

Dangerous pursuit: IN INDIA, JOURNALISTS WHO COVER CORRUPTION MAY PAY WITH THEIR LIVES



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IN INDIA, JOURNALISTS WHO COVER CORRUPTION MAY PAY WITH THEIR LIVES

A special report by the Committee to Protect Journalists





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About this report

In the 27 cases of journalists murdered for their work in India since CPJ began keeping records in 1992, there have been no convictions. More than half of those killed reported regularly on corruption. The cases of Jagendra Singh, Umesh Rajput, and Akshay Singh, who died between 2011 and 2015, show how small-town journalists face greater risk in their reporting than those from larger outlets, and how India's culture of impunity is leaving the country's press vulnerable to threats and attacks. A special report by the Committee to Protect Journalists.

This report was written by **Sumit Galhotra**, CPJ's Asia Program senior research associate, and **Raksha Kumar**, a freelance journalist in India. Galhotra has participated in reporting and advocacy missions to Bangladesh, India, Indonesia, and Nepal on behalf of the organization. Prior to joining CPJ, he was awarded the prestigious Margaret Moth Fellowship at CNN International, and his reporting has taken him to Israel, Palestine, India, South Africa, and the U.K. Kumar is an award-winning multimedia journalist with a focus on human rights and politics in India. Her work has been published in *The New York Times, The Guardian*, BBC, *Foreign Affairs*, and *South China Morning Post*.

P. Sainath, an award-winning journalist and co-founder of the People's Archive of Rural India, wrote the report's foreword, "Journalism as well as journalists in danger from failure to stand up for India's press." The reporter and author of *Everybody Loves a Good Drought* has won several international awards for his coverage of human rights and public welfare issues, including the Amnesty International Global Award for Human Rights Journalism and the Ramon Magsaysay Prize.

Geeta Seshu, the Mumbai-based consulting editor of media watch website *The Hoot*, contributed research for the appendix of killed journalists included in this report, and **Aayush Soni**, a freelance journalist in New Delhi who has written for Indian and international news outlets, contributed the sidebar, "Pursuit of truth comes at heavy price for India's Right to Information activists."

The introduction and report recommendations are available in English and Hindi.

Cover photo: The widow of Jagendra Singh holds up a portrait of the journalist at the family's home in India. (CPJ/Sumit Galhotra)

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Journalism as well as journalists in danger from failure to stand up for India's press

P. Sainath

This report by the Committee to Protect Journalists does more than tell us that reporting in India can be a dangerous business. Rural and small-town journalists are at greater risk of being killed in retaliation for their work than those in the big cities but, as this report shows, factors such as a journalist's location, outlet, level in the profession's hierarchy, and social background add to that risk. The language a reporter writes in and, most importantly, what they are writing about—especially if it challenges the powerful—increase the vulnerability.

In the three case studies this report focuses on—and in CPJ's list of 27 journalists who have been murdered in India in direct retaliation for their work since 1992—it is hard to find a single English-language reporter from a big city. That is, one who was working for an English outlet of a large corporate media house. And one who was covering something that challenged the interests of the mighty. The list is replete with rural or small-town journalists. The majority reported for Indian-language publications, sometimes well-known ones. Often they were freelancers or low down in the outlet's pecking order. Mostly they worked in print—though there are exceptions. Like, for example, Saidan Shafi and Altaf Ahmed Faktoo who were shot dead in separate incidents in 1997 while working for the state broadcaster Doordarshan TV, in Jammu and Kashmir. Or Akshay Singh, who was part of the investigations team for the popular channel Aaj Tak in Delhi, and whose case features in this report.

While rural and small-town journalists often have to cover multiple beats, those included in CPJ's list focused mainly on corruption, crime, and politics: three beats often closely intertwined. This hasn't changed too much in the past three decades, but it has become worse with the retreat of the mainstream media from covering rural India in any depth.

When I joined the profession in 1980, most major papers had an agriculture correspondent and a labor reporter. The position of full-time labor reporter is extinct. And the agriculture correspondent now covers the agri-business and the Agriculture Ministry, not the farms. Big media tries to make up for this shortfall in coverage by running the occasional "Invisible India" page. But the truth is, rural India isn't invisible.

The countryside has many resourceful reporters—though often they are treated as nothing more than bag carriers by journalists visiting from the metros or overseas. But the stories from rural India are innumerable and compelling. That is why, in late 2014, after decades of full-time reporting from rural India, I helped launch the People's Archive of Rural India, an independent non-profit. The People's Archive of Rural India is dedicated entirely to reporting on what we believe is the most complex part of the world: one with 833 million humans speaking 780 living languages.

This decline of mainstream coverage of rural India is backed up by data from the Centre for Media Studies in Delhi. Between 2014 and 2015 the center monitored six major newspapers (three Hindi-

language, three English-language) and found only about 0.23 per cent of news came out of rural India. And that news occupied less than 0.25 per cent of the space on front pages.

The elite sections of the national media, particularly English outlets, are better protected. There is a built-in insurance that comes with working for powerful media organisations that have access to those in government. Individual journalists at these outlets are relentless in their pursuit of hard-hitting stories. But media as a whole has shown little interest in rural India. And still less in challenging the established order. The small-town journalists (even if a handful work for big media) will often find themselves alone and abandoned when trouble strikes.

The lack of interest in coverage of rural India, except in terms of "markets" or when natural disaster strikes; the work imposed on rural journalists—many of whom have to drum up news as well as advertisements for their publications; the coming of contract employment; and the death of journalist unions, most of which collapsed by the end of the 1990s. All these factors and more have heightened the vulnerability of the rural journalist. Very often, the more independent-minded journalist has no option but to be a freelancer or stringer.

"Small-town journalists will often find themselves alone and abandoned."

Today, in Chhattisgarh state, some journalists have had to pull out of areas or stop working on particular stories. It has become too dangerous. A March 2016 report by a fact-finding team of the Editors Guild of India documents accounts of intimidation, arrests, and worse against journalists there. Especially those reporting on human rights violations. And, as the guild findings state, often there is little security offered or back up from a journalist's managers or outlet.

P. Sainath

As some of those interviewed by CPJ for this report said, even within the media there can be a tendency to undermine the legitimacy of rural journalists. Are they really journalists? Aren't most of them corrupt? Those sweeping and generalised dismissals are seldom made in relation to urban journalists.

With India's ranking on CPJ's impunity index, which lists countries where journalists are murdered and their killers go free, this report comes not a day too soon. As well as the solutions suggested in this report, there are other ways that we can try to address the challenges. The public can be made more aware of what's going on—both its nature and scale. We can try to pursue the cases of those murdered, try our best to push them through the courts faster, and do our best to see that the killers are brought to justice. And we can try to compel governments and police to act more fairly, justly and quickly. We can also ask media owners to take the safety of their journalists more seriously. Failure to do so won't just further endanger fellow journalists, but journalism itself.

Impunity and lack of solidarity expose India's journalists to attack

Sumit Galhotra

Corruption scandals make for attention-grabbing headlines, but when journalists who expose wrongdoing are killed, their murder is often the end of the story. For eight years India has been a fixture on the Committee to Protect Journalists' annual Impunity Index, which spotlights countries where journalists are slain and their killers go free. Perpetrators are seldom arrested and CPJ has not recorded a single conviction upheld in any of the cases of journalists murdered in India in direct relation to their work.

Of the 27 journalist murders documented in the country by CPJ since 1992, corruption and politics were the two deadliest beats. With its poor impunity record and an escalation in journalists being harassed or attacked, particularly in states such as Uttar Pradesh and Chhattisgarh, CPJ took an investigative trip to India in March 2016 to speak with members of the press, lawyers, and the relatives of three dead journalists, to try to understand the challenges in attaining justice and the risks faced by reporters on the front lines of exposing wrongdoing.

The challenges faced by India's press are highlighted by the cases of Jagendra Singh, Umesh Rajput, and Akshay Singh, whose deaths are examined in this report. Corruption was the impetus for all three journalists' final reports and in all three cases, there have been no convictions. Freelancer Jagendra Singh, who died from his injuries after allegedly being set on fire by the police in June 2015, was reporting on allegations that a local minister was involved in land grabs and a rape. Before he was shot dead in January 2011, Umesh Rajput was reporting on allegations of medical negligence and claims that the son of a politician was involved in an illegal gambling business. Investigative reporter Akshay Singh was working on a story linked to the US\$1 billion Vyapam admissions racket when he died unexpectedly in July 2015.

As well as a marked difference in the risks faced by small-town journalists compared with those from larger cities and outlets, CPJ found a pattern of resistance by authorities to carry out independent investigations and a legal process hindered by extensive delays. Lawyers and families of journalists with whom CPJ spoke said that often police failed to carry out adequate investigations or to identify and apprehend attackers. In an exception to how journalist killings are usually dealt with in India, two of the three cases examined in the report are being handled by India's national-level agency, the Central Bureau of Investigation. Media organizations have called for all journalist killings to be handled by the bureau.

'Corruption has become a dangerous disease'

Journalists and whistleblowers, including activists who use the Right to Information law, have played an indispensable role in exposing corruption in India. In the past few years, the country has been hit by a series of scandals, including allegations of the misuse of funds when India hosted the 2010 Commonwealth Games, and the 2011 telecommunications bribery case known as the 2G Scam, which made *Time* magazine's "Top 10 Abuses of Power" list, second only to Watergate in the U.S. Corruption



In a rare show of solidarity, journalists march together in protest after lawyers attacked members of the press outside a Delhi court house in February 2016. (AP/Rafiq Maqbool)

by police and other government institutions makes daily headlines.

Attempts to address the issue were made in 2011 when an activist named Anna Hazare staged a hunger strike to demand instituting an independent ombudsman to prosecute politicians and civil servants suspected of corruption. His anti-corruption movement paved the way for the formation of the Aam Aadmi Party, which is focused on ending corruption. The party currently holds the main seat of power in Delhi.

Prime Minister Narendra Modi also made combatting corruption a central issue in his election campaign when his Bharatiya Janata Party swept to power in 2014. "Corruption has become such a dangerous "The gulf between journalists working in rural or remote areas and those working in big cities is huge."

Geeta Seshu, The Hoot

disease in the country. It is worse than even cancer and can destroy the country," Modi said at a rally in August of that year, after the previous Congress-led government was implicated in a series of high-profile scandals.

Despite vowing to take action on corruption, authorities have done little to protect the journalists who are on the front lines in trying to expose wrongdoing, media experts said. No government in India has been an ardent champion of press freedom. The silence by all who have been at the helm of power over the years—be it the Congress Party, Bharatiya Janata Party, or the regional parties that head state or municipal governments—has only fostered a culture of impunity.

Obstacles to securing justice

The sheer size of India—with a population of 1.2 billion spread over 29 states and seven union territories—coupled with a decentralized system of government adds to the challenge of securing justice. The states exercise jurisdiction over law and order, complicating efforts to ensure a nationwide response to anti-press violence.

Families seeking justice face a long and complicated process that starts with a First Information Report, which is the initial step in getting police to register a complaint and take action. As CPJ research shows, the process rarely reaches the prosecution stage.

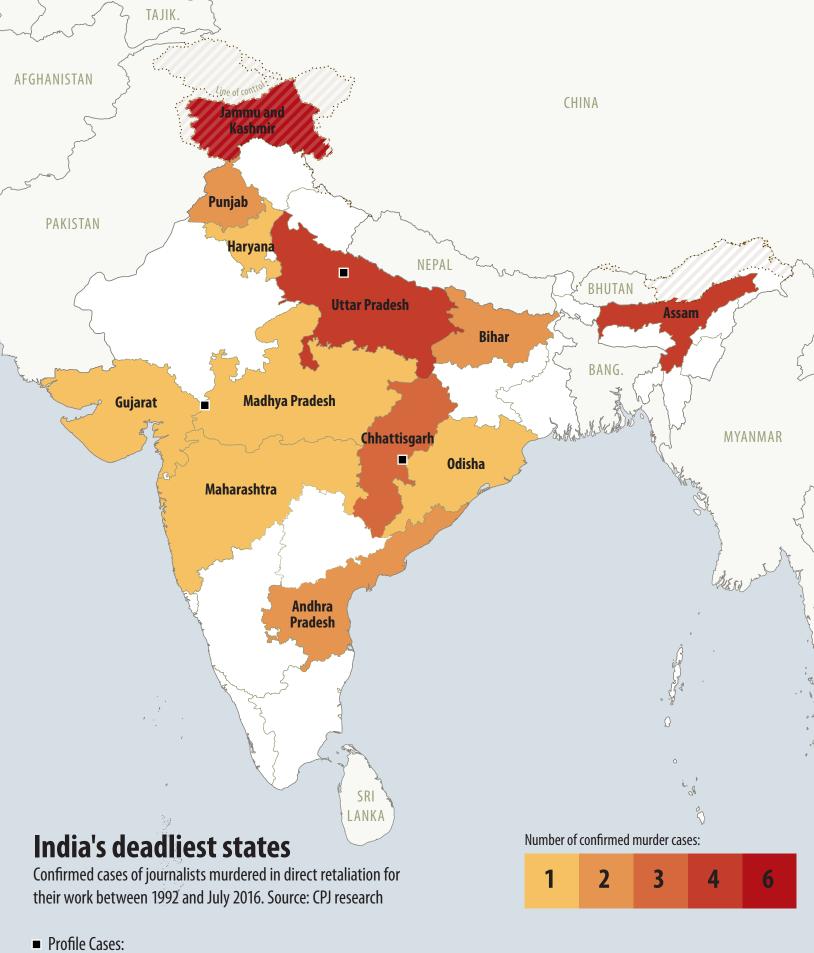
Geeta Seshu, the Mumbai-based consulting editor of media watch website *The Hoot*, said that she did not believe law enforcement was fulfilling its role in bringing perpetrators to justice. She said she could think of several cases where the police's first line of response to a threat, attack, or killing of a journalist was to claim that the victim was not a journalist or that the attack was not work-related. "There is a deflection and that becomes the narrative then. That becomes the course of the investigation also."

"Our criminal justice system depends a lot on the local police," she said. Police are responsible for the first stages in any investigation. A faulty First Information Report, not applying the appropriate sections of the law, not clearly recording witness statements or protecting vulnerable witnesses, and not following up on preliminary investigations can be damaging, she said.

On rare occasions, a case is allowed by state authorities or the Supreme Court to be handled by the Central Bureau of Investigation, but that does not always result in a more efficient process. In September 2015, the bureau admitted to the Supreme Court that it was overworked and understaffed. Close to 16 percent of posts, around 724, were vacant; and the bureau was investigating more than 1,200 cases and had 9,000 pending in court, according to reports citing sources from the investigative body. Journalists and a lawyer told CPJ that a benefit of the Central Bureau of Investigation is that it tends to be removed from local power structures that could influence an investigation, but they were unsure of the agency's effectiveness.

CPJ is aware of only one murder in the past 10 years in which a suspect was convicted. However, the suspect was released on appeal. Even if a court hears the case, there will be delays. Government data show that more than 31 million cases were pending in India's court system at the end of 2013, according to the latest figures available to CPJ.

"The torturously slow Indian judicial system, together with corruption in the police force and the criminalization of politics, makes it possible to literally get away with murder," Sujata Madhok,





Akshay Singh July 4, 2015 Meghnagar, Jhabua, Madhya Pradesh



Umesh Rajput January 23, 2011 Chhura, Chhattisgarh



Jagendra Singh June 8, 2015 Shahjahanpur, Uttar Pradesh general-secretary of the Delhi Union of Journalists, told CPJ.

In a 2015 report on the safety of journalists, the Press Council of India, a body set up by Parliament in 1966 to act as watchdog for press freedom and journalism ethics, found that "even though [the] country has robust democratic institutions and vibrant and independent judiciary, the killers of journalists are getting away with impunity. The situation is truly alarming and would impact on the functioning of the democratic institutions in the country." The council, which is chaired by a retired judge and made up of 28 members including working journalists, members of parliament, and experts in law, academia, and culture, has advocated that parliament enact a nationwide journalist safety law. It also wants to see the Central Bureau of Investigation, or another national-level agency, investigate cases of journalists murdered and to complete its investigation within three months.

State ministers, police divisions, and the Central Bureau of Investigation did not respond to CPJ's requests for interviews or comment on the status of the cases examined in this report.

Divide between rural and city journalists

CPJ found that those reporting in remote and rural areas in India are at greater risk of threats and violence. Often those working in such areas are responsible for finding advertisements, handling distribution as well as reporting, local journalists and media experts told CPJ. Furthermore, pay is low and financial security is lacking.

"They rarely get support from their employers if they are targeted. They are seldom members of unions as they live in places where there are hardly any other journalists," Sujata Madhok said.

CPJ research into attacks and harassment in India shows that cases of violence against journalists from larger towns and cities, and those who work for major news outlets, tend to attract greater attention than their small-town counterparts. "The gulf between journalists working in rural or remote areas and those working in big cities is huge," said Geeta Seshu, from *The Hoot*.

Delhi-based Akshay Singh belonged to the India Today Group, one of the largest media houses in the country. High-ranking officials from across the political spectrum attended his funeral. His outlet joined the family's calls for the Central Bureau of Investigation to handle his case. But for Jagendra Singh, a freelancer from a rural town in the state of Uttar Pradesh, police were quick to discredit his press credentials after his death. CPJ was told by an investigating officer at the time, "He only wrote on social media."

Geeta Seshu told CPJ that journalists reporting for major outlets are more likely to be viewed as credible, while the legitimacy of small-town journalists often comes into question.

Sevanti Ninan, a Delhi-based columnist and founding editor of *The Hoot*, added, "In India there is this fussing about who is a journalist. But we can agree these are newsgatherers. There is newsgathering, and that is a function that gets them into trouble."

Online trolls, commentators, and politicians are also quick to vilify the press, according to media

40 JOURNALISTS KILLED IN INDIA





27 journalists murdered in direct retaliation for their work



No convictions have been made.

The number of additional cases CPJ is investigating to determine if the journalists were killed for their work.





of journalists murdered worked in print.



56%

of journalists murdered covered corruption.

Source: CPJ research

DESIGN BY MAHA MASUD

experts. CPJ found terms like "presstitutes" and "sickular media" across social media. Right-wing Facebook groups such as Presstitutes and India Against Presstitutes, both of which have tens of thousands of followers, are openly critical of journalists and opposition politicians. According to Sujata Madhok, women journalists are the most vulnerable to abuse, threats of violence, and slander campaigns online. Complaints to police have been fruitless, she told CPJ.

Paranjoy Guha Thakurta, a senior journalist and former member of the Press Council of India, said, "It has become fashionable to denigrate the media with ministers in this government, and to tarnish everyone with the same brush." He said that instances of corruption and ethical lapses by segments of the Indian media resulted in a loss in credibility for the Indian press as a whole.

A fragmented press

Several journalists with whom CPJ spoke echoed the view that there is little outrage among the media fraternity and society at large when a journalist is attacked or killed in India. One exception was in February 2016 when prominent journalists in New Delhi marched in unity to protest an attack in which a crowd of lawyers beat and threatened members of the press who had gathered to cover a high-profile hearing at the city's Patiala House court complex. In contrast, the same week CPJ documented how Karun Misra, a journalist from a small town a 12-hour drive from the capital, was shot dead in apparent retaliation for his work. His killing neither attracted the same level of attention nor high-profile calls for action.

Geeta Seshu told CPJ that a polarized media has resulted in the lack of a cohesive response to attacks. "Journalists tend to devalue the attacks on themselves as a community and fail to speak out in one voice. We are fragmented ourselves," she said. "We are very far away from any sort of

movement to fight this culture of impunity. Even the culture of protesting these sort of things is often lost to us as journalists." She said that media organizations should take greater responsibility for their staff. Some editors at news outlets leave responsibility for journalists' safety to the government. CPJ has found that while it is important for governments to ensure journalists can safely carry out their work, media organizations play an essential role too, especially in protecting freelancers and local journalists and stringers.

Many major Indian cities have press unions, but in the past decade the focus of those unions has been on implementing labor rights for working journalists and media workers, and fighting cases in court to ensure higher wages. However, safety and security issues are quickly becoming a priority, said Sujata Madhok. She said the Delhi Union of Journalists and others are demanding a law that provides safety and security to journalists. In recent months, the unions have organized workshops on conflict reporting and riot coverage, and demanded that employers pay for risk insurance. "These efforts will have to be stepped up given the increasing attacks on journalists," she said.

In the past year there has been an international drive for the media to unite in protecting colleagues. In February 2015, a coalition of media organizations and press freedom groups signed on to the ACOS (A Culture of Safety) Alliance. The alliance includes guidelines and commitments for freelancers and organizations. More than 65 organizations from several countries have joined the alliance, but so far India is not represented.

Role model for the world

As the world's largest democracy, it is important that India acts as a role model in safeguarding its media and promoting press freedom on the international stage. As a founding member of the Community of Democracies, an intergovernmental organization that aims to further democratic norms, India has committed to upholding freedom of expression, press freedom, and transparency as core principles. Freedom of expression is also guaranteed under Article 19 of its own constitution. However, India—alongside its neighbors Afghanistan and Bangladesh, and conflict-affected states South Sudan, Somalia, and Syria—failed to provide updates on investigations into journalist killings for the 2014 biannual impunity report of the Director General of UNESCO, the U.N. agency mandated to promote freedom of expression. This failure demonstrates a lack of international accountability, CPJ's 2015 impunity report found.

If it upheld its commitment to the democratic principles and established a national-level journalist safety and protection mechanism, India would begin making progress in combatting impunity. Authorities there could learn from best practices used by nations facing threats to their media, including Colombia, where a national protection mechanism provides security for journalists under threat, including supplying bulletproof vests, police bodyguards, and offering relocation; and Mexico, where a federal prosecutor's office was set up to investigate attacks on freedom of the press and freedom of expression.

By providing adequate resources and political support to ensure swift and thorough investigations, India's government would send a powerful message of support to the nation's press. The country's journalists, media organizations, and press unions also have a role to play in speaking out in a strong, unified voice against attacks on their colleagues.

Jagendra Singh: discredited after death

Sumit Galhotra and Raksha Kumar

Covered in burns and writhing in pain, Jagendra Singh cries out, "They could have arrested me. Why did they have to beat me and set me on fire?" In the video, filmed at a hospital in Lucknow where Jagendra Singh was being treated for burns that covered 60 percent of his body, the journalist accuses a police officer, Sriprakash Rai, and his team, of dousing him in gasoline and setting him alight. A week after the attack, Jagendra Singh died from his injuries.

The journalist described to his family how, when police arrived to arrest him on the afternoon of June 1, 2015, they forced their way into his home in Shahjahanpur, Uttar Pradesh, and beat him. At the time, Jagendra Singh was interviewing a woman who had accused Ram Murti Singh Verma, a state minister and member of the ruling Samajwadi Party, of rape. The journalist's widow, Suman Singh, said her husband told her that before they poured gasoline over him, one of the officers said, "You write reports against the minister, we'll ensure you have no hands left."

In India, the death of a journalist from a small town rarely makes waves, but Jagendra Singh's case made international headlines and the state's chief minister promised a full investigation. Despite these promises, the investigation appears to be at a standstill. Police have disputed Jagendra Singh's account; Verma, who denies any involvement in the attack and denies the rape allegation, remains in his government role; the police officer, Rai, was transferred; authorities have tried to discredit Jagendra Singh's role as a critical journalist; and relatives and a key witness have recanted their statements. When CPJ started to research Jagendra Singh's case, it was uncertain if anyone would be willing to talk.

THE ROAD TO JAGENDRA'S HOMETOWN

The town of Khutar, where the main family home is based, is a bumpy five-hour drive northwest of Lucknow, in India's most populous state of Uttar Pradesh. For miles, fields line both sides of the dusty road. After arriving by car in Khutar's main thoroughfare—a narrow street filled with ox carts, honking cars, and motorbikes—CPJ

decided to look for the Singh family home on foot. Vendors and residents said to search for a fig tree, commonly known in India as a peepal tree. Next to it was a haphazard two-story home that housed eight members of the Singh family.

Jagendra Singh's elderly father, Sumer Singh, was reading a newspaper on the veranda. Seeing he had unexpected company, Sumer Singh called for Jagendra Singh's widow, Suman, and eldest son, Raghvendra. After the long journey from Lucknow it was a relief that they wanted to talk.

The family said that Jagendra Singh, who was 46 when he died, worked for several newspapers including the local edition of the national Hindi daily, *Amar Ujala*. Like most small-town journalists, Jagendra Singh worked on a freelance basis. As well as reporting, he secured local advertising and acted as a distributor.

In 2011, Jagendra Singh started a Facebook page "Shah-jahanpur Samachar," News from Shahjahanpur, where he posted daily political and social news updates. Many local newspapers sourced their news from his Facebook updates, his family said. Jagendra Singh's stories were often based on information he obtained through the Right to Information law, his younger son, Rahul Singh, said. Research by the National Campaign for People's Right to Information, a Delhi-based advocacy group that tracks harassment, has shown that activists who use the Right to Information law, are at risk of violence and threats.

Jagendra Singh's style of reporting put him in danger, said Suman Singh. He was relentless in his efforts to expose local corruption and wrongdoing. "His nickname was 'nidar," his father said. In Hindi, "nidar" means fearless.

The family's description of Jagendra Singh as a fearless journalist committed to exposing wrongdoing was echoed by his colleagues and friends. Narendra Yadav, a reporter from the Hindi-language *Dainik Jagran*, said that when he was attacked in September 2014, after reporting on rape allegations against a religious guru, Jagendra Singh was among the few journalists who stood by him as a friend and colleague. With such a powerful figure allegedly linked to the attack, other journalists "were all fearful of the consequences of supporting me," Narendra Yadav said,



Jagendra Singh's family protest outside the family home in June 2015 to demand an investigation into his death. (AFP/STR)

but Jagendra Singh wrote courageously in support of him. "I will always be grateful to him for that," Narendra Yadav said. "He was among the first people to show up after I was attacked. He alone wrote about me; he alone fought on my behalf at the time."

At least one colleague described Jagendra Singh's behavior as risky. Sanjeev Pathak, the bureau chief of *Amar Ujala*, said in an interview published in September 2015 that Jagendra Singh "did not understand [the] difference between recklessness and courage." Referring to Jagendra Singh's pursuit of stories on Verma, whom Jagendra Singh accused of rape, land grabs, and corruption, he added, "Touching a high-tension wire is recklessness."

'WRITING THE TRUTH IS BEARING HEAVILY ON MY LIFE'

In the months before his death, Jagendra Singh published a series of critical reports on Verma on his Facebook page. In April 2015, Jagendra Singh was attacked by a group of men who beat him and broke his foot, the family said. Jagendra Singh blamed the minister for the attack in social media posts and to his family. In a May 22, 2015

Facebook post, Jagendra Singh wrote: "Ram Murti Singh Verma can have me killed. At this time, politician, thugs, and police, all are after me. Writing the truth is bearing heavily on my life. After exposing some of Ram Murti Verma's acts, he had me attacked..."

But, Jagendra Singh's widow said, he refused to let violence dissuade him from continuing to report on allegations about Verma. In a May 31, 2015 Facebook post, Jagendra Singh reported on allegations that the minister was involved in a gang rape, claims that were also reported in Hindi-language media. In another post a day earlier, Jagendra Singh posted a report that questioned the land holdings amassed by the minister. Despite repeated attempts to reach Verma by telephone for comment, CPJ's calls went unanswered.

Suman Singh said that she was worried her husband could face further reprisals and that she told him not to return to Shahjahanpur, the town where he reported from. She said that he shrugged off her concerns, telling her before leaving, "Why are you scared? There is no reason to be scared."

The next time she saw Jagendra Singh, he was in the hospital.

STATE OF DENIAL

A uthorities disputed the testimony that Jagendra Singh gave in the hospital, when he named the police officers allegedly responsible for the attack. Rai, the officer whom Jagendra Singh accused of setting him on fire, told local media that when they arrived at Jagendra Singh's home to arrest him, the house was locked and Jagendra Singh had set himself alight.

Police superintendent Kumar told CPJ at the time that Jagendra Singh set himself on fire and that the journalist was being arrested because he was "wanted in a crime." The superintendent told CPJ it was in connection with a murder but, when pressed for details he said, "I don't remember."

That version of events remains the official police line. A forensics report submitted by the government in the Allahabad High Court, which has jurisdiction over the state, said that Jagendra Singh's death was a case of self-immolation, reports said. "Burns caused by a right-handed person by pouring inflammable material on left side of body. It is unlikely that it was a homicidal attack. This appears to be a case of suicide," it stated.

When asked about police claims that Jagendra Singh set himself on fire, his widow told CPJ, "Of course the police will say that." She said that when Jagendra Singh was in the hospital, he said to her, "Try burning the tip of your finger and see how that feels. Why then would I burn my entire body? Why would I do that?"

A report into Jagendra Singh's death by a fact-finding team set up by the Press Council of India criticized the Uttar Pradesh administration for not taking threats and attacks against journalists seriously. The committee found, "Police neither gave security to deceased journalist Jagendra before his death nor showed any interest in investigation after his death. They kept mum on the incidents of brutality with other journalists. They only completed documentary formalities." The report, based on conversations with the journalist's family and the police, faulted police for waiting eight days after the attack before visiting the Singh family to collect testimony and not looking into Jagendra Singh's mobile phone records, which show that he received a call from the minister's nephew the night before his was attacked. The Press Council of India did not immediately respond to CPJ's request for comment.

The alleged rape victim whom Jagendra Singh had been interviewing at the time of the attack later recanted her testimony that police set him on fire. The journalist's son,



Sumer Singh and his son's widow, Suman, look through family photos of Jagendra. "He was fearless," the journalist's father said. (CPJ/Sumit Galhotra)

Rahul, said that she did so under duress by Verma's associates. The woman subsequently withdrew her complaint that she had been gang-raped, according to news accounts. CPJ was unable to locate the woman to determine why she changed her complaint and testimony. To protect her identity CPJ has not named the alleged rape victim.

Rahul Singh told CPJ that police attempted to put forward two witnesses to validate their version of Jagendra Singh's death, but the crime branch investigating the case did not accept their testimony because the alleged witnesses were not listed in the First Information Report.

Despite a minister and the local police being implicated in the journalist's death, the case is still being handled at the local level. The Bareilly police division that is handling the case did not immediately respond to CPJ's request for comment and an update on the status of his case.

JOURNALISM IN THE HINTERLANDS

There are, broadly, two kinds of journalists in Uttar Pradesh: those who live and work in smaller towns and those who come from cities like Delhi and Mumbai and work for large news outlets. The former is the most vulnerable: they often have to earn money from other sources to supplement their income,

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Pursuit of truth comes at heavy price for India's Right to Information activists

Aayush Soni

Ever since India's Right to Information Act was passed in 2005, it has empowered citizens to Challenge the opaqueness of state and federal government decision-making. Activists across India have used the act to expose wrongdoing such as illegal mining, and to act as a watchdog on political processes. In many cases, the details these activists unearth are later reported on by the mainstream media.

But this effort to bring about transparency and expose wrongdoing can come at a heavy price. Between March 2007 and April 1, 2016, at least 58 activists—those who regularly file requests—have been killed, and more than 250 have been harassed or assaulted, according to the National Campaign for People's Right to Information. The New Delhi-based advocacy group, which campaigns to protect and promote the law, uses news reports to track attacks and harassment of activists.

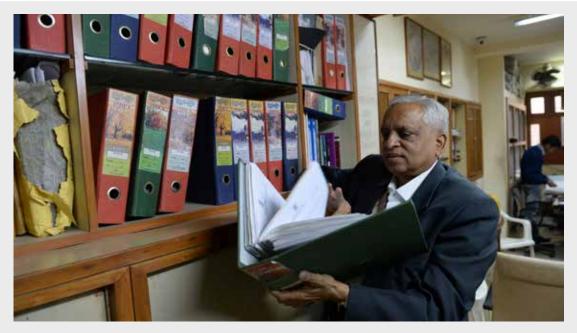
Those in rural areas and small towns are more vulnerable to attack than those who live in cities such as Delhi and Mumbai, Subhash Agrawal, a Delhi-based activist with more than 6,000 information requests to his name, said. When the activists are attempting to expose misappropriation of government funds and alleged connections between politicians and criminal groups, the threats are exacerbated. Threats can include bullying, intimidating phone calls, assaults, even murder—often in connivance with local leaders, activists said. One, who asked to remain anonymous for fear of retribution, said that after using a request to expose irregular admission criteria at a college, he was hounded out of his job and harassed.

Nikhil Dey, of the National Campaign for People's Right to Information, said that although those filing a request need to provide only their name and a P.O. Box number, many include their full address. Because these details are made public, personal details of the activists are exposed.

In some cases, those who request information are murdered. In 2010, Amit Jethwa, an activist who used Right to Information act requests to expose illegal mining in the Gir forests of Gujarat, was shot dead. Three years later, Dinu Bogha Solanki, a member of parliament from the ruling Bharatiya Janata Party, was charged with murder and criminal conspiracy for allegedly being the mastermind behind the killing. Solanki has petitioned the high court to have the case against him dropped, saying that it is politically motivated, according to reports. At the time of writing, the trial was on going.

In other cases, activists have reported being falsely implicated in criminal cases by the same officials who were named in the documents accessed through Right to Information requests, according to accounts given at a 2013 *Times of India* and National Campaign for People's Right to Information workshop about the use of the act.

Despite the risks, the act has helped citizens expose wrongdoing and local media often pursue the cases. In 2011, for instance, a request filed by Agrawal appeared to show that Andimuthu Raja, India's



Subhash Agrawal looks through files at his office in Delhi. The activist has used the Right to Information Act to expose cases of wrongdoing. (AFP/Sajjad Hussain)

telecommunications minister under Congress Party rule, had undercharged mobile phone companies for spectrum allocation licenses, according to reports. When the press uncovered more alleged wrongdoing, Raja resigned from government. The former minister, who denies the allegations against him, is currently on trial, according to reports.

Agrawal said that because his requests focus on system reform rather than potential criminal activity, he has been threatened only once in the past 10 years, when he was investigating claims that a municipal authority had illegally built a cremation pyre. After his initial request for information showed apparent wrongdoing, Agrawal and a crew from the state-owned broadcaster Doordarshan Television visited the site of the alleged pyre where, they say, the crew was attacked. Agrawal said he escaped thanks to his driver.

A reporter who uses information requests for the basis of his work, said that journalists who use the act generally face less risk of harassment. Shyamlal Yadav, an investigative reporter for *The Indian Express*, said neither he nor his paper had been threatened after filing an information request. He said he was safer than activists by virtue of being a journalist for a large organization and because he files the requests on behalf of the paper.

But Yadav, who twice won the Ramnath Goenka Memorial Award for Excellence in Journalism, said he is in a minority when it comes to journalists using information act requests in their reporting. "There are two reasons for this," Yadav said. "First, owners and editors don't give journalists a chance [to pursue information act-based stories] and second, journalists themselves don't have the patience to wait for a month." Under the act, officials have a 30-day period to respond to a request. Yadav added, "There's a lot of patience required to do this kind of work and it does have a big impact."



After being attacked with a sickle over his reporting, Narendra Yadav carries a gun for protection. (CPJ/Sumit Galhotra)

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and often have neither job security nor good training.

In the weeks after Jagendra Singh's death, some authorities in Uttar Pradesh downplayed his journalistic credentials in news reports and to press freedom organizations, including to CPJ. In a June 2015 interview, Babloo Kumar, the police superintendent of Shahjahanpur, said, "He only wrote on social media."

When CPJ sat down to talk with the family, one of the sons showed Jagendra Singh's press cards, business cards, and newspaper clippings, as if he wanted to convince CPJ of his father's credentials. Sumer Singh said, "People came to my son to report news and seek help." His widow Suman added, "He didn't fear anything."

One of the challenges faced by small-town journalists such as Jagendra Singh and Narendra Yadav is finding newspapers willing to run sensitive stories. Journalists have written about how they are sometimes discouraged by the newspaper owners from breaking sensitive stories, and how a critical report about a powerful official can result in the loss of advertising revenue. In these situations, journalists often use social media as an outlet for hard-hitting stories.

Narendra Yadav said he was frustrated at the attempts to dilute Jagendra Singh's journalistic credentials. "Let us first establish, who is a journalist? How do you define a journalist?" he said. "There's a widespread belief that one is only a journalist if he or she works for a newspaper. But

Jagendra Singh took his journalism to social media and he is a journalist in the truest sense," he said. "A journalist is defined by his heart, not by a newspaper."

A lack of personal security and a slow police response to attacks is also a challenge for rural and small-town journalists. Uttar Pradesh accounted for more than 70 percent of the total recorded attacks on journalists in India in 2014, according to national crime records. In 2015, CPJ recorded two deaths in the state. There have been no convictions in any of the murders, including that of Jagendra Singh. In almost all cases, investigations remain stalled or police have not brought charges against the suspected attackers.

In response to the attacks, the state government started a toll-free helpline in January 2016 that journalists can call to register a complaint, which officials say will be dealt with within 15 days. Most local journalists with whom we spoke and who work in the state's smaller towns had not heard of the service. "It sounds like a nice plan to have a helpline for journalist[s] just as there are helplines to report domestic violence and child trafficking," said Omar Rashid, a correspondent for the English-language daily, *The Hindu*. "But it is too new to assess how useful it is."

Narendra Yadav's case is an example of the culture of impunity in the state. He said he was attacked over his reporting on how Asaram Bapu, a self-proclaimed religious guru with millions of followers, allegedly raped a 16-year-old girl in 2013. Narendra Yadav told us that two men grabbed him outside his office, slit his throat with a sickle, and fled. Asaram Bapu, who denies the rape charge, is in pre-trial detention for the rape. Asaram Bapu's office declined to respond to CPJ's requests for comment.

Narendra Yadav, who has scars running down his cheek and neck from the attack, said he believes that the authorities lack the resolve to ensure justice. "Police were sluggish when it came to my case, but when it came time to going after Jagendra, they suddenly had it in them to be active," he said. "The investigation [into my case] has been a football that goes from here to the crime branch, from crime branch to Bareilly [police division], from there to here, from here to there and so on." No one has been arrested, and no one has been charged.

Since the attack, Narendra Yadav has been assigned a state policeman, but because it is not 24-hour protection, he said he has started to carry a gun. "This is my dilemma," he said. "I carry around this gun to protect myself, but sources won't speak to me if they see it."



Family photos show Jagendra Singh smiling proudly at a family wedding. The journalist and his wife had three children. (CPJ/Sumit Galhotra)

CURRENT STATUS

Jagendra Singh's family told CPJ they were determined to not let his death go unnoticed. For almost 10 days after his death, Jagendra Singh's widow, three children, and father sat in protest in the shade of the peepal tree. A banner in Hindi called for justice for the "martyred" journalist and listed demands. A crowd of residents, friends, and journalists joined them. "At one point, a hundred people gathered by the tree," Sumer Singh said. "They had come from neighboring villages as well." Media crews and reporters broadcast Jagendra Singh's story across the country.

In part thanks to the media blitz, an outcry on social media, and a meeting that took place between the independent statutory Press Council of India and Uttar Pradesh Chief Minister Akhilesh Yadav, the family caught the attention of the administration. Rahul and Sumer Singh said that at a meeting with the chief minister on June 22, 2015, they made a series of demands, including that the Central Bureau of Investigation open an inquiry

into Jagendra Singh's death and that the minister, Verma, be suspended.

At the meeting, Akhilesh Yadav promised compensation of Rs 3,000,000 (US\$55,000), arms licenses for the sons so the family could protect themselves, and assured them of government jobs to ensure financial stability. However, the family said, they were asked to drop the demand for a federal-level investigation. The chief minister assured them that a state-controlled investigation would handle the case effectively. Akhilesh Yadav also refused the family's calls to remove Verma from power during the investigation, telling them that if he was found guilty, the minister would go to prison, the family said. Akhilesh Yadav did not respond to CPJ's request for comment.

Verma, who is named in the First Information Report in the journalist's death, has denied being involved in Jagendra Singh's case and has denied allegations of rape and corruption in media interviews. He remains in his role as Minister of State for Backward Class Welfare.

At the start, Jagendra Singh's family had pushed for the Central Bureau of Investigation to handle the case. A

"Jagendra didn't fear anyone. And that's the reason he is no longer here."

Sumer Singh

June 2015 petition the Singh family filed to the Supreme Court seeking a Central Bureau of Investigation inquiry says, "The fact that police officials and a senior politician are accused in the case has shaken the confidence of [the] public in investigation being conducted by the state police."

The Supreme Court accepted the petition and ordered the state government to file responses within two weeks. During this time, the family met with the chief minister to discuss the case and then dropped requests for it to be handled by the Central Bureau of Investigation. In late June 2015, the *Indian Express* quoted one of Jagendra Singh's sons as saying that "associates" of the minister, Verma, had threatened the family. "They came in a car and threatened that if we did not withdraw the case they would get us killed. They also threatened to frame our family in a false case," the son said. When CPJ asked the family about this account, they denied that it had happened.

Since Jagendra Singh's death, there has been little visible progress in securing justice. The state-controlled investigation, being handled by the Bareilly police division, continues to oversee the case. Representatives from the police division did not immediately respond to CPJ's request for an update on his case. "We have resigned ourselves to the fact that an investigation will take time," Suman Singh said. "And might even result in not convicting anyone. But we have to continue living our lives."

Suman Singh said her main concern is ensuring financial stability. Her husband used to earn between 10,000 Indian rupees (US\$150) and 15,000 Indian rupees (US\$225) per month. Since his death, the family's income comes from the modest pension of Jagendra Singh's father and the compensation provided by the government over Jagendra Singh's death.

The family remain proud of what Jagendra Singh achieved. "The fact that he died fighting against injustice should come as no surprise to us," Sumer Singh said. He recalled how when he was working as a postmaster, his son reported on claims that the mail was not being delivered on time. "My son wrote it; He actually wrote against me in a newspaper," Sumer Singh said. "He couldn't stand any wrongdoing."

He added, "Jagendra didn't fear anyone. And that's the reason he is no longer here."

In search of justice for Umesh Rajput

Sumit Galhotra and Raksha Kumar

Parmeshwar Rajput walked exhausted into his lawyer's office in Bilaspur, weighed down by a black bag filled with court documents, police records, and newspaper clippings about his brother's death, after the six-hour train and motorbike journey he had taken from his village of Hirabatar so he could meet with CPJ. The 36-year-old is accustomed to frequently traveling with these files. They are his only hope that the killers of his brother, Umesh Rajput, will be brought to justice.

Umesh Rajput, a reporter with the Hindi-language daily *Nai Dunia*, was shot dead outside his home in Chhura village, on the outskirts of Raipur district in the central Indian state of Chhattisgarh, on January 23, 2011. He was 33.

Since his death, Umesh's brother has channeled his grief into a fight for justice that has taken him from police stations and court houses across the state, to the Central Bureau of Investigation. But more than five years later, there have been no arrests and vital pieces of evidence appear to have gone missing, Parmeshwar Rajput and his lawyer Sudha Bharadwaj said.

SILENCING A CRITIC

The sh Rajput had a reputation for exposing corruption and reporting on the exploitation of tribal communities in Chhattisgarh for several newspapers. He was so preoccupied with visiting people in villages to report on their problems that he had little time for day-to-day family obli-

gations, Parmeshwar Rajput said.

In the lead up to his death, Umesh Rajput was covering sensitive stories. One report, on apparent medical negligence at a government-run clinic, led to him being threatened. The others involved reporting on a candidate standing against an incumbent member of the state's legislative assembly and on allegations that the incumbent's son was involved in an illegal gambling business.

A health worker who allegedly threatened Umesh Rajput over his reporting on the clinic, and the son of the politician were among the eight people later questioned by police in connection with his murder, legal documents show.

In the story that led to threats, Umesh Rajput had reported on January 13, 2011 about the death of Runjibai Gond, a tribal woman who, her family claimed, died due to negligence after having an eye operation at a community clinic in Chhura. The family said they informed a health worker named Saroj Mishra that Gond had high blood pressure. After the operation, Gond's condition deteriorated but Mishra discharged her and sent her home, where she later died, the family said. A chief medical officer at the hospital was quoted in the piece saying that no complaint had been received, but that the help given did not indicate damage. Umesh Rajput reported that other complaints of alleged criminal negligence had been made against the clinic's staff, and addressed the wider issue of medical personnel allegedly using political

connections to avoid being transferred as a punishment when they have been accused of criminal negligence. Other media outlets picked up Umesh Rajput's reporting.

Umesh Rajput's news editor at *Nai Dunia*, Ghanshyam Gupta, said, "There are often instances of negligence. And that is what Umesh wrote about. He didn't sensationalize in the report."

The day after Umesh Rajput's report was published, Mishra, the health worker, asked the journalist to come to a local hospital under the pretense of having him take a statement from the victim's widower, according to a First Information Report that Umesh Rajput filed with police the same day. In the report, which has been viewed by CPJ, Umesh Rajput said that when he arrived at the hospital, Mishra held up a copy of the newspaper article and threatened him with dire consequences. Police took no steps to protect Umesh Rajput, his brother said. The health worker was only questioned after his death, according to reports and legal documents. While in India, CPJ was unable to locate Mishra to speak with her about the case.

Police also questioned the son of an official whom Umesh Rajput had reported on in connection with the murder. Parmeshwar Rajput and his lawyer, Bharadwaj, said that Umesh Rajput's favorable reporting on a candidate standing against Onkar Shah, then a member of the Chhattisgarh Legislative Assembly, had irked the politician. Umesh Rajput had also published reports that alleged Shah's



Parmeshwar Rajput looks through a file of documents related to his brother, Umesh's, murder. The journalist was shot dead in 2011. (CPJ/Sumit Galhotra)

son, Rituraj, was involved in an illegal gambling business, according to Parmeshwar Rajput. Bharadwaj said, "Umesh was challenging the authority of this entire group in a very feudal place."

DELAYS AND FAILINGS

Umesh Rajput was killed, the journalist heard someone calling for him outside his home in the evening. As he slid aside the curtain to his front door, he was shot dead, according to the journalist's wife and a colleague who were in the house at the time. The two assailants fled on motorcycles. A note recovered at the scene of the murder read in Hindi, "Khabar chaapna band nahi karoge toh mare jaoge," (If you don't stop publishing news, you will die,) according to news reports.

After his murder, Umesh Rajput's colleagues at *Nai Dunia* visited Chhura to speak with the superintendent of police, Kamalochan Kashyap, about the case. He assured them the culprits would be caught, Ghanshyam Gupta said.

As well as questioning the health worker, police considered motives including possible involvement of Maoists that operate in the nearby conflict-affected areas and an affair, his editor said. But local journalists and family members dismissed these motives, arguing instead that the police were complicit in protecting a powerful network of people allegedly involved. Police have been unable to substantiate these alternate motives or provide evidence supporting their claims, *The Hoot* reported.

Umesh Rajput's lawyer and his brother told CPJ that vital pieces of evidence, including the journalist's cell phone, the curtain that had a bullet hole in it, and the threatening note, have gone missing; leads have not been followed up on; and key stages and analysis that police should have carried out have been ignored or delayed.

Bharadwaj, a human rights lawyer and general secretary of the Chhattisgarh chapter of the human rights group People's Union for Civil Liberties, said that failings by the police to properly investigate were apparent from the outset, when officers did not seal off the area where Umesh Rajput was killed. Had the police immediately done so, perhaps they could have apprehended the gunmen, said Bharadwaj, who is handling the case pro-bono.

Bharadwaj said no analysis was ordered of the handwriting in the threatening note and police failed to examine phone records within two years of Umesh Rajput's murder, meaning the records can no longer be accessed. In India, service providers do not usually retain call records for such an extended period. She said that the state admitted, in a reply to one of the writs she filed, that evidence including the note were missing.

"Even in daily soaps you see routine things that police [are] supposed do, that there was an absence of," Bharadwaj said. "It's surprising."

"Umesh was challenging the authority of this entire group in a very feudal place."

Sudha Bharadwaj

When CPJ called the police for comment, Superintendent Amit Kamble said that he would look into the case, and said to call back. CPJ's follow up calls were not answered.

Documents that Parmeshwar Rajput showed CPJ serve as a paper trail for how his brother's case has gone from being acknowledged at the highest levels of state government to being seemingly lost in a backlog of cases. In February 2011, Chhattisgarh's home minister said in the state legislature that a Special Investigation Team would be set up to handle Umesh Rajput's case, media reports said. Altogether, four such teams were formed over the years, according to Bharadwaj. The following month, Chhattisgarh Chief Minister Raman Singh told Umesh Rajput's family that the murder would be investigated and that compensation would be provided.

Parmeshwar Rajput said that during a closed-door meeting with Mukesh Gupta, the inspector general of police in Raipur, he was asked not to accuse any powerful people of involvement because it could lead to legal backlash against the family. "I thought to myself, 'Is he trying to get information from me or is he trying to shut my mouth?' "Parmeshwar Rajput said. CPJ tried to contact Raipur police for comment but was unable to locate a number for the station.

Umesh Rajput's brother said police failed to carry out a credible investigation. "The people behind his murder are surely powerful people," said Parmeshwar Rajput. "It appears the investigation has been influenced. What can be influencing it? It's either money or political connections. Only time will tell who is actually behind the murder."

Among the court documents that Parmeshwar Rajput carries around is a file that shows how in May 2011, a judge granted permission for a narcoanalysis, during which suspects are questioned while in a semi-conscious state. Later that month, permission was given for the suspects to be questioned using brain scan technology.

Despite a judge ordering the scans and analysis, more than six months later there had been no progress. Parmeshwar Rajput approached the High Court in Bilaspur in October 2011 to demand action. In January 2012, police finally carried out the Brain Electrical Oscillation Signature Profiling— a technique where electrodes are attached to a suspect's head to analyze signals in the brain as a way of determining whether they had memory of a crime or event—but it took a court order in April of that year to force them to disclose the results, the records kept

by Parmeshwar Rajput show.

One of eight suspects named in the court documents was Rituraj Shah. Nai Dunia editor Ghanshyam Gupta told CPJ that Umesh Rajput may have had documents that potentially implicated Onkar Shah in allegations of irregularities in land possession. He also heard Umesh Rajput was planning to publish a critical story. CPJ was unable to verify Ghanshyam Gupta's account.

Court documents on the findings of the brain analysis alleged a plot to have Umesh Rajput killed. It stated, "In addition through [Brain Electrical Oscillation Signature Profiling] of Saroj Mishra, Ashok Dixit [a Congress Party official] and Ruturaj Shah, [sic] it is also signified that the conversation related to Umesh Rajput's supari [contract killing] had taken place. Hence it is recommended to investigate thoroughly about the same."

Onkar and Rituraj Shah did not immediately respond to CPJ's request for comment. CPJ was unable to locate Dixit for comment.

The brain analysis, Bharadwaj said, is only an indicator that must be corroborated with other evidence. "A brain mapping can lend clues to investigators about the direction they should take," Bharadwaj said. "But if you're not at all keen on getting any evidence, you're not going to get any."

In a writ petition the lawyer filed with the Bilaspur High Court on Parmeshwar Rajput's behalf in September 2012, Bharadwaj wrote that an officer in charge of the investigation stated under oath that no helpful clues had been found from the brain analysis, despite the results indicating an apparent plot to kill Umesh Rajput.

Bharadwaj said that when the courts asked police about the questioning of suspects, the officers said they maintained their innocence. "What suspect



Umesh Rajput's news editor Ghanshyam Gupta, pictured at the Nai Dunia offices, says the journalist was always objective in his reporting. (CPJ/Sumit Galhotra)

will voluntarily admit their crime of murder?" she said. The lawyer said that police tried to implicate Umesh Rajput's friend and wife, who were questioned during the investigation. "There was an extreme reluctance to touch any of the bigger fish," she said.

In addition to their meeting with Chief Minister Raman Singh, the Rajput family met with the governor and the highest echelons of the state police, but there is no sign of progress. In the meeting with Raman Singh in March 2011, Parmeshwar Rajput said he had no faith in the local investigation and asked for the case to be moved to the Central Bureau of Investigation. Parmeshwar Rajput said that the chief minister provided assurances that the state-level investigation would be sufficient, and did not agree to the Central Bureau of Investigation taking over

Raman Singh did not immediately respond to CPJ's request for comment

on the status of the case.

Parmeshwar Rajput eventually turned to the courts to request that the case be transferred. In December 2014, Justice Manindra Shrivastava of the High Court in Bilaspur agreed to his request. In his judgment, Shrivastava raised questions about the local investigation and said, "Overall picture which emerges from the facts and circumstances of the case leads to an inference that the investigating agency, right from the beginning, has not taken prompt and effective steps to solve the mystery of the murder." He said that the case required "much more serious attention...than what has been exhibited."

In the decision, Shrivastava wrote, "Whenever a pen is stained with the blood of its writer, who happened to be a journalist, without anything more, the State machinery, in a constitutional democracy, owns a duty to bring to book those offenders who are threat to

impartial and fearless journalism and pose challenge to the very existence of the fourth pillar of democracy, the press and the media."

In March 2015, the Central Bureau of Investigation took over the case, Parmeshwar Rajput said. But more than a year later, no one has been brought to justice. In May 2016, Parmeshwar Rajput said that a Central Bureau of Investigation representative called him and asked if he could arrange for evidence including his brother's laptop and cellphone to be sent to them from the local police.

The Central Bureau of Investigation did not immediately respond to CPJ's request for comment on the status of the case, whether the suspects were still under investigation, what motives it believed were behind the killing, or claims that police tried to shield powerful people from being implicated in the case.

HOSTILITY IN CHHATTISGARH

The shapput Rajput worked as a correspondent for *Nai Dunia* out of Chhura. Like much of the state of Chhattisgarh, Chhura has witnessed more than three decades of conflict as Maoist groups—designated as terrorist organizations by the Indian government—have led an insurgency in the central tribal areas of the country. Meanwhile, the government has pushed for intensive resource extraction in this mineral-rich state, which is violently opposed by Maoists.

"I was always concerned when he commuted overnight from Raipur to Chhura," his editor, Ghanshyam Gupta, told CPJ. He said that correspondents at the paper are not permitted to travel into Maoist areas unless they have permission from management.

Journalists have frequently been

"Silencing my brother has meant the silencing of many stories about local problems that people face."

Parmeshwar Rajput

caught between Maoists and government forces stationed around the state. CPJ has documented how police pressure, harass, or abuse journalists in an effort to silence critical reporting or compel them to serve as informants, and how Maoists have attacked journalists who they accused of being informants for police. In the case of Sai Reddy, a reporter for the Hindi language Deshbandhu, Maoists claimed responsibility for his murder in 2013, but the veteran journalist had also faced harassment from police, according to local news reports. At least four journalists have been arrested in the region since July 2015 and two were forced to flee out of security concerns, according to CPJ research.

Such a climate of intimidation risks creating an information vacuum in parts of the state. A further problem is the difficulty in communicating with key ministers or officials about press cases. CPJ's experience in advocating for journalists in Chhattisgarh illustrates the challenges. In January 2016, CPJ sent a letter to Chhattisgarh Chief Minister Raman Singh asking him to ensure a safer working environ-

ment for journalists in the state. At the time of publication, the minister had not responded. Similarly, requests for comment from CPJ to police in Chhattisgarh when reporting on journalists who have been arrested, attacked, or threatened, have been met with resistance.

Violence in the state has increased in the past year. After Prime Minster Narendra Modi visited the region in 2015, the Chhattisgarh government signed agreements with steel companies to set up plants in the region. The police then announced an operation called "Mission 2016" against the Maoists, according to news accounts.

Accounts by rights groups and journalists of fake surrenders by alleged Maoists, extrajudicial killings, and gang rapes have increased in the past year. "The government is waging a war on the tribals, and it wants to root out all witnesses," Isha Khandelwal, a lawyer at the Jagdalpur Legal Aid Group, which used to provide free legal services to the poor in Bastar region of Chhattisgarh, told CPJ.

BROTHER'S KEEPER

Parmeshwar Rajput, a pen clipped to his top-left shirt pocket, set down his bag of court documents and news clippings about Umesh Rajput's death and pulled out a file that contained photos of his brother. "Silencing my brother has meant the silencing of many stories about local problems that people face," Parmeshwar Rajput said. Many villagers still look back on Umesh Rajput and the positive changes his reporting helped bring, includ-

ing better access to water, roads, and healthcare, he said.

Parmeshwar Rajput said it has been difficult making the frequent hourslong journey by train and motorbike to the police station and courts over the years. Along with trying to fight the case and hold down a job, Parmeshwar Rajput said he was trying to care for his mother, who had cancer. She died in 2014, without seeing justice served for her son. "At times, I felt completely hopeless," he said.

Parmeshwar Rajput said he could not let those moments break his resolve. Although more than a year has passed since the Central Bureau of Investigation took over the case, he said he hopes that when the investigation concludes, the results will bring him closer to finding justice.

Bharadwaj was more skeptical. When asked if she had faith that the Central Bureau of Investigation could help secure justice, she said, "not much" and cited the December 2010 murder of journalist Sushil Pathak, whose case was taken up by the bureau in 2011 and which, she said, remains unresolved. (CPJ is investigating to determine if he was killed in direct retaliation for his work.) She said that while the Central Bureau of Investigation is less likely to be influenced, she was concerned that local power structures have permeated investigative bodies. She said that "the nexus forged between businesses, politics, and old feudal forces" has grown stronger over time. "The scale of corruption has also grown so immense." It has become very difficult to solve cases of human rights defenders getting killed, she said.



Askhay Singh's cameraman Kishan Kumar, left, pictured in a screengrab from a TV interview. On the right, Singh is pictured filming in the hours before his death. (YouTube/AaiTak)

The mysterious death of Akshay Singh

Sumit Galhotra

fter his death, I am left alone with the responsibility of taking care of my family," Pakshi Singh said during a phone call. Nearly a year after losing her brother, the investigative journalist Akshay Singh, she was still unable to speak. She told CPJ that she struggles to sleep, adding: "What more can I say? He was the greatest kind of human being."

Since July 4, 2015, when Akshay Singh died unexpectedly while covering one of India's largest corruption scandals, there has been little progress in his case, or answers for his family. Preliminary reports suggested the reporter died of a heart attack, but in July 2015, a chief minister relented to pressure that the case be examined as part of a wider investigation into the

Vyapam scandal that Akshay Singh had been reporting on.

Akshay Singh's case was moved to the Central Bureau of Investigation relatively quickly, in part because the death of a high-profile journalist linked to one of India's largest corruption scandals attracted national attention. The handling of his death is in stark contrast to the other cases exam-

ined in this report, where the relatives of two small-town journalists killed after reporting on local corruption have struggled to get national oversight.

TRACKING A \$1BN SCAM

kshay Singh-a special correspondent at Aaj Tak, one of India's most popular Hindi-language news channels with more than 100 million viewers-died while investigating the Vyapam scandal. The scam came to light in 2013 when police arrested more than a dozen people for allegedly impersonating candidates at state entrance examinations for medical school and public sector jobs. Officials estimate it involved kickbacks exceeding 63 billion Indian rupees (US \$1 billion). "Nobody thought it was of this magnitude," said Sweta Singh, an executive editor and anchor at the India Today Group.

By June 2015, police had arrested around 2,000 individuals including politicians and bureaucrats, most of whom were later released on bail, according to news reports. Madhya Pradesh's chief minister, Shivraj Singh Chauhan was also implicated, according to reports. He denied involvement. As well as the arrests, reports started to appear of witnesses and suspects allegedly connected to the scam dying in freak accidents, apparent suicides, or after complaining of chest pain. A court-appointed special investigation team found on June 26, 2015 that at least 23 of these deaths were "unnatural," local reports said.

Akshay Singh was investigating the unexplained death of a woman implicated in the scam. The body of Namrata Damor, a 19-year-old medical student who allegedly secured her college admission through the Vyapam scam, was found on railway tracks in

Ujjain, Madhya Pradesh, in 2012. An autopsy report found that she died due to "violent asphyxia as a result of smothering" and that scratches on her face suggested a hand had been used to cover her mouth, according to *The Guardian* and other news outlets. A subsequent forensic report said the case should be ruled a suicide and police stopped investigating in 2014, according to news reports.

With the scandal and unexplained deaths making headlines across India, Akshay Singh traveled to Madhya Pradesh to speak with the dead student's family.

AN INTREPID JOURNALIST

kshay Singh was no novice reporter. He rose through the ranks to become part of Aaj Tak's special investigation team. "It's not easy making it on to a special investigative team," said Akshay Singh's colleague Punita Verma. The fact that Akshay Singh was part of a special investigative team and that he was researching a major story like Vyapam were "a testament to his journalistic skills," she said. "He knew how to get the job done."

Punita Verma, who now works with the business news channel Economic Times, met Akshay Singh when she started at the privately owned TV channel Zee Business in 2009. "I knew that he was a very smart reporter. He was a street-smart guy ... I remember him as someone who was pretty deep into his work. He had a very strong grasp on his work, on his beat, on his people," she said.

As astute as Akshay Singh was when it came to work, Punita Verma remembers him more as a storyteller and charmer. Punita Verma said that when a group of colleagues including Akshay Singh, shared a cab ride home after work one day, he promised to treat them all to ice cream if they dropped him off first. At Akshay Singh's stop, he got out of the car, looked at his colleagues, laughed, and said, "I'll treat you later!"

"India is a society where people who the reporter is reporting against always have more power."

Punita Verma

Akshay Singh and Punita Verma crossed paths again in 2014 at India Today Group, one of India's largest media houses. He was with Aaj Tak and she was a producer at India Today TV. The media house includes 36 magazines, seven radio stations, four television channels, one newspaper, and multiple web and mobile portals.

A FINAL ASSIGNMENT

etails of Akshay Singh's last days have been built up from interviews the crew who accompanied him gave to Indian outlets at the time. On June 30, 2015, Akshay Singh and the news crew went to the city of Gwalior to meet with a contact who claimed to have leads into their investigation. They moved on to Indore on July 3 where, on the night before his death, Akshay Singh, his cameraman Kishan Kumar, and fixer Rahul Kariya shared a dinner of buttery black lentils and bread. The following morning, they traveled to the village of Meghnagar in Jhabua district, so Akshay Singh



Askhay Singh's mother is comforted at the journalist's cremation in Delhi. Several dignitaries attended the service. (Getty Images/Hindustan Times)

could interview the father of Damor, the medical student, about her death.

Akshay Singh and his crew arrived at the family home around 12:30 p.m. Damor's brother served water and tea in the family's living room. Footage from the interview, which the cameraman shared after Akshay Singh's death, shows the reporter sitting alongside Damor's father, asking him questions, flipping through pages of court documents and forensics files.

About an hour into the interview, Akshay Singh began to breathe heavily and froth at the mouth. His lips began trembling, his left arm contorted, and he collapsed from his seat falling unconscious, Kishan Kumar, the cameraman, said in a televised interview on Aaj Tak. The crew and the son of the man he had been interviewing rushed the journalist to a nearby hospital, where a doctor declared Akshay Singh dead. "We were in disbelief at what the doctor said. How could this happen? Akshay was young," Kishan Kumar said in the interview.

The cameraman said that they took the journalist to two other hospitals in the hope that medical staff would revive him. By the third hospital, he said, it was clear that Akshay Singh was dead.

In a phone call with Kishan Kumar he declined to discuss specifics of the case, saying he was not authorized by his employer. CPJ visited the outlet's offices in the city of Noida to try to speak with Akshay Singh's employer. Staff repeatedly referred CPJ to different people within the organizations, but no one was willing to speak. At the group's request, CPJ sent an email giving a detailed description of this report, but no one responded.

SAFETY FEARS ON VYAPAM TRAIL

ther journalists covering the Vyapam story said news of Akshay Singh's death deterred them from investigating the scandal, according to reports. One outlet reported that journalists said they were fearful of being poisoned while covering the story, and that they were taking extra safety precautions. The investigative magazine Tehelka quoted a Right to Information activist saying: "Singh's death is clearly a warning for the media to refrain from reporting the truth." The father of a journalist covering Vyapam was allegedly threatened with disciplinary action if his son continued to report on the scandal, Tehelka and other outlets reported. CPJ was unable to verify his claims.

Around the time that Akshay Singh was following the Vyapam trail in Madhya Pradesh, the TV anchor Sweta Singh was reporting on a different part of the story in the adjoining district of Morena. Sweta Singh was following up on a story about a man named Narendra Singh Tomar who died in a hospital after complaining of chest pain in jail, where he was being held in connection with the scam. She said that his mother believed the police killed him. Madhya Pradesh authorities denied there was any foul play and termed it a natural death.

Sweta Singh said that during her reporting trip, she experienced a series of strange events, including trouble with her new hire car and strangers calling her stringer's cell phone to ask what she was doing, that she first put down to coincidences. After hearing of the unexpected death of a fellow journalist covering the same story, she started to question whether she had been in danger.

She told CPJ that when she visited the grieving family's village, where residents had gathered to pay their condolences, someone handed her a cup of tea. As a female reporter, Sweta Singh said she avoids taking food or drinks from strangers for security reasons. But to avoid insulting the host, she said that she took the cup, gave thanks, and set it aside. Moments later, Sweta Singh and her cameraman were offered a soft drink, which they politely declined. Given India's culture of hospitality, this wasn't a particularly strange occurrence, she said.

The TV anchor told CPJ that after her stringer received calls from unidentified men asking, "Madam kya karne aayein hain? What has madam come here for?" she sent him away and returned to Delhi early.

WHY DID AKSHAY SINGH DIE?

Punita Verma was running errands on her day off when she saw Akshay Singh's photo flash on the television screen. She rushed home. "I switched on the TV and there was Akshay-Akshay-Akshay all over. We were talking just four days ago," she said, her voice faltering.

News coverage of Akshay Singh's cremation in Nigambodh Ghat, east Delhi, showed close friends and family holding his mother, Pushpa, as she stood in a daze.

High-ranking dignitaries from across the political spectrum, including Congress Party scion Rahul Gandhi, Delhi Chief Minister Arvind Kejriwal, and officials of the Bharatiya Janata Party were pictured in white outfits that traditionally signify peace and purity, as they paid their respects. The chairman and editor-in-chief of India Today Group, Aroon Purie, also

attended.

Doctors said that Akshay Singh died of a heart attack. "The post mortem does not show any foul play. No external wounds were found on the body. To determine the reason behind the death we have sent viscera [internal organs] for histopathology and forensic analysis. After reports come in, we'll be able to give a reason behind death," according to reports quoting Dr. Ashok Bachani of the Dahod Civil Hospital in the adjacent state of Gujarat. A preliminary investigation by local authorities found nothing suspicious, according to Sweta Singh.

In a handwritten letter to Madhya Pradesh's chief minister, Shivraj Singh Chauhan, Akshay Singh's sister asked that her brother's viscera report be handled by the All India Institute of Medical Sciences in Delhi, one of the country's leading medical institutes, to ensure a "free and fair investigation."

In a statement aired on Aaj Tak on July 5, 2015, the India Today Group echoed the family's call, "The circumstances surrounding the untimely death of TV Today journalist Akshay Singh must be thoroughly and impartially investigated. We ask that the Madhya Pradesh government immediately hand Akshay's viscera report outside the state to a credible forensics body." The medical center was later sent the samples.

On July 7, 2015 Chief Minister Chauhan relented to calls for a Central Bureau of Investigation report into Akshay Singh's death along with other suspicious deaths and the scam, according to news reports. "I do not want to leave anybody in doubt over our intention to clean the system and punish the guilty," Chauhan tweeted at the time.



A vigil for Akshay Singh. His channel joined initial calls for an independent investigation into his death. (AP/Aijaz Rahi)

For colleagues like Punita Verma, many questions remain: "If a channel like Aaj Tak is coming, people have reason to be scared. Who knew Akshay was coming? Did someone sense his reporting was inching closer to another major revelation?" she asked.

In a televised interview the day after Akshay Singh's death, his cameraman, Kishan Kumar, said that he didn't suspect foul play. "From our departure in Delhi to the time when he died, I was with him, be it inside the hotel or outside; if he was meeting someone, I would stand in sight; if he ate, we ate together; if we drank water, we shared the same bottle. It's as if he did not

stray from my sight."

But reports of mysterious deaths tied to Vyapam in the week of Akshay Singh's death led many, including his family and employers, to question whether this was murder. "Why would someone seemingly healthy and fit suddenly die with no warning signs?" said Punita Verma. "Somewhere I see some kind of foul play."

LEFT WITHOUT ANSWERS

A year on, there has been little visible progress in Akshay Singh's case. It remains unclear whether Akshay Singh was murdered or died of natural causes. The Central Bureau of Investigation had not disclosed details at the time of writing and did not respond to CPJ's requests for an update on the case or comment. In CPJ's database of killed journalists, his case is classified as unconfirmed because we have not been able to determine if he was killed for his work or died of natural causes. Akshay Singh's case joins a backlog of others linked to the Vyapam scandal that are being investigated by the bureau.

Colleagues of Akshay Singh's told CPJ they are unsure if they will ever learn the truth. "If you're just another person, I have no faith in the system that facts won't be tweaked," Punita Verma said. "But yes, Akshay was a reporter, that too an India Today reporter. Aaj Tak is the number one Hindi channel in the country. Aaj Tak has a lot of power. Whether the group will use its power...to ensure the investigation carried out is credible, [I] can't say."

Akshay Singh had an outlet willing

to join the call for a transparent investigation into his death. Media experts and journalists told CPJ this isn't always the case for journalists who are attacked or killed.

"How do you protect a reporter? You can't do it because India is a society where people who the reporter is reporting against always have more power," Punita Verma said. "In India

you can mob lynch a guy to death, you can slap a reporter, you can do anything. The only power the journalist would have is to come back to the channel or to the newspaper and say this is what has happened, show the video, and people can say, 'Oh, this politician is a rascal.' And this is all."

She added. "At least Akshay left this world with recognition. People won't forget him easily. He's left his mark."

Recommendations

TO THE CENTRAL GOVERNMENT:

- 1. Bring together a group of experienced jurists, journalists, scholars, and experts specializing in freedom of expression issues to submit draft proposals for a national-level journalist safety and protection mechanism and a method to federalize crimes against free expression, which is a guaranteed right under Article 19 of the Indian Constitution.
- 2. Study best practices used by nations facing similar threats to their media, including Colombia, where a national protection mechanism was set up to provide security, and Mexico, where a federal prosecutor's office was set up to investigate attacks on the press and freedom of expression.
- 3. Convene a parliamentary hearing on the issue of impunity in anti-press violence to identify shortcomings in providing justice and ways to overcome challenges of capacity in law enforcement and the judiciary.
- 4. Provide sufficient resources and political support to improve the capacity of authorities—including the judiciary, the Central Bureau of Investigation, and the police—to conduct exhaustive and timely investigations and trials relating to crimes against journalists, including freelancers, bloggers, and those who publish news on social media.
- 5. Condemn publicly and unequivocally all killings of journalists.
- 6. Publicly recognize the International Day to End Impunity for Crimes against Journalists, held annually on November 2.
- 7. Respond with detailed information on the judicial status of all cases of killed journalists and the steps taken to address impunity, as requested by UNESCO's director-general for the bi-annual report on the Safety of Journalists and the Danger of Impunity. Make public the full responses.

TO THE CENTRAL BUREAU OF INVESTIGATION:

 Expeditiously complete investigations into the 2015 death of Akshay Singh in Madhya Pradesh and the 2011 murder of Umesh Rajput in Chhattisgarh; identify suspects and bring them before the appropriate court of law.

TO THE UTTAR PRADESH STATE GOVERNMENT:

- 1. Immediately transfer the investigation into the 2015 death of Jagendra Singh in Uttar Pradesh from state police to the Central Bureau of Investigation.
- 2. Spread greater awareness of the safety hotline set up for journalists in the state and take steps to investigate promptly any reports of threats or attacks.

TO THE CHHATTISGARH STATE GOVERNMENT:

- 1. Order the police to immediately cease any and all intimidation of journalists attempting to do their work. Ensure that any actors, including the anti-Maoist group Samajik Ekta Manch, who harass or threaten journalists, are held to account.
- 2. Release any journalists imprisoned in the state in connection to their work.

TO THE INDIAN MEDIA:

- 1. Better investigate and report on issues of anti-press violence, including individual attacks, threats, and harassment, regardless of the victim's media affiliation.
- 2. Sign on to and implement the principles put forward by the ACOS Alliance (A Culture of Safety Alliance) and provide appropriate security and hostile-environment training for staff and freelancers; support journalists who are threatened or attacked; and hold police or other investigating agencies accountable for thorough investigations.
- 3. Employers should provide up-to-date press identification cards to all media staff involved in newsgathering, including stringers and part-time employees.
- 4. Employers should establish clear mechanisms for staff and freelancers to report threats, harassment, or attacks, and offer appropriate support.

Appendix: Journalists murdered in India

Cases of journalists murdered in direct retaliation for their work between 1992 and July 2016. A full list of journalists killed in direct relation to their work, alongside cases that CPJ is investigating, can be found at www.cpj.org.

Rajdev Ranjan, *Hindustan* May 13, 2016 in Siwan, Bihar, India

Karun Misra, *Jansandesh Times* February 13, 2016, in Sultanpur, Uttar Pradesh, India

Jagendra Singh, Freelance June 8, 2015, in Shahjahanpur, Uttar Pradesh, India

MVN Shankar, *Andhra Prabha* November 26, 2014, in Guntur, Andhra Pradesh, India

Tarun Kumar Acharya, Kanak TV, *Sambad* May 27, 2014, in Khallikote, Odisha, India

Sai Reddy, Deshbandhu December 6, 2013, in Bijapur District, Chhattisgarh, India

Rakesh Sharma, *Aaj*August 23, 2013, in Etawah, Uttar Pradesh, India

Narendra Dabholkar, *Sadhana* August 20, 2013, in Pune, Maharashtra, India

Rajesh Mishra, Media Raj March 1, 2012, in Rewa, Madhya Pradesh, India

Umesh Rajput, *Nai Dunia* January 23, 2011, in Chhura, Raipur district, Chhattisgarh, India

Anil Mazumdar, *Aji* March 24, 2009 in Rajgarh, Assam, India

Vikas Ranjan, *Hindustan* November 25, 2008, in Rosera, Bihar, India

Mohammed Muslimuddin, *Asomiya Pratidin* April 1, 2008, in Barpukhuri, Assam, India

Prahlad Goala, *Asomiya Khabar* January 6, 2006, in Golaghat, Assam, India Veeraboina Yadagiri, *Andhra Prabha* February 21, 2004, in Medak, Andhra Pradesh, India

Parvaz Mohammed Sultan, News and Feature Alliance January 31, 2003, in Srinagar, Jammu and Kashmir, India

Ram Chander Chaterpatti, *Poora Sach* November 21, 2002, in Sirsa, Haryana, India

Moolchand Yadav, Freelance July 30, 2001, in Jhansi, Uttar Pradesh, India

Saidan Shafi, Doordarshan TV March 16, 1997, in Srinagar, Jammu and Kashmir, India

Altaf Ahmed Faktoo, Doordarshan TV January 1, 1997, in Srinagar, Jammu and Kashmir, India

Parag Kumar Das, *Asomiya Pratidin* May 17, 1996, in Guwahati, Assam, India

Ghulam Rasool Sheikh, *Rehnuma-e-Kashmir* and *Saffron Times*

April 10, 1996, in Pampore, Jammu and Kashmir, India

Mushtaq Ali, Agence France-Presse and Asian News International September 10, 1995, in Srinagar, Jammu and Kashmir,

Ghulam Muhammad Lone, Freelancer August 29, 1994, in Kangan, Jammu and Kashmir, India

Dinesh Pathak, *Sandesh*May 22, 1993, in Baroda, Gujarat, India

Bhola Nath Masoom, *Hind Samachar* January 31, 1993, in Rajpura, Punjab, India

M. L. Manchanda, All India Radio May 18, 1992, in Patiala, Punjab, India





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