



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No.32, Besant Road, Chokkikulam, Madurai - 625 002, Tamil Nadu, India.  
P: +91-452-2531874 & 2539520 Fax: +91-452- 2531874 Mobile: 99943-68540  
E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

**Ref No: HRDA/North/RJ/04/09/2019**

**September 03, 2019**

**To**

**Mr. Khaleel Ahmad**

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 – Rajasthan – Attempt to kill anti-mining activist Mr. Kailash Meena in Rajasthan – 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 over the attempt with the intention to kill anti mine activist and human rights defender Mr. Kailash Meena in Rajasthan.

**About the Human Rights Defender:**

Mr. Kailash Meena has been working on atrocities against dalits, women and other social issue in Rajasthan for more than 20 years. He is also actively involved in exposing the illegal mining and has created a platform for resisting illegal mining and unauthorised construction activities in Sikar and Jhunjhunu in Rajasthan. After the closure of mines along the Aravalli mountain range in Haryana by the Supreme Court India in 2004, most mining operations shifted to Rajasthan which has adversely affected the daily lives of people and environment of Sikar and Jhunjhunu in Rajasthan. Due to his work against illegal mining and the powerful mining-mafia, he had been receiving personal attacks and life threats, and also faces more than 10 false cases.

**Source of Information on the Incident:**

- The Coordinator of HRDA for the North of India
- The Coordinator of HRDA for Rajasthan, India

**The Perpetrators:**

- Suspected involvement of construction and mining mafia
- Circle Inspector of Neem Ka Thana police station Mr. Kamal Jatt

**Date and Place of incident:**

22 August, 2019

Near Gawri More, Cantonment area, Neema Ka Thana, District Sikar, Rajasthan

**Details of the Incident:**

According to sources on 22 August, 2019, Kailash Meena along with his colleagues Mahesh Saini along with a few others went to the SDM court in Cantonment area to submit a memorandum regarding the unauthorized construction activities and illegal stone crushing units in and around Kansawati river. At around 2.50 pm, after handing over the memorandum they were walking near Gawri ara and suddenly a speeding blue-coloured Maruti Baleno car with registration number RJ 02 CD 6079 hit Kailash Meena from behind and fled from the spot . As a result, he fell down and sustained grievous injuries and was treated at the Khetri More Jeeven Rekha Hospital. Then Kailash Meena along with his colleague Mahesh Saini went to Neem Ka Thana police station to file a complaint on the incident. He was asked to meet the Circle Inspector Kamal Jatt and was made to wait for a long time. But the police did not register his complaint as a FIR on the serious incident of attempt on Kailash Meena's life.

It is pertinent to mention here that earlier on January 1, 2019 Kailash Meena was threatened to be killed by one Mr. Rajendra at Bharala bus stand when he was going to Neem Ka Thana city from his village. On the same day in the evening around 5 pm when Kailash Meena was returning to his village from Neem Ka Thana, his vehicle was stopped by another vehicle and a gang of men who were masked threatened him to stop his anti- illegal mining work.

It is pointed out to the Commission that in the present case, there is an assumption that the illegal mining mafias are hand in glove with the police and therefore the police is reluctant in filing a case against the perpetrators and have abdicated their duty and responsibility to file a FIR and have not followed Supreme Court's direction in the case of *Lalita Kumari v State of Uttar Pradesh*.

Under the Declaration on Human Rights Defenders, it is stated that in the context of human rights violations by third parties, the obligation to protect, first, involves ensuring that defenders do not suffer from violations of their rights by non-State actors. Failure to protect could, in particular circumstances, engage the State's responsibility. Even acts and omissions committed by non-State actors under the instructions, control or direction of the State can, under certain circumstances, give rise to State responsibility. Therefore, it is paramount that prompt and full investigations are conducted and perpetrators brought to justice and failure by States to prosecute and punish such perpetrators is a clear violation of Article 12 of the Declaration on Human Rights Defenders.

### **Appeal**

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

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the incident of attempt on the life of human rights defender Kailash Meena;
- Take immediate legal action against the perpetrators after identifying them and arrest them for targeting Kailash Meena and order for departmental enquiry on Circle Inspector of Neem Ka Thana police station for not filling the FIR in this case;
- Ensure complete medical check-up of anti-mine activist and human rights defender Mr. Kailash Meena totally at state cost in the best medical facility available in the state to ensure that the defender is not suffering from any internal medical ailments after this incident;
- Guarantee in all circumstances the physical and psychological integrity and security of anti-mine activist and human rights defender who still faces the risk of further attacks from the perpetrators and using all provisions of law to ensure that the anti-mine activist and defender is not attacked or intimidated in Rajasthan in future and give this assurance to the NHRC of India in writing immediately and urgently;

Looking forward to your immediate action in this regard,  
Yours sincerely,



**(Henri Tiphagne)**  
National Working Secretary