

7 September 2014

A report launched by the Software Freedom Law Centre (SFLC) titled 'India's Surveillance State' at the Internet Governance Forum, currently underway in Istanbul, said the Indian state is violating the privacy of its citizens through use of internet monitoring systems.

An application filed under the Right to Information Act by SFLC revealed a list of 26 companies that had expressed interest in a tender floated by the Director General for Police, Logistics and Provisioning for Internet monitoring systems, underlining the large number of firms active in selling surveillance equipment in India.

The Report further revealed that an unknown number of Lawful Interception and Monitoring (LIM) systems, tasked with the collection and analysis of citizens' communications data and meta-data, are already installed in India's communication networks. Capability-enhancing technologies and databases such as the Central Monitoring System (CMS), Network Traffic Analysis (NETRA) and National Intelligence Grid (NATGRID) are in varying stages of deployment, it says. New Delhi is also known to outsource surveillance initiatives to private third parties, some of which even infect target devices using malicious software to gain access to information stored within, the Report adds.

Lawful "spying"

The Report notes that Section 69 of the Information Technology Act, 2000 imposes an obligation on Internet Service Providers to provide all assistance to government agencies to intercept any communication. Failure to comply with it may result in imprisonment for up to 7 years and fines.

The Controller of Certifying Authorities uses Section 28 of the IT Act, an ambiguous provision, to collect user data from technology companies. An RTI request by SFLC revealed that they have made 73 requests under this provision in 2011.

Bridging digital divide

However, growing concerns among internet users regarding widespread surveillance were not addressed by the representative of the Indian government at the IGF. “Indians without access to internet form 25% of the people in the world left out of the digital world. So it was the priority of GoI to attend sessions where we could pick up ideas on how to bridge this gap,” R.S. Sharma, secretary, Department of Electronics & Information Technology (DeiTY), Government of India, told *The Hindu* over phone from the venue of the global summit. He added that as part of current government’s digital India plan, bridging the infrastructural gap and improving fibre optic network coverage was one of the key goals of government. “By December 2016 we aim to bring broadband connectivity to all panchayats,” he said.

<http://www.thehindu.com/news/national/india-violating-privacy-of-internet-users-report/article6381469.ece>

Adv Sudha Bhardwaj, General Secretary of Chhattisgarh People’s Union for Civil Liberties, expressed her organisation’s deep concern at the recent developments in the Antagarh By-Election for the Legislative Assembly. - See more at: <http://www.indiaresists.com/attack-on-the-democratic-processes-in-bastar-under-the-guise-of-counter-insurgency-is-an-issue-of-concern-general-secretary-chhattisgarh-pucl/#sthash.HjhQx3kW.9u> Bilaspur (Chhattisgarh/ Press Note, 4th September): Adv Sudha Bhardwaj, General Secretary of Chhattisgarh People’s Union for Civil Liberties, expressed her organisation’s deep concern at the recent developments in the Antagarh By-Election for the Legislative Assembly. The withdrawal of nominations of ten out of the twelve candidates and the subsequent events including the mysterious disappearance and reappearance of the Congress candidate Manturam Pawar cannot be called natural, especially since the Congress party had won several seats in the Bastar division only recently. According to a newspaper report, the only candidate remaining in the fray now – Roopdhar Puddo from the Ambedkarite Party of India- in a press conference stated that he was under a lot of pressure, including even directly from the Private Secretary of the Chief Minister Shri OP Gupta, to withdraw his nomination due to which he had to go “underground” till the period for withdrawing nominations lapsed. Today the 10 candidates who had withdrawn their names are reported to have “joined the Bharatiya Janata Party”. The holding of free and fair elections is a fundamental and essential requisite of our democratic structure. But it seems that militarization in Bastar is being abused to deal with political opponents. - See more at: <http://www.indiaresists.com/attack-on-the-democratic-processes-in-bastar-under-the-guise-of-counter-insurgency-is-an-issue-of-concern-general-secretary-chhattisgarh-pucl/#sthash.HjhQx3kW.9u4TZk2l.dpuf> Bilaspur (Chhattisgarh/ Press Note, 4th September): Adv Sudha Bhardwaj, General Secretary of Chhattisgarh People’s Union for Civil Liberties, expressed her organisation’s deep concern at the recent developments in the Antagarh By-Election for the Legislative Assembly. The withdrawal of nominations of ten out of the twelve candidates and the subsequent events including the mysterious disappearance and reappearance of the

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On 26th August in Raipur, the State President of the Congress Party, Mr. Bhupesh Baghel, mentioned in a press conference, that the recent surrender of so-called ‘Hardcore Naxalites’ – Chetram Sahu and his wife Manjula is false, and the two are ordinary villagers. Manjula works as a cook. Similarly, on 27th August, the President of the Adivasi Mahasabha and former MLA from CPI Party, Mr Manish Kunjam informed the Press at Jagdalpur that he had submitted a memorandum to the Chief Minister stating that that Manjhiram Kashyap and Sukhdev Nag who have been arrested as accused in the Jeeram Ghati incident are actually post bearers of the CPI. Sukhdev Nag is an elected member of the Darbha Janpad Panchayat and Mangiram is secretary of Tahakwada branch of the CPI. They were summoned to the Tongpal police station on August 25th. Although they were sent back on the ground that the Thana Incharge was not present, they were asked to come again in the evening and were arrested on charges of being involved in the Jeeram Attack and the killing of Mahendra Karma. It is pertinent to note that prior to their arrests, the two had been questioned on two occasions by the NIA, which had let them go on finding no evidence against

them.

On 27th August, Soni Sori, the former electoral candidate of the Aam Admi Party, addressed a press conference in Jagdalpur. She mentioned that a fact finding group of her party had discovered that the claim of the State that 11 Naxalites had been killed in an encounter in Village Ramaram in Chintagufa Block was false and actually the indiscriminate firing of the forces had resulted in the death of a woman from the village – Adme Vetti, who was buried in the village itself. She also said that the claim of the state regarding the alleged surrender of a naxalite named Gali from the village of Bade Gudra is also false. Gali was an ordinary villager, who despite his supposed surrender, has been put in jail instead of being given the benefits mentioned in the surrender policy. It is pertinent to note that in the past few months the police claims that there have been about 120 surrenders. These surrenders also include a woman with a 3 year old child.

In the last six months, about 13 people's representatives (*Sarpanches/Janpad Sadasyas/Sachivs*) have been arrested in the Kanker District. These arrests included the Congress leader of Antagarh Block, Badri Gawde, who was also spearheading the 'Raoghat Sangharsh Samiti's' protest in the area. The other arrested elected representatives include Ganesh Kunjam, Sarpanch Timnar, Amabeda; Mohan Singh Dhruv, Sarpanch, Bade Pinjori, Amabeda; Baliram Usendi, Sarpanch Siksod, Koyalibeda; Dhannuram Dhruv, Sarpanch Tadoki, Antagarh; Ramkumar Mandavi, Sarpanch Muragaon, Kanker; Mahangu Ram Baghel, Sarpanch, Kavapal, Jagdalpur and the Sarpanches of village Antagarh and Bhaishaon of Antagarh Block. The local people see these arrests as a measure to suppress opposition to the proposed development projects in the area, notably two Ultra Mega Steel Plants, and the Raoghat Mines.

During the UPA regime, the Chhattisgarh government had filed a petition before the Supreme Court opposing the Polavaram project, wherein it had stated that this project would lead to the submergence of about 16 villages in the Kanta region and the loss of approximately 7000 hectares of forest land rich in biodiversity and wildlife. The Chhattisgarh government had alleged that there has not been sufficient research to gauge the true impact of the project, neither have any of the Gram Sabhas in the area been consulted as mandated under the PESA Act. However, now, in the light of the regime change at the Centre, the Chhattisgarh government does not appear to be doing anything to safeguard the rights and interests of its people. Recently, the Adivasi Mahasabha had taken out a long padyatra to register the protest of local people against the Polavaram project in Kanta Block.

Finally, the Chhattisgarh People's Union for Civil Liberties gave the information that on the 25th

of August 2014, the Supreme Court has issued notice to the Chhattisgarh State, seeking its reply to the Special Leave Petition filed by PUCL challenging the constitutionality of the Chhattisgarh Special Public Security Act. Justice Rajinder Sachar appeared on behalf of PUCL in the matter.

- See more at:

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