

# Annual Report 2023-2024

Commonwealth Human Rights Initiative (CHRI), India



# CHRI

Commonwealth Human Rights Initiative  
working for the practical realisation of human rights in  
the countries of the Commonwealth

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## Commonwealth Human Rights Initiative

Commonwealth Human Rights Initiative (CHRI) is registered in India since July 1993 as an independent, non-partisan, non-governmental organisation under the *Societies Registration Act, 1860*.

CHRI believes that the fundamental rights enshrined in India's Constitution are an unequivocal expression of the universal value system of human rights without which a life of dignity is not possible. We advocate for rule-based, participatory, inclusive, open and accountable government. Our work is positioned at the intersection of civil liberties and governance.

CHRI's specialisation in the areas of Access to Justice (ATJ) and Access to Information (ATI) is widely known. Our ATJ programme has focused on Police and Prison Reforms and works to reduce arbitrariness in law enforcement and ensure transparency, while holding duty bearers to account. Our ATI programme has focused on transparent governance and works to empower people to access information of public interest from governments. We do this through evidence-based research; engagement with state institutions for rights-affirming policy reform, systemic change, and better implementation of human rights safeguards; training public sector officials to implement laws with due regard for fundamental human rights; building capacity of stakeholders in the social sector to advocate for reform; educating and supporting marginalised communities to access their rights and entitlements; and partnering at various levels with individuals and institutions that share its vision.

CHRI has special consultative status with the UN Economic and Social Council and is accredited to the Commonwealth Secretariat.

Executive Committee (India): Wajahat Habibullah, Chairperson, Ashok Ganju, Treasurer, Maja Daruwala, Senior Advisor. Members: B. K. Chandrashekar, Nitin Desai, Poonam Muttreja, Kamal Kumar, Justice A P Shah (retd.), Kishore Bhargava and Venkatesh Nayak (ex-officio Secretary & Director).

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**COMMONWEALTH HUMAN RIGHTS INITIATIVE, INDIA**  
**ANNUAL REPORT**  
**1 APRIL 2023 – 31 MARCH 2024**

This is a report of activities of Commonwealth Human Rights Initiative (CHRI) registered as a Society in India since 1993. CHRI has developed a specialisation on Access to Justice (Police and Prison Reforms) and Access to Information. It works towards the realisation of the fundamental right to access information and access to justice for all, through evidence-based research, developing resources for public education and training, engaging with state institutions, civil society and oversight bodies.

A report of the main activities undertaken during this period is as below.

**I. PROGRAMME ACTIVITIES**

**ACCESS TO JUSTICE - POLICE REFORMS PROGRAMME**

**Police Reforms Programme**

**A. Research and evidence-base on police accountability and reform-related issues**

- 1. Advocacy around compliance with arrest procedures in India**
- 2. Report on Police Complaints Authorities in India**

The programme brought out a report [Police Complaints Authorities in India – Status, Gaps, Challenges](#), in November 2023. The report examines the current status of PCAs at the state level with the aim of highlighting both their potential, as well as limitations in enforcing greater police accountability across the country.

This evidence-based study report, developed with the support of the Chhelbhai Dave Police Reforms Programme of the Jatashankar T Pathak Charitable Trust (JTPCT), was released at a large civil society event – the World Social Forum – India, 2023, in Patna on 3 December 2023, at a parallel session “Human Rights Based and Accountable policing”. The report have since been disseminated across PCAs, High Courts, State and Central

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Government, Parliamentary Committees and senior advocates and civil society groups. It received good coverage in the media.

The public education pamphlets on citizen's right vis-à-vis policing were revised and published in Marathi for dissemination at the community level in Mumbai through our partner City Core Group which is supported by the Chhelbhai Dave Police Reforms Project of the Jatashankar T Pathak Charitable Trust.

## **B. External collaborations and partnerships**

**India Justice Report:** The programme continues to contribute to the India Justice Report. The third edition of the India Justice Report was published in April 2023.

## **C. City Core Group - Mumbai**

### **City Core Group**

During the reporting period, the CCG group met virtually in June 2023, August 2023 and December 2023.

The focus of these meetings was on sharing of cases on Domestic Violence (DV) by the CCG partners. In view of a rise of DV cases, a suggestion was also made to have pre-marriage counselling. Adv. Aileen Marques stressed the importance of documentation of DV cases and Survivor narratives. According to her, documentation of cases helps in monitoring of the implementation of the relevant laws as well. She shared her experiences with Lawyers Collective where they were able to challenge the DV Act through a PIL to include the clause on a "Full Time Protection Officer" to assist survivors of Domestic Violence. Such documentation will also help in building exercises and programmes for sensitisation of police personnel and also enhance the skills of our CCG partners and volunteers. Each of these interactive meetings had an average of 24- 28 participants.

Our CCG network partners suggested that there should be a standard format of documentation of cases handled by the partners. The next few interactions on a weekly basis were team meetings of CHRI with some CCG core group members to draw a case management template and checklists. The draft Documentation Templates were discussed and finalised with the CCG members.

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These include:

- Checklist for the first responder
- Key questions to ask survivors
- Case record template to document the profile of survivors, type of violence
- Authorities approached and their response
- Journey of each case referred by a CCG member
- Maintaining records in the template, documenting achievement and or learning and sharing it with the CCG partner

Additionally, educational material of CHRI – Police and You pamphlets were translated in Marathi. [We only had the English and Hindi version]

### **Monitoring and advocating for Police Reforms -CHRI – City Core Group**

CHRI has long advocated for citizen-centric, responsive, transparent and accountable policing. Towards that end will work with CCG for evidence-based advocacy for reform in the functioning of the police in India with particular focus on the mega-city of Mumbai. The thrust of the activities detailed below is to demand improvement in police performance and effective protection of people's fundamental rights to life and liberty guaranteed under Article 21 of the Constitution. CHRI and CCG will monitor compliance with relevant statutory obligations of the police and Supreme Court of India's directives for police reform and better protection of people's lives and liberty at the cutting edge of police administration. The implementation of these measures remains poor, requiring the involvement of community-based civil society networks like CCG to continuously engage with the police administration to do better.

Following a series of discussions between CHRI and CCG members from December 2023 to March 2024, the CCG network partners have identified specific areas of police performance to focus on for monitoring, assessment and advocacy for reform. The proposed evidence-based advocacy initiatives are intended to improve police response to crimes against women and also prevent the abuse of police powers of arrest and detention.

During these discussions, CCG partners were made aware of the Supreme Court Orders and guidelines on the focus areas identified. In addition, CCG members who had volunteered to undertake field visits for the research were trained on how to use the Data Capture Templates for documenting their field visits.

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### **Brief overview of the thrust areas identified**

At least three major preventive measures exist thanks to legislative changes or Supreme Court directives to prevent the abuse of police powers and safeguard individual liberties. These are:

- (1) Installation of closed-circuit television (CCTV) cameras at multiple locations in every police station as per the Supreme Court directives in *Paramvir Singh Saini vs Baljit Singh & Ors.*, SLP (Cr) No. 3543 of 2020 judgement dated 02/12/2020 as a preventive measure against custodial torture;
- (2) Displaying in every police station specific guidelines to be complied with by the police while arresting any crime suspect as per the Supreme Court directives in *D K Basu vs State of West Bengal*, W.P. (CrI) No. 539 of 1986, judgement dated 18/12/1986 and supplemented more recently in the matter of *Satender K Antil vs CBI & Anr.*, W.P. (CrI) No. 5191 of 2021 judgement dated 11/07/2022; and
- (3) Displaying on a publicly accessible noticeboard, the name and other details of every person arrested by the police along with the name and designation of the arresting officer at every district level police control room as per Section 41C of the *Code of Criminal Procedure, 1973* (CrPC). CHRI had published a [national level compliance study](#) in 2016.

Anecdotal evidence indicates that these guidelines and legislative obligations are complied with more in the breach because of which instances of the abuse of police powers are frequently complained about to human rights commissions and police complaints authorities (wherever established), and courts and reported in the mass media.

4) Another law enforcement measure that has been put in place recently by the Mumbai Police to act as a check against the rising trend of crimes against women is- Nirbhaya Squads (team of 4 police officers making up a special women safety cell in every police station) with a dedicated central complaints hotline set up by the Mumbai police.

After an incident of brutal rape Incident at Sakinaka, Mumbai in September 2021, recalling the horrific 2012 Nirbhaya Gang rape case in Delhi, the Maharashtra Chief Minister announced the setting up of Nirbhaya Squads or Special Women's Safety Cells in January 2022. Very little information about their roles and responsibilities, budget sanctioned and utilised is available in the public domain except in the form of occasional media reports.

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One such media report indicated that the Mumbai Police had diverted monies from the Nirbhaya Fund set up in 2013 for providing compensation to women victims of sexual violence, for the purpose of purchasing vehicles to equip the Nirbhaya Squads. Once again, anecdotal evidence from CCG network members indicates that they are not performing well. CHRI and CCG plan to study the compliance of Mumbai Police with regard to all these preventive measures performance across police Stations in Mumbai in order to identify the implementation challenges.

Seventeen members of our CCG Network have volunteered to be part of the field visits to cover the Police Control Rooms and our target is also do our best to cover the 91 police stations over the period of a year.

Using evidence obtained through field-visits and RTI interventions, we will advocate with the Mumbai Police and the Maharashtra Government to address these challenges effectively and improve the quality of policing and ensure a higher degree of safety for citizens. This will be our contribution to the effective implementation of the government's Safe City Project in Mumbai which is currently more focused on increasing citizens' surveillance capabilities of the police and techno-managerial solutions to reducing crime.

***Help Desk set up on 25 June, 2023 at the Bombay Catholic Sabha (BCS) Unit of Goregaon, Mumbai.***

A dedicated Help Desk was set up at the Goregaon unit of the Bombay Catholic Sabha (BCS), a CCG member. The help desk was manned by members of the CCG, Para Legal Volunteers (PLVs) registered with the District Legal Services Authorities (DLSAs) in Mumbai, and volunteers from the Bombay Catholic Sabha (BCS). They were available for assistance on Saturday evening and Sunday morning to women facing gender violence, Domestic Violence and POCSO cases.

The help desk provides assistance to survivors of Domestic Violence and connects them to other NGOs / CCG partners with experience and expertise in dealing with gender violence cases for further support. It also helps Survivors to access police stations for redress. The help desk was functional until January 2024, and had to be temporarily suspended because of the office renovation. Once the said renovation work is completed, it will start functioning again. This Help Desk is open to all citizens.

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## Engagement with the District Legal Services Authority [DLSA], Mumbai

### June 30, 2023. CCG representatives meeting with the Secretary of DLSA, Mumbai City

A delegation of CCG representatives [Qutub Kidwai, Yvonne D'souza, Prem Raaj, Nirmala Thakur, Norbert Mendonca and Dolphy D'souza] met with the Hon'ble Judge Anant Deshmukh , Secretary – DLSA , Mumbai City to discuss:

- Organising a Para Legal Volunteer (PLV) training programme for the CCG Volunteers
- Setting up of Legal Aid Clinics in some locations in Mumbai in collaboration with the City Core Group partners.

He agreed to the paralegal training, but expressed his inability on the setting up because of NALSA norms that clinics can only be established in Government owned properties or Law Colleges / Institutions. We expressed our view that if there has to be an effective reach of the Legal Aid Clinics, then they should be established in localities and bastis where the CCG partners work. The Secretary said he would take it up with his higher authorities. We are pursuing it, but have not had a breakthrough yet.

### September 2023: Training of Para Legal Volunteers [PLV] by DLSA

20 CCG Volunteers underwent a PLV training programme. This programme, which is conducted for four days covers the basics of different laws, workings of the judicial system and the functioning of various stakeholders like the police, Protection Officers (POs). This also includes field visits to a police station to interact with police officials and the Metropolitan Court to interact with a Judicial Magistrate.



## INTRODUCTION

CHRI continued its work on prison reforms with an increased focus on improving prison administration and prison conditions in Haryana, Karnataka and Punjab, in furtherance of the in-depth prison conditions studies. CHRI also focused on engaging with judicial officers to strengthen pre-trial decision through capacity building sessions on role of magistrates at first production. Another area of increased focus was documenting issues pertaining to menstrual hygiene management in prisons, and undertaking activities to raise awareness on the importance of this issue. It continued its engagement towards improving access to quality legal services, through engagements with the National Legal Services Authority and various State Legal Services Authorities. CHRI also continued its partnership with the United Nations High Commissioner for Refugees in ensuring legal support and assistance to refugees and asylum seekers who are in detention in India.

## MAIN ACTIVITIES

CHRI engages with a range of mandate-holders of the criminal justice system to better fulfil their respective mandate in relation to prisoners and push for better coordination. It seeks to strengthen prison oversight mechanisms, improve prison conditions, reduce use of pre-trial detention, ensure effective access to legal aid for prisoners, and secure the rights of vulnerable prisoners including women, transgender, foreign nationals, refugees and asylum seekers. During the year 2023-24, it took up the following activities:

### I. **Strengthening prison oversight and improving prison conditions**

CHRI continued to engage with state prison departments, state legal services authorities and human rights commissions to ensure regular monitoring of prisons and to improve prison conditions.

- i. **Haryana:** CHRI was commissioned by the Haryana State Legal Services Authority (HALSA) to conduct an in-depth study on prison conditions in all 19 prisons in the State. This was in compliance with a Supreme Court order. Subsequent to the

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publication of the study, [Inside Haryana Prisons](#) in 2019, CHRI had created a working group comprising representatives of the Haryana Prison Department and HALSA to prepare an Action Plan for implementation of the recommendations in the report. The working group met several times and an Action Plan was finalised and circulated with the prison department and the secretaries of the district legal services authorities for their inputs. However due to COVID-19 pandemic further initiatives could not be undertaken. Subsequently, due to changes in leadership, efforts to further the report recommendations was also delayed. During this period, CHRI re-initiated conversations with HALSA, who agreed to pursue the prison department to submit a report on the subsequent reforms and changes brought in by the department. CHRI was informed that a number of report recommendations had been incorporated in the Haryana Prison Rules 2022. CHRI continues its effort to engage with HALSA and the Prison Department to collate information towards preparation of an Audit report to document and assess reforms brought in over the last 5 years.

- ii. **Punjab:** CHRI was commissioned by the Punjab Legal Services Authority (PULSA) to conduct an in-depth study on prison conditions in all 24 prisons in the State. This too was in compliance with a Supreme Court directive. The report was finalisation involved in-depth chapter-wise review by PULSA, and a validation workshop with the Punjab Prison Department. Subsequently, the '[Inside Punjab Prisons](#)' report was released by Justice Sanjay Kishan Kaul, Judge, Supreme Court of India and Executive Chairperson, NALSA at the Northern Regional Conference on Enhancing Access to Justice. Thereafter, a working group to prepare the action plan for the report was constituted comprising two representatives each from the prison department, PULSA and CHRI. Through a series of meetings of the working group, the Punjab Prison Department provided CHRI with details of reforms/actions undertaken by the department in pursuance of the recommendations made in the report. They also affirmed that a number of the recommendations were incorporated in the Punjab Prison Rules 2022. CHRI will be finalising the action plan on the basis of the inputs received from the Punjab Prison Department.
- iii. **Karnataka:** CHRI was commissioned by the Karnataka Legal Services Authority (KSLSA) to conduct an in depth study on prison conditions in all 51 prisons in the State. This too was in compliance with a Supreme Court directive. The report, '[Inside Karnataka Prisons](#)' was then finalised and launched by Justice U U Lalit, former Judge Supreme Court of India and the then Executive Chairman, National Legal Services Authority at the Silver jubilee celebrations of the Karnataka SLA at

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Bangalore, Karnataka. Noticeably, the DG Prisons Karnataka enabled CHRI, through the conduct of zonal meetings to update the report to include reforms already undertaken by the department to implement the recommendations of the report. The Karnataka High Court had also appointed a Prison Committee to oversee the implementation of the report, and consequently a working group was formed in Karnataka comprising representatives of the prison department, SLSA and CHRI to prepare an action plan for the report. During this period, several meetings of the working group took place and a comprehensive action plan is in the process of preparation.

## 2. Strengthening pre-trial safeguards

- i. CHRI wrote letters to the State Judicial Academies of several States to include the topic on ‘Role of Judicial Magistrates at First Production of Arrested Persons’ in the induction course as well as refresher courses. It also shared a Course Guide with details about the proposed course, course schedule, important resources including case laws, reports and reference material. Pursuant to CHRI’s letter, the West Bengal State Judicial Academy invited CHRI to be resource person in the induction and refresher training programmes conducted at the academy. CHRI also shared physical copies of its resources with the trainee judicial officers.
- ii. CHRI published a [blog](#) on its CHOGM 2022 report in the Penal Reforms International in June 2023, emphasizing upon the need to strengthen legal frameworks to afford effective safeguards against prolonged pre-trial detention.
- iii. CHRI resourced a number of sessions organised by various state legal services authorities on NALSA’s early access to justice framework, emphasizing upon the importance of ensuring access to legal aid for suspects and arrested persons.

## 3. Ensuring access to legal aid for persons in custody

- i. **Memorandum of Understanding with Karnataka State Legal Services Authority (KSLSA):** In January 2024, CHRI signed an MoU with KSLSA for six months to formulate an action plan to take forward the Inside Karnataka Prisons report; to ensure that the action plan is put in action; to organise training programs for prison officers to discuss the findings of the report; to organise capacity building programmes for Secretary, DLSAs, Legal Aid Defence Counsels and other functionaries; to ensure implementation of NALSA’s SOP on Prison Legal Aid Clinics and NALSA’s SOP on pre-mature release.
- ii. **Prison Legal Aid Clinics:** CHRI had contributed in the development of NALSA’s SOP on Access to Legal Aid Services to Prisoners and Functioning of the Prison Legal Aid

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Clinic, 2022, which were circulated to all SLSAs in August 2022. To ensure compliance of the SOP, CHRI prepared a detailed checklist for completion by Secretary, DLSAs during their monthly inspections. The Checklist was shared with all SLSAs.

- iii. **Outcome of NALSA's campaign:** CHRI successfully advocated with NALSA for initiation of the 'Haq Humara Bhi To Hai: A campaign for providing basic legal assistance to persons confined in prisons and child care institutions to commemorate the 75<sup>th</sup> year of Independence' in 2022, the report of which was released in June 2023. The campaign sought to ascertain legal representation to all persons and children detained; extend free legal services to persons in custody; ensure access to updated information on case status and facilitation of communication with lawyers; ensure that requisite bail applications were filed; ensure communication family and friends for prisoners; ensuring medical assistance and redressal of grievances. Over 575 districts were covered for the campaign in prisons, wherein 5472 prison visits were conducted, over 4.2 lakh prisoners were interacted with, over 4 lakh information cards were distributed, 15644 legal aid lawyers were provided and processes initiated. In observation homes, 280 observation homes were covered, 586 visits conducted, 6124 children interacted with and 5535 case information cards distributed.
- iv. CHRI resourced a training programme for Secretaries, DLSA, WB in April 2023 on Access to Legal Aid for Prisoners: Role of DLSA & Reviewing Prisoner's Cases
- v. CHRI attended the Regional Consultation Call on UN Special Rapporteur Report on Legal Empowerment organised by NAMATI in April 2023
- vi. CHRI connected the International Legal Aid Group with NALSA to ensure its participation in their Biannual Conference in June 2023.
- vii. CHRI shared links of its resource material with Legal Aid Defence Counsel offices in several States.

#### 4. Securing rights of vulnerable groups of prisoners

- i. **Menstrual Hygiene Management for Women Prisoners:** For several years, Commonwealth Human Rights Initiative (CHRI) has worked on ensuring the practical realization of the rights of women prisoners. In its previous visits to women's prisons in Punjab and Karnataka, the need for improved Menstrual Hygiene Management (MHM) in prisons was highlighted during our interactions with both women prisoners and prison officers. It indicated that MHM is a neglected issue, with neither being aware of the standards for effective MHM. As a result, CHRI and *Boondh* compiled the observations along with measures to address various issues, into a document titled 'Recommendations on

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Ensuring Menstrual Hygiene in Prison,’. An awareness poster was also created on MHM for display inside women prisons and enclosures. Thereafter, CHRI prepared a report ‘Periods in Prisons - Short report on Menstrual Hygiene Management in India’s Women Prisons’, which documented the MHM standards and practices in 11 women prisons in the country. In furtherance of this, during period CHRI undertook a number of initiatives, including:

- a. **Empirical Study:** During this period, CHRI undertook an empirical study in Alipore Women's Correctional Home, Kolkata and the women’s enclosure of the Dum Dum Central Correctional Home, Kolkata, in order to document menstrual hygiene management and to further better and sustainable menstrual hygiene management practices that are based on actual needs of women prisoners. CHRI collected data on the number of toilets; number of bathrooms; access to water; quality and types of sanitary pads provided; disposal mechanism; access to incinerator; needs of women prisoners; in Dum Dum Central correctional Home from 26th June - 30th June, 2023 and in Alipore women’s Correctional Home between 3rd July - 6th July, 2023 through observation and interviews of women prisoners and prison officers. CHRI submitted the preliminary findings and recommendations to the Prison Department, and also presented them to a group of civil society organisations in July 2023. Subsequently, donations were received of hygiene and sanitation items such as water tanks, disposal bins with lids, buckets, mugs, sanitary napkins etc. to address some of the gaps highlighted by CHRI.
- b. **Awareness Camps on Menstrual Hygiene:** CHRI conducted an awareness camp at Alipore Women’s Correctional Home for 80 women prisoners on 22nd May, 2023, and at Dum Dum Central Correctional Home on 24th May, 2023 for over 60 prisoners. The workshops were conducted in Bengali, covering topics such as basics of menstruation, puberty and bodily changes; nutrition intake, maintaining an active lifestyle; hygiene practices to follow during menstruation; and understanding health disorders and when to go to the doctor. Posters on menstrual hygiene were also distributed for display in the library and inside the barracks and in common areas in both the prisons.
- c. **Menstrual Hygiene Awareness Week Celebrations:** CHRI celebrated ‘Menstrual Hygiene’ week on the occasion of Menstrual Hygiene Day,

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which is celebrated on 28th May every year to raise awareness and to normalize conversations around menstruation. During this week 22nd May - 28th May, 2023 we organized various activities as follows:

- (1) **'Periods In Prisons' competition** was held seeking submissions on 'what is it like to experience periods in prisons' in the form of posters, poems, stories and essays from students, prisoners, researchers etc. from across India. More than 130 entries in Hindi and English languages and few entries in local languages were received, a majority of which were by prisoners, sent through the prison superintendents.
  - (2) **A Jail Mail** ' newsletter was issued, highlighting findings of the CHRI's report on menstrual hygiene management standards and practices in prisons in India.
  - (3) **Social Media Outreach** in collaboration with CSOs was held to bring attention on 'Periods in Prisons'.
  - (4) **Webinar on 'Menstrual Hygiene Management in Prisons'** was organized for prison officers from across the country, in collaboration with the Academy of Prisons and Correctional Administration (APCA), Vellore. 40 prison officers joined from APCA and some other prison officers joined from various prisons from Kerala, Tamil Nadu, Andhra Pradesh. Dr. Zoya Rizvi, Deputy Commissioner (Adolescent Health), Ministry of Health and Family Welfare, was one of the key resource persons who shared insights into the importance of ensuring proper menstrual hygiene management in prisons.
- ii. **Refugees and asylum seekers:** CHRI continued identification and follow ups for refugee and asylum seekers in detention on behalf of UNHCR. It coordinated with the police and prisons to provide necessary legal support and assistance through the support of legal services authorities and/or private lawyers. In **Assam**, CHRI conducted a number of interactions with the refugees and asylum seekers detained at detention centres and sought permission from the prison department to facilitate interviews of these persons with UNHCR for their refugee status determination (RSD) and resettlement procedures (RST). CHRI also filed a petition in the Assam Human Rights Commission sharing concerns over the conditions of detention in the detention centre, resulting in a case being registered. The AHRC subsequently directed the District Magistrate to conduct a visit and submit a report. CHRI was thereafter asked to review the report and submit its response, towards which CHRI conducted an inspection

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of the detention centre and submitted its independent report citing the inadequacies in the conditions at the detention centre. CHRI continues to pursue the case at the AHRC. In **West Bengal**, CHRI successfully got permission for conduct of RSD and RST interviews by UNCHR for the refugees and asylum seekers detained in prisons in WB. CHRI also facilitated restoration of few minors through advocacy with concerned authorities. CHRI also inspected the living conditions of women living in women enclosure in one correctional home and interacted with the women prisoners to understand any concerns they might have regarding the living conditions. In **Tripura**, CHRI established networks with lawyers and district legal services authorities to ensure legal support and assistance to the refugees and asylum seekers being arrested during this period. It provided necessary documentation and guidance to the lawyers, to enable them to argue successfully for bail for these persons. CHRI also conducted visits to Tripura to strengthen its engagements with key functionaries including the State Legal Services Authority and Prison Department. CHRI also provided assistance in cases in Bihar, Manipur and Karnataka. It also established a Network for Immigration Detention, inviting lawyers working on cases of foreign nationals, refugees and asylum seekers to join.

## 5. Other Activities

- i. **Bureau of Police Research & Development, Government of India:** CHRI was selected as one of the consultants by BPR&D to assist in preparing training manuals for prison personnel. CHRI colleagues have prepared the four prison manuals, viz. Specialised Course on Engaging with Vulnerable/Special Needs of Prisoners for Prison Officers: Asst. Jailor to Superintendent of Prisons (1 week course); Specialised Course on Custody of Prisoners & Search Procedures for Prison Warders: Warder to Chief Head Warder (1 week course); Specialised Course on Stakeholder Coordination Courses for Prison Officers: Asst. Jailor to Superintendent of Prisons, Police, Lawyers, DLSA, and NGOs (1 week course); Vertical Interaction Course on Senior Officers: Principles of Prison Management Constitutional Court directions-An update for Dy. Superintendent Prisons to IG Prisons, Lawyers, DLSA, Judicial Officers, Police Officers and NGOs (1 week course). Thereafter in April 2023, CHRI colleagues were awarded the DG Commendation Disc and Commendation Certificate by BPRD for their contribution in the preparation of prison manuals and as members of various committees.
- ii. **National Human Rights Commission:** CHRI continued its advocacy with the NHRC on strengthening prison monitoring and advocated for better training for the special

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rapporteurs assigned to conduct prison inspections. It shared inspection formats and other relevant resources. CHRI also engaged with the special prison monitor to provide them relevant resources and CHRI publications. CHRI was also invited to take sessions on the importance of prison reforms on multiple occasions, in part of their Online Short Term Internship Programme.

- iii. **TrustLaw Award 2023:** In 2022, CHRI had published a Report titled “Guilty Till Proven Innocent? Safeguarding the Rights of Pre-Trial Detainees Across the Commonwealth”, as 26th Commonwealth Heads of Government Meeting (CHOGM) in Kigali, Rwanda. The report pointed to the ills of prolonged pre-trial detention and presented an analysis of statistical data on imprisonment trends as well as the legal frameworks of the 54 Commonwealth countries. On the basis of the report, CHRI was awarded the TrustLaw Awards 2023 in London, UK.

## ACCESS TO INFORMATION PROGRAMME

The ATI Programme has not been able to attract dedicated programme funding since the adverse action taken by the Union Government against CHRI under the FCRA Act, 2020 in June 2021. Efforts to secure programme support from Indian donor agencies have not been successful either due to the stigma that has unfortunately attached to the organisation’s name because of the adverse action or because this thematic is not a priority area for them. As a result, the ATI Programme has also not been able to recruit dedicated programme staff and the activities under the programme listed below have materialised primarily due to the efforts of the Director who also doubles up as the ATI Programme Head. Rationalising the use of the funds available from donors committed to supporting CHRI as an institution and CHRI’s own general funds, the Programme has engaged in the following activities on its own and in collaboration with other organisations and institutions in the government and the non-government sector. While we continued to work on RTI-related issues, contemporary developments led us to focus on emergent needs of public education which we could not ignore as a human rights organisation.



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### *Promotion of constitutional literacy*

In 2022-23 the political atmosphere across the country witnessed what experts have called ‘subaltern awakening of the Constitution’ thanks to the precipitate and controversial actions and also inaction of various organs and agencies of the State. CHRI did not remain untouched by these developments. We received multiple requests from the Christian educational and service institutions in Karnataka to conduct sensitisation and awareness raising sessions about the salient features of the Constitution with particular emphasis on its Preamble and the chapters on fundamental rights, fundamental duties and directive principles of state policy. In August 2023, CHRI conducted two sensitisation seminars in Bengaluru and Mangaluru, Karnataka for members of the Christian community at the invitation of the Darshan Institute of Technology, Bengaluru and Justice and Peace Commission, Mangalore Diocese. More than 140 teachers, lecturers, students, lawyers, junior level government functionaries and activists participated in these sessions conducted in English and Kannada. CHRI distributed copies of relevant extracts from the Constitution and MSPPTs on fundamental rights.



### *Electoral literacy- promotional activities and litigation*

Closer to the Parliamentary elections in 2024, The Wire, a prominent digital media platform approached CHRI to contribute a series of articles about the opacity and complexities of the electoral process with particular emphasis on electronic voting. The Director has initiated multiple RTI interventions since 2019 to make basic information about the electronic voting machines accessible to the electorate. These RTI interventions have yielded mixed results. A series of articles were published and widely disseminated based on these RTI interventions along with research inputs based on our analysis of patent related documents.

The demand for these write-ups became urgent in light of the cases that were being heard by the Supreme Court of India about the electronic voting machines. These articles are accessible at:

- 1) <https://thewire.in/rights/why-election-commissions-fags-on-evm-vvpats-dont-clear-cloud-of-suspicion-over-electoral-process>

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- 2) <https://thewire.in/rights/why-election-commissions-fags-on-evm-vvpats-dont-clear-cloud-of-suspicion-over-electoral-process>
  - 3) <https://thewire.in/rights/evms-and-vvpats-why-suspicious-persist-and-wont-subside-yet>
  - 4) <https://thewire.in/government/evms-and-vvpats-why-the-suspicious-will-not-abate-yet>

Thanks to the widespread dissemination of these articles, they caught the attention of senior lawyers appearing in the elections-related litigation in the Supreme Court. An Advocate-on-Record offered to represent the Director acting in his personal capacity and present the substance of the articles and the underlying evidentiary materials before the Bench hearing the matters. On Day 2 of the hearing an RTI reply obtained by the Director in 2019 became the focal point of the presentation and arguments in Court. Unfortunately, the litigation exercise did not yield the expected results. However, the Court created a mechanism for contesting candidates to demand verification of the source code embedded in the microchips of the voting machines after the elections. With the Election Commission of India notifying the standard operating procedure to implement this Court directive the entire process has become very expensive for candidates. It is hoped that these matters might be resolved in the coming years through litigation.

During the various phases of the Parliamentary elections another controversy arose regarding the refusal of the Election Commission of India to publish absolute numbers for the voter turnout during various phases. In order to educate counting agents of contesting candidates as to what they must be prepared for on counting day, the Director compiled a ready reckoner on the counting process and published it through The Wire. This write-up also received considerable traction as it was circulated through the social media widely. Prominent Opposition party leaders shared this writeup through the social media. This ready reckoner is

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accessible at: [https://thewire.in/government/what-happens-on-counting-day-25-faqs?mid\\_related\\_new](https://thewire.in/government/what-happens-on-counting-day-25-faqs?mid_related_new)

Earlier during the campaign period, several allegations were raised publicly and complaints filed with the Election Commission of India regarding violation of the Model Code of Conduct by various candidates and political parties. Media Dictionary- a YouTube-based media channel approached CHRI for audio-visual educational materials to explain the MCC in simple language to voters living in rural areas who are often the target of misinformation campaigns. The Director with the assistance of Programme Assistant Ajay Babu recorded a two-part video explaining the salient features of the MCC and the complaints mechanism. These videos are accessible at: [https://youtu.be/88\\_IQdk54H4](https://youtu.be/88_IQdk54H4) and <https://youtu.be/jlQvWvSchR0?si=jOzsAAYCKjAP96Mo>

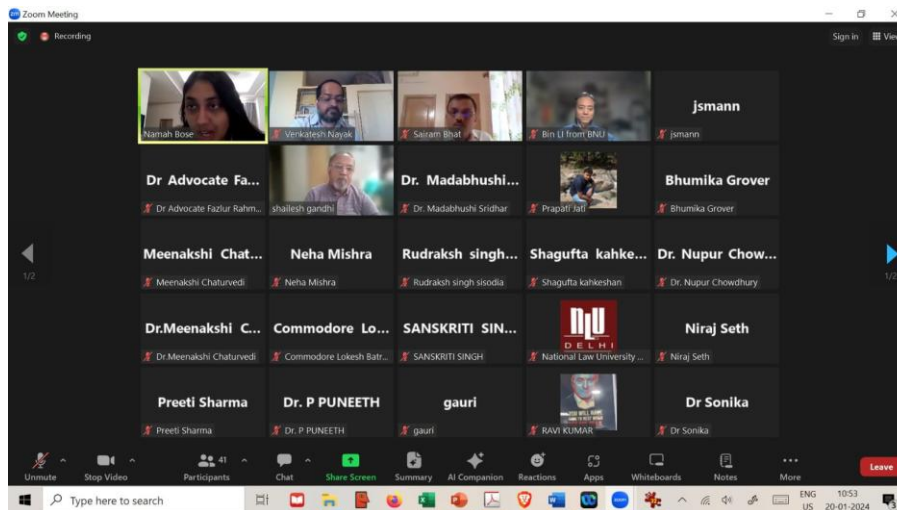
### *Efforts to prevent the RTI regime from rollback*

CHRI continued to advocate against the dilution of the RTI Act through the Digital Personal Data Protection Bill. It may be recalled that CHRI had submitted a critique of the draft Bill when the Union Government put it out for public consultation in December 2022. CHRI's views about various versions of the Bill and the legislation eventually enacted have received media coverage widely. The Director has also been invited to make presentations on the subject at seminars and conferences. In August he was invited to make a presentation on the major concerns about the Bill to a gathering of country representatives of the European Union. In September 2023, the Director addressed a virtual seminar on this subject which was organised by Citizens Forum India. Later that month, the Director participated in a virtual seminar on the Implications of the Digital personal Data Protection Act on the RTI Act, organised by the MoneyLife Foundation, Mumbai.

Explainers of the subject in English and Kannada recorded and disseminated by the Deccan Herald and Prajavani respectively are accessible at: <https://youtu.be/n5Owq8yw3kk> and <https://youtu.be/1dxCgp5z4DE> However, the advocacy efforts did not make a dent in the process as the Government used its brute majority in Parliament to push it through despite vociferous opposition. A sample of media coverage of CHRI's position on this legislation is accessible at:

- 1) <https://thewire.in/government/opposition-activists-raise-alarm-as-modi-govt-gets-ready-to-pass-data-protection-bill>
- 2) <https://scroll.in/article/1053514/how-modi-government-is-using-privacy-as-an-excuse-to-cripple-the-right-to-information>
- 3) <https://www.deccanherald.com/opinion/destroying-rti-in-the-name-of-personal-data-protection-1243591.html>

On 20 January, 2024, the Director resourced a webinar on the DPDP Act organised by the National Law University Delhi and the Centre for the Study of Law and Governance, Jawaharlal Nehru University. More than 40 students and academics and former Central Information Commissioners participated in this event.



### *Seminars, Conferences, and RTI Training Workshops*

On 27 April, 2023 the Director made a panel presentation on the human rights perspective of Policies, Rights and Reforms regarding Information, Privacy and Official Secrets Act at a National Virtual Conference organised by ASSOCHAM as part of the G20 events organised by the Government of India. More than 100 representatives of government departments,

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business and industry sectors participated in this virtual event apart from Central Information Commissioners and subject experts from the NGO sector.

On 29 April, 2023, the Director made a virtual presentation on the thematic: Beyond the Paper: Navigating the Implementation Challenges of Public Service Guarantee Laws in India at a panel discussion on the subject: Power to the People: Strengthening Public Service Guarantee Laws in India organised by the National Law University Delhi and the Centre for Civil Society, New Delhi. Students, faculty members and representatives of prominent NGOs participated in the event along with former Central Information Commissioners.

On 29 April, the Director attended the Graduation Ceremony of St. Joseph's Evening College, Bengaluru as the Chief Guest and addressed a gathering of more than 200 students who are young professionals and faculty members on the subject: "Life after College: Being a Responsible Citizen".

On 07 May, 2023, the Director made a presentation on the adverse effect of the proposed Digital Personal Data Protection Bill at the 150th RTI Seminar organised by a group of RTI Activists based in Madhya Pradesh. More than 70 participants including serving and retired Information Commissioners, activists and journalists participated in the event.

On 10 June, 2023, the Director conducted a day-long workshop virtually on the subject- "How to reply to RTI applications" for the public information officers, appellate authorities and other faculty members of Bangalore University. The event was organised by its Department

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of Political Science. Participants raised several issues with regard to the receipt and disposal of RTI applications which they found problematic.

On 13 July, 2023, the Director participated in a one-day interaction on “West Bengal and the India Justice Report 2022” organised jointly by CHRI, IJR and West Bengal’s Directorate of Correctional Administration. Several serving officers of the Department participated in the event.

On 20 September, 2023, the Director resourced a two-hour virtual training session on the topic- “On the Right to Information and How to Get Results from It” organised by the Collaborative Learning Café. About 45 activists from Maharashtra, Goa and Karnataka participated in the event. The video recording is accessible at: <https://www.youtube.com/watch?v=xlcUNtxHO2Y>

On 28 September, 2023, which happens to be the International Day for Universal Access to Information, the Director spoke about the Indian experience of voluntary disclosure of information under the RTI Act at a virtual seminar organised by CHRI, Ghana. The event titled: Implementing Right to Information Laws in Africa: Maximising Online Spaces for Proactive Disclosure was attended by activists from Ghana, Kenya and Nigeria.











JOIN US THIS INTERNATIONAL DAY FOR UNIVERSAL ACCESS TO INFORMATION (IDUAI)

**Implementing Right to Information Laws in Africa:  
MAXIMISING ONLINE SPACES FOR  
PROACTIVE DISCLOSURE**

Thursday 28 September 2023 10:00GMT

zoomID: 820 5169 6928 PASSWORD: 200300

HOST	MODERATOR	SPEAKERS			
 Mina Mensah CHRI Africa Director	 Maxwell Kadiri Open Society Foundation	 Stephen Owusu RTI Commission, Ghana Head of Legal	 Geoffrey Ochieng International Commission of Jurists-Kenya Section	 Chike Walter Duru Freedom of Information Coalition, Nigeria - Chair	 Venkatesh Nayak CHRI India Director



@CHRIAfrica2 @chriAfrica  
[#AccessToInfoDay](#)

In October, 2023, the Director participated in a panel discussion on the subject of adoption IT solutions by courts and Information Commissions organised by Khulke a digital media platform, set by veteran journalist Major Raghuvanshi, which conducts a series of such discussions as part of its Tareek pe Tareekh series. More than 30 participants attended this virtual event. The recording is accessible at: <https://www.khulke.com/roundtable?id=6525a34afb966405ccd474d5>

On 14 October, 2023, the Director participated as a discussant in the First National Round Table on the Implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 organised by the Citizens' Vigilance and Monitoring Committee- a group of organisations and activists working for the effective implementation of that law. CHRI had helped them with filing RTI applications across the country to obtain copies of the State level compliance reports. While CHRI itself filed some of these requests, others were submitted through its network partners in Maharashtra, West Bengal and Jammu and Kashmir. A

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comprehensive report containing an analysis of these reports and analytical findings of the manner in which offences recognised in this legislation have been dealt with across the country, was released and discussed at this event. Ms. Devyani Srivastava, former Programme Head, Police Reforms Programme CHRI, who also helped with the research efforts spoke at this event. The highlight of the event was the appreciation that CHRI received for collaborating in the research efforts despite not being an organisation mandated to work on caste-related issues. One of the mediahouses covering the findings of the report quoted the Director: <https://www.newindianexpress.com/states/karnataka/2023/Oct/23/no-justice-foroppressed-scst-communities-in-karnataka-2626383.html#:~:text=BENGALURU%3A%20Oppressed%20and%20marginalised%20communities,a%20progressive%20state%20like%20Karnataka>.

On 15 October, 2023 the Director participated in a discussion on the subject: RTI Qanoon-kaise kamzor kiya gaya hai” (RTI Act: how it is has been weakened) organised by Newslick. The recording which clocked more than 1,500 views is accessible at: <https://www.youtube.com/watch?v=tf4fccMV90A>

On 17 October, 2023 the Director conducted a two-hour capacity development session for students of Mass Communications and Journalism subjects at the O P Jindal Global University at the invitation of veteran media person Mr. Srinivasan Jain. More than 15 students participated in the session and drafted RTI applications on issues of public interest.

On 20 October, 2023, the National Centre for Good Governance situated in the Lal Bahadur Sastri National Academy of Administration arranged for the Director’s presentation on the

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experience of implementing the RTI Act for a visiting delegation of senior officers of the Office of the Information Commissioner of the Maldives and government representatives.

On 06 November, 2023 the Director was invited to conduct a skill development session on using the RTI Act for students of Mass Communications and Journalism at the Ashoka University. About 10 students participated in the workshop. This was a very interesting session because the students had conducted field visits in the Hauz Rani-Khirki area of South Delhi and interacted with foreign nationals residing there for various reasons. The draft RTI applications were aimed at accessing information to address the challenges they face vis-à-vis the police, civic authorities and the local landlords.

On 20 November, the Director resourced a day-long Training of Trainers workshop for public information officers and appellate authorities appointed by the Uttarakhand Government, organised by the Dr. R S Tolia Uttarakhand Academy of Administration. More than 50 officers participated in this workshop. CHRI distributed its RTI educational materials and an MS PPT containing summaries of important court judgements on RTI along with a host of other materials such as rules and office memoranda relating to the implementation of the law.

On 04 December, 2023, the Director addressed a group of senior NGO representatives working across the country about the challenges faced by activists seeking systemic reform. The event was organised by Common Purpose at The Energy and Resources Institute at Gurgaon. Participants were excited by the potential of RTI for use as a tool in their own work. Common Purpose has agreed to arrange skill development sessions for them for using RTI as a tool, in 2024.

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On 19 December, 2023, the Director resourced a day-long RTI capacity building workshop along with Mr. Wajahat Habibullah, Chair, CHRI-EC, for government officers in Haridwar. The training workshop was organised by the Dr. R S Tolia Uttarakhand Academy of Administration. More than 70 public information officers, assistant public information officers and appellate authorities attended the event. CHRI distributed its RTI educational materials and an MS PPT containing summaries of important court judgements on RTI along with a host of other materials such as rules and office memoranda relating to the implementation of the law.



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Later on 06 January, 2024, the Director resourced another training workshop on RTI for public information officers in Udham Singh Nagar organised by the said Academy. The Uttarakhand Academy has partnered with us over the years for conducting such trainings.



On 31 January, 2024, the Director resourced a half-day sensitisation session on Media and Human Rights organised by the Department of Mass Communication and Journalism, Bangalore University. The Vice Chancellor inaugurated the event. About 200 students and faculty members of that department and the Department of Political Science participated in the interactive event. A news report of the event published in a popular Kannada language daily can be accessed at: <https://www.prajavani.net/district/bengaluru-city/human-rights-media-symposium-in-bengaluru-2666046>


**BENGALURU CITY UNIVERSITY**  
 Dept. Of Political Science, Dept. Of Social Work  
 Dept. Of History And  
 Dept. of Mass Communication and Journalism  
**MEDIA CLUB ACTIVITY**  
 Talk On:  
**MEDIA AND HUMAN RIGHTS**  
 By  
**Mr Venkatesh Nayak**  
 Director, Commonwealth Human Rights Initiative  
 Inaugurating by  
**PROF. LINGARAJ GANDHI**  
 Vice-Chancellor, Bangalore City University  
 On: 31-01-2024, Time: 11:30am  
 Venue: Bengaluru City University,  
 Seminar Hall beside Jnanajyothi Auditorium near Mysore Bank Circle  
**All Are Cordially invited**  
 Teaching Staff And Students  
 Dr Narasimhamurthy N  
 Professor & Chairman, Dept. Faculty of Arts  
 Department of Mass Communication and Journalism  
 Bengaluru City University, Bangalore



On 02 February, 2024 the Director made a presentation on the subject: “Tax Transparency and the Corporate Sector” at a webinar organised by Citizens Forum India. Mr. Shailesh Gandhi, former Central Information Commissioner was another speaker. More than 30 concerned citizens including retired civil servants and lawyers and activists attended the event.

Citizens' Forum India (CFI)  
 INVITES YOU TO REGISTER FOR AN INTERACTIVE DISCUSSION ON  
**TAX TRANSPARENCY IN THE CORPORATE SECTOR**  
 UNDER THE RIGHT TO INFORMATION ACT 2005  
 CFI WELCOMES OUR DISTINGUISHED SPEAKERS  
 SHRI VENKATESH NAYAK  
 Director, Commonwealth Human Rights Initiative  
 SHRI SHAILESH GANDHI  
 Former Central Information Commissioner  
 SATURDAY, 03 FEB 2024, 4:30pm - 6:30pm IST  
 TO INTERACT DIRECTLY WITH THE SPEAKERS, SEND AN EMAIL TO:  
[citizens.forum.india@gmail.com](mailto:citizens.forum.india@gmail.com)  
 CITIZENS' FORUM INDIA

RTI interventions



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The Director used the RTI Act to obtain data about missing Indian soldiers and Indian fishermen languishing in prisons across Pakistan. The dataset was analysed and shared exclusively with the Indian Express. In May 2023, the leading English language daily published the news story prominently on Page 1 which featured in several regional editions as well. The news story may be accessed at: <https://www.deccanherald.com/opinion/pli-money-flows-in-opposite-direction-govt-to-corporates-2950191> Additionally, the Director used this data for contributing his monthly column to the Deccan Herald (see Publications and Media Coverage segment below).

Perturbed by the very large number of instances where the Union Government cancelled the licenses of NGOs under the FCRA Act, 2010, the Director submitted an RTI application seeking copies of the cancellation orders. The purpose was to obtain credible information in order to make an assessment of the grounds on which the cancellation orders were issued. Reference was made to a parliamentary query answered by the Home Ministry in support of the RTI application. The Ministry neither rejected the request nor supplied the information sought and gave a vague and misleading reply. This response received some media coverage: <https://scroll.in/article/1052020/home-ministry-dodges-query-on-cancelling-foreign-contribution-licences-of-non-profits>

Between May and July 2023, the Director pursued RTI interventions to obtain details of the lobbying firm hired by the Union Government to smoothen the process of negotiations with regard to the India-European Union Free Trade Agreement. This was attempted as part of a group of transparency and human rights advocates and lawyers named, Citizens Watch on FTAs. The Government stonewalled the request but the media wrote about the intervention prominently: <https://thewire.in/government/india-eu-fta-alber-geiger-rti-lobby-firm> FIDH

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and other international NGOs who are keeping a watch on these FTA negotiations circulated the RTI reply and the news reports among EU MPs, NGOs and the media.

When the violence began and continued to rage unabated in Manipur, CHRI did not remain quiet despite not having the resources to conduct a factfinding mission. Instead, two initiatives were undertaken. The Director filed an RTI application with the Union Home Ministry in September 2023 seeking copies of the Governor's reports about the situation in the State. The Ministry's refusal to part with the information on grounds of national security resulted in media coverage that was widely circulated. The news report is accessible at: <https://thewire.in/rights/rti-union-govt-refuses-information-on-inputs-received-from-manipur-govt-since-violence-began>

In November 2023, the Union Government notified CERT-IN as the 26th organisation as partially excluded from the ordinary obligations of transparency under the RTI Act except with regard to information about allegations of human rights violation and corruption. The Director submitted an RTI application seeking copies of official documents which contain details of the decision-making process. The Department of Personnel and Training refused access to information citing exemptions related to national security and Cabinet confidentiality. The story of this intervention published by The Wire along with a comment on the change in the Department's earlier policy of making such documents publicly accessible is available at: <https://thewire.in/government/info-on-cert-in-inclusion-rti-exempt-orgs-is-secret>

The Director has been using RTI to get access to information about defective electronic voting machines which the Election Commission of India did not elect to make public in relation to



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the Lok Sabha elections held in 2019. After considerable resistance, the Director was able to get access to this data through file inspections conducted in November 2023. After analysing the data for trends and patterns across States and UTs, the findings were handed over to the Indian Express. In February, 2024, the Indian Express published a story prominently. More than its publication was the impact of this initiative. When the mediaperson who was covering the story sent a questionnaire to the Election Commission based on the findings, the Commission felt compelled to reveal this data voluntarily by including its revised set of FAQs about the voting machines. This news report may be accessed at: <https://indianexpress.com/article/india/rti-states-flagged-higher-rate-of-evm-breakdown-ahead-of-2019-lok-sabha-elections-9162235/> these interventions formed part of the electoral literacy efforts that CHRI took as mentioned above.

#### Others:

The Constitutional Conduct Group- a platform of retired senior civil servants prominently mentioned CHRI as one of the organisations adversely affected by the Union Government's actions under the FCRA Act, 2020. The group highlighted our work in their letter to the Union Home Minister which may be accessed at: <https://constitutionalconduct.com/2023/07/04/open-letter-to-union-home-minister-harassment-of-voluntary-organisations-under-fcra/> This letter received widespread media coverage and was published as an Op-ed piece in the Deccan Herald. A sampler is given below:

- 1) <https://www.telegraphindia.com/india/constitutional-conduct-group-of-retired-civil-servants-call-on-amit-shah-to-stop-harassment-of-ngos-under-foreign-contribution-regulation-act/cid/1949830>
- 2) <https://www.thehindu.com/news/national/former-civil-servants-express-concern-over-fcra-renewal-problems-of-nonprofits/article67044295.ece>
- 3) <https://www.deccanherald.com/author/constitutional-conduct-group>

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The Director has been researching issues related to the access of Jammu and Kashmir to the Indian Union since 2016. The amicus appointed by the Supreme Court of India to coordinate between counsels of various parties appearing before it in the matters relating to the abrogation of Article 370 of the Indian Constitution, contacted him and advised the filing of certain archival documents relating to that process as well as information about preventive detentions obtained in the aftermath of the status change that took place in 2019. Advocate Warisha Farast volunteered to draw up an intervention application and submit these records to the Constitution bench hearing this matter. Despite the long-drawn proceedings, the Advocate succeeded in getting the application admitted and made a presentation for about 10 minutes before the Bench and later submitted a rejoinder to the arguments made by the Union Government. A brief reference to the submissions are recorded on page 32 of the judgement of the Court.

The Director has also been interviewed by media houses and human rights organisations on issues ranging from FCRA law and its application to the Financial Action Task Force (FATF). NewsLaundry conducted an interview about the negative impact of the adverse action taken by the Union Government under the FCRA law. Quotes from the interview are accessible at: <https://www.newslaundry.com/2023/10/26/watered-down-reports-donors-in-fear-inside-modi-govts-crackdown-on-ngos>

Amnesty International (AI) interviewed the Director about activities of the Union Government to sensitise NGOs about avoiding funding from dubious sources. AI submitted a note to FATF on the adverse impact of governmental action under the pretext of combating terror-financing. The report submitted to FATF prior to its review of India's compliance with the

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stringent requirements to combat money laundering and terror-financing contains our views without attribution to prevent retaliatory action. It may be assessed at: <https://www.amnesty.org/en/documents/asa20/7222/2023/en/>

After learning about the earmarking of funds for use during police investigation of crimes in Karnataka, the Director researched the budget documents from the inception of the practice in 2009-10 and compiled the allocation and expenditure figures and released it to the media in Karnataka in February 2024. The New Indian Express covered the story which is accessible at: <https://www.newindianexpress.com/states/karnataka/2024/Feb/08/karnataka-cops-have-a-probe-budget-but-expenses-borne-by-victim>

On 24 February 2024 the Director visited Bhopal at the invitation of a local NGO-Muskaan which works with denotified tribes. The purpose of the visit was to participate in a day-long interaction with the MP Police officers on the topic: Equality, Justice and Liberty- Human Rights in the Context of Denotified Tribes". More than 150 police officers manning police stations in MP and members of the denotified tribes as well as activists working with them participated in the event. The Director moderated the first session: Human Rights and Violations in Perspective of Law Enforcement and later made a presentation about the importance of having police complaints authorities (MP has not set up one yet). The Director also emphasised on the imparting of human rights and legal literacy and RTI user skills to the members of the denotified tribes. Muskaan has agreed to consider collaborative workshops on these topics.



### ***Publications and Media Coverage***

In April 2023, we released our analysis of the contents of the Annual Report of the Central Information Commission pointing to the trends with regard to the receipt and disposal of RTI applications and first appeals by various ministries and departments under the Union Government. PTI covered the story initially which was picked up by several media houses, subsequently. Our findings were covered by a prominent English language daily as late as in September indicating the long shelf life of our research reports. A sampler of these reports is given below:

- 1) <https://economictimes.indiatimes.com/news/india/statistics-and-programme-implementation-ministry-dopt-pmo-report-sharp-dip-in-rti-backlog-chri/articleshow/99380688.cms>
- 2) [https://www.business-standard.com/india-news/dopt-pmo-report-sharp-decline-in-rti-backlog-by-over-70-says-chri-123041000464\\_1.html](https://www.business-standard.com/india-news/dopt-pmo-report-sharp-decline-in-rti-backlog-by-over-70-says-chri-123041000464_1.html)
- 3) <https://theprint.in/india/statistics-and-programme-implementation-ministry-dopt-pmo-report-sharp-dip-in-rti-backlog-chri-2/1509237/>
- 4) <https://theprobe.in/stories/rti-first-appeals-are-increasing-so-is-public-resentment/>
- 5) <https://www.thehindu.com/sci-tech/technology/explained-has-right-to-information-weakened-over-the-years/article67259315.ece>

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In April 2023, EC Member, Prof. B K Chandrashekar and the Director co-authored an article on an RTI-related matter which was published by The Wire. The article is accessible at: <https://thewire.in/law/gujarat-hcs-judgment-in-modi-degree-case-undermines-the-rti-act>

In August 2023, two days after the three Bill enacted as the new criminal laws were tabled in Parliament, the Director published a critical piece in the Deccan Herald raising queries about the inadequacy of the public consultation and the non-implementation of the arrestee information disclosure provisions in the erstwhile laws. This article may be accessed at: <https://www.deccanherald.com/opinion/does-your-state-police-tell-you-who-they-have-arrested-2645708>

In January 2024, the media reported about the adverse action that the Indian Railways subjected one of its public information officers for releasing information about the cost of setting up PM-selfie booths in select railway stations across the country. The Quint invited the Director to write a comment about this episode. That longish article is accessible at: <https://www.thequint.com/opinion/rti-railways-trains-modi-photo-selfie-booth-transparency>

In February, 2024, the Supreme Court of India struck down the Electoral Bonds Scheme as being violative of the voters' fundamental right to know everything about political party financing. CHRI had been advocating for its removal ever since the idea was introduced in the Finance Minister's speech in January 2017 and after the scheme was notified in 2018. By the time the judgement was delivered the Director was ready with data about the manner of

political party financing gleaned from the annual audit and contribution they reports submitted to the Election Commission of India. The initial data compilation was done by Ms. Poornima Gosain, Executive Assistant to the Director before she moved on for higher studies. The Director updated the research and released it to the media. The Wire covered the facts, figures and findings prominently. This report may be accessed at: <https://thewire.in/article/government/charts-electoralbonds-supreme-court-quashed> A couple of days later the Deccan Herald also used this data as part of its story published as the lead news on 16 February, 2024 but failed to acknowledge CHRI as the source. This issue was raised with the senior editors of the daily. Later Al Jazeera and The New Indian Express quoted the Director’s views while reporting on the judgement. These news reports are accessible at:

- 1) <https://www.aljazeera.com/news/2024/2/16/check-on-quid-pro-quo-will-indias-electoral-bonds-ban-hurt-modi>
- 2) <https://www.newindianexpress.com/states/karnataka/2024/Feb/16/had-called-electoral-bonds-opaque-during-launch-grand-old-party>



As part of or advocacy to push for the withdrawal of the electoral bonds scheme, and make political party financing more transparent, we have researched examples of good practice of transparency in other countries. Our research findings were shared with the media from time to time. After the electoral bonds scheme was struck down, BBC Hindi did a fine job of covering our research findings and also our demand for greater transparency in political party

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funding. This news report may be accessed at:  
<https://www.bbc.com/hindi/articles/c6p9gkxj6x4o>

As we have been keeping track of the major developments with regard to electoral bonds in the aftermath of the judgement, the Director discovered that certain crucial formats which buyers of these bonds are required to fill up had been removed from the website of SBI which was the sole seller of these bonds. The Director had also made RTI interventions with the SBI headquarters in Mumbai and the main branch in New Delhi seeking the proactive disclosure of the beneficial ownership forms filled out by buyers because there was a lot of speculation in the national and regional media after their names were disclosed in compliance with the Supreme Court judgement. SBI refused to comply citing customer confidentiality requirements. The Director published an analytical piece in The Wire about this continued opacity with regard to the identity of the bond buyers which is accessible at: <https://thewire.in/rights/after-faqs-on-electoral-bonds-sbis-beneficial-ownership-proformas-disappear-from-website> This story made it to the top-10 list of most popular stories published that day.

Later, Frontline Magazine did a long story on the controversial electoral bonds authored by veteran investigative mediaperson Mr. Paranjay Guhathakurta and his colleague Mr. Abir Dasgupta. Our RTI interventions and their frustrating outcomes were cited in this widely read article which is accessible at: <https://frontline.thehindu.com/politics/bjp-modi-electoral-bond-scheme-truth-hindu-rashtra/article68001490.ece>

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## Media Coverage / CHRI in the News for the period April 2023 to March 2024

[After FAQs on Electoral Bonds, SBI's Beneficial Ownership Proformas Disappear from Website](#) *Venkatesh Nayak, 12 March, 2024 (thewire.in)*

[Had called electoral bonds opaque during launch: Grand Old Party](#)  
*16 February, 2024 (newindianexpress.com)*

[Ban on India's electoral bonds: How will it affect 2024 election?](#)  
*16, February, 2024 (aljazeera.com)*

[What needs to be disclosed by March 31: 5 charts to gauge the cash flow through electoral bonds](#)  
*Feb 15, 2024 (thewire.in)*

[RTI: Several states flagged high EVM failure rate to EC ahead of 2019 LS Polls](#)  
*15 February, 2024 (indianexpress.com)*

[Karnataka cops have a probe budget, but expenses borne by victim](#)  
*08 February, 2024 (newindianexpress.com)*

[Train More for Better Transparency in the Railways](#)  
*Venkatesh Nayak, 14 January, 2024 (thequint.com)*

[Gujarat State Police Complaint Authority Accepted 1 Among 839 Complaints for Probe in 2022: Report](#)  
*27 December, 2023 (thewire.in)*

[Gujarat, Punjab, Rajasthan don't think deaths in police custody are a serious misconduct](#)  
*11 December, 2023 (Counterinterview Desk)*

[What's the Meaning of Human Rights Day When Space for Dissent Shrinking by the Day](#)  
*10 December, 2023 (Radiancenews.com)*

[Kerala Police Complaints Authority in deep slumber, claims CHRI report](#)  
*07 December, 2023 (newindianexpress.com)*

[How to help the police police itself](#)  
*Devyani Srivastava, 21 October, 2023 (hindustantimes.com)*



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[Right to Information: The Central Information Commission's Leadership Crisis and India's Democratic Test](#)

11 October 2023 (*theprobe.in*)

[RIP RTI? The dark clouds over India's 'sunshine law'](#)

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