



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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To
Mr. C S Mawri,
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- Tamil Nadu: Physical assault and threat to life of journalist by local panchayat leader in Puddukottai, Tamil Nadu.

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavors to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are writing to express our grave concern regarding the harassment and threat to the life of Mr. S K Lenin a journalist who exposed the corruption in the MNREGA scheme of the government.

Source of Information:

- Communication with the HRDs in the region
- Communication with our Southern Regional Consultant
- Information from Social Media

Date of Incident:

August 2, 2020

Place of Incident:

Nagaram Village, Puddukottai, Tamil Nadu

The Perpetrators:

- Mr. Gopi Krishnan, Panchayat member and other Panchayat members of Nagaram Village, Puddukottai, Tamil Nadu
- Tmt. P. Uma Maheswari I.A.S, The Collector of Nagaram Village, Alangudi Taluk, Puddukottai, Tamil Nadu

About the Human Rights Defender:

Mr. S K Lenin (40 years) is a news reporter and HRD at Mudhal TV channel reporting on corruption and other public interest stories in the locality.

Background of the Incident:

On August 1, 2020, Mr. Lenin collected information about corruption in The Mahatma Gandhi National Rural Employment Guarantee Act 2005 (MNREGA) which is run by The Ministry of Rural Development, Government of India.

Though MNREGA is a government scheme to help the people who are underprivileged and lack opportunity to find a job, especially during the time of COVID-19, these jobs are vulnerable to corrupt practices by some panchayat members who are supposed to monitor the scheme in reaching out to the people. Some panchayat leaders show fake accounts and the salary has been withdrawn without any work done.

Mr. Lenin collected proof on such corrupt activities in Nagaram and submitted to the District Collector Ms. Tmt. P. Uma Maheswari on August 01, 2020. He mentioned the corruption within the MNERGA scheme has been happening in the village for some time and this was informed to the panchayat leaders Mr. Ramaiah and Muthuraj Durai.

Details of the Incident:

On August 02, 2020, Mr. Gopi Krishnan, a panchayat leader contacted Mr. Lenin over the phone and abused him in vulgar language for reporting the corrupt activities to the district collector. In the evening around 07:00pm, he was physically attacked by Mr. Krishnan in front of a shop, leading to blood marks on his neck.

Mr. Lenin alleges that Mr. Krishnan told him that *“whatever scam they will do, we will share with you, you jobless reporter. You are a human rights activist; you are not a big shot. Even if you give a complaint to the district collector you can do nothing to me nor shake me.”* Fearing for his, life Mr. Lenin had to run away and was put up in a safe place by his nephew.

The entire sequence of events was reported as a complaint to the District Collector Ms. Maheswari, with all the evidence, namely the dates of the corruption and proof of cheating. However, she did not take any action on the complaint.

Since no action was taken by her, Mr. Lenin filed a police complaint in the local Vadakadu police station. The police took action and arrested Mr. Krishnan. However, no action has been taken for the corruption by the panchayat members in the MNREGA scheme. From the past three months, Mr. Lenin has been in hiding, fearing for his life, since the panchayat members are from a political background.

This assault on Mr. Lenin is not only a criminal act, but an action to prevent a journalist from their right to dissent against a public official. 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 of access to information; and 3) the right to impart information and ideas of all kind. On the aforesaid it is stated that Declaration on Human Rights Defenders 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. If journalists are physically assaulted when they criticise politicians and public officials, seldom journalists will dare to take a stand and the fourth pillar of the democracy will be crushed further.

Furthermore, the failure of the police to file a complaint against the corruption in a government scheme is a gross negligence and breach of duty by them. Even acts and omissions committed by non-State actors under the instructions, control or direction of the State can, under certain circumstances, give rise to State responsibility. Therefore, it

is paramount that prompt and full investigations are conducted and perpetrators brought to justice.

Appeal:

We urge the Hon'ble Commission to immediately intervene in this matter in protecting Mr. Lenin who questioned corruption. We therefore urge you to immediately take necessary steps to:

- Direct the Director General of Police of Tamil Nadu to initiate an inquiry into the assault on Mr. S K Lenin and inaction by district authorities on his complaints alleging corruption in MNERGA.
- Direct the Director General of Police of Tamil Nadu to ensure physical safety of Mr. S K Lenin and his family who fear for his life from Mr. Gopi Krishnan and associates by providing them police protection and without hampering his freedom to operate as an activist.
- Direct the DGP Tamil Nadu to conduct a free, transparent, independent and fair inquiry into the associates in the MNREGA corruption activities.
- Direct the Chief Secretary of Tamil Nadu to conduct an inquiry into the negligence and inaction of Ms. Tmt. P. Uma Maheswari I.A.S, the District Collector of Pudukottai, Tamil Nadu.

Yours sincerely,



Henri Tiphagne

National Working Secretary