Human Rights Violations in the Name of Law

What is the issue?

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In India fake encounters and custodial deaths proves human rights violation by the lawmakers.

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What are the human rights violation faced by the accused?

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- **Encounters -** In UP within 10 months, 34 alleged criminals were gunned down in 1,142 encounters.
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- In which sixteen encounters took place in two days.
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- **Custodial deaths -** According to data released by the National Crime Record Bureau about 591 custodial deaths were recorded across India between 2010 and 2015.
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- The death toll in custody in 2016 alone was 92 and the data may not be complete since there could be several custodial deaths that go unreported.
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What are the reasons behind such human rights violations?

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- Custodial deaths largely occur due to torture by third degree methods, police personnel resort such methods to draw confessions from the accused in the shortest possible time.
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- Interrogation is a highly skilled form of investigation and most policemen are not, despite the training, equipped to carry it out deftly.
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- The lack of patience and technical skills drive them to adopt unlawful methods like encounters, the tendency of superior officers and even politicians to shield them prevents action against them.
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- If stringent and timely action is not taken against delinquent policemen, custodial deaths are bound to become more frequent.
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What are the measures needs to be taken?

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- The responsibility devolves on senior police officers, who need to devise methods to monitor the number of suspects in each police station and the reasons for their detention.
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- Any detention or arrest should be promptly reported to district superintendents, who should, thereafter, ensure that SC and NHRC guidelines are strictly adhered to
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- It is important that fake encounters and custodial deaths need probed impartially and if necessary by outside agencies, so that the rule of law can’t be compromised.
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Source: Indian Express

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