

# OPEN

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### State of the Tortured Nation

**MURDER** India saw 14,231 custodial deaths over a decade; UP and Maharashtra are the worst offenders

**KOCHI** More than 14,000 people died in police custody in India over the last decade, and almost every one of them was a victim of torture. A report by the Asian Centre for Human Rights (ACHR) on custodial torture and death put the exact number at 14,231, but that is an official on-the-lower-side figure. "We presume that the actual figure must be much much higher than this. We have taken only the data recorded by the National Human Rights Commission (NHRC)," says Suhas Chakma, director of the ACHR. To get this number, the ACHR filed a Right to Information application with the NHRC on cases filed with it between 2001-02 and 2009-10.

Of the total, 1,504 deaths were in police custody and 12,727 in judicial custody. The state with the worst track record on police custody deaths is Maharashtra. Of the 1,504 deaths, it accounted for 250 deaths, followed by Uttar Pradesh with 174 and Gujarat with 134. When it came to the 12,727 judicial custody



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deaths, Uttar Pradesh topped the list with 2,171 deaths, followed by Bihar's 1,512 and Maharashtra's 1,176.

Chakma believes that "about 99.99 per cent" of these deaths are from torture and happens within two days of victims being taken into custody. An interesting aspect of the finding was that disturbed states like Jammu & Kashmir

and Manipur scored very low. J&K had just six judicial custody deaths and Manipur one. "It is precisely because the Armed Forces Special Powers Act is in operation in these states and the security forces have the practice of killing rather than taking them into custody. The NHRC registered six deaths in Jammu & Kashmir despite the fact that on 31 March 2011, the

state's Chief Minister, Omar Abdullah, in a written reply before the Legislative Council, stated that 341 people had died in police custody in the state since 1990. It also offers a more dangerous picture of how torture and death in the custody of armed forces goes barely unrecorded and unnoticed," Chakma says. ■

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