

Liberty Watch India

October 2019

Words are powerful tools to sway public opinion and in order to allow only certain words to stay in public memory, a police complaint was made and formally registered by the police against a group of 49 eminent persons – writers, actors and scholars - who recently spoke out against increased hate crimes in the country. The charges cited in the FIR related to sedition, public nuisance, hurting religious feelings and insulting with an intent to provoke breach of peace. On the other hand Mohan Bhagwat, chief of the all-powerful RSS [recently remarked](#), “India is a Hindu Rashtra and it is non-negotiable”, and Home Minister Amit Shah [remarked](#) at a rally in Kolkata that NRC would be implemented all across the country and that Hindu, Sikh, Jain and Buddhist refugees will be accorded Indian citizenship beforehand with the passage of the Citizenship (Amendment) Bill, without any legal repercussions. Shah also questioned application of “western standards of human rights” to matters pertaining to India, signalling an attack on the very foundations of liberal democracy.

The third month of lockdown in Kashmir witnessed various state led enforced changes. The centre appointed Girish Chandra Murmu as the [new](#) Lt. Governor of Jammu and Kashmir, a man known to have helped Prime Minister Narendra Modi and Home Minister Amit Shah, [escape](#) liability in 2002 Gujarat riots as well as in Ishrat Jahan fake encounter case. In a move to “preserve human rights” in Kashmir, the centre ordered [winding up](#) of all rights based institutions of the state, such as, Jammu and Kashmir State Human Rights Commission (SHRC), State Information Commission (SIC), State Commission for Protection of Women & Child Rights (SCPWCR), and State Commission for Persons with Disabilities (SCPWD), with effect from October 31, 2019. With reference to India’s superficial promise to work for climate change, it was [reported](#) that the Forest Advisory Committee of Jammu and Kashmir gave clearance to 125 projects over 3 meetings between August to Octobers involving forest land as compared to 2018 wherein only 97 projects had gotten cleared over 8 meetings. The centre allowed for partial lifting of communication blockade by [restoring](#) only post-paid phone services, internet services along with pre-paid phone services remain banned. Bowing to Government’s pressure, Twitter [deleted](#) nearly one million tweets related to Kashmir over a period of two years. Kashmiris from various walks of life continue to be detained in jails across Uttar Pradesh and in recent RTIs [filed](#) by a prominent human rights activist, the authorities refused to reveal details of those detained. The siege laid in Kashmir gained the attention of the US Congress which held a hearing on “Human Rights in South Asia” and heavily [criticised](#) India over its actions in Kashmir. In contrast, India [hosted](#) a delegation of 23 European MPs in Kashmir, primarily those representing far-right ideologies. The European Parliament stated that it was an unofficial visit by certain members and one parliamentarian [stated](#) that it was a PR Stunt. The United Nations Office of the High Commissioner for Human Rights (OHCHR) also released a [statement](#) expressing deep concerns over the wide range of human rights that the people of Kashmir are being denied currently.

In continuation of the centre’s Islamophobic policies, the Home Minister of the country recently [stated](#) that National Registry of Citizens will be implemented across India. The Supreme Court guided process for preparation of NRC in Assam has convulsed that society, and in parallel procedure many Indians have been incarcerated in detention centres due to lack of documentation to prove their identity. Some 26 [individuals](#) have died in the detention centres. It has been [reported](#) that there have been around 57 suicides in Assam. Due to fear of implementation of NRC in West Bengal, approximately 8 [persons](#) have committed suicide. In Uttar Pradesh, the national plan has begun its implementation with the Director General of Police [instructing](#) all district police chiefs to identify Bangladeshis and other foreigners so they could be deported. In Karnataka, 60 “illegal Bangladeshi immigrants” were [arrested](#) of which, there were 29 men, 22 women and 9 children. This came after the Karnataka government [stated](#) that it had started collecting information for implementation of NRC.

A recent [report](#) by National Crime Record Bureau (NCRB) that gave a quantitative analysis of crimes that occurred in the country had no section on mob lynching cases – reported widely since 2015 - even though it has been reported, the data was available with them. The report has rather added a new [section](#) called, “Crime Committed by Anti National Elements”, mostly anti-state forces. As per Amnesty India’s hate tracker [report](#), there have been 181 incidents of hate crimes in the first half of 2019. Over two-thirds of the victims were targeted because they were Dalits, while 40 of them suffered on account of their Muslim identity. They reported that since 2015, in a total of 902 recorded incidents of hate crime, 621 were related to caste discrimination, while another 113 were motivated by cow vigilantism. A recent [report](#) by Caravan revealed that a probe into lynching that occurred in 2017 in Jharkhand were biased and communal in nature. The police investigating cases related to lynching came down heavily on Muslims whereas Hindus involved in violence against Muslims and Dalits were granted impunity. And Contrary to NCRB’s report, there have been various incidents of mob violence in the country. In [Shamli](#), Uttar Pradesh, the killing of a monkey, allegedly by a Muslim man resulted in a mob of Hindus backed by Bajrang Dal gathering outside the victim’s house till Police registered a case against the Muslim man. Another case of mob violence in [Uttar Pradesh](#) saw over 12 shops of Muslims being burnt after clashes erupted when a crowd was going towards Ram Rekha River for immersion of a deity. In Saharanpur, Uttar Pradesh, a disagreement between a group of Valmiki’s and Muslims led to [communal](#) clashes. In [Jehanabad](#), Bihar, a violent communal clash arose between

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communities after an idol of Goddess Durga was stoned and broken. This led to razing of shops and heavy stone pelting where 12 people were seriously injured. Alwar in Rajasthan has witnessed a number of cases of mob violence, with no action taken against perpetrators. This has allowed hyper-nationalist anti-Muslim individuals to act on their ideologies. In a recent [case](#), Raees Khan was with his family at the town's Central Bus Station when two men forced him to chant 'Jai Shri Ram' and made obscene gestures toward the women traveling with him. In [Bihar](#), the same chant was used by a mob while thrashing a ward councillor's son in broad daylight, with police watching by.

The trend of the country witnessing suppression of rights and liberties continues. There is targeting of specific communities, and state machineries failing to provide safeguards to them guaranteed by the constitution. With institutions meant to safeguard rights seeking to provide legitimacy to state's action, there seems little hope of rule of law and for victims.

Citizens Against Hate

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