

EXTERNAL (for general distribution)

AI Index: ASA 20/29/92

Distr: UA/SC

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This is a limited action - please organize up to 15 appeals per section.

Further information on UA 115/92 (ASA 20/26/92, 7 April 1992) - Illegal Detention/Fear of Ill-treatment

INDIA: Ajit Singh Bains, human rights activist and retired judge

Justice A.S. Bains, aged 70, who was arrested on 3 April 1992 by Chandigarh police, has reportedly been charged under the Terrorist and Disruptive Activities (Prevention) Act (TADA), for a speech he allegedly made at Anandpur Sahib. Justice Bains has denied endorsing violent opposition groups and claims he was threatened with torture. He is being held in judicial custody at Bural jail, Chandigarh, and was not produced in court when his writ of *habeas corpus* was heard. Under TADA, a detainee can be held in judicial custody for investigation for up to one year without formal charge.

FURTHER RECOMMENDED ACTION: Please send telegrams and airmail letters:

- seeking assurances that Ajit Singh Bains is being humanely treated and is granted full legal safeguards while in custody;
- expressing concern that Justice Bains has been charged under the Terrorist and Disruptive Activities (Prevention) Act, under which he can be held in judicial custody for up to one year without formal charge, and that this contravenes international human rights standards;
- urging that he be immediately released if he is not to be charged with a recognizably criminal offence.

APPEALS TO:

1) Beant Singh
Chief Minister of Punjab
Office of the Chief Minister
Chandigarh
Punjab
INDIA

Dear Chief Minister

Telegrams: Punjab Chief Minister, Chandigarh, Punjab, India

2) Mr K. P. S. Gill
Director General of Police
Police Headquarters
Chandigarh

Dear Director General

Punjab
INDIA

Telegrams: Director General Police, Chandigarh, Punjab, India

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COPIES OF YOUR APPEALS TO:

Punjab Human Rights Organisation (Regd.)
Head Office
H. No. 22, Sector 2
Chandigarh (U.T.)
Punjab
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 2 June 1992.