
NHRC & MEA set to host 6-day rights conclave for Global South from today

NEW DELHI, SEP 21

AIMING to promote human rights protection in the Global South, the NHRC has joined hands with the Ministry of External Affairs (MEA) for organising a six-day programme for representatives of 12 nations from Monday, an official said. The Indian Technical and Economic Cooperation (ITEC) Executive Capacity Building Programme will offer a platform to representatives of global rights institutions for discussions on advocacy, enforcement and institutional strengthening, said the official.

Senior-level functionaries from 12 NHRIs from Mauritius, Jordan, Georgia, the Philippines, Qatar, Fiji, Uzbekistan, Bolivia, Nigeria, Mali, Morocco and Paraguay are likely to attend the programme. National Human Rights Commission (NHRC) Chairman Justice V. Ramasubramanian will inaugurate the Executive Capacity Building Programme on human rights for senior-level functionaries, said the official.

News on air

NHRC, MEA to Organise Six-Day ITEC Executive Capacity Building Programme in New Delhi

<https://www.newsonair.gov.in/nhrc-mea-to-organise-six-day-itec-executive-capacity-building-programme-in-new-delhi/>

Site Admin | September 21, 2025 5:07 PM

The National Human Rights Commission (NHRC), in collaboration with the Ministry of External Affairs, will organise a six-day Indian Technical and Economic Cooperation Executive Capacity Building Programme from tomorrow till 27th of this month in New Delhi. In a statement, NHRC said that the programme aims to provide insights into various dimensions of human rights, international perspectives and share the commission's experience to enhance awareness among participants of various National Human Rights Institutions from the global south. The commission added that this program will stand as a testament to NHRC's enduring commitment to fostering a world where human rights are respected, protected and celebrated.

Hans India

NHRC, MEA to host 6-day rights conclave for Global South from tomorrow

<https://www.thehansindia.com/news/national/nhrc-mea-to-host-6-day-rights-conclave-for-global-south-from-tomorrow-1008581>

IANS | 21 Sept 2025 4:36 PM IST

HIGHLIGHTS Aiming to promote human rights protection in the Global South, the NHRC has joined hands with the Ministry of External Affairs (MEA) for organising a..

Aiming to promote human rights protection in the Global South, the NHRC has joined hands with the Ministry of External Affairs (MEA) for organising a six-day programme for representatives of 12 nations from Monday, an official said. The Indian Technical and Economic Cooperation (ITEC) Executive Capacity Building Programme will offer a platform to representatives of global rights institutions for discussions on advocacy, enforcement and institutional strengthening, said the official.

Senior-level functionaries from 12 NHRIs from Mauritius, Jordan, Georgia, the Philippines, Qatar, Fiji, Uzbekistan, Bolivia, Nigeria, Mali, Morocco and Paraguay are likely to attend the programme. National Human Rights Commission (NHRC) Chairman Justice V. Ramasubramanian will inaugurate the Executive Capacity Building Programme on human rights for senior-level functionaries, said the official in a statement. The programme aims to strengthen the capacities of National Human Rights Institutions (NHRIs) from the Global South, it said. It reflects NHRC India's ongoing commitment to global human rights dialogue, South-South cooperation and the collective advancement of rights-based governance. This customised programme has been developed in accordance with the needs of NHRIs of participating countries and feedback provided during the three earlier ITEC capacity-building programmes organised by the Commission, said the official statement.

Drawing from NHRC India's experience of over three decades, the programme seeks to promote deeper understanding, mutual learning and meaningful collaboration among NHRIs for advocacy, enforcement and institutional strengthening across the Global South. Eminent persons with domain knowledge and expertise in capacity building and imparting training will be the resource persons. The expected outcome includes developing a better understanding of international dimensions of human rights, a deeper understanding of NHRC, India's work in the field of human rights protection and its best practices, which can be adopted by the other NHRIs, said the statement

The programme may also lead to improved networking among NHRIs, fostering collaborations and partnerships at regional and international levels and enhanced capability to contribute towards the protection and promotion of human rights, said the statement.

The participants will engage in interactive sessions with eminent persons and practitioners in the field, cultural immersion and field visits. This programme stands as a testament to NHRC India's enduring commitment to fostering a world where human rights are respected, protected and celebrated.

ANI News

NHRC, MEA to organise ITEC Executive Capacity Building Programme on human rights for senior-level functionaries

<https://www.aninews.in/news/national/general-news/nhrc-mea-to-organise-itec-executive-capacity-building-programme-on-human-rights-for-senior-level-functionaries20250921211413/>

ANI | Updated: Sep 21, 2025 21:14 IST

New Delhi [India], September 21 (ANI): The National Human Rights Commission (NHRC), India, in collaboration with the Ministry of External Affairs (MEA), is organising a six-day Indian Technical and Economic Cooperation (ITEC) Executive Capacity Building Programme on human rights for senior-level functionaries of the National Human Rights Institutions (NHRIs) of the Global South in New Delhi from September 22 to 27. According to an official statement, the programme aims to strengthen the capacities of National Human Rights Institutions (NHRIs) from the Global South. This reflects NHRC India's ongoing commitment to global human rights dialogue, South-South cooperation and the collective advancement of rights-based governance. This customised programme has been developed in accordance with the needs of NHRIs of participating countries and feedback provided during the three earlier ITEC capacity-building programmes organised by the Commission. Senior-level functionaries from 12 NHRIs from Mauritius, Jordan, Georgia, the Philippines, Qatar, Fiji, Uzbekistan, Bolivia, Nigeria, Mali, Morocco and Paraguay are likely to attend the programme. Drawing from NHRC India's experience of over three decades, the programme seeks to promote deeper understanding, mutual learning and meaningful collaboration among NHRIs for advocacy, enforcement and institutional strengthening across the Global South. Eminent persons with domain knowledge and expertise in capacity building and imparting training will be the resource persons. The programme will be inaugurated by the Chairperson of the NHRC, India Justice V. Ramasubramanian, the statement added. The expected outcome includes developing a better understanding of international dimensions of human rights; a deeper understanding of NHRC, India's work in the field of human rights protection and its best practices, which can be adopted by the other NHRIs; improved networking among NHRIs, fostering collaborations and partnerships at regional and international levels; and enhanced capability to contribute towards the protection and promotion of human rights. The participants will engage in interactive sessions with eminent persons and practitioners in the field, cultural immersion and field visits. This programme stands as a testament to NHRC India's enduring commitment to fostering a world where human rights are respected, protected and celebrated. It aims to serve as a dynamic platform for dialogue, learning and cooperation among NHRIs of the Global South. (ANI)

News on air

राष्ट्रीय मानवाधिकार आयोग ने नई दिल्ली में आईटीईसी कार्यकारी क्षमता निर्माण कार्यक्रम शुरू किया, 27 सितंबर तक चलेगा

<https://www.newsonair.gov.in/hi/%E0%A4%B0%E0%A4%BE%E0%A4%B7%E0%A5%8D%E0%A4%9F%E0%A5%8D%E0%A4%B0%E0%A5%80%E0%A4%AF-%E0%A4%AE%E0%A4%BE%E0%A4%A8%E0%A4%B5%E0%A4%BE%E0%A4%A7%E0%A4%BF%E0%A4%95%E0%A4%BE%E0%A4%B0-%E0%A4%86%E0%A4%AF-36/>

Site Admin | सितम्बर 22, 2025 6:16 पूर्वाह्न

राष्ट्रीय मानवाधिकार आयोग आज से नई दिल्ली में भारतीय तकनीकी और आर्थिक सहयोग कार्यकारी क्षमता निर्माण कार्यक्रम आयोजित कर रहा है। विदेश मंत्रालय के सहयोग से आयोजित यह कार्यक्रम 27 सितम्बर तक चलेगा। राष्ट्रीय मानवाधिकार आयोग ने एक बयान में कहा कि कार्यक्रम का उद्देश्य मानवाधिकारों के समग्र पहलुओं पर विचार करना तथा अविकसित और विकासशील देशों के मानवाधिकार संस्थानों के प्रतिभागियों के बीच जागरूकता प्रसार के लिए आयोग के अनुभव साझा करना है। आयोग ने कहा कि यह कार्यक्रम मानवाधिकारों को संरक्षण और सम्मान देने वाले विश्व के निर्माण की प्रतिबद्धता का प्रमाण होगा।

Legal Service India

Custodial Violence and Police Accountability

Custodial Violence in India: Forms, Laws, Key Cases, and Human Rights Challenges

<https://www.legalserviceindia.com/Legal-Articles/custodial-violence-and-police-accountability/>

By @devanshi16September 21, 2025 | Updated: September 21, 2025 | 14 Mins Read

Custodial Violence in India — Overview

Introduction

Custodial violence — the abuse of individuals while in police or judicial custody — remains one of the serious human rights concerns in India. Sadly, such cases are still reported in India despite laws meant to prevent them. Protecting the rights of people in custody is not just about following the law; it's about safeguarding basic human dignity and holding the police accountable for their actions. In this article, we will look at what custodial violence means, its different forms, and some key cases and laws that highlight the issue.

Background

In Tamil Nadu, the recent death of Ajith Kumar, a 27-year-old temple guard from Sivaganga, is heartbreaking but sadly not unusual. Between 2021 and 2025, several similar cases have occurred. In 2022, Vignesh, a 25-year-old detained in Chennai, died within hours and his autopsy showed multiple injuries. In 2023, a 30-year-old autorickshaw driver in Tiruchi died under suspicious circumstances. From April 2017 to March 2022, there were 669 reported deaths of people in police custody across India. According to the Global Torture Index 2025, "India is classified as a 'high risk' country for torture and custodial brutality."

These repeated incidents show that custodial violence is a serious ongoing issue in our system.

What is Custodial Violence?

The term "custodial violence" refers to the inhuman treatment of individuals in police or judicial custody. It means any physical, mental, or emotional harm caused to a person. It includes actions like torture, beating, sexual abuse, verbal humiliation, denial of basic needs, or even deaths that happen in police stations, prisons, or during investigations. In simple terms, it is any kind of mistreatment or abuse faced by someone who has been detained or arrested.

Holding people without legal reason, making wrongful arrests, treating suspects badly, forcing them to give information, and using physical, mental, or sexual abuse are all examples of custodial violence.

Forms of Custodial Violence

Custodial violence in India is a serious problem that takes many troubling forms. Many people have seen or heard of police using excessive force like slapping or beating people with lathis in the name of maintaining law and order. Poor conditions like overcrowding, lack of proper food, dirty surroundings, and limited medical care make the situation even worse. Custodial violence includes many kinds of abuse, which can be grouped into different types:

Physical Abuse: This is the most visible form. It includes beating, electric shocks, or any physical torture during interrogation or detention. Sometimes it can even lead to serious injuries or death.

Emotional and Psychological Abuse: Harm does not have to be physical. Threats, verbal abuse, intimidation, and humiliation can leave deep emotional scars. Prolonged solitary confinement or constant mental pressure can cause severe stress or trauma.

Sexual Violence: In some cases, detained persons — especially women and vulnerable groups — face sexual harassment or assault in custody. This is one of the most dehumanizing and underreported forms of abuse.

Unauthorized Arrest and Detention: Keeping someone in custody without a legal reason or arresting them without proper procedure is also custodial violence. Individuals may be unlawfully detained for prolonged periods without being formally charged or presented before a judicial authority.

Denial of Basic Rights: Denying basic rights means not giving people the legal protections and support they are entitled to. This could include preventing them from meeting a lawyer or making it difficult to get a fair hearing in court.

Forced Confession: Forced confession refers to obtaining confessions through coercion, threats, or torture. Many times, people are misled or pressured to admit to crimes they did not commit.

Breach of Article 21

Article 21 of the Constitution says: “No person shall be deprived of his life and personal liberty except according to procedure established by law.” This means every person, even the accused or convicted of a crime, has the right to live with dignity and to be treated fairly under the law.

The Supreme Court has repeatedly held that the right to life is not just about survival but also about living with dignity. In *Sunil Batra v. Delhi Administration* (1978), the Court ruled that prisoners also have fundamental rights and cannot be subjected to inhuman or degrading treatment. In *Sheela Barse v. State of Maharashtra* (1983), the Court addressed abuse of women in custody, emphasizing that dignity must be protected even for those detained.

The Prevention of Torture Bill

India has faced repeated criticism for failing to have a strong law directly addressing custodial torture. Even though the Supreme Court has laid down safeguards and the Constitution protects the dignity of every person, many cases of abuse continue. To meet international commitments like the United Nations Convention Against Torture (UNCAT), lawmakers have tried to introduce specific legislation. Two important attempts were the Prevention of Torture Bill, 2010 and the Prevention of Torture Bill, 2022.

The Prevention of Torture Bill was introduced to provide punishment for torture inflicted by public servants or any person inflicting torture with the acquiescence of any public servant. The bill proposed a minimum punishment of 3 years, which may be extended up to 10 years, and a fine for torture inflicted to extort confession, or for punishing on the ground of religion, race, place of birth, residence, language, caste, community, or any other ground.

The Prevention of Torture Bill, 2010 was introduced in the Lok Sabha to give effect to the Convention. The bill was passed by the Lok Sabha on May 6, 2010. The Rajya Sabha referred the bill to a Select Committee which proposed amendments. However, the bill lapsed with the dissolution of the 15th Lok Sabha. In 2017 and 2018, the bill was introduced as a private member's bill in Rajya Sabha and Lok Sabha respectively, but the latter lapsed due to the dissolution of the 16th Lok Sabha.

Despite these proposals, neither the 2010 nor the 2022 Prevention of Torture Bill has become law. The absence of a dedicated anti-torture statute leaves gaps in accountability and makes custodial violence harder to curb.

Role of the NHRC

The National Human Rights Commission (NHRC) was set up under the Protection of Human Rights Act, 1993, to protect and promote human rights in India. Custodial violence is one of its key concerns. The NHRC has set clear rules to be followed whenever a custodial death occurs. It has powers similar to those of a civil court and can hold inquiries suo motu. This authority helps act as a warning to prevent future cases of custodial violence.

The guidelines issued by the committee include:

In cases of custodial deaths, a magisterial inquiry would be conducted.

The magistrate must visit the crime scene, gather all important details, record evidence, and identify witnesses.

Issue of public notice to witnesses.

Detainees should be examined at regular intervals to detect signs of torture or ill treatment.

Arrested individuals must be allowed to meet family members and lawyers.

Recording of statements of family members, relatives, and witnesses.

A detailed report must be prepared on time.

Police and prison staff should undergo regular training on human rights standards, lawful interrogation methods, and the rights of detainees.

Landmark Cases

Nilabati Behera v. State of Orissa, 1993

Facts: Suman Behera, the petitioner's son, was arrested by the police and the next day his dead body was found on the railway track with multiple injuries. The police claimed he escaped and died on the railway track but the evidence showed otherwise. Judgement: The Supreme Court found that the injuries were inflicted while he was in custody, indicating custodial violence. The Court held that providing compensation is the responsibility of the State and awarded compensation.

D.K. Basu v. State of West Bengal, 1997

This case is important because the Supreme Court recognized custodial violence and police brutality, and issued 11 guidelines to prevent abuse during arrest and detention. These include:

Police officers must wear name tags showing their rank when making an arrest or carrying out an interrogation.

An arrest memo must be prepared, signed by the person being arrested and verified by a family member or a respected local person. It should clearly mention the date and time of the arrest.

Anyone arrested or detained has the right to have a friend, relative, or trusted person informed as soon as possible about their arrest and where they are being held.

The arrested person must be made aware of his rights.

An entry must be made in the diary of the place of detention, naming the friend who has been informed and the public officials in whose custody the arrestee is.

If the arrested person's friend or relative lives outside the district or town, they must be told within 8–12 hours about the time and place of arrest and where the person is being held.

If the arrested person asks, he should be medically examined when taken into custody. Any injuries, major or minor, must be noted in an inspection memo. This memo should be signed by both the arrested person and the police officer making the arrest, and a copy must be given to the arrested person.

The arrestee should be subjected to medical examination by a trained doctor every 48 hours.

Copies of all documents, including the memo of arrest, should be sent to the Magistrate for his record.

Arrestees may be permitted to meet their lawyer during interrogation.

Every district must have a police control room and details of arrest must be sent there within 12 hours.

Joginder Kumar v. State of Uttar Pradesh, 1994

Facts: Joginder Kumar, a lawyer, was taken into custody for questioning but was not formally arrested or informed of the reasons for detention. He was kept for several days without being presented before a magistrate or allowed to inform his family. His relatives filed a habeas corpus petition.

Judgement: The Court ruled that arrests must have valid reasons and not be arbitrary. Police must inform relatives, record reasons for arrest, and follow legal safeguards.

Rudul Shah v. State of Bihar, 1983

Facts: Rudul Shah had been acquitted of murder charges but remained in jail for 14 extra years because the release order was not executed. Even after multiple representations, authorities failed to release him or provide any explanation. He filed a writ petition under Article 32 for unlawful detention and sought compensation.

Judgement: The Supreme Court recognized that Rudul Shah's 14-year illegal detention violated his fundamental rights under Article 21. The Court ordered the Bihar government to pay compensation and recommended his rehabilitation.

Sunil Batra v. Delhi Administration, 1978

Facts: Sunil Batra, a prisoner on death row in Tihar Jail, wrote to the Supreme Court alleging brutal torture of a fellow inmate by jail officials and inhuman treatment of prisoners. His letter was treated as a writ petition under Article 32.

Judgement: The Court expanded Article 21 protections to prisoners, stating that imprisonment does not strip a person of fundamental rights. It prohibited unnecessary solitary confinement and inhuman or degrading treatment.

Sheela Barse v. State of Maharashtra, 1983

Facts: Journalist Sheela Barse wrote to the Supreme Court after interviewing several women detainees in Maharashtra's police lockups. She reported sexual harassment, poor conditions, and lack of legal aid for women prisoners. The letter was converted into a writ petition.

Judgement: The Court stressed special safeguards for women and children in custody. It directed the State to ensure female detainees are kept in separate lockups guarded by female police personnel and provided immediate legal aid.

Rights of an Arrested Person

Protecting an arrestee's rights is not merely a procedural formality; it is a crucial safeguard against abuse. By ensuring that every person taken into custody is treated with fairness and dignity, the justice system reinforces public trust and holds law enforcement accountable.

Constitutional Rights

Article 20(3): Protection Against Self-Incrimination

No person accused of an offence can be compelled to testify against themselves. This prevents forced confessions or coercion during interrogation.

Article 21: Right to Life and Personal Liberty

Guarantees that no one shall be deprived of life and personal liberty except according to procedure established by law. Courts interpret this to include the right to live with dignity and protection from torture or cruel treatment.

Article 22(1) and (2): Rights upon Arrest

The arrested person must be informed of the reasons for arrest, has the right to consult a lawyer of their choice, and must be presented before a Magistrate within 24 hours of arrest.

Article 39A: Free Legal Aid

Ensures free legal assistance for those who cannot afford a lawyer, reinforcing equality before the law.

Rights under BNSS (Bharatiya Nagarik Suraksha Sanhita), 2023

Right to be Informed: Section 47(1) mentions that the police officer making an arrest without warrant shall inform the person arrested of the grounds of the offence for which they have been arrested.

Right to be Released on Bail: Section 47(2) states that if the accused has committed a bailable offence, the police officer must inform the arrested person about the right to be released on bail.

Right to be Taken before a Magistrate without Delay: According to Section 58, the police officer making an arrest, whether with or without warrant, is bound to produce the accused within 24 hours.

Right to be Medically Examined: Sections 52 and 53 provide the right of medical examination of the accused.

Apart from this, Section 43 sets limits on how an arrest must be made, ensuring force or physical restraint is used only when necessary.

Provision under BNS (Bharatiya Nyaya Sanhita), 2023

Section 127(8) punishes anyone who wrongfully confines a person to force a confession.

Recent Scenario

Custodial deaths and police brutality remain serious concerns across India. In 2024, the National Human Rights Commission (NHRC) recorded 2,739 custodial deaths, a notable rise from 2,400 deaths in 2023. Prison conditions continue to be poor with 1,955 deaths reported in judicial custody in 2022, including 159 unnatural deaths. Over 75% of inmates are under trial.

At the state level, Rajasthan recorded 20 custodial deaths in police lockups between August 2023 and August 2025: 12 from health issues (including 6 heart attacks) and 6 from suicides. Recently in Harimpur, Uttar Pradesh, undertrial Anil Kumar Tiwari died in jail with injury marks suggesting torture. In May 2025, a man in Deoghar, Jharkhand, died in police custody after cyber crime interrogation, and his family alleged he was tortured. These cases highlight the urgent need for reforms to prevent abuse.

Conclusion

Custodial violence is still a serious problem in India, violating the basic right to life and dignity guaranteed by Article 21 of the Constitution. Recent deaths and reports point to a lack of accountability and poor prison conditions. To stop this, stricter action, better police training, proper monitoring like CCTV in lockups, and stronger laws are needed.

Custodial Violence References

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Counter View

Silicosis cases rise sharply in Gujarat; 38 worker deaths reported in 2024-25

<https://www.counterview.net/2025/09/silicosis-cases-rise-sharply-in-gujarat.html>

Monday, September 22, 2025

By A Representative

The Vadodara-based advocacy group Peoples Training & Research Centre (PTRC)- released annual report for 2024-25 on silicosis in Gujarat has revealed alarming figures, showing a sharp increase in both diagnosed cases and deaths compared to the previous year. During the year, 721 workers were identified as having been exposed to silica dust, of whom 119 were diagnosed with silicosis. Among them, 38 workers died, a significant rise from 12 deaths in 2023-24.

The report notes that while overall exposure cases increased by 43 percent, the number of diagnosed patients rose by 15 percent. However, deaths surged by 216 percent. Most cases were reported from Surendranagar and Morbi districts, though incidents were not confined to these regions.

Complaints were filed by PTRC with the National Human Rights Commission regarding 30 deaths and 48 affected workers. Families of eight deceased workers received state assistance of ₹1 lakh each, though the report suggests that many eligible families may have been left out. The organization also assisted workers in securing benefits under the Employees' State Insurance Act, including disability payments.

Awareness activities such as posters, booklets, and campaigns were undertaken by PTRC to highlight silicosis and construction worker safety. The group also distributed medical support equipment such as oxygen concentrators, nebulizers, and toilet aids to patients. Despite limited resources, collaboration with foundations like Human Capability Foundation and Azim Premji Foundation supported their work.

The report highlights several meetings with government officials, petitions for effective enforcement of labor and health laws, and field visits across Gujarat. It also records challenges such as alleged irregularities in medical camps organized under industry pressure, denial of compensation to affected workers, and cases of harassment faced by silicosis victims and their families.

The organization stressed that despite repeated appeals, implementation of Supreme Court and High Court directives on silicosis prevention and compensation remains weak. It called for stricter enforcement, better medical facilities, and stronger social security measures for workers exposed to silica dust.