



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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NHRC Diary No. 6674/IN/2020 for the complaint submitted online

Ref No: HRDA/Central/CG/04/05/2020

May 25, 2020

To,
Mr. Debindra Kundra,
National Focal Point - Human Rights Defenders & Assistant 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 – Chhattisgarh: Harassment and intimidation of Mr. Neeraj Shivhare, a journalist based in Dantewada– 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 intimidation of Mr. Neeraj Shivhare, a journalist based in Dantewada, by issuing a show-cause notice against him on charges for allegedly publishing a report that damaged the image of the administration.

Source of Information:

- Communication with the HRDs in the region
- Media Reports

Date of Incident:

April 26, 2020

Place of Incident:

Dantewada, Chhattisgarh

The Perpetrators:

District Administration, Dantewada

About the Human Rights Defenders:

Mr. Neeraj Shivhare is a journalist based in the district of Dantewada who through his news portal, Bastar ki Awaaz, has been instrumental in bringing regional news and issues to the forefront.

Details of the incident:

Mr. Neeraj Shivhare is the chief editor of Baster ki Awaaz, a regional news portal in the state of Chhattisgarh. He has been constantly reporting hardships faced by local people due to increasing unemployment and job-losses. On April 25, through his website, he published an article¹ wherein woman from Geedam said she was forced to sell household items to buy rations amid the ongoing nationwide lockdown to combat the coronavirus. The woman told him that she had to sell her fridge for Rs 2,000 and confirmed the fact that the family had received no help from the administration.

As that article was published, Mr. Shivhare was served a show-cause notice, dated 26 April, by the district administration asking him to appear before the authorities in Dantewada and provide an explanation for his article (attached as Annexure I). The notice said that Shivhare had published the report without complete information. It, further, states that the story causes fear amongst people and portrays the state in a bad light amidst the pandemic. The same show-cause notice in a threatening tone asks him why an FIR shouldn't be registered against him for the act of allegedly causing fear amongst people and portraying the state in bad light which amounts to a punishable offence according to the notice sent by the district administration

It has come to notice that the news report published in question, has even been reported by other news portal who all have confirmed the same fact as reported by Mr.

¹ <http://www.bastarkiaawaz.com/geedam-housewife-forced-to-collect-ration-by-selling-household-items-no-help-has-been-received-from-administration-watch-video/>

Shivhare. Further, the woman has been quoted on record saying that she has not received any help from the administration. Thus, the news report seems to be true keeping in mind the above facts. The intention of the media report in question was not to show the state in a bad light but was to show real facts and hardships of people on ground due to the sustained lockdown; all that Mr. Shivhare did was fulfilled his journalistic duty by bringing to administration's notice gaps in its policies and the system. While he was merely fulfilling his duty and issuing him a show-cause notice and threatening him with an FIR shows the high-handedness and arbitrary behaviour of the administration.

Thus, we urge the Hon'ble Commission to immediately intervene in this matter of the district administration misusing law to silence critical news reports by human rights defenders and restricting their fundamental rights to expression, dignity and liberty. In light of the COVID-19 outbreak, issuance of show-cause notice summoning the HRD to questioning without any reasonable cause with a motive of intimidating the human rights defenders is an act of torture and harassment towards them which should be condemned.


Appeal:

We therefore urge you to immediately take necessary steps to:

- Direct the District Administration, Dantewada to submit a comprehensive report.
- Direct the Chief Secretary, Chhattisgarh to ensure a congenial atmosphere for the HRDs of the state, free from the fear of excessive state action, in order for them to continue their work in human rights.

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 drawn underneath it.

(Henri Tiphagne)
National Working Secretary