



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/UA/East/JH/01/06/2023

Jun 28, 2023

To
Mr. Indrajeet Kumar,
National Focal Point - Human Rights Defenders & Assistant 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 - India - Urgent Appeal for Action – Death of HRD Sendhu Munda in jail after being assaulted by officials in Latehar jail in Jharkhand

Greetings from Human Rights Defenders Alert - India

HRD Alert - India is a platform of human rights defenders [HRDs] for HRDs. It seeks to initiate action on behalf of HRDs under threat or with security concerns. HRDA – India, thus imbibes and has been giving expression to the Regional Action Plan on Human Rights Defenders of the Asia Pacific Forum of NHRIs. HRDA – India is very closely associated with ANNI [the Asian NGO Network on National Human Rights Institutions] through its Indian member AiNNI [the All India Network of NGOs and Individuals working with National and State Human Rights Institutions]. The Regional Action Plan on Human Rights Defenders of the Asia Pacific Forum of NHRIs. The Regional Action Plan on Human Rights Defenders (**HRDs**) establishes an agenda for action on behalf of the APF and its members to champion the rights of HRDs across the region. The Action Plan also realises a key commitment of the APF and its members under the 2018 Marrakesh Declaration, which established a global framework of actions by NHRIs to support the rights of HRDs.

The Regional Action Plan on Human Rights Defenders (**HRDs**) includes National actions, which will be implemented by APF members, of which the NHYRC India is an active member and this plan includes :

- (i) Advocating for national legal protections;
- (ii) Promoting gender equality and mainstream the recognition of Women HRDs;
- (iii) Raising awareness of the rights of HRDs;
- (iv) Developing an 'early warning systems';
- (v) Monitoring violations against HRDs;
- (vi) Reporting on violations against HRDs;
- (vii) Engaging with the international human rights system;
- (viii) and Strengthening national networks of HRDs. (one such national network in India is the HRDA – India.

We are writing to express our shock about the brutal murder of HRD Mr. Sendhu Munda inside Latehar Mandal jail. Mr. Munda was a forest rights activist and was associated with the Forest Security Committee in his village. He was beaten to death by the jail officials inside the jail and his death was covered up by the jail officials and hospital doctors. After his death his family submitted a written complaint to in the police station, but no action has been taken on basis of their report and the family are being threatened by the police.

Source of information:

Communication with the HRDA East Regional coordinator

Communication with other HRDs in the region

Communication with the HRD's own family

Date of the Incident:

May 02, 2023.

Place of the Incident:

Latehar, Jharkhand

The Perpetrators:

- Mr. Shankar Munda, Chief Warden
- Mr. Chandrashekhar Singh, Warden,
- Mr. Deep Narayan, Special Personnel warden,
- Mr. Pradeep Prajapati, warden
- Mr. Manohar Barla, warden and
- Other police personnel working in Latehar Circle Jail
- The doctors on duty at Latehar Mandal Jail
- Latehar Divisional Jail Superintendent Mr. Mensen Barwa

About the Human Rights Defender:

Mr. Sendhu Munda was a member of the Van Suraksha Committee (Forest Security Committee) formed by the villagers to help the villagers and protect forests rights. Mr. Munda was involved in the issues of illegal cutting of forests and other social rights of the villagers.

Background to the incident:

On May 2, 2023, on occasion of festival of Sarhul in Ladhup, people were worshipping at Jhakra (Sarna Sthal) in the village. According to tradition, the village priest performs Phulkhosi (giving flowers) at everyone's house. It is considered inauspicious to ask for flowers from the priest during this ceremony. However, a villager, Sibal Ganjhu went to the priest's house asking for flowers, and the priest refused to give him flowers due to inauspiciousness.

Later the same day, four boys of Dusri Bela village had a motorbike accident on the border of the village, in which two boys died and the other two were injured. As soon as this news spread in the village, superstitious rumors arose that this happened because of the inauspiciousness of asking flowers from the priest. (According to some media reports, the rumors accused an elderly couple of being witches and cursing various villagers.) The rumors became so widespread that there was a fight among the villagers in which an old couple Bavni Devi and Shibal Ganjhu were killed by blows and lathis by a mob.

On May 2, 2023, Basanti, the daughter-in-law of Bawani Devi, filed a murder case against 14 people in Chandwa police station and accused them of killing her in-laws under sections IPC 147,149, 341 342 323, 324, 325, 307, 302, 120-B and Witchcraft Act 3, 4. The FIR included the name of Sendhu Munda among the accused.

Details of the incident:

On May 4, 2023, at 5 am, a police team of 8-9 uniformed policemen came to the village and arrested the 14 accused from the village, including Mr. Sendhu Munda and took them to Latehar Mandal jail. According to the Jail Superintendent, Mr. Sendhu Munda was admitted in the Latehar jail at about 10:30 pm in the night after getting remanded by the Upper Judicial Magistrate of Latehar.

On May 5, 2023, Sindhu Munda's wife, Reena Devi went to Latehar police station looking for her husband where she was told that he was sent to the Latehar Mandal Jail. She met her husband in Latehar jail on the evening of May 5th where she found him completely healthy.

On May 6, 2023, at 2 pm, a policeman came to the village and informed the villagers that Sendhu Munda is very ill and was admitted in Sadar hospital in Latehar and that the family needs to go to the hospital. Sendhu Munda's wife Reena Devi, her five children, elder brother Ilip Munda, and sister-in-law Santoshi Munda, thus went to Sadar Hospital in a tempo. By the time, they reached the hospital it was 11 pm, and Mr. Sendhu Munda had died.

His wife and brother were asked to identify his body and when the clothes on his body were removed, the family said they saw beating marks on his back. When the family members asked the hospital the reason of Mr. Munda's death, the hospital told them that he had epilepsy. However, the family and the villagers and his family said that he did not have epilepsy.

When the family asked the hospital for the postmortem report, the hospital told them that the postmortem report was not ready. Later the family were told that the postmortem report was sent to the Chandwa police station. When Mr. Sendhu Munda's wife went to the police station trying to get the postmortem report, she was told that they will have to get the postmortem report from the court.

On May 06, 2023, Jail Superintendent Mr. Menson Barwa, sent a letter to the Sadar Police station that--after checking the CCTV of the jail at 05:20:25 it was found that

after taking the roll call of the prisoners, jail officials—Mr. Shankar Munda, Mr. Chandrashekhar Singh, Mr. Deep Narayan Vishwakarma, Mr. Pradeep Prasani and Mr. Manohar Barla had assaulted Sendhu Munda with lathis and sticks due to which his medical condition deteriorated and he had to be admitted to the Latehar hospital, and he died at 10:30 am during treatment.

This information was given to the SSP Jails by telephone by the Jail Superintendent. Based on this, an FIR No. 97/ 23 07/05/2023 Section 304/34/IPC was registered.

On May 07, 2023, the elder brother of Sendhu Munda wrote an application to the Station Incharge of the Latehar police station, in which he appealed for an FIR to be filed for the murder of his brother Sendhu Munda in jail and for compensation to be provided to Mr. Sendhu Munda's 4 minor children and his wife. However he has received no response from the police and no action has yet been taken by the police.

Mr. Sendhu's family members have accused the jail officials of beating Mr. Sendhu Munda to death and lying to them. A local newspaper called Palamu Bhaskar also carried a report that on Saturday morning Sendhu Munda was beaten up from 5 am to 9 am by lathis and was beaten at least 300 times with lathis. Due to the brutal beating he died within the prison. Then his body was handcuffed and taken to the Sadar hospital where the police officials were informed of his death by the jail wardens.

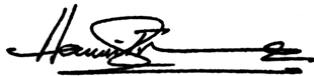
Appeal:

We appeal to the honorable Commission to urgently take action and:

- Direct the Director General of Police of Jharkhand to submit with the Hon'ble Commission the CCTV footages, duty records, medical record and other necessary information pertaining to the beating of Mr. Sendhu Munda within 2 weeks.
- Direct the Director General of Police of Jharkhand to initiate an immediate, independent, thorough, transparent, effective, and impartial investigation into the brutal torture and murder of Mr. Sendhu Munda and submit the report to the NHRC within 4 weeks.
- Depending on the inquiry, suspend all the jail officials and wardens, involved in the torture of Mr. Sendhu Munda.

- Make the medical report of Mr. Munda before being sent to jail available to the family within a week.
- Direct the Chief Secretary of Jharkhand to take steps to ensure that HRDs in the state's forest areas are able to work without fear of reprisal from the police and investigative agencies.
- Direct the Chief Secretary of Jharkhand to pay immediate compensation to Mr. Sendhu Munda's family to help them cope with the loss of the only-breadwinner.

Yours sincerely,

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

(Henri Tiphagne)

National Working Secretary