

**Need for a law against physical torture of accused persons by police**

SHRI MD. NADIMUL HAQUE (West Bengal): Sir, through Zero Hour, I demand for an Anti-Torture Bill.

Sir, recent national surveys on the policing in India show that three out of five personnel believe that there is nothing wrong with beating up criminals and four out of five think it is okay to bash them up to extract a confession. In 2017-18, NHRC reported 144 cases of death in police custody and 1530 deaths in judicial custody. Furthermore, NCRB reports state that undertrials and even convicts are tortured in prisons across the country.

India signed the '1984 UN Convention Against Torture' in 1997 even though the absolute prohibition against use of torture has long been established as a fundamental principle in law. Signing means that the country has, in principle, agreed to move forward to ensure that the practice of torture is entirely eliminated in its country. But ratification, the next step, obligates countries to pass law that reflects the articles in the UN law. For 22 years, ratification has been left pending.

A specific anti-torture law is the need of the hour. It needs to be detailed, comprehensive and should conform to international standards.

It will need to have a broad descriptive definition of torture that includes: mental torture should be made easier to prove; fix responsibility not only on the perpetrator but also on those who allow it to happen under their watch; make punishment more stringent, especially, where there has been sexual violence and ensure that the State compensates and cares for its victims.

It must also bypass Section 197 of the CrPC which requires permission before public servants can be prosecuted for actions done in the course of duty.

Sir, this Anti-Torture Bill is especially important given the brutality of police violence that we have been witnessing for the last few years, especially, since 2014. Students, women and children have not been spared as the police repeatedly exploits this lacuna in the law to beat people into suppression. Minority and backward communities are being targeted both inside prisons and on the streets. We must remember that the police force exists to protect us from harm and not cause it themselves.

Therefore, I would urge the Government to consider adoption of an Anti-Torture Bill to set uniform standards of policing and prisoner rights across the country. Thank you, Sir.

SOME HON. MEMBERS: Sir, we associate ourselves with it.

MR. CHAIRMAN: Please send the slip.

SHRI AHAMED HASSAN (West Bengal): Sir, I would like to associate myself with the Zero Hour mention made by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I would also like to associate myself with the Zero Hour mention made by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I would also like to associate myself with the Zero Hour mention made by the hon. Member.

SHRIMATI VIJILA SATHYANANTH (Tamil Nadu): Sir, I would also like to associate myself with the Zero Hour mention made by the hon. Member.

SHRI A. VIJAYAKUMAR (Tamil Nadu): Sir, I would also like to associate myself with the Zero Hour mention made by the hon. Member.

**Anti-India propaganda under the guise of protest against the Citizenship  
Amendment Act (CAA)**

श्री आर.के. सिन्हा (बिहार): चेयरमैन सर, मैं आपके माध्यम से एक अति लोक महत्व के विषय को उठाना चाहता हूँ। नागरिकता संशोधन अधिनियम देश के दोनों सदनों से भारी बहुमत से पारित हुआ और इसे लागू किया गया। कई स्थानों पर इसका विरोध भी हुआ। लोकतंत्र में नागरिकों को विरोध करने का अधिकार है। उसमें कोई आपत्ति होनी भी नहीं चाहिए। कोई भी शांतिपूर्ण विरोध हो, उसका स्वागत है, लेकिन इस विरोध की आड़ में जगह-जगह ऐसा देखने में आया कि बहुत सारी राष्ट्र-विरोधी गतिविधियाँ हुईं और देश को तोड़ने के नारे लगाए गए। इनमें ऐसी हरकतें पैदा करने की कोशिश की गई, जिनसे अराजकता की स्थिति उत्पन्न हो। यह एक बहुत ही चिंतनीय विषय है। मैं ऐसा समझता हूँ कि शांतिपूर्ण विरोध का अधिकार तो जरूर होना चाहिए, लेकिन किसी भी प्रदर्शन या विरोध की आड़ में देश को तोड़ने की बात करना, अराजकता की स्थिति पैदा करना, यह किसी भी स्थिति में मान्य नहीं होना चाहिए। देश की पूरी जनता और सभी राजनीतिक दलों का भी इसमें सहयोग मिलना चाहिए कि कहीं भी देश में कोई राष्ट्र-विरोधी गतिविधि न होने पाए। सरकार को यह सुनिश्चित करना चाहिए कि जो इस प्रकार की गतिविधियों में संलिप्त लोग हैं, उन पर सख्त से सख्त कार्यवाही की जाए, बहुत-बहुत धन्यवाद।

श्री अमर शंकर साबले (महाराष्ट्र): सर, मैं माननीय सदस्य द्वारा उठाए गए विषय से स्वयं को सम्बद्ध करता हूँ।