



## **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](mailto:hrda.india@gmail.com)

**August 27, 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: Human rights defender and secretary of Odisha Rationalist Society Mr. Debendra Sutar threatened by the President of Gosurakhya Samiti, 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 life threatening calls made to human rights defender and secretary of Odisha Rationalist Society Mr. Debendra Sutar by the President of the alleged 'right wing' Gosurakhya Samiti, Odisha for filing a Public Interest Litigation against the controversial god man of Odisha in Odisha High Court.

**Source of Information on the Incident:**

The Regional Coordinator of HRDA for East of India

## **Status of the Human Rights Defenders:**



Mr. Debendra Sutar is the secretary of Odisha Rationalist Society which publishes a monthly magazine in Odiya language “Bigyanika Charcha” (Scientific Discussion). The magazine promotes and propagates scientific and rationalist thinking and ideas among people against superstitions and related practices prevalent in the society. Mr. Debendra Sutar is associated with the magazine as its editor. He has been organizing awareness programs on witchcraft related offences at state and district levels. He has filed Public Interest Litigation (PIL) to mobilize public opinion against the practice of witch hunting and put pressure on the government to bring legislation against witch-hunting in 2012. He had also been involved in public efforts demanding amendments in the Anatomy Act dealing with the issue of body donation in 2013.

### **The Perpetrator:**

Mr.Suresh Panda, President GosurakhyaSamiti, Odisha

### **Date of Incident:**

22<sup>nd</sup> August 2015

### **Place of Incident:**

At the resident of Mr. Debendra Sutar

### **Incident detail:**

Mr. Debendra Sutar received a phone call on his cell phone from cell no. 9437604636 from one Suresh Panda on 22nd August 2015 morning at about 10.23 am. The caller threatened him with dire consequences for filing a PIL against the controversial god man of Odisha, on 21<sup>st</sup> August in Odisha High Court.

The accused caller threatened him by using filthy language and asked him to withdraw the PIL. He also warned him not to follow and criticize the babas or god men in the state. He also accused him of receiving money from Christian donors and obstructing the work being done by Hindu babas or god men. He was strictly warned

that if he does not stop his public activities, his body would be cut into pieces like Narendra Dhabolkar of Maharashtra. The defender even tried to convince the caller by arguing as to how the babas or god men are cheating the innocent poor citizens of the state but the caller refused to listen to him.

Immediately after this incident Mr. Debendra Sutar approached the nearest police station at Markat Nagar to lodge a complaint against the accused person. The complaint was registered in the Markat Nagar police station bearing complaint no. 0084, dated.22/08/2015 under section 506 & 507 of IPC. The investigating officer Sub Inspector (SI) Ms.Barsha Mohanty next day also confirmed that the alleged cell number belongs to Mr. Suresh Panda. But so far the police have not taken any action to arrest the accused. The accused had also filed a counter FIR in the same police station against Mr. Debendra Sutar.

**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 Cuttack District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of threat and intimidation of Mr. Debendra Sutar;
- Take immediate action on the perpetrator for issuing threats against him and using all provisions of law to ensure that the defender is not harassed in future;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Debendra Sutar who is still under risk of further reprisals from the perpetrator;
- Ensure provision of reparation and apology to the defender for the psychological sufferings he underwent because of the threats and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Debendra Sutar;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr. Debendra Sutar 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,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath.

**(Henri Tiphagne)**

Honorary National Working Secretary