



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No: HRDA/East/JH/9/7/2018

July 31, 2018

To

Mr. Srinivasa Kammath,

Focal Point-Human Rights Defenders and Deputy Registrar,
National Human Rights Commission,
Manav Adhikar Bhawan Block-C, GPO Complex, INA,
New Delhi-110023,
E-mail –ID: hrd-nhrc@nic.in

Sub: Appeal for Action by Human Rights Defenders Alert (HRDA), India - In the Matter Stop the harassment of human rights defenders Mr. Stan Swamy & others who are being falsely implicated under charges of sedition by the Jharkhand police at Khunti Police Station

Dear Sir,

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.

Through this Appeal, we are writing to express our grave concern with regard to the registration of false cases of sedition against human rights defenders by the Jharkhand police at Khunti.

Source of Information on the Incident:

- The HRDA coordinator, (East)
- Media reports
- Communication with HRD Stan Swamy and Gopinath Gosh

The Human Rights Defenders:

Mr. Stan Swamy is trained in sociology and is a social analyst. He is the founder member of Vistapan Virodhi Janvikash Andolan (VVJA) and has spent decades defending the civil rights of the marginalized sections of the society. Presently, he is also engaged on the issues of displacement faced by the indigenous adivasi and dalit people of Jharkhand.

The Perpetrators:

1. Mr. D.K. Pandey, Director General of Police Jharkhand
2. Mr. Ashwini Kumar Sinha, Superintendent of Police, Khunti

Date of Incident: July 29, 2018

Background:

Tribals make up 26% of Jharkhand's population. Huge stone plaques, known locally as Pathalgadi, came up at the entry points of tribal hamlets. The plaques measures 15 ft by 4 ft, are painted in green and has messages carved on them. Messages include excerpts from the Panchayats Extension to Scheduled Areas Act, 1996 (PESA) as well as warnings to outsiders, prohibiting them from entering the village. It is a movement of the tribal people that will gradually engulf all the 32,620 villages

Incident detail:

It is being alleged that the Mr. Swamy and others concerned in this appeal through their Facebook account are posting messages to instigate the tribal population to come up with the practice of using Pathalgadi to stop the entry of outsiders including government officials into their hamlets.

In furtherance of this false perception, Jharkhand Police has lodged a false FIR against VVJA founder member Mr. Stan Swamy and 20 others at Khunti police station, Jharkhand. As per the source, Jharkhand police has lodged a false FIR u/s 121,121A & 124(A) IPC against Mr. Stan Swamy and 20 others at Khunti police station, Jharkhand. Mr. Stan Swamy & others came to know about this only through media.

It is pertinent to mention that ever since the process of Patghalgadi has started in the state of Jharkhand, at Khunti police station alone Jharkhand police has registered around 25 similar cases of sedition against 1,500 innocent tribals.

Appeal :

We, therefore urge you to immediately take necessary steps and:

Order immediately, independent, impartial and thorough investigation into the incident and take urgent steps to ensure the safety of the HRDs;

Urgently and immediately announce and direct for no further arrests till the investigation is completed;

Guarantee in all circumstances the physical and psychological integrity of Mr. Stan Swamy & others who is still under risk of further reprisals from the Jharkhand police and provide a re-assurance of not engaging in such acts against HRDs;

Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings they have undergone because of the threats and intimidation to their life and give this assurance to the NHRC of India in writing immediately and urgently;

Put an end to all acts of attack and harassment of human rights defenders in the State of Jharkhand to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

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

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)

Honorary National Working Secretary