



## Human Rights Defenders Alert- India

National Coordination Office  
6, Vallabai Road, Chokkikulam, Madurai 625 002  
Tamil Nadu, INDIA  
Tel: +91-9994368540 Email: [hrda.india@gmail.com](mailto:hrda.india@gmail.com)

June 15, 2017

To,

**Shri 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](mailto:hrd-nhrc@nic.in)

Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action – Tamil Nadu: Police repression by brutal beating, threat and intimidation on protestors protesting against government run liquor outlets, Tirupur, 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 endeavors 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 police repression by brutal beating, threat and intimidation of women and men protestors in Tirupur, who were protesting against TASMALC and denial of rights to freedom of peaceful assembly and association to register their protest.

**Status of Human Rights Defender:**

Residents from Samalpuram ,Ayyampalayam area in Tirupur who are protesting against the setting of a liquor shop by the Government of Tamil Nadu in their neighbourhood through Tamil Nadu State Marketing Corporation (TASMALC)

**Source of Information on the Incident:**

- Report of the Fact Finding Team of People's Watch
- Communication with persons who protested
- Regional Coordinator of HRDA for South of India
- Media Reports

**Date of incident:**

April 11, 2017

**Place of incident:**

Samalpuram, Tirupur Town, Tamil Nadu

**The Perpetrators:**

- Mr. Pandiarajan, Additional Deputy Superintendent of Police
- Ms. Uma IPS, Superintendent of Police, Tirupur
- Ms. Santhi, Thasildar, Palladam, Tiruppur district.
- Other police personnel from Tirupur Police

#### **Details of the Incident:**

According to sources, on March 31, 2017, a TASMAC shop in Annur Kamanayakanpalayam road which was on a national highway was shut down on the basis of the recent Supreme Court judgment. The TASMAC shop was then relocated in Samalapuram village road amidst a completely residential area.

The residents of the area where the TASMAC shop had been relocated lodged a formal petition with the government authorities and did not get any response. At 10 AM on April 11, 2017, people staged a protest against the opening of the TASMAC shop. This protest went on peacefully till 4:30 PM when a local Member of the Legislative Assembly (MLA), Mr. Kanakaraj, who had taken part in the protest since 1 PM was safely escorted away by the police in a car.

Once the MLA was escorted out of the protest, the local ADSP, Mr. Pandiarajan took charge and immediately ordered the police personnel present to use brutal force to disperse the non-violent protestors resulting in sustaining injuries for several of them. Further it is learnt that, on April 13, 2017, an all women five-member fact finding team constituted by the People's Watch, led by Ms. Priya, Associate Program Coordinator at People's Watch, visited the victims, perpetrators, officials and recorded their statements and collected related documents about the incident and some findings of the report are as follows:

1. The protest was peaceful from 10 AM to 4:30 PM and was never declared an unlawful assembly by either the Executive Magistrate present at the venue just before the police excess was committed or any other official.
2. Only two women police were deputed to control a protest that consisted of more than 170 women protesters.
3. Police ensured that they escorted MLA Mr. Kanakaraj to safety before launching their pre-meditated and planned brutal attack on the protesters.
4. Police have threatened the victims and warned against filing complaints in connection with the incident.
5. No medical assistance was provided by the police to the injured protesters as required under law.
6. Complete violations of the Code of Conduct for law enforcement officials and the UN guidelines on the use of force and firearms were found.

#### **Appeal:**

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

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of brutal beating of peaceful protestors including many women. It will be appropriate if the case is investigated by NHRC's investigation wing;
- Takes immediate legal action on the perpetrators, in this case personnel of Tirupur town police, for the brutal assault and denial of the right to assemble and associate freely (accountable for the Police Excesses

- committed under the Principle of Command and Responsibility) ;
- Order for immediate suspension of all police officers and personnel who were on duty for their collective and total negligence in following prescribed norms in such incidents, also where none of the police officials present took any effort to ensure that the injured persons were rushed to the nearest hospital for medical attention;
  - Ensure that this complaint is looked into directly by the NHRC and not transferred to SHRC which continues to function without a full commission.
  - Ensures provision of reparation, compensation, apology to each of the protestors especially the women for the physical and psychological sufferings they underwent because of the use of brutal force, ill - treatment and arrest and to provide a re-assurance of not engaging in such acts against the workers especially the women protestors;
  - Puts an end to all acts of harassment against all human rights defenders in general in Tirupur and in Tamil Nadu to ensure that in all circumstances they carry out their activities without any hindrances specially to ensure that they have a right to association and assemble;
  - More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in Tamil Nadu.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)  
National Working Secretary