

## **Human Rights Defenders Alert - India**

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**28 August 2014**

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

Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action – Rajasthan: Brutal attack on  
Human Rights Defender's family members – 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 over the brutal attack on 11 members of the family of human rights defender Bharatkumar Bhati including 5 women on the midnight of August 9<sup>th</sup>, 2014 and threats to kill all the members at Jodhpur city outside the police station on August 16<sup>th</sup>, 2014.

### **Source of Information on the Incident:**

- A communication from Mr. Pradip More of Dalit Foundation

### **About the Human Rights Defenders under attack:**

Mr. Bharatkumar Bhati, a human rights defender associated with Marudhar Ganga Society and collaborates with Dalit Foundation to defend rights of the Dalits.

### **The Perpetrators:**

Around 150 people from Devashi and Jat Community but only 29 have been mentioned in the First Information Report (FIR) in the Police Station The Police

**Date and time of Incident:**

9<sup>th</sup> of August 2014 at about 10:30 pm

**Place of Incident:**

Waidhan, Singrauli, Madhya Pradesh

**Incident**

On the 9<sup>th</sup> of August 2014 at about 10:30 pm, around 150 people attacked the thatched house on the land owned by Mr. Bharkumar Bhati and his elder brother Mr. Hukmaram Bhati in Ramnagar village, in the Thevri Tahsil of Jodhpur District. His mother Mrs. Tulsi (aged 80) was beaten mercilessly with wooden sticks till she fell unconscious. The perpetrators also tore her clothes. Rajudevi (aged 50), Sushila (aged 51), Shayari (aged 38) and Mumal (aged 38) were also beaten severely on their private parts and yanked by their hair and thrown out of the house. They all lost consciousness and they still have trouble walking.

Jewels belonging to the women and 5 mobiles were stolen and the thatched house was demolished. Hamiraram (aged 53) suffered an injury on his right hand and Mahendra (aged 22) was attacked with a sword and suffered a fracture in his hand and serious injuries on his left hand with 6 stitches. There are injuries on both his legs has injuries which had to be stitched. The perpetrators also damaged 2 jeeps, a tractor and a Bolero. Women victims were forced to sit inside a jeep.

Hukumaram Bhati was attacked with a sword on his head two times and still has stitches on his head and welts on his body. He ran immediately from the place of incident and informed his brother Bharkumar Bhati who was at Satara, Maharashtra for a fact finding of a case of atrocity against Dalits along with activists from five states.

Immediately Bharkumar informed police control room at Jodhpur and called for an Ambulance and also alerted activists Shivilal and Adv. Kishan Meghwal. All the victims were taken to the hospital by police van at 2:30 a.m. After treatment without any statement taken by police, victims were asked to go home. Only two victims Mahendra and Baburam were admitted in the hospital, though all the victims needed further treatment. The next day, i.e. on August 10<sup>th</sup>, 2014, at 10.00 a.m. police visited the place of incident. Activists along with all the victims submitted written complaint

to the police station at Karwar at 11 a.m. and FIR was registered at 2:30 p.m. Activists complained that FIR was delayed intentionally by the police. Also, police informed perpetrators over the phone in front of the victims to file a cross / counter complaint.

The human rights work, for Dalit rights in particular, is what brought on this attack on the human rights defender's family by the perpetrators who belong to dominant castes and have been resentful of the human rights defenders activities.

**Appeal:**

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police for Jodhpur

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events and brings the perpetrators and the erring police to book by another independent senior police officer;
- Along with local district officials guarantees in all circumstances the physical and psychological integrity of Bharat Kumar Bhati and his family members as they continue to be under risk of further attacks by the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Along with local district officials puts an end to all acts of harassment against all human rights defenders in India to ensure that in all circumstances they carry out their activities without any hindrances;
- Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
  - Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels"
  - Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any

other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

- More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in the state of Rajasthan.

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 National Working Secretary