

Human Rights Defenders Alert - India

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Special Rapporteur on the situation of human rights defenders,
Mrs. Margaret Sekaggya
c/o Office of the High Commissioner for Human Rights – Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland

Email: urgent-action@ohchr.org

Dear Ma'am,

Sub: HRD Alert - India - Maharashtra: RTI activist found lying unconscious in Surat after abduction and assault - 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 acts of kidnap, abduction and assaults faced by Mr. Santosh Tiwari, a Mumbai- based RTI activist.

Incident

Name of the perpetrators: Unidentified gang of people.

Place of the incident: Mira road station, Mumbai, Maharashtra.

Date and time of the incident: Friday, 14th October 2011

According to the information received a Mumbai-based RTI activist, who had sought information on various issues including the Adarsh Society scam, was found unconscious by roadside at Palsana in Surat district on Sunday. He later told the police that he was abducted by a gang in Mumbai.

Santosh Tiwari (42), a former employee of the Central Industrial Security Force (CISF) who now works as a security consultant for a private firm, was found unconscious by a passer-by, who informed the emergency ambulance services and police. He was rushed to the Surat Civil Hospital.

He was abducted and thrashed by a gang and later dropped at NH no. 8 in Surat. He has blamed former chief minister Ashok Chavan and his associates, saying it was because he refused to take back his RTI applications.

“Chavan and his associates Dilawar Khan and Vijay Marwadi are behind this. Khan and Marwadi were beating me all the way and wanted to kill me. They wanted him to take back the RTI application which he had filed in the Adarsh scam.

He also alleged that his RTI application regarding the ownership of Ashoka Farm in Thane brought about the entire episode. He said the farm is worth crores and many top Mumbai politicians and the Underworld are eyeing it.

While Tiwari, 42, is undergoing treatment in Surat, the Gujarat police has handed over the case to the Mumbai police.

A resident of Mumbai, he was found unconscious on NH no. 8 at Palsana near Surat on Sunday by locals. Tiwari was rushed to New Civil hospital. He told the police that he was kidnapped from Mira Road station on Friday.

According to Tiwari, he was standing at Mira Road station when some people came in a Scorpio and said they were police officers. They asked him to come with them to the Mira Road police station.

“When the car started in a different direction, he tried to shout for help. They pushed him on the floor of the car and continued kicking him. At last he lost

consciousness. When he woke up, he found himself in a container and he told the mediapersons from the hospital.

Tiwari was allegedly thrashed inside the container and asked to withdraw his RTI applications or to face death. Later, he was forced to drink alcohol. He lost consciousness again. When he came around, he found himself inside the same car. He started shouting for help. Frightened, his assailants allegedly threw him out of the running car at Palsana in Surat district.

The Surat police has registered a case and forwarded the complaint to the Mumbai police for further action. Doctors said the condition of Mr. Tiwari was stable and he was likely to be discharged from the hospital soon.

Appeal

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

1. Immediate intervention of the police administration, necessary legal action is taken and all the perpetrators are brought to book;
2. Carry out an immediate, thorough and impartial investigation into the incident with a view to bring those responsible to justice in accordance with international standards;
3. Take all necessary measures to guarantee the physical and psychological security and integrity to the victim in order to carry out his legitimate human rights work peacefully;
4. Protection and security be provided to the RTI activist Mr. Santosh Tiwari and to his family members;
5. Guarantee in all circumstances that all right to information activists in India are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon'ble National Working Secretary
Human Rights Defenders Alert - India