



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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September 21, 2017

To

Mr 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

Sub: HRD Alert - India – Urgent Appeal for Action – Assam: Arrest of Social activist Gyanen Chakravarty for his social media post allegedly exposing links between All Assam Students Union and Bajrang Dal in Assam – Regarding

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 social activist and teacher Gyanen Chakravarty who had exposed the nexus between All Assam Students Union (AASU) and Bajrang Dal by Nalbari Police in Assam.

About the HRD:

Gyanen Chakravarty is a member of Krishak Mukti Sangram Samiti (KMSS) an organisation working for the welfare of peasants using Right to Information Act in the state of Assam.

The detail of the incident

On October 16, 2017 Gyanen Chakravarty uploaded videos and photographs of placards of Bajrang Dal (right-wing ideology organisation) inside the AASU office in Jagiroad, Morigaon district in Facebook. These photographs and video went viral. Mr. Chakravarty wrote in the post that "I am leaving it to the people of Assam to judge the issue". AASU claimed that placards have been kept inside the AASU office intentionally to defame AASU. AASU Morigaon office filed a complaint at the Superintendent of Police office in Morigaon demanding proper investigation of the matter.

On September 16, 2017, personnel from Nalbari police station arrested him from his residence and then brought to Jagiroad police station for questioning. He is still in police custody at the Jagiroad police station. A case has been registered against him with number 372/17 and he was arrested under sections 153 (Wantonly giving provocation with intent to cause riot), 501 (Printing or engraving matter known to be defamatory) of Indian Penal Code and Section 66 of Information Technology Act.

His arrest was condemned by different organisations across Assam.

Source of Information on the Incident:

- The Coordinator of HRDA for the North East of India
- Media Reports

The Perpetrators:

Assam police

Date of Incident:

September 16, 2017

Place of Incident:

Residence of Gyanen Chakravarty in Morigaon District, Assam.

Appeal :

We **therefore** urge you to immediately

- Order an immediate, thorough, transparent, effective and impartial investigation through NHRC's investigation wing into the above-mentioned arrest of Mr. Gyanen Chakravarty;
- Following the independent investigation, exercise powers under section 12(b) of Protection of Human Rights Act and intervene in the said case through a

competent senior lawyer ensuring that Mr. Gyanen Chakravarty is allowed to continue his freedom of expression and speech;

- Put an end to all acts of attack and harassment against all human rights defenders in Assam to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Ensure fundamental rights of free speech and association guaranteed by Article 19 and right to life and personal liberty granted by Article 21 of the Indian Constitution.

Looking forward to your immediate action in this regard,

Yours Sincerely,

Sd/-

Henri Tiphagne

National Working Secretary

Copies to:

Special Rapporteur on the situation of human rights defenders,

Mr. Michel Forst

c/o Office of the High Commissioner for Human Rights – Palais Wilson

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CH 1211 Geneva 10

Switzerland

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**WORLDWIDE MOVEMENT FOR HUMAN RIGHTS
(FIDH)**