



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
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India – Urgent Appeal for Action - Seeking Hon'ble National Human Rights Commission's intervention in respect of 27-year-old Dalit PhD. scholar and student human rights defender Mr. Rohith Vemula, a member of Ambedkar Students' Association (ASA), who died at the University of Hyderabad campus on January 17, 2016 – 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 express our grave concern regarding Mr. Rohith Vemula, a Dalit PhD. Scholar and a member of Ambedkar Students' Association (ASA), at the University of Hyderabad campus who died on January 17, 2016. Mr. Rohith is just the latest victim of India's scourge of untouchability and casteism on university campuses. He spent over 12 days in the open after he was expelled from the hostel, in what was called disciplinary action taken against him and 4 other PhD students accused of assaulting an ABVP leader in August 2015.

In July, 2015 students belonging to the Ambedkar Students' Association (ASA) held a protest the university campus following the hanging of Yakub Memon. After this incident, ASA members organised a small gathering to protest "ABVP's hooliganism by disrupting the screening of the documentary 'Muzaffar Nagar Baqi Hai' at the Kirori Mal College in Delhi University. Reacting to the programme, ABVP

president Sushil Kumar posted an acrimonious comment on Facebook labelling ASA students as "goons". After that a group of 30 to 40 students belonging to ASA approached the ABVP member in his room and demanded an apology from him for passing spiteful comments on Dalit students. The student wrote a letter of apology. Later the ABVP's Susheel Kumar filed a police complaint alleging assault by ASA members. On the complaint the police took four ASA members into custody and let them go later that day.

After the protest from local Bharatiya Janata Yuva Morcha (BJYM) activists led by BJP Member of Legislative Council Ramachander Rao, the Acting Vice-Chancellor R.P. Sharma formed a statutory committee of the university to report. The interim report said there was no evidence to corroborate the claim of physical violence against the complainant.

In the meantime, a new Vice-Chancellor was appointed. Union Minister for Labour and Employment Mr. Bandaru Dattatreya wrote a letter to Ms. Smriti Irani, Minister of Human Resource Development (MHRD) alleging that the university campus was being used by 'anti-national' and 'casteist' groups. The letter was forwarded to the university by MHRD.

Due to this intervention of Union Minister Mr. Bandaru Dattatreya and MLC Ramachandra Rao and acting upon their pressure, the HRD Ministry has directed the Vice Chancellor of the University of Hyderabad, to take action on the five Dalit PhD scholars. Under pressure from the MHRD, the new Vice-Chancellor constituted a new high level Sub-committee of the Executive Council (EC). In the last week of December 2015 the Sub-committee held the five dalit students guilty and suspended them from the hostel and barring "the entry of students in groups to certain public spaces". The students were also disqualified from participation in the annual student union elections. Consequent to the suspension and social boycott orders, the five suspended students including Mr Rohith Vemula were thrown out of their hostel rooms.

Before he committed suicide on January 17, 2016, Mr. Rohith Vemula was summoned by the police and had received an ultimatum from the warden to leave the hostel. Mr. Rohith was scared that police wanted to detain or arrest him and, therefore, had summoned him to the police station instead of visiting the university to record his statement.

In December 2015, a month before his death, Mr Vemula wrote to the Vice Chancellor of the Hyderabad Central University, asking him to give poison or "a nice rope" to Dalit students. In the letter, he identified himself repeatedly as a member of "(the) Dalit self-respect movement" and suggested the persecution on campus for "students like me" was so widespread that the campus should facilitate euthanasia. Ironically, the Vice Chancellor ignored the letter, its seriousness and made no efforts to communicate with Mr. Rohith.

According to the chairman of the National SC/ST commission, Mr. PL Punia, there is absolutely no proof that Mr. Rohith Vemula was involved in any scuffle, even the security staff said that the allegations levelled against him were false. Despite all that, he was suspended." Union Minister Bandaru Dattatreya and the university's Vice Chancellor are among those who have been charged by the police for aiding his suicide. The police have registered a case under the Prevention of Atrocities Act against Mr. Bandaru Dattatreya and Vice Chancellor Mr. P. Apparao.

Therefore, in the light of above mentioned facts and circumstances, HRDA most respectfully appeals that this Hon'ble Commission to urgently:

- Undertake a thorough, transparent, effective and impartial investigation through its investigation wing and enquire into the chain of events that culminated in the tragic death of Mr. Rohith Vemula;
- Intervene in the matter referred above ie. in the case of abetment of suicide of student human rights defender, Mr. Rohith Vemula and the FIR Registered under the SC/ST POA ,using its powers to do so under Sec 12(b) of the Protection of Human Rights Act (1993) which empowers the NHRC to intervene in matters pending before courts;
- Take immediate action to appoint a senior lawyer specialising in criminal to assist the family of Rohith in all the criminal cases registered against him and registered under the SC/ST [POA] and further also demand that this lawyer reports on the progress made in these cases to the NHRC in order that it is available to make any further recommendations that maybe required in this case.
- Take immediate action on the all perpetrators responsible for discriminative approach and continuous harassment and creating distressing mental conditions on the instigation of ABVP activist N. Susheel Kumar that Mr. Rohith Vemula was forced to undergo before his untimely death;
- Undertake a research with regard to suicides in universities across India and come up with recommendations to the Government of India, governments of all the states and the University Grants Commissions of India;
- Undertake an evaluation of the awareness of the UGC [Promotion of Equity in Higher Education Institutions] Regulation 2012 that actually deals with cases of discrimination within Institutions of higher education in the country and find out how effective its implementation and usage has been.
- Undertake a campaign to address the issue of discrimination and casteism in university cam-

puses across India as well as an urgent communication to all the Chancellors, Vice Chancellors and other senior functionaries of universities insisting that student leaders of all unions who take up issues of the rights of university students are 'human rights defenders' and need to be handled as HRDs ;

- Take all other appropriate and necessary actions to provide justice to the family of the student human rights defender, Mr. Rohith Vemula as per international and national human rights obligations.

In this particular case concerning HRDs, we appeal to the NHRC to stand by the student HRDs.

Looking forward to your immediate action in this regard,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line drawn underneath it.

(Henri Tiphagne)

Honorary National Working Secretary