



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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August 05, 2022

To,  
Mr. Indrajeet Kumar,  
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 – Haryana- Illegal arrest of student activists by Crime Investigation Agency (CIA) of Haryana.**

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 concern regarding student activist Mr. Sahil Devdu from Haryana, the President of the student organisation Chhatra Ekta Manch Sonipat, who was detained and arrested by the personnel of Crime Investigation Agency (CIA), at Sonapat and fake messages posted by the police from his social media account.

**Source of Information:**

- Communication with the HRDA North Regional Consultant
- Communication with HRDs
- Media Reports

**Date of Incident:**

June 19, 2022

**Place of Incident:**

Sonapat, Haryana

**The Perpetrators:**

Police personnel of Crime Investigation Agency (CIA), Sonapat

**About the Human Rights Defenders:**

- Mr. Sahil Devdu (22) is a student activist and president of Chhatra Ekta Manch.

- Mr. Ankit (21) is a student activist and joint secretary of Chhatra Ekta Manch.
- Mr. Govinda (21) is a student activist and associated with Chhatra Ekta Manch.

### **Background of the Incident:**

In June 2022, the Indian government started a new recruitment process for the Indian Armed Forces wherein selected candidates will be enrolled for four years in Indian Armed Forces. There were widespread agitations across the country against this scheme and students took to the streets. In this sequence, a peaceful protest was held in Sonapat, Haryana by many student organisations including Chhatra Ekta Manch, a student organisation.

### **Details of the Incident:**

On June 19, 2022, a meeting took place of students hailing from various villages of Haryana who decided to hold a protest by students the new recruitment process. In a co-ordination meeting it was unanimously decided that on June 20, 2022, a peaceful Rail-Roko (Stop the Train) protest would be held by the students at Sonapat. This statement was posted on the social media of various student organisations. Mr. Sahil Devdu, the president of Chhatra Ekta Manch, says that after the resolution he started getting calls from the CID, IB and SP office asking questions about the student protest.

On June 19, 2022, at 05:34 pm, 15-20 plainclothesmen from the Crime Investigation Agency (CIA) came in 3 vehicles and picked Mr. Sahil Devdu up from a shop in Gyan Nagar Sonapat without any due process of arrest. They took him directly to the CIA office, in old tehsil near Gudmandi road Sonapat. There he was questioned by Mr. Brijendra Kumar of the CIA who asked him questions regarding the strategy for the protest planned for July 20. Mr. Devdu was repeatedly told during this questioning that he should take back the call for the Rail-Roko (Stop the Train) protest by the students. However, he refused to stop the protest from happening, on the grounds that other measures of giving a paper to the administration had not worked. After he refused to stop the protest, at 7:45 pm he was taken to the 27 sector police station. Two other student activists-Ankit and Govinda were already at the police station after being arrested.

They were then taken back to CIA Staff 1 and after their repeated refusal to stop the proposed protest they were charged with a case under CrPc 107<sup>1</sup> and 51<sup>2</sup> (preventive arrest) and were forced to sign a document pledging that they would not take part in any protest for the next 6 months. They were also detained for the next 23 hours and despite repeated requests they were not allowed to meet their lawyer or get any legal help.

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<sup>1</sup> 107. Security for keeping the peace in other cases.

(1) When an Executive Magistrate receives information that any person is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquillity and is of opinion that there is sufficient ground for proceeding, he may, in the manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with or without sureties,] for keeping the peace for such period, not exceeding one year, as the Magistrate thinks fit.

(2) Proceedings under this section may be taken before any Executive Magistrate when either the place where the breach of the peace or disturbance is apprehended is within his local jurisdiction or there is within such jurisdiction a person who is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act as aforesaid beyond such jurisdiction.

<sup>2</sup>Search of arrested person.

Mr. Devdu alleges that after they refused to compromise with the administration's demands to stop the Rail-Roko protest, the CIA officers forced the students to unlock their mobile phones and sent fake messages from the personal phones of the students saying that the protest was postponed. The police also posted similar fake messages on their social media accounts.

At 4 pm on June 20, 2022, they were taken for a medical examination at Civil hospital in Sonapat and produced in front of the executive magistrate at 7 pm and then the three student activists were sent to Sonapat jail where they stayed for the next three days. On June 23, 2022, they were given bail and released from prison.

HRDA is gravely concerned with the manner of illegal detention of the student activists, without allowing them legal help despite their repeated pleas. This is a serious violation of the DK Basu guidelines of arrest.

We are also concerned by the police officials forcefully posting fake messages on the personal social media accounts of the student activists as well as arresting under preventive detention under CrPc 107, of preventive detention which a person to show the cause to why he shouldn't be ordered to execute a particular bond, with or without any sureties], to keep the peace for any such period, which does not exceed one year.

Article 19 (1) (b) of the Constitution guarantees the right to peacefully assemble and Article 21 of the Constitution ensures to all its citizen right to life – a life to live without fear, intimidation, harassment, or mental torture. Not allowing legal help and posting fake messaged on the social media accounts by the police is a violation of the abuse of power by district administration and police Personnel in Sonapat.

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."

### **Appeal:**

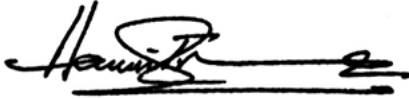
We appeal to the Hon'ble Commission to urgently take action and:

- Direct the Director General of Police of Haryana to initiate an immediate, independent, thorough, transparent, and impartial investigation into the above-mentioned incident of violation of the DK Basu guidelines by the CIA and police personnel of Sonapat (in arresting students without any legal process, denying them legal help, posting fake messages on the student social media), and submit a report to the NHRC within two weeks.
- Depending on the result of the investigation, direct the Director General of Police of Haryana to take urgent action against CIA and police personnel who violated the DK Basu guidelines and submit the report to the NHRC within two

weeks.

- Direct the Director General of Police of Haryana to ensure that the student activists are not subject to any harassment and intimidation by the police and the CIA of Sonapat.

Yours sincerely,

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

**Henri Tiphagne**  
National Working Secretary