

EXTERNAL (for general distribution)

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UA 366/93      "Disappearance"/Fear of torture

14 October 1993

INDIA            Gurnam Kaur (female)  
                 Mokham Singh, husband of Gurnam Kaur and secretary of Babbar  
                 Akali Dal, political party

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Amnesty International fears for the lives and physical safety of the couple named above. On 1 June 1993, Gurnam Kaur was taken from their home at Cheema Park, New Model Town, Ludhiana by armed police. She was apparently seen in the custody of Tarn Taran police on 4 June, and on 1 September, Tarn Taran police chief Ajit Singh Sandhu reportedly stated that she was in custody under his supervision. However, despite telegrams sent to various Punjab authorities by her family, her whereabouts remain unknown. On 4 October, her husband, Mokham Singh, was abducted by men in plainclothes. The men, believed to be police from Punjab, took him from Tilak Nagar market in West Delhi. He is also still missing.

These two abductions increase Amnesty International's concern about an emerging pattern involving Punjab police acting in plainclothes outside Punjab, using cars without numberplates and apparently operating illegally without the knowledge of the police in the state concerned. Their purpose is to abduct suspected Sikh militants whose arrest and detention they subsequently deny.

#### **BACKGROUND INFORMATION**

Amnesty International regularly receives reports that alleged members or sympathizers of armed opposition groups in Punjab, or their relatives, have been killed in police custody, often after torture. Their deaths or "disappearances" are then later attributed by officials to an "encounter" between militants and the police, to an "escape" during such an "encounter", or to other improbable causes. Press reports indicate the Punjab police operates a "license to kill policy". Even though legal safeguards against unacknowledged detention exist in India's ordinary criminal law and procedural code, they are often simply not adhered to and prisoners are held in unacknowledged detention for weeks, sometimes months.

Recently, the Supreme Court of India has severely criticised illegal tactics used by the Punjab police, and the country's Chief Justice has sternly warned Punjab's Advocate General that the credibility of the Punjab police would be at stake unless the police operated within the law.

**RECOMMENDED ACTION: Please send telegrams/faxes and airmail letters either in English or in your own language:**

- expressing concern that Mokham Singh and Gurnam Kaur were abducted by men in plainclothes on 4 October and 1 June respectively and that their whereabouts remain unknown;
- expressing concern for their safety and urging the authorities to order an immediate inquiry to clarify their whereabouts;
- seeking assurances that if Mokhamam Singh and Gurnam Kaur are in the custody of the Punjab police they be humanely treated and allowed immediate access to lawyers, relatives and a doctor and brought before a magistrate forthwith;

- urging that they be immediately released if they are not to be charged with a recognizably criminal offence.

- expressing concern about increased reports of illegal operations by Punjab police operating outside Punjab with the apparent purpose of abducting suspected Sikh militants.

**APPEALS TO**

1) Chief Minister of Punjab

Beant Singh

Chief Minister of Punjab

Office of the Chief Minister

Chandigarh, Punjab, India

**Telegrams: Chief Minister, Chandigarh, Punjab, India**

**Faxes: +91 11 172 540 647 ATTENTION CHIEF MINISTER**

**Salutation: Dear Chief Minister**

2) Director General of Police

Mr K.P.S Gill

Director General of Police

Police Headquarters

Chandigarh, Punjab, India

**Telegrams: Director General Police, Chandigarh. Punjab, India**

**Salutation: Dear Director General of Police**

3) Commissioner of Police

Mr M.B. Kaushal

Commissioner of Police

Office of the Police Commissioner

MSO Building

Indraprastha Estate

New Delhi - 110 002, India

**Telegrams: Commissioner of Police, Delhi, India**

**Salutation: Dear Commissioner**

**COPIES OF YOUR APPEALS TO:**

Minister for Home Affairs

Mr S.B. Chavan

Minister for Home Affairs

Ministry for Home Affairs

North Block

New Delhi 110 001, India

Minster of External Affairs

Mr Dinesh Singh

Minister of External Affairs

Ministry of External Affairs

South Block

New Delhi 110 001, India

and to diplomatic representatives of India accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 25 November 1993.