

31 March 2016

India – Human rights defender Prabhat Singh charged and detained

On 26 March 2016, the Chief Judicial Magistrate (CJM) in Jagdalpur, Chhattisgarh, denied release on bail for human rights defender Mr **Prabhat Singh** and referred him to judicial custody in Jagdalpur Central Jail, pending investigation into his case. He has been held in detention since his arrest without warrant on 21 March 2016.

[Prabhat Singh](#) is a human rights defender and journalist, reporting for **Patrika** newspaper on the situation in the tribal region of Bastar. During the past three months, he has been reporting on allegedly false cases brought against tribal villagers in the areas of Chhattisgarh affected by an insurgency by Maoist groups. He has also reported on harassment of and attacks on human rights defenders and journalists in the region. He has been a strong critic of the Chhattisgarh police and has played a key role in highlighting several cases of police brutality and involvement in human rights violations in the Dantewada district of Chhattisgarh. Prabhat Singh has also played a vital role in organising peaceful protests and discussions devoted to the drafting and implementation of a law that would ensure the independence and security of journalists reporting from areas affected by the Maoist conflict in Bastar.

On 26 March 2016, Prabhat Singh's request for bail was denied at a court hearing at the CJM in Jagdalpur. The Court also refused an application by the police for the extension of Prabhat Singh's police custody and ordered the human rights defender to be sent to the Jagdalpur Central Jail, where he will remain in judicial custody at least until the next court session on 13 April 2016. The police will be required to report on the investigation's progress at this session, and the Court will then decide on whether to release Prabhat Singh from judicial custody. A medical report was produced before the judge during the hearing, stating that no injuries had been discovered during a prior examination of the human rights defender. Prabhat Singh opposed the report, claiming that he had never been examined by a doctor and had been forced to sign the report. The judge, however, did not take his objections into account.

On 22 March 2016, Prabhat Singh was officially charged by the CJM in Jagdalpur under section 67 (publishing or transmitting obscene material in electronic form) and 67(A) of the Information Technology Act, as well as section 292 (publication of obscene or scurrilous matter) of the Indian Penal Code, for allegedly posting an “obscene message” about a senior police officer on the WhatsApp group “Bastar News”. On the same day, the human rights defender was also charged in three other cases from 2015. In two of these cases, Prabhat Singh was charged under sections 420, 120B and 35 of the Indian Penal Code for alleged fraud linked to his work at the Aadhaar Facilitation Centre in Dantewada. In the third case the human rights defender was accused of taking pictures of female students from Geedam Higher Secondary School without permission, and manhandling an examiner and demanding money from him. The charges were brought under sections 448, 385, 353, 186, 34 of the Indian Penal Code and section 6 of Chhattisgarh Examination Act.

During the court hearing, which was conducted amidst a heavy police presence, the human rights defender denied all the accusations against him, claiming that the cases had been opened in reprisal for his critical reporting, including his revelation of large-scale fraud at the Aadhaar facilitation centre in

Geedam and the mentioned school. After the court hearing took place, Prabhat Singh was returned into custody.

On 21 March 2016, a white-coloured Bolero car stopped in front of the office of the Patrika newspaper in Dantewada. Several policemen in plain clothes got out of it and without presenting an arrest warrant, picked Prabhat Singh up and put him in the car. The human rights defender was then taken to the Parpa Police station in Bastar, where he was detained over-night.

While in custody the human rights defender was beaten and sharp objects were used to cut his hands. Police officers also verbally abused and made death threats against him, forcing him to sign several blank pieces of paper, which allegedly were subsequently used to fabricate the medical report.

Front Line Defenders strongly condemns the illegal arrest, detention, and ill-treatment of human rights defender and journalist Prabhat Singh, as well as the charges brought against him, which are believed to be solely motivated by his legitimate and peaceful activities in the defence of human rights in the Bastar region.

Front Line Defenders is gravely concerned of the deteriorating situation in the Bastar region with numerous human rights defenders, including lawyers, researches and journalists, being illegally arrested and detained, attacked, tortured and forced to leave the area in recent months.

Front Line Defenders urges the authorities in India to:

1. Immediately and unconditionally release Prabhat Singh and drop all charges against him, as Front Line Defenders believes that he has been targeted solely as a result of his legitimate and peaceful work in the defence of human rights;
2. Carry out an immediate, thorough and impartial investigation into the illegal arrest, detention and subsequent ill-treatment of Prabhat Singh, with a view to publishing the results and bringing those responsible to justice in accordance with international standards and providing a just reparation, compensation, apology to the human rights defender for the psychological and physical sufferings he has undergone while in police custody;
3. Take all necessary measures to guarantee the physical and psychological integrity and security of Prabhat Singh and members of his family;
4. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.