



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/UA/NE/AS/03/08/2024

August 31, 2024

To,
Mr. Indrajeet Kumar,
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 – Urgent Appeal for Action - Assam – Inglay Pathar – detention of the HRDs and registration of FIR based on fabricated charges against the HRDs.

Greetings from Human Rights Defenders Alert!

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 concern regarding detention and registration of an FIR against land and environmental HRDs by Bokakhat police in Assam.

About the Human Rights Defenders:

Mr. Manohar Pegu, Ritupan Pegu and Saurav Patrigi are members of GKLHRC. Greater Kaziranga Land and Human Rights Committee (GKLHRC) is a mass organisation comprising more than 100 villages from in and around Kaziranga, have submitted numerous memorandum demanding the land rights for the people who have been evicted from their homesteads in Inglay Pathar. Land records obtained from the evicted families show that they were cultivating the piece of land for over three generations. GKLHRC have documents proving their hold over these lands which had been duly informed to the Golaghat District Administration.

Source of Information:

- Communication with HRDA NE Co-ordinator
- Communication with other Human Rights Defenders in the region

Perpetrators:

Police officials of Bokakhat, Assam

Date of Incident:

August 7, 2024

Place of Incident:

Inglay Pathar, Golaghat, Assam

Background:

A 5 Star Hyatt Hotel is proposed in Inglay Pathar in Kaziranga, which is also grazing ground for the wild animals from Kaziranga. Communities who live in Inglay Pathar are also affected by the proposed project. A section of conservation organisations including UNESCO World Heritage Sites advisory bodies have written to the Assam Government to immediately stop the diversion of the said land for 5-star hotels. The National Green Tribunal (NGT) has taken a Suo moto cognizance of the issue against transfer of the land in Kaziranga which is pending before NGT.

Details of the Incident:

On 7th August 2024, Manohar Pegu and Ritupan Pegu members of Greater Kaziranga Land and Human Rights Committee (GKLHRC) went to collect testimonies of displaced families in Inglay Pathar, where 45 families were displaced due to land acquisition for Hyatt Hotel. When they are collected the testimonies, a violent mob attacked Manohar Pegu, Ritupan Pegu when they were with displaced family of farmer Minali Gowala. Due to the assault by the violent mob, a farmer from the displaced family Minali Gowala and her daughter Rongajan sustained injuries and were shifted to hospital which the help of Geeta Gowala who is also a member of displaced families.

GKLHRC members Saurav Patrigi, Subham, Ritupan, and Manohar went to Bokakhat police station seeking police intervention, the police refused to take action and detained Saurav Patrigi, Subham, Ritupan, and Manohar. The police subsequently detained Minali Gowala, Geeta Gowala and other members from displaced families. On August 8, 2024 the Bokakhat police released Saurav, Shubham and Geeta and registered and FIR against Manohar and Ritupan Pegu and remanded before Judicial magistrate.

HRDA strongly believes that the detention and registration of FIR by the police officials is an act of reprisal against the human right defenders.

The United Nations Declaration on Human Rights Defenders 1999 states the following: Article 12 (2) and (3) "*The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.*"

Appeal:

We urge the Hon'ble Commission to take cognisance of the above case and urgently:

- Direct the Director General of Police of Assam to conduct a fair and transparent inquiry into the assault on the environmental HRDs and police inaction submit a report to the NHRC within two weeks.
- Direct the Director General of Police of Assam to quash any false complaints against the EHRDs.
- Intervene in the relevant court on behalf of the EHRDs.
- Ensure that the freedom of peaceful assembly is not restricted and prevent attacks on activists who are peacefully protesting against acquisition of land.
- Direct the Director General of the Police of Assam to ensure the safety of EHRDs and their family and to protect them from further harassment by the police.

We hope to hear from you soon,

Yours Sincerely,



(Henri Tiphagne)

National Working Secretary