



# Commonwealth Human Rights Initiative

NGO in Special Consultative Status with the Economic & Social Council of the United Nations

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Executive Committee

Date: 13/03/2010

B.G. Verghese  
Chairperson &  
Treasurer

To,  
Shri Omar Abdullah  
Chief Minister  
Government of Jammu and Kashmir  
Jammu.

Maja Daruwala  
Director

Dear Mr. Chief Minister,

Members

R. V Pillai  
Anu Aga  
K. S. Dhillon  
B. K. Chandrashekar  
Harivansh  
Bhagwan Das  
Poonam Muttreja  
Sanjoy Hazarika  
Nitin Desai  
Ruma Pal  
Kamal Kumar

I write to seek your urgent intervention in a matter involving harassment of citizens who are engaged in spreading awareness about the Jammu and Kashmir Right to Information Act, 2009 in Budgam district. Dr. Raja Muzaffar Bhat, Convenor of the J&K RTI Movement is a well known and respectable long standing activist in the cause of anti corruption and transparency. He along with eight of his colleagues have allegedly been implicated in a false criminal case registered at the direction of the Chadoora Judicial Magistrate's Court.

The Commonwealth Human Rights Initiative which has been promoting Access to information for the past decade across various countries and in India has been working closely with Dr. Bhat to advocate for a strong information access law in J&K since 2005. As you know we are collaborating with Dr. Bhat to spread awareness about RTI in J&K by conducting workshops and seminars in different parts of the State.

A couple of weeks ago Dr. Bhat and colleagues had gone to Branwar in Budgam district to hold public education meetings on the J&K RTI Act. Dr. Bhat mentioned to us at the time that some local political elements incited some people to launch an attack on these RTI activists. They were allegedly chased by a mob wielding deadly weapons. If not for the intervention of the J&K police, the mob would have caused serious harm to the lives of these activists. After the intervention of the IGP, Kashmir Zone we believed that the tension caused by these events had subsided.

However I have learnt from Dr. Bhat today that an FIR has been registered on 12th March upon the direction of the Court of the Chadoora Judicial Magistrate, based on a complaint filed by one Ms. Rashida Begum w/o Chaudhury Saifuddin of Branwar, against Dr. Bhat and eight of his colleagues. They have been accused of a range of offences from rioting and house trespass, to assault and theft in the FIR No. 42 of 2010 registered at Chadoora Police Station. The following activists have already been arrested by the police:

- 1) Mushtaque Ahmed Mir
- 2) Abdul Rehman Bhat
- 3) Bashir Ahmed Lone-
- 4) Nazir Ahmed Ganai
- 5) Mohammed Sadiq

Dr. Bhat, Dr. Sheikh Ghulam Rasool, Latif Ahmed and Ashik Ahmed are currently applying for anticipatory bail as they fear arrest too.

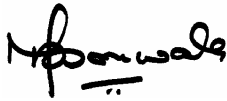
FCRA Registration No. 231 650671; Registration No. S-24565 under Societies  
Registration Act; Registration No. DIT (E)/2000-2006/C-390/94/1226 U/S 80-G

Supported by: Commonwealth Journalists Association, Commonwealth Lawyers Association,  
Commonwealth Legal Education Association, Commonwealth Parliamentary Association,  
Commonwealth Press Union, Commonwealth Broadcasting Association.

Dr. Bhat alleges that the false case has been foisted upon him and his colleagues due to the machinations of a few disgruntled elements owing allegiance to your party- National Conference. I believe Dr. Bhat has already complained to you about these developments by email.

May I urge you to immediately intervene in the matter and prevent further victimisation of socially sensitive and responsible citizens like Dr. Bhat and his colleagues who are only propagating your government's agenda, namely, engendering transparency and accountability in the administration. Cases like these are becoming a pattern to stop revelations of malpractice and corruption. If permitted to drag on it will set a bad precedent and embolden other unscrupulous elements to target activists committed to reform and the all round growth of Jammu and Kashmir. Nipping this case in the bud will also send a strong message to everybody that your government will not tolerate such misuse of the law enforcement machinery

Thanking you,  
Yours sincerely,

A handwritten signature in black ink, appearing to read 'Maja Daruwala', with a horizontal line underneath the name.

Maja Daruwala  
Director