



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 –110 023

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Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Andhra Pradesh: Social Activist, Janma Bhoomi Committee Member and President of VAMBAY Colony Residents Association, Vishakhapatnam Ms. Mantri Manjula abused, intimidated and threatened by the police at New Port Police Station, South Division, Vishakhapatnam – 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 threats and intimidation of Social Activist, Janma Bhoomi Committee Member and President of Vambay residents association Ms. Mantri Manjula by the police at New Port Police Station, South Division, Vishakhapatnam for complaining about the unlawful activities of land grabbers in her area.

Source of Information on the Incident:

- Complaint letters to Chief Minister Andhra Pradesh
- Media Reports
- Copy of the RTI's to Chief Minister's office
- The regional Coordinator for the South of HRDA India

Status of the Human Rights Defender:

Ms. Mantri Manjula is a social Activist and member of the Janma Bhoomi Committee Ward No 50. She is the President of Vambay Colony Sankshema Seva Sangam, Vishakhapatnam, Andhra Pradesh

which has played an important role in the establishment of the colony. Ms. Mantri Manjula has been actively involved in social activities for the welfare of the residents of several other localities. She has been working for the protection and promotion of housing rights for poor and under-privileged people in the city of Vishakhapatnam.

The Perpetrators:

1. Ratti Vasu
2. Ratti Jayamma
3. R.Santhosh
4. R.Srikanth
5. Nagi Shetti Srinu
6. Gollapilli Rambabu
7. Srinivas Inspector, New Port Police Station, South Division, Vishakhapatnam

Date of Incident:

1st September 2015

Incident detail:

According to sources, the government of Andhra Pradesh allotted 672 houses to the poor at Vambay Colony area. Around 170 houses were sold using benami names by Ratti Vasu, a local scoundrel. The government also allocated Rs.4, 00,000 to the poor as compensation for the removal of houses. The sum was never distributed to the eligible residents. The money was siphoned off by Ratti Vasu. The residents of Vambay Colony could not raise their voice against the non payment of earmarked money due to fear to their lives as they are continuously harassed and intimidated by Ratti Vasu, his family members R. Jayamma, Santhosh and Srikanth. These persons have attacked and threatened Ms. Mantri Manjula several times and have made attempts on her life too in the past. They also use black magic techniques to scare away the residents. If someone questions their illegal activities, they threaten to foist false cases under laws like the SC ST Prevention of Atrocities Act. There are more than a dozen cases registered against them under various section of IPC, SCT POA Act at the Gajuwaka, New Port police station and with the Complaint Cell of the Police Commissionerate. There have been many cases filed against these persons at Kanchara Palem and Rajahmundry police stations. They have a political clout and have the backing of local police.

On 15 May 2015, Ms. Mantri Manjula filed a complaint with the Hon'ble Chief Minister of Andhra Pradesh Shri. Chandra Babu Naidu seeking protection and action against the anti-social elements as well as to curb the misuse of powers by the local police. The complaint was filed to ensure peace in Vambay Colony and to put an end to the regular incidents of harassment and threats by the above

mentioned persons. The complaint was also sent to the Chief Secretary, Home Secretary, DGP, Commissioner of police, Vishakhapatnam and the Chairperson of AP SHRC.

On 30 July 2015, Ms. Mantri Manjula filed an RTI query in the office of Chief Minister of Andhra Pradesh seeking what action was taken on her complaint. The office of the Chief Minister forwarded the RTI application vide letter no.322/RTI/2015 dated 10/8/2015 to The PIO, office of the Commissioner of Police, Vishakhapatnam who was the authorised person to take action. A copy of the action taken report was given to Ms. Mantri Manjula and a copy of the same was forwarded to CM's office.

Based on this letter from the CM's office, the Police Commissioner, Vishakhapatnam replied to Ms. Mantri Manjula through letter dated C.No.185/G1/RTI/2015 dated

25/8/2015 that her letter was transferred to the Assistant Commissioner of police, South Division, Vishakhapatnam in NRC.No.3659/G2/2015 dated 29/7/2015 for enquiry and that the report was still awaited. Further the letter stated that the ACP would have to furnish the information to her directly.

As a result of the complaint and the RTI query filed against the rowdy sheeters and the police by Ms. Mantri Manjula, the Inspector of police New port Mr. Srinivas was nursing a grudge against her. He sent a message to her through his subordinate to come to the police station which she did on 1 September, 2015 at 7PM. Seeing Ms. Mantri Manjula, the Police Inspector Srinivas grew wild and started shouting at her using filthy language and threatened her by saying that no one would save her and her family members from him implicating them in false cases. He threatened her to immediately withdraw the RTI petition against the said rowdy sheeters and his followers, if not she would face dire consequences. On 2 September 2015, Ms. Mantri Manjula wrote about the threat and intimidation received by inspector of police Mr. Srinivas to the Chief Minister, Chief Justice, Chairman, NHRC, Jt.Registrar, NHRC, Chief Secretary, Principal Secretary (Home) and the DGP.

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 Vishakhapatnam District:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of verbal abuse, threats and intimidation of woman human rights defender Ms. Mantri Manjula by the police;
- Take immediate action on the perpetrators, in this case the known rowdy sheeters of Vishakhapatnam on whom several cases have been registered and the Police inspector for neglecting his official duties, shielding the anti-social elements and threatening a women

human rights defender and social activist;

- Guarantee in all circumstances the physical and psychological integrity of Ms. Mantri Manjula and her family members from any further reprisals from the perpetrators and using all provisions of law to ensure that Ms. Mantri Manjula and other witnesses are not harassed in future;
- Ensure provision of reparation, compensation, apology to the woman human rights defender and her family for the psychological sufferings they have undergone because of the abuse, threat and intimidation;
- Put an end to all acts of attack and harassment of human rights defenders like Ms. Mantri Manjula in the State of Andhra Pradesh and 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 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 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 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 Andhra Pradesh in collaboration with the NHRC Focal Point on HRDs and the

SHRC 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 Andhra Pradesh in collaboration with the SHRC, 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 Andhra Pradesh.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary