



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/NHRC-SM/West/GUJ/53/11/2024

November 23, 2024

To,
Ms. Vijaya Bharathi Sayani,
Acting Chairperson,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi –110 023
Email: chairnhrc@nic.in

Respected Madam,

Subject: Requesting to initiate Suo Moto Proceedings in the case of arrest of journalist Mr. Mahesh Langa

We are writing to you in bring to your kind attention that journalist Mr. Mahesh Langa, who was the Gujarat correspondent for “The Hindu” newspaper, has been arrested by Ahmedabad police.

On October 08, 2024, the Crime branch arrested the senior journalist with a leading newspaper, and 20 others, in an alleged Goods and Service Tax (GST) fraud, after questioning. He was sent to Sabarmati Central Jail under judicial custody. Days later, he was booked in another by Gandhinagar police for possession of confidential documents of Gujarat Maritime Board. A 3rd FIR was filed against the journalist by the proprietor of an ad agency for cheating.

We are attaching media reports about this:

1. <https://m.economictimes.com/news/india/who-is-mahesh-langa-the-hindu-journalist-accused-of-floating-200-firms-in-a-multi-crore-fraud/articleshow/114762555.cms>
2. <https://www.deccanherald.com/india/gujarat/yet-another-fir-against-arrested-scribe-mahesh-langa-by-gujarat-police-third-case-for-cheating-3253443>

The Ahmedabad police stated the possession of confidential documents of the Gujarat maritime board as a reason for arrest. Journalists and reporters who do investigative stories are regularly required to access and base their reports on confidential documents. To arrest a journalist for possessing a document would tantamount to an injustice.

Free media is an extremely important fourth pillar of the Indian democracy. Our Constitution gives journalists the right to exercise freedom of speech and expression under Article 19(a) of the Indian Constitution, which is crucial to the work of HRDs, including journalists. The right to freedom of expression encompasses three different aspects: 1) the right to hold opinions without interference; 2) the right to access information, and 3) the right to impart information and ideas of all kinds. A free press and active civil society are essential to ensure the public's right to know so that governments and institutions can be held accountable. Over the recent years, there have been many targeted attacks against journalists in India. The protection of journalists and ending impunity for attacks against them is a priority for safeguarding freedom of expression. States are under an obligation to prevent, protect against, and prosecute attacks against journalists.

The United Nations Declaration on Human Rights Defenders 1999 states the following:

Article 9 (1): "In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights". Article 11: "Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession".

We urgently appeal to you to exercise Section 12 (a) of the Protection of Human Rights (Amendment) Act, 2019, and take Suo moto cognizance of this incident and initiate an independent inquiry regarding the arrest of Mr. Langa through NHRC's investigation wing.

We hope and expect that the NHRC will intervene in this case impartially and in a time-bound manner and keep us informed of the same.

Yours Sincerely,

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

(Henri Tiphagne)

National Working Secretary