



The State of Torture in Manipur



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1. Focus: Impunity for extrajudicial killings in Manipur

On 18 December 2018, the Central Bureau of Investigation (CBI) wrote a letter to the Chief Secretary of Manipur stating that despite repeated requests, sanction of prosecution in seven cases of extrajudicial executions by the security forces in Manipur had not been received from the State government of Manipur. These said cases were referred by the Supreme Court for investigation vide orders dated 14.07.2017 and 16.01.2018 in WP(Crl.) No. 129/2012. The CBI stated that after investigation of these seven cases, chargesheets have been filed in the concerned trial Courts. However, the State of Manipur failed to provide sanction for prosecution.¹

In fact, on 22 February 2019, the case of custodial death of Athokpam Angousana Meitei was disposed off by the Chief Judicial Magistrate Thoubal on the ground that the State government did not give “prior sanction” to prosecute the accused police constable of Manipur Police required under Section 197 of the Code of Criminal Procedure. The deceased was arrested by Thoubal District Commandos on 27 February 2011 at around 5 pm and he died due to custodial torture the next morning. In an inquiry conducted by the District Judge, Manipur West the judge held that the deceased died “due to the injuries sustained by him during the period he was in police custody.” The High Court of Manipur accepted the report of the District Judge and awarded compensation vide order dated 28.11.2014.² The CBI, which was investigating this case on the Supreme Court’s order, had filed a chargesheet against a constable of the Manipur police and wrote to the Chief Secretary of Manipur asking for sanction to prosecute. The CBI’s investigating officer told the magistrate that he had sent several letters including on 18 December 2018 and on 21 February 2019 and requested the court for additional time to receive prosecution sanction but the CJM declined the request³ effectively nullifying the Supreme Court directions.

On a writ petition⁴ filed by the Extra-Judicial Execution Victim Families Association seeking investigation into 1,528 cases of extra-judicial killings by state and central security forces in Manipur, the Supreme Court in a landmark order on 14 July 2017 asked the CBI to set up a Special Investigating Team (SIT) to investigate the alleged extra judicial killings and ordered registration of FIRs into 81 cases including 32 cases

probed by a Commission of Inquiry, 32 cases investigated by judicial enquiries and High Courts, 11 cases in which compensation had been awarded by NHRC and six cases probed by the Commission headed by former Supreme Court judge Justice Santosh Hegde.⁵ The CBI Director was asked to lodge necessary FIRs and to complete the investigations into the same by 31 December 2017 and prepare charge sheets, wherever necessary. But the CBI could file only 11 FIRs by 31 December 2017.

On 16 January 2018, the Supreme Court pulled up the CBI for its failure to register the FIRs.⁶ On 30 November 2018, the Supreme Court rejected the petition filed by 355 Army personnel challenging the lodging of FIRs against soldiers involved in operations in Manipur and Jammu and Kashmir, where the Armed Forces Special Powers Act (AFSPA) has been in force.⁷ With the State government refusing to provide sanction, impunity has become the rule.

2. Special focus: Custodial torture in Manipur

According to the National Human Rights Commission (NHRC), 6 deaths in police custody were reported during 2009-2010 to 2018-19 (as on 20.11.2018) in Manipur. These included nil in 2009-10; 1 in 2010-11; 1 in 2011-12; 1 in 2012-13; nil in 2013-14; nil in 2014-15; nil in 2015-16, 1 in 2016-17; 1 in 2017-18; and 1 in 2018-19 (as on 20.11.2018).⁸

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2.1 Torture in police custody

The following emblematic cases establish the patterns of torture in the state.

Case 1: Detention and torture of Thangminlal Baite by Thoubal Police Commandos

On 8 November 2019, Thangminlal Baite, a driver was detained and allegedly tortured by Thoubal Police Commando on mere suspicion of transporting drugs. The General Secretary of Moreh Drivers' Union, Lhunkhohao Haokip claimed that the victim was detained and tortured by Thoubal Police Commando at around 1 pm at Yairipok Lamkhai on mere suspicion that he was transporting drugs. No drugs and incriminating items were found when the vehicle was checked and yet the Commando continued to torture him. The Moreh Drivers' Union demanded immediate and appropriate action be taken up against the erring personnel.⁹

Case 2: Custodial death of Ginlam Munluo, Singngat Police Station

On 1 September 2019, Ginlam Munluo aka Ginzalam (40 years) reportedly committed suicide unable to bear alleged torture meted out to him at Singngat Police Station in Churachandpur district of Manipur. The deceased, a resident of Singngat sub-division in Churachandpur district of Manipur, was arrested by the police on the charges of dealing with illegal drugs. After arrest, the police detained the deceased at Singngat Police Station where he was subjected to torture by the five police personnel identified as Sub Inspector T Lalbiakmuan, Assistant Sub Inspector H Muanthianlal, Constables T Doualven, S James Ngaihte and Pauchinmuan Ginlam Munluo in the custody. On 31 August 2019 the deceased was released and allegedly committed suicide on 1 September 2019.¹⁰

Case 3: Alleged torture of Mungshang Konghay in the Assam Rifles custody in Manipur

On 6 May 2019, Mungshang Konghay (28 years) was allegedly tortured in the custody of 17th Assam Rifles at Litan in Ukhrul district, Manipur. The victim, a resident of Marou village in the district, alleged that while in custody he was tortured by Captain Dheeraj Gautam, Commander of the 17th Assam Rifles of Litan outpost to make him confess that he is a member of an underground group. He was released at around 12.30 pm on the same day and the local residents took him to the Primary Health Centre at Yaingangpokpi Bazaar for treatment. Ramkahao Awungshi, headman of Marou village claimed that on 6 May 2019 around 10 am, the victim and his friends had boarded a bus in Litan to go to Yaingangpokpi Bazar to buy essential commodities. Thereafter, some personnel of the 17th Assam Rifles from the nearby outpost followed the bus and asked them to show their proof of identity. The victim failed to produce his identify proof as he had lost his Aadhaar card while the others showed theirs. The security forces allegedly dragged the victim out of

the bus and slapped him in full public view before blindfolding and whisking him away to a secluded area in the nearby forest.¹¹

Case 4: Torture of three student leaders identified at Sugnu Police station, Kakching district

On 25 April 2019, three student leaders identified as David Lamminlen Baite (about 25), Thangkhanlal Haokip and Peter Mangkhohao Lhungdim were allegedly tortured in police custody during interrogation at Sugnu in Kakching district after their arrest on alleged charge of burning down a missionary school. On 25 April, St Joseph's Higher Secondary school, a Christian missionary school at Sugnu was burned down by unidentified persons. Following the incident, two Executive Members identified as Lamminlen Baite and Thangkhanlal Haokip of the Kuki Students' Union (KSO), Gunpi Block were picked up by the police from their homes for questioning on the night of 25 April. On 3 May, another Executive Member of the KSO identified as Peter Mangkhohao Lhungdim was picked up by the police for questioning. According to the Kuki Students' Union, David Lamminlen Baite, Thangkhanlal Haokip and Peter Mangkhohao Lhungdim were allegedly subjected to third-degree torture in police custody in order to make them confess to the crime which they have not committed. One of them, Peter Mangkhohao Lhungdim sustained injuries due to custodial torture and he had to be admitted to the hospital.¹²

Case 5: Torture to death of a suspended police constable Md Manjur Ahmad, Imphal

On 30 March 2019, a suspended Manipur Police constable identified as Md Manjur Ahamad, aged 34 years, s/o Bashir of Yairipok Ningthourel in Thoubal district, Manipur, died in police custody at the Joint Interrogation Cell (JIC) in Imphal, Imphal West district. Md Manjur was suspended after an undertial prisoner fled from custody while being treated at a hospital on 26 March 2019. The deceased, deployed at the hospital to look after the escaped individual, was arrested for interrogation on 27 March and remanded to police custody till 1 April. The family members of the deceased alleged that Md Manjur died to torture during interrogation at the JIC.¹³

Case 6: Custodial death of Heishnam Sharatkumar at Keibul police station, Bishnupur district

On 18 February 2019, Heishnam Sharatkumar aged 48 years, a resident of Khordak village of Bishnupur district died allegedly of torture at Keibul police station under Bishnupur district.

He was arrested by state police and the forest department personnel on charges of killing a wild boar, protected under Schedule III of the Wildlife (Protection) Act, inside the Keibul Lamjao Nation Park on 14 February. The deceased was taken to the Keibul police station for questioning where he was allegedly tortured to death on 18 February 2019. The police claimed that the deceased committed suicide by hanging with

a torn bedsheet inside the lockup on 18 February 2019. However, the family members of the deceased alleged that the deceased was tortured to death in police custody and later the body was hung to make it look like a suicide.¹⁴

Case 7: Custodial death of Md Abdul Gafar in the custody of the combined security forces

On 20 December 2018, 36-year-old Md Abdul Gafar alias Sahit died in the custody of combined security forces of the 26th Assam Rifles and Manipur Police commandos in Thoubal district. The deceased, son of Md Babu Macha, a resident of Lilong Usoipokpi Makha under Lilong police station of Thoubal district, was picked up at around 2.30 am by a combined force of 26 Assam Rifles and Manipur police commandos attached with Thoubal district police on 20 December 2018 without any reason. On the next morning, the family was informed about the death of the deceased and that his body was being deposited at the morgue of Jawaharlal Nehru Institute of Medical Sciences (JNIMS), Imphal at around 8 am. Hospital sources said that the security personnel brought Gafar at the casualty ward of JNIMS hospital where doctors on duties declared him brought dead. Wife of the deceased alleged that the security force did not either give reason or provided arrest memo when her husband was arrested. Angry over the custodial death, the Lilong residents protested on the street along NH-102 and imposed total blockade. They accused the combined security force of beating Gafar to death after being picked up from his house and demanded strict punishment to the security personnel involved in the case.¹⁵

Case 8: Custodial death of 19-year old youth Md Aboy

On 13 November 2018, a 19-year-old youth identified as Md Aboy died in police custody in Manipur's capital Imphal under mysterious circumstances. The deceased, a resident of Erong Khunou area in Thoubal district, was in police custody in connection with the case of the death of a 16-year-old girl of the same locality, allegedly committed suicide by hanging from a ceiling fan on 13 November 2018 morning at the state-run juvenile home at Takyel area in Imphal where he had been lodged since 12 November on the directions of a juvenile court.¹⁶

Case 9: Illegal detention and torture of three college students

On 8 January 2018, three college students were allegedly arrested, beaten and harassed at the Bishnupur Police Station in Bishnupur district in Manipur. Police officials also allegedly threatened the family members of the victims who came see the students at the Police Station. Two of the victims were studying at Imphal College and one was studying at Thambal Marik College. They came to Bishnupur Bazaar for a haircut at around 12.30 P.M when they were picked up by a team of Bishnupur police. Police released the victims only after allegedly taking money from them.¹⁷

2.2 Torture and deaths in judicial custody

In the state of Manipur, there are 2 central jails at Imphal and Sajiwa, 2 district jails at Churachandpur and Chandel, and 1 sub-jail at Jiribam (which is temporarily closed).¹⁸

As per NHRC data, a total of 5 prisoners died in jails of Manipur during 2008-2009 to 2017-18. This included nil deaths in 2008-2009; nil in 2009-10; nil in 2010-11; 1 in 2011-12; 1 in 2012-13; nil in 2013-14; 1 in 2014-15; 1 in 2015-16; nil in 2016-17, and 1 in 2017-18.¹⁹

Deaths in judicial custody continued to be reported from the jails of the State.

Case: Death of 3 inmates at Manipur Central Jail

On 30 July 2016, three inmates of the Manipur Central Jail Sajiwa died in two incidents of scuffles between them. It was reported that two inmates namely Yusuf (21) and Abdus (22) - allegedly hit Thangminlien Zou of Churachandpur district with blunt objects killing him at about 1 AM in the jail located in Greater Imphal. As the news of death of Thangminlien spread, some inmates allegedly stormed into the Cell 4 of Sector-1 of the prison and killed the alleged attackers.²⁰

2.3. Emblematic cases of custodial violence and award of compensation by NHRC

The curbing of custodial violence has been a major objective of the National Human Rights Commission ever since it was established. It has been awarding compensation to victims/relatives in numerous cases. The NHRC has awarded compensation in the following emblematic cases of custodial violence reported from Manipur.

Case 1: High Court orders Central Government to pay compensation of Rs. 500,000 each to NoK of victims of fake encounter in Manipur

On 11 April 2019, the Manipur High Court ordered the Central Government to pay compensation of Rs. 500,000 each to two women whose husbands were allegedly killed by Assam Rifles personnel in a fake encounter in 2009. The order was passed by a division bench of the high court comprising Chief Justice Ramalingam Sudhakar and Justice MV Muralidaran following two petitions filed by Laishram Prema Devi and Seram Sunita Devi, the widows. Laishram Keshorjit Singh and Seram Priyokumar Meitei of the Urup Litanmakhong area in Imphal East district were picked up by the personnel of 20th Assam Rifles on 1 June 2009 from Tengnoupal check post in then Chandel district (now Tengnoupal district). Later, the two were killed in a fake encounter at the nearby place on the same day. Earlier, the Thoubal district judge conducted an inquiry into the killings and established that the two were killed in a fake encounter.²¹ The NHRC also awarded a compensation of Rs. 500,000 each to the next of kin of the two deceased acting on a complaint filed by the Asian Centre for Human Rights.²²

Case 2: death of three inmates at Sajeeva Central Jail, East Imphal, Manipur

This case (NHRC Case No. 40/14/6/2016-AD) pertains to death of three inmates at Sajeeva Central Jail, East Imphal, Manipur, at night on 29.07.2016, during violence among jail inmates. The deceased namely Susahk Ahmed and Abdul Salam were residents of Saudi Arabia and they died due to asphyxia as a result of drowning, homicidal in nature. Deceased Thangmilian Zou was a resident of Churchandpur, who was killed by the aforesaid two inmates with lethal weapon such as nail wires, and bricks. His body was found in the Cell. When the killers were attacked by other inmates they jumped in the nearby pond. The other inmates pelted stones on them and drowned. Inquest was held and post-mortems were conducted. According to MER, UTP Thangminillian Zou died due to multiple injuries on the body which are individually sufficient to cause death. The two Saudi national inmates were individually or together responsible for the homicide in this case. Weapons in the form of bricks were used to inflict some or all injuries. The Commission vide proceedings dated 05.04.17 made the following observations/directions to the Govt. of Manipur: On 11 January 2019, the Commission observed that the jail authorities were not vigilant in their supervision of the security of the jail for which the State is vicariously liable and directed the state to pay a monetary relief of Rs.1,00,000/- (One Lakh Only), to the NOK of the deceased and the institution of a departmental enquiry against the erring jail officials.²³

Case 3: Death of Paohulen Kipgen allegedly killed by the personnel of 43rd Bn. of Assam Rifles in Manipur

The case (NHRC Case No. 137/14/10/2012-AD) relates to the death of one Paohulen Kipgen allegedly killed by the personnel of 43rd Bn. of Assam Rifles on 21.12.12 at Village Chagobug village of Senapati District, Manipur. The Commission vide its proceedings dated 06.09.17 directed issuance of a notice u/s 18 of the PHR Act, 1993 to the Chief Secretary, Government of Manipur to show cause within six weeks as to why a monetary compensation of Rs. Five Lakhs be not recommended to be paid to the NoK of the deceased Paohulen Kipgen. The Dy. Secretary (Home), Govt. of Manipur vide communication dated 31.08.18 has informed that that victim died during the alleged encounter with 43rd AR, Kangpokpi and none of State forces were involved. On 7 November 2019, the Commission issued a fresh notice u/s 19 of the PHR Act, 1993 to the Secretary, Ministry of Defence to show cause within eight weeks as to why a monetary compensation of Rs. Five Lakhs be not recommended to be paid to next of kin of deceased Paohulen Kipgen.²⁴

Case 4: Death of Sagolshem Manglem Singh

This case (NHRC Case No. 30/14/6/2016-PCD) pertains to the death of Sagolshem Manglem Singh @ Manglemi @ Inaotombi @ Inaobi. He was arrested on 30.5.2016 in

connection with a case in PS Lamlai u/s 420/379 IPC and was remanded to police custody for a period of 5 days. While he was in police custody he was found hanging by using torn piece of blanket inside toilet of lock-up of the PS at about 2.20 AM on 2.6.2016. By its proceedings dated 16.5.2018, the Commission had recommended to the Govt. of Manipur to pay a sum of Rs. Five Lakhs to the NoK of the deceased Sagolshem Manglem Singh. The Chief Secretary, Govt. of Manipur was directed to submit compliance report along with proof of payment within 6 weeks. Pursuant to the directions of the Commission, Dy. Secretary (Home), Govt. of Manipur vide communication dated 22.12.2018 forwarded a copy of receipt regarding payment of compensation of Rs. 5 Lakhs to the NoK of the deceased Sagolshem Manglem Singh.

Case 5: Fake encounter killing of Mayengbam Nanao @ Ajit and Ahongshangbam Chorjit Singh

This case (NHRC Case No. 2/14/4/09-10-AFE) pertains to the death of two persons namely Mayengbam Nanao @ Ajit and Ahongshangbam Chorjit Singh in a fake encounter with the security forces on 2.4.2009 at Irengband in Imphal, Manipur. On 9.5.2018, the Commission after considering the magisterial enquiry report, post mortem report, scientific evidence and other materials on record, was satisfied that deceased Mayengbam Nanao @ Ajit and Ahongshangbam Chorjit Singh were eliminated by the security forces on 2.4.2009 at Irengband in Imphal, Manipur in a fake encounter and, therefore, recommended to the Govt. of Manipur to pay a sum of Rs. Five Lakhs each as monetary compensation to the NoK of the two deceased persons. In response to the recommendation of the Commission, Deputy Secretary (Home), Govt. of Manipur vide communication dated 3.6.2019 submitted that the Govt. of Manipur had disbursed the monetary compensation to the tune of Rs. Five Lakhs each to the NoK of the two deceased persons.²⁵

Case 6: Fake encounter killing of Laishram Kanankumar and Oinam Nana by the 10th Assam Rifles personnel

In this case (NHRC Case No. 106/14/15/2012-ED), two persons namely Laishram Kanankumar @ Tamo Singh, aged 22 years and Oinam Nanao @ Haloba, aged 20 years were shot dead by a team of "D" Coy of 10th Assam Rifles personnel at Abalok Bridge, Kadangband area under Lamsang Police Station at around 03.00 A.M. on 19.9.2012. The intimation of the incident was made to the Commission by SP, Imphal West District, Manipur vide communication dated 19.9.2012. The Army claimed that the deceased were killed in a bonafide army operation. The National Human Rights Commission while taking cognizance of the incident, sought various reports from the concerned authorities in the matter and in pursuance to the directions of the Commission, the post mortem reports of the two deceased, FSL report, magisterial enquiry report and other relevant reports were received. The Commission on careful examination of the said reports found serious doubts

over the army version about the encounter and came to the conclusion that the two deceased were killed in a fake encounter by the army personnel. Consequently, a notice u/s 18 & 19 of the Protection of Human Rights Act, 1993 was issued to the Secretary, Ministry of Defence, Govt. of India vide proceedings dated 21.12.2017, to show cause as to why a sum of Rs. five lakhs each be not recommended to be paid to the next of kin of the two deceased. Vide proceedings dated 18.8.2018, the Commission recommended for payment of Rs.5 lakhs each as monetary compensation to the next of kin of the two deceased who were killed by the personnel of Assam Rifles in a fake encounter. The Secretary, Ministry of Defence, Govt. of India was directed to submit an action taken report u/s 19 (2) of the Protection of Human Rights Act, 1993, on the recommendation of the Commission within three months. However, the Secretary, Ministry of Defence, Govt. of India failed to submit the action taken report in spite of two reminders dated 31.8.2018 and 18.01.2019.²⁶

Case 7: NHRC recommends Rs.5 lakh compensation for kin of Manipur fake encounter victims

On 12 June 2015, the National Human Rights Commission (NHRC) recommended Manipur Government to pay Rs. five lakh as monetary relief to the next of kin of Sorokhiabam Jibon Singh, who was killed in an encounter in Imphal on 1 July 2009. The NHRC has observed that there could be no justification for such excessive use of force even after assuming that there was an encounter as claimed by police. The Commission has given the state government eight weeks time for compliance report and proof of payment. The NHRC further stated that the magisterial enquiry report of the incident did not inspire confidence as the Inquiry Officer had not associated family members of the deceased with the enquiry. The Commission claimed that apart from ten entrance wounds on the inter-costal region and abdomen and ten exit wounds on the backside of the body, there were firearm injuries on the right forearm and axilla. The injuries sustained by the deceased were not only fatal but also large in number indicating that police used excessive force during encounter.

The police had claimed that on receiving information that some hardcore members of KCP (MC) were loitering for committing prejudicial activities like kidnapping of government officials for ransom, a combined team was constituted.²⁷ According to the police, on July 1, 2009, while patrolling from Chajing Village side, two youths were found moving on foot at the Narankonjin Chingjen in a very suspicious manner. They were asked to stop, but they opened fire, which was retaliated. One unknown armed youth was killed on the spot and another escaped towards Narankonjin Village side.

Case 8: Rs 5.5 lakhs compensation to family of Sanjit Singh, victim of extrajudicial execution in Manipur

In December 2016, the National Human Rights Commission (NHRC) has recommended a compensation of Rs. 5.5 lakhs to the next of kin of Chongkham Sanjit Singh, a victim of extrajudicial execution acting on a complaint filed by Asian Centre for Human Rights on 3 August 2009. On 23 July 2009, Chongkham Sanjit Singh, son of Chongkham Khelson of Kongpal Sajor Leikai, was killed in broad day light by the Manipur Police Commandos in a fake encounter at Maimu Pharmacy near Gambhir Singh Shopping Arcade at the BT Road area in Imphal, Manipur. The deceased was a former cadre of banned Peoples' Liberation Army. He had surrendered to the police and was working as an attendant in a private hospital. Police claimed that deceased was killed in an encounter after he fired on the team. However, the photographs released by Tehelka (news magazine) contradicted the police version of the encounter. The photographs clearly showed that before the killing, deceased Sanjit Singh was cornered and frisked by the Manipur Police Commandos and not chased as claimed by the police. In the photographs Sanjit Singh was seen standing in a Public Call Office booth surrounded by the police commandos adjacent to a pharmacy and calmly walking away with the heavily armed police commandos. There was no sign of resistance. A pregnant woman was also killed in the alleged encounter. The State Government of Manipur constituted a judicial commission headed by Justice (Retd.) P. G. Agarwal to investigate the incident and Justice Agarwal had submitted the report to the state government. But the report is yet to be made public. Separately, an investigation by the Central Bureau of Investigation was ordered and the CBI concluded that the encounter was fake and charge sheet was filed in the court against seven police personnel. Vide its proceedings dated 8 July 2014 the NHRC directed the Chief Secretary, Government of Manipur to furnish the information regarding the action taken on the report of the judicial commission. The NHRC also directed the Director of the CBI to submit a copy of the charge sheet filed and inform about the status of the trial of the case. On 27 May 2015, the NHRC concluded that it was a clear case of human rights violation and issued notice under Section 18(a)(i) of the Protection of Human Rights Act, 1993 to the Government of Manipur to show cause as to why the NHRC should not recommend monetary relief to the next of kin of the deceased Chongkham Sanjit Singh.²⁸

3. Torture in India during November 2019

Across India, cases of torture in police and judicial custody continue to be reported on regular basis.

3.1 Emblematic cases of torture in police custody

The law enforcement personnel continued to resort to torture across the country. During November 2019, some of the emblematic cases of torture are given below:

Case 1: Death of Mohemmed Abdul Lakhani due to alleged custodial torture, Gujarat

On 29 November 2019, Mohemmed Abdul Lakhani (55 years) died due to alleged torture in the custody of Talaja police station in Bhavnagar district of Gujarat. The deceased was summoned by the police for interrogation in connection with a case of cow slaughter. The police claimed that during interrogation, the deceased suddenly developed chest pain and he was admitted at Talaja Civil Hospital, Bhavnagar. But he died shortly after his admission at the hospital on 29 November. The family members of the deceased alleged that Mohemmed Abdul Lakhani died due to torture in the police custody.²⁹

Case 2: Alleged suicide of Charanjeetsingh Gurmelsingh Jat in police custody, Gujarat

On 28 November 2019, Charanjeetsingh Gurmelsingh Jat (24 years) died under mysterious circumstances in the custody of Adesar police station in Kutch district, Gujarat. The deceased, a truck driver and a resident of Moga district in Punjab, was arrested on 27 November 2019 by the police following a scuffle that broke out on the night of 20 November 2019 between police and truck drivers. After being arrested, the deceased was produced before a local court, which sent him to police remand for further investigation. On 27 November, the deceased was kept in the lockup of Adesar police station. On the next day on 28 November, the deceased was found hanging with a bedsheet from an open washroom in the police station.³⁰

Case 3: Illegal detention and torture of Bobby Krishna Yadav, Gujarat

On 27 November 2019, Bobby Krishna Yadav (21 years), a resident of Godadara in Gujarat and employed as a computer operator in a private firm, was detained by police under Section 151 of the CrPC. Bobby was detained after a woman, who was caught for theft of Rs. 1.5 lakh informed police that the amount was given to Bobby for safe keeping. On 29 November 2019, victim's father Kirshna Yadav approached a local court and submitted that he was not being allowed by police to meet his son since 27 November and also alleged that his son was being tortured in custody and had been wrongfully detained for over 100 hours. Based on the complaint, the court asked police to present the victim before it 27 November. Bobby also told the court that he was tortured in custody after which he was sent for medical examination at New Civil Hospital. Bobby had allegedly injury marks on his thighs and buttocks.³¹

Case 4: Third-degree torture of 64-year-old Yadav Lal Prasad, Punjab

On 25 November 2019, Yadav Lal Prasad (64 years), a resident of Guru Nanak Colony in Dafarpur village in Mohali district of Punjab, was picked up by police and subjected to alleged third-degree torture at Mubarikpur police chowki. According to the victim, he was brutally beaten and given

electric shock. He was taken into custody following a complaint against him from a woman. The victim sustained injuries including in his tongue and had to be hospitalised.³²

Case 5: Death of Bechan Ganju due to alleged custodial torture, Jharkhand

On 24 November 2019, Bechan Ganju (45 years) died due to alleged torture in the custody of Vashisht Nagar police station in Chatra district, Jharkhand. The deceased, a resident of Kedi Moh village in the district, was arrested by the police on 24 November and detained at the police station on the suspicion of being a Maoist supporter. Police claimed the health of the Bechan suddenly deteriorated after his arrest and he was taken to a local government health centre from where he was referred to another hospital where he was declared brought dead. However, the family members of Bechan he was tortured to death in custody. The deceased's son, Satyendra Ganju alleged the police picked up his father on the pretext of guiding them in the forest to arrest some Naxalites. But the deceased was taken to the police station and tortured. According to the family, Bechan was fine at the time of his arrest and that they were not allowed to meet him in the police station. This custodial death was not reported to the NHRC within the stipulated 24 hours of the occurrence of the death in spite of specific directions by the state authorities.³³

Case 6: Woman commits suicide due to alleged police harassment, Uttar Pradesh

On 23 November 2019, a 28-year-old woman identified as Usha died due to alleged harassment of police at her house in Rameshpur village under Chaubepur police station in Kanpur district, Uttar Pradesh. The deceased woman took the extreme step to commit suicide at her residence unable to bear the alleged police harassment. The family members of the deceased alleged that Sub-Inspector Rakesh Kumar was demanding bribe from Karan Singh, the husband of deceased woman and threatening to implicate him in a two-year-old case in which he had allegedly become a fake witness during the registry of a property in 2017. Family members further alleged that after giving Rs 100,000, the case was somehow dismissed, but on 23 November 2019 again SI Rakesh Kumar demanded Rs 100,000 more. They alleged that on 23 November 2019 the deceased received a message on her mobile phone from some number following which she went inside her room and committed suicide by hanging herself.³⁴

Case 7: Death of Suresh Naik due to alleged custodial torture, Odisha

On 21 November 2019, Suresh Naik (35 years) died due to alleged torture at Barbil police station in Keonjhar district of Odisha. The deceased, a resident of Shedding Basti in the district, was arrested by the police on 18 November 2019 after a complaint was registered against him for allegedly killing his wife. Police claimed that in the morning of 21 November the deceased attempted to commit suicide by using his loincloth inside the lock up. He was rescued in a critical

condition by them and taken to hospital, where he was declared brought dead on arrival by the doctors. However, the local residents refuting the police version alleged that the Naik was tortured to death in police custody.³⁵

Case 8: Death of Philips Masih due to alleged custodial torture, Punjab

On 16 November 2019, Philips Masih alias Mani (24 years) died during police custody at Moga City-1 police station in Moga district of Punjab. Masih was taken into custody in connection with a case of theft. Police claimed Masih committed suicide by hanging himself after tearing away the blanket from the grills of the lock up of the police station. However, Masih's family members alleged that he was tortured to death during custody. A judicial inquiry was ordered into the custodial death.³⁶

Case 9: Torture of rape victim by police, Odisha

On 5 November 2019, an 18-year-old girl, a rape victim, alleged that she was tortured and pressurized to change her statement by police when she had gone to Banki police station in Cuttack district, Odisha. According to the victim, she had gone to fetch water from a village tubewell when she was kidnapped by five persons and raped. She somehow managed to flee from the kidnappers and went to the police station, where a lady police personnel at the Banki police station tortured and pressurized her to change her statement saying nothing had happened to her.³⁷

Case 10: Torture of a 15-year-old-Dalit boy in Tamil Nadu

On 4 November 2019, a 15-year-old Dalit boy was allegedly picked up by police on the pretext of interrogation in connection with a case of theft of iron rods meant for construction of a highway in Oomachikulam in Madurai district of Tamil Nadu. The victim's mother stated that she last saw her son on 5 November and thereafter his whereabouts remained unknown. Dalit rights activists also alleged that few other Dalit residents of Ambedkar Colony of Oomachikulam were picked up and tortured by police.³⁸

Case 11: Illegal detention of six youth, Uttar Pradesh

On 1 November 2019, six youth were picked up by police and detained at Rabupura police station in Gautam Buddha Nagar district, Uttar Pradesh. They were arrested in connection with a case of dacoity which took place in October 2019. However, the police did not release them and continued to illegally keep them in the police station as on 5 November 2019. The family members of the detained youth protested their illegal detention.³⁹

Case 12: Alleged suicide of Akash Kumar in custody, Himachal Pradesh

On 1 November 2019, Akash Kumar (22 years) died under mysterious circumstances in the custody of Damtal police station in Kangra district of Himachal Pradesh. The deceased, a resident of Bhadroya village of Indora sub-division in the district, was arrested by police on 30 October 2019

under the Narcotic Drugs and Psychotropic Substances (NDPS) Act. Police claimed the deceased committed suicide by hanging with a blanket in the police station lock up. He was declared brought dead at a local hospital. However, the family members accusing the police of foul play protested outside the police station.⁴⁰

Case 13: Death of Kulwant due to alleged custodial torture, Haryana

On 1 November 2019, Kulwant (65 years) died due to alleged torture in the custody of Crime Investigation Agency-1 (CIA-1) of the Haryana Police in Panipat district of Haryana. The deceased, a resident of Urlana Kalan under the district, was picked up by the CIA-1 personnel from his house on 1 November 2019 on the allegation of smuggling opium. The family members of the deceased alleged the police personnel raided the home of the deceased on 1 November 2019 and picked him up on the suspicion of being involved in smuggling opium. They had informed the police that the deceased was a heart patient at the time of arrest but the police refused to listen. The family members further alleged that the deceased was tortured in the custody of the CIA police personnel due to which he died in their custody.⁴¹

3.2 Torturous prison conditions and deaths in judicial custody

Conditions of jails remain torturous across the country. Death of prisoners as a result of torture, ill treatment, lack of medical facilities, etc in the jails continued to be reported across the country. The NHRC recorded deaths of 136 prisoners across the country in the month of November 2019.⁴²

Some of the illustrative cases reported during November 2019 given below:

Death due to alleged torture/under suspicious circumstances

On 31 November 2019, a remand prisoner named Rajagopalan Nair, 43, a native of Pangodu near Venganoor, lodged at Neyyattinkara special sub-jail died while being taken to the Medical College Hospital. While the police said he had been suffering from fever, his family members alleged there were torture marks on the body. Nair had been in jail since October 15 in connection with a criminal case. Police claimed that after his condition worsened, the prison officials took him to Neyyattinkara General Hospital. The doctors there referred him to the Medical College Hospital and while they were travelling to the hospital, he died on the way. The relatives of Nair cried foul over his death. They said the death was fishy as the body bore torture marks. They said Nair did not suffer from any health ailments and the prison officials did not inform them about the medical condition of the inmate when they called them.⁴³

On 26 November 2019, an under-trial prisoner identified as Nand Kishore Awasthi (46 years) under suspicious

circumstances in the custody of Bahraich district jail, Bahraich in Uttar Pradesh. The deceased, a former village head of Kakra Nevada in Dehat Kotwali area under Bahraich district of Uttar Pradesh, was arrested and sent to judicial custody 46 days ago in connection with an alleged murder case. Jail officials claimed that at around 3:00 am on 26 November 2019 the deceased's health suddenly developed chest pain and was admitted to the jail hospital. Later, he was referred to the district hospital where he died on the same day. However, the family members of the deceased stated that the deceased did not have any health problem. They alleged that he was killed in jail custody.⁴⁴

On 25 November 2019, an undertrial prisoner identified as Jeetu alias Nandlal (35 years) died in Jaunpur district jail, Jaunpur in Uttar Pradesh. The deceased was arrested and sent to judicial custody on 24 August 2014 in connection with a theft case. Jail officials claimed that on 25 November 2019 the deceased's health suddenly deteriorated after which he was admitted to the jail hospital. Later, he was referred to the district hospital where he died on the same day.⁴⁵

On 24 November 2019, Ramkrishna Katia, 35-year-old mentally unsound undertrial prisoner, allegedly committed suicide in the early hours at a government hospital in Indore district of Madhya Pradesh. Police claimed the prisoner hanged himself with a noose made of bandages at Maharaja Yashwantrao Hospital's toilet.⁴⁶

On 13 November 2019, undertrial prisoner identified as Savitri Suman (34 years), wife of Nandlal, died under mysterious circumstances in the custody of Kota central jail under Kota district in Rajasthan. The deceased was sent to judicial custody in April 2019 in connection with a murder case under section 302 of the IPC. Jail officials claimed the deceased committed suicide by hanging herself with her dupatta (scarf) to the window's iron angle on the second floor roof inside the premises of Kota Central jail. Jail officials further claimed that she was suffering with some mental illness and was undergoing psychiatric treatment in the jail.⁴⁷

On 13 November 2019, 34-year-old woman undertrial prisoner identified as Savitri Suman committed suicide by hanging herself in Kota Central Jail, Rajasthan. The deceased was a psychiatric patient and she was lodged in the prison in connection with a murder case. Jail officials claimed the incident took place when the other inmates were having breakfast and she moved to the terrace on the second floor and hanged herself from a window with her 'dupatta'.⁴⁸

On 8 November 2019, undertrial prisoner identified as Khuda Baksh (40 years) died at Hira Nagar jail in Kathua district of Jammu and Kashmir. The deceased was arrested about three months ago in connection with a drug-related case. Jail officials claimed the undertrial was undergoing treatment at a government hospital after he had complained of chest pain. The family members staged demonstration

demanding an inquiry alleging that Khuda Baksh died due to torture.⁴⁹

On 6 November 2019, V Manjunath (48 years), a life convict, died under mysterious circumstances in Central jail, Parappana Agrahara in Karnataka. Jail officials claimed the convict committed suicide by hanging at his barrack in the jail due to depression.⁵⁰

Death due to alleged medical negligence/sudden medical complications

On 21 November 2019, undertrial prisoner identified as Krishna (21 years) died in the custody of Panipat district jail, Haryana. Jail officials claimed the deceased was suffering from illness and he died on the way while he was being taken to the hospital. However, the family members of the deceased accused the jail administration of negligence and held the jail officials responsible for his death.⁵¹

On 17 November 2019, undertrial prisoner identified as Mohammad Adil (22 years) died at Kanpur district jail in Uttar Pradesh. The undertrial was arrested on 8 August 2019 in connection with an alleged involvement in disrupting the peace in the area following a protest. According to jail officials, the undertrial complained of chest pain in the morning of 17 November and he was admitted to the district jail hospital. But his condition deteriorated following which the administration shifted him to the Ursula Horseman hospital where the doctors pronounced him brought dead. However, the deceased's elder brother Taufeeq claimed his brother was absolutely healthy when he went to meet him in jail few days ago and he demanded a fair probe into the death.⁵²

On 15 November 2019, undertrial prisoner Daktar Sahu alias Dakat (34 years) died in sub-jail in Ganjam district, Odisha. The deceased was sent to judicial custody on 29 October 2019. Jail officials claimed the deceased fell unconscious after which he was taken to the Aska hospital, where doctors declared him brought dead.⁵³

On 10 November 2019, under-trial prisoner Aslam (about 35 years) died under mysterious circumstances in the custody of Kasganj district jail in Uttar Pradesh. The deceased was sent to judicial custody in August 2019 after he had surrendered along with his brother before the court in connection with a case of attempt to murder. Jail officials claimed that on 9 November 2019 the deceased's health suddenly deteriorated, after which he was taken to the district hospital, where he was declared brought dead. However, the family members of the deceased alleged that the deceased died due to negligence by the jail administration. They alleged that they were not given any information about the illness of the deceased.⁵⁴

On 8 November 2019, an under-trial prisoner identified as Khuda Bakash (40 years) died under mysterious circumstances in the custody of Hira Nagar jail in Kathua district of Jammu and Kashmir. The deceased was arrested about three months ago in connection with a drug-related

case. Jail officials claimed the deceased was undergoing treatment at the Government Medical College (GMC) Hospital after he had complained of chest pain. He died in the hospital on 8 November 2019.⁵⁵

3.3 Judiciary's action against torture

The judiciary regularly adjudicates cases of illegal, unjustified and unwarranted arrests, extracting confession from persons by way of custodial violence, which sometimes results in death. Some of the emblematic cases of judicial action during November 2019 are as under:

Case 1: Bombay High Court reprimands CBI for failure to conduct impartial investigation into custodial death case

On 19 November 2019, the Bombay High Court pulled up the Central Bureau of Investigation (CBI) for not conducting the investigation into the custodial death of Agnelo Valdaris (24 years) in 2014 in 'an impartial way'. The order was passed by a Division Bench of Justices B.P. Dharmadhikari and S.S. Jadhav while hearing a petition filed by Leonard Valdaris, the father of the deceased, Agnelo, saying his son was arrested by the Wadala railway police station in April 2014 for allegedly snatching a gold chain. The police had claimed Valdaris was run over by a train while trying to escape, but his father alleged he died due to torture in police custody. The counsel of the petitioner informed the Court that eight Government Railway Police (GRP) personnel were booked under Section 377 (unnatural offences) along with Section 109 (punishment of abetment if the act is committed in consequence and where no express provision is made for its punishment) of the Indian Penal Code. However, the accused were not been charged with Section 302 (punishment for murder) as the CBI has found no material that states Valdaris was killed. The counsel further informed that the CCTV camera image shows that Valdaris did not try to escape as claimed by the police, and that there was enough evidence to show that he died in police custody. In 2017, the High Court had noted, "There is prima facie material against the police officials, which discloses charges of murder, culpable homicide and unnatural sex," and that CBI has not invoked the proper charges. The chargesheet filed by the CBI only booked police officers under charges that attract lesser punishment like criminal conspiracy and voluntarily causing hurt. In 2016, the Court had said, based on the postmortem report, position of the body in the spot, the panchnama and other witness statements it is difficult to accept the CBI's contention that the deceased committed suicide or suffered accidental death.⁵⁶

Case 2: Punjab & Haryana High Court orders to book 12 policemen, including a serving DSP, for illegal detention and torture of woman

On 16 November 2019, The Tribune, an English daily, reported that the Punjab and High Haryana Court ordered to

book 12 police personnel, including a serving Deputy Superintendent of Police (DSP), in connectin with a case pertaining to alleged illegal detention and torture of a woman in 2017. In her complaint, the victim identified as Simranjit Kaur alleged that she was illegally detained and tortured by Rakesh Kumar, then Ferozepur Cantonment police station In-charge (now DSP) and 11 other police personnel on 13 June 2017. She further alleged that she was implicated in a false case. According to her, after getting bail, she was admitted to Government Medical College, Faridkot and after getting a medico-legal report (MLR), she approached the higher police authorities to seek justice but in vain. With no option left, she had to approach the High Court for justice. On the direction of the High Court, a case was registered against Rakesh Kumar and others under Section 167, 323, 343, 120B IPC.⁵⁷

Case 3: Andhra Pradesh High Court orders judicial inquiry into illegal detention of three persons

On 15 November 2019, Andhra Pradesh High Court ordered a judicial inquiry into the alleged illegal custody of three persons, N Adinarayana, R Srinivasa Rao and T Srinivasa Rao by police in Guntur district. The order was passed while hearing habeas corpus petitions filed by their wives on 14 October 2019 seeking directions to the police to present their husbands before the court. The police produced the three persons before the court, where they claimed that they were in police custody since 14 October. Taking a serious note of the issue, the High Court ordered a judicial inquiry into the case, and to submit a report on the role of police officers in the matter.⁵⁸

Case 4: Bombay High Court orders police to pay compensation for illegal detention

On 15 November 2019, Bombay High Court ordered the Maharashtra Police to pay compensation of Rs. 25,000 to a 23-year-old youth and his father, who were illegally detained by police for over four hours. While passing the direction, the High Court observed "Due to action of the police, the entire future and career of such youngster get destroyed. Present case shows that police did not show any such sensitivity and the things are otherwise." The victims alleged that they were handcuffed, tortured during their illegal detention at the police lock-up.⁵⁹

Case 5: Bombay High Court directs CBI to investigate 2005 custodial death case

On 7 November 2019, the Central Bureau of Investigation initiated an investigation into the custodial death of Prashant Humane (25 years) due to alleged torture in Sakoli police station in Bhandara district, Maharashtra in December 2005. The CBI took over the investigation from the police on the directions of the Nagpur bench of the Bombay High Court. The court while handing over the investigation to the CBI also directed the State Government of Maharashtra to pay Rs. 500,000 as compensation to the deceased's father as 'provisional compensation' for

inordinate delay in the investigation. The court further directed the police to register a case against the nine accused, including four police personnel, two of them of the rank of assistant police inspector, for murder, causing disappearance of evidence, or giving false information to shield offender, criminal conspiracy, forgery of court records or of public register. In pursuant to the court's direction, a case was registered at Sakoli police station on 31 October 2019. The High Court passed the order based on a judicial enquiry conducted into the custodial death. The judicial enquiry found that the cause of death of the Prashant Humane was 'manual strangulation' by police or with the help of others, and not 'self strangulation' as earlier claimed by the police. The report said 'Probability of self - strangulation by the accused deceased is improbable.' Prashant Humane was arrested by police on 18 December 2005 for allegedly kidnapping a girl. In the intervening night of 18 and 19 December 2005, Prashant Humane died in police custody.⁶⁰

Case 6: Supreme Court directs Juvenile Justice Committee to file fresh report on detention of minors in Kashmir

On 5 November 2019, the Supreme Court directed the Juvenile Justice Committee of the Jammu & Kashmir High Court to file a fresh report on the alleged detention of minors by the security forces in J&K. Earlier, the Juvenile Justice Committee had submitted a report to the apex court claiming that 144 juveniles, including children aged nine and 11, were arrested since 5 August 2019 after the abrogation of Article 370. The Supreme Court was hearing a petition which claimed illegal detention of children in J&K.⁶¹

Case 7: Judicial magistrate visits police station and frees persons illegally detained in Tamil Nadu

On 5 November 2019, a district judicial magistrate in Chennai, Thiruvallur district of Tamil Nadu went to a police station and freed four persons illegally detained at the lock-up following a complaint from the wife of one of the persons. The police had picked up four persons identified as Vijay (21 years), Vignesh (22 years), Livingston (22 years) and Praveen Kumar (23 years) a few days ago. However, their detention was not duly informed to the family members. The complainant Shalini, wife of Praveen Kumar, came to the court of district judicial magistrate, N. Alicia and complained that her husband had been taken by the police three days ago under the pretext of an enquiry. The magistrate immediately swung into action and had gone to the police station and found that the version of the complainant was true. Pulling up the police, the magistrate released the four persons including the husband of the complainant.⁶²

3.4 Interventions by the NHRC/SHRCs

The National Human Rights Commission (NHRC) and the State Human Rights Commissions (SHRCs) are

mandated to address human rights violations and continue to intervene in cases of torture and illegal detention.

As per latest data available, the NHRC has registered a total of 6,800 new cases, including 10 cases relating to death in police custody and 136 cases relating to death in judicial custody, while it disposed of a total of 6,672 cases (Fresh + Old) in the month of November 2019. A total of 22,23 cases (Fresh + Old), including 365 cases of death in police custody and 2,945 cases of death in judicial custody, were under consideration of the Commission as on 3 December 2019.⁶³

During the same period, the NHRC has awarded a total of Rs 73,25,000 in 27 cases of human rights violations, including 12 cases of death in judicial custody, 1 case of custodial torture, 1 case of police custodial death, among others.⁶⁴

Some of the interventions in November 2019 are as under:

On 20 November 2019, Manipur Human Rights Commission (MHRC) directed the State's Chief Secretary and Director General of Police to submit a report on the alleged detention of the chairperson of banned United National Liberation Front, RK Sanayaima alias Meghen. The MHRC issued a notice based on a petition jointly filed by nine human rights groups and organisations. The petitioners stated that Sanayaima was arrested by the National Investigation Agency (NIA) on charges of waging war against the State in 2010 and sent to judicial custody in Guwahati central jail. After completing his prison term, Sanayaima was released from the jail on 9 November 2019 but he was whisked away by some government agencies immediately upon his release, along with his son and lawyer.⁶⁵

On 19 November 2019, Maharashtra State Human Rights Commission (SHRC) ordered a fresh investigation into the death of a 17-year-old boy, who died after allegedly being assaulted by a policeman on 24 March 2018. The deceased identified as Imran Sheikh was riding a motorcycle and tried to evade a routine police check, when a policeman threw a stick at him resulting in his death.⁶⁶

On 14 November 2019, Karnataka State Human Rights Commission (SHRC) awarded a compensation of Rs 50,000 to a father and son in Bengaluru who were beaten by two policemen without provocation in July 2019. The guilty policemen identified as Sub-Inspector Murali and Constable Lokesh of Banaswadi police station, who were deployed on Hoysala patrol duty, visited a gas stove repair shop and mercilessly beat up owner Satish and his son Samson for failing to produce the documents of a two-wheeler. The SHRC directed that the compensation amount should be recovered from all the police officials.⁶⁷

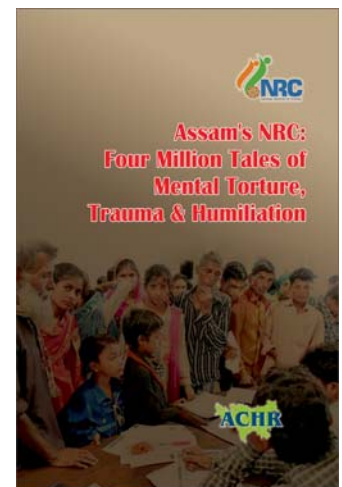
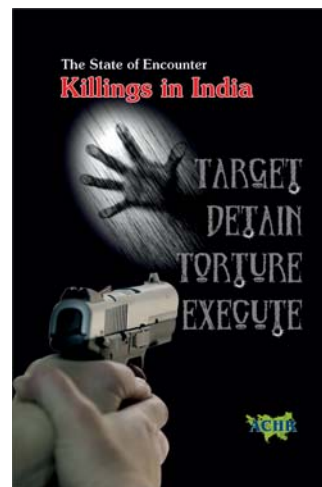
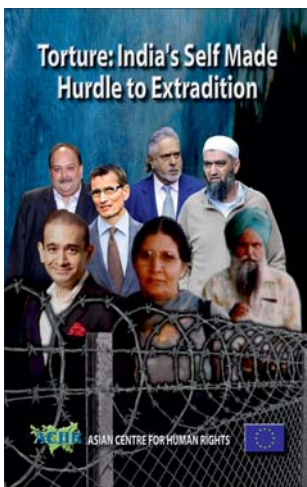
On 21 November 2019, The Times of India reported that Tamil Nadu SHRC directed the State Government to pay a compensation of Rs 25,000 to a woman for violating her human rights by a police officer attached to the Aravakurichi

police station in Karur district in 2015. The victim identified as S Jarina Banu stated in her complaint that there was a dispute with her house owner and she complained to the superintendent of police (SP), who directed the police to register a case in a proper manner. But the police had not registered a case in a proper manner and colluded with the house owner and tortured her. The SHRC observed that the Sub Inspector had failed to register the case under non-bailable sections as directed by the SP and held that there was human rights violation and directed the state government to pay the woman Rs 25,000.⁶⁸

Endnotes :

1. Manipur Govt Yet to Give Permission to CBI to Prosecute 'Fake Encounter' Cases, *The Wire*, 28 February 2019
2. Ibid
3. Ibid
4. WP(Crl.) No. 129/2012
5. SC sets up SIT of CBI to probe fake encounters in Manipur, *The New Indian Express*, 14 July 2017
6. SC Reprimands CBI For Delay In Registration Of FIRs In Fake Encounter Cases In Manipur, *Livewlaw.in*, 16 January 2018
7. SC Rejects Plea Of Army Men Challenging FIRs Against Armed Forces Personnel In AFSPA Areas, *Livewlaw.in*, 30 November 2018
8. See Annual Reports of the NHRC, 2008-2009 to 2015-2016, & Lok Sabha Unstarred Question No.218 answered by Minister of State for Home Affairs, Hansraj Gangaram Ahir on 11 December 2018
9. Union condemns arrest, torture of driver, *People's Chronicle*, 8 November 2019, <https://www.thepeopleschronicle.in/daily/english/5720>
10. Five Manipur cops suspended for 'torturing drug peddler', *The Times of India*, 5 September 2019
11. Assam Rifles officer accused of torture, *The Hindu*, 9 May 2019,
12. NHRC Complaint filed by Campaign Against Torture dated 8 May 2019
13. Suspended Constable dies in police custody, *The Sangai Express*, 30 March 2019
14. NHRC complaint filed by Campaign Against Torture dated 19 February 2019.
15. NHRC Complaint filed by Campaign against Torture dated 21 December 2018
16. NHRC complaint filed by Campaign Against Torture dated 19 November 2018.
17. KSA alleges police atrocity, *The Imphal Free Press*, 10 January 2018
18. <https://jailsinindia.theinfogenie.com/Jails-In-Manipur/FilterData-2166-18620>
19. See Annual Reports of the National Human Rights Commission from 2008-2009 to 2015-2016 and Annexure to Rajya Sabha Unstarred Question No.2321 answered by Minister of State for Home Affairs Hansraj Gangaram Ahir on 2 January 2019
20. Scuffles inside Manipur Central Jail leave three inmates dead, *Business Standard*, 30 July 2016
21. 'Pay Rs 5 lakh each to wives of 2 fake encounter victims', *The Times of India*, 15 April 2019
22. NHRC Case No. 11/14/2/09-10-PF
23. NHRC Case No. 40/14/6/2016-AD
24. 137/14/10/2012-AD
25. NHRC Case No. 2/14/4/09-10-AFE
26. NHRC Case No. 106/14/15/2012-ED
27. NHRC recommends Rs.5 lakh compensation for kin of Manipur encounter victims, *Business Standard*, 12 June 2015
28. Rs 5.5 lakhs compensation to family of Sanjit Singh, victim of extrajudicial execution in Manipur, *SP News Agency*, 14 December 2016
29. NHRC Complaint filed by Campaign Against Torture dated 30 November 2019
30. NHRC Complaint filed by Campaign Against Torture dated 30 November 2019
31. Man 'tortured' in custody for helping theft suspect, *The Times of India*, 30 November 2019
32. See Amar Ujala, 27 November 2019, <https://www.amarujala.com/punjab/mohali/mubarikpur-police-beaten-and-electric-current-on-a-man-mohali-news-pkl3580793150>
33. See NHRC press release dated 26 November 2019, <https://nhrc.nic.in/media/press-release/nhrc-notice-dgp-jharkhand-over-reported-death-suspected-naxalite-supporter>
34. Probe ordered into Chaubeypur suicide, *The Times of India*, 25 November 2019
35. Murder accused man dies at Barbil police station, *Orrisa Post*, 21 November 2019
36. Punjab: Moga man held in theft case found dead inside lock-up, *The Indian Express*, 18 November 2019
37. Odisha Girl Alleges Police Of Torturing Her To Drop Rape Charges, <https://odishatv.in/odisha/odisha-girl-alleges-police-of-torturing-her-to-drop-rape-charges-413426>
38. Activists condemn alleged police torture, *The Hindu*, 17 November 2019
39. Noida: Families protest 'illegal detention' of six youths for dacoity, *The Times of India*, 6 November 2019
40. HP man held for peddling drugs ends life in lock-up, *Hindustan Times*, 1 November 2019
41. See News18, 2 November 2019, <https://hindi.news18.com/news/haryana/panipat-in-panipat-a-65-year-old-man-dies-in-police-custody-family-members-make-serious-allegations-against-police-hydns-2569738.html>
42. NHRC Monthly Salient Statistics of Cases Registered/Disposed by NHRC during November 2019 (data as on 03.12.2019)
43. Remand prisoner dies, family alleges custodial torture, *The New Indian Express*, 1 November 2019
44. NHRC Complaint filed by Campaign Against Torture dated 28 November 2019
45. NHRC Complaint filed by Campaign Against Torture dated 27 November 2019
46. Mentally unwell murder accused kills self in Madhya Pradesh hospital, *The India TV*, 24 November 2019
47. Undertrial woman hangs self in Kota jail, *The Times of India*, 14 November 2019

48. Undertrial commits suicide by hanging herself in Kota Central Jail, The New Indian Express, 13 November 2019
49. See Jagran dated 10 November 2019, <https://www.jagran.com/jammu-and-kashmir/jammu-protest-against-prisoners-death-jammu-19742062.html>
50. Karnataka: Rape convict found hanging in jail, The Times of India, 7 November 2019
51. NHRC Complaint filed by Campaign Against Torture dated 22 November 2019
52. Kanpur jail inmate dies in mysterious circumstances, The Times of India, 19 November 2019
53. NHRC Complaint filed by Campaign Against Torture dated 16 November 2019
54. NHRC Complaint by Campaign Against Torture dated 11 November 2019
55. NHRC Complaint filed by Campaign Against Torture dated 11 November 2019
56. HC pulls up CBI over custodial death probe, The Hindu, 20 November 2019
57. The Tribune, 17 November 2019; <https://www.tribuneindia.com/news/12-cops-booked-over-woman-s-detention/861795.html>
58. HC orders judicial inquiry into 'illegal' custody of 3 men, The Times of India, 16 November
59. Illegally detaining youngsters can destroy their future: HC, The Free Press Journal, 15 November 2019
60. After 14 yrs, 4cops under CBI scanner, Mumbai Mirror, 11 November 2019
61. SC Asks J&K Juvenile Justice Committee To Submit Fresh Report On Detention of Minors, Outlook, 5 November 2019
62. Magistrate sets detenues free, The Hindu, 6 November 2019
63. Monthly salient statistics of cases registered/disposed by NHRC during November 2019, data as on 03.12.2019
64. Monthly salient statistics of cases registered/disposed by NHRC during November 2019, data as on 03.12.2019
65. Rights panel seeks report on detention of Manipur's insurgent leader, The Hindustan Times, 21 November 2019
66. Human rights body orders fresh probe into teen's death, The Hindu, 20 November 2019
67. Cops told to pay Rs 50K out of pockets for assault, Deccan Herald, 19 November 2019
68. SHRC directs Tamil Nadu govt to pay Rs 25,000 compensation to woman, The Times of India, 21 November 2019



PUBLICATIONS RELATING TO TORTURE IN INDIA



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