

PEOPLE'S UNION FOR CIVIL LIBERTIES

332, Patpar Ganj, Opp. Anand Lok Apartments, (Gate No. 2), Mayur Vihar-I, Delhi 110 091

Founder: Jayaprakash Narayan; **Founding President:** V M Tarkunde

President: Ms. Kavita Srivastava (Rajasthan); **General Secretary:** V Suresh (Tamil Nadu);

E.mails:<puclnat@gmail.com>

Please visit our website: www.pucl.org

03rd October, 2023

***Dissent is a symbol of a vibrant Democracy:
Don't muzzle and persecute voices of opposition!***

PUCL Condemns NIA Raids on Human Rights Defenders and Rights Organisation in AP and Telangana on 02nd October, 2023

PUCL strongly condemns and deplors the raids by NIA officials on 02nd October, 2023 at 62 locations across Andhra Pradesh and Telangana states and the arrest of one person in Sri Sathya Sai district, as being nothing but a witch hunt of human rights defenders and abuse of power by persecuting of activists, who have been consistently taking up issues of the most marginalised and downtrodden sections of AP and Telangana society, Adivasis and Dalits, in courts, in public fora and in the media.

The lie of the NIA in launching the raids in the brazenly intimidatory and openly coercive manner, is exposed by the claim of the NIA that the raids in houses and offices of functionaries of the Human Rights Forum (HRF), Civil Liberties Committee and other organizations were in connection with the Munchingput conspiracy case of 23rd November, 2020, which charged 63 persons of different human rights groups and mass organizations under the dreaded UAPA. The NIA took charge of the case on 7th March, 2021. According to NIA press release the Agency had "conducted searches on 31st March and 01st April, 2021 in 31 locations spread across eight districts of Andhra Pradesh namely Visakhapatnam, Guntur, Prakasam, Srikakulam, Kurnool, Krishna, East Godavari and Kadapa and four districts of Telangana namely Ranga Reddy, Hyderabad, Medchal-Malkajgiri and Medak.". The raids targetted HRF, CLC - AP & Telangana, CMS, Veerasam, KMPS and other organizations.

During the last 2.5 years, the investigations did not result in gathering any incriminatory evidence – documents or materials - against any of the accused persons. In fact, the Special Court under UAPA Act which granted bail to the accused passed scathing comments on the nature of allegations and evidence gathered, while granting bail.

The motivated and fabricated nature of the Munchingput FIR was exposed by the allegation that VS Krishna and other members of the HRF had influenced the Vakpally rape survivors (all young Adivasi women) to falsely depose against Special Forces Policemen charged with their rape. The HRF pointed out in a statement issued in 2020 itself, that it was thanks to orders of the High Court in 2012 and the Supreme Court in 2017 that the trial was held and that therefore, "It is certainly not a crime to provide food and shelter to Adivasi women witnesses who have come from remote areas to depose in a criminal trial mandated by the law. It is because of this solidarity and sustained rights activism that the police are now seeking to intimidate V.S. Krishna in what we believe to be a clear case of vindictiveness".

It is in this same obviously false and fabricated UAPA case that the NIA along with the AP and Telangana state police have conducted simultaneous raids in over 60 places. The timing and manner of conducting the raids is suspect and supports the suspicion that the raids have been stage managed by the NIA to intimidate, threaten and silence rights defenders, grass roots activists, media persons and concerned citizens from seeking accountability, criticising or questioning the Government and the political executive.

Moreover, in what is becoming a trend in such instances of raid by the police and criminalisation of human rights defenders, the NIA has seized the electronic devices including mobile phones of human rights activists and other functionaries, without providing them with cloned copies or hash values, thereby compromising the integrity of the data in the devices, violating the seizure procedure and breaching their right to privacy.

These raids are nothing other than an attempt to intimidate and silence human rights activists who are exercising their constitutional right to speech, association and assembly. Silencing human rights and civil liberties activists will impoverish Indian democracy as dissent is the very essence of a constitutional democracy. The raids now in AP & Telangana are in continuation of raids and arrests in the name of controlling Maoist groups in various states: in the month of May, 2023 in Jharkhand, August, 2023 in Bihar, in early September, 2023 in UP.

All these raids have to be seen in the context of the run up to the 2024 elections where all dissent needs to be silenced and human rights voices suppressed. It is important to point out here that the state elections to Telangana are also scheduled to be held in December, 2023.

It needs to be pointed out that the NIA by not concluding investigation but keeping the investigation open for many years, is in effect, placing a deathman's noose over those implicated in the case. The ever present possibility of arrest by

the NIA not only robs the peace of mind of the activists and their families, but also takes away their dignity and democratic rights. This is against the tenets of constitutional democracy and the right to life with dignity.

At this juncture the observations of Justice Chandrachud in his dissenting opinion in the case of *Romila Thapar v Union of India* becomes relevant:

“Individuals who assert causes which may be unpopular to the echelons of power are yet entitled to the freedoms which are guaranteed by the Constitution. Dissent is a symbol of a vibrant democracy. Voices in opposition cannot be muzzled by persecuting those who take up unpopular causes”.

PUCL demands that all those who have been arrested should be released forthwith and the cases against them dropped. PUCL also demands that all the electronic gadgets including mobile phones, laptops, portable hard disks, saving devices and other documents be released to the people from whom they have been seized.

PUCL also demands that the UAPA FIR in the Munchingput case also be closed and similar witch hunts on human rights activists and defenders be stopped immediately.

03rd October, 2023

Kavita Srivastava, President, PUCL
V. Suresh, General Secretary, PUCL