



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

Manav Adhikar Bhawan, Block-C,

GPO Complex, INA,

New Delhi –

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Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Telangana: Civil Rights Activist and Vice- President of PUCL-TS Mr. Iqbal Khan ill-treated, harassed and intimidated by police personnel at Mirchowk Police Station, South Zone Division, Hyderabad, Telangana State- – 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 writing to express our grave concern regarding the ill-treatment and mental harassment of civil rights activist and human rights defender Mr. Iqbal Khan, Vice- President of PUCL-Telangana State on 2 October 2015 by Mr. Aakula Srinivas, Sub-Inspector of Police, Mirchowk Police Station, South Zone Division, Hyderabad, Telangana State.

Source of Information on the Incident:

- A communication to the NHRC by Advocate.Jaya Vindhala
- Copy of communication to HRDA India
- The Regional Coordinator of HRDA for South of India

Status of the Human Rights Defenders:

Mr. Iqbal Khan is a civil rights activist, human rights defender and Vice-President of Peoples Union for Civil Liberties-Telangana State (PUCL-TS Unit). PUCL- TS is a rights based organisation of common

people. Mr. Iqbal Khan is a government employee. He is a socially active citizen and has been raising voice for the protection and promotion of civil, political and human rights of people especially in the old city of Hyderabad. He has been actively working to defend civil and human rights of the people for last 20 years. PUCL came into existence exactly forty years back, after emergency was imposed in

India by then Indian Prime Minister Mrs. Indira Gandhi on 26th June 1975. It was initiated

by leading Indian political leaders in opposition at that time who were forcibly put into jails by Indian authorities. PUCL was originated from Indian jail premise. Today it is one of the most powerful and reputed civil liberties organizations, not only in India, but also known worldwide for its defence of civil liberties.

The Perpetrators:

1. Mr. Aakula Srinivas, Sub-Inspector of Police, Mirchowk Police Station, South Zone Division, Hyderabad, Telangana State, India

Date of Incident:

02nd October 2015

Place of Incident:

Police Station, Mirchowk, South Zone Division, Hyderabad, Telangana State, India.

Incident detail:

According to sources, on October 2, 2015 at noon, one auto driver Md. Faran S/o Md. Fareed, Aged about 27 years R/o Md. Ali Lane, Mehadipatnam, Hyderabad, picked up some passengers to take from Gulazar House to Yakuthpura area under the jurisdiction of the Mirchowk Police Station. While on its way the auto met with an accident with a passing Swift Car. The accident resulted in the front side of the car bumper being dislodged. The owner of the Swift Car immediately approached the police at Mirchowk Police Station and on the complaint the police caught hold of the auto driver and brought him to the police station. At the Police Station, police officials demanded the auto driver to pay a sum of Rs. 5000/- as bribery money to settle the case and also threatened him with dire consequences if fails to meet their demand.

Few auto drivers approached Mr. Iqbal Khan at about 15:00 hrs and narrated the incident and complained regarding the attitude of the Sub-Inspector Mr. Aakula Srinivas making an unlawful demand of Rs. 5000/- as a bribe for the settlement of the case. Mr.Iqbal Khan talked to the Sub-

Inspector over phone and explained the financial position of the auto driver and requested him to take appropriate legal steps instead of demanding heavy amount. The sub-Inspector asked Mr. Iqbal Khan to come to the police station. Mr. Iqbal Khan went and met the Sub-Inspector in person and explained the same.

The Sub-Inspector immediately ordered Iqbal Khan to stand up and called two constables directing them to hold him physically. The Sub-Inspector used rude language and his behaviour indicated that he would have gone to any extent to harm Mr. Iqbal Khan. Mr. Iqbal Khan told him that he would approach the Circle Inspector to which the Sub-Inspector reacted with harsh words and questioned the powers and hierarchy of the Circle Inspector. He used filthy language against his senior officer and stubbornly boasted that he was everything in the police station.

Sub-Inspector continued to shout and abuse Mr. Iqbal Khan. Around 18:00 hrs Mr. Iqbal Khan reported the incident to the Circle Inspector and ACP, Mirchowk Division Area. The Team of PUCL-TS then approached the Circle Inspector and explained the incident and requested him to take strict disciplinary action against the Sub-Inspector by reporting the incident to higher authorities.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Commissioner of Police and the District Collector and District Magistrate of Hyderabad District –Telangana State to:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of ill-treatment and harassment of human rights defender Mr. Iqbal Khan;
- Take immediate action on the perpetrators, in this case, Mr. Aakula Srinivas, Sub- Inspector of Police and two other personnel of Mirchowk Police Station for issuing threats, and intimidating Mr. Iqbal Khan;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Iqbal Khan, a member of the PUCL who is under the risk of further reprisals from the perpetrators and using all provisions of law to ensure that the defender is not harassed in future;
- Ensure provision of reparation, compensation, apology to the family of the defender for the psychological sufferings they have undergone due to the harassment and intimidation;
- Put an end to all acts of intimidation and harassment against all human rights defenders like Mr. Iqbal Khan in the district of Hyderabad, State of Telangana and 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 Telangana and Andhra Pradesh 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 Telangana and Andhra Pradesh 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 coordinated strategy is developed within the State of Telangana and Andhra Pradesh for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Telangana and Andhra Pradesh in collaboration with the NHRC Focal Point on HRDs and the SHRC Telangana and Andhra Pradesh 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 Telangana and Andhra Pradesh in collaboration with the SHRC, Telangana and Andhra Pradesh 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 Telangana and Andhra Pradesh.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary.