



Human Rights Defenders Alert – India

National Coordination Office

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

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Sub: HRD Alert – India - Urgent Appeal for Action – Haryana: Sudden disappearance under mysterious circumstances of an RTI Activist and Human Rights Defender Mr. Raman Sharma from Gurgaon city in Gurgaon District in the state of Haryana - Regarding.

Dear Sir,

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 sudden disappearance under mysterious circumstances of an RTI Activist and Human Rights Defender Mr. Raman Sharma from Gurgaon city in district Gurgaon in the state of Haryana. Mr. Raman Sharma has been missing since 23rd September 2015 after he was allegedly kidnapped from Rajeev Chowk in Gurgaon city. Through the use of RTI Act, Mr. Rman Sharma has exposed several cases of irregularities in building and zoning norms in violation of the Haryana Urban Development (Regulation) Act by developers and government officials in Haryana. As a result, he has drawn the ire of several real estate developers who have even filed a case of extortion against him in Faridabad city of Faridabad district of Haryana. Mr. Raman Sharma's sudden

disappearance is suspected to be linked with the extortion case registered against him that he was closely monitoring.

Status of Human Rights Defenders:

Mr. Raman Sharma, aged 52 years, is a RTI activist who is a resident of Gurgaon city of district Gurgaon in Haryana. Mr. Raman hails from Ludhiana, Punjab but he moved from there to settle in Gurgaon city along with his family and has been living there for the last twenty years or so. He has been filing RTIs since 2008. He has filed around 1000 RTIs that seek to expose corruption in the administration of Haryana Urban Development Authority (HUDA) with regard to filing of tenders by construction companies. Most of his RTI queries were related to road construction, sewage and water treatment plants in the city and allotment of land for building purposes in green belts and water belts in the city. Mr. Raman Sharma had filed several RTI applications against Haryana Urban Development Authority, town & country planning department, Municipal Corporation of Gurgaon and other government agencies to expose corrupt practices used by the developers flouting norms and guidelines laid down by the State Urban Development legislations as well as Ministry of Environment. In 2011, Mr. Raman Sharma filed a complaint in state Lokayakta office and on the basis of his complaint with case no: 319/320, a vigilance enquiry was conducted against the officials of Haryana Urban Development Authority (HUDA). The vigilance team filed a charge sheet which led to a recovery of Rs. 30 lakh from M/s Brij Gopal Construction Co Pvt Ltd in one of the case.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for North of India
- Communication with Mr Harinder Dhingra, a fellow RTI Activist
- Media Reports

Date of incident:

23 September 2015

Place of incident: Gurgaon, Haryana

The Perpetrators:

Allegedly Mr Rajan Goyal of M/s Brij Gopal Construction Co Pvt Ltd.

Incident detail:

According to the sources, 52 year old Mr Raman Sharma, an RTI activist from Gurgaon has been missing since 23 September 2015. He was last dropped at Rajiv Chowk in Gurgaon by his wife. From Rajiv Chowk he was supposed to travel by Volvo Bus to Chandigarh for a meeting with his lawyer. Mr Raman Sharma has been investigating a case with his lawyer after filing RTI queries against 18 officers of Haryana Urban Development Authority (HUDA) and Mr Rajan Goyal of M/s Brij Gopal Construction Co Pvt Ltd. In July 2015, Mr. Raman Sharma had complained to the lokayukta to demand an investigation into third party inspection certificates that were allegedly issued for advance dates to a Haryana Urban Development Authority (HUDA) contractor. In his complaint to Lokayukta, Mr. Raman Sharma has alleged that M/s Brij Gopal Construction Co Pvt Ltd has fabricated Experience Certificate (so as to qualify for a tender) and procured 18 post dated third Party Inspection Certificates verifying the works which are yet to be completed so as to take money from HUDA. Before he went missing, Sharma had sent emails to the President, Prime Minister, Chief Minister and the DGP, claiming HUDA engineers had connived with the contractor in an Rs 1,200-crore fraud in construction of master storm water and sewerage drains. Along with the email, Mr. Raman Sharma also attached copies of the third party inspection reports that he obtained through RTI pleas. Mr. Sharma has alleged 16 reports were issued for advance dates, between October and December 2015.

Gurgaon police have registered a case of kidnapping. According to the police, "Mr Raman Sharma has left behind his identity papers, gold chain and personal cell phone at home which suggest that the circumstances of the missing person of Gurgaon are suspect." In yet another unusual development, Faridabad Police has lodged FIR number 548 on 24th Sep 2015 (Exactly after a day of Mr Raman Sharma's disappearance) against Mr. Raman Sharma in extortion case filed by Mr. Rajan Goyal, r/o Paschim Vihar, New Delhi. The matter of contention remains that how can a complaint be registered by the police by a resident of Paschim Vihar, New Delhi against a resident of Gurgaon, Haryana at Faridabad, Haryana. The sources have been told by the family of Mr. Raman Sharma that in this case an anticipatory bail was taken on the day of lodging of Complaint (which was converted to FIR on 24/9/2015) by Complainant on 27/7/2015. The family of Mr. Raman Sharma is living

under constant anxiety and fears for his and their security. They have requested the police to provide security but no security has been provided yet.

Appeal :

We therefore urge you to immediately take necessary steps to ensure that the Director General of Police of Haryana:

- Orders and undertake an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of sudden disappearance under mysterious circumstances of the RTI Activist and Human Rights Defender Mr. Raman Sharma;
- Guarantees in all circumstances the physical integrity of Mr. Raman Sharma who faces the imminent risk to his life from the alleged perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensures provision of apology to Mr. Raman Sharma's family for the psychological sufferings they are undergoing at the moment and use all provisions of law to ensure physical safety of Mr. Raman Sharma and his safe return;
- Puts an end to all acts of harassment against all RTI activists and human rights defenders in Haryana 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”;

- Recommends urgently and speedily during the pendency of this complaint, the SHRC in Haryana 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;
- Recommends urgently and speedily during the pendency of this complaint, the SHRC in Haryana to convene a meeting 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 Haryana for the protection of the rights of human rights defenders;
- Recommends urgently and speedily during the pendency of this complaint, the State Government of Haryana 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;
- Recommends urgently and speedily during the pendency of this complaint, the Government of Haryana 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 Haryana.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary