

Human Rights Defenders Alert - India

National Coordination Office

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Shri A. K. Parashar

Focal Point - Human Rights Defenders

National Human Rights Commission

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New Delhi-110001

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Dear Sir,

Sub: *HRD Alert - India - Urgent Appeal for Action - Gujarat: Alleged Acid Attack on RTI Activist - Reg*

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are now writing to express our grave concern regarding the alleged acid attack and assault of RTI activist and a local journalist Mr. Jaysukh Bambhania.

Incident

Name of the victim: Jaysukh Bambhania (39 yrs)

Name of the perpetrators:

1. Shamji Premji Solanki - Diu Nagarpalika vice-president
2. Vinod Solanki - Diu RTO
3. Vashram Bhima - RTO head clerk,
4. Nanji Makwana - Nagarpalika engineer
5. Four other unidentified persons

Place of incident: Rajkot, Junagadh District, Union territory of Diu.

Date and time of incident: On 21st August (Sunday) night.

According to the information received, RTI activist and a local journalist Mr. Jaysukh Bambhania was attacked by some unidentified persons with sharp weapons like swords and pipes followed by an acid attack while he was going to the nearby town of Una on the night of August 21, 2011.

He was saved, since a police van happened to pass that way around the time he was being attacked and the miscreants fled. It was informed that he has been allegedly attacked by top local politicians and government officers.

According to Sub-inspector B.H. Jadeja of Una police station, Bambhania was admitted in Rajkot city of Gujarat following the acid attack on him who was later shifted to a hospital in Rajkot as his condition went critical. Bambhania is under constant observation as his skin was burnt by acid and he has got 27 stitches on the body.

Background information:

Jaysukh Bambhania a resident of the Dangarwadi area of the union territory of Diu and is the president of Diu auto-rickshaw drivers association had filed an RTI application in nearby Una municipality of Gujarat.

He had sought information in connection with the illegal construction of an allegedly illegal restaurant and bogus licence issued by Road Transport Office to bike vendors who rent out two-wheelers to tourists.

His brother Bipin alleged that Bambhania wanted to expose the illegal construction of restaurant and bar on government land and even filed a petition against the RTO and the Diu court was to hear it on August 25, but the accused attacked him before it.

Bambhania has registered a complaint against Diu Nagarpalika vice-president Shamji Premji Solanki, who is from the Congress, mamlatdar Haresh Jethava, Diu RTO Vinod Solanki, RTO head clerk Vashram Bhima, Nagarpalika engineer Nanji Makwana and four other unidentified persons in connection with the attack on him.

The Una police in Junagadh district, where the incident took place, have registered a complaint of assault and attack under various sections of the Indian Penal Code. The police have no clue about the information he had sought through his RTI plea.

No arrest has been made in this murderous attack till now. Many rights activists in the state have condemned the attack and expressed their concern over the ongoing attacks on RTI activists in the country.

Appeal

We, therefore, urge you to immediately take necessary steps to

1. Carry out an immediate, thorough and impartial investigation into the incident of the attack on Mr. Jaisukh Bambhania with a view to bring those responsible to justice in accordance with national and international standards;
2. Ensure that the possible connection between the attack on him and his petition on the issue of illegal construction of restaurant on government land and RTI on bogus license issued to bike vendors be investigated along with other suspicions by a high level probe team.
3. Take all necessary measures to guarantee the physical and psychological security and integrity of RTI activists in the country;
4. Guarantee in all circumstances that human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including judicial harassment.
5. Create an enabling environment and ensure respect for the rights of individuals in Gujarat engaged in the peaceful promotion of respect for human rights.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

National Coordinator

Human Rights Defenders Alert - India