



Commonwealth Human Rights Initiative

New Delhi, India. London, UK. Accra, Ghana

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NGO with Special Consultative Status with the Economic & Social Council of the United Nations

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To,
The Hon'ble Justice H. L. Dattu
Chairman
National Human Rights Commission (NHRC)
New Delhi, India

10 June 2019

Subject: arbitrary arrests of journalists in Uttar Pradesh

Dear Sir:

The South Asia Media Defenders Network (SAMDEN) would like to bring to your notice the arbitrary arrests of three media professionals in Uttar Pradesh over the alleged crime of “maligning” Chief Minister Yogi Adityanath’s image by sharing and broadcasting a video.

According to news reports, the video over which Prashant Kanojia, a freelance journalist, and Ishita Singh and Anuj Shukla, the editor and the head of ‘Nation Live’ TV news channel, were arrested showed a woman speaking to reporters outside CM Adityanath's office, claiming that she had sent him a marriage proposal.

We would like to express concern over the manner of Mr. Kanojia’s arrest. He was charged under Section 500 of the Indian Penal Code for criminal defamation (under which arrests cannot be made without a magistrate’s order) and under Section 66 of the Information Technology Act of 2000 for “fraudulently or dishonestly damaging a computer system” (we fail to understand how sending a tweet can possibly damage a computer system).

SAMDEN would like to stress that journalists can and should not be penalised arbitrarily for reporting views. We are alarmed to note that the arrests were made suo motu by the UP Police without any defamation complaint being filed by the Chief Minister himself.

In light of these facts, we urge you to intervene in the matter and raise the issue of these arrests with the Uttar Pradesh government as we believe that the rights of journalists form part of the basic human rights which the NHRC is mandated to protect.

With kind regards,

Kalpna Sharma, Independent journalist and author
Patricia Mukhim, Editor, Shillong Times
Rita Payne, Journalist and Media Adviser, President Emeritus, Commonwealth Journalists Association
Sangeeta Barooah Pisharoty, Deputy Editor, The Wire
Suhasini Haider, National Editor and Diplomatic Affairs Editor, The Hindu
Kumar Lopez, CEO, Sri Lanka Press Institute
Apar Gupta, Executive Director of the Internet Freedom Foundation
Shailesh Gandhi, Former Central Information Commissioner and RTI activist
Paranjy Guha Thakurta, independent journalist, author and film-maker
Kishore Bhargava, Technology Mentor, LinkAxis Technologies
Sanjoy Hazarika, SAMDEN co-convenor and CHRI International Director