



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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To

June 8, 2019.

Khaleel Ahmed

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 - India - Urgent Appeal for Action – Against the attack on Journalist and Human rights defender Mr Pratap Kumar Patro by the sand mafias for publishing a news on illegal sand mining - Regarding.

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 attack by Sand Mafias on human rights defenders and Journalist Mr. Pratap Kumar Patro in Odisha.

Status of Human Rights Defender:

Mr Pratap Kumar Patro, is journalist and works with Odia daily newspaper “Pramya” as a rural reporter at Madhupura area under Baliapal PS of Baleshwar district, Odisha. With “Pramya”, Mr. Patro had published many investigating news. For some news Mr. Kumar even received phone threats but have not heeded to the threats and kept on working. After working for one year with “Pramya”, last August, 2018. Mr. Patro joined another popular daily newspaper “Samaja” representing the same area.

Source of Information on the Incident:

- HRDA, Regional Coordinator
- Interaction with HRD and media.

Perpetrators:

1. SP Baleswar district, Odisha.
2. Mr. Prabhu Kalyan Acharya, Inspector in Charge (IIC) of Police, Baliapal PS
3. Mr. Saumyadip Chakrabarty, Contractor (Sand Mafia) and his associates who attacked HRD

Date of Incident:

May 30 2019.

Background:

As stated by HRD, on the way from Jaleswar to Baliapal there is a place called Balikbadi. Two years ago, alleged accused Mr. Saumyadip Chakrabarty @ Dipu had undertaken a lease contract of lifting of sand from the banks of Subarnarekha River for a period of one year. After the expiry of the lease period, the accused continued to lift sand from the area without any authentic lease.

This came to the notice of the HRD who had contacted the local Tahasildar and queried about the matter. During his investigation, he found that the alleged sand mafia had lifted sand from around 6 acres of land by deepening about 25 feet without depositing any valid lease for the last two years.

On May 8, 2019, Mr. Kumar published a big article on this issue, because of which the sand mafia was fined. After this the HRD started getting threats on phone calls from the accused groups who are goons but the HRD didn't take it seriously.

Details of the Incident:

As per the sources, On May 30 2019, Mr. Pratap Kumar Patro was returning to his village from the district head quarter Baleswar after completing some work and

attending his elder brother who is residing at Baleshwar. On his way back he was riding a two wheeler (scooter). At about 9 PM, Mr. Patro noticed that about 4-6 persons were following him in two bikes. They chased him to a certain distance, and then attacked Mr. Patro with sharp weapons. Luckily Mr. Patro survived as he was wearing helmet on his head. The attack was so strong that his helmet broke into two pieces. Mr. Patro sustained injury on his hand, shoulder and palm. He survived as another four wheeler came in between looking at the vehicle light after which all the goons went away from the place.

Mr. Patro immediately rushed to Bliapal hospital for treatment but he was then referred to the district headquarter hospital for further treatment. Mr. Patro has registered a complaint with the Baliapal PS against 7 accused people who attacked him. The same complaint was registered u/s 323,326,379,307,506 and 294 of the Indian Penal Code. It is alleged that the local police are hand in glove with the local mafia group. Under pressure from different media and journalist group the police so far have arrested only 3 accused whom they have kept in police barrack instead of hazat. Moreover the accused persons are allowed with cell phone and other luxuries inside the barrack. When this came to the knowledge of local journalist association and they went to meet the IIC and give him an ultimatum to arrest rest of the accused persons by in next 72 hours (three days) or they would sit on a protest in front of the police station.

The protections of Journalists who are Human Rights Defenders is a global priority for safeguarding freedom of expression because journalists around the world face major risks as result of their work wherein governments and other powerful actors seeking to escape scrutiny and stifle dissent often respond to critical reporting or activism with an attempt to silence them.

States are under an obligation to prevent, protect against, and prosecute attacks against journalists and human rights defenders. Creating a safe and enabling environment for their work necessitates legal reform, the creation of special protection mechanisms, and protocols to guide effective investigations and prosecutions where attacks occur. A free press and active civil society are essential to ensure the public's right to know, so that governments and institutions can be held accountable.

The United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity supports Member States in the implementation of proactive initiatives to address the prevailing culture of impunity. The safety of journalists and their role in promoting inclusive and sustainable societies has been recognized by the United Nations in the 2030 Agenda for Sustainable Development. Goal 16 outlines the promotion of peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective and inclusive institutions at all levels.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police, district Collector and District Magistrate of Baleswar district Odisha

- Guarantee in all circumstances the physical and psychological integrity of HRD Mr.Pratap Kumar Patro who is still under risk of further reprisals from the perpetrators and provide a re-assurance of not engaging in such acts against HRDs.
- Direct the Odisha SHRC and state government to immediately to announce a full and thorough investigation into the incident and to take urgent steps to ensure the safety of HRD Mr.Patro and his family members.
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he is undergoing because of the threats and intimidation to his life and give this assurance to the NHRC of India in writing immediately and urgently.

Looking forward to your immediate action in this regard

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary