worldwide. The views expressed are of the ACHR, and not of the European Commission.

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## **1. Focus of 2009: Torture and deaths in police custody and failure of the DK Basu judgment**

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Torture in police custody is rampant in India. It is a pervasive problem that pre-dates this report. The State and the police remain in worrying denial. The annual reports, *Crime in India*, of the National Crime Records Bureau of the Ministry of Home Affairs that report very few deaths in police custody reflect this disturbing denial.<sup>1</sup>

The evidence presented in this report is under consideration of various courts and the National Human Rights Commission (NHRC). The evidence underlines that torture by the police is rather a serious problem in India.

### **National Human Rights Commission Guidelines**

In recognition of the scale of the problem of use of torture, on 14 December 1993, the National Human Rights Commission (NHRC) issued guidelines directing all District Magistrates and Superintendents of Police in every district to report to the Secretary General of the NHRC about custodial deaths/rapes within 24 hours.

The NHRC warned that: “Failure to report promptly would give rise to presumption that there was an attempt to suppress the incident”.

### **Supreme Court Ruling in *D.K. Basu Vs State of West Bengal***

Moreover in a landmark judgment in 1996 in the case of *D.K. Basu Vs State of West Bengal*, the Supreme Court laid down specific guidelines required to be followed while making arrests with the aim to eliminate violations of human rights in police custody. The principles laid down by the Supreme Court are given hereunder:

- “1. The police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designations. The particulars of all such police personnel who handle interrogation of the arrestee must be recorded in a register;
2. That the police officer carrying out the arrest shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may be either a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be counter signed by the arrestee and shall contain the time and date of arrest;
3. A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock up, shall be entitled to

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1. See various annual reports, *Crime in India*, of the National Crime Records Bureau.

have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable, that he has been arrested and is being detained at the particular place, unless the attesting witness of the memo of arrest is himself such a friend or a relative of the arrestee;

4. The time, place of arrest and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the Legal Aid Organization in the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest;
5. The person arrested must be made aware of his right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained;
6. An entry must be made in the diary at the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest and the names and particulars of the police officials in whose custody the arrestee is;
7. The arrestee should, where he so requests, be also examined at the time of his arrest and major and minor injuries, if any present on his/her body, must be recorded at that time. The 'Inspection Memo' must be signed both by the arrestee and the police officer affecting the arrest and its copy provided to the arrestee;
8. The arrestee should be subjected to medical examination by the trained doctor every 48 hours during his detention in custody by a doctor on the panel of approved doctors appointed by Director, Health Services of the concerned State or Union Territory, Director, Health Services should prepare such a panel for all Tehsils and Districts as well;
9. Copies of all the documents including the memo of arrest, referred to above, should be sent to the Magistrate for his record;
10. The arrestee may be permitted to meet his lawyer during interrogation, though not throughout the interrogation; and
11. A police control room should be provided at all district and State headquarters where information regarding the arrest and the place of custody of the arrestee shall be communicated by the officer causing the arrest, within 12 hours of effecting the arrest and at the police control room it should be displayed on a conspicuous notice board."

### **Death in police custody statistics**

The preventative actions of the Supreme Court and the NHRC have not ended deaths in police custody due to torture.

From 1 April 2001 to 31 March 2009, the deaths of 1,184 persons in police custody were reported to the NHRC. An overwhelming number of these deaths had taken place as a result of torture. Most of these deaths took place within 48 hours of the victims being taken into custody by the police.

During this period (1 April 2001 to 31 March 2009), the highest number of custodial deaths was reported in Maharashtra (192 cases) followed by Uttar Pradesh (128), Gujarat (113), Andhra Pradesh (85), West Bengal (83), Tamil Nadu (76), Assam (74), Karnataka (55), Punjab (41), Madhya Pradesh (38), Bihar and Rajasthan (32 each), Haryana (31), Kerala (30), Jharkhand (29), Delhi (25), Orissa (24), Chhattisgarh (23), Uttarakhand and Meghalaya (16 each), Arunachal Pradesh (11), Jammu and Kashmir and Tripura (9 each), Puducherry and Chandigarh (3 each), Himachal Pradesh (2) while Manipur, Goa, Sikkim, and Dadra & Nagar Haveli recorded one case each.

The above figures do not represent the actual number of deaths in police custody in India. A number of cases of custodial death taken up by Asian Centre for Human Rights (ACHR) with the NHRC show that the NHRC was not informed by the police about these custodial deaths by the police. Some of these cases include custodial deaths of Tsering Tondup of Leh in Jammu and Kashmir (NHRC File No. 27/9/07-08-AD); Boya Venkatanna of Andhra Pradesh (NHRC No. 6/1/2003-2004-AD); Harilal Yadav of Uttar Pradesh (NHRC No. 704/24/2003-2004-CD); Jarupula Srinu of Andhra Pradesh (NHRC No. 60/1/2005-2006- AD-SCN); and Dwipen Bayan of Assam (NHRC No.133/3/2004-2005-AD). The NHRC has expressed its anguish against the failure to report these cases of custodial death to the NHRC but the NHRC's guidelines continue to be flouted.

The above cases of deaths in police custody also do not include deaths in the custody of the armed forces and the Indian Army under the control of the Central government. The NHRC directions for reporting incidents of custodial deaths were issued to the police only as the NHRC does not have jurisdiction to investigate violations committed by the armed forces under Section 19 of the Human Rights Protection Act, 1993. However, there have been regular reports of deaths in the custody of the armed forces and the Indian Army. Asian Centre for Human Rights itself has filed 50 complaints of extrajudicial killings with the NHRC from 2003 to 2009. Many of these alleged extrajudicial killings were indeed deaths in the custody of the Manipur Commandos under the Manipur Police. Since the Manipur Commandos claim to be conducting operations jointly with the central armed forces, the deaths in the custody of the Manipur Commandos are not reported to the NHRC. Not surprisingly, the NHRC has recorded only one custodial death case in the last eight years from Manipur.

Nonetheless, the high incidence of deaths in police custody also expose that the guidelines of the DK Basu Judgment do not appear to be working.

Further, one of the key failures of the DK Basu guidelines is that its compliance is confined only to cases of arrests made under Sections 41 (When police may

arrest without warrant) and 74 (Warrant directed to police officer) of the Code of Criminal Procedure, 1973 (as amended up to date). The DK Basu Guidelines effectively come to play only during and from the time of arrest.

In India numerous suspects are detained daily on summons as provided under Section 175 (Power to summon persons) or without a formal summon by sending a message to the person to appear before a police officer. The latter is illegal but nonetheless a regular practice.

Interrogations conducted by the police under these circumstances are not arrests, in the legal sense, and therefore, do not require compliance with the D K Basu guidelines. These provide legal loopholes for abuse as is highlighted in the cases stated below. A number of persons who are summoned or detained illegally are subjected to torture and killed in police custody.

Asian Centre for Human Rights highlights the following cases of custodial deaths in which the victims died after being taken into custody without being formally arrested. The victims were summoned by the police or held in illegal detention.

## **Case studies**

### ***1. Custodial death of Md Jaleel, Andhra Pradesh<sup>2</sup>***

On 26 August 2004, the NHRC received information from the Collector & District Magistrate, Warangal in Andhra Pradesh about the custodial death of Md. Jaleel (son of Bandeli, resident of Malkapur village, Ghanpur, Warangal district) in police custody. The post mortem report found that he died due to acute Pancreatitis, a natural death. The Magisterial Enquiry did not find foul play or medical negligence.

According to the police, 25-year-old Jaleel was taken into police custody on 25 August 2004 in connection with case No. 271/2004. He died on 26 August 2004 in MGM Hospital, Warangal. During the enquiry the family of the victim claimed that Jaleel was, in fact, arrested by the police on the evening of 24 August 2004. The police provided records showing his arrest on 25 August 2004 at 0245 hours.

On 9 December 2006, the NHRC asked the Director General of Police (DGP), Andhra Pradesh to initiate a Criminal Investigation Department (CID) inquiry and take appropriate action on the outcome of such enquiry. The Commission further directed the DGP, Andhra Pradesh to send the report of the CID enquiry along with Action Taken Report within six weeks.

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2. NHRC Case Number: 424/1/2004-2005-CD

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## **2. Custodial death of Amit Kumar, Bihar<sup>3</sup>**

On 8 November 2003, Amit Kumar (son of Yogendra Prasad Singh, resident of Kankar Bagh police station, Patna, Bihar) died in police custody in Patna as a result of torture. The police claimed that the victim was beaten up by unknown persons prior to his arrest on 8 November 2003 and a case (NO.503/03 dated 8.11.03 u/s 147/149/323/307 IPC) was registered against 30-40 unknown persons for assaulting Amit Kumar.

The victim's father Yogendra Prasad Singh, Sub Inspector of Bihar Police (NHRC complaint dated 8 December 2003) alleged that Amit Kumar was arrested by the Special Task Force (STF) on 7 November 2003 at 3 pm from Taramandal. He claimed that in an earlier posting as Sub Inspector Mr Prasad Singh had a dispute with Arshad Zamal, the Deputy Superintendent of Police (DSP) now posted at Sachivalaya. When DSP Arshad Zamal found out Amit Kumar was his son, he was taken to Ekta Bhawan and Zamal and other members of the STF tortured him.

The victim was admitted to Patna Medical College Hospital on 7 November 2003. On 8 November 2003, the victim's family shifted him to Rajeshwar Hospital and then to Magadh Hospital where he died on 8 November 2003 at 6.05 pm. Mr Singh alleged that the STF made up a story about his son's beating by unknown persons and registered a case NO.502/03 against unknown person to cover up.

The response to the NHRC (the inquest-cum-Magisterial Enquiry Report) confirmed that the victim died in the manner alleged by the family.

There were inconsistencies in the police record of events. The NHRC stated that the medical records show that the victim was examined at Patna Medical College Hospital on 7 November 2003 at 6.55 pm after being brought to the hospital by B. Dayal, DSP, STF and Arshad Jamal, DSP, Sachivalaya. This contradicts the claims of the police who alleged that he was arrested on 8 November 2003 at 6 pm (case NO.502/03).

The NHRC concluded that the victim died in police custody and directed the authorities to investigate the case by Crime Branch-Criminal Investigation Department (CB-CID) and also served a show cause notice to the Chief Secretary, government of Bihar as to why interim compensation should not be awarded to the next of kin of the victim.

## **3. Custodial death of Parmeshwar Dayal, Delhi<sup>4</sup>**

On 15 March 2005, 28-year-old businessman Parmeshwar Dayal died in police custody in the Shanti Nagar area of North-west district of Delhi.

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3. NHRC Case Number : 3052/4/2003-2004-CD

4. NHRC Case Number 5061/30/2004-2005-CD

He had been rescued by the Delhi police from Pune, Maharashtra after being allegedly abducted from Delhi. The police brought him back to Delhi on the night of 14 March 2005 but did not hand him over to the family. The victim's family alleged that he was tortured in custody by the police in connivance with a business rival. The police claimed he committed suicide by touching live wires after breaking a bulb holder inside the toilet.

According to his relative Rajender Kumar, the police did not allow him to meet Parmeshwar after he was brought back from Pune. The family was only told of the victim's death on the morning of 15 March 2005.

The NHRC has directed the Commissioner of Police, Delhi to submit the inquest report, postmortem report along with the status of Magisterial Inquiry and the status of investigation in the FIR registered in relation to the incident.

#### **4. Custodial death of Sunil, Delhi<sup>5</sup>**

On 14 September 2005, the NHRC received intimation about the custodial death of Sunil (19 years) (son of Shri Rajinder, resident of Jhuggi No. 18, Village Bharola, Near Azadpur Subzi Mandi, Delhi) from Additional District Magistrate, North-West District, Delhi. The police claimed that he had committed suicide by hanging himself in the lock up of Adarsh Nagar police station.

Pursuant to the directions of the Commission, the Deputy Commissioner of Police (DCP), North-West Delhi submitted its response. The report shows that the victim was arrested u/s 107/151 Criminal Procedure Code (CrPC) on 12 September 2005 at 9.50 pm. The custody record shows arrest on 12 September 2005 at 10.30 pm. The cause of death was found to be asphyxia as result of hanging. The Magisterial Inquiry Report (MER)/Inquest Report found that date/time of arrest of the victim's police custody records was made up. The police were found to have filed a fake/concocted case u/s 117/151 CrPc.

The Commission served a show cause notice to the Chief Secretary, government of National Capital Territory (NCT) of Delhi as to why interim relief should not be provided to the next of kin of the victim. The Commission also asked the Deputy Commissioner, North-West District to submit a report regarding action taken on the MER/Inquest Report and details of disciplinary action, if any, taken against guilty policemen within six weeks.

#### **5. Custodial death of Arjubhai Dalsukhbhai Vasawa, Gujarat<sup>6</sup>**

The Superintendent of Police, Narmada, Gujarat informed the NHRC about the death of one Arjubhai Dalsukhbhai Vasawa, aged 30 years, resident of Navagam

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5. NHRC Case Number 2345/30/2005-2006-CD

6. NHRC Case Number: 314/6/2005-2006-CD

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village under Narmada district, in police custody on the night of 19 October 2005.

On 19 October 2005, police summoned Arjubhai Dalsukhbhai Vasawa to Rajpipla police station for interrogation in connection with case FIR No. 123/05 u/s 302 IPC, P.S. Rajpipla. According to the police, the victim reported to Rajpipla P.S. at 2000 hrs. They claimed that he suddenly complained of chest pain and was immediately taken to the General Civil Hospital, Rajpipla by the Investigating Officer. He was declared dead by the doctor at the hospital at 2140 hours on the same night.

The mother of the victim, Smt. Reva Ben Dalsukh Bahai Vasawa in a deposition before the Magisterial Enquiry, alleged that the victim was in fact picked up by police of Rajpipla at 1800 hours on 19 October 2005 from her house in connection with a criminal case. He was in a good health before he was detained. She alleges that the victim was tortured to extract a confession. She learnt that the policemen had hit the victim's head against the wall and he had died as a result of this injury.

The post-mortem concurred with the findings of the NHRC that the death resulted from shock following head injury. In the opinion of NHRC Penal doctor "*these injuries have been caused as a result of blunt trauma to the head either by hit by a blunt weapon or fall from height. Death in this case is un-natural. These injuries would have been caused within 24 hours of death.*"

The NHRC served a show cause notice to the Chief Secretary, government of Gujarat as to why monetary relief under section 18 (a) of the Protection of Human Rights Act 1993 be not awarded to the next of kin of the victim. The NHRC also directed the Director General of Police, Gujarat to register a criminal case against the erring police personnel under appropriate section of law for investigation by State Criminal Investigation Department.

### **6. Custodial death of Santosh Shetty, Gujarat<sup>7</sup>**

On 6 October 2003, Superintendent of Police, Anand, Gujarat, informed the NHRC about the death of Santosh Shetty (resident of Shri Krupa Hospital, U.Patel Road, Kandivalli (W) Mumbai, Maharashtra) on 4 October 2003. Shetty was a suspect in a narcotics case no.05/03. The victim was being brought from Mumbai to Ahmedabad and Umesh J. Pathak, Intelligence Officer from the Narcotics Control Bureau, was traveling with the team. On the way, Mr Shetty allegedly got out of the car and vomited on the road side. He then allegedly committed suicide by jumping in front of a speeding truck.

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7. NHRC Case Number: 639/6/2003-2004-CD

In his communication to the NHRC, Superintendent of Police (SP) Anand stated that no magisterial enquiry was ordered because the matter did not attract Section 176 CrPC that makes it mandatory for an institution to hold a magisterial enquiry when a person dies in police custody. According to the police, the victim was not in police custody.

On 2 August 2007, the NHRC stated “Dr. Shetty may not have been technically in the custody of NCB at the time of the incident. But the fact remains that the Intelligence Officer of NCB was with him. That being the factual position, an inquiry into the circumstances of death will be absolutely necessary. After the inquiry alone it will be possible to say whether there was any negligence or foul play in the death of Dr. Shetty.” The NHRC therefore directed the Secretary (Home), Gujarat to order a CID enquiry into the circumstances of death of Mr. Shetty and to submit the enquiry report within eight weeks.

In a communication dated June 2008, IGP (Crime-I), CID Crime, Gujarat stated that the matter was investigated by the CID Crime. They concluded that Mr Shetty committed suicide. The CID however held the NCB officer and local police guilty of negligence and recommended departmental action against them.

However, the NHRC stated that the communication sent by the IGP (Crime-I), CID Crime appears to be only a gist of the enquiry carried out by the CID Crime Branch. On 8 December 2008, the NHRC directed the IGP (Crime) CID Crime to send the complete enquiry report along with annexures to the Commission for its perusal within four weeks.

### **7. Custodial death of Raziabibi Sheikh Jamir Luhar (Pakistani national), Gujarat<sup>8</sup>**

The Superintendent of Police, Banaskantha, Gujarat, informed the NHRC about the custodial death of a Pakistani national, Raziabibi Sheikh Jamir Luhar at Suigam police station in Banaskantha of Gujarat on 12 May 2003. The victim was arrested on 25 March 2003 on Indo-Pak border. He was taken to Mavsari police station and then handed over to the Suigam police station. He was illegally detained and not produced before a court. On 12 May 2003, during the course of interrogation at Suigam police station, he allegedly complained of headache, collapsed and died. The Post-Mortem Report records twenty injuries sustained before death. The cause of death according to the doctors was shock and haemorrhage resulting from the injuries.

Sub-Divisional Magistrate (SDM) Tharad, conducted an enquiry into the death. According to his report, the victim was interrogated on 12 May 2003 by a joint team consisting of Shri Devender Sathwara, Officer-in-Charge of Special Bureau of Radhanpur, Shri Kumar Anand, Officer of Central Bureau of Intelligence and Shri P.N. Singh of ‘G’ Branch of BSF.

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8. NHRC Case Number: 229/6/2003-2004-CD

The magisterial inquiry found contradictions in the statements given by the police officials and the Interrogation Team. While the police officials posted at the Police Station told the Magistrate that the victim was interrogated in a closed room, the Interrogation Team denied it. And when the doctor from the Primary Health Centre came to the Police Station, he found the victim naked.

On 10 July 2007, the NHRC concluded that the victim was held in illegal detention at the police station and tortured which could have resulted in his death.

The Commission ordered issuance of notice u/s 16 of the Protection of Human Rights Act to Sub Inspector S.B. Makwana, Incharge of the Suigam Police Station, Shri Devender Sathwara, Officer-In-Charge of S.B. of Ravanpur, Shri Kumar Anand, Officer of C.I.B and Shri P.N. Singh of BSF asking them to explain in writing why disciplinary action as well as criminal action be not recommended against them. S.I. S.B. Makwana failed to reply despite reminders from the NRHC. All the others denied having tortured the victim.

The NHRC was not satisfied with their replies, and directed the Director General of Police, Gujarat to register a criminal case against S.I. S.B. Makwana, the then In-charge of Suigam Police Station, Shri Devender Sathwara, Officer-In-Charge of S.B. of Radhanpur, Shri Kumar Ahand, Officer of C.I.B and Shri P.N. Singh of B.S.F. and to get the investigation carried out by an officer not below the rank of Dy. Superintendent of Police. The NHRC also directed DGP, Gujarat, to take disciplinary action against S.I. S.B. Makwana and Shri Devender Sathwara and directed the Secretary, Ministry of Home Affairs to take disciplinary action against Shri P.N. Singh, the then Head Constable 'G' Branch, Border Security Force, Dantewada, Gujarat and Shri Kumar Anand Shah, Central Intelligence Bureau Officer, Suigam, Banaskantha District, Gujarat.

### **8. Custodial death of Kartik Uraon, Jharkhand<sup>9</sup>**

The Superintendent of Police, Gumla, Jharkhand, informed the NHRC about 54th the custodial death of Kartik Uraon (son of Bandhna Uraon) at Gumla police station. The police claimed that the victim was arrested on 9 April 2002.

The post mortem report revealed that the victim died of asphyxia due to hanging. In the Magisterial Enquiry report, the Magistrate held the sentry on duty responsible for negligence. On 21 October 2004, the SP, Gumla informed the NHRC that the sentry on duty Mahadeo Uraon had been awarded a censure entry in departmental proceedings.

The NHRC found that General Diary record showed the victim was brought to the police station on 6<sup>th</sup> April 2002 at 1740 hrs and released at 1000 hrs on 7<sup>th</sup> April 2002. The General Diary also showed that co-accused Sanoj Ram and Santosh

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9. NHRC Case Number: 33/34/2002-2003-CD

Kesari were brought to the police station on 7<sup>th</sup> April 2002 and were released at 0700 hrs on 8<sup>th</sup> April 2002. Kartik Uraon, Sanoj Ram and Santosh Kesari were again arrested at 1500 hrs on 9<sup>th</sup> April 2002. Sanoj Ram and Santosh Kesari were released on personal bond on 10<sup>th</sup> April 2002 at 0130 hrs.

The co-accused Sanoj Ram and Santosh Kesari denied that the victim was tortured. They stated that on 9<sup>th</sup> April 2002 they were sleeping in the lock-up when at about 2200 hrs the sentry brought food.

When they woke up, they found Kartik Uraon hanging in the toilet. The NHRC observed – “It is hard to believe that in the lock up where only three persons were there and before taking food they could have gone to sleep and without making noise single person could hang himself.”

The NHRC cast doubt on the authenticity of the General Diary which appears to be written by one person from 8 April 2002 (GD No. 238) to 11 April 2002 (GD No. 318). This means that the person who wrote the entries in the GD was on duty from 1445 hrs of 8 April 2002 to 0800 hrs of 11 April 2002.

As per the statement of warden of the Adivasi Uraon Hostel, the police picked up the victim without permission from the hostel authority on 6 April 2002 and the victim did not return to the hostel till 9 April 2002. The hostel warden further stated that Kartik Uraon alleged torture by the police when he went to meet him in the lock up on 7 April 2007. Constable Mahadev Uraon in his statement also confirmed that Kartik Uraon was in the lock up from 6 April 2002 to 9 April 2002.

The NHRC directed the Chief Secretary, Jharkhand to order an investigation into the case by the Crime Branch-Criminal Investigation Department (CB-CID) and submit the report within 8 weeks.

### **9. Custodial death of Mushtaq Ahmed, Jammu and Kashmir<sup>10</sup>**

The police claimed that Mushtaq Ahmed, son of Shri Ghulam Qadir Batt, was arrested in Doda of Jammu & Kashmir in connection with a theft case on 27 August 2005. The police claimed that he ripped open his abdomen with a shaving blade in the toilet of the lockup. He was admitted to District Hospital Doda which referred him to Government Medical College, Jammu but he died while being transferred.

The magisterial enquiry found that the victim was arrested by the police on 26 August 2005 and not on 27 August 2005 as claimed by the police. Before losing consciousness the victim had told his father that he had been stabbed by the police. The autopsy surgeon concluded that the injuries sustained could not have been

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10. NHRC Case Number: 67/9/2005-2006-CD

caused by a shaving blade. The MER further revealed that Constable Muneer Ahmed (NO.653/D) who was on sentry duty had been placed under suspension and departmental enquiry had been ordered against six other police officials.

On 18 September 2007 the NHRC directed the Director General of Police, Jammu and Kashmir to register a specific case based on the complaint of the father of the victim to be investigated by the Criminal Investigation Department. On 21 May 2008, the Commission issued a conditional summons to the Chief Secretary, Jammu & Kashmir for failing to respond to the NHRC's earlier directions despite reminders. On 28 May 2008, Deputy Secretary (Home Department) to the government of Jammu & Kashmir informed the Commission that Rs. one lakh had been paid to the next of kin of the victim Mustaq Ahmed as compensation and a case FIR No. 13/2008 u/s 304 RPC has been registered at police station Crime Branch, Jammu and the matter is under investigation.

#### **10. Custodial death of Mrs Shanno alias Aarti Gopal Kale, Maharashtra<sup>11</sup>**

According to a complaint filed by Gauri Gopal Kale to the SP, Ahmednagar, his sister Shanno alias Aarti Gopal Kale was picked up by the police and taken to Shirdi police station in mid-night of 2 March 2005. The complainant further alleged that the victim was raped and killed by the police who threw the victim's body in a dry well in Soygaon shivar under the jurisdiction of Rahata police station, Ahmednagar. The victim was not arrested for any offence but was only brought in for interrogation in Shirdi police station. On 4 March 2005, the victim's body was found and a case (No. 5/05 u/s 174 Cr.P.C) was registered.

During investigation, another case No. 24/05 u/s 302/201 was registered against unknown accused persons at Rahata police station on 7 March 2005.

On 14 May 2005, the Superintendent of Police, Ahmednagar, Maharashtra intimated the case to the NHRC. The NHRC sought an explanation from the District Magistrate and the Superintendent of Police, Ahmednagar, for not reporting the death in custody as per NHRC guidelines.

Pursuant to the directions of the NHRC the Superintendent of Police, CID, Nasik sent the copy of Inquest Report, Post-Mortem Report and Viscera Report along with cause of death report. The Inquest Report stated that the "lady (victim) was killed by pressing the neck and throat and disposed of with intention of hiding the evidence and thrown in the well of Kisan Damu Shendge in half bum position and also half buried". The final cause of death given by a team of doctors revealed that the victim died due to "Compression of Neck".

The District Magistrate, Ahmednagar, (vide communication dated 21 December 2006) forwarded the copy of Magisterial Enquiry Report. The MER was conducted

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11. NHRC Case Number: 187/13/2005-2006-CD

by Sub Divisional Magistrate, Shirampur Division. The MER concluded that the victim was brought to Shiridi police station and died in police custody between 1.30 a.m. to 5.00 a.m. in the presence of Assistant Sub Inspector, Tukaram Narayan Kahar and Chandrakant Bhaskar Mali. The MER concluded that police officers tried to get rid of the evidence by throwing the dead body down the well.

The Superintendent of Police, State CID Crime, Nasik (vide communication dated 14 September 2007), submitted that a case (Crime No. 24/05 u/s 302/201/34 IPC) was registered at Rahata police station against Tukaram Narayan Kahar, Assistant Sub-Inspector(ASI), Shiridi Police Station, Chandrakant Bhaskar Mali, Shivanand Basappa, Sanjay Tukaram Kambale and Sunil Jagannath Shirsat, Police Constables.

A charge-sheet had been submitted against all the above named accused police officers. The State CID had completed the investigation and sought the permission of the government of Maharashtra u/s 197 Cr.P.C to prosecute them.

### **11. Custodial death of Aiborius Jyrwa, Meghalaya<sup>12</sup>**

On 25 December 2002, a 14-year-old boy Aiborius Jyrwa, son of Bilin Jyrwa, was picked up by the police from his house and taken to Mawkyrwat police station in West Khasi Hills, Meghalaya. But he was formally arrested only on 26 December 2002 and produced before the Magistrate on 27 December 2002.

The Court sent the boy to three day police remand. On 29 December 2002 he allegedly committed suicide by hanging himself from a window at the police station.

The NHRC ruled that there were grounds to suggest that the boy had been subjected to torture in order to extract confession from him. The NHRC issued show cause notice to the state government of Meghalaya on 17 December 2007 as to why interim compensation should not be provided to the victim's family. On 26 February 2008, the state government told the NHRC that Rs. four lakh had been paid to the legal guardian of the victim.

### **12. Custodial death of Ajil Mia and Bikal Mia (Bangladeshi nationals), Meghalaya<sup>13</sup>**

On 19 May 2001, two Bangladeshi infiltrators namely Ajil Mia and Bikal Mia were apprehended by the Border Security Force (BSF) personnel from Sonatola market and brought to the Company Headquarter at Balat in East Khasi Hills district, Meghalaya.

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12. NHRC Case No.25/15/2002-2003-CD

13. NHRC Case Number: 4/15/2001-2002-CD

They were detained overnight at the Company HQ and handed over to C.R. Sangma, 2<sup>nd</sup> Officer-in-Charge of the Balat Police outpost along with a complaint on the morning of 20 May 2001.

They were beaten up by the BSF personnel during interrogation and denied medical treatment. They were admitted to the Public Health Centre only on 22 May 2001. On 23 May 2001, the Bangladeshis were allegedly beaten up by the doctor and at around 9.30 pm the report of the death of Ajil Mia was given to the police outpost. Three and a half hours later the death of the other Bangladeshi was also reported to the police outpost.

An enquiry was conducted by Additional Deputy Commissioner, East Khasi Hills who held the BSF personnel, local police and the doctor responsible for the death of the two Bangladeshi nationals. The enquiry found that the victims had been subjected to torture in BSF custody and the doctor of the Public Health Centre. C.R. Sangma, 2<sup>nd</sup> Officer-in-Charge of the Police Outpost at Balat was indicted for detaining the victims without providing medical treatment.

The NHRC concluded: *“The death of the two Bangladeshis is no doubt unfortunate. However, the Commission finds that no further action in the matter is possible. Since the next of kin of the victim persons do not live in India, it will not be possible to recommend any monetary relief for them. The arrogant and violent doctor who had inflicted the injuries is no more alive and, therefore, it will not be possible to recommend any action against him. A criminal case vide FIR No. 14(7)/2005 u/s 342/304-A IPC has already been registered against the delinquent police officer and no further action is called for. As regards the allegation of torture by the observation team of BSF, the Commission finds no reliable evidence and, therefore, it does not think it proper to recommend any action against the BSF personnel. In view of the above mentioned developments the case is closed”*.

### **13. Custodial death of Zakir, Uttarakhand<sup>14</sup>**

The NHRC received information from the Senior Superintendent of Police, Nainital, Uttarakhand of the custodial death of 25-year-old Zakir Hussain in Ramnagar Police custody on 3 May 2001.

The MER stated that Zakir Hussain was *called for questioning* by the police in connection with a case on 2 May 2001. However, the MER revealed that the police did not register Zakir Hussain in a General Diary (GD) entry. The case was registered only on 3 May 2001. According to Dr. Rakesh Sinha of Joint Hospital, the victim told him that he had been falsely implicated in a crime and that he had consumed two tablets of Sulphas as he had no evidence to prove his innocence. The Magistrate concluded the report stating that there was no evidence of torture.

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14. NHRC Case Number: 205/35/2001-2002-CD

On 12 February 2007, the NHRC directed the DGP, Uttarakhand to send the viscera report and final cause of death of the victim. On 24 March 2007, the DGP, Uttarakhand forwarded the Viscera report. It found alcohol and aluminum phosphoid poison in the viscera.

On 5 September 2007, the NHRC closed the case following the viscera report and also due to lack of material to establish any act of violation of human rights by the police officials. Rs three lakhs was awarded to the father of the victim.

#### **14. Custodial death of Satpal alias Sheru, Uttar Pradesh<sup>15</sup>**

The NHRC was informed by the Superintendent of Police (SP), Pilibhit Uttar Pradesh of the custodial death of Satpal alias Sheru (son of Nathulal of village Navgaon Pkdiya under Sungarh police station, Chitrakoot, Uttar Pradesh) at Jehanabad, Pilibhit, Uttar Pradesh on 31 March 2007.

The SP, Pilibhit stated that on 30 March 2007 Smt. Ranjeet Kaur lodged a FIR at Sungarh police station about her missing son Gurupreet alias Sonu since 28 March 2007. Gurupreet was found dead in a pond on 31 March 2007. Based on the FIR Satpal alias Sheru, was called in to the Sungarh police station for interrogation on 31 March 2007. Satpal stated that one Nandu alias Nand Ram knew about Gurupreet's death. The police went to search for Nandu. Meanwhile, Satpal alias Sheru committed suicide in the police lock up.

The police registered a case (FIR crime No.314 A/07 u/s 302 IPC) against Sub-Inspector Devendra Singh and others for the suicide of Satpal alias Sheru.

On 20 April 2007, the NHRC directed the Director General (Investigation) to collect the requisite reports. The inquest and post-mortem reports revealed no anti-mortem injuries except an anti-mortem ligature mark around the neck of the victim. The post-mortem report stated the cause of death as asphyxia due to anti-mortem hanging. The Magistrate Enquiry Report did not find any foul play.

However, the MER revealed that the Station House Officer of the police station *was present at the police station but he and other police officials tried to prove that they were not present in the police station.* Further, the MER stated that *custody of victim by police in the record of the police station was not shown correctly.*

Based on the MER, the NHRC recommended to the Principal Secretary, Home, Government of Uttar Pradesh to order investigation of crime No. 314 A/07 by CB/CID and submit report within four weeks. The NHRC is currently considering the reports received.

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15. NHRC Case Number: 1886/24/60/07-08-CD

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### **15. Custodial death of Sadavriksh, Uttar Pradesh<sup>16</sup>**

On 22 October 2005, the NHRC received information from the District Magistrate, Deoria regarding the custodial death of Sadavriksh (son of Ramjas of village Bohapar under Jhagaha police station in Goraakhpur, Uttar Pradesh) while in the custody of Rudrapur police station on 22 October 2005.

According to the District Magistrate, the victim was *arrested on 21 October 2005 in a murder case* and detained in the lock up of Rudrapur police station. At about 5:30 am on 22 October 2005, the sentry on duty found Sadavriksh hanging from a grill of the lockup.

However, Smt. Sharda Devi, the victim's wife filed a complaint with the NHRC. She alleged that her husband was *arrested by the police of Gorakhpur on 18 October 2005* and then handed over to the Station House Officer of Rudrapur police station. She alleged that her husband was subjected to torture at Rudrapur police station and died as a result of torture.

The post mortem report failed to establish the cause of the death. During post mortem no ante-mortem injury were seen but identified three post mortem abrasions on the neck and one post mortem abrasion on the mandible. No poison was detected in the viscera. The magisterial enquiry report stated that the victim had committed suicide in the lockup by hanging himself from the grill and observed that the incident could have been averted had the guard on duty been vigilant.

The NHRC observed that the presence of post mortem abrasions on the neck and mandible raises serious questions about the death. The NHRC issued notice u/s 18 of the Protection of Human Rights Act to the Chief Secretary, Government of Uttar Pradesh to explain as to why monetary relief should not be given to the next of kin of the victim.

### **16. Custodial death of Ram Swarup, Uttar Pradesh<sup>17</sup>**

On 9 October 2003, the NHRC received information from Senior Superintendent of Police (SSP), Badaun over the custodial death of Ram Swarup at Musajhag police station on 8 October 2003.

According to the information, Ram Swarup, son of Hari Singh of village Utrana under Musajhag police station in Baduan, Uttar Pradesh, was wanted in a case u/s 396 IPC at Musajhag police station. *He was arrested on 8 October, 2003 at about 5.30 am.* He was found hanging with his shirt in the lock-up on the same evening.

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16. NHRC Case Number: 24538/24/2005-2006-CD

17. NHRC Case Number: 30851/24/2003-2004-CD

However, Smt. Ram Kumari, wife of the victim, who also filed a complaint with the NHRC, alleged that *her husband was picked up from his house by the police on the night of 7 October 2003*. He was taken to the police station and tortured.

Pursuant to a complaint by the victim's father-in-law, a case, FIR No. 154/2003 u/s 306 IPC was registered against the police. During the inquest, eight ante-mortem injuries were found by the Panchas. The post-mortem revealed an abrasion on the scapular region, an abrasion on the left thigh and a contusion on the right hip and thigh. The doctor stated that the contusion on the right hip and thigh was caused by blunt object. However, the magisterial inquiry report concluded that no police official was guilty of causing the death.

The NHRC refuted the charge that the victim committed suicide. The NHRC observed that the State failed in its duty to protect the life of a person in its custody and issued notice u/s 18 of the Protection of Human Rights Act, 1993 to the State asking why monetary relief should not be given to the next of kin of the victim.

### **17. Custodial death of Rajesh Singh, Uttar Pradesh<sup>18</sup>**

The NHRC received information from Senior Superintendent of Police (SSP), Lucknow about the custodial death of Rajesh Singh at the Gazipur police station, Uttar Pradesh on 6 August 2003.

The victim was brought to the police station for interrogation on 5 August 2003 in connection with a dacoity case. During questioning his health deteriorated and he was taken to Shekhar Hospital where he died on 6 August 2003. The magisterial inquiry report (MER) concluded that no violence could be found during enquiry and concluded the death as a result from natural causes.

Although, the *victim was brought to police station on 5 August 2003, no General Diary (GD) entry was made in contravention of Section 44 of Police Act.*

On 3 April 2007, the NHRC directed Director General of Police, Uttar Pradesh to inform the Commission as to whether any departmental inquiry had been initiated against the erring police official and if so the outcome of the same. The Health Secretary Government of Uttar Pradesh was also directed to constitute a Medical Board and to send comments on postmortem report and establish the final cause of death.

On 16 July 2008, the Additional Director General of Police (Human Rights), Lucknow informed the NHRC that a case (crime No.415/03 u/s 304A IPC) had been registered against Sub Inspector B. B. Tiwari and final report was filed in the Court. A magisterial inquiry was also conducted. But the magisterial inquiry failed to prove the allegation against Sub-Inspector B.B. Tiwari. He was exonerated and salary for the period of suspension was ordered to be paid.

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18. NHRC Case Number : 13281/24/2003-2004-CD

However, the NHRC did not get any response from Secretary, Department of Health, Government of Uttar Pradesh despite issuance of conditional summons. The NHRC issued summons for the personal appearance of the Secretary Department of Health, Government of Uttar Pradesh, before the Commission on 23 September 2008 along with relevant report.

Presently, the NHRC is considering the reports received.

### **18. Custodial death of Hazari Lal, Uttar Pradesh<sup>19</sup>**

The Superintendent of Police (SP), Gonda, Uttar Pradesh informed the NHRC of the death of Hazari Lal (son of Santoshi) from the village of Bharthajuaya under Kaudia police station in Gonda district while in the custody of Kauriya police station on 9 August 2006.

The police claimed that Hazari Lal *came to the Kauriya police station on 9 August 2006* and told the In-Charge that he had been called to the police station. He also complained of giddiness and difficulty in speaking. The Station Officer (SO), Sampooma Nand Tewari of the police station sent him to Primary Health Centre at Rupaideeh and on advice got Hazari Lal admitted to District Hospital, Gonda. The Medical Officer (MO) concluded that in his opinion the victim had been bitten by a snake. Hazari Lal died at about 13.00 hours of 9 August 2006. It was specifically reported that the victim was not in police custody.

However, Smt. Meena, wife of the victim, filed a criminal complaint with Superintendent of Police, Gonda alleging *that her husband had been forcibly taken from their home on the night of 6<sup>th</sup> August 2006 by police* in connection with a theft. She alleged that during the detention he was tortured and this caused his death on 9 August 2005.

The Director General of Police, Uttar Pradesh (vide letter dated 15 March 2007) stated that the Station Officer Sampooma Nand Tewari surrendered himself into judicial custody while action against others was going on. Post mortem report could not ascertain the cause of death. The viscera report revealed that it contained the poison commonly known as Beygon, an insecticide and not consistent with snake bite.

*The magisterial enquiry report revealed that Hazari Lal died while in police custody and his presence was not recorded at the police station.* Dr. Rakesh Aggrawal who attended the victim at the P.H.C stated in the inquiry that he was brought there by Constable and SO Sampoomanad Tewari. There was no complaint of consuming poisonous substance or marks of snake bite.

Based on the MER, the NHRC issued notice u/s 18(i)(a) of Protection of Human Rights Act to the Chief Secretary, Government of Uttar Pradesh to explain

19. NHRC Case Number: 14951/24/2005-2006-CD

why appropriate monetary relief to the next of the kin of victim should not be recommended and also to report on the action taken against police officials.

### **19. Custodial death of Atish, Uttar Pradesh<sup>20</sup>**

On 27 October 2005, the NHRC received information from Senior Superintendent of Police, Mahamaya Nagar on the custodial death of Atiq (son of Latif of Moh. Rashool Ghat under Kotwali police station in Bulandshahar) at Kotwali police station, Hathras, Uttar Pradesh on 27 October 2005.

According to the information, Atiq was *arrested on 26 October 2005 at 10.40 pm* and brought to Kotwali police station, Hathras. As Atiq was injured during arrest he was immediately sent to Bagla Hospital. After medical examination he was again brought to the police station and put in the lock-up. On the morning of 27 October 2005, his condition deteriorated and he was again sent to Bagla Hospital where *he was declared dead at 8.40 am*.

A complaint was made by one Sonu alleging that Atiq was kept in illegal detention at the police station for several days and subjected to torture.

The post-mortem report revealed 12 external injuries, including contusion on left thigh, contusion on left and right buttocks and fracture of left tibia and fibula. The doctor opined that all the *injuries were ante-mortem and were about 18 hours old*. However, the post-mortem surgeon failed to ascertain the cause of death. The magisterial enquiry report concluded that the victim had sustained injuries in a bid to escape from custody.

The Commission sent the post-mortem report to the Head of the Department of Forensic Medicine, Lady Hardinge Medical College, New Delhi to seek his opinion. He opined that “the victim could have died due to shock caused by multiple injuries”. The NHRC concluded that the injuries could not have been sustained by the deceased either in the process of arrest or in a bid to escape from custody. The NHRC observed that the injuries were inflicted on the victim while in police custody and the victim died as a result of shock due to multiple injuries.

The NHRC issued a notice u/s 18 of the Protection of Human Rights Act, 1993 asking to the Government of Uttar Pradesh as to why monetary relief should not be given to the next of kin of victim.

### **20. Custodial death of minor Chetan, Punjab<sup>21</sup>**

The Senior Superintendent of Police, Jalandhar, Punjab informed the NHRC that two children Chetan and Bhola, aged between 9 and 10 years, were caught

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20. NHRC Case Number: 26809/24/2005-2006-CD

21. NHRC Case Number : 952/19/2002-2003-CD

stealing food at a marriage party on 20 January 2003. They were taken to Police Post Bhargo Camp and handed over to the police. On 21 January 2003, they were thrown from a speeding Maruti car on the road. One of the two children, Chetan was found dead and the other was seriously injured.

The post mortem report revealed 10 ante mortem injuries on the body of the dead child and the cause of death in the opinion of the Post Mortem Surgeon was shock resulting from multiple injuries.

The MER stated that two children were produced at the Police Post on 20 January 2003 by three persons namely Sanjeev, Bikramjit and Surender. On 21 January 2003, the children were taken away from the Police Post by Sub-Inspector Ravi Kumar in his Maruti car to recover the stolen property but they were not brought back to the Police Post. *No entry of children was made at the Police Post's records.* The MER concluded that the Chetan died due to beating/torture by the police. The magistrate recommended legal action against the accused police officials.

On 12 April 2007, the NHRC was informed by SSP, Jalandhar that the accused police officials identified as Sub-Inspector Ravi Kumar, Head Constable Jarnail Singh and SPO Resham Singh had been suspended but were all acquitted by the Court. All were reinstated.

A copy of the judgment delivered by the Court on 14th November, 2003 was also forwarded to the NHRC. The NHRC noted concerns about the manner in which the investigation was conducted. During the trial witnesses changed their original statements in favour of the police. The material evidence was not discussed in the judgment.

The NHRC concluded that the two children were severely beaten by the police at Police Post Bhargo Camp.

The NHRC issued notice under Section 18 of the Protection of Human Rights Act, 1993 asking the Government of Punjab to show cause why monetary relief should not be given to the next of kin of the victim child Chetan and injured Bhola.

## **21. Custodial death of Dilip Kumar Swain, Orissa<sup>22</sup>**

On 7 March 2005, the District Magistrate, Khurda, Orissa informed the NHRC of the custodial death of Dilip Kumar Swain alias Sahu (35, son of Khetrabasi Swain and resident of village Batira under Patakura police station, Kendrapara, Orissa) at the Sahidnagar police station in Khurda district on 3 March 2005. He was detained by police for interrogation in connection with case No. 55/05 u/s 392 IPC on 26 February 2005. Dilip Kumar Swain allegedly committed suicide by hanging himself in the lock up of the police station on 3 March 2005.

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22. NHRC Case Number: 849/18/2004-2005-CD

The Post Mortem Report stated that death was caused due to Asphyxia.

The NHRC also received two complaints. One of the complainants, Prabir Kumar Das, an Advocate & Human Rights Activist, alleged that the victim *was illegally detained* and died due to custodial torture.

On 4 July 2006, the Home Department, Government of Orissa informed the NHRC that a judicial inquiry was ordered in this case and an ex-gratia of Rs. 1,00,000/- was paid to the wife of the victim. Hence, the NHRC closed the case.

## **22. Custodial death of Bharat Chandra Nayak, Orissa<sup>23</sup>**

The NHRC was informed by the Superintendent of Police, Bhadrak about the death of Bharat Chandra Naik (son of Ram Ch. Nayak of Bhadrak, Orissa) while in police custody at 7 pm on 6 July 2001.

The NHRC after considering the Magistrate's inquiry report concluded that the victim *was illegally detained at the police station and was brutally thrashed by the police which resulted in his death.*

The NHRC recommended payment of interim relief to the next of the victim's kin. The government of Orissa informed that ex-gratia of Rs one lakh was paid to the next of kin of the victim and guilty officials namely Sub Inspector Attanur Kumar Raut, Assistant Sub-Inspector Gokul Kumar Pehan and Assistant Sub-Inspector Sh.Upender Kumar were charge sheeted and the case is sub-judice. Hence, the NHRC closed the case.

### **Recommendations:**

Asian Centre for Human Rights makes the following recommendations to combat torture in police custody:

- The Supreme Court should amend the Guidelines issued in the D K Basu judgement to apply from the moment of summons issued by the police or detention with the police when acting in an official capacity;
- The NHRC should distinguish in its statistics between custodial deaths through natural causes and custodial deaths resulting from abuses of human rights;
- The government of India should send the Prevention of Torture Bill, 2008 to Parliamentary Standing Committee for organizing public hearing to ensure its conformity with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

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23. NHRC Case Number: 228/18/2001-2002-CD

- The government of India should ratify the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; and
- The government of India should extend an invitation to the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## **2. Torture in Police Custody**

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### **I. Patterns and practices of torture in police custody**

Torture in police custody remains a widespread and systematic practice in India.

There is a wide consensus that the highest risk of torture occurs in the first twenty-four hours of detention. There are no safeguards to ensure that a person taken into custody will have their detention recorded, have prompt access to a lawyer or impartial medical examination upon their arrival at the place of detention or at the time of his release. The lack of effective system of independent monitoring of all places of detention facilitates torture.

#### **A. Custodial deaths**

According to the National Crime Records Bureau (NCRB) of the Ministry of Home Affairs, 118 persons died in police custody in 2007, including 57 deaths of persons who remanded into police custody by the Court and 61 deaths of persons who were taken into custody by the police.

There has been an increase of 32.5% in deaths in police custody in 2007 over 2006 (from 89 cases in 2006 to 118 cases in 2007). The police claimed that 38 deaths occurred during hospitalisation/treatment, 31 committed suicide and 29 died of illness/natural death during 2007.<sup>24</sup>

Of 118 deaths in police custody, magisterial inquiry was ordered/ conducted in 61 cases and judicial enquiry was ordered in 12 cases. Cases were registered against police personnel in 57 cases and 35 police personnel were also charge-sheeted. No police personnel were convicted for custodial deaths in 2007.<sup>25</sup>

#### ***Individual cases of custodial deaths through torture:***

On 3 January 2008, Nirmal Singh, a resident of Hallomajra, died of alleged torture at the Government Medical College and Hospital at Sector 32, Chandigarh while being detained in police custody. The victim was arrested following a clash with his neighbour on 2 January 2008. The police, however, claimed he escaped from custody and was later found unconscious by a police team. But the relatives alleged the victim was tortured to death.<sup>26</sup>

On the night of 3 January 2008, Mr Abdul Nabi (about 55 years) died in the police lock-up a few hours after he was arrested and detained at Chennur police

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24. National Crime Records Bureau: "Crime In India 2007" – Chapter 13, available at <http://ncrb.nic.in/cii2007/cii-2007/CHAP13.pdf>

25. National Crime Records Bureau: "Crime In India 2007" – Chapter 13, available at <http://ncrb.nic.in/cii2007/cii-2007/CHAP13.pdf>

26. ACHR's complaint to NHRC, 7 January 2008, ACHR's Reference No.: CG/01/2008

station in Kadapa district of Andhra Pradesh. The victim was arrested on charges of organizing “*matka*” (a form of gambling). The relatives of the victim alleged that his death was caused due to torture. A magisterial inquiry had been ordered to probe the circumstances leading to his death.<sup>27</sup>

On 7 February 2008 at around 7.10 pm, Md Qudus Ali alias Bobocha (22 years) (son of Hayet Ali of Urup village in Imphal East district in the state of Manipur) was allegedly tortured to death in the custody of state police commandos at Thambalkhong in Imphal East district. The victim was allegedly picked up from the premises of the Office of the District Commissioner, Imphal East where he had gone in connection with his electoral photo identity card. The police, however, claimed that the victim was a “militant” and that he was killed in an encounter.<sup>28</sup>

On 12 February 2008, a tribal identified as Balka Vasava, accused in a murder case, died in the lockup of Garudeshwar police station in Dediapada in Narmada district of Gujarat. The police claimed that Vasava had committed suicide by hanging himself in the police lock-up. The postmortem report by a three-doctor panel in Rajpipla Civil Hospital also confirmed that Vasava died as a result of asphyxiation after hanging. But the victim’s father Trikam and son Movariya, who were also in the lockup and co-accused in the same case, alleged that he died after being beaten up by the police. On 13 February 2008, the victim’s brother Shankar approached the Chief Judicial Magistrate (CJM) Court in Rajpipla demanding another postmortem of the dead body in presence of the family’s representatives. The CJM of Rajpipla ordered re-postmortem in the SSG Hospital in Vadodara. The court also directed that the re-postmortem be conducted by a panel of doctors and a senior expert in forensic science and medicines, Dr Vijay Shah, would remain present as a representative to witness the process. On 15 February 2008, the state government of Gujarat moved the Gujarat High Court against the order of the lower court.<sup>29</sup>

On 13 February 2008, police allegedly arrested Sajabhai Bodat, a tribal and later allegedly killed him in Antarsumba under Vijaynagar taluka of Sabarkantha district in Gujarat. According to the victim’s family members, early on the morning of 13 February 2008, the police entered Sajabhai’s house and arrested him. Later, his body was found in a hospital with a bullet in his chest. The police claimed that they did not arrest Sajabhai. M.J. Parmar, the District Forest Officer (DFO) stated that the victim was part of an armed crowd of tribals who stormed the Dholwani Range Forest Office at Antarsumba Ashram to release six tribals arrested by the police. Sajabhai’s relatives alleged that he was killed in police custody.<sup>30</sup>

27. Probe into custodial death, *The Hindu*, 5 January 2008

28. ACHR’s complaint to National Human Rights Commission, 25 February 2008, ACHR’s Reference No. MN/21/2008

29. ‘No postmortem in custody’ *The Times of India*, 19 February 2008

30. “Targeting tribes”, *Frontline*, Volume 25 - Issue 05: Mar 01-14, 2008, available at <http://www.hinduonnet.com/fline/fl2505/stories/20080314250513300.htm>

On 12 March 2008, Vicky (19 years), a caddie at the Army Golf Course and resident of Jharera village in Delhi Cantonment in South West Delhi, was allegedly tortured to death in the custody of the Delhi Police. The victim was arrested in connection with alleged chain snatching cases. The police claimed that the victim died en route to a hospital where he was being taken after he had complained of stomach-ache.<sup>31</sup>

On 25 April 2008, Srinivas (25 years) was allegedly tortured to death in the custody of the Kolar rural police station in Kolar district of Karnataka. The victim was arrested for allegedly helping his friend, Babu to elope with a girl. On the night of 24 April 2008, Srinivas and Babu went to the girl's house with the plan to elope with her. But Srinivas was caught by members of the girl's family. Srinivas was handed over to the police on suspicion of theft. The police claimed that the victim complained of stomach-ache and was admitted to a hospital on 25 April 2008. They claimed Srinivas escaped from the hospital and was killed in a traffic accident.<sup>32</sup>

On 21 May 2008, Tamanaboni Ramulu (31 years) (son of Muthaiah) allegedly died as a result of torture in police custody at Devarakonda in Nalgonda district of Andhra Pradesh. He was arrested in connection with an attack on a hospital. The victim's father, Muthaiah alleged that following the death of his son, the police forced him to make a "statement" under duress on the night of 22 May 2008 to support their claim that his son died following fits in the police station.<sup>33</sup>

On 28 May 2008, Naubat Singh (70 years) was allegedly tortured to death at Debai police station in Bulandshahr district of Uttar Pradesh. The victim was picked up on charges of holding gambling sessions from his house. The police claimed that the victim's health deteriorated while in the lock-up and he was rushed to a hospital where he was declared dead.<sup>34</sup>

On 10 June 2008, Dorai Raj (41 years), a resident of Magadi Road in Bangalore, Karnataka, died in the custody of the HAL police station in Bangalore. The police claimed that Dorai Raj, who was a habitual offender and was wanted in several cases. They stated that Dorai Raj was first caught by members of the public and handed over to the police on 9 June 2008. The police claimed that before Mr Dorai Raj was detained, he was beaten up. The police failed to explain why someone who has been subjected to a beating was then denied medical facilities after being taken into custody. The police claimed that Mr Dorai Raj appeared to

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31. Man dies in police custody, *The Hindu*, 14 March 2008

32. ACHR's complaint to NHRC, 4 June 2008, ACHR's Reference No. KT/06/2008

33. Accused dies in police station; kin stage protest, *The Hindu*, 23 May 2008

34. SI, cops suspended for custodial death, *The Hindu*, 30 May 2008

be quite healthy at the time of arrest. On 10 June 2008 Mr Dorai Raj apparently complained of breathlessness and died while being taken to a private hospital.<sup>35</sup> The police stated that he suffered an asthma attack. Mr Raj's family claimed he did not suffer from asthma. The family's concerns were raised by the lengthy delay between his death and being informed of the death.<sup>36</sup>

On 22 June 2008, Gullu Pathak of Shahjahanpur township under Sehra Mau police station in Shahjahanpur district of Uttar Pradesh was tortured to death by Railway Protection Force (RPF) personnel at the Roja police outpost of the RPF. The victim was arrested for not having a train ticket on 8 June 2008. He was remanded to judicial custody and released on bail on 21 June 2008. On 22 June 2008, Gullu went to Roja police outpost to ask for his belongings that had been taken at the time of his arrest by the RPF. The incharge of the police outpost and two constables refused to refund his belongings. When Gullu Pathak insisted the Police beat him till he lost his consciousness and later died. The post-mortem examination confirmed ante-mortem injuries but failed to establish the cause of death.<sup>37</sup>

On 17 July 2008, Umesh Kumar (18 years) allegedly died of torture within hours of his detention at Ibrahimpur police post in Swaroop Nagar in outer Delhi. The victim was picked up with four persons for questioning. There were allegedly injury marks on the victim's body indicating torture.<sup>38</sup>

On 7 August 2008, Sunil Laxmanrao Dhotre (35 years) was allegedly beaten to death by police during a raid at an alleged gambling den at Hotel Blue Diamond in Umerkhed town in Yavatmal district of Maharashtra.<sup>39</sup> The accused police officials responsible for the death were identified as Sub Inspector (SI) Punjab Wanjare, SI Gopal Bharati, constables Ganpat Gingule, Bhagwan Pawar, Gajanan Ajmire and Sahebrao Chavan. They have been charged with murder under section 302 of the Indian Penal Code.<sup>40</sup>

On 23 August 2008, Anil Suryawanshi (30 years), an auto-rickshaw driver, died allegedly as a result of torture by police at the Nandgaon Khandeshwar police station in Amravati district of Maharashtra. The victim was arrested along with

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35. Man dies in police custody, *The Hindu*, 11 June 2008

36. Arrested man dies in lock-up, *The Times Of India*, 11 June 2008, available at [http://timesofindia.indiatimes.com/Cities/Arrested\\_man\\_dies\\_in\\_lock-up/rssarticle/show/3118545.cms](http://timesofindia.indiatimes.com/Cities/Arrested_man_dies_in_lock-up/rssarticle/show/3118545.cms)

37. ACHR's complaint to NHRC, 25 June 2008, ACHR's Reference No. UP/16/2008

38. Teenager dies after questioning in police booth, *The Times of India*, 19 July 2008

39. Cops thrash youth to death, *The Hitavadaonline*, 8 August 2008

40. Funeral of Umerkhed youth beaten to death performed amid tension, *The Hitavadaonline*, 9 August 2008

two others identified as Mangesh Umale and Sheikh Salim Sheikh Gafoor after they were allegedly caught gambling at Nandgaon Khandeshwar village.<sup>41</sup>

On 26 August 2008, Sanjit Haldar (40 years) was allegedly tortured to death in police custody at Lakshmikantapur in South 24 Parganas district of West Bengal. The victim was picked up along with his friend Hannan Baidya (35 years) for fighting in an inebriated condition. The police claimed that the victim died while he was being taken to a hospital.<sup>42</sup>

On 29 September 2008, Meka Sankara Rao (40 years) was allegedly tortured to death by Sub-Inspector K. Srinivasa Rao in the Lalapet police station in Guntur district of Andhra Pradesh. The victim was arrested along with four others on charges of gambling.<sup>43</sup>

### **Custodial death through torture: alleged suicide**

The police routinely cite “suicide” as a cause of death in custody. According to NCRB, 31 persons died by committing suicide in police custody in 2007, 24 persons in 2006 and 30 persons in 2005.<sup>44</sup>

In a reply to the Rajya Sabha (Upper House of Indian Parliament) on 12 March 2008, then Home Minister of India, Shivraj Patil cited suicide as one of the primary causes of custodial death.<sup>45</sup> But the Home Minister failed to clarify as to why so many accused had committed suicide in police detention, what had led them to act in this manner and how they had accessed the means (knives, poisons and open electric cables) etc. It equally ignores the psychological impact of torture that can inculcate feelings of deep guilt and depression sufficient to cause suicide.

### **Alleged suicide and international law:**

The United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions provide that there shall be: *“thorough, prompt and impartial investigation” of all suspected cases of unlawful killing, including where complaints by relatives suggest unnatural death. The principles state that if the “body has been buried and it later appears that an investigation is required, the body shall be promptly and competently exhumed for an autopsy [which] shall be available to those conducting the autopsy for a sufficient amount of time to enable a thorough investigation to be carried out. ... In order to ensure objective results, those conducting the autopsy must be able to*

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41. ACHR’s complaint to NHRC, 27 August 2008, ACHR’s Reference No. MH/06/2008

42. ACHR’s Complaint to NHRC, ACHR’s Reference No : WB/13/2008

43. Broker dies in police station, The Deccan Chronicle, 30 September 2008

44. NCRB: “Crime In India 2007” – Chapter 13, available at <http://ncrb.nic.in/cii2007/cii-2007/CHAP13.pdf>

45. Unstarred Question No. 1281 answered on 12.03.2008

*function impartially and independently of any potentially implicated persons or organizations or entities.”*

The principles also state that families of the victim and their legal representatives shall have access to all information relevant to the investigation, and have the right to insist that a medical representative be present during the autopsy.

Suicide does of course occur. However, examination of number cases by ACHR suggests that the causes of deaths are often a cause for concern. There are frequent allegations by the families of the victims of torture; torture that either impacted the victims actions or resulted in a death that was subsequently covered up. The explanations of the police are also often inadequate. The police regularly claim that people have committed suicide by using handkerchiefs<sup>46</sup> or by consuming poison while in police custody.<sup>47</sup>

As with other years, in 2008 ACHR documented a number of cases where police alleged suicide. Some of the cases are given below:

**Case 1:** On 9 February 2008, Om Prakash (57 years) allegedly committed suicide at the lock-up of Vijaypur police station in Samba district of Jammu and Kashmir. The victim was detained for questioning in a case of theft in Vijaypur area of Samba district.<sup>48</sup>

**Case 2:** On 7 April 2008, Ram Singh (son of Daihare of Saalainabee village) was allegedly tortured to death in police custody at Bhandar police station after his arrest from Bhandar Road at Caimaaya village in Gwalior district of Madhya Pradesh. The victim was taken to the Bhandar police station for questioning in connection with a murder. Ram Singh was later found dead hanging from a tree in the Bichaida forest under Gwalior division on 8 April 2008. The police claimed that Ram Singh committed suicide.<sup>49</sup>

**Case 3:** On 17 April 2008, Anish Kumar (son of Shamsher Singh of Kangra) allegedly committed suicide by hanging himself with his shirt from the iron bars of a ventilator of a cell at the Focal Point police station in Ludhiana of Punjab. The victim was arrested on charges of theft on 16 April 2008.<sup>50</sup>

**Case 4:** On 25 April 2008, Jagtar Singh (20 years) was allegedly tortured to death at the Chowk Mehta police lock-up in Amritsar district of Punjab. The victim was arrested following a complaint lodged by Mr Raman Kumar that his minor daughter had been kidnapped by four persons including Jagtar Singh. The police

46. Man dies in lock-up, family cries foul, The Times of India, 24 July 2008

47. ACHR's Complaint to NHRC, 25 June 2008, ACHR's Reference No: HR/06/2008

48. Custodial death: 4 cops suspended, The Kashmir Times, 11 February 2008

49. ACHR's complaint to NHRC, 22 April 2008, ACHR's Reference No : MP/10/2008

50. ACHR's Complaint to NHRC, 22 April 2008, ACHR's Reference No: PN/08/2008

claimed that the victim was found hanging from the roof of the lock-up with a torn blanket four hours after his detention.<sup>51</sup>

**Case 5:** On 27 April 2008, Nagaraju, a resident of Pulakunta village under Hindupur Rural Mandal (circle) in Anantapur district of Andhra Pradesh, was allegedly tortured to death by the police at the Hindupur rural police station. He was arrested on the same day on charges of killing his wife Shantamma for dowry. The police claimed that he committed suicide in the bathroom of the police station. However, a fact-finding report by the Organisation for Protection of Democratic Rights, an NGO, revealed that the police personnel had beaten up Nagaraju publicly in the village. He suffered genital injuries. The NGO suggest his death was as a result of torture.<sup>52</sup>

**Case 6:** On 12 June 2008, Umakant Bauchar (18 years), a Dalit of Kamalpur village in Narwal of Uttar Pradesh, died as a result of torture by Sub Inspector Shesh Kumar Shukla, Head Constable Anand Hari Verma and Constable Khet Singh at Narwal police station in Uttar Pradesh. The victim was arrested on 11 June 2008 on the charge of assisting elopement. The victim was detained for nine hours in the police station and tortured to extract a confession to the crime. When his health deteriorated, he was handed over to his family on the night of 11 June 2008 and he later died. The police claimed that he had tried to commit suicide in police custody by consuming “poison”. The post-mortem report concluded that his neck had been broken.<sup>53</sup>

**Case 7:** On 24 June 2008, Uday Singh (45 years) of Panihar Chak village in Hissar district of Haryana was allegedly tortured to death soon after he was arrested by the Criminal Investigation Agency (CIA) of Haryana Police. He was arrested for allegedly possessing a country-made pistol. The police claimed that the victim consumed poison in the toilet of the police station.<sup>54</sup>

**Case 8:** On 14 July 2008, Mahesh Singh Rajput (53 years), an employee of Bharat Sanchar Nigam Limited (BSNL), a public sector telecommunication company, at Vasna in Gujarat, was arrested in connection to a kidnapping case. On 16 July 2008, the police claimed that he committed suicide by using a handkerchief in the police lock up in the Sarkhej police station in Ahmedabad in Gujarat. The family of the victim alleged that he was tortured to death.<sup>55</sup>

**Case 9:** On 28 July 2008, a horse cart driver identified as Inderjit Singh (35 years) (son of Sudama Singh of Ghora Colony No. 4) died while being detained

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51. AHCR's Complaint to NHRC, 30 April 2008, ACHR's Reference No: PN/09/2008

52. CI, ASI suspended for custodial death, *The Hindu*, 3 May 2008

53. ACHR's Complaint to NHRC, 13 June 2008, ACHR's Reference No: UP/15/2008

54. ACHR's Complaint to NHRC, 25 June 2008, ACHR's Reference No: HR/06/2008

55. Man dies in lock-up, family cries foul, *The Times of India*, 24 July 2008

in connection with a minor accident. He was detained in the custody of the Industrial Area police station in Chandigarh. The police claimed that the victim had committed suicide by hanging himself from a window grill with his belt. However, the parents of the victim alleged that Inderjit Singh was tortured to death by the police. The women desk cabin where he allegedly committed suicide had a transparent glass partition and was within the reception area which is always full of visitors and police personnel. Chandra Devi, the victim's mother, also claimed that her son never wore a belt.<sup>56</sup>

**Case 10:** On 2 August 2008, Krishnaputra (35 years), a resident of Kondli in Greater Noida of Gautambudh Nagar district in Uttar Pradesh, was allegedly tortured to death in police custody of the Kasna police station. The victim, who worked as a gardener at the Galgotia Institute of Management, was arrested on suspicion of theft. The police claimed that the victim had committed suicide by hanging himself with his T-shirt from the three-feet-high latch of a store inside the lock-up of the police station.<sup>57</sup>

**Case 11:** On 11 August 2008, Nagula Ravinder Goud (27 years), a shop owner at Eradapalli village in Kesavapatnam mandal (administrative circle) in Karimnagar district of Andhra Pradesh, was allegedly tortured to death at Husnabad Excise police station. The victim was arrested by a police constable of the Excise Department on charges of illegal transportation of liquor on 10 August 2008. The Excise police claimed that the victim had committed suicide by hanging from the ceiling of the lock-up.<sup>58</sup>

**Case 12:** On 26 August 2008, Izrayel Khan (28) allegedly committed suicide by hanging himself from a window grill inside the police lock-up at the Sukhi Sevaniya police station in Bhopal, Madhya Pradesh. The victim was arrested under Section 377 of the Indian Penal Code which criminalizes unnatural sex.<sup>59</sup>

## B. Torture to extract confessions

*“Nothing is more cowardly and unconscionable than a person in police custody being beaten up and nothing inflicts a deeper wound on our constitutional culture than a State official running berserk regardless of human rights. Article 21, with its profound concern for life and limb, will become dysfunctional unless the agencies of the law in police and prison establishments have sympathy for the humanist creed of that article instead of a rough treatment by police for getting information or confession.”* - Supreme Court of India (AIR 1981 SC 625)

56. ACHR's Complaint to NHRC, 31 July 2008, ACHR's Reference No: CH/02/2008

57. ACHR's Complaint to NHRC, 11 August 2008, ACHR's Reference No UP/17/2008

58. Man dies in excise police lock-up, The Hindu, 12 August 2008

59. ACHR's Complaint to NHRC, 27 August 2008, ACHR's Reference: MP/15/2008

Under Section 24 of the Evidence Act of India confessions made under coercion are inadmissible as evidence. It states:

*“A confession made by an accused person is irrelevant in a criminal proceeding, if the making of the confession appears to the Court to have been caused by any inducement, threat or promise, having reference to the charge against the accused person, proceeding from a person in authority and sufficient, in the opinion of the Court, to give the accused person grounds, which would appear to him reasonable, for supposing that by making it he would gain any advantage or avoid any evil of a temporal nature in reference to the proceeding against him”.*

**Extracting confessions: Police torture and common crimes**

A large number of reported cases of torture and custodial death result from attempts to extract a confession relating to theft or other petty offences. This implies that suspects belonging to the lower economic and social strata are particularly vulnerable.

**Case 1:** In September 2008, police led by Inspector A Rocky reportedly stripped, chained and tortured Maruthan, an Irula tribal, for 37 days during interrogation in connection with alleged rape and murder of a tribal woman in Kerala. Mr Maruthan was apparently detained because he was the first to see the dead body of the woman near a rivulet in September 2007 in Attappadi and informed other community members.<sup>60</sup>

On 1 October 2008, a Delhi-based rights NGO, the Asian Indigenous and Tribal Peoples Network (AITPN) filed a complaint with the National Commission for Scheduled Tribes (NCST) (File No. PC/Atrocity/Kerala/853/2008/RU-IV). Pursuant to the notice of the NCST, the Director General of Police, Kerala, submitted a report to the NCST denying the allegation of torture. The DGP, Kerala also sent the inquiry report of the Deputy Superintendent of Police, Special Mobile Squad & Agali, Palakkad district dated 25 October 2008.

AITPN has noted inconsistencies in the reports. According to the medical records submitted by the police, the victim was admitted to two different hospitals simultaneously – Government Tribal Speciality Hospital, Kottathara, P.O. Attappady, Palakkad district where the victim was admitted and treated for six days from 6.40 pm of 31.7. 2008 to 6 pm of 5.8.2008 and at Primary Health Centre, Sholayoor, Sholayoor P.O., Attapady, Palakkad District where the victim was treated for six days during 31.7. 2008 - 5.8.2008.

Moreover, the fact that the victim had to be treated for six days and from the medicines given it is clear that the victim’s condition was serious.

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60. Kerala tribal stripped, beaten in custody, The Times of India, 25 September 2008

Thirdly, the signature of Dr. Prem Sulaja Latha appearing on his written statement dated 21.10.08 does not match the signature appearing on the prescription slip dated 31.7.2008.

Finally half of the 21 witnesses interviewed by the investigation officer (i.e. the Deputy Superintendent of Police, Special Mobile Squad & Agali, Palakkad district) were police personnel subordinate to the accused Inspector A.A. Rockey. Hence, their submissions must be subject to some measure of concern.<sup>61</sup>

**Case 2:** On 9 January 2008, Manoj (son of Jawahar Singh) was allegedly tortured to death in police custody at Lal Kuan in Nainital district of Uttarakhand. The victim was arrested on suspicion of theft. He was allegedly tortured to extract a confession. The police claimed that Manoj was being taken from his house in an auto-rickshaw (No. UA04-E-2078) when a truck hit the auto-rickshaw and Manoj died in the accident.<sup>62</sup>

**Case 3:** On 20 January 2008, Gurdeep Kumar, a resident of Nawanpind Shaunkian village, was allegedly tortured by the Station House Officer at the Bilga police station in Jalandhar district of Punjab. The victim was tortured in order to obtain a confession.<sup>63</sup>

**Case 4:** On 8 February 2008, Noorullah (26 years), a goldsmith of Kamsalipet in Hindupur town of Anantapur district of Andhra Pradesh, reportedly committed suicide at his shop as a result of trauma from torture inflicted at the Two Town police station. He was arrested by two constables identified as Rammohan and Mallikarjuna. He was arrested on charges of purchasing stolen property. The police allegedly tortured him to extract a confession.<sup>64</sup>

**Case 5:** On 25 March 2008, three persons identified as Shahji (44 years), Sonam (38 years) and Verghese (40 years) were picked up by the police for interrogation in a murder case. They were illegally detained for two days at the Sector 20 Police station of Noida in Uttar Pradesh. Immediately after their arrest, the victims were allegedly forced to sit on the ground for about five hours. Later, they were tied up and tortured until midnight in order to coerce them to admit to the murder. For the first 10 hours of detention, they were not given water. Following their release, two of the victims had to be admitted to hospital with multiple injuries.<sup>65</sup>

**Case 6:** On 30 April 2008, Bhavanesh (21 years) and Saravana (20 years) - both employees of Adiga's Bakery in JP Nagar, Bangalore, Karnataka - were allegedly tortured during interrogation at Tilaknagar police station in Bangalore. The police

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61. Communication from AITPN, New Delhi

62. ACHR's Complaint to NHRC, 15 January 2008, Reference No.: UT/02/2008

63. PSHRC seeks report on torture, The Tribune, 24 January 2008

64. 'Tortured' goldsmith ends life, The Hindu, 9 February 2008

65. ACHR's Complaint to NHRC, 4 April 2008, ACHR's Reference No.: UP/10/2008

picked them up without any apparent reason. The police later claimed the victims were taken for questioning as they were acting suspiciously.<sup>66</sup>

**Case 7:** On the night of 6 June 2008, Latief Ahmed (Son of Ghulam Mustafa) was picked up by a team of Special Task Force (STF) of the Jammu and Kashmir Police from Dehrot Jatli village in Doda district of Jammu and Kashmir for questioning over links with militant groups. He was allegedly tortured during interrogation and died as a result of his treatment. The STF claimed that the victim slipped from a hillock and died.<sup>67</sup>

**Case 8:** On 10 July 2008, Debasish Das (38 years) was arrested following a complaint of theft by Mr Suman Saha, a car owner in North 24-Parganas district of West Bengal. He was remanded for four days in police custody. He was allegedly tortured during the remand period to coerce a confession.<sup>68</sup>

**Case 9:** On 23 September 2008, Shaik Ghouse, a student of New Era Junior College and a resident of Chandrayangutta, was arrested on charges of chain snatching. He was detained by plain-clothed policemen attached to the Saroornagar Police Station in Hyderabad, Andhra Pradesh. The victim was tortured to coerce a confession.<sup>69</sup>

### **C. Torture resulting from a failure to pay bribes**

On the night of 20 March 2008, three persons identified as Gurbachan Singh, Amit Kapoor and Deepak Thakur were allegedly tortured by Gurjeet Singh, Station House Officer of Nayagaon police station in Chandigarh and ten other policemen after the victims had refused to pay a bribe of Rs 200,000 for their release.<sup>70</sup>

On 12 June 2008, Nirmal Singh (45 years), a resident of Tilak Nagar in Delhi, died following alleged torture by the police for refusing to pay a bribe. A police team went to the victim's house to execute a non-bailable warrant issued relating to a bounced cheque. The police claimed the victim locked himself in the bathroom. The police then broke open the door where they found him unconscious and he later died in hospital.<sup>71</sup>

On 6 July 2008, Bipin Thakor (27 years), a resident of Thakorvaas in Shahibaug (Gujarat), was allegedly tortured by three drunken police personnel in Madhavpura in Gujarat. In a complaint lodged with the Madhavprua police station, the victim

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66. ACHR's Complaint to NHRC, 6 June 2008, ACHR's Reference No. KT/07/2008

67. Protest against custodial killing in Doda, The Kashmir Times, 8 June 2008

68. Man falls ill after cop 'torture', The Statesman, 16 July 2008

69. SHRC to probe torture, The Deccan Chronicle, 25 September 2008

70. Brutal Thrashing of Three - Naya Gaon SHO suspended, The Tribune, 22 March 2008

71. Probe ordered, The Hindu, 14 June 2008

alleged that he was returning home at about 3 am on 6 July 2008 from his friend's house. He was stopped by three inebriated police constables in a police jeep. The police first asked him to produce identity card. When the victim failed, the police allegedly demanded a bribe. When the victim refused the police stole Rs. 9,200 from the victim. He was then beaten with *lathis* (stick) and belts until he passed out. The victim suffered multiple injuries.<sup>72</sup>

## II. Custodial torture of women

In its report to the seventh session of the UN Human Rights Council (3- 28 March 2008), the UN Special Rapporteur on Torture addressed torture of women at length. The Special Rapporteur held that:

*“Custodial violence against women very often includes rape and other forms of sexual violence such as threats of rape, touching, “virginity testing”, being stripped naked, invasive body searches, insults and humiliations of a sexual nature, etc.”<sup>73</sup> It is widely recognized, including by former Special Rapporteurs on torture<sup>74</sup> and by regional jurisprudence that rape constitutes torture when it is carried out by or at the instigation of or with the consent or acquiescence of public officials”.*<sup>75</sup>

In a 1997 decision on a case of custodial rape the European Court of Human Rights acknowledged that:

*“rape of a detainee by an official of the State must be considered to be an especially grave and abhorrent form of ill-treatment given the ease with which the offender can exploit the vulnerability and weakened resistance of the victim (...) rape leaves deep psychological scars on the victims which do not respond to the passage of time as quickly as other forms of physical and mental violence”.*<sup>76</sup>

Highlighting international criminal law, the Special Rapporteur further stated that “the International Criminal Tribunal for the former Yugoslavia decisions in the

72. ACHR's Complaint to NHRC, 16 July 2008, Reference No: GJ/03/2008

73. See for instance Committee against Torture concluding observations on Mexico, CAT/C/MEX/CO/4; on Guyana, CAT/C/GUY/CO/1; on Togo, CAT/C/TGO/CO/1; on Burundi, CAT/C/BDI/CO/1

74. See E/CN.4/1992/SR.21, para. 35 and E/CN.4/1995/34, para. 19

75. For instance, the Committee against Torture found in its decision *V.L. v. Switzerland* (CAT/C/37/D/262/2005) that “the sexual abuse by the police in this case constitutes torture even though it was perpetrated outside formal detention facilities”, para. 8.10; see also *Mejía v. Perú*, Inter-American Commission on Human Rights, annual report 1995, OEA/Ser.L/V/II.91. Doc. 7. rev., case 10, 970

76. European Court of Human Rights, *Aydin v. Turkey* (57/1996/676/866)

Celebici and Furundzija cases have contributed to the international recognition of rape as a form of torture”.<sup>77</sup>

International criminal tribunals, in their jurisprudence, have broadened the scope of crimes of sexual violence that can be prosecuted as rape to include oral sex and vaginal or anal penetration through the use of objects or any part of the aggressor’s body.<sup>78</sup> This is crucial because in many countries rape is still defined as “carnal access”, reducing it to penetration with the male sexual organ. It is noteworthy that other forms of sexual violence, whether defined as rape or not, may constitute torture or ill-treatment<sup>79</sup> and must not be dealt with as minor offences.<sup>80</sup>

*The Special Rapporteur held that:*

*“When Government officials use rape, the suffering inflicted might go beyond the suffering caused by classic torture, partly because of the intended and often resulting isolation of the survivor. In some cultures a rape victim may be rejected or formally banished from her community or family. This rejection greatly hinders the psychological recovery of the victim and often condemns her to destitution and extreme poverty. Even when rape survivors are not rejected they still face important difficulties in establishing intimate relationships.<sup>81</sup> Furthermore, raped women are often infected with sexually transmitted diseases or may experience unwanted pregnancies, miscarriages, forced abortions or denial of abortion.<sup>82</sup> Because of the stigma attached to sexual violence, official torturers deliberately use rape to humiliate and punish victims but also to destroy entire families and*

77. See judgements on Prosecutor v. Delalic, et al., case No. IT-96-21-T, 16 November 1998 and Prosecutor v. Furundzija, case No. IT-95-17/1-T, 10 December 1

78. International Criminal Court, Elements of Crimes, article 8 (2) (b) (xxii)-1 of the ICC Elements of Crimes

79. For instance, the Inter-American Court of Human Rights resorted to the international jurisprudence on rape to conclude that “the acts of sexual violence to which an inmate was submitted under an alleged finger vaginal ‘examination’ constituted sexual rape that due to its effects constituted torture.” See Miguel Castro-Castro Prison v. Peru, Inter-American Court of Human Rights judgement of 25 November 2006, para. 312

80. As for example in a case currently under consideration in Mexico (Ana María Velasco ontra Doroteo Blas Marcelo, 79/2006, juzgado Primero Penal de Tenango de Valle, Estado de México), where a policeman forced his penis into her mouth and was charged with having committed a “libidinous act”. In relation to the same incident, the Special Rapporteur on the question of torture and the Special Rapporteur on violence against women sent a joint allegation letter to the Government of Mexico on 18 December 2006 concerning, inter alia, the sexual abuse of a group of women by police officers during incidents in San Salvador Atenco on 3 and 4 May 2006, to which the Government responded on 17 May 2007.

81. See for example, Evelyn Mary Aswad, “Torture by means of rape”, Georgetown Law Journal, vol. 84, No. 5 (May 1996), p. 1913. Available at: <http://spr.org/pdf/Torture%20by%20Means%20of%20Rape.pdf>

82. See also A/54/426, A/55/290, A/59/324, E/CN.4/1995/34 and E/CN.4/1998/54

*communities. This is particularly clear when State officials force family members to rape their female relatives or to witness their rape. The Akayesu decision, in which the International Criminal Tribunal for Rwanda (ICTR) recognized rape as a form of genocide in the same way as any other act committed with specific intent to destroy a particular group, is a striking acknowledgment of the destructive potential of rape. The ICTR made it explicit that these rapes resulted in the physical and psychological destruction of Tutsi women, their families and their communities”.*<sup>83</sup>

Torture of women in custody including rape is reported regularly in India. Custodial rape remains one of the worst forms of torture perpetrated on women by law enforcement personnel. Official reporting is nothing short of appalling.

According to National Crime Records Bureau (NCRB), one custodial rape case was reported in India in 2007, two custodial rape cases were reported in 2006, and seven custodial rape cases in 2005.<sup>84</sup> These figures cannot be considered an accurate reflection of the incident of rape in custody.

As with other years, in 2008 the Asian Centre for Human Rights documented several cases of torture of women by law enforcement agencies.

On 1 February 2008, two sisters, were illegally detained by Head Constable Parminder Singh and an Assistant Sub Inspector while they were waiting to board a bus to Barnala in Punjab. They were brought to Sadar police station and illegally detained for two days. Head Constable Parminder Singh demanded Rs 50,000 for their release. Both sisters were sexually harassed by Head Constable Parminder Singh who allegedly demanded Rs 50,000 to release them. They were subsequently released after they paid Rs 30,000.<sup>85</sup>

On the night of 21 February 2008, a 40-year-old woman, mother of five children, was allegedly gang-raped by three men including two policemen identified as Vijender Singh, a constable in the Haryana Armed Police and Dinesh Kumar, inside the Haryana Governor A. R. Kidwai’s security barracks in Chandigarh. The victim was returning home from a temporary catering job at Nek Chand’s Rock Garden in an auto-rickshaw. The policemen forcibly dragged the victim from the auto-rickshaw, took her to the security barracks and raped her.<sup>86</sup>

83. Prosecutor v. Akayesu, ICTR-96-4, 13 February 1996, amended 17 June 1997

84. National Crime Records Bureau, “Crime In India 2007”, <http://ncrb.nic.in/cii2007/cii-2007/CHAP13.pdf>

85. Cop faces sexual harassment charge - PSHRC entrusts probe to ADGP, The Tribune, 27 February 2008

86. Alleged rape by guards at Raj Bhavan, The Asian Age, 22 February 2008

In June 2008, three tribal women were allegedly abducted at gunpoint and raped by three Special Police Officers (SPOs) identified as Rakesh, Dhamru and Rakesh in a forest near Kirandul in Dantewada district of Chhattisgarh. The victims had come to Kirandul to work as manual labourers from Pulpad village.<sup>87</sup>

On 9 June 2008, Ms Sarita, a resident of Saini Anandpura locality of Rohtak in Haryana, committed suicide in front of the office of Additional Director General of Police (law and order), V.B. Singh by consuming poison. In her suicide note, she stated that she was forced to commit suicide as no action was taken against Head Constable Balraj and Constable Silak Ram who had raped her at the Crime Investigating Agency (CIA) police station in Rohtak on 10 April 2008. On 9 April 2008, the CIA police picked up Sarita's husband Subhash on suspicion of theft. The next day, the police summoned Sarita to sign release papers for her husband and was allegedly raped at the police station.<sup>88</sup>

On 26 June 2008, a 20-year-old Dalit woman (name withheld) was allegedly raped by Inspector Jai Singh, Station House Officer (SHO) of Nishing police station in Karnal district of Haryana. The victim had gone to the Nishing police station with her husband to meet her parents for security reasons. However, when her husband went to a nearby market, the accused allegedly took her to his official residence in the police complex and raped her.<sup>89</sup>

On the night of 22 July 2008, a woman from Aakash Avenue was allegedly raped by a number of policemen in civilian clothes in the police post located on the Fathegarh Churian bypass road in Amritsar of Punjab. Inspector Santokh Singh, the post in-charge summoned the victim at night to the police post on charges of theft. While the victim was being raped, Inspector Santokh Singh and others allegedly stood guard.<sup>90</sup>

### **III. Custodial torture of children**

The Juvenile Justice (Care and Protection) Act of 2000 continued to be violated. The Juvenile Justice Act provides that child offenders cannot be detained in police custody but have to be produced immediately before the Juvenile Justice Boards. Section 63 (2) of the Juvenile Justice Act provides that at every police station at least one officer with appropriate training and orientation should be designated as child welfare officer to handle cases of children in conflict with law.

Children are often arrested and even falsely charged. For example, on 25 April 2008, 3-year-old boy (name withheld) (son of Chandrika Prasad of Pure

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87. Tribal women accuse SPOs of rape, *The Indian Express*, 17 June 2008

88. ACHR's Complaint to NHRC, 11 June 2008, ACHR's Reference No.: HR/05/2008

89. ACHR's Complaint to NHRC, 16 July 2008, ACHR's Reference: HR/08/2008

90. RAPE IN POLICE POST - Rights panel seeks report from SSP, *The Tribune*, 25 July 2008

Grammajre village) was charged under the Goonda (translation – thug) Act in Sultanpur district of Uttar Pradesh. On 28 April 2008, two policemen including the Station House Officer of Haliapur were suspended after being found guilty of registering the First Information Report against the minor.<sup>91</sup>

**Rape of children:**

On 24 January 2008, a 10-year-old tribal girl (name withheld) was allegedly raped by a police constable Arvind Kumar Das of Muffassil police station at Chandli village in Giridih district of Jharkhand. The victim went to collect firewood when she was assaulted by three policemen.<sup>92</sup>

On the night of 16 March 2008, two minor girls (names withheld), were allegedly stripped and sexually abused by Sub-Inspector L. Ali inside the lock-up of the Bharalumukh police station in Kamrup district of Asom (Assam). The victims had gone to the police station to lodge a complaint after they were raped by three youths.<sup>93</sup>

On 11 April 2008, a 16-year-old girl (name withheld), a resident of Lucknow in Uttar Pradesh, was allegedly gang-raped by three policemen identified as Assistant Sub-inspector Inderjit Singh and two class IV employees Hari Om and Gurmail Singh in a park in the Civil Lines area in Ludhiana district of Punjab. Medical examination confirmed rape.<sup>94</sup>

On 24 April 2008, a 12-year-old minor girl (name withheld) was allegedly raped by Constable Sanjeev Kumar of Delhi Police (Traffic) and his friend inside a car at Swaroop Nagar in Delhi. The victim was dragged into the car while waiting for her family.<sup>95</sup>

On 1 June 2008, a 17-year-old girl (name withheld) from Nowshera was allegedly repeatedly raped by three persons including a constable identified as Shabir Ahmed at his home in Block No. 6 at Gulshan Ground in Nowshera under Gandhi Nagar police station in Rajouri district of Jammu and Kashmir. The victim was kidnapped by the two other accused while on her way to school.<sup>96</sup>

On 3 July 2008, a 14-year-old tribal girl (name withheld) was allegedly raped by Head Constable Zakir Khan at Bisthan Police post in Khargone district of

91. 3-yr-old booked under Goonda Act, two policemen suspended, *The Times of India*, 28 April 2008

92. Cop held for rape, *The Telegraph*, 26 January 2008

93. Cop suspended for tormenting girls in lock-up, *The Tribune*, 21 March 2008

94. Minor raped by three cops in Ludhiana, *The Times of India*, 12 April 2008

95. 12-yr-old raped by traffic cop, *The Times of India*, 25 April 2008

96. Cop, 2 others rape minor, *The Kashmir Times*, 2 June 2008

Madhya Pradesh. On the afternoon of 3 July 2008, the accused forcefully entered the victim's house near the Bisthan police post and raped her. The victim was later admitted to the Khargone District Hospital in a critical condition.<sup>97</sup> Following the intervention of the NHRC, Superintendent of Police, Khargone informed NHRC that accused Head Constable Zakir Khan had been suspended and action was being taken against him.<sup>98</sup>

**Cases of torture:**

On the night of 20 January 2008, 12-year-old schoolboy (name withheld) was allegedly tortured to death by four policemen at Dataganj in Baduan district of Uttar Pradesh. The policemen reportedly tortured him to reveal the whereabouts of his brother who was wanted in connection with a burglary. The policemen allegedly hanged the body from a ceiling fan to make the death look like suicide.<sup>99</sup>

On 4 April 2008, 9-year-old orphan boy Ravi (name changed) was tortured at a police station for allegedly trying to steal Rs 300 from a man in Chandigarh. On 5 April 2008, the minor was produced in Court. In the courtroom, the boy could hardly stand up and apparently had bone fractures in his arm resulting from his ill treatment.<sup>100</sup>

On 28 April 2008, three minors (aged 13 years, 12 years and 10 years - names withheld) were subjected to torture by three policemen at the Salabatpura police station in Surat, Gujarat. They were arrested on charges of theft of Rs. 28,000 from a vegetable shop in the Surat agricultural market. The police allegedly handcuffed them, tied them to a table and administered electric shocks to extract confessions. The three policemen had been suspended following a notice by the Gujarat State Human Rights Commission.<sup>101</sup>

In April 2008, two minor boys, aged 15 years and 14 years respectively, (names withheld) were allegedly tortured after being detained by Border Security Forces (BSF) personnel at a BSF outpost at Meghnarayanerkuthi in Cooch Behar district of West Bengal. The victims were bicycling home from market when two BSF personnel stopped them and accused them of being cattle smuggling accomplices. When the victims denied the accusations they were beaten up with a tree branch and taken to the outpost. The victims had their hands bound, blindfolded and repeatedly kicked. Following their release the two minors were admitted to Dinhata Subdivisional Hospital.<sup>102</sup>

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97. Communication from Asian Indigenous and Tribal Peoples Network (AITPN) which had filed a case with the NHRC of India (Case No. 734/12/26/08-09-WC)

98. See NHRC Case No. 734/12/26/08-09-WC

99. Brother elusive, cops kill boy, *The Telegraph*, 22 January 2008

100. Nine-yr-old battered at 'model' police station, *The Times of India*, 6 April 2008

101. Surat policemen suspended for torturing minor boys, *The Hindu*, 3 May 2008

102. Boy torture slur on BSF, *The Telegraph*, Kolkata, 24 April 2008

On 31 May 2008, 17-year-old girl (name withheld) sustained serious head injury after she was hit on the head with a *lathi* (stick or baton) and beaten up by a woman police constable identified as Shobha Kamble and another policeman at the Turbhe police station in Navi Mumbai in Maharashtra. The victim had gone to the police station with her younger sister to give food to her brother who was detained there.<sup>103</sup>

On 31 August 2008, a minor Dalit girl, aged 12, (name withheld) daughter of Sukhdev Singh, was allegedly tortured at the Islamabad police station in Amritsar of Punjab. The victim was allegedly tortured to obtain a confession. The victim was working as a domestic maid at the house of Resham Singh who accused her of stealing.<sup>104</sup>

On 13 September 2008, a minor boy, aged 16, (name withheld), a resident of Nepal, was allegedly tortured at Kotwali police station in Nabha in Patiala district of Punjab. The victim was arrested on theft charges. The police allegedly tortured the victim in order to recover the stolen goods. The in-charge of the police station, Gurinder Bal denied torture. He however admitted that the police personnel were responsible for negligence.<sup>105</sup>

#### **IV. Medical Acquiescence**

The United Nations Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment have laid down specific guidelines.

Principle 4(b) states that *“it is a contravention of medical ethics for health personnel, particularly physicians to certify, or to participate in the certification of, the fitness of prisoners or detainees for any form of treatment or punishment that may adversely affect their physical or mental health and which is not in accordance with the relevant international instruments, or to participate in any way in the infliction of any such treatment or punishment which is not in accordance with the relevant international instruments.”*

Apart from participation in torture of the detainees by some doctors, violations of the medical ethics during post mortem are regularly reported but seldom investigated or acted upon. In a rare case i.e. the Bilkis Bano gang rape and massacre during the Gujarat riots of 2002, two doctors were found guilty of failing to conduct appropriate medical and postmortem tests on the rape and

103. 17-yr-old alleges assault by cops, The Times of India, 2 June 2008

104. ACHR Complaint to NHRC, 1 October 2008, Reference No.: PN/12/2008

105. ACHR Complaint to NHRC, 1 October 2008, Reference No.: PN/11/2008

murder victims. The Central Bureau of Investigation found that they failed to take the victims to a hospital for postmortem and inappropriately conducted tests at the scene of the crime.<sup>106</sup>

On 10 August 1993, responding to concerns over the poor quality of post mortem inquiries the NHRC instructed Chief Ministers of States that all postmortems of custodial deaths needed to be videod and sent to the Commission.

The NHRC stated that *“Scrutiny of the reports in respect of all these custodial deaths by the Commission very often shows that the postmortem in many cases has not been done properly. Usually the reports are drawn up casually and do not at all help in the forming of an opinion as to the cause of death.”*

The NHRC moreover underlined its concern over deliberate cover-up, noting: *“a systematic attempt is being made to suppress the truth and the report is merely the police version of the incident. The post-mortem report was intended to be the most valuable record and considerable importance was being placed on this document in drawing conclusions about the death...”*

The NHRC went on to record to express its concern over Police pressure on the medical profession: *“The Commission is of a prima-facie view that the local doctor succumbs to police pressure which leads to distortion of the facts. The Commission would like that all postmortem examinations done in respect of deaths in police custody and in jails should be video-filmed and cassettes be sent to the Commission along with the post-mortem report. The Commission is alive to the fact that the process of video-filming will involve extra cost but you would agree that human life is more valuable than the cost of video filming and such occasions should be very limited.”<sup>107</sup>*

There have been credible reports that post-mortems are being conducted in hospitals without qualified forensic experts. For example, there had been no forensic expert at Delhi’s Sanjay Gandhi Hospital since 2000 but as per hospital records; about 4,000 postmortems had been conducted in the period 2000-2008. *“The postmortem report is a material piece of evidence for any criminal trial. The fate of many cases depends on the report of the forensic expert. It is very strange that a large number of postmortems have been conducted without qualified and competent experts,”* noted the Metropolitan Magistrate court, Rohini, Delhi in May 2008 while hearing a medico legal case (MLC) and issued notice to the government of Delhi and the authorities of Sanjay Gandhi Hospital.

The Court summoned the hospital’s Medical Superintendent Dr AK Jain who informed the Court that none of the doctors in the hospital had the necessary

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106. Bilkis identifies 12 accused in court, The Tribune, 23 February 2005, available at <http://www.tribuneindia.com/2005/20050223/nation.htm#2>

107. Vide letter No. 66/SG/NHRC/93

qualification of MD in Forensic Medicine. The Delhi Government told the court that doctors with an MBBS degree were “competent to perform autopsy and post mortem”.<sup>108</sup>

Inaccurate/incomplete/inconclusive post-mortem reports are becoming increasingly common in India. It has the potential to subvert justice.

On 19 April 2008, Metropolitan Magistrate Kuldip Narayan issued a summon against three doctors identified as Ajay Kumar, Arvind Theogaonker and Alexander F. Khakha of the Safdarjung Hospital in Delhi to ascertain the reasons behind the police custody death of a victim identified as Vicky Arya on 13 March 2008. The Court had expressed displeasure over the post-mortem report which failed to identify the cause of death.<sup>109</sup>

There are numerous concerns in the present system. The lack of trained doctors, delay in sending the viscera for examination coupled with the lack of infrastructure at medical colleges remain serious concerns. Most of the tests are carried out in ill-equipped laboratories which lead to errors in post-mortem reports. Doctors are poorly paid for conducting post-mortem examinations.<sup>110</sup> As a result, mistakes are bound to happen even without malafide intent.

The police often hand over the bodies for post-mortem many hours after the deaths which also lead to errors or the police themselves tampering with the evidence.

The Law Commission of India in its 206<sup>th</sup> Report<sup>111</sup> has proposed a new draft law called “The Coroners Act, 2008”. The law, applicable to whole of India, is aimed at eliminating irregularities in the existing post-mortem reports in India. In its report, the Law Commission stated that in criminal cases, the divergent post-mortem reports and the statements of witnesses have led to an alarming rate of acquittal in criminal cases.

The new law proposes to appoint a Coroner in each district of a State and one in each Union Territory. The powers and functions of the Coroner included:

- i) To take charge of any unnatural death in his territory and to hold an inquest immediately afterwards;
- ii) At the first sitting of the inquest, a Coroner would be required to interrogate all persons connected to the case and submit his report to the police commissioner;

108. No forensic expert, postmortems on, *The Indian Express*, 15 June 2008

109. Caddie’s death: Court summons 3 doctors, *The Tribune*, 20 April 2008

110. “Murder, he wrote”, *The Telegraph*, Kolkata, 24 September 2008, available at [http://www.telegraphindia.com/1080924/jsp/opinion/story\\_9879202.jsp](http://www.telegraphindia.com/1080924/jsp/opinion/story_9879202.jsp)

111. Presented to the Union Minister for Law and Justice, Ministry of Law and Justice, Government of India by Dr. Justice AR. Lakshmanan, Chairman, Law Commission of India on the 10 June 2008

- iii) The report which will be then regarded as material evidence in court;
- iv) The Coroner will also have the power to issue arrest warrants and send a suspect to a magistrate for trial;
- v) The Coroner would also have the statutory power to order the exhumation of a dead body if he feels that the post-mortem report is inconsistent;
- vi) The Coroner's inquest will be deemed a judicial proceeding; and
- vii) The Coroner can inquire into the true cause of death in cases of death by police firing, death in police custody or prison custody, deaths arising from medical negligence, dowry deaths, etc; among others.

However, the proposed law is not without flaws. Most importantly, the Coroners will be employees of the State Governments. Hence, the State Governments have the power to appoint, suspend or remove the Coroners. Coroners will have no jurisdiction over deaths that occur under the jurisdiction of defence forces or under the command of an official of the defence forces.

## **V. Police reform and impunity**

There is no disagreement on the urgent need for police reform in India. The police in India operate under the Police Act of 1861. This Act was first introduced by the British in the aftermath of the Sepoy Mutiny of 1857. The police were given a para-military orientation and the legislation is both oppressive and punitive in character.

In October 2005, the central government set up a Police Act Drafting Committee (PADC) - commonly known as the Soli Sorabjee Committee – to draft a new model bill which would guide state government's adoption of new police laws. The PADC submitted its Model Police Act to the Ministry of Home Affairs on 30 October 2006.<sup>112</sup>

Police reforms however were started by the judgment of the Supreme Court of 22 September 2006 in *Prakash Singh vs. Union of India* case. The apex court directed the central and state governments to comply with its set of seven directives for police reform. The seven points of the directive are<sup>113</sup>:

- (1) Constitute a State Security Commission to (i) ensure that the state government does not exercise unwarranted influence or pressure on the police, (ii) lay

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112. Commonwealth Human Rights Initiative (CHRI), [http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/model\\_police\\_act\\_2006.htm](http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/model_police_act_2006.htm)

113. Commonwealth Human Rights Initiative (CHRI), [http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven\\_steps\\_to\\_police\\_reform.pdf](http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven_steps_to_police_reform.pdf)

- down broad policy guidelines, and (iii) evaluate the performance of the state police;
- (2) Ensure that the Director General of Police is appointed through a merit based, transparent process and enjoys a minimum tenure of two years;
  - (3) Ensure that other police officers on operational duties (including Superintendents of Police in-charge of a district and Station House Officers in-charge of a police station) also have a minimum tenure of two years;
  - (4) Set up a Police Establishment Board, which will decide all transfers, postings, promotions and other service related matters of police officers of and below the rank of Deputy Superintendent of Police and make recommendations on postings and transfers of officers above the rank of Deputy Superintendent of Police;
  - (5) Set up a National Security Commission at the union level to prepare a panel for selection and placement of Chiefs of the Central Police Organisations (CPO), who should also be given a minimum tenure of two years;
  - (6) Set up independent Police Complaints Authorities at the state and district levels to look into public complaints against police officers in cases of serious misconduct, including custodial death, grievous hurt or rape in police custody; and
  - (7) Separate the investigation and law and order functions of the police.

On 23 August 2007, the apex court dismissed all review petitions by the state governments and the government of India, as it found no merit in them. On 16 May 2008 the Court issued an order to set up a three-person Monitoring Committee chaired by former Supreme Court Judge K.T. Thomas to oversee compliance. The Committee is also mandated to examine the new police Acts passed after the judgment in 2006, to examine the compliance of the Acts with letter and spirit of the Apex Court's directions.<sup>114</sup>

Since the Supreme Court judgment, 10 states have passed new police Acts: Assam, Bihar, Chhattisgarh, Himachal Pradesh, Haryana, Kerala, Punjab, Rajasthan, Tripura and Uttarakhand. In Tamil Nadu, Goa and Gujarat, the Bills were under drafting. Tamil Nadu, Karnataka, Delhi and Bombay (Maharashtra) are governed by old police Acts dating from 1859 to 1978. The remaining 13 states and 6 Union Territories are still governed by the Police Act of 1861.<sup>115</sup>

114. Commonwealth Human Rights Initiative (CHRI), [http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven\\_steps\\_to\\_police\\_reform.pdf](http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven_steps_to_police_reform.pdf)

115. Commonwealth Human Rights Initiative (CHRI), [http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven\\_steps\\_to\\_police\\_reform.pdf](http://www.humanrightsinitiative.org/programs/aj/police/india/initiatives/seven_steps_to_police_reform.pdf)

### **Immunity from prosecution**

The security forces enjoy absolute impunity from prosecution without the Centre's permission under the Armed Forces Special Powers Act which is in operation both in Jammu and Kashmir and North East India. The Central government has seldom provided sanction for prosecution of members of the armed forces.

On 22 May 2008, the Jammu and Kashmir government stated that it had taken action against 223 security personnel for human rights violations and custodial killings in the State during the last five years. Of these, 90 were army personnel, 82 para-military personnel and 51 policemen.<sup>116</sup> However, the government of India refused to divulge the names, ranks etc of the alleged guilty personnel. It is unclear whether the punishments reflect the gravity of the crimes committed. Impunity continues to be the government's policy.

In North East India no member of the armed forces has been prosecuted for violation of human rights despite consistent and credible reports of human rights violation including extra judicial killings.

In the case of extrajudicial killing of a tribal minor, Rathojoy Reang in Tripura by the security forces, the NHRC summoned the Home Secretary of the Government of India to appear in person on 4<sup>th</sup> February 2009 if he failed to provide sanction for the prosecution of Major S.S. Dhanda and Nursing Assistant A.K. Sahu of the Assam Rifles.

The Delhi-based NGO, Asian Indigenous and Tribal Peoples Network filed a complaint with the NHRC (Case Number 20/23/2002-2003) on 25 June 2002 with regard to the extrajudicial killing of Rathojoy Reang. Following the complaint, a First Information Report No. 71/2003 was registered in Tripura and a subsequent investigation by the Criminal Investigation Department of the State Government of Tripura found Major S.S. Dhanda and Nursing Assistant A.K. Sahu guilty of killing Mr Reang. On 20 August 2008, the NHRC directed the Ministry of Home Affairs, Government of India to grant sanction for prosecution of Major S.S. Dhanda and Nursing Assistant A.K. Sahu but the Home Ministry refused.<sup>117</sup>

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116. 223 security men punished for human rights violations in J&K, The Hindustan Times, 22 May 2008

117. Communication from AITPN, New Delhi

### **3. Torture in the custody of the Armed Forces**

In May 2008, the Supreme Court described fake encounters as “devilishly planned acts.” The Supreme Court questioned the moral grounds for giving gallantry awards and out-of-turn promotions to the officials of the security forces and police involved in branding innocent people as terrorists and killing them in fake encounters in Jammu and Kashmir.

The Supreme Court expressed serious concern over the failure of the States to comply with its direction to conduct a thorough probe into every killing which may result in reward and promotions. In its observation, the Court sought the adoption of a transparent mechanism to reward officer claiming killing of terrorists in anti-militancy operations.<sup>118</sup>

#### **Cases of torture:**

From 27 January-20 February 2008, Abi Chiru (18 years) of Uran Chiru village under Lamlai police station in Senapati district of Manipur, was allegedly tortured during his illegal detention by 24<sup>th</sup> Assam Rifles posted at Moreh in Chandel district of Manipur. The victim was continuously interrogated for 10 days. He was kept blindfolded with his hands bound except when eating. The victim was picked up at Gate No. 2 of the international border in Moreh town on suspicion of being a member of a banned organisation. On 20 February 2008, he was released with a warning not to disclose details of his detention.<sup>119</sup>

On 8 April 2008, Lal Din (35 years) (son of Ali Mohammad) and Abdul Aziz (34 years) (son of Saabu Molvi) - both residents of Laloora Dessa in Doda, Jammu and Kashmir - were picked up by 10<sup>th</sup> Rashtriya Rifle's Territorial Army and intelligence personnel. They were detained from a bus stand in Doda district of Jammu and Kashmir. They were pushed into a gypsy (vehicle) and taken to an interrogation camp at Doda. There they were tortured for an extended period. They were allegedly subjected to electric shocks and repeatedly struck with rifle butts and sticks. At about 12 am they were taken to an unidentified area of the Bimina forest and allegedly handcuffed, stripped and tortured through the night. On 9 April 2008, they were brought back to the camp in Doda and released in the evening. Both the victims had visible injuries consistent with torture and had to be hospitalized.<sup>120</sup>

On 27 April 2008, Arshad Hussain (son of Mahammad Mir of Ludna village) and Bashir Ahmad (son of Maqbool of Batpora village) were allegedly tortured

118. SC questions gallantry awards, promotions to cops, The Kashmir Times, 4 May 2008

119. ACHR's Complaint to NHRC, 17 March 2008, ACHR's Reference No.: MN/22/2008

120. Two Doda villagers hospitalized after torture, The Kashmir Times, 12 April 2008

during illegal detention by the 8<sup>th</sup> Rashtriya Rifles who were camping at Gundna in Doda district of Jammu and Kashmir. Arshad Hussain was picked up while on way to Doda town to purchase goods for his marriage. He was taken to Batpora village where the security personnel allegedly picked up Bashir Ahmad. At around 2 pm, they were taken to Gundna security camp where the security personnel covered their faces and tortured them for six hours until they lost consciousness. At around 8 pm, the victims were released outside the village. The victims were later admitted to Hospital in Doda.<sup>121</sup>

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121. ACHR's Complaint to NHRC, 6 June 2008, ACHR's Reference No.JK/11/2008

## **4. Torture by Armed Opposition Groups**

Under Article 1(1) of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment the involvement of “a public official or other person acting in an official capacity” is a central facet of the definition of torture.

The Committee Against Torture in its General Comment No.2 (2007) of 24 January 2008 stated:

*“18. The Committee has made clear that where State authorities or others acting in official capacity or under colour of law, know or have reasonable grounds to believe that acts of torture or ill-treatment are being committed by non-State officials or private actors and they fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors consistently with the Convention, the State bears responsibility and its officials should be considered as authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in such impermissible acts. Since the failure of the State to exercise due diligence to intervene to stop, sanction and provide remedies to victims of torture facilitates and enables non-State actors to commit acts impermissible under the Convention with impunity, the State’s indifference or inaction provides a form of encouragement and/or de facto permission”.*

In other words, the State is obligated to protect citizens from the abuses of AOGs.

In this context the State is failing; the failure to hold perpetrators of abuses accountable for their actions whether committed by State, Naxalites or other armed opposition group continues to be one of the main human rights issues to be addressed in any meaningful manner.

As with the state, others, including the AOGs, who have been responsible for acts of violence and abuses, including the police, members of armed opposition groups, have generally enjoyed impunity for their actions.

### **Armed Opposition Groups’ Obligations:**

The humanitarian law which applies during internal armed conflict gives rise to certain obligations for armed opposition groups. The minimum protection offered by Common Article 3 to the four Geneva Conventions of 1949 contains obligations for “each Party to the conflict”.

Common Article 3 to the Geneva Conventions expressly forbids violations against:

*“(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ‘hors de combat’*

*by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria."*

It expressly forbids the use of illegal detention, torture and ill treatment under: "*(a) violence to life and person, in particular murder of all kinds, mutilation cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment;*"

These obligations do not depend on government acceptance of an internal conflict.

The AOGs in India have been responsible for torture and violations of other humanitarian laws. Massacres by AOGs often draw national attention. Many of the abuses are committed in relation to parallel structures, the "people's courts" and "law enforcement" activities. These included abuses of the right to life (killing and deaths of abducted individuals), liberty and security (abductions), and physical integrity (ill treatment and torture).

### ***I. Naxalites' use of torture***

Documentation of human rights violations by the Naxalites or Maoists is particularly challenging. They operate outside the formal state often in the remotest areas of India. The areas in which they operate are often not provided with adequate public security meaning that local people fear to act against them or report their crimes.

Even with this reporting obstacle it is clear that the Naxalites have an appalling human rights record. Their targets include: members of anti-Maoist Salwa Judum militia, alleged police informers, 'class enemies' among the impoverished *Adivasis* (indigenous peoples), indeed anyone expressing dissent. The Naxalites have increasingly organized para-state institutions notably *Jana Adalats* (Peoples' Court) to impose kangaroo justice. As the punishments of the Naxalites tend to be execution, the number of cases of torture are less frequent.

On 22 June 2008, the Naxalites reportedly chopped off the hand of a constable identified as Piyang of the India Reserve Battalion (Mizo Battalion) at Gadiras market in Dantewara district of Chhattisgarh.<sup>122</sup>

### ***Police informers***

On the night of 17 January 2008, Naxalites killed 35-year-old tribal, Samireddy Ganesh of Bhiram village in Visakhapatnam district of Andhra Pradesh was killed by Naxalitees on charges of being a "police informer". The Naxalites reportedly abducted him on the Pulusumamidi Ghat road under Boitili panchayat of G.

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122. Naxals chop off cop's hand, The Indian Express, 23 June 2008

Madugula Mandal (administrative circle) and took him away into the forest. In the custody, he was allegedly tortured and then axed to death. His body was thrown on the road with the express purpose of generating fear amongst local communities.<sup>123</sup>

On 3 February 2008, alleged Naxalites tortured to death a tribal woman identified as K. Sharada (38 years) on charges of being a 'police informer' at Mathapur village in Warangal district of Andhra Pradesh. The Naxalites came to her house and ordered her to accompany them to the village outskirts. When she refused the Naxalites forcibly took her and beat her up with sticks and stones.<sup>124</sup>

On 18 March 2008, Jai Ram Mahto, an employee of Central Coalfield Limited (CCL), was killed by Naxalites who slit the victim's throat for being a suspected 'police informer' at Kalimahua Tola near Narayanpur village under Nawadih police station in Bokaro district of Jharkhand. The victim was dragged to the Naxalites' *Jan Adalat* with his hands and feet bound. The so-called 'people's court' issued a death sentence.

On the night of 14 June 2008, Anandrao Sainu Koram (22 years), a surrendered Naxalite, was axed to death by the Naxalites in front of villagers at Murgaon village in Gadchiroli district of Maharashtra. Before the killing, the Naxalites tied the victim and his wife Sapna (20) to a tree and tortured them for almost three hours.<sup>125</sup>

## **II. Torture by other AOGs**

During 13-22 March 2008, alleged cadres of the National Liberation Front of Tripura (NLFT) raided Karnamuni and Tetia villages in Dhalai district of Tripura several times and ill treated villagers for not voting for an NLFT-backed candidate in the State Legislative Assembly elections held on 7 February 2008. The police claimed that the men were hit with rifle butts and canes, women were stripped and beaten up and their belongings were looted. At least 67 tribal families were forced to flee and take shelter beside a highway near the camps of the para-military Tripura State Rifles and the Central Reserve Police Force.<sup>126</sup>

In August 2008, five persons including two women were injured after being tortured by members of an unidentified armed opposition group at Marmat area in Doda district of Jammu and Kashmir. The victims were accused of being informers of the security forces. The victims were identified as Shehnaza Bano (daughter of Saidullah Mir), Javed Iqbal (son of Abdul Rashid Bhat), Ghulam Ali Bhat (son of Mohammad Din Bhat), Hadayatullah Bhat (son of Mohammad Din Bhat) and Jameela Begum (wife of Ghulam Ali Bhat).<sup>127</sup>

123. 35-yr-old tribal killed by Maoists, *The Deccan Chronicle*, 19 January 2008

124. Naxalites beat tribal woman to death, *The Hindu*, 5 February 2008

125. Naxals axe surrendered ultra to death in full public view, *The Hitavadaonline*, 16 June 2008

126. Tripura tribal families tortured by militants, *The Assam Tribune*, 23 March 2008

127. 5 tortured allegedly by militants in Doda, *The Kashmir Times*, 25 August 2008

## 5. Torture in judicial custody

### *i. Torture in prison custody*

Torture remains widespread in Indian prisons. The National Human Rights Commission registered 1,996 cases of torture of prisoners in 2006-2007, 2,481 cases in 2007-2008 and 1,596 cases in 2008-2009 (upto 11 December 2008).<sup>128</sup> According to National Crime Records Bureau (NCRB) under Ministry of Home Affairs, 1,424 prisoners died in 2006, 1,387 prisoners in 2005, 1,169 prisoners in 2004,<sup>129</sup> and 1,060 prisoners in 2003<sup>130</sup> in India. Of the 1,423 prisoners who died in 2006, 80 died as a result of “unnatural” causes.<sup>131</sup> According to West Bengal’s Minister for Prisons, Biswanath Chowdhury, there were 97 custodial deaths in West Bengal from 1 January 2007 to 31 March 2008. Of these, 86 deaths were as a result of illness and 14 deaths were “unnatural” deaths.<sup>132</sup>

The treatment of suspects held on suspicion of acts of terrorism is an issue of particular concern. Mohammad Rafiq Shah, a regular student in the Islamic Studies Department of the Kashmir University, had been detained in the Tihar Jail in Delhi without trial since 2006. He was arrested by Delhi Police in Srinagar in 2006 on charges of involvement in the Delhi blasts of 29 October 2005. In a letter, Mohammad Rafiq Shah alleged that he was forced to drink his own urine and to perform oral sex on co-detainees. He was allegedly kept with a pig in his cell. In March 2008, the Jammu and Kashmir State Human Rights Commission (SHRC) took *suo moto* cognizance of the allegations of torture of Mohammad Rafiq Shah and asked the concerned authorities to submit a report to the SHRC by 16 April 2008.<sup>133</sup>

In 2008, there were regular reports of torture of prisoners in the jails across India. Some of the cases documented by ACHR are as follows:

128. The statement of Minister of State in the Ministry of Home Affairs, Mr Shakeel Ahmad while answering to unstarred question No. 2624 in the Lok Sabha on oppression of prisoners on 16.12.2008
129. The statement of Minister of State in the Ministry of Home Affairs, Mr Shakeel Ahmad while answering to unstarred question No. 5075 in the Lok Sabha on death of prisoners on 29.04.2008
130. The statement of Minister of State in the Ministry of Home Affairs, Shri Manikrao H Gavit while answering Unstarred Question No. 461 (deaths of prisoners) on 14.08.2007
131. National Crime Records Bureau, “Prison Statistics India 2006”, Chapter 9, available at <http://ncrb.nic.in/PSI2006/prison2006.htm>
132. 97 custodial deaths in WB jails, 3 December 2008, available at: [http://news.indiainfo.com/2008/12/03/0812030039\\_custodial.html](http://news.indiainfo.com/2008/12/03/0812030039_custodial.html)
133. Harassment, sexual abuse in Tihar: SHRC takes cognizance, Geelani calls for strike, The Kashmir Times, 26 March 2008

On 1 January 2008, under-trial prisoner identified as Narendra (35 years) allegedly died after being beaten up by jail officials for failing to pay money to the jail officials at the Kanpur district jail in Uttar Pradesh. The victim had sustained head injuries and died in a hospital.<sup>134</sup>

On 7 April 2008, a prisoner identified as Murli Prasad Verma (32 years), lodged at the Central Jail, Giridih district of Jharkhand, died under mysterious circumstances in hospital. The victim's father alleged that his son was beaten to death. The father claimed jail officials forced him to sign a statement saying Murli died of an illness.<sup>135</sup>

On 10 April 2008, Sanjit Sahu was allegedly tortured to death by two jail officials at Beur Jail in Patna in Bihar. The jail officials claimed that the victim had died of cardiac arrest. However, the postmortem report found that death had resulted from strangulation.<sup>136</sup>

On 20 April 2008, an under-trial prisoner identified as Paramjit Singh, resident of Lakhnupal village in Jalandhar district of Punjab, died after being admitted to a hospital following alleged torture by jail officials of Jalandhar Central Jail in Punjab. The jail officials stated that he was hospitalised after complaining of chest pain on 18 April 2008.<sup>137</sup>

In August 2008, a Dalit identified as Badri Saket was allegedly tortured to death by jail officials in the Sidhi District Jail in Madhya Pradesh. The jail authorities allegedly attempted to hospitalise the victim after his death. When the doctors refused to allow entry to the hospital, the jail employees left the body outside the hospital.<sup>138</sup>

On 21 September 2008, an under-trial prisoner identified as Md Zahangir allegedly died after being beaten up by jail officials at the Presidency Correctional Home in West Bengal. The victim was also allegedly denied proper medical treatment. The police stated that the victim was suffering from tuberculosis and died in the SSKM hospital following an injury sustained during a clash between guards and jail inmates. There were allegedly visible injuries on the deceased's body.<sup>139</sup>

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134. Kanpur jail officials charged with inmate's murder, *The Hindustan Times*, 2 January 2008

135. Mystery death on jail premises, *The Telegraph*, 8 April 2008

136. Jail officials accused of killing inmate, *The Times of India*, 14 April 2008

137. Complaint of Asian Centre for Human Rights to NHRC of India, 22 April 2008, ACHR's Reference No. PN/07/2008

138. Complaint of Asian Centre for Human Rights to NHRC of India, 11 August 2008, ACHR's Reference No: MP/13/2008

139. ACHR's Complaint to NHRC, 1 October 2008, Reference No.: WB/14/2008

On 18 December 2008, an under trial prisoner identified as Anwarkhan Pathan, (48) was allegedly tortured to death by jail officials at the Sabarmati Central Jail in Gujarat. There were allegedly visible bruises all over the body.<sup>140</sup>

On 26 December 2008, a prisoner identified as Daljit allegedly died as a result of torture while in Kurukshetra District Jail in Haryana. The victim had visible bruising on his hands and feet and bleeding from the ears. Jail officials claimed that the victim died as a result of poor health in hospital.<sup>141</sup>

### ***Torture of female inmates:***

Female inmates continued to be vulnerable to ill-treatment and sexual violence. Tihar jail in Delhi houses the largest number of women prisoners in India with over 480 detained in September 2008. A study conducted by a team of cardiologists from Escorts Heart Institute and Research Centre, Delhi, found that 45 per cent of female inmates in Tihar jail suffered from stress-induced hypertension. The jail had no psychologist.<sup>142</sup>

On 26 March 2008, a woman under-trial identified as Vidya (34 years) in Tihar jail was allegedly beaten up by jail officials Jhumman Singh, Sanjay, Abdul and Paramjeet on the ground that she had helped another inmate in drafting a complaint against them. The victim was allegedly stripped and filmed by a photographer.<sup>143</sup>

On 2 August 2008, a woman under-trial prisoner identified as Madhu (28 years) was reportedly tied up with iron chains in the prisoner ward of the Civil Hospital in Ambala district in Haryana. The prisoner was reportedly three-and-a-half-months pregnant. Madhu was arrested for a minor offence. The police did not obtain permission from the court to handcuff the victim as required by the Supreme Court.<sup>144</sup>

## ***II. Prison administration in India***

Prison Administration is the responsibility of the state governments as it is a State Subject under the Constitution of India. The prison laws are archaic and many of them were enacted during the British colonial rule (e.g. Prisons Act of 1894 and Prisoners Act of 1900). There is no uniformity in the minimum standards of prison administration in this country as the prisoners in all the states and Union Territories of India are governed by their respective Jail Manuals. The UN Standard Minimum Rules for the Treatment of Prisoners of 1955 is seldom followed.

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140. Complaint of Asian Centre for Human Rights to the NHRC of India, 23 December 2008

141. Prisoner dies in hospital, The Tribune, 27 December 2008

142. Restless in Tihar, The Hindustan Times, 6 October 2008

143. FIR filed against Tihar staff for beating inmate, The Pioneer, 2 April 2008

144. Despite SC orders, prisoner chained, The Tribune, 6 August 2008

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The All India Committee on Jail Reforms [1980 - 83], or the Mulla Committee, had drafted a model prison bill on the lines of the UN Standard Minimum Rules for Treatment of Prisoners, 1955. But the Committee's recommendations remained unimplemented.

Prison conditions were very poor across India. Overcrowding is a major problem in almost all of India's prisons. According to the NCRB, there were 3,73,271 prisoners against the sanctioned capacity of 2,63,911 at the end of 2006 resulting in the occupancy rate of 141.4 at national level. But in many states, the overcrowding in jails was over 200%.<sup>145</sup>

Most of the prisoners were under-trials. According to NCRB, 65.7 percent of the total prisoners were under-trials and 1,569 of them were detained in jails for 5 years or more in different parts of the country at the end of 2006.<sup>146</sup> The majority of the prison inmates belong to the lower economic strata and this explains their inability to access to legal aid.

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145. National Crime Records Bureau, "Prison Statistics India 2006" – Chapter 2, available at <http://ncrb.nic.in/PSI2006/prison2006.htm>

146. National Crime Records Bureau, "Prison Statistics India 2006", Chapter 6, available at <http://ncrb.nic.in/PSI2006/prison2006.htm>

## **6. Torture by other non-state actors**

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Under Article 1(1) of the Convention Against, “torture” “means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”.

The involvement, instigation of or consent or acquiescence of a public official is mandatory to define torture.

At the Article 1(2) states that definition of the Convention Against Torture the involvement of “a public official or other person acting in an official capacity” mandatory for definition of torture is “without prejudice to any international instrument or national legislation which does or may contain provisions of wider application”.

The government of India has enacted laws which have widened the definition of torture. The use of torture and other cruel, inhuman or degrading treatment or punishment have been explicitly recognized by the government in a number of legislation concerning “atrocities” against the Scheduled Castes (Dalits) and Scheduled Tribes under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Dowry Prohibition Act, the Protection Of Women From Domestic Violence Act, 2005 etc.

In particular, Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 which defines “atrocities” is relevant. Atrocities are defined as:

*“whoever, not being a member of a Scheduled Caste or a Scheduled Tribe”, among others, “(i) forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance; (ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighborhood; (iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity; (iv) compels or entices a member of a Scheduled Castes or a Scheduled Tribe to do ‘begar’ or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government; (v) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view; (vi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to*

*dishonor or outrage her modesty; (vii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed; (viii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used; (ix) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any Section thereof have a right to use or access to; and (x) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence”.*

Many of the elements of atrocities defined above are also included in the Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Nonetheless, despite legal protection, lower castes continue to be particularly vulnerable to violation because of the failure to implement these laws.

The 2007 Annual Report of the National Crime Records Bureau reported a total of 30,031 cases - including 206 cases under the Protection of Civil Rights Act and 9,819 cases under the SC/ST (Prevention of Atrocities) Act of 1989 - against the Scheduled Castes in 2007. Although the average charge-sheeting rate for the crimes against the SCs was 90.6 per cent, the average conviction rate was only 30.9%. A total of 51,705 persons (78.9%) out of 65,554 persons arrested for crimes committed against Scheduled Castes were charge-sheeted but only 29.4% were convicted consisting of 13,871 persons out of 47,136 persons against whom trials were completed.

#### **A. Torture by the upper castes**

On 5 January 2007, Chandrakant Gaikwad, a Dalit, was tortured and his eyes allegedly pierced by the relatives of his upper caste girlfriend at Sategaon village in Nanded district of Maharashtra. The victim had eloped with his girlfriend and took shelter at his friend's house in Khamareddy in Andhra Pradesh. The victim's friend identified as Milind Jondhale was also tortured for helping the couple and providing shelter.<sup>147</sup>

On 28 January 2008, a 25-year-old tribal girl, Rina Kumari (named changed) was gang raped for about 24 hours and later acid thrown on her private parts by four persons under Pithoria police station in Ranchi district of Jharkhand.<sup>148</sup>

147. ACHR's Complaint to NHRC, 15 January 2008, ACHR's Reference No.: MH/03/2008

148. Tribal woman gangraped, The Pioneer, 30 January 2008

On 8 March 2008, Suresh Raidas (35 years), a Dalit labourer, was tortured to death and his eyes gouged out allegedly by his upper caste landlord for demanding his share of crop at Bilhaur village in Kanpur Dehat district of Uttar Pradesh. There were multiple injury marks on his body.<sup>149</sup>

On 16 March 2008, a seven-year-old Dalit girl (daughter of Phoolchand) was allegedly raped and then killed at Koilaha village in Kaushambi district of Uttar Pradesh. The body of the girl was found in a field with one arm cut-off and an eye gouged out. The girl along with her mother had gone to collect firewood when she went missing.<sup>150</sup>

On 27 March 2008, a Dalit woman identified as Lalpari Devi was paraded in the street while tied up and repeatedly beaten up with brooms by upper castes in Dumaria village under Maner police station in Patna district of Bihar. Devi was accused of being a witch. The victim's hair was cut off and her face smeared with limestone.<sup>151</sup>

On 3 June 2008, a Dalit woman identified as Prembai (55 years) was burnt alive by three upper caste persons identified as Hiralal, Dinesh and Rajendra over a dispute about water at Kantada village in Harda district of Madhya Pradesh. She was set on fire after she refused to follow the upper castes instruction not to draw water from the village hand pump.<sup>152</sup>

### ***B. Use of torture by Caste/ Village Panchayats***

The Village Councils, both traditional and the ones established under the Panchayati Raj Act, continued to use torture as part of their “traditional” justice delivery system.

In rural Rajasthan, women are tortured on the orders of the village panchayat. Women accused of witchcraft were forced to undergo a ‘trial’ requiring the victim to prove her innocence by picking a silver coin from a tank of boiling oil. If her hands are burnt, the village panchayat will declare her a witch and demand that she ‘cure’ the ‘victims’ of her witchcraft. Upon failure to ‘cure’ the ‘victims’ of witchcraft she is further subjected to violence and socially boycotted.

On 6 October 2008, a 32-year-old tribal woman identified as Gujriya, wife of Hakma, was accused of witchcraft at Khara village in Sirohi district of Rajasthan. She was forced to retrieve a silver coin from a vessel of boiling oil on the orders of

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149. Dalit in UP killed, eyes gouged out, The Asian Age, 17 March 2008

150. 7-yr-old dalit girl raped, murdered, The Asian Age, 20 March 2008

151. Villagers beat up Dalit woman, The Indian Express, 29 March 2008

152. Dalit woman burnt alive in M.P., The Hindu, 8 June 2008

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the village panchayat (council). The victim suffered severe burns on both hands and fell unconscious. Villagers then beat her with hot iron rods causing head injuries. She was then forcibly taken to the Gharasiyas' house and end the suffering of the family who she was alleged to have cursed. She was told to use her magic to end the suffering. She was deserted after being admitted to a hospital.<sup>153</sup>

On 17 April 2008, a 15-year-old Dalit girl (name withheld) was reportedly beaten to death on the order of the Caste Panchayat at Mahadeva village in Kushinagar district of Uttar Pradesh. The Caste Panchayat ordered that she be beaten 50 times as punishment for having a relationship with an upper caste boy.<sup>154</sup>

On the night of 9 June 2008, the panchayat sentenced to death four persons of a family identified as Lakhan Majhi (65), his wife Sumoni (60), Durga (45) and Sabitri (35) after it found them guilty of witchcraft at Koilajuli Minalpur village in Sonitpur district of Assam. They were stoned and then buried alive.<sup>155</sup>

On 3 September 2008, a tribal couple identified as Mr Baneswar Murmu and his wife, Chandmoni, were beaten up and burned with hot iron spikes by villagers of Damodarpur village in Nayagram in Midnapore West district of West Bengal for practising witchcraft. The victims were blamed for the death of Lakshmiram Murmu.<sup>156</sup>

The Showuba Village Council in Nagaland punished four rapists with a fine of Rs 15 each after they had abducted and raped a pregnant tribal woman on 27 August 2008 at Showuba village near Dimapur in Nagaland.<sup>157</sup>

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153. Branded witch, tribal woman forced to dip hands in hot oil, *The Times of India*, 10 October 2008

154. Dalit girl beaten to death on panchayat orders, *The Asian Age*, 19 April 2008

155. Stoned & buried alive for witchcraft, *The Telegraph*, 11 June 2008

156. Tribals beaten, *The Statesman*, 5 September 2008

157. Rape protesters teargassed - 10000 women, enraged by obscene comments, go on a rampage in Dimapur, *The Telegraph*, 4 September 2008

## **7. Judicial interventions against torture**

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### **A. Judgements awarding compensation**

#### ***Judgement 1: Torture of Congress leader Prafull Thaker***

On 14 July 2008, the Gujarat High Court directed the Deputy Inspector General of Police Rajan Priyadarshi to pay Rs 8 lakh as compensation to Congress leader, Prafull Thaker for injury caused during an assault over 20 years ago.

The victim had complained to the then Chief Minister that the police were not doing enough to stop liquor sales in Ahmedabad.

Following the complaint, Rajan Priyadarsini (then DCP in the North Zone) along with Inspector RJ Yadav, went to the victim's house and beat him up. As a result, the victim lost his right eye and was hospitalized for over a month. The victim lodged a criminal complaint against Priyadarshini and Yadav in the Metropolitan Court and filed a suit for compensation in the Civil and Sessions Court in Ahmedabad.

In July 2007, Judge DT Soni directed the IPS officer to pay Rs 2 lakh with 9 per cent interest within three months towards the compensation of damages.

However, the accused approached the High Court seeking a stay on the payment. But, Justice KS Jhaveri of the High Court asked the officers to deposit Rs 8 lakh with the registry within three months.<sup>158</sup>

#### ***Judgement 2: Extrajudicial killing of Thangjam Binoy Singh***

On 20 May 2008, the Imphal bench of Gawahati High Court comprising Justice T Nandkumar Singh and Justice B D Agarwal ordered the Assam Rifles (AR) to pay Rs 3 lakh as compensation for killing a youth identified as Thangjam Binoy Singh after he was arrested from his house at Lamding Khumanthem Leikai in Thoubal district of Manipur on the night of 7 March 2004.

According to the information received, a team of 28 AR personnel went to the victim's house and arrested him without warrant. AR personnel later killed him. The AR personnel then claimed the victim had been killed in an encounter at Thoubal Charangpat road near Kshetri Leikai crossing.

The Gawahati High Court directed the Additional District Judge of Manipur West to establish an enquiry. On 1 July 2007, the Judge submitted her report to the High Court. Subsequently, the Guwahati High Court directed the respondents, the AR and the Centre, to pay compensation of Rs 3 lakh within five months.

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158. Top cop told to pay Rs 8L for blinding a man, The Times of India, 16 July 2008

The Writ Petition was filed at the initiative of the Human Rights Law Network, Manipur.<sup>159</sup>

### **Judgement 3: Rape of Elangbam Ongbi Ahanjaobi**

On 12 August 2008, the Imphal bench of Guwahati High Court directed the Army and the Central government to pay Rs 2 lakhs to a rape victim identified as Elangbam Ongbi Ahanjaobi of Takyel Khongbal Khumanthem Leikai in Manipur on 1 August 1996.

The victim was raped by two havildars of the 2<sup>nd</sup> Mahar Regiment identified as Apparao Mariba Waghmare and Vithal Domaji Kalane in front of her physically handicapped son at her home during a army combing operation in the Takyel area. The accused havildars, Apparao Mariba Waghmare and Vithal Domaji Kalane were sentenced to 10 years' rigorous imprisonment through a summary court martial on 5 June 1997. However, no compensation was awarded to the victim. After the conviction, Ahanjaobi submitted an application to the army authorities seeking compensation of Rs 10 lakh. However, the army turned down the request. The victim then filed a writ appeal with the Imphal bench of Guwahati High Court on 28 April 2003 seeking compensation. The High Court initiated the hearings on 2 May 2003.<sup>160</sup> While delivering the judgement, the Guwahati High Court observed that:

*“defiling the chastity of a woman by personnel of the Indian army amounts to violation of the basic fundamental rights and as such the Union of India is liable to pay compensation to the victim.”*

Accordingly, the Court directed the Union of India represented by the Defence Secretary to the Government of India, the General-officer-commanding (GOC), 57<sup>th</sup> Mountain Division, the brigade commander, 44<sup>th</sup> Mount Brigade and commanding officer, 2nd Mahar Regiment to pay compensation of Rs. 200,000 to the victim within four months.<sup>161</sup>

### **Judgement 4: Illegal detention of Rambahadur Chetri, Deependra Limbu and Tarabahadur Gurung**

On 13 June 2008, a bench headed by Justice J Chelamshwar and Anima Hazarika of the Guwahati High Court directed the State Government of Meghalaya to pay compensation of Rs 100,000 each to three persons identified as Rambahadur Chetri, Deependra Limbu and Tarabahadur Gurung who were illegally detained for over eight months. The victims were arrested by Meghalaya Police from Langpoh area

159. HC orders AR to give Rs 3 lakh as compensation, The Sentinel, 22 May 2008

160. Compensation for rape victim - Gauhati High court orders Centre & army to pay Ahanjaobi Rs 2 lakh, The Telegraph, 13 August 2008

161. HC orders compensation for rape victim after 12 yrs, The Imphal Free Press, 13 August 2008

on 14 May 2004 for “residing in Meghalaya illegally”. They were not produced before court. Following their release the victims moved the Guwahati High Court challenging their detention. The High Court found the detention to be illegal and violation of Article 21 of the Constitution of India (protection of life and personal liberty)<sup>162</sup>

**Judgement 5: Illegal detention of Keshav Kumar**

On 25 February 2008, the Delhi High Court directed the Delhi Police Commissioner to initiate departmental proceedings against police officers for detaining the petitioner, Keshav Kumar illegally and sending him to Tihar Jail. The Court also asked the State to pay Rs 50,000 to Keshav Kumar as compensation. In his order Justice Shiv Narayan Dhingra criticised the Assistant Commissioner of Police (ACP) who was acting as Special Executive Magistrate (SEM) for not granting bail to Mr Kumar. The order read, “*He (ACP) is supposed to apply his mind, which God has given him and not act blindly on the report of his subordinates and juniors.*” The court further observed:

*“Police cannot act as an agent of those who do unauthorised construction and cannot be an accomplice of those who try to swallow their neighbours rights. The proceedings initiated against the petitioner reconfirm the league between the criminals and the police and also shows that the life and liberty of innocent persons is at stake at the hands of such police officials.”<sup>163</sup>*

**Judgement 6: Custodial death of Munder Singh**

On 4 July 2008, Justice Kanwaljit Singh Ahluwalia of the Punjab and Haryana Court in the case of *Basant Singh Vs. State of Punjab and Ors.* directed the State Government of Punjab to pay a compensation of Rs 3 lakh to the legal heir of Munder Singh who was killed in a fake encounter while in judicial custody in 1991.

The deceased’s father Basant Singh had approached the High Court for a CBI probe into the death of his son in police custody and for adequate compensation. The petitioner had contended that his son Munder Singh was falsely implicated in two cases (FIR No. 125 dated 4-12-1990 and in FIR No. 27 dated 10-3-1991). Both the cases were registered at Police Station Jaito. Munder Singh was arrested and was sent to Central Jail, Ferozepur on 4 June 1991. On 13 July 1991, Munder Singh was taken out from the Central Jail, Ferozepur for production in the Court at Bathinda. Thereafter his whereabouts was not known. The petitioner had alleged that his son was killed in a fake encounter while in judicial custody on 13 July 1991.

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162. Court asks Meghalaya to pay Langpih men for illegal detention, The Assam Tribune, 16 June 2008

163. HC raps cops for illegal detention, fines Rs 50,000, The Pioneer, 26 February 2008

In response to the petition, the State of Punjab had filed an affidavit stating that a police party while returning with Munder Singh after the recovery of a weapon was fired upon by unidentified persons 13 July 1991. Munder Singh was caught in the crossfire while trying to escape and died on the spot. A police constable too was injured in the attack.

The High Court held that the State version on the death of Munder Singh was ‘not inspiring confidence’. In his order, Justice Ahluwalia further observed that:

*“After Munder Singh was taken from Central Jail, Ferozepore and the court at Bathinda had remanded his custody to the police, it was the duty of the police to secure his life. His custody has been granted to the police under the orders of the court. To say that he died in crossfire by some unknown persons, especially when Munder Singh was involved in various cases, which had overtones of terrorist crime, such version is to be accepted with a pinch of salt”. “It is ordered that Rs 3 lakh be awarded as compensation to the legal heirs of deceased Munder Singh. The amount shall be deposited in the court of Chief Judicial Magistrate, Faridkot, within three months after the receipt of the copy of the order.”*

However, Justice Ahluwalia rejected the petitioner’s prayer for a CBI probe into the death stating that CBI probe will be meaningless after more than 15 years of the incident. Justice Ahluwalia observed that:

*“Six years’ delay and laches on the part of petitioner to approach this Court and thirteen years thereafter to decide the case, is a period during which, all documents, from which it could be inferred whether the version set out by the police was true or false, would have been destroyed. All incriminating pieces of evidence, from which lead could have been taken, as to how the occurrence took place, would have withered.”*

### **Judgement 7: Custodial death of Natarajan Chettiar**

On 5 February 2008, the Madras High Court in *Appellants: Rajammal Vs Respondent: State of Tamil Nadu, rep. by its Secretary, Home Department and Ors* (Writ Appeal No. 1018 of 2006) increased the amount of compensation from Rs 3 lakhs to Rs 5 lakhs to the petitioner, Rajammal whose husband Natarajan Chettiar died due to torture in police custody in 1993.

In September 1993, the petitioner’s husband Natarajan Chettiar, who dealt with buying and selling of artificial diamonds and jewels on commission basis, was arrested and detained at Tiruvannamalai police station on the charge of buying alleged stolen jewels. The police allegedly demanded huge amount as bribe. The petitioner alleged that her husband was tortured to death on 11 September 1993 and that the dead body was thrown in Thachambattu Reserve Forest. She further submitted that she is a poor widow having a large family insisting of three daughters and three sons.

The initial inquiry conducted by the RDO of Tiruvannamalai, cleared the police of any foul play. However, later, another enquiry conducted by another RDO of Tiruvannamalai held the police department responsible for the death of Mr Chettiar. The state government issued G.O.Ms. No. 741 Public (Law and Order-A) Department, dated 8.7.1996, ordering to launch criminal prosecution against the accused police officers. The single Judge of the Madras High Court has held that by virtue of the above G.O. it is clear that the state government has accepted that the deceased had died due to the torture by the police. The single Judge has ordered the respondents to pay a sum of Rs. 3 lakhs as compensation to the petitioner.

The petitioner filed an appeal for enhancement of the compensation amount. The double bench consisting of Elipe Dharma Rao and S.R. Singharavelu of the Madras High Court stated - *“It is now a well settled law that the award of compensation against the State; is an appropriate and effective remedy for redress of an established infringement of a fundamental right under Article 21, by a public servant.”* The double bench, considering the economic status and size of the family, ordered the respondents to pay Rs 5 lakh to the petitioner.

## **B. Judgements awarding punishments**

### **Case 1: Custodial death of M. Venkatesh**

In 1995, M. Venkatesh (35 years), a resident of Valluru village in Shimoga district of Karnataka, was arrested by police and taken into Amarpuram Police station in Anantapur district of Andhra Pradesh in a theft case. He was tortured to death during interrogation at the Amarpuram police station. The victim’s parents lodged a complaint with the Revenue Divisional Officer (RDO) in Penukonda. Following a magisterial inquiry, the RDO referred the case to court and a case was registered against SI Nissar Ahmed and Head constable Ramana on 1 October 1995. However, Head Constable Ramana died in 2005 while SI Nissar Ahmed retired from service in 2007. On 26 June 2008, an Additional Sessions Court in Hindupur sentenced SI Nissar Ahmed to seven years imprisonment.<sup>164</sup>

On 29 September 2008, a bench comprising of Chief Justice K.G. Balakrishnan, Justice P. Sathasivam and Justice J.M. Panchal of the Supreme Court issued notice to all the States and Union Territories seeking their response to custodial deaths during 2006 and 2007 and the action taken to prevent these deaths within two months. The notice was issued after Senior Counsel and Amicus Curiae (friend of court) Abhishek Manu Singhvi submitted an application stating that the earlier directions issued by the Supreme Court in the D.K. Basu Case to prevent custodial violence were not being followed by the States and these guidelines were not being implemented.<sup>165</sup>

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164. Custodial death: retired SI gets 7-year imprisonment, The Hindu, 27 June 2008

165. Notice on custodial deaths, The Hindu, 1 October 2008 13 August 2008

On 25 August 2008, Justice Ajay Lamba of the Punjab and Haryana High Court directed the Director General of Police to inform the Court of the action taken against police officials and steps taken for registration of FIR in the custodial death of Rohtash Singh in 2007.

The police did not register a case into the case even after an inquiry by a Palwal-based judicial officer. In the order on a petition filed by the victim's kin Partap Singh, Justice Lamba ruled: *"Despite there being a clear case, showing merciless conduct on the part of the police, failure in discharge of statutory duties, torture of Rohtash in police custody, causing injuries on the left eye as well as the right leg - as witnessed by the father of the victim - and there being no explanation, still the registration of the FIR is being resisted by none else than Superintendent of Police, Faridabad (Rural)"*.

The inquiry report conducted by the judicial magistrate (First Class) stated that a fight had taken place at about 11.30 am on 17 April 2007. But the accused was arrested at 9.15 pm. During that period, he was initially taken to Hassanpur chowki by the police and later to the DSP's office. Further, the magistrate had added the *"delay caused by the police officials in getting him arrested is totally unexplained. It is also beyond imagination that for such a petty offence, why the police had not arrested the accused immediately and produced him before the competent authority"*.<sup>166</sup>

Custodial Death, Police fails to register case, DGP asked to file reply, The Tribune,

**Case 2: Sentencing of SHO Ashok Kumar Jain and Constable Rakesh Kumar in the custodial death of Sardar Singh**

On 7 March 2008, Justice R.C. Mishra of the Jabalpur Bench of the Madhya Pradesh High Court dismissed the criminal appeal in the case of *Ashok Kumar Jain and Rakesh Kumar Vs. State of Madhya Pradesh* against the judgment dated 12 November 1990 passed in S.T. No. 125/1988 by the IInd Additional Sessions Judge, Tikamgarh.

The IInd Additional Sessions Judge, Tikamgarh found the appellants – Ashok Kumar Jain and Rakesh Kumar – guilty for the offences punishable under Sections 330 and 201 of the Indian Penal Code (IPC) and sentenced them to undergo rigorous imprisonment of five years and one year respectively with the direction that the sentences shall run concurrently.

The appellants, Ashok Kumar was posted as Station House Officer (SHO) at Mohangarh Police Station in Tikamgarh district of Madhya Pradesh while Rakesh

166. Custodial Death, Police fails to register case, DGP asked to file reply, The Tribune, 13 August 2008

Kumar, posted as constable at the same police station, were accused of causing death of Sardar Singh by subjecting him to custodial torture to elicit confession.

On 3 January 1988 at 5 am, the appellant-accused SHO Ashok Kumar received information about a dacoity committed in the house of one Jagdish Dangi at Barethi village on the night of 2 January 1988. A case as Crime No. 1/88 was registered at Mohangarh police station. On 5 January 1988, Sardar Singh was arrested by a police party led by SHO Ashok Kumar from his residence in Madori village. He was hit with fists, kicked and beaten up with rifle butts during interrogation at the police station.

On 7 January 1988 at about 5 pm, the deceased was severely beaten up with a *danda* (stick) by SHO Ashok Kumar constable Rakesh Kumar during interrogation. Deceased Sardar Singh vomited blood twice and his condition further deteriorated. Later, the deceased complained of severe abdominal pain and insisted for an immediate treatment and died. However, SHO Ashok Kumar concealed the fact from other police personnel. He made them believe that Sardar Singh required to be immediately taken to Tikamgarh for necessary treatment. Accordingly, with the help of constable Rakesh Kumar and other police personnel, dead body of Sardar Singh covered in a blanket, was placed in the rear side of the police van.

The police personnel obeyed his direction and proceeded to to Tikamgarh. As the vehicle reached near Khakrone village, SHO Ashok Kumar asked the driver to turn it into the jungle. SHO Ashok Kumar expressed a false apprehension that the other suspects of the dacoity namely Pappu and Pratap Singh were hiding themselves in the jungle in order to rescue Sardar Singh from their custody. Subsequently, SHO Ashok Kumar instructed all the police personnel except constable Rakesh Kumar to take positions at a distance of 100 yards. Later, the dead body was removed from the van, carried to a certain distance and shots were fired on the body to give the impression that Sardar Singh was killed in an encounter while trying to escape.

The deceased's body was sent to Government Hospital Prithvipur for post-mortem. A team of doctors comprising Dr. M.S. Rawat (P.W. 8) and Dr. Santosh Asthana who conducted the post-mortem categorically stated that the gunshot injuries found on the body of Sardar Singh were post-mortem in nature and his death was caused due to shock resulting from ante- mortem spinal injury. According to Dr. M.S. Rawat, the injuries on the deceased's body were caused by hard and blunt object.

Further, as per the statement of the forensic expert V.S. Chouhan (P.W. 17), no trail of the blood on the corresponding path or the nearby stone was found at the spot where dead body of Sardar was lying. The absence of line of blood was indicative of the fact that Sardar was shot at when he was not alive.

While delivering the judgment, the learned Trial Judge rejected the theory of the death in an alleged encounter as "highly artificial" and firmly concluded that both

the appellants were responsible for causing death of Sardar Singh by subjecting him to custodial torture to elicit confession.

The High Court while upholding the judgment by the IInd Additional Sessions Judge, Tikamgarh observed that:

*“not only circumstantial but also direct evidence as to involvement of the appellants in causing custodial death of Sardar by using third degree method for interrogation with a view to extorting confession was available. From the prosecution evidence, it was also proved beyond a reasonable doubt that the appellants had staged a fake encounter to cause disappearance of the evidence pertaining to custodial violence.”*

### **Case 3: Custodial death of R.K. Jain due to unhygienic conditions**

In a significant ruling, a Bench comprising Justices Altamas Kabir and Markandey Katju of the Supreme Court of India on 23 October 2008 in the case of *Indu Jain Vs State of Madhya Pradesh and Ors* ruled that death of a detained person due to unhygienic conditions in jail would amount to custodial death and could make officials liable for prosecution.

The Supreme Court ruling came on a petition filed by Indu Jain, widow of the deceased Shri R.K. Jain, and Madhya Pradesh government, both challenging the order dated 11 September 2006 of the High Court of Madhya Pradesh at Jabalpur in CrI. Revision No. 1114 of 2005 acquitting officials of custodial death charges. The bench rejected the plea of five police officers working under the Special Police Establishment (Lokayukta), Bhopal, Madhya Pradesh, that the offence could at best invite prosecution under Section 323 (punishment for voluntarily causing hurt) for which the maximum punishment is one year and Rs 1,000 fine.

On 14 July 2004, Shri R.K. Jain, Deputy Commissioner, Commercial Tax, Bhopal, was arrested for interrogation by the accused officers of the Lokayukta headed by Shri B.P. Singh and Shri Mokham Singh Nain on a bribery charge. On 15 July 2004, he was found unconscious in the bathroom of the office of the Lokayukta and later died at a hospital. The Post Mortem examination of the deceased revealed certain injuries on the body including broken ribs. But the cause of death was shown to be on account of asphyxia within six hours of the post mortem examination.

In his report, Shri O.P. Dixit, Senior Scientist of the mobile unit of the District Police Force, stated that Shri Jain died due to asphyxiation as he was kept detained for a long time in a room filled with cobwebs and dust, sufficient to trigger asthma in a known asthmatic.

On the basis of the report, the trial judge framed charges against the five accused police officials namely B.P. Singh, Mokham Singh Nain, Badri Nihale, Ramashish and Silvanus Tirki under Section 304 Part II (culpable homicide not amounting to murder) on 15 July 2005. However, the accused officers approached the Madhya

Pradesh High Court which quashed the charges under Section 304 Part II and instead directed that a case under Section 323 (punishment for voluntarily causing hurt) be registered against them.

Following the High Court's order, the deceased's wife Indu filed an appeal in the Supreme Court on the ground that the accused should be tried under Section 304 Part II and 330 (voluntarily causing hurt to extort confession), which entails a punishment for seven years. The State of Madhya Pradesh supported her plea and also wanted that a case under Section 302 (murder) be framed against the accused officers.

The Supreme Court observed that:

*“The condition of the room where the deceased had been detained was completely unsuitable for a patient of asthma as it was filled with dust and cobwebs which was sufficient to trigger an asthmatic attack which could have caused asphyxia which ultimately led to R. K. Jain's death.”*

Hence, the Supreme Court while dismissing the appeals of the accused officers (SLP (Crl.) Nos. 2584 and 2588 of 2007) directed the trial judge to frame charges against the accused officers under Section 304 Part II and Section 330 (voluntarily causing hurt to extort confession).

#### **Case 4: Lowering of sentences pertaining to custodial death of Mahender**

On 5 March 2008, a Division Bench comprising of Justices Mukul Mudgal and P.K. Bhasin of the Delhi High Court in the case of *State Vs. R.P. Tyagi and R.P. Tyagi Vs. State and Anr. (Death Sentence Reference No. 01/2007 and Crl. Appeal No. 38/2007)* set aside the death sentence awarded to former Assistant Commissioner of Police (ACP) R.P. Tyagi of the Delhi Police in a case of custodial death at the Vivek Vihar police station in East Delhi in 1987.

However, the Division Bench of the Court sentenced the former ACP to eight years' rigorous imprisonment under Section 304 Part II (culpable homicide not amounting to murder) of the Indian Penal Code. The Bench also reduced the three years' rigorous imprisonment awarded to ACP (Retd.) Tej Singh to six months and acquitted Inspector K.P. Singh.

The Bench held that *“The established facts and circumstances on record do not disclose that the beatings administered to the victim by the convict were with the intention of causing death.”*

Earlier, on 15 December 2006, Additional Sessions Judge, Karkardooma Courts, Delhi sentenced R.P. Tyagi to death (Death Reference 01/2007) in the custodial death of Mahender after being convicted under Sections 302/342/120-B of the IPC. The Court also sentenced two other Delhi Police personnel - ACP (Retd.) K.P. Singh and Inspector Tej Singh - to different terms of imprisonment.

On 16 August 1987, constable Rishi Pal posted at Vivek Vihar police station in Delhi was stabbed allegedly by Mahender and Ram Kumar and FIR No. 294/87 was recorded in Vivek Vihar police station. The police, after failing to trace the accused, picked up family members and neighbours of Mahender and Ram Kumar and illegally detained them at Police Station Vivek Vihar and tortured. They were released only after Mahender and Ram Kumar surrendered at the police station on 24 August 1987 between 7.30 a.m and 8.00 am. But the police showed falsified documents to show that they were arrested at around 2.00 pm from Surajmal Park. Mahender and Ram Kumar were tortured in the police custody. Later Mahender succumbed to his injuries in Lok Nayak Jai Prakash Narain Hospital on 25 August 1987.

The accused police personnel launched a massive cover up exercise. No case was registered against the accused police personnel even after Sub Divisional Magistrate recommended for registration of a case against the police officials of Vivek Vihar police station. Instead, S.S. Rathore was transferred from the post of SDM. Another SDM namely Shri Parimal Rai then conducted further inquest proceedings and concluded the deceased died due to beatings by the members of the public at Surajmal Park. Case No. 59/1988 under Section 304/34 IPC was registered only on 11 February 1988 after Lt. Governor of Delhi intervened. Subsequently, Shri Tika Ram (father of the deceased Mahender) filed a complaint case in the court of Metropolitan Magistrate. On 13 December 2006, the Additional Sessions Judge convicted the accused R.P. Tyagi under Sections 302/342/120-B IPC, Inspector K.P. Singh K.P. Singh under Section 217 IPC and Sub Inspector Tej Singh under Sections 218/201 IPC.

During the trial it was contended that whatever the accused did were in their capacity as public servants and hence they could not be prosecuted without permission from the higher authorities.

While convicting R.P. Tyagi and other police personnel, the Additional Sessions Judge, KKD Court, held that *“In the present case, the accused persons who are public servants cannot at all claim that what they did was by virtue of their office. It is no argument that without being in office they would not have committed the offence alleged against them. As already observed, it is no part of official duty to commit offence as defined under the IPC or any other law [.....].”*

The Delhi High Court upheld the view of the trial court saying *“no such sanction was called for in this case as actions alleged against the accused persons were not in discharge of their official duties [.....] By no stretch of human imagination the acts of Custodial torture which results in death can be said to be falling under the scope of ‘official duties’ and therefore in our view also, prosecution of the appellant as in the present case does not require any sanction from higher authority”.*

The High Court while sentencing RP Tyagi to eight years observed that *“the accused being the SHO of the police station deserves the most severe punishment*

*because when the upholder of law turns into a law breaker, the most stringent punishment should be awarded.”* The Court also fined the accused Rs 2 lakhs to be given to the deceased’s mother. The High Court also directed the State to pay a compensation of Rs 2 lakhs to the mother of the deceased. It observed “*We are constrained to award compensation against the State in view of the role played by the police officers in delaying the proceedings and attempting to scuttle the course of justice as well as vicarious liability for the action of its officers.*”

## 8. NHRC's failure to address torture

The National Human Rights Commission (NHRC) was constituted under the Protection of Human Rights Act of 1993 to protect and promote human rights. However, it has failed to effectively address torture and other human rights violations.

### A. Failure to recognize torture

The NHRC has regularly failed to recognize torture despite clear medical evidence. While hearing the cases, the Commission appears to be inappropriately reliant on and give greater weight to official versions of events rather (often the reports of the security establishment) than to evidence including medical records indicating the use of torture.

#### **Case 1. Torture of Mrs Shriti Wanniang by CRPF, Meghalaya**

On 10 December 2007, during a street protest against evictions the Central Reserve Police Force (CRPF) personnel *lathi-charged* protesters and passers by. During the events, Mrs. Shriti Wanniang and four other women were beaten up and seriously injured.

Mrs. Wannaiang was admitted to the Civil Hospital, Shillong and was later referred to Ganesh Das Hospital from where she was discharged on 18 December 2007. Another woman namely, Mrs. Enubell Syiem also suffered injuries. She was admitted to the Civil Hospital, Shillong on December 10, 2007 and diagnosed with “*pain in the whole body, tenderness at the back of left shoulder etc.*”

On 14 December 2007, ACHR filed a complaint with the NHRC (Case No.21/15/0/07-08-PF) and followed the case up with the NHRC.

On 18 December 2007, Mrs. Wanniang was discharged from Ganesh Das Hospital. In her Medical Report it was stated as under:

“ ... *Bleeding P/v just now ...*

*Date and time of examination - 5:30 p.m. on 10/12/2007.*

*Pt. admitted in Hospital. ...*

*... P/v as closed*

*Bleeding + ...*

*Pt admitted in Hospital. ...*

*Tenderness both legs and calfs...*

*Tenderness (right) arm and forearm*

*Pt. not able to move (right) upper arm and shoulder joint. ...*

*Tenderness (right) — ...*

*X Ray Right Shoulder...*

*Impression : ... mild soft tissue swelling...*

*Pt. Discharged on 18-12-2007... “*

The medical report concluded serious injury and consistent with the allegation of the beating of Mrs. Wanniang and subsequent injury.

On 2 January 2008, the NHRC issued notices to the Superintendent of Police, Shillong and the Director General, CRPF directing them to file a report on the incident within four weeks. The CRPF failed to comply.

The Superintendent of Police (letter dated 5 February 2008) submitted a Report to the NHRC along with the Medical Reports of Mrs. Enubell Syiem and Mrs. Wanniang. The Superintendent's report alleged that: *“the force used by the CRPF personnel on duty was a mild one and not disproportionate as alleged and no serious injury was reported to have been caused to anyone.”*

The report of the Superintendent of Police was sent to ACHR for comments. In its reply ACHR noted that the Superintendent of Police had himself admitted use of force by the CRPF personnel. ACHR also pointed out that the medical reports clearly revealed serious injury.

However on 10 September 2008 the NHRC closed the case stating that *“.. the complainant has not replied the report of the SP ... that the pregnancy test of Mrs. Shirita Wanniang was found negative. The comments also reveal that Smt. Enubell Syiem sustained simple injury...”*

While adjudicating the case the NHRC appears to have overlooked unequivocal medical evidence and used only the report submitted by the Superintendent of Police.

ACHR has filed a writ petition challenging the NHRC's order before the appropriate court.

### **Case 2. Torture of Ganesh Barnwal by police, Jharkhand**

On 19 December 2007, Ganesh Barnwal, a Public Call Office (PCO) operator, was picked-up from Kundla for questioning in connection with the killing of a local journalist, Pramod Kumar Munna. The victim was arrested and detained at Deoghar Police Station, Jharkhand and was tortured to extract a confession. According to the victim, two policemen tied two live wires around his neck and subjected him to electric shock until he lost consciousness. On the night of 20

December 2007, police personnel brought him home unconscious. The next morning he was admitted to the Deoghar Sadar Hospital in critical condition.

On 26 December 2007, ACHR filed a complaint with the NHRC (Case No.1309/34/3/07-08). On 8 January 2008, the NHRC issued notice to the Superintendent of Police, Deogarh directing him to file a report. The Superintendent of Police, Deogarh (letter dated 12 March 2008) submitted the Report of the Deputy Superintendent of Police, Deogarh (dated 10 March 2008). In the report, the Deputy Superintendent of Police, Deogarh had enclosed the Out Patient Department (OPD) Slip dated 12 December 2007. The OPD Slip states that the victim was “unable to walk” and he had “pain in whole body”.

The NHRC supplied a copy of the report to ACHR for comments. ACHR in its reply (dated 11 June 2008) noted that the victim was subjected to torture, inhuman treatment and this was supported by independent medical evidence of the OPD slip.

But the NHRC refused to recognize torture and on 29 August 2008 closed the case with the observation that -

*“In response to the commission’s proceedings the complainant has reiterated the allegations leveled in the complaint but he has not sent the copy of the OPD slip of the hospital and medical treatment given to the victim.”*

Clearly the Assistant Registrar and/or the official while passing the order dated 29 August 2008 failed to take cognizance of the OPD Slip had already been sent to the Commission by the DSP, Deogarh in his report dated 10 March 2008. ACHR has challenged the NHRC’s final order before the court.

### **Case 3. Torture of Mohanlal by jail officials, Punjab**

On 25 April 2005, Mohanlal, a Scheduled Caste and an under-trial at Jalandhar Central Jail was produced before a Court in Ludhiana where he claimed that the Jalandhar Jail officials had beaten him and tattooed - “*Neevi Jaat*” (*Lower Caste*) with heated iron rods on his back. The incident was also reported in the newspapers including *The Tribune*, Chandigarh. On 26 April 2005, ACHR filed a complaint with the NHRC (Case No 131/19/2005-2006).

On 11 May 2005, the NHRC issued notice to the Chief Secretary, Punjab and also to the Inspector General of Prisons, Punjab calling for a report on the incident. A report was submitted by Jagjit Singh, Superintendent of Central Jail, Jalandhar who was one of the alleged perpetrators, to the NHRC on 20 July 2005. Jagjit Singh exonerated himself of all allegations and charges.

On 2 August 2007, the NHRC sent the report to ACHR for comments within four weeks, i.e., by 29 August 2007. In its detailed reply of 29 August 2007, ACHR

rejected the report of Jagjit Singh, Superintendent of Central Jail, Jalandhar on the following grounds: (1) the investigation conducted by one of the accused i.e. Mr Jagjit Singh, Superintendent of the Jalandhar Central Jail violates the basic principles of impartiality required for investigation into the allegations of human rights violations, (2) by allowing one of the accused to investigate the case the NHRC has further exposed the victim to torture by the accused-investigator under whose custody the victim lived, (3) the investigation report conducted by Jagjit Singh dealt primarily with the background of the victim and his alleged associates imprisoned in Jalandhar Central Jail which were irrelevant and immaterial to the allegations of torture and (4) ACHR rejected the theory propounded by the investigation report that the injuries were self-inflicted by the victim. ACHR demanded that the NHRC reject the investigation report conducted by Mr Jagjit Singh, Superintendent of the Jalandhar Central Jail and institute a “fresh inquiry by an investigation team of the NHRC”.

Upon consideration of ACHR’s submission dated 29 August 2007, the NHRC agreed to order a fresh investigation. The Commission vide proceedings dated 26 March 2008 directed the Director General of Police (Human Rights), Punjab to get the matter re-investigated by an officer of DIG rank. Hence, the matter was re-investigated by DIG, Jalandhar Range. The enquiry once again found the allegations to be false.

On the basis of the same findings by the two separate enquiries the NHRC held that the allegations levelled against the jail officials were doubtful and hence, closed the case without providing any opportunity to the complainant (ACHR) to submit comments.

This constituted a flagrant violation of the established procedure and principles of natural justice. The NHRC arbitrarily closed the case solely based on an enquiry report prepared and submitted by the accused Jagjit Singh and by DIG, Jalandhar Range who had just repeated what Mr Singh had said in his enquiry report.

ACHR has challenged the final order of the NHRC before the appropriate court.

## **B. Serious procedure failings**

The NHRC procedure rightly follows normal legal tradition. In a complaint there is usually a complainant and a respondent. The complainant is the person who files the complaint and is usually the victim, their family or the NGO representing their family. But there can be multiple complainants in any one process. The complaint is addressed to the respondent who is charged with ‘responding to the allegations of human rights violation.

The guidelines issued by the NHRC on 14 December 1993 make it compulsory for all the District Magistrates (DMs) and the Superintendents of Police (SPs) to

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report all custodial deaths and custodial rapes within 24 hours of their occurrence. Since that time government officials have reported custodial deaths or custodial rapes to the NHRC.

Since the police and jail officials are the first to be informed about a death in their custody, they are usual first to inform the NHRC. The problem is that the NHRC in a number of cases treat the initial report of the police or jail authorities as a complaint and hence the police or jail authorities become the complainant. This is not in itself a problem but the NHRC in some, not all cases, then exclude all other complainants, including the victim, their families and their representatives from the case.

Under such circumstances the police and jail officials become the sole complainant in the NHRC adjudication process. They are also become the respondents as the NHRC directs the State authorities to reply in all the cases. This has serious negative implications for justice.

The Supreme Court has regularly ruled on the dangers of allowing an institution to investigate itself. The Supreme Court of India ruled in the case of State of Madhya Pradesh vs. Shyam Sunder Trivedi and Ors. [1995 (4) SCC 262] stated *“Rarely in cases of police torture or custodial death, direct ocular evidence is available of the complicity of the police personnel, who alone can only explain the circumstances in which a person in their custody had died. Bound as they are by the ties of brotherhood, it is not unknown that police personnel prefer to remain silent and more often than not even pervert the truth to save their colleagues - and the present case is an apt illustration - as to how one after the other police witnesses feigned ignorance about the whole matter.”*

Given this and other rulings it is not clear why the NHRC is prepared to accept the perpetrating institution as both complainant and respondent and exclude the critical evidence of the victim their family and the representatives.

An example is case No 131/19/2005-2006 the custodial torture of an under-trial Dalit prisoner identified as Mohanlal by the jail officials.

The NHRC accepted the report of investigation conducted by one of the accused Jagjit Singh, Superintendent of Central Jail, Jalandhar into his crimes. Not surprisingly, he exonerated himself and based on his report of investigation, the NHRC closed the case ruling that the allegations of torture could not be established.

The problem is serious. While the NHRC has accepted more than one complainant including ACHR to a particular case, it has failed to make ACHR a party in at least 123 complaints filed by ACHR. It has failed to provide a cogent explanation of this practice. Often, the complaints are added to the concerned files but the

NHRC provides no information to parties that the NHRC have not designated 'complainant' status. Unless, NHRC makes all complainants party to a complaint and informs them, justice will suffer.

### **Cases pending for adjudication before the appropriate courts**

#### **Case 1. Custodial death of Grohon D. Shira, Meghalaya**

On 2 January 2008, ACHR filed a complaint with the NHRC regarding the custodial death of Grohon D. Shira (37 years), son of Elesing D. Shira, a resident of Darang A'Kep (Nongalbibra) village under Baghmara police station in South Garo Hills district of Meghalaya in the custody of the Baghmara police station on the night of 17 October 2007. On 12 October 2007, the victim was remanded to seven days police custody in connection with Baghmara police station Case No. 32 (6) 2007 under sections 307/326/427 of Indian Penal Code read with section 3/5 of Explosive Substances Act and was detained at the Baghmara police station.

On 18 October 2007 at around 2.10 am, he was reportedly found hanging from the iron rod of the ventilator inside the police station toilet. The police claimed that he hanged himself with his T-shirt.

ACHR filed the case after the victim's family members approached it for assistance and intervention.

ACHR did not receive a response from the NHRC. Subsequently ACHR discovered on the NHRC's web page that NHRC had registered a case (No. 18/15/0/07-08-PCD) in connection with the custodial death of Grohon D. Shira on the basis of the intimation received from District Police, Baghmara, South Garo Hills, Meghalaya.

The family of the victim expressed serious doubts over the investigation as Sub Inspector J Rabha of Baghmara police station was given responsibility to conduct the investigation.

Expressing his lack of confidence in the local police, father of the victim Mr. Elesing D. Shira wrote a letter to the NHRC Chairperson requesting the NHRC to make Asian Centre for Human Rights, New Delhi a party to the complaint (No. 18/15/0/07-08-PCD). Mr. D. Shira had clearly expressed "*fear that the police will try to cover up the torture to death of my son Late Grohon D Shira and make it appear as a case of suicide*", and urged the Commission to make ACHR a party on the behalf of the victim's family while considering the case.

The NHRC refused to make ACHR a party to the case. ACHR filed a petition before the appropriate court against the State government of Meghalaya and also made the NHRC a party.

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## **Orders of the Delhi High Court against procedural failings**

### ***Case 1. Extrajudicial execution of Ms. Thangjam Manorama by the Assam Rifles personnel, Manipur***

On 13 July 2004, ACHR filed a complaint against the extrajudicial execution of Ms. Thangjam Manorama by the Assam Rifles personnel on the intervening night of 10 and 11 July 2004 in Manipur. The Assam Rifles personnel are alleged to have arrested and then killed the victim in their custody. The NHRC received the complaint but failed to send any communication to ACHR.

On 29 April 2008, ACHR served a legal notice to the NHRC to provide the latest status of the case; certified copies of order and certified copies of documents received from the defendants and/or the State authorities. The NHRC did not respond.

After ACHR filed a writ petition in the Delhi High Court [WP(C) No 6082/2008 ACHR Vs NHRC] that the NHRC made ACHR a party to the case. On 4 December 2008, the NHRC informed ACHR that it has been added as a party to Case No. 8/14/2004-2005-AF.

As its grievance has been addressed, ACHR agreed not to press for further action. Vide judgment dated 8 December 2008, the Delhi High Court disposed of the Writ Petition giving ACHR liberty to file fresh petition(s) if it was not satisfied with the actions of the NHRC.

On 19 January 2008, ACHR wrote to the NHRC to provide copies of all proceedings of the matter and the response of NHRC is awaited. However, ACHR has obtained copies of the entire case proceedings through an application under the Right to Information Act, 2005.

At present, the case is pending adjudication before the NHRC.

### ***Case 2. Custodial death of Senthil, Tamil Nadu***

On 3 October 2004, Senthil, a 21-year-old youth, was found hanging from the ceiling fan inside the lock up of Shastri Nagar police station in Chennai, Tamil Nadu. He was detained in connection with a cell-phone theft. Police officials claimed that Senthil had committed suicide. However, his relatives and locals alleged that he died as a result of torture in custody. On 8 October 2004, ACHR filed a complaint with the NHRC but received no response.

On 29 April 2008, ACHR served a Legal Notice to NHRC seeking the status of the said complaint; certified copies of all the orders passed in the said complaint and certified copies of all the documents received from the defendants and/or the State Government in relation to the said complaint. However, the NHRC once again failed to reply.

Only after ACHR filed a writ petition in the Delhi High Court [WP(C) No 6070/2008 ACHR Vs NHRC] NHRC added ACHR as a party. On 5 December 2008, NHRC informed that ACHR has been added as party to Case No. 728/22/2004-2005-CD which has been registered upon intimation from Deputy Commissioner of Police, Adyar District, Chennai.

The NHRC representative handed over the case file to ACHR's representative in front of the judge. As its grievance has been addressed, ACHR agreed not to press for further continuation of the matter. Vide judgment dated 8 December 2008, the Delhi High Court disposed off the matter giving ACHR liberty to file fresh petition(s) if it was not satisfied with the actions of the NHRC.

On 19 January 2008, ACHR wrote to NHRC to provide copies of all proceedings of the matter and the response of NHRC is awaited. However, ACHR has meanwhile obtained copies of the entire case proceedings through an application under the Right to Information Act.

At present, NHRC is waiting for additional information from the concerned authorities.

***Case 3. Alleged extrajudicial execution of three persons, including two civilians Lourebam Maipak and Thokochoom Puspa, Manipur***

On 18 January 2005, three persons including two civilians – Lourebam Maipak (55 years) and Thokochoom Puspa (9 years) daughter of Th. Sobita were allegedly extrajudicially killed by 132th CRPF personnel at Wangoo Nongyaikhong Mapal Chingongleimakhong in Manipur.

Several people were beaten up in the locality. People were arbitrarily picked up and three civilians – RK Dhinesana (30 years) Naorem Shanti Singh (40 years) and Khonaijam Manglem (30 years) from the locality were detained.

On 20 January 2005, ACHR filed a complaint with the NHRC but received no communication from the NHRC.

On 29 April 2008, ACHR served a Legal Notice to the NHRC seeking the status of the complaint; certified copies of all the orders passed in the said complaint and certified copies of all the documents received from the defendants and/or State Government of Manipur authority in relation to the said complaint. But the NRHC failed to reply.

Only after ACHR filed a writ petition in the Delhi High Court [WP(C) No 6083/2008 ACHR Vs NHRC] NHRC added ACHR as a party. On 4 December 2008, the NHRC informed ACHR about the latest status of the case and that ACHR has been added as a party to the Case No. 35/14/2004-2005-PF which had been registered on the complaint of Secretary, Human Rights Council,

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Vishakapatnam. As its grievance has been addressed, ACHR agreed not to press for further continuation of the matter. Vide judgment dated 8 December 2008, the Delhi High Court disposed off the matter giving ACHR liberty to file fresh petition(s) if it is not satisfied with the actions of the NHRC.

ACHR subsequently obtained copies of entire proceedings of the matter by filing an application under the Right to Information Act and found that the NHRC is considering the reports received from concerned authority.

#### ***Case 4. Unprovoked firing on Kiran Rai by SSB personnel, West Bengal***

On 8 June 2003, the Special Services Bureau (SSB) personnel shot at a 20-year-old tourist guide identified as Kiran Rai at Meghma under Darjeeling district of West Bengal. Kiran Rai was shot at after he protested against assault of tourist guides by SSB personnel over the issue of unauthorised use of toilets by the SSB personnel.

On 17 June 2003, ACHR filed a complaint with the NHRC but the NHRC did not respond. Thereafter, on 29 April 2008, ACHR served a Legal Notice to the NHRC. The Commission again failed to reply.

Only after ACHR filed a writ petition in the Delhi High Court [WP(C) No 6065/2008 ACHR Vs NHRC] the NHRC included ACHR as a party.

On 5 December 2008, the NHRC informed ACHR about the latest status of the case. Vide the same letter NHRC also informed that ACHR has been made a party to Case No. 127/25/2003-2004 (relating to unprovoked firing on Kiran Rai by SSB personnel) that had been registered following a complaint filed by Association for Protection of Democratic Rights, Darjeeling. As its grievance has been addressed, ACHR agreed not to press for further continuation of the matter. Vide judgment dated 8 December 2008, the Delhi High Court disposed off the matter giving ACHR liberty to file fresh petition(s) if it is not satisfied with the actions of the NHRC.

On 19 January 2008, ACHR wrote to the NHRC to provide copies of all proceedings of the matter. The response of the NHRC is awaited. In the meantime, ACHR obtained the documents relating to the case from the NHRC through the Right to Information Act.

At present the case is pending adjudication by the NHRC.

### **C. Denial of opportunity of being heard**

Another standard practice of the NHRC has been to close the cases on the basis of the reports submitted by the concerned authorities but without providing an equal opportunity of being heard to the victims or the complainant.

The NHRC is a quasi-judicial body with the powers of a Civil Court and most of its members are retired judges of the Supreme Court. The NHRC has arbitrarily closed many credible cases without giving ACHR the opportunity of a hearing.

In several cases the NHRC simply failed to consider the responses submitted by ACHR. The NHRC has also closed many of ACHR's complaints on bureaucratic grounds stating that ACHR had not submitted comments on the reports of investigation sent to it. This is despite irrefutable evidence that ACHR has submitted evidence.

ACHR has proof of receipt of its communications with the NHRC. ACHR staff deliver complaints and responses to the NHRC office in person. ACHR insists on getting stamped receipt of its official copy of any important communication with the NHRC.

ACHR has taken up cases of arbitrary closure of cases by the NHRC in the courts.

#### ***Case 1. Torture of Arjun Paswan, Bihar***

On 14 September 2004, Arjun Paswan of Gaya district, Bihar, was beaten and, then robbed by the Gaya Railway Police personnel at platform no.8 of Patna Junction in Bihar. On 7 October 2004, ACHR filed a complaint with the NHRC (Case No 2422/4/2004-2005). On 21 October 2004, the NHRC directed the Chairman, Railways, Government of India and Senior Superintendent of Police, Railways, Patna, Bihar to submit reports within six weeks.

On 8 August 2006, the NHRC forwarded the replies (written in Hindi) of the IG (Railways), Bihar, Mr G.P. Sinha and sought ACHR's comments.

In its reply of 4 September 2006, ACHR stated that in his letter dated 16 June 2006 to IG (Railways) Bihar, G.P. Sinha, the Superintendent of Railway Security, Patna clearly indicted that RPF personnel-3836-Shri M.Mandal, RPF personnel-7144-Shri A.K.Ojha, RPF personnel-7117-Shri J. Kumar, RPF personnel-801-Shri N.K.Bhatt, and RPF personnel-2030-Shri B.B. Datti had tortured the victim Arjun Paswan.

However the NHRC inaccurately translated the response from Inspector General of Police (Railways) Bihar. Based on this mistranslation the NHRC closed the case.

Vide order dated 12.02.07 the NHRC ordered the closure of the case citing non-receipt of response/comments from the complainant (Asian Centre for Human Rights) despite the fact that ACHR has submitted its comments on 4 September 2006, eight days ahead of the time stipulated by the NHRC. In its comments it pointed out that the NHRC had made critical errors in translation that meant that the perpetrators were confused with the victim and leading to the wrongful closure of the case.

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ACHR filed a writ petition [WP(C) No. 9326/2007 ACHR Vs NHRC] in the Delhi High Court. On 8 December 2008, the Delhi High Court ordered the NHRC to re-open the case and re-hear the petition. The High Court order, *inter alia*, stated, “*The Commission (NHRC) is requested to fix the date of and time for hearing the petitioner. Petitioner is directed to produce all the relevant material before the Commission.*” But the NHRC is yet to organize the hearing as directed by the court.

### **Case 2. Custodial death of Aminul Islam, Assam**

On 28 August 2003, Aminul Islam of Puran Diara village under Dhubri District of Assam was picked up by the local police on suspicion of dacoity. The victim was tortured in custody at Mancachar Police Station. He was admitted to Kukurmara Public Health centre where he succumbed to his injuries.

On 23 September 2003, ACHR filed a complaint with the NHRC (Case No 80/3/2003-2004-AD).

Pursuant to the direction of the NHRC, the Inspector General of Police (Human Rights), Police Headquarters, Guwahati submitted response dated 22 January 2004. Surprisingly, the NHRC failed to supply the documents submitted by the concerned authorities to ACHR for its comments.

Without providing the ACHR (the complainant) any opportunity of hearing, in a communication dated 16 March 2007 the NHRC informed ACHR that the case has been closed.

Aggrieved with such arbitrary closure of the case ACHR moved the Delhi High Court [WP(C) No. 9325/2007 ACHR Vs NHRC], amongst others, seeking re-opening of case; providing a complete set of records of the case and according an opportunity of hearing before finally disposing off the matter. Vide an order dated 8 September 2008 the High Court disposed off the matter with directions to the NHRC to check the case records and hand over a copy of the same to ACHR. The court gave liberty to ACHR to move the court incase it is not satisfied with the actions of the NHRC.

The NHRC has so far failed to provide copies of documents (including replies received from the concerned authorities) relating to the case.

### **Case 3. Rape of a pregnant tribal woman by army personnel, Assam**

On 29 June 2004, a pregnant adivasi (tribal) woman of Padmapukri Village, Kokrajhar District, Assam was raped by three personnel of the Kashmir Light Infantry Regiment of the Army.

On 5 July 2004, ACHR filed a complaint with the NHRC (Case NO. 44/3/2004-2005-WC). On 16 July 2004, the NHRC directed the Director General of Police, Assam to submit reports within four weeks.

On 16 September 2004, the NHRC sent a copy of gist of the reports dated 02.08.2004 & 03.07.2004 received from the concerned authorities and sought ACHR's comments.

On 15 November 2004, ACHR requested the NHRC to send the complete set of documents including the reports dated 02.08.2004 & 03.07.2004 to be able to file its comments/reply. But the NHRC failed to provide the complete documents. Instead, by its order dated 15.03.05, NHRC passed an order to close the case.

ACHR moved the Delhi High Court [WP(C) No. 9338/2007 ACHR Vs NHRC], amongst others, seeking re-opening of case; providing a complete set of records of the case and according an opportunity of hearing before finally disposing off the matter. Vide an order dated 8 December 2008 the High Court disposed off the matter with directions to the NHRC to re-open the case and to "*fix the date and time for hearing the petitioner*". The Court also asked the NHRC to provide a copy of the case records to ACHR. The court gave liberty to ACHR to move the court incase it was not satisfied with the actions of the NHRC.

The NHRC has so far failed to provide copies of documents (including replies received from the concerned authorities) relating to the case.

#### **Case 4. Extrajudicial killings in Tura and Williamnagar, Meghalaya**

On 30 September 2005, the personnel of Central Reserve Police Force (CRPF) opened fire upon demonstrators in two towns of Tura and Williamnagar in Garo Hills of Meghalaya. Several civilians were killed while a number of them were injured.

On 3 October 2005, ACHR filed a complaint with the NHRC and a case with No. 12/15/2005-2006-PF was registered.

On 21 October 2005, the NHRC issued notice to the Home Secretary, Government of India and the Director General of Police, Meghalaya, directing them to submit reports within three weeks. But thereafter the NHRC neither informed ACHR about the progress of the case nor sought any comments on replies that might have been received from concerned authorities.

In May 2006, the NHRC closed the case without providing any opportunity of hearing to ACHR. The NHRC did not officially inform ACHR that it has closed the case.

When ACHR discovered that the case had been closed from the NHRC website vide letter dated 8 May 2006, ACHR requested the NHRC to re-open the case and give it opportunity of hearing. The NHRC failed to respond.

ACHR moved the Delhi High Court [WP(C) No. 9336/2007 ACHR Vs NHRC], amongst others, seeking the re-opening of case; providing a complete set of records of the case and according an opportunity of hearing before finally disposing off the matter. Vide an order dated 8 December 2008 the High Court disposed off the matter with directions to hand over copies of the case records to ACHR. The court gave ACHR liberty to move the court in case it was not satisfied with the actions of the NHRC after perusal of the case records.

The NHRC has so far failed to provide copies of documents (including replies received from the concerned authorities) relating to the case.

***Case 5. Torture of Gaji Muduli by police, Orissa***

On 25 April 2005, Mrs Gaji Muduli was assaulted by policemen from Tangi Police Station at Sorana Village in Khurda district of Orissa. The victim was hit with a stick on her head and died.

On 29 April 2005, ACHR filed a complaint with the NHRC and case with No 75/18/2005-2006 was registered. On 3 June 2005, the NHRC issued notice to the Senior Superintendent of Police, Khurda district, Orissa directing to file a report within four weeks.

On 27 June 2005, the Superintendent of Police, Khurda submitted reply by way of an inquiry report. But the NHRC failed to provide a copy of the report to ACHR. On 7 November 2006 NHRC closed the case.

ACHR moved the Delhi High Court [WP(C) No. 9334/2007 ACHR Vs NHRC], amongst others, seeking re-opening of the case; providing a complete set of records of the case and according an opportunity of hearing before finally disposing off the matter. Vide an order dated 8 December 2008 the High Court disposed off the matter with directions to provide copies of the case records to ACHR. The court gave liberty to ACHR to move the court in case it was not satisfied with the actions of the NHRC after perusal of the case records.

The NHRC has so far failed to provide copies of documents (including replies received from the concerned authorities) relating to the case.

***Case 6. Torture of six civilians by the Assam Rifles personnel, Manipur***

During 6-9 February 2005, at least six civilians including Hemin Khongsai (35 years) of Kangpokpi ward no. 4, Manginlun Thangsing (16 years) of Taphou, Paougoulan Chouloi (20 years) of Kangpokpi ward no. 9, Lanminlan Kipgen,

Thanminlun Kipgen and Ngulkhohao Chongloi (23 years) of Haiyang village were allegedly illegally detained and tortured by 14<sup>th</sup> Assam Rifles personnel stationed at Kangpokpi in Senapati district of Manipur. The victims were accused of having links with underground organizations

On 10 February 2005, ACHR filed a complaint with the NHRC (Case No.41/14/2004-2005-AF).

On 11 February 2005, the NHRC issued notice to the Director General of Police, Mainpur; Secretary, Ministry of Defence & Secretary, Ministry of Home Affairs, Government of India seeking requisite information/report within 4 weeks.

The Additional DGP, Manipur in his report dated 4 August 2005 stated:

*“...On further enquiry one woman namely Miss Hengkeng (25) sister of Sl. No. 6 above is stated to have been slapped on the face by the personnel of the 14 AR on the day of arrest of her brother without any reason. All the persons mentioned above stated that they were brutally tortured by hitting with hard punches on their chest. On arrival at the camp of AR they were asked to undress and electric shocks were applied on their fingers, toes and to their private parts. One of them i.e. Ningkhohao Chongloi stated that he is a married man and as a result of the electric shocks his private part is paralyzed. He is said to have been undergoing computer training at Kangpokpi presently.*”

The authorities of A.R. located at Kangpokpi were contacted to ascertain the events. The post Commander of 14<sup>th</sup> A.R. Kangpokpi stated that the concerned were picked-up by them and were later handed over to NGOs and their respective relatives.

The enquiry made by the OC/Kangpokpi PS reveals that the victims were detained/picked-up by the 14<sup>th</sup> A.R. on different days and time. They were also released on different days. In the case of Sl. No. 4 and 5, they were handed over to their respective family in the presence of police representatives as a result of public pressure while they were in the custody of the A.R. This was recorded in the General Diary vide G.D. entry No. 181/KPI-PS/05 date 09-02-2005, 0140 hrs of Kangpokpi P.S.

The detention and release of the above mentioned persons does corroborate with the circumstance as stated by both the parties i.e. aggrieved and the 14<sup>th</sup> Assam Rifles personnel...”

On 26 June 2006, Under Secretary to the Government, Ministry of Defence, New Delhi submitted its Report but the NHRC failed to send a copy of the report to the ACHR (complainant) for comments. On 3 July 2007 the NHRC closed the case

without providing an opportunity for hearing to the complainant's (in this case ACHR) evidence.

ACHR moved the Delhi High Court [WP(C) No. 8102/2007 ACHR Vs NHRC], amongst others, seeking re-opening of case; providing a complete set of records of the case and according an opportunity of hearing before finally disposing off the matter.

The case is still being heard before the Delhi High Court.

### ***Case 7. Alleged extrajudicial execution of Zangokhopao Kuki, Manipur***

On 12 January 2004, one Zangokhopao Kuki of Molnom Kuki village under Litan Police station in Urkul district of Manipur was killed by the 9<sup>th</sup> Assam Rifles personnel. The Assam Rifles however claimed that the victim was a militant and was killed in an encounter. The security personnel also claimed to have recovered one carbine with one live round and seven empty cases of 9mm ammunition near the dead body during further search of the area. But the testimony of villagers of Pashang and Molnom villages contradicted the encounter claim of the Assam Rifles. According to the villagers, Zangokhopao Kuki had no links was was killed extra-judicially.

On 13 January 2005, ACHR filed a complaint with the NHRC. The NHRC failed to send any communication on the case. On 29 April 2008, ACHR served a Legal Notice to the NHRC seeking the status of the complaint; certified copies of all orders and certified copies of all documents received from the defendants and/or the State authorities in relation to the said complaint. But the NHRC again failed to reply.

Only after ACHR moved the Delhi High Court by way of an writ petition [WP(C) No 6077/2008 ACHR Vs NHRC] the NHRC sent a communication stating that ACHR's complaint had been registered under Case No. 134/3/2004-2005-PF and that the Commission vide proceedings dated 22.8.2007 closed the case after receiving a report from the Under Secretary to the Government of India, Ministry of Defence. As its grievance has been addressed, ACHR agreed not to press for further continuation of the matter. Vide judgment dated 8 December 2008, the Delhi High Court disposed off the matter giving ACHR liberty to file fresh petition(s) if it is not satisfied with the actions of the NHRC.

### ***Case 8. Tortured to death of Satnam alias Satta, Punjab***

On 5 January 2005, the police of Lohia Town, Jalandhar district, Punjab detained Satnam alias Satta on suspicion of theft and released him on the same evening. However, on 6 February 2005, the police again detained Satnam and allegedly tortured him at the police station. Satnam was released in the evening when his

health deteriorated. The victim's family rushed him to the hospital, where the doctors declared him dead on arrival.

On 7 February 2005, ACHR filed a complaint with the NHRC but the NHRC failed to send a communication regarding this case. This forced the ACHR to send a Legal Notice to NHRC on 29 April 2008 seeking the status of the complaint, certified copies of all the orders passed, if any, in the said complaint and certified copies of all the documents, if any, received from the perpetrators and / or any other department / authority in relation to the said complaint. However, the NHRC failed to reply.

ACHR was constrained to file a writ petition before the Delhi High Court [WP(C) No 6076/2008 ACHR Vs NHRC]. In its judgement of 8 December 2008, the Delhi High Court, inter alia, ruled,

*"3. Learned counsel for the petitioner does not press these petitions at this stage and seeks liberty to file fresh petition(s), if the need arises."*

#### **Case 9. Custodial torture of Laishram Isho Singh, Manipur**

On the night of 18 May 2003, Laishram Isho Singh, son of Haobam Marak Irom Leikai, Imphal, Manipur was picked up by some plain clothed security personnel from his tailoring shop at Paona Bazar. He was subjected to torture. Apart from being beaten with sticks and hit with rifle butts, he was kicked in the genitals. His rectum was ruptured after the security forces inserted a rod repeatedly into his anus. Mr. Laishram Isho Singh was a former insurgent and now working as a tailor. On 19 May 2003 Laishram Isho Singh was left naked and semi conscious at Hiyangthang on the outskirts of Imphal.

On 2 June 2003 ACHR filed a complaint with the NHRC but the NHRC failed to send any communication to the ACHR. On 29 April 2008, ACHR issued a Legal Notice to the NHRC seeking the status of the complaint, certified copies of all the orders passed, if any, in the said complaint and certified copies of all the documents, if any, received from the perpetrators and / or any other department / authority in relation to the said complaint. However, the NHRC failed to reply.

It was only after ACHR filed a writ petition [WP(C) No 6064/2008 ACHR Vs NHRC] before the Delhi High Court that the NHRC agreed to make ACHR a party to the Case No. 8/14/2003-2004-PF which was registered by the NHRC on the basis of a complaint filed by Yambem Laba regarding the torture of Laishram Isho Singh. The NHRC's letter dated 5<sup>th</sup> December 2008 stated, *"Further it is informed that as the matter had already been registered as Case No. 8/14/2003-2004-PF, your complaint dated 3.6.2003 on the same incident had been added to the concerned file."*

In its judgement of 8 December 2008, the Delhi High Court, inter alia, ruled,

*“3. Learned counsel for the petitioner does not press these petitions at this stage and seeks liberty to file fresh petition(s), if the need arises.”*

**Case 10. Torture and arrest of tribals in Kalinganar, Orissa**

On 9 May 2005, a tussle between the police and the local tribals occurred at the foundation-laying ceremony of a private steel company, Maharashtra Seamless Steel Company at Kalinganagar in Jajpur district of Orissa. The tribals had reportedly gathered there to demand “appropriate” compensation from the district authorities for their land acquired by the government and protested non-payment of dues by the government. The police allegedly beat them up and chased them away. The police inflicted serious injury on some of the protestors. Except the children and those who could not walk, the tribals escaped to the nearby jungles and hills. The tribals had not access to food and water and the police prevented from returning to their homes. In the meantime a number of children died of starvation in the village waiting the return of their parents. These included: one-year old Jema, d/o Mrs. Jin gi Kalundai of Gadapur and three year old Raul, s/o Mrs. Sumitra Kalundai. Two tribal adults who were in hiding died starvation.

On 16 May 2005, the police arrested 26 tribals including 25 women. Some of the women were reportedly in advanced stage of pregnancy. The police also registered cases against 300 tribals for allegedly attacking police officials.

On 27 May 2005, ACHR filed a complaint with the NHRC but the NHRC failed to send any communication to the ACHR regarding this case. On 29 April 2008, ACHR sent a Legal Notice seeking present status of the said complaint, certified copies of all the orders passed, if any, in the said complaint and certified copies of all the documents, if any, received from the perpetrators and / or any other department / authority in relation to the said complaint. However, the NHRC failed to reply.

It was only after ACHR filed a petition [WP(C) No 6081/2008 ACHR Vs NHRC] before the Delhi High Court that the NHRC agreed to make ACHR a party to the Case No. 131/18/2005-2006 which has been clubbed with Case No. 248/18/2005-2006 and Case No. 616/18/2005-2006. The NHRC’s letter dated 5<sup>th</sup> December 2008 stated, “Further it is informed that since the matter has already been registered as Case No. 131/18/2005-2006 and therefore, your complaints dated 27.5.2005 and 31.1.2006 on the same incident was also placed in the concerned File.”

In its judgement of 8 December 2008, the Delhi High Court, inter alia, ruled,

*“3. Learned counsel for the petitioner does not press these petitions at this stage and seeks liberty to file fresh petition(s), if the need arises.”*

**Case 11. Killing of 12 tribals in Kalinganagar, Orissa in police firing**

On 2 January 2006, at least 12 tribals were killed in police firing when hundreds of tribals gathered to protest land acquisition by the state government for a proposed Tata Steel project at Kalinga Nagar, Orissa. Some of the tribals who were killed have been identified as Sudam Barla of Belahari village and Gobinda Laguri and Jangha Jarika of Bamiagotha village, Lantu dehuri, Mukuta Dehuri of Gobarghati village.

On 3 January 2006, ACHR filed a complaint with the NHRC. The NHRC failed to send any communication to the ACHR with regard to this complaint. On 29 April 2008, ACHR served a Legal Notice to the NHRC seeking the status of the complaint, certified copies of all the orders passed, if any, in the said complaint and certified copies of all the documents, if any, received from the perpetrators and / or any other department / authority in relation to the said complaint. However, the NHRC failed to reply.

It was only after ACHR filed a writ petition before the Delhi High Court [WP(C) No 6071/2008 ACHR Vs NHRC] that the NHRC agreed to make ACHR a party to the Case No. 131/18/2005-2006 which has been clubbed with Case No. 248/18/2005-2006 and Case No. 616/18/2005-2006. The NHRC's letter dated 5<sup>th</sup> December 2008 stated, "Further it is informed that since the matter has already been registered as Case No. 131/18/2005-2006 and therefore, your complaints dated 27.5.2005 and 31.1.2006 on the same incident was also placed in the concerned File."

In its judgement of 8 December 2008, the Delhi High Court, inter alia, ruled,

*"3. Learned counsel for the petitioner does not press these petitions at this stage and seeks liberty to file fresh petition(s), if the need arises."*

**Case 12. Custodial death of tribal youth, Irpha Sitaiah, Andhra Pradesh**

In January 2005, a tribal youth named Irpha Sitaiah (28) of Kurnapalli village died in the police custody at Charla police in Khammam district of Andhra Pradesh. The victim was picked up with another tribal youth following information about a cockfight being held in the area. The police reportedly wanted to more information on the cockfight and its organizers. In the course of interrogation in the police station, Irpha Sitaiah apparently lost consciousness. The police immediately rushed him to the primary health centre at Satyanarayanapuram where he was given first aid before transferring him to the government hospital at Bhadrachalam where he died.

On 14 January 2005, ACHR filed a complaint with the NHRC but the NHRC failed to send any communication with regard to the case. On 29 April 2008, ACHR served a Legal Notice to the NHRC seeking present status of the said

complaint, certified copies of all the orders passed, if any, in the said complaint and certified copies of all the documents, if any, received from the perpetrators and/or any other department/authority in relation to the complaint. The NHRC failed to reply.

It was only after ACHR filed a writ petition [WP(C) No 6067/2008 ACHR Vs NHRC] before the Delhi High Court that the NHRC agreed to make ACHR a party to the Case No. 824/1/2004-2005-CD which was registered on the basis of an intimation dated 17 January 2005 received from District Magistrate, Khammam district, Andhra Pradesh in respect to the custodial death of Irpha Sitaiiah. In his letter to the ACHR dated 4<sup>th</sup> December 2008, E. I. Malekar, Deputy Registrar (Law), NHRC has stated, "I am further to state that no fresh case was registered on your complaint dated 14.01.05 as the Commission had already taken cognizance of the incident mentioned by you in your said complaint. Hence, your complaint was also placed in the concerned file i.e. 824/1/2004-2005-CD."

In its judgement of 8 December 2008, the Delhi High Court, inter alia, ruled,

*"3. Learned counsel for the petitioner does not press these petitions at this stage and seeks liberty to file fresh petition(s), if the need arises."*

#### **D. Failure to verify the post mortem reports**

Proper post mortem reports are critical to the evidence of allegations of torture. The NHRC on 10 August 1995 issued comprehensive instructions to all the States and Union Territories for mandatory post mortem reports to be videod with effect from 1 October 1995. The NHRC's order stated – *"The Commission would like that all postmortem examinations done in respect of deaths in police custody and in jails should be video-filmed and cassettes be sent to the Commission along with the post-mortem report."*

In another letter dated 27 March 1997 to the Chief Ministers/ Administrators of all States/ Union Territories, the NHRC sent a "Model Post-Mortem Report form" and "Additional Inquest Procedure". Further the NHRC stated:

*"A number of instances have come to the Commission's notice where the post-mortem reports appear to be doctored as a result of influence/pressure to protect the interest of the police/jail officials. In some cases it was found that the post-mortem examination was not carried out properly and in others, inordinate delays in their writing or collecting. As there is hardly any outside independent evidence in cases of custodial violence, the fate of the cases would depend entirely on the observations recorded and the opinion given by the doctor in the post-mortem report. If post-mortem examination is not thoroughly done or manipulated to suit vested interests, then the offender cannot be brought to book and this would result in travesty of justice and serious violation of human rights in custody would*

*go on with impunity. With a view to preventing such frauds, the Commission recommended to all the States to video-film the post-mortem examination and send the cassettes to the Commission.”*

Subsequently, on 21 December 2001, the NHRC further clarified that videograph of post mortem would be required in all cases of police custody deaths, while for judicial custody deaths it would be required only in cases where the inquest by the Magistrate raised some suspicion or foul play.

The States/ UT authorities have been sending video-films of post mortem report of custodial death victims.

But NHRC for its part has failed to verify most of the post mortem video-films sent to it by the concerned authorities.

According to the information accessed by Director of Asian Centre for Human Rights under the Right to Information Act, 2005 the NHRC has a total of 3,497 video cassettes of post mortem record as on 31 December 2008 “after weeding out of old records” but out of these only 345 cassettes have been examined by an independent panel of medical experts. Obviously, a total of 3,152 post mortem video-films or 90% of the total video films sent to the NHRC have not been examined by independent experts. This has prevented delivery of speedy justice to the next of kin of the victim.

In effect, the NHRC has failed to address torture by failing to verify the post mortem records in cases of custodial death.

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## 9. Scrutiny by the United Nations

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The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr Manfred Nowak in his report (A/HRC/10/44 of 14 January 2009) to the UN Human Rights Council stated that between September and November 2008, he had renewed requests for invitations from the various States including India (1993). The Rapporteur further reported that the following cases of torture (A/HRC/10/44/Add.4 of 17 February 2009) were transmitted to the government of India.

"81. India 01/02/08 JAL SUMX; **Raju Roy**, aged about 35.

On 11 December 2007, he was arrested by plain-clothed personnel of the Railway Protection Force in Santragachi, Howrah. At the time of arrest the officers did not present an arrest warrant, or inform the family. The next day Mr. Roy's family was informed that he was seriously ill and was sent to the Howrah District Correctional Centre. When they went to visit him, Mr. Roy was unable to speak, stand on his feet or walk. On 14 December at 1.35 a.m., Mr. Roy died after being transferred to the Medical College and Hospital, Kolkata. On 17 December, representatives of the correctional centre asked the widow to sign a letter indicating that he had been unwell before his detention and that his death was not related to his detention, which she refused. On 19 December, the body with injuries and marks that might stem from torture or ill-treatment was handed over to Mr. Roy's family. The autopsy was conducted by a magistrate under the authority of the executive branch, who was not independent from the Railway Protection Force, and therefore lacks credibility.

82. 31/03/08 AL TOR **Motahir Ali Tapadar**, aged 38, Kalain village, Assam.

On 20 September 2007, he was arrested in connection with a complaint against him by a neighbouring family. He was taken into custody at Kalain Patrol Post under Katigora Police Station. On the evening of his arrest, Mr. Tapadar's wife went to visit him at the police post and arrived to find several police officers beating, abusing and humiliating her husband. When she protested, she was beaten and kicked as well. On the next morning, before being taken to court, Mr. Tapadar's wife sought his release, and the sub-inspector demanded Rupees (Rs.) 10,000. He threatened that he would kill him otherwise. The sub-inspector started to beat and kick Mr. Tapadar in full public view. When the latter's condition began to deteriorate, he was taken to the Kalain Primary Health Centre. Mr. Tapadar died at about 1.30 p.m.

83. 29/07/08 JAL SUMX; TOR **S. M.**, aged about 14, resident in Delhi, Muslim.

On 24 December 2007 S. M. had come from Delhi, where he lived, to Harharpur to celebrate Eid Festival with his family. When he returned from a meeting with his mother across the border at around 11.45 pm, he was killed by Border Security Force (BSF) officers near Madhupur Bridge, Police Station-Bagdah,

District-North 24 Parganas. The assistant Commandant of BSF of 37 BD, B.S.F. explained the death of S. M. indicating that B.S.F jawans fired on a group of about five or six persons who crossed the border and did not obey their order to stop. However, while three deep penetrating injuries were noticed on S. M's chest, no bullet injury was detected on the dead body. The police of Bagdah Police Station launched an investigation into the unnatural death (case no 86/2007). However, according to the sub-inspector of Bagdah Police Station, a criminal case was also initiated against the deceased victim, S. M. (Bagdah Police Station case no 303; General Diary Entry no. 1661/07 dated 25 December 2007 under sections 143/186/353/447/506/427 of the Indian Penal Code on the basis of the complaint lodged by the Assistant Commandant). The case against S. M. is based on a complaint lodged by BSF and indicates that the body of the victim was recovered by the BSF on 24 December 2007 at about 11.45 p.m. and handed over to the police on 25 December 2007 at about 8.45 a.m., which clearly indicates that the body of the victim remained with the BSF for several hours. The complaint alleges that B.S.F. Jawan of 37 Battalion of C-Company constable, N.H. Boro (Constable no 05128115), when being attacked by four or five persons on the night of 24 December 2007, opened fire on them and later recovered a dead body from the place of the incident which was situated about 250 meters from the international border near Border Point No. 49/2/s. Later the unknown body was identified as the body of S. M. by local people. The complaint lodged by the BSF also alleges that on the night of the incident a wire cutter, 100 Bangladesh taka and a Daw (Sharp cutting weapon) were recovered from the place of incident. S. M. was described as aged 20 in the complaint whereas the father of the deceased victim disclosed his age as 14. The charges against him related to offences like criminal trespass, preventing public officers from doing their duty and assaulting public officers, participating in an unlawful assembly, criminal intimidation etc. The relatives of the deceased have not received a post-mortem report yet. Given that the body was with the BSF from about midnight until almost 9 a.m. and the type of injuries on the dead body, it is feared that S. M. died following ill-treatment in custody.

**84. 05/09/08 JAL FRDX; SUMX; TOR Excessive use of force by the security forces in confronting demonstrations in Jammu and Kashmir.**

Since June 2008, protests have increased in Jammu and Kashmir. The demonstrations began after a state government decision on 26 May 2008, to transfer 100 acres of land to a Hindu trust (the Amarnath Shrine Board) to build temporary shelters during an annual Hindu pilgrimage. Once the decision became public in June, Muslim Kashmiris started protesting against the land transfer. The decision to transfer the land was revoked on 1 July, fuelling counter protests from Hindu Kashmiris calling for the reinstatement of the transfer. During these demonstrations in Jammu, Hindu protesters reportedly obstructed traffic on the Jammu-Panthankot National Highway, the main land route to the Kashmir region. The blockades allegedly led to shortages in essential food and medical supplies in the Kashmir valley. Protesters chanted anti-Indian slogans, burned Indian

flags and effigies of Indian leaders, blocked highways and attacked the security forces with sticks and stones. On 11 August, approximately 100,000 Kashmiris marched toward the Line of Control in protest. Police, military and paramilitary forces responded with bamboo rods, tear gas, rubber bullets and live ammunition, resulting in the deaths of at least ten protestors. On 12 August, at least another 17 protestors and one news cameraman were shot by security forces. On 13 August, the Government allegedly issued an order authorizing state security forces to 'shoot on sight' in response to communal violence in the town of Kishtwar, Doda District. More protestors were shot by state forces in the following days. On 24 August, hundreds of protestors defied a Government imposed curfew and tried to march from Narbal to the Lal Chowk (Red Square) in Srinagar, where a rally was planned on the following day. The Central Reserve Police Force (CRPF) opened fire on the protesters, killing one person. At least eight protestors were killed on the following day, on 25 August, and three on 27 August. According to the allegations we have received, each of these 43 deaths was the result of excessive use of force by state security forces. At least 13 journalists were also reportedly beaten by CRPF officers in Srinagar, on 24 August, as they tried to reach their offices despite the curfew introduced earlier in the day.

85. 16/09/08 JAL SUMX;TOR **Neel Kumar Mondal**, a fisherman and labourer of Char Durgapur village in Murshidabad District, West Bengal.

On 15 April 2008 at about 4 a.m., he was returning home after fishing from Ilsemair damoud near the border between India and Bangladesh. Troops of BSF Battalion No.105, Company A, patrolling in the area arrested him on the suspicion of smuggling. They then beat him with iron rods and boots. One of the BSF soldiers fired at Neel Kumar Mondal and hit him on the back. Neel Kumar Mondal died on the spot. The BSF soldiers tied his legs with a rope and dragged the body to their out-post. Neighbors and family members of Neel Kumar Mondal who had heard about the incident were not allowed by the BSF to see his body at the outpost. At around 2 p.m. on the same day, the BSF delivered the corpse to Ranitala Police Station. On the basis of complaints filed by the BSF, the police registered case no. 45/08 against Neel Kumar Mondal, charging him under Penal Code sections 186 (obstructing a public servant in the discharge of public functions), 188 (disobedience to an order duly promulgated by a public servant), 353 (assault or criminal force to deter a public servant from the discharge of his duty) and 307 (attempted murder). The police at Ranitala Police Station refused to take any complaint against the BSF from Neel Kumar Mondal's family. On 16 April 2008, Ranitala Police Station delivered the body of Neel Kumar Mondal to Lalbagh Sub-Divisional Hospital in Murshidabad. The corpse was labeled as belonging to an "unidentified" man, although Neel Kumar Mondal's wife and family had identified the body at the Ranitala Police Station. The post mortem report of the Hospital referred to the case as an "unnatural death" case and recorded the deceased as an unidentified man. The family later on received the mortal remains of Neel Kumar Mondal from Ranitala Police Station. **Dwijen Mondal**. On 3 May 2008, he and another man went to the river Padma in Murshidabad district.

Members of the BSF from Bamnabad Camp, Battalion No.90, E Company, who were patrolling the river, apprehended Dwijen Mondal and took him to BSF Out-Post No.3, Point D. The following morning, on 4 May 2008, Dwijen Mondal's family was informed of his detention. His eldest son and two other men went to the BSF Camp. Dwijen Mondal was badly injured and could not sit properly as his legs were tied with chains. As to the causes of his injuries, Dwijen Mondal told his eldest son and the two men that he had been hung from a tree. A witness to Dwijen Mondal's apprehension by the BSF the previous day alleges that he heard someone shouting orders in Hindi: "Shir me mar, shir me mar", which means "strike on the head". At the inquest (see below), it was noticed that there were black, swollen spots on the victim's body, particularly the throat and neck. There were some bruise marks on the legs and some prominent dark spots on the back of the victim. A police officer present at the inquest was of the opinion that these were boot marks, while further broader black marks on the chest of the victim were attributed to the handle of a rifle. On that same morning, in the presence of his son, Dwijen Mondal fell to the ground and died after drinking some water. Around noon of 4 May 2008, police officers from Raninagar Police Station reached BSF Border Out-Post No.3. Their request to see the Entry Book of the Border Out-Post but was refused, and they did not receive answers to their questions from the BSF. Raninagar Police Station registered a case of unnatural death (Unnatural Death Case No.05/08). In the afternoon, inquest proceedings took place at Lalbagh Sub-Divisional Hospital. A relative of Dwijen Mondal was present. At 9.30 p.m. in the evening, a magistrate took the statements of family members. The family were not given copies of the First Information Report (FIR). The post-mortem was carried out on the 5 May 2008. The Disposal Order of Lalbagh Sub-Divisional Hospital does not mention the cause of death. Also, on the evening of 4 May, all the BSF men stationed at Bamnabad BSF Camp were transferred and new BSF stationed at the camp. Senior BSF and police officers have been sending Dwijen Mondal's family 3,000 Indian Rupees (corresponding to 70 USD) and one sack of rice every month, and have pledged to give a job in the BSF to a son of the deceased. The victim's family have withdrawn their case against the BSF, allegedly under the influence of some local political leaders.

**Mofijul Seikh**, a 25-year-old share-cropper of Mohangunj village in Murshidabad District. He died on around 1 to 2 June 2008 in the vicinity of Border Out-Post No. 2 and 3 of the Mohangunj BSF Camp. A bullet fired by a BSF soldier (whose name is on record with the Special Rapporteur) entered his body from the back and exited from the chest. He died on the spot. As to the circumstances in which Mofijul Seikh was lethally shot by the BSF, two differing reports were received. According to one version, he was smuggling cattle from India into Pakistan and failed to stop when BSF soldiers appeared. The other version states that he was trying to prevent cattle smugglers from crossing his fields (to prevent damage to the crop) and was shot by BSF soldiers complicit with the cattle smugglers. The BSF informed the police and on 2 June 2008 the body of the deceased was taken to Raninagar Police Station. During that morning the widow of Mofijul Seikh went to Raninagar Police Station to lodge a written complaint against the

BSF for killing her husband. The officer in charge of the police station refused to accept the complaint. A few hours later, the BSF filed a case against the deceased with Raninagar Police Station (Case No. 118/08). A post mortem examination was carried out at Lalbagh Morgue.

**Sentu Mondal**, aged 19, resident of Chakmathura village in Murshidabad District. He was apprehended by BSF soldiers on 17 June 2008 around 11 p.m., as he was trying to smuggle cattle across the Indian-Bangladeshi border. The BSF soldiers took Sentu Mondal to Out-Post No. 1 of Udaynagar under Singhpara BSF Camp (BSF Battalion 90). There they beat him to death with their fists and rifle butts. Thereafter, BSF soldiers threw his body into the river Padma near Out-Post No. 1. On 19 June 2008, at about 4 p.m. in the evening, the lifeless body of Sentu Mondal surfaced in the river Padma near Out-Post No. 1. Police from Jalangi Police Station came to the spot and sent the body of the victim for autopsy to Berhampore General Hospital (post mortem report no. 562 dated 20 June 2008). Jalangi Police Station registered the death of Sentu Mondal as an unnatural death (Case no. 15/2008). Sentu Mondal's father alleges that the police have failed to take any action against the perpetrators.

**S. M.**, aged 15, from Rajanagar village, Mushidabad District. On 23 July 2008 around noon, he was sitting in front of his family's mud hut by the road side. A constable of BSF Battalion no. 90 approached S. M. and asked him in Hindi about the whereabouts of certain fertilizer smugglers operating in the area. S. M. was unable to reply as he did not speak Hindi. The BSF constable grabbed him and began to beat him. Neighbors heard the cries and tried to intervene to protect S. M., but the BSF constable fired his gun at him. The bullet entered the victim through the left side of the chest and exited through his back. S. M. was rushed to Berhampore New General Hospital, but died there at 3 p.m., before reaching the operating theatre. The police at Raninagar Police Station registered both a case against the BSF filed by S. M.'s mother (Case No. 151/08) and a case against S. M. filed by the filed by the Company Commander of G-Company, BSF Battalion 90. On the following day, 24 July 2008, the post mortem was conducted in the morgue in Berhampore New General Hospital. The post mortem report recorded unnatural death (case no. 521/08). The BSF constable who shot S. M. continues to serve and has not been reprimanded for his actions. **Md. Aptarul Hossain alias Aktarul Jamal** (alias Aktarul Jamal), aged about 21, resident of Baronoberia Biswas Para village, North 24 Parganas District. He was shot in his leg by a BSF constable on 15 February 2008. According to the case filed by the BSF against him (Gaighata Police Station Case no. 54/08), Md. Aptarul Hossain was caught by the BSF as he and two other men were smuggling across the Indian-Bangladeshi border and was shot in the leg as he and his accomplices tried to attack the BSF constable. According to two eye-witnesses (names on record with the Special Rapporteur), however, Md. Aptarul Hossain was approached by a BSF soldier as he was cleaning rice crops in the paddy fields near Out Post no. 2. The BSF soldier asked Md. Aptarul Hossain whether his name was "Akbar". Md. Aptarul Hossain denied and gave his name. The BSF soldier did not believe him and suddenly

fired a round from his rifle at the victim's left leg below the knee. It is also alleged that the documents filed by the BSF in connection with their complaint against Md. Aptarul Hossain (such as the reports concerning his arrest) contain such inconsistencies as to undermine the BSF version of the incident. Md. Aptarul Hossain is currently detained on remand at Dum Dum Central Correctional Home. When he was produced before the Bongaon Court on 24 June 2008, his left leg had lost flexibility due to the insufficient medical treatment given to his wound, which was swelling and releasing fluid. On 8 July 2008, Md. Aptarul Hossain was again produced before the Bongaon Magistrate's Court. The wound was not covered by a bandage but tied with an unhygienic piece of cloth. Md. Aptarul Hossain informed the court that the treatment of his injury was not going well, but was cut short by the Public Prosecutor. Also counsel acting for Md. Aptarul Hossain has repeatedly drawn the court's attention to the insufficiency of the medical treatment.

86. 07/10/08 JUA FRDX; HRD; IJL; TOR

**Kirity Roy**, lawyer and Secretary of Banglar Manabadhikar Suraksha Mancha (MASUM), and State Director of the National Project on Preventing TOR in India (NPPTI) (subject of previously transmitted communications, e.g. A/HRC/4/37/Add.1, paras. 314 and 315; A/HRC/7/28/Add.1, para. 1053, 1057). On 27 September 2008, at approximately 4 p.m., a group of Kolkata Police agents whose identities are known entered the offices of MASUM to search for Mr. Kirity Roy who was not there at the time. They then requested three documents relating to three alleged victims of police TOR who had sworn affidavits for the PTT.

87. 03/11/08 AL TOR

On 9 July 2008, Mr. **Brindaban Sumar** went to purchase some medicines. When he was returning home, Border Security Force (BSF) personnel forced him to load some confiscated goods in his vehicle. The BSF personnel later went to his home and inquired about the quantity of the goods. On 12 July, Mr. Sumar was in his garden when BSF personnel arrived and started to question him. They held him by his collar and started assaulting him with fists and blows. Mr. Sumar fell on the ground and the BSF personnel began to kick him. They then tried to drag Mr. Sumar towards the BSF Camp. The victim's son tried to inform other villagers about the incident, but he was forcibly restrained by BSF personnel. Mr. Sumar was taken to the Banagram Angrail Camp of the 126th Battalion E Company. Once there, he was hung upside down and brutally based on his legs, back and hip with batons. At the time of his release, Mr. Sumar signed a written document, the contents of which were not disclosed to him. On 12 July 2008, the victim's wife filed a complaint at the Gaighata Police Station (GDA No. 670), but the police reportedly did not take any steps. On 15 July 2008, a mass petition was filed before the Sub-Divisional Officer. On 16 July 2008, the victim filed a petition under section 156 (3) of the Criminal Procedure Code before the Additional Chief Judicial Magistrate. The petition was admitted and the Gaighata Police Station

started case no. 276 under sections 342, 325, 326, 307, 379, 506 and 509 of the Indian Penal Code. All original documents regarding Mr. Sumar's medical treatment, as well as other documents were taken away by the police of Gaighata Police Station, allegedly for the purpose of the investigation. However, the police have failed to arrest the perpetrators. The victim had to go to the police station several times to request the initiation of the investigation.

88. Follow-up to earlier cases **M. M. B.** (A/HRC/7/3/Add.1, para. 84).

By letter dated 28/04/08, the Government informed that he was arrested on 21 September 2007 on account of his complicity in a case of theft. All necessary legal formalities were observed in the registration of the case and the arrest of Mr. M. After his arrest, he was examined at N. R. S. Medical College Hospital and no signs of alleged torture were found in the medical examination report. Mr. M. was produced before the Additional Chief Judicial Magistrate within 24 hours of his arrest on 22 September. The court remanded him to police custody until 25 September. There was no allegation of torture made before the court. The court also dismissed the charge of illegal detention from 11 to 20 September. Mr. M. was again produced before the Magistrate on 25 September, who extended the remand until 28 September. The medical examination report during the period of remand did not establish any instance of torture. Mr. M. was released on bail on 28 September. The case is presently subjudice.

89. **Asha Begum** (A/HRC/7/3/Add.1, para. 82) By letter dated 21/07/08, the Government informed that the woman was apprehended by a patrolling party of the Indian Border Security Force (BSF). They were brought to the outpost and a preliminary questioning was conducted in the presence of a female member of the Panchayat (local government). The women were then taken to the Government Hospital, Raninagar, where the Medical Officer carried out an examination and certified that "no external injury is seen". The women were then taken to the police station of Raninagar to be kept in the women's prison cell as there was no such facility available at the BSF outpost. A constable of the BSF was also kept on duty there. The next morning, Ms. Begum complained of sexual harassment by the BSF patrolling party upon which they were immediately taken to the Government Hospital, Raninagar, where the Medical Officer re-issued a medical certificate saying that no external injuries were seen and also referred Ms. Begum to Sadar District Hospital, Berhampore, for further examination. He also endorsed that he had examined the same woman the evening before, at which time she did not complain of a sexual assault. The Medical Officer of Sadar District Hospital carried out an examination and categorically denied the possibility of sexual assault of Ms. Begum. The allegation leveled against the BSF ambush party appears to be false and fabricated. Medical examinations from different hospitals are testimony to the fact. Therefore no First Information Report was lodged by the police against the BSF party. On receipt of a notice from the National Human Rights Commission, a departmental Staff Court of Inquiry was ordered by the Headquarters of BSF, Kolkatta, which is underway."



## Annex: List of Victims of Death in Police Custody from 1<sup>st</sup> April 2001 to 31<sup>st</sup> March 2009

The list of the victims has been obtained from the National Human Rights Commission after filing applications under the Right to Information Act, 2005.

### Andhra Pradesh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	615/1/2001-2002-CD	Managari Virhwanatham		30/12/1998
2	3/1/2001-2002-CD	Ragi Gagulaiah		10/4/2001
3	18/1/2001-2002-CD	K.Raghuram Varma, S/O Sh Kalinch Sitaram Raju	H.No.S-110, Patel Nagar, Sanathnagar	13/04/2001
4	15/1/2001-2002-CD	Syed Khajavali, S/O Hussain Sahib		20/04/2001
5	19/1/2001-2002-CD	Wadde Asanna, S/O Narayan		23/04/2001
6	323/1/2001-2002-CD	Edunuri Ravi @Ramesh, S/O Yelaiah	R/O Vill. Dheramsuyer	7/5/2001
7	180/1/2001-2002-CD	Venthurla Bharkar		10/5/2001
9	406/1/2001-2002-CD	Pandi Thirupathaiiah, S/O Rangaiah	R/O R.R.Bazar	30/05/2001
10	258/1/2001-2002-CD	Pendra Kannaiiah, S/O Laxmaiah		29/06/2001
11	331/1/2001-2002-CD	Ankinaguntasubbarayu, Du S/O Chow- daiah		31/07/2001
12	371/1/2001-2002-CD	K.Srinivasa Kumar @Bab, Ee S/O K.N.V.Mahanthi		17/08/2001
13	405/1/2001-2002-CD	Pradadesi Raghuram, S/O Ramulu		30/08/2001
14	616/1/2001-2002-CD	Tagaram Raju, S/O Venkataiah		30/10/2001
15	583/1/2001-2002-CD	Vanagire Bojjanna, S/O Muthyanna		23/11/2001
16	614/1/2001-2002-CD	Mandappale Kumar, Raju @ Bajji, S/O Subba		3/12/2001
17	613/1/2001-2002-CD	Gundu Markandy, S/O Ramswamay		4/12/2001
18	371/1/2002-2003-CD	Pandi Yadaiah S/O Pandi Ramalu		9/4/2002
19	167/1/2002-2003-CD	Hamali Baikadi Narsimlu, S/O Ananthaiah	Alampally Vikarabad	11/4/2002
20	53/1/2002-2003-CD	Annavarapu Sreedevi	W/O Venkata Rao., Sivsanpuram. Tailur, Mandal	24/04/2002
21	169/1/2002-2003-CD	Nagaraju		22/05/2002
22	330/1/2002-2003-CD	N.Ramachandran Reddy	Village: Bollavaram, Kallur Mandal	25/8/2002
23	391/1/2002-2003-CD	Kakati Rajaiah, S/O Mysaiah	N.A.	23/09/2002
24	390/1/2002-2003-CD	Kakatineshwara Rao	N.A.	23/09/2002
25	574/1/2002-2003-CD	Karidi Ravi Suresh & P.V. S Subha Rao	Atmakur Police Station	1/12/2002
26	613/1/2002-2003-CD	Malide Narsimulyu, S/O Chenaiah	R/O Ibrahim Pallyu, Rajpur	14/01/2003
27	693/1/2002-2003-CD	Mailapalli Satya, Srinivasa Rao, S/O Danaiah	R/O Vill : Kovvuru	2/3/2003
28	4/1/2003-2004-CD	Kodali Raju, S/O Sanjiva Rao	R/O Prodduturu, Vill : Kanki Padu Mandal	19/03/2003
29	52/1/2003-2004-CD	Narshima Raju		22/04/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
30	85/1/2003-2004-CD	Accused, Maneppagori, Chandra Sekhar Alias, Chandra	R/O Narasimhapeta, Chintamani	30/04/2003
31	181/1/2003-2004-CD	Abdul Qayyum, S/O Ahmed Hussain	R/O Sadasivpet	19/06/2003
32	309/1/2003-2004-CD	Peram Krishna, S/O Manikyam, Piduguralla	Vill : Tangeda, Dachehalli Mandal	20/06/2003
33	109/1/2003-2004-CD	Gopula Venkati, S/O Mallaiah Rao	R/O Amsanpalli Village	8/7/2002
34	83/1/2003-2004-CD	Samba Rachappa, Shivappa	H.No.3-6-16 Pattaskeri, Sadasivpeta	26/08/2002
35	346/1/2003-2004-CD	Marripudi Govindamma@Laxmi W/O Koteswar Rao	R/O Alakurupadu, Village Tangutur Mandal	4/9/2003
36	494/1/2003-2004-CD	Charugundla Lakshmi Narayan	S/O Aswarthu, Kistipadu, Village Peddavudugur, Mandal	3/11/2003
37	578/1/2003-2004-CD	Deragula	S/O Galaiah, Vinokonda	5/11/2003
38	242/1/2004-2005-CD	Bogireddy Chandra, Obula Reddy, S/O Bala Obula Reddy	R/O Cuddapah Near, Chapad Village Of Cuddapah Distt.	24/01/2004
39	35/1/2004-2005-CD	Sode Veeraiah, S/O Muthaiah		25/03/2004
40	425/1/2004-2005-CD	M.Bayappa @Bayanna	Prakasham Colony, Naha-sahebpet, Harijanawada, Punganur	18/04/2004
41	241/1/2004-2005-CD	Badavath Sakr, S/O Islu	R/O Lacha Thanda Of Gollacherla, Vill. Dornakat Mandal	19/05/2004
42	424/1/2004-2005-CD	Jaleel, S/O Bandelli	R/O Malkapur, Vill. Ghanpur	25/08/2004
43	587/1/2004-2005-CD	Gangavarapu, Jawahara, S/O Ibrahim	R/O 8th Ward, Christianpet, Sattenpalli	29/10/2004
44	725/1/2004-2005-CD	Ganga Raju Gangaiah	R/O Rampura	22/12/2004
45	824/1/2004-2005-CD	Sri Irpa Seethaiah, S/O Yerraiah	R/O Kurnapally, Vill: Cherla Mandal	11/1/2005
46	820/1/2004-2005-CD	E.Venkatachalapathy, S/O Uthama	Basini Konda Village	13/01/2005
47	821/1/2004-2005-CD	Salapakshi Gopi, S/O Poaiah		19/1/2005
48	819/1/2004-2005-CD	Tadipatri Kummaraeswaraiah	Vill. Akuthotapalli, Anantapur Rural Mandal	28/01/2005
49	886/1/2004-2005-CD	Kadula Tirupathi, S/O Lachaiah		19/02/2005
50	61/1/2005-2006-CD	Itikyala Sampath@, Kummari Sampath, S/O Rajaiah	Damerakunta, Kataram, Mandal	11/4/2005
51	175/1/2005-2006-CD	Guntupalli Maniklanta, S/O Sambasiva Rao	Brahmin Seethaliah, Colony, Vinukonda	28/06/2005
52	210/1/2005-2006-CD	Muntha Narsimha , S/O Yellaiah	R/O Chikkepally, Vill. Pangal Mandal	11/7/2005
53	246/1/2005-2006-CD	Aluru Sanjeeveva	R/O.Vill.Alladupalli,	19/07/2005
54	613/1/2005-2006-CD	Jamana Nagendra Mma D/O Seshiah	Gannavaram, Kesrapalli	13/10/2005
55	523/1/2005-2006-CD	Vallapunagamma	Vadderaguddem, W/O Nagaiah	12/11/2005
56	695/1/2005-2006-CD	SMT.NENAVATH BUJJI Hanuman Temple, W/O Manya	Rangareddy Village Karmaghat, Saroormandal	15/01/2006

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
57	793/1/2005-2006-CD	Kasireddy Naresh S/O Appanna	Koppu Velma, Lelam Krishna Koduru Village, Rambilli(M)	29/01/2006
58	798/1/2005-2006-CD	Degavath Panthulu S/O Palthya	Moodugudicela, Ps Bada Bheemagal Village,	7/3/2006
59	816/12005-2006-CD	Narahari Ramasesha Pavan Kr.		20/3/2006
60	808/1/2005-2006-CD	N. R. S. P. Kumar S/O Veeraiah	Vill.Kanaparthy	20/03/2006
61	1/1/2006-2007-CD	Yandamuri @ Peethani Ramakrishna S/O Suri Babu	Jeedimetla	24/03/2006
62	38/1/2006-2007-CD	Anand Kumar	Tharnaka	27/04/2006
63	304/1/2006-2007-CD	Vadluri Balaiah S/O Sambaiah	Choppadandi Village and Mandal	15/08/2006
64	381/1/2006-2007-CD	Neeredi Anjaneyulu S/O Jangaiah	Nehru Colony,	20/09/2006
65	439/1/2006-2007-CD	Yenda Malleswara Rao S/O Narasiah	Kalinga, Amruthlinga Nel- lore Nagaram Village, Sarbujiili(M),	20/10/2006
66	838/1/7/07-08-PCD	P.Rama Chandra Raju	Bhel No.Narsimhapuram	14/02/2007
67	1093/1/2/07-08-PCD	Prameshwar Reddy	Nallacheruvu Ps Kadiri Rural	26/06/2007
68	366/1/2/07-08-PCD	Parmeshwar Reddy		26/06/2007
69	609/1/14/07-08-PCD	Jujjuri Satyanarayan@ Sathaiah S/O Komaraiah	Thirumalakota Village, Ashwaraopet(M)	3/8/2007
70	1432/1/24/07-08-PCD	Khandevalli Bhaskar Rao S/O John	S.C.Mogallu Village	26/09/2007
71	1257/1/24/07-08-PCD	Gangula Yesu S/O Gotyya	Vill. Jangareddiguen, Mandaljangareddigudem	4/1/2008
72	1424/1/14/07-08-PCD	T.Chandra Narsimulu@ G.Anjireddy S/O Chenchai	Lingasamudram Mandal Village Kelarivaripalem	24/02/2008
73	1511/1/5/07-08-PCD	Penakayala Tataji, S/O Suryanarayana, Murthy	C/O Kapu, Inalavaripalem, H/O, Rajaulapalem (Village), P. Gannavaram Mandal	6/3/2008
74	138/1/7/08-09-PCD	R.Kumara Swamy	R/O Premava Thipet, Rajendranagar, Cybera- bad, Hyderabad, Andhra Pradesh	12/6/2008
75	139/1/14/08-09-PCD	Thambanoni Ramulu	Nalgonda, Andhra Pradesh	21/05/2008
76	249/1/11/08-09-PCD	Shaik Haji Basha	Nandyal, Kurnool, Andhra Pradesh	4/7/2008
77	254/1/21/08-09-PCD	Vanthala Bhaskara	R/O Batchinta Village Of Koyuru, Visakhapatnam, Andhra Pradesh	13/07/2008
78	300/1/18/08-09-PCD	Ibrahim	R/O Siddapur, Sada- sivapet, Medak, Andhra Pradesh	16/07/2008
79	353/1/11/08-09-PCD	K. Narahari@Hari@Babu	Mandikot Kur Circle, Kurnool, Andhra Pradesh	18/08/2008

TORTURE IN INDIA 2008  
A State of Denial

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
80	492/1/6/08-09-PCD	Mekala Shankara	Gandhi Nagar, Guntur In Lalapet L & O P.S., Guntur, Andhra Pradesh	29/09/2008
81	614/1/12/08-09-PCD	B.Srinivas Reddy	Vill. Amkilla, Mandal Kosgi, Andhra Pradesh	14/11/2008
82	737/1/24/08-09-PCD	Mulleti Satyanarayana	Telukula Svnkara, Ped- dayya, Gari Stect, Burm, West Godavari, Andhra Pradesh	16/12/2008
83	743/1/15/08-09-PCD	Mastan Saheb	Maha Laksh Mamma Temple, Street, Dur Pally, Gudur, Nellore , Andhra Pradesh	26/12/2008
84	890/1/15/08-09-PCD	Yesipogu	Chenchul Akshmi Puram Village, Bogole Mandal, Nellore, Andhra Pradesh	12/2/2009
85	976/1/19/08-09-PCD	K.Venkateswarlu	R/O Peddapadu, N/O Kullur V % M, Kurnool, Andhra Pradesh	21/03/2009

## Arunachal Pradesh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	1/2/2001-2002-CD	Rinchin Dawa	Audung, Tawang	8/4/2001
2	33/2/2001-2002-CD	Sorang Yayi W/O Late Sorang Taniya		26/3/2002
3	14/2/2002-2003-CD	Lachi Kaki, S/O Tamin Kaki	Garh Vill. Geusi, Circle In West Siang	5/1/2003
4	24/2/2003-2004-CD	Nagram Taba, S/O Late Nangram, Tajik	Vill. Nangram	1/12/2003
5	25/2/2002-2003-CD	Jalar Haniya, S/O Haniya Tasang	Vill. Haniya, P.O., Tali, P.S. : Biro	5/1/2003
6	12/2/2003-2004-CD	Ngome Nipu, S/O Late Gidu Mipu	Vill : Chitu	29/9/2003
7	14/2/2003-2004-CD	Olik Tayeng, S/O Sri Dede Tayeng	Vill : Loklung, P.O., & P.S. : Dambuk, Lower Dibang Valley	22/10/2003
8	1/2/2005-2006-CD	Soni Kr. Thapa		21/4/2005
9	17/2/2006-2007-CD	Obang Modi, S/O Mangen Modi	Vill. Jarku, Pasighat	11/10/2006
10	1/2/4/08-09-PCD	Bajibo Chakma	Changlang , Arunachal Pradesh	18/04/2008
11	3/2/14/08-09-PCD	Amol Niru	Itanagar , Arunachal Pradesh	29/06/2008

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S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	149/3/2001-2002-CD	La Xman Basfor @ Ju		31/12/2001
2	86/3/2001-2002-CD	Rajesh Engti S/O Late Sarat Engti		14/08/2001
3	120/3/2002-2003-CD	Dibakar Barman S/O Tarani Barman	Vill : Piplibari (Borakhat)	20/10/2001
4	32/3/2001-2002-CD	Unknown Person		8/6/2001
5	44/3/2001-2002-CD	Probin Moran S/O Dambeshwar Moran		13/07/2001
6	55/3/2001-2002-CD	Safai Gueddin Machknowa	F.A Road, Bara Lumukh	18/07/2001
7	63/3/2001-2002-CD	Nagen Sarman @ Krishna S/O Nripen Sarmah		28/07/2001
8	64/3/2001-2002-CD	Madan Rai @ Haloi S/O Late Gajender		28/07/2001
9	83/3/2001-2002-CD	Nagem Sharma @ Krishna S/O Nripen Sharma		28/08/2001
10	118/3/2001-2002-CD	Bibhison Moran		10/11/2001
11	20/3/2002-2003-CD	Manoj Chundi	Vill : Ratan Pur Miri P.S. Jung Rajmukhi Jorhat	3/5/2002
12	165/3/2001-2002-CD	Akan Sharma S/O Late Ramani Sarma		13/01/2002
13	25/3/2002-2003-CD	Devendra Nath Deka	Retd. Police Officer From Meghalaya	13/05/2002
14	152/3/2002-2003-CD	Rabiquel Islam	Roumari Char P.S. Boko	17/11/2002
15	76/3/2002-2003-CD	Abdul Gani	Vill : Larwajan Ps. Chaaygaon	29/07/2002
16	96/3/2002-2003-CD	Mazibul Ali S/O Md. Maina Ali	Kaliapani Muslim Gaon P.S. Teok	20/09/2002
17	42/3/2002-2003-CD	Luhit Keot		11/4/2002
18	68/3/2002-2003-CD	Rupon Mushahary	Serfanguri Bazar	13/07/2002
19	69/3/2002-2003-CD	Md. Saikh Malik	Vill : Tashgour Pachim Asadpur, Ps. Kanti	17/07/2002
20	9/3/2002-2003-CD	Karma Chetry		5/4/2002
21	15/3/2002-2003-CD	Himanshu Nath S/O Chandiram Nilli	Not Given	23/04/2002
22	19/3/2002-2003-CD	Md. Noimuddin Sheikh	Vill : Mohalia Jhar	1/5/2002
23	23/3/2002-2003-CD	Bapan Saha S/O Dilip Saha	Vill: Bhit Agaon Bongaigaon	1/5/2002
24	28/3/2002-2003-CD	Japani Gochit S/O Daya Gochit	Vill : Nanhata P.S. Banarpal	18/05/2002
25	36/3/2002-2003-CD	Rajib Saikia		19/05/2002
26	84/3/2001-2002-CD	Madan Rai @ Halot S/O Gajendra Nath		28/08/2002
27	1/3/2003-2004-CD	Abbash Li S/O Lt. Abdul	Subhan Of Vill : Batomari, Police Station Bordowa	28/03/2003
28	11/3/2003-2004-CD	Md. Abbash Ali S/O Late Abdul Subhan	Village-Batomari, PS-Bardowa	28/03/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
29	61/3/2003-2004-CD	Abdul Salam, Mohd. Khalil & Mohd. Haibur Rahman		20/08/2003
30	111/3/2003-2004-CD	Nitai Sarkar S/O Sh. Gajendra Sarkar	No.1, Chariali P.O. Raikashbari Tezpur	7/11/2003
31	149/3/2003-2004-CD	Pukhan @ Bijoy Barua S/O Indeswar Phukan	Vill : Namoni Changmaigaon Ps: Moranhat	29/12/2003
32	204/3/2003-2004-CD	Bhabesh Deka S/O Late Keshab Deka	R/O Dispur	10/3/2004
33	30/3/2004-2005-AF	Protul Daimari	Vill. Naoherua Ps Mazbat	18/03/2004
34	29/3/2004-2005-CD	Dipak Dutta @ Gogoi		25/04/2004
35	77/3/2004-2005-CD	Radheswar Kungkai S/O Lt. Guneswar Kungkai	Ulukunchi	20/08/2004
36	92/3/2004-2005-PF	Khunoura Goyari	Vill. Naridhanga Bijay Nagar	26/09/2004
37	138/3/2004-2005-CD	Prakash Barman		24/01/2005
38	63/3/2005-2006-CD	Manoj	Buregohain	6/7/2005
39	98/3/2005-2006-CD	Dipak Sonowal S/O Rameshwar Sonowal	Pathanpatty	13/09/2005
40	145/3/2005-2006-CD	Parama Das S/O Buddheswar Das	Loukhata Saderisupa Village Patachakuchi Ps	18/12/2005
41	163/3/2005-2006-CD	Kamakhya Gupta	Old D.C. Bunglow Dibrugarh	15/01/2006
42	170/3/2005-2006-AF	Ajit Mahanta @ Kandura	R/O. Dipak V Village Kakopathar	5/2/2006
43	176/3/2005-2006-CD	Narayan Baishya S/O Sarat Baishya	No.1 Bhutia Sang Ps Paneri	23/02/2006
44	178/3/2005-2006-CD	Jalaluddin Kehutoli	Dolohat Op Laluk Ps	25/02/2006
45	180/3/2005-2006-CD	Dibakarkahta Kalita S/O Late Narayan Kalita	Vill. Ulabori	25/02/2006
46	1/3/2006-2007-CD	Rohiteshwar Sonowal S/O Akon Sonowal	Vill. Taroni, Rajgarh	19/03/2006
47	6/3/2006-2007-CD	Md. Mozzal Ali S/O Md. Riazuddin	Changalimari Salbari Barpeta Road Ps	1/3/2006
48	7/3/2006-2007-CD	Amrit Teron S/O Sikari Teron	Vill. Ronghang Basti Arlongfarla, Ps Diphu	25/04/2006
49	12/3/2006-2007-CD	Puspa Bora @ Sanchar Chetia (Ulfa Man)	Vill. Nalbari Ps Udalguri Distt, Udalguri	14/05/2006
50	15/3/2006-2007-CD	Unidentified Man		22/05/2006
51	32/3/2006-2007-CD	Shyambah Bosente Chetry S/O Dalbah. Bosenete	Vill : Chetry Borpaknepali Gaon	24/06/2006
52	33/3/2006-2007-CD	Sadek Ali S/O Late Habezuddin	Paharpur, Katuli Village, Baghbor Ps	19/07/2006
53	66/3/2006-2007-CD	Rohit Basumatary S/O Late Haren Basumatary	Vill. Gelabill Tengla Gaon Udalguri	25/08/2006
54	14/3/22/07-08-PCD	Mohd. Mujibur Rahman S/O Lt. Jabaksha	Vill. Azarbagan Ps Kachua	25/03/2007

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
55	60/3/22/07-08-PCD	Unknown Person		9/5/2007
56	72/3/8/07-08-PCD	Longki Engti @Longki S/O Late Samsingh Engti	Matikhola, Dekhola Engtigaon Ps Howraghat	16/07/2007
57	73/3/8/07-08-PCD	Longki Engti S/O Lt. Sam Singh Engti	Matikhola, Dekhola Engtigaon, Under Dokmoka Op Howraghat	16/07/2007
58	91/3/22/07-08-PCD	Papu Saikia @ Manash Saikia S/O Sri Laksi Saikai	Ulutoni Goan Fukating Ps	4/8/2007
59	110/3/24/07-08-PCD	Nirmoti Roy @ Niru W/O Late Karuna Ray @ Sukhnar	Vill. Dolaigaon	3/9/2007
60	123/3/6/07-08-PCD	Sonush Ali		25/08/2007
61	130/3/2/07-08-PCD	Motahir Ali S/O Lt. Akkaddas Ali		21/09/2007
62	129/3/17/07-08-PCD	Sathilal Singh @ Bhula S/O Late Ramashish Saiki	Makum Road, Ps	22/09/2007
63	161/3/18/07-08-PCD	Rajendra Nath Das S/O Lt. Nabin Chandra Das	Vill. Saderichupa Mushalpur, Ps Barbari	26/10/2007
64	163/3/17/07-08-PCD	Joy Kt. Moran S/O Late Haru Moran	Kapahtoli Gaon Kakopathar Ps Along	12/11/2007
65	25/3/7/08-09-PCD	Moina Chutia	Bhogamukh Police Sta- tion, Jorhat, Assam	25/04/2008
66	35/3/5/08-09-PCD	Diganta Moran	R/O Bishnupur, Doom- dooma, Tinsukhia , Assam	4/6/2008
67	45/3/21/08-09-PCD	Maifur Ali	Hailakandi, Assam	10/6/2008
68	65/3/1/08-09-PCD	Samsum Hoque	R/O 14 Satra Kanara, Ps- Baghbor, Barpeta , Assam	9/7/2008
69	77/3/17/08-09-PCD	Diganta Moran	Vill. Bishnupur, Ps Poomdooma, Tinsukhia , Assam	4/5/2008
70	88/3/5/08-09-PCD	Binod Gogoi	Erapathargaon, Bhadoi Panchalai P.S. Duliajan, Dibrugarh , Assam	14/08/2008
71	126/3/1/08-09-PCD	Uttam Bharali	Vill. Kootkuchi P.S. Barpeta, Assam	30/09/2008
72	139/3/7/08-09-PCD	Raju Dey	Jorhat, Assam	29/10/2008
73	24/3/8/08-09-AF	John Sangma	Vill. Bhelapur, Raitha- langso Ps, Kabri Anglong , Assam	30/04/2008
74	83/3/16/08-09-AF	Baguram Bhatari	R/O Vill. No.2, Christian Basti, P.S. Jamuguri, Sonitpur , Assam	9/8/2008

## Bihar

S. No.	NHRC File No.	Name of The Victim	Victim's Address	Date of incident
1	644/4/2001-2002-CD	Anil Kumar Pandey		1/6/2001
2	1914/4/2003-2004-CD	Ram Swaroop S/O Late Raghuni Paswan	Vill : Afzalpur P.S. : Kako Pali	6/6/2002
3	770/4/2002-2003-CD	Lal Mohan Mandal S/O Bhuden Mandal	Pureni	7/6/2002
4	2162/4/2002-2003-CD	Chandu Khan S/O Ajmal Khan	Basavaria P.S. Betia City	13/10/2002
5	1178/4/2002-2003-CD	Mukesh Kumar	Bajurai Ps. Manjhu	13/07/2002
6	147/4/2002-2003-CD	Mohd. Kasim S/O Hamif Mian		16/04/2002
7	173/4/2003-2004-CD	Late Sakal Paswas S/O Hivharah Paswan	Vill : Shahbajur Ps. Kanti	24/04/2003
8	332/4/2003-2004-CD	Lolan Sah S/O Kailash Sah	Sakin-Saroshher P.S. : Dinara	14/05/2003
9	1504/4/2003-2004-CD	Nandu Chauhan @ Vikram	Firing Gola P.S. : Kishanganj	30/8/2003
10	1849/4/2003-2004-CD	Mukhi Choudhary S/O Late Rupa Choudhary	Sakin-Dharamparsa P.S. : Manjhagarh	27/08/2003
11	3052/4/2003-2004-CD	Amit Kumar S/O Yogendra	P.S. : Kankar Bagh	8/11/2003
12	2684/4/2003-2004-CD	Md. Anyarul Nadaf S/O Badri Nadaf	Sakin-Bhaldi P.S. : Bathnaha	3/11/2003
13	174/4/2003-2004-CD	Soni Kumari @ Nagina	D/O Chote Khan	11/4/2003
14	201/4/2003-2004-CD	Accused, Ranjit Ram S/O Shivji Ram	Sakin-Saidpur Ps-Dighwara	6/5/2003
15	1276/4/2004-2005-CD	Vijay Pandey S/O Rajnandan Pandey	Vill : Aabad Ganj Daltanganj	2/7/2004
16	1714/4/2004-2005-CD	Numan S/O Shamsher	At. Baghwa Tola Ps. Sadar (Muffasil)	22/08/2004
17	1600/4/2006-2007-CD	Anili Devi	R/O Bakarpur Duanni Tola	9/10/2005
18	3627/4/2004-2005-CD	Rajendra Kumar S/O Ramesh Das	Vill. Pachayana Ps. Koewar	1/2/2005
19	363/4/2005-2006-CD	Ashok Goswami @ Baijnath Paswan		23/04/2005
20	1760/4/2006-2007-CD	Fursat Singh S/O Late Ratan Singh	Vill : Arjanipur P.S. : M.H. Nagar	24/07/2006
21	3318/4/3/07-08-PCD	Tribhuvan Paswan S/O Lalsa Paswan	R/O Tarkulhi Village Ps. Khoravar	12/7/2006
22	825/4/21/07-08-PCD	Baldev Mandal S/O Late Lakhnan Mandal	Vill : Sherma Ps : Rahika	15/05/2007
23	917/4/26/07-08-PCD	Baleswar Yadav S/O Late Mohan Yadav	Khagdipur Ps. : Dhanurwa	27/05/2007

S. No.	NHRC File No.	Name of The Victim	Victim's Address	Date of incident
24	2921/4/36/07-08-PCD	Ashok Shah S/O Ram Autar Shah	Vill : Basantpur Ps : Runisaidpur	5/10/2007
25	3442/4/26/07-08-PCD	Ram Dayal S/O Ramashish Rai	Vill : Rakabganj Ps Malsalami	20/11/2007
26	3453/4/36/07-08-PCD	Sh. Bikau Sahni	C.P.M. Leader Runni Saidpur Anchal, Ps Dumra	4/10/2007
27	1538/4/26/07-08-PCD	Baleshwar Prasad		27/05/2007
28	474/4/37/08-09-PCD	Chand Kureshi	Tajpur Basahi, Ps Janta Bazar, Siwan, Bihar	9/5/2008
29	520/4/39/08-09-PCD	Fekan Pandit	Shekhopur Vil- lage, Dhadua, Ps Bhagawanpur, Vaishali (Hajipur), Bihar	15/05/2008
30	1539/4/5/08-09-PCD	Gauri Kumari	Bhagalpur, Bhagalpur , Bihar	25/05/2008
31	1789/4/26/08-09-PCD	Kanhaiya Mahto	Badal Pura, P.S. Teghra, Begusarai, Bihar	14/08/2008
32	1808/4/19/08-09-PCD	Pintu Singh	Jetpur, P.S. Bahadiya, Lakhisarai, Bihar	19/08/2008

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## Chandigarh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	58/27/2004-2005-CD	Satish Kumar Jindal	R/O 2158-B, Sector 41 - C,	11/10/2004
2	53/27/0/07-08-PCD	Anil Kumar	H. No. 136, Block No. 1, Colony No. 4	11/7/2007
3	37/27/0/08-09-PCD	Inderjit	R/O Jhuggi No. 228, F-Block, Colony No. 4, Chandigarh	28/07/2008

## Chhattisgarh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	250/33/2001-2002-CD	Sheru Khan S/O Subhalan		11/11/2001
2	4/33/2001-2002-CD	Verendra Kumar	Vill. Dhardal, PS Shivgi Narayan	11/4/2001
3	13/33/2001-2002-CD	Vijay @ Chhatkan S/O Parsuram		30/04/2001
4	262/33/2001-2002-CD	Shiv Kumar S/O Kashi Ram		8/9/2001
5	68/33/2002-2003-CD	Baldau Kaushik S/O Bhadoo	Vill. Hathleva	23/05/2002
6	11/33/2002-2003-CD	Bhagwanta Sahu S/O Dhelu Sahu		8/4/2002
7	219/33/2002-2003-CD	Sahani Kewat S/O Nanhu Kewat	Vill. Manikpur, PS : Saria Sarangarh	11/10/2002
8	118/33/2003-2004-CD	Ballu @ Suhklal S/O Sukhi Ram Sen	R/O Chandan, Ps- Kasdol	24/6/2003
9	286/33/2003-2004-CD	Ramkumar S/O Shukrawar Singh	Kharaduvan, Ps Pali	9/11/2003
10	123/33/2004-2005-CD	Ram Kumar Dhruw S/O Shri Jagtu Ram Dhruw	Vill. Bhalesur, PS. Suhela	13/8/2004
11	190/33/2004-2005-CD	Bannu Satnami @ Nandwa Satnami	R/O Vuill. Sonda, P.P. Pandatrai, Ps. Kunda	6/10/2004
12	193/33/2004-2005-CD	Santosh S/O Gendu Ram Sahu	R.O Vill. Kosmandi. PS. Palari	14/10/2004
13	240/33/2004-2005-CD	Suresh Kumar Sindhe S/O Jawala Prasad Sindhe	Vill- Damis, P.S Pali	19/11/2004
14	70/33/2004-2005-CD	Rajesh Yadav S/O Milan Yadav	R/O Shyam Bazar, Arang	7/6/2004
15	170/33/2005-2006-CD	Yashvant S/O Agarsai Satnami	Sakin Sendhri, PS Baradwar	7/8/2005
16	298/33/2005-2006-CD	Ghasia S/O Rathia	Urba(Tamnar)	4/10/2005
17	121/33/2006-2007-CD	Km.Ultra D/O BINDERAM Satnami	Vill. Dhourabata, PS Dongargaon	22/06/2006
18	120/33/2006-2007-CD	Kanti Kumar Yadav S/O Dharuram Yadav	Vill. Kharod. PS Shivrinarayan	30/06/2006
19	118/33/2006-2007-CD	Mantir S/O Hiralal Verma	Ruvantala Rajnandgaon	31/5/2006
20	155/33/1/07-08-PCD	Dilaram Bada@ Diler Bada S/O Lati Ram	Vill. Hurue, PS Manpur	25/04/2007
21	487/33/11/07-08-PCD	Dhanraj Singh @ Ramdhan S/O Sh. Amrit Gound	Vill. Chandera. PS Bhaiyathan	3/10/2007
22	66/33/2/08-09-PCD	Tejnath	Mahamai Para, Ratanpur, Bilaspur, Chhattisgarh	6/5/2008
23	426/33/3/08-09-PF	Nanda Mandavi	Dantewada , Chhattisgarh	10/1/2009

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## Dadra & Nagar Haveli

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	6/28/0/08-09-Pcd	Raghu Soma	Bhurkhud Faliya, Silvassa, Dadar & Nagar Haveli , Dadra & Nagar Haveli	22/02/2009

## Delhi

S. No.	NHRC File No.	Name Of The Victim	Victim's Address	Date of incident
1	2906/30/2001-2002-CD	Saka Ram S/O Unknown		17/12/2001
2	2029/30/2001-2002-CD	Jakir S/O Sattar		13/9/2001
3	525/30/2001-2002-CD	Zakeer S/O Surajmal	Na	12/5/2001
4	676/30/2001-2002-CD	Satte		23/5/2001
5	945/30/2001-2002-CD	Lalit Mohan S/O Sh. Andn Janmola	R/O House No.764, Sector -6,R.K.Puram	16/6/2001
6	2603/30/2002-2003-CD	Sh. Kedar Habeeb El Ketifi S/O Abas	R/O E-11/42,Hauz Rani Malviya Nagar	28/10/2002
7	2966/30/2002-2003-CD	Kishore S/O Kanhai Charan	R/O J.J. Colony, Tigri, Sangam Vihar	20/12/2002
8	201/30/2003-2004-CD	Ravinder Kr.Malik @ Ravi Kr. @ Uma Kant	S/O Mina Malik R/O Vill: Govindpur, P.S.: Sanera	11/4/2003
9	787/30/2003-2004-CD	Gopal Dass S/O Late Sh. Chunn Lal	R/O 28/40, West Patel Nagar	20/06/2003
10	2388/30/2003-2004-CD	Sushil Kumar S/O Suraj Bhan	A-146, J.J. Colony Medipur, Punjabi Bagh	21/10/2003
11	609/30/2004-2005-CD	Nandu		11/5/2004
12	1273/30-2004-2005-CD	Parmod S/O Kirshan Bihari	Vill. Tevla, Ps Taal Gaon	5/7/2004
13	5060/30/2004-2005-CD	Kishan Singh Tanwar S/O Ram Nath	R/O 19/23, Sarai Basti, Sarai Rohilla	17/03/2005
14	3032/30/2005-2006-CD	Sh. Mohammad Ziyauddin S/O Abdul Bariq	1017/7, Near Radhey Shyam Mandir	25/11/2005
15	4242/30/2004-2005-CD	Sanjay Gupta S/O Sh. R.K. Gupta	476,Chandralok Road, Mandavali	21/1/2005
16	5061/30/2004-2005-CD	Parmeshwar Dayal	Na	15/3/2005
17	2345/30/2005-2006-CD	Sunil S/O Rajender	Jhuggi No.18, Village Bharola,Near Azadpur Subzi Mandi	13/9/2005
18	3842/30/2005-2006-CD	Ms. Babli W/O Ramesh Singh	Na	23/1/2006
19	1975/30/2006-2007-CD	Vikram @ Sanu S/O Surender Singh	H, No. 239, Village Mundka	21/8/2006
20	2316/30/2006-2007-CD	Mahindra S/O Nanak Chand	D-725, J, Colony, Madipur	16/9/2006
21	2585/30/2006-2007-CD	Inder @ Bangali Sh.Tara Chand	17/331,Trilolpuri,	6/10/2006
22	895/30/6/07-08-PCD	Hafiz Kalamuddin	R/O Police Chowky Prem Gali, Ps- Sultanpuri,	23/4/2007
23	5604/30/07-08-PCD	Bangali Deshi Illegal Migrant Gaysuddin	Bangaladesh	25/12/2007
24	5828/30/0/07-08/PCD	Tek Chand @ Titoo S/O Rohtas	R/O H.No.C-215, Madiur, J.J. Colony, New Delhi	30/8/2007
25	5982/30/8/07-08-PCD	Vicky S/O Prakash	Vill. Jharera, Ps Delhi Cantt.	12/3/2008

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## Goa

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	7/5/2005-2006-CD	Prashant @ Ashqui Naik	Near Mpt Ground Baina, Vasco	13/06/2005

## Gujarat

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	7/6/2001-2002-CD	Ravat Bhura Solanki		1/4/2001
2	216/6/2001-2002-CD	Pravin @ Punia Ranbhai Mahida	R/O Timbi	22/05/2001
3	282/6/2001-2002-CD	Rajesh Rambhau	R/O At Wadi Nagpur	19/06/2001
4	334/6/2001-2002-CD	Jayavant @ Jagdish @ Jago S/O Kanti Lal Bhut Patel		3/7/2001
5	408/6/2001-2002-CD	Michrabhaj Singh Bhai Gamit		1/8/2001
6	866/6/2001-2002-CD	Hirji @ Hirabhai Dheranshibhai		22/11/2001
7	957/6/2001-2002-CD	Arif Raza Khan		7/12/2001
8	981/6/2001-2002-CD	Govindrao Laxmanrao Marudker	B/12 New Duplex, Bunglow, B/N Haripura Housing Mani Nagar	21/12/2001
9	442/6/2002-2003-CD	Mahesh Bhai Chandu Bhai Tadvi	N.A.	1/3/2002
10	152/6/2002-2003-CD	Hemendra Gajendra Bhatiya		4/6/2002
11	238/6/2002-2003-CD	Magan Bhai Havabhai Devi Pujak	Rajkot Gidc Anand Nagar, Ring Road Mafatiya Para, Dhar	18/07/2002
12	147/6/2002-2003-CD	Daya Bhai Baludhbhai Vaghale		28/05/2002
13	150/6/2002-2003-CD	Kakabhai Lakhabha		25/05/2002
14	335/6/2002-2003-CD	Smt. Lalitben	Vill : Manada, Ta.-Meghraj Sabarkantha	24/09/2002
15	452/6/2002-2003-CD	Samir Khan Sarfaraj Khan	N.A.	22/10/2002
16	489/6/2002-2003-CD	Bhimabhai Jokhabhai Bhabhor	Vill : Paddi Kachla Faliya, TQ Garbada	11/11/2002
17	507/6/2002-2003-CD	Ahmed Khan Mehmood Khan		15/11/2002
18	572/6/2002-2003-CD	Ali Sheikh S/O Satto Sheikh	Junagarh Teh. Umarket, Sindh Pakistan	1/1/2003
19	586/6/2002-2003-CD	Saburbhai Bharthabhai	R/O Vill : Kegora Tehamirgarh	17/01/2003
20	624/6/2002-2003-CD	Makanji Bodaliya Gamit	Kerai, Parasi Streat Tasongadh	19/01/2003
21	643/6/2002-2003-CD	Mohammed Riaz @ Lalo S/O Sh. Badruddin Shaikh	Jogahi Mata Temple	27/01/2003
22	654/6/2002-2003-CD	Sh. Gondu @ Jay Bahgwan Randhir Singh Dhanak	R/O Dhanak	30/1/2003
23	719/6/2002-2003-CD	Arjun Shakru Hatila	R/O Nani Ghehalor Jambuva	28/02/2003
24	10/6/2003-2004-CD	Arjun Kanji Visnoi	R/O Kukameda, Ta.-Bhinmal	29/03/2003
25	746/6/2002-2003-CD	Anil Bipin Mishra	R/O Harpur Dakhan Thana-Raghnunath	11/3/2003
26	97/6/2003-2004-CD	Naajibhai Gagabhali Bhil	R/O At + Post-Mangrol Tehtharaad	22/04/2003
27	229/6/2003-2004-CD	Raziya	R/O Post-Mithi Sindh Prant	12/5/2003
28	249/6/2003-2004-CD	Tej Sing Chikhligar	R/O Akllkua Shikh Street	24/05/2003
29	258/6/2003-2004-CD	Jamnadas @ Govindbhai Nakrani	R/O A/53, Tirupati-Ap Jalaram Society,	7/6/2003
30	310/6/2003-2004-CD	S/O Zamil Luhar Bavari S/O Panchu Mahanti	District Pakistan	17/06/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
31	783/6/2003-2004-CD	Prisoner Jasubhai Bhimsinh Parmar	Kachchal Tal. Mahemdabad	21/06/2003
32	636/6/2003-2004-CD	Khanmamad Umar Rayma	R/O Rojan, Diplo, Mithi	20/07/2003
33	369/6/2003-2004-CD	Arunraj Rajendra Prasad Kushwaha		24/07/2003
34	362/6/2003-2004-CD	Girishji Kanaji Thakore	R/O Mansa Malan Vaas Tq-Mansa	30/07/2003
35	364/6/2003-2004-CD	Haribhai @ Dasti Muriidhar	Sadhanany, R/O Rf Block No. 141/1 A, Near Dr. H.V. Sandhnani Hospital Thakkarbapanagar	2/8/2003
36	537/6/2003-2004-CD	Amar Singh Wagheri	Subjail Chota Udaipur	10/9/2003
37	639/6/2003-2004-CD	Dr. Santosh Shetty	R/O Shri Krupa Hospital U. Patel Road, Kandivalli (W)	4/10/2003
38	653/6/2003-2004-CD	Manjulaben S/O Kishorbhai Koli	R/O Khodiyapara, Near Bhagwatipara, Rajkot	14/10/2003
39	655/6/2003-2004-CD	Ravi @ Dinesha Kaniyalal Jagmola		21/10/2003
40	616/6/2003-2004-CD	Mahesh Tejabhai Degada	R/O Gondai Darwaja Jetpur City	22/10/2003
41	685/6/2003-2004-CD	Mansukhbhai Narsi Sonariya S/O Narsibhai Sonariya	Vanand Sheri Mangool, Tk-Mangool	1/11/2003
42	686/6/2003-2004-CD	Vallabhbai Purshottambhai Kumhar	R/O Harsurpur Devalia Village, P.S. : Lathi	3/11/2003
43	928/6/2004-2005-CD	Gunvant Bhai Rathod	Suratizapa Bardoli	12/11/2003
44	1075/6/2003-2004-CD	Mahesh Dipak Ghadwani		22/01/2004
45	1228/6/2003-2004-CD	Surajmani Yadav	R/O Vishwanathpur Dehat, Kotwali (P.S.)	2/3/2004
46	118/6/2004-2005-CD	Hamirbhai @ Babus		22/03/2004
47	259/6/2004-2005-CD	Aakash Mohanlal Bajaj	R/O Bhetan, Siddharth Nagar, Zupadpatti Taluka	7/5/2004
48	307/6/2004-2005-CD	Kantilal Vallbhbai Talaviya	Nikolgam Road, New Shivangi Society Bapunagar, House No. 201	27/05/2004
49	310/6/2004-2005-CD	Royal Umar Sama		31/05/2004
50				
51	684/6/2004-2005-CD	Mohanbhai Ramjibhai Ahir	Fatehpur, Ta. Padhari	14/07/2004
52	566/6/2004-2005-CD	Jagdish Ishwarbhai Darji	Kohinoor Complex Visnagar	22/07/2004
53	637/6/2004-2005-CD	Kashyap Harpalsingh Dhaka	R/O Vill.Dhikoli, Taluka Khedka, Bagpat (Up) President Address Khanna Nagar Loni Gaziabad (Up)	14/08/2004
54	747/6/2004-2005-CD	Meraman Vaghabhai Koli	Santeshwar Society Near Ramdev Pir Temple Joshipura	20/08/2004
55	697/6/2004-2005-CD	Raju S/O Narubhai Bhabhor	R/O Althangam, Surat	5/9/2004

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
56	1025/6/2004-2005-CD	Girish Kumar Maneklal Parikh	R/O Patadi Near Post Office	11/12/2004
57	1069/6/2004-2005-CD	Mohd. Amin Mohd. Salim Shaikh	R/O House No. 319, Sector 2, Makdumnagar Near Bibi Talav, Vatva Ahemdabad City	3/3/2005
58	40/6/2005-2006-CD	Rajeshwar @ Mintu S/O Shrilaxman	Hiranand Pandey R/O Chinakothi, Near Karma Press, Lodhipur	6/4/2005
59	41/6/2005-2006-CD	Unknown Accused	Not Mentioned	5/4/2005
60	126/6/2005-2006-CD	Pratap @ Vikram Nathbhai		18/06/2005
61	145/6/2005-2006-CD	Ghanshyam Lalchand Dasani	Room No. 91, Swad Quarters, Harni Road	3/7/2005
62	240/6/2005-2006-CD	Penubhai S/O Panglabhai Vahoniya	Panam Taluka-Dhanpur	10/9/2005
63	254/6/2005-2006-CD	Sureshbhai Dalpatbhai		16/09/2005
64	253/6/2005-2006-CD	Sedhajizahuji Thakor	Nagalpur Talouka	18/09/2005
65	261/6/2005-2006-CD	Manubhai Kalabhai Vaghela	Gir Shobha Vadala, Ta, Vishvadar	3/10/2005
66	314/6/2005-2006-CD	Arjun Bhai Dalsukh Bhai, Vasava	Vill. Navagam Tanandod	19/10/2005
67	903/6/2004-2005-CD	Sanjay Kumar @ Sanju @ Rahul S/O Shardaprasad Chau	R/O Vill. Pavan Thana Puramufti, Tehsil Chayal	26/11/2004
68	915/6/2004-2005-CD	Jivabhai Rambhai Bhoi	Vinol Ta, Sojitra	4/12/2004
69	960/6/2004-2005-CD	Bhima Manda Mer	R/O Miti Village	29/12/2004
70	60/6/2005-2006-CD	Accused Kanubhai Chunilal, Panchal	Vill. Sevalia Ps. Thasra, Nadiad	17/05/2005
71	121/6/2005-2006-CD	Hemant @ Naresh Manshukhbhai Jariwala	Navapura Golwad Bhathinipath	10/6/2005
72	201/6/2005-2006-CD	Rafiqsha @ Bapudi Momadsha Fakir S/O Mohd. Anadsha	R/O. Dharagadh Bhonvad	18/07/2005
73	321/6/2005-2006-CD	Lt. Penu Bhai		1/9/2005
74	133/6/2006-2007-CD	Prakashbhai Dhansukhbhai Macchi		13/09/2005
75	341/6/2005-2006-CD	Vijay Bhai @ Pravinbhai Keshavbhai Jitiya	Gundarana, Taluka Mahuva, Availing From Hajipur, Taluka Talaja	3/10/2005
76	258/6/16/07-08-PCD	Arun Bhai Dalsukh Bhai	C/O Kanji Bhai L. Tadvi	19/10/2005
77	320/6/2005-2006-CD	Savji Bhai Kalubhai Makwana	Sihor	26/10/2005
78	350/6/2005-2006-CD	Jitendra Kartilal Patel	Chanasma Town	5/12/2005
79	394/6/2005-2006-CD	Ramesh Bhai Vasava S/O Motibhai Vasava	Lalmatodi Village Netrang, Valia	8/12/2005
80	618/6/2005-2006-CD	Sitaben W/O Ashok Bhai	Chunavadi, Ta. Vyara	9/12/2005
81	416/6/2005-2006-CD	Bijal Bhai Balabhai Makwana	Maninagar, Ta Sayarkundala	22/12/2005
82	527/6/2005-2006-CD	Jhangirshaik Mohamad Shiak	Lavaria Flat, At Taluka	18/01/2006

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
83	34/6/2006-2007-CD	Sidhik Deva Chhuchhiya	Ps Mandvi	4/4/2006
84	73/6/2006-2007-CD	Ramtusingh Dipsinh Zala	Sundalpara Tal. Umreth	12/5/2006
85	420/6/2006-2007-CD	Pravin Babu Devipujarak	Ps Sachivalaya	13/09/2006
86	419/6/2006-2007-CD	Valabha Arjan Solanki	Ps Savarkindla	13/09/2006
87	567/6/2006-2007-CD	Harishbhai Naranbhai Rathod Rana	1050/96, Shivanandnagar Amraivadi	9/11/2006
88	718/6/2006-2007-CD	Mohammadbhai Mula Abdullahusen Malvi		31/01/2007
89	52/6/3/07-08-CD	Rajnikant Jashbhai Kachhiya Patel	Anand	16/03/2007
90	1905/6/10/07-08-PCD	Savashiji Lilaji Thakor		28/03/2007
91	94/6/23/07-08-PCD	Ravindra @ Kunna Vipra Shetti	Near Asha Pan Shop Punitnagar, Pandeshra	16/04/2007
92	151/6/23/07-08-PCD	Meghraj Gangaram Patil S/O Gangaram Patil	Karada Khumansinh's Ta. Palsana	16/04/2007
93	245/6/25/07-08-PCD	Shamalbhai Chandubhai Tadv	Pipalsath Village, Ta Samkheda	17/05/2007
94	309/6/25/07-08-PCD	Kormabhai Dungerebhai S/O Gurjibhai Dungerebhai	Sankadibari Village Ja. Naswadi	9/8/2007
95	360/6/15/07-08-PCD	Bhupendra Singh Parmar S/O Gopalsinh Parmar	Vadiwada Village, Tah Jetpur	6/9/2007
96	449/6/12/07-08-PCD	Devu @ Devdo Ramesh Solanki	Rafatiya Para, Veraval Against Vijlo Harijan Jago	25/10/2007
97	469/6/1/07-08-PCD	Rajusing Sohan Sing Thakor	R/O (:Pt-G. Gopal Nagar Nr. Vasoya Estate	18/11/2007
98	486/6/28/07-08-PCD	Hasta Bhai	Post Takhuva	27/11/2007
99	1898/6/11/07-08-PCD	Dharmendra S/O Atmaran Agrawal	Rameshwar Nagar Gayatri Nagar Street No. 2	17/01/2008
100	1476/6/16/07-08-PCD	Balkabhai Vikrambhai S/O Vikram Duganbhai Vasava	Chapad Village Ta Nandod	12/2/2008
101	1895/6/12/07-08-PCD	Muljibhai Dungebhai		3/2/2008
102	1903/6/14/07-08-PCD	Jadav @ Jayant Premji Bhai Chhabadiya	Vill. Rampur, Vekka Taluka Mandvi	1/10/2008
103	237/6/4/08-09-PCD	Rupabhai	R/O Post Rabgar, (Torania), Teh. Danta , Banaskantha/Palanpur , Gujarat	14/04/2008
104	395/6/3/08-09-PCD	Chandubhai Ram Singh	Kasor Ta Umreth, Anand , Gujarat	9/5/2008
105	411/6/21/08-09-PCD	Sanjay	Rajkot , Gujarat	20/05/2008
106	678/6/23/08-09-PCD	Rafiqbhai Gulam Ali	H.No. 4/19, Pakhaliwad Zapa Bazar, Near Hajuri Chamber, Surat, Gujarat	14/06/2008
107	1473/6/1/08-09-PCD	Kalimuddin	R/O H.No. 332, Momnavad, Mangal Parekh Khancho, Shahpur, Ahmedabad , Gujarat	3/8/2008
108	1481/6/26/08-09-PCD	Rameshbhai	Umarsadi Machiwad Custom Street Ta Pardi, Valsad , Gujarat	9/4/2008
109	1570/6/2/08-09-PCD	Nanku Alias Nanu	Chavand, Under Lathi Police Station, Amreli , Gujarat	19/08/2008

TORTURE IN INDIA 2009

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
110	1912/6/9/08-09-PCD	Dipak Bhai Navnit	Dhadhela, Ta. Limkheda, Dohad , Gujarat	14/08/2008
111	2262/6/1/08-09-PCD	Vijay Sunder Lal	B/10, Govt. Society Navrang Pura, Ahmedabad , Gujarat	24/11/2008
112	2396/6/24/08-09-PCD	Bhaila Bhai Bakor	At. Gola Gamadi Ta. Sankheda, Vadodara (Baroda) , Gujarat	21/12/2008
113	2786/6/6/08-09-PCD	Nanubhai Laxman	Vill- Sa- Desar, Taluk- Una, Junagarh , GujaRat	17/12/2008

## Haryana

S. No.	NHRC File No.	Name of The Victim	Victim's Address	Date of incident
1	798/7/2001-2002-CD	Amar Nath, S/O Keso Ram		31-7-2001
2	1377/7/2001-2002-CD	Mohinder Singh	R/O Dharoti Khara, Ps Ucharga	4/9/2001
3	2367/7/2001-2002-CD	Naresh S/O Umed Singh	Rojhuwawas, Ps., Rohrai	7/2/2002
4	458/7/2002-2003-CD	Jay Pal S/O Dharam Singh	Vill. Behrana, Ps. Beri	6/6/2002
5	500/7/2002-2003-CD	Malkiat Singh S/O Sunder Singh	Kaler, Ps City Taran Taran	11/6/2002
6	541/7/2002-2003-CD	Naresh Kumar S/O Krishan Chand	Wahra, Ps. Kundu	23-3-2002
7	678/7/2002-2003-CD	Sukhpal		2/7/2002
8	249/7/2002-2003-CD	Vijay Kumar S/O Sh. Moti Ram	Vill: bhawad, Teh- Gohana	3/5/2002
9	2433/7/2002-2003-CD	Sunil Dutt S/O Sh. Brij Mohan	R/O 1074, Sector-19,	11/3/2003
10	2007/7/2003-2004-CD	Utp Devraj S/O Lakhiram	Rankoli, Ps Bond Kalan	3/12/2003
11	1256/7/2003-2004-CD	Jagphool Singh S/O Sh. Man Singh	R/O Garhi Chhaju, P.S. Samkha	26-8-2003
12	589/7/2004-2005-CD	Sheo Chand S/O Ram Singh Nayak	R/O Vill. Dulet Police Station Bhuna	13-6-2004
13	1241/7/2004-2005-CD	Sanjay S/O Pala Ram	R/O Railway Colony Gharaunda	27-8-2004
14	642/7/2005-2006-CD	Chhaju Ram S/O Ram Ram Sarup Jat	R/O. Vill. Mankawas P.S. Sdr. Dadri	14-7-2005
15	1584/7/2005-2006-CD	Grumail Singh S/O Shingara Singh	Vill. Megha Majra, Teh. Pehowa,	13-5-2005
16	148/7/2005-2006-CD	Vinod @ Baba S/O Shri Nafe Singh	Vill- Sardhana, Ps. Ganaur	6/4/2005
17	2866/7/2005-2006-CD	Khalid S/O Jamil Ahmed	Jamalpur Colony, W. No. 18 Near, Civil Hospital Loni	20-1-2006
18	2638/7/2006-2007-CD	Bhagwat S/O Sh. Jiya Lal	Dinod Gate,	20-12-2006
19	550/7/2006-2007-CD	Sanjay Tyagi S/O Onkar Tyagi	Vill. Basi, Ps Moti Nagar	17-5-2006
20	154/7/3/07-08-PCD	Kale Singh S/O Harnam Singh	Maari	27-2-2007
21	1985/7/3/07-08-PCD	Sh. Tarun Rana		18-5-2007
22	2777/7/14/07-08-PCD	Jogi Ram	R/O Shahabad	17-12-2007
23	894/7/5/07-08-PCD	Chandgi Ram S/O Chandu Lal	Inchhapuri	11/6/2007
24	1593/7/9/07-08-PCD	Virender Singh S Hawa Singh Balmiki	Manana	13-8-2007
25	1771/7/10/07-08-PCD	Bhuwan Dutt S/O Ganga Dutt		3/9/2007
26	189/7/3/07-08-PCD	Rohtash S/O Partap	Vill. Banchari Ps Hodal	17-04-2007

TORTURE IN INDIA 2009

S. No.	NHRC File No.	Name of The Victim	Victim's Address	Date of incident
27	342/7/11/08-09-PCD	Sunil @ Gogi	Pehowa, Ps City Thanesar, Kurukeshtra , Haryana	9/5/2008
28	608/7/6/08-09-PCD	Uday Singh	R/O Panihar Chak, Hissar, Haryana	24/06/2008
29	1850/7/17/08-09-PCD	Rahul	House No. 196/7, Thansingh Nagar Karol Bagh, New Delhi	27/09/2008
30	2817/7/18/08-09-PCD	Sunita	Vill- Kagdana, Ps- N.S. Chopta, Sirsa, Haryana	9/1/2009
31	3270/7/2/08-09-PCD	Udey Singh	Vill- Paluwas, Bhiwani, Haryana	11/3/2009

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## Himachal Pradesh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	76/8/2001-2002-CD	Suchha Singh		20/9/2001
2	81/8/4/07-08-PCD	Virender Kumar S/O Bangali Ram	Baidee Teh. & Distt	3/10/2007

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**Jammu & Kashmir**

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	14/9/2006-2007-AF	Mohd. Iqbal		21/10/2001
2	16/9/14/07-08-AF	Zenab Begum W/O Mohd. Sadiq & Family		4/4/2003
3	49/9/2005-2006-AF	Ghulam Ali S/O Nazar Khanji	R/O Dugga, Teh. Doda	2/8/2005
4	84/9/3/07-08-AF	5 Persons	Baramulla	10/10/2005
5	67/9/2005-2006-CD	Mushtaq Ahmad S/O Gulam Qadir Batt	Baboor (Ghat) Teh.	27/08/2005
6	9/9/2/07-08-AF	Mohammed Maqbool	N.A.	20/10/2006
7	25/9/4/07-08-PCD	Reshi Kumar S/O Sh. Phulial Singh	Vill. Deviki Teh.	24/04/2007
8	51/9/13/07-08-PCD	Mohd. Yaseen Gattoo S/O Late Mohd. Yousuf Gattoo	Baranpather Batmaloo	9/6/2007
9	204/9/5/07-08-PCD	Om Prakash S/O Beliram	Ward No. 7, Vijaypur Ps Vijaypur	9/2/2008

## Jharkhand

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	847/34/2001-2002-CD	Rajan Rajwar	Janania, PS. Jasidih	28/9/2001
2	155/34/2001-2002-CD	Idreesh Ansari S/O Shansul Haque		6/5/2001
3	260/34/2001-2002-CD	Raghu Mahto W/O Sh. Sukhlal Mahto	R/O Khijri, Namkun	10/4/2001
4	313/34/2001-2002-CD	Janardan Mahto	Not Given	15/6/2001
5	33/34/2002-2003-CD	Karlik Uraon S/O Bandhna Uraon		9/4/2002
6	223/34/2003-2004-CD	Gurupado Gope S/O Suku Gope	Vill. Nutandih, Chandankyari,	2/7/2003
7	1082/34/2003-2004-CD	Azad Ahmed @ Papa S/O Naseen Haider	Sakin-Bagansahi Main Road No.7, Cross Road No.3, PS. Azad Nagar (Mango)	15/12/2003
8	1182/34/2002-2003-CD	Mohd. Sayum Mirza	Badkitand, Maheshmunda, Thana-Mandey	13/1/2003
9	1301/34/2002-2003-CD	Uday Prasad Sahu S/O Joy Ram Sahu	Vill: gamharia, P.S : Arki	7/2/2003
10	1382/34/2002-2003-CD	Soharahi Munda S/O Jitwahan Munda	Vill: paharbangru, P.S: bharno	3/3/2003
11	1418/34/2002-2003-CD	Upendra Mahli	Sukumar, P.S : Kudu	7/3/2003
12	113/34/2003-2004-CD	Shamim Ansari S/O Late Hanif Ansari	Sakin-Lahainjara, P.S: Sisai	12/5/2003
13	328/34/2004-2005-CD	Mustaq Ansari S/O Amruddin Ansari,	Vill. Basila, PS Ratu	12/3/2004
14	428/34/2004-2005-CD	Kishore Chauhan @ Yugul Chauhan		1/7/2004
15	874/34/2004-2005-CD	Mohd. Shamim S/O Mohd. Tofiq Khan	Vill. Roshanchak, PS Mohanpur	2/10/2004
16	967/34/2004-2005-CD	Godro Lohar S/O Damodar Lohar	R/O Burujal, PS. Mufasil	18/10/2004
17	1264/34/2004-2005-CD	Unidentified Accused	Jamshedpur	9/2/2005
18	1020/34/2005-2006-CD	Ali Hussain @ Karu S/O Maula Baksh	Matiyari, Thana Paljori	16/11/2005
19	168/34/2005-2006-CD	Chotu Nayak S/O Basant Nayak	Ramchandrapura, PS Ghatsheela,	7/5/2005
20	760/34/2005-2006-CD	Basu Dev Yadav		14/9/2005
21	1210/34/2005-2006-CD	Manraj Tirkey S/O Phool Chand	Nagar Bokaro, PS Sector-12, Bs, PS	1/1/2006
22	2/34/2006-2007-CD	Haru De S/O Ramu De	Niche Bazar, Ps Chandankiyari	27/03/2006
23	165/34/2006-2007-CD	Ramavtar Sharma	Vill. Behibadhi, PS Balihari	6/4/2006
24	1076/34/2006-2007-CD	Shiv Kumar Singh S/O Late Gaya Singh	Village Semardah, PS Bihiyan	25/10/2006
25	1330/34/16/07-08-PCD	Suraj Mahto	Dundhu, Thana Khabari	25/10/2007
26	1544/34/11/07-08-PCD	Mahendra Rajak S/O Gyani Rajak	Vill. Laskari, PS Barhi	9/2/2007
27	1609/34/6/07-08-PCD	Vijoy Sona @ Vijay Mukhi S/O Nidhi Mukhi	Ps Kadama, B.H. Area, Road No.1, Near Koyal (Coal) Tal	28/02/2008

TORTURE IN INDIA 2009

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S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
28	490/34/8/08-09-PCD	Rajesh Ray	Pochari, Muraidih, PS - Baraura Dhanbad, Jharkhand	7/7/2008
29	1521/34/16/08-09-PCD	Nirmal Munda	Hesalpiri, PS - Budhamu, Ranchi, Jharkhand	6/3/2009

## Karnataka

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	6/10/2001-2002-CD	Maruthi S/O Vishwanath		17/04/2001
2	113/10/2001-2002-CD	Suresha S/O Yuvaraja		3/7/2001
3	132/10/2001-2002-CD	Sanjay Baburao		22/07/2001
4	167/10/2001-2002-CD	Padmanabha @ Pannala Dattatreya Revankar	R/O Radhakrishna Marg Gourishankar Nivas, H.No. 41, Hindwadi, Belgaum	3/8/2001
5	377/10/2001-2002-CD	Rama	R/O Seethapnra	7/11/2001
6	537/10/2001-2002-CD	Natraja		14/12/2001
7	538/10/2001-2002-CD	Muniraju @ Miniya		14/12/2001
8	424/10/2001-2002-CD	Murugeshen S/O Kotraiah		8/12/2001
9	464/10/2002-2003-CD	Late Jagdish S/O Sh. Rajappa	R/O Kothur	28/12/2002
10	539/10/2001-2002-CD	David Anthony Paul	C/O Eranai Alex Fernandes H. No. 09, B Madras Street Camp	16/01/2002
11	34/10/2002-2003-CD	Hanumantha @ Mukya S/O Eramma		7/4/2002
12	267/10/2002-2003-CD	Kanna	N.A.	14/09/2002
13	268/10/2002-2003-CD	Aruna	N.A.	14/09/2002
14	375/10/2002-2003-CD	Shivappa Sabanna Agadi		2/11/2002
15	382/10/2002-2003-CD	Siddique	R/O Hassan	8/11/2002
16	383/10/2002-2003-CD	Sri Kanteppa		18/08/2002
17	431/10/2002-2003-CD	Nagappa S/O Kenehappana Madappa	R/O Vill : Kundur, Taluk Malavalli	1/12/2002
18	437/10/2002-2003-CD	Suresh Yelgordappa Desai, & 4 Others	Jorapuret	8/12/2002
19	327/10/2002-2003-CD	Vasatha Kumar S/O Basaura	Vill : Jabagenabally Arasikere, Hassan	4/10/2002
20	432/10/2002-2003-CD	Basappa Mariyappa Kuri	R/O Amminbhavi	29/11/2002
21	473/10/2002-2003-CD	Ramesh S/O Sh. Chikka Borappa	R/O Khassbagalu Doddabalapura	10/1/2003
22	202/10/2003-2004-CD	Rangaswamy @ Jutta @ Ranga S/O Gurudappa	Uleguddanahalli Near Nelamangala	28/08/2003
23	472/10/2002-2003-CD	Narayanswamy	R/O Chinthamani	10/1/2003
24	516/10/2002-2003-CD	Mohammed Shamsuddin Shaikh S/O Shamsuddin	R/O Damal, District : Islampur	15/02/2003
25	126/10/2003-2004-CD	Narayanappa S/O Narasappa	Soolanayakana Halli, Y.N. Hosakote Hobel, Pavagada	15/07/2003
26	303/10/2003-2004-CD	Yenkamma W/O Ramu	Bapu Nagar, Gulbarga	26/10/2003
27	652/10/2003-2004-CD	Mehaboob Sab S/O Bandisab	Chicken Merchant Gutahalli, Pavagada Town	17/03/2004
28	46/10/2004-2005-CD	Jambanna @ Jambuga S/O Channabasappa		9/4/2004
29	181/10/2004-2005-CD	Dhanajaya	Gnana Bharathi Police Station	21/07/2004

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
30	225/10/2004-2005-CD	Srimant Kalappa Kalagi S/O Bhimappa Harijan	Ps. Kolar	10/8/2004
31	74/10/2004-2005-CD	Narshima Reddy @ Sreenivasa Reddy @ Shekar	Vill. Ananthpura Distt. A.P.	3/5/2004
32	95/10/2004-2005-CD	Rangappa @ Gangadhar S/O Anjanappa	Maripadagu Village Gowribidanur Taluk Kolar Distt.	1/6/2004
33	180/10/2004-2005-CD	Srimant Kalappa Kalagi	Balooti Vill. Tq B Bagewadi	10/8/2004
34	299/10/2004-2005-CD	Muniappa		9/10/2004
35	329/10/2004-2005-CD	Shamanna S/O Karilingappa	Jalihai Camp	3/11/2004
36	439/10/2004-2005-CD	Veerabasaih Muchakandimath	Ramdurg Town	9/2/2005
37	22/10/2005-2006-CD	Yesu @ George S/O Late Sagairaj	No. 3, Papegowda Street, Akkithimmanahalli Shanthinagar	26/04/2005
38	31/10/2005-2006-CD	Abdul Raouf S/O Abdul Khadar	Krishna Reddy Layout Arakere Gate Bannarghatta Road	9/5/2005
39	217/10/2005-2006-CD	Abdul Hameed S/O Babu	Shampur Road Tannery Road	25/08/2005
40	295/10/2005-2006-CD	Hanamanth S/O Shivappa Yalakeri	Ganga Nagar, Shahpur	15/10/2005
41	37/10/2006-2007-CD	Jakir Basha S/O Sayyed Hussien		17/05/2005
42	476/10/2005-2006-CD	Siddappa		17/02/2006
43	9/10/2006-2007-CD	Naripe Singh Mathu S/O Sukhdev Singh Mathu	Kaklali Village Tq. Nabba	30/03/2006
44	50/10/2006-2007-CD	Shanku @ Shankar S/O Malku Ram, S/O Manikrao	Bharath S/O Rangarao Village Bhalki	4/5/2006
45	240/10/2006-2007-CD	Govinda Dandiba Pimple S/O Deviman Pimple	Barnevari Village Ivanthoor Taluk	19/03/2006
46	258/10/2006-2007-CD	Sandeep @ Deepu S/O Kodanda		16/10/2006
47	402/10/2006-2007-CD	Sajjid S/O Jainvul Abiddin Upkar	Ambur	29/11/2006
48	405/10/2006-2007-CD	Athik @ Sudhir @ Bullet @ Sudhir @ Ravi		19/12/2006
49	433/10/2006-2007-CD	Prasad Kondapalli		24/01/2007
50	29/10/3/07-08-PCD	Neela @ Leelavathi & Mallikarjuna		24/03/2007
51	105/10/2/07-08-PCD	Amar @ Raju S/O Govind Ujagaonkar	T.V. Centre Jadhav Nagar	23/05/2007
52	958/10/10/07-08-PCD	Girish	Vill. Bengeri	4/9/2007
53	1068/10/2/07-08-PCD	Pravin Tanaji Rao Shintre	Deepak Galli, Old Gandhi Nagar	6/9/2007
54	173/10/18/08-09-PCD	Subraya Achary	Mudalakatte, Kundapura Taluk, Udupi, Karnataka	3/7/2008
55	686/10/14/08-09-PCD	Dhananjay	Sri Ranga Patna Town, Mandya, Karnataka	24/02/2009

## Kerala

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	193/11/2001-2002-CD	Varghese S/O Rajendran		11/7/2001
2	100/11/2001-2002-CD	Ashokan S/O Kunju	Mulekuzhy House, Voleerkara, Puthancurez	7/8/2001
3	183/11/2001-2002-CD	Gopakumaran Nair @ Pattani Gopan, S/O Sreedharan	Moolayail Kattakkalil, Vadakkummkara Veedu	22/12/2001
4	17/11/2002-2003-CD	Ganga Dharan S/O,Pysa	Kappithothathi House, Ambedli Padam	4/5/2002
5	38/11/2002-2003-CD	Balakrishnan S/O Narayanan	Punthala Veedu, Pandalam	11/6/2002
6	165/11/2002-2003-CD	Chandra Babu S/O Sajjan Nair	Kottakkakam Murli, Kallar	10/12/2002
7	180/11/2002-2003-CD	Velayudham S/O Kuttan	Madathil House, Pavaratty Trichur	2/10/2002
8	128/11/2003-2004-CD	Kunjikannan S/O Uneeri		28/6/2003
9	62/11/2003-2004-CD	Mohammed Ali S/O Kunjahammed	Kattikkunel House, Kavunda	28/7/2003
10	84/11/2003-2004-CD	Babu S/O Velayudhan	Mambulliparambill House, Kottayi Desom Kallur	2/9/2003
11	255/11/2003-2004-CD	Hafeel S/O Monu Musaliar	23/04, Veriyamboda	26/02/2004
12	49/11/2004-2005-CD	A.P. Sajeevan S/O Parameawaram	50/04, Ayyappath House , Koddannur	16/5/2004
13	156/11/2004-2005-CD	Shibu S/O Madhavan	Karuvachat House, Kanthippara, Po. Senthannppara	12/10/2004
14	206/11/2004-2005-CD	Sivarajan S/O Kumjan		17/1/2005
15	205/11/2004-2005-CD	Murukan S/O Kunchappan		22/01/2005
16	225/11/2004-2005-CD	Makkar S/O Kunju Mohammed	R/O Chalil House, Eriyad, Kondungallur Taluk	17/2/2005
17	229/11/2004-2005-CD	Jinu S/O Denson		3/3/2005
18	4/11/2005-2006-CD	G.Rajendran S/O Gangadharan	Sujatha Mandiram, Thamarakudy Po, Kottarakkara	6/4/2005
19	158/11/2005-2006-CD	Manojan S/O Nanu	Vottampoilummal House, Thripatoor Amsam, Vilakkotur	9/9/2005
20	91/11/2005-2006-CD	Jose Joshep @ Uncle Jose S/O Joshep	Eitonnill House, Punnakkal, Udumbanchola Amsom Desom,	20/9/2005
21	96/11/2005-2006-CD	Udaya Kumar S/O Purushothaman	TC 21/643, Kunnumpuram, Koozharaannor,Manacaud Village,	28/9/2005
22	142/11/2005-2006-CD	Sasidharan S/O Bhaskaran	Line Niwas, Muttathukonam Chneer Kara Village	20/11/2005

TORTURE IN INDIA 2009

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
23	48/11/2006-2007-CD	Prameswaran S/O Velan	Mariyapadam, Mangalam Dam,	23/7/2006
24	90/11/2006-2007-CD	Saju S/O Kittu	Thazhathe Olikkal House, Chengara, Pattimattam	9/9/2006
25	142/11/2006-2007-CD	Babu Thomas S/O Thomas	Vadakkokunnol, (H), Vannappuram	23/11/2006
26	18/11/5/07-08-PCD	Babu	R/O Vadakekunnellveedu Thachilakkara Vill - Vannappuram	23/11/2006
27	76/11/15/07-08-PCD	Manoj @ Manui		11/7/2007
28	215/11/3/07-08-PCD	Joseph S/O Antony	Palackal House	9/8/2007
29	245/11/1/07-08-PCD	Parteeth S/O Maitheen	Kurinjiikkattu (Padinjarechalil) Pallarimangalam Po, Kothamangalam	11/8/2007
30	440/11/7/07-08-PCD	Sr. Rajappa	Kottappana Ps	24/2/2008

## Madhya Pradesh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	71/12/2001-2002-CD	Madan Bhilala S/O Bhawar Bhilala	R/O Khera Jamnia	27/04/2001
2	441/12/2001-2002-CD	Kunwar Singh S/O Nahar Singh		25/06/2001
3	692/12/2001-2002-CD	Nitin Kumar Lodhi S/O Umed Lal		20/07/2001
4	765/12/2001-2002-CD	Mansingh Bariya S/O Mokam Bariya	R/O Beriya Falia Vill. Madrani Chowki Madarri	11/8/2001
5	1720/12/2001-2002-CD	Tularam Gurjar S/O Gambhir Singh	Vill. Sukand P.S. Gorami	13/12/2001
6	1603/12/2002-2003-CD	Kallu Khan @ Karu S/O Abdul Rehman	R/O Laduna P.S. : Sitamau	3/12/2002
7	244/12/2004-2005-CD	Panchan Singh Godh	Gopalpur Ps, Kharidih	20/07/2003
8	441/12/2003-2004-CD	Khemla S/O Radhu Barela	R/O Gumdiyakhurd Ps-Niwala	15/06/2003
9	2052/12/2003-2004-CD	Sanjay Singh S/O Satyanarain	R/O Saindhwa P.S. : Saindhwa	13/02/2003
10	344/12/2004-2005-CD	Ajay Gupta S/O Sunderlal	R/O Shivrinar, Murar Permanent	9/5/2004
11	2232/12/2003-2004-CD	C.S. Tabur S/O Uday Singh Tabur	S/O Uday Singh Tabur R/O Lalbagh	23/02/2004
12	1669/12/2005-2006-CD	Kamal Singh S/O Bhairo Singh	Gram Isravar The. Gyaraspur	18/10/2005
13	167/12/2005-2006-CD	Akhilesh Tyagi		17/03/2005
14	742/12/2005-2006-CD	Vasu S/O Mammu	New Palacia Harijan Colony	23/07/2005
15	1803/12/2006-2007-CD	Narendra Singh Jat S/O Girdhari Jat	Mali Khedi , Ps Undhel	14/12/2006
16	1043/12/2006-2007-CD	Bhagwan Singh S/O Than Singh Lodhi	Chaturbhatta Ps Surkhi	20/09/2006
17	1787/12/2006-2007-CD	Ramesh S/O Kashiram	Vill. Pipal Chowk Hatod	22/12/2006
18	292/12/2006-2007-CD	Raghubir	Silawto	31/05/2006
19	2383/12/2005-2006-CD	Prabhu S/O Pyara	Morvani	7/3/2006
20	1/12/2006-2007-CD	Vikram S/O Narayan Mehtar		3/3/2006
21	1627/12/2006-2007-CD	K.K. Pillai S/O Kumar Swamy		23/11/2006
22	1896/12/2006-2007-CD	Mahendra Singh S/O Ram Singh Dangi		29/01/2007
23	1939/12/2006-2007-CD	Ramdas S/O Satyaman Patel		21/01/2007
24	1944/12/2006-2007-CD	Munna Lal Yadav S/O Ramdin Yadav	602, Gotu Maharaj Ki Chal, Malwa Mill	15/02/2007
25	27/12/07-08-CD	Chandta Bhan Lodhi S/O Babu Lal Lodhi	Vill. Jamkhedi Ps Piprai	28/02/2007

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
26	1723/12/47/07-08-PCD	Sonu Pardi	NA	26/09/2007
27	1933/12/21/07-08-PCD	Ghanshyam S/O Nanuram	Vill. Khatipura Ps Heeranagar	19/10/2007
28	221/12/23/07-08-PCD	Bharti Bunkar S/O Nathubhai Bunkar	Vill. Sokda, Teh & Ps Morvi	1/4/2007
29	380/12/15/07-08-PCD	Buchra S/O Durgiya	Village Kothda Ps Nalha	5/5/2007
30	1270/12/17/07-08-PCD	Buddha Jatav S/O Khema Jatav		1/8/2007
31	1667/12/32/07-08-PCD	Phool Singh S/O Achhe Lal Lodhi	Vill. Suwana Ps Dharampur	10/7/2007
32	2286/12/20/07-08-PCD	Mohan Singh S/O Gorelal Yadav	Vill. Motol Chowki Lugasi Thana	7/11/2007
33	2488/12/39/07-08-PCD	Hukum Chand Shaky	Near Station Road Infront Of Sarada School	25/01/2008
34	654/12/36/08-09-PCD	Molai Alias Rabid	Amirti, Ps- Gudh Rewa , Madhya Pradesh	24/06/2008
35	761/12/33/08-09-PCD	Pappu Thakur	Vill. Saikheda, Teh. Silwani Raisen , Madhya Pradesh	27/07/2008
36	869/12/24/08-09-PCD	Ajay	Pali, Umaria , Madhya Pradesh	20/08/2008
37	1785/12/8/08-09-PCD	Ram Dayal	Vill- Umred, PS - Suthalia, Rajgarh, Madhya Pradesh	22/12/2008
38	2281/12/10/08-09-PCD	Ramesh Vyas	Khaddi, PS- Gorihar, Chhatarpur , Madhya Pradesh	19/03/2009

## Maharashtra

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	664/13/2001-2002-CD	Hindurao Gynaba Bansade		24/04/2001
2	661/13/2001-2002-CD	Babul Khan @ Ansari S/O Rafiq		13/07/2001
3	4/13/2001-2002-CD	Dilip Gosai		2/4/2001
4	228/13/2001-2002-CD	Vikash Kumar		11/5/2001
5	255/13/2001-2002-CD	Sanjay Pandurang Roharkar	Hatrum	18/05/2001
6	259/13/2001-2002-CD	Dharam Singh Jahangya Pawar		19/05/2001
7	896/13/2001-2002-CD	Ram Kishan Yashwant Dhole		14/08/2001
8	929/13/2001-2002-CD	Rahul Kalya Kharpade	R/O Varwada Pasapoda Tal. Talasarai	21/08/2001
9	1265/13/2001-2002-CD	Ashok Babu Londhe		29/08/2001
10	1274/13/2001-2002-CD	Mahadeo Balaso Labade		11/10/2001
11	1290/13/2001-2002-CD	Bharat Fakiera Surwade @ Bhartaya	Tfd. To Ld-V Being Encounter Death Case	14/10/2001
12	1370/13/2001-2002-CD	Ramakant Vinayak Bakkar		1/11/2001
13	1411/13/2001-2002-CD	Raju Sonya Pawar @ Raju Wadari		6/11/2001
14	1466/13/2001-2002-CD	Kishor Madav Satpute		9/11/2001
15	1932/13/2001-2002-CD	Ajit S/O Bhikaji Tawade	B-2/1, Best Nagar	29/12/2001
16	1520/13/2001-2002-CD	Raghunath Shyam Rao Deskule		8/11/2001
17	1572/13/2001-2002-CD	Tanaji @ Tanya Diwanji Pawar		24/11/2001
18	1654/13/2001-2002-CD	Suresh Muna Lal Agarwal		11/9/2001
19				
20	1757/13/2001-2002-CD	Jaywant Bhaga Valvi	Amalpada	26/07/2001
21	1860/13/2001-2002-CD	Dilip Sitaram Suryagandh		14/12/2001
22	2156/13/2001-2002-CD	Eknath Ruyaji Mapari	Vill. Jankhed	27/02/2002
23	130/13/2002-2003-CD	Sri Krishna	R/O Parsodi(Nag)	20/04/2002
24	524/13/2002-2003-CD	Shaikh Zahiruddin S/O Torkhan	Subhas Nagar Kinwab 10	16/07/2002
25	550/13/2002-2003-CD	Radhe Shyam Mewalal Gupta	501, Mahavir Tower Ohandramal Nagar Bhyander West	28/07/2002
26	739/13/2002-2003-CD	Ram Singh Raj Bahadur Thakur	Jawahar Nagar, Shukla Chawl Room No. 3, Buldhana	18/08/2002
27	1003/13/2002-2003-CD	Ku. Laxmi	Vill : Hiwri	19/09/2002
28	1287/13/2002-2003-CD	Chandra Kant	Daithna, Kaij	10/10/2002
29	1555/13/2002-2003-CD	Bhujang Bhandari	Nerul Gaon, Zopadpatti, Near Gaondevi Temple Navi Mumbai	30/05/2002
30	1894/13/2001-2002-CD	Anil Bane	Jageohwani	16/01/2002
31	1889/13/2001-2002-CD	Nissar Ahmed @ Nissar Chikna Shaukat Ali Quraishi		20/01/2002
32	1989/13/2001-2002-CD	Suhas Yeda @ Suhas Bhagwan Dhuri		4/2/2002
33	2012/13/2001-2002-CD	Shrinivas Shantaram More @ Don		16/02/2002

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
34	2117/13/2001-2002-CD	Sudhakar Gerpude		27/02/2002
35	237/13/2002-2003-CD	Sharif Khan S/O Bashir Khan Pathan	Milind Nagar	14/05/2002
36	464/13/2002-2003-CD	Bhagya	R/O Rahuri Khurida Taluka	1/7/2002
37	496/13/2002-2003-CD	Bharat Chandu Shinde		4/7/2002
38	515/13/2002-2003-CD	Gautam Janardhan	Kaushlaya Nagar	12/7/2002
39	547/13/2002-2003-CD	Didi Padewar	Vill. Khedi P.S. Mul	27/07/2002
40	616/13/2002-2003-CD	Nazir Ibrahim Shaikh	Bimpura Lane No. 25 Pune Cantt	3/8/2002
41	646/13/2002-2003-CD	Vijay Eknath Khude	Adinathragar, Vadiy Tal. Khatar	8/8/2002
42	839/13/2002-2003-CD	Ajay Ramchandra Raut	Morshi Distt. Amravati	28/08/2002
43	1288/13/2002-2003-CD	Mahadeo Yadeo Gedam	Kopra Khindi P.S. : Patan Yavatmal	1/11/2002
44	1331/13/2002-2003-CD	Sanay S/O Hanumant Chinde	Shivraj Seva Mandal Sable Nagar, Kurla(E)	6/11/2002
45	1458/13/2002-2003-CD	Late, Om Prakash Adyaprasad Singh @ O.P. Singh		24/11/2002
46	1520/13/2002-2003-CD	Anand Uday Deshbhratar	R/O Bhandra (Ballarshah)	6/12/2002
47	1524/13/2002-2003-CD	Rao Saheb Narayan Tupe	Dag Pimpalgaon, TQ - Vaijapur	8/12/2002
48	1850/13/2002-2003-CD	Manoj Nidhubhushan Thakurja	R/O Vishakhapatnam	5/2/2003
49	1898/13/2002-2003-CD	Mahadeo Yadav Gedam		6/2/2003
50	2046/13/2002-2003-CD	Pappu Parel Sagar Jaiswal	Not Given	11/3/2003
51	538/13/2003-2004-CD	Akbar Ali S/O Kasam Ali	A-204, Hariom Nagar Vasai Road (W)	24/05/2003
52	1628/13/2003-2004-CD	Waghasing Bhavarsing Rajput	Post - Hasana T - Sayla	14/10/2003
53	1875/13/2003-2004-CD	Atmaam Shamji Gavale		16/11/2003
54	548/13/2003-2004-CD	Nazir Sk. Ahmed	R/O Parpeth Malkapur	26/05/2003
55	893/13/2003-2004-CD	Sachin Sugriv Pawar S/O Sugriv Pawar	R/O Nandure Tk-Bembali	23/03/2003
56	916/13/2003-2004-CD	Suresh Rambhau Sonkusare		1/5/2003
57	1086/13/2003-2004-CD	Bhimrao Machindra Sawant		20/08/2003
58	1656/13/2002-2003-CD	Late Rajesh Kanhaiyalal Shivilani	At Raw Niwas Barrack No. 1666, Section-26, Ulhasnagar	7/1/2003
59	1731/13/2002-2003-CD	Matya Sopan Kale		17/01/2003
60	497/13/2003-2004-CD	Sanjay Manekrao Mahamuni	R/O Yevati	19/05/2003
61	685/13/2003-2004-CD	Dayanand Mahadev Waghmare	R/O Apte House, N.D.A. Road Paashan	16/06/2003
62	883/13/2003-2004-CD	Sunil @ Kishore Trikha S/O Ashok Trikha	R/O Civil Lane. No. 4, Room No. 4, Ludhiana Junction	12/7/2003
63	881/13/2003-2004-CD	Nitin S/O Gopichand Patil	R/O Kanhan	21/07/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
64	917/13/2003-2004-CD	Laxman Sitaram Shinde	R/O Wardala, Tal - Mehekar	29/07/2003
65	915/13/2003-2004-CD	Devraj Guruswami Vadaji	Aayam Baiyam Codvahn	30/07/2003
66	923/13/2003-2004-CD	Birju Kallu Yadav	R/O Dattapur	1/8/2003
67	945/13/2003-2004-CD	Vilas Vithola Gawade	R/O Vaiduwadi, Ahmednagar City	30/07/2003
68	935/13/2003-2004-CD	Mahadeo Nagp Bansod	R/O Shivantola	7/8/2003
69	1088/13/2003-2004-CD	Laxman Sitaram Shinde	Jalgaon	29/07/2003
70	1260/13/2003-2004-CD	Sakrya Ratna Jadhav	Brother Of Manglya Ratna Jadhav, R/O Gangoli Patpada, Tal Dahanu	28/08/2003
71	1503/13/2003-2004-CD	Jagannath Dadulal Devidan	R/O Jalna	22/09/2003
72	1546/13/2003-2004-CD	Raju Singh Hira Singh Bawri	R/O Nandbesur, Tal -Bhiwapur	3/10/2003
73	1638/13/2003-2004-CD	Anil Tambe	Near Mumbai Central Railway Station, Mumbai	16/10/2003
74	1660/13/2003-2004-CD	Manoj Chote Lal		28/10/2003
75	1694/13/2003-2004-CD	Inderjeet Singh @ Gabbar Singh Thakur	S/O Anantsingh Thakur Navin Pusad Th. Pusad	28/10/2003
76	1731/13/2003-2004-CD	Balaji Govind S/O Govnd	R/O Dongar Shelki Tanda Tal : Udgir	1/11/2003
77	1895/13/2003-2004-CD	Mohammad Rajique Sheikh	B/7, Sheetal Apartment, Near Kartaka High School, Hall Road, Kurla (W)	27/11/2003
78	1960/13/2003-2004-CD	Shaikh Baba @ Shaik Rasul Shaikh Allabaksha	Digras	11/12/2003
79	2033/13/2003-2004-CD	Bandish Purushottam Mathankar	Ro Shastri Ward Hinganghat	19/12/2003
80	407/13/2004-2005-CD	Vimal Hari Umap W/O Hari Umap	R/O Kamraj Nagar Hutments Ghatkopar (E) Mumbai	8/6/2004
81	1162/13/2004-2005-CD	Arjun Sahdeo Ambedkar		15/11/2004
82	2788/13/2003-2004-CD	Sham Sunder Lal Javeri	R/O Baneshwadi Panchawati	10/3/2004
83	2790/13/2003-2004-CD	Gracy @ Shobha		12/3/2004
84	79/13/2004-2005-CD	Two Victims Travelling By Train		28/03/2004
85	1154/13/2004-2005-CD	Bhaskar Ramrao Parteki		10/9/2004
86	2706/13/2003-2004-CD	Dashrath Suryabhan Thorat	R/O Patil Estate Zopadpatti Shivajinagar	25/02/2004
87	78/13/2004-2005-CD	Bhuasaheb Kashinath	R/O Pipalgaon Fungi Talq. Rahuri	2/3/2004
88	168/13/2004-2005-CD	Pramod Vittal Birje		23/04/2004
89	401/13/2004-2005-CD	Dinesh Anand Pawar	Room No. 5, Janata Sewa Sangh, Near Bal Govind School, East Mograpada	3/6/2004
90	488/13/2004-2005-CD	Nissar Ahmed Bajj	237, Ganesh Peth Pune	11/6/2004
91	779/13/2004-2005-CD	Madhav Kisan Ingale	Vill. Kasarali Tq. Biloli	8/8/2004
92	781/13/2004-2005-CD	Sopan Bhau Jawir	R/O Malinagar, Tal. Malsiras	9/8/2004
93	792/13/2004-2005-CD	Bharat Akku Kalicharan Yadav	R/O Kasturba Nagar Ps. Jaripatka	13/08/2004
94	880/13/2004-2005-CD	Manikh Nath Shaharao		28/08/2004

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S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
95	890/13/2004-2005-CD	Ashok Babu Sanshi		2/9/2004
96	900/13/2004-2005-CD	Uday Jagannath Bhandgo	R/O Kasturba Gandhi Wasahat, Ganeshkhind Road Aundh	30/08/2004
97	977/13/2004-2005-CD	Safarya Ajinath Shinde	Sangama, Taluk Malsiras	27/07/2004
98	1013/13/2004-2005-CD	Kishor Satmohan Kulkarni		4/10/2004
99	1080/13/2004-2005-CD	Tukaram Sheroba Hajare	R/O Washi	13/10/2004
100	1287/13/2004-2005-CD	Saleem Mahamad Shaikh	R/O Noor Ahmad Shalimar Hotel,	31/10/2004
101	1371/13/2004-2005-CD	Suresh Barku Dalvi	Vill. Malled Post Shivale Taluka Murbad	18/12/2004
102	1393/13/2004-2005-CD	Framroze @ Fali S/O Rustom Nasirabad Irani	Centenary Building, Maulana Shaukat Ali Road Grant Road	26/12/2004
103	1005/13/2005-2006-CD	Nagappa Maharudrappa Birajdar	Korali Talak Milanga	27/11/2005
104	187/13/2005-2006-CD	Ms. Shanno @ Aarti Gopal Kale	Post Shirdi, Tal Shirdi	2/3/2005
105	188/13/2005-2006-CD	Dilip Sukhdev Aahire	Mali Chinchora Tal. Newasa	12/5/2005
106	324/13/2005-2006-CD	Mochu @ Arvin Babhau Jaiswal		16/06/2005
107	352/13/2005-2006-CD	Tukaram Shiram Aarote S/O Bhima	Rokadewadi Taluka Junnar	26/06/2005
108	892/13/2005-2006-CD	Dev Kumar @ Bondiya Namdev	Sita Nagar Wardha Road	29/10/2005
109	940/13/2005-2006-CD	Musafir Pitambar Jiswal	Po Khopoli, Tal. Khalapur	10/11/2005
110	1122/13/2005-2006-CD	Aslam Kamruddin Shaik	Chandannagar Om Society Ganeshnagar	24/12/2005
111	1167/13/2005-2006-CD	Ram Kerappa Mugave	Vill. Chincholi Kajali, Ps Bhada Tq Ausa	19/12/2005
112	2622/13/16/07-08-PCD	Vijay Kumar Jitendra Singh S/O Jitendra Singh	Navdin, Po Nadiya	25/05/2005
113	609/13/26/07-08-PCD	Draupadi Shankar Chauhan		4/11/2005
114	1525/13/2004-2005-CD	Balkrishna Pralhad Tayade	R/O Rahul Nagar, Bhusawal	20/01/2005
115	1526/13/2004-2005-CD	Ram Krishna S/O Bhagwan Parwe		20/01/2005
116	1819/13/2004-2005-CD	Gyaneshwar Kantraj Roy S/O Kantraj Roy	Bindiyani, Taluka-Khalilabad	6/3/2005
117	99/13/2005-2006-CD	Balu Kudalik Hake	R/O Deshmukh Galli Atpadi	5/4/2005
118	714/13/2005-2006-CD	Vishwanath Pundalik Tekade	Bhanapeth Ward, Chandrapur	21/09/2005
119	762/13/2005-2006-CD	Kiran Ramesh Bhatkar	Talavpali Footpath Dweller	4/10/2005
120	979/13/2005-2006-CD	Devraj Tulsiram Bagade	Saledharani, Teh. Deori	18/11/2005
121	1050/13/2005-2006-CD	Shiv Kumar Jaiswar S/O Sidhuram Jaiswar	Hira Seth Chawk, Room No. 30, Waras Lane, Worli Koliwada	1/12/2005
122	1123/13/2005-2006-CD	Prashant Syamrao Humne	Panchseel Ward Sakoli	17/12/2005
123	1281/13/2005-2006-CD	Appaso Dattu Lohar S/O Dattu Lohar	Manakpur, Taluka Chikodi	23/01/2006

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
124	1168/13/2005-2006-CD	Baliram Shankar Painar S/O Shankar	A.P. Saudane Taluka Malegaon	1/1/2006
125	1352/13/2005-2006-CD	Shivaji Laxman Garad	Tokwadi Tq. Parli	20/02/2006
126	1273/13/2005-2006-CD	Prem Rampal Yadav	Cattle Market Near Goregaon Station, Goregaon	2/1/2006
127	1446/13/2005-2006-CD	Sudam Datta Rao	Balewadi	14/03/2006
128	75/13/2006-2007-CD	Premnath Rao S/O Janardan Rao	Room No. 5, Building No. C/24, Sector-15 Chintamani Co-Op. Housing Society, Gharkul, Kharghar	6/4/2006
129	164/13/2006-2007-CD	Unknown Boy		10/5/2006
130	334/13/2006-2007-CD	Ganesh Americikya Bhosale	Kekat Pangari Village, Georai Taluka	19/06/2006
131	366/13/2006-2007-CD	Bamdev Sukharam Rathod		23/06/2006
132	413/13/2006-2007-CD	Mahadev Babu Rao Mane		25/05/2006
133	415/13/2006-2007-CD	Namdev Sakharam Rathod	Borwha Ps : Manora	25/06/2006
134	473/13/2006-2007-CD	Unknown Person		24/07/2006
135	574/13/2006-2007-CD	Mistingya Akai Ya Kale	Lakhewadi Tal. Tndapur	26/07/2006
136	716/13/2006-2007-CD	Datta Ramraje Pawar S/O Ramraje Pawar	Behind Old Milk Dary, Dhoki Road Kallam	13/08/2006
137	1328/13/2006-2007-CD	Lahanu Khandu Sonawale	Kanhoba Vadod Tq. Khultabad	16/12/2006
138	1390/13/2006-2007-CD	Bhujang Soudagar More		28/04/2006
139	1391/13/2006-2007-CD	Gautam Hire S/O Dada Hire	Ulhasnagar Lalchakki, Road Shivnagar Ulhasnagar No. 4 Tal. Ulhasnagar	24/11/2006
140	1476/13/2006-2007-CD	Vijay @ Dhondiram Tukaram Ghadage	Kalambi Tal. Khatav	26/12/2006
141	1474/13/2006-2007-CD	Devidas S/O Shamrao Chavan	Kusalwadi Tanda Tq. Ambajogai	28/12/2006
142	1315/13/2005-2006-AF	Hav Vankateshwarlu S/O Ex. Subedar Raju	At/Po Markapur	8/2/2006
143	1571/13/2006-2007-CD	Ramdas Govind Gaikwad S/O Govind Gaikwad	Saikripa Chawl Hanuman Nagar Jijamata Road Pump House Andheri (E)	16/01/2007
144	1574/13/2006-2007-CD	Santosh Raghoba Shetkar	Vill. Redi Taluka Vengurla	11/1/2007
145	1579/13/2006-2007-CD	Smt. Aruna Bhardya Kale W/O Bhardya Kale	Loni Yankartha Tahasil, Shrigonda	8/1/2007
146	1578/13/2006-2007-CD	Amrit Singh Pyara Singh Sandhu		8/1/2007
147	1655/13/2006-2007-CD	Jagan Jadu Dhurve	Bibi Tq. Chikhadara	2/2/2007

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
148	1703/13/2006-2007-CD	Vinod Shankar Chandodkar		18/02/2007
149	1918/13/2006-2007-CD	Bandu Ramchandra Pawar	Andarsul, Tal Yeola	28/02/2007
150	63/13/19/07-08-CD	Karbhari Kalu Bhamre S/O Kalu Bhamre	Po Pingalwade Taluka Satana	3/3/2007
151	114/13/4/07-08-PCD	Dyaneshwar Tukaram Jadhav	Pangri Gosavi, Tq. Mantha	3/3/2007
152	178/13/16/07-08-PCD	Mohd. Usman Shaikh S/O Mohd. Ismail Shaikh	Room No. 7, Zubeda Manzil, Kapad Bazar, Mahin	9/5/2007
153	200/13/14/07-08-PCD	Ilai Baup Kalawant S/O Babu Kalawant	1014, B Ward Raviwar Peth	28/04/2007
154	242/13/17/07-08-PCD	Anuradha W/O Pramod Patil	Near Mankapur Police Chowkey, Ps Koradi	11/5/2007
155	327/13/1/07-08-PCD	Sumanbai Gajanan Kale		16/05/2007
156	467/13/8/07-08-PCD	Shaikh Karim Shaikh Hamja	Madni Village Ps Dongaon	28/06/2007
157	555/13/26/07-08-PCD	Guraksha Nath Pandurang Chavan	Na	20/07/2007
158	604/13/28/07-08-PCD	Unknown		13/04/2007
159	747/13/24/07-08-PCD	Dnyandeo Sonu Memane		8/8/2007
160	746/13/16/07-08-PCD	Riyaz @ Raja Ahmed Rahimtulla Shaikh	Ps Bandra	21/08/2007
161	792/13/16/07-08-PCD	Bablu Mahadu Nadge	Rahade Pada Dabhalon, Po Sakharshet, Tak Jawhar	26/08/2007
162	1225/13/1/07-08-PCD	Raju Bhalchandra Sawant	Chhrebani Kumbharwada	24/10/2007
163	1323/13/9/07-08-PCD	Gopi Kisan Tope	Pandit Dindayal Ward Ballarshah	17/09/2007
164	2010/13/2/07-08-PCD	Santosh Tukaram Ghode	Malkapur	16/12/2007
165	1189/13/26/07-08-PCD	Gorakhnath Pandu Rang Chavan	C/O Police Station Islampur Tel- Walva	20/07/2007
166	244/13/1/07-08-PCD	Samanbai Gajanan Kale	Barudgaon Road	16/05/2007
167	2202/13/32/07-08-PCD	Gulab Rao Kisan Rao	R/O Vill. Saujna, Ps - Babhul Gaon	30/11/2007
168	420/13/30/07-08-PCD	Mohan Lukka Joshi	Vill. Ovali, Ps Dhaman Tal. Bhilwadi	14/06/2007
169	2531/13/17/07-08-PCD	Jagannath Ramraj Tiwari	Telang Kheri Hanuman Mandir	21/01/2008
170	2769/13/11/07-08-PCD	Devu Dashrath Atram (Naxal Dalam Member)	Kondal Wahi Taetapalli	9/3/2008
171	2837/13/30/07-08-PCD	Ludvik Rzyi Demello	Naigaon Pali Christian Ali, Tal. Vasai	24/03/2008
172	2750/13/2/07-08-PCD	Nilesh Atmaram Dhul, Kunbi	Khandala, Ps Hiwarkhed	13/03/2008
173	384/13/5/08-09-PCD	Sarje Rao @ Sarja	Telgaon, Tq. Dharur Near S.T. Stand, Beed, Maharashtra	19/04/2008
174	558/13/11/08-09-PCD	Mainabai Naitam	R/O Kosmi No-1, Tah. Dhanora, Gadchiroli, Maharashtra	22/05/2008

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
175	889/13/13/08-09-PCD	Irfan Khan Husain	R/O Namegaon, Taluka Sillod, Mahuli, Dagar Gaon, Sillod, Jalna, Maharashtra	25/06/2008
176	1049/13/32/08-09-PCD	Sunil Laxman	Sant Chokhamela Ward Um-arkhed, Ta. Umarched, Yavat Mal, Maharashtra	7/8/2008
177	1087/13/25/08-09-PCD	Santosh Kashiram	Sahyadri Nagar Trp Nachne, Ratnagiri, Maharashtra	22/07/2008
178	1094/13/12/08-09-PCD	Prakash Baburao	Vaghoda (Bk.) Tal Raver, Jalgaon, Maharashtra	29/06/2008
179	1325/13/3/08-09-PCD	Kalimudin	Mahuli Police Station, Amravati, Maharashtra	21/08/2008
180	1332/13/3/08-09-PCD	Anil Shrikrushna	Mandgaon Khandeshwar, Amravati, Maharashtra	22/08/2008
181	1574/13/35/08-09-PCD	Suddharamappa	Vijapur Nagar Naka Laxmi Nagar, Sola Pur Taluk, Sholapur, Maharashtra	14/09/2008
182	1588/13/17/08-09-PCD	Pandurang Sampat	Vill. Chameli, Post- Bozargaon Taluka- Katol, P.S. Kondhali, Nagpur, Maharashtra	21/09/2008
183	1806/13/21/08-09-PCD	Subhas Nivruti	Barshi, Sholapur, Maharashtra	1/10/2008
184	1857/13/16/08-09-PCD	Jafar Abdul Vaheb	10/6, T & K Street Razak Garden, Aruballam, Mumbai, Maharashtra	15/10/2008
185	1882/13/3/08-09-PCD	Babarao	Dhangarpura Ward No.1 P.S. Walgaon, Amravati, Maharashtra	21/10/2008
186	1953/13/16/08-09-PCD	Krishna Kumar	Sathe Nagar Sai Kripa Chawl, Chikalwadi Mawkhurd, Mumbai, Maharashtra	30/10/2008
187	2168/13/31/08-09-PCD	Sachin Alias Doma	Giradtaq Samudra Pur, Wardha, Maharashtra	13/11/2008
188	2505/13/23/08-09-PCD	Yojana @ Madhuri	R/O Thite Vasti, Kharadi, Pune City, Pune, Maharashtra	12/12/2008
189	2955/13/30/08-09-PCD	Suresh Rajaram	Chawi No- 7, Room No- 7, Chipchpada Kalyan (East) Kalyan, Maharashtra	5/1/2009
190	2991/13/5/08-09-PCD	Kisan S/O Damodhar	Kaij, Beed, Maharashtra	11/1/2009
191	3659/13/17/08-09-PCD	Ram Lal S/O Ram Bali	Nandanvan, Ps- Nandanvan, Nagpur City, Nagpur, Maharashtra	15/02/2009
192	4070/13/23/08-09-PCD	Amol Raghu Nath	Pune, Maharashtra	7/3/2009

## Manipur

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	8/14/2004-2005-AF	Ms Manoram Chanu	Bamon Kampu,	12/7/2004

## Meghalaya

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	3/15/2001-2002-CD	Dayal Ram Kachari S/O Koni Kam Kachri	Nayabarti	2/5/2001
2	4/15/2001-2002-CD	Bikal Mia & Ajil Mia	Bangaladesh	23/5/2001
3	25/15/2002-2003-CD	Aiborius Jyrwa S/O Biliin Jyrwa	Jakrem, Mawkyrwat	29/12/2002
4	4/15/2002-2003-CD	Islam Ali		15/4/2002
5	19/15/2001-2002-CD	Radha Singh Langsties		26/2/2002
6	13/15/2002-2003-CD	Hiking Lyngdoh S/O Ondar	Rynghang, Vill: Pynthor, Umiam, Ribhoi	15/9/2002
7	8/15/2003-2004-CD	Bidhan Malakar	R/O:devkhora	22/10/2003
8	7/15/2003-2004-CD	Pradeep Hajong	R/O Vill: Noonmati, Mahendraganj	4/9/2003
9	4/15/2004-2005-CD	Robertson Lyngdoh	Nongsder Vill. Barapani Ribhai	24/5/2004
10	8/15/2004-2005-CD	Ajit Momin		14/9/2004
11	20/15/2003-2004-CD	Rajesh Chetri S/O Bal Bahadur Chetri		18/2/2004
12	3/15/2006-2007-CD	Hannan Miah S/O Md.Ali	Patharkandi Block, PS Patharkandi,	5/5/2006
13	18/15/0/07-08-PCD	Grohon D/ Sjora S/O Sh. Elsing D.Shira	Vill. Darang Akep PS, B/Mara South Garo Hills Distt.	18/10/2007
14	6/15/07-08-PCD	Stadbor Kharmundai		5/7/2007
15	24/15/6/07-08-PCD	Sh.Loding Sangma	Songsak Vill.Under	30/11/2007
16	10/15/5/08-09-PCD	Dharmendra Hajong	Rangatari, P.O. Garobadha, P.S. Ampati, West Garo Hills , Meghalaya	4/8/2008

## Orissa

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	398/18/2001-2002-CD	Rabindra Kumar Sahu	Chandarpur Usasahi	2/10/2001
2	506/18/2001-2002-CD	Chander Majhi @ Babuli		10/11/2001
3	692/18/2001-2002-CD	Bhaskar Das S/O Dhruva Das		6/6/2001
4	228/18/2001-2002-CD	Bharat Chandra Nayak S/O Ram Ch.Nayak		5/7/2001
5	352/18/2001-2002-CD	Buta Muria S/O Aitu Maria		20/8/2001
6	553/18/2001-2002-CD	Khali Pradhan S/O Late Bauri Pradhan		19/10/2001
7	565/18/2001-2002-CD	Ajay Kumar Tripathy S/O Dhruv Charan Trupathy		23/9/2001
8	778/18/2002-2003-CD	Bhalu @ Pitambar Pradhan	S/O Sh. Nirajan Pradhan Vil: bhakuda, P.S.: Bakhdrapur	31/1/2003
9	763/18/2003-2004-CD	Narayan Behera S/O Kastu Behera	Vill: Badajorada, P.S.: Bikrampur	31/12/2003
10	506/18/2004-2005-CD	Nandu Badaik S/O Lt. Jhulu Badaik	Bhatta Dafai, Patalkand, PS. Biramitrapur	14/9/2004
11	125/18/2005-2006-CD	Manoj Kumar Mahapatra S/O Puran	Mahabir Bazar, Ps Dhenkanal	7/6/2005
12	849/18/2004-2005-CD	Dilip Kumar Swain @ Sahu S/O Khetrabasi Swain	Vill-Batira, PS. Patakura.	3/3/2005
13	854/18/2004-2005-CD	Gajendra Majhi @ Bag S/O Hari Bag	Badpada Sahi, Kuchinda, PS. Kuchinda	17/3/2005
14	444/18/2005-2006-CD	Dhaneswar Sahu S/O Chandra Sahu	Vill.Kutulsinga, PS Athamallik	19/10/2005
15	1/18/2006-2007-CD	Dandua Behra S/O Lt. Bairagi Behra	Vill. Chhotokel, PS Purunakote,	19/10/2005
16	476/18/2006-2007-CD	Gobardan Naik S/O Hadibandhu Naik	Vill. Mohabila, PS Sulliapada	14/12/2006
17	15/18/29/07-08-CD	Pintu @ Subhendu Kirtania S/O Bbasudev Kirtania	Vill.Poteru, PS Kalimela	21/3/2007
18	141/18/14/07-08-PCD	Chunni Lal Kishan @ Muyian S/O Bhadra Kishan	Vill. Kalokudar, PS Brahmanitarang,	16/5/2007
19	184/18/28/07-08-PCD	Samir Martha	Vill. Brajamoanpur	22/5/2007
20	289/18/3/07-08-PCD	Bhaskar Behra S/O Roshit Behera	Vill. Rajnagar, PS Athagarh	14/6/2007
21	1135/18/10/07-08-PCD	Sathim Bhatra S/O Tularam Bhatra	Vill. Motigaon, PS Kodinga	20/1/2008
22	1022/18/10/07-08-PCD	Satim Bhart S/O Tula Ram	Vill. Motigaon, PS Kodinga	20/1/2008
23	357/18/20/08-09-PCD	Malaki Bada	Vill. Jugibenua, PS Deogarh, Orissa	15/08/2008
24	446/18/5/08-09-PCD	Satrugan Panda	Buguda P.S. Ganjam, Orissa	21/09/2008

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## Puducherry

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	15/32/2002-2003-CD	Karunakaran	N.A	2/9/2002
2	44/32/2003-2004-CD	Kavitha S/O Namasivayam	Main Road, Poosaimand Apam, Nerary Police Station	4/1/2004
3	41/32/2004-2005-CD	Nagaraj S/O Sammandham	Jeevanandham Street	8/3/2005

## Punjab

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	815/19/2001-2002-CD	Pardeep Singh	Vill.Gandi Wind, PS. Harike	23/12/2001
2	760/19/2001-2002-CD	Prabhu Ram S/O Bharat Ram		4/11/2001
3	842/19/2001-2002-CD	Pradeep Singh S/O Harbhajan Singh		23/12/2001
4	510/19/2001-2002-CD	Unknown		9/9/2001
5	101/19/2001-2002-CD	Karnail Singh S/O Kartar Singh		2/5/2001
6	364/19/2002-2003-CD	Malkiat Singh S/O Pratap Singh	Dasmesh Nagar, Jalabad	11/7/2002
7	864/19/2001-2002-CD	Charanjit Singh S/O Kishan Singh	H.No.90, Preet Vihar Colony	12/1/2002
8	509/19/2002-2003-CD	Sohan Lal	Dehriwl, P.S: Tanda	26/8/2002
9	777/19/2002-2003-CD	Ramesh Chander S/O Ram Parshad		10/12/2002
10	679/19/2002-2003-CD	Rala Singh S/O Gurnam Singh Mazbi	Lakharwala, P.S.: Sardar Molout	25/10/2002
11	945/19/2001-2002-CD	Sunil Kumar S/O Shri Udaya Singh	H.No.758,Mohall Cher Chamar Near Kunj Mandir Karnal	12/2/2002
12	3/19/2002-2003-CD	Jagjit Singh @ Jagga S/O Delip Singh		28/3/2002
13	952/19/2002-2003-CD	Two Boys In The Car		21/1/2003
14	968/19/2002-2003-CD	Kasim S/O Kake @ Kala	R/O Vill:tainka, Teh- Benhal	14/3/2003
15	356/19/2003-2004-CD	Dajjit Singh S/O Sadhu Singh	R/O Issewal, P.S.: Hambran	21/8/2003
16	394/19/2003-2004-CD	Amrik Singh S/O Rajpal Singh	R/O Vill: Mareri, P.S: Samana	1/9/2003
17	491/19/2003-2004-CD	Gopal Singh S/O Phul Singh	R/O Morna, P. S. Bhopa	24/9/2003
18	937/19/2002-2003-CD	Sadhu Ram	Kharar	24/2/2003
19	650/19/2003-2004-CD	Binder Singh S/O Mukhtiar Singh	R/O Vill: Banawala, PS.: Jaurkian	7/11/2003
20	266/19/2003-2004-CD	Suresh Kumar S/O Puran Lal Balmik	R/O Deek, The-Kawan	14/7/2003
21	278/19/2003-2004-CD	Balwant Singh S/O Kartar Singh	R/O Vill:sultankhan Wala, P.S.: Raikot	29/7/2003
22	576/19/2004-2005-CD	Balwant Singh S/O Gurmail Singh	R/O Bhona Chowk Moga	5/10/2004
23	769/19/2004-2005-CD	Tara Singh S/O Sulakha Singh	Vill.Gorkha, Tehsil Tarn Taran	13/12/2004
24	880/19/2003-2004-CD	Ravinder Singh S/O Pal Singh	R/O Kala Bula, PS.: Sherpur	18/1/2004
25	139/19/2004-2005-CD	Rakesh Kumar @ Langari S/O Bakhsi Ram	R/O Rakkaran Dahan, PS Balachaur	7/6/2004
26	19/19/2004-2005-CD	Nirmal Singh S/O Gurdev Singh	Vill-Uppli, PS. Sangrur	24/3/2004

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
27	159/19/2004-2005-CD	Jaspal Singh S/O Jarnail Singh	R/O Dhun, Ps. Khalra, Police Distt.T. Taran	10/4/2004
28	675/19/2005-2006-CD	Sukhjinder Singh S/O Narendra Singh	Rayya	23/11/2005
29	915/19/2004-2005-CD	Mahindra S/O Kirpa Ram	Vill. Sahianpur, PS Atialitawa, Distt. Sarbasti	18/1/2005
30	191/19/2005-2006-CD	Grudev Singh S/O Kaka Singh	Vill. Rori Kapur, PS Jaito	20/5/2005
31	376/19/2005-2006-CD	Surinder Kumar S/O Dhani Ram	Word No. 5 Maloud	29/7/2005
32	753/19/2005-2006-CD	Gurumail Singh S/O Charan Singh	Vill. Kakrali, PS Dera Sassi,	4/1/2006
33	824/19/2005-2006-CD	Balbir Ram S/O Sh. Khushia Ram	Dana Mandi, Dhaleta. PS Goraya	8/2/2006
34	849/19/2005-2006-CD	Harjit Singh S/O Joginder Singh	Nikon. Saran	21/2/2006
35	211/19/2006-2007-CD	Tiku S/O Baiju Balmiki	Near Saw of Anoop Singh Basti Sheikhan	28/6/2006
36	119/19/3/07-08-PCD	Mahesh @ Sonu	Q. No. 167, Medical Campus	14/05/2007
37	1392/19/7/07-08-PCD	Mandip Kumar	Local Ward No. 4, Tea Stall, Dasuya	19/8/2007
38	1526/19/2/07-08-PCD	Sarabjit Singh @ Sarba S/O Pritam Singh	Vill. Karinwala, PS Jaito	16/9/2007
39	54/19/10/08-09-PCD	Somnath	Kadiana Kalan, PS Koom Kalan Police Khanna, Ludhiana, Punjab	2/4/2008
40	56/19/19/08-09-PCD	Sukhdev Singh	Khojkipur, PS Verowal Tarantaran, Punjab	12/4/2008
41	758/19/1/08-09-PCD	Rawat Kumar		6/12/2008

## Rajasthan

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	1128/20/2001-2002-CD	Punaram Meghwal		3/9/2001
2	1307/20/2001-2002-CD	Phool Chand Meena S/O Meena		26/9/2001
3	1557/20/2001-2002-CD	Sandeep Kumar @ Sanjeev Kumar	Vill. Tambakheri	19/10/2001
4	264/20/2002-2003-CD	Amit Arora S/O Chander Bhan	Udaram Chowk, Near Old Abadi,	6/5/2002
5	1834/20/2002-2003-CD	Ali S/O Gokul Fakir	R/O Pahar, P.S.: Govindgarh	3/12/2002
6	2282/20/2001-2002-CD	Ramesh Meena S/O Heera Meena	A/O Arnod Fatehgarh	6/2/2002
7	2348/20/2001-2002-CD	Mahendra Sing		12/2/2002
8	742/20/2002-2003-CD	Siyaram S/O Briham	Pathua Ka Pura, Ps. Nibhora	13/7/2002
9	842/20/2002-2003-CD	Salim S/O Jumme Khan	Hela Mohalla Hathi Pole	2/8/2002
10	1185/20/2002-2003-CD	Shiv Chand	H/No.7E 57, Yojana Vigyan Nagar	16/9/2002
11	174/20/2003-2004-CD	Jeevan Singh		14/5/2003
12	416/20/2003-2004-CD	Rajendra S/O Dina Nath	R/O Jaganathpur	22/7/2003
13	1258/20/2003-2004-CD	Shaji Mohd. S/O Chote Khan	Mandsore	20/10/2003
14	22/20/2003-2004-CD	Bothlal @Rajesh S/O Jeetmal Jat	R/O Agoria, P.S.:	7/4/2003
15	529/20/2003-2004-CD	Ranveer @Randhir S/O Sh. Ram Kumar	1--17, Sadhwana Nagar, Ps- Kotwali	2/8/2003
16	1867/20/2004-2005-AF	Fl.Lt.Abhijit Gadgil		17/12/2004
17	124/20/2005-2006-CD	Monoj Kerad S/O Gajanand Kerad	R/O Hamirpur, PS. Fatehgarh	9/4/2005
18	220/20/2005-2006-CD	Ram Sahay Meena S/O Bhanwar Lal Meena	R/O- Vill. Kacchpura, Ps. Sarmthura	19/4/2005
19	1157/20/2005-2006-CD	Jeetu @ Jitendra Agarwal S/O Panna Lal	R/O . 68,Subhash Colony Shastri Nagar	12/8/2005
20	1456/20/2005-2006-CD	Jaiveer S/O Sh. Pratap Singh	Salekheda, Ps Baladev	19/9/2005
21	100/20/2005-2006-CD	Ratan Lal S/O Kalu Ram	Caste - Meena, R/O New Rana, Ps. Patan	31/03/2005
22	584/20/2005-2006-CD	Ram Babu S/O Hari Vilas	Vill. Najla, Darvesha, Ps Baseri	6/6/2005
23	469/20/2006-2007-CD	Sohan Singh S/O Dalhe Singh	Bhartadia, Ps Mavli	31/5/2006
24	2275/20/2005-2006-CD	Surjit @ Sanu S/O Mahendra Singh	& Jogendra @ Sukh S/O Prem Singh, Bhutarond, PS. Bhuta	29/1/2006
25	376/20/2006-2007-CD	Bhagat @ Bhagtu Ram S/O Ghasi Lal	Vill.Manda, Ps. Ramganjmandi	15/6/2006
26	2779/20/7/07-08-PCD	Sunadari Devi	C/O Budhi Chand S/O Sh. Nathuram Arora, Ward No.28, Raisingh Nagar	27/7/2007

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
27	2108/20/2006-2007-CD	Dayaram S/O Mohan Lal Nagar	Vill. & Post Kanwar, Ps Kanwas	14/1/2007
28	1945/20/33/07-08-PCD	Hemraj Meena		30/10/2007
29	121/20/8/08-09-PCD	Kishan Lal S/O Babu	Sondhiya Ki Jhopriya, Ps Talera, Tehsil, Bundi, Rajasthan	12/4/2008
30	993/20/33/08-09-PCD	Raju @ Rajendra	R/O Salpura, P.S. Kawai, Baran, Rajasthan	10/8/2008
31	1978/20/29/08-09-PCD	Narayan Lal	Vill- Kherad, Teh- Salumber, Udaipur, Rajasthan	29/12/2008
32	2159/20/18/08-09-PCD	Suresh Kumar	Kithana, PS - Chidava, Jhunj- hunu, Rajasthan	29/12/2008

## Sikkim

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	17/21/1/07-08-PCD	Bikram Biswakarma S/O Lt. Ashok Biswakarma	Shanti Nagar,	9/11/2007

## Tamilnadu

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	239/22/2001-2002-CD	Kumar	Goundapalam Thudiyaher	4/6/2001
2	256/22/2001-2002-CD	Thillai @ Thillainathan		15/06/2001
3	536/22/2001-2002-CD	Krishnam S/O Mannan Mistri		6/8/2001
4	991/22/2001-2002-CD	Rajakumari		29/09/2001
5	862/22/2002-2003-CD	Suresh S/O Arokiasamy	Samalapuram	14/09/2002
6	937/22/2002-2003-CD	Mrs. Karuppi W/O Sonali Kattuparamakuddi	Paramakudi Town	1/12/2002
7	946/22/2002-2003-CD	Nadu Karuppusamy	Sengadu Thottipalayam	5/12/2002
8	897/22/2001-2002-CD	Murgan Pachai Thannar Murgan		2/1/2002
9	1143/22/2001-2002-CD	Shanmugasundaram S/O Rathnasaba[Athy		23/03/2002
10	53/22/2002-2003-CD	Sanjay Gadiya	S/O Shankar G - Block, 14, Grand Road	20/04/2002
11	58/22/2002-2003-CD	Muthukrishan Asari S/O Kandarang	Mariyamma Nkoli Street	23/04/2002
12	222/22/2002-2003-CD	Muniammal		1/6/2002
13	664/22/2002-2003-CD	Mani S/O Piravi	Nallampatti	28/08/2002
14	851/22/2002-2003-CD	Vijayaraghavan		28/10/2002
15	858/22/2002-2003-CD	Velraj S/O Sudalai	L.N.S. Puram, Eruvadi of Nangunari	1/11/2002
16	916/22/2002-2003-CD	Late Kumaresan S/O Govindasamy, Prisoner		23/11/2002
17	927/22/2002-2003-CD	Krishanappa, Prisoner	S/O Nanjappa	27/11/2002
18	952/22/2002-2003-CD	Mani	29, Vettu Colony Gunmidipoondi Pot & Tq.	8/12/2002
19	552/22/2002-2003-CD	Murugesan, Pudu Kottai	Tamil Nadu	6/8/2002
20	1023/22/2002-2003-CD	Ne Murugesan S/O Nagaiah	No. 13/1, 5th Street 4th Cross Street Vijaya Raghavapuram Saligramam	27/01/2003
21	1072/22/2002-2003-CD	Murugesan		25/01/2003
22	3/22/2003-2004-CD	Saravanan S/O Maruthapillai	No. 4669, East Sixth Street, Pudukottai	25/03/2003
23	107/22/2003-2004-CD	Sasi S/O Thiru Thangappan		7/4/2003
24	179/22/2003-2004-CD	S. Kumar S/O Sarangapani	97 Sachidanaadam Street, Otteri	5/5/2003
25	330/22/2003-2004-CD	Nagendran @ Ganesan	Vill : Pudur Tk - Orthanadu	18/06/2003
26	511/22/2003-2004-CD	Accused Baskaran S/O Kasinathan	District - Villore	29/08/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
27	535/22/2003-2004-CD	Punjab @ Venkatesan S/O Sh. Ammasi @ Arumugham	Kanavaikkadu Kothanur Village	3/4/2003
28	710/22/2003-2004-CD	Konda Kumarasamy	Sannathi Street Thirubuvanam	1/10/2003
29	991/22/2003-2004-CD	Late Vazhuni S/O Subbaraya		16/11/2003
30	1044/22/2003-2004-CD	Govindan S/O Lakshmi Ayya	17, S.J.S. Street Thattankulam	13/12/2003
31	1136/22/2003-2004-CD	Govindan		13/12/2003
32	1225/22/2002-2003-CD	Rajaram S/O Krishnasamy	Seelayampatti	25/03/2003
33	1371/22/2003-2004-CD	Mohan	R/O Thiruvangadu Mayaluthurai	2/2/2004
34	124/22/2004-2005-CD	Balakrishnan S/O Rathinam		21/03/2004
35	208/22/2004-2005-CD	Thiru Prasad @ Sujithlal	R/O Kattakadai In Tiruvananthapuram	1/5/2004
36	728/22/2004-2005-CD	Senthi @ Senthil Kumar	15, Bajanai Koil Street Urur Alkot Kuppam Besant Nagar	1/10/2004
37	1246/22/2003-2004-CD	Thiru Chelladurai S/O Manickam	Pillai No. 17, Krishnagiri Road Hosur, Dharmapuri	9/1/2004
38	196/22/2004-2005-CD	Thiru Balakrishnan S/O Rathinam		21/03/2004
39	902/22/2004-2005-CD	Thiru Annaadurai S/O Narayansamy Konar	Ko. Mangalam Village, Vridhachalam Taluk	8/11/2004
40	1047/22/2004-2005-CD	Thiru Anthonisamy S/O Thanislas	Vill. Chidambarthanpatti Manapparai PS.	24/12/2004
41	1293/22/2004-2005-CD	Thiru Manthira Moorthy S/O Chelliah		20/03/2005
42	161/22/2005-2006-CD	Ravi Kumar S/O Palanisamy	K/la-Upplipalayam Masaniammankoil Street, Singanalolar	10/5/2005
43	302/22/2005-2006-CD	Thiru Munia Samy S/O Pitchaiya Thevar	R/O Suraikaipatti	21/07/2005
44	440/22/2005-2006-CD	Ms. Gandhi W/O Appajee		10/9/2005
45	559/22/2005-2006-CD	Thiru Alagappan S/O Raja Radayaechi		21/10/2005
46	568/22/2005-2006-CD	Varadharaj	Masarpatti Police Station, Palayamcottai	21/10/2005
47	635/22/2005-2006-CD	Sankaranarayanan S/O Venkadesan		27/11/2005
48	1139/22/2004-2005-CD	Baskar @ Auto Baskar		20/01/2005
49	866/22/2005-2006-CD	Kolipillai S/O Marimuthu	Kallidaikurichi	25/02/2006
50	25/22/2006-2007-CD	Ranganathan S/O Panchatcharam	Dr. Thomas Road Tenampet	7/4/2006
51	28/22/2006-2007-CD	Thiru Sathiya Narayanan	9 E/286, Pudhu Street Ayyavoo Nidu Colony Aminjikarai	22/04/2006

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
52	64/22/2006-2007-CD	Panniparamasivam S/O Chelliah Nambirajapuram		3/5/2006
53	173/22/2006-2007-CD	Rajan @ Urundai Rajan		30/05/2006
54	183/22/2006-2007-CD	Malayalan S/O Gopalakrishnan	7/14, Chella Pillayar Koil Second Street Royapettah	23/05/2006
55	198/22/2006-2007-CD	Arun Bharath S/O David	Veripottar Street Saltankulam	17/06/2006
56	453/22/2006-2007-CD	Ballu @ Balamurugan S/O Annamalai	Veerapandi Village	5/8/2006
57	740/22/2006-2007-CD	Ravi @ Multai Ravi @ Ravi Chandran S/O Rathinam		21/10/2006
58	783/22/2006-2007-CD	Tr. Ramamurthi S/O Pavadai	Kilankadu Sethiathope Ps	29/10/2006
59	782/22/2006-2007-CD	Thiru O. Kalaignar S/O Thiru Oppilamani	No. 22, Arani Muthu Street, Choolai	4/11/2006
60	821/22/2006-2007-CD	Krishnan @ Kora Krishnan S/O Subramani	No. 66, Gangeyanallur Road, Vellaikalmedu Katpadi	17/11/2006
61	304/22/2006-2007-CD	Maruthan S/O Mani	T. Pacheri Village Tiruchuli Taluk	28/06/2006
62	1620/22/15/07-08-PCD	Shamugam		6/6/2006
63	1068/22/2006-2007-CD	Rajathi	Erode	23/01/2007
64	1079/22/2006-2007-CD	Sankar S/O Mani @ Maniyan	Kalathur Manalmedu of Mayiladuthurai Taluk	5/2/2007
65	1108/22/2006-2007-CD	Saivam S/O Ramasamy	2nd Cross Street Kamarajapuram	21/01/2007
66	44/22/26/07-08-CD	Thiru Henry Anildoss S/O Siluvaimuthu Veliyathur	Amaradakki Post Avudayarkovil Ps	27/03/2007
67	180/22/13/07-08-PCD	Thiru M. Kumaresan S/O M.K. Marimuthu	14, Thiruvalluar Street, Nanganallur	14/05/2007
68	1273/22/13/07-08-PCD	Syed Ali S/O Konalyan @ Kunjan	No. 100, Vadapalani, 100 Feet Road	12/12/2007
69	1381/22/13/07-08-PCD	Syed Ali S/O Konnaiyan	Tea Stall No. 100, Alagiri Nagar, 5th Street, Vadapalani, T. Nagar	12/12/2007
70	78/99/4/07-08-PCD	D. Jaya Kumar S/O S. Dhasian		25/07/2007
71	2263/22/13/07-08-PCD	Thiru Karuppiyah S/O Muniyandi	Yanaikal Veedi	4/3/2008
72	299/22/30/08-09-PCD	Thiru Vasudevan	R/O Rani Sethupuram Area of Kamuthi Taluk, Ramanathapuram,	21/05/2008
73	1339/22/13/08-09-PCD	Moorty @ Kabilan	Mosur Road Ambedhkar Nagar Arakkonam, Villupuram,	10/10/2008
74	1358/22/31/08-09-PCD	Tmt Maheswari	Salem	12/10/2008
75	1712/22/5/08-09-PCD	Rakesh		4/12/2008
76	2343/22/36/08-09-PCD	Krishnamoorthy	15, Rauathan Medu, Thuvakudi, Tiruchirapali	2/2/2009

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 Tripura

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	7/23/2001-2002-CD	Bijoy Kumar Debbarma		30/4/2001
2	12/23/2001-2002-CD	Samuel Rahul Asgar S/O Md.Kala Miah Kali	Kalkapur, PS West Agartala West	24/6/2001
3	11/23/2002-2003-CD	Apu Sasha	Srinagar, West	13/6/2002
4	28/23/2004-2005-CD	Bimal Debbarma S/O Lt Sachindra Debbarma		3/9/2004
5	10/23/2005-2006-CD	Amar Chandra Das S/O Late Gopal Sardar Das		10/8/2005
6	6/23/2006-2007-CD	Hare Krishna Das		24/6/2006
7	44/23/2/07-08-PCD	Kallol Das S/O Amulya Das	East Satnala PS Kanchahpur	19/1/2008
8	3/23/4/08-09-PCD	Biswajit Banik	North Badhar Ghai, PS West Tripura	16/05/2008
9	28/23/0/08-09-PF	Nitai Tripura	Bhagya Chandra Roaja Para, P.S. Chawmanu	28/10/2008

## Uttarakand

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	104/35/2001-2002-CD	Raju		23/4/2001
2	103/35/2001-2002-CD	Unknown		25/4/2001
3	205/35/2001-2002-CD	Zakir	Naintal	3/5/2001
4	898/35/2002-2003-CD	Hari S/O Chandan Singh	19, Jhanda Mohalla, Dehradun	8/9/2002
5	408/35/2003-2004-CD	Unidentified Accused		5/7/2003
6	1001/35/2003-2004-CD	Ganesh @ Dinesh Mit, S/O Sudhir Mit	R/O Rodibelwala, P.S. : Kotwali	5/10/2003
7	336/35/2004-2005-CD	Amjad Khan @ Chand, S/O Ahsaan Khan	R/O Muskinagar, Ps. Ejjat, Nagar	11/6/2004
8	716/35/2004-2005-CD	Babu Mohan Singh, Utrkhandi, S/O Manbar Singh Negi	Vill. Bantholi, Po Shrikotkhol Teh. Lansdon	9/8/2004
9	1567/35/2004-2005-CD	Shravan Kumar		4/2/2005
10	1627/35/2005-2006-CD	Dinesh Chandra Pandey, S/O Kailash Chandra	Daharia	25/1/2006
11	375/35/2006/2007-CD	Arjun Singh S/O Bhupal Singh	Chakarpur, Ps Khatima	9/6/2006
12	559/35/4/07-08-PCD	Janki Devi, W/O Shri Guntha Bahadur	Ward No. 10, Gadda, Chowki, Nepal	12/7/2007
13	935/35/6/07-08-PCD	Surender Singh		12/9/2007
14	1209/35/6/07-08-PCD	Gurubachan @ Hakla, S/O Sh. Prem Singh	Vinodpuri, Vijay Enclave	25/10/2007
15	1439/35/12/07-08-PCD	Gopal Mandal, S/O Sanatan Mandal	Pipliya No. 2, Ps Gadarpur	7/12/2007
16	1935/35/6/07-08-PCD	Jai Prakash S/O Harpal	Shivgarh, Ps Pathri	12/3/2008

## Uttar Pradesh

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	4565/24/2001-2002-CD	Islam S/O Altaf	R/O Crossingh Gidholi	4/5/2001
2	16849/24/2001-2002-CD	Jeet Narayan @ Jeet Lal Dube	R/O Rajapur Ps. Ko. Dehat	14/08/2001
3	19887/24/2001-2002-CD	Jai Prakash		26/08/2001
4	19388/24/2001-2002-CD	Ram Vinod		26/08/2001
5	18792/24/2001-2002-CD	Ramgray Panday S/O Late Vindhyachal Panday		8/9/2001
6	21546/24/2001-2002-CD	Rajesh @ Vidhayak S/O Nain Singh		6/10/2001
7	30926/24/2001-2002-CD	Neeraj Thakur S/O Raj Bahadur Singh		23/10/2001
8	26683/24/2001-2002-CD	Mazroohn Yaspai		12/11/2001
9	30024/24/2001-2002-CD	Jagdish S/O Balwant		9/12/2001
10	36558/24/2001-2002-CD	Fatwa S/O Nanhe	Vill. Kharanji Ki Madaiya	15/02/2002
11	1308/24/2002-2003-CD	Rakesh S/O Sone Lal Jatav		9/4/2002
12	10099/24/2002-2003-CD	Vinod Kumar	Vill. Sidhora	21/06/2002
13	9821/24/2002-2003-CD	Harendra Tiwari	V + PO Dhudhali	22/06/2002
14	11298/24/2002-2003-CD	Pramod @ Vikash	Vill. Patlakhedha Kherali, Hajipur	23/06/2002
15	11294/24/2002-2003-CD	Kunke	Vill. Gangapur	30/06/2002
16	12142/24/2002-2003-CD	Hoti Lal S/O Bhim Sen	Vill. Tikri Kalan Sikandra Rau	8/7/2002
17	14108/24/2002-2003-CD	Chhotak @ Chhotu Kol	Vill. Badula Ps. Korandh	22/07/2002
18	14633/24/2002-2003-CD	Raju S/O Barkat	Mohalla Purva Aliran	23/07/2002
19	21392/24/2002-2003-CD	Phool Wati	P.S. : Deeng, Distt. Cama	18/09/2002
20	21391/24/2002-2003-CD	Gajju S/O Babu Gujar	P.S. : Deeng, Cama	18/09/2002
21	26883/24/2002-2003-CD	Ramashankar		16/11/2002
22	30811/24/2002-2003-CD	Late Anil Kumar Baliyan S/O Sh. Chanderbhan	R/O Vill : Kutwa P.S. : Shahpur	19/12/2002
23	150/24/2003-2004-CD	Moban S/O Ranjha		10/1/2003
24	35957/24/2002-2003-CD	Padmuraj Sharma S/O Dinesh Sharma	R/O Futha P.S : Mainapokhar	24/01/2003
25	37508/24/2002-2003-CD	Ramji S/O Late Sunder Lal	R/O 24/144, Patkapur, P.S. : Filkhana	30/01/2003
26	39216/24/2002-2003-CD	Kishan S/O Shyam Bihari Lohar	R/O Chandpur P.S. : Bidhuna	4/3/2003
27	704/24/2003-2004-CD	Harilal Yadav		30/03/2003
28	11717/24/2003-2004-CD	Vijay @ Monu S/O Trilok Chander	R/O Vill : Kutbi Ps - Shahpur	22/04/2003
29	6010/24/2003-2004-CD	Naeem @ Jaeen @ Jaeem @ Gullu	S/O Sibtren Ali R/O Mallu Pura Civil Line	10/5/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
30	5621/24/2003-2004-CD	Mahipal Tyagi & Padam Sons S/O Amarnath Tyagi &	Late Raghuvir Jatav R/O Mohalla-Pachala Kasba & P.S. : Budhana R/O Mohalla-Budh Vihar	14/05/2003
31	9539/24/2003-2004-CD	Pappu @ Kailash S/O Shivcharan Lal	Vill. : Khera Ps - Shahbad	27/06/2003
32	9801/24/2003-2004-CD	Lal Chander S/O Puttu Pasi	Vill. Mohiuddinpur Ps Ramkot	1/7/2003
33	11729/24/2003-2004-CD	Vinod S/O Makrand	R/O Vill : Chaukharia Ps - Mangalanj	17/07/2003
33	13281/24/2003-2004-CD	Rajesh Singh	Not Given	6/8/2003
34	13571/24/2003-2004-CD	Revati Prasad @ Dodu S/O Leela Prasad Jatav	R/O Vill : Birajpur Ps - Narhali	9/8/2003
35	19652/24/2003-2004-CD	Rajkumar Gaud S/O Ram Awadh Gaud	R/O Vill : Karayal Shukla, P.S.: Madanpur	26/08/2003
36	30851/24/2003-2004-CD	Ram Swarup S/O Hari Singh	Vill : Utrana P.S. : Musajhag	8/10/2003
37	26278/24/2003-2004-CD	Raju @ Rajpal		12/11/2003
38	32257/24/2003-2004-CD	Devender Singh S/O Rajveer Singh	R/O Khatta Prahaladpur	30/12/2003
39	33348/24/2003-2004-CD	Naresh @ Ramesh @ Mukesh @ Raju	R/O 110, Madhvapur Bairhana P.S. : Keedganj	21/12/2003
40	34578/24/2003-2004-CD	Anil Kumar S/O Hari Ram	R/O Bhadalgarhi P.S. : Nawab Ganj	21/01/2004
41	36430/24/2003-2004-CD	Vasudev Yadav	R/O Vill : Vijayeeapur P.S. : Meh Nagar	15/02/2004
42	24349/24/2005-2006-CD	Puttan Sahini (Father)		14/04/2005
43	11763/24/2004-2005-CD	Hariom S/O Ram Kirshan		7/7/2004
44	16033/24/2004-2005-CD	Yogender Prasad		22/07/2004
45	22527/24/2004-2005-CD	Mohd. Badshah S/O Mohd. Abbas	R/O Vill. Bansa Ps. Azamnagar	12/8/2004
46	32458/24/2004-2005-CD	Ram Chander Kol S/O Bihari Kol	R/O Heenaut Naugarh PS. Naugarh Janpat Chandauli	25/11/2004
47	43324/24/2004-2005-CD	Kanhai		3/3/2005
48	43305/24/2004-2005-CD	Lal Man S/O Dungar	R/O Vill. - Shiraswa Gaur	4/3/2005
49	1323/24/2005-2006-CD	Pappu @ Raj Kumar Singh S/O Late Singh	Vill. Saidebpur Ps. Ramnagar	2/4/2005
50	6874/24/2005-2006-CD	Balwan Singh S/O Hari Singh	Vill. Tandahadi, Ps Bahadurpur	11/5/2005
51	8332/24/2005-2006-CD	Banshi Chauhan	Pachpheda, Ps Kotwali Pandrana	9/6/2005
52	9544/24/2005-2006-CD	Tota Ram S/O Laxman Prasad	Vill. Jigna Ps Puruva	21/06/2005
53	11308/24/2005-2006-CD	Abid Hussain S/O Hamid Hussain	Gali No. 10, Bhamok P.S. Civil Lines	10/7/2005
54	20688/24/2005-2006-CD	Khem Pal S/O Shri Shreepal Singh	Vill. Dhaka Nagla Ps Baniather	3/8/2005
55	23153/24/2005-2006-CD	Abhishek		8/8/2005

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
56	14951/24/2005-2006-CD	Hazari Lal S/O Santoshi	R/O Vill. Bhartha Juaya P.S. Kaudia	9/8/2005
57	19914/24/2005-2006-CD	Puttan Majhi S/O Kunji Majhi	A-11/28-31, New Mahadev, Prahladghat PS Adampur	14/09/2005
58	24538/24/2005-2006-CD	Sada Vriksh S/O Ramjas	Vill . Bohapar PS Jhagaha	22/10/2005
59	26526/24/2005-2006-CD	Ramesh Chandra Awasthi		23/10/2005
60	26809/24/2005-2006-CD	Atish S/O Latif	Moh. Rashool Ghat PS Kotwali	27/10/2005
61	27801/24/2005-2006-CD	Samharu Sahani S/O Sarju S/O Hasan	Vill. Kumaripattidat Tola, Ps Nebura Naurangia Ps Sarawashti	5/11/2005
62	27264/24/2005-2006-CD	Shyamu @ Shayam Prakash S/O Sheetla Prasad Upadhyay	Vill. Joytipur, Ramaisha Ps Malipur	8/11/2005
63	42526/24/2005-2006-CD	Roshan		10/2/2006
64	974/24/2006-2007-CD	Satish S/O Chotte Prajapati	Patai Khalga PS Didoli	25/03/2006
65	6573/24/2006-2007-CD	Govarthan Singh S/O Jodha Raidas	Vill. Madaiya PS Pachdera	5/5/2006
66	14239/24/2006-2007-CD	Ramesh @ Dadan S/O Sita Ram	Harsinghpur Mishraliya	9/7/2006
67	19852/24/2006-2007-CD	Rajendra Prasad	R/O Kuran Dt. Sonebhadra Up	15/07/2006
68	20992/24/2006-2007-CD	Rajiv Kumar Kapoor	Vasant Kunj	25/08/2006
69	28248/24/2006-2007-CD	Sonu S/O Dalbir	Hazratpur Ps Khurja Dehat	2/9/2006
70	25602/24/2006-2007-CD	Gulab Bind S/O Baldev Bind	Vill. Uonj Mugrah Ps Uonj	17/09/2006
71	28708/24/2006-2007-CD	Rajesh S/O Satpal	Vill. Kurdi Ps Devband	17/09/2006
72	12637/24/63/07-08-PCD	Rajbir S/O Chotte Lal		21/09/2006
73	28252/24/2006-2007-CD	Vinod S/O Ginwar Singh	Vill. Mushail Ps Fatehpur	12/10/2006
74	19785/24/33/07-08-PCD	Seeraj		13/10/2006
75	28250/24/2006-2007-CD	Ravindra @ Bhura S/O Bhawar Singh	Vill. Waldipur Ps Douraula	16/10/2006
76	31253/24/2006-2007-CD	Petfulla Kanjad S/O Kallu Kanjad	Bihar Colony Ps Chikramak	19/10/2006
77	37404/24/46/07-08-PCD	Suresh		30/01/2007
78	1886/24/60/07-08-CD	Satpal @ Sheru S/O Nathu Lal	Vill. Navgaon Pkdiya PS Sungarhi	31/03/2007
79	2174/24/18/07-08-CD	Lalit @ Pappu S/O Ramesh	Vill. Kayasthwada Lodhan Ps Jahangirbad	22/03/2007
80	7654/24/46/07-08-PCD	Anil Kumar @ Gaddar S/O Ram Bharose	Choki Fathepur Ps Maigalganj	19/04/2007
81	3951/24/36/07-08-PCD	Radhey Brother Of Babloo	Vill. Bheeta Mahasingh Ps Kotwali Dehat	24/04/2007

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
82	9651/24/4/07-08-PCD	Pratap Singh S/O Laxman Singh Nayak	12 Kumaun Regiment Charbagh	14/05/2007
83	12429/24/40/07-08-PCD	Rakesh Singh S/O Gulab Singh	Room No. 40, Nagri Niwas, Goregaon	26/05/2007
84	20025/24/3/07-08-PCD	Kedari S/O Hoti Lal	R/O Avatar Nagar Pala Sahibabap Ps. Sasni Tate	7/6/2007
85	12419/24/43/07-08-PCD	Shyam Bahaliya S/O Mihi Lal Bahaliya	Vill. Bankoi Ps Mohammadabad	13/06/2007
86	13895/24/64/07-08-PCD	Rajneesh	Vill. Khadlana PS Titron	29/06/2007
87	15387/24/22/07-08-PCD	Rajesh	Khair	11/7/2007
88	16048/24/68/07-08-PCD	Ramu Yadav		15/07/2007
89	15888/24/68/07-08-PCD	Ramu S/O Hakim Yadav	Aminabad PS Manpuri	16/07/2007
90	44950/24/71/07-08-PCD	Sarruddin S/O Sairu		24/07/2007
91	25076/24/8/07-08-PCD	Shradhanand	Chhaprauli, Patti Ghaghan, Teh, Baraut	19/08/2007
92	28450/24/34/07-08-PCD	Sikander Kewat		20/08/2007
93	28814/24/39/07-08-PCD	Manoj & Saroj		22/09/2007
94	29385/24/60/07-08-PCD	Ved Prakash		25/09/2007
95	36298/24/28/07-08-PCD	Afsar @ Guddan S/O Asgar Khan	Akashwari Road Ajmeri Gate Ps Ramgarh Circle	27/10/2007
96	36761/24/46/07-08-PCD	Suresh S/O Rameshwar Pasi	Tulsipur Ps Gola	30/10/2007
97	37859/24/64/07-08-PCD	Vijay Sharma S/O Manohar Lal	Dehradoun Chowk Ps Janakpuri	13/11/2007
98	42849/24/4/07-08-PCD	Mohd. Hussain @ Husnain S/O Mohd. Idris	Vill. Bhopatpur PO Gahson Ps Tharvai	21/11/2007
99	39633/24/8/07-08-PCD	Sahi Ram S/O Rampal	Vill. Khera, Islampur Ps Barot	22/11/2007
100	41116/24/48/07-08-PCD	Rahul @ Ram Saneh @ Rajjan @ Amit	Na	2/12/2007
101	46547/24/48/07-08-PCD	Poley Banjara		26/12/2007
102	48958/24/46/07-08-PCD	Jamaluddin	Singahi, Ps Singahi	20/01/2008
103	49784/24/46/07-08-PCD	Jamaluddin		20/01/2008
104	58491/24/22/07-08-PCD	Ram Prasad S/O Sonpa Lodhi Rajpur	R/O Narhi Ps Sahawar	30/03/2008
105	527/24/3/08-09-PCD	Marghoob S/O Sher	R/O Manak Madi, Ps Kotwali De- hat, Sahajanpur, Uttar Pradesh	1/4/2008
106	716/24/57/08-09-PCD	Bhupendra	Vill. Adampur, Ps Bhoranmn Kalan, Muzaffarnagar, Uttar Pradesh	4/4/2008
107	3540/24/12/08-09-PCD	Anup Kumar Singh	H. No. C.K. 65/346, Mohalla Badi Pyari, Ps Chowk, Varanasi, Uttar Pradesh	23/04/2008
108	6858/24/48/08-09-PCD	Madan Singh Verma	R/O Dashharabag, Patel Nagar, Ps Kotwali, Barabanki, Uttar Pradesh	8/5/2008

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
109	8322/24/18/08-09-PCD	Naubat Singh	R/O Vill. Talwar Dibai, Bulandshahar, Uttar Pradesh	27/05/2008
110	8726/24/72/08-09-PCD	Rizwaan @ Saihjade	R/O Pakki Bazaar, Thana Cantt., Varanasi, Uttar Pradesh	2/6/2008
111	9867/24/48/08-09-PCD	Roop Chandra	R/O Nathai, Kheda, Ps. Sohra Mao, Unnao, Uttar Pradesh	5/6/2008
112	10314/24/7/08-09-PCD	Narain Dev S/O Raja	Vill. Palia, P.S. Ughaiti, Badaun, Uttar Pradesh	8/6/2008
113	10704/24/18/08-09-PCD	Manish Kumar	R/O Inder Garhi, Hapur( Rural), Ghaziabad, Uttar Pradesh	4/6/2008
114	20119/24/67/08-09-PCD	Irshad Khan	R/O Ward No-4, Nehru Nagar, Ps- Shohratgarh, Siddharth Nagar, Uttar Pradesh	8/8/2008
115	28279/24/36/08-09-PCD	Bhaiya Lal	Vill. Chak P.S. Pachdeora, Hardoi, Uttar Pradesh	14/09/2008
116	29529/24/54/08-09-PCD	Abdul Ansari	R/O Khawas Amua P.S. Dhadra, Loherdaga, Jharkhand	12/9/2008
117	30631/24/63/08-09-PCD	Bhikh Ram Kashyap	Vill. Herva P.S. Jalalabad, Sahajanpur, Uttar Pradesh	10/10/2008
118	30834/24/1/08-09-PCD	Vijay	Kasba & P.S. Shikohabad, Ferozabad, Uttar Pradesh	30/09/2008
119	33140/24/52/08-09-PCD	Kalua S/O Shivram	R/O Doulat Pur Basao P.S. Noun Jheel, Mathura, Uttar Pradesh	24/10/2008
120	36069/24/55/08-09-PCD	Abdul Rashid	R/O Jigna, P.S. Ahrora, Mirzapur, Uttar Pradesh	17/11/2008
121	36854/24/60/08-09-PCD	Afzal S/O Mohd. Nabi	Hadina Shah, Pilibhit, Uttar Pradesh	21/11/2008
122	37134/24/38/08-09-PCD	Veerpal Singh	Daman Pur P.S. Rajpur, Jalaun, Uttar Pradesh	25/11/2008
123	37326/24/44/08-09-PCD	Raviraj @ Munna	Makampur P.S. Pipri, Kaushambi, Uttar Pradesh	26/11/2008
124	37707/24/5/08-09-PCD	Veer Pal Singh	R/O Daman Pur, P.S. Rajpur, Kanpur, Uttar Pradesh	25/11/2008
125	39654/24/31/08-09-PCD	Yogesh Tyagi Ved		12/12/2008
126	39878/24/51/08-09-PCD	Hari Kishan@Dinna		15/12/2008
127	46670/24/37/08-09-PCD	Mahipal Singh	Lodh, Mahamayanagar, Hathras, Uttar Pradesh	4/2/2009
128	49637/24/37/08-09-PCD	Kamlesh Kumar	Tursi Pur, PS - Malwan, Etah, Uttar Pradesh	21/02/2009

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S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
1	220/25/2001-2002-CD	Kuovir @ Rasheed		24/6/2001
2	262/25/2001-2002-CD	Bablu Malpaharia, S/O Ashok Malpahria		2/7/2001
3	237/25/2001-2002-CD	Satyajit Mandal, S/O Late Gunadhar Mandal		6/7/2001
4	275/25/2001-2002-CD	Bhulu Rang, S/O Abinash Rang	Kanlipora, PS. Sonarpur	20/7/2001
5	301/25/2001-2002-CD	Un-Identified		1/8/2001
6	372/25/2001-2002-CD	Ajay Pal		23/8/2001
7	405/25/2001-2002-CD	Mohd. Aslam, S/O Ismail Ag	Tasa Chand Datta Street, Temestand	25/8/2001
8	433/25/2001-2002-CD	Lalan Das	Das Nagar Coolie Para	19/9/2001
9	532/25/2001-2002-CD	Arun Aggarwal, S/O Late Babau Lal		24/10/2001
10	549/25/2001-2002-CD	Isriell Sk, S/O Md. Amin	Bl. No. 3, Holding No. 100, Kankinara	30/10/2001
11	556/25/2001-2002-CD	Sunil Jaiswal S/O Shambhu Nath		8/11/2001
12	644/25/2001-2002-CD	Pulin Biswas S/O Late, Sumanta Biswas		16/12/2001
13	643/25/2001-2002-CD	S.K Khalek S/O Late Habib	Vill. Kajora Sikarpur, Sarsedanga, Kajore	18/12/2001
14	663/25/2001-2002-CD	Sadak Ali S/O Ekramul		7/1/2002
15	662/25/2001-2002-CD	Kshitish Baarman S/O Tara, Barman		8/1/2002
16	741/25/2001-2002-CD	Baajit @ Baajit Sk		16/2/2002
17	756/25/2001-2002-CD	Netai Das S/O Lt.Lok Nath Das		25/2/2002
18	143/25/2002-2003-CD	Not Known		9/6/2002
19	103/25/2002-2003-CD	Khalif S/O Lt. Ershad Ali		10/3/2002
20	252/25/2002-2003-CD	Sukumar Das S/O Sudir Da	22 Rajendra Avenue, PS. Uttar Para	26/7/2002
21	234/25/2002-2003-CD	Munna Basfor		22/7/2002
22	292/25/2002-2003-CD	Avesh (Anesh) Das	Vill, Pipla, Uttarapara, PS. Harish Chandrapur	2/8/2002
23	293/25/2002-2003-CD	Nemai Ghosh Kahala	Mohanaganj, PS. Ratna, Malda	2/8/2002
24	426/25/2002-2003-CD	Mofijul Laskar	P.S.:Joynagar	29/8/2002
25	343/25/2002-2003-CD	Ajoy Kumar Mondal	Mirchibari Tejatola, Katihar	30/8/2002
26	394/25/2002-2003-CD	Aprem Chetri	Jalpaiguri	19/9/2002
27	445/25/2002-2003-CD	Bidesh Mandal	Ram Makal Chak, PS: Bishnupur	5/10/2002
28	463/25/2002-2003-CD	Krishan Kuiry S/O Lal Bihari Kuiry	Lengdi, P.S: Bagmundi	22/10/2002
29	509/25/2002-2003-CD	Md. Kalu, S/O Md. Nasim	O.K. Road Babuatalao, P.S. : Asansol North	10/11/2002
30	540/25/2002-2003-CD	Late. Rakesh Sharma, S/O Prakash Sharma	R/O 2no.Matangiri Debi, Road,P.S: Thakurpukur	19/11/2002
31	605/25/2002-2003-CD	Md.Samim S/O Late Abdul Razzak	4/1, Kulia Tangra, 1st Lane	16/1/2003
32	656/25/2002-2003-CD	Hemantosh Baraik S/O Balka Baraik	Ghatwar Line, Bhatkharwar T.E	10/2/2003

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
33	42/25/2003-2004-CD	Karim Bix Sarder		9/4/2003
34	53/25/2003-2004-CD	Topan Ghosh S/O Sh.Kanai, Ghosh	R/O Vill: Palasan, P.S Raina	23/04/2003
35	85/25/2003-2004-CD	Debasis Thakur		27/4/2003
36	116/25/2003-2004-CD	Jhantu Sanyal @ Tamal Kr Sanyal @ Ghantu	S/O Late Upendra Nath Sanyal Bakultala, Tk-Tala, Bizapur, Workshop Road, PS Bizpore	20/5/2003
37	216/25/2003-2004-CD	Farid Sk, S/O Based Sk	Vill : Pitch Kurdidhal	11/7/2003
38	240/25/2003-2004-CD	Mohabul Sk S/O Settaz Hussain	R/O Miapur, PS-Lalgola	29/7/2003
39	241/25/2003-2004-CD	Rashid Majhi @ Rashik S/O Kirpal @ Tupali	R/O Domnatala, PS- Chanchal	1/8/2003
40	404/25/2003-2004-CD	Naimuddin Sheikh Momin S/O Late Said Momin	R/O Sultanpur,P.S.:Suti	24/9/2003
41	466/25/2003-2004-CD	Deben Sardar S/O Late Budhu Sardar	Vill: Arabpur, P.S. Hogalberia	13/10/2003
42	405/25/2003-2004-CD	Md Hriday Mali @ Molia S/O Year Ali Molia	R/O Uttar Angad Beria, P.S. Canning	24/10/2003
43	660/25/2003-2004-CD	Debasis Dutta S/O Late Chhta Ranjan	R/O Raj Kumar Mallick Lane, P.S.: Bhadreswar	8/12/2003
44	509/25/2004-2005-CD	Rakesh Show @ Lolai S/O Lt. Janak Show	R/O A.P.Devi Road, Titagarh, PS Khardah	13/1/2004
45	900/25/2003-2004-CD	Kamal Sharam S/O Nandlal Sharma	Vill.ranidanga Jangli Busty	9/2/2004
46	160/25/2004-2005-CD	Sudhangsho Singh @ Chatu S/O Lt. Anil Singh	Marai Kuti, PS. Jhavgram	31/5/2004
47	213/25/2004-2005-CD	Chhatu @Sudhangshu Singh S/O Lt.Anil Singh	R/O Muraikuti, PS. Jhargram. Distt. Pachim	1/6/2004
48	513/25/2004-2005-AF	Shushil Ekka H/O Sarita Kujur		7/6/2004
49	243/25/2004-2005-CD	Vijoyadhikari Sw/O Lt. Budharu Adhikary	Jharsalbari, PS, Dhupguri	17/6/2004
50	417/25/2004-2005-CD	Jhuma Mandal	Jagul PS. Debra, Kharaypur Local Police Station	8/7/2004
51	464/25/2004-2005-CD	Niranjan Chosh S/O Lt. Dibakar Ghosh		18/7/2004
52	503/25/2004-2005-CD	Akbar Ali S/O Rahmat Sk	Milki PS - English Bazar	4/8/2004
53	647/25/2004-2005-CD	Kamal Maity S/O Lt. Anil Maity	Naskarpur	23/10/2004
54	688/25/2004-2005-CD	Mureselim Sk. S/O Idrish Sk.	R/O Ruharpara, PS. Daulatabad	20/11/2004
55	723/25/2004-2005-CD	Montu Razwar S/O Lt. Binod Rajwar	Beleghat PS. Katwa	11/12/2004
56	837/25/2004-2005-CD	Palton Muru S/O Lt. Bhutnya Murmu	Chakismailpur, PS. Dantan Paramour	3/2/2005
57	227/25/2005-2006-CD	Sunil Ch.Roy S/O Lt. Swarup Roy	Shyam Sunder Chak. PS Uluberia.	15/6/2005
58	341/25/2005-2006-CD	Abbas Sk C/O Rahima Bibi	Vill. Serundihi, PS Ketugram	15/8/2005
59	375/25/2005-2006-CD	Sentu Sk S/O Late Sukur Sk	Banhat. PO - Khargona. PS Rampurhat	9/9/2005

S. No.	NHRC File No.	Name of the Victim	Victim's Address	Date of incident
60	389/25/2005-2006-CD	Jiten Mondal		21/9/2005
61	419/25/2005-2006-CD	Anil Borma @Raju S/O Ram Bharat Borma	Gouripur Jute Mill Line, No.47 QTR No.910, PS Naihati	2/10/2005
62	503/25/2005-2006-CD	Smt. Ramadevi Rajkumari C/O Saujtata	Swadhar Shelter Home, Garia	17/11/2005
63	595/25/2005-2006-CD	Makhan Majumdar S/O Lt. Sachindra Majumdar	Telipara, PS Banarhat	10/1/2006
64	36/25/2006-2007-CD	Ansaruddin Mai @Ahmed S/O Lt. Awajuddin	Bijli Chatka Adabari. PS Sital	6/4/2006
65	207/25/2006-2007-CD	Abdul Lal Miyan S/O Mohd Amjad Ali	Sighakhli, PS Morenj Ganj, Khulna, Bangladesh	21/5/2006
66	222/25/2006-2007-CD	Swapan Ghosh S/O Lt. Sankar Ghosh	Pandapara, PS Kotwali	15/6/2006
67	250/25/2006-2007-CD	Suraj Biswakama S/O Lt. Bhim Bahadur Biswakama	Mile Check Post Bhakti Nagar	21/6/2006
68	248/25/2006-2007-CD	Embia Sk	Vill. Lakshampur, PS Monglkote	9/7/2006
69	689/25/2006-2007-CD	Bungi Bibi D/O Afajuddin	Nandayal Parbibi, Joypurhat Bangladesh	24/12/2006
70	660/25/19/07-08-PCD	Krishna Pada Das S/O Vanu Das	R/O Vill- Purba Dwarika Pur, PS- Pathor Pratima, South 24 Parganas	9/2/2007
71	738/25/2006-2007-CD	Krishnadapa Das S/O Bhanu Das	Purba Dwarikapur, PS Pathar	10/2/2007
72	40/25/4/07-08-CD	Durga Santra S/O Nirapada Santra	Simlon, PS Kalna	9/3/2007
73	51/25/14/07-08-PCD	Nripen Adhikari S/O Late Bhupendra Adhikari	Vill. Kalirhat, A/P Durgapur Bazar, PS Kotwali	30/03/2007
74	172/25/13/07-08-PF	Ranjit Kumar Biswas S/O Late Nandlal Biswas	Vill. Harinakundu, PS Harinkundu, Distt. Jhinaidaha, Bangladesh	2/5/2007
75	270/25/7/07-08-PCD	Kailash Rai S/O Poka Rai	Vill. Badabari, PS & Distt. Thakur Gaon, Bangladesh	6/6/2007
76	380/25/6/07-08-PCD	Narayan Chandradev @ Niatidev S/O Lt Fatik Chandra	Sivjaggya Road, PS Kotwali	18/7/2007
77	918/25/5/07-08-PCD	Amaresh Kundi S/O Bijoy Kr. Kundu	Ghatal Hospital Qtr., PS Ghatal	6/1/2008
78	981/25/5/07-08-PCD	Rabi Das S/O Late Ranjit Das	J-408, Fatepur Tantipara, PS :Garden Reach	12/2/2008
79	1122/25/19/07-08-PCD	Pran Molla S/O Lt. Jamat Ali Molla	Baghanpur, Madhyapur,	23/3/2008
80	338/25/3/08-09-PCD	Krishna Bouri	Beledangal, PS Khoirasole, Birbhum	27/07/2008
81	827/25/9/08-09-PCD	Kalu @ Krishna	38/1, 1 G, Road, Kunjapara Chaltatala, PS- Liluah, Howrah	28/12/2008
82	845/25/5/08-09-PCD	Lalu Kumar Biswas	In Front of Premises No- 5B, (Chowringhee Lane), Calcutta	6/1/2008
83	106/25/13/08-09-PF	Dijen Mondal	Dijen Mondal S/O Hriday Mondal, R/O Bamnabad, PS Raninagar, Murshidabad	4/5/2008



Asian Centre for Human Rights is dedicated to promotion and protection of human rights and fundamental freedoms in the asian region by:

- providing accurate and timely information and complaints to the national human rights institutions, the united nations bodies and mechanisms as appropriate;
- conducting investigation, research, campaigning and lobbying on country situations or individual cases;
- increasing the capacity of human rights defenders and civil society groups through relevant trainings on the use of national and international human rights procedures;
- providing input into international standard setting processes on human rights;
- providing legal, political and practical advice according to the needs of human rights defenders and civil society groups; and
- by securing the economic, social and cultural rights through rights-based approaches to development.

## **ASIAN CENTRE FOR HUMAN RIGHTS**

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