



Human Rights Defenders Alert – India

National Coordination Office

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5th May, 2016

To

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– Jharkhand: RTI activist and human rights defenders, Mr. Sudam Marandi and Mr. Krishnasingh Munda were threatened by local Goon supported by the BPO in Itagarh Block office campus in Seraikela- Kharsawan district of Jharkhand – 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 two RTI activists and human rights defenders namely, Mr. Sudam Marandi and Mr. Krishnasingh Munda of Jharkhand who were physically hackled by a local goon and abused in the BDO office campus of Ichagarh block under Seraikela-Kharsawan district of Jharkhand. The defenders were targeted for using Right to Information Act to expose corruption in the rural development work.

Status of the Human Rights Defenders:

Mr. Sudam Marandi and Mr. Krishnasingh Munda are human rights defenders and right to information activists in the state of Jharkhand. They are associated with

Jharkhand SramikSangh, a trade union based at Jamshedpur town in Jharkhand since 2013. Both the HRDs are making use of Right to Information Act extensively to highlight corruption in the MGNREGA programmes and other government supported rural development work in the district. Recently Mr. KrishnasinghMunda had exposed irregularities and corruption in functioning of Pubic Distribution System in Ichagarh block using Right to Information Act.

The Perpetrators:

Mr. SurajBeshra, S/o JyotilalBhesra

BPO, Ichagarh Block, Seraikela-Kharsawan district, Jharkhand

Ichagarh station officer, Ichagarh Police Station

Date of Incident:

May 2, 2016at around 12.30Noon.

Place of Incident:

In the BPO office chamber situated in BDO office campus of Ichagarh block Seraikela-Kharsawan district, Jharkhand

Details of the Incident:

According to sources, Mr. SudamMarandi and Mr. KrishnasinghMunda have asked for the details of expenses and wages paid and work done in the current financial year in the MGNREGS work in the block from the block office particularly from the BPO through RTI queries. The BPO called them to his office situated in the campus of BDO office in the Ichagarh block to collect their replies. Accordingly, both of them went to his office at about 11.30 AM. While they were sitting inside the office of BPO, one anti-social person of the village named Mr. SurajBeshra, S/O JyotilalBheshra came to them and started abusing both of them in filthy language. He also threatened both by saying that if they don't withdraw their RTI application, they would be killed. He even slapped Mr. SudamMarandi inside the office.

Both the HRDs were scared and came out of the office. They immediately went to the nearest police station to register a complaint which could not be registered as the

concerned assistant sub inspector was absent so they decided to go the police station next day on May 3, 2016.

Appeal:

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above mentioned incident of physical assault on the RTI activists and human rights defenders Mr. Sudam Marandi and Mr. Krishnasingh Munda;
- Take immediate action against the perpetrator by arresting him for the assault on the RTI activists and human rights defenders and using all provisions of law to ensure that the defenders are not harassed or attacked in future;
- Guarantee in all circumstances the physical and psychological integrity of HRDs Mr. Sudam Marandi and Mr. Krishnasingh Munda who are still under risk of further reprisals from the perpetrator and provide a re-assurance of not engaging in such acts against HRDs;
- Ensure provision of reparation, compensation, apology to the defenders for the psychological sufferings they have undergone because of the attack and threats to them and give this assurance to the NHRC of India in writing immediately and urgently;
- Put an end to all acts of attack and harassment of all RTI activists and human rights defenders like Mr. Sudam Marandi and Mr. Krishnasingh Munda in the State of Jharkhand to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

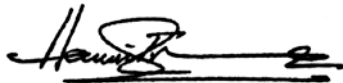
- Ensure the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty;
- Take steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 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 Jharkhand 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 NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs, etc.] to ensure that a coordinated strategy is developed within the State of Jharkhand for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Jharkhand in collaboration with the NHRC Focal Point on HRDs and the SHRC Jharkhand 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 Jharkhand in collaboration with the SHRC, Jharkhand 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 Jharkhand.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary