

25 May 2018

Hon'ble Chairperson,  
Shri Justice H L Dattu  
National Human Rights Commission,  
Block –C, GPO Complex, INA  
New Delhi- 110023

Respected Hon'ble Chairperson,

**Subject: Continued arbitrary detention and harassment of Dalit rights activist,  
Chandrashekhar Azad Ravana**

The Asian Forum for Human Rights and Development (FORUM-ASIA) appeals the National Human Rights Commission (NHRC) to urgently carry out an independent investigation into the continued detention of Dalit human rights defender, Chandrashekhar Azad Ravan, in Saharanpur, Uttar Pradesh State, to furnish the copy of the investigation report before the non-judicial tribunal established under the NSA, and to move the court to secure his release. Chandrashekhar is detained under the National Security Act (NSA) without charge or trial.

FORUM-ASIA is informed that in May 2017, Dalit and Thakur communities were embroiled in caste - based riots instigated by the dominant Thakur caste in Saharanpur city of Uttar Pradesh. The riots resulted in one death, several injuries and a number of Dalit homes being burnt. Following the protests, 40 prominent activists and leaders of 'Bhim Army', a Dalit human rights organisation, were arrested but later granted bail.

Chandrashekhar Azad Ravan, a young lawyer and co-founder of 'Bhim Army', was arrested on 8 June 2017 following a charge sheet filed by a Special Investigation Team (SIT) constituted to investigate the Saharanpur incident. He was framed with multiple charges under the Indian Penal Code 147 (punishment for rioting), 148 (rioting armed with deadly weapon) and 153A among others, for his alleged participation in the riots. Even though Chandrashekhar was not involved in the protests, and wasn't present during the riot, he was detained on 8 June. After six months, on 2 November 2017, the Allahabad High Court granted him bail, as the police had failed to provide evidence of his involvement. However, within hours of his release, on 3 November 2017, the Uttar Pradesh Government detained him under the National Security Act (NSA) and held under administrative detention until February 2018.

Later, on 27 January 2018, his detention was extended until 2 May 2018. A non-judicial 'advisory board' established under the NSA further extended his detention until 2 November 2018. This is mockery of justice and a gross violation of Chandrasekhar's human rights guaranteed under the constitution of India, including the right to fair trial.

As Hon'ble Chairperson and Members of the Commission are aware the NSA is a draconian piece of security legislation that permits extra-judicial detention bypassing constitutional provisions. For detention of an individual, the NSA just requires the 'satisfaction' of government that an individual is a threat to foreign relations, national security, India's defence, state security, public order, or the maintenance of essential supplies and services. This empowers the government to abuse the law and keep an individual in detention for up to one year without trial.

The NHRC with the “A” status, granted by the Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation in November 2017, is empowered to independently consider any question, hear any individual including representatives of government agencies, and obtain any information and any document necessary for assessing the situation within the NHRCI’s framework of operation. It is also empowered to conduct on-site investigation as necessary, including the visit to the place of detention without notice.

In this context, FORUM-ASIA re-iterates its appeal to the NHRC of India to urgently intervene in the matter, and carry out an independent investigation as required by the Paris Principles. We would also like to request the institution to furnish the copy of the same before the non-judicial tribunal and to move the court to secure Chandrashekhhar Azad's release as soon as possible.

We look forward to hearing from you,

Sincerely,

(John Samuel)  
Executive Director



**About FORUM-ASIA:**

*FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratization.*

**For further information, please contact:**

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