

Human Rights Defenders Alert - India

National Coordination Office

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April 9, 2012

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 - Urgent Appeal for Action - Uttar Pradesh/Varanasi - Death threats, false in personification and fabricated charges imposed on an RTI activist Mr. Anil Maurya - 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 death threats and false personification on RTI activist Mr. Anil Kumar Maurya for his alleged involvement in filing of RTI's to bring out the Cooking Gas Scam.

Incident

Name of the perpetrators: District supply officer Mr. Ajay Pratap Singh, Owners of Gas agencies in Varanasi district, Uttar Pradesh.

Place of incident: Shivpur, Varanasi, Uttar Pradesh.

Date and time of incident: March 15'2012.

About the Activist:

Anil Maurya an RTI activist residing in S-8/45, Purani chungi, PS- Shivpur, Varanasi, Uttar Pradesh, India. Both of his father and mother are physically challenged, He is running a mobile shop in his house for his livelihood.

Background Information:

Anil Maurya has filed many RTI's on 6th February 2010 to the Indian Oil Corporation in Lucknow regarding irregularities in issuing cylinders. Owing to the same on 22nd March 2010 the owner of the local gas agency called "Vashno gas agency" came to his residence directly and promised him that he will issue his cylinders on time and also induce him to give a letter accepting that he has received the required information that he has sought through his RTI.

Later on 23rd March 2010 Anil Maurya received his response to his RTI and from then on he had no crisis for cylinders. In the view of the above Mr. Maurya started to help his neighbours in sending RTI's to the Indian oil Corporation owing to the same he became very popular in that locality.

Because of his continuous efforts the Vashnow Gas agency became tortuous and disconnected his connection to put a full stop to his works. But after series of struggle he managed to get a new connection in his father's name. Often he was a victim to these gas mafias.

On 15th June 2011 again Anil Maurya filed another RTI to the India Oil Corporation he asked for a physical check up in the local gas agencies and the India Oil Corporation also permitted for the same. On his perusal he came out with a jolting data of missing cylinders.

In the mean while all the 29 gas agencies piled up together and started to threaten Maurya they also went to an extreme of filing a false complaint against him and he was detained in the police station for 30 hours on 23rd November 2011 based on the complaint from Mahadev gas agency owner, Dharmendra Kumar, Vashno gas agency staff, Mr. Anil and Rajshree gas service manager Mr. Tejbahadur Singh in Shivpur police station and shivpur police arrest Anil Maurya under 506 IPS and he was arrested and later released on 24th November 2011.

On 30th December 2011, Central Information commission gave an historical order to all gas companies to declare their "Citizen Charter" within four

month to control irregularities of the gas cylinders and supplies. This order was based on the RTI's filed by Mr. Anil.

Fully motivated by the orders Mr. Anil Maurya filed a fresh RTI on fake gas connections. And he also sent a complaint to the Chairman (CMD) of the Indian Oil Corporation to investigate on fake connections in Varanasi district .After his complaints he started receiving threats either through phone or directly from the owners of the gas agencies on a regular for the last three months.

Incident:

On March 15th Mr. Maurya got a phone call from the local the District Supply Officer Mr. Ajay Pratap Singh from his mobile no. 9453091818 who in turn threatened him that he is filing wrong complaints and instructed him to come to his office with all the complaints and if he files any complaint to be a forged he will take immediate action against him.

Later on 5th April 2012, by afternoon 3 p.m Mr. Dharmendra Kumar the owner of the Mahadev Indane gas agency with three other persons came down to his shop and threaten him that if he did not stop filing complaints, he will be charged in a heinous crime and sent out to the prison. And Mr. Anil Maurya is receiving threats on a daily basis from these Gas Mafias.

Appeal:-

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

1. Take all necessary measures to guarantee the physical and psychological security and integrity of Mr. Anil Maurya;
2. Ensure that all false and fabricated charges against Mr. Anil Kumar Maurya who is fighting for a social cause are withdrawn and justice is rendered;
3. Order an enquiry into the Fake gas connections and misrepresentation of gas connections by the local gas agencies in Varanasi district of Lucknow;
4. Appropriate legal action is initiated against the officials who failed in their duty of providing information in the stipulated time and those who were mute spectators of the suicide therefore, guilty of abetment;

5. 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.

- 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”;

6. 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’ble National Working Secretary

Human Rights Defenders Alert - India

Addresses:

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