



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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June 13, 2019

To

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

Dear Sir,

**Sub: HRD Alert - India - Urgent Appeal for Action – Maharashtra: Criminal intimidation, serious threats to noted scholar and anti-communalism activist Dr. Ram Puniyani – 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 now writing to express our grave concern regarding the criminal intimidation, serious threats to noted scholar and anti-communalism activist Dr. Ram Puniyani.

**Source of Information on the Incident:**

- Media Reports
- Human Rights Defenders in Maharashtra
- The Regional Coordinator of HRDA West & South

**The Human Rights Defender:**

Dr. Ram Puniyani is a noted scholar, anti-communalism activist and a writer. He was a professor of biomedical engineering at the IIT - Mumbai, had taken voluntary retirement in December 2004 to work full-time for communal harmony in India.

Apart from his teaching and research activities, he pursues a parallel track concerned with issues related to social problems, particularly the ones related to preservation of democratic and secular ethos in our life. He also has serious interest in the understanding of human rights of the weaker sections of society. He is a member of EKTA, Committee for Communal Amity, Mumbai and has been associated with different secular initiatives for many years.

He has also been engaged in understanding global and local changes, which have resulted in communal violence and is concerned with the adverse effects of globalisation and the rise of fundamentalism, particularly in India.

He has authored several books on communal harmony and secularism and writes regularly in different publications, to strengthen voices of sanity and has consistently questioned and challenged divisive forces. He has received the prestigious Indira Gandhi Award (2006) and National Communal Harmony Award (2007) apart from many other awards for his work.

**The Perpetrators:**

- Unknown persons

**Date of Incident:**

- June 6, 2019

**Place of Incident:**

- Mumbai, Maharashtra

**Incident detail:**

According to sources, on June 6, 2019, Dr. Ram Puniyani received a phone call at 8.30 p.m. on his residence phone from a male caller who refused to identify himself and abused Dr. Puniyani in filthy language and told him to stop his activities and leave. He was also told that he has time of 15 days to leave or suffer consequences. Five minutes later, he received another phone call from another number, where a male caller in an aggressive tone asked is Doctor there? When Dr. Puniyani replied in the negative, the caller cut the phone off. Both the numbers were registered in the caller id of the phone.

Earlier, on March 9, 2019, three unidentified persons had come to Dr. Puniyani's residence on the pretext of making enquiries for his passport application. However, Dr. Puniyani nor his wife had applied for any passport. The visitors made general enquiries about his family, children, what they were doing, where they were, his past affiliation with IIT Mumbai and why he had given up his academic career with IIT?

When questioned by Dr. Puniyani's wife whether they were from CID, the visitors were evasive and vague in their response. Dr. Puniyani asked if they are carrying any identity card, one of them quickly flashed one from his pocket, however, put it back before Dr. Puniyani could have verified the same. Dr. Puniyani accordingly filed a criminal complaint with Powai Police Station on this issue, however, the police has failed to take any real action to investigate into the complaint or identify the visitors, inspite of CCTV footage and other details being provided to the police.

In the matter of the threatening phone calls received, on June 6, 2019, Dr. Puniyani has filed a criminal complaint with the Powai Police Station on June 7, 2019 and has provided details of the phone numbers as recorded in the caller ID of his residence phone. On the same day, he has also met the Joint Commissioner, Law and Order, Mr. Vinoy K Choubey, along with a delegation consisting of other civil society activists to report this incident of intimidation and demanded speedy investigation into the crime and ensure safety of Dr. Puniyani. The Joint Commissioner had assured the delegation that the incident will be investigated seriously and measures would be taken to ensure Dr. Puniyani's safety and further instructions have been given to the Deputy Commissioner of Police, MIDC, Dr. Sangramsingh Nishandar to look into the complaint. Dr. Puniyani met with the DCP at Powai Police Station on June 8, 2019, who also assured him of immediate actions in this case, however, so far no people have been apprehended in the matter and Dr. Puniyani continues to remain exposed to danger.

These repeated threats pose great risk and danger to Dr. Puniyani, who has been a strong secular voice and crusader for communal harmony. This is nothing but an attempt to silence his voice and curb his emphatic efforts towards spreading the message of peace and harmony.

In the past, we have witnessed grave attacks and assassinations of rationalists and secular thinkers, including Dr. Narendra Dabholkar, Prof. Govind Pansare, Prof.

Kalburgi and journalist Gauri Lankesh, amongst others. Several writers, journalists, RTI activists, artists, lawyers etc. have been under attack by Right-wing forces.

In light of these recent attacks, HRDA seeks the intervention of the NHRC, the police authorities and state administration to take serious note of the threats to Dr. Puniyani and initiate prompt actions in this case, and to take all measures to ensure safety of Dr. Puniyani and his family.

The protection of HRDs is critical to ensure that they are able to work in a safe, supportive environment and be free from attacks and reprisals. Article 21 of the Indian Constitution ensures to all its citizen right to life – a life to live without fear, intimidation, harassment or mental torture. In the present case, threatening phone calls, intimidation, illegal search and investigation amounts to harassment and mental torture of Dr. Puniyani thereby infringing his fundamental right to life.

Further, The Declaration on HRDs, adopted in 1998 by the UN General Assembly, states that governments are under a duty to *“take all necessary measures to ensure the protection of human rights defenders by the competent authorities against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary actions”* as a consequence of their efforts to promote human rights. Therefore, the government is bound by its international legal obligations to ensure that all activists and human rights defenders are provided with security against harassment or intimidation so that they may enjoy their constitutional right to due process, life and liberty under Article 21, and the right to freedom of speech and expression under Article 19(1)(a) of the Constitution of India.

### **Appeal:**

We therefore urge you to immediately take necessary steps to ensure that the Commissioner of Police, the Deputy Commissioner and District Magistrate of Mumbai City:

- Order an immediate, thorough, transparent, effective, timebound and impartial investigation into the above-mentioned criminal threats and intimidation of Dr. Ram Puniyani, including in the incident dated March 9, 2019;
- Given the threats to Dr. Ram Puniyani, order the Maharashtra state to ensure that the protection is continued at state cost;

- Guarantee in all circumstances the physical and psychological integrity of Dr. Ram Puniyani, the human rights defender and his family without hampering his freedom to operate as human rights defender;
- Ensure provision of reparation, compensation, apology to the defender for the physical and psychological sufferings Dr Puniyani has been undergoing because of the recent threats;
- Take steps to put an end to all acts of harassment against all human rights defenders in the State of Maharashtra to ensure that in all circumstances they carry out their activities without any hindrances;

Looking forward to your immediate action in this regard;

Yours sincerely,

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

**(Henri Tiphagne)**

National Working Secretary