

## Adopting Antagonistic Posture

These days everyone knows what the Centre is about. They have brought in 'anti-terror' legislation that they use against peaceful demonstrators and the entire community of civil rights and human rights groups. They are out to dismantle whatever remains of democratic space for civil rights and human rights defenders. For all practical purposes emergency is back, this time by the backdoor and silently, all in the name of combating maoist terror. Panic is all around. The Gandhian democrats of India are too sacred to bear with Gandhian exposure of their un-Gandhian acts. Unwilling to address the burning problem of survival the downtrodden face in every corner of the country they are adopting an increasingly antagonistic posture towards those who show audacity to expose the powers that be. Any kind of protest movement, peaceful or otherwise, is now being interpreted as maoist inspired and can be brutally suppressed. Only the other day the union home ministry declared in a somewhat dramatic fashion that any kind of sympathy from NGOs, civil liberties groups and individuals to the maoist cause might invite detention under Unlawful Activities (Prevention) Act, 1967 which is essentially a continuation of colonial hangover. It is one way to terrorise ordinary people. Faced with ever growing social unrest the ruling authorities in Delhi cannot find any solution other than offering 'hellholes of incarceration' to the aggrieved and disgruntled. They have already turned schools into barracks in "disturbed areas" but this regime looks more like a prison house of ethnic and religious minorities, dalits and tribals.

Interestingly, the Union Home Minister recently got flak from the minister of state of environment and forests for reasons other than maoism. While in Beijing Environment Minister criticised the decision of the Union Home Minister for not allowing a Chinese Company in India's burgeoning telecom sector for security reasons. Nothing happens in such a situation. But union home ministry gets 'alarmist', if not 'paranoid', when human rights groups raise their voice of dissent against violation of human rights by security forces. They are now specially targeting journalists and intellectuals who refuse to kowtow to the system. In truth independent, rather non-partisan voices, are being heard broadly in society—having a profound effect on those who are fed up with party culture. And now they want to silence these voices of reason even in areas where maoists can hardly make their presence felt.

Very recently the National Human Rights Commission (NHRC) awarded rupees five lakh monetary compensation in a case of victimisation of Samiuddin, a journalist associated with Hindi daily *Aman Ujala* in Uttar Pradesh. His crime was very simple : he just exercised his right to freedom of speech which became too hot to handle for the police. NHRC in its proceedings of February 4, 2010, observed among other things that "this case is a stark example of not only of total apathy, but outright antagonism towards a person, whose right to life was seriously endangered" by the misuse of authority by the then Superintendent of Police of Lakhimpur Kheri.

Then there is death due to hunger. Barring some NGOs engaged in social work, no political party, mainstream or regional, takes interest in it. In February there were reports in a section of media about how chronic hunger led to death of at least fifty persons in Bolangir district in Orissa. The report alleged that in the last two years about three hundred children were orphaned following deaths of their parents due to chronic hunger and prolonged malnutrition in the five blocks of the district located in the 'dreaded' Kalahandi-Bolangir-Koraput belt of Orissa, otherwise demonised by the authorities all the time as part of the so-called maoist corridor. If some NGO activists agitate for the right to food for the chronically hungry who are mostly adivasis, they may be immediately thrown behind bars under the specious argument of sympathising with the maoists.

Not that 'encounter killing', rather killing in fake encounter, is a recent phenomenon. NHRC is flooded with complaints of fake encounter deaths from the regions where maoists are not active. Not very long ago the Commission did not accept the police version of an encounter death of a person in Varanasi in Uttar Pradesh and recommended that UP government pay Rs 5 lakh as monetary relief to the next of his kin. NHRC regularly records flagrant violation of human rights but when some human rights groups protest against such violations they run the risk of being labelled as maoist and get punished in due season. The existence of NHRC makes little sense if human rights and civil liberties groups are not allowed to function freely.

The hard reality is that human rights movement is still very weak in most parts of India. The concept of liberties and rights gained popularity during emergency and after its lifting as democratic aspirations and voices were severely suppressed. Even today the situation is so grim that NHRC finds it difficult to conduct its business in absence of awareness of human rights among masses. The Commission organised in February 2009 a broad-based campaign on human rights awareness. In pursuance of its programme of visits to 28 selected districts, a team of NHRC comprising its acting chairperson and other members had recently visited the district of Sonbhadra in UP to evaluate the level of human rights awareness and facilitate proper implementation of human rights. For one thing as per NHRC parameters these rights include among other things the right to food, right to education, right to health and right to custodial justice. If human rights groups that have hardly any national network, raise the issue of custodial death which is somewhat endemic in some states, particularly in the marxist ruled state of Bengal, there is every possibility that they will face the danger of being incarcerated under the pretext of posing 'maoist threat'. Then a mass movement is needed to spread the word that the ruling circles are hell bent to impose emergency rule without officially promulgating it. □□□