



Human Rights Defenders Alert- India

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05 January, 2017

To,

Shri Srinivasa Kamath

National Focal Point - Human Rights Defenders & Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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Sub: HRD Alert - India - Urgent Appeal for Action – Telengana/Chhattisgarh: Arrest of members of a fact-finding team from Telengana who were to enquire about human rights violations on Adivasis in Chhattisgarh – Regarding

Dear Sir,

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 arrest of members of a fact-finding team, comprising of lawyers, journalists, students and activists, by Telangana Police and handed over to Chhattisgarh Police. The members of the fact-finding team are charged with Chhattisgarh Special Public Security Act (CSPSA) 2005.

Source of Information on the Incident:

The Regional Coordinator of HRDA for South of India

Media Reports

Status of the Human Rights Defenders:

Members of a fact-finding team from Telangana Democratic Front –

1. **Balla Ravindranath**, Advocate, High Court, AP and Telangana and General Secretary of the Committee for Release of Political Prisoners (CRPP),
2. **Chikkudu Prabhakar**, Advocate, High Court, AP and Telangana and Convenor, Telanagna Democratic Forum.
3. **Durga Prasad**, Independent Journalist, Hyderabad
4. **Duddu Prabhakar**, President, AP Kula Nirmulana Porata Samiti (Committee for Caste Annihilation)
5. **Rajendra Prasad**, Telangana Vidhyarthi Vedika (Telangana Students Forum)
6. **Nazeer**, Telangana Vidhyarthi Vedika (Telangana Students Forum)
7. **Ramanala Laxmaiyya**, Secretary, Adivasi Tudem Dubba, Khammam

The Perpetrators:

Telangana State Police & Chhattisgarh State Police

Date of Incident:

25th December 2016

Place of Incident:

Dummugudem in Kothagudem District, Telangana

Details of the Incident:

According to sources, seven members of a fact-finding mission (names mentioned above) who were to enquire about human rights violations on Adivasis in Chhattisgarh were detained by Telangana police near Dummugudem in Kothagudem district of Telangana in the morning of 25th December 2016 and later they were handed over to Chhattisgarh police. It is to be noted here that it is shown by the Chhattisgarh Police that the arrest was made in Konta,

Chhattisgarh. They were charged under Sections 8(1), 8(2), 8(3) and 8(5) of Chhattisgarh Special Powers Security Act, 2005 for allegedly possessing 'banned literature', old currency notes etc. and were produced in a court in Sukma on 26th December 2016 and the court ordered to send them to judicial custody at Sukma prison. It has to be noted that the arrest was actually made by the Telengana police within Telengana and there is no reason that they should have been handed over to Chhattisgarh police. The Chhattisgarh police further misled the court stating that they have been arrested in Chhattisgarh as mentioned in their official press release. On 3rd January 2017, their bail application was rejected by the district court, Dantewada.

Appeal:

Therefore, HRDA most respectfully appeals that this Hon'ble Commission to immediately take necessary steps to ensure that:

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of the arrest of the fact-finding team members through a special investigation team appointed by the commission;
- Take immediate legal action on the perpetrators in this case both Telangana & Chhattisgarh State Police for arresting and harassing the fact-finding team members and using all provisions of law to ensure that the human rights defenders are not harassed or attacked or falsely implicated in future by the police;
- Ensure immediate appointment of a competent senior lawyer practicing on the criminal side in Sukma District of Chhattisgarh to defend the arrested human rights defenders in all the criminal cases registered against them at State cost and with the counsel so appointed reporting to this Hon'ble Commission in periodic intervals;
- Given the summons issued to IG Bastar and Chief Secretary of Chhattisgarh, which they didn't respond and now a fresh date being issued, also recent events of fresh attacks on human rights defenders, Commission should appoint a team of Special Rapporteurs in Bastar Region who report to the Commission at periodic intervals;

- Ensure provision of reparation, compensation, apology to the defenders for the psychological sufferings they are undergoing because of their arrest and provide a re-assurance of not engaging in such acts against HRDs;
- Put an end to all acts of harassment against all human rights defenders in general in Chhattisgarh to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Ensure that the provisions of the draconian Chhattisgarh Special Powers Security Act, 2005 are not used to target, harass, intimidate activists, academicians, lawyers, students who work towards the promotion and protection of human rights in the state of Chhattisgarh.

Looking forward for your action in this regard.

Thanking you

Sd/-

Henri Tiphagne

National Working Secretary

Justice (Retd.) H.L. Dattu,
Chairperson,
National Human Rights Commission,
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Special Rapporteur on the situation of human rights defenders,
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