



Human Rights Defenders Alert – India

National Coordination Office

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January 26, 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

Sub: HRD Alert - India - Appeal for Urgent Action - West Bengal - Ms. Arbitrary arrest of Ms.Sharmistha Choudhury on false charges by West Bengal Police in Panapukur village, Bhangar area under the South 24 Parganas District in West Bengal - Regarding

Dear Sir,

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 now writing to express our grave concern regarding the illegal and arbitrary arrest of women human rights defender Ms. Sharmistha Choudhury on January 25, 2017 on fabricated charges by West Bengal Police in Panapukur village in Bhangar area, South 24 Parganas district, West Bengal.

Source of Information on the Incident:

- The Coordinator of HRDA for the East of India
- Media Sources

The Perpetrators:

1. Mr. Sunil Kumar Choudhary, SP South 24 Parghana District.
2. District Magistrate and Collector of South 24 Parghana District.

The Human rights defender:

Ms. Sharmistha Choudhury is a central committee member of the Communist Party of India (Marxist-Leninist) Red Star, General Secretary of All India Revolutionary Women's Organisation (AIRWO) and a leading member of the "JOMI, JIBIKA, PORIBESH O BASTUTANTRA RAKSHA COMMITTEE" (Committee to Save Land,

Livelihood and Environment), This movement is leading the Bhangar agitations and along with others Ms. Sharmistha Choudhury has been camping at Bhangar to mobilise public opinion against the forced land acquisition in the area. Ms. Sharmistha Choudhury is also a member of Women against Sexual Violence and State Repression (WSS).

Date of Incident:

January 25, 2017 at 6.30 PM.

Place of Incident:

At Panapukur village under Kashipur Police Station limits in South 24 Parganas District of West Bengal.

Background of the incident:

The Power Grid Corporation of India Limited is constructing the Rajarhat 400/220 KV substation to transmit power between West Bengal and Purnia in Bihar. The transmission lines from Rajarhat will pass over 80 villages of seven districts of West Bengal before entering Pakur district of Jharkhand.

Protests started in October 2016 when farmers refused to allow the authorities to set up electricity towers on their fields in Bhangar, West Bengal. The protests are centered around the villages of Khamarait, Machhi Bhanga, Tona and Gazipur of Polerhat-II panchayat in Bhangar. The villagers are now protesting under the banner "*JOMI, JIBIKA, PORIBESH O BASTUTANTRA RAKSHA COMMITTEE*".

The villagers are demanding that the land occupied by the transmission towers be returned to them. The landowners and villagers are not only worried that setting up towers on their land will bring down the land price but also fear of extremely harmful effects under the strong magnetic fields created by high tension power lines. Several human rights groups and university students have also joined the agitation.

On January 17, 2017, two youths were shot dead because of brutal police attacks during the protests against the power project. According to the villagers, at least six men are missing since this attack and several others have sustained serious injuries.

Incident detail:

As per sources, Ms. Sharmistha Choudhury was forcefully arrested from Panapukur village by West Bengal police about one kilometer away from the power grid project January 25, 2017 at about 6.30 PM and was brought to New Town Police Station for interrogation. She was arrested on false charges for allegedly instigating villagers who were protesting against the forced land acquisition and is charged under Sections 147/148/149/325/326/307/333/353/186/435/379/427/506/120B of IPC, read with 3/4 Explosives Act, 25/27 Arms Act, 3/4 of Prevention of Damage to Public Property Act and 9 of Maintenance of Public Order Act along with another 36 persons in the FIR.

Appeal:

Therefore, in the light of above mentioned facts and circumstances, HRDA most respectfully appeals that this Hon'ble Commission to urgently:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above mentioned incident of high-handedness of the West Bengal Police and arrest of WHRD Ms. Sharmistha Choudhury;
- Guarantee in all circumstances the physical, psychological integrity and protection of the WHRD Ms. Sharmistha Choudhury;
- Take immediate action on the perpetrators, in this case the West Bengal Police, for excessive use of force on peacefully protesting citizens and arrest of WHRD Ms. Sharmistha Choudhury on fabricated charges;
- Appoint an experienced lawyer practicing criminal law in this case to ensure that the WHRD Ms. Sharmistha Choudhury is represented at all stages of this case and ensure that all legal remedies are available to her. The appointed lawyer should report at periodic intervals to the NHRC on the progress in the case registered.
- Put an end to all acts of attack and harassment of human rights defenders in the State of West Bengal to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- More generally, ensures 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 the state of West Bengal.

Looking forward to your immediate action in this regard,

Yours sincerely,
(Henri Tiphagne).

S/d-
Honorary National Working Secretary