

PUBLIC

AI Index: ASA 20/026/2001

9 April 2001

Further information on UA 87/01 (ASA 20/024/3001, 6 April 2001) - Fear for safety

**INDIA**Rahul Banerjee, activist working with *adivasis*  
**Adivasis in Dewas district of Madhya Pradesh**

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Rahul Banerjee was brought before a court on 7 April and remanded to prison custody. He was transferred from the police station to Bagli Jail on the afternoon of 8 April. He has had access to his lawyer, and to colleagues and relatives. He is due to appear before the court again on 10 April, although it is not known what charges are being brought against him. He was not ill-treated in police custody.

On 9 April, Amnesty International received a response to its concerns from the District Magistrate (DM) in Dewas. The DM asserted that Rahul Banerjee has been treated as per Indian law. However, Amnesty International's information contradicts this claim: The organization continues to be concerned that Rahul Banerjee was apparently held for over 24 hours before he was brought before a court, and that the police failed to issue a memo of arrest, as required by Supreme Court guidelines issued in 1996. Rahul Banerjee was arrested on the afternoon of 3 April, but the police have reportedly recorded his arrest as having taken place on the evening of 4 April. Also, although Rahul Banerjee's lawyer was allowed to see him briefly on 4 April, he was reportedly denied access to Rahul Banerjee until the court hearing on 7 April. Amnesty International will be raising these concerns directly with the DM.

Rahul Banerjee was apparently arrested in connection with his work on behalf of *adivasis* [tribal people] in the Dewas district of Madhya Pradesh. His arrest followed a confrontation between the police and *adivasis*, during which at least four people were killed (see original UA). The situation remains tense and the police are continuing to maintain a strong presence in the area. Amnesty International continues to be concerned for the safety of the *adivasis*, and will continue to raise its concerns about human rights abuses in the area with the authorities.

**No further action is required by the Urgent Action network. Thank you to all who sent appeals. If possible, please send a final round of appeals: Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:**

- expressing concern that in detaining Rahul Banerjee, the police allegedly violated several legal safeguards designed to protect detainees, including guidelines issued by the Supreme Court in 1996;
- expressing continued concern about the situation in Western Madhya Pradesh, where at least four *adivasis* have reportedly been killed, and where large numbers of armed police remain present;
- calling for an independent and impartial investigation to be carried out into recent human rights abuses against *adivasis*, including the police firing on 3 April, with the findings made public and those found responsible brought to justice.
- urging the authorities to guarantee the right to freedom of expression and peaceful assembly, as well as the social and economic rights of *adivasis*.

**APPEALS TO:**

Mr Digvijay Singh  
Chief Minister of Madhya Pradesh  
Office of the Chief Minister  
Vallabh Bhavan, Bhopal  
Madhya Pradesh  
India

**Telegrams: Chief Minister, Bhopal, India**

**Faxes: + 91 755 551 781/551 521**

**E-mail: cm@mpchiefminister.com or cs@vallabh.mp.nic.in**

**Salutation: Dear Chief Minister**

District Magistrate, Dewas [Postal address is unavailable]

**E-mail: dmdewas@bom4.vsnl.net.in**

**Salutation: Dear Sir**

**COPIES TO:**

Mr Lal Krishna 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 21 May 2001.