



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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October 29, 2020

To

Mr. C.S Mawri,
National Focal Point - Human Rights Defenders & Assistant Registrar,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA, New Delhi –110023
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert -India – Urgent Appeal for Action – Chhattisgarh: Denial of COVID test report, harassment and fabricated charges against WHRD Soni Sori

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 harassment and fabricated charges against the WHRD Ms. Soni Sori, by the Chhattisgarh police in collusion with the National Investigation Agency and the Dantewada Chief Medical Officer.

About the Human Rights Defender:

Ms. Soni Sori aged 45, is a known WHRD, Adivasi school teacher and is a vocal tribal rights activist. She has received the Front Line Defenders Award in 2018 and has been given a Y degree security by the Chhattisgarh government in view of past threats to her life.

Source of Information:

- Communication with the WHRD

- Communication with HRDA Central Region Consultant
- Media reports

The Perpetrators:

- Police personnel of Geedam Police station, Chhattisgarh
- Dr. Devendra Pratap Singh, Nodal Officer, Geedam COVID hospital and CMO of Dantewada.
- NIA Investigating Officer in the case in Raipur Branch Office

Date of Incident:

September 24, 25 and 29, 2020

Place of Incident:

Geedam and Jagdalpur, Chhattisgarh.

Background of the incident:

On the morning of September 24, 2020, lab technicians conducted an antigen test on Ms. Soni Sori for COVID, since she had been suffering from high fever, body ache and fatigue. After the test, Mr. Devendra Pratap Singh, nodal officer of the COVID-19 hospital in Geedam, informed her of being COVID positive.

Since Ms. Sori was supposed to present herself before the officials of the National Investigation Agency (NIA) in Jagdalpur, Chhattisgarh, on September 25, 2020, for an inquiry as a witness into the killing of BJP MLA Bheema Mandavi and four policemen in an alleged Maoist attack in 2019, she informed NIA officials in Jagdalpur of her COVID-positive status over the phone, and asked if she still needed to be present for the inquiry.

NIA officials told her they'd think over it and get back to her. In the meantime, she was served with a home isolation order pasted on her wall, which she shared with the NIA officials. They asked her to share her COVID test report, which she had not received.

Details of the Incident:

Around noon on September 24, 2020, a team of health workers accompanied by 2-3 policemen from the Geedam police station arrived at Ms. Sori's residence to conduct a second COVID antigen test on her.

When Ms. Sori called the Nodal Officer Mr. Devendra Pratap Singh to ask him why she was being tested for the second time within two hours of the first test, he said he was under immense pressure as the SP was refusing to believe she was COVID positive. Health workers then informed Ms. Sori that she had tested negative, and she intimated the same to NIA officials. They again asked her for a report.

Ms. Sori called Mr. Singh several times through September 24, 2020, till around 9 PM, asking him to give her a report as she was scheduled to appear before the NIA the next morning. She also apprised the CMO of Dantewada of her situation, and kept NIA officials informed of her attempts to get the COVID test report. She last spoke to NIA officials on September 24, 2020, at around 9 PM, when they told her she was negative and asked her to report for inquiry the next day.

Given Ms. Sori's alleged COVID-positive status, neighbours and local travel agents were unwilling to lend their vehicles for her travel from Geedam to the NIA office in Jagdalpur (80 km). She was forced to travel the distance on her nephew Mr. Linga Kodopi's bike despite heavy rains and ill health.

Although Ms. Sori was suffering with high fever, NIA officials questioned her for over six hours on September 25, 2020. At around 4 PM, just as she and Mr Kodopi had left Jagdalpur for Geedam on their bike after the inquiry, Ms. Sori received a call from the Geedam COVID hospital saying she had violated the home isolation order. She went back into home quarantine thereafter, and kept calling Mr Singh through the next three days, asking him for her test reports.

On September 29, 2020, at 10.10 AM, a complaint was lodged at the Geedam Police Station (FIR no 33363020200070) by Mr Guruwanta Barge, an employee (sauna) of the Geedam Police station, on behalf of nodal officer Mr. Singh.

In the complaint, Mr. Barge, said he received a letter from Mr. Devendra Pratap Singh, the Nodal Officer, on September 29, 2020, stating Ms. Sori had travelled to Jagdalpur on September 25, 2020, in violation of home isolation order served on her by the Dantewada Collector following her testing positive for COVID on September 24, 2020.

The complaint said the letter written by Mr Singh on September 26, 2020, mentioned he had learned of Ms. Sori's travel to Jagdalpur from a report published in the Dainik Jagran newspaper on the same day. Ms Sori was charged under Sections 188

(disobedience to an order duly promulgated by a public servant), 269 (negligent act likely to spread infection of disease dangerous to life) and 270 (malignant act likely to spread infection of disease dangerous to life) of the IPC.

It is our firm belief that Ms. Sori has been harassed and unfairly charged under various sections by the Chhattisgarh police despite her repeatedly informing the police and NIA of her COVID positive status and her home quarantine order repeatedly. Furthermore, she had maintained complete transparency with the Nodal officer, NIA and the Police about her medical status and they insisted on her appearing for questioning.

The denial of reports of her COVID tests despite several attempts, the insinuation that Mr Singh was unaware of Ms Sori's scheduled travel to Jagdalpur when she tested positive on September 24, her over six-hour questioning by the NIA team on September 25, 2020, despite her illness, and the fabricated case against her all amount to harassing her as an HRD.

Not only was Ms Sori not provided reports of the COVID antigen tests conducted on her despite several reminders, including apprising the CMO, the Police colluded with health officials to register the FIRs under Sections 188, 269 and 270 of the IPC.

We also believe it was an act of gross negligence by the NIA officials to insist on questioning Ms. Sori even after realising she was suffering from high fever putting both her life at risk and exposing the NIA officials to infection in these times of pandemic.

Appeal:

We appeal to the Hon'ble Commission to protect human rights defenders, especially in this situation where the WHRD was targeted through misuse of law. We thus urge the hon'ble Commission members to:

- Order an independent inquiry in the above mentioned incident of misusing law to harass and intimidate the WHRD Ms. Soni Sori.
- Based on the independent inquiry, order actions against concerned official for putting at risk the life of the WHRD Ms. Soni Sori.
- Direct the DGP of Chhattisgarh to take measures to quash the false charges against the WHRD Ms. Soni Sori.

- Guarantee that the WHRD Ms. Soni Sori who is still under risk will not be questioned by the NIA or any other security agency unless she is cleared for infection and recovers fully from her ill health.

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)

National Working Secretary