

NATIONAL INTEREST

People's Union for Democratic Rights (PUDR) expresses its concern at the arrest of Noor Mohammed Bhatt, lecturer of English at Gandhi Memorial College, by the J&K police on 9 December 2010 under S 13 of Unlawful Activities (Prevention) Act and S 153 of RPC for setting an examination question paper considered as being 'anti-national' and 'anti-establishment'. Facts of the case once again bring out that whatever be the public claims about J&K being an 'integral' part of India, the real situation suggests otherwise. The examination paper for students of B Sc was set in August and was one of the three question papers set by Noor Mohammed from which this particular set of questions was selected. The question which raised the ire of the authorities was 'Are stone-pelters real heroes?' and the translation of a paragraph which dealt with what was happening on the ground in Kashmir valley, which in five months claimed the lives of 112 persons, children and adults, male and female. To read incitement and abetment of "unlawful" activities reveals a paranoiac mindset among authorities. The mere posing of such questions, which pedagogically was a creative way of getting students to test their skill and apply themselves to write coherently in essay writing and translation in English, is a blatant attack on the freedom of expression and academic freedom which encourage students to think critically. Were a comparison made with examination papers elsewhere in India, it would become evident that these questions are rather innocuous and unexceptional. But what is most alarming is the propensity of the authorities, and especially the J&K police, to censor, curb and silence critical thinking in the name of 'national interest'. In a state which in the past has seen agitation against power hike, meat price hike, non-payment of wages and justice for victims of state violence... characterized as 'anti-national', this arrest should come as no surprise. What is significant is the fact that this incident reveals the desperate level to which the authorities stoop in order to not only manage and control people's lives but also their thought processes. In this sense, every person and aspect of life in J&K is a matter of politics not just any politics, but politics born out of a policy of military suppression and what Indian authorities call 'perception management'. Equipping people to question this, or posing a question about it, can invite retribution.

Moushumi Basu and Asish Gupta,
Secretaries, PUDR

BINAYAK ON BAIL

Binayak Sen is released (on 18 April, 2011). So, the desperate attempt (of the "rogue state") "to throw a spanner in the proceedings of the Supreme Court via High Court with the hope to be able to obstruct possible release (temporary and/or permanent) of the convicted" has failed - at least for the time being and as far as 'temporary' release (i.e., on bail) is concerned. The failed attempt, alluded to here, was through filing an appeal in Chhattishgarh HC (High Court) for reversal of acquittal from certain other charges by trial court.

It is fortunate that SC is beyond the jurisdiction of Chhattishgarh and was unlikely to be under any effective extra-judicial pressure, for, present governments at both Delhi and centre would chuckle (Union Ministers P Chidambaram and Salman Khurshid expressed happiness over the court decision to release Mr Sen—PTI) at the Chhattisgarh govt. being rubbed on the wrong side, not out of any particular desire for justice on behalf of the convicted, but out of the political rivalry with ruling party in Chhattishgarh. So, SC, unlike Chhattisgarh HC (which had refused bail earlier—Feb 10, 2011), presumably had a free hand, so to speak, to apply its judicial mind.

But, granting of bail to Binayak Sen by SC on April 15, '11, seems "to be more than just a temporary relief". Detention of Binayak may, perhaps for all practical purposes, be considered as over, unless Chhattis-garh HC grants the prayer of the State Government, filed earlier, for reversal of acquittal from other charges.

As the hearing was only on bail petition and not on appeal against conviction, SC observations did not go into details of the lies-a few of which were cited in the Appendix of the earlier article by this writer (see *Frontier*, April 3-9, 2011)- advanced by the prosecution and accepted in the trial court Judgement. But these observations touched on at least one of these lies. This lie is about the passing of letters by prisoner Narayan Sanyal (one among the three convicted) to Binayak Sen when as a PUCL representative as well as a doctor he used to visit the ailing prisoner in jail. On this SC observed:

"Visitors are screened and searched by the jail staff when they go and meet the inmates. The jailors are there to oversee all these things. So the question of passing letters or documents doesn't arise."

It can be said to be almost axiomatic that other two convicted, Piyush Guha and Narayan Sanyal (enjoying almost no mainstream media attention), in the same case are also to get immediate bail and full reprieve from the same charges, if proper legal defence can be arranged for them. All the three are shown to be so inter-linked in the fabricated Charges in this case, as reflected in the judgement, that bailability or innocence of anyone cannot be separated from the same case of the other two.

And when that ultimate day arrives, the "Suspended Approbation" of the trial court judgement may very well be revived for delivery of such a unsustainable judgement, which, by its very self-sabotaging quality, made way for ultimate release of the victims of pre-fixed sentence.

Subhas Ganguly
18 April, 2011

‘NO’ TO NUCLEAR ENERGY

The dangerous nuclear explosion in Japan is said to have blown the roof off the reactor building, brought down walls and caused a very heavy radiation leak. Even after the plant's chain reaction was stopped, the fuel rods continue to produce heat and must be cooled in order to avoid the meltdown of the fuel. The plant needs a continuous supply of electricity to run the water pumps and the instruments. Since the emergency diesel generators at the Daiichi plant failed, pressure mounted in the reactor, the normal cooling function stopped and resulted in the explosion.

The Tokyo Electric Power Co, who operates the exploded power plant has said that the explosion happened "near" the No. 1 reactor. The Japanese nuclear authorities have claimed that "small amounts of radioactive material were likely to leak out." This is the universal attitude and approach of the nuclear departments of all countries. The Japanese catastrophe came at a time when the world was about to commemorate the 25th anniversary of the Chernobyl disaster.

India's Department of Atomic Energy (DAE) and the Nuclear Power Corporation of India Ltd (NPCIL) will try to reassure the people of India that they are far more superior than everybody else in the world and this kind of accidents would never happen in Indian facilities.

On January 7, 2005, Dr L V Krishnan, the former director, safety research and health physics at the Indira Gandhi Centre for Atomic Research (IGCAR) at Kalpakkam, claimed in

an interview with *rediff.com* that the Kalpakkam reactors escaping the wrath of the 'Big Wave' was a cause of pride for India, as these reactors had been built solely by indigenous effort. Although Dr Krishnan admitted that tsunami was not taken into consideration when the Kalpakkam reactors were built, the Koodankulam nuclear power plant authorities claimed that they had built the tsunami factor into their project design without giving any proof.

The Indian public have to sit up, think and decide here and now how they want to proceed with the dangerous nuclear power programme the Indian government and the nuclear establishment have been scheming with very little transparency, accountability and popular participation. It is wise not to tread this path of Three Mile Island, Chernobyl and Fukushima while exploring possibilities to generate energy from safe and sustainable sources.

**National Alliance of
Anti-Nuclear Movements**

HARIPUR CALLING

Unlike Jaitapur in Maharashtra, Haripur is not in the middle of a seismic zone prone to earthquakes. However, it is on the shore of the Bay of Bengal. As the past decade has shown, tsunamis are becoming more and more unpredictable. Even if one believes that human error will be avoided, in terms of using technology in efficient ways for the good of the people of the area, what about unpredictable natural phenomenon, beyond what technologists and scientists account for? What is to prevent Haripur from being overrun by a huge wave from the ocean at some point in the future- a wave that is beyond the calculations of the scientists? After all scientists are still not Gods who can totally control or even totally understand nature.

What makes the whole thing worse is that the people of Haripur-Junput do not at all want this bitter dose of "development". Surveys, discussions, television interviews have all shown that the people are refusing to give their land for the nuclear plant. While their fears of safety are one part of it, the other part is that they are not willing to disrupt their lives which are culturally and economically rich. One wonders why the planners, if they are so convinced about the safety of the technology do not use a site closer to home- for example the lawns of Lutyens, Delhi?

Despite the TMC's stated opposition to a nuclear plant at Haripur, the UPA is obviously going full steam ahead with its plans. SK Jain, chairman and managing director of NPCIL stated on March 3, 2011 that the environmental evaluation process is expected to be over by 2012, to be followed by land acquisition. The first phase of the project will start within the 12th Five Year Plan Period, probably by 2014. On February 23rd 2011, Minister of State in the PMO V Narayanasamy said in the Lok Sabha that the Government has not decided to shift the location of a proposed nuclear power plant from Haripur in West Bengal. One wonders, when it comes to Haripur, whether the alliance of TMC-Congress that has trounced the left in the recently held assembly poll will prevail or whether the people's voices will prevail.

**Paschim Banga
Khet Majoor Samity**