

## **Take action against the brutal murder of a Dalit human rights defender**

### **The case of Mr Chandrakant Gaikwad, R/O Village – Jamb, Block – Indapur, Pune, Maharashtra, India**

#### **Urgent appeal from the National Dalit Movement for Justice (part of the National Campaign on Dalit Human Rights)**

Countless human rights defenders - particularly Dalit Human Rights Defenders (DHRDs) - across the country risk imprisonment, harassment, torture, and even death to defend human rights – including their own. They are the frequent victims of violations of the right to life.

We are now writing to express our anguish over the murder of a Dalit Human Rights Defender Mr. Chandrakant Gaikwad, who was shot dead by an upper caste person for filing and bearing witness in several cases against him. Mr Chandrakant Gaikwad (30 years old), son of Jaivant Gaikwad, resided at Jamb village, Indapur block, Pune district in Maharashtra. He was a Dalit human rights defender supporting the victims of atrocities in the village to file atrocity cases and following up on these cases to enable the victim-survivors to access justice. He was also a volunteer at the National Dalit Movement for Justice-NCDHR where he monitored atrocities against Dalits. He had complained and filed many cases of atrocities against the perpetrators of atrocities against Dalits. This is the reason he was shot dead on 12<sup>th</sup> February 2013 by Mr Satpal Rupnavar, against whom Chandrakant had filed an atrocity case in May 2011.

#### **Case Details:**

Mr. Chandrakant Gaikwad, who was an active Dalit human rights defender belonging to the Madang (Dalit) community, was shot dead in Indapur block of Pune district, Maharashtra, by Mr Satpal Rupnavar and his supporters, all belonging to the Dhangar community (a dominant caste).

As an active Dalit human rights defender, Chandrakant supported the victims of caste-based discrimination and atrocities in registering cases against the perpetrators and helped the victims to access justice. In the course of his work, Chandrakant filed an atrocity case (FIR No-37/11) against the accused Mr. Satpal Rupnavar, who perpetrated a crime against Dalits in Indapur block, Pune district in 2011. Chandrakant was also one of the witnesses in two other atrocity cases (FIR Nos. 25/12 and 161/12), which were filed against the same accused in the year 2012. All these cases were registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the accused Satpal. For these crimes, Satpal was arrested on complaints being made against him in January 2012. However, the accused applied for bail and was released from court custody six months ago.

Once the accused was released on bail, he conspired with others from his caste community to kill three Dalit human rights defenders, namely Chandrakant Gaikwad (the deceased), Vaibhav Gite and Dada Shivaji Jadhav, who together filed the case against Satpal. Hence, on 12 February 2013, when Chandrakant went to visit Dada Shivaji Jadhav at Mahalaxmi dhaba in Jamb district, at around 10 am the accused, along with his supporters, arrived in a jeep and attempted to shoot both Chandrakant and Dada Jadhav. While Jadhav managed to escape, Satpal allegedly fired at Chandrakant with his revolver and then fled from the spot.

Prior to this, a complaint had been made to Mr Dasharath Patil, Assistant Police Inspector of P.S. Walchand Nagar, about the continuous threats coming from the accused Satpal to the lives of the three Dalit human rights defenders. However, the complaint was not taken seriously and no protection was given to the three men, including the deceased Chandrakant Gaikwad. Similar complaints were also made to the Superintendent of Police, National Human Rights Commission and Home Ministry, but without eliciting any response.

**Therefore we urge the police and district administration to do the following:**

- **Immediate arrest** of the accused Satpal Rupnavar and other four persons involved as they may pose a threat to the other human rights defenders and the family members of the deceased.
- **Effective protection** of the family members of the deceased and Mr Vaibhav Gite, Mr Dada Jadhav, Ampal Kharat and all the eyewitnesses in the case.
- **Immediate action by the Government under Section 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**, against the Senior Superintendent of Police for wilful negligence in providing protection to the deceased and other human rights defenders with immediate departmental action in the form of suspension.
- **Establish Special Court in Jamb village for the speedy trial** of the case under SCs and STs [PoA] Act 1989 and ensuring the completion of the trial within 90 days.
- **Immediate fast track trial** to be started for other **seven identified cases of atrocities** in the area which occurred in the last past 45 days.
- **Immediate compensation** of Rs 10 lakhs to be paid to the dependents of the deceased.
- **Pension to the widow of deceased** shall be started immediately and **employment** to one member of the deceased and **agricultural land** shall also be given as per the PoA Rules 1995.
- **Immediately establish an enquiry committee** to investigate the series of cases of atrocities which have occurred in the past 45 days.
- **Home minister** shall take the responsibility for the failure to curb violence against Dalits in the state of Maharashtra and should immediately resign.
- **'Conflict free village Committee' ( Tanta mukta samiti)** formed in the State of Maharashtra as a result of executive order from 2008, **should be abolished** with immediate effect as the same is resulting in the compromise of cases of atrocities.

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