



Human Rights Defenders Alert- India

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To,

Shri Srinivasa Kammath

National Focal Point - Human Rights Defenders & Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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Sub: HRD Alert - India – Urgent Appeal for Action – Assam: Arrest of activists Soneswar Narah and Paranab Doley of Jeepal Krishak Shramik Sangha and brutal lathicharge on the protesters – Reg.

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.

We are writing to express our grave concern over the arrest of activists Soneswar Narah and Pranab Doley of Jeepal Krishak Shramik Sangha (JKSS) on April 24, 2017, and brutal lathicharge on the protesters of JKSS, who demanded release of their leaders on April 27, 2017.

Source of Information on the Incident:

The Coordinator of HRDA for the North East of India

The Perpetrators:

Assam police, DFO, Bokakhat and Govind Kakoti, Traffic Inspector

Date of Incident:

April 24 – 27, 2017

Place of Incident:

Bokakhat Police Station

The detail of the incident

On April 19, 2017, members of JKSS held demonstration in front of the Bokakhat Agriculture Office (BAO) and Bokakhat Divisional Forest Officer (DFO). Their demands were - immediate release of State Disaster Relief Fund (SDRF) for the poor peasants who had lost their life and property during the 2016 flood, immediate loan waiver for the farmers, 100% reservation to the locals of Kaziranga National Park in the recruitment of 90 Assam Forest Protection Force (AFPF) personnel from the 5 adjoining districts, immediate compensation and job to the members of the victim family who have lost life due to animal depredation and excesses of forest department, disclosure of the clearance papers of highlands being constructed inside the core zone of Kaziranga. The demands were made by JKSS in a democratic assemblage. On April 21, 2017, during the visit of Hon'ble Forest Minister, Ms. Pramila Rani Brahma, at the DFO Bokakhat, members of JKSS, Takam Mising Porin Kebang (TMPK) and Mising Mimag Kebang (MMK) were gathered there and put forwarded their demands to the Forest Minister in front of the press. The Forest Minister assured the members on 100% reservation for the posts of AFPF to the Kaziranga locales and that the advertisement for these posts would be published again with this criterion. The Bokakhat DFO gave a written assurance to the JKSS, TMPK and MMK members to handover the minutes of this meeting to them on April 24, 2017. Soneswar Narah and Pranab Doley were present in the meeting.

Around 2 PM on April 24, 2017, the members of JKSS, TMPK and MMK went to the office of the DFO to collect the resolution of the previous meeting. After much deliberation with the DFO, it was found that except one demand, other demands were not agreed by the ministry. In the meantime, Pranab Doley received a phone call regarding arrest of five innocent boys from the vicinity of Kaziranga National Park by the Bokakhat Police without the knowledge of the family members. He immediately went to the Bokakhat police station and found that family members were denied access to their children. Pranab Doley had some arguments with the police for not allowing the family members to meet with their children; the police dragged Pranab Doley into the lockup of the police station. When Soneswar Narah went to ask about Pranab Doley, he was dragged too to the police lockup. Later on, it was found that Pranab Doley and Soneswar Narah were arrested by the Bokakhat Police based on a complaint given by Mr. Dharanidhar Bora, DFO, Bokakhat on April 19, 2017, alleging that Pranab Doley and Soneswar Narah along with 50-60 Jeepal members forcefully entered the office premise of the Bokakhat

DFO, put their banner and disrupted the functioning of government office and also threaten to burn the office. Bokakhat police had registered the case against Pranab Doley and Soneswar Narah on April 19, 2017. The case number is 82/2017 under sections 147/447/353/506 IPC.

The arrest was made without any warrant when Pranab Doley and Soneswar Narah themselves went to the police station to inquiry into another incident about the arrest of the five innocent boys. They were produced to the court of SDJM (M) Bokakhat, where their bail was rejected on the ground of illegally using force with the intention to destabilise the function of the government establishment and threaten the officials of the concerning office. They were sent to Golaghat Jail and continue to remain there.

Pranab Doley is a law student and his internal examination is starting from May 5, 2017. It is worth to mention here Pranab Doley and Soneswar Narah were present in the meeting with the Forest Minister on April 21, 2017. Both of them were arrested on April 24, 2017, when they themselves were visiting the police station in another case mentioned above. The police registered the case against them on April 19, 2017. This itself is a clear evidence to show that DFO, Bokakhat and police misused the power to suppress the democratic voice.

On April 27, 2017, around 200 protesters of JKSS, TMPK and MMK staged protest in front of the Bokakhat police station demanding immediate release of their leaders Pranab Doley and Soneswar Narah. The protesters gathered in the police station at around 10.30 AM and were ordered by the police to leave the place within five minutes. When the protesters refused to leave the place, police snatched their banner and the traffic inspector Mr. Govind Kakoti started beating up the protesters. Parboti Khaklari, who was one of the protesters, mentioned that the police started beating up the protestors brutally. Women protesters were beaten up by male police personnels. Only one woman police personnel was present when police started lathi charge. Govind kakoti, the traffic Inspector caught hold of one woman protestor from the back and tore her blouse. Three members of JKSS were arrested and later they were released.

Appeal:

HRDA most respectfully appeals that this Hon'ble Commission to immediately take necessary steps to ensure that:

- Order an immediate, thorough, transparent, effective and impartial investigation, by NHRC's Investigation Wing, into the above-mentioned incident of illegal and arbitrary arrest under fabricated charges on Soneswar Narah and Pranab Doley of Jeepal Krishak Shramik Sangha and brutal use of force on the peaceful protestors;
- Take immediate action on the perpetrators, in this case the police personeel of Bokakhat police station, for arresting activists Soneswar Narah and Pranab Doley on fabricated charges, and brutal use of force on the peaceful protestors. Use all provisions of law to ensure that the defenders are not harassed and threatened by the police official or their associates in future;
- Immediately appoint a competent senior lawyer practicing on the criminal side in Assam to defend HRDs Soneswar Narah and Pranab Doley in all the criminal cases registered against him at state cost. The counsel so appointed should report to the Hon'ble Commission in periodic intervals as determined by the Hon'ble Commission on the development in the case;
- Urge that this complaint is not transferred to the State Human Rights Commission for disposal or routinely sent to the Commissioner of Police for investigation since this matter involves police officials in position;
- Ensures provision of reparation, compensation, apology to Soneswar Narah and Pranab Doley for the psychological sufferings they are undergoing;
- Take steps to withdraw the cases filed on Soneswar Narah and Pranab Doley;
- Put an end to all acts of attack and harassment against all human rights defenders in Assam especially in Kaziranga area to ensure that in all circumstances they carry out their activities without any hindrances;
- 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 Assam.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne

National Working Secretary