

CIVIL LIBERTIES

DIRTY TRICKS

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Professor Sanaullah Radoo, Principal of a Degree College in Sopore, Jammu-Kashmir still remembers the day when his youngest son Pervez had reached the airport in Srinagar in a hurry to catch the next *Spice Jet* flight to Delhi. (12 September 2006). The moment the flight landed in Delhi, he had even made a call to his *Abboo* (father in colloquial terms - as he used to fondly call him) informing him that he is rushing to get the boarding pass to the next connecting flight for Pune. Little did he could have any premonition then that what was in store for him.

It has been more than nineteen months that Pervez is in detention and right now lodged in Jail no 01, Ward no 01, Barrack no. 02, Tihar, Delhi. And as of now all his dreams to undertake research on the variety of rice found in Kashmir stands suspended. Young Pervez Ahmad Radoo, who had already finished his post-graduation in Zoology from Modern College in Pune was seeking admission to PhD for which he was going to Pune.

In fact, the moment Pervez approached the airline staff to get his boarding pass at Delhi airport, he experienced that he has been surrounded by seven-eight people who held him firmly and took away his luggage and straightaway drove him to Lodhi Colony Special Cell office. In a letter (*Combat Law*, March-April, 2008) he provides details of the manner in which he was 'tortured and interrogated severely' and how he was 'beaten up ruthlessly' and was given 'electric shocks'.

If one were to believe Special Cell of the Delhi Police, Pervez was arrested on October 15, 2006 from Azadpur Mandi in the city with "three kgs of RDX and Rs 10 lakh as hawala money along with other incriminating evidence" proving him to be a "Jaish-e-Mohammed terrorist".

Professor Sanaullah has been running from pillar to post for the last around eighteen months so that his youngest son gets a 'fair trial' and comes out of jail unscathed and is able to resume his research work. The fact is that for around one month Professor did not know that Pervez has not landed in Pune rather he was in detention. He has also presented a memorandum to the National Commission on Minorities (NCM) to press harder for their intervention. Mohammad Shafi Qureshi, Chairperson of NCM, who has looked into the case and has also written to the Delhi police was candid enough to share his views on the subject with a reporter (*Mail Today*, Delhi, March 6, 2008—*NCM fights for release of J&K youth in Tihar*) :

"It is hard to believe the police version when one sees the clean chits given by the police superintendent and additional district magistrate of Sopore, his native town, and from the local resident welfare association (RWA). Most importantly, the certificate given by Spicejet for the same day shows him as boarding the plane for Delhi from Srinagar and then also bound to travel further to Pune. These facts have been completely ignored by the Special Cell."

Trying to control his tears Professor Sanaullah Radoo tells the reporter the manner in which police have turned a promising young scientist into a 'bomb-

man'. 'He should be completing his research on a rice species in Kashmir valley, instead he is inside prison facing charges of terrorism.' He clearly says the police 'are lying'. He is also not sure whether his son would receive a fair trial or not and whether he has been provided an able prosecution to defend his case or not.

Pervez's jail diary, which has appeared in a section of the media, puts further light on his plight. In his letter asking to 'Save My Career, As I Am Innocent' he poignantly asks 'Am I not Indian, if I am Kashmiri. Why this discrimination. When tall claims are being made by the govt of India, by media, that before law all citizens are equal.'

Of course it would not be cliché to state that the story of the metamorphosis of a student of Zoology into a 'bomb-man' is not the only one of its kind. In fact not a day passes when one does not hear about the illegal detention of a youth from the minority community on some frivolous charges.

Just a day before *Mail Today* carried the above mentioned story about Pervez, it had provided details of a case involving a 'terrorist' gutkha manufacturer getting bail (*Mail Today*, March 5, 2008). According to the report filed by Piyush Srivastava, 'Barely six months ago, 35-year-old Imran Ismail Memon was termed as a terrorist, gangster, a hawala racketeer, a smuggler and a manufacturer of adulterated Gutkha.' Imran Ismail Memon, a resident of Thane in Maharashtra was arrested by the Rae Bareilly police on August 25, 2007. Police said he was part of a "terrorist module" and had started an "illegal and adulterated gutkha factory" as a cover-up to stay in the district. Lucknow bench of the Allahabad highcourt granted bail to him because of lack of evidence. It also added that 'the police could not even prove the power theft charge against him.'

May it be the case of Aftab Alam Ansari, an employee of the Calcutta Electricity Supply Corporation who was arrested on 27th December 2007 as 'main accused behind the serial blasts in no of courts in UP' or for that matter the case of a poor fruit vendor from Kashmir who was presented before the media as a 'prize catch' responsible for blasts on the eve of Diwali in Delhi two years back, it is clear to any layperson that with the ascendance of the Hindu right forces in the Indian polity and in the ambience which has been created the world over post 9/11 such targeting of innocents from the minority community has become all the more common.

A biggest irony of the whole situation is that while terrorist acts committed by Hindutva organisations are not even reported or all attempts are done to cover them up, innocents from the minority community are apprehended claiming them to be associates of this or that dreaded terrorist organisation. The media which is supposed to be a watchdog of democracy also joins the malicious campaign where it has no qualms in calling all such people as terrorists rather than accused awaiting trial in court. It does not bother it that such trial by media is not only unethical but also violates the basic ethics of responsible and fair journalism.

To be very frank, this is not to condone any of such terrorist acts if they occur in any part of the country, rather one would want that the law of the land should be equally applicable in all such cases and it should not appear that it is favouring/targeting a particular community.

Things have reached such a pass that it would not be an exaggeration to say that it is a new trend where 'terrorisation' and 'stigmatisation' of the minority community is reaching menacing proportions. The pattern of mindless arrests for the sake of branding innocent persons as terrorists and resorting to relentless torture is coming under increasing scrutiny. And it is quite natural that it is giving rise to perceptible anger all across the country.

Perhaps the recent decision of the UP government asking a retired judge to ascertain whether two persons arrested for the court blasts in state are indeed terrorists or not, is an indicator of the pressure governments are facing over repeated complaints that the state police is implicating Muslims as terrorists. The case involves the arrest of Khalid Mujahid and Tariq, claiming them to be members of Harkat-Ul-Jehadi (HUJI) who were implicated for executing the serial blasts that left 14 people dead. If one searches the record of the Jamia Tul-Salahat Madarsa in Jaunpur where Khalid used to teach, it becomes clear that not only he was present on the day (23 Nov) in the Madarsa but had also checked the copies of the students. The judge has been asked to cross-check the UP police story which says that Khalid landed in Lucknow in a bus on November 23 morning, met other accomplices, bought new cycles, planted bombs in Lucknow court premises and returned immediately to Jaunpur.

One can just go on narrating instances of the highhandedness of the police and the callousness of the polity in turning a blind eye towards continuous stigmatisation of a particular community. As already mentioned this is an understanding which has received a new boost in the aftermath of 9/11 and the 'war against terror' unleashed by the US regime, to further its imperialist ambitions.

Any impartial enquiry into the state of affairs would make it clear that the need of the hour is to understand that 'terrorism' cannot be the monopoly of a particular community. It is a product of the typical circumstances which societies encounter or find themselves in and the nature of the dominant or dominated forces in operation in those societies and their larger worldview.

There is no denying the fact that civil society at large at some level has accorded legitimacy to all such actions by the police. If that would not have been the case there would have been an uproar at the national level when it was revealed that how 'intelligence bureau operatives colluded with Delhi police to brand two of its own informers as dreaded terrorists'. It was sheer coincidence that the matter reached CBI which exposed the dark machinations of the dirty tricks brigade.

A writeup in *Times of India* 'IB, cops in murky frame-up' (By Sachin Parashar, New Delhi, 13 September 2007) had presented all relevant details of the case :

New Delhi : The CBI has found that Intelligence Bureau operatives colluded with Delhi Police special cell sleuths to 'plant' RDX on two youths who were arrested as 'Al Badr terrorists', TOI has learnt. The shocking conclusion comes a month after the agency told the Delhi High Court that the special cell's probe into the murky affair "didn't inspire confidence".

Top CBI sources told TOI on Wednesday that the seized RDX appeared to have been planted on the two 'terrorists' Mohd Moarif Qamar and Irshad Ali.

The agency will submit its report, which indicts officers of IB and Delhi Police special cell, to the court on October 24.

While similar episodes in the past have hurt the credibility of the anti-terror agencies, this one stands out because it marks a rare instance where Intelligence Bureau operatives collaborated in the plot hatched by Delhi Police's special cell against its former informers.

Few months back one was witness to a furore over the violation of human rights and dignity of Dr Haneef in Australia. Thanks to the support provided by international media and human rights organisations and the concern expressed in the polity here, it did not take much time for either the Australian judiciary and executive to release Dr Haneef. Prime Minister Manmohan Singh personally felt disturbed over the plight of Dr Haneef.

Then Dr Haneef is not just the name of a doctor who was wrongly apprehended in Australia, rather it is another name for a phenomenon which is quite rampant in this part of the earth. □□□