

EXTERNAL (for general distribution)

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Please organize up to three appeals per section.

22 November 1991

EXTRA 83/91

Illegal detention/unacknowledged detention/torture

INDIA

Tejinder Singh
Iqbal Singh
Charan Singh
Amarjit Singh (all unrelated)

Amnesty International is concerned that four men, Tejinder Singh, Iqbal Singh, Charan Singh and Amarjit Singh are reportedly being illegally detained and/or held in unacknowledged detention in Punjab, India. They may have been subjected to torture, and continue to be at risk.

Tejinder Singh, a married man aged 30, was reportedly arrested from his residence by police from the Criminal Investigation Agency staff, Amritsar, at 4am on 11 November 1991. The police later indicated that Tejinder Singh had been arrested in connection with a case registered under First Information Report 195-91, dated 14 November 1991. It is not known what criminal offence this related to. On 14 November 1991, Tejinder Singh was produced in court where he made a statement claiming that he had been tortured, illegally detained and falsely implicated in the aforementioned case. In addition, he named Charan Das, the policeman in charge of police station B - Division, Amritsar, in connection with these abuses, and stated that he feared being killed by the police.

A newspaper report on 16 November 1991 allegedly featured a police claim that Tejinder Singh had escaped from custody. Tejinder Singh's brother, Harminder Singh, and one other met Charan Das on two occasions and were assured that Tejinder Singh would be produced in court on 18 November 1991. It is not known if this happened. Harminder Singh has claimed that the police story of an "escape" is false and that his brother is held in unacknowledged detention and is in danger of being further tortured.

On 12 November 1991, Iqbal Singh, aged 22 and a resident of Fatehpur in Amritsar district, was detained by police and personnel from the Central Reserve Police Force (CRPF) from near the railway station in Amritsar. Iqbal Singh was initially taken to a CRPF camp near Sadar police station, Amritsar district, but is now believed to be held at Gharinda police station. He is not known to have been produced in any court and is being illegally detained. Fears have been expressed that he may be tortured.

Charan Singh, a resident of Muchhan village in Amritsar district was reportedly detained from his residence by the Assistant Superintendent of Police, Majitha police district, and members of the Ropar police on 7 November 1991. He has not been produced in court and is reportedly being illegally detained. On a number of occasions, most recently on 18 November 1991, relatives have sent

telegrams, complaints and affidavits on behalf of Charan Singh to senior police, judicial and government personnel in Punjab. Again fears have been expressed that he may be subjected to torture.

In an earlier case, Amarjit Singh, a resident of Begowal, Kapurthala district, was detained by Hoshiarpur police on 24 October 1991. Amarjit Singh worked as a teacher at the government primary school in Miani. According to his brother, Amarjit Singh was arrested by police and CRPF personnel at a bus stand in Miani. Since then he had reportedly been held in illegal detention. For ten days he was detained at a CRPF camp at Hoshiarpur. When the police at Hoshiarpur were approached about Amarjit Singh's detention he was reportedly shifted to Jalandhar. Relatives

Page 2 of EXTRA 83/91

approached Jalandhar police and received assurances that Amarjit Singh would be released, but as yet this has not taken place.

BACKGROUND INFORMATION

Amnesty International regularly receives reports of "disappearances" and unacknowledged detention of people arrested in Punjab on suspicion of being members or sympathizers of one of the Sikh opposition groups advocating a separate Sikh state, "Khalistan". In some cases the detainees are eventually found to have died in custody, while others are believed to have been deliberately killed in custody although official reports say they died in "encounters" with the police, or that they "escaped". 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 illegal detention for weeks and sometimes months.

RECOMMENDED ACTION: Telegrams and airmail letters:

- expressing concern about the reports that Tejinder Singh, Iqbal Singh, Charan Singh and Amarjit Singh, all recently detained in Punjab, are being illegally detained and/or held in unacknowledged detention, and may have been subjected to torture;
- urging that every effort be made to locate them and that, if it is established that they are indeed in custody, they be brought before a magistrate forthwith and granted immediate access to lawyers and relatives;
- urging that they be released if they are not to be charged with a recognizably criminal offence and brought to trial under ordinary procedures of criminal law;
- seek assurances that the three men are being humanely treated while in custody and that they are being granted any necessary medical assistance.

APPEALS TO

Mr Surinder Nath
Governor of Punjab
Office of the Governor
Chandigarh
Punjab

Dear Governor

INDIA

Telegrams: Punjab State Governor, Chandigarh, Punjab, India

Mr D. S. Mangat
Director General of Police
Police Headquarters
Chandigarh
Punjab
INDIA

Dear Director General

Telegrams: Director General Police, Chandigarh, Punjab, India

COPIES 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 3 January 1992.