



Human Rights Defenders Alert- India

National Coordination Office

6, Vallabai Road, Chokkikulam, Madurai 625 002

Tamil Nadu, INDIA

Tel: +91-9994368540 Email: hrda.india@gmail.com

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To,

Mr. 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

Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India – Urgent Appeal for Action – Illegal arrest of Prof. Kodandaram and several other activists preventing them from right of association and assembly in Hyderabad, Telangana State–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 over the arrest of Prof.Kodandaram and several activists preventing them from right of association and assembly in Hyderabad in Telangana.

Status of Human Rights Defender:

The Telangana Joint Action Committee (TJAC) is an active social organisation which works for the realisation of statehood for Telangana region. It is an umbrella organisation comprising various wings such as employees, students, etc.

TJAC was formed in 2009 to bring all the organisations and political parties under one roof. TJAC has taken up various forms of protests like hunger strikes etc., for the formation of Telangana state. They have conducted protests like Sakkala Janula Samme, Million March, Telangana March, etc.

Prof. M. Kodandaram (Muddasani Kodanda Rama Reddy), aged 62 years, is a known professor, educator and political activist and is the chairman T-JAC, which is formed for fighting for separate Telangana state. He was also actively involved with challenging the Polavaram displacement issues in the Godavari districts of Andhra Pradesh, India.

Source of Information on the Incident:

- Communication with activists in Telangana
- Media Reports
- The Regional Coordinator for the South Region of HRDA

Date of incident:

- February 20, 21 & 22, 2017

Place of incident:

- In the city of Hyderabad and the districts of Telangana too.

The Perpetrators:

- The police personnel of Hyderabad City Police
- The Telangana police in other parts of the state

Details of the Incident

According to sources, on February 1,2017, the Telangana Vidhyavantula Vedika (TVV), which is part of TJAC, had moved the Hyderabad High Court seeking directions to the police authorities to grant permission for the proposed “Nirudyoga Nirasana Rally” (rally is to demand the state government to fulfil its promise of one lakh jobs) scheduled to be organised in the state capital on February 22, 2017, to highlight the plight of unemployed youth.

The forum, represented by its Honorary President Prof. M. Kodandaram and representative Mr. G Venkat Reddy, on Saturday sought the court to declare as

illegal and unconstitutional, the inaction of the respondent authorities (Hyderabad City police) in allowing it to hold a peaceful rally “Chalo Hyderabad.”

The petition said that the rally would start from Sundarayya Vignana Kendram and end at Indira Park was against unemployment in the state, adding that in spite of giving an advance representation for permission, they hadn't been granted permission. They stated that an undertaking was also given to the authorities ensuring that the rally is peaceful and does not violate or create a law and order problem. The Principal Secretary to Home, City Police Commissioner and others were named as the respondents. The matter was to come up for hearing on Monday, February 20, 2017.

In the meantime, the TJAC chairman Prof. M. Kodandaram made it clear that the organisation would hold its proposed rally in Hyderabad on February 22, 2017, as per schedule, even if the state government fails to give permission. While addressing a gathering of students in Nizamabad on Saturday, Mr. M. Kodandaram had alleged that police were planning to suppress the TJAC's activities. Hence, they were plotting to create hurdles for the Nirudyoga Nirasana Rally. He gave a clarion call to all students and unemployed youth across the state to come to Hyderabad and join them during the rally. Earlier in the day, Prof. M. Kodandaram had crisscrossed Nizamabad and Kamareddy districts and addressed 22 programmes, conducted as part of a preparatory exercise for the Nirudyoga Rally. The TJAC Nizamabad district president Mr. Gopal Sharma and other students' union leaders accompanied the TJAC chairman.

As the TJAC decided to go ahead with their proposed Nirudyogula Nirasana Pradarsana, defying prohibitory orders imposed by the police, the police started to arrest hundreds of activists all over the Telangana state.

It is learned that the police have closed all routes towards Hyderabad deploying heavy forces, checking all vehicles entering the city and arrested youth and students wherever found to be reaching the city. A large number of student TJAC leaders were also arrested and in the districts, barricades were placed to check vehicles movement.

Meanwhile, the police forces were being drafted from across the state and the area around Indira Park (venue proposed for the protest) has been grabbed under control by the police. Water cannons and barricades have been kept ready.

The Rapid Action Force has also been kept ready. Accusing that the government has become intolerant to criticism, the TJAC chairman said the police and the government seem to be determined to foil their attempts and muzzle the voice of democracy. But, he stated that they too are equally determined to go ahead with their plans to hold the rally and meeting. He deplored that even while the issue of permission was pending in the court, the police since Monday had arrested over 600 people. He appealed to the unemployed youths to express their protest in a peaceful and democratic manner.

Police have warned the youth that if they violate the prohibitory orders, criminal cases will be booked against them. Prof. M. Kodandaram had moved the plea that the rally be permitted. Hearing the petition on Monday, February 20, 2017, Justice A. Ramalingeswara Rao had asked the petitioner's counsel to get instructions from the client whether they will postpone the rally from Wednesday to Sunday, and whether they are prepared to hold the public meeting at alternative places suggested by the police.

When the petition came up for hearing on Tuesday, February 21, 2017, the counsel for the petitioner, told the judge that the client was ready to hold the protest either at Nizam College, NTR Stadium, Osmania University campus or LB Stadium. However, the petitioner could not postpone the rally in view of Maha Sivaratri on Friday.

Tuesday, February 21, 2017, TJAC withdrew its demand before the Hyderabad High Court for permission for its proposed rally to seek jobs for the unemployed. Soon after withdrawing the petition, Prof. M. Kodandaram, announced that they will go ahead with the rally from Sundaraiah Vignan Kendram to Indira Park on February 22, 2017, without police permission.

Stating that protest is their democratic right, Prof. M. Kodandaram said they would go ahead with their plans and alleged that the Telangana Rashtra Samithi (TRS) government was trying to suppress a democratic and peaceful protest in the same manner in which the rulers of united Andhra Pradesh suppressed the movement for separate Telangana state.

On February 22, 2017, Wednesday, the Hyderabad police arrested Prof. M. Kodandaram and other senior leaders in the wee hours in order to prevent them from participating in the Nirudyoga Nirasana rally.

TJAC activists said that a team of police headed by East Zone DCP, Ravinder went to Prof. M. Kodandaram's residence in Tarnaka and asked him to surrender. But Prof. M. Kodandaram asked police to come after 6 AM to arrest him. The police officials refused to leave and tried to persuade the leader. Later, a police team forcefully broke the front door lock and entered into the house of Kodandaram at around 3.30 AM and detained the leader. They took him to various police stations and finally lodged him at the one in Kamathipura. Senior police officials said that, Prof. M. Kodandaram was taken into preventive custody in order to maintain law and order in the city.

Police also have arrested scores of other protesters from various places in the city and have moved them to different locations. A large police force is present at the Sundaraiah Vignana Kendram and at the Indira Park, where the protest is going to take place.

TJAC leaders alleged that these kinds of pre-dawn crackdown on protesters are unprecedented, as they had never happened even during the Telangana protests.

Appeal:

We, therefore urge you to immediately take necessary steps and:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of illegal arrest/detention and remand of Prof. M. Kodandaram and activists of TJAC;
- Takes necessary steps to ensure that the activists are released unconditionally, the cases filed against them are withdrawn and also to take the necessary steps to quash the FIR if any, enabling them to come out instead of forcing them to regularly visit courts and face harassment;
- Take immediate legal action on the perpetrators in this case personnel of Hyderabad City Police for the arrest of the activists who were proposing to protest demanding employment for the youth as promised by the state government thereby denying the right to expression and right to associate and assemble peacefully;

- Take appropriate actions against the police officers involved in using their powers to break open the lock and indulge in a pre-dawn arrest and remanding the activists by police personnel of Hyderabad City and Telangana Police who are directly involved in this;
- Puts an end to all acts of attack and harassment against all human rights defenders in general in the state of Telangana and ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

Looking forward to your immediate action in this regard,

Yours sincerely,

Sd/-

(Henri Tiphagne)

National Working Secretary