



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

June 25, 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: Police and administrative officials in Bijapur and Sukma districts curbing free movement of journalists and barring them from reporting.

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 the harassment and restriction on free movement of journalists Mr. Kamal Shukla and Mr. Sanjay Thakur by police and administrative officials in Bijapur and Sukma districts with the intent of curbing their right to freedom of expression and barring them from reporting on the incident of police firing resulting in death of four protestors.

About the Human Rights Defenders:

- Mr. Kamal Shukla is a veteran journalist and Editor of *Bhumkal Samachar*. He has reported on human rights violations, corruption and militarisation of forest areas for over 30 years and has been at the forefront of a campaign demanding legislation for the protection of journalists in Chhattisgarh.
- Mr. Sanjay Thakur, a journalist for over 10 years, has worked with leading Hindi news outlets like News 18 India, Dainik Bhaskar and TV-9. He currently reports from Bastar for a number of publications.

Source of Information:

- Communication with HRDs in the region
- Social media posts
- Media reports

The Perpetrators:

- Mr. Ritesh Kumar Agrawal, District Magistrate, Bijapur
- Mr. Devesh Dhruv, Sub District Magistrate, Bijapur
- Mr. Kamlochan Kashyap, Superintendent of Police, Bijapur
- Mr. D.S. Baghel, Tehsildar, Basaguda
- Mr. Jugal Kishore Patel, Tehsildar, Bharamgad
- CRPF and state police personnel stationed at Daler Company, Awapally, Basaguda, Sarkeguda, Sunil Post and Tarrem security camps in Bijapur district
- Personnel at the Basaguda, Tarrem and Nelasnar Police Stations in Bijapur district
- Police and administrative personnel stationed at the Geedam check post in Dantewada district

Date of Incident:

30 May, 2021 - June 8, 2021

Place of Incident:

Bijapur and Dantewada districts, Chhattisgarh

Background of the Incident:

On May 17, 2021, four Adivasis were killed and several others injured when police lathi-charged and opened fire on an ongoing peaceful protest opposing the establishment of a security camp in Silger village in Sukma district, located close to the Bijapur district border, without gram sabha consent. Police claimed they fired in response to gunshots by the Maoists, but protestors denied the presence of any armed guerrillas in their midst, and said the lathi-charge and firing was unprovoked. While three HRDs died from bullet injuries on the spot, a pregnant woman who was injured in the stampede following the firing, died a few days later.

Thousands of villagers have continued to hold a peaceful protest at the site after the incident, demanding a rollback of the camp and justice for those killed and injured in police firing. They have also built a memorial for the four dead HRDs at the site.

Details of the incident:

Despite calls for a fair, independent probe into the firing by several civil society groups in Chhattisgarh and other parts of the country, local police and administration are creating hurdles to prevent fact-finding teams, activists, journalists and politicians from reaching the protest site and talking to affected villagers by misusing pandemic laws, declaring containment zones, setting up barricades along the road to Silger, asking for COVID negative certificates, and threatening to shoot HRDs who disobeyed orders to proceed towards Silger.

On May 30, when journalists Mr. Kamal Shukla and Mr. Prakash Thakur were travelling towards Silger to report on the ongoing peaceful protest, they were stopped at 7 (Daler Company, Awapally, Basaguda, Sarkeguda, Sunil Post and Tarrem Police Station) out of the 14 security camps located along the 60 km stretch between Bijapur and Silger. Personnel at the first five camps blocked the road and told Mr. Shukla and his colleagues that they could not proceed further, whereas at the Sunil Post security camp, security personnel threatened to shoot Mr. Shukla and his colleagues if they

ventured ahead. In all five instances, the HRDs asserted their right to free movement as journalists and proceeded onwards after long arguments.

At around 12 noon on May 30, 2021, Mr. Shukla and others reached the Tarrem Police Station cum security camp, located 3 km short of Silger in Bijapur district, Basaguda Tehsildar Mr. D.S. Baghel told Mr. Shukla and his aides that they could not proceed further as the area had been declared a containment zone. When Mr. Shukla asked to see a copy of the order declaring a containment zone, Mr. Baghel said the same was not available.

Mr. Shukla then sat on a dharna on the main road outside the Tarrem police station in protest against the restriction on his movement. Within an hour's time, nearly 5,000 protestors who were waiting for the journalists in Silger, arrived in a rally by foot to the Tarrem Police Station. They carried placards decrying the clampdown on free speech and peaceful protests and demanded that Mr. Shukla and his aides be allowed to travel onward with them. It was only after this that personnel at the Tarrem police station and Basaguda Tehsildar Mr. Baghel allowed Mr. Shukla and his colleagues to travel to Silger around 2 PM.

Further, on June 4, at around 12 noon, police stopped journalist Mr. Sanjay Thakur at the Basaguda Police Station while he was on his way to Silger to report on the protests, saying he could not proceed further as the area was a containment zone, but failed to show him any order stating the same. He was allowed to proceed further only after an hour of pleading with the Basaguda PS Thana Prabhari, but was stopped again at the Sarkeguda security camp, where security personnel asked him to return to Bijapur.

The website of the Bijapur district administration did not list any orders regarding a containment zone in the area between May 30 and June 5, 2021. On June 6, 2021, Bijapur District Magistrate Mr. Ritesh Kumar Agarwal issued an order declaring the Usur block, through which the Bijapur-Silger road passes, as a containment zone. All borders of Usur block were ordered sealed till 6 AM on June 14, and all social, religious and political gatherings including public meetings, rallies and processions were banned in the interim period.

Although the order stated that Usur was declared a containment zone due to a spike in COVID cases, the intent of pandemic-related orders was to cut off access of independent journalists, observers and fact-finding teams to protestors in Silger. We strongly believe that all of these measures, including the declaration of containment zones, insistence on COVID tests, denial of COVID reports and the sudden invocation of Section 144 are directed expressly towards preventing HRDs and independent observers from reaching Silger and meeting with victims of alleged human rights violations committed by police and paramilitary personnel.

The harassment, intimidation and detention of activists without any formal orders and restricting their travel to the site of the incident, point towards police, administration and health officials in misusing laws and holding back any attempt at an independent reporting on the Silger firing incident. It amounts to a clear violation of the freedom of the press. The UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, states that *"everyone has the right, individually and in association with others, to promote and to strive for the*

protection and realisation of human rights and fundamental freedoms at the national and international levels”.

If independent journalists are selectively restrained by using pandemic laws from meeting protestors in Silger while government delegations are allowed to travel to Silger freely, these rights are grossly abrogated. They are abrogated further when restrictions are imposed despite the absence of written orders regarding declaration of containment zones.

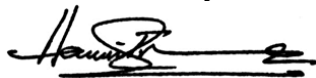
Appeal:

HRDA urges the Hon'ble Commission to:

- Initiate an immediate, independent, thorough, transparent, effective and impartial investigation through its investigative wing into attempts by Chhattisgarh police and administration to throttle free speech and expression and restricting journalists Mr. Kamal Shukla and Mr. Sanjay Thakur from traveling to Silger and reporting on the issue of police firing.
- Based on the inquiry, direct the Director General of Police of Chhattisgarh to take stern action against those guilty of harassment, misuse of pandemic laws, restricting free movement and illegal detention of journalists.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne
National Working Secretary