

Torture of Captain Saurabh Kalia of the Indian army by unknown persons belonging to the Pakistan army

Special Rapporteur on Torture

*c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland*

A copy of the same has also been sent by email to: urgent-action@ohchr.org

Details of torture

1.	Full Name of victim	Saurabh Kalia
2.	Date on which incident of torture occurred.	May 15, 1999 to June 09, 1999 (3 weeks)
3.	Place where the person was seized.	South West Spur of Point 5299 (Bajrang Post), Kaksar Area, Kargil
4.	Location at which torture was carried out.	Unknown location
5.	Indication of the forces carrying out the torture.	Unknown members of the Pakistan army, reportedly belonging to either the Elite Special Services Group (SSG) or the Northern Light Infantry.
6.	Description of the form of torture used and any injury suffered as a result.	Post mortem report and Death Certificate is annexed as Annexure 12 to the letter . Indicates burns inflicted by cigarettes, ear drums pierced by hot rods, broken bones and teeth, removing of eyes before puncturing them, chopped limbs and private organs, shot to death.
7.	Identity of person/organization submitting the report.	(a) Dr. N.K. Kalia, Father of victim (b) Flags of Honour Foundation, India (c) Rajeev Chandrasekhar, Member of Parliament

I. Identity of the person(s) subjected to torture

1.	Family Name	Kalia
2.	First and other names	Saurabh

3.	Sex	Male
4.	Birth Date/Age	June 19, 1976; aged about 23 years
5.	Nationality	Indian
6.	Occupation	Lieutenant, 4 JAT Regiment (Infantry), Indian Army
7.	Identity card number	Service No: IC-58522
8.	Activities	Engaged in armed conflict on behalf of the Indian Army at Kargil.
9.	Residential and/or work address	Residential address - Captain Saurabh Kalia Marg, Saurabh Nagar, Palampur – 176061, Himachal Pradesh, India

II. Circumstances surrounding torture

10.	Date and place of arrest	May 15, 1999
11.	Date and place of subsequent torture	Period of three (3) weeks from May 15, 1999 until body of Captain Kalia was handed over to Indian authorities on June 09, 1999. Location unknown
12.	Identity of force(s) carrying out the initial detention and/or torture.	Unknown members of the Pakistan army, reportedly belonging to either the Elite Special Services Group (SSG) or the Northern Light Infantry.
13.	Were any person, such as a lawyer, relatives or friends, permitted to see the victim during detention? If so, how long after the arrest?	No. The victim was not permitted to be seen by any person during the detention.
14.	Describe the methods of torture used.	Unknown.
15.	What injuries were sustained as a result of the torture?	Post mortem report and Death Certificate annexed to the letter as Annexure 12. Indicates burns inflicted by cigarettes, ear drums pierced by hot rods, broken bones and teeth, removing of eyes before puncturing them, chopped limbs and private organs, shot to death.
16.	What was believed to be the purpose of the torture?	Captain Saurabh Kalia was the first officer to detect and inform intrusion by the Pakistan army into the Indian side of Line of Control. Captain Saurabh Kalia was deputed to man the Bajrang

		Post by the Indian army during the armed conflict between India and Pakistan. Other reasons are unknown.
17.	Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?	Post mortem was carried out by Army hospital, Delhi cantonment, Delhi, India.
18.	Was appropriate treatment received for injuries sustained as a result of the torture?	Not applicable
19.	Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture? Were any medical reports or certificates issued? If so, what did the reports reveal?	Not applicable
20.	If the victim died in custody, was an autopsy or forensic examination performed and which were the results?	Post mortem was carried out by Army hospital, Delhi cantonment, Delhi, India. Post mortem report and Death Certificate annexed to the letter hereto as Annexure 12.

III. Remedial action

21. Were any domestic remedies pursued by the victim or his/her family or representatives? If so, what was the result?

The details of the remedies pursued by Dr. Kalia and Rajeev Chandrasekhar, Member of Parliament, are detailed in the letter.

IV. Information concerning the authors of the present report:

1.	Family Name	Kalia
2.	First Name	Narinder Kumar
3.	Relationship to victim	Father
4.	Organization represented, if any	None
5.	Present full address	Captain Saurabh Kalia Marg, Saurabh Nagar,

		Palampur – 176061, Himachal Pradesh, India
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1.	Name of organization	Flags of Honour Foundation
2.	Relationship to victim	None
3.	Present full address	Flags of Honour Foundation (India) NA Chambers, No 3J, 7th C Main 3rd Cross, Koramangala, 3rd Block, Bangalore – 560034 Karnataka State India

1.	Family Name	Chandrasekhar
2.	First Name	Rajeev
3.	Relationship to victim	None
4.	Organization represented, if any	None
5.	Present full address	Mr. Rajeev Chandrasekhar Member of Parliament No. 211, North Avenue New Delhi - 110 001 India

All communication with respect to this complaint may be addressed to:

Ms. Anjali Menon,
Poovayya & Co., Advocates and Solicitors,
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