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INDIAManoj Kumar Tak

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**Narendra Kumar Tak**

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Two brothers, Manoj Kumar Tak and Narendra Kumar Tak, have reportedly been falsely implicated in criminal cases, illegally detained and tortured. Amnesty International is concerned for their safety.

In May 1998, Manoj Kumar Tak married Anuradha Sharma, in Rajasthan, central India. Her father, a lawyer and former Public Prosecutor from the Gwalior district of the neighbouring state of Madhya Pradesh, opposed the marriage and reportedly put pressure on the Madhya Pradesh police to arrest Manoj Kumar Tak and his brother. A month after the wedding a case was filed against the brothers in Madhya Pradesh, alleging that they had snatched a neck chain worth Rs2,000 and some papers.

In June 1998, Narendra Kumar Tak was picked up in Rajasthan by Madhya Pradesh police and taken to Gwalior. He was beaten and abused during the journey. Anuradha Sharma's father was with the police and reportedly questioned Narendra Kumar Tak about the whereabouts of Manoj Kumar Tak and Anuradha Sharma. He was beaten again when he reached Gwalior and illegally detained for two days. He was not produced before a magistrate as required by law, but sent to Gwalior Central Jail. He was reportedly tortured by other inmates in the jail, allegedly at the instigation of Anuradha Sharma's father, who visited the jail several times and threatened to beat him and file further complaints against him. He was finally released on 23 July 1998 after his family filed a *habeas corpus* petition.

Following his release, a petition was sent to the National Human Rights Commission (NHRC) concerning his illegal detention and the false complaints against him and his brother. In January 1999 the NHRC asked the Madhya Pradesh and Rajasthan police to provide reports. The Rajasthan police reportedly responded that they had found that the case against Manoj and Narendra was false, as the two men had not been in Gwalior when the crime was committed. The Madhya Pradesh police have reportedly not responded.

In the meantime the brothers went into hiding in mid-1999 in Rajasthan, fearing further abuse at the hands of Madhya Pradesh police and Anuradha Sharma's father.

Manoj Kumar Tak was picked up in Jaipur, in Rajasthan, on 4 January 2000, by armed plainclothes Madhya Pradesh police, who beat him on the back of the head as they dragged him out of his office. They continued beating and abusing him, and threatened to kill him, as they drove him to Bilowa in Gwalior.

He is now in Gwalior Central Jail awaiting a bail hearing. He has been visited by human rights activists and has received medical treatment on the orders of a Sub-Divisional Magistrate. Amnesty International fears for his safety, however, because of the Madhya Pradesh police's previous illegal actions and continued threats from Anuradha Sharma's father.

**BACKGROUND INFORMATION**

Amnesty International has raised concerns about the use of torture throughout India for many years. Scores of people die in police and judicial custody every year. Police abuses at the behest of powerful local or political interests

are common. Recommendations for wholesale police reform, including insulating the police from outside pressures, have been pending for many years.

The NHRC has played an important role in addressing the problem of violence in custody. When it was set up in 1993, one of its first actions was to ask to be informed of death or rape in police custody within 24 hours, and it is now an important monitor of such violence. It investigates many cases of custodial violence and makes recommendations to government authorities, as well as ordering compensation where it finds evidence of human rights violations.

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

- expressing grave concern about the alleged torture of Manoj Kumar Tak by Madhya Pradesh police following his arrest on 4 January;
- urging the Madhya Pradesh authorities to ensure the safety of Manoj Kumar Tak and Narendra Kumar Tak (please copy to the Rajasthan authorities);
- calling on the Madhya Pradesh authorities to immediately investigate allegations that the charges against Manoj Kumar Tak and Narendra Kumar Tak are false;
- urging the Madhya Pradesh authorities to immediately investigate the illegal detention and torture of Narendra Kumar Tak in June/July 1998 and bring those found responsible promptly to justice.

**APPEALS TO:**

Mr Digvijay Singh  
 Chief Minister of Madhya Pradesh  
 Office of the Chief Minister  
 Bhopal, Madhya Pradesh, India  
**Telegrams: Chief Minister, Madhya Pradesh, India**  
**Fax: + 91 755 556 634**  
**Salutation: Dear Chief Minister**

Director General of Police, Madhya Pradesh  
 Police Headquarters  
 Bhopal, Madhya Pradesh, India  
**Telegrams: Director General Police, Madhya Pradesh, India**  
**Salutation: Dear Director General**

**COPIES TO:**

Mr Ashok Gehlot  
 Chief Minister of Rajasthan  
 Office of the Chief Minister  
 Jaipur  
 Rajasthan, India

Mr L.K. Advani  
 Minister of Home Affairs  
 Ministry of Home Affairs  
 North 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 18 February 2000.