



Human Rights Defenders Alert – India

National Coordination Office

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

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Sub: HRD Alert - India - Urgent Appeal for Action – Uttar Pradesh – Mr. Tanveer Ahmed Siddiqui: Case of ill treatment, verbal abuse and physical assault on RTI activist and human rights defender Mr. Tanveer Ahmed Siddiqui allegedly by the Uttar Pradesh State Information Commissioner, Mr. Arvind Singh Bisht for demanding information through Right to Information Act in Lucknow, Uttar Pradesh - Regarding

Dear Sir,

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 ill treatment, verbal abuse and physical assault on RTI activist and human rights defender Mr. Tanveer Ahmed Siddiqui allegedly by the Uttar Pradesh State Information Commissioner, Mr. Arvind Singh Bisht for demanding information through Right to Information Act in Lucknow, Uttar Pradesh on 11 January, 2016. The RTI activist Mr. Tanveer Ahmed Siddiqui was beaten up at the Commissioner's office and was also detained at Hazratganj police station in Lucknow in Uttar Pradesh.

Status of Human Rights Defender:

Mr. Tanveer Ahmed Siddiqui is an RTI Activist and a social worker who has been

working to fight against human rights violations of the under privileged classes in Uttar Pradesh for the past sixteen years. He has filed over 400 RTI applications so far. Mr. Tanveer Ahmed Siddiqui has been successful in getting the roads constructed under the Indira Awas and Lohiya Awas areas of Lucknow through his consistent efforts. He has been assisting the labourers and the poor to avail facilities such as roads, ration cards and housing through his complaints which were then later turned into RTI applications.

Mr. Tanveer Ahmed Siddiqui has been actively involved in social work since 2000. He started filing RTI queries in 2006 and he also runs a local vernacular newspaper on his own since 2009 called 'Lucknow Ka Abhiman'. Mr. Tanveer Ahmed Siddiqui was also involved in the activism and protest marches for seeking justice for the family of Mr. Guru Prasad, another RTI activist in Lucknow who was killed earlier in 2015. Mr. Tanveer Ahmed Siqqudui has been leading the protest marches to demand compensation for the slain RTI activist since 12 October 2015 to 25 October 2015.

Date of incident:

11 January 2016

Place of incident:

Uttar Pradesh State Information Commission, Indira Bhawan, Ashoka Road, Lucknow, Uttar Pradesh

Source of Information on the Incident:

Regional Coordinator of HRDA for the North of India Communication with the HRD, Mr. Tanveer Ahmed Siddiqui

The Perpetrators:

Mr. Arvind Singh Bisht, State Information Commissioner, Uttar Pradesh

Details of the Incident:

According to the sources, Mr. Tanveer Ahmed Siddiqui was called to the Information Commission's office on 11 January 2016 for pending RTI matters by the Information Commissioner himself, Mr. Arvind Singh Bisht. It is alleged that he was harassed, threatened, verbally and physically assaulted in the office by Mr. Arvind Singh Bisht along with his security guards as well the peons present at the time.

On 1 January 2016, Mr. Tanveer Ahmed Siddiqui had an appointment at 4.00 PM with the Governor of Uttar Pradesh to file a complaint against the State Information Commission for not providing information under RTI on time and continuously prescribing dates to question him instead. He had also been demanding videography

files and recording of the Information Commission and the Commissioner to find out what action they are taking as they do not provide information but give him dates every time they are approached for any RTI matter. Mr. Tanveer Ahmed Siddiqui was called at the Information Commission at 1.00 PM on 11 January, 2016 to be questioned by the Commissioner, Mr. Arvind Singh Bisht. Instead of discussing the RTI matters, Mr. Arvind Singh Bisht along with his security guards and peons started physically assaulting Mr. Tanveer Ahmed Siddiqui while simultaneously verbally abusing him as well as harassing and threatening him by saying that he is the father in law of the Chief Minister's brother, so he can do anything and that Mr. Tanveer Ahmed Siddiqui should immediately stop filing RTIs.

The Commissioner even called the police at his office and physically assaulted Mr. Tanveer Ahmed Siddiqui in front of the police as well, proving that he indeed is capable of doing anything he pleases and holds political power. Fortunately, Mr. Tanveer Ahmed Siddiqui has not suffered any serious injuries.

Lucknow, he was detained there for a few hours but was released at 5.00 PM, and his FIR has not been lodged yet. The police refused to lodge the FIR saying that they cannot register a complaint against a powerful man like Mr. Arvind Singh Bisht.

Appeal:

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

- Orders an immediate, thorough, transparent, effective, independent and impartial investigation into the above mentioned incident of the ill treatment, verbal abuse and physical assault on RTI activist and human rights defender Mr. Tanveer Ahmed Siddiqui;
- Takes immediate action on the alleged perpetrators as mentioned above for the ill treatment and physically assaulting the human rights defender, Mr. Tanveer Ahmed Siddiqui and using all provisions of law to ensure that his physical safety is ensured and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Tanveer Ahmed Siddiqui;
- Along with local district officials guarantee in all circumstances the physical and psychological integrity of the defender Mr. Tanveer Ahmed Siddiqui who still faces the risks of further reprisals by the perpetrators;
- Ensures provision of reparation, compensation, apology to the defender for the psychological sufferings he is undergoing because of the assault and give

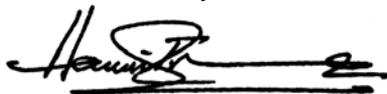
Mr. Tanveer Ahmed Siddiqui was then taken to the Hazrat Ganj Police Station of this assurance to the NHRC of India in writing immediately and urgently;

- Puts an end to all acts of attack and harassment against all RTI activists and all human rights defenders in Uttar Pradesh to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Ensures the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty;
- Takes steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
 - Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels;
 - Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- Recommends urgently and speedily during the pendency of this complaint, the SHRC in Uttar Pradesh to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;
- Recommends urgently and speedily during the pendency of this complaint, the NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs..etc] to ensure that a co-ordinated strategy is developed within the State of Uttar Pradesh for the protection of the rights of human rights defenders;

- Recommends urgently and speedily during the pendency of this complaint, the State Government of Uttar Pradesh in collaboration with the NHRC Focal Point on HRDs and the SHRC Uttar Pradesh to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommends urgently and speedily during the pendency of this complaint, the State Government of Uttar Pradesh in collaboration with the SHRC, Uttar Pradesh to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);
- 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 Uttar Pradesh.

Looking forward to your immediate action in this regard,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath.

(Henri Tiphagne)

Honorary National Working Secretary