



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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January 20, 2018

To,

Mr. Srinivasa Kammath

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 - Tamil Nadu – False case, intimidation of human rights defenders associated with Makkal Mandram, a human rights organisation in Kanchipuram, Tamil Nadu - 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 over the arrest of human rights defenders Ramesh, Jessy, Balu and Thanjai Thamilan associated with Makkal Mandram in Kanchipuram, Tamil Nadu.

Status of Human Rights Defender:

Ms. Mahesh is the coordinator of Makkal Mandram, an organisation which works for the minorities and marginalised in the state of Tamil Nadu. Ms. Jessy, Mr. Balu and Mr. Thanjai Thamilan are also associated with Makkal Mandram.

Source of Information on the Incident:

- Communication from Makkal Mandram
- Communication from Mr. Aseervatham, Citizens for Human Rights, Tamil Nadu

The Perpetrators:

- Mr. Vetriselvan, Inspector of Kanchipuram Taluk Police Station
- Mr. Dharmalingam, Sub-Inspector of Kanchipuram Taluk Police Station

Details of the Incident

On December 20, 2017, Ms. Mahesh proceeded towards Kanchipuram Railway Station along with twenty others belonging to various other organisations and people's movements, upon receiving information that the portrait of Dr. Babasaheb Ambedkar was removed from the Kanchipuram Railway Station. Upon their arrival, they found the portrait of Dr. Ambedkar removed and found it in the dust bin. Dr. Ambedkar's portrait was replaced by hand drawn pictures of the religious-head of Kanchi Kamakoti Peetham, a Hindu-religious institution located in Kanchipuram.

Ms. Mahesh and others present at the site complained about the said incident to the Station Manager Mr. E.M. Srinivasalu of Kanchipuram Railway Station. Given that no actions were taken by the station manager, Ms. Mahesh and others filed a complaint against the station manager at Kanchipuram Taluk Police Station on December 21, 2017.

A complaint was also filed at the office of Deputy Superintendent of Police, Kanchipuram on December 22, 2017. As there was no action or investigation taken by the police on both the complaints, on December 26, 2017, Ms. Mahesh and others met the Superintendent of Police, Kanchipuram, who had asked them to complaint about the same to the District Collector. On the same day, December 26, 2017, they met the District Collector and submitted a complaint regarding the same. While they were in the campus of the Kanchipuram District Collectorate, a team of police personnel lead by the Inspector of Kanchipuram Taluk Police Station arrested Mahesh, Jessy, Balu and Thanjai Thamilan associated with Makkal Mandram. While arresting them they were not told the reason of arrest nor shown any warrant for the same. They were detained in a private hall for more than 5 hours. Sub Inspector Dharmalingam from Kanchipuram Taluk Police Station had intimidated and threatened Mahesh and others to accept that they were the ones who had damaged the photos of the religious head of Kanchi Kamakoti Peetham at Kanchipuram Railway Station. Then they were produced before the Magistrate on Thirukalugundram in Kanchipuram and sent to judicial custody. They have been falsely booked under Sections 147 (rioting), 447 (criminal trespass), 295 (intent to insult religion), 295A (hurting religious feelings), 153A (carrying arms), 353 (detering public servant in discharge of duty) of the Indian Penal Code at Kanchipuram Taluk Police Station.

Appeal:

We, therefore urge you to immediately take necessary steps and:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of arrest of HRDs Mahesh , Jessy, Balu and Thanjai Thamilan of Makkal Mandram
- Ensure that all the false complaints filed against the HRD to harass and threaten them should be quashed
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings she has undergone because of the threats and provide a re-assurance of not engaging in such acts against HRDs

- Put an end to all acts of attack and harassment against all human rights defenders in the State of Tamil Nadu and ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne
National Working Secretary

Copies to:

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