



# Human Rights Defenders Alert – India

National Coordination Office

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**September 26, 2015**

**Shri A. K. Parashar**

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

ManavAdhikarBhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action – Punjab: Harassment, Intimidation and threat to the life of RTI Activist, trade union worker and human rights defender Mr. Simranjit Singh by the local police and builder mafia for exposing irregularities and corruption in the administration of Jalandhar Municipal Corporation for allegedly promoting illegal building constructions – 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 ongoing harassment, Intimidation and threat to the life of RTI Activist, trade union worker and human rights defender Mr. Simranjit Singh by the Punjab Police of Jalandhar district and the politically connected local builder mafia. The defender Mr. Simranjit Singh is facing violent reprisals from builder mafia as well as local police for bringing complaints and RTI queries in order to expose irregularities and gross violations of municipal laws in permitting illegal building construction in Jalandhar city of Jalandhar district of Punjab.

**Source of Information on the Incident:**

- The Regional Coordinator of HRDA for North of India

- Communication from Mr. Surendera M. Bhanot, President - RTIFED
- Communication with human rights defender Mr. Simranjit Singh

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



Thirty one year old Mr. Simranjit Singh is a resident of Adarsh Nagar in Jalandhar city of district Jalandhar, Punjab. He is the President of Council of RTI Activists, Jalandhar. He is also the general secretary of Indian National Trade Union Congress, Punjab. He is social and political activist. He started filing RTI queries from 2014 onward. He has filed around 100 RTIs till date. Most of his RTI queries have been filed at Tehshil office, District Collector's office, Jalandhar, Municipal Corporation, Jalandhar Development Authority (JDA), Secretary, local body department, government of Punjab and Chief Secretary of government of Punjab. On his RTI queries Municipal Commissioner of Jalandhar had ordered the demolition of many unauthorised constructions which had caused severe losses to the builders lobby in Jalandhar. On his RTI complaint regarding the illegally mushrooming vegetable market in Jalandhar, the District Collector of Jalandhar ordered to demolish such temporary unauthorised constructions. In April 2015, he filed an RTI application with the government of Punjab regarding the non disbursement of financial assistance (called Shagan Scheme) in cases of inter caste marriages as provided by the central government as well as the state government. If a upper caste boy marries to a lower caste girl, according to the central scheme, the bride groom is entitled to get shagan amount of Rs. 50, 000 and the bride is given Rs. 11,000 under the Shagan Scheme of the state government of Punjab. Because of the deep rooted administrative corruption, the disbursal of financial assistance under this scheme has remained a subject of heated controversy because of the reports of several cases in which beneficiaries have been deprived of the benefits of this scheme. According to Shagan Scheme of Punjab government girls belonging to Scheduled Castes, Christians, Backward Classes and Economically Weaker families or in the case of

remarriage of widows and divorcees belonging to the Scheduled Castes are entitled to get the benefits..

**The Perpetrators:**

- Mr. Kanwaljit Singh, Superintendent Municipal Corporation, Jalandhar
- Mr. Lakhbir Singh @ Lally, Jalandhar
- Mr. HarpreetMander, ADCP (Special Branch), Jalandhar (brother-in-law of Mr. Lakhbir Singh alias Lally)
- Mr. Bobby Sikka, Political Activist
- Mr. Happy Steelman, Jalandhar

**Date of Incident:**

17 September, 2015

14 August 2015

28 June, 2015

8 June 2015

4 June 2015

**Place of Incident:**

16 September, 2015 -Threatened by Mr. Lally(Lakhbir Singh) near the house of defender's friend located close to Sabharwal hospital, Model Town, Jalandhar.

14 August 2015 -Threatened by Mr. Bobby Sikka, a BJP affiliated political activist and Mr. Happy Steelman, a local criminal or don of Jalandhar at the office of Mr, Simranjit Singh located at New Green Model Town, Jalandhar

28 June, 2015 -Police division thana number 4, Jalandhar city.

8 June 2015- Mr. Lally(LakhbirSingh) at the house of local councillor

4 June 2015-On his cell phone by Mr. Lally

**Incident detail:**

According to sources on February 25, 2015 RTI activist and human rights defender Mr, Simranjit Singh filed a complaint and also an RTI application under the Right to Information Act in the office of Secretary Local Body Department and Municipal Commissioner, Jalandhar regarding the ongoing illegal construction of buildings in

Jalandhar city in violation of the sanctioned city's master plan against Mr. Kanwaljit Singh, Superintendent cum Assistant Town Planner of Municipal Corporation, Jalandhar who has committed various acts against the rules, by-laws and provisions of Punjab Municipal Corporation Act. The RTI application also asked information about the number of notices issued against the offenders by the Municipal Corporation of Jalandhar. According to his complaint, rules, by-laws and provisions of Punjab Municipal Corporation Act were violated to give favours to some vested interests especially the builder mafia. It is also learnt that the said Superintendent cum ATP has been serving on the same place for the last 30 years against the service rules and regulations. Illegal construction activities were going on even after the notices were served to the offenders to stop and demolish the illegal constructions under rule 269/270 of Punjab Municipal Act, 1995. Thereafter in the month of June 2015, RTI activist Mr. Simranjit Singh filed another complaint in the office of Municipal Commissioner, Secretary Local Body Department, Jalandhar regarding the illegal constructions of 2 buildings by Mr. Harpreet Mander, Additional Deputy Commissioner of Police, ADCP (Special Branch) Jalandhar. The matter was carried by the local news papers. After the complaint on 4 June 2015, Mr. Lally (nick name), actual name Mr. Lakhbir Singh, and brother-in-law of ADCP called the defender on his mobile by an unknown cell number and threatened him with dire consequences if he does not withdraw the complaint.

On 8 June 2015, Mr. Simranjit Singh was sitting with elected councillor of Jalandhar at his house; Mr. Lally came there and threatened the defender to withdraw the case. Mr. Lally warned him that his two relatives are serving as Superintendents of Police in Punjab (one is posted in Kapurthala) and he will see to it that the defender is implicated in false criminal cases. On 28 June 2015, Mr. Simranjit Singh got a phone call from Assistant Sub Inspector Mr. Ajinder Singh asking him to come to the police division thana number 4. Mr. Kanwaljit Singh, Superintendent Municipal Corporation, Jalandhar and Mr. Lally in connivance with Harpreet Mander, ADCP (Special Branch), Jalandhar have filed one false and frivolous complaint before the Police Commissioner, Jalandhar with allegations that the defender was demanding Rs. Fifty thousand from Mr. Kanwaljit Singh, Superintendent Municipal Corporation, Jalandhar. The station house officer at thana number 4 Mr. Paramjit Singh threatened Mr. Simranjit Singh and asked him to take back his complaint against the

illegal constructions and make compromise. He warned that he otherwise would file an FIR against the RTI activist and human rights defender Mr, Simranjit Singh. Mr.Lally was also present at the police station and he also threatened the defender. The defender was asked to record his statement which he gave in brief and asked for some time to submit more evidences of corruption and then was allowed to leave. The report by the SHO was later sent to district attorney (legal) for further action.

According to the sources, on 14 August 2015, Mr. Bobby Sikka, a BJP affiliated political activist and Mr. Happy Steelman, a local criminal or don of Jalandhar came to the office of Mr, Simranjit Singh located at New Green Model Town, Jalandhar and threatened to kill him by some known criminals lodged in Kapurthala jail of Punjab. Thereafter on September 16, 2015 Mr, Simranjit Singh gave a complaint to Honourable Lokayukta of Punjab regarding the illegal construction by Harpreet Mander, ADCP (Special Branch), Jalandhar and the news was widely reported in the local news papers. On 16 September 2015, at around 11.30 am RTI activist and human rights defender Mr. Simranjit Singh was going to meet his friend living near Sabharwal Hospital in Model Town as soon as he reach there, Mr Lally came there and again threatened Mr. Simranji Singh by saying that whatever he is doing, he will face the consequences. Mr. Lally warned him that he would not be in a physical condition to reach at the office of Lokayukta, Punjab. Hearing at Lokayukata office was due on 17 September 2015.

From the very beginning human rights defender Mr, Simranjit Singh is being constantly harassed by the police in an unlawful manner and regularly being threatened by the building mafia Mr. Lally and others. The nefarious nexus between builder mafia and the local police is jointly targeting those who dare to challenge them. As a result RTI activist and human rights defender Mr. Simranjit Singh is forced to live in a state of perpetual mental fear due to recurrent threats to his personal safety and life.

**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 Jalandhar district:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of harassment, intimidation and threats to the life of RTI activist and human rights defender Mr, Simranjit Singh;
- Take immediate action on the perpetrators as mentioned above for intimidating and issuing life threats by arresting them and using all provisions of law to ensure that the rights of Mr, Simranjit Singh are protected;
- Guarantee in all circumstances the physical and psychological integrity of Mr, Simranjit Singh 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 is currently undergoing because of the repeated threats to his life and provide a re-assurance of not engaging in such acts against HRDs such as Mr, Simranjit Singh;
- Put an end to all acts of attack and harassment against all RTI activists and human rights defenders including like Mr, Simranjit Singh in the State of Punjab to ensure that in all circumstances they carry out their activities as RTI activist and human rights defender 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 Punjab to also 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 Punjab to convene 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 the State of Punjab for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint the State Government of Punjab in collaboration with the NHRC Focal Point on HRDs and the SHRC in Punjab 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 Punjab in collaboration with the SHRC in Punjab 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 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 Punjab.

Looking forward to your immediate action in this regard,  
Yours sincerely,



**(Henri Tiphagne)**  
Honorary National Working Secretary