



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

August 21, 2015

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

Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Appeal for Action – Odisha: Harassment and intimidation of social activist, documentary film maker, writer and human rights defender Mr. Debaranjan Sarangi by falsely implicating him on charges of molestation by Odisha police of Malkangiri police station, district Malkangiri, Odisha - regarding

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavors 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 registration of false and fabricated case against documentary film maker and human rights defender Mr. Debaranjan Sarangi by the police of Malkangiri Police Station in Malkangiri district of Odisha. Malkangiri police have registered a case against Mr. Debaranjan Sarangi, on 9th August 2015 under Section 354 (B) of IPC (relating to molestation of a woman).The defender is being framed and maligned for his social activities in the tribal region of Odisha.

Source of Information on the Incident:

The Regional Coordinator of HRDA for East of India

Status of the Human Rights Defenders:



Mr. Debaranjan Sarangi is an Odisha-based anti-mining activist, writer and a documentary film maker. For the last several years, Mr. Debaranjan has been associated with various human rights organizations. He is an active member of Ganatantrik Adhikar Surakya Sangathan (GASS), a human rights organization in Odisha. He was part of a joint fact-finding exercise along with the well-known human rights activist and Human Rights Forum (HRF) founder-member (late) K Balagopal in the summer of 2009 that looked into police violence on adivasis in the name of curbing the Maoist movement in the districts of South Odisha. Mr. Sarangi spent almost eight years with the anti-mining movement of the Adivasis in Kashipur, which inspired him to make a documentary film “At the Crossroads” on the oppressed tribals of South Orissa and their struggles with the state. The hapless adivasis and dalits of the region are caught in the crossfire between the state and the Maoists, rendering their existence completely unstable and miserable.

He has been part of extended fact-findings that investigated attacks on Christians in Khandhamal and Karnataka and on massacres of civilians by the paramilitary in South Chattisgarh. One of the recent fact findings by GASS team which included Mr. Debaranjan as its member, exposed the extra-judicial killing by the BSF, of Sri Ganga Kirsani, an Adivasi farmer of Litiput village, Koraput district. He also made a short but comprehensive film, ‘From Hindu to Hindutva’ on the carnage of Christians in Kandhamal in Odisha. He has actively supported the movement spearheaded by the civil society groups against the rise of communal forces in and out of Odisha state. As a prolific writer and human rights activist he has been writing extensively on unbridled mining practices, displacement, police impunity, communalism, atrocities on dalits, women and adivasis in the state.

The Perpetrators:

1. Guru Prasad Das, Inspector In-Charge (IIC) Malkangiri Police Station.
2. Ms. Sunita Das, Sub Inspector (SI) Malkangiri Police Station.
3. Superintendent of Police Malkangiri, Odisha

Date of Incident:

8th August 2015.

Place of Incident:

Malkanagiri Police Station, Odisha

Incident detail:

According to sources Mr. Debaranjan Sarangi and his camera person were in Malkangiri on 8th Aug 2015 to shoot a documentary on the land and agricultural related issues in the district which adversely affect the lives of Adivasis. They were staying in the campus of Tapobhoomi Trust. The Trust has been engaged in welfare work among local tribals on health issue mainly helping to prevent and eradicate deadly diseases like malaria in the district.

On 8th of August at about 1PM, personnel of anti-naxal force came to Tapobhoomi. They asked Mr. Debaranjan Sarangi and another trust member of Tapobhoomi Trust to come along with them to meet their boss. They neither disclosed the name of the officer who had sent them nor did they give the phone number. Initially they introduced themselves as BSF personnel but later on one of them said that they were from DVFs (District Voluntary Force) of Government of Odisha engaged in anti-naxal operations. They were insisting him to come in their vehicle. Mr. Debaranjan refused to go with them in their vehicle. According to sources M Debaranjan told them "If they want to lift him up then they can do that but don't insist him to go with them willingly particularly when they are not revealing their identity and not giving the name of the person who has sent them." He even told them to give the name and location address of their office so that in the evening he can personally go and meet their Saheb or boss. But instead of telling anything they left the place soon. Thereafter, Mr. Debaranjan left for his documentary shoot.

Next day, on 9th August in the evening, Mr. Debaranjan reached the campus after completing his shooting schedule. As he was going to pack up, one lady Sub-Inspector in civil dress (Ms. Sunita Das) approached him. She was there with her police team to investigate about a complaint lodged against Mr. Debaranjan on the same day. She was insisting him to come in her vehicle to the Malkangiri Police Station. The lady Sub Inspector informed the film maker that a complaint has been lodged against him in the Malkangiri Police Station by wife of one Raju Moharana with the charges of misbehaving, outraging her modesty and sexual harassment etc.

Mr. Debaranjan was shocked to learn about all the allegations against him. He also asked the lady sub inspector a copy of the FIR but she could not produce it. She said she had left it in the police station. The Sub-Inspector was repeatedly insisting him to come to Malkangiri Police Station and meet Guru Prasad Das, Inspector In-Charge (IIC) but he refused to go. She asked for his address but he did not give. But he gave his contact number. She left the place after giving a warning. Prior to this incident, intelligence officers from Special Branch of Intelligence Department, Sub-Inspector; Ashok Parida, Jagannath Rao and a constable named Mr Pradhan, had come to Udupi village to meet him at about 1PM on 8th August while he was doing his shooting. The Special Branch personnel kept on asking him about his involvement with human rights work, his association with the Ganatantrik Adhikar Surakhya Sangathan GASS, purpose of his visit to Malkangiri and the activities of GASS etc. Mr. Debaranjan replied each and every question asked by them. The investigation went till 2PM in the afternoon. After the questioning was over, the intelligence department officials told the film maker that they had been informed about his arrival in the Malkangiri district three days before by the office of the Director General of Police.

Mr. Debaranjan left Malkangiri at 8 PM Sunday night on 9th August. After a few hours at around 1AM in the mid night a police team raided the same house in Tapobhumi Trust where Mr. Debaranjan was staying. They knocked at the door and asked about Mr. Debaranjan. When they did not find him there, they forcibly picked up Mr. Debaranjan's camera person and another boy from the trust. They were taken to the police station and detained there for the whole day without reason. According to the police notice served to Mr. Debaranjan, the allegations against him are under Section 294/341/323/354/354-B/506(ii) of IPC (related to molestation of a woman).

After this incident the police are now harassing the local tribals who agreed and gave interviews to the film maker. The police are also targeting those teachers who helped Mr. Debaranjan at the local level.

Appeal :

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment and intimidation of Mr. Debaranjan Sarangi;
- Take immediate action on the perpetrators, in this case police personnel of Malkangiri police station of Malkangiri district for registering false case against the human rights defender Mr. Debaranjan Sarangi and using all provisions of law to ensure that the defender is not harassed and intimidated in any way in future;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Debaranjan Sarangi, who is still under risk of further reprisals from the perpetrators;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he underwent because of the undue harassment and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Debaranjan Sarangi;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr. Debaranjan Sarangi in the State of Odisha to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Takes steps to conform to 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”;

- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to convene meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a coordinated strategy is developed within the State of Odisha for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the NHRC Focal Point on HRDs and the SHRC Odisha to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the SHRC, Odisha to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);
- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms 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 Odisha.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary