Custodial Violence

Public Humiliation and the Limits of Police Power

UPSC General Studies IV • Source article: 17 October 2026



Symbolic illustration with fictional adults; not a reconstruction of the reported event.

The ethical question

How should public servants exercise coercive power, protect people in custody and respond to allegations against their own institution without prejudging guilt?

This teaching note examines how public officials should protect dignity, use coercive power lawfully and respond to allegations against their own institution. The central lesson is that preserving evidence, protecting complainants and ensuring a fair inquiry are immediate duties; a finding of guilt must follow the lawful process.

A complete teaching note with concepts, dilemmas, ethical frameworks, stakeholders, governance safeguards, thinkers, a fictional case, a 250-word model answer, expanded analysis and practice questions.

01 Source article



'Tied with ropes, paraded': Gujarat HC sends notice to govt over farmers' plea against police

Aditi Raja
Vadodara, October 16

THE GUJARAT High Court on Friday issued notice to the state government while hearing a contempt petition alleging that Dhandhuka police personnel assaulted four farmers, tied them with ropes and paraded them in public, in violation of Supreme Court guidelines against custodial torture.

The High Court also directed the preservation of CCTV footage of the October 8 incident and granted the petitioners liberty to approach the court again if they faced further "pressure".

The Division Bench of Justice N S Sanjay Gowda and Justice J L Odedra passed the directions on Friday based on the submissions of Senior Advocate I H Syed, appearing for the petitioners, informing the court that the petitioner was facing "pressure" since Thursday from the police officers.

The allegations stem from an alleged incident on October 8, when a dispute reportedly broke out over the removal of fodder from agricultural land in the Bid area of Dhandhuka. According to the petition, the farmers had opposed unauthorised entry into the agricultural land and sought police protection.

Following a confrontation with a group of people, the farmers approached the Dhandhuka police station, where they allege they were subjected to custodial violence and public humiliation.

The petition states that police personnel, including Police Inspector B T Gohil, tied the farmers with ropes around their hands and waists, beat them with sticks and paraded them along a public road. They were allegedly made to move on their knees in public view.

The plea further alleges that one petitioner was detained for about 29 hours and the other three for approximately 25 hours, without being produced before a magistrate within the prescribed period.

SALUTE THE SOLDIER
11 GORKHA RIFLES REGIMENTAL CENTRE
Indian Army and 11 Gorkha Rifles Salutes its brave heart No 9420331 Late Lnk Kamal Kumar Limbu of

The Indian EXPRESS
Sat, 17 October 2026
https://epaper.indianexpress.com/c/81331131

Original clipping supplied for this edition: The Indian Express, 17 October 2026, by Aditi Raja. Retained unchanged. The online report was updated on 17 October at 5:14 a.m. IST. [S1]

Status at preparation: the alleged incident occurred on 8 October; the High Court issued notice and preservation directions on 16 October. The report said the detailed order was awaited and the Dhandhuka matter was listed next for 27 November 2026. No final finding of misconduct or contempt is asserted here. The case study in Section 9 is fictional.

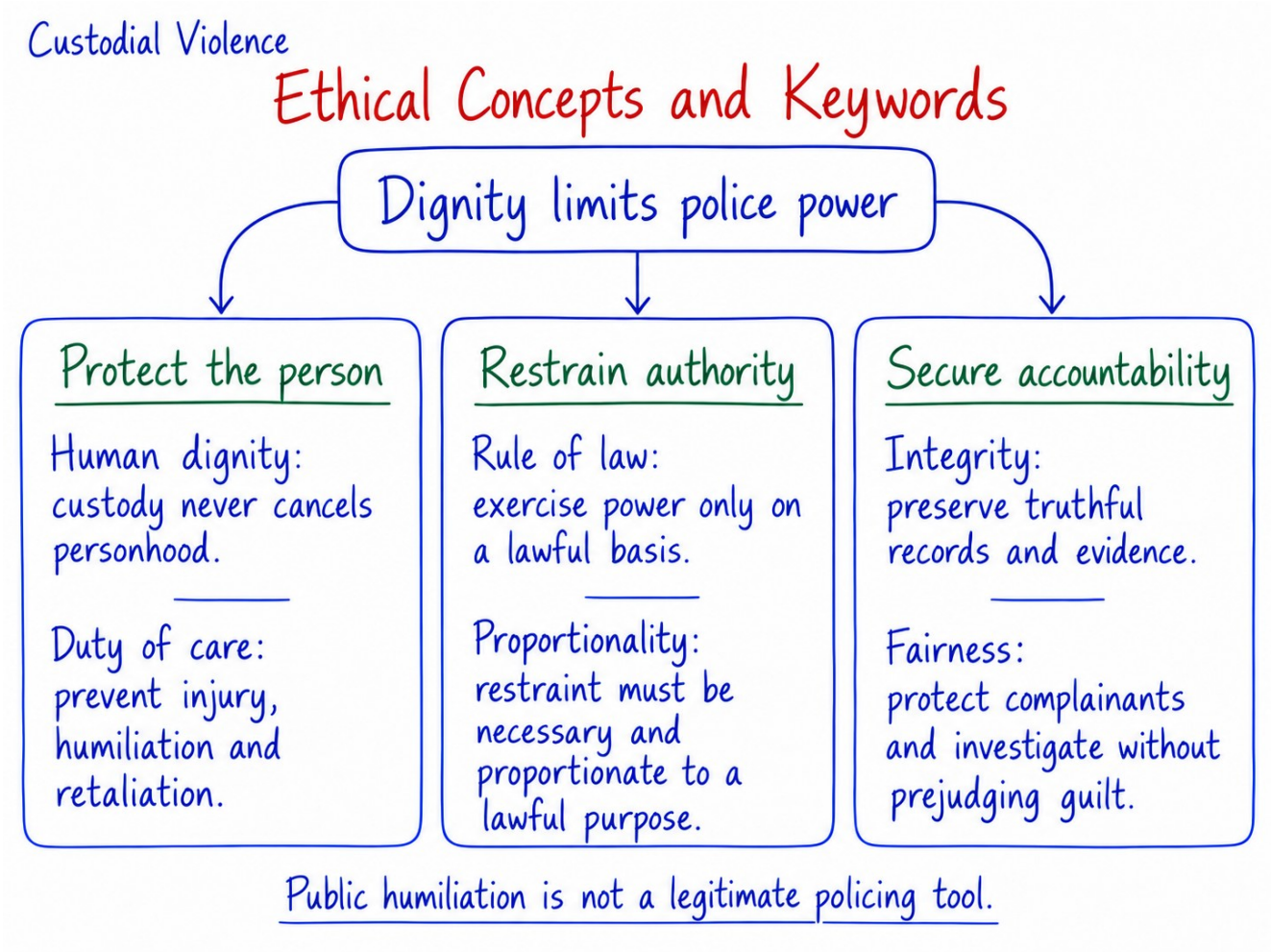
02 Gist of the issue

Four farmers alleged that Dhandhuka police personnel tied them with ropes, beat them and paraded them after a dispute over fodder removal from agricultural land. Their plea alleged detention of about 29 hours for one petitioner and approximately 25 hours for the other three without timely magistrate production. The Gujarat High Court reportedly issued notice to the State, directed preservation of CCTV footage and allowed the petitioners to return if further pressure occurred. [S1]

The contempt petition alleged wilful disobedience of a High Court order dated 7 May 2019 concerning D K Basu arrest safeguards. Filing it does not establish that other remedies were exhausted, or that contempt has been proved. Ethically, the allegations demand prompt protection and impartial scrutiny while preserving due process for the officers concerned.

Exam focus: distinguish lawful restraint from punishment, procedural safeguards from paperwork, and institutional loyalty from shielding wrongdoing. The 24-hour safeguard must be stated with its necessary-journey exclusion and magistrate-authorisation qualification, explained in Section 7.

03 Ethical concepts and keywords

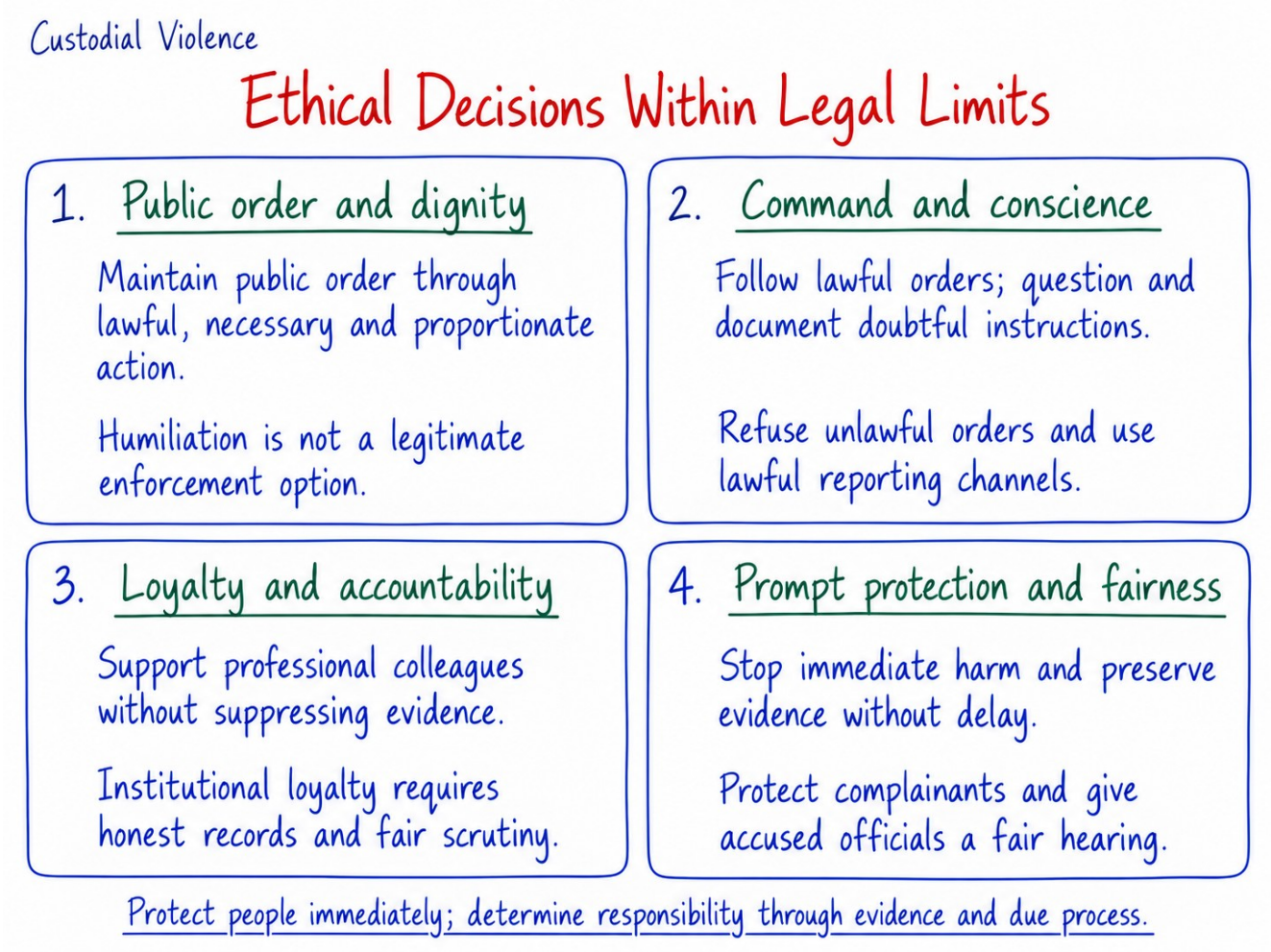


Ethical concepts and keywords • Handwritten revision aid

Concept	Application to the issue
Human dignity	A person in custody retains inherent worth. Humiliation used as a spectacle would turn state protection into degradation.
Rule of law	Police powers must have a lawful basis and remain within legal limits. A public-order objective cannot authorise punishment without trial.
Accountability	Responsibility requires records, independent scrutiny, reasoned findings and consequences where misconduct is established.
Custodial responsibility	Control over another person's liberty creates a heightened duty of care, including safety, health and access to safeguards.
Proportionality	Any restraint must serve a lawful purpose and be necessary and proportionate. Deterrent humiliation is not a legitimate policing purpose.
Transparency and integrity	Preserving original footage and truthful custody records prevents selective reconstruction of events.

Concept	Application to the issue
Impartiality	Police must investigate the underlying dispute and allegations against personnel without favouring either side or prejudging guilt.
Moral courage	An officer must resist improper pressure, document concerns and use lawful reporting channels despite career risk.
Access to justice	Complainants need safe, practical access to legal advice and complaint mechanisms. Intimidation can make formal remedies unusable.
Procedural fairness	Protecting alleged victims and giving accused officers a fair hearing are compatible duties of an accountable institution.

04 Core ethical dilemmas



Core ethical dilemmas • Handwritten revision aid

Authority and individual rights

Police may need to restrain a person to prevent harm or effect a lawful arrest. The ethical question is whether the method is necessary for that purpose or is being used to inflict fear and humiliation. If the alleged public parade was punitive, public approval or a claim of deterrence would not make it acceptable.

Obedience and professional conscience

A junior officer may face an unlawful instruction from a superior. Discipline supports lawful administration; it cannot require participation in abuse, falsification or suppression of a complaint. The practical difficulty is how to refuse, preserve evidence and report safely without abandoning duty.

Institutional loyalty and public accountability

Colleagues may argue that disclosure damages morale or the force's reputation. Concealment instead exposes the institution to deeper mistrust. Loyalty properly understood means protecting its lawful purpose and supporting a credible inquiry, rather than guaranteeing a colleague's exoneration.

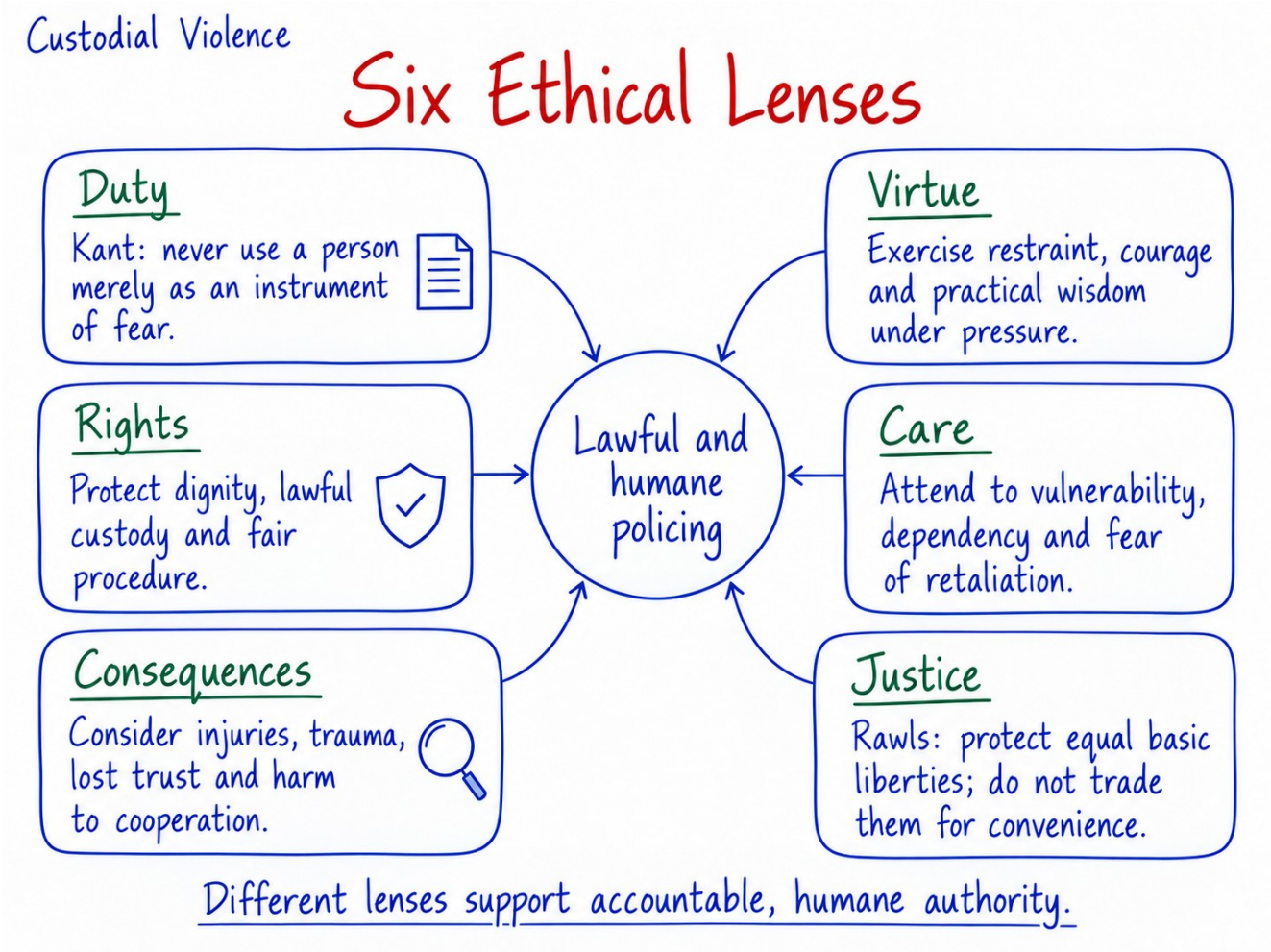
Urgent protection and a fair process

Waiting for a final finding can expose complainants to pressure or evidence loss. Conversely, public condemnation without inquiry can prejudice officers' rights. Protective steps and preservation can begin promptly while disciplinary or criminal guilt remains undecided.

Career security and public duty

A threat to an appraisal or posting is a real personal cost, but it does not justify complicity. The responsible response combines courage with documentation, legal advice and escalation to an authority that is not conflicted.

05 Multi framework analysis



Multi framework analysis • Handwritten revision aid

Rights based ethics and Kantian dignity

Rights-based reasoning asks what every person is entitled to even when unpopular or suspected of wrongdoing: dignity, bodily security and lawful procedure. Kant's humanity formulation offers a related moral argument: persons must never be used merely as instruments. A punitive public parade would use the detainee to send a message to others, disregarding the person's independent worth. Kantian ethics and constitutional rights are related lenses, not identical theories. [T1]

Deontology and duties of office

A public official's obligations include recording custody honestly, preventing abuse and enabling lawful scrutiny. Such duties are not optional rewards for a cooperative citizen. An instruction to suppress a complaint fails a universalisation test: if every officer concealed abuse to protect colleagues, an effective accountability system would become impossible. The official should therefore reject suppression even when it appears personally convenient.

Virtue ethics and practical wisdom

Aristotle's approach directs attention to character, habits and practical judgement. Courage is neither aggression against a powerless person nor reckless confrontation with a superior. It is the reasoned willingness to take a proportionate personal risk for a just purpose. Temperance controls anger; justice rejects favouritism; practical wisdom chooses a workable sequence of protection, preservation and lawful escalation. Institutions cultivate these virtues through supervision and incentives as well as training. [T2]

Consequences and institutional trust

A consequentialist analysis must count more than an immediate appearance of order. Humiliation can cause injury, fear of reporting crime, unreliable evidence and loss of cooperation with police. Accountable policing can improve both security and trust. A claimed deterrent benefit should be tested against evidence and alternatives; it does not displace legal restrictions on torture or degrading treatment.

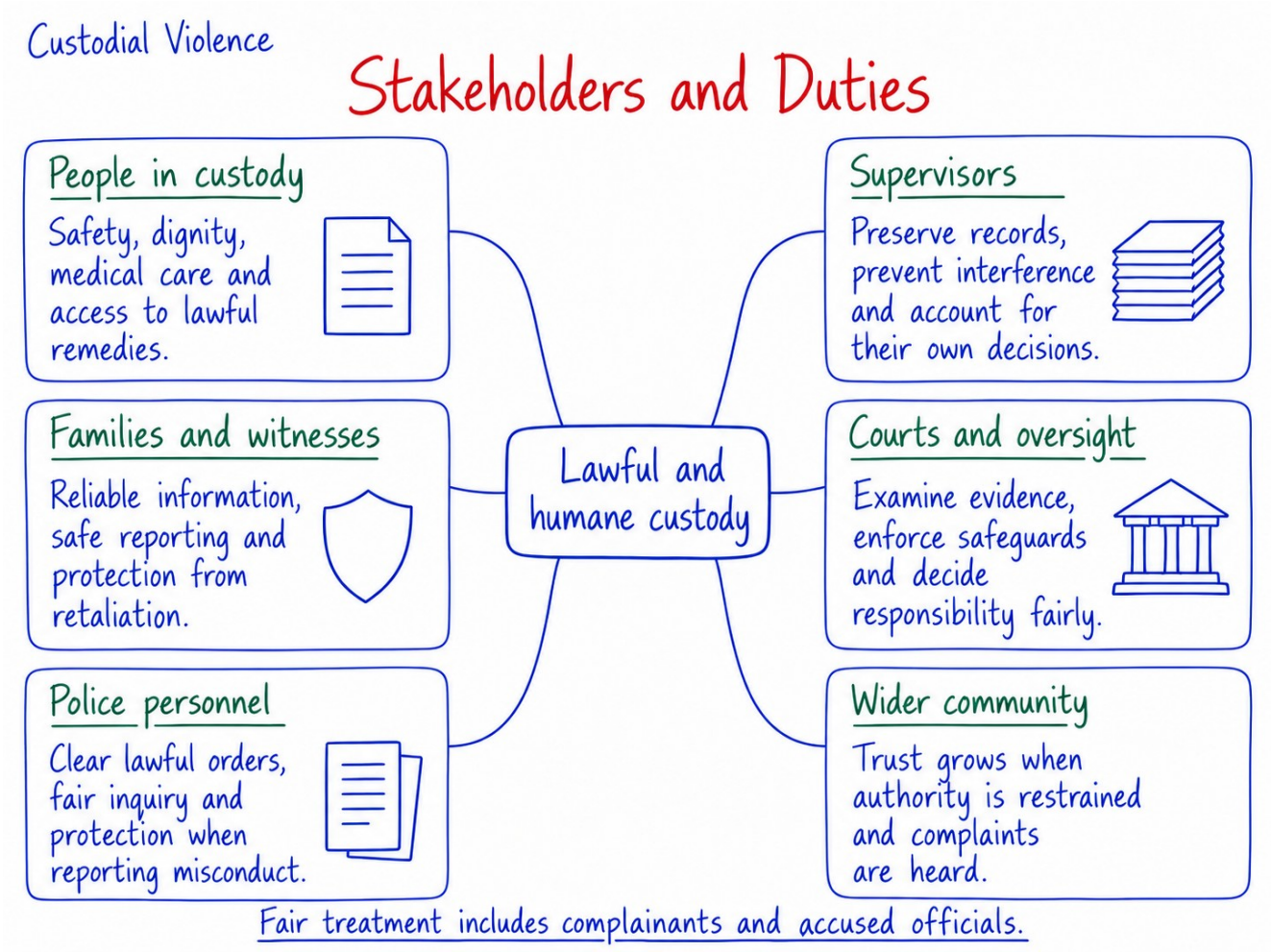
Care ethics and custodial vulnerability

Custody creates dependence: the person cannot freely obtain medical help, contact family or leave danger. An ethic of care therefore requires attention to distress, injuries, communication barriers and family concerns. Empathy should inform the response without replacing impartial investigation or assuming the truth of every allegation.

Rawls and fair institutions

Rawls's equal basic liberties, including liberty of the person and rule-of-law protections, are the most direct connection here. The difference principle concerns the arrangement of social and economic inequalities to provide the greatest benefit to the least advantaged, subject to prior principles; it is not a rule granting one group the greatest police protection. The farmers' economic position cannot be assumed from their occupation. A veil-of-ignorance test nevertheless helps: would we endorse these custody rules without knowing whether we would be an officer, a complainant or an accused person? [T3]

06 Stakeholder analysis

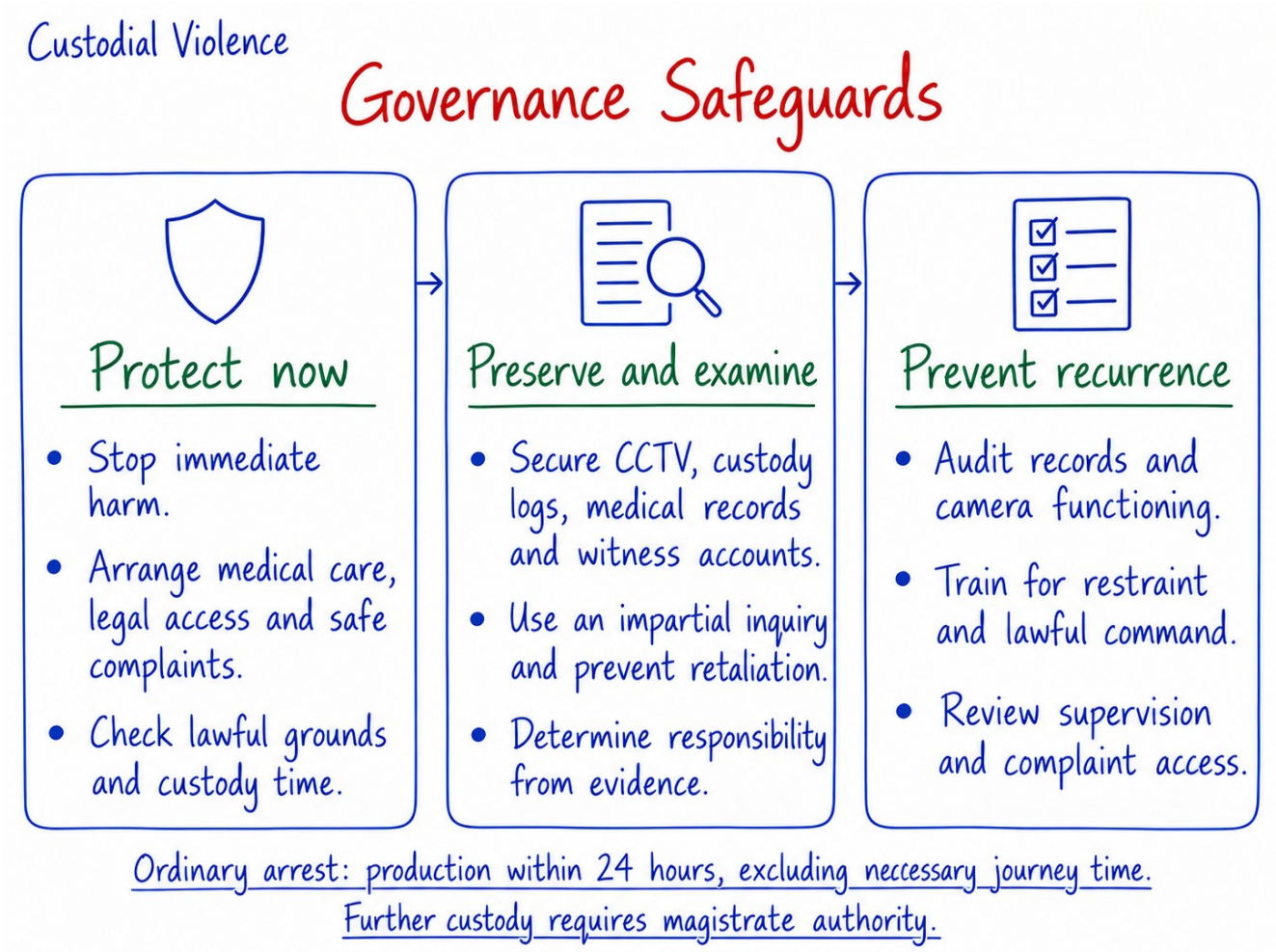


Stakeholder analysis • Handwritten revision aid

Stakeholder	Interests at stake	Ethical responsibility
Petitioners and families	Safety, dignity, medical care, reliable evidence and an accessible remedy	Give truthful accounts and preserve available evidence. Their protection does not depend on flawless knowledge of legal procedure.
Officers accused of misconduct	Reputation, livelihood, a fair hearing and lawful defence	Cooperate with inquiry, preserve records and avoid contact intended to influence witnesses. They retain procedural rights.
Junior and witnessing officers	Professional integrity, safety and freedom from retaliation	Refuse unlawful directions, make accurate records and report through lawful channels. Avoid a collective code of silence.
Supervisory police officers	Operational effectiveness and confidence in the force	Secure evidence, identify conflicts of interest, arrange a credible inquiry and examine supervisory failures on evidence.

Stakeholder	Interests at stake	Ethical responsibility
State government	Public safety, constitutional obligations and institutional credibility	Resource oversight, comply with court directions and support proportionate action where wrongdoing is established.
Courts and competent oversight bodies	Effective remedies, compliance with law and fair adjudication	Exercise their respective powers impartially. Their roles should not be confused with each other or prejudged.
Other parties to the land dispute	Protection, a lawful resolution and an opportunity to be heard	Cooperate with lawful processes and avoid violence or intimidation. Their claims also need impartial examination.
Public and media	Trustworthy information and safe policing	Scrutinise official conduct responsibly, protect privacy and distinguish allegations from judicial findings.

07 Administrative and governance angle



Administrative and governance angle • Handwritten revision aid

The legal baseline for custody

Article 21 protects life and personal liberty. Article 22(1) provides arrest-related information and legal-assistance safeguards. For ordinary criminal arrest, Article 22(2) requires production before the nearest magistrate within 24 hours of arrest, excluding time necessary for the journey, and prohibits detention beyond that period without a magistrate's authority. Article 22(3) contains specified exceptions; those exceptions must not be casually imported into an ordinary policing case. [S2]

BNSS Section 58 governs detention following arrest without warrant: custody must be reasonable and cannot exceed 24 hours, excluding necessary journey time, without a special order of a magistrate under Section 187. Section 187 sets out the remand process. The bare figures of 25 or 29 hours therefore call for verification of arrest time, travel, production and any lawful order; they should not be presented as a completed judicial finding. [S3]

Arrest safeguards must leave an auditable record

D K Basu v State of West Bengal prescribed safeguards including identifiable arresting personnel, a witnessed arrest memo recording the date and time, information to a relative or friend, custody records, injury documentation, periodic medical examination and access to a lawyer during interrogation, though not throughout it. The Court also addressed departmental action, contempt and public-law compensation for established rights violations. These safeguards support accountability; paperwork cannot excuse abusive treatment. [S4]

Preserve evidence before it disappears

Secure original CCTV files, access logs, station diaries, lock-up registers and medical records through authorised procedures. Record who handled each item and when; preserve usable copies without altering originals. Obtain accounts separately and protect complainants' private information. Footage can corroborate or contradict testimony, but blind spots and missing recordings require investigation rather than automatic conclusions.

In Paramvir Singh Saini v Baljit Singh, the Supreme Court's 2 December 2020 directions covered police-station CCTV, audio-video and night-vision capability, maintenance, oversight and retention. The order specified 18-month storage, with a market-capacity qualification that did not permit storage below one year. Merely installing a camera does not establish compliance. [S5]

Contempt and other accountability routes

The reported petition invokes Section 12 of the Contempt of Courts Act and alleges disobedience of a particular prior order. Notice is a procedural step seeking a response, not proof of contempt. Criminal investigation, disciplinary proceedings and constitutional remedies have distinct purposes and requirements. They need coordination, rather than an assumption that one automatically replaces the others. [S1, S4]

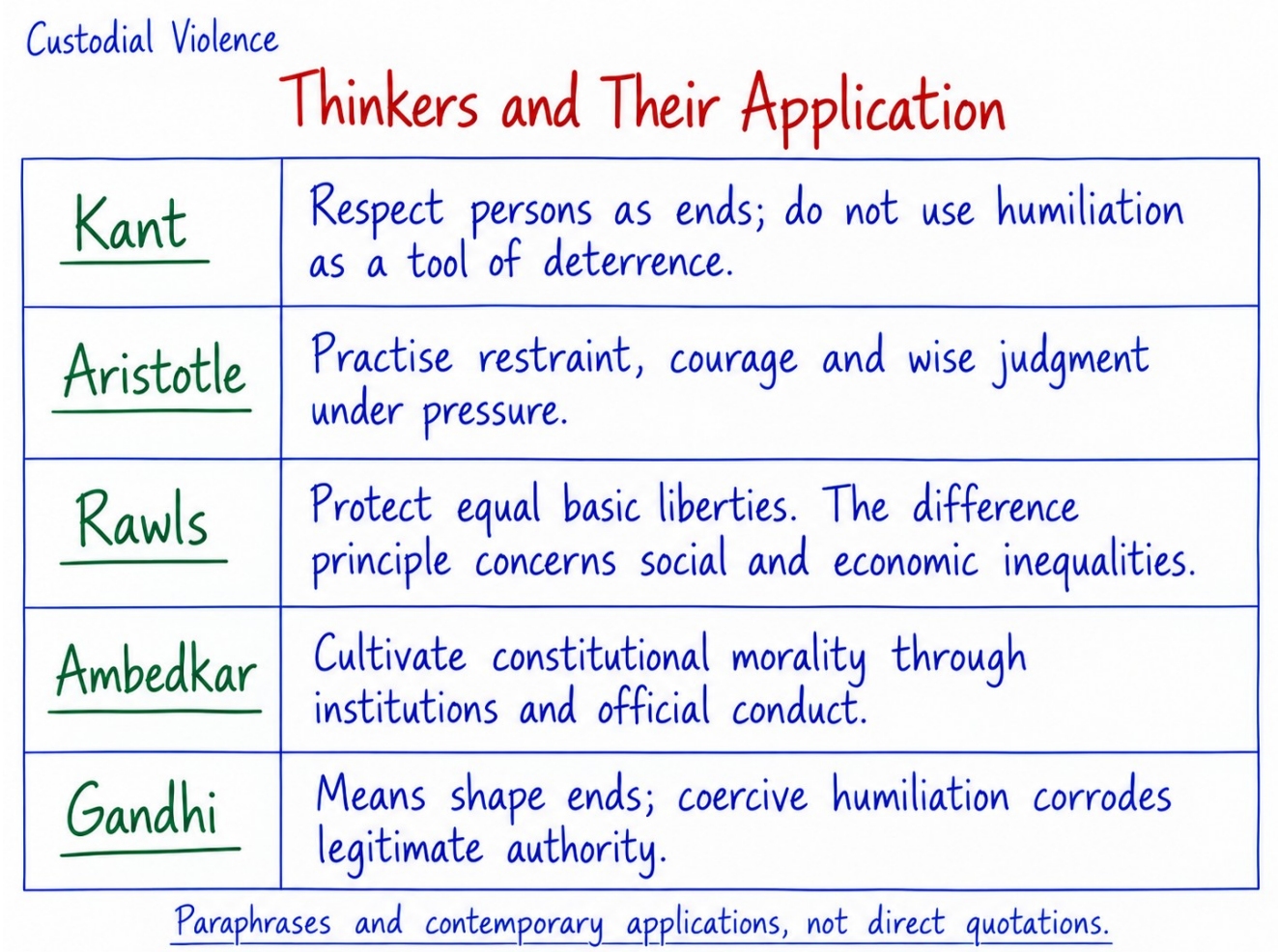
Independent scrutiny and supervisory responsibility

Where investigators have a conflict of interest, an inquiry outside the implicated chain of command is important. Prakash Singh v Union of India directed Police Complaints Authorities at State and district levels with defined responsibilities. The applicable State arrangements and jurisdiction must be checked before recommending a particular forum. Seniority alone does not establish personal guilt: responsibility for ordering, participating in, concealing or negligently failing to prevent misconduct must be assessed under the relevant law and evidence. [S6]

Prevent recurrence in routine administration

Land and agricultural disputes require neutral fact-finding and referral of civil or revenue questions to the competent forum. Police should address lawful public-order and criminal concerns without deciding property entitlements through coercion. Complaint protection, reliable custody clocks, medical access and supervision must function daily, not only after a court intervenes. Intimidation allegations should be recorded and assessed separately.

08 Thinkers and ideas



Thinkers and ideas • Handwritten revision aid

The entries below are paraphrases for application, not verbatim quotations. The case applications are analytical examples and do not attribute modern policing policies directly to these thinkers.

Thinker	Idea and careful application
Immanuel Kant	Persons have worth beyond their usefulness to others. A punitive spectacle would treat a person merely as a tool of deterrence. Apply the humanity formulation, rather than claiming that every possible use of necessary force is forbidden. [T1]
B R Ambedkar	Constitutional morality needs cultivation. In administration, that means training and habits that make officials respect lawful restraints on power even when hierarchy or popular sentiment points elsewhere. [T4]
Aristotle	Virtue involves habituation and practical wisdom. A sound officer combines restraint, justice and courage, choosing lawful action that protects people and survives scrutiny. [T2]
Mahatma Gandhi	The relationship between means and ends and the discipline of nonviolence challenge the idea that a desirable public purpose excuses humiliating methods. This is an application of his ethical outlook, not a claimed quotation about this incident. [T5]
John Rawls	Equal basic liberties and fair institutions are central here. His difference principle governs social and economic inequalities; it should not be reduced to a slogan about giving a presumed disadvantaged group superior legal rights. [T3]

Answer-writing tip: use one well-explained thinker to clarify the decision. A list of names or an inaccurate quotation adds less value than a precise link between principle, action and consequence.

09 Fictional case study

The following scenario is entirely fictional and only inspired by the ethical issues in the report. Its names, statements, evidence, threats and official actions are invented for practice; they are not claims about B T Gohil or any real officer.

You are Arjun Mehta, a Deputy Superintendent of Police in a fictional district. Inspector Dev Shah, who serves under your supervision, says his team restrained and publicly paraded four cultivators after a land dispute. He calls it a deterrent and asks you not to record any complaint. Your superior, Superintendent of Police R K Sen, then tells you informally to keep the matter quiet and hints that your annual appraisal could suffer if it becomes controversial.

A family member submits a written complaint, photographs and details of calls allegedly pressing the cultivators to withdraw their complaint. Your initial inspection of the records indicates that one person was held for 29 hours. For this exercise, the records also establish that this exceeded the applicable limit even after excluding necessary journey time, and that no magistrate's order authorised continued detention. Other allegations still require investigation.

CCTV footage may be overwritten soon. A petitioner has approached the High Court, which has directed preservation of footage. You have authority to secure departmental records and report misconduct, but cannot personally determine criminal guilt or impose every disciplinary penalty. The complaint implicates officers within your own chain of command.

(a) What options are available to you?
(b) What ethical dilemmas do you face?
(c) Which course would you adopt, and why?
(d) What policy measures would help prevent custodial violence and improve accountability?
Answer in 250 words.

10 Model answer and expanded analysis

Exam length model answer

I must protect dignity and lawful procedure while ensuring a fair inquiry.

(a) I could suppress the complaint, register it but delay action, pursue an internal inquiry, or combine formal reporting with independent scrutiny. Suppression and deliberate delay are unacceptable; they risk complicity and evidence loss.

(b) The dilemmas involve career security versus public duty, institutional loyalty versus accountability, obedience versus conscience, and urgent protection versus procedural fairness. Loyalty requires protecting the institution's lawful purpose, not shielding misconduct.

(c) I would acknowledge the complaint, arrange medical assistance, assess intimidation risks and secure CCTV footage, custody registers and records through authorised procedures, preserving their integrity. I would record verified facts separately from allegations and document improper directions.

Because the Superintendent is implicated in suppression, I would report to the next competent, unconflicted authority and request an independent investigation. I would ensure lawful processing of information about cognizable offences, seek protective arrangements and facilitate compliance with the court's preservation order through authorised channels. The officers must receive due process; findings and penalties belong to competent authorities.

This approach combines moral courage with practical wisdom. It protects complainants without prejudging facts or exceeding my powers.

(d) Reforms should include functioning CCTV with auditable retention, accurate custody records and escalation alerts, accessible independent complaint mechanisms, medical and legal access, protection against retaliation, supervisory audits and training in constitutional values. Assessments should reward lawful investigation and restraint.

Respect for dignity makes policing legitimate; accountability restores public trust and prevents institutional loyalty from becoming collective concealment.

The model answer above is exactly 250 words using a whitespace-based count, including the four part labels. The teaching discussion below is deliberately longer and is not a second 250-word answer.

Expanded analysis of the options

Option	Assessment	Main risk or safeguard
1 Suppress the complaint	May reduce immediate conflict, but is ethically unacceptable. It sacrifices the citizen's remedy for career convenience.	Creates complicity and may facilitate intimidation, destruction of evidence or further abuse.

Option	Assessment	Main risk or safeguard
2 Record it but dilute or delay action	Formal acknowledgement without genuine action is deceptive compliance, not a defensible middle course.	The appearance of procedure can hide continuing harm and evidence loss.
3 Use only the internal hierarchy	Creates a record and may be suitable where investigators are independent and the hierarchy acts lawfully.	In this fictional case, the Superintendent's involvement creates a specific conflict requiring escalation.
4 Combine formal processing with independent scrutiny	Best option here. Preserve immediate safeguards and seek action from an unconflicted competent authority.	Requires documented reasons, a clear jurisdictional route and respect for the officer's own limits of authority.

Why the fourth option is preferable

The most defensible choice is not simply to bypass procedure. It is to use procedure in a way that cannot be controlled by the people whose conduct is under scrutiny. Immediate protection and evidence preservation should proceed within the DySP's authority. Investigation and disciplinary action should then be assigned or authorised by competent, unconflicted officials. A complaint to an oversight body must fit that body's actual jurisdiction.

An appraisal threat should be documented accurately, including the date, context and words remembered. The officer should refuse suppression, request lawful directions in writing and preserve a professional tone. A written order would not make an unlawful act acceptable. Public leaking of personal records is not a substitute for lawful reporting.

A practical sequence of action

First, assess immediate danger, obtain medical help and protect access to a lawyer. Second, acknowledge the complaint and preserve volatile evidence with a documented chain of custody. Third, separate verified records from disputed assertions, and send a factual report to the next competent authority outside the conflict. Fourth, ensure the complaint is handled under applicable criminal and departmental procedures and that court directions are complied with. Fifth, track the protective measures and inquiry through lawful updates, without promising a particular finding or punishment.

If the ordinary channel fails, further escalation to the appropriate court or statutory oversight body should follow the applicable procedure. The complainant should receive clear information about available remedies and assistance. Such support must not become coaching a witness, pressuring an accused officer or prejudging the underlying land dispute.

Policy measures and their limits

Implement existing safeguards: maintain operational CCTV and retention systems, record custody times accurately, ensure medical and legal access, inspect arrest documentation and act on complaints. Audit faults and noncompliance, rather than counting installed equipment alone.

Strengthen independent scrutiny: adequately staff competent complaint bodies, disclose conflicts of interest, protect witnesses and require reasoned follow-through on findings. Independence must be practical as well as formal; internal inquiries are not automatically worthless, but an implicated hierarchy should not control the evidence or outcome.

Consider additional reforms: tamper-evident backups outside local station control, custody alerts before the legal deadline, appropriately governed body-camera use and anonymised district-level reporting of injuries and complaint outcomes. These are policy proposals, not assertions that every detail is already legally mandatory. A proposed 12-hour review alert would be an early warning, never permission to detain anyone for that long without justification.

Change incentives and habits: assess supervisors on lawful investigations, compliance and community trust; practise de-escalation in land-dispute exercises; protect officers who report wrongdoing; and review repeat failures. Training without resources, supervision and consequences is unlikely to change conduct.

11 Practice questions

1. What do you understand by custodial responsibility in public administration? Explain how the duty to protect human dignity shapes a law-enforcement officer's obligations. (150 words, 10 marks)
Syllabus link: dedication to public service; ethics and human interface; accountability.

2. Accountability may require an officer to act against the wishes of a powerful superior. What qualities make this possible, and how can organisations cultivate them? (150 words, 10 marks)
Syllabus link: integrity, moral courage and emotional intelligence in administration.

3. Public humiliation by state officials damages the moral legitimacy of government. Critically examine this proposition, distinguishing lawful restraint, alleged misconduct and punishment without due process. (150 words, 10 marks)
Syllabus link: consequences of ethics in human actions; ethical governance; rule of law.

4. Suggest measures that families and educational institutions can adopt to cultivate respect for dignity and lawful authority in future citizens and public servants. (150 words, 10 marks)
Syllabus link: the role of family, society and educational institutions in inculcating values.

Self assessment checklist

Have you identified the stakeholders and the conflict? Distinguished allegations from findings? Stated the custody safeguard accurately? Chosen a feasible action within your powers? Included immediate protection, evidence preservation, due process and prevention? Applied a thinker precisely instead of adding an unsupported quotation?

These are original practice prompts, not UPSC previous-year questions. Syllabus links are thematic; the decimal numbering in the supplied OCR has been omitted because it was not a verified official numbering scheme.

Sources: [S1] The Indian Express report; [S2] Constitution of India; [S3] BNSS 2023; [S4] D K Basu; [S5] Paramvir Singh Saini; [S6] Prakash Singh. Thinker references [T1] to [T5] and direct links appear in the companion Source and Editorial Notes.

Reference links

S1 The Indian Express report by Aditi Raja
S2 Constitution of India Articles 21 and 22
S3 BNSS 2023 official Gazette text
S4 D K Basu v State of West Bengal judgment
S5 Paramvir Singh Saini judgment text
S6 Prakash Singh judgment reproduced from JUDIS
T1 Kant Fundamental Principles of the Metaphysic of Morals
T2 Aristotle Nicomachean Ethics Book VI
T3 Rawls account in Stanford Encyclopedia of Philosophy
T4 Ambedkar Constituent Assembly speech of 4 November 1948
T5 Gandhi Hind Swaraj Chapter XVI