



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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April 20, 2018

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–Maharashtra: Arbitrary searches conducted at houses of Dalit activists and advocates across Mumbai, Nagpur, Pune and New Delhi by personnel of Maharashtra Police– Regarding

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 now writing to express our grave concern regarding the intimidation, harassment and searches in the houses of human rights lawyers and Dalit activists in Mumbai, Nagpur, Pune and New Delhi.

Source of Information on the Incident:

- Communication from the HRDs in the region
- The Regional Coordinator of HRDA for South of India
- Press Releases
- Media Reports

Status of the Human Rights Defenders:

- 1) Sudhir Dhavale, Dalit activist, Editor of Vidrohi magazine
- 2) Harshali Potdar, Women and dalit rights activist

- 3) Ramesh Gaychor, Jyoti Jagtap, Sagar Gorkhe, Rupali Jadhav and Dhawala Dhengle – activists associated with Kabir Kala Manch
- 4) Surendra Gadling, Lawyer and General Secretary of the Indian Association of People's Lawyers (IAPL). For the last three decades, he has litigated cases of marginalised sections of the society, especially Dalits, tribals and workers from various backgrounds. Has played a significant role in defending those incarcerated under security laws of TADA, POTA and UAPA.
- 5) Rona Wilson, Dalit Activist

The Perpetrators:

- Mr. Satish Mathur, Director General of Police Maharashtra
- Mr. Pravin Munde , Deputy Commissioner of Police, Pune
- Mr. Ganesh Gawade , Assistant Commissioner of Police , Pune
- Mr. Suresh Bawche, Deputy Commissioner of Police, Nagpur
- Police personnel from Maharashtra police

Date of Incident:

April 17, 2018

Background:

On December 31, 2017, Élgaar Parishad was organised in Pune which is an event commemorating 200 years of the battle of Bhima-Koregaon where the Peshwahi rule in Maharashtra was defeated by the British with the help of Dalit soldiers. The Élgaar Parishad has been organised every year as a show of support for the Dalits and against caste discrimination.

On January 1, 2018, those who had participated in the event were attacked by a mob who were carrying saffron flags, instigated by Sambhaji Bhide and Milind Ekbote. Both Sambhaji Bhide and Milind Ekbote are associated with right-wing groups such as Sangh Parivar and also the ruling party in the State and Centre, the Bharatiya Janata Party (BJP).

Following this attack, various sections of people including Dalits, other backward classes, Muslims participated in a state wide protest calling for the arrest of Sambhaji Bhide and Milind Ekbote. The police, instead of taking action against Sambhaji Bhide and Milind Ekbote, two prime instigators of the violence, retaliated by conducting massive combing operations in Dalit households and arbitrarily searching homes and arresting young men. Thousands of people were detained illegally. Police filed charges under sections 153A, 505(1), 117 and 34 of the Indian Penal Code against activists including Sudhir Dhavale, Harshali Potdar, Ramesh Gaychor, Jyoti Jagtap, Sagar Gorkhe and also against Jignesh Mevani, a Member of Legislative Assembly, Gujarat and Umar Khalid, a student of Jawaharlal Nehru University. They were charged for participating in the Élgaar Parishad on false and fabricated charges alleging that they made provocative statements.

Incident detail:

Meanwhile, on April 17, 2018, the Pune police personnel conducted simultaneous searches at homes of prominent Dalit activists across Maharashtra. Raids were conducted in the houses of Sudhir Dhavale, Harshali Potdar, Ramesh Gaychor, Jyoti Jagtap, Sagar Gorkhe, Rupali Jadhav and Dhawala Dhengle and also at the residence of Surendra Gadling.

A team of Pune police personnel led by Deputy Commissioner of Police Pravin Munde conducted search operations at Rona Wilson's residence in Delhi and simultaneously at his house in Nagpur.

It is claimed by the activists and human rights defenders that the Pune police had approached the court in March regarding issuance of a search warrant but have conducted the search only now. This is due to the call given by the activists to gherao Vidhan Sabha in Maharashtra if Sambhaji Bhide, Milind Ekbote and other perpetrators are not arrested for their alleged involvement in the violence at Bhima Koregaon against Dalits.

Appeal:

We also urge you to immediately take necessary steps and:-

- Order an immediate, independent, thorough, transparent, effective and impartial investigation, through NHRC's independent investigation team, into the above-mentioned raids and checking on the house of the human rights defenders in Mumbai, Nagpur, Pune and New Delhi;
- The independent investigation team must record statements of all the human rights defenders mentioned in this petition and meet the State Home Department for an assessment of the grave situation arising out of the searches and targeted intimidation of human rights defenders;
- Given that no action has been taken by the Maharashtra Police against Sambhaji Bhide, Milind Ekbote and other perpetrators responsible for violence at Bhima Koregaon, the prime accused in this case, issue urgent directions for legal actions against them;
- Ensure in all circumstances that human rights defenders and those who participated in the peaceful protests are not intimidated by any legal action, and;
- Guarantee in all circumstances the physical and psychological integrity of all the activists and their family members from any further reprisals from the perpetrators and using all provisions of law to ensure that they not harassed or intimidated in future.

Looking forward to your immediate action in this regard,
Yours sincerely,



Henri Tiphagne
National Working Secretary

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