



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

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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

Dear Sir,

**Sub: HRD Alert - India - Urgent Appeal for Action – Uttar Pradesh -
Criminal assault with the intention to kill RTI Activist in Muzaffarnagar,
Uttar Pradesh by the land mafia – 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 criminal assault and attempt on the life of Mr. Krishnapal for using Right to Information Act (RTI) to expose land grabbing by the land mafia in Muzaffarnagar, Uttar Pradesh.

About the Human Rights Defender

Mr. Krishnapal is 35 years of age and belongs to Dhandiwada village in Muzaffarnagar district. He later settled in Shapur area of Muzaffarnagar with his family. He has been raising his voice against the land mafia of the locality and filing RTI complaints. The RTI activist has been targeted for filing RTIs to expose the land mafia in his locality.

Source of Information on the Incident:

The Coordinator of HRDA for the North of India
Communication with "Astitva", an organisation working for women human rights defenders from the minority in western Uttar Pradesh

Media Reports

The Perpetrators:

Babu Ram s/o Kali Ram,
Dinesh s/o Prahalad,

Rajeev s/o Beersen, resident of Manglapuri, Shahpur,
Vijay Kumar s/o Manmohan
Ajay Kumar s/o Manmohan, resident of Niwasigan, Shahpur and
two unnamed persons.

Date and Place of incident:

14, May 2019
Shahpur, District Muzaffarnagar, Uttar Pradesh

Details of the Incident:

According to sources on 14 May 2019, in the evening RTI activist Mr. Krishanpal had gone to his fields for irrigation purposes located in Shahpur locality (Kasba) in Muzaffarnagar district of Uttar Pradesh. Five persons out of seven accused in the incident were already present at the spot waiting for him. When Mr. Krishanpal reached there, they fired with a gun at the activist with the intention to kill him. RTI activist Mr. Krishanpal received three gun shots in his hands leading to severe injuries. Mr. Krishanpal was rushed to Meerut hospital in a serious condition for treatment.

According to the sources in police in Ditavi police station, district Muzaffarnagar, Mr. Krishanpal's wife filed an FIR in the name of five persons Babu Ram s/o Kali Ram, Dinesh s/o Prahalad, Rajeev s/o Beersen, resident of Manglapuri, Shahpur, Vijay Kumar s/o Manmohan and Ajay Kumar s/o Manmohan, resident of Niwasigan, Shahpur including two unnamed persons. A case has been filed in Ditavi police station, district Muzaffarnagar against the accused under section 307 of IPC. According to the details of the complaint, the five accused have allegedly illegally occupied large amount of government land in Shahpur area. RTI activist Mr. Krishanpal has filed an RTI related to the unauthorised occupation of the land and also filed a complaint with the administration.

The Commission is appraised that in the recent year's fatal attacks on RTI Activist is on the rise. This is mostly because RTI activists tend to work alone and are not always part of organisations and associations. Moved by corruption and illegal activities, they mostly seek information from local governance which pitches them close to public authorities, political leaders and wealthy individuals who do not want information about their activities to be disclosed, thus making them more vulnerable. It is often seen that there is a dangerous nexus between corrupt officials, politicians and mafias to silence

the RTI activists. Therefore there is a need to strengthen protection mechanism of RTI Activists who are acting rightly against corruption, land grabbing and protecting natural resources.

Further, under International Human Rights Law, freedom of information is fundamental human rights and connected to freedom of opinion and expression and is incomplete without people to have no access to information. Therefore protection of RTI activists becomes an essential towards safeguarding democratic values.

Appeal:

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of targeting and brutally assaulting the human rights defender Mr. Krishnapal and bring the perpetrators to book;
- Along with local district officials, guarantee in all circumstances the physical and psychological integrity of Mr. Krishnapal and his family members as they continue to be under risk of further attacks by the perpetrators;
- Along with local district officials put an end to all acts of harassment against all RTI Activists and all human rights defenders in general to ensure that in all circumstances they carry out their activities without any hindrances;
- Ensure the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty;
- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and International Human Rights Instruments ratified by India. .

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

National Working Secretary

Copy to

Mr. Justice S. Rafat Alam
Hon'ble Chairperson,
U.P. State Human Rights Commission
TC-34 V-1, Vibhuti Khand,
Gomti Nagar,
Lucknow
e-mail: uphrclko@yahoo.co.in

Shri. Yogi Adityanath,
Hon'ble Chief Minister,
State of Uttar Pradesh,
Lucknow
Email: cmup@nic.in

Shri. Rajiv Kumar, IAS
Chief Secretary
Government of Uttar Pradesh
1st Floor, Room No. 110
Lalbahadur Sastri Bhawan
Uttar Pradesh Secretariat,
Lucknow - 226 001
Email: csup@nic.in

Shri. Om Prakash Singh
Director General of Police,
Uttar Pradesh Police,
Lucknow
Email: dgpcontrol-up@nic.in