



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/UA/North/UP/03/05/2023

May 11, 2023

To,
Mr. Indrajeet Kumar,
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 – Urgent Appeal for Action – Uttar Pradesh –Fabricated charges against WHRD Ms. Uzma Parveen by Uttar Pradesh police for offering prayers.

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 fabricated charges by Lucknow police against WHRD Ms. Uzma Parveen for her social media post showing her doing her prayer in public.

Source of Information:

- Information from HRDA North Regional Consultant
- Communication with HRD
- Media Reports

Date of Incident:

March 29, 2023

Place of Incident:

Hussain Ganj, Lucknow, Uttar Pradesh

Perpetrators:

- Mr. Sagar Khurana, Sub-Inspector, Hussain Ganj police station, Lucknow
- Police officials of Hussain Ganj police station, Lucknow, Uttar Pradesh

About the Human Rights Defender:

Ms. Uzma Parveen (28) is a social activist of Lucknow working on rights of women and minorities. She was awarded the City Corona warrior prize, certificate, ration material, and 11000 rupees cash by Municipal Commissioner Mr. Indarmani Tripathi during the Covid-19 lockdown for sanitizing 30 Temples, 25 Mosque, 5 Gurudwara, and 62 areas sanitized by Ms. Uzma Parveen. She was also an active member of peaceful protest at Ghantaghar Lucknow.

Background of the Incident:

On March 27, 2023, Ms. Uzma Parveen posted a photo on her twitter handle (@UzmaParveenLKO) depicting her praying in namaz in a burkha with a caption in Hindi. The caption said “अलहमदुलिल्ला लखनऊ विधानसभा के सामने असर की नमाज़ अदा की जो यह कहते हैं हमारी नमाज़ पर पाबंदी लगा देंगे तो हम भी अपने हिंदुस्तान की हर सरज़मीन पर नमाज़ पढ़कर दिखा देंगे हमारा देश आज़ाद है इसीलिए मुझे आज़ादी से नमाज़ पढ़ने का अधिकार है.

(Translation: Prayed in front of Lucknow Assembly building. Those who say that they will ban our prayer, we will respond offering prayer on every part of our country. Our country is free, and I have the freedom to pray freely.)

Details of the Incident:

On March 29, 2023, an FIR registered was against Ms. Uzma Parveen by Mr. Sagar Khurana, Sub-Inspector at Hussain Ganj police station, Lucknow, Uttar Pradesh. The FIR was registered under sections **153**- Wantonly giving provocation with intent to cause riot, **200**- Using as true such declaration knowing it to be false, **283**- Danger or obstruction in public way or line of navigation, **290**- Punishment for public nuisance in cases not otherwise pro-vided for, and section **66**- Computer related offences of Information Technology Act.

According to Ms. Uzma Parveen, the information about the FIR was not given to her officially, but her well-wishers told her that an FIR has been registered against her at the police station.

After that, on March 28, 2023, in a tweet, Ms. Uzma wrote that “मक़सद किसी धर्म को चोट पहुंचाना या विवाद करना नहीं मैं रोज़े से थी मेरी असर की नमाज़ कज़ा हो रही थी मैंने नमाज़ अदा की मेरे हिंदुस्तान की सर ज़मीन आज़ाद है इसलिए मैंने अपनी नमाज़ अदा की मैं बॉर्डर पर अपने देश के लिए लड़ने जाती वहां भी नमाज़ का वक्त होता तो मैं नमाज़ ज़रूर पढ़ती”.

(My intention was not to hurt or dispute any religion. I was fasting, my Asar prayer was being delayed so, I offered my prayer. The land of my India is free, that's why I offered my prayers. If I had gone to the border to fight for my country, I would have definitely offered Namaz there too.)

In another tweet, she has written that our Islam only teaches us to love the country we live in, and the identity of our love is that we follow our Constitution and our Constitution allow us to follow our religion in every corner of India.

Ms. Aparna Rajat Kaushik, Deputy Commissioner of Police, DCP (Central Zone) said that Ms. Parveen had wrongly shown Vidhan Bhavan as the place of prayer, which was misleading. “Just to create hype on social media. A case has been registered against her under IPC sections 153A (promoting enmity), 200 (giving false information), 283 (obstructing public way) and section 66 of the IT Act.

We believe that Ms. Uzma Parveen is being targeted as a form of political vendetta by the UP police. Our Constitution gives each citizen the Right to Worship. Legal experts, say that praying in public is not a criminal offence. There must be a specific intent to cause disharmony among groups, which is not apparent in this case. Her tweets clearly show that her act of offering prayers was not to stir any controversy or to hurt any feelings, as has been made out by the First Information Report (FIR) on her.

Further, several acts of public worship occur every day and state authorities do not stop them. Therefore, to only target certain religious acts is discriminatory.

This is another attempt by UP administration to restrict the right to freedom of religion and free speech of citizens in the country. Article 25 gives every person the right to freedom of conscience and the right to freely profess, practice, and propagate religion

subject to public order, morality, and health. Article 26 gives all denominations the right to manage their own affairs in matters of religion.

Appeal:

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

- Direct the Director General of police of UP to quash the FIR on Ms. Uzma Parveen immediately.
- Direct Director General of police of UP to initiate a detailed immediate, fair, and transparent inquiry against the arrest of Ms. Uzma Parveen by the Hussain Ganj police and submit a report to the NHRC within 4 weeks.
- Ensure that social activists and human rights defenders in the state of Uttar Pradesh and elsewhere are allowed to carry out their genuine human rights work as per the fundamental rights enshrined in the Constitution.

We hope to hear from you soon,

Yours Sincerely,

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

(Henri Tiphagne)

National Working Secretary