

EXTERNAL (for general distribution)

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Unacknowledged Arrest/"Disappearance"

13 February 1991

INDIA : Atamjit Singh  
Mohan Singh

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Fears have been expressed about the whereabouts and safety of Atamjit Singh, a 19-year-old student at Arya College, Ludhiana, and Mohan Singh, a 22-year-old student from Doraha village of the same college. The two men were reportedly arrested on 5 February 1991 from Bhai Bala Chowk - a roundabout in Ludhiana - and seen to be taken away by a Deputy Superintendent of Police and a Police Inspector. The police officials were reportedly of the Central Investigation Agency (CIA) staff, Ludhiana. A school teacher, a businessman and a shopkeeper witnessed the incident which occurred some 150 yards away from the CIA headquarters, Ludhiana.

According to reports from eye-witnesses the two men - who were apparently on their way to an exam - were pushed into a matador van, registration No. D.L. 3C 3066, travelling with a police jeep without number plates. The van was a private car, which was reportedly forcibly taken from its owner on 1 February and was alleged to be in possession of the police since then until its return to its owner by the police on 7 February.

So far, the police have denied knowledge of the arrests and on 12 February 1991 the Chief of Police, Ludhiana, Mr. Sharma, made a statement that neither of the two men was in police custody. A delegation of members of Ludhiana University met the Governor, General O.P. Malhotra, on 11 February. He promised to investigate the two men's whereabouts.

Atamjit Singh is the son of Dr. Gurbachan Singh Mavi (a lecturer at Punjab Agricultural University and Vice-Chairman of the Ludhiana branch of the Punjab Human Rights Organisation). The reported arrests came in the wake of a bomb attack on 2 February in Ludhiana on the Director General of Police, Mr. D.S. Mangat, who escaped without injuries. Two senior policemen accompanying him were seriously injured. Following the attack, scores of young men were arrested on suspicion of involvement in the bomb attack.

#### **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 militant 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 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/telexes/faxes/express and airmail letters:**

- expressing concern about the "disappearance" of Atamjit Singh and Mohan Singh who were last seen being taken away by policemen on 5 February 1991 at Bhai Bala Chowk, a roundabout in Ludhiana, Punjab;

- urging that every effort be made to locate the two men and that, if it is established that they are indeed in custody, they be brought before a magistrate forthwith and be granted immediate and regular access to lawyers and relatives;
- urging that they be released or, if there is specific evidence of criminal charges against them, that they be tried under ordinary procedures of criminal law;
- seeking assurances that they are being humanely treated while in custody.

**APPEALS TO:**

General O. P. Malhotra  
Governor of Punjab  
Office of the Governor  
Chandigarh  
Punjab, INDIA

Telegrams: Punjab State Governor, Chandigarh, Punjab, India

Mr Subodh Kant Sahay  
Minister of State for Home Affairs  
Ministry of Home Affairs  
North Block  
New Delhi 110 001

Telegrams: Home Affairs Minister, New Delhi, India  
Telexes: 3161879/3161880 FRGN IN (via Ministry of Foreign Affairs)

**COPIES TO:**

D. S. Mangat  
Director-General of Police  
Chandigarh  
Punjab, INDIA

and 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 31 March 1991.