

EXTERNAL (for general distribution)

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UA 357/93     Torture/Deaths in custody

7 October 1993

INDIA:     Four deaths in custody in three weeks in Andhra Pradesh:  
             P. Ashalu, doctor, aged 60  
             Khader Babu, aged 28  
             Pochamma, female, aged 16  
             and a five-month-old child

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Amnesty International is deeply concerned for safety of detainees in the Southern state of Andhra Pradesh. Four people died in police custody within three weeks in September 1993. These deaths demonstrate that the government must take immediate and urgent steps to protect all detainees in the state, to ensure the investigation of all allegations of torture and to bring the perpetrators to justice.

On 7 September, in Warangal, a five-month old child died allegedly after being hit in custody by police who were questioning its mother, Sofia.

**Pochamma**, a tribal girl from Meharnagar village died in hospital on 17 September after four days in police custody in Pochampally, Nalgonda district. Her father said that she was slapped by police in his presence and then taken away. A local human rights group found that Pochamma had been tortured by the police. On the same day, in Khammam district, **Khader Baba** died in custody. The press reported that his body had severe injury marks and two fractured ribs. The government announced a judicial inquiry into his death on 21 September 1993, and two constables and a sub-inspector were suspended for their suspected involvement in the death. On 21 September, **P. Ashalu** died in custody in Ildenu town, Khammam district. He allegedly suffered from high blood pressure and tuberculosis. Mr Ashalu's sons claim he died because police failed to provide necessary medical care and refused to produce him in court as he refused to pay them a bribe. In all four cases police claim that the detainees died of natural causes.

#### BACKGROUND INFORMATION

At least 484 people have died in custody of police or security forces throughout India between January 1985 and November 1992 allegedly as a result of torture.

Some 34 deaths in custody were recorded in Andhra Pradesh in this period. At least 12 have been reported in the state this year. Impartial judicial inquiries are rare and only 6 cases are known in which police officers have been convicted for such crimes between 1985 and October 1991. The deaths in Andhra Pradesh happened in the same month that Home Minister, S.B. Chavan, told the most senior police officials in the Andhra Pradesh's capital's National Police training academy that custodial deaths constituted murder; that they gave a bad name to the Indian police and that researchers "should find new ways and sources to extract information from the arrested persons without killing them"

Most of those who die in police custody are criminal suspects who are tortured

in order to extract confessions or information. Some appear to be innocent of any crime. Cover-ups extend to senior police, officials and even some members of the medical profession and magistrates. In March 1992, Amnesty International published *India: Torture, rape and deaths in custody* (AI Index: ASA 20/06/92) and called on the government to implement a ten point program for the prevention of torture in India. The government has responded to half of the cases and announced plans last autumn to strengthen legal safeguards to protect persons held in police custody from torture. But neither the legal proposals made nor Amnesty International's recommendations have, to date, been implemented, although the government has repeatedly condemned custodial violence at the highest levels.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters in English or in your own language:**

- expressing concern that, despite repeated condemnation of custodial violence by senior government officials, four people have died in police custody during three weeks of September 1993 allegedly from torture by the police in Andhra Pradesh;
- urging the authorities to promptly institute an impartial and independent inquiry into all four deaths and to ensure that if police personnel are found responsible for causing the deaths they be brought to justice, and that the families of the victims be granted prompt and adequate compensation;
- urging the authorities to implement proposals to strengthen legal safeguards for those in custody and the recommendations made in Amnesty International's ten point program to prevent torture, including ensuring that all detainees are brought before a magistrate within 24 hours, be allowed immediate access to a lawyer and to a medical examination by an independent doctor.

**APPEALS TO**

Mr P.V Narasimha Rao  
Office of the Prime Minister  
South Block, Gate No. 6  
New Delhi 110 001, India

**Salutation: Dear Prime Minister**

**Telegrams: Prime Minister, Narasimha Rao, New Delhi, India**

**Faxes: +91 11 391 6781 (Ministry of External Affairs)**

**ATTENTION Prime Minister Narasimha Rao**

Mr Vijay Bhaskara Reddy  
Chief Minister of Andhra Pradesh  
Office of the Chief Minister  
Hyderabad 500 001  
Andhra Pradesh, India

**Salutation: Dear Minister**

**Telegrams: Chief Minister, Hyderabad, Andhra Pradesh, India**

**COPIES OF YOUR APPEALS TO:**

Mr S.B. Chavan  
Minister of Home Affairs  
Ministry of Home Affairs  
New Delhi 110 001, India

Mr J.N. Dixit  
Minister of State for External Affairs  
Ministry for External Affairs  
South Block

New Delhi 100 001, India

Mr Kannabiran  
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and to diplomatic representatives of India accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 18 November 1993.