

Human Rights Defenders Alert - India

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24 February 2014

The Chairperson
National Human Rights Commission
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110 023.
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Sub: HRD Alert - India - Urgent Appeal for Action – Odisha: Life threat and physical assault against Human Rights Defender Mr. Sunil Kumar Mishra of Berhampur, Ganjam in Odisha – Reg

Dear Sir,

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 assault on the RTI Activist Mr. Sunil Kumar Mishra of Berhampur in the Ganjam District of Odisha on the 19th of February, 2014 in which he sustained injuries and as a result of which, continues to suffer medical problems. He was verbally abused and issued threats too.

Source of Information on the Incident:

Communications dated 23 and 24 February 2014 from the Coordinator of HRDA for the east of India

About the Human Rights Defender under attack:

Sunil Kumar Mishra (44 years old), S/o. Prafulla Kumar Mishra is a Human Rights Defender (HRD) associated with the *Odisha Soochana Adhikar Abhijan* (a civil society forum spearheading a campaign for effective implementation of the Right To Information - RTI Act in the state) since 2010. He has used RTI extensively to expose corruption and malpractices in different Govt. offices of Ganjam District in the eastern Indian State of Odisha.

His residential address:

Indira Nagar Sahi-I,
Berhampur,
Baidyanathpur Police Station limits,
Ganjam District,
Odisha

Contact Number: +91 94372 17142.

The Perpetrators:

1. Persons at the DIC premises – Mr. Abhay Kumar Sahu, Mr. Panchanan Choudhury, Mr. Sukuta Patra and Mr. Rajendra Patra
2. T. Badrinarayan, General Manager, DIC Berhampur District Ganjam Odisha
3. Commissioner cum Secretary Department of Industries, Govt. of Odisha
Secretariat, Bhubaneswar Odisha
4. Mr Prem Chandra Chaudhary, Collector and District Magistrate, Ganjam, At/Po- Chatrapur, District Ganjam, PIN - 761020, Odisha
Phone : 06811-263700, Mob : 9438835404, Email : dm-ganjam@nic.in
5. Mr Ashish Kumar Singh, IPS Superintendent of Police, Ganjam, Chatrapur
Phone : 06811-263366, Email : spgjm.orpol@nic.in
6. Mr Prakash Mishra, Director General of Police, Buxibazar, Cuttack, Odisha.

Date of Incident:

19th February, 2014

Place of Incident:

Berhampur in Ganjam District, Odisha, India

Incident

On the 6th of February 2014, the said Mr. Sunil Kumar Mishra had submitted an application under the Right to information Act at the office of the Public Information Officer (PIO) of the District Industries Centre (DIC), at Berhampur. The information sought for relates to irregularities, corruption and malpractices by the General Manager, DIC.

On 19th February 2014, Mr. Sunil Mishra had gone to the office of District Industries Centre, Berhampur to hand over a petition against the General Manager, DIC to the Secretary, Dept. Of Industries, Govt. of Odisha, alleging corruption in a Loan Mela organized in the conference Hall of DIC. While he was sitting inside the DIC Conference Hall, one Mr Abhaya Sahu who was under the influence of alcohol suddenly began verbally abusing him saying, "... you bastard why are you using the RTI against our General Manager ...” and started assaulting him in the hall. Others like Panchanan Choudhury, Sukuta Patra and Rajendra Patra who were present there joined with him and started mercilessly assaulting him as a result of which he lost consciousness.

As the assaulters were known criminals, nobody came forward to protect Sunil Mishra. However, after they left the place, some people took him to M.K.C.G Hospital at Berhampur and admitted him there for treatment.

He was under treatment as an in-patient in hospital for 3 days and was discharged on the 23rd of February, 2014. As he has developed a persistent cardiac problem, his family has now taken him to Bangalore for further check-up and treatment.

Present Status:

Mr Sunil Kumar Mishra is not able to talk now. A First Information Report (FIR) was filed at the local police station - Baidyanathpur police station on the 21st of February 2014. The police is yet to register case and start the enquiry.

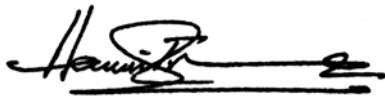
Appeal :

We, therefore urge you to immediately take necessary steps to ensure that the concerned authorities

1. Guarantee in all circumstances the physical and psychological integrity of Mr. Sunil Kumar Mishra and his family members;
2. Carry out a thorough, impartial inquiry into the attack of Sunikumar Mishra and initiate an immediate action on the erring DIC officials and
3. Grant an immediate compensation to the HRD for his medical treatment
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,

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

Henri Tiphagne

Honorary Working Secretary