

# Extra-Judicial Killings During Police 'Encounters' in Uttar Pradesh

BRIEFING NOTE

*A briefing note on continuing extra-judicial killings in so-called 'encounters' by police authorities in India's Uttar Pradesh state. Recently-reported killings appear to continue the pattern where it is claimed that the victim was shot in self-defence but where credible sources later reveal that these are in fact extra-judicial killings.*

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10 September, 2024

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## BRIEFING NOTE

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### Update Regarding Extra-Judicial Killings during Police “Encounters” in UP

Extra-judicial killings in so-called “encounters” by the UP Police have continued, appearing to continue the pattern where it is claimed that the victim was shot dead in self-defense but where credible sources later reveal that these are in fact extra-judicial killings. Media estimates in August 2021 indicated that the number of deaths in police shootouts since March 2017 when Yogi Adityanath became CM of UP was 146 killings (among 8,472 “encounter” operations) and 3,302 injured in the state of UP.<sup>1</sup> Further, by 14 April 2023, according to data provided by the UP police themselves, this number had increased to 183 killings (among over 10,900 “encounter” operations) and 5,046 injured.<sup>2</sup> An investigation by an Indian news outlet indicated that by 25 May 2023, this number had increased to 186 killings.<sup>3</sup> This number has now increased to **207 killings in 12,964 recorded “encounters”** as of 5 September 2024, with no action being taken against the police in even a single encounter.<sup>4</sup> To the contrary, officials directly responsible for such killings have received commendations and awards from the government. For instance, members of the UP Police’ Special Task Force team who killed Asad Ahmed and Mohammad Ghulam on 13 April 2023<sup>5</sup> were awarded the President’s Gallantry Medal in August 2024.<sup>6</sup> As highlighted in the Update, the killings had previously been celebrated by officials of the UP government, with CM Yogi Adityanath congratulating the police and praising them.<sup>7</sup>

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<sup>1</sup> Report by YHRD, CAH, and People’s Watch, Extinguishing Law and Life Police Killings and Cover up in the State of Uttar Pradesh, October 2021, <https://yhrd.in/documents/wp-content/uploads/2021/10/up-final-export.pdf>; Citing data from the police - Operation Langda: In UP encounters, 3,300 ‘criminals’ shot at, Indian Express, 13 August 2021, <https://indianexpress.com/article/india/operation-langda-in-up-encounters-3300-criminals-shot-at-7451222/>.

<sup>2</sup> Video of media briefing by the police, <https://www.youtube.com/watch?v=vi2LAVbgdho>; Citing official UP police data - 183 criminals killed in police encounters since March 2017: UP Police, Press Trust of India, 14 April 2023, <https://www.ptinews.com/news/national/183-criminals-killed-in-police-encounters-since-march-2017-up-police/550967.html>; Citing official UP police data - 183 criminals killed, 23,300 arrested so far in encounters under Yogi govt in UP: Report, Hindustan Times, 14 April 2023, <https://www.hindustantimes.com/cities/lucknow-news/183-criminals-killed-23-300-arrested-so-far-in-encounters-under-yogi-govt-in-up-101681471662505.html>.

<sup>3</sup> Since 2017 when Yogi Adityanath took charge, over one killed every fortnight in UP police encounters, The Indian Express, 25 May 2023, <https://indianexpress.com/article/express-exclusive/an-express-investigation-since-2017-when-yogi-took-charge-over-one-killed-every-fortnight-in-police-encounters-8627532/>.

<sup>4</sup> In seven years, UP recorded nearly 13k police encounters, Times of India, 6 September 2024, <https://timesofindia.indiatimes.com/city/lucknow/in-seven-years-up-recorded-nearly-13k-police-encounters/articleshow/113104921.cms>.

<sup>5</sup> Atiq Ahmed's son Asad killed in encounter at Jhansi, The Economic Times, 13 April 2023, <https://economictimes.indiatimes.com/news/india/atiq-ahmeds-son-asad-killed-in-encounter-at-jhansi/articleshow/99457622.cms>; Wanted in Umesh Pal Murder Case, Gangster-Turned-Politician Atique Ahmad’s Son Asad Killed in an Encounter by UP Police, Livelaw, 13 April 2023, <https://www.livelaw.in/news-updates/wanted-umesh-pal-murder-case-gangster-politician-atiq-ahmad-son-asad-killed-encounter-up-police-stf-226258>.

<sup>6</sup> STF members who killed gangster Atiq Ahmed’s son receive President’s Gallantry Medal, Times of India, 14 August 2024, <https://timesofindia.indiatimes.com/india/stf-members-who-killed-gangster-atiq-ahmeds-son-receive-presidents-gallantry-medal/articleshow/112520006.cms>

<sup>7</sup> CM Yogi Adityanath hails UP Police after STF kills don Atiq Ahmed’s son in encounter, Financial Express, 13 April 2023, <https://www.financialexpress.com/india-news/cm-yogi-adityanath-hails-up-police-after-stf-kills-don-atiq-ahmeds-son-in-encounter/3045840/>; Yogi Adityanath lauds UP STF team over encounter killing of Atiq Ahmed’s son

This points to the ongoing pattern of police forces carrying out extra-judicial killings in police “encounters”, as evidenced by their frequent recurrence, the shared modus operandi in the killings, and the government’s public endorsement and encouragement of such extra-judicial executions without any accountability for the excessive use of force by the police against civilians.

### ***No investigations and prosecutions of police “encounters”***

There is a continued lack of accountability for extra-judicial killings in police “encounters”. In 2021, the National Crimes Record Bureau (NCRB) data indicates that no police personnel were arrested or convicted for “encounter killings”.<sup>8</sup> In 2022 as well, while 15 policemen were arrested for “encounter killings”, there were no convictions.<sup>9</sup> Further, there has also not been any progress on the cases at the Supreme Court level seeking the court’s intervention into encounter killings that have taken place in UP since 2017 and into encounter killings in India more broadly.<sup>10</sup> Separately, it is relevant to mention that the failures of India’s National Human Rights Commission have led the Sub Committee on Accreditations of the Global Alliance of National Human Rights Institutions to defer the reaccreditation of NHRC for two consecutive years in 2023 and 2024.<sup>11</sup>

### ***No investigations and prosecutions of police violence during protests against the Citizenship (Amendment) Act 2019 (CAA)***

Over three years after the serious human rights abuses committed by members of the UP Police Department in the violent crackdown on dissent against the CAA, there is still a complete lack of accountability. Families of individuals killed by the police have reported a pattern of police threats and intimidation throughout the pre-trial reporting and investigation process, accompanied by a refusal to register cases, even where the police admitted that the death was due to police firing.

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Asad, aide, Indian Express, 13 April 2023, <https://indianexpress.com/article/india/yogi-adityanath-lauds-up-stf-team-encounter-killing-atiq-ahmed-son-asad-aide-8554503/>; CM Yogi praises UP STF team after encounter of Atiq Ahmed’s son Asad, India Today, 13 April 2023, <https://www.indiatoday.in/india/story/cm-yogi-praises-up-stf-team-for-encounter-of-atiq-ahmeds-son-calls-for-meeting-2359493-2023-04-13>.

<sup>8</sup> National Crimes Records Bureau, Crime in India – 2021, Volume III, Table 16A.6, Cases Registered against State Police Personnel for Human Right Violation – 2021, August 2022, pp. 1038, [https://ncrb.gov.in/sites/default/files/CII-2021/CII\\_2021Volume%203.pdf](https://ncrb.gov.in/sites/default/files/CII-2021/CII_2021Volume%203.pdf).

<sup>9</sup> National Crimes Records Bureau, Crime in India – 2022, Volume III, Table 16A.6, Cases Registered against State Police Personnel for Human Right Violation – 2022, December 2023, pp. 1038, <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/ciiyearwise2022/1701608543CrimeinIndia2022Book3.pdf>.

<sup>10</sup> Vishal Tiwari v. Union of India, Supreme Court of India, Writ Petition (Criminal) No. 177 of 2023; Peoples Union for Civil Liberties vs. Union of India Supreme Court of India, Writ Petition (Criminal) No. 118/2018; status available at: <https://main.sci.gov.in/case-status>.

<sup>11</sup> Saumya Kalia, Why NHRC’s international accreditation is under review | Explained, The Hindu, 18 May 2024, <https://www.thehindu.com/news/national/why-nhrc-international-accreditation-is-under-review-explainer/article68141899.ece>; Khadija Khan, Why has a UN body withheld accreditation to India’s NHRC?, The Indian Express, 21 May 2024, <https://indianexpress.com/article/explained/explained-law/un-accreditation-india-nhrc-9342732/>.

The National Crimes Record Bureau’s 2022 report released in December 2023 indicates that in 2022 as well, no police personnel have been convicted for “human rights violations” despite cases being registered against them.<sup>12</sup>

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<sup>12</sup> National Crimes Records Bureau, Crime in India – 2022, Volume III, Table 16A.6, Cases Registered against State Police Personnel for Human Right Violation – 2022, December 2023, pp. 1038, <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/ciiyearwise2022/1701608543CrimeinIndia2022Book3.pdf>.



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