

19 April 2019

India: Human rights defender Anand Teltumbde facing imminent arrest

Human rights defender and scholar **Anand Teltumbde** is facing the threat of imminent arrest, depending on the outcome of an anticipatory bail application to the Bombay High Court. He is seeking relief against false charges and judicial persecution against him by the Maharashtra police. If the court denies his request, Anand Teltumbde will be compelled to appeal his case before the Supreme Court of India.

[Anand Teltumbde](#) is a human rights defender, an internationally renowned scholar, and a leading public intellectual in India. He has written extensively on Dalit rights and the anti-caste movement in India. He is currently a Senior Professor and Chair of Big Data Analytics at the Goa Institute of Management (GIM), as well as a columnist at the Economic and Political Weekly (a prominent social science journal in India), and is actively involved in several organisations, including the Committee for Protection of Democratic Rights and the All India Forum for Right to Education.

The human rights defender is facing fabricated charges of being associated with the outlawed Communist Party of India, plotting the assassination of the Prime Minister, and of instigating violence that broke out in Bhima-Koregaon on 1 January 2018 during celebrations of the 200th anniversary of the Dalit victory over the Peshwas (upper caste rulers) in the Battle of Koregaon. In June and August 2018, 10 human rights defenders (Sudha Bharadwaj, Arun Ferreira, Vernon Gonsalves, Gautham Navlakha, Varavara Rao, Sudhir Dhawale, Surendra Gadling, Mahesh Raut, Shoma Sen, and Rona Wilson) were arrested based on false charges in what are known as the Bhima Koregan cases, nine of whom remain in police custody to date.

In October 2018, the Pune Police filed a First Information Report (FIR) alleging that eight activists, including Anand Teltumbde, were involved in inciting the violence in Bhima-Koregaon. The police have since booked the human rights defender under the Unlawful Activities (Prevention) Act (UAPA), which makes it extremely difficult for the accused to obtain bail. On 21 December 2018, the Bombay High Court issued an order to dismiss Anand Teltumbde's plea to quash the FIR against him. The human rights defender then submitted an appeal to the Supreme Court, which on 14 January 2019 also rejected his plea, but granted him interim protection from arrest until 11 February 2019, allowing him to approach a competent court to seek anticipatory bail before that date.

On 1 February 2019, Anand Teltumbde's application for anticipatory bail, which is commonly used as a safeguard for individuals accused of or anticipating arrest for non-bailable offences, was rejected by the Pune District Court. At around 3.30am the following day, the human rights defender was arrested by the Pune Police at Mumbai airport, but was released several hours later after a Special Court in Pune had ruled that his arrest was illegal as it contradicted the Supreme Court order that had granted him protection from arrest until 11 February.

On 11 February, the Bombay High Court extended Anand Teltumbde's interim protection period until 22 February, the scheduled date for the next hearing of his plea for anticipatory bail. The date of the hearing has since been postponed multiple times on 27 February, 6 March, 12 March, 22 March, 2 April, and 16 April. The bail application hearing is now scheduled for 7 June 2019.

Anand Teltumbde's home was searched by the Maharashtra police on 28 August 2018 as part of a multi-city crackdown against human rights defenders alleged to have Maoists links and who were falsely accused of being responsible for the violence at Bhima-Koregaon.

The charges against Anand Teltumbde are based on letters that only mentioned his first name or initials. No other substantial evidence has been produced by the police. The human rights defender was not present at Bhima-Koregaon when the violence broke out on 1 January 2018. That day, Anand Teltumbde had been in Pune for the wedding of a friend and left around 12.40pm to return to his home in Goa.

Front Line Defenders has previously issued an [urgent appeal](#) on five other human rights defenders who have also been falsely implicated in the Bhima-Koregaon case and were arrested on 28 August 2018, namely, [Sudha Bhardwaj](#), [Vernon Gonsalves](#), [Varavara Rao](#), [Gautam Navlakha](#) and [Arun Ferreira](#).

Front Line Defenders believes that the charges against Anand Teltumbde are an effort to slander the defender in order to silence him. Front Line Defenders is deeply concerned about and condemns the ongoing judicial harassment of Anand Teltumbde and recognises it as part of an effort to clamp down on dissent, specifically against human rights defenders fighting for Dalit rights in India.

Front Line Defenders urges the authorities in India to:

1. Immediately drop all charges against Anand Teltumbde, as Front Line Defenders believes that they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Anand Teltumbde;
3. 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 from all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 5 (a and b): *“For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: (a) To meet or assemble peacefully; (b) To form, join and participate in non-governmental organizations, associations or groups”* and to Article 12 (1): *“Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”*.

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson
Executive Director