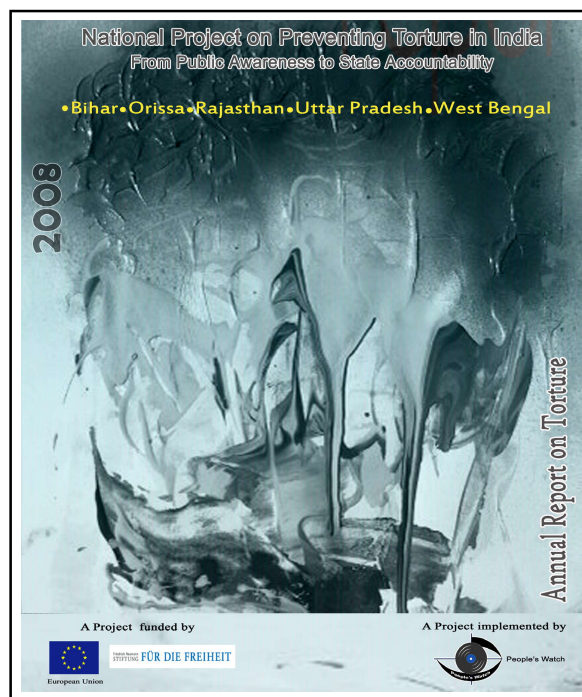


**National Project on Preventing Torture in India:  
From Public Awareness to State Accountability**

- Bihar • Orissa • Rajasthan • Uttar Pradesh • West Bengal



*(This Publication has been produced with the assistance of the European Union and Friedrich Naumann Stiftung (FNSf). The contents of this publication are the sole responsibility of People's Watch and can in no way be taken to reflect the views of the European Union or FNSf)*

**People's Watch**

No.6, Vallabai Road, Chokkikulam, Madurai - 625 002 Tamil Nadu

Phone: 91-452-2531874 & 2539520 Fax: 91-452- 2531874

E.mail: [no2torture@pwn.org](mailto:no2torture@pwn.org) Web: [www.pwn.org](http://www.pwn.org)

## Acknowledgments

This volume is a compilation of materials on torture by law-enforcement personnel in the State of Bihar, Orissa, Rajasthan, Uttar Pradesh & West Bengal for 2008. As torture is an alarmingly widespread phenomenon, the pages that follow represent the work of a vast array of devoted activists, professionals, and volunteers. We are indebted to these individuals for their time and expertise. We would like to acknowledge with appreciation and to place on record the names of all those who have contributed in their particular capacities in the five states.

Thanks must go first to all the State Teams. This group of passionate human rights defenders is responsible for the staggering quantity of raw data in the pages that follow. They are as follows:

Bihar	Orissa	Rajasthan	Uttar Pradesh	West Bengal
Mr. Abhaya Shankar Prasad, State Director	Ms. Namratha Chardha, State Director	Sr. Carol Geeta, State Director	Dr. Lenin Raghuvanshi, State Director	Mr. Kirty Roy, State Director
Mr. Umesh Manjhi, State Program Co-ordinator	Mr. Chandranath Dani, State Program Co-ordinator	Mr. Rachit Solomon Edward, State Program Co-ordinator	Mr. Daya Shankar Patel, State Program Co-ordinator	Ms. Sonali Das, State Program Co-ordinator
Mr. Raj Kishore, State Program Associate	Mr. Manoj Jena, State Program Associate	Mr. Manoj Kumar, State Program Associate	Ms. Saba Iqbal, State Program Associate	Mr. Subhrangshu Bhaduri, State Program Associate
Mr. Uday Kumar, State Legal Officer	Mr. Biphu Tripathy, State Legal Officer	Mr. Kishan Gujar, State Legal Officer	Mr. Tanweer Ahmed Siddiqui, State Law Officer	Mr. Abhijit Datta, State Law Officer
Mr. Jayaprakash Das, State Legal Associate	Mr. Nirajan Jena, State Legal Associate	Mr. Pushendra Godra, State Legal Associate	Ms. Renu Singh, State Legal Associate	Mr. Subhasis Dutta, State Legal Associate
Mr. Sumita Kumari, DHRM-Patna	Mr. Prakash Chandra Bebarata, DHRM-Sonepur	Sr. Aurora, DHRM-Kota	Mr. Ajit Kumar Upadhyay, DHRM-Chandauli	Mr. Gopen Sharma, DHRM-Murshidabad
Mr. Anand Kumar Ravidas, DHRM-Nalanda	Ms. Pranati Rout, DHRM-Khurda	Mr. Narendra Singh Chowdhary, DHRM-Kota	Mr. Sathya Prakash Dev, DHRM-Sonbhadur	Mr. Julfikar, DHRM-Murshidabad
Mr. Raj Kishore Raj, DHRM-Nawada	Mr. Kali Charan Singh, DHRM-Khurda	Mr. Babu Singh Rawat, DHRM-Ajmer	Mr. Sher Bahedur Gautam, DHRM-Jaunpur	Ms. Aditkar, DHRM-Kolkata
Mr. Mohamed Anzari, DHRM-Bhojpur	Mr. Gadadhar Sahoo, DHRM-Cuttack	Mr. Jithendra Singh Panwar, DHRM-Ajmer	Mr. Rajesh Kumar, DHRM-Allahabad	Ms. Amrita Rana, DHRM-Howrah
	Mr. Ashok Mallick, DHRM-Dhenkanal	Mr. Ayush Daka, DHRM-Jodhpur	Mr. Amit Kumar Mishra, DHRM-Varanasi	Mr. Sumita Roy Choudhrey, DHRM-24 Parganas (South)
	Mr. Somnath Patnaik, DHRM-Jagatsinghpur	Mr. Kishan Meghwal, DHRM-Jodhpur	Mr. Prem Kumar, DHRM-Varanasi	Mr. Murari Dey, DHRM-Hooghly
	Mr. Sri Sesa Dev Nanda, DHRM-Jagatsinghpur		Mr. Akhilesh Kumar, DHRM-Mirzapur	Mr. Mukhtar Ahamed, DHRM-24 Parganas (North)

Working with this raw data, a devoted team of volunteers engaged themselves in the massive task of editing and processing literally hundreds of case reports. The team comprised of Ms. Meena Dinakar (Translator), Ms. Anita Rosalind (Translator), Ms. Cathreine Rubina (Law Researcher), Ms. Sri Durga ( Student, ILS Law College), Mr. David Jeyaraj (Lecturer, American College, Madurai), Mr. Joel Timothy (Lecturer, American College, Madurai), Ms. Katrine Marie Henriksen (University of Aarhus, Denmark) and Ms. Jasmin Eppert, Mr. Felix Nickel & Mr. Simon Schaupp (all three are interns at People's Watch from the Bread for the World and Evangelische Freiwilligendienste für junge Menschen FSJ und DJiA gGmbH)

However, even polished reports are not enough. Coordinating their receipt, transmission, and smooth passage was the ever-calm Ms. Anitha Princy (Administrative Assistant, NPPTI). Ensuring their standardised formatting and guiding their conversion into electronic media was a dedicated trio at the Unit, led by Mr. Anand Kumar and also including Mr. Jeyram and Ms. Sathya.

Finally, acknowledgement must be made of the torture victims themselves. Some survived to recount their experiences to members of the State Team; others did not. Regardless, they and their families have shown remarkable courage in telling their stories. Fighting intimidation, fear, and trauma, they have rejected a culture of impunity and silence by raising their voices aloud – and the pages that follow bear witness to their suffering and their strength.

**Henri Tiphagne**

Executive Director, People's Watch &  
National Director, National Project on Preventing Torture in India

••

## People's Watch—An Overview

People's Watch ("PW") is a human rights organisation that has been actively engaging itself in the protection and promotion of human rights and fundamental freedoms in Tamil Nadu since 1995. After eleven years of work, PW has expanded its concerns across India.

### **Vision**

A society free from human rights violations and discrimination to be built through cultivating a human rights culture and building a participatory democracy

### **Mission**

- Protection of human rights through monitoring human rights violations, intervention and building solidarity with people's struggle for human rights.
- Promoting human rights culture through education and conscientising the larger community.

### **Brief History and Background**

In 1993, Mr. Henri Tiphagne, Executive Director of PW and a passionate human rights advocate since 1977, became determined to professionalise human rights responses in the state of Tamil Nadu in India. He and like-minded people such as Dr. Devasahayam, the present Director of the Institute of Human Rights Education, and Fr. Diamond Raj, a Catholic Priest with the Archdiocese of Madurai, founded PW in December 1995 along with a team of Advisory Board members. In its nascent stage, the organisation was entirely committed to monitoring the state to improve accountability for human rights violations. Over time, the organisation expanded into the fields of legal intervention, rehabilitation, and campaigning. PW now boasts a legal team committed to intervening on behalf of torture victims and a Rehabilitation Centre for victims of domestic violence and torture, where victims receive housing and support. Its Campaign Unit works to improve human rights awareness throughout the community and to engage other organisations in the struggle. It is particularly engaged in building what is known popularly as the 'Citizens for Human Rights Movement.' Its Human Rights Education program has successfully introduced the concept of human rights into school curricula in over fourteen states across the country. The program is based on the strongly held belief that the value of rights can be firmly established only when instilled in the minds of children as a social virtue, as a value to be safeguarded and protected as something stable and indestructible.

## The National Project on Preventing Torture in India

People's Watch, in league with the Friedrich Naumann Stiftung, began the National Project on Preventing Torture in India (NPPTI) in January 2006 with a grant from the European Union under the EIDHR. The primary aim of the action is to initiate and to model a national campaign for the prevention of torture in India, with a deliberate focus on torture practices routinely employed by police. The project focuses especially upon safeguarding groups on the margins of Indian society, such as Dalit, tribal groups, minorities, women and children.

The project consists of two major stages:

1. Formation of nine State-wide networks to monitor instances of torture and to intervene on behalf of victims.
2. A national campaign against torture that uses monitoring data to develop public awareness, to train professionals, to improve institutional responses to abuse, and to lobby for India's ratification of the United Nations Convention Against Torture (CAT) and its Optional Protocols.

The Project's design reflects priorities set by the European Commission's EIDHR Call for Proposals—specifically, research on torture practices, legal support for victims, awareness-raising, and legislative lobbying.

In the years 2008, the Project has undertaken the following number of Fact-Findings in the State of Bihar, Orissa, Rajasthan, Uttar Pradesh & West Bengal:

	<b>Bihar</b>	<b>Orissa</b>	<b>Rajasthan</b>	<b>Uttar Pradesh</b>	<b>West Bengal</b>
<b>Fact-Findings:</b>	222	132	182	262	209

The overall goal of the Project is the prevention and reduction of torture in India, where police abuses remain an entrenched and often routine law enforcement strategy despite India's status as the world's largest democracy. The Project confronts frequent police practices that include assault and physical abuse, custodial death, custodial rape, threats and psychological humiliation, and deprivation of food, water, sleep, and medical attention.

The primary goals of the Project are as follows:

- Protecting potential victims of torture, particularly those belonging to vulnerable and marginalised communities.
- Highlighting individual cases of torture as they occur
- Improving institutional responses to instances of torture by demanding state accountability

- Advancing an ethic of responsibility and restraint among law-enforcement officers
- Educating and enlisting professional groups such as lawyers, social activists, doctors, psychiatrists, journalists, and teachers in the campaign to prevent and to eliminate torture
- Raising public awareness of torture as an unlawful and widespread abuse of police powers
- Promoting favourable policy outcomes in the form of new domestic anti-torture legislation and commitments to existing international treaties

Ultimately, one of the most enduring effects of the Project will be the model that it sets for addressing issues of torture nationally. Recognising that there are insufficient resources to stanch the practice of torture nationally, PW has sought to create an example for preventing torture that can be duplicated. A key aspect of this approach is the “model taluk,” in which monitoring and campaigning efforts will be intensely focussed in one “taluk” (an administrative subdivision of a district) in each State, with the goal of working towards the elimination of torture practices entirely. This model will create a paradigm for the prevention and elimination of torture on a much larger scale.

### **Why This Report?**

This report falls under the “Campaign Against Torture” segment of the NPPTI. It seeks to raise awareness of torture and ultimately to influence policies relating to the misuse of official power. Ultimately, the research reveals a sad scene, in which rhetoric is abundant and action scarce. Indeed, despite its refusal to ratify the CAT or expressly to criminalise torture, India continuously pays lip service to the prevention of torture through its Parliament, Courts, and Commissions. Yet the data reveal an appalling prevalence of police misconduct, including the use of torture as a common interrogation method.

Aside from raising awareness, then, this report aims to combat the complacency and denial that define the Indian Government’s response to such blatant human rights transgressions. It provides irrefutable proof that invites Indian policymakers to acknowledge the extent of torture practices in the country and to take a participatory role in ensuring that basic human rights are guaranteed to all of India’s citizens. By demanding a dialogue on the issue, PW hopes to end the silence that continues to expose hundreds of thousands of Indians to the practice of torture every year.

## Contents

---

### I. Bihar

---

1. Custodial Death	02
2. False Charge	08
3. Police Acquiescence	17
4. Police Intimidation	37
5. Police Torture – No Death	61
6. Police Violence	68
7. Police Firing	89
7. Police Rape(Violence Against Women)	91

---

### II. Orissa

---

1. False Charge	94
2. Encounter Death	98
3. Police Acquiescence	101
4. Police Intimidation	117
5. Police Torture – No Death	128
6. Police Violence	148
7. Police Firing	180
8. Police Rape (Violence Against Women)	182

---

### III. Rajasthan

---

1. Custodial Death	186
2. False Charge	192
3. Encounter Death	197
4. Police Acquiescence	199
5. Police Intimidation	211
6. Police Torture – No Death	221
7. Police Violence	245
8. Police Rape (Violence Against Women)	280

---

#### **IV. Uttar Pradesh**

---

1. Custodial Death	285
2. False Charge	289
3. Encounter Death	295
4. Police Acquiescence	297
5. Police Intimidation	321
6. Police Torture – No Death	327
7. Police Violence	351
8. Police Rape (Violence Against Women)	378

---

#### **V. West Bengal**

---

1. Custodial Death	386
2. Encounter Death	390
3. Police Acquiescence	394
4. Police Torture	444
5. Police Violence	471
6. Extra Judicial Killing	484
7. Police Firing	490
8. Police Rape (Violence Against Women)	492