

Human Rights Defenders Alert - India

National Coordination Office

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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/Haryana: Gurgaon - MLA harasses wife of RTI activist for exposing his alleged voting scam – 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 over the harassment of RTI activist Mr. O P Kataria's wife by the Gurgaon police who were allegedly acting at the behest of MLA Sukhbir Kataria.

Name of the Perpetrators: MLA Sukhbir Kataria and the Gurgaon police

Place of incident: Gurgaon district, Haryana

Date of incident: 19th June 2012

Incident:

Mr. O P Kataria, a local RTI activist, who along with another activist namely Rakesh Kataria, has been actively engaged in bringing out the issue of the alleged Voter Identity Card scam by the Gurgaon MLA Sukhbir Kataria during the last assembly elections.

The activists O P Kataria and Rakesh Kataria reportedly have all the required documents and incriminating evidence including the fake voter IDs in the hand writing of the MLA

himself to prove that he got hundreds of fake voter ID cards made, which eventually helped him win the last assembly election. Kataria filed a case against Mr. Sukhbir Kataria in this regard and the matter is already in court. The case became stronger with the filing of the second FIR.

MLA Sukhbir Kataria is allegedly using various ways and means to put pressure on the RTI activist OP Kataria to withdraw his case against him. It is alleged that the police is acting at the behest of MLA Sukhbir Kataria, who is trying to exert pressure on the activist so that he does not pursue the ongoing court case on the fake voter cards.

On 19th June 2012 (Tuesday) morning, about 10 Gurgaon policemen and the Station House Officer (SHO) entered Kataria's home in his absence and started harassing his family members. They tried to fraudulently implicate his wife in a land case and went to arrest her without any warrant. They sat in their house for some time as she was not at home. The incident seems to have occurred in retaliation for the fact that OP Kataria filed a second FIR in the fake voter ID card case two weeks ago.

The police have refused the activist's claim and they stated that they followed the procedure and went to arrest Kataria's wife after a complaint was registered by the District Town Planner (DTP) and there was no need for them to have a search or an arrest warrant.

As per reports, the District Town Planner filed an FIR against her, alleging that Kataria's wife had divided plots in their Wards illegally and not as per terms, though there is no viable case against her. They even have No Objection Certificates for all of those plots.

Appeal

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

1. Guarantee in all circumstances the physical and psychological integrity of Mr. OP Kataria and his family members;
2. Carry out a thorough, impartial inquiry into the case leveled against Mr. OP Kataria's wife which is alleged to be a false implication;
3. Put an end to all forms of harassment including at the judicial level against the activists who were involved in defending human rights;

4. 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

Honorary National Working Secretary,

Human Rights Defenders Alert - India