

Human Rights Defenders Alert - India

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Shri A. K. Parashar

Focal Point - Human Rights Defenders

National Human Rights Commission

Faridkot House

Copernicus Marg

New Delhi-110001

Email: hrd-nhrc@nic.in

Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action –India/Tamil Nadu,
Kanchipuram: Acts of intimidation against Dr. Pugazhenthii to silence his
human rights activities– 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 false Charges filed on Dr. Pugazhenthii to curtail his professional and democratic duty to warn the people about the ill effects of the nuclear radiation around the Kalpakkam Nuclear Power Plant.

Incident

Name of the Perpetrators: Mr. Kaliaperumal, the Panchayat Chief of Puthupattinam village, the police inspector Mr. Siva Kumar – Puthupattinam Police Station

Place of incident: Puthupattinam, Kanchipuram District, Tamil Nadu

Date and time of incident: December 1, 2011 at 7.30 pm.

About the activist:

Dr. V. Pugazhenthhi is a medical doctor practicing in Sadras village near the Kalpakkam Nuclear Power Plant in Tamil Nadu, India, since 1989. He was a gold medalist during his undergraduate years at Madurai Medical College, but chose not to pursue higher education because he felt that he should work among the poor masses in the villages.

From 1989 to 2000, his professional work was focused principally on serving the Dalit and the Fisher folks. He is very much interested in Primary Health Care and had devised many innovative cost efficient methods to treat the most prevalent diseases among the masses. Dr. V. Pugazhenthhi had written profusely about these methods in many journals and has published books highlighting these issues. Later he started a small health awareness movement called Makkal Nala Vazhvu Pani Iyakkam (Forum for People's Good Life) and had opened a clinic at Vayalur exclusively for this purpose among its Dalit populace.

It was during these first 10 years of his professional work Dr. V. Pugazhenthhi understood that the chances of the people living around this Nuclear Power Plant to succumb to genetic diseases and various types of cancers was far higher than other places where nuclear power plants are not present.

He has remained a whistle blower who have ardently asked the Nuclear Power Plant authorities to follow nationally and internationally accepted safety codes.

Recently he was asked by People's Movement against Nuclear Energy that spearheads people's agitation against Kudankulam Nuclear Power Project, to share his professional experiences as one of its panel of experts.

Case Narrative:

Dr. Pugazhenthhi has been asked to become the technical and medical consultant to a group of concerned local citizens on the ill effects of radiation. This group called "Anuk Kathirveechu Paathukaappukkaana Makkal Iyakkam" (Peoples Movement for Protection against Nuclear Radiation)" is to conduct a protest on 12 November 2011 against the breach of nationally and internationally laid safety codes by the authorities of the Kalpakkam Nuclear Power Plant. Their intention has valid scientific

proofs. People belonging to this movement are working for the past one month to make this protest a successful one.

It is in this background Dr. V. Pugazhenthii received a telephone call at 6 PM on 1 December 2011 from the Puthupattinam police station. The police inspector Mr. Siva Kumar told that the Puthupattinam Panchayat Chief had filed a petition against him and whether he could go to the Police Station for an enquiry in this regard. Since he was busy in his clinic and told him once his works were over he would meet him at the station. Dr. V. Pugazhenthii went to the police station at 7.30 PM. He was asked to wait. The police inspector then telephoned the panchayat chief. He arrived at the station by 8.10 PM. The enquiry lasted for about 30 minutes and he left the place by 8.50 PM.

Mr. Kaliaperumal - the Panchayat Chief of Puthupattinam village has filed a petition against Dr. V. Pugazhenthii and one Mr. Nehru alleging that they had threatened to murder him if he does not cooperate with their anti-nuclear work in the form of an anonymous letter penned by Mr. Nehru under Dr. Pugazhenthii's direction. He further added that he received death threats through SMS from an unknown mobile phone number which also he believes that were sent to him under Dr. Pugazhenthii's directions.

Dr. Pugazhenthii explained to the police inspector that he had not threatened Mr. Kaliaperumal to join an anti nuclear agitation and was only discharging his professional service related to health and nuclear radiation in general and Kalpakkam Nuclear Power Plant in particular.

The police inspector then said that he has not filed the First Information Report. However, he asked Dr. Pugazhenthii to give in writing that "I would be present at the police station whenever I am summoned by him for further enquiries. If I am not present for such enquiries, then I agree that the charges kept on me are true."

Once he gave him this written note, the Police Inspector told him in a very harsh warning voice: "Doctor! Do you know that I can book you under National Security Act for whatever the works that you are doing? By the way... Have you ever heard anything about "police encounter"? So, be careful."

The hand of the authorities of the Kalpakkam Nuclear Power Plant has been suspected behind all this. They are particularly disturbed by the facts that Dr. Pugazhenthii has recently published with respect to the safety codes being practiced by them questioning the various safety issues related with the power plant. By intimidating with such police threats, they believe that they will be able to make the Kalpakkam environment radiologically safe.

Dr. Pugazhenthii has been open always for discussion with the authorities of the power plant and has shared all the data available with him. However, they have, over the past 10 years have not tried to answer any of his questions and that they have decided to opt other means to silence his work.

Appeal

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

1. Take steps to guarantee in all circumstances the physical and psychological integrity of Dr. Pugazhenthii and his family members;
2. Put an end to any kind of acts of intimidation and harassment – including at the judicial level – against Dr. Pugazhenthii and more generally against all human rights defenders in India;
3. Initiate a departmental enquiry against the Police Inspector Sivakumar – Puthupattinam Police Station, for having threatened Dr. Pugazhenthii by using the word National Security Act and police encounter;
4. Conform to the provisions of the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:
 - its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”;
 - its Article 6(a), which provides that “everyone has the right, individually and in associations with others, to know, seek, obtain,

receive and hold information about all human rights and fundamental freedoms”;

- and its Article 12.2, which states that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

5. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon. National Working Secretary,

Human Rights Defenders Alert - India