



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/North/HAR/02/07/2023

July 28, 2023

To,

Mr. Indrajeet Kumar,  
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 – Urgent Appeal for Action – Haryana – Brutal assault on peaceful protestors in Haryana and negligence of Haryana police in filing an FIR.**

Greetings from Human Rights Defenders Alert!

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 brutal attack on peaceful protestors in Faridabad, Haryana and the negligence of the police in filing an FIR or doing an investigation in the matter.

**Source of Information:**

- Information from HRDA North Regional Consultant
- Communication with local HRDs
- Media Reports

**Date of Incident:**

July 23, 2023

**Place of Incident:**

Faridabad, Haryana

## **Perpetrators:**

Police officials of Haryana

**About the Human Rights Defenders:** Civil society organisations like Inqlabi Mazdoor Kendra who were holding a street corner meeting for peace in Manipur. Inqlabi Mazdoor Kendra (IMK) is platform which works on the issue of laborers and women and farmers. The workers of Inqlabi Mazdoor Kendra also work with farmer organizations.

## **Details of the Incident:**

On July 23, 2023, around 6.30 pm, members of civil society organisations like Inqlabi Mazdoor Kendra and others were holding a peaceful street corner meeting near Gonchi School, Faridabad, criticising sexual violence against women in Manipur. Women, students, and labourers were taking part in the meeting.

Suddenly a group of 8-10 drunken young men led by a local young men called Sahdev and Mohit, crashed the meeting. They had iron rods, and lathes in their hands. The men went up to the organisers and started threatening them by telling them not to talk about Manipur and that first they should get the “mulla shops” (*derogatory way of referring to shops owned by Muslims*) shut which sold chicken on Tuesday.

When the participants at the meeting refused, the youth turned aggressive and forced them to shout *Jai Shri Ram*. They also started harassing the women participants present there. When other participants came to calm the situation, the perpetrators attacked the protestors from behind and assaulted them with lathes, bricks, iron rods, iron weights. The assault led to serious injuries on the heads of many participants while 3 participants Mr. Nitish Kumar, Mr. Deepak Kumar, and Mr. Santosh Prajapati suffered serious head injuries. After the assault they threatened the organisers telling them to leave immediately and if seen in the locality again then they will be killed.

At 7:30 pm a written complaint about this incident was made at the Sanjay Colony Sector 23 police station, Faridabad. In the complaint the peaceful protestors also mentioned that they recognised the perpetrators. But the police did not register the FIR. They told the complainants that first a medico-legal examination should be done and then they will register an FIR in the relevant sections of the Indian Penal Code. The injured people got a medico-legal examination in the government hospital of Vallabgarh and one of them had to get a CT scan done at 1 am in the night. The next

morning, they again went to the police station and asked them to file a FIR again now that they had got the MLC done. The chowki in-charge refused to file the FIR again.

On July 26, 2023, the civil society held a protest in various cities of Haryana in Faridabad, Hissar and Kaithal against the murderous attack on the peaceful protestors and demanded action by the local police but no action has been taken till now. The organisers allege that the goons were associated with the RSS (Rashtriya Seva Sangh), the umbrella body of the ruling Bhartiya Janta Party.

We believe that this is a shocking case of negligence and apathy by the Haryana police which did not file an FIR despite repeated complaints by the peaceful protestors suffering grievous injuries in a co-ordinated attack.

Protection of HRDs is a key duty of any State as specified in the Declaration on Human Rights Defenders, adopted in 1998 by the UN general Assembly. Article 2 of the declarations states that the State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.

Article 19 (1) (b) of the Indian Constitution guarantees the right to peacefully assemble. A peaceful assembly is protected under the Article 21 of the International Covenant on Civil and Political Rights (ICCPR).

According to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, “states and their law enforcement agencies and officials are obligated under international law to respect and protect, without discrimination, the rights of all those who participate in assemblies, as well as monitors and bystanders. The potential for violence is not an excuse to interfere with or disperse otherwise peaceful assemblies.”

We are shocked at this brutal attack of protestors holding a meeting for peace and the apathy of the Haryana police in neither filing a police complaint nor making any effort to arrest the perpetrators in complete violation of the national and international laws.

## **Appeal:**

We urge the Hon'ble Commission to take cognisance of the above case and urgently:

- Direct the Director General of Police of Haryana to immediately file an FIR on the murderous attack on the peaceful protest in Gonchi, Haryana.
- Direct the Director General of Police of Haryana to submit a detailed report on the wilful negligence and inaction by Sanjay colony police station by not registering an FIR. And submit a report to the Hon'ble Commission within two weeks.
- Direct that the Director General of Police of Haryana takes appropriate steps to include Section 307 (attempt to murder) of the Indian Penal Code to the FIR, and all required measures to arrest the attackers who attacked the peaceful protestors.
- Based on the inquiry, order the DGP of Haryana to take immediate and strict action against all the policemen who were involved in negligence and submit a report to the NHRC within two weeks.
- Direct the State Government to immediately provide complete physical and psychological protection to the HRDs and their family.

We hope to hear from you soon,

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)

National Working Secretary