

EXTERNAL

AI Index: ASA 20/24/95

UA 205/95

"Disappearance" / Fear for safety

21 August 1995

INDIA Gurdeep Singh

Gurdeep Singh has not been seen since his arrest on 13 August 1995 in Punjab. Amnesty International fears for his safety.

Gurdeep Singh, son of Sukhdev Singh and resident of Karam Garh village, Barnala, Sangrur district in Punjab was reportedly arrested by a Station House Officer and an Assistant Sub-Inspector from Hamidi police post, Barnala police station. The police have denied in court that Gurdeep Singh was arrested.

Police officers have reportedly harassed Gurdeep Singh's family and have demanded payment in return for his release. They have allegedly threatened to eliminate Gurdeep Singh if his family do not comply with their demands. Gurdeep Singh was reportedly picked up by police a few months ago and only released when the family paid a Rs20,000 bribe to police.

Following the filing of a petition in the High Court of Punjab and Haryana regarding his "disappearance", a warrant officer was appointed to search police stations in order to discover Gurdeep Singh's whereabouts. The warrant officer went to various stations in the area on 19 August, but was unable to find Gurdeep Singh. The next court hearing is set for 23 August.

BACKGROUND INFORMATION

Amnesty International has regularly received reports from Punjab that alleged members or sympathizers of armed opposition groups, or their relatives, have "disappeared" and were subsequently reported to have been killed in police custody, often after torture. Officials later wrongly attributed their deaths or "disappearances" to "encounters" between militants and the police, to "escapes" during such "encounters" or to other often improbable causes. In recent years, as the conflict between armed secessionists and the security forces in the state has diminished, Amnesty International has received reports that Punjab police continue to abuse arrest and detention procedures for private gain and in pursuit of personal vendettas.

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 and sometimes months.

In cases where allegations such as this are brought before the courts in Punjab, legal proceedings are extremely slow and often police fail to comply with the orders of the court. The case of Harjit Singh is representative of this inaction by the authorities in Punjab -- although an investigation into his "disappearance" was ordered by the High Court in December 1992 to be completed within three months, the hearing is still in progress.

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

- expressing concern that Gurdeep Singh has not been seen since he was arrested by police from Barnala police station on 13 August 1995, and that a warrant officer appointed by the court has been unable to locate him;
- seeking assurances that, if in custody, Gurdeep Singh is not being ill-treated, and urging that he be granted immediate access to lawyers and relatives, promptly

brought before a magistrate, and immediately released if he is not to be charged with a recognizably criminal offence;

- expressing concern that police officers have reportedly demanded money from his relatives in return for his release and seeking assurances that the relatives will be given adequate protection from harassment.

APPEALS TO:

Mr Beant Singh
Chief Minister of Punjab
Office of the Chief Minister
Chandigarh
Punjab, India

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

Faxes: +91 172 540 936

Salutation: Dear Chief Minister

K.P.S. Gill
Director General of Police
Police Headquarters
Chandigarh
Punjab, India

Telegrams: Director General Police, Chandigarh, Punjab, India

Faxes: +91 172 540 901 (if voice, ask for fax)

Salutation: Dear Director General of Police

COPIES TO:

Mr S.B. Chavan
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 19 October 1995.