



Human Rights Defenders Alert – India

National Coordination Office

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

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Sub: HRD Alert – India - Urgent Appeal for Action – Haryana: Harassment, Intimidation and attempt to implicate an RTI Activist and Human Rights Defender Mr. Rao Dhanbeer Singh in fabricated cases by the police of Rewari District in the state of Haryana. - Regarding.

Dear Sir,

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 now writing to express our grave concern regarding the harassment, intimidation and attempt to implicate an RTI Activist and Human Rights Defender Mr. Rao Dhanbeer Singh in fabricated cases by the police of Rewari District in the state of Haryana. Mr. Rao Dhanbeer Singh is being targeted for filing RTI queries to unearth corruption in the administration of Haryana police and registering complaint against the Deputy Superintendent of Police, Rewari police headquarters and Public Information Officer, Haryana and a Sub Inspector currently serving at Police Line, Rewari, Haryana for providing incomplete and misleading information in reply to his RTI applications in contravention to the laws of the land.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for North of India
- Communication from Mr. Surendera M. Bhanot, President - RTIFED
- Communication with human rights defender Mr. Rao Dhanbeer Singh

Status of HRD:

RTI activist and human rights defender Mr. Rao Dhanbeer Singh is a resident of Kotputli town in Jaipur district of Rajasthan. He started using the provisions of Right to Information Act in 2008 to fight against corrupt practices and irregularities in the police administration in Rajasthan and Haryana and ensure transparency and accountability. Since 2013 he has been acting as the joint secretary of Rajasthan RTI Activists Forum. Till now he has filed more than 1000 RTI applications mainly in the police departments in the states of Rajasthan and Haryana. In Rajasthan he filed RTI queries up to the level of Director General of Police and in Haryana up to the level of Inspector General of Police. In 2010, RTI activist Mr. Rao Dhanbeer Singh filed four cases against Mr. Anil Godwal, Additional Superintendent of Police with the additional charge of Public Information Officer for providing incomplete and wrong information on his RTI queries which led to further investigation into his complaint. From 2007 to 2011, at least 47 false cases have been filed against various RTI activists engaged in social activities in the state of Rajasthan. There were 8 false cases brought against Mr. Rao Dhanbeer Singh in that period. Mr. Rao Dhanbeer Singh has also filed an appeal in Punjab & Haryana High Court on August 2015 regarding the practice of not providing case diary to the complainant by the Haryana police. The High Court has issued notices to the DSP Rewari district (also acting as PIO), Superintendent of Police, Rewari district (as the first appellate authority), Director General of Police, Government of Haryana and Chief Secretary, Government of Haryana. The next hearing in the case is due on 7 January, 2016.

The Perpetrators:

1. Mr. Manbeer Singh, Superintendent of Police, Rewari, Haryana
2. Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari police headquarters and Public Information Officer, Haryana

3. Mr. Karan Singh, Sub Inspector, Haryana Police, currently posted at Police Line, Rewari, Haryana.
4. Mr. Mansa Ram, the known criminal of the area.

Date of Incident:

On 10 September, 2015, Mr. Manbeer Singh, Superintendent of Police, Rewari threatened Mr. Rao Danbeer Singh with dire consequence for filing RTI queries.

On 15, September 2015 the defender Mr. Rao Dhanbeer Singh filed case against Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari and Public Information Officer and Mr. Karan Singh, Sub Inspector, Haryana Police. On 16 September, 2015 at 2.37 pm the defender got a call on his cell from Mr. Harpal, Steno and PA of SP, Rewari (sources say he is not a police personnel) who asked the defender to keep quiet, otherwise his life would be in danger.

On the same day on 16 September at 4.50 PM the defender got a call on his cell from the reader of District Collector who again threatened him and asked him to stop his activities.

Places of Incident:

On 10 September, 2015 at Mini Secretariat which is the office of Superintendent of Police, Rewari.

On September 16, 2015 both the threatening calls received by the defender at his house in Kotputali, district Jaipur, Rajasthan.

Incident detail:

According to sources on 6 May 2015, RTI activist and human rights defender Mr. Rao Dhanbeer Singh filed an RTI application in the Rewari district police headquarter of Haryana state seeking information regarding the status of challans in various criminal cases submitted before the court from year 2005 till date. The required information included the number of challans submitted before the court, number of convictions and the number of cases in which the accused were set free or not found guilty and disciplinary or departmental actions taken against the investigating officers in cases where accused were not found guilty of committing any offences. On 8 June 2015, the RTI activist Mr. Rao Dhanveer Singh received an email from email ID sprwrri@gmail.com to his own email ID

raodhanbeersingh@gmail.com from Deputy Superintendent of Police and others from Rewari police head quarters informing him that replies to his queries as demanded are ready in a document with 24 pages and he can come and collect. On 12 June 2015, Mr. Rao Dhanbeer Singh went to Rewari district police headquarters from Jaipur, Rajasthan. Police officials showed him a letter no: 24/83 with enclosed pages from 1 to 37. He refused to receive the document because the document papers were not in accordance with the information demanded in the RTI application. He again went to Rewari district police headquarters on June 18, 2015 and police officials tried to give him one more letter with the same dispatch number with enclosed pages from 1 to 18. Again he refused to receive the document.

On 18 June 2015, the police officials sent a letter registered at 2:17 pm by speed post which he received on 27 June 2015 at his residence in Jaipur in Rajasthan. The letter contained the same documents. After that Mr. Rao Dhanbeer Singh filed a complaint in the office of Superintendent of Police, Rewari district on 29 June 2015. His complaint was accepted by the Superintendent of Police, Rewari district. The Rewari SP ordered that the required information to be provided to Mr. Rao Dhanbeer Singh. But even then, the police officials submitted the same documents by making changes in the dates. Thereafter, Mr. Rao Dhanbeer Singh filed a police complaint on 13 September 2015 at Kotputali police station in Jaipur against Mr. Virender Singh Saini, Deputy Superintendent of Police, police headquarters Rewari. The complaint was transferred to Rewari SP as per the 0 provision. The case was registered at police station model Town, Rewari against Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari police headquarters and Public Information Officer, Haryana with case no – 528 dated- 15/9/2015 under sections 420, 464, 467] 468, 471, 120 B, 217, 218, 167, 166 of Indian Penal Code and sections 43, 65, 66, 71, 72 of Information Technology Act, 2002 and Case no- 76/2015 against Mr. Karan Singh, Sub Inspector under sections 420, 467, 468, 120 B, 167 of Indian Penal Code for providing incomplete and wrong information with mala fide intentions. Police was forced to file the case as section 22 of Right to Information Act, 2005 has the overriding effect over Acts.

Thereafter Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari police headquarters and Public Information Officer has filed a case against 5 subordinate police officials of the RTI cell, Rewari police headquarters under the Official Secrets

Act. According to sources Mr. Virender Singh Saini, Deputy Superintendent of Police has been putting pressure on the accused police officials to level allegation or charge of securing the documents using fraudulent ways and file a case of cheating or theft against the RTI activist and human rights defender Mr. Rao Dhanbeer Singh to harass and intimidate him from carrying out his activities.

Risk Assessment

RTI activist and human rights defender Mr. Rao Dhanbeer Singh has been facing a perennial threat to his life for the last two years due to his unrelenting fight against corrupt police administration in Haryana. The first attack on his life was made on June 30, 2014 when he was travelling in a car to meet his wife's family in Rewari. Around 4:20 pm in the evening around 8 assailants fired at his car and pelted stones. In the attack the car was damaged but he suffered physical injuries. Police FIR with case no: 101/2014 was filed in the case against 7 people including 2 drivers. One of the accused was Mr. Mansa Ram who is a known history-sheeter of the area with long criminal record.

On August 10, 2014, Mr. Rao Dhanbeer Singh's car was chased by some unknown persons travelling in three vehicles. On 21 November 2014, when Mr. Akhtar Hameed took over the new SP of Rewari, Sub Inspector Mr. Karan Singh was transferred. Mr. Rao Dhanbeer Singh was provided security by the new SP within Rewari district. On 15 December 2014, his security was withdrawn by Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari. On 9 March 2015, when Mr. Rao Dhanbeer Singh was in Sadar police station, Rewari, some 25 people allegedly trusted henchmen of Sub Inspector Mr. Karan Singh surrounded the police station in order to physically harm him. He had to remain in the police station for more than 5 hours. The serving SHO of Sadar Police Station provided him security to move out from there. Mr. Mansa Ram was reported to be the ring leader in that case. The defender was their target because he had filed a complaint in model town police station, Rewari with FIR no- 76/15 against Sub Inspector Mr. Karan Singh for facilitating the bail of some criminals by removing the charges put under Arms Act. In the month of April 2015 hired goons tried to attack him at his house in Kotputali. They fired in air and broke and damaged his gate and lights there. According to the defender on 10 September 2015, he was threatened by SP Rewari for using RTI Act. According to sources there is a report submitted by the security agent to the SP with

a CD version which contains conversations between criminals with plans to kill Mr. Rao Dhanbeer Singh. Mr. Virender Singh Saini, Deputy Superintendent of Police, Rewari has taken the call details of Mr. Rao Dhanbeer Singh's mobile phones thrice which is a criminal offence under sections 420, 436 and 68 of Indian Penal Code. RTI activist and human rights defender Mr. Rao Dhanbeer Singh faces imminent threat of his arrest and harassment by the Haryana police in a false case or any other pretext.

Appeal :

We therefore urge you to immediately take necessary steps to ensure that the Director General of Police of Haryana and NHRC itself:

- Order and undertake an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment, threat and attempt to implicate under false cases the defender Mr. Rao Dhanbeer Singh by a special team of officers senior to the SP of Rewari district without engaging any of the local police officers and police stations in Rewari district;
- Take immediate action on the perpetrators mentioned above for threatening and attempting to bring false cases against the human rights defender Mr. Rao Dhanbeer Singh and using all provisions of law to ensure that the defender is not harassed, threatened and implicated in false cases in future;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Rao Dhanbeer Singh who is still under risk of further reprisals from the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Put an end to all acts of harassment against all RTI activists and human rights defenders in Haryana to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Ensure the right to seek information guaranteed by the RTI Act and the Article 21 of the Constitution of India which guarantees personal liberty;
- Take steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:

- Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels
- Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Haryana to also take necessary steps to establish a state focal point for HRDs in order that HRDs have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Haryana to convene meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a co-ordinated strategy is developed within Haryana for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Haryana in collaboration with the NHRC Focal Point on HRDs to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the Government of Haryana to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);

- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in the state of Haryana.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary