

EXTERNAL (for general distribution)

AI Index: ASA 20/14/93

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*This is a limited action. Please organize up to 15 appeals per section.*

UA 80/93      Fear for Safety

24 March 1993

INDIA:      The family of Rupesh Singh including:  
             Seema Raghavan (female, sister)  
             Kanta Devi (female, mother)

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Amnesty International is concerned for the safety of members of the family of Rupesh Singh, who allegedly died as a result of police torture. They have reportedly been threatened by the police in order to make them withdraw the case they have brought in the Calcutta High Court against the police for causing the death of their relative.

Rupesh Singh, an 18 year-old student, was taken away by police from Burnpur on a charge of murder on 10 May 1992, to Durgapur police station. A sub-divisional judicial magistrate ordered that he be taken to Asanol jail, where he arrived on 14 May with "burn injuries on both legs", according to the jail record. He died in the jail hospital two days later. Rupesh's family accused the police of torturing Rupesh Singh to death. Kanta Devi said that friends had visited Rupesh in jail and that "Rupesh told them that the police had tortured him brutally when he refused to confess... He was given electric shocks and finally forced to stand on a heated sheet of metal until he lost consciousness." Rupesh's sister is reported as saying that a friend who saw Rupesh's body outside the morgue told her that "his body was full of bruises and abrasions and his legs were burnt." The post-mortem report noted that death was caused by "shock due to injuries which are ante-mortem in nature".

The family reportedly fled to Gurgaon in Haryana after the police threatened them with dire consequences for filing the complaint, but Rupesh Singh's mother and sister returned in November 1992. In January 1993, a civil rights organization filed a case at the Calcutta High Court and Seema Raghavan and Kanti Devi took part in this. Shortly afterwards, on 2 February, the police allegedly came to their house and abused and threatened them. On 13 February, a police officer offered Seema Raghavan and Kanti Devi money if they withdrew the charges filed against the police and also told the court that Rupesh Singh was an alcoholic and died of liver "cirrhosis".

#### **BACKGROUND INFORMATION**

Amnesty International has documented the cases of 484 people who have died in the custody of the police or security forces throughout India between January 1985 and November 1992 allegedly of torture, although the actual number of such cases is thought to be considerable higher. Some 47 deaths in custody were recorded in West Bengal in this period and the organization continues to hear of new cases, including that of Rupesh Singh. Although there is an

increasing recognition by officials of the seriousness of the problem, India's record on ensuring that those responsible are brought to justice is extremely poor. Impartial judicial inquiries are rare and only six cases are known in which police officers have been convicted for such crimes between 1985 and October 1991. Amnesty International is concerned that the relatives and friends of the victims are sometimes intimidated by police and that consequently complaints against the police about custodial violence do not come to the public's attention and are not brought to court. Witnesses are reportedly threatened and bribed by the police not to give evidence or to drop charges.

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In March 1992, Amnesty International published its report entitled India: Torture, rape and deaths in custody (AI Index: ASA 20/06/92) and called on the government to implement a 10 point program for the prevention of torture in India. The government has now created a special unit in the Home Ministry to investigate such cases and announced plans last autumn to strengthen legal safeguards to protect persons held in police custody from torture as well as investigation procedures in cases of custodial death. But neither the legal proposals made by the government nor Amnesty International's recommendations have, to date, been implemented.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English:**

- seeking assurances from the government that it will take all necessary measures to protect members of Rupesh Singh's family and friends from threats and intimidation while court proceedings into his alleged death in custody as a result of torture are in progress;
- urging that the authorities investigate the allegations that the police have tried to intimidate Rupesh Singh's family;
- urging the authorities to institute an independent and impartial inquiry: into the allegations that Rupesh Singh died from police torture;
- urging the authorities to ensure that if police personnel are found responsible for causing his death they immediately be brought to justice, and that the family be granted prompt and adequate compensation.

**APPEALS TO**

1) Mr Jyoti Basu  
Chief Minister of West Bengal  
Office of the Chief Minister  
Writers Building  
Calcutta  
West Bengal  
India

**Salutation: Dear Chief Minister**

**Telegrams: Chief Minister Jyoti Basu, Calcutta, India**

2) Governor of West Bengal  
Office of the Governor  
Raj Bhavan  
Calcutta  
West Bengal

**Salutation: Dear Governor**

India

**Telegrams: Governor West Bengal, Calcutta, India**

**COPIES OF YOUR APPEALS TO:**

Dr M.Godbole  
Home Secretary  
Ministry of Home Affairs  
North Block  
New Delhi  
India

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 5 May 1993.