



Human Rights Defenders Alert- India

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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 – Uttar Pradesh: Attempt to blackmail, intimidate and threats to the life of a social worker and human rights defender Mr. Anil Kumar Maurya, a fellow of “Dalit Foundation” for exposing corruption in government schools of Varanasi in Uttar Pradesh - 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 a social worker and human rights defender Mr. Anil Kumar Maurya who is being blackmailed, intimidated and receiving threats to his life from the vested interests for exposing corruption and embezzlement of funds meant to be used for mid-day meals, stationary and uniforms for students in five government primary schools of district Varanasi in Uttar Pradesh.

Status of Human Rights Defender:

Mr. Anil Kumar Maurya is a social worker and human rights defender based in Varanasi in Uttar Pradesh. He has been working to combat and expose corruption prevalent in the government administration and institutions in his region for the past

eight years. In the past, he initiated a case against the practice of black marketing of LPG cylinders and expose irregularities related to its distribution process. He succeeded in securing an order from the Central Information Commission; Delhi against the LPG supplier companies like, Indane, HP who were directed to devise ways to prepare their new citizen's charters. The order in the case was passed on 30 December 2011 which has been followed by the companies. Mr. Anil Kumar Maurya also runs a local social initiative called People's Right Forum. He has been associated with a national human rights organisation working on Dalit rights called "Dalit Foundation" as a fellow.

Source of Information on the Incident:

- Coordinator of HRDA for North of India
- Communication from Mr. Pradeep More of "Dalit Foundation"
- Communication with the HRD himself, Mr. Anil Kumar Maurya

Date of incident:

3 November 2015

Place of incident:

Shivpur, Varanasi, Uttar Pradesh

The Perpetrators:

Mr. Vijay Singh, Teacher at Bhawanipur Primary School, Varanasi, Uttar Pradesh

Incident detail:

According to the sources, on the evening of 3 November 2015, Mr. Anil Kumar Maurya, a social worker and human rights defender faced blackmailing attempts, threat and intimidation from the alleged perpetrator Mr. Vijay Singh, a primary teacher in a case of exposing irregularities and embezzlement of funds in the administration of five government schools in Varanasi district of Uttar Pradesh.

Mr. Anil Kumar had filed a complaint of alleged corruption in five government primary schools named, Bhawanipur Primary School, Pisaur Primary School, Daniyalpur Primary School, Chamav Primary School and Ahiran Primary School. The schools are allegedly receiving money from the government for mid-day meals, stationary and uniforms for the students. While the students they show on records as enrolled

are actually those students who are studying in various other schools. Mr. Anil Kumar Maurya has filed application seeking copy of records containing enrolment, number of students present and number of students attending classes since July 2015 to October 2015 to corroborate the facts. The application in written was filed on 1 November 2015 under the Indian Evidence Act 1872 with the above mentioned schools.

On 3 November 2015 evening, Mr Vijay Singh, a primary teacher employed at Bhawanipur Primary School, Varanasi along with an accomplice, on a motorcycle, approached Mr Anil Kumar on his shop which he runs parallel to his human rights work. Mr. Vijay Singh then began to intimidate and blackmail Mr. Anil Kumar Maurya for exposing the practices being followed by the schools and warned him to stop immediately writing and demanding data from Bhawanipur Primary School and Daniyalpur Primary School. They threatened him by saying that if he wants to survive peacefully in the locality, he has to stop meddling with school affairs otherwise he would face serious consequences.

Mr. Vijay Singh also threatened Mr. Anil Kumar Maurya and said he is related to the serving home minister of the country at present and he is capable of making Mr. Anil Kumar disappear so no one will be able to see him again. Mr. Vijay Singh further threatened him before leaving and said he knows the family history of Mr. Anil Kumar, indirectly referring to his disabled parents. According to the sources, the perpetrators are threatening Mr. Anil Kumar because they know if he gets the data that he is seeking from the primary schools, the perpetrators will be prosecuted for the wrongdoing and corruption they are involved in.

Mr. Anil Kumar has faced similar threats before as well, owing to the nature of work he is involved in. On previous such incident, he was not only threatened but illegally detained by the police for 30 hours and in the said case the police were allegedly supporting the perpetrators. This complaint is still pending with the National Human Rights Commission (NHRC).

Appeal:

We therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police, the District Collector and District Magistrate of Varanasi District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of targeting the human rights defender and issuing threats to Mr Anil Kumar Maurya;
- Take immediate action on the perpetrator, in this case Mr. Vijay Singh by arresting him for threatening the human rights defender, Mr Anil Kumar Maurya;
- Guarantee in all circumstances the physical and psychological integrity of the defender Mr. Anil Kumar Maurya who still face the risk of further attacks from the perpetrators;
- Ensure provision of compensation and apology to the defender for the physical and psychological sufferings he is currently undergoing because of threats to his life and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Anil Kumar Maurya;
- Put an end to all acts of harassment and attacks against all human rights defenders in the State of Uttar Pradesh to ensure that in all circumstances they carry out their activities as human rights defenders 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 Uttar Pradesh 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 Uttar 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 co-ordinated strategy is developed within the State of Uttar 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 Uttar Pradesh in collaboration with the SHRC Uttar 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 Uttar Pradesh.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary