



## Human Rights Defenders Alert – India

National Coordination Office

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11<sup>th</sup> June, 2016

To

**Shri Srinivasa Kammath**

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 – Telangana: Harassment, intimidation, abusive calls and repeated threats to kill on the phone, social media and in TV discussions of renowned Indian social scientist and Dalit thinker Professor Kancha Ilaiah Shepherd by right wing Hindu groups in Hyderabad in the state of Telangana- 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 now writing to express our grave concern regarding the attempts to harass, intimidate, abusive calls, repeated threats to kill on the phone, on social media and on TV discussions on renowned Indian social scientist Professor Kancha Ilaiah Shepherd in Indian state of Telangana. The Hyderabad police have also registered a case against him for promoting enmity between different groups on grounds of religion and outraging religious sentiments after a complaint by the Hindu right wing groups in the state.

**Source of Information on the Incident:**

- Media reports

## **Status of the Human Rights Defender:**

Professor Kanchallaiah, 64 year old is one of India's most renowned social scientist, academician, writer and Dalit thinkers. A former associate professor at the department of political science in Osmania University, Professor Kanchallaiah is currently the director of the Centre for Social Exclusion and Inclusive Policy at Maulana Azad National Urdu University, Hyderabad in the Indian state of Telangana. He is a prolific writer in English and Telugu and authored several books. Professor Ilaiah's formidable scholarship includes iconoclastic works such as 'Why I am not a Hindu', 'Post-Hindu-India', 'Buffalo Nationalism and Untouchable God' and numerous other writings radically denouncing the caste system in India. He has been a recipient of the Mahatma Jyotirao Phule Award and was a Nehru Fellow between 1994-97.

Ever since he wrote the book, 'Why I am Not a Hindu', upper caste Brahmin groups have been opposing him and his ideas which they think that it is a direct attack on their historical hegemony and control. Upper castes groups have also been upset with his other books, Post-Hindu-India, Buffalo Nationalism and Untouchable God. His family belonged to the sheep-grazing Kuruma Golla caste. He recently changed his name from Kanchallaiah to Kanchallaiah Shepherd to highlight his caste's productive capability – as a shepherd – and break away from the oppressiveness of caste-based hierarchies.

## **The Perpetrators:**

1. The Brahmin Associations in Andhra Pradesh and Telangana
2. Mr. Krishna Rao, Chairman of the Andhra Pradesh Brahmin Corporation, (also former chief secretary of Andhra Pradesh)
3. 15 men allegedly claiming to be Brahmins
4. Police and the state administration of Telengana

## **Date of Incident:**

May 15 and 16, 2016

## **Details of the Incident:**

According to sources, on May 14, 2016, Professor Kanchallaiah Shepherd was invited to deliver a lecture by the Centre for Indian Trade Unions (CITU), a wing of the Communist Party of India (Marxist) at Vijayawada (Amaravathi), where he spoke

on the origins of labour and the history of production in India. During his lecture he stated that the Brahmins as a community had not contributed anything to the production process of the Indian nation. Even now their role in the basic human survival based productive activity is almost missing. On the contrary, they constructed a spiritual theory that repeatedly tells people that production is pollution. The critical point he made in his lecture was that historically Brahmins never participated in any production process. The next day a newspaper twisted his point and wrongly quoted him as saying that 'Brahmins are lazy and gluttonous'.

The Dalit-Bahujan, Adivasi organisations, including some of the Left organisations responded by organising counter protests and meetings on subsequent days to counter this aggressive Brahminical reaction to the views of Professor Kanchallaiah. On May 15 and 16, 2016 the Brahmin Associations in Andhra Pradesh and Telangana burnt Professor Kancha's effigies, gave condemnation statements and came to his office at the Maulana Azad National Urdu University Hyderabad, under the guidance of Mr. Krishna Rao, a former chief secretary of Andhra Pradesh and currently Chairman of the Andhra Pradesh Brahmin corporation. About 15 men were sent to his office, apparently by Mr. Krishna Rao, and they later went and issued false statements of half truths about Professor Kancha in Telugu language newspapers. These men, claiming to be Brahmins, made calls to his office and threatened that they will do to him (Professor Kancha) what Parashurama of their ancestry had done to the kshatriyas with his powerful axe.

Later someone put up his office number on Facebook and abusive calls started pouring in to Professor Kanchallaiah Shepherd. He was repeatedly threatened and insulted – on the phone, social media, on the streets and in TV studios. In the past, he has been targeted only by lower-caste members of organisations headed by Brahmins such as the RSS and the VHP but now first time the Brahmins have come out in the open to target him.

On May 26, 2016, a case has been filed against Professor Kanchallaiah Shepherd at the Saroor Nagar Police Station of Hyderabad under IPC sections 295A (deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs), 153A (promoting enmity between different groups on

grounds of religion) and 298 (uttering, words, etc. with deliberate intent to wound the religious feelings of any person)

Last year, a VHP activist had filed a complaint against him for his article in a newspaper, titled 'Devudu Prajasamya VaadiKaada' ("Is God not a democrat?") for which the Telangana police filed a case against him under Section 153 (A) and Section 295 (A), bowing to pressure from Hindutva organisations. Professor Kanchallaiah had to move to the court to get a stay order on criminal proceedings against him for merely writing that article.

### **Appeal:**

We, therefore urge you to immediately take necessary steps to ensure that the Commissioner of Police, the District Collector and District Magistrate of Hyderabad City and District -

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment, intimidation, and repeated threat to kill him on the phone, social media, the streets and in TV studios and filing of cases against Professor Kanchallaiah Shepherd;
- Take immediate action on the perpetrators for the harassment, intimidation and repeated threats to kill Professor Kanchallaiah Shepherd on the phone, social media, and on TV shows and for filing cases against him;
- Guarantee in all circumstances the physical and psychological integrity of Professor Kanchallaiah Shepherd and his family members from further reprisals from the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensure provision of reparation, compensation, apology to Professor Kanchallaiah Shepherd and his family members for the psychological sufferings they are undergoing because of his repeated harassment and threats to his life;

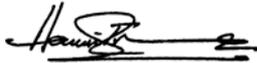
- Put an end to all acts of attack and harassment against all human rights defenders like Professor Kanchallaiah Shepherd in the state of Telangana to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Takes steps to conform to the 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 Telangana 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 Telangana 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 and Telangana in collaboration with the NHRC Focal Point on HRDs and the SHRC Telangana 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 Telangana in collaboration with the SHRC, Andhra Pradesh and Telangana 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, ensure 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 and Telangana.

Looking forward to your immediate action in this regard,

Yours sincerely,



**(Henri Tiphagne)**

Honorary National Working Secretary