



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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May 17, 2022

To,

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: HRD Alert - India – Urgent Appeal for Action – Tamil Nadu: Inaction and negligence of Tamil Nadu police in arresting perpetrators who brutally assaulted environment activist Mr. B. Tamilselvan in Chennimalai.**

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 over the brutal attack on the environment rights activist Mr. B. Tamilselvan for speaking up against illegal stone quarrying leading to environmental degradation in Ayyampalayam village, and the deliberate inaction by the TN police in not arresting the assaulters. We are concerned that police inaction might be because of the collusion of the local police with the perpetrators and pose a further threat to the life of the HRD.

**About the Human Rights Defender:**

Mr. B. Tamilselvan (38), hails from Chennimalai, a remote area in Erode District, Tamil Nadu. He is an environmental rights activist who has been working against illegal stone quarrying causing degradation to the environment in Ekkadampalayam, Chennimalai area. He runs an internet browsing centre.

**Source of Information:**

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

**The Perpetrators:**

- Police officials of Chennimalai police station, Tamil Nadu

- The illegal stone quarry owners, located in and around the Chennimalai area, who threatened Mr. Tamilselvan. (V. Mohan S/o. P. Venkadachalam – AVM Blue Metals, K. Gowtham S/o. Kumarasamy – CKG Blue Metals; P. Mahendren S/o. V.K. Palanisamy; Periyanyaki Amman Blue metals; and P. Gopalakrishnan S/o. Palanisamy Gounder – Selvanayaki Amman Blue Metals.)

**Date of Incident:**

May 04, 2022

**Place of Incident:**

Mr. Tamilselvan's internet browsing center, opposite Chennimalai bus stand, Erode District, Tamil Nadu

**Background of the Incident:**

Mr. B. Tamilselvan is an environmental rights activist who has been working against illegal stone quarrying causing degradation to the environment in Ekkadampalayam, Chennimalai area.

On May 01, 2022, Mr. B. Tamilselvan he spoke about the illegal stone quarrying in the Ekkadampalayam grama sabha meeting and was instrumental in bringing a resolution to close the illegal quarries. The quarry owners who were also present in the meeting protested against the resolution. Later the quarry owners, namely V. Mohan S/o. P. Venkadachalam – AVM Blue Metals, K. Gowtham S/o. Kumarasamy – CKG Blue Metals; P. Mahendren S/o. V.K. Palanisamy; Periyanyaki Amman Blue metals; and P. Gopalakrishnan S/o. Palanisamy Gounder – Selvanayaki Amman Blue Metals threatened to kill Mr. Tamilselvan by beating him with an iron rod.

**Details of the Incident:**

On 04 May 2022, Mr. B. Tamilselvan was at his internet browsing centre, when two unidentified men came in his shop and started hitting him with iron rods. A blow fell on his head and shoulders and caused him severe injuries. The other assaulter stopped Mr. Tamilselvan from escaping and hit him with a rod which fell on the glass cupboard, shattering it into pieces. The customers present in the centre ran out in fear. The staff pleaded with the assaulters to leave Mr. Tamilselvan alone but both the assaulters continued to beat him with the rods until he locked himself inside a room. Before leaving, the assaulters shouted and threatened Mr. Tamilselvan that they will not rest until they eliminate him.

Mr. Tamilselvan was then admitted at L.K.M hospital in Chennimalai from May 04-May 07, 2022 and the hospital intimated the Chennimalai Police.

On May 05, 2022, an FIR (No. 132 of 2022) was registered in Chennimalai Police Station, against unidentified people, under sections 448(Punishment for house-trespass), 324(Voluntarily causing hurt by dangerous weapons or means), 427(Mischief causing damage to the amount of fifty rupees), 506(ii) –(attempt to commit offences) of IPC.

However till date, no action has been taken by the police in identifying or arresting the criminals who attacked Mr. Tamilselvan. Nor has any action been taken against the illegal quarry owners who threatened to kill him in the meeting. The HRD remains at grave risk of further assault and threat to his life. The local police has been accused of working hand in glove with the perpetrators/quarry owners.

We believe that Mr. Tamilselvan's life is in danger for carrying out one of his fundamental duties enshrined in Article 51 A (g) of the Indian Constitution which says "It shall be duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures". Right to a clean environment is also one of the basic elements to ensure a welfare state which is stated in the Directive Principles of State Policy.

Article 21 guarantees fundamental Right to Life and liberty. Right to environment, free of danger of disease and infection is inherent in it.

The right to a clean, healthy and sustainable environment is now recognized by the United Nations Human Rights Council (UNHRC) 48/13, adopting a resolution that "recognizes the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights". This resolution has been supported globally including by the Global Alliance of National Human Rights Institutions (GANHRI).

Furthermore, the UN Declaration on Human Rights Defenders 1998, 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.

We appeal to the NHRC to treat this as a case of inaction by Tamil Nadu police on the attack on the life of an environmental HRD for exercising his constitutionally guaranteed fundamental right to resist degradation of the environment.

**Appeal:**


We urge the NHRC to urgently –

- Direct the Director General of Police of Tamil Nadu to initiate and inquiry in the negligence by the local police in pursuing the case and submit a report to the NHRC within two weeks.
- Depending on the result of the inquiry to initiate stern action against the local policemen who might be in collusion with the accused or negligent in following up the case.
- Direct the Director General of Police of Tamil Nadu to instruct the Superintendent of Police of Chennimalai to arrest the main accused and to submit a report to the NHRC within a week.
- Direct the Director General of Police of Tamil Nadu to ensure complete physical and psychological safety of the HRD and his family and give it in writing to the NHRC within one week.
- Direct the Government of Tamil Nadu to immediately provide complete physical protection to Mr. Tamilselvan and his family under the Witness Protection Scheme 2018.
- Direct the Government of Tamil Nadu to immediately provide complete Rs. 10 lakh compensation to Mr. B. Tamilselvan
- Consider exercising Section 12 (b) of the Protection of Human Rights Act and intervene in the relevant courts to defend the EHRD.

- Direct the Additional Chief Secretary of Tamil Nadu, Department of Environment, Climate Change and Forests to create a safe atmosphere conducive to EHRDs in the state.
- Direct the State Government of Tamil Nadu to implement the mandatory precautionary principle directed by the Hon'ble Supreme Court to protect the environment by anticipating, preventing and attacking the causes of environmental degradation.

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