

Human Rights Defenders Alert - India

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The Chairperson

National Human Rights Commission

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Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Tamil Nadu: the Raid on PUCL Activists house by Sathyamangalam Police for staging protests in a democratic manner- 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 raid on [the homes of Mr. Gana. Kurinji Shanmugasundaram, and other PUCL activists](#) by the [Sathyamangalam police](#) on Wednesday, 12 June 2013.

About the Human Rights Defender under attack:

Mr. Gana. Kurinji Shanmugasundaram is the Associate State President of (People's Union for civil Liberties - PUCL), a democratic movement founded by the late freedom fighter Mr. Jayaprakash Narayan.

The Perpetrators:

1. Mr. Muthumanikkam, the Deputy Superintendent of Police (DSP) of Sathyamangalam,
2. Mr. R. Sundararaja, the Inspector of Police and two Constables

Date and Time of Incident: on Wednesday, 12 June 2013.

Place of Incident: The house of Mr. Kurunji in Sathyamangalm.

Incident:

Mr. Gana. Kurinji Shanmugasundaram is the Associate State President of PUCL, a democratic movement founded by the late freedom fighter Mr. Jayaprakash Narayan. Justice V. M. Tarkunde, Mr. Krishnakant, former Vice President of India, Justice V. R. Krishnaiyyar, Mr. Rajendra Sachar, the Chairperson of the one man commission on minorities appointed by the Govt. of India, Mr. Kannabiran, senior lawyers and many other lawyers of the Supreme Court and High Courts and Professors have worked for PUCL and continue to do so. Presently the President of PUCL at the national level is Mr. Prabhakar Sinha and the National Secretary is Dr. V. Suresh, a senior lawyer. This organization continues to do social work by getting favourable verdicts in the Supreme Court for the poor and the marginalized spread across the country.

PUCL is against violence. Its members continue to stress that the rule of law should be upheld in India. The organization has taken out various protests in a democratic manner without violating the law. Recently the Govt. has declared the Sathyamangalam Forest region as a Tiger Reserve. This has been done without following the Wildlife (Protection) Act or the Recognition of Forest Rights Act, 2006. Moreover this project requires the consent of the Gram Sabhas (Village Councils) within the area. PUCL's stand is that the Tiger Reserve has been brought about without fulfilling any of this and this is unlawful. Therefore a campaign against this was formed along with likeminded activists and groups.

It was on this basis that a Joint Campaign against the Tiger reserve was formed along with 'Manuvel' and other movements. All these activities are lawful as per the right to speech and freedom of expression guaranteed under the Constitution of India. But on 12.06.2013 Mr. Muthumanikkam, the Deputy Superintendent of Police (DSP) of Sathymangalam, Mr. R. Sundararaja, the Inspector of Police and two Constables came to Mr. Gana. Kurinji Shanmugasundaram's house and enquired him regarding this in a detailed manner. The DSP and the Inspector searched the office room in Mr. Gana. Kurinji Shanmugasundaram's house when it was unlawful to have conducted the search without proper judicial permission.

Moreover, for the same reason, police also went to the houses of Mr. Radhakrishnan, lawyer and the PUCL Associate District President of Erode and Mr. Balan, PUCL's District Secretary and enquired them too. Also, they contacted Mr. Ram Kumar of a student's group, Mr. Rathinasamy, the State Treasurer of Dravidar Viduthalai Kazhagam, Mr. K. Imayavaramban, the District Secretary of Adhi Tamilar People's Party and Mr. Arivazhagan, the District Organizer of Adhi Tamil Peravai over phone and enquired them.

Conducting police enquiry in this manner, on activists, for expressing their opinion in a democratic manner and building movements, is a tactic to stall their public activities. This is highly condemnable and should be stopped at all costs.

Appeal

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

- All necessary measures are taken to guarantee the physical and psychological integrity and security of Mr. Gana. Kurinji Shanmugasundaram [and the other activists concerned](#)
- The State government looks into the matter of security [and freedom of expression](#) of Mr. Gana. Kurinji Shanmugasundaram [and others](#) as a serious concern.
- 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 in all circumstances.
- Respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India is guaranteed

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne

Honorary Working Secretary

Human Rights Defenders Alert – India