

## **Life after assault by India's army and police: Two stories**

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*The following story is narrated by Ms Najma Latif, alias Soniya, aged 15 years, daughter of Mohammad Abdul Latif, residing at Phoubakchao Mayai Leikai, Ward 2, Mayang Imphal Police Station, Imphal west district, Manipur state, November 2008.*

On 27 June 2007, I was studying with my sisters Samina (14 years) and Reshma (16 years) in the front veranda of our house. My uncle Mohammad Manawar lives in a house nearby. At around 7pm we saw a person in plainclothes coming to our uncle's house and making inquiries. Thereafter we saw several army officers dragging our uncle from his house.

We ran towards our uncle's house and asked the officers why they were taking our uncle into custody. We also asked them where they were taking him without an arrest memo. The officers refused to provide any information. Instead, one officer asked where we had come from, knowing about legal procedures such as arrest memos, and then began assaulting us. Other officers immediately joined in, attacking us with their rifles, particularly hitting us with the butts. We all cried out of fear and I fell down. As I was trying to get up, an officer hit me hard with his rifle butt. I felt like something was grinding my left shinbone. The pain was unbearable and I fell unconscious.

When I regained consciousness I found myself at the Regional Institute of Medical Sciences (RIMS). There were some villagers inside the room, as well as my parents. I was informed that my shinbone was fractured from the assault. It was really hard to remain in the hospital; I will not forget those days. All of a sudden I required someone's help for everything, whether going to the toilet or changing sides in bed. I was finally discharged from the hospital on July 3.

While I was in the hospital, several people including my parents asked me why we interfered with the military officers. My mother told me if the officers had wanted, they could have taken me with them and done bad things to me. She told me that they often do this to girls, later killing them and throwing their bodies in some forest. My mother also said that if that happened to me, she would not live anymore; she would kill my sisters and herself. When I asked why, she said if the army took me away, not only would they do bad things to me, they would also suspect my parents or other close relatives of being involved with underground groups and thus take them all into custody. My mother claimed it was better to commit suicide than be arrested by the military. Hearing all this was terrible; I cried a lot during those days in the hospital and also after returning home.

After the incident our family lives in constant fear. We have a feeling, more intense immediately after the incident, that the military will come at any time and take us all. May be it is just paranoia, as nothing after the incident has occurred to suggest that something like that would happen. But when we go out, other villagers are clearly reluctant to speak to us. We also receive fewer invitations for social functions such as weddings.

I do not know for sure, but people are perhaps scared that we are on a military watch list. What I do know for sure, is that some of my friends' parents have asked them not to be too friendly with me. Some of them are even instructed not to travel alone with me to school or to town. My parents are also aware of this change of attitude. I have heard my mother complaining that because of my intervention when my uncle was taken away, the entire family now has to suffer. I have also noticed that we have fewer visitors at home since the incident. The army is so powerful that this attitude of fear is not surprising in our small village.

In the days following the incident, I learnt that some villagers had protested against it. My parents were very worried as to what would happen to our family if the protests continued; they feared the army or police would take us away in order to silence the protests.

It was three months before I could remove the plaster cast. Even then, my leg still hurt when I stood up.

At school, my friends asked why I had protested before the army. Some told me that the army is in our village and state to protect us from bad people. But see what has happened to me. Now is it that the army is as bad as some of the underground people? If you ask me, I will say they are even worse.

I know many friends whose relatives were abused by the army. Only when it happened to me, did I know how terrible this experience is. When I grow up I want to become a lawyer who can fight against these things.

When I started going to school again, I was so scared that when I return home, my parents will have been taken by the army, and an army officer would be waiting to take me also. For a long time, whenever I returned home from school or after being away from home for some time, I would look to see whether there was any army vehicle nearby. Any vehicles that I heard during the nights, I would imagine to be the army coming to take us. For a while, I wanted to go some place where there is no army, even though I knew that was not possible.

Nowadays, when I go out, I avoid crossing any army checkpoints, of which there are many in our town and village. We cannot walk for 30 minutes without coming across an army officer or an army check post. I used to shake with fear upon seeing someone in army uniform. A cold chill would overcome my body, and my palms would be ice cold.

It was difficult for me to concentrate for a while after the incident. I also could not sleep; flashbacks of the incident would haunt me. These days I only have occasional nightmares of being beaten, or of an army officer slicing me up alive, shooting me, or chasing me. I do not know what to do. I have told my parents, and they said that I should try to forget what happened to me. I am trying, but I do not know whether I will succeed.

[photo of Najma]

*The following story is narrated by Sunil, son of Velayudhan, residing at Padinjarekunnathu house, Kodakara, Thrissur district, Kerala, November 2008.*

My name is Sunil, I am 25 years old and I belong to the Scheduled Caste community. I am a daily labourer and support my mother Chakkikutty, who is very old. We live in a small house, in a village. The houses in this village are clustered and disputes between neighbours regarding boundaries, the use of the public well, drainage and so on are common. People often argue with each other on these issues. Most people quickly forget the arguments, while others don't. It is all part of village life.

On 22 September 2006, a police constable from the Kodakara police station came to our house and asked me to report to the police station the next day. The officer informed me that there was a complaint against me from my neighbour Mr Kannan. According to the constable, Mr Kannan complained that I had tried to molest his wife and poison their dog.

I informed the constable that I had disputes with Kannan regarding the boundary of our house and this might be why he had filed a false complaint against me. However, I agreed to report to the station the next day.

The next morning I went to the Kodakara police station along with my mother at around 10:30am. The police officer at the station informed me that the Sub Inspector will be coming at about noon, and asked us to wait. We waited in the veranda.

At about 2:30pm, the Head Constable Mr Lohidakshan approached me and asked my name. As soon as I said that I am Sunil, Lohidakshan shouted, "Son of a bitch! Stand up!" Terrified, I stood up. Lohidakshan then punched me in the stomach. I could not bear the pain and shock, and I doubled up. Lohidakshan then slapped me on my left ear: blood started coming out and I felt like a whistle was blowing in my ears. I saw my mother collapsing; later, she told me that she blacked out upon witnessing my assault.

After a few minutes, three other police constables also came out and shouted at me using vulgar language. One police constable also tried to push me around by my shirt sleeve. After the officers left, I had unbearable pain in my ears. I forced myself up by holding on to the veranda wall. I felt sick, but was scared to vomit in the police station, fearing the police officers' anger. However, I could not hold back, and vomited outside the veranda, forcing my head over the wall. Hearing me vomit, an officer came and shouted at me: "Son of a bitch! If you vomit, I will make you eat it. You sons of the devil (indicating my caste) can do such things at your shithole (indicating our house). Don't think that the police station is your shithole. If you create a mess here by your vomit, we will make you clean the entire station. If you cannot do it, we will make your mother clean the mess by making her eat it."

Hearing this terrified me and I covered my mouth with my hands so I would not vomit. I started crying and sat down beside my mother. Then my mother regained consciousness and I asked her to get out of the police station, fearing that the officers might hurt her. I also asked her to find someone who could get me out of this situation, while I sat there waiting for the Sub Inspector. My ear was bleeding, so I used my shirt sleeve to wipe the blood. It hurt so severely that I thought I would black out. I also felt very cold.

Why my neighbour had filed such a false complaint against me was difficult to understand. I did not know that a simple boundary dispute could get me into such trouble. I was worried about how I could come up with enough money to bribe the police officers, without which I knew they would assault me again.

The Sub Inspector came to the police station at around 5:30pm. He called me to his room and questioned me about the complaint. Although I told him that the complaint was false, he threatened me by saying that my name would be included in the list of local criminals maintained at the police station. The officer also took my photograph.

Later in the evening, a local panchayat (village council) member Mr V M George came to the police station and got me released from custody. Once out from the police station, I went to the Kodakara Government Hospital to treat my bleeding ear. The treatment I received there was not good enough however, and I was admitted to the Medical College Hospital in Thrissur on September 26. The doctors said I will never regain hearing in my left ear as the assault had ruptured my ear drum and also damaged some nerves. I was released the next day. Today I am partially deaf.

Even though I did not pay any money to the police, the case against me was not registered. I was subsequently told by a friend that Kannan requested the police to withdraw the complaint. I do not know whether that is true, but there were no further proceedings against me.

The villagers now see me as a 'person wanted by the police'. If not often, at least once in a while I come across people indicating that I am a person who was once taken into police custody. Such remarks make me feel that people see me as a convicted criminal. Even my mother complains that she is often referred to as the mother of Sunil, who lost his hearing because he was at the police station. I was not taken to the police station due to any fault of my own. I did not lose my hearing because of some wrong that I committed, but because of someone assaulting me for no reason whatsoever.

I also find that people are reluctant to employ me after the incident. Some of them perhaps think that I was taken to the police station for some theft or something. People who employ me for daily labour

often warn me to “beware, you know what happens if we have to inform the police if you are up to anything mischievous”. My mother is now worried that no one will let their daughter marry me.

It is just my mother and I in our family. If I do not get work, we both suffer. We do not starve, since we have a small patch of land where I can do some cultivation. However, we no longer have any savings.

After the incident, I approached a human rights organization called the Nervazhy. Their secretary took down my statement and promised he would do whatever possible to see to it that the police officer who assaulted me would be punished. I was later told that the National Human Rights Commission of India took up my case. This month (November 2008) I was paid 30,000 rupees as compensation for the loss of hearing in my left ear. I am informed that the police officer responsible was made to pay that money. As a punishment for what he did to me, it is hardly anything, but better than nothing.

I need not explain what a person suffers after losing hearing in one ear. I live with the fear that if by some accident I lose hearing in my right ear as well, I will be permanently handicapped.

I have a few questions: What if I do the same to the police officer and pay him 30,000 or maybe even more? How can police officers assault individuals in this manner? If I assaulted someone as an ordinary person, I would be arrested and put in jail. Why is the police officer exempted from such punishment? Do they have separate laws for the police in this country? In my life, I will never want to go a police officer. To complain against anyone to the police is the worst thing that one person can do to another.