



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No. 555, West Cross 4th Street, K.K.Nagar, Madurai - 625 020, Tamil Nadu, India.

Mobile: 99943-68540

E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

**HRDA/UA/North/HAR/04/03/2023**

March 29, 2023

To  
Mr. Indrajeet Kumar,  
National 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 – Haryana: Arrest of journalist  
Mr. Jaspal Singh by Haryana police for a social media post with MLA name.**

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 regarding the arrest of journalist Mr. Jaspal Singh by the Haryana police, for mentioning the name of the local MLA in a social media post.

**Source of Information:**

- Communication with the HRDA North Regional Coordinator
- Communication with other local HRDs
- Media Reports

**Date of Incident:**

March 18, 2023

**Place of Incident:**

Sadar Rattia, Fatehabad

**The Perpetrators:**

- Police personnel of Haryana police
- Mr. Sumit Singh, son of Mr. Laxman Nama, Member of Legislative Assembly Rattia, Fatehabad Haryana

**About the Human Rights Defender:**

Mr. Jaspal Singh is a Fatehabad-based TV journalist from Rattia, Fatehabad, Haryana.

**Details of the incident:**

On March 18, 2023, at 12:35 an FIR 0068 was registered against Mr. Jaspal Singh and another unknown journalist at Sadar Rattia police station, Fatehabad by Mr. Sumit Kumar, son of Mr. Laxman Nama, Member of Legislative Assembly of Haryana.

Mr. Kumar alleged that the journalist had posted an alleged “mention” of his father’s name in a gambling case lodged on March 16 2023, while his father was away from Rattia thus defaming his father’s name.

The FIR was registered under sections **384**-Punishment for extortion, **500**-Punishment for defamation of **Indian Penal Code**, section **67**- Punishment for publishing or transmitting obscene material in electronic form of **Information of Technology Act** 2000 and sections- **3(1)(r)**- intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view, **3(1)(s)**- abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view, **3(1)(u)** - by words either written or spoken or by signs or by visible representation or otherwise promotes or attempts to promote feelings of enmity, hatred or ill-will against members of the Scheduled Castes or the Scheduled Tribes of SC ST Act 1989.

On March 18, 2023 around 3 pm, 12 policemen with two policewomen reached Mr. Jaspal’s home at Bharpur village, Fatehabad and arrested him and took him to Rattia police station. The next day Mr. Singh was sent to judicial custody for 15 days and was lodged in Hissar jail.

On March 18, 2023, a delegation of journalists met Mr. Jagdish Sharma, Deputy Commissioner, Fatehabad demanding the immediate release of the arrested journalist, and to quash the FIR against him. The journalists also met Mrs. Astha Modi, Superintendent of Police Fatehabad, Haryana and handed over the memorandum to her. In the memorandum, the journalists called the arrest of Mr. Singh, an attack on journalism and an attempt to stifle independent voices.

Mr. Balwinder Singh Jammu, general secretary of Indian Journalists Union (IJU) also criticised the arrest of journalist Jaspal Singh and said, "It is unfortunate that FIRs have been registered against many journalists in Haryana during the last few years. All such cases should be withdrawn without any delay.

We believe that the FIR against Mr. Jaspal Singh is another in the intimidation and arrest of journalists by the Haryana police. It is a gross abuse of Article 19(b) and Article 21 of the Indian Constitution.

Free media is an extremely important fourth pillar of 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 journalists.

The right to freedom of opinion and 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.

A free press are essential to ensure the public's right to know so that governments and institutions can be held accountable. The protection of journalists is a priority for safeguarding freedom of expression. States are under an obligation to prevent, protect against, and prosecute attacks against journalists.

Globally, journalists face major risks as a result of their work both from the state and out of state actors. Protection of journalists is a priority for safeguarding freedom of expression by government. States are under an obligation to prevent, protect against, and prosecute attacks against journalists.

Furthermore in **Hitesh Sharma Vs the State of Uttarakhand**, the honorable Supreme Court said that a complaint cannot be lodged under the SC/ST PoA Act just because the complainant is a member of the SC or ST community. The offence must be directed at the caste of the individual. In the above instance Mr. Jaspal Singh made no caste based insult and thus has been wrongfully accused of the violation of PoA Act.

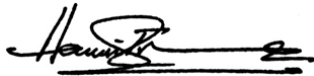
**Appeal:**

The Hon'ble Commission should urgently:

- Direct the Director General of Police of Haryana to quash the false charges against the journalist Mr. Jaspal Singh.
- Direct the Director General of Police of Haryana to initiate an immediate, independent, thorough, transparent, effective, and impartial inquiry regarding the arrest of Mr. Singh and submit a report to the NHRC.
- Direct the Director General of Police of Haryana to ensure the physical security of journalist Mr. Jaspal Singh and his family from further harassment by the police.

Looking forward to your immediate action in this regard

Yours sincerely,

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

(Henri Tiphagne)

National Working Secretary