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Press Statement: 06th September, 2017

PUCL Statement on the Assassination of Gauri Lankesh

People's Union for Civil Liberties, (PUCL) strongly condemns the dastardly assassination of Gauri Lankesh, well known journalist and activist, outside her house in Bengaluru in the evening of 5th September, 2017 by a 4 member hit squad. PUCL is deeply grieved over the fact that by the shameful killing of Gauri, not just Karnataka, but the entire country, has lost a fearless and indomitable opponent of divisive and hate filled majoritarian politics of the Hindutva groups, a fighter for fairness and social justice for all marginalised groups, a rare media professional who saw her professional expertise as not keeping distance from 'walking the talk' in terms of her political and social values and her expressed stand and commitments.

As a crusader for communal harmony, peaceful coexistence and respect for diversity, Gauri was active in the Babubudangiri issue opposing the Hindutva forces seeking to engineer a communal divide between Muslims and Hindus. As a fearless critic of communal politics and opportunism of ruling political elites dividing the country through majoritarian politics, she showed through personal example that the current challenges before the country needs to be addressed both in the arena of activist or field politics as also in the domain of knowledge, thought and ideology. Amongst her last actions was to oppose the demonization of the Rohingya Muslims who sought refuge in India from murderous Buddhist mobs in Rakhine province of Myanmar, Burma) whom the ruling BJP - Indian government wants to forcibly repatriate now. Equally importantly was her call to all social and political groups who are opposed to majoritarian, fascist politics to sink differences and work together so as to safeguard democracy, secular values and peace.

The brazen shooting down of Gauri, just outside her house, in public view, follows a pattern similar to the unsolved assassinations of Prof. Kalburgi in Karnataka and Govind Pansare and Dr. Dabholkar in Maharashtra. It appears that the ruling political parties, irrespective of which party they belong to, do not have the political will to bring the perpetrators of these cowardly killings to book.

PUCL gives a call to all political parties, particularly to the parties which are part of the ruling NDA dispensation in the Centre, to declare publicly their unequivocal condemnation of the killing of Gauri Lankesh in particular, as also their opposition to the politics of killings of all political opponents and dissenters, as being unacceptable in a democratic polity. It is important that political parties do not fan communal hatred, hate politics and intolerance as this irreparably ruptures the social fabric of our country and threatens democracy.

PUCL demands:

The Government of Karnataka should immediately form a Special Investigation Team, (SIT) of select police officers of proven integrity to investigate into the killing of Gauri Lankesh so that the assassins and those forces behind them are identified and brought to book.

- That the Government of Karnataka should consult the High Court of Karnataka and seek a court-monitored investigation by the SIT similar to the court monitored probes

into coal scam, 2-G scam etc.

- We wish to point out that only if the killers and their sponsors are speedily prosecuted, tried and convicted will ordinary citizens continue to retain any sense of confidence in the edifice of rule of law and criminal justice system.

PUCL calls upon all citizens to remain vigilant and vocally oppose from the very beginning, the politics of hate, intolerance, caste – and communal divisions and majoritarian politics which is

systematically being fanned by different political parties and which has already claimed numerous lives. The best way to pay homage to martyrs like Gauri Lankesh, as also of Prof. Kalburgi, Dr. Narendra Dabholkar and Govind Pansare who were also martyred for their beliefs, is to continue the fight for secular values, democratic ethics and respect for social, cultural and religious diversity in India.

Mr. Ravi Kiran Jain, National President, PUCL; **Dr. V. Suresh**, National General Secretary, PUCL □

Lessons from Gauri Lankesh's Murder **Shekhar Gupta**

There are several things about Gauri Lankesh and her murder -- or more aptly, assassination -- that we know for sure.

- First, she was a powerful opinion leader and an intrepid rationalist in the sharp Left-liberal space.
- Second, she had the courage to speak her mind, and was not deterred by threats routinely thrown at her.
- Third, as it invariably happens with those clearly positioned in a sharply polarised debate, those that agreed with her did so passionately.

Those who disagreed complimented this fully from the other side of the fence or ideological *akhara*.

As is the norm for a decade now, some of these critics imputed motives to her actions. Some said vile, threatening things. The next thing we can say with reasonable certainty is that it was a political assassination.

We are neither social media Clouseaus nor so politically bigoted as to blame our favoured usual suspects and move on. That has risks, especially when, as often happens with political killings, the issue goes into the politically

loaded police-court 'orbit', tilting with changing regimes.

Witness the orchestrated turn in the cases of the Samjhauta Express, Malegaon, Aseemanand, and Sadhvi Pragya Thakur. The central point is a very simple one. It is that people are entitled to hold opinions, campaign for them, and use all methods of activism, persuasion, and protest a democracy offers, as long as they aren't indulging in or inciting violence.

Similarly, those who disagree can only do so peacefully, however loudly. Nobody has any right to inflict violence on anybody for her opinions or beliefs. No civilised society can accept the idea that a citizen 'deserves' to die for her views. Justifying taking somebody's life for her views will shift us back from a civilised, Constitutional national entity to some awful place we'd rather not go. So a good central point to begin with is: Nobody must be harmed for her views. A decade ago, when social media just appeared in our lives, many us, old-fashioned types, ridiculed it and dismissed it as a passing fad. Not today, when the heads of the world's largest democracies enjoy the followings of tens of millions and use them as a means of direct communication

with the people. It follows that a 'hijack' of due process and incitement to violence through the media -- conventional and social -- are also crimes.

Beginning with Mahatma Gandhi, India has built an unsavoury record in political assassination on account of power rivalries or just to settle scores, (Partap Singh Kairon, Lalit Narain Mishra, Indira Gandhi, and Rajiv Gandhi) and for ideas. In ideologically polarised zones, especially West Bengal and Bihar, both the Left and Right have killed to silence the other.

In Andhra Pradesh, N Chandrababu Naidu survived a Naxal ambush and the late chief minister Y S Rajasekhara Reddy's father was killed by political rivals in a bomb attack on his car. Between 1978 and 1994 in Punjab, tens of thousands were killed -- scores of them specifically for their ideas.

Prominent among them were the founder of the Hindi-Urdu-Punjabi publishing powerhouse Punjab Kesri group Lala Jagat Narain, then his son and successor Ramesh Chander, and many journalists, hawkers, and vendors working for them. Jarnail Singh Bhindranwale's method was simple and effective. He held court at the Golden Temple, and had somebody stand

up and accuse a politician or an intellectual of deceit or blasphemy. What should be their punishment, he would ask and leave it there. This was enough justification for somebody with a gun to do the rest. He put out a similar 'sanction' on one nationally respected intellectual because somebody gave him a loaded translation of his articles on the Khalistan campaign. 'How can you target a *budhijeevi, intellectual* for speaking his mind?' I asked Bhindranwale, hoping he'll see reason. 'What would you do, Shekharji, if somebody called your guru a *shahi luter*?' When I re-read, I found the writer had quoted from a widely acknowledged history of the Sikhs titled Robber Noblemen and somebody had mischievously transliterated that for him. He was only waiting to hand out the death sentence for blasphemy. It took several rounds of explaining and calming by many well-meaning people, including moderate Sikh scholars, to make him rethink. It was scary. Then, as now, it is 'talk' that provides justification for a targeted assassination. The eyewitness experience I bring from the past is a man speaking from the highest spiritual and temporal seat of his faith. That pulpit today is social media and you don't have to be a *sadhu, a baba, a sant, or a maulana* to be able to use it. Once you set up a tweet-storm of vilification, labelling individuals anti-nationals, traitors, blasphemous, and foreign agents, you are creating enough justification for somebody with a gun to kill, or for a mob to lynch. Once an individual, or a group, is armed with the moral justification to take someone's life, a gun will be found. The people will also be hoping that afterwards politics would take over and send the legal process into a spin. Rivals will then fight over the politics of the crime and you might

just get away with murder, and that seems to be the case with the Malegaon and Samjhauta blasts now.

And in fairness, even at the risk of finding asymmetric equivalence, an example is that of the infamous Pandey friends who hijacked an Indian Airlines plane from Lucknow to Delhi in 1978 to protest Indira Gandhi's arrest by the Janata government.

The prosecution case simply vaporised as Indira Gandhi returned to power in 1980.

Those committing political crimes thrive on a quick politicisation of their acts, not just saving their neck but also bringing them rewards.

There are simple and sobering lessons to be drawn from Gauri Lankesh's killing.

First, the investigations and legal process should remain immunised from politics.

Hasty demands to hand this over to the Central Bureau of Investigation or the National Investigation Agency or some such organisation, caged or not, should be dismissed.

Ideally, a court should take this under its direct supervision. Our courts have set enough precedents now for doing so.

This political assassination is significant enough for such an intervention.

Or else it will be trapped between commando-comic channels and inspired social media handles creating mythologies fronted by her obviously estranged brother, or a Karnataka chief minister exploiting the death by offering a ridiculous colonial symbolism that Gauri Lankesh might have resented and ridiculed -- a 21-gun salute.

Siddaramaiah has to answer why his Congress government is unable to protect Karnataka's rationalists or catch their killers.

The next lesson is that in her death, Lankesh may have closed the debate on the need for responsible use of social media.

There is no room for the usual on-the-one-hand/on-the-other-hand whataboutery. The law should apply equally to hate speech on social media as on the conventional one and incitement to violence must be prosecuted as serious crime.

The political class will also have to give up the temptation of employing social media lynch-mobs and the justification cannot be that the other side also does so.

Their purpose is to shut their critics up with abusive shock-and-awe. But physical violence can follow in its wake.

This lead has to be taken by the prime minister. The argument that following somebody is not an endorsement doesn't wash unless the other person is a public figure, even rival.

To follow those who abuse in your name is an endorsement. I also speak with the credentials of somebody routinely abused by all -- the Right, Left, and the Aam Aadmi Party.

And finally, the lesson for us in the media, and those with liberal claims, is: Freedom of speech and ideas is common to all, irrespective of where we draw the fence.

To have any chance of winning in angrily polarised times, our defence of these freedoms has to be unqualified and unequivocal, not selective.

Liberalism means engaging with the 'other', listening to them, not dismissing them as stupid or amoral.

Then, we might have a chance of bringing the current discourse back from violence and abuse into the bounds of civility.

http://www.rediff.com/news/column/lessons-from-gauri-lankeshs-murder/20170921.htm?pos=1&src=NL20170922_nn&trackid=PfNr+FRVVzQzIQ/5AGVf/xQxXgwb/3jGXA4J4tpPQa8=&isnlp=0&isnlsp=1 @ 23.9.2017

Courtesy: Business Standard □

NAPM strongly condemns the Targeted Political Assassination of Senior Journalist, Editor and Activist Gauri Lankesh

Demands Time-Bound High-Level Judicial Inquiry into the Crime and Conspiracy

New Delhi | September 06, 2017: National Alliance of People's Movements is deeply shocked and shattered at the cowardly and cold-blooded murder of well-known journalist, editor and fearless firebrand activist, Gauri Lankesh who, time and again, locked horns with divisive, communal and casteist forces, in particular the right-wing Hindutva brigade. We have enough reason to believe that her political assassination is a direct consequence of her publicly expressed progressive positions as well as the lack of conviction of the murderers responsible for the calculated political killings of M M Kalburgi, Govind Pansare and Narendra Dabholkar, even after months and years! It is precisely this tacit and active support by the current regime in India that is further emboldening the right wing Hindutva forces to commit more brazen crimes, against progressive and people's voices.

Gauri was widely known and loved across Karnataka and the country for her relentless writings, talks and campaigns in solidarity with the oppressed – be it dalits, adivasis, women, students, minorities etc. As one of the fiercest contemporary critics of divisive politics, she worked hard to counter the growth of Hindutva politics that created an atmosphere of fear and intolerance. Alongside, she also continued to write on and engage with various social and developmental issues and constantly raised her voice against injustices. She extended and expanded by many bounds the legacy of her father P. Lankesh, an eminent journalist and a well known writer and literary critique.

Gauri openly and publicly questioned and challenged politicians, bureaucrats, judiciary, chauvinists and stood by the oppressed. Her last post on social media on the inhuman denial of refuge to the persecuted

Rohingyas by Indian Govt. speaks of her concern and compassion for the oppressed humanity. **We salute the conviction and courageous life of Gauri and commit to joins hands with all progressive forces across the country to bring justice to her, her values and intensify our struggle against the silencing of democratic and dissenting voices.**

The spate of killings, threats, ban on food and personal choices, books, movies, artistic works and fast spreading atmosphere of hatred against rational, scientific and constitutional temper with tacit support from popular governments to keep their vote banks intact is shameful in a modern democracy. We are constantly being pushed in the dark ages, where rational and critical thinking is being silenced, mythologies are being promoted as science and scientific knowledge and temperament is derided. It is with this tendency to wipe out a secular and socialist outlook in the country that text books are being 're-written' and new dominant Hindutva narrative is being promoted all in the name of cultural and national pride.

It is nothing but an absolute failure of Indian Government that rationalists and human rights defenders are being murdered, one after the other, by fascist forces with complete impunity. As reported by the Committee to Protect Journalists, CPJ), at least 27 Indian Journalists were murdered due to their fearless independent writings between 1992 and July 2016, but the state governments failed to secure a conviction in even one of them! This is a complete shame for India where journalists, rationalists, fearless and critical voices are important for a positive and progressive change in society. In her own words, Gauri Lankesh said *"Along with that, my criticism of Hindutva politics and the caste*

system ... makes my critics brand me as a Hindu hater. But I consider it my constitutional duty to continue – in my own little way – the struggle of Basavanna and [social reformer] Dr [Bhimrao Ramji] Ambedkar towards establishing an egalitarian society." There is ample evidence, therefore, suggesting that this is a political assassination since Gauri's views have not found favour with the Hindutva hardliners and goondas!

NAPM unequivocally condemns the heinous gunning down of Gauri Lankesh and deeply mourns the irreplaceable loss of an outspoken Human Rights Activist and a voice of conscience, communal harmony and sanity. We demand the following:

- Govt. of Karnataka must immediately institute an independent, high level and time bound judicial inquiry, with a Special Investigation Team to nab all those guilty of committing and conspiring this grave crime. The unlawful and terror-infusing role of groups such as the Hindu Jagarana Vedike, VHP, Bajarang dal, Srirama Sene, Sanathana Samsthe and all other affiliates of RSS must also be inquired into by this Judicial Commission and strictest action must be taken, as per law.
- Taking cognizance of the common pattern in the murders of Dhabolkar, Pansare, Kalaburagi and Gauri Lankesh and assassinations carried out by a organised terror group/s which evidently holds an ideology opposed to secular, democratic and constitutional forces, Govt. of India must constitute a Joint Parliamentary Committee to take stock of such groups and their political benefactors, responsible for such actions

and serious erosion of constitutional values, freedoms, rights and spaces and recommend action against all those conspiring to tear the secular fabric of India as well as assassinate voice of reason and constitutional justice.

- The murderers of M M Kalburgi, Govind Pansare and

Narendra Dabholkar must also be identified and convicted at the earliest.

Even as we are aroused by the outpour of outrage across the country, we call upon media fraternity, people's organizations and all progressive and concerned citizens to stand up and fight this cowardly act and rise up to the

defence of rights, freedom and the constitutional values which are under attack today from right wing fascist forces in a consistent manner. We hope all like-minded persons and groups would to keep the spirit of Gauri Lankesh alive by questioning injustices even when it is committed by the powerful people in power. □

Every Citizen has An Equal Right on India whatever be His Religion Prabhakar Sinha

"All Muslims in this country are either invaders or forcefully converted Hindustani; they have been living at our mercy, they should live peacefully, but in vain, I think understanding is not in their blood & restlessness is the reason for it. I pray Allah to grant them serenity. You study the old map of India & you will know that Kashmir was there when Islam was not born."

I came across this comment on a post on facebook. It reveals the thinking of those who claim that the Muslims of India have no right on this country and are being tolerated here due to the mercy of the Hindus. It denies them the right of being a full-fledged citizen of India because the Muslims are 'either invaders or forcefully converted Hindustani. 'None of the Muslims today is either an 'invader 'or 'forcefully 'converted to Islam. A few might have the unrecognisable blood of the invaders running in their veins and the rest are the descendants of the Hindus converted as Muslims. But how does being a possible descendant of the invaders who came here centuries ago and made India their home make them an outsider, a non-Indian? And how does being the descendants of the Hindus who were forcibly converted to Islam deprive them of their right on India? The fact that their ancestors were forcibly converted to Islam makes them deserving of more understanding and sympathy.

Neither the conversion of their forefathers nor some of them being indistinguishable descendants of the 'invaders 'deprives them of being full-fledged citizens of the country. Religion of a person cannot be a legitimate ground for denying citizenship to its people by a country.

Mahatma Gandhi's thinking on the subject was morally and constitutionally sound. He wrote in the Harijan of August 9 ,1942 "Hindustan belongs to all those who are born and bred here and who have no other country to look to. Therefore, it belongs to Parsis... to Indian Christians, Muslims, and other non-Hindus as much as to Hindus."

All civilized countries of the world grant citizenship to their permanent citizens and their children. Most even grant citizenship to the children of even foreigners born on their soil .They also grant citizenship to foreigners who fulfil certain conditions. Millions of Indians have become citizens of different countries. Many of them hold important political posts in the U.S. and U.K. No civilized country denies citizenship to its permanent inhabitants on the basis of their religion nor relegates them to the status of second class citizens.

The Hindus and Muslims of India living in the same area have a common blood. A DNA test would show that they are genetically related. A Hindu and Muslim of Maharashtra or Gujarat will share

more genes with one another than a Maharashtrian or Gujarati Hindu with a Hindu from Kerala or Tamil Nadu. The claim that the Hindus and Muslims of India do not have the same and equal claim on India is as unjust and objectionable as the claim that the Brahmins and the other upper castes are superior to the so called lower castes and the depressed classes.

Genetically, Indians are very different. Most Hindus and Muslims have nothing common with the dark skinned Adivasis living in Bihar, West Bengal, Chhattisgarh, Odisha , A.P., Maharashtra and M.P .though genetically the Hindus and Muslims are very similar .The same is true of the Indians living in Arunachal Pradesh, Nagaland , Manipur, Mizoram and Meghalaya. They are genetically related to the Burmese, Tibetans and the Chinese and not to the Maharashtrians or Gujaratis.

The claim that the Muslims and Christians have less right on India as their motherland is as obnoxious as the claim that Sawarnas were superior to the rest in caste hierarchy, and that some of the Indians were untouchable. Despite its inhumanity, the poisonous idea prevailed for centuries and is not yet dead despite vigorous and determined opposition. A determined and vigorous opposition to the hate campaign against the minorities is desperately needed if India is not to be pushed to a civil war. □

Hindutva Rule & Anarchy are two sides of the same Coin

(From Demolition of Ayodhya Mosque In 1992 To Haryana Violence 2017)

Shamsul Islam

Is it coincidence that wherever we have BJP governments mobs rule/destroy unhindered?

In December 1992 despite restrictions imposed by The Supreme Court and UP BJP governments undertakings to Supreme Court and Government of India that peace would be maintained in Ayodhya during 'kar seva', thousands were allowed to gather at Ayodhya and India witnessed demolition of a 400 hundred year old mosque. This criminal act, even as 3,000 paramilitary forces looked mutely on, deeply fractured Indian society, causing a schism even the worst enemies of India could not accomplish.

In Gujarat in 2002, a similar, sinister pattern was repeated. Mobs led by Hindutva criminal organizations were allowed free rein. The result? A genocidal carnage of Muslims. What happened in Gujarat in 2002 was editorially commented by a leading English daily, *Hindustan Times*, March 21, 2002) in the following words:

"Daughters were gang raped in front of their fathers and then their heads bashed in. Their fathers were doused with petrol and set on fire. Their property was looted. Their businesses

were destroyed. And the police stood by and did nothing."

In February 2016, the violence allowed to spill over in Haryana was another example of this trait of BJP governance. Haryana turned into a war zone as caste wars were allowed free reign. The mobs were allowed to burn public property and Haryana simmered --held to ransom by the rule of the mob- for 11-12 days. The Army had to be called which fired on its own people, 30 people were killed in the violence, property worth of thousands of crores of rupees was looted/burnt and innocent Indian women were violated.

It has happened again in Haryana. The supporters of one Baba Ram Rahim when found guilty of raping two sadhvis by the CBI court, went on a bloody rampage. The Baba - RSS/BJP friendly government despite restrictions on gatherings allowed lakhs of the Baba's supporters at Panchkula and what the nation witnessed thereafter is shocking. Railway stations, government offices, bus stands, public/private vehicles and infrastructure were burnt/ looted not only in Haryana but also adjacent Punjab. It was clear that if Punjab & Haryana High Court had

not intervened, the sponsored mobs would have lynched the CBI judge and razed the CBI court building.

The media became a special target of the mob violence, such large scale violence against media happened after demolition of mosque at Ayodhya on December 6, 1992 too) in which large number of correspondents were maimed and press vehicles destroyed.

RSS/BJP rulers want anarchy to prevail so nobody questions them about poverty, unemployment, price-rise and violence. They believe that by creating anarchy the can establish Hindutva State. In fact RSS/BJP rulers should also be charged for abatement of violence and destruction of public property.

It is intriguing that brand ambassador of Haryana another Naba, Ramdev was missing when Haryana burnt in February 2016, and is missing now also. He should have been around with his Yoga gimmicks for establishing peace in the region.

https://www.academia.edu/34358490/HINDUTVA_RULE_and_ANARCHY_ARE_TWO_SIDES_OF_THE_SAME_COIN

*Shamsul Islam, National Council Member, PUCL Delhi □

IAPL condemns the harassment of Kashmiri Lawyers by the National Investigation Agency and Extends Solidarity to their Legitimate Struggle

9th September 2017
Lawyers across Kashmir boycotted court work for four consecutive days from 4th to 7th September 2017 against the summoning of the President of High Court Bar Association, JKHCBA), Advocate Mian Qayoom by NIA, National Investigation Agency). The lawyers at Srinagar court complex as well as the High Court had also staged protests under the banner of JKHCBA. They were even supported by all the District and Mufassil Bar Associations of Kashmir.

The NIA has claimed that they are probing into whether the funding of separatists from terrorist outfits was being used to fuel violence in the valley, FIR No. RC-10/2017/NIA/DIL) and has hence issued summons to Advocate Mian Qayoom. However since the past few months on this pretext, the NIA has been targeting lawyers in the valley. In July, the houses of Advocate Devinder Singh Behl from Jammu was raided. On August 16th, the residence of Advocate Mohammed Shafi Resh was raided in Baghat, as part of

twelve raids conducted by the NIA in Srinagar, Baramulla, and Handwara. Advocate Resh is a member of the Bar and also represents the pro-freedom Hurriyat Conference led by Syed Ali Geelani. Meanwhile, Doda based lawyer, Babur-ul-Islam Nehru remains in custody since 22 July 2017.

As reasons for going on strike, the HCBA in its letter to the CJI, has mentioned its apprehensions and suspicions, stating that though Mian Qayoom has been summoned as a witness, they have

reason to believe that there is more than what meets the eye. The notice had been issued under Section 160 Cr.P.C., Proviso wherein it requires NIA to record the statement of a witness at his place of residence if he/she is less than 15 or more than 65 years of age. Qayoom is more than 65 years of age.

However, this particular targeting of lawyers like Mohammed Shafi Resh and the President of the JKHCBA has to be viewed in the background of the recent decisions of the HCBA. On July 28th, the HCBA had constituted a "high powered" legal team to examine the constitutional validity of NIA Act, 2008 and its application to the State of J&K and suggest ways and means for providing necessary legal aid to all those who have been booked in FIR No. RC-10/2017/NIA/DIL by NIA, taken to Delhi after arrest and remanded to police custody. This was decided by the Bar Association in the

interests of issues concerning the people of Kashmir, more particularly the one relating to the "misuse" of the provisions of NIA Act by NIA authorities in "terrorising, arresting, humiliating and harassing" the pro-freedom leadership and their activists. The HCBA had also taken a stand before the Supreme Court with regard to the use of pellets in Kashmir and is also defending Article 35-A of the Constitution of India in a petition filed by an NGO Court calling for it to be struck down. It is hence imperative that the recent summons issued by the NIA/Central Government on the head of the HCBA be viewed as an act of vindictiveness to suppress and harass anyone, in this case a Lawyer's Association) who dare challenge the authority of Delhi.

The Indian Association of People's Lawyers, IAPL) strongly condemns the illegal and unwarranted raid on the residence of advocate Resh and views the summons issued to

the High Court Bar Association President, Mian Qayoom as an act to suppress, harass and demonise the Kashmiri lawyers in general and a Bar Association in particular. It is also an attempt by the NIA to browbeat the parties in the litigation process by attacking lawyers who have been staunch defenders of Article 35A of the Constitution of India and the rights of Kashmiri people. IAPL demands, that the NIA immediately stop all raids, summons and criminal proceedings directed against Kashmiri lawyers in connection with FIR No. RC-10/2017/NIA/DIL. IAPL also extends its solidarity to the legitimate struggle of the Kashmiri lawyers protesting against the unwarranted and unconstitutional authority of Delhi.

Signed by Advocate Surendra Gadling, General Secretary, *Indian Association of People's Lawyers*, IAPL)

Sent by Sudha Bhardwaj as per link
<https://mail.google.com/mail/u/0/?tab=wm#inbox/15e67a4542a90052> □

Chhattisgarh PUCL:

Solidarity with Hansda Sowvendra Shekhar

We are bewildered and dismayed to learn about the recent banning of Hansda Sowvendra Shekhar's collection of short stories, *The Adivasi Will Not Dance*, by the Government of Jharkhand. This ban is absurd and sets a dangerous precedent.

Freedom of expression is a fundamental right under Article 19 of the Indian Constitution. The same article, admittedly, allows the state to make laws that impose "reasonable restrictions" on this fundamental right, but only based on specific grounds, such as national security or public order), none of which apply in this case.

Superficially, it may appear that one of these pre-specified grounds, "the interests of decency", could be invoked to justify the ban. The book does include some sexually explicit scenes, but calling them "indecent" would be extreme prudishness. If books that include love-making scenes were to be banned, hundreds of thousands of novels

would have to be banned, not to speak of the *Kamasutra*. Those who think of sex as indecent are free to read something else.

It has been argued that some stories in the book are "derogatory to Santhal women", in particular a story where a Santhal woman consents to casual sex with a policeman in exchange for money. Even if it were true that this story is derogatory, that would not constitute a permissible ground for banning the book under Article 19. Further, the view that the story is derogatory overlooks the fact that it is a work of imagination. The imaginary incident described in the story does not cast any aspersions whatsoever on Santhal women. It is just possible that the story is inspired by some real-life event, but if that is so, it makes the story all the more legitimate.

The ban on *The Adivasi Will Not Dance* is not only deplorable in itself but also adds to a series of dangerous precedents of books

being banned on flimsy grounds in India. This ban mania, also targeted at films, events, statements, tweets, foods, relationships and what not) is an ominous attack on freedom, democracy and rationality.

Signatories: Aashish Xaxa, Research Scholar; Abhay Xaxa, Research Scholar; Agnes Murmu, Retired Teacher; Ajitha George, Researcher; Akash Poyam, Research Scholar; Alpa Shah, Anthropologist; Anjor Bhaskar Research Scholar; Ankita Aggarwal, Independent Researcher; Anpa Marndi, Assistant Professor; Anumeha Yadav, Journalist; Arundhati Roy, Writer; Ashish Birulee, Photo-Journalist; Ashish Gupta, Research Scholar; Balram, Right to Food Campaign, Jharkhand; Bani Hembrom, Doctor; Bela Bhatia, Researcher & Writer; Chayanika Murmu, MBBS Student; Binod Murmu Concerned Citizen; Dheeraj Kumar, Right to Food Campaign, Jharkhand; Dula Besra, Concerned Citizen; Dulal Kisku Concerned Citizen; Ghasiram Soren, Literary Activist; Gladson Dungdung, Human Rights Activist; Gouri Chatterjee, Journalist; Gunjal Munda, Concerned Citizen; Harivansh, Member, Rajya Sabha; Harsh Mander, Activist and Writer; Ipil Alma Kisku, Concerned Citizen; Jean Drèze, Development Economist; Judith

Hembrom, Social Worker; Kalipda Tudu, Concerned Citizen; Kanika Sharma, Research Scholar; Kanuram Tudu, Teacher; Karamchand Hembrom, Concerned Citizen; Kavita Krishnan, Political Activist; Kavita Srivastava, Human Rights Activist; Khagen Hembram, Concerned citizen; Kritika Pandey, Writer; Kumar Rana, Researcher; Lipika Singh Darai, Filmmaker; Mangal Mandi, Senior Management; Maroona Murmu, Historian; Mast Ram Soren, Concerned Citizen; Meenakshi Munda, Anthropologist; Meghnath, Filmmaker; Miltee Horo, Research Scholar; Nandini Sundar, Sociologist; Nayan Soren, Research Scholar; Neel Mukherjee, writer; Nilay Kumar Murmu, Concerned Citizen; Niraj Lakra, Concerned Citizen; Nora Samad, Social Worker; Peter Martin, Concerned

Citizen; Philip Peacock, Theologian; Praveer Peter, Social Activist; Prem Verma, Convenor, *Jharkhand Nagrik Prayas*; Priyanka Priyadarshini Marandi, Research Scholar; Priyanka Purty, Student; Priyanka Sandilya, Research Scholar; Reetika Khara, Economist; Remalia Hembrom, Social Worker; Rimil Hembrom, Research Scholar; Ruby Hembrom, Publisher; Sanjay Bosu, Human Rights Activist and Writer; Santosh Kiro, Journalist; Savya Sachin Bankira, Student; Seral Murmu, Filmmaker; Shankar Mardi, Concerned Citizen; Shivprasad Singh, Bagaicha; Shyam C. Tudu, Concerned Citizen; Shyamsunder Hansda, Concerned Citizen; Sibdas Baskey, Assistant Professor; Siraj Dutta, Concerned Citizen; Sneha Mundari, filmmaker; Sokhen Tudu, Concerned

Citizen; Sovan Hazra, Concerned Citizen; Sripati Tudu, Concerned Citizen; Stan Swamy, Bagaicha; Sudha Bhardwaj, Lawyer; Sujit Kumar Soren, Academician; Susil Mandi, Concerned Citizen; Thalko Majhi, Concerned Citizen; Vijay Kekan, Concerned Citizen; Virendra Majhi, Concerned Citizen; Virginius Xaxa, Sociologist; Vivek Sidam, Research Scholar; Xavier Dias, Former Editor; Wilfred Topno, President, *Adivasi Sahitya Sabha*, Assam; Wilson Hansda, Concerned Citizen; Zoba Hansdah, Research Scholar.

Sent by Sudha Bhardwaj, Gen. Secretary, CG PUCL - <https://mail.google.com/mail/u/0/?tab=wm#inbox/15e2cd8c3f67c0f5> □

'Torture in India', some links compiled on the occasion of the 3rd UPR Review, September, 2017

- Jayshree's oped in Asia Age: <http://www.asianage.com/discourse/200817/getting-away-with-torture-in-india.html>.
- Another report by HRW on torture that can be shared with the materials: <https://www.hrw.org/report/2016/12/19/bound-brotherhood/indias-failure-end-killings-police-custody>.
- Link to an interactive quiz on police duties on when they arrest someone to ensure no one is tortured in custody <https://www.hrw.org/video-photos/interactive/2016/12/19/quiz-police-custody-india>.
- Buzzfeed Link for the quiz: https://www.buzzfeed.com/andreborges/how-well-do-you-know-your-rights-if-you-get-arrested?utm_term=.eqEJqMovl#.ucqJqgpyP

#EndTorture

#UPR3India

Courtesy: Maja Daruwala and Henry Tiphagne, National Co Convenors, Working Group on Human Rights in India and the UN, WGHR)

The Rohingya Crisis and the Indian People: A Note

September, 2017 showcased the extremely perilous human rights situation prevailing in India currently under the present BJP-led dispensation in the Central Government. On one hand was the shocking cold blooded assassination of Gauri Lankesh in Bengaluru which in a gruesome manner highlighted the fate which awaits those who question the majoritarian, right-wing, ruling dispensation and their politics; on the other was the very delicate, kids-glove manner with which the ruling BJP led government in Haryana treated the lawlessness of the Ram Rahim bhakts who indulged in widespread violence when their religious head, Baba Ram Rahim was convicted and sentenced. The BJP scarcely tried to hide their closeness to the disgraced Baba who has been

convicted to 2 consecutive life sentences for raping 2 women devotees of his. Even as these issues shocked the conscience of the human rights community came the announcement that the Government of India was going to deport Rohingya refugees who had sought refuge in India, fleeing murderous mobs of right wing, Buddhist fundamentalist forces in Myanmar, Burma) who had killed and maimed thousands of Rohingya muslims in Rakhine province of Myanmar bordering Bangladesh and close to India too.

The Union Home Ministry declared the Rohingyas to be a threat to the national security of India and characterised them as being violent and indulging in terrorist activities who should be sent back to their country. It did not matter that the Myanmar government

disowned the Rohingyas as belonging to Myanmar making them stateless people. Overnight a vicious campaign was launched by RSS-BJP cadres in the different states where Rohingya muslim refugees have been housed, living in precarious conditions in West Bengal, Delhi, Rajasthan, Tamil Nadu, Jammu etc. Systematically a public campaign was launched depicting the Rohingyas as threats and demanding their forcible repatriation to Myanmar. A case is currently pending before the Supreme Court.

The seriousness of the mass killings of Rohingyas can be gauged by the statement of the UN Secretary General, Antonio Guterres, who called the mass killings of Rohingyas as "ethnic cleansing". Members of the UN Security Council "called for

immediate steps to end the violence in Rakhine, de-escalate the situation, re-establish law and order, ensure the protection of civilians, restore normal socio-economic conditions and resolve the refugee problem". It's a matter of regret that the Government of India, has broken a long tradition of humanitarian support and is instead toeing a line supporting the Myanmar government which is willy nilly justifying the brutal treatment of Rohingyas.

It has been PUCL's consistent stand that India should honour the principle of 'Non-Refoulement' or not sending back people to their country where they face possible life threat and refrain from forcible sending back refugees like the Rohingyas. India has a long history of providing humanitarian refuge to people persecuted in their countries and shown that as the land of Buddha and Gandhi, we can accommodate persecuted people and offer them sanctuary, safety

and security. We call upon the Government of India to change its hardline stance of wanting to forcibly repatriate the Rohingyas and instead to respond with a spirit of humanism, compassion and caring, hallmarks of India's timeless heritage of human civilisation. We also call upon the people of India to demand that our government honour the spirit of Buddha and Gandhi, and to permit the Rohingyas to live in India with a sense of security and dignity. □

The Rohingyas: Don't they have Any Claim on the Mother Earth?

Prabhakar Sinha

Rohingyas are said to be stateless people, which means they have no country of their own on this planet. They are unwanted and persecuted by the countries which they have to inhabit. They rank worse than birds and beasts and are treated as such. There are laws in the so called civilized countries against cruelty to animals and against killing animals and birds. There are creatures declared 'protected' in many countries. The people cannot kill these animals, even if the animals kill them or destroy their source of livelihood like their crops. In our country, lawlessness is the law of the land to protect Gau Mata, the cow). You can kill anyone with virtual impunity in the name of protecting the cow. Most of the so called civilized countries have 'wild life sanctuaries' to provide a habitat for animals and provide them with suitable environment for survival and procreation. Don't the Rohingyas deserve as much or as little as even the birds and beasts? Rohingyas are stateless people of Indo Aryan stock. Living mainly in Rakhine state of Myanmar, India and Bangladesh. Their number in Myanmar is about a million. About another million are refugees and migrants. The majority are Muslim but a small minority is Hindu. Their language bears similarity to Bangla as spoken in Chittagong region of Bangladesh. They moved to Burma, the present Myanmar)

legally when Burma was part of British India. In fact, many of them occupied important positions in the legislature of that country. They were made stateless when under the Burmese law of 1982, the Rohingyas migrants who settled there after 1923, were denied full citizenship. They are not stateless owing to their own or anyone else's lawless acts but because what was lawful was made unlawful with the change of the regime later. They are denied freedom of movement, state education and civil service jobs. They moved to Burma, which was part of India, but became victims of the military rule in that country. The helpless people have suffered military crackdown in 1978, 1991-1992, 2012, 2015 and 2016-2017. Those who are in India, too, are not welcome. They are just tolerated. In fact, now there is some move to get rid of them. Myanmar has been treating them as alien enemies and has been accused of from ethnic cleansing to genocide due the repeated crack down by the State as well as the country's citizens. The U.N. recognises them as the 'most persecuted people' today. But they need rescue from persecution and a respectable settlement not pious toothless declarations. Solid action to save them is not only the desperate need of the helpless Rohingyas but of humanity itself. And who does the planet earth

belong to if not to all the creatures inhabiting it? It belongs to all human beings and not only to the creatures of politics called 'citizens.' Humanity owes it to Mother Earth to treat all her children alike whether they have a state or are stateless. To persecute the stateless persons is nothing but the modern form of inhuman tribalism. Either all States should treat the stateless persons humanely and with respect or the world community must create a 'State for the Stateless Persons inhabiting the planet earth. USA is a country of migrants. Australia is no more a country of the natives and is a State of migrants. Israel was created for the Jews, who had no State of their own and were persecuted almost everywhere. Israel is the result of the guilty conscience of the victors of the World War II for the holocaust and the worse done to the Jews. If the States cannot treat the Stateless of the world humanely, the world community must create a State for the Stateless people of the world to give them their due as the children of the Mother Earth. **Note:** The reference to Israel should not be taken as the justification for its creation or its subsequent conduct, but only to make the point that if the States cannot treat the stateless people with due respect, the Stateless people should be given a State of their own. □

Silence Then, Silence Now: Lessons for India from Its Response to 1990s Bhutanese Refugee Crisis

Vishnu Sharma*

If a nation's resilience is tested by its response to the crisis in its surroundings, then India isn't the super power it tries to project itself as. A superpower must have enough will to, as Uncle Ben suggested to Spiderman, take "great responsibility," and should not just assemble state-of-the-art artilleries to flex in its Republic Day parades.

India's typical response to the Rohingya crisis shows that it still has to build a moral compass to navigate its foreign policy and its foreign policy has hardly changed since the 1990s, even superficially, in the manner in which it deals with urgent humanitarian crises in its neighbourhood and beyond. Like now, India, in the 1990s, had failed to defend the rights of the Bhutanese people of Nepalese origin when they were chased out by the royal government. It even gave tacit support to the Bhutanese royalty by ignoring several appeals by human right groups and activists. The Bhutanese refugee crisis wasn't an out of the blue thing but a build-up of a series of events since 1988 when Bhutan conducted its southern population census targeting its Nepalese population. With the census, Bhutan re-classified several thousands of its citizens as illegal migrants.

Going further, it introduced several repressive measures including its 'One Nation, One People', or Driglam policy, wherein the Nepalese population were forced to wear the northern traditional dress and adopt the culture of majority. It removed the Nepali language from the curriculum of schools. Bhutanese's refugee activist Tek Nath Rijhal's Torture Killing Me Softly is a gruelling account of the period of his suffering in Bhutan's prison for raising concerns over the plight of these Nepalese.

It must be noted that Bhutan

doesn't share its border with Nepal and when these refugees reached the Indian border, India 'arranged' trucks to see them off to Nepal. Since then, these refugees have been living in temporary settlements in south-eastern Nepal. In 2006, the process of the third country resettlement began, and by 2015, just about 20,000 refugees were left in the camps. What is so unsettling about the whole crisis is that even when the United Nations High Commissioner for Refugees, UNHCR) and countries like the US, Australia, Canada, Denmark, the Netherlands, New Zealand and Norway took reasonable interest in the crisis and its aftermath, India remained aloof. There were several rounds of talk between Nepal and Bhutan but India preferred to look the other way. Had India intervened immediately, the crisis would have long resolved. If it had refused to carry the refugees to Nepal, things would have been very different today.

It couldn't take a stand because the Indian establishment was briefed by its security apparatus, which ironically guides most of its foreign policy decisions, that getting involved in the 'internal' matter of a sovereign country could be counterproductive and China could find an opening into territory of India's influence. This 'trespassing' has been India's biggest fear ever since 1962 and as a result, India's regional policy mostly looks like a deformed child with multiple useless limbs. What we see now is an India that isn't either morally above China in its treatment to minority groups or has anymore influence over its neighbours than China. Bhutan is fast drifting towards China, which resulted in the Doklam standoff and Myanmar is happy playing the China card. Similarly, most Nepalese in Nepal see China as their real friend and

Sri Lanka is busy ratifying the Rajapaksa era treatise with China. It's time India gets into a course correction mode. The Rohingya crisis is a great opportunity for India to set its house in order. By taking a stand similar, if not stronger, to the UN Security Council, India can put the clock back to the right time. Instead of defending the indefensible, as it did in its response to observations on Myanmar made by the UNHCR at the 36th session of the United Nations Human Rights Council, it should make it clear that as a democratic country, India stands for the equal rights of minorities across the world and deplors any breach of such values.

India should come out of its policy bottleneck where every act of its generosity is for immediate self-aggrandisement rather than long-term gain. It should ponder over the question again and again that if it fails to stand with the Rohingya today, will it be able to claim tomorrow that it is rightfully with the people of Balochistan or Tibet?

"Operation Insaniyat will have no insaniyat if it only means to provide 'rice, pulses, sugar, salt, cooking oil, tea, ready to eat noodles, biscuits, mosquito nets' to the poor Rohingya and doesn't act to ensure the rights of these people. When the crisis ends – and it surely will one day – and Bangladesh looks back, it should not find, as Nepal did two decades ago, that India had left her to face the crisis alone. If that happens, India will no longer be able to enjoy the position it does in South Asia.

**Vishnu Sharma is a journalist based in New Delhi. He has written on India-Nepal relationship and other issues related with democratic transition in Nepal.*

Courtesy: The Wire, URL: <https://thewire.in/178726/india-nepal-refugee-rohingya-bhutan-crisis/> □

Deporting Rohingya Refugees: Why the Centre is wrong, despite claims of threat to National Security

Ipsita Chakravarty

The central government has submitted to the Supreme Court its reply challenging the deportation of Rohingya refugees. The 16-page affidavit prepared by the home ministry argues that this is a matter for the executive and not the courts since it has nothing to do with the Constitutional rights of Indian citizens. Rohingya refugees constitute a national security threat, it continues, best dealt with by the Centre, which is empowered by existing laws to expel any foreigners it chose to.

Both contentions leave gaps. They also throw disturbing light on a government preoccupied with narrowly defined "national interest" rather than fundamental rights and which singles out particular communities for empathy or punishment.

Rights of Non-Citizens in India

The Centre's argument that this case lies outside the purview of the courts fails to convince. Several Constitutionally guaranteed fundamental rights extend to non-citizens within India's borders. These include equality before law and access to justice under Article 14, and right to life and liberty under Article 21.

The government also claims that it is not bound by international laws like the principle of non-refoulement, since it is not a signatory to the United Nations 1951 Refugee Convention and has not ratified conventions against torture and enforced disappearance. This principle states that no country can expel or return a refugee to the "frontiers of the territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion". The International Covenant on Civil and Political Rights that India has signed, the

affidavit contends, does not cover non-refoulement.

It is for the courts to decide whether the principle applies in the case of Rohingya refugees. But legal experts have argued that it flows from international customary law, not just the 1951 convention. Second, Article 51 of the Indian Constitution, which talks about India's responsibilities to promote "international peace and security", urges the state to "strengthen the international law and the treaties". Third, even if the Constitution does not explicitly recognise the principle of non-refoulement, it has been read into Indian laws and practices through judicial innovations. The Gujarat High Court recognised non-refoulement under Article 21, for instance, in *Ktaer Abbas Habib al Qutaifi*, 1998.

The right to non-refoulement is limited by concerns of national security, even under the 1951 convention. In this case, however, there is little evidence in the public domain to show that the 40,000 Rohingya refugees in India constitute a terror threat.

In the affidavit, the Centre claims that the Rohingya "figures in the sinister designs of ISI/ISIS and other extremist groups" bent on fomenting trouble in India, but says it cannot produce evidence for this for security reasons. Even if the government has valid concerns about security, branding an entire community a terror threat reeks of profiling on the basis of religion and ethnicity.

Refugee there, illegal migrant here

Indeed, disturbing language of discrimination permeates the affidavit. As it talks about Rohingya migration destabilising the volatile border states, the Centre co-opts some of the words and fears that have shaped reactionary politics in the North East. For instance, local

populations being swamped by an "influx" of "illegal migrants", leading to "demographic change" and a strain on limited resources. For communities in the North East, marginalised by the national mainstream and worried about survival, to have such fears may be understandable. But it is alarming when the central government, which is meant to mediate between different interests and groups, echoes them.

In Delhi, such language has also acquired communal undertones. Throughout the affidavit, the government refers to all Rohingya refugees as "illegal migrants" and reserves for itself the right to expel them under laws such as the Foreigner's Act of 1946 and the Registration of Foreigners Act, 1939. Since India lacks a law on refugees, all foreigners entering the country without valid travel documents are considered illegal migrants.

Yet, legislation like the Citizenship, Amendment) Bill, 2016 suggests some migrants are less illegal than others. The bill, which potentially violates the right to equality under Article 14, makes it easier for non-Muslim illegal migrants from neighbouring countries to get citizenship. The rationale articulated by government was that they belonged to minorities who had fled religious persecution. This is a perfectly accurate description of the Rohingya, stripped of citizenship in Myanmar, marked as outsiders by a rabid religious nationalism, and now facing genocide in their country.

But in the affidavit at least, the Indian government refuses to recognise the humanitarian crisis that has made the Rohingya refugees. This is a bizarre contrast to the government's own endeavours outside the court. Under Operation Insaniyat, the

external affairs ministry is to provide humanitarian assistance to Bangladesh, currently struggling to deal with the sudden "influx of refugees". Although the refugee group is not specifically named in the ministry's press release, it

clearly refers to the Rohingya, who have poured into Bangladesh in their thousands over the last few weeks.

Which throws up a conundrum: how is it that the Rohingya are refugees deserving of relief

material in Bangladesh but illegal immigrants who must be expelled in India?

Source: The Scroll, URL: <https://scroll.in/article/851099/deporting-rohingya-refugees-why-the-centre-is-wrong-despite-claims-of-threat-to-national-security> @23.9.2017 □

Myanmar: Who are the Rohingya?

Why are the more than one million Rohingya in Myanmar considered the 'world's most persecuted minority'?

Al Jazeera Staff, 19.9.2017

Who are the Rohingya?

The Rohingya are often described as "the world's most persecuted minority".

They are an ethnic group, majority of whom are Muslim, who have lived for centuries in the majority Buddhist Myanmar. Currently, there are about 1.1 million Rohingya who live in the Southeast Asian country.

The Rohingya speak Rohingya or Ruaingga, a dialect that is distinct to others spoken in Rakhine State and throughout Myanmar. They are not considered one of the country's 135 official ethnic groups and have been denied citizenship in Myanmar since 1982, which has effectively rendered them stateless.

Nearly all of the Rohingya in Myanmar live in the western coastal state of Rakhine and are not allowed to leave without government permission. It is one of the poorest states in the country with ghetto-like camps and a lack of basic services and opportunities.

Due to ongoing violence and persecution, hundreds of thousands of Rohingya have fled to neighbouring countries either by land or boat over the course of many decades.

Where are the Rohingya from?

Muslims have lived in the area now known as Myanmar since as early as the 12th century, according to many historians and Rohingya groups.

The Arakan Rohingya National Organisation has said, "Rohingyas have been living in Arakan from time immemorial," referring to the

area now known as Rakhine.

During the more than 100 years of British rule, 1824-1948), there was a significant amount of migration of labourers to what is now known as Myanmar from today's India and Bangladesh. Because the British administered Myanmar as a province of India, such migration was considered internal, according to Human Rights Watch, HRW).

The migration of labourers was viewed negatively by the majority of the native population.

After independence, the government viewed the migration that took place during British rule as "illegal, and it is on this basis that they refuse citizenship to the majority of Rohingya," HRW said in a 2000 report.

This has led many Buddhists to consider the Rohingya to be Bengali, rejecting the term Rohingya as a recent invention, created for political reasons.

How and why are they being persecuted? And why aren't they recognised?

Shortly after Myanmar's independence from the British in 1948, the Union Citizenship Act was passed, defining which ethnicities could gain citizenship. According to a 2015 report by the International Human Rights Clinic at Yale Law School, the Rohingya were not included. The act, however, did allow those whose families had lived in Myanmar for at least two generations to apply for **i d e n t i t y c a r d s**. Rohingya were initially given such identification or even citizenship under the generational provision. During this time, several Rohingya

also served in parliament.

After the 1962 military coup in Myanmar, things changed dramatically for the Rohingya. All citizens were required to obtain national registration cards. The Rohingya, however, were only given foreign identity cards, which limited the jobs and educational opportunities they could pursue and obtain.

In 1982, a new citizenship law was passed, which effectively rendered the Rohingya stateless. Under the law, Rohingya were again not recognised as one of the country's 135 ethnic groups. The law established three levels of citizenship. In order to obtain the most basic level, naturalised citizenship), there must be proof that the person's family lived in Myanmar prior to 1948, as well as fluency in one of the national languages. Many Rohingya lack such paperwork because it was either unavailable or denied to them.

As a result of the law, their rights to study, work, travel, marry, practice their religion and access health services have been and continue to be restricted. The Rohingya cannot vote and even if they jump through the citizenship test hoops, they have to identify as "naturalised" as opposed to Rohingya, and limits are placed on them entering certain professions like medicine, law or running for office.

Since the 1970s, a number of crackdowns on the Rohingya in Rakhine State have forced hundreds of thousands to flee to neighbouring Bangladesh, as well as Malaysia, Thailand and other

Southeast Asian countries. During such crackdowns, refugees have often reported rape, torture, arson and murder by Myanmar security forces.

After the killings of nine border police in October 2016, troops started pouring into villages in Rakhine State. The government blamed what it called fighters from an armed Rohingya group. The killings led to a security crackdown on villages where Rohingya lived. During the crackdown, government troops were accused of an array of human rights abuses, including extrajudicial killing, rape and arson - allegations the government denied.

In November 2016, a UN official accused the government of carrying out "ethnic cleansing" of the Rohingya. It was not the first time such an accusation has been made.

In April 2013, for example, HRW said Myanmar was conducting a campaign of ethnic cleansing against the Rohingya. The government has consistently denied such accusations.

Most recently, Myanmar's military has imposed a crackdown on the country's Rohingya population after police posts and an army base were attacked in late August.

Residents and activists have described scenes of troops firing indiscriminately at unarmed Rohingya men, women and children. The government, however, has said nearly 100 people were killed after armed men from the Arakan Rohingya Salvation Army, ARSA) launched a raid on police outposts in the region.

Since the violence erupted, rights groups have documented fires burning in at least 10 areas of Myanmar's Rakhine State. More than 400,000 people have fled the violence, with thousands trapped in a no-man's land between the two countries, according to the UN refugee agency, UNHCR).

The UN has also said that hundreds of civilians who have tried to enter Bangladesh have been pushed

back by patrols. Many have also been detained and forcibly returned to Myanmar.

How many Rohingya have fled Myanmar and where have they gone?

Since the late 1970s, nearly one million Rohingya have fled Myanmar due to widespread persecution.

According to the most recently available data from the United Nations in May, more than 168,000 Rohingya have fled Myanmar since 2012.

Following violence that broke out last year, more than 87,000 Rohingya fled to Bangladesh from October 2016 to July 2017, according to the International Organization for Migration.

Many Rohingya also risked their lives trying to get to Malaysia by boat across the Bay of Bengal and the Andaman Sea. Between 2012 and 2015, more than 112,000 made the dangerous journey.

Prior to the violence that began in August, the UN estimated that there are as many as 420,000 Rohingya refugees in Southeast Asia. Additionally, it said there were around 120,000 internally displaced Rohingya.

Since the violence in Myanmar's northwest began, more than 400,000 Rohingya have fled to Bangladesh, UNHCR said. It added that more than 1,000 people, mostly Rohingya, may have been killed in Myanmar.

What do Aung San Suu Kyi and the Myanmar government say about the Rohingya?

State Chancellor Aung San Suu Kyi, who is the de facto leader of Myanmar, has refused to really discuss the plight of the Rohingya. Aung San Suu Kyi and her government do not recognise the Rohingya as an ethnic group and have blamed violence in Rakhine, and subsequent military crackdowns, on those they call "terrorists".

The Nobel Peace Prize laureate does not have control over the military but has been criticised for her failure to condemn

indiscriminate force used by troops, as well as to stand up for the rights of the more than one million Rohingya in Myanmar.

The government has also repeatedly rejected accusations of abuses. In February 2017, the UN published a report that found that government troops "very likely" committed crimes against humanity since renewed military crackdowns began in October 2016.

At the time, the government did not directly address the findings of the report and said it had the "the right to defend the country by lawful means" against "increasing terrorist activities", adding that a domestic investigation was enough.

In September 2016, Aung San Suu Kyi entrusted former UN chief Kofi Annan with finding ways to heal the long-standing divisions in the region. While many welcomed the commission and its findings, which were released this August, Azeem Ibrahim, a senior fellow at the Center for Global Policy, [argued H Y P E R L I N K "http://www.aljazeera.com/news/2017/08/thousands-rohingya-flee-myanmar-bangladesh-170823193439077.html"](http://www.aljazeera.com/news/2017/08/thousands-rohingya-flee-myanmar-bangladesh-170823193439077.html) it was just a way for Aung San Suu Kyi to "pacify the global public opinion and try to demonstrate to the international community that she is doing what she can to resolve the issue".

Annan was not given the mandate to investigate specific cases of human rights abuses, but rather one for long-term economic development, education and healthcare.

When setting up the commission, Aung San Suu Kyi's government said it would abide by its findings. The commission urged the government to end the highly militarised crackdown on neighbourhoods where Rohingya live, as well as scrap restrictions on movement and citizenship.

Following the release of the August report, the government welcomed the commission's

recommendations and said it would give the report "full consideration with the view to carrying out the recommendations to the fullest extent ... in line with the situation on the ground".

On the latest round of violence, Aung San Suu Kyi condemned a "huge iceberg of misinformation" on the crisis, without mentioning the Rohingya who have fled to Bangladesh.

On September 19, she gave a televised address, condemning "all human rights violations" in Rakhine.

She said that Myanmar was ready "at any time" to verify the status of those who have fled the violence in the last month. She did not specify who would be qualified to return and did not elaborate on how the verification process would work.

Her speech was criticised by Rohingya refugees, as well as activists who accused her government of "burying their heads in the sand".

The government has often restricted access to northern Rakhine States for journalists and aid workers. Aung San Suu Kyi's office has also accused aid groups of helping those it considers to be "terrorists".

In January, Yanghee Lee, a UN special rapporteur on human rights in Myanmar, said she was denied access to certain parts of Rakhine and was only allowed to speak to Rohingya who had been pre-approved by the government.

The country has also denied visas to members of a UN probe investigating the violence and alleged abuses in Rakhine.

What does Bangladesh say about the Rohingya?

There are more than half a million Rohingya refugees living in mostly makeshift camps in Bangladesh. The majority remain unregistered. Bangladesh considers most of those who have crossed its borders and are living outside of camps as having "illegally infiltrated" the country. Bangladesh has often tried to prevent Rohingya refugees from crossing its border.

In late January, the country resurrected a plan to relocate tens of thousands of Rohingya refugees from Myanmar to a remote island that is prone to flooding and has also been called "uninhabitable" by rights groups. Under the plan, which was originally introduced in 2015, authorities would move undocumented Myanmar nationals to Thengar Char in the Bay of Bengal.

Rights groups have decried the proposal, saying the island completely floods during monsoon season. The UN also called the forced relocation "very complex and controversial".

Most recently, Bangladesh's foreign minister labelled the violence against the Rohingya in Myanmar "a genocide". The country's National Commission for Human Rights also said it was considering "pressing for a trial against Myanmar, and against the Myanmar army at an international tribunal" on charges of genocide.

Bangladesh's Prime Minister Sheikh Hasina visited a Rohingya refugee camp in September and H Y P E R L I N K "<http://www.aljazeera.com/video/news/2017/09/bangladesh-pm-urges-myanmar-rohingya-refugees-170912154912867.html>" called on the UN and the international community to pressure Myanmar's government to allow the return of hundreds of thousands Rohingya refugees.

She said that Bangladesh would offer the refugees temporary shelter and aid, but that Myanmar should soon "take their nationals back".

Rohingya refugees in Bangladesh have told Al Jazeera that the government's aid thus far as been inadequate, with many saying they haven't received any kind of government help.

Refugees in Bangladesh have been banned from leaving the overcrowded border areas. Police check posts and surveillance have been set up in key transit points from stop Rohingya from travelling

to other parts of the country.

What does the international community say about the Rohingya?

The international community has labelled the Rohingya the "most persecuted minority in the world".

The UN, as well as several rights groups such as Amnesty International and Human Rights Watch, have consistently decried the treatment of the Rohingya by Myanmar and neighbouring countries.

The UN has said that it is "very likely" that the military committed grave human rights abuses in Rakhine that may amount to war crimes, allegations the government denies.

In March, the UN adopted a resolution to set up an independent, international mission to investigate the alleged abuses. It stopped short of calling for a Commission of Inquiry, the UN's highest level of investigation.

The UN investigators must provide a verbal update in September and a full report next year on their findings.

Rights groups have criticised the government's reluctance to accept the UN investigators.

Human Rights Watch warned that Myanmar's government risked getting bracketed with "pariah states" like North Korea and Syria if it did not allow the UN to investigate alleged crimes.

In response to the latest round of violence, UN Secretary-General Antonio Guterres warned of the risk of ethnic cleansing, calling on Aung San Suu Kyi and the country's security forces to end the violence. In early September, Guterres also warned of a looming "humanitarian catastrophe" if the violence does not end.

UN human rights chief Zeid Ra'ad al Hussein urged Myanmar to end its "brutal security operation" against the Rohingya in Rakhine, calling it a "textbook example of ethnic cleansing".

Both UN officials said they completely supported the findings of the advisory commission, led by

Kofi Annan, and urged the government to fulfil its recommendations.

What is the Arakan Rohingya Salvation Army?

The Arakan Rohingya Salvation Army, ARSA), formerly known as the Al-Yaqeen Faith Movement, released a statement under its new name in March 2017, saying it was obligated to "defend, salvage and protect [the] Rohingya community". The group said it would do so "with our best capacities as we have the legitimate right under international law to defend ourselves in line with the principle of self defence".

The group is considered a "terrorist" organisation by the Myanmar government.

In its March statement, the ARSA added that it does "not associate with any terrorist group across the world" and does "not commit any form of terrorism against any civilian[s] regardless of their religious and ethnic origin".

The statement also said: "We [...]"

declare loud and clear that our defensive attacks have only been aimed at the oppressive Burmese regime in accordance with international norms and principles until our demands are fulfilled."

The group has claimed responsibility for an attack on police posts and an army base in Rakhine State. According to the government nearly 400 people were killed, the majority of whom were members of the ARSA. Rights groups, however, say hundreds of civilians have been killed by security forces.

Rights group Fortify Rights said it has documented that fighters with the ARSA "are also accused of killing civilians - suspected government 'informants' - in recent days and months, as well as preventing men and boys from flee Maungdaw Township".

On September 9, the group declared a month-[HYPERLINK "http://www.aljazeera.com/news/2017/09/arsa-rebels-declare-truce-rohingya-crisis-170909181712623.html"](http://www.aljazeera.com/news/2017/09/arsa-rebels-declare-truce-rohingya-crisis-170909181712623.html)oHYPER

LINK "<http://www.aljazeera.com/news/2017/09/arsa-rebels-declare-truce-rohingya-crisis-170909181712623.html>"ng unilateral ceasefire in Rakhine to enable aid groups to address the humanitarian crisis in the area.

"ARSA strongly encourages all concerned humanitarian actors resume their humanitarian assistance to all victims of the humanitarian crisis, irrespective of ethnic or religious background during the ceasefire period," the group said in a statement, adding that it calls on Myanmar's military to also temporarily lay down arms.

According to the International Crisis group, the ARSA has ties to Rohingya living in Saudi Arabia.

The Myanmar government formally categorised the group as a "terrorist" organisation on August 25.

Source: The AL Jazeera, 20th Septemebr, 2017

URL: <http://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-170831065142812.html> □

Gujarat PUCL: September 1, 2017

Letter to the President of India regarding Saurashtra-Narmada Avataran Irrigation Yojana

Hon'ble President of India,
Rashtrapati Bhavan,
New Delhi 110 004

His Excellency the President,
Respectful Greetings!

We have been given to understand from the newspaper reports that during your visit to Gujarat you are scheduled to lay foundation stone for the 4th Link as part of "Sauni Scheme", *Saurashtra-Narmada Avataran Irrigation Yojana*) of Saurashtra.

Presuming that these reports are true we beg to bring to your kind attention to the C.A.G.'s Report No. 6 for the year 2016 on the Economic Report on Gujarat Government, Copy enclosed). Audit Report has been received by the Government in March 2017. As contained therein there was contradiction amongst the different wings of the Government. The Government had commenced the

work without passing through the stage of techno-economic scrutiny, Check list).

This scheme has become controversial on account of contradiction between Water Resources Department and the *Sardar Sarovar Narmada Nigam*. It is felt that the root cause for this is attributable to commencement of the works without adequate appraisal or evaluation. Controversy has originated due to hasty commencement of the works without augmenting the branch canals and confirmation of adequate water availability. The Water Resources Department had pressurized the Sardar Sarovar Narmada Nigam which had refused or resisted against it as it would have impacted on the planning of the entire scheme. Even then, the Water Resources Department did not pay any heed to it.

We feel that since there is no

techno-economic clearance by the Govt. of India and no green signal is received for the planning and check lists by the Central experts then by overlooking all this, if foundation stone laying ceremony is performed then it would place the status and dignity of the President in an awkward and embarrassing situation. Announcement or declaration of the scheme had already been made by the then Chief Minister in the course of electioneering meeting. The Central Government had also refused to fund or finance the expenditure.

As such when this Scheme has not been cleared from the parameters *t e c h n o - e c o n o m i c* and administrative feasibility as also water availability and is stuck in up in controversy then it does not appear to be proper for yourself to lay the foundation stone for the scheme.

We request your good self that you may thoroughly review the scheme keeping in view the status and dignity of the President's post so that dignity of your post could be maintained. Otherwise in the recent past the Prime Minister had graced the occasion by inaugural switching on the system but soon after the Central Government had refused to provide finances and that too on the grounds of nonfeasibility of techno-economical and water availability issues and hence since the scheme is at a stage where its future is uncertain, then your kindness ought to avoid such controversy.

Sir, we are not against Narmada

Project and do wish that people should get adequate water in well planned and timely manner but when there appears to be repetition of Sujalam - Sufalam schemes with lot of irregularities and when the Scheme is made use of merely for political gain in the times of ensuring election then it becomes opportune in the interest of the public and we also deem it as our duty.

With Kind regards,

Yours sincerely,

Suresh Chandra Mehta, Former Chief Minister, Gujarat; **Indukumar Jani**, Editor, *Naya Marg*; **Prakash N. Shah**, Editor – *Neerikshak*;

Gautam Thaker, General Secretary, PUCL – Gujarat; **Rajni Dave**, President, *Gujarat Sarvodaya Mandal*; **Mahesh Pandya**, *Gujarat Social Watch*; **Vipul Pandya Prof. Rohit Shukla Sukhdev Patel, Babubhai Vaghela Harinsh Pandya Pravinsinhji Jadeja, Nafeesa Barot Siddhu Sukhchen Singh Govindbhai Jadav**

Copy forwarded, for necessary action to: The Chief Secretary, Government of Gujarat Sachivalaya, Gandhinagar, 6-7, Rangoli Complex, Opp. V. S. Hospital, Ahmedabad - 380006, Gujarat). Ph. No. 09824022677; and 09825382556 □

Silencing the Writer

Pushkar Raj

The Bombay high court judgment cancelling Prof. Sai Baba's bail and initiating contempt proceedings against the Writer Arundhati Roy is a major blow to the human rights defenders in the country.

Dr. Sai Baba was arrested by the police in 2014 for allegedly indulging in maoist activities. He was charged under various sections of Unlawful Activities, Prevention) Act and later denied bail. In an article in a magazine Arundhati Roy had questioned the manner of arrest of the professor and grounds on which he was denied bail. She had criticized the courts in the country for following different set of rules while granting bail depending on person's ideology and proximity with the government of the day.

Dr. Sai Baba organized and participated in the meetings in the capital that highlighted the misery of the indigenous population who face displacement and crisis of survival in light of the governments' big project centric development agenda. Arundhati Roy stressed that Dr. Sai Baba is primarily a human rights defender who should be treated humanely in light of his 90 per cent disability and the jurisprudence principle of presumption of innocence till proven guilty.

Ideally the National Human Rights Commission, NHRC) should have

come out in support of activists like Dr. Sai Baba. However, its record for defending the HRDs, despite having a dedicated cell for this purpose, has been dismal for various reasons. Therefore, the burden of speaking on the behalf of people like Dr. Sai Baba has fallen on the shoulders of the civil society in the country.

However, the civil society organizations too require support of the Writers, artists and intellectuals to lend weight to their voice, especially when the present government, erroneously, treats the rights based human rights activities in the country as an anathema to its development and ideological agenda.

As a Writer, one would assume, Arundhati Roy may feel that branding people naxalites and then treating them inhumanely before their guilt is proven is an outrageous practice in a constitutional democracy. In the outlook article which is the subject of 'interference in administration of justice' charge against her, the Writer puts her perspective with her own set of arguments. These arguments may be right or wrong. The judgment of the court castigates the Writer's right to hold that perspective or opinion which is a disturbing trend.

It is a matter of concern that the contempt proceedings against

Arundhati Roy, might serve as a warning to the Writers and thinkers of the country to stay away from the public issues. Already, a section of the government has vilified a large number of Writers because they dared to voice against encouraging and growing intolerance in the Indian society. Any kind of threatening message coming from any branch of the government on thought and its expression is an erosion of our constitutional values and detrimental to the interest of our society. The Writer, as Chinua Achebe, doyen of African literature, argued, creates the values of a society. When we silence the Writer, we create a value vacuum in the society, i.e., a breeding ground for the mob driven justice and fascism. The Bombay high court judgment is regrettable that it has come from an institution- the judiciary- that the Writers and HRDs of the country look up for protection of their life and civil liberties. Several of courts' landmark judgments preserved and expanded the rights of the individual rather than shrinking them. In that light, the Bombay high court bench judgment is an exception.

The present case is sure to go to the Supreme Court. One hopes that it will be reviewed and nullified in the interest of civil liberties and constitutional values of the country. □

On the Recently Announced Bullet Train Project

On 14th September, 2017, amidst great fanfare the Prime Ministers of India and Japan, Narendra Modi and Shinzo Abe, announced the launch of the construction of the Bullet Train from Ahmedabad to Mumbai. The Rs. 1.10 lakh crore project is being projected as a big-ticket project meant to characterise the rise of India as a technologically advanced nation, will become operational in 2022, the 75th anniversary of India's freedom. On one hand is the so called technological achievements underlying such a project which will reduce the travel time between Mumbai to Ahmedabad from the present 7 hours to just below 3 hours, 2 hours and 58 minutes; on the other is the social, ecological and economic cost of such a project. We shall examine different features of such a mega project in future issues. We carry some articles on the subject written by Justice Rajindar Sachar and others.

A Cruel Joke on the Poor of India Rajindar Sachar

It is a tragedy of Indian Politics that the massive amount of Rs. 1.10 Lakh Crores being spent Bullet Train project from Ahmadabad to Mumbai is hailed by Modi government as a great achievement - still more tragic and utter lack of people's politics is the reaction of other political parties. Thus Malikarjun Kharge, the Congress leader in parliament has hastened to clarify that the Congress is not against the project but wants to draw the attention of the public to the motive of the inauguration on the eve of Gujarat poll - and it is a political use of national project. To leave no one in doubt that the Congress is even more keen on bullet train concept in the whole of India, he has openly welcomed the project and has emphasized that it was first conceived in 2005 and later in 2013 when Congress was in power and that it was the Congress which had ordered viability survey by Japanese government and that Congress is happy that Japanese government has kept the schedule. Thus congress objection is not against this project, rather it welcomes it, project which I consider as disastrously wasteful and amounts to mocking the poor in India.)

The position of some other opposition parties has surprisingly not been made clear excepting by Socialist Party, India) whose President Dr. Prem Singh has publically opposed it. I have not seen any other opposition Party condemning this bullet train project

- rather I find that Akhilesh Yadav of Samejwadi Party has welcomed the idea of a bullet Train but is of the view that it should run between Delhi and Kolkata passing through Uttar Pradesh and Bihar, containing the maximum number of unemployed and poor. Is it not ironic that though extreme poverty line in being highlighted yet there is no condemning the aristocratic Bullet Train concept - rather the grievance is that Modi has favoured Gujarat, rather than U.P. and Bihar. It was reported in the press that the opposition parties were to meet at Jaipur on 14th of September, 2017 for third edition of 'Sanghi Virasat', shared culture campaign to oppose the NDA government effort to "Create Social Disharmony". Akhilesh Yadav was one of those who was to attend the meet, apart from other leaders of CPM, TMI, Rashtraya Lok Dal. One has not heard of this group opposing the concept of Bullet Train - does that mean that opposition does not find the whole concept of Bullet Train as an assault on the dignity of the poor. Has the opposition the same priority as billionaire's favourites of Modi. I am also disappointed that powerful Railway Unions and others Trade Unions have not opposed this mad venture.

The Bullet Train is also expected to pass through under sea. India has no experience in this technology at all. Is our dependence on a foreign country for decades,, however friendly it may be at this time), a wise decision tested on grounds of security and defence. Should this money be not spent on improving

our existing railway quality so as to exclude frequent rail accidents which have taken place in the recent past.

If we go on with Bullet Train, it is already having a very bad impact. It is said that Maharashtra Chief Minister though of BJP was not inclined to allot land unless he extracted promise that there will also be a bullet train from Mumbai to Nagpur, which is his home town). On paper there is already a programme of bullet train from Delhi – Bombay, notwithstanding the protests by poor farmers whose lands will be acquired thus creating a social crisis in the country.

Farmers of Maharashtra have already gone on protest at this wasteful expense while they are growing under loans repayment and which have not been waived by the State government.

Even from practical point of view the concept of Bullet Train is deeply flawed, looked at from any angle.

The fare in the Bullet Train are such that any government having the welfare of the people would not touch it with a pair of tongs. The fare could be around 2 times the existing A/c first class fare or almost the same as Air fare of over Rs. 3000 - 3500/-. Bullet train will need 100 trips daily to be financially viable - a study by IIM Ahmadabad has come to the conclusion that this project would be in losses from day - one.

Japan's government and its rail companies lobbied the US for years to sell its bullet train technology and found little success.

To justify this Modi has given an example by saying that it will save the passenger trouble of going to airport in Car, avoiding traffic and then waiting at the airport. The ironic cruelty of this explanation has been missed by prime Minister – poor in India do not own Cars. In fact figures of car registration in India averaged 108690.89 Cars from 1991 until 2017.

According to World Bank report, India has 224 million living below the international poverty line of around Rs. 120 a day. Modi's bullet train venture is a cruel joke and ridicules on the poor of India because the fare of Ahmadabad –

Mumbai, one way fare) will not be less than Rs. 3000, which works out at 25 times the daily earning of the millions in India.

The concept of Bullet Train accepts the vilest of inequality in our country. Thus the position in the India is that richest 1% of Indians own more than 53% of India's wealth) Further shameful inequality is reflected in the fact that 57 billionaires in India control 70% of India's wealth.

The position in India after 70 years of India is that about 48% of Indian urban population and in rural areas 60% of population remains without access to toilets. It needs to be

emphasized that building toilets in rural India was one of the major promises made by Prime Minister Modi.

There is another more serious objection to the massive expense on Bullet Train. Only 44% of rural households have access to electricity.

The project is expected to be completed normally in 2025 or not earlier than by December, 2023 in any case. Modi's whose term expires by mid 2019 has no legal or moral justification to bind the next governments which could be, Non-BJP).

Dated: 18/09/2017 □

Biggest Challenge Facing the Bullet Train: 825 Hectares of Land¹

September, 21, 2017

Acquiring 825 hectares of land may become a major hurdle for the completing the Mumbai-Ahmedabad bullet train project by 2022.

Experts said advancing the project's deadline by a year to August 2022 may not be feasible considering the complex land acquisition process involved.

Of the Rs 1.10 lakh crore investment required for the project, Japan is providing Rs 88,000 crore as a soft loan at 0.01 per cent interest. However, release of the Japanese funding is linked to land acquisition.

"We are expecting land acquisition to be completed within one-and-a-half years. Japan has provided Rs 6,000 crore as the first tranche of the loan for setting up the Sabarmati station and a high-speed rail training institute.

The remaining loan will be provided after the land acquisition is complete," said a source close to the development. Though the initial land requirement was 1,650 hectares, the National High Speed Rail Corporation settled on 825 hectares by including an elevated stretch.

Initial feasibility reports have identified 163 villages in eight districts of Gujarat, 44 villages in three districts of Maharashtra and

some areas in Dadra and Nagar Haveli for land acquisition. About 2,761 families will be affected.

Among the affected families, 1,653 are house owners, 847 have a member who is an employee of a business or commercial establishment likely to be affected by the project, and 116 are tenants. The remaining 5 per cent of families fall in the category of registered leaseholders, illegal occupiers and others.

Around 1,688 structures in 207 villages will be affected by the project. Asked how confident the government was about completing the project by 2022, Railway Minister Piyush Goyal said, "We are confident, considering the pace at which the Modi government has completed all its projects."

The 508-km line will cover 156 km in Maharashtra, 351 km in Gujarat and 2 km in Dadra and Nagar Haveli. It will have a 21 km tunnel with 7 km under sea in Thane Creek.

The line will have 12 stations in Mumbai, Thane, Virar, Boisar, Vapi, Bilimora, Surat, Bharuch, Vadodara, Anand, Ahmedabad and Sabarmati. The bullet train will run at a speed of 320-350 km per hour.

"In the initial stage, the route will have 35 trains with 10 coaches each, which will be increased to

105 trains by 2023," an official said.

A major advantage of the bullet train is its 2.58 hour run. A flight on the same route takes 1.20 hours.

Airlines a competitor to bullet train

Though the fare structure for Rs 1.10 lakh crore is yet to be finalised, the initial estimates suggest that the high speed rail fares are likely to be 1.5 times the existing first class AC train tickets.

The current fare of AC first class on Ahmedabad-Mumbai route is in the range of Rs 1,700-2,300, while flight tickets start from Rs 2,000 onwards.

This means a traveller will have to pay much more than existing flight ticket prices to travel on bullet trains.

One of the major advantages that the project offers is the reduction of running time from close to eight hours to 2.58 hours. A flight journey on the same route takes only 1.20 hours, making air travel more cost effective and time saving compared to bullet train.

¹http://www.rediff.com/business/report/biggest-challenge-facing-the-bullet-train-825-hectares-of-land/20170921.htm?pos=7&src=NL20170922_nn&trackid=PfNr+FRVVzQzIQ/5AGVf/xQxXgwb/3jGXA4J4tpPQa8=&isnlp=0&isnlp=1 @ 22.9.2017

Courtesy: Rediff.com. □

Press Statement: 11/09/2017:

Justice Rajindar Sachar, former President of *People Union for Civil Liberties* has issued the following statement: Prime Minister Modi and Prime Minister of Japan are scheduled to lay foundations stone for bullet train from Ahmedabad to Mumbai at a cost of Rs. 1.10 lakh crores on September 15th, 2017. The fare could be around 2 times the existing A/c first class fare or almost the same as Air fare of over Rs. 3000 - 3500/-.

According to World Bank report, India has 224 million living below the international poverty line of around Rs. 120 a day. Modi's bullet train venture is a cruel joke and ridicules on the poor of India. The project is expected to be completed by December, 2023. Modi, whose term expires by mid 2019 has no legal or Moral justification to bind the next government which could be, Non-BJP).

I feel that this calls for political parties, and trade unions, to register their protest at the site of inauguration on September 15th, 2017.

Prasangik Nondh:

"Mann Kee Baat" states that "Violence Will Not Be Tolerated" but when and how soon? Gautam Thaker*

The case matter of the of rape committed on two nuns leveled against Gurmeet Ram Rahim, the President of Dera Sachcha Sauda in the country, has now been proved and the Special C.B.I. Court has pronounced imprisonment of 10 years each in two separate crimes or offences. As each of this imprisonment has to be undergone severally, it will imply that prison term shall be of twenty years. Moreover, the Judge Jagdeep Singh has, in the Sunariya Jail of Rohtak has pronounced orders to pay compensation of Rs. 14 lakhs each to both the rape victims, under the Section 376 and 506 of the I.P.C. The extortionist of religion, Ram Rahim, has during the last week, caused deaths of more than 40 innocent people, besides damage and destruction to the Government and Private properties worth over billions of rupees. The said Ram Rahim had affiliation with the politicians and was possessing wealth of hundreds of crores of rupees. In the past also, some three charges of assaults and murders had been leveled against Ram Rahim. One will feel surprised that he owned and possessed 700 acres of land, three Nos. of hospitals, one international level Eye Bank, Gas Station, Market Complex and 250 Nos. of Ashrams set up abroad. All this empire or estates valuing billions of rupees shall now be handled by his son,

Jasmeet.

At the base of either Hindu religion or any other religion, there is obviously an element of respect and dignity of woman. We have also been talking of Indian civilization. But within our own selves are lying the devils like Dushasan and Duryodhana which has been clearly demonstrated in India during last ten years. Whether be it Asharam, Rampal, Radhe Ma or Ram Rahim, but it is not understandable how the man or woman like these could be the head of the religion? Religion has been teaching non-violence but the disciples follow the path treaded by their heads and such misconduct has become widely and vividly visible in the incidents of Ram Rahim. Really, the religion is meant for social reforms, human welfare, preservation and enrichment of culture and civilization. But none of this noble deed could be perceptible in this entire episode. He had himself done the damage and disservice to the religion. The slogan of "Non-violence is the Highest or the Best Religion" was found to have been sadly ruined and razed.

Kudos and salutes to courts and judiciary system of India. While the disciples of Ram Rahim went of rampage and the Government did not take steps to maintain law and order situation, the High Court made stringent strictures against

the Haryana Government but the Haryana Government acted shamelessly and remorselessly by ignoring such criticisms. High Court had even told to compensate for the losses and damage by seizing the properties owned by Ram Rahim. Court had also observed that the responsibility to extinguish the flames ignited in Haryana does not lie merely with the State Government alone. By taking suo moto cognizance of the violent incidents, the Court has provided to the Society the best example and has also proved that no one is above or beyond the law. By proving that all this is subject to and under the law and judiciary, the court has demonstrated the supremacy of the judicial system. It did not spare any of the politicians. It went to the extent of saying that if the disciples do not disperse then take recourse to Lathi Charge and even then they do not pay any heed, then resort to shooting or firing on them. At the same time, kudos also to the mass media community. Both print and the T.V. media, by relaying and projecting factual picture to the people of the country, has played the role of fourth estate.

This was indeed a political surrender on the part of the Government with the temptation of securing intact their vote bank, as has been clearly observed by the Court. Noting about the law and

order situation, the Court stated that why the Chief Minister did not take actions against the anti-social elements who indulged into violence who were wielding sticks, petrol etc. with them. The Court also stated that you are allowing the city of Panchkula to be inflamed and set to the fire, for political gain. Even after such a stricture slammed on its face, the seat of power or the throne of Khattar is safe and secure!

Now the question arises as to the pronouncement clearly uttered by the Respected Prime Minister in his "Mann Kee Baat"; that violence in the name of faith will not at all be tolerated and the guilty will not be spared. No one has a right to take law in to his hand in the name of Faith. The Government will never tolerate or put up with such kind of violence. But then why the Prime Minister does not prevent or control the violence which has been wide spread in the States ruled by the regime in power at the centre. If Khattar Government had taken timely steps to check the rampage then damage and destruction could certainly have been averted. But the ruling party consists of 19 No. of M.L.A. who have won the elections

on the strength of support of Ram Rahim and hence there was no question of taking any action at all. This very Government had failed to systematically and legally resolve the Jaat agitation of 2016 and at that time also the violence had erupted. Whereas on the other side, an M. P. belonging to the ruling party was reported to be saying that why the court is listening or taking cognizance of complaint of only two victims instead of listening to the voice of crores of disciples or followers? The party has not taken any steps against that M.P. and this is a true fact file of to-day. It is widely known that the ruling party in Haryana had secured seats in nine districts, with the support of Ram Rahim. It is felt that no Government should tolerate the tendency of giving free hand to resort to rampant goondaism in the name or guise of religion or faith. If the Government fails on this front then it would be very difficult to predict as to what will be the future or the fate of the democracy.

*Gautam Thaker, National President, Indian Radical Humanist Association & General Secretary, PUCL Gujarat, Mobile: 09825382556 □

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V. Suresh, General Secretary, PUCL National.

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