

Human Rights Defenders Alert - India

National Coordination Office

No.6, Vallabhai Road, Chokkikulam, Madurai 625 002, Tamil Nadu, INDIA

Tel: +91-452-2539520 Cell Phone: +91-9994368540 Email: hrda.india@gmail.com

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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/Odisha, Jagatsinghpur – Arrest of anti-posco supporter Mr. Narayan Reddy and 150 unnamed villagers on false charges - 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 arrest of Mr. Narayan Reddy – CPI (Communist Party of India) leader and an anti-posco supporter and other peaceful protesting villagers on false charges in order to suppress their genuine voices.

Incident

Name of the Perpetrators: Jagatsinghpur District Police

Place of incident: Japa Square in Erasama area of Jagatsinghpur District, Odisha

Date of incident: 23rd December 2011

According to the information received from the POSCO Pratirodh Sangram Samiti (PPSS), on 23rd December 2011, the government arrested CPI (Communist Party of India) leader and former legislator, Mr. Narayan Reddy, who is supporting the anti-posco movement, at Japa Square in Erasama area of Jagatsinghpur district. Mr. Reddy was taken to Kujang police station and then produced before a local court which remanded him to judicial custody for two weeks.

The government has slapped false charges of murder against 11 activists along with 150 unnamed villagers.

Case Narrative:

The CPI leader and former MLA Narayan Reddy was arrested in connection with the violence that claimed one life in the clash at proposed POSCO steel plant site.

Narayan Reddy was caught near Japa Square in Erasama area of Jagatsinghpur district in the wee hours while he was trying to move out of the place.

After being arrested, the anti-POSCO supporter was taken to Kujang police station amid tight security and then produced before a local court which remanded him to judicial custody for two weeks.

Reddy, against whom two FIRs were filed in connection with the December 14 violence that left D Swain dead and injured 25 others, had been camping in the area after the arrest of POSCO Pratirodh Sangram Samiti (PPSS) president Abhay Sahu about a month ago.

Mr. Narayan Reddy has been framed in false case. With the arrest of the CPI leader Abhay Sahu, the number of people arrested in connection with the clash rose to seven.

Meanwhile, key accused in the clash Bapi Sharkhel of Paradip Paribahan Company, who had been arrested from Chhattisgarh, was produced before a magistrate at Kujanga and sent to jail for 14 days following rejection of his bail application.

Sharkhel was brought from Chhattisgarh to Kujanga by a special police team of Odisha. Sharkel was one of the accused in the clash between the anti-POSCO brigade and the contractor group.

An FIR had been filed at Kujang police station naming him as an accused in the December 14 clash between anti-Posco brigade and people engaged by a contractor for construction of a coastal road to link Paradip and the mega steel project site. Police had earlier raided the office of Sharkel on the basis of the FIR.

Other cases were also pending against him in different police stations in Jagatsinghpur district.

Background Incident:

The POSCO Pratirodh Sangram Samiti (PPSS) members visited Gobindpur, Dhinkia and Patna villages of Jagatsinhpur district of Orissa, on 22nd December, where the villagers are peacefully resisting the proposed POSCO steel plant for the last six years in order to protect their lands and livelihoods from complete destruction.

Their visit was in the aftermath of the incidents of 14th December 2011, during which the peaceful protest against the construction of the coastal road connecting Paradip port to the proposed site of the POSCO steel plant, was viciously and unexpectedly attacked with country-made bombs by hired goons of the local contractor Bapi Sharkhel, who is a known criminal with many pending cases in Odisha. In the process, many protesting villagers, including elderly women, were badly injured. One of the men hired by Bapi Sharkhel was also killed by being accidentally hit with a bomb thrown by his own associates. After this heinous incident, the state government has slapped false charges of murder (Sec 302 of the Indian Penal Code) against 11 key activists of the Posco Protirodh Sangram Samiti (PPSS), including some who were not even present at the time of the attack. Charges have also been brought against "150 other" unnamed villagers. Since their visit, Narayan Reddy from CPI who has been supporting the struggle has been arrested on 23rd December under false charges. This is in continuation with the atrocious practice of slapping false cases against PPSS activists and supporters that has been going on for the last six years, and which now number in the thousands. Fearing arrests, people are unable to leave the villages and access much required medical care and engage in regular economic activities which has taken a terrible toll on their lives and livelihoods.

Mr. Bapi Sharkel, the local contractor and the mafia who is the architect of 14th December incident of attacking the people with his goons, was arrested due to constant pressure from opposition parties. He was kept in a hotel initially and later shifted to the Kujang jail. Deliberately the police has not filed section 302 of the Indian Penal Code i.e. charges of murder in his name. In the legislative assembly, opposition members were demanding the chief minister of Odisha to provide the details of the cases against the Bapi Sharkel. Instead of giving details, the legislative

assembly was abruptly suspended before six days from its schedule. The government is using all unfair means to save the criminal even to the extent of adjourning the Assembly sine die in order to get away from the public scrutiny and accountability.

It has to be noted that while the police are giving royal treatment to the perpetrator Bapi Sharkel inside the jail with all types of perks and facilities are being regularly provided to him while suppressing the rights of people and leaders like Abhay Sahu and Narayan Reddy. The police DIG (Central range) Mr. D.S. Kuttey, has a past record of having conducted the ruthless repression in Kalinga Nagar area of Jajpur district was given charge to crush people's struggle.

The arrest of CPI leader Mr. Narayan Reddy proves the undemocratic and unethical behavior of the state government of Odisha. This is the clear case of throttling the genuine people's voices. Their effort is to undermine the legitimacy of people for the land and resources under forest rights. In other words, people's effort for self determination and self governance are completely disregarded.

Appeal

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

1. An immediate judicial enquiry into the attacks on 14th December 2011 against the anti-posco supporters at the proposed POSCO site;
2. Withdraw all the newly-filed and previous false cases against Mr. Narayan Reddy, PPSS activists and other villagers;
3. Ensure that the Government of Odisha stop all repression in that area and should restore normalcy so that people could get on with their daily life and address their everyday.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon. National Working Secretary,
Human Rights Defenders Alert - India