

Human Rights Defenders Alert - India

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Tamil Nadu: Dalit RTI Activist and family attacked for filing RTI on Private College - 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 regarding the attack on Mr. M. Meganathan, an RTI (Right to Information) Activist and members of his family on the 23rd of January, 2015, following an RTI Petition that he filed, seeking information on the land tax and property tax paid by a private college in his locality.

Source of Information on the Incident:

- Press statements and FF report of Evidence, a human rights organization based in Madurai, Tamil Nadu
- Field visit report of HRDA in TN
- Media Reports

The Human Rights Defender:

Mr. M Meganathan is a resident of Veerapatti village in the Iluppur taluk of Pudukkottai district in the South Indian State of Tamil Nadu. He is a Dalit and is 30 years old. In December 2014, he filed an RTI application demanding details of the land taxes and property taxes paid by Mother Theresa College, a private college in the locality which is owned by a political bigwig.

The Perpetrators:

1. Mr. Vijayabaskar, the Minister for Health and Family Welfare, who is the owner of Mother Theresa College
2. The Panchayat President of Veerapatti Panchayat, Ms. Easwari and her husband Mr. Thangarasu
3. A 14 – member gang of men including Mr. Pandi, Mr. Veerakumar, Mr. Sivandhi and Mr. Kumar who attacked the activist and members of his family

Date and time of Incident:

January 23, 2015 at about 7.00 a.m.

Place of Incident:

Veerapatti Village, Iluppur Taluk, Pudukkottai District, Tamil Nadu

Incident detail:

According to sources, on December 12, 2014, Meganathan made an RTI application seeking information on tax and property tax paid by Mother Theresa College that came under the jurisdiction of his Panchayat. The said information could reveal alleged tax evasion by the concerned college which is owned by the Minister for Health of the Government of Tamilnadu. Following this, he began receiving threats, first from Mr. Thangarasu, the husband of Ms. Easwari, the Panchayat President, instigated allegedly by Mr. Vijayabaskar, the owner of the College who is also the State Minister for Health and Family Welfare. Despite repeated ultimatums and warnings, the 30-year-old Activist stood his ground.

On the morning of Friday, the 23rd of January 2015, a weapon-wielding gang reached his house and assaulted him and his family members. The attack led to injuries being sustained by Meganathan, his father Mayazhagu aged 56 years, and other relatives including Sureshkumar aged 31 and Rangasamy. They received treatment at Pudukkottai government hospital, where they managed to file a Medical Legal Case (MLC) after a long struggle.

Also, Annavasal police, under whose jurisdiction Veerapatti village falls were yet to file FIR (First Information Report) as per reports last received, and it is alleged that the police are hand-in-glove with the attackers.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police and the District Collector and Magistrate of Pudukottai District in Tamilnadu

- Orders immediate filing of an FIR in the appropriate police station and an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of the targeting of the human rights defender and bring the owners of the Private College, the Panchayat President and her husband and the colluding police to book;
- Place a request to the state head of the police for transferring the investigation in this case to the Crime Branch CID Police so that the local police who have been insensitive to the issue so far are not also handling the investigation since one of the perpetrators in the Hon'ble Minister for Health in Tamilnadu;
- Conduct an inquiry into the alleged tax evasion that could have been exposed by Meganathan and take due action if and when the same is proved;
- Guarantee in all circumstances the physical and psychological integrity of Meganathan and his family members as they continue be under risk of further attacks by the perpetrators by ordering adequate police protection at state cost;
- Ensures provision of reparation, compensation, apology to the victims and provide a re-assurance of not engaging in such acts against HRDs such as Meganathan for the physical and psychological sufferings he underwent because of the attack on him and his family;
- Put an end to all acts of harassment against all human rights defenders in the District to ensure that in all circumstances they carry out their activities without any hindrances;
- Takes steps to 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”;
- That they are also ordered to make a joint public statement reiterating the rights of human rights defenders in Pudukottai district and also undertake training of all government officials on the rights of HRDs and responsibilities of the state to HRDs ;
- More generally, ensures 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.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary