



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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February 10, 2020

To

Mr. Debindra Kundra

National Focal Point - Human Rights Defenders & Assistant 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- Madhya Pradesh: Death threats to RTI activist and human rights defender Mr. Chandanmal Mehta Jain from Rawati village panchayat representatives in Rawati village, block Bajna, district Ratlam in Madhya Pradesh – 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 death threats issued to RTI activist and human rights defender Mr. Chandanmal Mehta Jain by the Rawati village panchayat representatives in Rawati village, block Bajna, district Ratlam in Madhya Pradesh. Mr. Chandanmal has been targeted for filing RTI queries to expose irregularities and corrupt practices used by the Rawati panchayat representatives in allocating the plots for building residential houses for poor in the village. Due to the recurrent intimidation and threats, HRD fears for the safety of his life.

Status of the Human Rights Defender

RTI activist and human rights defender Mr. Chandanmal Mehta Jain is 70 years old and is a resident of Umar village, tehsil Rawati, district Ratlam, Madhya Pradesh. He has been actively raising his voice against corruption in Rawati village panchayat. He has filed around 8 RTI queries in the last 4 to 5 years, mainly related to village panchayat and block office related land issues, in particular land allocated for housing purposes for the rural poor.

Source of the Information

- The Coordinator of HRDA for the North of India
- HRDs and RTI activists in Madhya Pradesh, India
- Communication with the HRD

The Perpetrators:

Mr. Kana Makwana, husband of Rawati village panchayat sarpanch Ms. Geetabai

Mr. Mukesh Boria, panchayat panch

Mr. Om Boria, deputy sarpanch

Date of Incident:

December 13, 2019

Near Reliance petrol pump, Rawati village market, Bajna, Ratlam, Madhya Pradesh

Details of the Incident:

According to the information received, around 4 pm on December 13, 2019, RTI activist and human rights defender Mr. Chandanmal was waiting at Rawati village market near the Reliance petrol pump to take an auto rickshaw to go to Umar village. He was stopped by Mr. Mukesh Boria, who also in the meanwhile called Mr. Kana Makwana and Mr. Om Boria. Mr. Mukesh Boria threatened the HRD and said, *“You file RTI applications repeatedly against the Rawati village panchayat, if you do not stop doing that, we will break your legs and kill you and your dead body will not be found.”*

Mr. Kana Makwana using abusing language threatened the HRD that they have the power to kill him even in his village at Rawati. When the HRD requested them not to use offensive language against him, they started abusing him again and warned that

if he takes any further action against the village panchayat or asks for any information about the panchayat work in future, they will bury him alive and his body will not be found. They also threatened him by saying that they will burn his house and wipe out his whole family including whoever comes forward to help him. Mr. Chandanmal could save himself due to the intervention of some local people. While leaving, the perpetrators again threatened him not to be seen around Rawati village and warned if he goes to the police to file a complaint they will kill him on the way.

Sources informed that Mr. Chandanmal is receiving regular threats to his life from the panchayat representatives for using the RTI Act. HRD has recently filed RTI queries to seek information on various irregularities and inconsistencies in the working of village panchayat of Rawati. He filed a RTI query on August 6, 2019, with the secretary, village panchayat of Rawati, for the period 2010 to 2019. In this RTI he asked about the details of survey number and area of land approved by the SDO, Ratlam, for granting land lease for eligible citizens from Rawati panchayat and the period when eligible persons were provided land lease to build residential houses. Information was also sought relating to permissions granted to build personal houses in agricultural land or land approved for diversion in Rawati village panchayat. On September 2019, he filed an RTI query with the Bajna block office, asking information regarding the position holder of its chief secretary, his or her tenure and working status in Rawati village panchayat in 2018-2019.

Mr. Chandanmal has been filing RTI applications regularly to seek information from Rawati village panchayat about village development work. He has been denied information from the panchayat. Instead, the HRD is regularly threatened by the vested interests associated with village panchayat. On December 24, 2019, he wrote a letter to the Superintendent of Police (SP) Ratlam district regarding the threats to his life. He was called by the SHO of Rawati police station who could not help him due to the political influence of the perpetrators. Mr. Chandanmal lodged a complaint with the Ratlam District Collector on January 7, 2020, and sought seeking as his life continues to be in danger due to recurrent threats from the representatives of Rawati village panchayat.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that this Hon'ble Commission to urgently:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of threats issued to RTI Activist and HRD Mr. Chandanmal;
- Order immediate action on the perpetrators as mentioned above for the threats issued to the human rights defender and using all provisions of law to ensure that the rights of HRD Mr. Chandanmal are protected;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Chandanmal, who is still under risk of further attacks and intimidation from the perpetrators;
- Ensure provision of an apology to the defender for the psychological sufferings he is undergoing because of the threat to his life and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Chandanmal;
- Put an end to all acts of harassment and attacks against all RTI activists and human rights defenders including RTI Activist Mr. Chandanmal in the State of Madhya Pradesh to ensure that in all circumstances they carry out their activities as defenders of human rights without fear of reprisals and free from all restrictions;
- Ensure the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty.
- Conform in any circumstances with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1 and 12.2;
- 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 Madhya Pradesh.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

National Working Secretary