



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No:- HRDA/South/MH/6/8/2018
August 30, 2018

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

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action; Un-identified assailants attempt to murder RTI activist and human rights defender Mr. Kamlesh Saha for raising voice against corruption at Nagpur city, Maharashtra.

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 regarding the attempt to murder RTI activist / crusader and Human Rights Defender Mr. Kamlesh Saha in Lakadganj area of Nagpur city, Maharashtra.

Status of Human Rights Defender:

Mr. Kamlesh Saha, aged about 57 years is a resident of plot no 302, Tulsi Apartment, Telephone Exchange Square, Lakad Ganj Nagpur. He was a pulses merchant by profession and an RTI crusader since 2012. He has filed many RTI applications in the last six years on issues like violations of building construction laws and other social issues. He had also filed a Public interest litigations at the Bombay High Court, Nagpur bench against the irregularities in cold storage construction.

Mr. Saha has been the target of vested interest groups in the past, for exposing corruption in public through the use of Right to Information Act. He has filed hundreds of RTI queries in various state government departments & Municipal corporation offices so far.

He had been receiving threat calls from the builder mafia operating in the city, but there was no complaint registered by him with the police regarding this.

Source of Information on the Incident:

- Regional Coordinator HRDA;
- Interaction with HRD Kamlesh Saha.

Perpetrators:

1. **Dr. B.K.Upadhya** Commissioner of Police Nagpur City.
2. **Mr. Ravindra G. Kadam, Jt. Commissioner of Police, Nagpur City.**
3. **SHRI. S. V. Khandekar** Inspector **Lakadganj PS Nagpur City.**

Details of the Incident:

As per the sources, on Aug 20, 2018 at about 7.30 p.m. Mr. Kamlesh Saha was returning home in his two-wheeler from the head office of Nagpur Municipal Corporation near telephone exchange chowk wherein four miscreants came near him on a two-wheeler and the person seated at the back seat kicked Mr. Saha from the side because of which he fell down and got injured.

After this incident, Mr. Saha went to the nearby Lakadganj police station to file a complaint regarding his attack but to his shock, the officers at the police station were reluctant in registering a complaint immediately. His complaint was registered only after the interference of Police Commissioner Mr. Upadhya.

It is alleged by Mr. Saha that even though a case has been registered by the police vide case no.429 of 21.8.2018, the police has not being proactive or are rather reluctant in carrying out a speedy and fair investigation in the matter despite their being available CCTV footage of the area which could have captured the incident of attack.

It is pertinent to mention here that Mr. Saha's recent complaint against the Infinity builders might have resulted in this attack. It is also important to bring to your notice that post complaint against the Infinity Builders, Mr. Saha along with his family members had been receiving constant threats. Mr. Saha had appraised the police regarding the threats and had also requested the local police for required security arrangements but his requests were ignored and till date Mr. Saha and his family are living under constant threat in the absence of police security.

Appeal:

We, therefore, urge you to immediately take necessary steps to ensure that the Commissioner of Police, the Deputy Commissioner and District Magistrate of Nagpur City:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident involving the gruesome act of attempt to murder of RTI activist and human rights defender Mr. Kamlesh Saha;
- Take immediate legal action against the perpetrators by arresting them after identification for attempting to murder human rights defender Mr. Kamlesh Saha;
- Ensure provision of reparation, compensation, an apology to the family members of RTI activist and human rights defender Mr. Kamlesh Saha for the psychological sufferings he has been undergoing;
- Guarantee in all circumstances the physical and psychological integrity of the family of Mr. Kamlesh Saha who face the risk of further attacks and intimidation from the perpetrators;
- Put an end to all acts of harassment and attacks against all RTI activists and human rights defenders in the State of Maharashtra to ensure that in all circumstances they carry out their activities as defenders of human rights 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 Maharashtra.

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



(Henri Tiphagne)
Honorary National Working Secretary

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Maharashtra Police Headquarters
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Chief Secretary,
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Email: cs@maharashtra.gov.in