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Fear of torture

5 July 2000

INDIA

Detainees in Arthur Road Jail, Mumbai

Guards have reportedly beaten and tortured inmates at Arthur Road Jail in Mumbai, and threatened reprisals if they complain to the authorities. This is reportedly part of a sustained pattern of torture and ill-treatment in the prison.

On 19 June at about 6.30pm, two of the inmates in an overcrowded cell apparently started fighting. A senior prison official, the Circle Officer, and other prison officers, reportedly attacked the prisoners in the cell indiscriminately with razors and wooden poles (*lathis*). There were 180 inmates in the cell, designed to hold 50.

Some 40 inmates were injured, three reportedly suffering broken bones. Four have filed complaints in the Sessions Court.

The Circle Officer reportedly demanded money from some of the detainees and beat them if they refused to pay. He has denied that he tortured anyone, and has said that, "I shouted at them to stop fighting but they didn't listen. Finally I had to open the cells to stop the fight."

The non-governmental human rights organisation *Nirbhay Bano Andolan* is filing a case in the High court about the 19 June attack and general prison conditions. The organisation has secured testimonies from inmates alleging that they were beaten. The Circle Officer has allegedly warned the inmates not to talk to the authorities, reportedly threatening one with "dire consequences". Lawyers for the detainees are reportedly only allowed to meet them at court hearings.

The newspaper *Asian Age* has carried a number of stories on the incident, and its journalists have reportedly been banned from the jail since the end of June.

None of the inmates is reported to have received proper medical treatment. Inmates say the jail officials prescribed the same medicine for all of them, regardless of their injuries. One inmate has accused the jail officials of producing false medical certificates when a Sessions Court Judge ordered that all the inmates be treated at a government hospital. Only two are reported to have received the recommended medical treatment.

Amnesty International has received numerous reports of ill-treatment of prisoners by prison officials in India, where prison conditions are often cruel, inhuman or degrading.

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

- expressing concern at allegations that prison officers tortured and ill-treated inmates in Arthur Road Jail;
- urging the authorities to ensure that the inmates are protected from further abuse;
- urging the authorities to conduct a prompt, impartial inquiry into the allegations of torture, with those carrying out the inquiry given full and unhindered access to the jail and its inmates;

- urging the authorities to ensure that all the inmates who were attacked receive adequate medical treatment;
- urging the authorities to ensure that the inmates have access to their lawyers and relatives.

APPEALS TO:

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Faxes: + 91 22 202 2940
Salutation: Dear Chief Minister

COPIES TO:

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Salutation: Dear Home Minister

Mr L K Advani
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Salutation: Dear Minister

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 16 August 2000.