

EXTERNAL (for general distribution)

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Illegal Detention

10 July 1992

INDIA:

Rajendra Sail, human rights activist

Rajendra Sail, organizing secretary of the People's Union for Civil Liberties, was arrested in Raipur, Madhya Pradesh, on 2 July 1992. He was one of 65 people arrested after an incident in Bhilai on 1 July in which police opened fire on striking demonstrators, killing 16 and injuring approximately 100 others.

Rajendra Sail was arrested under section 151 of the Code of Criminal Procedure (prevention of a cognizable offence) and was reportedly not produced before a magistrate within 24 hours of his arrest, as required by Indian law. Civil liberties groups stated he was nowhere near the place of firing and feared he was detained to prevent him from going to the place of the incident to investigate the shootings.

BACKGROUND INFORMATION

Striking workers belonging to the Chhattisgarh Mukti Morcha (CMM), a trade union representing contract labourers, had been demanding the arrest of those accused of murdering the CMM leader Shankar Guha Niyogi in September 1991. The CMM believes local industrialists were involved in the murder, a charge supported by the Central Bureau of Investigation. There are conflicting versions of the events leading to the police firing on 1 July, although there have been several reports that the police fired indiscriminately on the crowd and committed brutalities. On 2 July a judicial investigation was ordered by the state government.

RECOMMENDED ACTION: Please send telegrams and airmail letters:

- Expressing concern that Rajendra Sail was arrested on 2 July 1992 in Raipur and was taken to prison without being brought before a magistrate within 24 hours of arrest, as required by Indian law.
- Urging that he be immediately released if he is not to be charged with a recognizably criminal offence.

APPEALS TO

1) Mr Sunder Lal Patwa
Chief Minister of Madhya Pradesh
Office of the Chief Minister
Bhopal
Madhya Pradesh
India

Telegrams: Madhya Pradesh Chief Minister, Bhopal, Madhya Pradesh, India

Salutation: Dear Chief Minister

2) Kailash Chawla
Home Minister of Madhya Pradesh
Office of the Home Minister
Bhopal
Madhya Pradesh

India

Telegrams: Madhya Pradesh Home Minister, Bhopal, Madhya Pradesh, India

Salutation: Dear Home Minister

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COPIES OF YOUR APPEALS TO:

S B Chavan
Minister of Home Affairs
4 Krishna Menon Marg
New Delhi
India

PUCL
A-38 Housing Board Colony
Shankar Nagar
Raipur 492007
Madhya Pradesh
INDIA

and to diplomatic representatives of India in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 28 August 1992.