

Human Rights Defenders Alert - India

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Shri A. K. Parashar
Focal Point - Human Rights Defenders,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110 023
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Uttar Pradesh: RTI Activist found dead in mysterious circumstances, murder suspected – Regarding

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 death of RTI Activist Mr. Chandra Mohan Sharma in mysterious circumstances after the car he was travelling in caught fire in Greater Noida late on the night of the 1st of May, 2014.

Source of Information on the Incident:

- Media Reports dated 03 May 2014
- Communications from the Regional Coordinator of HRDA for the North of India, Mr. Sunil.

About the Human Rights Defender under attack:

Chandra Mohan Sharma was a 38 year old Right to Information Activists and an employee of Honda Siel Cars India Ltd. He was an Aam Aadmi Party member and apparently one of the first activists to join Anna Hazare's anti-corruption movement. Inspired by the Anna Hazare movement, Sharma had unearthed several irregularities in land allotments in Greater Noida. Sharma had exposed cases of government land being grabbed across Gautam Budh Nagar. He had recently exposed the illegal capture of land in the Kasna area, and was allegedly on the land mafia's radar.

The Perpetrators:

Encroachers and the land mafia in the Greater Noida region

Corrupt officials, The Police

Date of Incident:

Late on the night of the 1st of May 2014

Place of Incident:

Greater Noida, Uttar Pradesh

Incident

According to sources, on the 1st of May, 2014, late at night, Sharma's Chevrolet Aveo car allegedly caught fire near Sector Pi at the Eldeco Crossing in Greater Noida when he was on his way home in Alpha 2, Greater Noida from office. His charred body was identified the next morning. The deceased's relatives allege that it is a murder as Sharma was getting threats from the land mafia, whom he had been exposing through his activism.

His wife Savita Sharma said: "If the car caught fire while driving, it should be in the middle of the road, but it was found parked at the corner. Contrary to police claims that the car windows were closed, my husband had been driving with windows open for the past few days as the air conditioner was not working. There was no central locking which could have jammed the doors. The CNG kit was also removed a few days ago."

As per sources, on April 28, while he was returning home, his car was overtaken and stopped by goons who threatened to kill him if he continued with his activism and the family had sought police protection and action against suspected persons, but no action was initiated. The family alleges that the police is trying to turn the murder into an accident.

On the basis of the complaint by the family members of the victim, the police has registered an FIR against five people at Kasna police station, and have sent the viscera samples to determine the exact cause of death. Technical assistance is also being sought to find out the cause of the fire.

If murder is proven, this would be the third episode of an RTI activist being targeted in Greater Noida within the last six months. In December 2013, activist Anoop Singh was abducted from Dankaur town, burnt with cigarettes on his private parts, and beaten with iron rods, before being dumped near a petrol pump in a neighbouring district four days later. In February this year, another activist, Salimuddin Solanki, had alleged that he was receiving threatening calls from a contractor while seeking information about developmental works in the area.

Appeal:

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

1. Pass immediate orders to ensure a prompt and fast track criminal investigation of this case and in the event of murder being proven, apprehend all persons guilty of conspiring and committing the murder of Mr. Sharma and to bring them to book;
2. Accompany this investigation simultaneously to make sure that it is on proper track by a parallel investigation also by the investigation unit of the NHRC since this involves an RTI activist who is an HRD and the third to take place in Greater Noida in the past 6 months.
3. Inquire into all cases of corruption and mismanagement of public funds exposed by the Late Mr. Sharma by accessing all the RTI petitions filed and documents obtained by him and thereafter to publish some of the most significant information that he had obtained that need to be placed in public the domain.

4. Inquire from the PIOs of the locality from which departments the RTI activist had sought information where he had sought information to know the sensitivity of the information sought – the extent to which it was actually provided or not provided by the relevant PIOs and the reasons for not providing them.
5. To thereafter order a careful sincere and special audit of all developmental works and governmental decision making processes which he targeted through his RTI interventions through a special team of Special Rapporteurs of the NHRC but not the investigation unit so that people engaged in governance and working as SRs of the NHRC may be able to throw more light on these matters relating to the RTIs filed by him and the consequences on governance.
6. To order immediate adequate protection to Mr. Sharma's family and ensure that the same is maintained as long as the family deserves the same according to the assessment of the Hon'ble Commission.
7. To get all senior officials responsible for the governance of the areas such as the Collectors or Superintendent of Police to enquire why three RTI activists / HRDs have been killed in less than 6 months
8. 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