



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

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Update on Mr. Debaranjan Sarangi's case - Odisha –: documentary film maker, writer and human rights defender Mr. Debaranjan Sarangi arrested by Odisha police of Tikiri police station, district Rayagada, Odisha

NHRC Case No: 11038/18/29/2015

Sub: HRD Alert - India – Memorandum for Action – Odisha: Arrest and detention of social activist, documentary film maker, writer and human rights defender Mr. Debaranjan Sarangi on March 18, 2016, by Odisha police of Tikiri police station, district Rayagada, Odisha - 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.

HRDA has been informed that social activist, documentary film maker, writer and human rights defender Mr. Debaranjan Sarangi has been arrested in the early hours around 6.30 AM on March 18, 2016, by the Odisha police in Kuchaipad

village in Kashipur block of Raygada district of Odisha. The defender has been arrested with the help of local police on the basis of a non-bailable warrant issued against him in a previous case of the year of 2005.

According to sources, Mr. Debaranjan Sarangi along with others went to Kuchaipad village in Kashipur block of Raygada district of Odisha to participate in the death rituals of activist late Mr. Laxman Majhi on March 16, 2016, evening. The rituals were completed on March 17, 2016. While other persons accompanied the defender returned on the same evening, Mr. Debaranjan Sarangi decided to stay back in the village for another day. In the early morning on March 18, 2016, Mr. Debaranjan went out to a nearby riverside and while he was coming back, he saw two police men in civil clothes who came to him and took him. They did not allow him to change his clothes and forced him to go along with them in his lungi to the nearest police station at about 6.30 AM. Later his friend Mr. Bhagaban Majhi went to the police station to hand over his cloths at around 7 AM. After a while around 7.30 AM he was shifted to Kashipur police station. According to the sources, he was detained at Jaraguda police station for interrogation. It is learnt that Tikiri police arrested him in an old case warrant with GR case no: 12 of 2005 under Sections 147,148 and 506 of Indian Penal Code. HRDA has been informed that the case is related to a protest and agitation against Utkal Alumunia Company in Kashipur block of Raigada district which took place in the year of 2005. During that period a non-bailable warrant was issued against the defender under section 506 of IPC which is apparently being executed now after a gap of 11 years. He was produced before a local magistrate court and has been taken on judicial remand till March 28, 2016.

We would like to mention here that on August 9, 2015, the police of Malkangiri Police Station, district Malkangiri, Odisha, allegedly registered a false case against Mr. Debaranjan Sarangi on a complaint of a woman in Malkangiri district under sections 294/341/323/354/354-B/506(ii) of the IPC (relating to molestation of a woman). He had already taken anticipatory bail in his 2015 Malkangiri case from High Court. In this regard, we also would like to bring to the kind notice of the Hon'ble Commission that HRDA issued an urgent appeal in his case on August 21, 2015 and the complaint was registered by the Hon'ble Commission with case no: 11038/18/29/2015. Human rights groups in the state have accused the police of

fabricating cases against the defender Mr Debaranjan Sarangi to intimidate and immobilize him. According to sources, Mr Debaranjan was in Malkangiri district on August 8 and 9, 2015 to shoot a documentary film on changing life and problems of tribals and during his visit to Malkangiri district he was harassed and intimidated by the police.

HRDA apprehends that the defender Mr. Debaranjan Sarangi is being framed and maligned for his social activities in the tribal region of Odisha. He has been the target of state monitoring and surveillance. Mr. Debaranjan Sarangi is an anti-mining activist, writer and a documentary film maker. He is an active member of *Ganatantrik Adhikar Surakya Sangathan* (GASS), a human rights organisation in Odisha. He was also a part of a joint fact-finding exercise along with the well-known human rights activist and Human Rights Forum (HRF) founder-member (late) K Balagopal in the summer of 2009 that looked into police violence on adivasis in the name of curbing the Maoist movement in the districts of South Odisha. Mr. Debaranjan spent almost eight years with the anti-mining movement of the Adivasis in Kashipur, which inspired him to make a documentary film "At the Crossroads" on the oppressed tribals of South Orissa and their struggles with the state. The hapless adivasis and dalits of the region are caught in the crossfire between the state and the Maoists, rendering their existence completely unstable and miserable. He has been part of extended fact-findings that investigated attacks on Christians in Khandhmal in Odisha and Karnataka and on massacres of civilians by the paramilitary in South Chhattisgarh. As a prolific writer and human rights activist, he has been writing extensively on unbridled mining practices, displacement, police impunity, communalism, atrocities on dalits, women and adivasis in the state.

We strongly urge the National Human Rights Commission of India to take urgent and special notice of Mr. Debaranjan Sarangi's arrest. We demand that the NHRC depute a special independent criminal investigation team to reach the depths of this case. This team must positively come out with a report including recommendations and concrete mechanism to provide protection to human rights defender Mr. Debaranjan Sarangi, his family and friends after personally meeting them.

We also urge the National Human Rights Commission of India to send a high level team led by a Special Rapporteur of the NHRC to Odisha to meet Mr. Debaranjan

Saranggi and other Human Rights Defenders in the region who are involved in the promotion and protection of human rights and look into the cases as well as report on the challenges faced by this HRD in the region. We also humbly submit that the human rights defenders in the state of Odisha and elsewhere such as Mr. Debaranjan Sarangi are particularly most vulnerable and face the risk of reprisals and persecution by state agencies.

We also urge the Hon'ble Commission to direct the Odisha administration to ensure the physical and psychological integrity of Mr. Debaranjan Sarangi as he continues to be under risk of being threatened or falsely implicated or tortured in custody by the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently.

We also urge the Hon'ble Commission to recommend urgently to the SHRC in Odisha 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 and they can carry out their activities as defenders of human rights without fear of reprisals, and free of all restrictions including police and administrative harassment.

We hope that this urgent action and the reports that will come out of this mission by the NHRC will follow suit for not only in the case of Mr. Debaranjan Sarangi but also other cases in other parts of the country. This action of the NHRC should lead to punitive action being initiated against and the concerned police officers responsible for the continuing harassment, intimidation and detention of human rights defender Mr. Debaranjan Sarangi.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

National Working Secretary