

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

November 23, 2012

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/Maharashtra-Mumbai : Human Rights Defender Stabbed to Death in Mumbai-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 brutal murder of Kapurchand Gupta, a Human Rights Activist, in Mumbai.

Name of the perpetrators: Shivprasad Kesari (37) and Shivkumar Bharadwaj (42)

Date and time of incident: November 20, 2012 at 10:10 pm

Place of incident: Kandivli (W) street, Mumbai, Maharashtra

About the activist:

Kapurchand Gupta was an RTI (Right to Information Act) activist in Mumbai. He also held an office with the local hawkers' association.

Incident:

According to the information received, Mr. Gupta was advising hawkers not to take loans with lender Mr. Shivprasad Kesari. This angered Mr. Kesari and he sought revenge. On November 20, 2012, Mr. Gupta and a colleague, Yogesh Gaud (23), were traveling on a motorcycle. A car followed them and eventually rammed into the bike. One of the two occupants of the car stepped out and started stabbing Gupta with a knife. As Gaud attempted to intervene, the attacker tried to stab him as well. Gaud, who sustained minor injuries, fled the spot. The attacker continued to stab Gupta until he died. The police later took Gupta to Bhagwati Hospital where doctors said he had sustained 27 wounds on his back, head, waist, legs, thighs, and private parts.

Mr. Gaud later identified the accused as Shivprasad Kesari (37) and Shivkumar Bharadwaj (42). The two attempted to flee, but the police were able to track them down using their cell phone locations. Both accused were arrested.

Appeal:

We therefore urge you to immediately take necessary steps:

1. To prosecute the perpetrators of the murder of Mr. Gupta for their actions immediately.
2. To take all necessary steps to guarantee the professional and personal freedom of social activist Mr. Gaud.
3. To ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India.
4. To guarantee in all circumstances that all human rights defenders 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

Honorary National Working Secretary

Human Rights Defenders Alert - India