



## Human Rights Defenders Alert- India

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22 March, 2016

**Shri A. K. Parashar**

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

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New Delhi – 110 023

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Dear Sir,

***Sub: HRD Alert - India - Appeal for Action – Chhattisgarh – Journalist Mr. Prabhat Singh: Well-known progressive journalist and human rights defender Mr. Prabhat Singh Illegally arrested, detained and repeatedly tortured all night in police custody at Parpa Police station, Bastar on 21 March, 2016 by the Bastar district police in Chhattisgarh- Regarding***

### **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 writing to express our grave concern and alarm over the Illegal arrest, detention and custodial torture of a well-known progressive Journalist and human rights defender Mr. Prabhat Singh by the Bastar district police on 21 March, 2016. The latest arrest of journalist Mr. Prabhat Singh comes after a series of attacks, harassment and illegal arrests of human rights defenders in the state of Chhattisgarh working as journalists, lawyers, researchers and political activists. They are being targeted by the state police as well as by the state sponsored groups and many are systematically hounded out of Chhattisgarh for doing their legitimate work as defenders of tribal rights in Chhattisgarh questioning illegal arrests, long detention,

fake encounters, police excesses, torture, sexual exploitation and rapes of women in large scale.

**Source of Information on the Incident:**

The Coordinator of HRDA for the East of India

A communication with journalists and human rights defenders in Chhattisgarh.

Media Reports.

**Status of the Human Rights Defender:**

Mr Prabhat Singh, aged about 30 years is a resident of village Barsur, police station Barsur, district Dantewada, Chhattisgarh. He is an authoritative and fearless local journalist who is known for his non-partisan and balanced news reportage from the tribal region of Bastar in Indian state of Chhattisgarh. For the past three months, he has been extensively reporting about the attacks on social activist Ms. Soni Sori, the subsequent harassment of her family members and other cases of journalists and lawyers being hounded out by the state and non-state actors. He has also reported on several alleged fake encounters of innocent tribal villagers in the Maoist infested areas of Chhattisgarh. He has been a strong critic of the functioning and role of Chhattisgarh police under Mr. SRP Kalluri, Inspector General of Police, Bastar Range and has played a key role in highlighting several cases of police brutalities and atrocities in Dantewada district of Chhattisgarh. He has been writing objectively on the alleged “fake encounters” that are taking place in conflict torn areas of Chhattisgarh. He has been closely following the incidents related to tribal rights activist Ms. Soni Suri and Mr. Linga Kodupi and accompanied them in their visit to the villages like Rewali and Nahadi. Mr Prabhat Singh is a senior journalist associated with Patrika, a Hindi daily owned by the Rajasthan Patrika Group. Two months ago, he had also begun to work for the TV news channel ETV. On March 19, 2016 he was served a termination notice by ETV management without any clarification. Just after two days of his termination he has been arrested and detained by the police.

**The Perpetrators:**

1. SRP Kaluri, Inspector General of Police, Bastar Region, Chhattisgarh
2. Samajik Ekta Manch, Jagdalpur, Chhattisgarh

**Date of Incident:**

21<sup>st</sup> March 2016 around 6 p.m.

**Place of Incident:**

Dantewada, Chhattisgarh.

**Details of the Incident:**

According to source on 21<sup>st</sup> March 2016 evening around 6 pm, journalist Mr. Prabhat Singh was picked up from his shop by policemen in plain clothes without any notice or warning. He was taken to Parpa Police station which is 10 kilometres from Jagdalpur town. According to sources Mr. Prabhat was continuously beaten up and tortured all night in police custody and he was deprived of even food and water. Sources say Bursur Police Inspector and some additional SP were present in Parapa police station at that time and police men were trying to find out some old records so that some more cases can be slapped on the journalist.

According to sources Mr. Prabhat Singh had made several comments against police supported NGO Samajik Ekta Manch and also about Mr. Kalluri in multiplatform mobile phone messaging service or What'sApp group. He was also being abused and threatened in a What'sApp group for which he had lodged a complaint with the Geedam police on 1<sup>st</sup> March 2016. In the complaint letter, Mr. Prabhat has alleged that Mr. Mahesh Rao, Mr. Subba Rao and Mr. Farooq Ali of the Samajik Ekta Manch had called him "anti-national" on a group chat on the messaging service WhatsApp, defaming him among the journalist community in Bastar. Samajik Ekta Manch is reported to have close ties with Bastar police. There was no action on his complaint by the police. But suddenly now the police acted upon the counter FIR or complaint of other party and arrested him. Journalist Mr. Prabhat Singh is reported to have been

charged with four cases which also include his arrest under sections of the Information Technology Act (IT Act).

It would be pertinent to mention here that Mr. Prabhat Singh is a full time journalist with Patrika and ETV Chhattisgarh and his contract was terminated by ETV just two days before his arrest. It is being alleged that this development came days after ETV bureau head of Chhattisgarh Ms Priyanka Kaushal's helicopter trip to Sukma with Mr. SRP Kalluri. Apparently, the ETV bureau head was told clearly to remove journalist Mr. Prabhat Singh.

### **Appeal:**

We, therefore urge you to immediately take necessary steps and ensure that this Hon'ble Commission to urgently:

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of illegal arrest, detention and torture of journalist and human rights defender Mr. Prabhat Singh led by the investigation wing of the NHRC;
- Takes immediate action on the perpetrators, in this case Bastar district police officials for illegally arresting and torturing Mr. Prabhat Singh and using all provisions of law to ensure that the journalist and human rights defender is immediately released on bail and not harassed, implicated in false cases and tortured in any way by Chhattisgarh police in future;
- The immediate appointment of a competent senior lawyer practicing on the criminal side in Bastar District of Chhattisgarh to defend the journalist and HRD in all the criminal cases registered against him at state cost with the counsel so appointed reporting to this Hon'ble Commission in periodic intervals as determined by the Hon'ble Commission on the development in the case;
- Along with local district officials guarantees in all circumstances the physical and psychological integrity of journalist Mr. Prabhat Singh and his family

members as they continues to be under risk of further harassment from the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently, especially because the growing trend of arbitrary and unwarranted restrictions on the basic freedoms supplemented with the impunity of the security forces threatens the very foundations of democracy;

- Ensures the provision of reparation, compensation, apology to the defender for the psychological and physical sufferings he has undergone because of the ill treatment and torture in police custody and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Prabhat Singh;
- Puts an end to all acts of attack and harassment against all journalists and human rights defenders like Mr. Prabhat Singh in the State of Chhattisgarh to ensure that in all circumstances they carry out their activities as journalists, writers and defenders of human rights without any hindrances;
- Takes 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”;
- Recommends urgently and speedily during the pendency of this complaint, the

SHRC in Chhattisgarh to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;

- Recommends urgently and speedily during the pendency of this complaint, the NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs..etc] to ensure that a coordinated strategy is developed within the State of Chhattisgarh for the protection of the rights of human rights defenders;
- Recommends urgently and speedily during the pendency of this complaint, the State Government of Chhattisgarh in collaboration with the NHRC Focal Point on HRDs and the SHRC Chhattisgarh 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;
- Recommends urgently and speedily during the pendency of this complaint, the State Government of Chhattisgarh in collaboration with the SHRC, Chhattisgarh 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 Chhattisgarh.

Looking forward to your immediate action in this regard,

Yours sincerely,



**(Henri Tiphagne)**

National Working Secretary

Copies to:

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