Stop the Witch Hunt! Drop all false & motivated Cases

Respect the fundamental right of free speech, dissent, assembly and association!!

The PUCL welcomes the order of the Delhi Sessions Court on 23.2.21, granting bail to Disha Ravi, a 21 year old resident of Bengaluru who was unjustly incarcerated for offences under Sections 124A, 153A and 120B of the Indian Penal Code (IPC), 1860. Ms. Ravi suffered a series of egregious violations including abduction by the Delhi police from her home in Bengaluru in brazen violation of all legal procedures and constitutional protections, denial of the right to legal representation and most egregious of all- invocation of the sedition law for the mere fact that she choose to exercise her right to thought, expression and association.

The Sessions Judge in his order has vindicated the struggle of the many ordinary citizens across the country who were outraged at this executive outreach and registered their outrage through protests, candle light vigils and open letters to the Government.

In his order the Sessions Judge has clearly stated that, ‘citizens are conscience keepers of government in any democratic nation. They cannot be put behind bars because they choose to disagree with the State's policies.’ He has delivered a fitting rebuke to the authorities by his scathing observation that, ‘the offence of sedition cannot be invoked to minister to the wounded vanity of the governments’

It is also noteworthy that the order expressly says that the prosecution’s evidence of sedition which included pictures of protests with a tag line saying, ‘TO STAND UP AGAINST INDIA’S FAILING DEMOCRACY(AT THE BEHEST OF THE FASCISTIC RULING PARTY, RSS-BJP), was dismissed with the Learned Judge saying, ‘I find absolutely nothing objectionable in the said page’.

The Learned Judge correctly appreciated the contours of sedition noting that, ‘imputations may be false, exaggerated or even with a mischievous intent but the same cannot be stigmatized being seditious unless they have a tendency to foment violence’.

The PUCL hopes that both the Delhi Police and the Union Government views this order as a reminder that as far as the Indian Constitution is concerned, neither is speaking out a crime and neither is speaking to an international audience a crime. As the Learned Judge rightly reminded us that as far as this five thousand year old civilization is concerned, as the Rig Veda puts it, ‘Let noble thoughts come to me from all directions’.
The State should recognise as the Learned judge notes, ‘an aware and assertive citizenry, in contradiction with an indifferent or docile citizenry, is indisputably a sign of a healthy and vibrant democracy’.

PUCL hopes that the Government realizes the error of its ways and withdraws this egregious prosecution against Disha Ravi, Nikita Jacob and Shantanu Muluk. This is vital as though Disha Ravi is out on bail, this case will continue unless the government takes proactive action to stop this malicious prosecution of India’s young climate activists.

As the Learned Judge clearly recognized, the FIR in this case, makes a mockery of the Indian Constitution by its strained effort to paint dissent, disagreement and protest as a grand anti-national conspiracy. The FIR paints what is a constitutional right in a democracy, namely solidarity actions in support of millions of Indian farmers such as ‘recording videos’, ‘organising gatherings’ and ‘taking pictures’ of protests as tarred with ‘illegality’ and besmirched with anti national sentiment. Perhaps the heights of the paranoia of an insecure government is revealed when the FIR wildly indict protests to target ‘symbols’ of Indian culture like Yoga and chai.

If we aspire to safeguard the future of our youth, then the government must stop persecuting India’s youth through the sedition law. The law on sedition, like the UAPA, has today become a tool to curb youthful curiosity and the passion of young people to make the world a better place by punishing criticism and crushing dissent. These laws must be repealed if we want India to awaken into that haven of freedom which our great national poet, Rabindranath Tagore dreamed of in which the ‘mind is without fear and the head is held high’.

We demand that

- The state withdraws prosecution against Disha Ravi, Nikita Jacob, Shantanu Muluk and all others being falsely implicated in this frivolous conspiracy case.
- Section 124-A of the IPC be repealed.
- The Central government and other governments should immediately stop the witch hunt of young people, farmers and activists who are expressing their fundamental right to free speech, dissent and assembly seeking accountability, transparency and responsibility from the government, its agencies and officials.
- Laws such as UAPA which criminalise the freedom to think, express and associate must also be repealed immediately.

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