



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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June 15, 2017

To,

**Shri Srinivasa Kammath**

National Focal Point - Human Rights Defenders & Deputy Registrar  
National Human Rights Commission  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA,  
New Delhi – 110 023  
Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action –Uttar Pradesh: Students manhandled and brutally assaulted while they were holding a peaceful protest in Lucknow City of Uttar Pradesh – Regarding***

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 manhandling and brutal assault on college students who were observing a peaceful protest in the city of Lucknow to protest against atrocities on dalits and minorities.

**Source of Information on the Incident:**

- Media reports
- The Regional Coordinator for the North-India, HRDA.

**The Human Rights Defenders:**

The Students are in the age group between 18-24 age group, are members of two student groups — the All India Students Association (AISA) and Samajwadi Chhatra Sabha (SCS) – the student wing of Samajwadi Party.

**The Perpetrators:**

- Lucknow City Police
- Security personnel of the Chief Minister
- Jai Narain Singh, Inspector General of Police (Lucknow Range).

**Date of Incident:**

June 7, 2017

**Place of Incident:**

Near the campus of Lucknow University

**Incident detail:**

According to the source, on June 7, 2017, the Uttar Pradesh Chief Minister Mr. Yogi Adityanath's motorcade was passing to go to Lucknow University, where he was invited to attend a programme on Chhatrapati Shivaji – 'Hindavi Swarajya Diwas' celebration.

At around 5.15 PM, members of two student groups AISA and SCS blocked the motorcade of the Chief Minister which came to a halt and the students waved black flags and laid down on the streets in front of the Lucknow University.

The students shouted slogans at the Chief Minister over alleged violence against Dalits and Muslims in connection with the recent violence against the Dalits in Saharanpur. They also accused the government of failing to create jobs for youth and were drawing the attention of the Chief Minister towards an event which was being held "at the expense of the university"

The police brutally lathi-charged the peaceful protestors and dragged the students and had beaten them badly and 14 of them were arrested and sent to judicial custody for fourteen days, which included 4 women. They have been charged with serious crimes, including rioting, for "breaching the security of the chief minister" and for causing obstruction to government officials performing their duty.

At the university program, the Chief Minister commented that those opposing, (He was referring to the group of students who had waved black flags) are influenced by Naxal and western ideologies.

The Lucknow Senior Superintendent of Police, Mr .Deepak Kumar has suspended six policemen for laxity which included Sub-Inspector Mr. Virendra Yadav of Chinhat police station and five constables.

The students of SCS, the student wing of the Samajwadi Party, have been slapped with serious charges by the police, making their release difficult. It is also learnt that the arrested students which included two girls were beaten by the police and security at the protest site and also later by the police. The same can be confirmed through videos on social media.

On June 8, 2017 Chief Judicial Magistrate Sandhya Srivastava had sent the 11 students to four days' judicial remand. The court had summoned for the production of the entire case diary for considering bail pleas of the students.

On June 9, 2017, The sessions court Additional Chief Judicial Magistrate Sunil Kumar rejected the bail pleas of 11 students, and while passing the order, the court said that the offences were of serious nature and hence the applicants did not deserve bail.

On June 09, 2017, a delegation of Samajwadi Party leaders led by ML Mr. Anand Bhadauria met the students in prison and claimed that they were being treated like criminals and mentally harassed.

Meanwhile, Mr. N.K. Pandey, the Director, Information, Publication and Public Relation, University of Lucknow has said that eight students namely, Mr. Satwant Singh, Mr. Nitin Raj, Ms. Pooja Shukla, Mr. Anil Kumar Yadav, Mr. Ankit Kumar Singh, Mr. Rakesh Kumar, Mr. Madhurya Singh and Ms. Apoorva Verma have been suspended and debarred from all student facilities in the university in the wake of the “security breach” of the CM’s convoy.

HRDA would like to insist that according to the Article 19 of the Indian Constitution every Indian citizen has the right to protest and peaceful assembly. The former UN Special Rapporteur on the right to Peaceful Assembly and Association, Mr. Maina Kiai has, in his several reports to the United Nations Human Rights Council and the General Assembly in the past few years emphasised on the right to peaceful assembly.

Thus, what has been meted out to the students are human rights violations arising from the indiscriminate use of force completely contrary to established national and international standards.

### **Appeal:**

We, therefore urge you to immediately:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of manhandling and brutal assault on the student human rights defenders.
- Direct all concerned to intervene immediately for the release of the students so as not to hamper their education and the cases against them be annulled and their suspension by the University be revoked;
- Order to the University of Lucknow to revoke the suspension of all the students due to this incident
- Enquire into the reports of ‘inhuman treatment’ meted out to students in jail and take immediate action with the administration especially the jail administration immediately stop the same. ;
- Take immediate action on the perpetrators in this case the police of Lucknow and the security personal for the manhandling and brutal assault and denial of the right to assemble and associate freely of the student protestors who participated in the peaceful assembly and protest especially;
- Guarantee in all circumstances at the cost of the state, the physical and psychological integrity of the student defenders from the colleges who are still under risk of further attacks from the perpetrators.
- Ensure provision of reparation, compensation, apology to each of the student defenders for the physical and psychological sufferings they underwent because of the manhandling and brutal assault and provide a re-assurance of not engaging in such acts against HRDs such as these student defenders;
- Put an end to all acts of harassment against all human rights defenders in the State of Uttar Pradesh to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

- Guarantee under all circumstances the constitutional right provided under Article 19 (1) (b) of the Constitution of India which accords all citizens the right to assemble peaceably and without arms;
- Take steps to ensure the provisions contained in the Human Rights Council resolution 15/21 adopted in October 2010 which reaffirms that everyone has the rights to freedom of peaceful assembly and of association free of restrictions that is subject only to the limitations permitted by international law, in particular international human rights law;
- 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”;

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)  
National Working Secretary

**Copies to:**

**Justice (Retd.) H L Dattu**  
**Chairperson, National Human Rights Commission**  
Manav Adhikar Bhawan, Block-C, GPO Complex,  
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**Special Rapporteur on the situation of human rights defenders,**  
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