

Human Rights Defenders Alert - India

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17th September 2013

To

The Chairperson
National Human Rights Commission
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110 023.
E-Mail: covdnhrc@nic.in, ionhrc@nic.in, jrlawnhrc@hub.nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Odisha: HRD and family members threatened to be killed in “encounter” by Special Operation Group (SOG) personnel - 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 received by Mr. Bidyadhara Patra by the personnel of the Special Operation Group of Odisha Police and the local police because of his human rights work.

Source of Information on the Incident:

The Regional Coordinator of HRDA for the Eastern Region

About the Human Rights Defender under attack:

Mr. Muralidhar Patra, S/o. Mr. Bidyadhara Patra, aged about 30 is a resident of village PANGA, Post Office- Talapada, Police Station – Telkoi, District- Keonjhar (Odisha State).

Mr. Muralidhara Patra is a human rights defender who works at the grass root level in Jajpur, Keonjhar District area since 2005. His work mainly focuses on Dalit rights, labour rights and rights of the displaced. He also sensitizes the village-level human rights defenders on how to assert the rights of the marginalized by approaching different human rights commissions and state authorities. Since 2010 he is associated with “Bharat Mukti Morcha” a national level organization that works at the grass root level to assert the Dalit rights. He and others initiated a Dalit forum named “Ambedkar Dalit Bikash Parisad” which is a forum formed at the block level in Keonjhar district for the protection of Dalit rights and the labour rights in the Sukinda mining area. He also helps victims of human right violations in writing complaints to different commissions.

The Perpetrators:

1. Mr. Anirudha Singh, IPS, Superintendent of Police, District Keonjhar Odisha. (Contact No. 06766-254106)
2. The personnel of the Special Operational Group of Odisha Police who were sent to the Defender’s house

Date and time of Incident:

15th September 2013 at about 3.30 PM (IST)

Place of Incident:

At the residence of the Human Rights Defender in Village : Panga, Tala Sahi, Police Station : Telkoi, District : Keonjhar

Incident

As per the statement received from the defender Mr. Muralidhar Patra, one uniform – clad platoon of the Special Operational Group (SOG) of the Odisha Police came to the house of the defender situated at Ponga Tala Shahi on 15th September 2013 at about 3.00 PM to 3.30 PM and surrounded the house. About 10-15 members of the platoon went inside the house, when his mother was alone there.

All of them entered the house and started searching the house for the defender. During the search, the defender’s mother enquired the SOG personnel if they had any court order. But the SOG personnel only said that they came from the Telkoi police station. They even threatened the defender’s mother that if they got her son

they would kill him in a fake encounter and asked her to warn her son not to act against the Superintendent of Police. They all left the house after 45 minutes. While leaving the house they also threatened the defender's mother not to complain about the visit and threats of the SOG personnel in any forum or commission and if they failed to oblige the family would have to meet the consequences.

The Human Rights Defender and his mother shifted residence on the 17th of September 2013 to Bhubaneswar because of security concerns.

Background:

Mr. Patra is of the opinion that this action of the SOG and the local police was brought on him because of the NHRC order made out in two cases that he preferred to the commission. The details of the said cases are as follows:

- i. Suresh Munda - NHRC case No. 1221/18/7/2012 and
- ii. Raibari Patra - NHRC Case No.1236/18/7/2012.

In the Suresh Munda case the NHRC ordered that the officer against whom the compliant has been filed, has conducted the inquiry and this has resulted in miscarriage of justice and in the Raibari Patra case the Director General of Police, Govt. of Odisha was asked to consider the caste of the victim in FIR, for the financial relief to which she is entitled under the SC/ST Act and take further action in accordance with law.

The orders in both cases irked the police and purportedly brought on this act of intimidating Mr. Patra.

Appeal

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

- Enquiry is conducted into the incident and due action is taken against the SOG personnel, the local police, specifically the Director General of Police Mr. Prakash Mishra and Mr. Anirudha Singh, IPS, Superintendent of Police, District Keonjhar Odisha
- All necessary measures are taken to guarantee the physical and psychological integrity and security of Mr. Muralidhar Patra and members of his family

- Steps are taken to compensate the losses that Mr. Muralidhar Patra has suffered due the unlawful house search by the SOG personnel.
- 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,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

Henri Tiphagne

Honorary Working Secretary