

THE RADICAL HUMANIST



ESTABLISHED : APRIL 1937

*(Formerly in the name of 'INDEPENDENT INDIA'
since April 1937 to March 1949)*

Founder
M.N. ROY

Vol. 79 No. 1

APRIL 2015

Rs. 20 / MONTH

ACQUITTAL OF ACCUSED IN HASHIMPURA MASSACRE IS TRAVESTY OF JUSTICE



DEMOCRATIC VALUES MUST ALWAYS BE UPHELD

A TRAVESTY OF JUSTICE

THE BIG PICTURE: HASHIMPURA THEN, HASHIMPURA NOW

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THE RADICAL HUMANIST

Vol.79 No.1 APRIL 2015

Monthly Journal of the Indian Renaissance Institute

Devoted to the development of the Renaissance Movement and for promotion of human rights, scientific temper, rational thinking and a humanist view of life.

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The Radical Humanist to:

N.D. Pancholi, G-3/617, Shalimar Garden Extn. I
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Editorial:

Democratic Values must always be upheld

Mahi Pal Singh

With the expulsion of Yogendra Yadav and Prashant Bhushan, two of the founding and leading members of the Aam Aadmi Party from the Political Affairs Committee (PAC) of the party, accusing them of anti-party activities, on 4th March 2015, the internal rift of the party came out in the open. From the statements of some of the leaders a few days before the PAC meeting, what happened in the meeting was a foregone conclusion. It is being said that the entire dispute is regarding the National Convenorship of the party. It has been alleged that Yogendra Yadav and Prashant Bhushan have been hatching a conspiracy to remove Arvind Kejriwal from this position and make Yogendra Yadav the National Convenor; though both of them have strongly refuted the charge in their letter to the party volunteers dated 12th March, 2015. In the letter they have clarified that in the National Executive meeting on 26th February they had actually opposed such a proposal and proposed that Arvind Kejriwal 'MUST' continue as the National Convenor.

However, both of them admit that there have been differences with Arvind on several issues. The first point of discord was that Arvind Kejriwal was in favour of taking the support of the Congress for forming his government again soon after the Lok Sabha elections in spite of the fact that the AAP had filed a petition in the High Court for dissolution of the Assembly as no party was in a position to form a government. He and many MLAs of the party were adamant on trying to form such a government though he was advised against doing so by Yogendra and Prashant. Those in favour of forming a government somehow or the other were obviously shaken by the results of the

Parliamentary elections which had given the Narendra Modi led BJP a clear majority in the Lok Sabha and all the seven seats in Delhi. They were afraid that if the elections were held in Delhi again at that juncture, most of them would not get re-elected and it would mean the end of their short political career. Arvind Kejriwal was either one amongst them or had bowed before their thoroughly unprincipled demand. He had forgotten that he had been thoroughly criticized for forming his earlier government with the support of the Congress although what went in his favour was that his party had not sought their support and the Congress had on its own given a letter of support to the Lieutenant Governor. Even then it was an unprincipled stand as he had declared during the election campaign that the AAP would neither give nor take support of the Congress or the BJP for forming a government in Delhi. It has become absolutely clear now through the leakages of information that Arvind even attempted to cause a defection in the Congress to win over the support of 6 Congress MLAs which was the minimum number mandatory according to the anti-defection law. Had he succeeded it would have confirmed the charge of the opposition that he too, like other politicians, is power hungry. Even the leakage of this information has heavily dented his image and credibility.

The second point of discord was the demand made by Manish Sisodia, Sanjay Singh and Ashutosh that all the members of the PAC should resign taking responsibility of the defeat in the Parliamentary elections and Arvind Kejriwal should be allowed to reconstitute a new PAC, according to his wishes and convenience. There was a demand for the dissolution of the National

Executive also which was opposed by Yogendra and Prashant as they considered it unconstitutional.

The National Executive meeting in June 2014 had decided that the opinion of the volunteers should be taken regarding the decision to contest elections in Maharashtra, Haryana, Jharkhand and Jammu-Kashmir and the decision was finally left to the State units. This decision taken after taking into consideration the opinion of the volunteers was endorsed by a majority of the National Executive members. But this decision was overturned only because Arvind Kejriwal was opposed to it.

Arvind Kejriwal has also been accused of being dictatorial in the matter of selecting the candidates for the last Delhi assembly elections putting winnability as the most important criteria even if it went against the opinion of the local party volunteers.

It has now become known that Arvind Kejriwal had made up his mind to expel both Yogendra Yadav and Prashant Bhushan, both with an impeccable and long record of commendable social service and a commitment to constitutional and democratic values, from the PAC of the party, and who knows there a plan to expel them from the party also. Mayank Gandhi's disclosure that the members of the Executive that met on 4th March were coerced into taking a decision to expel Yogendra Yadav and Prashant Bhushan from the PAC by Arvind Kejriwal as he had declared in advance that he would not remain National Convenor of the Party if his wish was not fulfilled. Even then the decision was taken by 11 to 8 votes and Prashant Bhushan and Yogendra Yadav had abstained. Rakesh Parikh, the Rajasthan state unit spokesperson, has also alleged that although he was authorized to participate in the 4th March National Executive meeting by the State Unit which had planned to

vote in favour of Prashant-Yogendra duo, yet he was prevented from attending the crucial meeting and Party Secretary Pankaj Gupta had asked Sunil Agiwal to attend the meeting instead. It is well known that the latter voted for the ouster of the dissenting duo. From these facts it becomes clear that the majority of the Executive members, which expelled them from the PAC, was a manipulated majority and the decision was taken under coercion.

The overwhelming support of the people for the AAP in the Delhi Assembly elections, giving it 67 out of 70 seats, may be interpreted, and is actually being put forward by some party leaders, as justification for the decisions taken by Arvind Kejriwal, though the fact remains that the people voted his party to power on the basis of the AAP government's performance in the short 49 day stint in which promises on 50 % electricity bills, free supply of water and giving a corruption free governance were fulfilled. It is also true that his government will be judged at the time of next elections after five years on the basis of fulfillment of the promises made in the manifesto and most voters hope that he will not belie their expectations. It is also true that he is the popular face of the party and was rightly projected as the Chief Ministerial candidate of the party during the Delhi Assembly elections. There is also no doubt in the fact that he has attained this position by dint of hard work, sacrifice, his unflinching commitment to fight against corruption and his social service but at the same time it is also equally true that his association with people like Yogendra Yadav and Prashant Bhushan have helped him to a great extent in attaining that position. It is his association with people like them that the AAP has attained acceptability and credibility among the intellectual class and the middle class equally. However, the recent happenings in the party have certainly dented his claim to be much different from other party

leaders, most of who act as party Supremos, who take decisions by themselves and the party cadres, and even leaders, are only expected to toe their line, or get out. There is lack of internal party democracy. There seems to be no place for free expression of opinion in the party and absolutely no place for dissent which are very essential in a democratic set up.

It is not for the first time that Arvind Kejriwal has been accused of being autocratic in making decisions. Many leaders have left the party making that allegation. We may not consider the remarks of those who later joined the BJP, as their criticism could have been politically motivated and perhaps Kejriwal was proving a stumbling block in the fulfillment of their too high political ambitions. But certainly Yogendra Yadav and Prashant Bhushan cannot be accused of acting at the behest of the BJP. Even the questions raised by them cannot be brushed aside lightly; nor can any illegitimate motives be attached to them. Though the Prashant-Yogendra duo has not raised this question, yet what is

illegitimate if someone asks, "How can Arvind himself hold two posts - as the Chief Minister of Delhi and as the National Convenor of the Party - when no two persons of the same family can seek party tickets for elections?"

If Arvind Kejriwal does not show his commitment for democratic values, both in governance and within the party functioning, he will soon forfeit his claim to be head of a party with a difference. Only by showing his commitment to these values, not only in words but also in his deeds, will he be able to make the party a vehicle of change for the better, which he has promised to bring about.

"The liberating role of any social organization is to be judged by the degree of actual freedom it allows its members," as M.N. Roy, the great radical humanist and champion of democratic values in thought and practice, has observed. We hope that Arvind Kejriwal will learn to respect the fundamental principles of democratic functioning and not compromise on democratic principles for political power.

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In SAARC Countries:

For one year - Rs. 200.00

For two years - Rs. 350.00

For three years - 500.00

Life subscription - Rs. 2000.00

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Cheques should be in favour of ***The Radical Humanist***. For outstation cheques: Please add Rs. 55.00 to the total. In other Countries: Annual subscription (Air Mail) \$ 100.00; GBP 75.00

Note: Direct transfer of subscription amount from abroad may be sent to:

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Name of the Bank : **Canara Bank**, Maharani Bagh, New Delhi-110014 (India)

A/C (Current) No: 0349201821034

SWIFT CODE Number: CNRBINBBMHB.

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Articles and Features:

Can The AAP Survive Its Own Contradictions?

Lokesh Malti Prakash

Elections inspire strange hopes. The latest example of this can be seen among those on the left-liberal side of the ideological spectrum hoping that the landslide victory of AAP in Delhi legislative elections will halt the march of the communal forces represented by the RSS-controlled BJP. It is indeed amusing to hear usual AAP-sceptics to argue that despite its limitations the AAP is only party that can challenge the BJP effectively checking unabated rise of right-wing communal forces.

As often happens with sentimentalism, such a view is based on a peculiar conflation of two distinct issues - capacity to form government in Delhi by defeating BJP and capacity to prevent and eventually contain the political expansion of communal forces.

As far as the first issue is concerned, it stands resolved by the latest verdict giving absolute majority to AAP with BJP reduced to insignificance in the legislative assembly. Implausible as this appeared, it was never the impossible possibility. Modi's BJP might have accomplished important electoral gains in most legislative elections in last few months, but Modi's government has so far failed to deliver on its core promises of providing employment, controlling prices or even providing a corruption-free government. In terms of economic policies and priorities, Prime Minister Modi is not much different from his predecessor. In fact, if there is any difference, it is only in the pace and intensity rather than the substance of the policies.

The initiative by the Modi government to curb socio-economic legislations of UPA government and to implement a large-scale cut on public spending on social sectors like healthcare, while

simultaneously pushing for hardcore neoliberal reforms, will create a crisis in the not-so-distant future. In fact, one can argue that the people were already facing the crisis under UPA-II which finally led to its defeat. Now that the Modi government is accentuating the crisis, the people will react accordingly. Delhi verdict substantiates this.

In this scenario, only hope for the BJP is to reap votes through communal polarisation. The role of Hindutva forces in creating communal tensions in several localities of Delhi recently has been documented extensively in the media (see for example here). However, as it appears now, a different polarisation of class-interest has subverted communal polarisation altogether.

The overall situation is quite suitable for a credible political force to make a dent in the BJP's fort. To be sure, credibility in this context means credibility in the eyes of the electorate. It is credibility in a limited sense of the word - not in terms of transformative politics. For immediate purposes, it is about the electorate's perception of who can form a government that serves its interests the most.

In this context, the AAP is indeed a credible force in Delhi. It was the second largest political party in the last legislative elections and formed a government, however short lived. While its popular appeal faltered after the sudden resignation of the Kejriwal government, it managed to make up by carrying a massive exercise of public engagement months before the elections. Finally, in its 70-Point Programme and Manifesto, the party has managed to appeal material interests of a cross-section of Delhi's population - from slum-dwellers, villagers and

workers to contract employees, shopkeepers, businesses and youth.

Coming to the second issue. To begin with, one must understand that preventing the BJP from forming government is different from preventing the ascendancy of communal forces that are born of a historical-structural phenomenon quite independent of party politics.

To understand this better one needs a certain historical perspective and theoretical judgement about the basis and sources of communal politics. This requires an understanding of communalism as a product of structural processes rather than of circumstantial party politics. Communalism today, as part of a global resurgence of the right wing in politics, is integral to the rise of neo-liberalism across the globe. If this premise is accepted, one cannot reasonably turn back to the inevitable conclusion that an alternative to communal politics cannot be built on the ground of neo-liberalism itself. On the contrary, such politics must be based on a categorical rejection of neoliberal policy dogma altogether.

Based on this broad understanding we may pose a question - can the AAP provide a credible alternative to communal politics by rejecting neo-liberalism?

This brings us to a complicated territory because the baggage of the AAP is like a real "Bhanumati ka pitara". Rummage and you will find elements from people's movements that have been long opposed to neoliberal policies on one hand, and those embedded in a neoliberal worldview on the other. So, there is Medha Patkar fighting against neoliberal appropriation of people's rights over jal-jungle-jameen and then there is also Arvind Kejriwal assuring industrialists that the AAP is not against capitalism as such but only against

"crony capitalism". This appears to be a contradictory situation. But it is really so? Looking beyond individuals, what is the policy stance of the AAP, which positions itself as a solutions-based party? Do the solutions on offer transcend the immanent logic of neo-liberalism?

The policy solutions of AAP hardly do this. An examination of its manifestoes (for the Delhi elections in 2013 and 2015) and promises on offer in 70-Point Programme reveal an underlying populist tone - from slashing electricity and water bills to a corruption-free government. The rhetoric of empowering the people and providing transparent and accountable government cannot gloss over its priority of promoting the private sector, of course, through "honest" enterprises. In fact, the party manifesto (2013) announced that "government should not be in the business of running businesses". Although such statements are not included in the current manifesto, the populist -reformist prescriptions hardly contradict or transcend neoliberal logic. It is hardly in the nature of challenging neo-liberalism or offering a credible alternative to it. In fact, it cannot even contain or manage the inherent contradictions of neo-liberalism. AAP's last stint in power in Delhi saw contractual government school teachers protesting against CM Arvind Kejriwal for failing to regularise jobs as promised by the party. Such instances could have multiplied if the Kejriwal government had not resigned. The promise is repeated in 2015 but without any credible policy outlook to rollback contractualisation.

Coming to the point that Neo-liberalism is a phase of heightened contradiction fuelled by the rapacious accumulative tendencies of capital. This contradiction cannot be resolved by populist-reformist policies at all. The downfall of

Continued on Page No. 29

Hashimpura:

JUDGMENT IN HASHIMPURA MASSACRE (1987) - A Travesty of Justice

N.D. Pancholi

An Additional District Judge of Delhi gave a judgment in the long awaited case, 'known as Hashimpura massacre', on 21st March, 2015 in which all the 16 policemen of 'Provincial Armed Constabulary' better known as PAC, a police force of U.P. State, accused of murdering 42 Muslim innocent young men were acquitted giving them benefit of doubt. The judgment came after 28 years of the incident which took place on the mid-night of 22nd /23rd May 1987. There was curfew in the Meerut city and in the name of search of illegal arms 644 persons (all Muslims) were randomly picked up from their homes and were arrested. The charge against the policemen was that out of those 644 persons who have been rounded up around 42 young and able bodied persons were selected, taken in a truck

to upper Ganga canal, Murad Nagar, near Meerut, shot some of them one by one, threw their dead bodies in the river, took rest of them to Hindon river and completed the process of killing and throwing them in the Hindon waters. The PAC Jawans left the place with the impression that all persons thrown by them in the waters were dead. However 5 of them somehow survived and a FIR (Crime No. 110/87) was registered on the intervening night 22/23 May 1987 at Police Station Link District Ghaziabad on the complaint of one injured, namely Babuddin.

The incident had happened in the wake of communal tension as a result of opening of the lock of Babri Masjid by the then Congress Government in U.P. The Bhartiya Janata Party

From the writings of M.N. Roy:

What Roy said on 'Opposition':

INSTEAD of organizing constitutional opposition parties, or insurrectionary parties, to seize power, and be corrupted eventually as their predecessors (that is inevitable if it is true that power corrupts), champions of democratic freedom should endeavour to enable the people to come to power. If sovereignty belongs to the people and it is inalienable, then they should not be asked to abdicate it by voting for this party or that party which would wield political power on the authority of the powerless sovereign. To blast the road to democratic freedom, it is necessary to quicken the political consciousness of the people... But that way, indeed, the only way, to the establishment of a democracy which will be able to defend itself, naturally does not find favour with politicians who cannot think except in terms of capturing power, and who deceive themselves as well as others by saying that they will make good use of power which corrupts their opponents....

From: **Independent India**, XII-15, p.177 (1948)

(BJP) had started Ram Janam Bhumi Movement and in order to compete with them the then Congress had ordered opening the lock of Babri Masjid to enable Hindus to say prayers at the so called supposed site of the Lord Ram's birth place. This had agitated the Muslims who were demonstrating at several places including Meerut.

Though it was a most horrific incident of targeted killings of large number of persons belonging to minority community since independence the respective government did not show the necessary inclination to pursue the case to find out the guilty officials and punish them.

A team of the Peoples Union for Civil Liberties (PUCL) consisting of Justice Rajindar Sachar (Retd.), Inder Kumar Gujral, Prof. A.M. Khusro, Prof. Dalip Swamy and Prof. K.C. Gupta went to Meerut in June 1987 and investigated to focus the immediate and basic causes of the violence in Meerut including of Hashimpura. The PUCL team found that the role played by the PAC and police was horrible and shameful as it 'instead of behaving and trying to defuse the situation acted in a communal stance and committed barbarities of callousness on the Muslims, causing death and harm.' The report of the PUCL team is published elsewhere in this issue. Justice Rajindar Sachar (Retd.) who was President of PUCL at that time also sent a representation to the then U.P. Chief Minister, Shri Vir Bahadur Singh on June 23rd 1987 along with the PUCL report highlighting the Hashimpura massacre. Justice Sachar regretted that no action had been taken against the guilty police officials, and requested the Chief Minister to appoint immediately the Judge to head the enquiry committee and to pay adequate compensation to the victims.

The U.P. Government did not take any action, even of suspension or dismissal of the guilty police officials. A compensation of a paltry amount i.e. Rs. 20,000/- to each of the family of the deceased person was announced. Nandita Haksar, well known human rights activist, had filed a writ petition in the Supreme Court on behalf of Peoples Union for Democratic Rights (PUDR) praying for proper investigation of the case, for punishment of guilty police and other officials and adequate compensation to the victims. The attitude of the Supreme Court was also very disappointing. The Judge initially was not inclined to hear the petition and was trying to persuade Nandita Haksar to withdraw the petition and file it in the Allahabad High Court but Nandita refused. Following is what Nandita Haksar says in her book 'Framing Gilani, Hanging Afzal - Patriotism In The Time of Terror (2007): which is interesting to read :

"And no one has apologized to the people of Meerut's Hashimpura in May 1987. It was Syed Shahabuddin Sahib who had requested me to go to Meerut and intervene. He told me about the 33 men who were picked up by the PAC and taken to Murad Nagar and shot one by one near Ganga Nehar. I filed the writ as a petitioner in person (on behalf of PUDR) before the Supreme Court. The judge tried hard to persuade me to withdraw the petition and suggested I move in Allahabad. I refused. That judge later became the first Chairman of India's Human Rights Commission. No one has been punished for those murders so far. It is not even on the agenda of any political party".

The Supreme Court in 1990 in its order

enhanced the compensation from Rs.20, 000/- to Rs.40, 000/- without prejudice to the rights of victims to claim the same under any other right available to them.

The investigation of the case was given to CB-CID which took about 6 years in finalizing its investigation. As if this delay was not enough, the charge sheets were filed in the Court of CJM Ghaziabad in May 1996. There were 19 accused named in the charge sheet 3 died during the intervening period. Court at Ghaziabad continued to send summons to the accused policemen but they did not appear in the court. The accused were very well present on duty but the service report of the notices sent to them used to be that either they were absconding or not available on the address. This writer along with Iqbal Ansari and Mr. Mustaq Ahmad, advocate used to go to Ghaziabad Court to follow it on behalf of the PUCL and Minority Council, an organization which was formed some years back with the effort of Prof. Iqbal Ansari. It appeared that the administration including court officials at Ghaziabad were deliberately not taking due interest in proceeding with the case. The accused appeared after a long time, were arrested but were soon released on bail by the Session Judge, Ghaziabad. Therefore a petition was filed in the Supreme Court on behalf of the victims for transfer of the case from Ghaziabad to Delhi in 2002. This writer had drafted the petition which was argued by Justice Rajindar Sachar and Mr. Sanjay Parekh, Advocate in the Supreme Court. The case was transferred to Delhi by the Supreme Court. In or around 2003 the case was handed over to Vrinda Grover Advocate on the advice of Justice Rajindar Sachar who, along with her team represented the victims in the trial

till the date of judgment.

It took almost 12 years for the Court at Delhi to finally give its judgment on 21st March 2015. The court came to conclusion that around 42 persons were arrested by the PAC personnel, taken to Ganga Nehar and Hindon canal where they were shot dead and their dead bodies thrown into the waters, while around five persons, who were thought to be dead, survived. But since none of the witnesses identified the accused policemen, the accused were given benefit of doubt and acquitted.

The judgment is extremely disappointing for minorities. It is a blot on the Indian criminal justice system. The judgment goes to strengthen the impression among the minorities that there is no justice for them and this kind of opinion in the minorities is very dangerous for the health of our democracy. The sixteen accused policemen belonged to the lower ranks. Such kind of barbaric and inhuman massacre could not have been possible without the complicity of the higher officials. From the record of the case there are reasons to believe that higher officials have been deliberately kept away from the ambit of investigation. V.N. Rai who was S.P. of Ghaziabad area in 1987 and who continued to press for proper investigation and for prosecuting the guilty ones, has stated time and again that many high ranking officials in the police force as well as in the army who could have been easily nailed for the barbaric inhumanities committed on large number of inhabitants, including the killed ones, have been allowed to go scot free. The case requires reinvestigation and efforts must be made to find out the guilty and punish them, if faith of the people in the criminal justice system has to be restored.

Observations of the Court in Hashimpura case

Written by **Kaunain Sherrif** | New Delhi | Updated: March 25, 2015 7:37 am

The Delhi court's judgment in the 1987 Hashimpura massacre case, while observing that the lives of innocent men "have been taken by the State agency", acquitted all surviving 16 PAC personnel who were accused in the case, saying that they cannot be convicted on the basis of "scanty, unreliable and faulty investigation which has gaps and holes".

The court of Additional Sessions Judge Sanjay Jindal said: "Not a single circumstance relied upon by the prosecution inspires confidence to establish the guilt of the accused persons".

The court has concluded that "it duly proved and established" that "about 40- 45" persons belonging to Mohalla Hashimpura were "abducted in a yellow colour PAC truck" by PAC officials and subsequently "shot at and thrown" into waters of Gang Nahar, Murad Nagar and Hindon river, Ghaziabad. It, however, added that "it has not been proved beyond reasonable doubts" that the accused are the PAC officials who abducted and killed the people or that the truck belonged to the 41st Battalion of PAC.

Observing that it is "painful" that several "innocent persons have been traumatised," the court has said it can't convict the accused by "ignoring basic principles of appreciation of

evidence." "...the court has to be on its guard to avoid the danger of allowing suspicion to take the place of legal proof...to avoid the danger of being swayed by emotional considerations," it has said.

Pulling up the prosecution agency, the court has questioned, as to on what basis names of the 19 accused were selected for prosecution. "Accused persons were arrested after several years of the incident but the basis for such arrest has not been explained during trial," it said. Stating that evidence required to connect the accused with the crime is "actually missing", the court said no witness "from Army or local police", who were present and participating in the search operation with PAC, have been examined to "explain the circumstances and true facts." The court has said that the survivors' testimonies are in "complete harmony with each other".

On the search and arrest made by PAC, the court referred to the testimony of photojournalist Praveen Jain as "natural, genuine and reliable" and said his photographs "have corroborated the facts regarding search and arrest" carried out in Mohalla Hashimpura.

First Published on: March 25, 2015 12:00 am
(Indian Express)

CHRONOLOGY OF EVENTS: (Hashimpura case)

Following is the chronology of events relating to 1987 Hashimpura Massacre case in which a Delhi court on Saturday acquitted 16 persons, giving them benefit of doubt:

May 22, 1987: 50 Muslims picked up allegedly by Provincial Armed Constabulary (PAC) personnel from Hashimpura village in Meerut, Uttar Pradesh.

May, 1987: Victims shot and bodies thrown into canal. 42 persons declared dead.

1996: Charge sheet filed against 19 accused before Chief Judicial Magistrate, Ghaziabad by CB-CID of Uttar Pradesh police. 161 people listed as witnesses.

Sept 2002: Case transferred to Delhi by the Supreme Court on petition by the families of victims and survivors.

Jul 2006: Delhi court frames charges of murder, attempt to murder, tampering with evidence and conspiracy under the IPC against 17 accused.

Jan 22, 2015: Court reserves judgement for February 21.

Feb 21: Court defers verdict as it was not ready.

Mar 21: Court acquits 16 surviving accused giving them benefit of doubt regarding their identity.

PUCL Fact-Finding Report, 1987 by (Justice) Rajindar Sachar (Retd), Shri Inder Kumar Gujral, Prof A M Khusro, Prof Dalip Swamy, and Prof K C Gupta:

Meerut riots of May 1987

[In May 1987 the police and the PAC had connived in Hashimpura of Meerut and allegedly picked up and killed more than 40 Muslims during communal disturbances in the area. It was alleged that the bodies of the killed were dumped in the upper Ganga Canal.

The then UP Government ordered an enquiry the findings of which were made public in 1994. The case was dragging in Ghaziabad courts. Some Human Rights workers formed a Legal Advisory Committee for the Hashimpura case. In 2002, this Advisory Committee approached the Supreme Court praying for the transfer of the case to Delhi fearing pressure and influence by the accused if the case continued in Ghaziabad in UP. (It may be pointed out that Ghaziabad is a neighbouring district of Meerut).

The Supreme Court transferred the case to Delhi where the court of Additional Session's Judge N P Kaushik, on June 1, 2006 framed charges of murder, attempt to murder, criminal conspiracy, abduction, unlawful confinement, assault, and unlawful compulsory labour against the Provincial Armed Constabulary (PAC) personnel charged with killing of Muslims during curfew in Meerut on May 22, 1987.

The PUCL had appointed a committee to investigate the immediate and the basic causes of these riots. The committee comprised the then President of PUCL (Justice) Rajindar Sachar (Retd), Shri Inder Kumar Gujral, Prof A M Khusro, Prof Dalip Swamy, and Prof K C Gupta.

We are reproducing below the entire report of the committee brought out on June 23, 1987, to put the proceedings of the important case in proper perspective. - Chief Editor].

The riots that erupted in Meerut during May and June 1987 have unfolded an ugly face of our society. The administration proved unwilling as well as incompetent to handle the situation of street murders, arson, and looting. Its attitude of benign indifference, bordering on partisan lines created an intense mistrust in the minds of people regarding the role of the law and order machinery. The ferocity with which the social and communal misbehaviour and the accompanying police atrocities occurred in the city are not only a matter of shame but they have also disrupted our social order.

The PUCL decided to investigate the Meerut riots to focus the immediate and the basic causes of these riots and to suggest ways and means to prevent such riots in the country. The team constituted of: 1. Mr Rajindar Sachar, 2. Mr I K Gujral, 3. Prof A M Khusro, 4. Prof Dalip Swami, and 5. Prof K C Gupta.

On June 12, its members met and interviewed several advocates, social workers, trade union leaders, academicians, eminent citizens, administrative officers (including the District Magistrate). It was assisted by the local executive committee of PUCL, especially Mr Jain.

Meerut is an important town about 60 kms, from Delhi. With a population of half a million (4, 13, 395 in 1987 census of Meerut Municipal Board area), of which 62.5 percent are Hindus and 34 percent Muslims, the town has maintained a relative communal balance. It is known for its weaving, publishing, handloom, printing, sports, brass-band, and scissors factories. The factories are owned by Hindus as well as Muslims, the former dominating the class of employers and the

later dominating the labour force. Both communities have shared the economic prosperity that occurred over the 1970, though Hindus have generally prospered at a faster rate than Muslims. The Ansaris among Muslims have acquired considerable economic clout on the basis of the 40,000 strong powerloom factories, which are operated mainly as a domestic industry. Gaddis (dairy owners) and Kassies (meat dealers) are also among the prosperous Muslims. The level of education, is however, low; only 6 percent of Muslim children are registered for higher education. The rich Hindus own cloth printing factories, sports, publication houses, and shops. Direct competition in the same industries between the two communities is not significant, but the employer-employee contradiction in several lines overlaps the communal division.

With 34 percent of total population, Muslims are a decisive factor in the electoral calculation of any political party. All parties tend to woo the Muslims voters. During the days of anti-imperialist struggle Meerut was a strong centre for Congress and Muslim League politics. It was an important centre of Khilafat Agitation during 1916-23. After 1947 the Muslims mass turned to the Congress. With the formation of B K D and later the Lok Dal a sizeable number of them, mostly engaged in farming, transferred their loyalty from the Congress to the Lok Dal. Most Hindus owe their allegiance to the Congress, but the BJP also holds attraction to those engaged in trade and services. The left parties anyhow wield only marginal influence in the area.

There are many instances of cross voting. For example in the elections of 1985 the Hindus dominating four segments voted for Mohsina Kidwai. The Babri Masjid - Ram Janambhoomi issue has triggered a new wave of communalism throughout U.P. (The rally held in Delhi and some of the provocative speeches made there

were its contribution to worsening the atmosphere).

The Central Government is also not above-board in matters relating to communalism. Government's prevaricating approach to Babri Masjid has contributed generally to communal tension.

This forms the back-drop to the Meerut riots. The events that led to the riots in May were as follows:

On 14th April 1987 when Nauchandi fair was in full-bloom communal violence broke out. It is said that a police daroga on duty was struck by a fire cracker and as he was drunk he opened fire killing two Muslims. Another incident is also reported to have occurred on the same day. Muslims had arranged a religious sermon near Hashimpura crossing. Nearby there was a mundan function in a Hindu family. Some Muslims objected to film songs being played on loud-speakers and there was a quarrel. Somebody from the Hindu side allegedly fired. The Muslims then in return set some Hindu shops to fire. In all 12 persons, both Hindus and Muslims, were reported to have been killed. Curfew was imposed and the situation was controlled. However, the tension prevailed and both sides were bent on doing some further trouble.

On May 14 two bombs exploded in Mohalla Chhipiwara and Chhatta Tagi Hussain. The police did not take any action as Muslims were observing Rozaas. On May 16 also there was a bomb explosion in Mohalla Kainchian (In the evening Ajay Kumar Sharma was murdered in Kainchian, which was described by the police as Landlord-Tenant problem). The action of the police, in making searches at early hours in the morning in a rough and callous manner was bound to create quite a panic amongst the Muslims in the locality and out of panic there

were appeals to Muslims to collect together so as to prevent police excesses. People panicked when the police tried to interrogate people in the area.

The scene of action on 18th May was the Hashimpura locality and the nearby Imliyan mosque, where Ansari Muslims belonging to the weavers' community live. At about 9 p.m. two kiosks (small wooden shops) situated at Suraj Kund Road were put to fire by some miscreants. Of these two kiosks, one was owned and run by a Hindu manufacturing shuttle cocks and the other owned by a Hindu and run by a Muslim manufacturing carrom-boards. Thereafter electricity suddenly went off. A mob began to form. After about one hour at 10 p.m. on the Hapur Road, opposite to Imliyan Mosque, a shop, Lakshmi Confectioner, was looted and burnt down and one of its proprietors, Kulbhushan, was done to death.

The police tried to nail the suspected culprits and went to Hashimpura and Imliyan for making arrests. It was after namaaz time, during the month of Ramzaan. Police action was strongly resisted by the inmates. While the police was retreating a Jawaan dropped his rifle (some say the rifle was snatched). Soon after the midnight police reinforcement arrived, they announced that the people should get out of their houses otherwise there would be firing. More than 3000 people of Hashimpura and Imliyan came out. Now the electricity was restored and the rifle which was dropped was found outside a house. The police entered that house and shot dead two brothers inside.

A police jeep was parked near Imliyan. A police officer wanted to drive away in the jeep with some arrested persons. The women assembled there resisted, but the jeep drove off killing a girl. There was a great commotion and the mob naturally became unruly and police opened fire

killing several persons. According to the DM 130 persons were arrested between midnight and 2 a.m. Curfew was clamped.

It is at this stage that something very unfortunate happened. There appears to be no doubt that some mischief makers got control of the loudspeaker on the mosque and started exhorting people to gather together and to save Islam. We were told this by various reliable people, both Hindus and Muslims, and we have no manner of doubt, that either out of panic or because of the mischievous call given to the Muslims, people collected together in the street. The result of this exhortation was not unexpected. A carnage followed.

The mob fury started after 3 A.M. They started burning, looting, and killing Hindus at Hapur Road, Golekuan, Pilokheri, Lakhipura, and Shyam Nagar. Hapur Road was blocked by big wooden logs. Several vehicles along with their occupants were set to fire. Shops and a petrol pump and many other establishments of Hindus were looted and burnt.

One of the unfortunate incidents was the burning alive of Dr Prabhat, who was, ironically going out to attend a call of a Muslim patient. His car was stopped and the mob in its senseless fury burnt him along with the car. This is doubly unfortunate because Shri Har Pal Singh, father of the deceased, even much later, continues to subscribe to his non-communal approach and was responsible for saving a few Muslim lives when Hindu mobs went on a rampage subsequently.

In Pilokhari several cloth printing factories owned by Hindus were burnt by the mob that surged in thousands at 6.30 A.M. the police picket posted there was too weak to handle the arsonists. The mob burnt several factories, burning about a dozen persons (chowkidaars)

inside the factories. The mob then went to Lisari Road. The farm of Nepal Singh was attacked, 6 persons are said to have been burnt to death. The loss to the factory was incredible.

Subhash Nagar, which is next to Hashimpura, was another area which was the scene of shooting on the early hours on 19th May. The team visited the area and met Mr Ganesh Dutt, President of the Subhash Nagar Samiti. The version given to us was that in the early hours there was slogan shouting from adjacent area from Hashimpura. Naturally a large number of people went up to their roofs curious to know what was happening. Evidently there was mutual stone throwing from Subhash Nagar and Hashimpura area. Gun shots were fired from Hashimpura area and one Sushil Tyagi and two others, who were standing on the roof in the Subhash Nagar area were killed on the spot. Though the matter was immediately reported to the police but none came to the spot. As a matter of fact the grievance of the local people was that even till the day of our visit, i.e., 15th June, 1987 no one had come from the police to make investigation. This was totally unexplained conduct on the part of administration, considering that a written report about the killings had been sent to the administration. Even under the normal law investigation should have been done on the report of a murder but evidently the administration was paralysed and continued to be so even after 3 weeks of the incident.

We met Mr Tyagi, father of deceased Sushil Tyagi, who though, naturally, very upset on the death of his son, nevertheless told us proudly and with restraint that he had taken the body to the village Ahmadshahpur Padra and had stayed there for 3 days to make sure that no untoward incident took place as a result of the death of his son. We were heartened to note that there were people, who, even in the face of such a tragedy,

refused to lose their balance. We would like to pay publicly our tribute at this worthy conduct and wish more people would follow this example. This police indifference however continued to be as bad as before, even though FIR about this murder was recorded at the police station.

We went on the top of the houses in Subhash Nagar at Mr Mehta's building and saw from there the path the gun shot would have taken. There does not seem to be any doubt that firing came from Hashimpura side which did result in killings in Subhash Nagar.

In the afternoon of 19th the Hindu mob under the benign protection of the PAC began to retaliate. They started burning and destroying Muslim houses and shops on Hapur Road, the Mawana bus stand, stadium, Shastri Nagar, and Miyan Mohammed Nagar. In Mohammed Nagar 225 houses of the total of 354 were gutted. The residents, mostly poor Muslims like rickshaw-puller, etc., narrated the event with a cold helplessness. They accused the PAC of clear complicity and direct involvement in destruction. The PAC allegedly began firing at 2 p.m. and then started looting and burning the houses. Many persons were burnt alive and the remains of their houses could still be seen when this team visited the area. The D.M. pointed out that 130 families were compensated at the rate of Rs 15,000/- each.

In Shastri Nagar several Muslim houses that were strewn between Hindu houses were burnt by the mob which came from other localities. The houses of an income-tax official, a chief engineer, an executive engineer, a noted Urdu poet, and a rich business man who had recently migrated from outside were burnt and looted. Just as at Miyan Mohammed Nagar, here too there was total destruction except the house walls. A shrine of Najafshah was also completely

demolished.

Curfew was clamped at 11 a.m. on 19th in areas falling under Delhi Gate, Lisari Gate, and Kotwali police station. It was subsequently extended to other areas also. Despite this violence continued through the city. At most places the police abetted by their benign indifference. Next day, i.e., on 20th May the muslim shops at Eastern Kacheri Road, Western Kacheri Road, P L Sharma Road, Abu Lane, Mawana bus stand, Transport Nagar, etc. remained disturbed.

One of the most shameful chapters of human callousness was enacted in Hashimpura area. It would appear by then that sufficient contingents of police and PAC had been inducted into Meerut. It was not clear but it seems that some decision was taken to really spread terror in Hashimpura area. Pursuant to this on May 22 Hashimpura was surrounded by the PAC. The PAC then forced all residents out of their houses to the main Road. Then a house to house search was conducted. The residents complained that several houses were looted by the PAC.

All residents of Hashimpura were lined up on the main road segregated, and one person in Burkha identified 42 young men, who were asked to board a police lorry. Another group of 324 were arrested and taken by other police vehicles.

What the police did in Hashimpura is something which can never be lived down and the shame of this will continue to haunt any civilised Government. We talked to old persons whose sons and grand-sons were taken away by the police. We met young women whose husbands were taken away and later on they were either missing or their dead bodies were found. The way the residents of Hashimpura were treated was shameful. We were told that hundreds of people were taken out from the locality and

asked to sit on the road. One army person asked people over 50 years and less than 10-12 years to get on one side and all the others were dumped into waiting trucks. We were told by one Ahmed, who had got away on the excuse that he had his MA examination that morning, and that 3 of his colleagues, namely, Kamaludin S/o Jamaludin, Sarajudin S/o Sabarudin, Nasim S/o Nasim Ahmed, had been taken away on the trucks. These three had not come back thereafter and the father Jamaludin corroborated this version.

Out of 42 only 6 persons are traceable, others have just disappeared. There is no record of these persons with the police. Abdu Bhai the grand father of Zulfikar told that Arif and Karimuddin were also with his grandson. They were arrested together and taken in a truck to Muradnagar and when the truck reached a canal Zulfikar saw Karimuddin being shot by the PAC and thrown in the canal. More than 20 bodies have in fact been found floating in the Ganga Canal.

One of us (Mr Rajindar Sachar) on coming back from there wrote to the Chief Minister of UP bringing to his notice as to how hundreds of people had been taken away and how many had died and were not traceable and requesting that the matters needed to be immediately looked into. A copy of these letters was also sent to the Prime Minister for doing the needful. We are sorry to say that not even an acknowledgement was received from the Chief Minister of U P or from the Prime Minister.

The other group of 324 persons was taken to the civil lines Police Station, where they were beaten. After keeping them for a night they were shifted to Meerut jail, where their injuries were noted down. Subsequently other criminal prisoners were provoked to beat them up. Some were shifted to Fatehgarh jail, where 5 persons died inside the jail. Abdul Rashid and Nasirudin,

who remained in Fatehgarh jail for 21 days, narrated the inhuman treatment meted out to their group in the jail. They were mercilessly beaten; five of them died inside the jail. The DM confirmed the deaths inside jail and pointed out that a CID enquiry was instituted, though he pleaded that it was outside his jurisdiction.

Another gory incident related to village of Maliana. The PAC picket is accused of having fired indiscriminately and killed 2 dozen people and grim destruction of property also took place. The Maliana incident has left a deep scar as the allegation was that the police systematically killed Muslims without any provocation. It is a matter of regret that though judicial enquiry is ordered, its findings have still not seen the light of the day. This incident continues to act as a constant source of bitterness between the two communities. Unfortunately though PAC is responsible for this carnage, Hindus get the blame because Muslims believe that this was done because PAC is a Hindu police and they acted in a communal way and not as a law and order force.

In all localities and almost all persons whom we contacted told that when approached the police did not respond. The incidents of killings and injuries in Subhash Nagar, factory burning in Pilokhari, murders on Hapur Road were all reported, but the police reported that they did not have enough manpower. No incident of death was investigated even after a month. The DM maintained that the outburst was too high to be attended to individually. About the 5 deaths in jail the DM gave us two versions. One, the prisoners were attacked by a crowd collected at the gate, two that the persons were attacked inside the jail. He also maintained that there was no obstruction to lodging FIRs. Postmortem of 5 bodies were done but the bodies were not handed over to the relatives. An enquiry by the

CID was ordered to investigate the case.

The DM also pointed out that from 19th to 21st May there were 2 to 5 companies of PAC, which were inadequate to control the riots. On 22nd May he received 10-12 companies from outside. It was then possible to nab the culprits in Hashimpura.

Hindus resented the release of Zafar Ali, who was arrested under NSA for possessing an unlicensed gun. The DM clarified that the State Government revoked the arrest under Section 14. The license of Zafar Ali was suspended and he was asked to surrender his gun. When Zafar Ali refused to surrender his guns, he was arrested under NSA.

Spread of rumours also led to great deal of tension. In official releases expression was given that many of the Pakistanis had entered Meerut illegally. We confronted the DM with this news who told us that 7 persons arrested on 25th May from Nougaja Mohalla, only 2 persons were from Pakistan. These two had valid visa and were in Meerut to meet their relatives. They were released because there was no justification to arrest them. Somehow the news was allowed to be spread that Pakistanis had entered without visa, thus adding to the false suggestion as if there was a conspiracy behind this communal riot. This version was totally uncalled for and we feel that the district administration must exercise greater restraint in the type of news it passes on to the people.

How much suspicion had been aroused between the two communities became clear when people complained to us that food which was brought from outside Meerut was not allowed to be distributed by the administration. We checked up with the administration (DM) who accepted that food which had been brought by some organisations from Delhi was not allowed to be

distributed. According to him, first, the food was being distributed community-wise and, secondly, rumours had been set afloat that the food which was being distributed was poison and the communities may be fed on this food. Of course, he conceded that none of the food was found in any way poisoned but so much was the misunderstanding that the administration did not allow voluntary agencies to distribute food even though when many voluntary agencies both of Muslims and Hindus wanted to distribute relief without in any manner restricting it to any particular community. We are sorry that the administration should have taken this attitude because common relief work would have eased the tension. The delegation visited various areas and localities and talked to many persons including relatives of the missing and the dead. We talked to many people in Hashimpura.

They were in great panic and had horrible tales of police cruelty to tell. All of them stated that they had been beaten by police. We were given a list of 41 persons who were said to have been carried away by the police on 22nd May 1987 from Hashimpura but whose whereabouts were not known. A copy of the list, which was supposed to have been given to the Commissioner for Relief, was given to us. We were also given a list of 5 persons who were taken away by the police from Hashimpura and were said to have died in police custody when they were taken to Fatehgarh jail. Their death was confirmed by the DM Meerut who, however, pleaded that the area was outside his jurisdiction. One of our members, Mr Rajindar Sachar, wrote to the Prime Minister and the Chief Minister of UP mentioning these facts as mentioned above. A copy of the letter forms Annexure to this report.

Another incident of the total inaction and the callousness of the administration was brought to our notice when we visited Subhash Nagar. On

the night of 19th firing was stated to have taken place from some house in Hashimpura and some persons who were standing on the roof of a house of Subhash Nagar were killed. We visited the place of occurrence and it does seem that firing must have taken place from the Hashimpura side because that was the only roof from which the bullet could have traveled and hit the persons who were on the top of the house. We were told by the President of Subhash Nagar Association that they had telephoned the police and other District officers asking for their help but no one from the police visited the area even by the time when we visited them. This is extremely deplorable considering that information about the cognizance of offence had been given and yet the police had not taken the elementary step of investigation which they were duty bound to do under law. That 3 people undoubtedly died in Subhash Nagar due to bullet injury is uncontroverted but the response of the administration was totally callous. Days after the incident not even a sub-inspector of police had visited the sites to record statements and find out what exactly happened. No amount of general deterioration in the situation in Meerut could be any explanation for this attitude. Conditions on that night were not so bad that the police could not have visited the scene of deaths. As a matter of fact it would appear that the whole of the administration was waiting for additional re-enforcement of police and PAC to arrive before taking any action.

But the use they made of this is something shocking. When the additional re-enforcement arrived they went out with recklessness and with a communal slant, with the result that the Muslim areas were made the special target of attack by the police (it is probably correct that a mob did come out on 19th early hours on the Hapur Road and burnt a petrol pump, and a timber godown belonging to Hindus). But, as mentioned above,

the coming out of the mob on the street was a panic reaction to the police brutality in searching and killings of some persons when they went to arrest some people in Imliyan Mohalla in early morning. Thereafter from 22nd when the reinforcement of PAC and army arrived it was a one sided communal attack against the Muslim area and Muslim individuals.

We also visited Khalla Mian Mohammed Nagar and Khalla Swad inhabited by poor working Muslims. It would appear that a mob of Hindus possibly with connivance of the Police had gone on rampage looting and burning most of the area, signs of which were visible when we went around the area. There is no doubt, of course, that on the 19th the Muslim mob had gone on a rampage when they burnt machines, godowns of printing cloth owners, owned by Hindus. It would be a reasonable guess that the attack on machines of printing cloth belonging to Hindus were accentuated and were partly fanned by rival Muslim economic interest because the type of destruction was a senseless one and explainable on no other premise. The area was very much away from the city and mob must have had to be led and directed by someone in the know of various locations.

It won't be wrong to say that Meerut had lost balance on those days and the barbarism and the utter inhumanity being indulged in by both Hindus and Muslims was a terrible experience. Had the matter remained between Hindu and Muslim mobs, they would no doubt have

damaged and injured each other sufficiently but being both equal in strength matters might have been sorted out because of the mutual exhaustion. But what made the matter horrible and made it a matter of shame was the role played by the PAC and the police which instead of behaving and trying to defuse the situation acted in a communal stance and committed barbarities of callousness on the Muslims, causing death and harm.

Considering that both Hindu and Muslim mobs had indulged in looting, arson, and killing, the response of the PAC in picking out Muslim area and committing wanton acts is condemnable. The Muslims can have a legitimate grievance that the police did not act as guardians of law and order but played a partisan role. Rather it helped the Hindu mobs in looting and burning of Muslim areas. There is sufficient evidence to support such apprehensions of the Muslims. The role of the administration has left much to be desired. The administration remained in a paralytic stage and did not come out in strength in meeting the challenge of the communal madness. We feel that had more sober and serious efforts been made to gather together to create restraint on Hindus and Muslims it would have been easier to control the situation earlier and also would have removed the communal mistrust which unfortunately continued for a very long time.

*(Report as published in the PUCL Bulletin.
Courtesy PUCL Bulletin)*

Search for Truth

Truth resides in every human heart, and one has to search for it there, and to be guided by truth as one sees it. But no one has a right to coerce others to act according to his own view of truth.

Mohandas Karamchand Gandhi

The Big Picture: Hashimpura Then, Hashimpura Now

(Praveen Jain, photographer now with Indian Express, happened to be in the neighbourhood of Hashimpura in Meerut on 22nd May 1987 and rushed to the spot and took many pictures of the residents who were held captive by the Police and military. These pictures show the barbaric and inhuman postures of the security officials. These pictures were published at that time and became part of the record of the charge-sheet which was filed in the court against the accused policemen. Praveen Jain was also cited in the list of the witnesses. When case started in the court at Delhi in or around 2005, no one on behalf of the prosecution had tried to contact him to enable him to appear in the court and give evidence. When he came to know from the news that case

was going in the court, he himself contacted the prosecution advocate and told him that he was witness. When he appeared as witness and tried to prove his photographs, the judge asked him to produce negatives. Then he came back from court, searched for negatives, a huge task as he had to wrestle through thousands of negatives from old record and ultimately was able to find them. His evidence was one of the clinching evidence to nail the PAC. After the judgment, he again went to Hashimpura and tried to find out some of those who were seen in the pictures taken by him 28 years ago. Following are the pictures of 28 years ago along with fresh pictures of some of the residents whom he could trace from the old pictures. I salute Praveen Jain for his courage and commitment for truth.)



May 1987: This photo shows Army personnel lining up a group of men from Hashimpura. Among those in the frame is Md Yaseen (in skullcap and beard), who went missing ever since. It was from one such photograph that Yaseen's son identified him. With the number of victims not established, the prosecution used the photo as "clinching evidence" to build a case for compensation for 42 families, besides five survivors.

Written by Uma Vishnu | Hashimpura | Updated: March 29, 2015 9:04 am

Photographer Praveen Jain was in the Meerut neighbourhood on May 22, 1987, hours before what has come to be known as the Hashimpura massacre. 28 years later, with a Delhi court acquitting all the 16 PAC men accused in the case, Jain goes back with the album to find the faces who stood witness.

Look at this PAC wala, pointing his rifle at people crouching in fear. It's as if we are aatankwadis (terrorists)," says one. "Nahin, soch raha hai kitni bahaduri ka kaam kar raha hoon main (he thinks he is being brave)," says another. By now, a small crowd has gathered in the sunlit courtyard of kirana shop owner Jamaluddin as the photographs get passed around. "Yeh to apna Aabid hai, aur yeh Pappu...." "Aur yeh woh jinka haal hi mein inteqaal ho gaya tha (and this is the one who died recently)...." "I have never seen these photographs before," concludes one.

The black-and-white photographs are what Praveen Jain, now Associate Photo Editor with The Indian Express, shot in May 1987 in Hashimpura, a locality in old Meerut, while he was with The Sunday Mail.

Hashimpura now, like all those years ago, is one of the many lanes that slip out of the main Old Meerut road, opposite the shut single-screen Gulmarg Cinema. It's a colony of Muslim Ansari weavers, and the rattle of powerlooms fills the sub-lanes. Today, days after a Delhi court acquitted, for want of evidence, all the 16 personnel of the PAC who were accused of killing over 40 Muslims from Hashimpura, a banner calling for justice hangs on the wall at the entrance of the lane. "The fight isn't over yet.

We will appeal in the high court," says Zulfikar Nasir, 42, one of the survivors of the Hashimpura massacre and now the prime witness in the case.

"What's the point looking at all these photographs after so many years? Just to bring alive old wounds," mumbles Jamaluddin, walking out of his kirana shop that shares a wall with his house and into his courtyard, away from the excited group of people who are still discussing the photographs.

His newly-married son Qamaruddin, the eldest of his 10 children, was among those who had been dragged. That's the last they saw of him. "We never got his body. We heard that he was killed somewhere near the Muradnagar canal," says Jamaluddin's wife Zainut Begum.

She brings a large framed photograph of their son Qamaruddin and holds it as she sits on a plastic chair. It's a drill she has done countless times, every time the media comes knocking on their door. Jamaluddin may say, 'what's the point', but for Zainut, this is the "point" her life has revolved around for the last 28 years. "It's easy for others to move on, but I lost my child... I can't," she says softly.

There are now loud guffaws in the courtyard as people identify each other in the photograph. "Look at Riyazuddin, he hasn't changed one bit." Then, looking at the photograph of a young boy offering namaz while a jawan points his rifle at him, Shakeel exclaims, "Arrey, ye to Sirajuddin hai. Woh gora sa ladka nahin tha, mere bhai ka dost? They don't live here anymore. But this is Sirajuddin for sure."

Mohammad Hanif, then 28



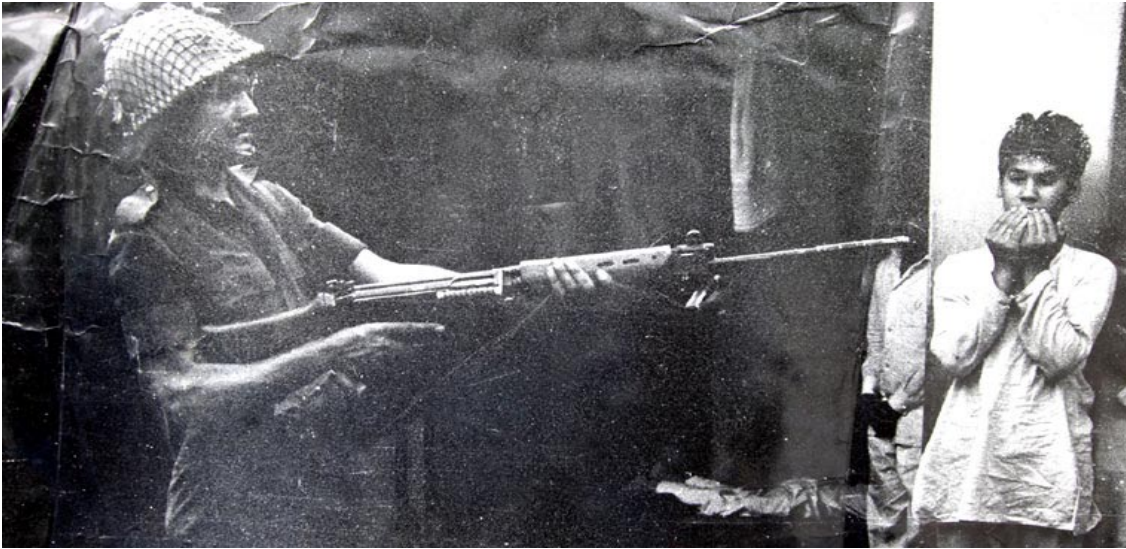
'All of us have scars, now they'll never heal'

"Bahut badal gaya hoon (I have changed a lot)," says Hanif, breaking into a smile, looking at his photograph of 28 years ago. The 53-year-old, now sporting a thick crop of grey hair, had been a weaver. "I do nothing now. My kids have taken over," he says. "I was visiting an ailing neighbour in the house behind ours when we heard of the raid."



Soon, the jawans broke in and asked us to line up in this lane. I saw three of my brothers in the group. We were taken to the main road, sent off in buses to Police Lines and then to the Civil Lines thana where we were tortured. See the mark here," he says, brushing back his hair from his forehead to show a cut. "Everyone here has these scars. And now this judgement has made sure these wounds will never heal."

Sirajuddin, then 13



"That's me," says Sirajuddin, smiling, as he points to a newspaper clipping that has the same photograph. It's now part of his "collection", his chronicle of pain that has other photographs featuring his father and uncle in bandages, and newspaper write-ups on Hashimpura.

Sirajuddin, the boy in the photo, is now 41, a father of four kids. The family - his parents, brothers and their families - moved out of Hashimpura to Siddique Nagar, 2 km away, in 1990. His uncle and family continue to live in the Hashimpura house he was born in and where they were attacked on May 28, 1987.



"This is the pillar I stood against," he says at his uncle's house. "Behind me were my brothers and my cousins. The jawan stood here, with a rifle to my head. Ten people from my house - my father, my four uncles and a few guests - had just been dragged out and I thought it would be my turn next."

Sirajuddin had instinctively cupped his palms in a prayer, "Allah, raham kar... mujhe bacha. That's the first time I felt real terror. Until then, Hashimpura had been tense, but we were children and knew no fear. In fact, just a month ago, there had been trouble at the shab-e-baraat procession and we sat at the sawing unit on the road and watched the fun. The next morning, we saw charred shops and still, we weren't scared. We heard of anishchitkaaleen (indefinite) curfew and didn't know what that meant. A couple of days later, we stood on our terrace and saw PAC men inside homes in Bansipura, a Hindu locality behind Hashimpura, firing at homes on our side. Still, we stood there till our parents yelled at us and asked us to come in," he says.

After 1987, Sirajuddin didn't go back to school. "I had a lot of Hindu friends in school. But after this, mahaul hi aisa tha (those days were tense). You didn't know who was a friend, who wasn't..."

That was the Sirajuddin of 28 years ago. Now, the dealer of wholesale clothes says life has taught him to be a lot more cautious. Every time there is a communal flare-up, or even a threatening situation, Sirajuddin and his family pack their bags and leave for Delhi. "I have done it twice now, the last time when there was tension near Bhumiya ka Pul in the city, close to where I now live," he says. "It's when you have kids of your own, your wife... that's when fear sets in. I can't imagine my children going through what I did," he says.

Anwari Begum, then 42



'I couldn't speak a word to him as they dragged him out'

Anwari Begum had stood with her 10 kids on the balcony of their house that evening, wailing, as she watched her husband being dragged away. He had hidden himself in a neighbour's house, but the jawans had dragged him out of there.



"I couldn't speak a word to him," she says, lying on a cot, a recent operation for an oral tumor leaving her speech slurred. She looks at that photo of hers on the balcony and says, "Tab to mein theek thi (I was fine then)."

That evening, her husband had been packed into the rear of the yellow PAC truck that had set off from Hashimpura to neighbouring Ghaziabad district, ending in the massacre of over 40 people from the locality. Nobody brought his body home.

Anwari now lives with her youngest son Samar in the same house that has been partitioned among her sons. "Everything changed after my walid (father) left us. He had a lot of property here in Hashimpura and outside. But we had to

sell a lot of that. We dropped out of school soon after. Now when I visit my cousins in Mumbai, I feel illiterate. It needn't have been this way. Just as I have dreams for my daughter, my father would have had plans for us," says Samar, a dealer of embroidered kurta material. He was only four then.

Samar says he has visited Delhi's Tis Hazari courts about six times. "There, when I see the PAC men come in smiling, my blood boils. Tod ke rakh diya hamein (they simply broke us)."

Mohammad Riyazuddin, then 17



'This is the worst they could have done. I'm not scared'

He stares hard at the photograph before saying, "Yes, that's me." Riyazuddin speaks little. And when he does, his words get drowned in the rattle of the powerloom unit that he runs on the ground floor of his house. "That's okay. I don't have much to say. We used to live near the masjid, close to Bansipura (the Hindu locality behind Hashimpura). A few days before May 22, security forces started firing at us from that side. My brother died in the firing and we moved to this house," says Riyazuddin.



When the raid began, Riyazuddin was dragged out with his father and two uncles, but they were let off. "I was taken to Police Lines and then to the Civil Lines thana and beaten up. After about 17 days in Fatehgarh jail, I came home," says Riyazuddin.

Does he travel to Delhi with the others for court hearings? "No. I didn't think anything would change. Anyway, I think this is the worst they

could have done to us. I am not even scared now," he says, turning back to look at his daughter, the eldest of his five children.

Wajid Ali, then 16



'If PAC didn't do this, who did? Can't they find out?'

"I haven't changed much, have I?" asks Wajid Ali, 44, looking at the photograph. "Par andar se to bahut change hai."

"You want to see what they did to me," he goes on, taking off his skull cap and bowing his head to reveal a gash on his skull. "They had left me for dead at Civil Lines. Hit me with an iron rod.

It was my neighbour Nafiz who saw me and dragged me across to the heap of survivors," says Ali, who works at a power loom.



He is a father of five, but his eldest daughter died 22 days ago. "These are things we have no answers for," says Ali, furiously crunching his knuckles. "But in this case, we want answers. If the PAC jawans didn't do this to us, somebody did for sure. Can't they simply find out who did it?" he says, leaving for his namaaz.

That May Day



The men were dragged out and told to assemble on the main road.

In all these years, Zulfikar Nasir, 42, one of the survivors of the Hashimpura massacre, has lost count of the number of times he has relived the events of May 22-23, 1987 - in front of the investigators, the courts, even on March 24, at a meeting in Delhi their advocate held for the victims, asking them not to lose hope after the court verdict. Today, he does it one more time, talking of that day, 28 years ago.

Those days, Meerut and other cities in Uttar Pradesh were on the edge after Rajiv Gandhi had ordered the locks of the Babri Masjid to be opened for prayers. There had been sporadic incidents of violence and the Army and paramilitary had been called in. A company of the 41st battalion of the Provincial Armed Constabulary (PAC) had been posted in Meerut. Just a month ago, in April, a shab-e-baraat procession had been stoned and a few shops on the road outside Hashimpura had been set on fire. The area had been tense for days after. On the afternoon of May 22, there was to be a raid

on Hashimpura and the area had been sealed. It was a Friday in the month of Ramzan and people were hours away from breaking their fast. "We knew of the raid, but thought these would be routine checks. Who knew..." trails off Nasir.

Late afternoon, the security forces arrived - some barged in, others trooped down from terraces, and raided homes. The men and the youth were roughed up and told to queue up in the lane outside. "There were all kinds of troops - police, the Army, PAC. They dragged us out as if we were criminals. Nobody above 10 was spared. We all went out with our hands up," says Mohammad Jaffar, who then ran a tailoring shop and who was dragged out with his three sons.

Survivors talk of how they were made to assemble on the main road and handed over by the Army to the PAC. There, the forces sorted the people they had gathered and those young and able were told to step aside. The rest were packed into trucks and sent to Police Lines and then to the Civil Lines thana. Survivors talk of

facing an unmitigated horror there - thrashings with tubewell pipes, smashed-in skulls and broken limbs - before they were sent to different jails in Meerut.

Those left behind on that road outside Hashimpura, many like Nasir who had proudly put up their hands when the jawans asked for students, thought they would be freed. But they were told to get into a yellow PAC truck, "kneel down, heads down, eyes on the ground". That truck then set off on a journey that ended in what has come to be known as the Hashimpura massacre.

"We still don't know why Hashimpura was chosen for this treatment. There was never a riot inside Hashimpura before this and there was never one after this. It's funny," says Nasir,

shaking his head. However, it was anything but funny being on the truck that night as it raced some 30 km into Ghaziabad, allegedly being on the PAC's roll call for execution (he says he was No. 3) and facing the shots that rang out. A bullet hit his right arm and he says he pretended to be dead, clutching the weeds in the Upper Ganga canal near Muradnagar, his head bobbing every time they flung a lifeless body into the canal. "Maze ki baat to yeh hai ki hum aaj tak nahin jante (we still don't know why)...," he says again, looking at the floor.

It's only when Nasir and four others made their way back to their homes that Hashimpura made headlines.

First Published on: March 29, 2015 12:15 am
(Courtesy: Sunday Express)

M.N. Roy calls for 'New Leadership in the Congress'

(11th February, 1940)

N.D. Pancholi

I just saw a news item in Hindi 'Hindustan' dt. 11th Feb. 2015 with the caption "NAYA NETRATVA AVASHYAK HAI" {New leadership is necessary (in the Congress Party)} which had been published 75 years ago on 11th Feb 1940 in which M.N. Roy had called for a change in the then leadership of the Indian National Congress. At that time there was ideological tussle among various factions of the Congress belonging to different camps, i.e., socialists, communists, Royists, Forward Block, capitalists and communalists of various shades. Roy was contesting for Presidentship of the Congress against Maulana Abdul Kalam Azad. Though he lost the contest but the programme he visualized for the Congress for making it a truly representative body of the suffering and exploited masses of India, seem to be more relevant today. He had said that primary Congress committees at local level should consist of ideologically and politically awakened Congress members who would actively participate in the daily struggles of the people and this will lead to sound foundation for building a truly democratic state. I am attaching the same here in the hope that the Indian National Congress, which has glorious tradition of freedom struggle, may consider the same when it formulates its future strategy.

(We are not reproducing the scanned attachment, referred to here, as the contents of the Hindi text have been translated into English in his note by Mr. Pancholi. -Editor)

What V.N. Rai, IPS (Retd.) says?

Police and Army officers played a big role in Hashimpura massacre : IPS officer VN Rai

Vibhuti Narain Rai, an IPS officer, was posted as superintendent of police, Ghaziabad when 42 innocent Muslims from Hashimpura in Meerut were picked up and shot dead in cold blood by the Provincial Armed Constabulary (PAC) near Murad Nagar and their dead bodies thrown in nearby canal water close to Delhi border on the intervening night of 22/23rd May, 1987. .

Recalling the day of incident he has said:

(1)) Two FIRS of the case was registered in the early morning hours of 23rd May, 1987 at Murad Nagar and Link Road Police stations and two SHOs were made investigating officers. But investigation was immediately handed over to CID on the next day, i.e., on 24th May by Shri Vir Bahadur Singh, the then Chief Minister of UP.

(2) Right from the beginning CID was doing the shoddy business and to him it looked that efforts were being made to shield the offenders and not to reach out to the truth.

(3) This has been the biggest custodial killing in independent India. In other communal violence like 1984 Sikh massacre or Nellie in Assam the police was blamed for being spectator to the killings but not of custodial killings. Therefore it is important to unveil the big conspiracy as to what actually happened in to Hashimpura massacre so it could serve as a warning to those who perpetrate such crimes but get away without any punishment.

(4) The PAC Company of the 41st battalion involved in massacre was led by sub inspector Surenderpal Singh. Its impossible for an SI level officer to take such a big decision to conspire and kill so many people? This company was not officially deployed there. Senior level police officers and Army were definitely involved in the conspiracy.

(5) A brother of any army official was killed a day ago and that army official had no business to be present during search operations in Hashimpura but he was there. His role is very much suspect but he was not interrogated by the CID. He was also related to a firebrand BJP leader whose role was also not investigated.

(6) A big lacuna was that the rifles used for killing were given back to the PAC while rule is that the same should have been sealed and kept in Malkhana for presentation in the Court. The judgment in the court has pointed out this serious error of the prosecution. It is shocking how it happened and who did it and it still remains a great mystery. Those who left such lacunas in the case should have been punished.

(7) The case should be re-investigated under the supervision of the Supreme Court or the High Court to bring out the real conspiracy and conspirators. A committee of senior independent police officers should be constituted to oversee investigation. Otherwise this case will remain a biggest blot on the Indian secular fabric.

Minorities Commission asks Akhilesh to Reinvestigate Hashimpura Case

Amid growing demand for justice to the victims of the 1987 Hashimpura massacre, the Uttar Pradesh Minorities Commission will soon be writing to Chief Minister Akhilesh Yadav to order re-investigation into the entire case.

"We will write to the state government to take steps ensuring justice to the victims of Hashimpura massacre...The government should probe the matter from the beginning. We will

also ask the State government to move the High Court against the judgement," spokesperson of the Commission Shafi Azmi said.

Stating that the acquittal of the 16 accused Provincial Armed Constabulary (PAC) personnel has come as a huge setback, he said the Commission would ensure that all those who were behind the massacre and also those who were responsible for faulty probe that led to the acquittal get punished.

Discussion on M.N. Roy on Lok Sabha TV

Watch a very good discussion which was organized by Lok Sabha TV on 3rd February, 2014 on the occasion of the 60th death anniversary of M.N. Roy under its weekly programme "A Page from History".

Participants were Prof. Subroto Mukherji, Political Science Deptt., JNU (Retd.), Prof. Rakesh Batabyal, noted Historian, JNU and N.D. Pancholi, Secretary, Indian Renaissance Institute.

Anchor: Nilanjan Mukhopadhyay

It is available on Youtube. The link is given below:

<https://www.youtube.com/watch?v=kJFqtbAK1oU>

Readers are requested to send their comments to The Radical Humanist at: theradicalhumanist@gmail.com

– Mahi Pal Singh

Continued from pg. no. 5

the UPA government is a case in point. Even a series of socio-economic legislations could not save the day for Manmohan Singh because the spiralling contradictions of neo-liberalism cannot be tamed beyond a limit. AAP has nothing convincing to offer that could solve this fundamental problem, howsoever genuine the intentions of its leaders and supporters might appear.

AAP's victory is, at best, a tactical gain against communal forces that might not last long. Premised on a neoliberal worldview, it is most likely that AAP will fall like a pack of cards

under glaring contradictions. Does AAP have the vision to resolve this fundamental challenge before India today? If not, then whose day would it be in Delhi when AAP falls? At a time when genuine anti-neoliberal forces are fragmented, weak and on a defensive, right-wing communal forces will reap the full benefits of such a collapse.

Lokesh Malti Prakash, Freelance journalist, writer, activist.

Courtesy The Huffington Post, 20 February 2015.

Civil Society Calls for Justice: Two Statements

Acquittal of Accused in Hashimpura Massacre is Travesty of Justice

The acquittal of all the accused in the Hashimpura massacre case of May 22, 1987, is a travesty of justice.

28 years ago, 42 Muslims, mostly young men, were killed in cold blood by the Provincial Armed Constabulary (PAC) after having been abducted from Mohalla Hashimpura. This is one of the most shameful episodes of communal custodial killing in India.

The killings reflected the communalized atmosphere following the opening of the locks of the Babri Masjid by the Rajiv Gandhi Government at the Centre. Uttar Pradesh too was then ruled by the Congress party. Subsequent Governments of Uttar Pradesh ruled by SP and BSP too failed to show interest in securing compensation or justice for the victims.

The CB-CID report of the UP government (1994) had indicted these very accused in its departmental enquiry and found them guilty, but the then State government did not even take any departmental action against these accused.

The fact that the trial process dragged on for 28 years, ending in an acquittal of all the accused, reflects a shameful failure of India's criminal justice system.

The AIPF demands that the acquittal be challenged by the appropriate Government so that the injustice can be undone.

Issued by **ND Pancholi, Kavita Krishnan, Gautam Mody, Rohit Azad** for the **All India People's Forum (AIPF)**, Saturday, 21 March 2015

Articles/Reports for The Radical Humanist

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Please send your digital passport size photograph and your brief resume if it is being sent for the first time to the RH.

A note whether it has also been published elsewhere or is being sent exclusively for the RH should also be attached with it.

— **Mahi Pal Singh**, *Editor, The Radical Humanist*

Press Release from Justice for Hashimpura Committee New Delhi, 24 March 2015

Today, on 24th March 2015, the families of Mohalla Hashimpura whose men were shot dead; and the five survivors, of the worst custodial communal killings in independent India expressed their anguish, suffering and outrage at the judgment of the Delhi Trial Court that acquitted all the accused Policemen of the Provincial Armed Constabulary (PAC). 28 years later, they remembered every detail of that fateful day when about 50 men of Mohalla Hashimpura were abducted by a Unit of the 41st Battalion of PAC in a yellow coloured PAC truck by 19 members of this Unit.

About 42 of them never returned home as the PAC truck was taken first to Gang Nahar and then to Hindon Canal, where the PAC Jawans fired at them in the dark of the night with their .303 rifles and threw the dead bodies into the canal. Five men miraculously survived this cold blooded massacre by the PAC jawans, and narrated this horrific crime to the Trial Court as Prosecution Witnesses.

The testimonies of these survivors and other evidence, established before the court that the men of Mohalla Hashimpura were indeed killed by men in uniform as part of a planned criminal conspiracy. The Judge while pronouncing the acquittal judgment stated that the accused were being given the benefit of doubt as the prosecution had failed to identify them as the same men who had fired those fatal shots.

The victims and survivors of Mohalla Hashimpura today raised some questions to which answers must be given. Who is responsible for identifying the accused? Whose job was it to investigate these killings and

unmask the names of the PAC men who committed this bloodbath? Why did a nine yearlong CBCID investigation not uncover this criminal conspiracy? Who are the superiors and men in uniform, who directed, allowed and executed this diabolical crime? They demanded that as citizens they had a right to justice, a right to truth and the same had been denied to them and accountability obstructed.

The victims' lawyer Vrinda Grover, pointed out how at each stage a fair, rigorous and impartial investigation was systematically thwarted. The material pieces of evidence, both documentary and ocular were either not collected, or destroyed, or allowed to disappear. This was not an accidental lapse but rather a pre-meditated omission and criminal negligence designed to dilute the prosecution case and shield the accused. Nonetheless, lawyer Vrinda Grover asserted that they were able to present sufficient circumstantial evidence and official records that identified and named the accused as the PAC men who were responsible for the murders.

She emphasized that the identity of the killers of Hashimpura was no mystery and their names could have easily been uncovered from the official records and interrogation of the senior PAC officials and other Police officers. The trajectory of the investigation shows that it was collusive, corrupt and intended to shield and protect the accused.

The delay of 28 years: FIR lodged on 22nd May 1987; Charge sheet filed on 20th May 1996; Supreme Court transferred the Trial from U.P. to Delhi in September 2002; charges framed against

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From the Writings of M.N. Roy:

Continued from the last issue...

Book: Historical Role of Islam

Chapter - VII

ISLAM AND INDIA

(Editorial Note : M.N. Roy was in jail between 1930 and 1936 under the charge of ‘sedition’ for inciting rebellion against the British Government which case is famously known as ‘Kanpur Conspiracy Case’. During this period he wrote many books. One of them was a small book under the title ‘Historical Role of Islam’. It was first published in 1939. In the opinion of M.N. Roy a better knowledge and more objective understanding of the History of Islam on the part of Muslims as well as non-Muslims would help in reducing lot of antagonism and misunderstanding between the two communities. The first paragraph of the introduction to the book written by Roy is :

“Introduction”

The apparently sudden rise and the dramatic expansion of Mohammedanism constitutes a most fascinating chapter in the history of mankind. A dispassionate study of this chapter is of great importance in the present fateful period of the history of India. The scientific value of the study by itself is great, and the meritorious quest for knowledge is sure to be handsomely rewarded. But with us, today in India, particularly with the Hindus, a proper understanding of the historical role of Islam and contribution it has made to human culture has acquired a supreme political importance.”

In the above spirit we are serializing the said book in ‘The Radical Humanist’.

Below is given the next installment.)

ALTHOUGH Islam came to India after it had played out its progressive role, and its leadership had been wrested from the learned and cultured Arabs, the revolutionary principles

of the days of its origin and ascendancy were still inscribed on its flag; and a critical study of history might reveal that the Muslim conquest of India was facilitated by similar native factors as in the case of Persia and the Christian countries. No great people, with a long history and old civilisation, can ever succumb easily to a foreign invasion, unless the invaders command the sympathy and acquiescence, if not active support, of the masses of the conquered people. Brahmanical orthodoxy having overwhelmed the Buddhist revolution, India of the eleventh and twelfth centuries must have been infested with multitudes of persecuted heretics who would eagerly welcome the message of Islam.

After the downfall of Buddhism, the country found itself in a worse state of economic ruin, political oppression, intellectual anarchy and spiritual chaos. Practically, the entire society was involved in that tragic process of decay and decomposition. That is why not only the oppressed masses readily rallied under the banner of Islam which offered them social equality if not political liberty; even the upper classes offered their services to the foreign aggressor out of selfish motives.

Mohammad Ibn Kassim conquered Sindh with the active assistance of the Jats and other agricultural communities oppressed by the Brahman rulers. Having conquered the country, he followed the policy of the early Arab conquerors. "He employed the Brahmans in pacifying the country by taking them into confidence. He allowed them to repair their temples and to follow their own religion as before, placed the collection of revenue in their

hands, and employed them in continuing the traditional system of local administration." (Elliot, "History of India") When even the Brahmans, some of them at any rate, were prepared to go over to the side of the mlechha conquerors, the social conditions of the country could not be very normal. Evidently, society was in such a disintegrated and chaotic state as to make the position even of the most privileged class insecure. That is usually the result of counter-revolution. A revolution may be defeated by a combination of forces; but that does not enable the triumphant forces of reaction to remove the causes of social disintegration which brought about the revolution. In India, the Buddhist revolution was not defeated; it was miscarried owing to its internal weakness. Social forces were not sufficiently mature to carry the revolution to victory. Consequently, after the downfall of Buddhism, the country found itself in a worse state of economic ruin, political oppression, intellectual anarchy and spiritual chaos. Practically, the entire society was involved in that tragic process of decay and decomposition. That is why not only the oppressed masses readily rallied under the banner of Islam which offered them social equality if not political liberty; even the upper classes offered their services to the foreign aggressor out of selfish motives. That shows that, while the masses were in a state of despair, the upper classes were thoroughly demoralised.

As regards the spread of Islam in India, an ardent admirer of ancient Hindu culture like Havell, who cannot be suspected of any sympathy or even fairness to the Muslims, gives the following highly interesting testimony: "Those who did so (embraced Islam) acquired all the rights of a Musalman citizen in the law courts, where the Quran and not Aryan law and custom decided dispute in all cases. This, method of proselytism was very effective among the lower castes of Hindus, especially among those who suffered from the severity of Brahmanical

law with regard to the 'Impure' classes" ("Aryan Rule in India.")

This is certainly not a very complimentary remark wrung from a firm believer in the perfection of Brahmanical law. In any case, it is clear that in the time of Mohammadan conquest, there lived in India multitudes of people who had little reason to be faithful to Hindu laws and the traditions of Brahman orthodoxy, and were ready to forsake that heritage for the more equitable laws of Islam which offered them protection against the tyranny of triumphant Hindu reaction.

When Islam was winning adherence in India, it had not altogether played out its social-revolutionary role, and that it was by virtue of its social-revolutionary character that it struck so deep a root in India. That is to say even in its days of degeneration and decay, Islam represented spiritual, ideological and social progress in relation to Hindu conservatism.

In another place, Havell chooses to deprecate the spiritual values of the teachings of the Arabian Prophet. But at the same time makes a very significant statement regarding the spread of those teachings in India, "It was not the philosophy of Islam, but its sociological programme, which won so many converts for it in India" Of course, for the masses philosophy has no appeal. They are always attracted by a "sociological programme" which offers them something better than the given conditions of their life. And a bad philosophy, that is to say, a reactionary outlook of life, cannot be associated with a sociological programme which secures the support of the down-trodden masses. If the sociological programme of Islam found support of the Indian masses, it was because the philosophy behind that programme was better than the Hindu philosophy which had been responsible for the social chaos from which Islam showed a way out for the masses of the

Indian people. By the above statement, Havell admits that even in the thirteenth and fourteenth centuries, when Islam was winning adherence in India, it had not altogether played out its social-revolutionary role, and that it was by virtue of its social-revolutionary character that it struck so deep a root in India. That is to say even in its days of degeneration and decay, Islam represented spiritual, ideological and social progress in relation to Hindu conservatism.

Havell is a famous eulogist of Indo-European culture which he considers to be the noblest product of the creative genius of man. On the other hand, he has bitter antipathy for the Muslims. His opinion cannot be dismissed as biased against the Hindus. As a matter of fact, his bias is entirely on the side of the Hindus. So, if even a historian like him found distasteful things happening in India in the past, conditions were very deplorable indeed.

He writes: "But the victorious progress of Islam in India is not to be accounted for by external reasons. It was mainly due to the political degeneration of Aryavarta which set in after the death of Harsha... The social programme of the Prophet... gave every true believer an equal spiritual status... made Islam a political and social synthesis and gave it an imperial mission. Islam was a rule of life sufficient for the happiness of average humanity content to take the world as it is... Islam reached the zenith of its political strength at the critical period when the conflict between Buddhist philosophy and that of orthodox Brahminism was a potent cause of political dissension in northern India." (Ibid)

Indeed, the monastic degeneration of Buddhism and its disintegrating influence on the entire Indian society greatly helped the Muslim conquest just as Christian monasticism had done elsewhere.

King Harshavardhan died in the middle of

the seventh century. Thus, the political disintegration of India was a process parallel to the rise of Islam. The death of a king, however great, does not mark the turning point of history. The process had been going on for many centuries. The Buddhist revolution arrested it for a time, only to be aggravated, accentuated and accelerated on its defeat. Indeed, the monastic degeneration of Buddhism and its disintegrating influence on the entire Indian society greatly helped the Muslim conquest just as Christian monasticism had done elsewhere. Commenting on Mahmud of Guzni's invasions, Kavell further writes: "The almost invariable success of his arms added immensely to his prestige and brought Islam many adherents among the uncultured warrior classes of the North-Western Provinces to whom fighting was a religion and victory in the field the highest proof of inspiration." (Ibid) Mahmud's exploit could not but deal a staggering blow to the faith in the divinity of the shrines where the Indians had brought their offerings from times immemorial. Consequently, the religious feeling which found expression in the worship at the shrines, and the faith in their presiding deities were rudely shocked and inevitably shaken. In such circumstances, "religious feelings and spiritual instincts" induced the masses to transfer their devotion from the gods of demonstrated impotence to the more mighty one, the belief in, and worship for whom, incidentally, was rewarded so magnificently. For ages, millions had believed in the supernatural power of the gods worshipped at the famous temples of Thaneswar, Muttra, Somnath etc. The priests of those temples had amassed fabulous riches at the expense of the believing multitude by virtue of their pretensions to the ability of invoking the protection of the powerful divinities. Suddenly, the whole venerable structure of belief and tradition collapsed like a house of cards under the cruel blow of the invading infidel. When Mahmud's hosts approached, the priests told the

people that the invaders would be devoured by the fiery wrath of the gods. The people confidently expected a miracle which failed to happen. Indeed, it was performed by the God of the invader. Being based upon miracle, faith necessarily is transferred to the most miraculous. Judged by all the traditional standards of religion, those who embraced Islam at that crisis were the most religious,

A critical investigation of the internal as well as the external causes of the Muslim conquest of India is of practical value today. It will remove the prejudice that makes the orthodox Hindu look upon his Muslim neighbour as an inferior being. Freed from preconceived ideas, the Hindus will be in a position to appreciate the constructive consequences of the Muslim conquest of India. That will enable them to live down the hatred of the conquered for the conquerors. Unless a radical change of attitude is brought about by a sober sense of history, the communal question will never be solved.; The Hindus will never be able to look upon the Muslims as integral parts of the Indian nation until they come to appreciate the contribution they made towards the emergence of Indian society out of the chaos caused by the breakdown of the antique civilisation. Besides, a proper understanding of history derived from a correct understanding of the successful advent of the Muslims in India will enable us to ascertain and stamp out the deeper causes of our present misfortune.

On the other hand, few Muslims of our days may be conscious of the glorious role played on the stage of history by the faith they profess. Many may disown and repudiate the rationalism and scepticism of the Arabs as deviations from the teachings of the Koran. But Islam occupies a memorable place in history thanks rather to its original-unorthodoxy and irreligiosity made evident by the Arab philosophers, than to the later growth of a

reactionary priesthood or to the barbarous fanaticism of the Tartar converts. Islam had played out its progressive role before it penetrated India. Its flag was planted on the banks of the Indus and the Ganges not by revolutionary Saracen heroes, but by Persians demoralised by luxury and the barbarians of Central Asia who had embraced Islam, both had subverted the Arab Empire- that magnificent monument to the memory of Mohammad. Still, it was welcomed as a message of hope and freedom by the multitudinous victims of the Brahmanical reaction which had overthrown the Buddhist revolution and had consequently thrown the Indian society in a state of chaos. Neither the Persians nor the Mogul conquerors of India were entirely devoid of the traditional nobility, toleration and liberalism of the Saracen heroes. The very fact that comparatively small bands of predatory invaders from distant lands could make themselves the rulers of a vast country for such a long time, and their alien faith found millions of converts, proves that they did satisfy certain objective requirements of the Indian society. Even when much of its original revolutionary fervour had been overwhelmed by reaction, Islam still exercised certain revolutionary influence on the Hindu society. The Mohammadan power was consolidated in India not so much by the valour of the invaders' arms as owing to the propagation of the Islamic faith and the progressive significance of Islamic laws.

Even the fiercely fanatical anti-Muslim Havell grudgingly admits: "The effect of the Mussalman political creed upon Hindu social life was twofold: It increased the rigour of the caste system and aroused a revolt against it. The alluring prospect which it held out to the lower strata of Hindu society was as tempting as it was to the Beduins of the desert... (It) made the Sudra a free man and potentially a lord of the Brahmans. Like the Renaissance of Europe, it stirred up the intellectual waters, produced many

strong men, and some men of striking originality of genius. Like the Renaissance also, it was essentially a city cult; it made the nomads leave his tent and the Sudra abandon his village. It developed a type of humanity full of joie de vivre..." ("Aryan Rule in India")

To the above highly illuminating statement, it may only be added that the rise of reformers like Kabir, Nanak, Tukaram, Chaitanya, etc. who evidenced a popular revolt against Brahmanical orthodoxy, was to a great extent promoted by the social sects of Mohammadan conquest.

Now, in the throes of a belated Renaissance, Indians, both Hindus and Muslims, could profitably draw inspiration from that memorable chapter of human history.

In view of this realistic reading of history, Hindu superciliousness towards the religion and

culture of the Muslims is absurd. It insults history and injures the political future of our country. Learning from the Muslims, Europe became the leader of modern civilisation. Even to-day, her best sons are not ashamed of the past indebtedness. Unfortunately, India could not be fully benefitted by the heritage of Islamic culture, because she did not deserve the distinction. Now, in the throes of a belated Renaissance, Indians, both Hindus and Muslims, could profitably draw inspiration from that memorable chapter of human history. Knowledge of Islam's contribution to human culture and proper appreciation of the historical value of that contribution would shock the Hindus out of their arrogant self-satisfaction, and cure the narrow-mindedness of the Muslims of our day by bringing them face to face with the true spirit of the faith they profess.

Concluded

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the accused PAC men for murder and criminal conspiracy in May 2006; Survivor Zulfikar Nasir gives evidence in court as Prosecution Witness No.1 on 4th September 2006; Present Special Public Prosecutor appointed in February 2008; Last Prosecution Witness examined on 8th December 2011; Prosecution evidence closed in 2014; Statements of accused recorded on 23rd May 2014; Defence evidence recorded on 6th August 2014; Final Arguments heard from 13th August 2014- 8th January 2014; Judgment pronounced on 21st March, 2015. This delay was calculated to benefit the accused and it served its purpose.

Justice R. Sachar (Former Chief justice of Delhi High court), Advocate Rebecca John, Shri W. Habibullah, Tapan Bose, Uma Chakravarty, Harsh Mander, Shabnam Hashmi, Kavita Krishnan, John Dayal, Kamal Chenoy, Usha Ramanathan expressed grave concern at the

continuing state of impunity as they spoke in solidarity with the victims of Hashimpura killings. They also underlined the alarming consequences of the systematic and systemic failure of criminal justice system. They pointed out that the injustice for the Hashimpura victims was part of a growing pattern where victims of vulnerable, minority and marginalized communities such as Muslims, Christians, Dalits, Adivasis are being denied justice for the atrocities committed on them. This has serious implications for India's democracy. The meeting concluded with a determination expressed by all to continue to seek justice and accountability for these targeted custodial killings.

Justice for Hashimpura Committee
24th March 2015
Vrindagrover@gmail.com,
shabnamhashmi@gmail.com,
<http://www.anhadin.net/article269.html>

Mrs. Ellen Roy : The Wife Who Dedicated her Life

Jawaharlal Jasthi

When Roy decided to return to India in 1930, none of his friends appreciated his decision. Every one of them tried desperately to prevent him as they were aware of the consequences of his decision. He was sure to be arrested and imprisoned by the colonial government. Why to step into the tiger's mouth knowingly? But Roy was adamant on his decision. He defied all the advices of his friends. But in his heart, Roy was conscious that he is doing something against the sincere advice of his friends and well-wishers. On the day he was scheduled to board the ship he again sent a message to his friends that he was prepared to cancel his visit if his friends want so. But there was no response from them until the ship left with him on board. Ellen was by his side and she did not take on herself to dissuade him. When the ship was on the open sea the message came from his friends that they want him to stay back. But it was too late and he continued his fateful journey to India.

Roy was arrested in India on 21 July, 1931. From that date until he was released on 20 November, 1936 he was in the jails in India. Till then Ellen was waiting for the news in Berlin all the six years. It was unusual for a girl of that age in Europe to wait for a loved one for such a long time. It would be possible only when there is something more than love in the traditional sense. There was a commitment on her part involving her ideals and values that she wanted to realise in her life. She felt it necessary to have his association to achieve that. In his letters from jail Roy used to advise her strongly that it would be unwise for her to wait for him for such a long time and not to waste her valuable life for him. But she did not give up even when she was told that he would be imprisoned for a long period

of twelve years. Later the punishment was reduced to six years to cut short the ordeal. We should not strike off as just 'love' for the man. It was no doubt 'love' but also something more than that, something higher as well. It was not just a matter of personal attraction. It was the decision based on identity of ideals and values. Purpose for life originated with Homo sapiens in the universe and it is the purpose that guides human life. When the purpose is intertwined with that of another, the association becomes inevitable and inseparable. From the beginning she was an idealist. It was a habit for her to live in the way she believed in. Intention to realise her values always guided her life and she did not step back even in dire situations. The presence of personal attraction could not be denied. But identity of purpose made the attraction stronger. Both of them were confirmed communists at one stage, but catapulted out later after some bitter experiences.

The fact that it was not just accidental for Roy to come out of the suffocating grip of communism was proved by his letter addressed to Stalin later. In that letter he lamented that he could not reconcile to the fact that culture, credibility and truthfulness had no place in Bolshevism. Because of that he bade good bye to the party itself. It might be because of the persons in authority rather than due to any deficiency in its philosophy itself. But he was disillusioned by the philosophy that could give rise to such ruthless leadership and stepped out without losing any more time. He could not fit himself into any other political mould as nothing came nearer to his outlook. After seeing that letter Ellen started almost worshipping Roy. She knows that if only he were prepared to accept

the party line, he would have been occupying exalted positions in the party hierarchy. But he discarded it so easily in order to stick to his own convictions and philosophy. That showed his individuality. It was also true that he could not achieve anything on par with other politicians. Neither Roy nor Ellen regretted it in their lives. Coming to know of him and getting acquainted with him, Ellen felt that what she was searching for in life was before her. She felt that life with him would take her to realise her goal in life. That identity of outlook has become the inseparable bondage between them. There would be no place for differences and dissatisfactions when the experiences and ideologies of the two are the same. On order to give shape to her ideas she felt it desirable to associate herself with this man in her life. She merged herself into her personality. She did not seek a separate identity and recognition for herself. It was not necessary, she felt. She believed it would be easier for her to reach her goal if she travels with him. That belief guided and dictated her life to the end.

Before developing that sense of dedication, Ellen never thought that her life will one day move around a particular individual. She had a very strong individuality of her own. When she was not happy with the behavior of her father, she dared to come out of the house and stood on the road without anything to eat. She tasted troubles, insults and privations in her life and never blamed anybody for it. At every stage she could uphold her independence and dignity. Such a person was now dedicating herself to another man and prepared to forget herself in living with him. It was something higher than the so-called love. It would not be possible unless there is complete identity of values and purposes in life. That was what changed her life.

She never claimed herself as belonging to any

particular country or religion. In spite of having advantage of American citizenship, she never stepped into that country until 1955, after the death of her husband. She came to India as a citizen of the world. Arriving in India on 4 March, 1937 was a milestone in her life. She used to celebrate the day every year as if it was her birth day. She spent her life like that for 16 years. The couple used to go around the country to escape the winter of Dehradun, giving lectures and propagating their views and philosophy. They inevitably return to Roshan Bagh and invite their friends to spend happy time. As long as she lived with Roy she did not entertain any other ambition in life. She had no time to think of it as she was immersed in her self-assumed responsibilities. She found a meaning for her life in living with him and for him, which was as much a life for her own ideals. She derived satisfaction of having a complete life.

She might have spent the six years in Berlin waiting for his release thinking of a life like this. It does not mean that she had no problems in her life in India. They had to encounter many adversities in living a life as expected and in getting their philosophy accepted. There are people who adored Roy as an ideal person. Similarly there were people who condemned him and also resorted to false propaganda against him. Particularly the fact that they once belonged to the higher echelons of the communist party and later discarded the same was not palatable to those who continued to be communists. When you have a new philosophy and want it to be accepted by the people, resistance is but natural. Even then, unreasonable criticism and personal attacks were not anticipated as much as they had to encounter. With all his devotion to his ideals, he used to become impatient and irritable. Ellen was not like that. She was patient to critics and pragmatic in her approach. She used to analyse any situation and react constructively. When she

came to India they did not have a real house to lead a married life. A space of two rooms was arranged by the friends in Bombay, which itself was costly for their limited resources. Out of that accommodation, they allotted one room to "Independent India" their first child as they claimed it. The remaining one room contained all their life. Everything had to be dumped on the table - all the papers, books and clothing. Even to shave or to take food, the papers had to be sorted to make room for the service. Such privations were not new to Ellen. The only regret is that it could not be avoided even after coming to India and married Roy. She was so practical in life that she could save something from her hand to mouth sustenance in Berlin. All those savings were spent to start Independent India as promised by her while he was in prison.

Within a few days after that they had to go on tour of the Madras state, as it was then. Having propagation of their philosophy as the only purpose of their lives, they could not afford to forego such opportunities. But even his close friends could not know that Roy fell seriously ill during that journey. Ellen managed it that way. From then onwards Roy was striving hard to live for his ideals in spite of non-cooperation of his body. His conviction and optimism helped him live that long. He was forced to depend on Ellen for everything later on. Ellen sensed of his ill health immediately after arriving in India. Prison life of six years had its effect. Body has gone out of control creating radical problems to the leader of Radical Humanism. While walking, he used to tremble even by the ringing of a cycle bell behind him. They were all part of his struggle to come to public life from isolated life in prison. In one of his journeys through Andhra area he was seriously ill and doctors warned him not to undertake any long journeys thereafter. But they knew that it could not be followed as regular visits were necessary to keep contact with

intellectuals throughout the country and to encourage them. They used to visit even the villages in the corner where there were not even road facilities. Leave alone medical requirements, even proper food was a luxury in some villages. Those who took upon themselves the responsibility of the visits and facilities were not aware of his delicate health as Ellen never allowed it become a public knowledge. She took all the burden to look after him on herself exclusively. After one of his journeys he was forced to stay inside in Bombay for two months with great difficulty. Ellen took care to ensure that the lectures and tours arranged were not cancelled or postponed as far as possible. In spite of that there were such occasions. He used to accept whatever was offered to him as food, even if it was not conducive to his health. It necessarily had its effects that troubled him later. Even after they shifted to Dehradun the health was the same. Friends used to come and drag him into serious discussions as they were not aware of his delicate health. During discussions he used to have drinks along with other friends. To reduce the consumption, Ellen used to empty the glass without his knowledge. Roy did not relish if he was reminded of time or excess of drinks. Ellen had to resort to some indirect methods for it.

While they were optimistic that his health was getting stabilized, he had developed allergy and had asthma. Then it was that Ellen felt somewhat discouraged. It used to attack in waves and troubled him for days together. It was seasonal every year. Ellen took round the clock care of him. Roy used to joke that the doctor was treating him under the supervision of Ellen. It was true to some extent. It was due to the care of the doctor and Ellen that it was controlled and in his final days he was stated to be free from it.

.....to be continued

Human Rights Section:

FOUNDING CONFERENCE OF THE 'ALL INDIA PEOPLE'S FORUM'

Founding Conference of the All India People's Forum, in short AIPF, was held on 14th and 15th March, 2015 at Ambedkar Bhawan, New Delhi. Large number of delegates, around 700, representing large number of people's organizations across India, inspired with the

ideal of liberating Indian society from all forms of oppression and exploitation and to carry forward the democratic urge of the people for a free, equal and just society, where citizens are guaranteed basic rights, dignity and equal opportunities. A vision document and a charter of struggle was presented.

An Appeal to the Readers

Indian Renaissance Institute has been receiving regular requests from readers, research scholars, Rationalists and Radical Humanists for complete sets of books written by M.N. Roy. It was not possible to fulfil their demands as most of Roy's writings are out of print. IRI has now decided to publish them but will need financial assistance from friends and well-wishers as the expenses will be enormous running into lakhs. IRI being a non-profit organization will not be able to meet the entire expenses on its own. Initially, following 15 books have ordered for print: New Humanism; Beyond Communism; Politics, Power and Parties; Historical Role of Islam; India's Message; Men I Met; New Orientation; Materialism; Science & Philosophy; Revolution and Counter-revolution in China; India in Transition; Reason, Romanticism and Revolution; Russian Revolution; Selected Works - Four Volumes; Memoirs (Covers period 1915-1923).

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***Note:** The remaining and last part of 'Secularism Revisited' by Justice R.A. Jahagirdar will be published in the next issue of The Radical Humanist. Inconvenience caused to the readers is regretted. - Ed.*



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