



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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June 15, 2017

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
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India – Urgent Appeal for Action – Jharkhand : Registration of false cases against the Human rights defender Mr. Gladson Dungdung in Argora and Lalpur Police stations in Ranchi, 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 now writing to express our grave concern regarding registering false FIRs against Human rights defender Mr. Gladson Dungdung in Argora and Lalpur police stations Ranchi district, Jharkhand.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for East of India,
- Communication from the HRD Mr. Gladson Dungdung
- Media reports

Status of the Human Rights Defenders:

Mr. Gladson Dungdung is an Adivasi and environmental rights activist and an author based in Ranchi, Jharkhand. He is the General Secretary of Jharkhand Human Rights Movement, a public forum. He has been working for the Indigenous people's right from the past 20 years.

He initiated a forum in the state of Jharkhand which is known as 'Jharkhand Indigenous People's Forum'. Mr. Dungdung is the author of 15 books, 13 in Hindi and 3 in English. He has written columns in various magazines and newspapers on the indigenous people's rights. His recent publication is "Endless Cry in the Red Corridor" and "Mission Saranda: A War for Natural Resources in India" addresses the contemporary issues of gross human rights violation, mining and communities' rights in Eastern India. It documents the struggles and the human rights violations in Chhattisgarh,

Odisha and Jharkhand with special focus on Saranda Forest which is one of the most extensive surviving Sal forests in Asia, a centre of bio-diversity and a repository of India's rich Adivasi cultural heritage.

He also served as the honorary member in the Assessment and Monitoring Authority under the Planning Commission of India (Govt. of India) from 2011 to 2013. He is affiliated as the senior research associate in the Centre for World Environmental History (University of Sussex, UK) since 2014.

The Perpetrators:

1. Shri D.K. Pandey, Director General of Police, Jharkhand
2. Shri Kuldeep Dwivdi, Senior Superintendent of Police, Ranchi
3. Shri Rajkumar Lakra Superintendent of Police, Ranchi
4. Shri Ratibahan Singh, Officer in charge Argora Police station, Ranchi
5. Shri Jitendra Kumar Officer in charge Lalpur Police station, Ranchi

Date of Incident:

June 9, 2017.

Place of Incident:

Argoda and Morahabadi in Ranchi, Jharkhand.

Incident detail:

According to sources, on June 9, 2017 the officers-in-charge of Argora and Lalpur police stations had registered two complaints against Mr. Gladson Dungdung. The first FIR was filed in Argoda police station with Case No 170/17 under sections 147, 148, 149, 427, 353, and 504 of the Indian Penal Code and Section 3 of Prohibition of Damage to Public Property Act, naming eight persons and one thousand others of 'Birsa Munda Ulgulan Manch' alleging for vandalising the Modi fest, giving provocative speech and demolishing posters of Bharatiya Janata Party office in Ranchi.

According to the second FIR filed in Lalpur police station with case No 170/17 under Sections 143/144/149/150/153/153A/153AA/153B/427/279/353/120B of IPC, naming eleven persons and four thousand others of 'Birsa Munda Ulgulan Manch' alleging of having a mass meeting without permission, giving defamatory speeches against other people living in the state, instigating the crowd on the issues amendment to Chotanagpur Tenancy Act and Santhal Parganas Tenancy Act (CNT/SPT) and domicile policy, not allowing public servant to work, destroying the public property and creating problem for public transportation.

It is to be noted that human rights defender Mr. Gladson Dungdung name is mentioned in both the FIRs. Whereas Mr. Dungdung was released from the Intensive Care Unit of St. Barnabas Hospital, Ranchi after his treatment for hemoglobin deficiency (nutrition anemia) on June 9, 2017. He neither participated in the rally nor was present in the jurisdiction of Argoda police station during which the alleged crime had happened as mentioned in the FIR. Secondly, he had joined the Mass Meeting at Morahabadi, Maidan, Ranchi as a guest speaker, when request was made by the organizers, where he had never given any provocative speech but mentioned in his address to Her Excellency, Governor of Jharkhand about her constitutional obligations relating to the Fifth Schedule area and reminded the Chief Minister that the CNT/SPT Acts were result of historical struggles against the British rule therefore, these Acts

should not be amended. Therefore, naming him in the first FIR is totally false and allegations labeled against him in the second FIR also doesn't sustain.

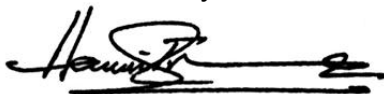
Appeal:

We, therefore urge you immediately to;

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident;
- Take immediate action on the perpetrators for lodging false cases against the human rights defenders Mr. Gladson Dungding in Argora and Lalpur police stations;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he underwent because of the undue harassment;
- 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";
- 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)
National Working Secretary

Copies to:

Justice (Retd.) H L Dattu

Chairperson, National Human Rights Commission

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**Special Rapporteur on the situation of human rights defenders,
Mr. Michel Forst**

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