

## 1. JUSTICE AJIT SINGH BAINS

I, Ajit Singh, former Judge of the Punjab and Haryana High Court, Chandigarh resident of 22, Sector 2, Chandigarh, do hereby solemnly affirm and declare as under:

1. That I served as a Judge of the Punjab and Haryana High Court at Chandigarh for about 10 years. I was appointed by the Punjab Government in 1985 as Chairman of a Committee to process the Criminal cases pending in the courts of Punjab and at Jodhpur and to recommend action on them. This committee also included Mr Lal Chand Sabharwal, a Senior Advocate of Punjab, Mr M R Midha, a Joint Director Prosecution Punjab, Mr Gurdarshan Singh Grewal, the then Advocate General of Punjab. The Committee unanimously concluded that almost 90% of all the criminal cases launched against Sikh Youth were fabricated and trumped-up. The Committee only heard the Police and the Police could not satisfy the committee in almost 90% cases.
2. One of these false cases relates to the alleged attempt on the life of Mr A P Pande (Indian Police Services) Officer of Punjab posted at Ludhiana. Also implicated in the case are the defendants in the present case. The above-mentioned committee on the basis of the non-availability of evidence concluded that Pande case was complete fabrication and the incident was merely a case of accident. Mr R L Anand, Designate Court at Ludhiana under the Anti-Terrorists Act, in his Judgement also stated that no case of conspiracy had been made out.
3. The committee examined the case in depth of Jodhpur detainees and recommended unanimously the release of all the defendants. I sent a detailed report on this issue to the Amnesty International London.
4. Not only the innocent person in India are kept for prolonged duration in Jails but many of them are tortured by the police and security agencies to extort confessions from them. Once such incident at Ladha Kothi in Patiala District of Punjab State was enquired under order of the Punjab and Haryana High Court. Justice C S Tiwana headed the enquiry commission.
5. I head the only rights organisation in Punjab. This organisation set up a committee of Lawyers and others to probe the charges of fake encounters at Dera Baba Nanak in Punjab where 10 persons were killed in encounters by the Government of India's Border Security Forces after dubbing them 'Pakistani Intruders'.
6. The Punjab Human Rights Organisation, which I head, is current enquiring into the allegations of fake encounters in Punjab particularly since the promulgation of Central Government's rule in Punjab in May 1987. Our estimate is that about 1000 Sikhs have been killed during the past few months. In Faridkot District alone about 50 persons have been killed although the State administration only admits of 25 deaths.
7. Even some jail inmates are taken out of prisons and killed in fake encounters. Two such outstanding cases are those of Roshan Lal Bairagi and Bhindi. Justice I. S. Tiwana of Punjab and Haryana High Court, on the basis of allegations of false encounters while transferring from one to another jail, granted stay to one Anokh Singh, a Babbar Khalsa activist.
8. One Mathura Singh alleged to be involved in the murder of General A S Vaidya has been killed in a false encounter with the police.
9. I am convinced that a fair trial in India is not possible under the present circumstances of those allegedly involved in the killing General Vaidya. There is every danger of the Youths arrested in this connection being eliminated in the false encounters.

Chandigarh:

August 14, 1987

## 2. D. S. GILL ADVOCATE

I, D. S. Gill Advocate, resident of 4, Pavate House, Punjab Agricultural University, Ludhiana, do hereby solemnly declare and affirm as under:

1. I am 37. My spouse Dr (Mrs) Charanjit Kaur Gill is a professor at Punjab Agricultural University, Ludhiana. We have two children, daughter, Vandeeep Kaur Gill (8) and son, Amardeep Singh Gill. I graduated for the Bar in 1972 and since then, I have been practising law.
2. That I am General Secretary of Punjab Human Rights Organisation (PHRO). I am also the General Secretary of Punjab Sikh Lawyers Council (PSLC), a non-party organisation representing Sikh intelligentsia in the field of Law.
3. That the PHRO organised an Anti-Repression Convention at Chandigarh on August 3, 1986, where civil liberties' leaders from all over India were invited. I was picked up by the Chandigarh Police from our office 707, Sector 7-B, Chandigarh on August 2, a day prior to the convention and was kept in illegal police custody at Police Station, Sector 26, Chandigarh for more than four hours and was freed after a thorough questioning me on the anti-repression movement and its convention. I was asked to stop these activities.
4. That I was again picked up by the Ludhiana police from my residence-cum-office, 4-Pavate House, PAU Campus, Ludhiana, on June 13, 1987, at 3:30 AM. After interrogation, I was released at 5 PM the same day.
5. That again my residence was illegally raided and searched by a police party led by the Station House Officer, Sarabha Nagar Police Station, Ludhiana, Harbans Singh, in my absence on 11 July 1987 at 2.30 PM.
6. That the Indian Government has declared an all-out-aggression on Sikhs. Numerous youths are being killed daily in fake encounters. The State has unleashed a reign of terror on the Sikhs and they are being implicated in false cases.
7. That the security forces responsible for cold blooded murders are not only allowed to go scot-free but such actions earn them handsome rewards from the State. Many alleged terrorists are being killed in fake encounters on India-Pakistan border dubbing them as 'Pakistani intruders'.
8. That the Pakistan Government has denied any of their citizens having been thus killed on the border and has written 52 letters to Government of India for details but Delhi had been keeping silent on the issue.
9. That the Government of India has been following the policy of systematic elimination of Sikh youths after they are picked up from their homes, or even from jails. Some are shown to have been killed in encounters, some as 'intruders from Pakistan' and some in 'escape birds'. Certain marked youths have been killed in jails as in case of the Sangrur jail killing where three under-trial Sikh prisoners were killed as a result of police firing on October 14, 1987.
10. That it was in these circumstances that the Punjab Sikh Lawyers Council, in a resolution, had called upon all the countries of the world over to investigate in greater depth the state of human rights in India with special reference to the Sikhs before entering into extradition treaties with the Government of India or extraditing the Sikhs to India in the face of the draconian and inhuman laws such as the Terrorist and Disruptive Activities (Prevention) Act, 1985, which has recently been made more stringent by incorporating certain new provisions under the President of India's Ordinance, 1987.

11. That the PHRO and PSLC, therefore, are of opinion that Ranjit Singh Gill and Sukhminder Singh Sandhu cannot get fair trial and they will be subjected to procedures and treatment antipathetic to a federal court's sense of decency, and further, that given the daily execution of young Sikh men in fake encounters, the two young persons, if extradited, will meet the same fate. They are bound to be tortured.
12. That the Indian State is so repressive, even advocates providing legal aid to the militant Sikhs are not being spared. Lawyers B. S. Gulliani from Chandigarh and Jaspal Singh Sodhi from Ajmer (Rajasthan) defending the five Sikhs alleged to be hijackers in the court of Additional Special Judge, Ajmer Jail, have been harassed and humiliated by the police, the security forces and the jail authorities. The police arrested Mr Sodhi just to terrorise him.
13. That it is now US Judicial courts to see the fate of the persons concerned before sending them to India to face the wrath of the Indian State. The trial in the Indira Gandhi assassination case is an eye-opener.

Ludhiana  
January 12, 1988

### 3. MOHINDER SINGH JAWANDA

I, Mohinder Singh Jawanda son of Rattan Singh aged 69, resident of 556, Model Town, Ludhiana, Punjab, do hereby solemnly affirm and declare as under:

1. That I am the president of Punjab Kheti Bari Zimidara Union (Punjab Agricultural Farmers Union) and an agriculturist by profession. Our Union is co-ordinating with the Punjab Human Rights Organisation.
2. That I appeared as a witness before the court of J. S. Mander, Judicial Magistrate Ist Class, Ludhiana in a complaint filed by the Punjab Sikh Lawyers Council against Bhajan Lal, Union Environment and Forest Minister, Government of India and deposed as under:

"That I had gone to Hisar (Haryana State) on 23.8.87 in connection with a personal matter. I happened to attend a public rally at Hisar addressed by the accused Bhajan Lal. I was present at the spot when Bhajan Lal started his speech. He started speaking very bitterly against the Sikhs. He stated that the Punjab Sikhs extremists should be shot dead. They need not to be apprehended, produced and tried in law courts. He further said that all the Sikhs are extremists and they can only be dealt with an iron hand. I have already taught them a lesson during 1982 Asian Games. Whenever you find any extremist you should beat and shoot him dead. He also spoke against V. P. Singh. I also read Bhajan Lal's statement in the Tribune dated 24.8.87. He was openly instigating the public that Sikhs who were raising their voice against the present Government, should be killed. On reaching Ludhiana, I told this to my friends who were also of the view that on the instigation by Bhajan Lal there would be mass killings of Sikhs in Punjab. I read three newspapers daily. Almost everyday Sikh youths are killed in false encounters. Sikhs are taken out of jails and killed after showing them to have escaped from police custody. All this is being done on and after the instigation by the accused.

3. That the Court bailable warrants against the accused Bhajan Lal after a few others and I appeared as witnesses on 20.11.87. The Court Order is annexed.
4. That I believe that in these circumstances the persons facing extradition proceeding will not have the benefit of due process of law in Courts as there is no rule of law worth the name in India. Even the under-trial jail inmates are not safe. They are being eliminated due their political ideology.

Ludhiana:  
January 4, 1988

## ANNEXURE

IN THE COURT OF SHRI J S MANDER, PCS, JUDICIAL MAGISTRATE 1ST CLASS  
LUDHIANA

CrI. Complaint No 83/1 of 7.11.1987.

D S Gill, Advocate, General Secretary, Punjab Sikh Lawyers Council (PSLC), District Courts,  
Ludhiana.

Complainant

VERSUS

Shri Bhajan Lal son of not known, Member, Rajya Sabha, at present Union Environment & Forest  
Minister, Government of India, New Delhi.

Accused

Complaint under the Section 115 of the Indian Penal Code

Present: Shri D S Gill, Advocate, Complainant with counsel  
Shri G. S. Bal Advocate.

### ORDER

1. Complainant D. S. Gill, Advocate has filed this complaint under Section 115 of the Indian Penal Code against Shri Bhajan Lal, Member Rajya Sabha, at present Environment & Forest Minister, Government of India, New Delhi. Punjab Sikh Lawyers Council (PSLC) is a non-party organisation representing Sikh intelligentsia in the field of law. The said Council is mainly committed to the defence and promotion of civil liberties, human values and Constitutional rights of the people and the State of Punjab. The Council has been effectively co-ordinating with the Punjab Human Rights Organisation led by the Hon'ble Mr Justice A. S. Bains, retired Judge of Punjab and Haryana High Court. The accused was earlier Chief Minister of the State of Haryana and now, a minister in the Union Government. It is alleged that the accused is highly biased and prejudiced against the Punjab Sikhs as a class as is evident from the treatment he, as a Chief Minister of Haryana, meted out to them and as a Union Minister, he showered humiliation upon the Sikhs.

It is alleged that on August 1987, accused threw all norms of restraint to the winds and others to kill Sikhs in a speech at Hisar where he openly instigated Armed Forces and others to kill Sikhs by branding them as terrorists.

He said, "Terrorists should be shot dead. They did not deserve to be arrested and tried by Courts of Law. Only a tough posture against such elements could help resolve the Punjab problem."

The aforesaid speech has been reported by Raman Mohan, a Staff Correspondent of 'The Tribune'(English Daily based in Punjab). It is also alleged in para No 10 of the complaint that Defence Ministry of India issued a Notification titled Baatchheet as follows:

2. Being pledged to Democracy and secularism, it has been a practice of the Government to honour the religious sentiments of every community. Accordingly, police entry into the places of worship was not permitted, although there is no written law that expressly prohibits it. Government showed utmost patience in dealing with the terrorists, who had taken shelter in Gurdwaras and were issuing death warrants, killing innocent people all over the country belonging to every community. Lawlessness prevailed over long time. These terrorists, criminals, murderers, smugglers and other undesirable elements wanted by the police, taking shelter in the Gurdwaras, started

organising themselves for anti-national activities. A large quantity of arms, ammunition, sophisticated transmitting equipment recovered by us during the action and Pakistani nationals dressed as Nihangs prove their evil design. Countries inimical to some disgruntled ex-servicemen and us also helped extremists by training them. The temples were converted into fortresses and unlawful activities continued unabated. Some of our innocent fellow citizens were administered oath in the name of religion to support extremists and actively participate in the act of terrorism. These people wear miniature Kirpan round their neck and are called 'Amritdhari.'

3. After the registration of the complaint, Shri D. S. Gill, Advocate appeared as PW-1 and also examined PW-2 Mohinder Singh, PW-3 Doctor Rajinder Pal Singh and PW-4 Bhupinder Singh Somal, Advocate and then closed the preliminary evidence.

4. After the close of the preliminary evidence I have heard learned counsel for the complainant and perused the record very carefully and minutely. It has been argued that the accused be summoned under Section 204 Cr. P. C for having committed an offence under Section 115 IPC. Before continuing further, it is to be seen that Section 115 IPC reads as follows:

'115 Abetment of offence with death or imprisonment for life. Whoever abets the commission of an offence punishable with death or imprisonment for life, shall, if that offence be not committed in consequence of the abetment, and no express provision is made by this Code for Punishment of such abetment, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable for fine.'

#### ILLUSTRATION

'A instigates B to murder Z. The offence is not committed. If B had murdered Z, he would have been subject to the punishment of death or imprisonment for a term that may extend to seven years and also to a fine; and if any hurt be done to Z in consequence of the abetment, he will be liable to imprisonment for term that may extend to fourteen years, and to fine.'

Ex-PA is the photostat copy of the Tribune dated August 24, 1987, wherein accused Bhajan Lal has given the statement alleged in the complaint.

Our country is a democratic country where Judiciary is independent and it is for the Judiciary to determine who is terrorist and what punishment should be given to a person if he is proved to be terrorist. It is not within the power of Bhajan Lal to instigate the authorities that terrorists should be shot dead.

Clearly, therefore, accused Bhajan Lal has transgressed the limits and norms of Union Minister and made utterances at Hisar in an utter thoughtless and irresponsible manner.

Not only he appears to have committed an offence under Section 115 IPC but also, lowered down the image of the whole Indian Judiciary in the eyes of Law which prima facie constitutes an offence of Contempt of Court also. But, however this matter will be looked into later on, as at present, there is no complaint or allegation in the complaint to this effect.

Circular issued by Army authorities, photostat copy of the same has been placed on the record that is Ex-PC. It has been reported in the Spokesman (News Weekly based in Delhi) dated September 10, 1984, that every Amritdhari A 'Terrorist, Murderer or Arsonist.' Photostat copy of the Spokesman weekly is Ex-PB. Anyway the allegations against the accused are very serious and they became highly more serious when they were made by a person who is occupying such a high chair against a particular community.

5. I am alive in the question of jurisdiction before summoning the accused as alleged instigation was addressed to the People of Punjab. As contemplated in 1978 CrL. Law Journal page 204 and 1983 CrL. Law Journal page 381, the venue of the trial in case of newspaper items can be either the Court within whose jurisdiction publication is made or the Court in whose jurisdiction the

matter is circulated or distributed. Matter has been circulated in the jurisdiction of this Court. So clearly, this Court has jurisdiction to summon the accused. No permission under Section 197 CrPC is needed as the statement was not made in the discharge of official duties by the accused. Accused is a Union Minister of the Environment and the Forest Minister and his reckless and lawless talk about the terrorists in Punjab is not a part of his official duty. I have also perused the preliminary evidence led by the complainant. According to the statement of PW-4 Bhupinder Singh Somal, Advocate, his brother was called by police number of times and then it was alleged that he was murdered by the BSF and even the dead-body had not been returned to Bhupinder Singh Somal, Advocate. This incident is alleged to have taken place on 4.9.1987. According to the arguments advanced by learned counsel for the complainant, it is maintained that such offences are committed by Armed Forces after the statement is given by the accused. This has been taken place, at a place, near Jagraon. PW-2 Mohinder Singh Jawanda, a kisan leader, has stated that subsequent to the statement issued by Bhajan Lal, many people were killed after taking them out from the jails. PW-3 Rajinder Singh who is Doctor and a civil liberties activist associated with Hon'ble Justice A S Bains, has stated that when he was in Police custody, SP Detective, Ludhiana, Shri Surjit Singh told him that he should leave Ludhiana and go to his farm in MP as they have orders from Bhajan Lal to kill any Sikh dubbing him as terrorist. He was further asked to leave the work of civil liberties.

6. Looking into the evidence and the allegations in the complaint, I am of view that the accused be summoned through non-bailable warrants, but keeping judicial restraint in view, I think ends of justice will meet if the accused is ordered to be summoned through bailable warrants in the sum of Rs. 10,000/- with tow sureties of the like amount.

Accordingly, the accused is ordered to be summoned under Section 115 IPC through bailable warrants in the sum of Rs 10,000/- with two sureties of the like amount. PF (Process Fee) be given within two days. Copies of the complaint and list of witnesses to be furnished. As a matter of fact, list of witnesses wherein formerly Judge of the High Court of Punjab & Haryana, Chandigarh, Hon'ble Mr Justice A S Bains and Mr Gurcharan Singh Grewal, Chairman, Bar Council of Punjab & Haryana High Court and 23 other very respectable witnesses have been cited including Editor-in-Chief Mr V N Narayanan of the Tribune. To come up on 14.12.1987.

Sd/

Pronounced: 20.11.1987 Judicial Magistrate, 1st Class, Ludhiana.

Attested to be true of the original Order  
Sd/- Harchand Singh Gill Advocate.

#### **4. DR. RAJINDER PAUL SINGH**

I, Dr Rajinder Paul Singh son of Gurdas Singh, aged 44 years, resident of village Aasi Kalan, District Ludhiana, Punjab, do hereby solemnly declare and affirm as under:

1. That I am a Bachelor of Arts (BA), Master of Arts (MA Sociology) and Registered Medical Practitioner. I am married person and have two children. My son is serving in the Indian Army and my daughter is married.
2. That I joined the Communist Party of India (CPI) in 1960, and worked as sub-editor of the Daily 'Naya Zamana' run by the CPI for two years.
3. That I was employed in Government Service in Health Department from 1963 to 1966. I played a leading role in the Naxalite movement from 1966 to 1970.
4. That I started medical practice in 1970 along with other social activities and did agriculture farming at Shiv Puri, Madhya Pradesh State.

5. That I was founder member of the Peoples' Union for Civil Liberties (PUCL) Delhi and remained its active member unto 1983.
6. That I was arrested on February 7, 1984, from my Shiv Puri farm by the Ropar (Punjab) Police and involved in five false cases concerning the past Naxalite activities. After an enquiry, all the criminal cases against me were withdrawn by the Home Ministry, Government of Punjab, in July 1986.
7. That I shifted to Punjab and joined the civil liberty's activities with the organisation headed by Mr Justice A. S. Bains. We started mobilising public opinion by convening public rallies under aegis of the Anti Repression Co-ordination Committee (ARCC) of which I was General Secretary. The first convention by our organisation was held at Gandhi Bhawan, Sector 16, Chandigarh on August 3, 1986, where civil liberty's activists from all over India including Mr V. M. Tarkunde, Dr Arbindo Ghose, Prof. Rajni Kothari were invited.
8. That I am co-ordinator of the Punjab Human Rights Organisation on behalf of the Indian Peoples Front (IPF) led by known Indian Naxalite leader Mr Nag Bhushan Patnaik.
9. That there is a general harassment of Human Rights activists in India and particularly in Punjab.
10. That our active member Mr Gurcharan Singh Ghuman and Mr Gurdev Singh Benipal were falsely implicated in a criminal case because I was a member of an investigation team alongside me that probed the Dehra Baba Nanak (District Gurdaspur, Punjab) killing of 10 Sikh youths by the Border Security Force. Mr Benipal was also one of the members of the sub-committee that probed the Anandpur Sahib (District Ropar, Punjab) Holla Mohalla Festival firing by the security forces where more than a dozen Sikhs were killed.
11. That I was falsely involved in the criminal cases by Ludhiana police.
12. That a Punjab Human Rights Organisation team including me visited Amritsar and Gurdaspur districts. The team found rampant corruption, sadistic tortures and general harassment of the Sikhs and located half a dozen torture centres.
13. That I was harassed, humiliated and tortured because I was one of the authors of the report on Dehra Baba Nanak killings.
14. That very recently we had received a request letter from Asia Research Department, Amnesty International to enquire into the death of one Sarbjit Singh Sohal. Mr Bhupinder Singh Advocate and I were deputed to the job.
15. That Malwinder Singh Mali, organising Secretary, Punjab Revolutionary Front and Co-ordinator of PHRO representing his organisation, is being hotly chased by the Punjab Police and the Police party accompanied by the security forces raided his house at village Sakraudi district Sangrur, Punjab a few days back and arrested four of his family members including his sister's spouse. They are being humiliated and harassed by the police. The police threatened that they would not be released until they got Mali surrendered. Mali went underground. He is the top most wholesome civil liberty's activist. He is mainly responsible for collecting information and evidence regarding fake police encounters staged in Faridkot and Amritsar districts involving killings of more than a hundred Sikhs, on the basis of which the PHRO had released its interim report. Mr Mali also runs a monthly magazine 'Janatak Paigam,' the September issue of which has been banned by the Punjab Government where he published these reports. Mr Mali is at large seeking instructions from his organisation and legal assistance from the Punjab Sikh Lawyers Council.
16. That earlier I was living at 86, Sector 18-A, Chandigarh. The Chandigarh police and Intelligence Agencies kept a constant watch on my home. On July 9, 1987, the Chandigarh

Police raided my close friend Ex-Sarpanch Ganga Singh's home at village Acharwal and picked him up. The raiding police party comprised of more than 50 armed personnel including Central reserve Police force. They kept Ex-Sarpanch in illegal custody at Raikot Police Station up to 12.7.1987. He was released on his own and his villagers' assurance that they will produce me before the police at the earliest.

17. That a Ludhiana police party also raided D. S. Gill's home on July 11, 1987, to apprehend me. On 14.7.87, Gill along with other activists produced me before Mr Harbans Singh, Inspector Sarabha Nagar Police Station Ludhiana, on the assurance that there was no case against me and I will be released after some questioning. I was not released. Gill informed the chief Justice of the Punjab and Haryana High Court regarding my illegal detention through a telegram. I was kept in detention until July 21, 1987, when I was booked in a criminal case alleging that I made an objectionable speech in Gurdwara of village Sunet District Ludhiana on July 20, 1987, whilst I was in the police custody.
18. That I was produced before magistrate on 22.7.87 who remanded me in Judicial Lock-up, and sent to Ludhiana Central Jail. I was granted bail and was out of Jail on July 27, 1987.
19. That on August 5, 1987, while I was standing outside the court room of the Judicial Magistrate, O. P. Goel to attend the hearing of the above-mentioned case. I was picked up by the Sarabha Nagar, Ludhiana Police and handed over to Jagraon District Ludhiana Police where I was booked for criminal case and remanded in police custody for further investigation until August 12, 1987. I was sent to Judicial Lockup at Nabha Jail (top security jail where all the alleged hard-core terrorists are detained) on September 13, 1987, and I remained there until 25.9.87 when I was bailed out. On 25 September when I was coming out of the jail I was picked up from the jail gate by the Nabha (District Patiala) Police and kept in illegal police custody until September 28, 1987, at Nabha Police Station. I was finally shifted to Ludhiana Sadar Police Station on September 28 and kept there until October 11, 1987.
20. That I was humiliated, harassed and tortured while I was in police custody. I have narrated the harassment at the hands of the police in a statement on oath before the Judicial Magistrate, Mr J. S. Mander, in a criminal complaint against Mr Bhajan Lal, a Government of India Minister.
21. That my statement before the magistrate reads: "I am actively working for Civil Liberties in Punjab which provoked the Punjab Police particularly the Ludhiana police that is why the Ludhiana police had registered two false cases under Anti Terrorist Act and sent me to jail. I was granted bail in both cases. When I was released from Nabha Jail on 25.9.87 I was arrested by the Nabha 'Kotwali' police and was kept there for 5 days. After that, I was sent to Sadar Police Station, Ludhiana, where I was kept until 11.10.87. During this illegal detention I was humiliated, tortured and beaten. I was not given any meal for a week. On 5.10.87, Superintendent Police (Detective) Surjit Singh visited that police station and I protested before him against my illegal detention and appealed to be released. He said that I would only be released in case I stop my 'civil liberties' activities. I replied that I am not connected with any illegal or banned organisation. The right to speak and have dissenting political views is granted by the Indian Constitution. I am only working for the defence of human rights. On hearing this the SP (D) said, "What Constitution you are talking about?" Have you not read the newspaper 'The Tribune' dated 24.8.87, wherein Bhajan Lal, Central Minister has specifically instructed us that whoever (Sikh) raised his head, criticises the police and speaks against the Government need to be produced in any court and should be shot dead. You will also meet the same fate. If you want to save yourself, go to your farm in Madhya Pradesh. Even if I do not kill you, someone else will kill you. I believe that after the statement of Bhajan Lal the repression by the state has been intensified. There has been an increase in the killings of Sikh young persons and hundreds of Sikh youths have been killed in fake police encounters which has been enquired in to by our committee."

22. That, besides, several other Human Rights leaders, advocates and I, who are providing legal aid to the so called Terrorists (Amritdhari Sikhs) have been similarly humiliated, arrested and detained in jails for their professional duties and activities.
23. That in face of this repression even on the professionals by the State, the alleged killers of A S Vaidya, the Chief of the Army Staff and Lalit Maken, Member Parliament belonging to the ruling party, are not safe in the hands of law enforcing agencies of the India in case they are extradited to India. There is no rule of law, the dreaded and most oppressive laws have been enacted and specifically made applicable to Sikhs or those who sympathise with the Sikh Struggle for survival in India.

Ludhiana:  
January 12, 1988

## **5. GURCHARAN SINGH GHUMAN**

I, Gurcharan Singh Ghuman Advocate, District Courts, Ludhiana, Punjab, do solemnly affirm and declare us under:

1. That I am a human rights activist and advocate having about 20 years standing. I am an active member of the PHRO. I along with others have investigated the Dehra Baba Nanak (Gurdaspur District, Punjab) alleged Border Security Force (BSF) encounter where 10 Sikh youths were murdered in cold blood.

2. That I am an active member of Punjab Sikh Lawyers Council (PSLC) and render free legal aid under Section 304 of the Criminal Procedure Code of India to the alleged terrorists. I have handled about 100 'Terrorist' cases, involving 200 Baptised Sikh young persons, who because of the symbols of the religion, are readily identifiable as such.

3. That I represented in the court Bhai Anokh Singh Babbar as he feared he would be killed in fake encounter in the same way Roshan Lal Bairagi and Manjit Singh 'Bhindi' were done to death. Both, baptised Sikhs were produced in Amritsar Courts separately and killed after showing them to have escaped from police custody. Both were of about 25. Roshan Lal Bairagi was a convert from Hinduism to Sikhism.

4. That in order to coerce and deter me from discharging my professional as well as civil liberty duties, a false criminal case was registered against me against which the Ludhiana District Bar Associations observed strike for 27 days and all the Bar Associations of Punjab, Haryana and Chandigarh observed four days strike to protest against the registration of false case against me to arrest me.

A case under Section 212 & 216 of Indian Penal code (IPC) and Section 3 & 4 of the Terrorist and Disruptive Activities (Prevention) Act, 1985, for harbouring and sheltering terrorists was registered against me. For persons alleged to be harboured by me including Bhai Anokh Singh, were my clients. During police investigation, I was warned against defending and pleading for such persons.

5. That one Gurdev Singh Benipal, a civil liberty activist who had enquired in to the Anandpur Sahib Holla Mohalla (District Ropar Punjab) Festival of March, 1986, firing incident in which 14 unarmed and innocent Sikhs were killed by the Security Forces, was also charged along with me under the same offences only because of our civil liberties' activities. Mr Benipal was also lodged along with me in jail for more than a month. He was bailed out after seven weeks. He is a whole time civil liberty's activist.

6. That the facts of my case are as: 'In early hours of March 29, 1987 at about 2.30 am, a police party comprising Police Inspector Sardul Singh, of Criminal Investigation Agency (CIA), Police

Inspector Harbans Singh, Incharge of Police Station Sarabha Nagar, Police Inspector Balbir Singh, Incharge of Police Station Sadar, Ludhiana and Special police Inspector Investigation (CIA), Police Inspector Gurmeet Singh, Incharge Police Station Division No 5, Civil Lines, Ludhiana, Sub Inspector Sant Kumar (CIA) along with 15/16 armed police officials and constables raided by house No 1488/2, Gobind Nagar, Ludhiana and arrested me. They did not show to me any warrants of arrest and disclose any offence under which I was arrested. I was taken away in a Jeep along with a Mini Bus having no registration number or interrogated regarding charging of legal fees in terrorist cases and mentally tortured by directing the police officials to thrash me physically. I was subjected to torture the whole day by Surjit Singh, Superintendent of Police (Detective) and two other police inspectors. They threatened to hand me over to the Central Bureau of Investigation (CBI) for further investigation. I was removed to police station, Civil Lines, Ludhiana at 8.30 AM on March 30, where I was detained until 3.30 PM before producing me before a judge at Ludhiana. I, along with Gurdev Singh Benipal, was remanded in judicial lock-up and was detained in the Central Jail, Ludhiana from March 30 to April 7, 1987, when we were transferred to District Jail, Nabha, District Patiala where I remained unto May 2, 1987 until I was bailed out. I was not served with proper food and newspapers nor was I allowed to meet my friends and relatives. Even my spouse was not allowed to see me.'

7. That the learned Designate Court held my detention illegal and wrongful.

8. That when I was in Jail, my son Par Upkar Singh, 17, student and my brother-in-law, Raghbir Singh of Jalandhar District in Punjab who had come to see his sister, my spouse, were arrested on April 30 on a false charge just to harass my family.

9. That even prosecution witnesses are harassed and tortured by the law enforcing agencies in India. One typical instance is of the undisclosed prosecution witness No 30 in Case State Vs Kamaljit Singh and others. Hijacking case being tried at Ajmer in Rajasthan. Here is cross-examination of this witness by the defence counsel Jaspal Singh Sodhi, Advocate, Ajmer: 'when police picked me up, I was freed after 9/10 days. I know when I was taken to Mohali, where from I was taken by the police to an unknown place and I was blindfolded. Whenever I was interrogated, I was kept blindfolded. The statements were signed by me and these were written with a pen. When I was being interrogated, I did not hear the sound of type writing. First, I was tortured unto 11 PM. At night, I was kept in same house where we were interrogated. During interrogation I was tortured and asked to give statement according to the prosecution story. I did not reveal anything voluntarily before the police.

10. That my client Harbans Kaur, Staff Nurse, ESI Hospital, Ludhiana represented to the Chief Justice of the Punjab and Haryana High Court and the District Magistrate demanding action against the Raikot Station House Officer, Sant Kumar, Sub Inspector Police who took my client's son, Manikaran Singh aged 2 years, her nephew, Gagandeep Singh aged 3 and her sister Jasbir Kaur and her divorced spouse Mr Nirmal Singh into illegal police custody. They were tortured, abused and maltreated.

11. That I also represented one Tanvir Singh son of Gurcharan Singh, resident of Nurmahal, District Jalandhar, in the Ludhiana Courts who was prosecuted under Section 25-54-59 of the Arms Act for allegedly recovering two revolvers from his possession. Interestingly both hands of Tanvir Singh were chopped off and he in any case cannot use any firearm. The State machinery is so repressive that even baptised Sikh young person with chopped off hands was not spared.

12. That I represented before the District Magistrate at Ludhiana the minor jail inmates who were arrested from the Golden Temple premises on June 1984 during the Operation Blue Star. Out of 37 children, nine were foreigners belonging to Bangladesh and 14 were between two and 14 years in age. They had gone to Golden Temple along with their parents as pilgrims. They were categorised by the police as terrorists belonging to category A, B, C. It was only on the intervention of the Supreme Court that they were released.

13. That the dead bodies of the Sikh young persons killed in fake encounters are not handed over to their relatives for cremation because of the fear that the parents of the deceased may get the dead bodies medically examined privately. The State machinery is instructed not to hand over dead bodies to the relatives of the deceased. This happened in the case of Jatinder Singh son of Harnek Singh of Sohian in Ludhiana District.

14. That under these circumstances and in the face of the oppressive and dreaded laws of the above said defendants will not get fair trial in India and I am of the considered opinion that if said defendants are extradited to India they are likely to meet the fate of Roshan Lal Bairagi, Manjit Singh Bhindi, Bhai Anokh Singh and Mathura Singh (also involved in General A. S. Vaidya's murder case) who were either killed in fake encounters after showing them to have escaped from jail or police custody.

Ludhiana,  
January 13, 1988

### **6. JAGMOHAN SINGH ADVOCATE**

I, Jagmohan Singh Advocate, Judicial Court, Khanna, District Ludhiana, Punjab, do hereby solemnly declare and affirm as under:

1. That I graduated in Law from Rajasthan University, Jaipur, in 1980 and since then I have been practising Law at Ludhiana and Khanna Courts. I am married and have two daughters.

2. That I am an active civil liberty activist and member of Punjab Human Rights Organisation (PHRO). Besides, I am secretary of the Punjab Sikh Lawyers Council, Khanna Unit.

3. That I am a baptised Sikh and wear the religious sign like long hair, beard, iron bangle and small sword etc.

4. That as a professional and being an active member of the Punjab Sikh Lawyers Council I render legal aid to the Sikh young persons dubbed as terrorists by the state. I have defended more than a dozen so-called terrorists in Law Courts on different occasions. These include:

1. State Vs Dalbir Singh, Police Station, Sadar Khanna, FIR No 135 dated 4.9.84 U/s 25/54/59, decided and discharged.

2. State Vs Dalbir Singh and others, Police Station Sadar Khanna, FIR No 117 dated 7.8.84 U/s 25/54/59A Act, decided and discharged.

3. State Vs Karnail Singh and others, Police Station Sadar Khanna, FIR No 85 dated 16.4.84 U/s 25/54/59A Act, decided and discharged.

4. State Vs Kashmira Singh, FIR No 38 dated 13.6.87 P S Sadar, Khanna U/s 25/54/59A Act.

5. State Vs Jasmer Singh and others P S Sadar, Khanna, U/s 212/216 IPC 3/4 TD Act.

6. State Vs Avtar Singh P S Sadar, Khanna, U/s 212/216 IPC 3/4 TD Act.

7. State Vs Ajaib Singh r/o V Ghuranna, P S City Khanna, U/s 302 IPC 25/54/59 Arms Act.

8. State Vs Harjit Singh alias Teng, P S City Khanna, U/s 302 IPC 25/54/59 Arms Act.
9. State Vs Punjab Singh and others FIR No 83 dated 31.8.82, U/s 325/323/148/149 IPC P S Sadar, Samrala.
10. State Vs Surinderjit Singh and others FIR No 61 dated 4.4.86 offence U/s 302/307 IPC P S Khanna.
11. State Vs Balram Singh, FIR No 37 dated 31.3.85 U/s 392/34 IPC P S Sadar, Khanna.
12. State Vs Tejinder Singh and others, FIR No 87 dated 21.7.86 offence 395/397 IPC, 25/54/59A Act 304 TD Act P S Sadar, Khanna.
13. State Vs Baljit Singh, FIR NO 77 dated 23.6.86 U/s 302 IPC, S P Sadar, Khanna.
14. State Vs Darshan Singh, FIR No 113 dated 23.6.86, P S Sadar, Khanna, U/s 392/34 IPC, 25/54/59A - 3/4.
15. State Vs Darshan Singh, P S Sadar, U/s 382/25/54/59 3/4.

5. That out of these young persons who are facing trial in law courts no one has been convicted so far. They are facing trial proceedings since 1983. In most cases, the challans (Charge Sheets) have not been filled by the police so far. Most of these are rotting in jails since then.

6. That almost all the above named Sikh young persons have been falsely implicated in criminal cases because of their religious beliefs and political affiliations. Except one or two all are baptised Sikhs and below thirty.

7. That a case FIR No 80 dated 23.10.1987 Police Station City Khanna under section 212, 216 Indian Penal Code read with sections 3/4 of the Terrorists & Disruptive Activities (Prevention) Act, for harbouring and sheltering criminals and proclaimed offenders, was lodged against me, only because of my human rights and professional activities. The motive was to terrorise me and stop my practice.

8. That the named persons whom I was alleged to have given shelter were baptised Sikh young persons following the Sikh religion. Out of these seven young persons, three had already been killed in fake encounters because of their belonging to Babbar Khalsa, a religious organisation among the Sikhs.

9. That I was picked up by Khanna police along with my sister's spouse Gurdeep Singh at 3.30 PM on 23.10.87 without showing any warrant of arrest and they took us to City Police Station, Khanna. The Station House Officer Mohan Lal Sharma abused my brother-in-law and me in the presence of local people and our relatives in the Police Station. He also threatened to subject me to physical torture. On the intervention of more than two hundred respectable citizens of Khanna the police released my brother-in-law in the evening at 7.30 PM. He was kept in illegal police custody for four hours.

10. That after releasing my brother-in-law I was not allowed to see any of my relatives and friends. I was kept in the lock up measuring about 8x10 feet that had no light, no bed and no proper place to urinate. I was not provided any food, tea or milk. I was not allowed to respond to the call of nature. Two or three police personnel kept vigilance on me the whole night. That on 24.10.1987 at about 11 IS I was taken out of the police lockup and was taken for interrogation to the Canal Rest House, Bhattian, about 3 km from Khanna. The Station House Office (SHO) police station Sadar, Khanna Mohan Lal Sharma. They manhandled and slapped me besides abusing and

threatened physical torture and thereby incapacitate me sexually. They repeatedly threatened me to stop taking cases of the so-called Sikh terrorists and stop my human rights and civil liberties' activities. They further asked me to stop visiting Mr D. S. Gill, the General Secretary of the Punjab Sikh Lawyers Council as well as the Punjab Human Rights Organisation and dissociate from him. This interrogation continued for four hours.

11. That I was produced in the court of A. S. Ghuman, Judicial Magistrate, 1st Class, Samrala, about 20 Km from Khanna at about 3.30 PM.

12. That a section of Central Reserve Police Force, more than 35 armed officials and constables, accompanied by more than a dozen Punjab police officials armed with Rifles and Sten-guns on One Big Truck fitted with a Machine gun and two jeeps brought me from the City Police Station, Khanna, to Samrala court. At that time, both my hands were handcuffed with iron chains.

13. That the City Police Khanna asked for a police remand for fourteen days but I was remanded to judicial custody and sent to the Old Central Jail, Ludhiana. The same brigade of the Punjab Police and the Central Reserve Police Force left me at the jail and at that place, my handcuffs were removed.

14. That I was released on bail on 26.11.87. The case against me is still pending in the court. No challan (Charge Sheet) has been filed by the police so far.

15. That my house and the office in the court premises are kept under constant watch by the intelligence agencies, and these agencies off and on made enquiries from me regarding my professional and civil liberties' activities.

16. That on my arrest all the Bar Association of Punjab including the Punjab and Haryana High Court Bar Association observed a strike for two days demanding withdrawal of the case against me.

17. That the Ludhiana District Bar Association along with Khanna and Samrala Bar Association remained on strike for more than 15 days that was later withdrawn on my appeal because I watched the interest of the litigants but the State machinery remained indifferent.

18. That besides me several other advocates belonging to the Punjab Sikhs Lawyers Council and Human right activists were subjected to similar harassment, arrests and detention in jails at the hands of State machinery only because of their professional behaviour and duties.

Ludhiana:  
January 16, 1988.

## **7. BHUPINDER SINGH SOMAL ADVOCATE**

I, Bhupinder Singh Somal, Advocate, District, Punjab, do hereby solemnly declare and affirm as under:

1. That I am married to a teacher, Mrs Tejinder Kaur, and have one son Shalinder Singh (6). I belong to a Jat Sikh agriculturist family settled at village Daulatpur, Post Office Malaud, District Ludhiana. We are joint family comprising my father Mr Pal Singh, my mother Mrs Bhagwan Kaur, and my younger brothers Balwinder Singh and Kamaljit Singh.
2. That I passed my Law Degree in 1977 from Rajasthan University, Jaipur. Since then, I am practising as an advocate here. I am conducting mostly criminal cases. After my marriage, I have settled at B-XX-1530, New Prem Nagar, Ludhiana.

3. That I am an active member of the Punjab Sikh Lawyers Council and the Punjab Human Rights Organisation. Recently along with Dr Rajinder Pal Singh enquired into the death of Mr Sarbjit Singh Johl who died in Police detention on September 1987, as our organisation was asked by the Amnesty International to furnish information regarding the death.
4. That I provide legal aid to Sikhs involved in cases under the Terrorist and Disruptive Activities (Prevention) Act, (TADA). I have conducted more than a dozen such cases where Sikh youths, particularly baptised Sikhs, were involved falsely.
5. That my younger brother late Mr Gurdeep Singh 21 was studying in Second Year of Electrical Diploma at the Guru Nanak Engineering (GNE) College, Ludhiana as a day scholar, during the Session 1987-88. He was an active member of the All India Sikh Students Federation (AISSF) GNE Ludhiana Unit. He was killed in a staged encounter by the Border Security Force (BSF) on September 4, 1987. He was baptised (took Amrit) at our village from the 'Amrit Parchar Team' of the Shiromani Gurdwara Parbandhak Committee (SGPC) in August 1984. Most of our family members are also baptised Sikhs including my younger sister aged 15 years.
6. That my late brother's educational record was excellent. He was put not in any way connected with violence. He was a religious minded person used to say his daily prayers regularly.
7. That on September 1, 1986, at 4 PM, a police party of 15 police officials headed by Ajajib Singh, in charge of Police Station Payal, District Ludhiana, raided our village home. All of them were armed with sten-guns and rifles. They searched our house to find out Gurdeep Singh.
8. That on assurance by our family members and respected villagers that the boy would be produced before the police in due course, the police withdrew from our village after about two hours
9. That I along with my colleagues Mr M. S. Mangat, and Mr Bachan Singh Rai, Advocates produced Gurdeep Singh before the police at Police Station, Payal on 5.9.86.
10. That the police kept my brother in illegal custody up to 30.9.86. During this period, he was subjected to severe physical torture. He was not provided with meals and was not allowed to sleep constantly for three days and nights. During night, he was instructed to keep standing. He got high temperature due to torture and harassment, and he was not given any medical aid. He was shifted to Criminal Investigation Agency (CIA) Ludhiana on 22.9.86 where he was again interrogated and tortured. He was tortured by pulling his legs apart and by putting an iron rod (about one-Quintal Weight) and two persons stood on it. He was finally threatened to be killed in a staged encounter in case he did not dissociate from the AISSF. On 25.9.86, he was again shifted to Police Station Payal and was kept there up to 30.9.86.
11. That he was charged under section 107, 151 of the Criminal Procedure Code for pasting wall-posters and investigating the public to observe a "Black Diwali." This call to observe a Black Diwali was given by the Punjab Human Rights Organisation. The people were asked not to celebrate Diwali festival as on that as thousands of Sikhs were massacred following the assassination of Mrs Indira Gandhi.
12. That he was produced before the Sub-Divisional Magistrate, Khanna, Mr B. D. Aggarwal, on 30.9.87. This was the first time that he was produced before any magistrate. The magistrate remanded him in judicial custody and sent him to Ludhiana Central Jail.
13. That on 14.11.86, he was discharged by the learned court after knowing that he was only charged for these civil liberty activities connected with the PHRO.

14. That he was again picked up on 3.1.87 by the Police Post, Malaud, interrogated and released on 6.1.87 as if nothing was found against him.
15. That on 20.3.87, he was produced by us before Mr Manjit Singh, Station House Officer, Dehlon as the Area Deputy Superintendent Police Mr Raj Kishan Bedi had sent me a message to do so. He was badly tortured as before and finally set him free after two days on 23.3.87.
16. That on 20.3.87 at 2:30 AM (night) my home at Ludhiana was raided and searched by a 40 strong police party headed by the Deputy Superintendent of Police, Daljit Singh. They enquired about my brother. The raid lasted two hours. They recorded my statement. Nothing objectionable was found from my home.
17. That my brother continued attending classes up to June 2, 1987, until he again was called for further investigation and interrogation by Manjit Singh, SHO, Sadar Police Station, Ludhiana. On June 3, 1987, my brother visited my office at the courts and frankly refused to further co-operate with me for his production before the police as he could not bear any further torture. Thereafter out of fear, he went underground until he was killed by police.
18. That during the period my brother remained underground, my parents and other members of the family were repeatedly subject to harassment, humiliation, intimidation and torture.
19. That during these months my father was kept in illegal custody for more than two months on different occasions. The police party occasionally used to raid our village home, manhandle my mother and other female members besides abusing them in presence of the villagers.
20. That the police destroyed our crops, removed electrical motors and diesel engines from our tube-wells and forced our agricultural labour to leave our farm. Because of these repressive activities of the police, we had to suffer a huge monetary loss.
21. That my Ludhiana home was also raided twice during this period.
22. That when persons like me are not spared how can we trust the Indian State that it will deal with Ranjit Singh and Sukhminder Singh Sandhu allegedly involved in the murder of Army Chief General Vaidya according to law.

I am, therefore, of the opinion that these Sikh young persons should not be extradited to India as they are likely to be tortured, detained in jail without trial for years or in any way eliminated as is the practice here.

Ludhiana:  
December 25, 1987.

## **8. AMAR SINGH CHAHAL**

I, Amar Singh Chahal Advocate of the Punjab and Haryana High Court, Chandigarh, do hereby solemnly affirm and declare as under:

1. That I have been practising law in the High Court Chandigarh since 1970. I, my spouse (38), two daughters (16 & 11) and a son (13) live at Chandigarh. The children are school going. We all profess Sikh religion.
2. That I handled numerous defence of the alleged terrorists. The undertrial Sikhs were not tried for years. The Sikh youths were picked up by the police and para-military forces from their homes and kept in illegal custody for days and months without producing them before any court.

3. That, if all the police felt the need of producing the arrested Sikhs in Court, the magistrates were taken to police stations or rest houses where they were remanded in police custody clandestinely so that they may not avail of any legal aid.
4. That as and when I succeeded in meeting such Sikhs, they narrated to me their woeful tales of torture. They were beaten with iron rods and sticks, their long hair and beards pulled and their nails taken out from fingers. I have personally seen such Sikhs with visible injuries during my detention in Chandigarh jail. They include Ranjit Singh Riar, Jugraj Singh, Gurmeet Singh, Kirpal Singh, Kamaljit Singh, Gurdial Singh, Varinder Singh and Sohan Singh. They all profess Sikhism. I may add that the TADA and other black laws are only meant for the Sikhs. In Punjab and Chandigarh, no person belonging to any community (other than Sikhs) was tried under these laws.
5. That I have filed more than 100 criminal writ petitions in the Punjab and Haryana High Court with regard to the illegal detention of Sikh youths. One peculiar case is of Lavshinder Singh son of Avtar Singh resident of village Dalewal, District Jalandhar was re-arrested and kept under illegal custody for many my days. I filed another writ petition (No 1023 of 1987) seeking his release. On this, he was again falsely involved in yet another criminal case. It is a matter of routine for the Punjab police to arrest when any Sikh comes out of bail or on acquittal and to book in some other criminal case.
6. Of the numerous cases handled by me, I take up a typical case of Daya Singh (24), son of Bachan Singh. He was detained in Nabha Jail without trial. I filed a criminal writ petition No 348 of 1987. The High Court on 9.4.87 held his detention illegal and directed that he be released. But he was not released. Another criminal petition (Misc. No 47 of 1987) was filed. Then he was released on 12.5.1987. It is obvious that Daya Singh was kept in illegal detention from 9.4.87 to 12.5.1987 in spite the court's specific order.
7. That I was also falsely involved in two criminal cases (Vide FIR Nos. 323 dated 19.4.84 of the police Station, Central Chandigarh and 175 dated 19.4.84 of the Police Station, South Chandigarh) for murder and attempt to murder, along with other 25 Sikhs. I was allowed bail in both the cases. But in order to defeat the grant of bail I was kept in jail under the National Security force from 19.4.84 to 31.7.85. Two cases are still pending against me and I am out on bail. No trial has been started even after five years of the registration of the cases.
8. That after my release from jail I am under constant surveillance by the Chandigarh police and my house has been raided three times at midnight on the pretext of nabbing terrorists and recovering illegal weapons but never any objectionable material was found from my home.
9. That the police raids are conducted only to humiliate and terrorise my family members and me including my minor children. This is being done with the motive that I should not take up defence cases of the innocent Sikh in courts.
10. That I can certainly say that, in these circumstances and the general situated prevailing in India, Ranjit Singh Gill and Sukhminder Singh Sandhu will not get the slightest justice in any court in India and their extradition will result in their elimination in false encounter or they will be taken in jail without trial. Therefore, it will not behove a civilised nation like USA to extradite these young persons to India.

Chandigarh  
October 9, 1987.

**9. RAJDEV SINGH BARNALA ADVOCATE**

I, Rajdev Singh, Advocate, Judicial Courts, Barnala, District Sangrur (Punjab) do hereby declare and affirm as under:

1. That I graduated in Law from Kurukshetra University in 1974 and got enrolled as an Advocate of Punjab and Haryana High Court Bar Council under enrolment number p-33 of 1975. Since then, I have been practising law at Barnala and Sangrur. I am a member of the five-member presidium of the Punjab Sikh Lawyers Council (PSLC). My father Hardev Singh Advocate is also a leading lawyer of the area. I am holding a large number of civil, criminal and revenue cases.

2. That I have been conducting more than 1000 cases under the Terrorists and Disruptive Activities (Prevention) Act 1985 & 1987. I am conducting such cases since 1984. At that time, these cases were being tried by Special Courts under the Special Courts Act. I am conducting these cases without charging any fee.

3. That important cases conducted by me include:

(i) Sant Harchand Singh Longowal (President Shiromani Akali Dal) murder case.

(ii) Bhai Jasvir Singh, Jathedar (Head Priest of the Akal Takht) now confined in Tihar Jail, Delhi (detention case).

(iii) Bhai Gurdev Singh, Kaonke (formerly Acting Jathedar Akal Takht) detention case.

(iv) D. D. Khullar, murder case.

(v) Professor Sehgal, murder case.

(vi) Sangrur Jail 'Attempt to murder case' (in which 4 jail detainees were killed and more than 30 injured in firing by the, Jail Staff).

4. That in order to conduct cases I regularly visit District Jail, Sangrur, where special courts are being held for trial of detenus belonging to all Districts of Punjab who are being dubbed as terrorists.

5. That on 14.10.1987, the jail Staff of the Sangrur jail opened the indiscriminate firing on the undertrial and killed three detenus on the spot, one more died later on. More than 30 persons were injured.

6. That the relatives of the killed undertrials were not permitted to take the dead bodies to their respective places but were cremated at Sangrur under strict Police supervision.

7. That many of my undertrial clients have been killed in the so-called Police encounters after showing them to have escaped from Police Custody. These included Mr Manbir Singh Chaheru, Mr Tarsem Singh Kohar, Mr Balwinder Singh Loham, District Ferozepur.

8. That I am the Standing Counsel of Baba Joginder Singh Rode (84), the father of late Sant Jarnail Singh Bhindranwale, formerly Acting President of the United Akali Dal.

9. That after the imposition of President's rule in Punjab on May 12, 1987, Baba Joginder Singh was illegally detained in his home, was encircled by more than 600 security personnel armed with automatic and modern Weapons. No detention order under any law was served on Baba Joginder Singh and no arrest shown to have been made in any case. No one was allowed to visit him. For more than a month, we kept on pressing the police and no action was taken. In the meantime I filed writ petition number 724 of 1987 of Habeas Corpus in the Punjab and Haryana High Court and Justice Agnihotri issued a notice to the State of Punjab to which the Station House

Officer (SHO), Police Station Bagha Purana, Mr Mit Singh filed the reply on behalf of the State on 29.6.1987.

10. That on 30.6.1987 I went to village Rode to meet Baba Joginder Singh. There I was illegally detained for about three hours. After that I was brought by about 15 BSF Personnel to their Camp at Bagha Purana about five km from Rode and detained there for one hour. After that, I was forcibly brought to Police Station Bagha Purana where SHO Mit Singh who had filed the reply one day earlier was present. I was released at 7 PM. During the period of my detention the police misbehaved with me and threatened me with dire consequences if I continued to defend the cases under the Terrorist Act.

11. That the District Bar Association Sangrur headed by Mr Ram Sarup, Advocate passed a resolution Condemning my detention by the police and gave a call for general strike by the Bar Associations of Punjab and Haryana and Union Territory of Chandigarh on 9.7.1987. In compliance to this, a strike was observed throughout the region.

Barnala:  
January 11, 1988.

### **10. MAJOR GENERAL NARINDER SINGH (Retd)**

I, Major General Narinder Singh (Retired) son of Surat Singh, resident of House No 124, Sector 28 A, Chandigarh, do hereby solemnly declare the and affirm that:

1. I retired from the Army in December 1974 as a Major General after 32 years of unblemished and meritorious service. I held command, staff and instructional appointments at all stages of my career. I commanded an armoured regiment, an infantry brigade and an infantry division and held staff appointments at divisional corps and Army Headquarters. I held the pivotal appointment of Director of Military Operations in 1965-66 during the Indo-Pak conflict of 1965. I took part in operations in Burma upto the capture of Rangoon during World War II, In Hyderabad operation (1948) and Indo-Pak War (1971). I am a graduate of the Defence Services Staff College and the National Defence College in the rank of Major General.
2. I took no part in any political activity after retirement from the Army till the fall of 1982, when on eve of Asiad 1982, Sikhs going to Delhi and passing through Haryana were humiliated and assaulted and killed in order to prevent them going to Delhi and I myself was repeatedly searched and humiliated while proceeding to and from Delhi on private business that I was made actually aware that Sikhs as a community were treated as suspects and as second class citizens. This led me join Punjab politics to raise my voice against grave injustice and discrimination being done to Sikhs and Punjab. The peaceful democratic struggle by the Sikh culminated into an entirely avoidable and deliberate assault on the Golden Temple, the holiest place of the Sikhs, and many other Gurdwaras of Sikhs in Punjab. A large number of innocent Sikhs were killed during the pacification campaign when army was given total control for three months- known as operation 'Wood Rose.' The details of these events and the massacre of Sikhs on a large scale at Delhi and other places in India in the wake of murder of Indira Gandhi are too well known to need any repetition.
3. I have been charged under Section 124A, 153A, 506 and 120-B Indian Penal Code and Section 3 & 4 of the Terrorist and Destructive Activities (Prevention) Act 1985 by the Chandigarh Administration Vide FIR No 46 dated 3.2.86 lodged by the Police Station (East) Chandigarh for speech I had delivered on 2.2.86 in Gurdwara Singh Sabha, Sector 19, Chandigarh, while a protest day was being observed as announced by the United Akali Dal against the death sentences passed against the Sikh hijackers by a Pakistani court at Lahore and against the alleged assassins and abettors in the murder of Indira Gandhi by the Delhi High Court.

4. Mine was a purely political speech where the prevalent political jargon has been used of which the meaning has been distorted to make it attract the provisions of the Terrorist and Disruptive Activities (Prevention) Act, 1985.
5. Initially, I along with other co-accused were under Section 124-A, 153-A, 506 and 120-B of the Indian Penal Code. But when two of our co-accused applied for anticipatory bail, Sections 3 and 4 of the Terrorists Act were added in the FIR to deny us bail and keep us under detention. All this has been done as a result of political vendetta as I have been critical of Rajiv-Longowal Agreement and had been speaking against it. This is also to stifle democratic protest against gross injustices and discrimination against Sikhs and Punjab.
6. The challan was presented in the designated court after a full year in February 1987. This shows that mala fide intention of the Administration. Besides, although eight months have gone by since presentation of the challan in the court, charges still have not been framed and the trial is intentionally being inside Burail District Jail, Chandigarh where I am detained and hearings are in camera.
7. I challenged the vires of the Terrorist and Disruptive Activities (Prevention) Act 1985, in Punjab and Haryana High Court in April 1987. But the judgement by the full bench hearing the writ has reserved for the past two and half months.
8. This Terrorists and Disruptive Activities (Prevention) Act 1985 and its successor Acts are being grossly misused to detain Sikh youth in large number on flimsy, concocted and frivolous grounds.
9. I wish to state without any fear of contradiction that the Terrorist and Disruptive Activities (Prevention) Act is being almost exclusively used against the Sikhs though killings often on large scale are taking place in other parts of India particularly the state of Bihar.

Burail Jail, Chandigarh:  
October 13, 1987.

### **11. CAPTAIN NAURANG SINGH (Retd)**

I, Capt. Naurang Singh (Retd) son of Hazoora Singh, resident of village Malik, Tehsil Jagraon, District Ludhiana, do hereby solemnly declare and affirm as below:

1. That I am retired Captain of the 10 Sikh Regiment of the Indian Army. I join the Army in 1951. I fought in the 1962 war against China, the 1965 war against Pakistan and the 1971 war against the Pakistan. I was seriously wounded in both the 1965 and 1971 wars against Pakistan. I was decorated with Mansion Despatch (MD), a gallantry Award. I was also awarded 18 Medals for my services. In 1971 war with Pakistan, my name was recommended for the Mahavir Chakra under the Command of Lt Col K. C. Kailey and Brigadier Gurjit Singh Randhawa, but it was not awarded as the papers were submitted late. I was given cash award of Rs 4000/- by the Central Government and Rs 4000/- by the Punjab Government. Rajasthan State Government agreed to give me 5 acres of land in appreciation of my services.
2. That I retired from the Army in 1983 and settled in my village, Now I am engaged in the profession of agriculture. I do not take part in any party politics. It can be verified from the village Panchayat (elected representatives of the village).
3. That my elder son Balwant Singh, is serving in the Indian Army. My second son is studying in the 9th class. My two elder daughters are married and the youngest is studying in college. My younger brother is also serving in Indian Army as a Lt Colonel.

4. That on 30.8.87 at 5.30 PM a police party consisting of more than 50 police officials in three police vans and two jeeps headed by Deputy Superintendent Police, Tara Chand, Inspector Gurmit Singh of Police Station Jagraon and Inspector Baldev Singh of Police Station Sidhwan Bet raided my house. They were carrying rifles, sten-guns and revolvers. Inspector Gurmit Singh used unprintable words against me in the presence of my spouse and children. They asked me to tell the whereabouts of Harbhajan Singh Raja, who is younger brother of my son-in-law, I did not know about his whereabouts nor was I aware that he was wanted by the police so I could not tell anything about him. They picked me up and took me to Police Station Sidhwan Bet. There were eight other persons in two lock-ups.
5. That they brought me out of the lock-up after the sunset, asked me to take off my clothes, and made me completely naked. Inspector Gurmit Singh started hitting me with blows. After that they made me lie down with my face downward and kept a wooden log about four feet in length and seven inches in diameter on the upper part of my legs. They bent lower part of my legs over it and two police officers pressed my lower legs over it very hard. In this process, I had to suffer unbearable pain. In between they kept on kicking me and also asked me questions regarding Harbhajan Singh, about whom I had no knowledge. After this, they blindfolded me and I was kept in this position for the full next day.
6. That on 3.9.87 the police also brought Harbhajan Singh to the Police Station. On the day, they sent five of us to some other place. At night police officials took Ranjit Singh of village Sohian (aged 21 years) and Shamsher Singh of Raikot (aged 19) out of the Police Station. Both were baptised Sikhs and belonged to All India Sikh Students Federation. When the police party came back they told us that they had killed both of them near Malsian Canal Bridge and asked us to get ready to being killed and shifted us to the other lock-up that was previously occupied by the two who were already killed. They kept us in this room for three days and sent us to other room only on representations by some 200 villagers.
7. That on 13.9.87 I along with Harbhajan Singh and one Gurbax Singh 'Jassi' was produced in the court. It was shown that we were arrested by Baldev Singh SHO Sidhwan Bet on the night of 9.9.87 after an 'encounter' with police, when we were riding a scooter. I was shown to be driving the scooter and the other two were shown to be riding on the pillion. Two pistols were shown to be recovered from Jassi and Harbhajan Singh. Moreover, some writing pads of 'Khalistan Liberation Force' and a hand-grenade was shown to be found from the toolbox of the scooter. In fact, we were already in police custody since 30.8.87. In the First Information Report (FIR), my age is shown to be forty-two years whereas my actual age is sixty years. Moreover, I was shown to be driving at night whereas I have night blindness that is also shown in my retirement certificate.
8. That on 13.9.87 we were produced before the Magistrate at Jagraon, R. K. Dhir, at his home at 10.30 PM. Then we were handcuffed. The police party that took us from Police Station Sidhwan Bet to the Magistrate comprised of five Punjab Police officials including one Sub-Inspector and eight officials of Border Security Force. All of them were armed with rifles, sten-guns and SLRs. The Magistrate ordered that we be in police custody for six days, i.e., upto 19.9.87.
9. That on 19.9.87, we were again produced before the Magistrate and were charged under Sections 3/4, 4/5 of Terrorists and Disruptive Activities (Prevention) Act, Section 25-54-59 of Arms Act and Section 307 of the Indian Penal Code (Attempt to murder). We were remanded in judicial custody and were sent to Ludhiana Central Jail that day.
10. That I was released on bail and re-arrested at the jail gate on 30.11.87 at 6.45 PM by the Sidhwan Bet Police. The police party comprised of four constables and one Sub-Inspector of the Punjab Police and six officials of the Borders Security Force. The Panchayat members of my village waited in the police station Sidhwan Bet for three days pressing the police to release me. On 3.12.87, the SHO told the members of the Panchayat that he could not release me. Then the

members of the Panchayat contacted the Assistant Superintendent of Police, Jagraon who assured that I could be released soon. Even after this when they came back to the Sidhwan Bet Police Station, SHO Baldev Singh told them that he would release me only if got two affidavits, one by Panchayat and other from me that I would not take part in any 'unwanted political activities.' After furnishing these two affidavits, I was finally freed on 4.12.87. The police kept me in illegal custody without registering any case against me nor was I produced before any court.

Ludhiana  
January, 1988.

## **12. PRINCIPAL TARLOCHAN SINGH SIDHU**

I, Tarlochan Singh Sidhu (48) son of Sardar Sawan Singh, resident of House No H-617, Phase I, Sahibzada Ajit Singh Nagar, (Mohali) District Ropar in the State of Punjab (India) do hereby solemnly affirm and declare as under:

1. That I am MA B. Ed I have passed a specialised course in Teaching (Education) like describable as DPE. At present, I am working as Principal of Khalsa Senior Secondary School, Kharar, in Ropar District. I have rendered 22 years' service in education field.
2. That I have only son, namely Kulwinder Singh, alias Kid (18) who is a student of eleventh class. We are Sikh family.
3. That on May 9, 1985, at 10:00 PM Police Inspector Surat Singh of the Central Investigating Agency, Kharar, and Jagdish Singh, another police inspector accompanied by ten constables, raided my house. All the police officials were under the influence of liquor. They surrounded our home and took positions by displaying firearms and weapons as if they were going to attack somebody. They bolted the door of the house of the deponent from all the sides. They misbehaved with us and asked where my son was. I asked them whether there were any warrants against him. They were not prepared to disclose anything. They threatened my spouse and me, Nachhattar Kaur (44) that they would implicate us in false cases if Kulwinder Singh was not produced before them. As our son was not there, they took my spouse and me to the Police Station forcibly. We were not allowed even to lock our house.
4. That, in Police Station at SAS Nagar, I saw Avtar Singh of 648, Phase VI, Hari Singh of 471 of Phase I, all residents of SAS Nagar, were detained in the Police Station similarly picked up by the police from their homes. They were kept in illegal custody because the Police wanted to produce their sons or relatives.
5. That we were not permitted to see any other family members, relations or friends. Food or any other eatables were not provided to us. I was kept there until May 11, 1985, and then taken to Kharar, another Police Station of Ropar District.
6. That Baljinder Singh (16) son of Hari Singh, Upkar Singh (17) son of Gopal Singh, Tinku (16) son of Gurdial Singh, Jaspal Singh of village Kalondi, Balvinder Singh of Village Fatehpur Jattan, all Sikhs students were there in the police station. They were taken into custody by the police and thereafter their respective relations, who were already in police custody were set free.
7. That the boys were kept in Police custody until May 15, 1985, when they were produced before a Magistrate at Ropar.
8. That on June 5, 1985, the Panchayat of 17 villages met the Deputy Commissioner and the Superintendent of Police at Ropar and represented to them about false implication of the above boys by the police. These officers were fully convinced about the false nature of the case. The case was ultimately withdrawn and cancelled by the State on August 12, 1985.

9. That my son was picked up by the Ropar Police on January 22, 1987, and kept in police custody until March 14, 1987. He was not produced in any court.
10. That on April 13, 1987, the Ropar police again picked up my son. He was kept in illegal custody by the police until April 23, 1987, when he was produced before a Magistrate at Ropar. He has been falsely booked in a number of criminal cases by the police and is, at present, lodged in the Nabha Jail.
11. That on April 2, 1987, I was also picked up from my house at 1:30 AM. Before the arrest, my house was searched by Punjab Police. Nothing objectionable was found. I was taken to the Police Station after my eyes and hands were folded. I was shabbily treated at the time of my arrest and thereafter. The police kept me at unknown places until May 3, 1987. The relatives and friends gave telegrams, wrote letters and made representations to the authorities to know my whereabouts, but nothing came out of it.
12. That on May 4, 1987, I was brought back at SAS Nagar police station and on May 5, 1987, I was produce before a Magistrate at Kharar booking me under Section 3/4 of the Terrorists and Disruptive Activities (Prevention) Act. I was sent to Patiala Central Jail. On June 22, 1987, I was released on bail.
13. That I was treated with cruelty while in police custody. My religious symbols, hair and beard, were pulled by the police officials. When I was released from jail, my movements were kept under surveillance by the police. My friends and relatives were also harassed without any cause for the simple reason that they tried to help me when I was in police custody. They were taken to police stations and disgraced there.
14. That the normal legal remedies are not available to us at all. The Sikhs are not treated as citizens of India.
15. In these circumstances, I request the American court not to extradite the young persons to India as they are not likely to get fair trial in India.

Chandigarh:  
October 12, 1987.

### **13. HARPREET SINGH BHAGOMAJRA**

I, Harpreet Singh Bhagomajra son of Sardar Gurcharan Singh Punia, resident of village and Post Office Bhagomajra, Tehsil Kharar, District Ropar (India) do hereby solemnly affirm and declare as under:

1. That I am a farmer. I am 35. I profess Sikhism.
2. That I was arrested in March 1984 in a case under Section 107/151 of the Code of Criminal Procedure on the allegation that there was apprehension of a breach of peace at my hands. I was produced before the Sub Divisional Magistrate who released me on bail in the sum of Rs 50,000/- that is very high amount, keeping in view the nature of the case.
3. That in July 1984 I was again arrested from 116, Sector 33-A, Chandigarh, at 1:30 AM by the Chandigarh Police. At the time of my arrest, I was blindfolded with a piece of cloth with hands tied at my back, and was kept in custody by the Chandigarh Police for twenty-five days. During this period, I was not produced before any Court of Law, and was not shown to have been arrested in any case. During the period of twenty-five days, I was tortured. Hard objects were used for beating and giving blows. I was hanged upside down, I was made to lie on floorings and then rollers were rolled on legs (backside). For all the 25 days, I was kept blind

folded by putting a cloth piece on my eyes that used to be opened only when I was to be given something to eat and was to be permitted to answer the call of nature. The basic amenities, such as food, clothing, sleeping, bathing were denied.

4. That after the illegal custody for 25 days by the Chandigarh Police, I was handed over to the Punjab Police, which produce me before a Magistrate who remanded me in Police custody for 15 days. The Police of Kharar (town in the State of Punjab) falsely involved me in a criminal case under Section 4 and 5 of the Explosives Act. In other words, I was shown to have some explosive material, which is prohibited by law in India. The falsity of this case is apparent from the fact that I was already in the custody of Chandigarh Police for many days and there was no point for me to acquire the possession of such substance or material.
5. That while I was in jail in the case referred to above, orders for detention under the National Security Act were passed against me by the District Magistrate of Patiala. I thus remained in jail because of these detention orders for 18 months long period. In the jail premises as well, proper food and other amenities of life were denied to a large number of other Sikh detainees and me, who were already lodged in the jail.
6. That I was released in August 1985. In September, I was again arrested by the Police of District Ropar, without any reason. I was again kept in illegal custody for 20 days, although there was no case or allegations whatsoever against me.
7. That again on December 30, 1986, I was arrested from my village by the Ropar Police. At the time of my arrest, I was brutally beaten by the police with sticks in the presence of the villagers. This was done to humiliate me. I was kept in illegal custody by the Police for 15 days without producing me in any court of law. I was released.
8. That again on February 10, 1987, I was arrested and kept in jail until August 31, 1987, by the Punjab Police. This arrest was under Sections 107/151 of the Code of Criminal Procedure (a minor offence) and was illegally refused the right bail.
9. That having been arrested by the Punjab Police several times and having the experience of prisoner in different jails in Punjab, I saw with my eyes, a large number of Sikh youths being brought to jails and having been brutally beaten up by the Punjab Police. In many cases, even the legs, arms or other limbs were broken because of severe beatings. The victims of such beatings were unable to walk for many days and were not able to undertake their normal day-to-day activities. They were not even provided with proper medical facilities and were kept unattended so that they may suffer because of injuries and other bodily pains. They were treated worst than animals.
10. That the functioning of the Police in Punjab is so unfortunate that it even did not spare the certificate and testimonials. Such important papers belonging to me were taken away and destroyed. Whenever my house was raided, the Police party consisting of 10/12 officials used to be under the influence of liquor. The old parents of the deponent and even the children were terrorised by them. The police officials used to surround the house of the deponent with weapons as if they were going to attack somebody. In this way, the atmosphere of fear used to be created in the locality. The Police are constantly harassing my family members and me for the last three years. My family life has been totally shattered. This is simply because of the reason that I am a Sikh. The excesses of the Police are not permitting me to lead a normal life. As such, I am the victim of State persecution without any fault on my part.

Chandigarh:  
October 7, 1987.

**14. SUKHDEV SINGH JOURNALIST**

Sukhdev Singh, being duly sworn, deposes and says:

1. I am a resident of house No 707 Sector 7-B, Chandigarh, the Capital of the State of Punjab, India. I am submitting this affidavit in the support of the above named defendants who are resisting extradition to India. In an effort to aid this tribunal, I offer the following information:
2. I am 47. My profession is journalism. I am a post-graduate of Punjab University, Chandigarh, having done my MA in Economics. I have to my credit experience of more than 25 years journalism. I have had association with such important newspapers and news agencies as Nawan Zamana Jalandhar, India News Agency, New Delhi, The Economics Times, New Delhi, Blitz Bombay, The Tribune Chandigarh and Dignity Chandigarh in various desk/reporting positions.
3. In addition I have the privilege of being the founder Secretary of the Chandigarh Union of Journalist, founder President of The Tribune Employees Union, founder Secretary General of the Chandigarh Press Club and Vice-Chairman of Punjab Human Rights Organisation, Chandigarh.
4. I moved in the Punjab and Haryana High Court an application for anticipatory bail on January 9, 1986, vide Criminal Misc. No 28M of 186 apprehending imminent arrest at the hands of the India Police for possible reasons stated therein. The Government controlled Union Territory, Chandigarh, administration that they had no case against me.
5. Despite this solemn statement, the Indian Government through its administration at Chandigarh raided my house on the morning of March 12, 1986 and arrested me without showing me any arrest warrant. I was later told in the police post, Sector 26, Chandigarh, that a criminal case (FIR No 122/86) has been registered against me.
6. I was remanded in judicial custody and was kept in Chandigarh district jail until September 4, 1986. The case having been registered under Sections 3 and 4 of the dreaded Terrorist and Disruptive Activities (Prevention) Act 1985, bail was refused to me by courts due to opposition from the State to such concession.
7. While I was in detention, three more criminal cases were registered against me vide FIR Nos. 129/86, 130/86 and 179/86 by the Sector 26 police.
8. Several leaders of the trade unions, political parties, social and journalists' organisations condemned the arrest and registration of criminal cases as an attack on freedom of Press.
9. My newspaper, Dignity, through a series of articles and editorials carried by it prior to my arrest stood for peaceful resolution of problems and against resort to violence either by the State or by the individuals and against communal hatred on the part of various communities and for a federal structure within the broad framework of Indian unity. Some of these articles and editorial are reproduced in the form of an affidavit, which I brought on the record of the Punjab and Haryana High Court on April 17, 1986.
10. Despite this, the Government of India was bent upon keeping me behind bars and to suppress the voice of Dignity, which after my arrest had to be suspended. The Government was determined to humiliate me in the eyes of the public so that other journalists were warned against independent writings or writings critical of the Government of India. An expression of the Government's intention is the Press Interview by Mr K Bannerji, Advisor to the Chief Administrator of Chandigarh.
11. The Indian Supreme Court regarded my case eminent enough to order that it disposed of with in one month. Otherwise, the court held, I was free to go to it for bail, an extraordinary concession to me by the highest judicial forum in India despite the dreaded Terrorist Act. The order finally

forced the Government to withdraw the case against me, and the Designate Court ordered my release.

12. I am still facing three criminal cases. I am at present on bail. None of these three cases has been withdrawn by the Government.
13. After my release on September 4, 1986. I was constantly shadowed by the police agents. A police constable named Baldev Singh remained on this duty.
14. I do believe that the Indian State is intolerant of an independent Press and is determined to crush civil liberties and human rights of persons like me who are not anyway connected with any political party, group or elsewhere.
15. Considering my own example and keeping in mind the general policy of the Government of India towards human rights and constitutional norms, I apprehend grave danger to the lives of defendants. In any case, they are most likely to be tortured and denied ordinary procedures of justice available to other Indians.

Chandigarh  
October 1987.

### **15. RANJIT SINGH RIAR**

Ranjit Singh Riar son of Sardar Buta Singh resident of house No 2214, Sector 15-C, Chandigarh, being duly sworn, deposes and says:

1. I am a resident of the capital of Punjab State. I am submitting this affidavit in support of the above named defendants who are resisting extradition to India.
2. In an effort to aid this tribunal, I offer the following information based on my own experience.
3. I was born in August 15, 1924. I am a graduate of the Punjab University. I retired on August 31, 1982, as Superintendent, Grade-I, from the service of the Punjab Govt. This position is occupied by senior class II Officers of the Govt. I worked in the personal staff of the Governor of Punjab for about a year. Earlier, I worked for about three years as an aid to the late Sardar Partap Singh Kairon, the former Chief Minister of Punjab. I have also been a leading sportsman, having been a member of the Punjab University teams in volley ball, Kabbadi and Wrestling.
4. Mine is an old Sikh family having links with this faith for about 300 years. I am a full-fledged Amritdhari Sikh with flowing beard and maintaining all Sikh symbols and rituals. I was unanimously elected Honorary General Secretary of Gurdwara Sri Guru Tegh Bahadur, Sector 15C, Chandigarh, in 1981 and continued in that position until today. Similarly, I was elected unanimously General Secretary of Central co-ordination Committee of Gurdwaras, Chandigarh in 1982. I am continuing to hold this office.
5. I was arrested on June 5, 1984, from Gurdwara Sri Guru Tegh Bahadur, Sector 15, Chandigarh, by officers and ranks of a battalion belonging to Rajasthan Rifles who invaded the Gurdwara that evening while other Sikhs and I were praying. I was made to understand later that one Major Kausher and one Capt. Dr Sharma headed the force. Before taking me along, the force ransacked the Gurdwara, broke open the cash box of the Gurdwara and looted its belongings. Even the holy scriptures were thrown hither and thither. The Gurdwara dispensary was also looted and was left without any medicine for the poor and the needy. The loot continued for about 12 hours but nothing incriminating was found.

6. After ascertaining my identity, the security forces blindfolded me, my hands were fastened behind my back and I was taken away after mercilessly dumping me into a weapon-carrier vehicle. All along I was severely beaten, the beating began right inside the Gurdwara premises. I was constantly asked by the Officers and men on my torture whether I had organised the murder of Prof. V. N. Tiwari of Punjab University, Chandigarh and that would I again seek "Khalistan".
7. I was taken to an unknown place, unknown because I could not see with my eyes having been blindfolded. It must be about 2 O'clock at night. I was fastened with ropes and was made to hang from the ceiling of the room. Dried chillies were burnt beneath me to cause me suffocation. At the same time, I was beaten up continuously for two hours with a thick electric cable. I was brought down after I lost consciousness. When I again gained consciousness, the process of burning chillies and beating was started. It continued for three days with intervals. Except for a little of water nothing whatsoever was given for eating to me during those three days of hell. The torture caused me severe fever. The beating was nevertheless continued. During that period, I was also made to walk on hot sand barefoot due to which boils appeared on my feet. Not to be content with all that, the officers then forced me to walk over shingle and thorns so that injuries on my bare feet caused me further untold pain. Unable to bear all that I fell in a pit where too I was subjected to beating. I was almost dead.
8. That created some scare among the officers who called a doctor. The doctor took pity on me and sent me to Command Hospital, Sector 12, Chandigarh, with about 30 security men on guard duty. Even in the hospital, one Major Yadav ordered that I should be dumped in a dinghy room and should be released only to be shown to the doctor as and when he came to examine me. Even the doctors and nurses were threatened if they cared for me. It was only through some kind-hearted hospital staff that my family members were informed of my whereabouts and my miserable condition. My wife, Sardarni Rashpal Kaur, filed a habeas corpus petition (Criminal Writ Petition No 251 of 1984) in Punjab and Haryana High Court, which was heard and decided on June 13, 1984, by Justice Surinder Singh. The result of the court intervention was that I was re-arrested under National Security Act and was lodged in District Jail, Chandigarh.
9. On seeing my condition, the Jail authorities arranged my medical examination and the official doctor gave the report on my health as: "Certified that Shri Ranjit Singh, aged 60 years, has been examined by me at 5 PM and again at 9.10 on 12.6.1984 and 7:30 AM on 13.6.1984. He is suffering from fever 104 degrees, body ache, vertigo, unable to stand on feet having multiple injuries all over the body and superficial injuries over wrist and feet. He is advised bed rest for one week and is unfit to be produced before the court." Signed/Medical Officer, District Jail, Chandigarh." I remained in detention under NSA for the period 12.6.1984 to 29.7.1985. While officially detention was revoked on 29.7.1985 but actually I was released from jail on 5.8.1985 as I faced another case under sections 307 (causing injury with intention to kill), 148 and 149 (rioting after unlawful assembly) of the CrPC. This case is not progressing and that speaks of its nature. I was released in the wake of the release of most Akali prisoners after the Akali Dal struck an accord with the Government of India as the Rajiv-Longowal accord. It was for the first time in my life that I went to jail and faced a criminal case.
10. While in jail, I was kept in condemned prisoner's cell contrary to jails framed under the National Security Act. I was kept thus in the cell for about two months. Facilities due to a political prisoner were denied to me during that period. Conditions in the cell were deplorable. One could freely see rats and snakes.
11. I have all along been contemplating as to why the Indian State made me a target. I have committed no crime. My religious susceptibilities were hurt in a most crude manner. The Indian forces entered the holy shrine in the wake of the operation "Blue star" with their shoes on, a cardinal sin one could commit against Sikh Religion. Even after my release, my house and the Sector 15 Gurdwara were searched for about eight times. Nothing whatsoever was

recovered that could be claimed to be objectionable. These raids were made by about a score of security forces and the time invariably chosen was a little after midnight. At least once, the Akali Patrika, an important Punjabi Daily, took editorial notice of the raids on my house.

12. If a person of my social status could be treated in such cruel a manner by the Indian Govt, the treatment which is in store for others could only be imagined. There is no process of law for Sikhs. Nor there is any justice for them under the present circumstances.
13. Because of the distance and cost involved, I am unable personally to appear before this hon'ble court. However, if the court summons me at its own cost I shall be glad to depose before it to tell the truth.

Chandigarh:  
October 5, 1987.

### **16. DEVINDER SINGH**

I, Devinder Singh, Lecturer in History, Sri Guru Gobind Singh College, Chandigarh, do swear and dispose that:

1. On 2.10.1981 at 9:30 PM, I was abducted from my house No 326, Sector 35-A, Chandigarh, by the Hoshiarpur District Police. They were armed with sten-guns and did not show any warrant, etc., for my arrest. I was detained at Police Station, Mohali, for one and half-hours and whisked away in a jeep to Hoshiarpur. After keeping me in Hoshiarpur Police Station, I was handed over to the Railway Police on 3.10.81 at 7.30 PM and was taken to Railway Police Station, Jalandhar, where I was told that I was involved in the case of tampering with Railway Track on Hoshiarpur-Nasrali section on 27.9.81 whereas I was present in my college on that day and had attended a party given by Prof. Gurtej Singh at his Farm at Nadiali village the same day. The news of my arrest was broadcast on the BBC on 4.10.81. So, the embarrassed police registered a false case against me to hoodwink the media.
2. I concluded from the interrogation that the police officers were dictated by the highest political power in the Government Secretariat. When produced in the court at Hoshiarpur on 5.10.81, the court discharged me by declaring me "not guilty."
3. Again, a case FIR No 40 dated 27.1.84 at Police Station 11, Chandigarh, on the basis of a concocted speech, allegedly delivered by 16 prominent Sikhs and me, at an "All India Seminar on present Punjab crisis" organised by the Punjab University Sikh Students Federation. On my approaching the Punjab and Haryana High Court, anticipatory bail was granted.
4. After the operation Blue Star, I remained under Police surveillance for over a year. I was asked to account for every absence from my home.
5. Whenever, I moved the High Court against different methods of harassment adopted by the Police, the stock reply from the Police was that I was never harassed, and that I was not wanted in any case. I have never violated any law of the land. I love my land, nature, beauty, children and rural society.

Chandigarh:  
October 4, 1987.

### **17. MOHINDER SINGH GREWAL**

I, Mohinder Singh Grewal son of Rajinder Singh Grewal, resident of I-G, Sarabha Nagar, Ludhiana, Punjab, do hereby solemnly declare and affirm as under:

1. That I am an Advocate at Ludhiana. I passed my MA Degree from Government College, Ludhiana in 1975 and passed my degree in Law from Punjab University, Chandigarh, in 1978.

2. That I was born on December 9, 1955 and I am married. I am a Sikh by faith and as per Sikh tenets, I wear long hair, beard, turban and steel bangle etc. Sukhminder Singh alias Sukhi who is facing extradition proceedings in USA is my cousin (His father and my mother are brother and sister born of the same parents).

3. That on 16.9.1986, two police officers in civil clothes came to my house at about 5 PM and told me that the Inspector of the Crime Investigation Agency (CIA) wanted to see me immediately. I was previously also called to the CIA twice. Once to enquire about Sukhi's whereabouts about which I had no knowledge. Second time to get Sukhi's photograph identified. So judging that it might be in that connection I went with those persons and did not even tell anyone else in the house about my going. My parents and my elder brother with whom I live in our family home did not know until next day that I had been taken into police custody. Later on, I came to know that 5 or 6 other armed police officers were posted around my house at that time. As I was not aware of that I told him my position but he did not listen to me and asked a police officer to put me in the lock-up. The lock-up was 10'x12' and we were about seven persons in it. We had to sleep on the floor with only a single covering that too was very dirty.

4. That at about midnight two police officers asked me to get up and they blindfolded me. Then I was taken outside and they asked me to take off my clothes and later started torturing me. In between, they kept asking me if I could tell anything about Sukhi's hideouts and I had nothing to say about that. The methods of torture, which they applied on, are listed below:

i) One person pulled my hair backwards while he kept my back erect with the support of his knees. Other persons pulled my legs apart to an extent that I had to scream in pain. In the meantime, two persons with their boots on stood on my feet.

ii) They made lie with my face downwards and kept an iron rod about 1 meter in length and 5 inches in diameter weighing about one Quintal on my legs. Then two or three persons stood on that rod and started pressing it both way alternately causing acute pain in my legs.

iii) They repeated the same exercise as in para (ii) but this time with my face upwards and using a longer wooden piece square in shape. They kept on torturing and asking me questions for more than an hour or so. But I had no information to offers, so they took me back to the lock-up and told me to remove the cloth from my eyes.

5. That on 17.9.86 I was taken by about 10 police officials in a police van to Sahnewal Police Station about 15 Km from Ludhiana. I was not taken straight to that place but was first taken in the opposite direction and later also a circuitous route. At Sahnewal, I was kept in a lock-up 10'x10'. There I had to sleep on a cement shelf and was given two dirty and torn blankets. My presence at that place was kept secret and I could communicate only with the guard on duty. Even the barred door of the lock-up was covered by a blanket so that no one could see me from outside.

6. That after about five days, I was taken out in a Police Van by about 6-7 police officials in the evening. After about two hours, I was taken to Police Station Kum Kalan about 15 Km from Sahnewal Police Station. In the meantime, the van kept moving one way or the other. The Police Station Kum Kalan did not have any proper lock-up so I was kept handcuffed for full three days and was tied to a window Grill. The handcuff was not removed even while sleeping. After three days, the handcuff was removed and I was locked in a room.

7. That after five days, at Kum Kalan I was taken to Police Station Sarabha Nagar, Ludhiana, at night-time. The lock-up is a room measuring about 15'x12'. Here I was kept along with some other persons. Here I was kept until 11.10.86.

8. That during all this period I had no access to reading or writing material including newspapers. I was not permitted to see anybody for the first 15 days of my detention. My parents were not even informed as to where I was kept. I was never permitted to see my advocate during this period. Eventually my father and brother were permitted to contact me, that too when they had promised not to file a writ petition.

9. That I was produced before the Additional Chief Judicial Magistrate, Ludhiana, Mr O P Goel, on 11.10.86. It was the first time that I was produced before any magistrate since I was taken into custody. Where as under Section 57 of the Code of Criminal Procedure, one has to be produced before a magistrate within 24 hours of the arrest. I was charged under Sections 212, 216 and 216-A of the Indian Penal Code (Harbouring and Sheltering Criminals) and Section 3 and 4 of the Terrorist and Disruptive Activities (Prevention) Act 1985. On 11.10.86, I was remanded in the police custody for further investigation unto 14.10.86. On this date, I was sent by the Additional Chief Judicial Magistrate to judicial custody (jail).

10. That unto February 2, 1987 I was kept in judicial custody for more than three and half months. Initially I was kept locked up in a cell along with two other persons for seven or eight days. We were allowed to get out of the room only for 15 minutes in the morning taking bath etc. Later, we were allowed to move out of the room for about 4 hours daily but that too in 15'x40' court-yard.

11. That I applied for my identification parade to be held. But the police officials did not get it done on one pretext or the other. In the meantime, charge-sheet (Challan) against me was presented in the court and I was released on bail on 2.2.1987.

12. That the two prosecution witnesses who as per the prosecution story had visited my residence and had met certain criminals there appeared in the court on 28.4.1987. These witnesses admitted in the court that they did not know me or any of the said criminals, and that they have never visited my residence. The main witness Jarnail Singh even said that the police officials had his signatures affixed by telling him that these documents related to the goods found during the search of a person.

13. That I was judicially acquitted on 28.4.1987 after physical and mental harassment for more than seven months.

14. That the only reason for implicating me in this false case is my relationship with Sukhminder Singh who is also being implicated in my cases. The first among these was of his being an alleged conspirator in an attempt to murder A P. Pandey, the then Superintendent of Police, Ludhiana. This case has been decided and the Hon'ble court has held that there was no conspiracy in that incident.

15. That between 2.2.87 (when I was released on bail) and 24.4.87 (when I was acquitted) the police raided my residence thrice. This process is still continuing and the police have conducted four raids at my residence after my acquittal. The police party consists of about 30 to 40 officials who are armed with rifles, stenguns and revolvers etc. Moreover, their behaviour with me and my parents and other members of the family is generally rude. All these raids have been conducted at night and most of them around 4:00 AM. On one of these raids, they even took me to be sent back after two hours.

16. That being an Advocate, I know that many parents, relatives and friends of the alleged terrorists who have gone underground because of police fear are being harassed by the police and are being implicated in false cases.

17. That, as a result of the police torture, I still have pain in my left leg and I am undergoing treatment for the same.

18. That I have no doubt in my mind that Sukhminder Singh and Ranjit Singh would be tortured or physically eliminated if they are sent to India.

Ludhiana:  
January 12, 1988

### 18. JAGJIT SINGH SANDHU

I, Jagjit Singh Sandhu son of S. Bachan Singh Sandhu, resident of Sandhu House, Gurdev Nagar, Ferozpur Road, Ludhiana, do hereby solemnly declare and affirm as under:

1. That I am a Sikh by faith and keep beard and long hair and wear iron bangle, etc. My age is fifty years. I own an agricultural farm at Village Manuke about 50 Kms from Ludhiana. This farm is owned by our family since 1941.
2. That Sukhminder Singh Sandhu who is facing extradition proceeding in USA is my son.
3. That on July 9, 1985, Sukhminder left home telling that he was going to our village. Only July 10, 1985, at about 12:15 AM 25 or 30 Punjab Police personnel armed with Rifles, Sten-guns and Revolvers surrounded my house. About 15 of them jumped over the boundaries wall and knocked at the inner door. Then I, along with my spouse, daughter, younger son and father, was in the house. Police searched the house for 15-20 minutes. They asked us about the whereabouts of Sukhminder. They spoke very rudely to all of us including my spouse and daughter. After the search was over they took me along with them in a police van to Police Station, Jagraon, about 30 Km from Ludhiana. After staying for a few minutes at that place they took me to our farmhouse and searched it and the surrounding area for half an hour.
4. The manager was at the farmhouse. The Police party took us into custody and took both of us to the resident of my tractor driver Mr Kartar Singh. The Police searched his house and picked him up.
5. That after this, three of us were brought to CIA Staff (Crime Investigation Agency) Police post Ludhiana at about 4:00 AM. At about 5 PM Kartar Singh and I were taken to Jagraon Police station and were locked in a room. After sometime they took Mr Kartar Singh away. He came back about half an hour and he could not walk properly.
6. That after this, they took me to another room. In that room, there were 5-6 Police constables and one Assistant Sub Inspector. He slapped me on my face and asked me "where is Sukhminder?" Along with the slapping, he also pulled out hair from my head and the beard. Then they told me to remove my clothes and make me sit on the ground. The constables pulled my legs apart and the Assistant Sub-Inspector kept asking me questions. This lasted for about half an hour.
7. That Kartar Singh and I were released at 8 PM on July 11, 1985. During this period we slept on the floor on the Police Station and were given food only once during these two days.
8. That no FIR (First Information Report) was filed against me nor was I produced before any Magistrate.
9. That I could not walk properly for about one month after that torture.
10. That again on July 14, 1985, one Deputy Superintendent of Police along with 5-6 constables came to my home at about 10 AM. The constables had rifles and sten-guns with them. They took me to my farm. Another police party was already at the farm. They searched the area and questioned the workers about Sukhminder. They kept me in the police van throughout the day while they made round here and there. They took me to Ludhiana at night and released me. This time also, FIR was not lodged, nor was I produced before any Magistrate.

11. That on July 16, 1985, a Police constable came to my house and told me to come to the CIA Staff Police Station the next day. Only July 17, 1985, I went to the Police Station in my car. The Inspector of Police sent on Head Constable and a Constable with me to walk to the Golden Temple premises. They said that they hoped that Sukhminder might be there, on seeing me, he will come to me, and the police could arrest him. From there, they made me drive to Gurdwara Tarn Taran, about 30 Km from Amritsar. The same process was gone through that place also. After we came to Ludhiana in the evening and they released me.
12. That in mid June 1986, 5-6 Police officials came to my house at about 4 PM and took me to the CIA Staff Police post. They physically tortured me and questioned me about Sukhminder. At about 6 PM they brought my younger son Harmanmeet Singh, aged about 11, years to the CIA Staff Police post. While I was watching they slapped him 3 or 4 times, and questioned him about Sukhminder, while he was crying. Later they took him to another room. He was released at about 8 PM. I was released at about 19 PM. Harmanmeet later told me that the police officers had taken him to dark room and threatened him and he would be forced to sit on a beehive. After this incident Harmanmeet was so fearful of staying at house and was always in mental tension that I had to send him to Chandigarh to continue his studies. (Annexure A is the statement of Harmanmeet Singh)
13. That on December 3, 1986, 5 or 6 Punjab Police officials came to my house at about 12 noon and arrested me. FIR was lodged against me under Section 107/151 CrPC (Breach of peace) I was produced before a Magistrate on the same date and remanded to judicially Custody. I was released on December 18, 1986. During this period, there was no trial. Moreover, I was never informed what I was supposed to have done.
14. That since July 1985 until Sukhminder's arrest in the United States of America the police has searched our house more than a dozen time. About 25-30 Police Officer came to the house at night. Most of them keep circling the house while 5-6 of them enter the house and search every room of the house. They even threaten my spouse and daughter with arrest. They have never found anything during these searches.

Ludhiana:  
January 12, 1986.

#### **ANNEXURE A**

I, Harmanmeet Singh Sandhu son of Jagjit Singh Sandhu, New Public School, Sector 18-B, Chandigarh, states as below:

1. That I am a student of class 7th at New Public School, Chandigarh. My date of birth is December 19, 1974. I can read and write. I understand that I must say truth. What I say here is true.
2. That last year when I was studying at Ludhiana one day Police came to our house. They took me to Police Station. They slapped me many times and asked me that where is my elder brother Sukhminder. Then they took me to a dark room. They told me that there was a beehive and they would make me sit on it. They allowed me to go home in the evening.
3. That after that, I did not want to stay at Ludhiana because I was very afraid of Police. So, my father sent me to Chandigarh for studying.

Ludhiana:  
27.12.1987

Signed  
Harmanmeet Singh

## 19. DR AJIT SINGH SIDHU

I, Ajit Singh Sidhu son of Jawala Singh Sidhu, aged 57 years and resident of House No 8/28 at the campus of Punjab Agricultural University (PAU) Ludhiana, Punjab, India, do solemnly affirm and declare as under:

1. That I passed my BSc (Agri.) in 1950 and MSc (Agri.) in 1959 from the Punjab University, Chandigarh. I got my Ph.D. degree in Entomology from the PAU Ludhiana in April 1968. I worked as a post-doctorate Fellow of the Ford Foundation at the University of California, Berkeley (USA) for one year during 1972.
2. That I joined the Entomology Department of the PAU in October 1962. I have served with the University as Assistant Professor from October 1962 to July 1968, as an associate professor from August 1968 to April 1973 and as Professor of Entomology since May 19, 1973, to date. I am the senior most Professor in my department that has a total faculty of 104 members. I also served as Head of the Department of Entomology from November 1975 to 1980.
3. That my job responsibility is to guide research work on insect pests of cotton conducted by 10 junior faculty members and post-graduate students and teaching Economics Entomology course to MSc and Ph.D. Students. I also advise and help the Punjab Government in devising appropriate strategy for control of insect pests of cotton every year.
4. That I am a member of the All India Entomology Panel of the Indian Council of Agricultural Research that scrutinised and monitors the progress of different entomological projects funded by the Government of India.
5. That I am a life-member of the Entomological Society of India, Ecological Society of India from 1973 to 1985. I am currently a member of the Editorial Board of the Pesticides Journal of India for the last 10 years.
6. That I own 18 acres of agricultural land in a village about 20 km from Ludhiana. I also own a house (21-F) in Gurdev Nagar locality that is next to the PAU.
7. I married Palminder Kaur in 1950. We have one daughter and three sons. Our daughter, Miss Rajinder Kaur Sidhu, is a youngest (aged 24). She is now a final year student of M. Sc. (Zoology) PAU. Our eldest son Sarbjit Singh Sidhu (aged 33) got his MSc (Agri.) from the PAU in 1978 and migrated in 1980 to Vancouver, BC Canada where my elder brother and three sisters are living for the last 20 years. Our second son Gurjit Singh Sidhu (aged 28) studied unto BSc (Agri.) at the PAU and went to California (USA) in February 1986. Our third son Daljit Singh Sidhu (ages 26) was a final year student of BSc (Veterinary Sciences) at the PAU Ludhiana in July 1985 when along with his friends Ranjit Singh Gill and Sukhminder Singh Sandhu, he was implicated on 9th July 1985 in false case by the Punjab Police for an attempted murder of Mr A P Pande, Senior Superintendent Police, Ludhiana (which was found to be a 'fabricated' case by a committee headed by the retired Punjab High Court Judge Mr A S Bains and the murder of Harjit Singh and Rattan Singh on 12th July, 1985 which case was later on withdrawn by the Punjab Government for want of evidence. Daljit Singh absconded then and we have never been able to contact him thereafter.
8. That we were living in our house 21-F, Gurdev Nagar, Ludhiana since the time of its construction in 1967. About 15 members of the Punjab police raided our house on July 9, 1985, at about 3 PM for apprehending Daljit Singh Sidhu. They were all heavily armed carrying various types of firearms including sten-guns, rifles and revolvers. Daljit Singh was forced to accompany the raiding party to the Police Station where I was unlawfully detained for two days without any warrant of arrest. I was abused and threatened a number of times during

interrogation. The Police, however, could find nothing incriminating against me. I was let out on evening of July 10, 1985, when faculty colleagues from the PAU met the higher district authorities. Thereafter, the police have been raiding our house once or twice every week at odd hours (sometimes even at mid-night). The strength of the police raiding parties varied from 5-20 on different occasions. Every time they carried firearms of various categories. They searched our house each time illegally. Whenever we asked them to show search warrants, their behaviour was always rude and threatening. Due to frequent harassment by the police, we left our house in Gurdev Nagar locality and shifted to a rented house (No. 8/28) at the PAU Campus where my faculty colleagues can render help to our family at the time of the police raids.

9. That I am sure that even now all my post is being illegally censored and our house is being kept under surveillance by the Intelligence Wing of the Punjab Police.

10. That I leave to the US Court and the American public opinion to decide the matter only after a mature consideration of the issue at stake.

Ludhiana:  
October 10, 1987.

## **20. DR KHEM SINGH GILL**

I, Khem Singh Gill, (born 1 September 1930) resident of 6/14 Campus, Punjab Agricultural University, (PAU), Ludhiana, India, do hereby solemnly affirm and declare as under:

1. That I have been serving the Punjab Agricultural University since its inception in October 1962 and earliest in the Punjab State Department of Agriculture since June 1951 and have held eminent position:

- Director of Extension Education, Punjab Agricultural University, Ludhiana-Feb. 1987 continuing.
- Director of Research, Punjab Agricultural Ludhiana-February 1983 to February 1987.
- Professor of Plant Breeding and Dean, College of Agriculture, Punjab Agricultural University, Ludhiana-August 1979 to February 1983.
- Professor and Head, Department of Plant Breeding, Punjab Agricultural University, Ludhiana- August 1970 to February 1983.
- Professor/Associate Professor of Genetics, Punjab Agricultural University- 1955 to 1966.
- Research Assistant, Department of Agriculture, Punjab- 1951 to 1955.

In the present position as Director of Extension Education, my responsibilities relate to initiation, Guidance and co-ordination of all programmes of Transfer of Technology of Agriculture, Agricultural engineering Veterinary and animal sciences and home science of the PAU. The University Extension Service, through its three wings of Training Unit, Farm Advisory Service and the Communication Centre, maintain live and intimate links with the research in the PAU on the one hand and the field-level functionaries and farmers on the other. The sound Transfer of Technology programmes has played a significant role in enhancing per hectare yields in the Punjab that are almost double the national average yield of most of crops, such as wheat, rice, bajra and cotton. The efforts of extension training unit have been acknowledged by the United Nations as in no other institution in the world have such a large number of farmers been trained.

2. That I have meritorious educational background. I had my BSc (Agri) from Punjab University in 1949 by standing second in the University and first in the College. I stood first in the University in

my MSc (Agri) in 1951 with specialisation in Genetic and Plant Breeding. I passed my PhD degree in Genetics from the University of California, Riverside, USA in 1966 by securing a very high grade point average of 3.90 (on 4.00 basis).

3. That I am a recipient of number of awards, honour and prizes for making outstanding professional achievements:

- Rafi Ahmed Kidwai Memorial Prize by the Government of India for providing outstanding leadership in Plant Breeding and developing disease-resistant pearl millet hybrid and high-yielding wheat varieties- 1976.
- Federation of Indian Chamber of Commerce and Industry Award for contribution in the area of genetic improvement of wheat and triticale having basic and practical implications- 1985.
- Cash prize of Rupees Ten Thousand by the Punjab Agricultural University for providing outstanding leadership in plant Breeding and for the development of new improved varieties of wheat and other crops-1978.
- Indian Council of Agricultural Research Award for Team Research as a team leader for outstanding contributions to research in the field of agriculture- 1980.
- Group award as a leader of PL-480 Project by the United States Department of Agriculture as appreciated for outstanding work on the development and evaluation of triticale- 1981.
- Medal by the Mexican Government, CIMMYT, Mexico for wheat research- 1973.
- Two advance increments awarded by the Punjab Agricultural University for good work as Dean of the College of Agriculture.
- Elected Fellow of the Indian National Science Academy since- 1981.
- President of the Indian Society of Genetics and Plant Breeding- 1982.
- Founder President of the Crop Improvement Society of India- 1974 to 1979.
- Vice President, Indian Society of Genetics and Plant Breeding- 1975.
- Vice President, the Genetic Association of India- 1976.
- Selected as Professor of Eminence at national level by the Indian Council of Agricultural Research- 1980.
- Member of the XI Society of USA (Chapter-at-large)- 1982.
- Dean, Faculty of Agriculture and forestry, Guru Nanak Dev University, Amritsar, Punjab- 1982 to 1984.
- Chairman, postgraduate Agricultural Education and Research Board Guru Nanak Dev University, Amritsar, Punjab- 1983.
- Chairman, First Symposium on Crop Improvement, Punjab Agricultural University, Ludhiana, Punjab- 1987.
- Convenor, Punjab Chapter of the Indian National Science Academy, New Delhi, India- 1987.

Honoured as an eminent plant breeder and geneticist with the dedication of volume 'Plant Breeding: Today and Tomorrow' comprising 35 chapters by foreign and 15 chapters by Indian authors. The volume was presented at the Inaugural Session of the First Symposium on Crop Improvement by Shri S. S. Ray, the Governor of the Punjab 1987.

Recently I have been elected as a Trustee of the Board of the International Centre for Maize and Wheat Improvement (CIMMYT), located in Mexico, which is a unique honour. CIMMYT is engaged in a worldwide research programme for maize, wheat and triticale, with emphasis on food production in developing countries. It is associated with the Consultative Group on International Agricultural Research (CGIAR) which is an organised group of more than 35 donor organisations including from USA and based at FAO, Rome.

4. That I have rendered professional services to the Indian Government by serving as a member or a chairperson of a large number of committees since 1972 until date. As Director, I have successfully organised four Summer Institutes in Plant Breeding that were sponsored by the Indian Council of Agricultural Research, New Delhi and in which more than 100 scientists and teachers from various states of the country participated. I also organised four training programmes on wheat production technology sponsored by the Ministry of Agriculture, Government of India. In these programmes, specialists from all over India participated. On these bases, a model programme on wheat production technology has been designed and advance centre of training at the national level has been set up at the PAU in 1987.

5(a). That in the international affairs, I have been involved in evaluation of every important Global Research Project:

#### GLOBAL RESEARCH PROJECTS

Invited in October 1981 and acted as member of the 3-member Evaluation Mission of the UNDP global project in millets at the International Crop Research Institute for Semi-Arid Tropics (ICRISAT), Hyderabad. The other two members of the team were Dr G. W. Burton, Georgia Station, USA and Dr B. Gebrekiden, Addis Ababa University, Ethiopia. The 5-year programmes were evaluated and future strategies were designed for maximising production of sorghum and millets on global basis.

Invited in November 1983 and acted as member of the 3-member Evaluation Mission of the UNDP global project on the International Rice Testing and Improvement Programme (IRTIP) of the International Rice Research

Institute (IRRI), Philippines. The two other members of the mission were Dr H. M. Baechell, Rice Production Texas (USA) and Dr W. H. Petrick (Jr) Louisiana State University, USA. The 5-year programmes of IRRI relating to International Rice Testing Programme, biological nitrogen and tissue culture were evaluated and recommendations made for strengthening research in biotechnology and other innovative techniques and to strengthen scientific personnel training in Asian countries.

Invited in April 1986 by the CIMMYT, Mexico for discussions on Karnal bunt disease of wheat at the International Meeting on bunt and smuts held at Obregon, Mexico. Based on the research on Karnal bunt carried out by me as a leader at Punjab Agricultural University, Ludhiana, a collaborative project (CIMMYT-PAU) has been approved for basic and applied research on Karnal bunt and exchange and screening of germplasm and other materials of wheat against this serious disease.

5(b). I have worked as Principle Investigator and supervised a dozen PL 480 funded research projects in which Dr J. P. Gustaffson and Dr Royer from USA are working as collaborators. These projects are of mutual interest to USA and India.

5(c). That I have participated as a keynote speaker, Session Chairman and paper contributor in over two dozen International Symposia/Conferences held in various countries of the world.

5(d). For advance studies, I have visited several International Institute/Universities in USSR, Ireland, England, USA, Sweden, Australia, Malaysia, Mexico, Italy and Philippines.

6. That my research in crop improvement have led to the development of 17 improved varieties of wheat (13 of aestivum wheat, 2 of drum wheat and 2 of tritical), 5 new disease-resistant and high-yielding hybrids and composites of pearl millet, 3 varieties of linseed, 2 varieties of sesame and one variety of barley and two of clusterbean. Of these 9 varieties of wheat, 5 of pearl millet have been released at the Indian level. In addition, one variety of barley, 2 of sesame and 3 of linseed have been released for cultivation in the Punjab and some other states. The improved varieties have significantly contributed to increased production of these crops. The wheat varieties have particularly played a key role in Green Revolution in the country. One of the wheat varieties, WL 711 developed by me has been extensively cultivated by the Pakistan Farmers. I have guided as a major advisor 15 PhD and 8 MSc students. I have published 294 research papers in national and international journals and authored 8 book 8 bulletins.

7. That I was married to Surjit Kaur (now aged 57 years) in 1948. We have two sons and daughter, one elder son Baljit Singh Gill was born on 1 February 1956. He has throughout a brilliant academic record and graduated in medicine and surgery in 1980 from Guru Nanak Dev University, Punjab and migrated to USA in 1982. After passing the examination in USA, he is now employed as Government Medical Doctor in Virginia and lives in 110 David's Way Grafton, Virginia, USA. Dr Baljit Singh Gill is now USA citizen. He is married to Gurkamal who is a BA (Birmingham) and holds British Citizenship.

Our daughter Devinder Kaur, aged about 30 years passed her MBBS professional degree in 1980 and her post-graduate master's degree in Gynaecology in 1987. She is employed as a Lady Medical Doctor since 1982 and is now working at Government Primary Health Centre Sudhar, Ludhiana, Punjab, India. She is also working as a Medical Doctor at the Government Primary Health Centre, Sudhar, Ludhiana, Punjab, India.

Our youngest son is Ranjit Singh Gill whose extradition from America has been requested by the Govt of India. He was post-graduated student finishing his MSc in Plant Breeding at the Punjab Agricultural University, Ludhiana in July 1985 when, along with his friends Daljit Singh Sidhu (BSc final year student) and Sukhminder Singh Sandhu (MA student in Govt College Ludhiana), he was falsely implicated by the Punjab Police for alleged attempt on the life of Mr A. P. Pandey, Indian Police service, officer of Punjab posted at Ludhiana. (This case was found to be a complete fabrication by the committee whose chairperson was retired judge of the Punjab and Haryana High Court, Mr Ajit Singh Bains. Three other members of the committee were Mr Lal Chand Sabharwal, a senior advocate of Punjab, Mr M. R. Midha, a joint director prosecution Punjab and Mr Gurdarshan Singh Grewal of Punjab). He was also falsely implicated in another murder case by the Punjab Police on the 12 July 1985 that was later withdrawn by the Punjab Government of his own lacking in evidence. He thereafter left our family home and we have come to know about him on his arrest in New Jersey, USA in May 1987.

8. That my whole family and I are the members of the Sikh faith and that adult male members are readily identifiable as such by turban, beard and name of Singh.

9. That I live in a House of 6/14 located on the campus of Punjab Agricultural University, Ludhiana in the State of Punjab, India. That at present, my spouse and I live in this house.

10. That the police have been harassing my family and me by raiding and searching the house without showing us the Court Warrants for search since 9 July 1985 from time to time during the day as well as at odd hours at night. Every time the police officers carried firearms including

stenguns, rifles and revolvers. At certain occasions, the police made threats and behaved in rude and abusive manner.

Three police persons armed with revolver and two stenguns came to my house at about 3 PM on July 9, 1985, when I had just return from my office. They rudely enquired about my son Ranjit Singh Gill whom they wanted to take to the police station for some investigation. Ranjit Singh had gone to laboratory for his graduate work and I assured them that I would send my son to the police station when he came back. I had to go for official visit to see the Biogas Plant at village Humbran (about 15 km from Ludhiana) along with the Chief Engineer and the Estate Officer and come back at about 6 PM. In my absence, my house was raided and searched by 10-15 police officers along with a police Superintendent armed with revolvers, rifles and stenguns. Their behaviour was very rude and threatening to my spouse who was present in the house. During the search, they took photograph of my son, Ranjit Singh Gill and his identity card and his driving licence.

Again, at 10 PM on 9 July 1985, a large police force (about 150 police officers) along with a Superintendent police raided my house and encircled it from all sides. I was taken to the police station and rudely asked to produce Ranjit Singh Gill. After brief interrogation, I was allowed to come back home.

Next day (11 July 1985), the house of Dr H. S. Dhaliwal senior Scientist-cum-Director of PAU Regional Research Station Gurdaspur, who was major advisor of my son for his M. S. Programme was raided at 3 am at night. Dr Dhaliwal was taken to police station and was allowed to come back home after 10-12 hours, inspite of the fact the he informed the police about good performance and keen interest of his student Ranjit Singh Gill in his studies. For several days Police kept close vigil and visited Dhaliwal's house at Gurdaspur in search of Ranjit Singh.

The police also harassed my relative Mr Pritam Singh Sidhu, (father-in-law of my elder son) and his house at Nakodar (about 50 km from Ludhiana) was raided at 7 PM during the same days. He was first taken to police station Nakodar and then to Ludhiana and was rudely handled and only allowed to go back at noontime the next day. Similarly, houses of my other relatives were raided.

From 9 July 1985, my house in the Campus of the Punjab Agricultural University was raided and searched by the police in large numbers almost every night at odd hours and inquiries made about Ranjit Singh Gill. The Police behaviour at several times was rude and threatening. My spouse is suffering from asthma and because of frequent police raids, her health has deteriorated. My faculty colleges in this university met the Deputy Commissioner and Senior Superintendent of Police, Ludhiana and requested them not to cause harassment to my family and flocking and raiding my house at night. This had some effect. Every time some incident happened in the State, my house was raided by the police and inquiries made.

During my absence on an official foreign tour to attend a meeting at the International Centre for Maize and Wheat improvement (CIMMYT) in Mexico, six police persons armed with revolvers and stenguns raided my house at 4 AM on 25 September 1986 when my sick spouse alone was at home. Her health worsened on this account. On October 1986, five armed police persons again made inquiries by going to my house. My spouse as sick and lying in bed at time of their visit.

11. That my son, Ranjit Singh Gill, has a bright academic record has earned recognition in studies and sport, has been respectful to his teachers and has always been dutiful son.

Born on 23 June 1961 Ranjit Singh Gill passed his Matriculation Examination from Punjab School Education Board, Chandigarh in 1977 with 65 percent marks in First Division. He was consider a very intelligent and brilliant student, a promising hockey player with excellent conduct by the Headmistress of his school.

He passed his BSc Agri(Hons) Degree from the Punjab Agricultural University, Ludhiana in 1983, securing an overall grade point average of 3.26 out 4.00. He was awarded University Merit

Scholarship during 1978-79 and 1982-83. He represented PAU hockey team in 1978-79, 1979-80 and 1980-81. This team was runners-up in 1978-79 in North Zone Intervarsity Hockey Tournament was also runners up in All-India Hockey Tournament (Inter-Zonal) 1980-81. He was awarded University Colour in 1980-81 and certificate of merit for proficiency in Hockey.

Ranjit Singh Gill had shown keen interest in studies and was considered as a very intelligent, hard-working, well-behaved student with good moral conduct by his teachers.

The performance of my son, Ranjit Singh was excellent in his MSc in Plant Breeding at the Punjab Agricultural University, Ludhiana since he joined this programme in August 1983. Throughout this programme, he was Scholarship holder. He finished all his M. Sc. course work with an overall average grade point of 3.93 out of 4.00. He stood first in the previous year of M. Sc. and was awarded a merit certificate and prize at the University annual convocation in 1984. In his final M. Sc. also he secured the top position and was due to receive gold medal in MSc Plant Breeding. He was successfully completed his thesis research also and submitted to his Major Advisor who later on submitted the thesis to the Dean, Post-graduate studies of the PAU record in the University.

For MSc research, Ranjit Singh Gill worked on the problem, "Synthesis and Evaluation of Tritium durum-T. monococcum amphiploids." The research findings are of great fundamental and applied research. He had two research papers for publication out of his thesis research and given to his Major Advisor. One of the papers has already been published and other is in process.

His teacher had held very high opinion about the academic and research capabilities of Mr Ranjit Singh Gill and his behaviour.

Mr Ranjit Singh Gill was offered an assistantship to work towards a PhD Programme at the Kansas State University (KSU) Manhathen Kansas in April 1985. Accordingly, he had submitted required information to the KSU.

He has always been a dutiful son and his behaviour at home with all family members was always cordial. He was obedient to us as parents.

12. That I apprehend that my mail and telephones are being censored and taped. By the police and my house kept under vigilance. I leave it to the US court and the American public opinion to decide whether to permit extradition of my son and his associates in the circumstances narrated by me above.

Ludhiana  
October 10, 1987.