



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No. 555, West Cross 4th Street, K.K.Nagar, Madurai - 625 020, Tamil Nadu, India.

Mobile: 99943-68540

E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

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July 27, 2020

To,
Mr. Debindra Kundra,
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 – Uttar Pradesh: Police negligence and inaction in not filing FIR, leading to murder of journalist Vikram Joshi

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 extreme negligence shown by the Pratap Vihar police chowki incharge in Ghaziabad, Uttar Pradesh, Mr Raghvendra Singh, who did not register an FIR based on a complaint by journalist Mr. Vikram Joshi regarding the sexual harassment of his niece. Mr. Joshi was shot dead only a few days later and the family alleges that the police was in cahoots with the goons and lack of action by the local police encouraged the goons to murder Mr. Joshi.

Source of Information:

- Communication with HRDA North Regional Coordinator
- Communication with deceased journalist's family and relatives
- Media Reports

Date of Incident:

July 20, 2020

Place of Incident:

Pratap Vihar, Ghaziabad, Uttar Pradesh

The Perpetrators:

Mr. Raghvendra Singh, Chowki in-charge, Pratap Vihar, Ghaziabad

Mr. Rajeev Kumar Sehrawat, SHO, Vijaynagar Police Station, Ghaziabad

About the Human Rights Defender:

Mr. Vikram Joshi was a Ghaziabad based journalist associated with Ghaziabad's Jansagar Today.

Background of the Incident:

On July 16, 2020, Mr. Joshi's sister, Ms. Payal, wife of Mr. Pramod Kumar, told Mr. Joshi about some local goons called Ravi, Chotu, and two unknown boys – who had sexually harassed her daughters. At about 9 pm, when her daughters were standing outside the house, the aforementioned men started making sexually suggestive remarks to her daughters and when her son came out and objected at the language being used for his sisters, he was beaten up by the same men. The goons ran away after making a rape threat to her daughter.

To lodge a complaint about this harassment of his niece, Mr. Joshi along with his sister went to the Pratap Vihar chowki and gave a written complaint addressed to the SHO of Vijaynagar police station, Mr. Rajeev Kumar Sehrawat. Complaint was received by the chowki in-charge Mr. Raghavendra Singh, but he refused to give them a receiving and acknowledgement slip. Then Mr. Joshi and his sister went to SP Ghaziabad's office and tried to meet the SSP but they could not meet him so they sent an application to SSP through speed post. On July 18, 2020, Pratap Vihar chowki phoned Mr Joshi and called him to the police station. When Mr. Joshi and his sister went to the chowki, in-charge, Mr. Singh said that he was not well so they should go home, and the Police will take action. However, the Police took no action.

Details of the Incident:

On July 20, 2020, at about 08:00 pm, Mr. Joshi went to his sister's house in Mata Colony Bypass Vijayanagar with his daughters. Four or five goons were walking outside his sister's house with weapons. Mr. Joshi immediately called the chowki in-

charge Mr. Singh and informed him of the situation and demanded quick action, but Mr. Singh said that he is not well and will call him in the morning. At around 10:30 pm, Mr. Joshi had just left his sister's house with his two daughters by bike, when a group of men forcefully stopped them and started beating up Mr. Joshi. One of them shot at Mr Joshi's head and ran away. The injured Mr. Joshi fell down on the road, while his daughters were screaming for help. One of his daughters ran back to his sister's house and told the family members.

The family members took Mr. Joshi to the nearest hospital Jeevan Jyoti at Pratap Vihar via bike, where he was not admitted. Then they took him to Yashoda hospital in Ghaziabad where he was admitted. While the family was taking Mr. Joshi to Jeevan Jyoti hospital, his sister went to the Pratap Vihar police chowki and told them that her brother had been shot. However, the Police reached only after he was admitted to the Yashoda hospital. On July 22, 2020, at 03:00 am, Mr. Joshi died in Yashoda Hospital. Mr Joshi's family refused to take his dead body. The family said that Mr. Joshi was trying to lodge a complaint about harassment of his niece by local goons and due to the inaction of the police the goons were encouraged and murdered Mr. Vikram Joshi.

Till now the Police have arrested nine people in relation with the case and it is reported that the SHO of the Vijayanagar police station has been suspended for inaction.

We believe that this is a case of an HRD trying to do a public service by attempting to lodge a police complaint for outraging the modesty of a woman. It was gross negligence on part of the police to not register the FIR for sexual harassment (IPC S.354A) and physical assault (IPC S.352) despite repeated attempts by Mr. Joshi and this led to his murder. Negligence of the SHO of Vijayanagar police station and Pratap Vihar chowki in-charge to register the FIR against the boys was not only negligence but completely illegal according to the law. The family feels that the reluctance of the police to register the complaint was because the police was in collusion with the goons and their negligence led to encouraging the goons to murder Mr. Joshi.

Appeal:

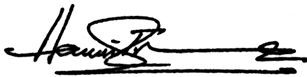
We therefore urge the Hon'ble Commission to immediately take necessary steps and:

- Direct its own investigation division to initiate an immediate, independent and transparent inquiry against the Mr. Rajeev Kumar Sehrawat, SHO of Vijayanagar police station and Mr. Raghavendra Singh, the chowki in-charge of Pratap Vihar for not registering FIR despite several attempts by Mr. Vikram Joshi.

- Based on its own independent inquiry, direct appropriate legal prosecution against the SHO of Vijayanagar police station and the chowki in-charge of Pratap Vihar.
- Recommend stringent actions against the Jeevan Jyoti Hospital for refusing to admit Mr. Vikram Joshi despite his critical health after being shot in the head.
- Provide security to the families of Mr. Vikram Joshi and Ms. Payal who are at risk of further attacks.
- Direct the Director General of Police of Uttar Pradesh to mandatorily conduct trainings on law and duty of the Police for all Police personnel and report the update on the same to the Hon'ble Commission within 3 months.

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