

Human Rights Defenders Alert - India

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Special Rapporteur on the situation of human rights defenders,
Ms. Margaret Sekaggya
c/o Office of the High Commissioner for Human Rights - Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland
Email: urgent-action@ohchr.org

Dear Ma'am,

***Sub: HRD Alert - India - Urgent Appeal for Action - Karnataka/Bangalore:
Death of the Whistleblower Mr S.P Mahantesh following the brutal attack -
Reg***

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 now writing to express our grave concern over the death of the whistle-blower Mr S.P Mahantesh following the brutal attack made on him by unidentified assailants allegedly because he was to expose a housing society scam.

Incident

Name of the perpetrators: Unidentified

Place of incident: Palace Road in front of the house of the Chief Justice of the Karnataka High Court, Bangalore, Karnataka.

Date of incident: 15.05.2012 (Tuesday)

About the activist:

SP Mahantesh (48-years-old) was the Deputy Director of the Directorate of Co-operative Audit. Mahantesh was first posted in Davanagere where his

refusal to clear a few files resulted in a cooperative society's supporters bashing and locking him up in a room for two days. Mahantesh was said to have spent most of his 18 years of service in Bangalore and was brought to his last posting as Deputy Director (Bangalore Urban) - Urban District nearly two years ago as a measure to clean up the affairs.

Mahantesh is survived by his parents, two elder sisters, wife Poornima and two daughters aged 10 and 8.

Case Narrative:

The brutal attack on Mahantesh occurred on 15th May 2012 (Tuesday) night and he was found in an unconscious state with multiple injuries on the head and face. The attack took place on Palace Road in front of the house of the Chief Justice of the Karnataka High Court. A scooterist is said to have seen four men coming in a Maruti Omni van waylaying Mahantesh who was coming in his Maruti 800 car. The foursome allegedly pulled out Mahantesh, hit him with iron rods and threw him on to the ground before driving away. The scooterist, who is believed to have come to pick up someone attending a conference in the Atria hotel on the other side of the road, alerted the hotel guards before going his way.

It is shocking that neither the government nor the police department took the attack on Mahantesh seriously. The cops did not make efforts to track down a lone witness to the attack. For five days, Mahantesh battled for life. But the government swung into action only after news of Mahantesh's death broke.

Preliminary investigations have revealed that Mahantesh was conducting parallel audits on several housing societies, including BEML housing society. He was even offered bribes on several occasions to prevent him from exposing the irregularities in them but he refused. It was found that he was regularly receiving death threats.

He was attacked by four bike-borne miscreants once in January 2012 when he was returning home from a function on Bannerghatta Road along with his family members. The men on bike almost came near the car, intending to attack. However, Mahantesh neither approached police nor informed his

colleagues about the incident. He also asked his wife to remain silent on the incident.

Investigating officials have found leads that indicate that Mahantesh could have been killed by vested interests involved in a housing society scam in Koramangala, the documents of which were said to be in the possession of Mahantesh who was to file a damning report on it.

Meanwhile, the Karnataka government on May 21, 2012 (Monday) said four persons have been taken into custody in connection with the attack on the officer. However, the Home Minister R. Ashoka declined to disclose the identity of those taken into custody, saying the probe was in progress.

Appeal

We, therefore, urge you to immediately take necessary steps to

1. Conduct a prompt, thorough and impartial investigation into the alleged death of Mr. Mahantesh, the result of which must be made public, with a view to identify and bring those responsible to justice in accordance with national and international standards;
2. Ensure that the possible connection between Mahantesh's murder and his activities related to expose the irregularities in housing societies are investigated along with other suspicions by a high level probe team;
3. Ensure that the government takes adequate measures to provide security to officials probing sensitive cases and deal with the attackers in a stringent way.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon'ble National Working Secretary

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