



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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November 8, 2021

To
Mr. C.S Mawri,
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: Legislators and politicians intimidating and threatening journalists in Chhattisgarh.

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 in to express our concern over the intimidation of journalists by ruling party MLAs and politicians in Chhattisgarh, in a bid to stop them from reportage and to muzzle free speech.

Source of Information:

- Communication with HRDs in the region
- Communication with HRDA Eastern Regional Consultant

The Perpetrators:

- Mr. UD Minj, Kunkuri MLA, Chhattisgarh
- Mr. Manoj Sagar Yadav, President, Jashpur District Congress Committee, Chhattisgarh
- Mr. A Tripathi, Spokesperson, Jashpur District Congress Committee, Chhattisgarh

Date of Incident:

October 24-26, 2021

Place of Incident:

Jashpur district, Chhattisgarh

Background of the incident:

On October 24, 2021, a brawl broke out at a Congress workers' conference in Jashpur owing to infighting between two factions of the party. Former district unit president Mr. Pawan Agarwal was heckled and slapped when he took to the podium at the conference and stated that the chief minister must vacate office so that another could take over.

The proceedings were captured on camera by journalists who were present there to report on the meeting. Various news portals including national media outlets reported on the brawl in Jashpur and videos of the incident were shared widely on social media, bringing much disrepute to the political party in question and the state government.

Details of the Incident:

On October 26, 2021, the district Congress unit filed a written complaint with the Thana Prabhari of Kunkuri Police Station seeking to restrain journalists from reporting or writing about incident and the rift in the party.

The complaint was made by Jashpur District Congress Committee President Mr. Manoj Sagar Yadav on his official letterhead, and endorsed by several other leaders of the party including Kunkuri MLA Mr. UD Minj, and Spokesperson of the District Congress Committee Mr. A Tripathi.

Although the complaint did not refer to the Jashpur brawl, the signatories alleged that some news agencies, web portals and social media users were intentionally trying to ruin and denigrate the image of the chief minister and the state government which was disturbing social harmony and creating enmity between groups.

They demanded that police lodge FIRs against all such journalists, youtubers, news media outlets and others who sought to tarnish the image of the chief minister and the state government.

The party conference in Jashpur where the brawl between two factions broke out leading to a deluge of media reports, was a public event, and journalists had been invited to cover its proceedings. Whereas the matter raised by signatories in the letter pertained to biased reporting, which should have been taken up with relevant bodies like the Press Council of India for adequate action. Instead, the letter sought punitive action including the registration of FIRs and arrests of journalists and social media users critical of the ruling party and the government, which was clearly an attempt to criminalise dissent and muzzle the freedom of speech and expression.

The right to exercise freedom of speech and expression is enshrined under Article 19(a) of the Indian Constitution. The right to freedom of opinion and expression encompasses three different aspects: 1) the right to hold opinions without interference; 2) the right of access to information; and 3) the right to impart information and ideas of all kind. On the aforesaid, it is stated that the Declaration on Human Rights Defenders seeks to protect the monitoring and advocacy functions of defenders by recognizing their right to obtain and disseminate information relevant to the enjoyment of human rights.

A free media is extremely important as the fourth pillar of democracy, and the letter by Chhattisgarh Congress legislators and leaders seeking punitive action against dissenters grossly violate these rights.

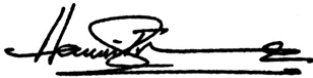
Appeal:

We thus request the Hon'ble Commission to urgently:

- Direct the Chief Secretary of Chhattisgarh to investigate the role of sitting MLAs and members of the ruling party in intimidating journalists and muzzling free speech by lodging a police complaint and submit a report to the NHRC within four weeks.
- Depending on the result of the inquiry, take strict action against errant public representatives, officials and leaders guilty of muzzling free speech.

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 it.

Henri Tiphagne
National Working Secretary