

# CBI files case against Tamil Nadu rights group for FCRA rules violation

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Based on a complaint from 2014, the CBI has registered a case against Madurai-based Centre for Promotion of Social Concerns (CPSC) under the Foreign Contribution (Regulation) Act, 1976.

The move comes at a time when the union ministry of home affairs removed 6,000 organisations, including Oxfam India, from the list of registered organisations under the FCRA from January 1.

CPSC is a trust founded in 1981 and runs a programme unit called “People’s Watch” founded by well-known human rights advocate and activist Henri Tiphagne.

People's Watch is known for taking up cases of human rights violations such as custodial deaths, caste atrocities and extrajudicial killings, including representing the victims of the massacre in Thoothukudi district in 2018 where Tamil Nadu police have been accused of opening fire and killing 13 environment protesters.

Tiphange, the executive director of People's Watch, said CBI officials came with a search warrant to their organisation on Saturday to collect documents reviewed by their peers in 2012 and 2013.

An FIR, a copy of which is with HT, was registered in Chennai on January 6, based on a complaint filed by the then director of the foreigners division (FCRA wing) in the Ministry of Home Affairs, AK Sinha in 2014.

The complaint said the ministry conducted two inspections at CPSC in 2012 and 2014 and had found that after the suspension of FCRA registration, the organisation had withdrawn ₹28 lakh in July 2012.

Another amount of ₹1.69 crore was withdrawn from 2008 to 2012 which did not tally with the available vouchers.

Foreign contributions of ₹4454,000 were withdrawn in cash from 2011 to 2013 on 240 occasions.

"The association used foreign contributions for a purpose other than for which it was received," the FIR stated.

The complaint added that People's Watch was acting like a separate entity communicating directly with foreign contribution guarantee organisations and most of the vouchers and bills were not in the name of CPSC.

The organisation has now been booked under sections 120-B r/w, 420 IPC, section 33,35 39, r/w 7, 8 and 13 of FCRA 2010.

The FIR also added that in 2020, the then Tamil Nadu government (under the AIADMK) conveyed its consent to the CBI for investigation in the matter.

Withdrawal and transfer of sums in the FIR were all legal under the law during that period (before an amendment to the FCRA), said Tiphange.

“The FIR is coming 10 years later. It is based totally on falsehood,” said Tiphange.

He said the details of the FIR relate to the period 2008-2012 on the basis of which there were three successive suspensions under the FCRA issued by the previous government.

“After the third suspension order was given in 2013, we challenged that in the Delhi high court and in May 2014, the ministry of home affairs opened our bank account and said they have no problems in our functioning,” said Tiphange.

“My simple question is—the so called FIR calls it a criminal case with offence of conspiracy and cheating. If that were true, relating to the period of the FIR , the ministry would not have allowed us to open the bank account. In 2016, once again we were forced to be closed. Our FCRA was not renewed and we went to court once again. It is pending in the Delhi high court.”

Tiphange took to the social media to establish his position. “The union government believes that by intimidating us in these ways, we, the human rights workers, can be silenced,” he said during his Facebook live on Sunday.

He took to Twitter to say that their FCRA account has been frozen for more than 2,500 days. “If this is not vindictiveness, what is it? We are willing to cooperate because of our trust in the rule of law.”

<https://www.hindustantimes.com/india-news/cbi-files-case-against-tamil-nadu-rights-group-for-fcra-rules-violation-101641754944006.html>