### Censorship and Intimidation, Open Support to Convicted Religious Leaders: Haryana's Free Speech Record in 2023-24



Brij Bhushan Sharan Singh, BJP MP and former President of the Wrestling Federation of India, accused of sexual harassment of women wrestlers, breaking the mike of Times Now reporter Tejshree Purandare (screenshot of video)

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# Censorship and Intimidation, Open Support to Convicted Religious Leaders: Haryana's Free Speech Record in 2023-24

**Highlights:** Intimidation of journalists covering the farmers' protests; multiple internet shutdowns to curb news of farmers protests; FIRs lodged against journalists who posted news of farmers' protests on social media; Intimidation of journalists covering the wrestlers' sexual harassment protest; complaints against journalists who reported on corruption and illegal activities; the preferential treatment given to Gurmeet Ram Rahim, the convicted head of the Dera Sacha Sauda religious order, who sought and obtained furlough and parole multiple times; the use of social media for fuelling hate propaganda without any police action.

Journalists covering elections in Haryana told Free Speech Collective that the atmosphere in the run up to the elections was often tense, with ruling BJP leaders and their supporters openly threatening them. Journalists covering hate speech rallies faced intimidation and found it difficult to move about freely. The censorship also affected families of journalists who faced threats for the work they did.

According to local journalists, the arrests and cases lodged against journalists covering the farmers' protests had set the stage for censorship and intimidation. Journalists like <a href="Mandeep Punia">Mandeep Punia</a> and <a href="Rajesh Kundu">Rajesh Kundu</a> who published news of the farmers' protests on social media platforms become particular targets of police cases, were arrested and charged with promoting communal disharmony and 'cyber terrorism'.

The deterioration in media freedom increased with the <u>July 2021 raids</u> on leading Hindi newspaper Dainik Bhaskar and the speedy police arrest of journalist <u>Sunil Brar</u> for an erroneous news report. Journalists who were perceived as against the ruling government were sidelined or sacked. A freelance journalist, <u>Ajay Kumar Lohan</u>, who worked as a 'guest' school teacher (Haryana has around 14,000 guest school teachers) was sacked by the Haryana education department on Feb 28, 2022, for alleged 'anti-government' activity. Lohan, who had a YouTube channel, was told his services were terminated for being active on social media, even though he had a 'no objection certificate' to pursue his passion for journalism.

Other issues, journalists say, were administrative mechanisms like vacancies or delays in appointment of Information Commissioners to undermine the Right to Information (RTI) Act, the denial of government advertisements to smaller newspapers and the denial of recognition accreditation and access to journalists from digital news platforms.

Here is a snapshot of major instances over the past year, culled from news reports and field notes from journalists\* in Haryana.

# March 30, 2023: <u>Journalist arrested after Haryana MLA Lakshman Napa's son lodges</u> complaint about false news, scribes protest

Fatehabad-based TV journalist Jaspal Singh was arrested by police on the complaint of BJP MLA Lakshman Napa's son under different charges, including defamation and provisions of the SC/ST Act and IT Act.

Ratia BJP MLA Napa's son Sumit Kumar had lodged a police complaint against Singh blaming him for defaming his father through WhatsApp groups and Facebook. Kumar alleged that the journalist had posted the news on several WhatsApp groups and Facebook regarding the alleged "mention" of his father's name in a gambling case lodged on March 16 while his father was away from Ratia when the FIR was lodged. Kumar also said one more journalist had allegedly posted wrong posts on a WhatsApp group adding 'this journalist stated that they were not taking care of him'. The MLA's son further alleged that "attempts were being made to defame their political image being an MLA of Scheduled Caste."

After the police arrested Singh under different charges, including defamation, SC/ST Act and IT Act, journalists from neighbouring districts rushed to meet Fatehabad Deputy Commissioner Jagdish Sharma Saturday night to raise their voices. Seeking the immediate release of the arrested journalist, the media persons also demanded the cancellation of the FIR. After the meeting, the deputy commissioner marked their memorandum to SP Fatehabad Astha Modi.

In the memorandum, the journalists said Singh was picked from his home and called it an attack on journalism and an attempt to suppress independent voices.

The police have lodged an FIR under Section 67 of the Information Technology Act, 2000, sections 384 (extortion) and 500 (defamation) of the Indian Penal Code (IPC) and different sections of the SC/ST Act in this case.

However, journalists have termed the allegations false while seeking the FIR's withdrawal. The national executive of the Indian Journalists Union (IJU), which met in Chandigarh on Saturday and Sunday, has also taken note of Singh's arrest. IJU General Secretary and former president of Chandigarh Press Club Balwinder Singh Jammu said: "It's unfortunate that FIRs have been lodged against many journalists in Haryana during the past few years. All such cases should be withdrawn without any delay."

### May 9, 2023: YouTuber arrested in Haryana, supporters protest

The Haryana Police Monday arrested a Karnal-based freelance journalist who runs a Hindi YouTube channel for allegedly barging into the office of a woman tehsildar and

following her to the washroom with his camera on. The arrested journalist, Akarshan Uppal runs the YouTube channel IBN24.

Protesting against his arrest, calling it arbitrary and seeking his release from police custody, Akarshan's wife Monika Uppal and many of his supporters protested outside the Karnal's mini-secretariat in Sector 12 Monday night and assembled again Tuesday morning and continued to protest. They said he was arrested because he was highlighting the plight of people and questioning the district administration.

Aakarshan had allegedly barged into the office of a woman tehsildar in Karnal with a group of 40-50 people, alleging that their grievances were not being heard. He was doing a Facebook Live as he entered the office and started raising questions.

# July 11, 2023: <u>'Chup': BJP MP Brij Bhushan breaks reporter's mic; DCW chief calls him 'gunda'</u>

Bharatiya Janata Party (BJP) lawmaker Brij Bhushan Sharan Singh is facing backlash on social media for <u>allegedly breaking a reporter's mic</u> after he was asked a question about the <u>charge sheet filed by the Delhi Police</u> on the basis of the sexual harassment allegations levelled by some top wrestlers.

Singh, who has headed the Wrestling Federation of India (WFI) for 12 years, has been charged under Indian Penal Code (IPC)'s sections 354 (assault or criminal force with intent to outrage modesty), 354A (sexual harassment) and 354D (stalking). A conviction under section 354 carries a maximum jail term of five years, three years under section 354A and three years under section 354D.

When a Times Now reporter asked Singh whether he would resign as a member of Parliament, a visibly irked lawmaker said, "Why would I resign? Why are you asking for resignation?"

As the reporter tried to highlight the grave charges he was facing, the angry MP said, "Chup (Shut up)."

The reporter chased Singh to his car to get an answer, but the outgoing chief of the wrestling federation slammed the door, breaking the reporter's mic.

#### Nuh violence

# Aug 2, 2023: <u>How these aggressive social media videos fuelled Haryana communal clashes</u>

A troubling sequence of unchecked aggression propagated through social media led to the outbreak of mayhem on the streets of Haryana's Nuh district on Monday,

discovered an investigation by India Today's Open-Source Intelligence (OSINT). A succession of posts, containing thinly veiled threats and incitements to violence, emerged across various online platforms just days before the violence erupted.

These digital messages, frequently accompanied by vitriolic rhetoric and songs, were directed at specific communities.

Bittu Bajrangi, a self-proclaimed cow vigilante known for his divisive diatribes, heralded his participation in the Vishva Hindu Parishad's annual Braj Mandal Yatra in Nuh. He shared a slow-motion video clip depicting him walking in saffron attire, accompanied by a soundtrack featuring the lyrics "Goli Pe Goli Chalengi, Baap to Baap Rahega" (gunshots will be exchanged, the father will remain the father).

#### **Farmers Protests**

Feb 13, 2024: <u>Farmers Protest: Journalist Claims He Sustained Head Injuries From Tear Gas Shell Fired By Haryana Police In Punjab, Moves High Court</u>

Neil Bhalinder, a journalist from Punjab Sawera stated that on February 13, while he was covering the farmers' protest sustained "severe head injuries as a result of being struck by a tear gas shell fired by the Haryana Police in jurisdiction of Punjab."

Bhalinder has moved the Punjab and Haryana High Court seeking registration of FIR against the officials of Haryana Police who allegedly struck tear gas shell that landed on his head while he was covering farmers' protest within Punjab government's jurisdiction.

The petitioner highlighted that "thousands of journalists have been subjected to physical violence and gunshot wounds inflicted by the Haryana police authorities at the Shambhu border."

Feb 21, 2024: Shutdown of Mobile Internet Services in 7 districts of Haryana till February 20

The Haryana government shut down mobile internet services in seven districts due to the 'Dilli Chalo' call issued by farmers' organisations. Districts affected include Ambala, Kurukshetra, Kaithal, Jind, Hisar, Fatehabad and Sirsa.

March 20, 2024: <u>Farmers Protest Coverage</u>: <u>Haryana-Based Trust Challenges</u>
<u>Withholding Of Social Media Accounts Allegedly On Centre's National Security</u>
<u>Concerns</u>

Gaon Savera, a news-site that covered the farmers' struggle extensively on several social media platforms, found its social media blocked on grounds of 'national security.'

A petition has been filed before the Punjab and Haryana High Court challenging the alleged withholding of 'X' and 'YouTube' accounts of a Trust and its journalist-Editor, allegedly for covering Farmers' Protest. As per the plea, the accounts were blocked on Centre's request citing national security and public order concerns.

'Gaon Savera' Trust, statedly running a news platform in the name of 'Gaon Savera' on various social media platforms and Journalist Mandeep Singh its managing Trustee moved the High Court seeking directions to 'X' and other authorities to quash the notice by which their social media accounts were blocked.

The petitioners submitted that on February 16, their X and YouTube accounts were withheld for disseminating information on ongoing Farmers' Protest. A notice was sent by X stating that the accounts have been withhold on "legal removal demand" from the Government of India claiming the content violates Information Technology Act, 2000.

Similarly, a notice was issued to block the YouTube Channel stating that an order was received from the government related to "national security or public order", the plea stated.

The plea states that action is "illegal" as there is no compliance of section 69A of the IT Act and the power to issue blocking orders vested with the Designated Officer of Ministry of Electronics and IT is content-specific and the accounts or channels cannot be blocked.

It is also submitted that blocking of petitioner's social media account is violation fundamental right to freedom of expression guaranteed under the Constitution.

### July 21, 2024: <u>Haryana suspends internet, SMS for 24 hrs in Nuh ahead of Braj</u> <u>Mandal Yatra</u>

On 11th Feb, the Haryana Govt. suspended mobile data services from 11th to 13th Feb amidst calls for protest by the Samyukta Kisan Morcha and Kisan Mazdoor Morcha, announcing the "Delhi Chalo" march by more than 200 farmers' unions.

In response, the Addl. Chief Secy to Haryana Govt. issued internet shutdown orders, citing "spread of misinformation and rumours through various social media platforms" and "for facilitation and mobilisations of mobs and agitators and demonstrators who can cause serious loss of life and damage to public and private properties."

### Aug 1, 2024: BJP leader, followers threaten to kill journalists

A senior BJP leader and former minister Manish Grover threatened a reporter and photographer of the Hindustan Times Sunil Rahar and Manoj Daka in Rohtak. The two

had gone to the residence of the BJP leader for an interview when they were prevailed upon by Grover, his son and his followers. The latter were angry at news reports of past controversies that Grover was allegedly involved in. Journalists of Rohtak wrote the Chief Minister Nayab Singh Saini to lodge a complaint against Grover's behaviour.

#### **Gurmeet Ram Rahim and journalist's murder case**

#### Oct 1, 2024: CM Saini approves Ram Rahim's 20-day parole

Chief Minister Nayab Singh Saini cleared the 20-day parole application of rape and murder convict Gurmeet Ram Rahim here on Tuesday. It has been forwarded to the Divisional Commissioner, Rohtak, for further action.

Sources said after the Dera Sacha Sauda chief's application was cleared by the Chief Minister, it was sent to the Prisons Department, which further forwarded it to the Divisional Commissioner.

He will be released after getting the mandatory clearance from the local administration in Uttar Pradesh's Bagpath, where he will stay during the parole period. The Election Commission had, on Monday, allowed the government to "consider" the dera chief's application ahead of the Assembly poll scheduled for October 5 in Haryana.

This will be the 11th time Ram Rahim will be out on parole or furlough since his conviction in 2017. Sentenced to 20-year imprisonment for raping two disciples, the dera chief is lodged in Rohtak's Sunaria Jail.

This report is part of the series of Free Speech Collective reports on the status of freedom of expression in states in the context of elections in these states/union territories. Please write in to <u>freespeechcollectiveindia@gmail.com</u> to let us know of any instances of violations of free speech.

<sup>\*</sup> Free Speech Collective acknowledges the work and inputs of journalists from Haryana, who preferred to remain anonymous, for this report.