



Human Rights Defenders Alert - India

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August 28th, 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 - Urgent Appeal for Action – Bihar- Brutal and horrific murder of an RTI activist Mr. Jawahar lal Tiwary in village Bangara Nizamat of Sahebganj block, district Muzaffarpur, Bihar - 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 brutal and horrific murder of an RTI activist Mr. Jawahar lal Tiwary in village Bangara Nizamat in Muzaffarpur district of Bihar. Mr. Jawahar Lal Tiwary was kidnapped on 10th August 2015 and his mutilated body (cut into five pieces) was found on 14th August 2015. Mr. Jawahar Lal Tiwary was targeted for his fight against corruption and embezzlement of public money meant for the flood victims of Bihar.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for North of India
- Media reports
- Communication with Mr. Jawahar lal Tiwary's colleague Mr. Shahid Bharti, President of Sahebganj Vikas Manch, Muzaffarpur.

Status of HRD:

Mr. Jawahar lal Tiwary aged 63, resident of village Bangara Nizamat, block and police station Sahebganj of Muzaffarpur district of Bihar had been an active social worker for the past 35 years. He played leading and active political role during the mass public protest and action movement under Jayaprakash Narayan in Bihar. After the worst flooding in the state of Bihar in 2012, Mr. Jawahar lal Tiwary along with other social activists of the district formed Sahebganj Vikash Morcha in 2013. Currently he was holding the charge of secretary of Sahebganj Vikash Morcha (Sahebganj Development Front). In 2014 he organized an indefinite hunger strike and 'satyagraha' in Sahebganj block office premises under the banner of Sahebganj Vikas Manch to expose irregularities in Bangara flood relief distribution programme. From 2012 to 2015 he filed more than 30 RTI queries in various local and district level administrations such as police department, district block office, supply department and revenue department. He also filed an RTI application related to the extrajudicial killings of innocent civilians in Jharkhand state in 2011 during an encounter with Naxals of the region by the paramilitary force SSB. Mr. Jawahar lal Tiwary has been involved in exposing around 10 scams related to food grain distribution under the public distribution system in Bihar.

The Perpetrators:

Mr. Brj kishore Singh
Mr. Davendra Singh (s/o Nand lal Singh)
Mr. Satinder Singh
Mr. Raj Kishore Singh
Mr. Nidu Singh
Mr. Satinder Singh, s/o Dharendra Singh
Mr. Ranjan Singh

Date of Incident:

Kidnapped on 10 August, 2015

Mutilated body found on 14 August 2015

Place of Incident:

Village Bangara Nizamat, block and police station Sahebganj, district Muzaffarpur, Bihar.

Incident detail:

According to sources, on 10 August, 2015 Mr. Jawahar Lal Tiwary had gone to the supply department office located at the Sahabganj Block Development Office regarding his complaint of irregularities in the distribution of coupons for the ration card holders in the village. Around 600 families of the village were being denied the facilities of availing coupons in lieu of food grains by the village panchayat head. At the block office the panchayat head's husband Mr. Brij Kishore Singh along with his relatives came in a Bolero car and threatened Mr. Jawahar Lal Tiwary using abusive language. The group told him that they would kill him and take his body in the car and dump it somewhere. It was around 1.30 pm. After the intervention of some villagers they left the place. After the incident Mr. Jawahar was returning home on his bicycle. Mr. Jawahar had been regularly using his bicycle to travel to different places because he was physically challenged person with problems in his left leg. When he reached at Malang Sthan (place), a point near the border of his village Bangara Nizamat, he was hit by the opened out door of the Bolero car. Mr. Jawahar fell down and the assailants covered half of his body with clothes. They picked him physically and threw him into the car. After kidnapping him the car rushed towards the south direction. Mr. Jawahar Lal Tiwary was kidnapped on 10th August and his mutilated body (cut into five parts) was found on 14th August, 2015 in the Diara belt of Gandak river in Sohasa village under Deoria police station of Bihar. The police have filed FIR against 12 people and only 7 people have been named.

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 Muzaffarpur District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of the most brutal killing of Mr. Jawahar Lal Tiwary;
- Along with local district officials guarantees in all circumstances due compensation to the family of the deceased human rights defender and give this assurance to the NHRC of India in writing immediately and urgently;
- Put an end to all acts of attack and harassment against all RTI activists and all human rights defenders in Bihar to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Ensure the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty;
- 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 Bihar to take necessary steps to establish a state focal point for HRDs in order that HRDs have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Bihar to convene a meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a co-ordinated strategy is developed within Bihar for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Bihar in collaboration with the NHRC Focal Point on HRDs 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 Government of Bihar 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 Bihar.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary