

Human Rights Defenders Alert - India

National Coordination Office
6, Vallabai Road, Chokkikulam, Madurai 625 002.
Tamil Nadu, INDIA
Tel: +91-9994368540 Email: hrda.india@gmail.com

27th October 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
hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Tamilnadu: Navy whistleblower forcefully admitted in Psychiatry Ward for exposing corruption - 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 forceful admission of Sunil Kumar Sahu, an SWA3 naval officer and a whistleblower in a Psychiatry Ward for exposing corruption of senior officers.

Source of Information on the Incident:

The Coordinator of HRDA for the South of India

The Media

The Human Rights Defenders:

Mr. Sunil Kumar Sahu, a native of Odisha, is an SWA 3 Rank Officer in the INS Kattabomman Naval Base in Tirunelveli District of Tamil Nadu. He graduated in science and served in the Indian Navy for 10 years. He was transferred to Tirunelveli

in October last year from Karwar naval base INS Kadamba in Karnataka as he tried to expose corruption there by filing RTI petitions. .

The Perpetrators:

Commanding Officer at INS Kattabomman Naval Base

Other Senior Naval Officers in INS Kadamba in Karnataka against whom Mr. Sahu had leveled corruption charges

Date of Incident:

The 23rd of October 2014.

Place of Incident:

The naval base INS Kattabomman in Tirunelveli, Tamil Nadu which comes under the Eastern Naval Command headquartered at Visakhapatnam.

The Navy Hospital in Kochi, Kerala

Incident:

According to sources, Sunil Kumar Sahu, who is a SWA-3 rank officer at the naval base INS Kattabomman, had complained about corruption and dishonesty of certain naval officers while in INS Kadamba in Karnataka because of which he was transferred to INS Kattabomman in Tirunelveli, Tamil Nadu. He had informed the same to the commanding officer at INS Kattabomman, who is also the chief vigilance officer. However, soon after he raised the issue, he was threatened by the seniors and asked to keep quiet. His wife has alleged that after he again wrote a letter on October 20, 2014 raising corruption charges against senior officials, the commanding officer called him to his cabin and threatened him that he would fill 'Form 10' and get her husband declared as a psychiatric patient. After the threat, the wife decided to lodge a police complaint and even went to Vijayanarayanam police station (in Tirunelveli district) on October 21 to lodge a complaint but was asked to come in the evening as the station in-charge was not there. However, before she could lodge a complaint, Arthi alleged that her husband was arrested for threatening his senior officer. She was then informed that they had issued an order to send him to a hospital in Kochi for psychiatric treatment and he was shifted here on October 23. He is evidently being wrongly trapped there as he dared to fight against corruption

committed by his seniors. She came along with her husband to Kochi but is allowed to meet him for only a few hours daily.

It is noteworthy that he was transferred to Tirunelveli in October last year from Karwar naval base INS Kadamba in Karnataka as he tried to expose corruption. He had obtained information through Right to Information Act (RTI) about the purchase of television sets and forwarded it to higher officials in Visakhapatnam. The RTI followed an allegation that a private firm had given television sets to the naval base free of cost, but they were shown as having been purchased. This resulted in Mr. Sahu facing detention and torture.

Appeal:

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events with a reliable, trustworthy, independent medical / psychiatric specialist monitoring of this case and submitting a report and discharge the whistleblower from the hospital at the earliest and look into the corruption that he has exposed and bring the perpetrators to book not only for their corruption but also for the inhuman treatment meted out to Mr. Sahu;
- Protect whistleblowers, RTI activists and anti-corruption activists who are all human rights defenders from corrupt elements within the service and their henchmen so that people's confidence is not eroded;
- Specifically ensure the provision of adequate compensation to Mr. Sahu for the undue harassment he has faced and enable him to continue his work without fear of further reprisal ;
- Along with local district officials, as well as the supervision by a senior criminal lawyer from the District Legal Services Authority of Cochin in Kerala where is presently admitted and later from Tirunelveli to guarantee in all circumstances the physical and psychological integrity of Mr. Sahu as he will continue to be under risk of further harassment from the perpetrators and get an assurance to this effect from the perpetrators to the NHRC of India in writing immediately and urgently;

- To depute the SHRC Kerala to undertake a visit to Cochin on behalf of the NHRC and when the victim returns to Tamilnadu to ask the SHRC Tamilnadu to visit the victim and report to the NHRC without fail on his condition periodically;
- Along with senior officers in the Defence Ministry put an end to all acts of harassment against all human rights defenders in general within the Ministry and its various departments 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.

Yours sincerely,



Henri Tiphagne
Honorary National Working Secretary