



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/UA/EAST/CHA/03/03/2025

29 March 2025

To,

1. Justice Mr. V. Ramasubramanian (Retd),  
The Chairperson,  
National Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA,  
New Delhi –110 023  
Email: [chairnhrc@nic.in](mailto:chairnhrc@nic.in)
2. Mr. Indrajeet Kumar,  
National 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: Urgent Appeal for Action – Chhattisgarh- Brutal assault on journalist in Kanker city police station by Chhattisgarh police on 31.10.2024.**

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 concern regarding the assault on Journalist Kamal Shukla by the police of Kanker in Chhattisgarh. Journalists and Media persons are HRDs when they face reprisals for exercising their fundamental freedoms.

**About the Human Rights Defender:**

Mr. Kamal Shukla, aged 57, resident of Shivani Mandir, Subash Wada, Kanker, is a well-known senior journalist in Chhattisgarh, India, with over 35 years of experience. He is the editor of Bhumkaal Samachar, a local publication that focuses on the rights of adivasi in the Bastar area of Chhattisgarh. He has actively reported against

extrajudicial killings in the region. Kamal Shukla initiated a movement demanding a law for the protection of journalists in Chhattisgarh state through the organisation Patrakar Suraksha Kanon Sanyukt Sangharsh Samiti (joint committee for the legal protection of journalists). He has worked with many newspapers, magazines and news channels. He has always been raising issues related to the human rights of Adivasis and common people. He is many times critical of the police department for violating norms and protocols. He also exposed corruption in the police force, for which he has repeatedly been attacked and threatened.

**Source of Information:**

- In Communication with the HRD
- Communication with HRDA Regional Co-ordinator
- Communication with other HRDs in the region

**The Perpetrators:**

- Two Police personnel, Police Station Kanker City, Kotwali, Kanker District, Chhattisgarh
- Superintendent of Police, Kanker, Chhattisgarh.

**Date of Incident:**

October 31, 2024

**Place of Incident:**

Police station City Kotwali Kanker, Chhattisgarh.

**Details of the Incident:**

On the Diwali night of 31 October 2024, a shop illegally storing LPG cylinders and fire crackers in a residential area, Subash Ward of Kanker city, was caught on fire. This shop was near to residence of Mr. Kamal Shukla, he had repeatedly brought this to the notice of local police officials, fearing safety of the residents. But the police officials have failed to initiate any action. On Diwali night, the shop was caught on fire and the gas cylinders started exploding, endangering public safety. Seeing this, Kamal Shukla rushed to Kanker City police and informed the police about the incident and to raise a complaint. When he reached the police station at about 10.30 PM, two police constables stationed at the police station informed him that there were no officers in the police station, then Kamal Shukla asked them to call the officers then the two police constables assaulted him by slapping him repeatedly on his face resulting his spectacles were broken and he had a blood clot in his left eye. On 1 November 2024 at about 10.30 AM, Kamal Shukla was admitted in-patient in the Government Medical College Hospital, Kanker, where he was treated for a blood clot in his left eye.

On 02 November 2024, Kamal Shula wrote a representation to the Police Inspector Kanker City to register an FIR against the assault by police constables stationed at Kanker City Police Station. Then the local journalists approached Superintendent of police Kanker and briefed the matter, on 06 November 2024 they have collectively addressed a letter to Governor of Chhattisgarh to take cognizance and initiate appropriate action against the police officials and they have organised many protests against attack on Senior Journalist Kamal Shukla but so far no action has been taken on police personnel responsible for attack on Kamal Shukla.

HRDA strongly believes that the instances of attack on the journalist by the police officials is an abuse of power by the police personnel to suppress activism and it is an act of reprisal against the activists of human rights defenders.

Torture of any kind and under any circumstances is illegal. Torture is a serious violation of human rights law in national and international law. **Article 5** of the Universal Declaration of Human Rights and **Article 7** of the International Covenant on Civil and Political Rights both provide that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment. Whereas **Article 2** of the United Nations Convention against Torture prohibits torture, and requires state parties to take effective measures to prevent it in any territory under their jurisdiction.

Our Constitution gives journalists the right to exercise freedom of speech and expression under Article 19(a) of the Indian Constitution. Freedom to expression is crucial to the work of journalists. 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.

The UN Declaration on Human Rights Defenders, adopted in 1998 by the UN General Assembly, 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. These freedoms are also a part of the Universal Declaration of Human Rights.

Article 12 (2) and (3) of the HRD declaration state that:

*“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration. In this connection,*

*everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.”*

**Appeal:**

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

- Direct the Investigation Division of the NHRC or a dedicated Special Rapporteur or Special Monitor of the commission to conduct an independent enquiry and submit a report to the NHRC within two weeks.
- Direct the Director General of Police, Chhattisgarh, to produce all CCTV footage of the Kanker City Police Station from 10.00 PM to 12.00 PM on 31.10.2024 and copies of all relevant documents pertaining to the assault on Senior Journalist Kamal Shukla for an independent examination by the Hon'ble Commission as directed by the Supreme Court in *Paramvir Singh Saini V. Baljit Singh and others* (2021) 1 SCC 184.
- Depending on the result of the inquiry, and the CCTV footages direct the Director General of Police of Chhattisgarh to take stern action against errant police officials for assaulting a journalist.
- Direct the Director General of Police, Chhattisgarh, to ensure protection for journalist Kamal Shukla and his family.
- Initiate steps to enact a law for the protection of journalists as accepted by the Indian government in the Universal Periodic Review of the Human Rights Council in 2017 and ensure its immediate implementation.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

National Working Secretary