



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No.32, Besant Road, Chokkikulam, Madurai - 625 002, Tamil Nadu, India.  
P: +91-452-2531874 & 2539520 Fax: +91-452- 2531874 Mobile: 99943-68540  
E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

**Ref No: HRDA/NE/AS/06/08/2019**

**August 23, 2019**

**To**

Mr. Khaleel Ahmad  
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](mailto:hrd-nhrc@nic.in)

**Sub: *Urgent Appeal for Action- Guwahati, Assam- False implication of cases against women Human Rights Defenders- Rehana Sultana-Regarding.***

**Dear Sir,**

**Greetings from Human Rights Defenders Alert – India!**

HRD Alert, India is a forum of Human Rights Defenders working towards protection and promotion of Human Rights Defenders. It endeavours to initiate action/s on behalf of Human Rights Defenders under threat or with security concerns.

We are writing to express our grave concern over harassment, defamation and levelling of false charges against Rehana Sultana, Research Scholar from Guwahati University. She is being falsely implicated for her work on the issue of NRC, in reference to a two-year old deleted Facebook post, which was purely satirical in nature.

**Source of Information:**

The Coordinator of HRDA for the North East of India]

**The Perpetrator:**

Assam Police

**Date of Incident:**

August 18, 2019

**Place of Incident:**

Guwahati

**About the Human Rights Defender:**

Rehana Sultana was one of the volunteers actively involved in managing and helping applicants in Lower Assam who have been issued re-verification hearing notices from

National Register of Citizens. Previously, in July she was also among the ten poets and activists named in an FIR for objectionable content in poetry written in a dialect locally referred to as “Miyah”. In the case of false charges against the Miyah Poets, HRDA preferred an appeal to the Hon’ble Commission on July 18, 2019 registered as Case No: 149/3/30/2019. The said case is pending with the Hon’ble Commission awaiting action taken report from the concerned authorities. In the “Miyah” Poetry Movement, she has a total of three FIRs against her. Since then she has received multiple insulting rape threats over social media, both publically and privately.

**Background of the incident:**

There has been a spree of sedition charges in Assam in the last four years. The charges of sedition are mostly being slapped against dissenting individuals and organizations, who openly criticize governmental policies and actions, especially the present regime lead by Bharatiya Janatha Party. The pattern of implications under the draconian law of sedition has not gone unnoticed. It is shocking and to note that a total of 251 sedition cases have been filed, since the BJP-led coalition assumed power in 2016. The persons who have been charged along with Rehana Sultana accused in these cases are individuals and groups, extending but not limited to RTI activist- Mr. Akhil Gogoi, Sahitya Academy Awardee Hiren Gohain and journalist Manjit Mahata.

On August 14, 2019 the Assam police took suo-motu cognizance and registered an FIR against Rehana Sultana, a research scholar at Guwahati University over a Facebook post she put up two years ago, allegedly about the consumption of beef. Rehana Sultana was booked under Sections 153A; IPC [*Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc and doing acts prejudicial to the maintenance of harmony*] and Section 67; Information Technology [IT] Act, 2000 [*Punishment for publishing or transmitting obscene material in electronic form*].

The Facebook post in question, is a two year old post, which was posted in June 2017 and taken down soon after. Originally written in the Assamese language, it translates to:

*“Today I participated in Pakistan’s joy by eating beef. What I eat is my tongue’s choice. On reading the word beef, please don’t start a conspiracy and reveal your own nature.”*

Subsequently, she also put up a clarification post on June 19, 2017 that her post was misconstrued, clarifying her intentions. On many instances, she has clarified her intention of putting up the post. It was only a paradoxical statement, posted in the context of a cricket-match, where Pakistan had defeated India.

The Facebook post has resurfaced in August 2019 and a propaganda has been built around it that she chose to post it on Bakr-Eid, which is completely false. The Guwahati police have registered a suo motu case though it is an old post. They were informed about the post of the research scholar after a local news portal published it on August 14, 2019 and registered a case against her under the provisions of IPC and Information Technology Act, 2000. The implications that Rehana Sultana is facing clearly indicates that is a clear case of reprisal due to the she is currently engaged in. She had no role to play in the re-surfacing of the content around Bakri-Eid and Independence Day, and it is being unduly linked by miscreants to deter her from freely carrying out her human rights and social work.

The instant implication, in view of her earlier mention in the FIR regarding the Miyah Poets Movement clearly indicates towards a politically motivated conspiracy. The police action of filing a suo motu case and subsequently an FIR is arbitrary as it relates to a two-year old deleted Facebook post, for which Rehana Sultana has already clarified publicly. It is another attempt to harass the women HRD and stifle her work. The police-action is in clear violation of the constitutional values and international obligations of India, showing adverse discrimination based on her Bengali-Muslim background. This is a clear case of public humiliation and defamation, attacking on the budding career of a 28 year-old research scholar.

The unsolicited criminalisation of social-work in the region is picking up pace by arbitrary police-action. Her implication is not an isolated event, rather there is well established pattern of false implications of activists all across Assam. Clearly an attempt is being made to deter the activists from carrying on their work in the realisation of human rights. Freedom of expression is a major principle enshrined in Indian Constitution and the present action of the police in targeting Rehana Sultana for a two year old Facebook post for which clarification has already been given several times, is a major blow to our constitutional values. It's totally against the Article 19 of Indian constitution Hence the action of the police in filing false FIR against Rehana

Sultana is condemnable and therefore requires immediate intervention of this Commission.

### **Appeal**

We are deeply concerned about the safety and integrity of human rights defenders in the state. Therefore, we humbly pray before the Hon'ble Commission

- To immediately take necessary steps and exercise powers granted under the Protection of Human Rights Act 1993 and;
- Order an immediate, thorough, transparent, effective and impartial investigation through NHRC's investigation wing into the above-mentioned incident of registering cases against Rehana Sultana by Assam Police;
- Take immediate legal action on the perpetrator, in this case, DCP, Guwahati West, Assam who through registering suo motu FIR against Rehana Sultana is attempting to threaten and intimidate her and others from freely expressing their views on social media;
- Take immediate legal action against the persons involved in furnishing an old deleted post in the pre-text of the festival of Eid with the malafide intention of causing harm and disrepute to Rehana Sultana;
- Ensures provision of reparation, compensation, apology to Rehana Sultana for this deliberate, ulterior motive to harass, shame, humiliate and defame her. This will negatively affect career of the research scholar who is also a poet;
- Puts an end to all acts of harassment against all poets, scholars, artists and human rights defenders in general in Assam to ensure that in all circumstances they can express their opinion, carry out their activities without any hindrances; and
- Take appropriate steps to maintain peace, law and order situation of the state without violating the fundamental rights of freedom of expression and assembly;

Looking forward to your immediate action in this regard,

Yours sincerely,



**(Henri Tiphagne)**

Honorary National Working Secretary