

Human Rights Defenders Alert - India

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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 Ma'am,

Sub: *HRD Alert - India - Urgent Appeal for Action – Orissa: RTI Applicant brutally beaten up and physically assaulted by goons engaged by officials in Rayagada district - 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 brutal assault on RTI activist Mr. Salman Reddy by the goons engaged by officials.

Incident

Name of the perpetrators: - Goons, Public Information Officer of Soil Conservation Office- Mr. Ramesh Chandra Panda

Place of incident: - Post-Convent School Road, District-Rayagada, Orissa

Date & time of incident: - 17th January 2011

According to the information received a Rayagada RTI activist seeking information on a district programme was reportedly beaten up for asking "uncomfortable questions". The activist, Mr. Salman Reddy, sustained with severe injuries in an attack by unidentified goons.

The attack was linked to his RTI application at the district social conservation office on January 12, seeking details about the watershed programme in the district like total allocation of fund, details of expenditure, particulars of activities taken up etc undertaken in Baisingh Gram Panchayat under Rayagada Block.

Some officials involved in the project have indulged in large-scale corruption and they are afraid that the information he seek may expose them.

On 17.1.2011 while he was on his way to Maliguda village when at least 25 miscreants accosted him on the outskirts of Rayagada town. They dragged him to Mr. Ramesh Chandra Panda, PIO of Soil Conservation office and physically assaulted, severely beaten up and abused him using slang language. The PIO asked him to withdraw the application at the soil conservation office or face the dire consequence. They also threatened him not to file case in the police station and kicked him out from the office. They had also tried to kill him by trying to throw him into the Nagabali River. Luckily, he was saved as the attackers fled after seeing a large group of people coming towards the spot.

On reaching in the house, he found his body bleeding. Immediately, his wife took him to hospital for treatment. Having heard about physical attack by hooligans, the doctor asked them to file an FIR in the police station. Otherwise, he would not treat him. Then he along with his wife went to the Police station to file an FIR against the culprits.

The police had initially refused to file an FIR. The officer at Rayagada town police station told him to lodge a complaint at Seskal police outpost because the area of crime was not under their jurisdiction.

Mr. Rajendra Senapati, Inspector In-Charge, Rayagada Police station after going through the FIR behaved very rudely and said that 'why you are using RTI. If you ask for information under RTI, it is obvious that he or she will be beaten up. Do not use RTI. You get out from here. I will not receive your application.' Being failed to get his FIR registered, he returned to home. Being advised by some people, he again went to the Police station to file FIR. The IIC received the FIR and took him to the hospital for treatment.

On 18.1.2011, the Inspector-In-Charge made a telephone at 3 PM and asked him to come to the police station. On reaching there, he found 18 people who had beaten up him present there. The IIC forced him to withdraw the case and all of them also threatened him of dire consequence, if he fails to withdraw the case. Finding no way

to fight it out, he was forced to compromise with these people and withdrew the case.

After three months, finding no information from the office of Soil Conservation, Salman has filed complaint case in the office of Orissa Information Commission on 5.5.2011. He has also informed to the Commission about details of the incidents starting from physical assault to withdrawal of FIR and sought the intervention of the Commission to get justice. As informed by him, the Commission has not taken any step in this regard.

In the meantime, a petition has been filed by Odisha Soochana Adhikar Abhijan to the State Chief Information Commissioner, Orissa demanding an immediate enquiry into the matter and take sever action against the PIO under section 20(1) &(2) of the RTI Act.

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 brutal assault on Mr. Salman Reddy 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 and his raising the issue of Soil Conservation Project in Rayagada district to 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 all other RTI activists in the country;
4. Guarantee in all circumstances that RTI activists in India are able to carry out their legitimate 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 Orissa engaged in the activities of obtaining information.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

National Coordinator

Human Rights Defenders Alert – India