

EXTERNAL (for general distribution)

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Fear of "Disappearance"

17 December 1992

INDIA:

Jagwinder Singh, 24, lawyer

Amnesty International has recently learnt that Jagwinder Singh was arrested on the 25 September 1992 and is concerned that he may have "disappeared". According to reports received, three uniformed policemen entered Jagwinder Singh's house on 25 September 1992 at around 6.30 am and informed him that they were Central Investigation Bureau staff and that the Senior Superintendent of Police, Kapurthala, wanted to consult him over a legal matter. He was taken from the house and has not been seen since. His family has signed affidavits stating that they witnessed the police taking Jagwinder Singh away from his house in Mahalla Laxmi Nagar, Kapurthala.

Shortly afterwards, the Kapurthala and Jalandhar District Bar Associations went on strike in protest against the arrest of Jagwinder Singh. A delegation of lawyers visited the Senior Superintendent of Police, Kapurthala, who, denied any knowledge of Jagwinder Singh's arrest. Since then a series of protests by lawyers in Punjab have taken place and several reports have appeared in the local and national press. The Chief Minister, the Chief Secretary and the Finance Minister of Punjab state have reportedly assured lawyers that the whereabouts of Jagwinder Singh will be disclosed but to date his whereabouts remain unknown. Jagwinder Singh is a 24 year-old lawyer from the District Courts in Kapurthala, Punjab.

BACKGROUND INFORMATION

Amnesty International regularly receives reports of torture, "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 found to have been deliberately killed in custody although official reports say they died in "encounters" with the police. Even though legal safeguards against torture and unacknowledged detention exist in India's ordinary criminal law and procedural code, they are often not adhered to. In addition, special legislation grants the security forces arbitrary powers to arrest and detain people without ordinary legal safeguards and without charge or trial and prisoners are held in illegal detention for weeks and sometimes months.

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

- expressing concern at the "disappearance" of Jagwinder Singh who was reportedly taken away from his house in Kapurthala by policemen on 26 September 1992;

- urging that an immediate investigation be conducted by an independent authority into his reported "disappearance" and that, if it is established that he is indeed in custody, he be released forthwith, or that he be tried under ordinary procedures of criminal law if there is specific evidence for criminal charges.

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APPEALS TO:

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

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

Salutation: Dear Chief Minister

2) Surendra Nath
Governor of Punjab
Office of the Governor
Chandigarh
Punjab
India

Telegrams: Governor of Punjab, Chandigarh, Punjab, India

Fax: +91 172 540 647

Salutation: Dear Governor

COPIES OF YOUR APPEALS TO:

Mr A.S Chatha
Chief Secretary of Punjab
Office of the Chief Secretary
Chandigarh
Punjab
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 January 28 1993.