

# THE RADICAL HUMANIST



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**Justice V.M. Tarkunde**  
A Restless Crusader for Human Freedoms  
(3 July 1909 – 22 March 2004)

## **Emergency & Tarkunde**

N. D. Pancholi

## **Judicial Suicide**

Justice V. M. Tarkunde

## **Politics and Play**

Ramachandra Guha

## **Unlearnt lessons of the Emergency**

Subramanian Swamy

## **Manabendra Nath Roy**

Kameshwar Wali

**544**

# THE RADICAL HUMANIST

Vol.79 No. 4 JUNE 2015

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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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## CONTENTS:

	Page No.
<b>Editorial :</b>	
Emergency & Tarkunde – N. D. Pancholi	3
<b>Articles and Features :</b>	
Obituary in memory of Dr. Subhankar Ray – Apurba Dasgupta	7
Homage to Praful Bidwai – N. D. Pancholi	8
Judicial Suicide – Justice V. M. Tarkunde	9
Politics and Play – Ramachandra Guha	13
40 years after Emergency – M. G. Devasahayam	16
Looking Back at the Emergency – Nandana Reddy	19
Unlearnt lessons of the Emergency – Subramanian Swamy	20
Nobel laureate Amartya Sen argues Modi Govt. wants direct control of academic bodies – Sagarika Ghose	23
Who is a threat to the nation? Teesta or Sushma, Vasundhara, Sheoraj and Pankaja Munde? – Prabhakar Sinha	25
Manabendra Nath Roy – Kameshwar Wali	27
From the Writings of M.N. Roy: Introduction: 'Evolution of Philosophy in India' by Kotha Sachidananda Murthy – M.N. Roy	33
Human Rights Section: For the Record: Delhi Police Encounters Jamia Teachers' Solidarity Association	38
Press Release: Communal tensions in Atali Village of Ballabgarh Division – A preliminary report of fact finding team Janhastakshep	40
Civil Society Organisations condemn persecution and harassment of Teesta Setalvad and Javed Anand by the CBI	42

## **Editorial:**

### **Remembering V. M. Tarkunde in the wake of 40th Anniversary of the imposition of Emergency in India:**

## **Emergency & Tarkunde**

**N. D. Pancholi**

As a student of History (B.A. Hons.) in the Ramjas College, Delhi University, 1962-1965, I was very much influenced by the life and philosophy of M. N. Roy (1887-1954). I developed a desire to be in contact with some of his colleagues who were still alive. That opportunity came in or about 1971 when I saw a copy of "The Radical Humanist" in Sapru House Library of Indian Council of World Affairs situated at Barakhamba Road, New Delhi. The magazine stated that it was founded by M. N. Roy as 'weekly' under the name "The Independent India" in 1937 and later on its name was changed to "The Radical Humanist" in 1949 as a monthly. It described V. M. Tarkunde (1909-2004) as its Editor. I immediately contacted Tarkunde who gave me a very warm response.

Tarkunde was very active during the freedom struggle and was member of the Working Committee of the Indian National Congress. After his release from the Jail in 1936 M. N. Roy had joined the Congress and was made a member of its Working Committee. There developed a group around Roy of those persons who were inspired by his ideas and revolutionary work. It was called the 'Royist' group within the Congress. There were thousands of such Royists but some of the prominent names are : A. B. Shah, C. T. Daru, Philip Spratt, Prof. Amlan Dutta, Tayab Shaikh, M. V. Sastry, Sachchidananda Hirananda Vatsyayan 'Agyeya', V. B. Karnik, J. B. H. Wadia (famous film maker), D. B. Karnik, Sameron Roy, Gaur Kishore Ghose, K. K. Sinha, Ram Singh, Prof. G. D. Parikh, Giri Lal Jain, (all prominent

intellectuals, writers and activists) Birendra Nath Pandey (famous for participating in Lahore conspiracy case), Vimal Prasad Jain (famous for participating in Kakori bank dacoity case), Pt. Prem Nath Bazaz, (prominent freedom fighter of Kashmir and close associate of Shaikh Abdullah), Maniben Kara (iron lady of the labour movement in India and was also President of the Indian Federation of Labour for some years before partition), C. P. Dave, prominent trade union leader who later on became Asstt. Secretary of both the West Pakistan Federation of Labour situated in Karachi and All Pakistan Confederation of Labour. (West Pakistan Federation of Labour continued to use the symbol 'a lighted torch', a trade mark of Royist Trade Union i.e. 'Indian Federation of Labour' {IFL} even after partition.) Tarkunde also joined this group and later on became General Secretary of the Radical Democratic Party as well as IFL (Indian Federation of Labour) in or around 1944, both floated by Roy. M. N. Roy was soon ousted from the Congress over the issue of the Second World War - he was in favour of giving unconditional support to the British war efforts during the second World War (1939-1945) against Axis (Germany-Italy-Japan) powers as he thought the war was between Fascist and democratic powers and it was in larger interest of mankind to support Britain and France (Allied Powers) against the Axis powers, while continuing the freedom struggle side by side. But the Congress was not in favour and expelled Roy. The entire Royist group also came out from the Congress including Tarkunde. This group openly opposed the 'Quit India Movement'

and were denounced as 'traitors' and 'collaborators' by the Congressmen and others but they remained steadfast in their belief 'that it was more important to defeat Fascist Powers in the World War than to weaken Britain in the fight against Fascism. This group was of the opinion that if Fascist powers won in the war, it would be the end of the Indian freedom struggle for many decades. After independence he joined his legal practice in 1948 and became a judge of the Bombay High court in 1957 from which he resigned in 1969.

During my discussion with him it transpired that he had come to Delhi to practise in the Supreme Court but also side by side to give practical shape to the ideas of 'Radical Humanism' as formulated by M. N. Roy and in which he believed. The way political parties were behaving led credence to Roy's theses that parties were not adequate instruments for bringing social and political change. It was necessary to organize citizens on non-party lines who may work as pressure groups on the wayward behavior of the parties to check the deteriorating political life in the country. In this effort at first he contacted the old 'radical humanists', i.e., 'Royists' spread all over India and abroad and formed the 'Indian Radical Humanist Association' in 1969. He took up the publication of 'The Radical Humanist' from April 1970 at Delhi.

Elections to the Lok Sabha were held in March 1971 which on the whole were peaceful. While upper and middle classes were relatively apathetic to the election process, the poorer sections came out to vote in large numbers. The resounding victory of the Congress party was attributed to two factors; (1) the personality of its leader Indira Gandhi and (2) her championship of the cause of the poor as against the rich. Another important outcome of this

election was that the wings of the Jan Sangh Party (predecessor of the present BJP) which was openly championing the communal Hindutva agenda, were clipped and the party was cut to size.

'*Garibi Hatao*' slogan of Mrs. Indira Gandhi had aroused high expectations among the poor and the deprived but the situation continued to remain the same with the passage of time, and even began to worsen. Tarkunde thought that there was need of another organization which would include other than the 'radical humanists' - such as Gandhians, socialists, Marxists and all those who believed in democratic values and wanted to work for a better India without involving power politics. From 1972 he devoted his efforts in contacting such persons. J. P. (Jayprakash Narayan) was contacted and was invited to address the Conference of the Indian Radical Humanist Association at Ahmedabad. Individuals like M. C. Chagla, N. A. Palkhivala, S. M. Joshi, Prof. V. V. John, B. G. Verghese, Prof. Rajni Kothari, A. G. Noorani, Prof. K. D. Desai and many more were approached who positively responded. Between 1972 and 1973 several meetings were held in various parts of India with such persons to discuss the objectives, constitution and activities of the proposed organization. Shri Radhakrishna, Secretary, Gandhi Peace Foundation proved to be of great help. Initially the name of such organization was proposed as the 'League of Democrats' but in the inaugural conference held on 13th and 14th April, 1974 at Gandhi Peace Foundation, New Delhi the name 'Citizens For Democracy' was finally decided. The Conference was inaugurated by J.P. who was elected as President and Tarkunde as its General Secretary. Thousands of enthusiasts turned up to attend the conference and the crowd spread outside the auditorium and on the Deen Dayal Upadhyay Marg as there was no space to accommodate them in the

auditorium. Loud speakers had to be installed on the road to enable the people to hear J.P.'s speech. Its office was set up in the Gandhi Peace Foundation. It was declared that CFD was being formed in response to the political, economic and moral crisis in which the country was caught up. Its main purpose, in short, was to seek to preserve, defend and strengthen democracy in the country, and also for attainment of the higher ideal of a comprehensive political, economic and social democracy, without involving itself in party-politics or power-politics.

From the very beginning the C.F.D. (Citizens For Democracy) took up many notable tasks. Soon a committee set up by the CFD brought out a report on 'electoral reforms' in Feb.1975 and gave valuable suggestions which later on became the basis to introduce several reforms in the electoral law. Branches of the CFD were set up in various states and programmes for "voters' education" were formulated and 'voters councils' were set up at several places.

Soon 'Emergency' was imposed on the midnight of 25-26 June, 1975 in the country and thousands of dissenters were arrested. JP was picked up on that night from the Gandhi Peace Foundation. The organizational set up of the CFD which had already taken shape on sound footing in various states proved to be very helpful in organizing protest meetings. Many of its members, including the 'radical humanists', were arrested. Tarkunde was very active. Committees were organized to render financial and other help to the starving families of the detenués. The committee in Delhi headed by Smt. Amiya Rao and Sh. B. G. Rao did pioneering work in Delhi to ameliorate the sufferings of the families of the detenués. Steps were taken to challenge censorship and suspension of the fundamental rights. An historical all-India Civil Liberties Conference was convened by the CFD on October 12, 1975 at Ahmedabad. (Gujrat was

ruled by the opposition at that time, so meeting was possible). It was inaugurated by Justice M. C. Chagla. Even some sitting judges of the Gujarat High court attended the conference. Among many petitions filed for the release of the detenués, was one petition for release of Kuldip Nayar, noted journalist. This petition was filed under the supervision of Tarkunde and argued by Shri S. C. Malik, advocate who was a prominent radical humanist. The Govt. tried to influence the two judges, i.e., Justice V. S. Deshpande and Justice R. N. Aggarwal, but could not succeed. Justice Deshpande, in order to keep it secret till it was pronounced, himself typed the judgment in his own hand, as even the steno of the court could not be relied upon. The judgment declared the detention of Kuldip Nayar unlawful. Both the judges were punished for this - Justice Deshpande was transferred to Sikkim and Justice Aggarwal demoted to the District Court in Delhi.

Since political party workers could not become active members in the CFD - it being a non-party organization, Tarkunde felt the need of forming another organization in which political party workers of different faiths could come together on minimum common programme - i.e., protection of civil liberties and opposing the Emergency. With this end in view People's Union For Civil Liberties & Democratic Rights was set up which was inaugurated by Acharya Kriplani on 17th October, 1976 in the Constitution Club, New Delhi. Many political leaders including Charan Singh, Krishna Kant, were present. The auditorium on the second floor of the Constitution Club was over-crowded. The Congress had also organized a conference in the Speaker's Hall on the ground floor on the same day in support of its proposals for constitutional amendments but there were hardly 20/30 persons. J.P. was elected the President, Tarkunde as 'Working President', since JP was very ill, and Krishna Kant as Secretary of the PUCL&DR.

Citizens belonging to extreme right and extreme left became its members because the common aim was to remove the 'Emergency'. Soon its branches were established in several states. PUCL&DR played a very important role in opposing the Emergency. Tarkunde was at his best during this period.

On 28th April, 1976 the Supreme Court upheld the government's contention that whenever the Central executive proclaims an emergency and suspends the enforcement of the fundamental rights guaranteed by article 21 of the Constitution, no person has any right to judicial protection if his life and personal liberty is taken away even by any malafide, arbitrary or wholly illegal action of the executive. Tarkunde was visibly much upset and agitated. He immediately wrote an editorial under the caption "Judicial Suicide" severely criticizing the judgment. The Editorial was published in the June 1976 issue of 'The Radical Humanist'. He sent copies of this June 1976 issue of The Radical Humanist to every judge of the Supreme Court and Chief Justice of every High Court in the country. The judgment was certainly perverse. After revocation of the Emergency, when Janata govt. came to power in March 1977, some of the judges who gave the judgment were questioned as to how they could pass such a shameful judgment, the apologetic reply was, "We were

afraid!" There was so much public anger against these judges that Bombay High Court Bar Association even passed a resolution that those judges who were parties to the said judgment, i.e., Union of India vs. S.D.M. Jabalpur, were 'cowards'. And this resolution was prominently published in newspapers. Someone filed a contempt petition in the Supreme Court against the Bombay High Court Bar Association for calling the Supreme Court judges as 'cowards' but the Supreme Court could not have the guts to proceed with it. We are publishing the said editorial by Tarkunde, i.e., 'Judicial Suicide' in this issue as it has many lessons as to why judicial independence is necessary, especially in the present context where procedure for appointments of the Supreme Court judges is being debated.

I feel fortunate that I had the privilege of having associated with Tarkunde since 1972 onwards, especially during the 'Emergency'. He mounted a powerful resistance to the 'Emergency' and his contribution in this regard is second to none. I would end by quoting Prof. Rajni Kothari who said, "Tarkunde, in many ways, represents the epitome of a whole epoch that was characterized by both an increase in human suffering and the whole range of struggles that were waged for creating a more just and humane world."

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## Obituary in memory of Dr. Subhankar Ray

Dr Subhankar Ray was born on 15th of October 1946 at Sobhabazar area of North Calcutta (now Kolkata), West Bengal. His father Sailendra Chandra Ray was a freedom fighter and he was imprisoned for long 10 years. He did his B.Sc. degree from jail and became an eminent scholar in Bio Chemistry.

His mother Binapani Ray was also a freedom fighter and was sent behind the bars by the imperialist British Govt. She served as the Vice Principal of Vidyasagar College, Kolkata.

Subhankar's schooling was from Scottish Church School, Kolkata. He did his B.sc. in Physiology from Presidency College, and Masters from the University of Calcutta. He got his Doctoral degree in the year 1974.

Throughout his career he had been engaged in research along with his wife Dr Manju Ray on anti cancer drug. Recently Regulatory Authority of Govt of India had given them permission to apply their medicine on human beings. In Phase I trial at Tata Memorial Hospital Mumbai, the application of anti cancer drug was proved as successful and it will soon be applied at Phase II trial in the same hospital. The advantage of this anti cancer drug is that it has no side effects.

With Manoj Dutta, he joined the Radical Humanist Movement and served it at his best throughout his life. He was the Chairman of the Indian Renaissance Institute at the time of his death on 2nd June 2015.

The Radical Humanist movement has suffered a big loss in his demise.

**Apurba Dasgupta, Kolkata**

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## HOMAGE TO PRAFUL BIDWAI (1949 - 23 June 2015)



Indian Renaissance Institute is grieved on the sad demise of noted writer and activist Praful Bidwai. Praful died at the age of 65 on 23rd June, 2015 at Amsterdam while eating at a cafe. He was a fearless journalist and devoted his writings to espouse the cause of the poor and downtrodden. He was very active on human rights and environmental issues. He was pioneer of the anti-nuclear movement and greatly devoted to the cause of Indo-Pak amity. He was a humanist to the core. His demise is a great loss to the progressive and democratic movement in the country. Indian Renaissance Institute pays its homage to Praful and expresses its sincere condolence to his family.

**N. D. Pancholi**, Secretary, Indian Renaissance Institute

*"Where a society has chosen to accept democracy as its credal faith, it is elementary that the citizens ought to know what their government is doing." Justice P N Bhagwati, former Chief Justice, Supreme Court of India, (1981)*

*"Information is the currency that every citizen requires to participate in the life and governance of society." Justice A. P. Shah, former Chief Justice, Delhi and Madras High Courts, (2010)*

## Judicial Suicide

Justice V. M. Tarkunde

WEDNESDAY the 28th of April 1976 will become known in history as the blackest day in the judicial history of India. On that day the highest tribunal in the land delivered its judgment in what have come to be known as the habeas corpus appeals and held, by a majority of four to one, reversing the decisions of seven High Courts, that whenever the Central Executive proclaims an emergency and suspends the enforcement of the fundamental right guaranteed by article 21 of the constitution, no person has any right to judicial protection if his life or personal liberty are taken away by any arbitrary, mala fide and wholly illegal and palpably unjustified executive action.

Since maintenance of the rule of law is the sole function of the judiciary, a declaration by the Supreme Court of its inability to discharge that function in the critical area of executive encroachment on personal liberty can legitimately be described as little short of judicial suicide.

It was not as if the legal position was such as to leave the Court no alternative but to reach such a totally unjust and undemocratic conclusion. The fact that seven High Courts in the country had taken the opposite view and the further fact that one of the members of the bench, Mr. Justice H. R. Khanna, agreed with them show, to say the least, that two views were possible on the issue which the Supreme Court had to decide. In this situation it was legitimate to expect that the Supreme Court would lean in favour of the rule of law and against executive arbitrariness. In failing to do so, the majority of the bench acted contrary to the conception of justice which has inspired the Indian judiciary from its very inception.

The issue before the Supreme Court was essentially simple. Several persons who are

detained under the Maintenance of Internal Security Act, 1971 (the MISA) had filed habeas corpus petitions in different High Courts on the ground that their detention was mala fide, being not justified by the terms of the MISA. It was urged on behalf of the Government that these habeas corpus petitions were not maintainable, because the right to enforce article 21 of the Constitution had been suspended by a Presidential Order. Article 21 says that "No person shall be deprived of life or personal liberty except according to procedure established by law". The detainees contended that they were not seeking to enforce the fundamental right conferred by article 21 but were relying on the well-established rule of law that the executive cannot act to the detriment of any person without the sanction of law. This contention was upheld by seven High Courts, whose decisions were challenged by the Government before the Supreme Court.

The rule of law Results from the fact that in every genuine democracy the power of the executive is limited, on the one hand by the legislature and on the other by the judiciary. The executive is bound to obey the law passed by the legislature and one of the main functions of the judiciary is to ensure that the executive does not transgress that limitation. Even before the present Constitution with its fundamental rights was promulgated, the rule of law prevailed in India, and the Courts invariably directed the release of any person who was found to have been detained without legal authority.

The purpose of incorporating fundamental rights in the Constitution was to provide a further protection to the rights of the individual, in addition to the protection provided by the rule of law. The rule of law protects the individual against arbitrary executive action; it does not

offer any protection against unreasonable legislation. In every State, a balance is required to be maintained between individual liberty on the one hand and public order and social justice on the other. It is primarily the function of the legislature to maintain this balance by passing socially beneficial legislation in such manner as not to impose any unreasonable restriction on individual liberty. Where the legislature fails to maintain this balance and imposes an unreasonable restriction on individual liberty, the relevant fundamental right conferred by the Constitution can be relied upon to correct the error. Fundamental rights were thus conceived as check on legislative excesses, in addition on the check on executive excesses provided by the rule of law.

The Constitution provides that during the period of a proclamation of Emergency, the fundamental rights conferred by the article 19 would remain suspended and the President shall have the power of suspending the right to enforce any other fundamental right. It should be clear from the above discussion that the suspension of a fundamental right (or of the right to enforce a fundamental right) results in a corresponding enlargement in the scope on legislative authority, but does not entitle the executive to act to the detriment of any individual without the sanction of law. What the makers of the Constitution obviously intended was that during an Emergency the legislature should be able to pass laws without observing the limitations arising from fundamental rights, and not that the executive should be able to deprive any individual of life or personal liberty without the least legal justification.

There are indeed several prior decisions of the Supreme Court in which the above view was approved in clear terms. In Makhan Singh's case, which was decided in 1963 during the previous Emergency, a bench of seven judges held in a unanimous decision that when a person is detained mala fide or without the authority of

law, he can file a habeas corpus petition without relying on any fundamental right. This clearly meant that a citizen can always challenge any illegal action of the executive and the fact that the corresponding fundamental right is suspended does not affect the jurisdiction of the court to give him appropriate relief. The majority in the recent habeas corpus appeals has distinguished Makhan Singh's case on the ground that the Presidential order suspending article 21 during the previous Emergency was less sweeping than the present Presidential Order; but a reading of the judgment in that case does not show that the Court's decision was based on a particular interpretation of the earlier Presidential Order. The ratio of the case was and is that no reliance on a fundamental right is involved when a person challenges an executive act on the ground that it has no legal justification.

The same principle was again laid down in 1967 by another unanimous decision of five judges of the Supreme Court in Thakor Bharat Singh's case. What was involved in that case was the right of a citizen to reside in any part of India according to his choice. That right was also one of the fundamental rights embodied in article 19 of the Constitution, which had remained suspended during the prior Emergency. Nevertheless the Supreme Court held that an executive order which had no legal sanction and which required a citizen to stay in a particular town against his will must be quashed and that the suspension of article 19 did not affect the citizen's right to approach the Court for the purpose. The majority in the recent habeas corpus appeals has distinguished this decision also, but the distinction is not convincing.

In the result the majority in the recent case has involved itself in a curious paradox. On the one hand the majority agrees that even during an Emergency the executive is bound by the rule of law and must act in accordance with every valid piece of legislation, and on the other hand the majority holds that if the executive violates the

rule of law and deprives any person of life or personal liberty by a grossly mala fide action, neither the aggrieved party nor the judiciary can do anything in the matter. Surely, if two views on the issue before the Court were possible, and we have shown above that they were, it was the duty of the judges to decide in favour of the maintenance of democratic rights and civil liberties, and not in favour of executive absolutism.

The purpose of this criticism is to urge that the Supreme Court decision in the habeas corpus appeals is required to be revised by a larger bench as early as possible. Even from a purely legal point of view, the decision appears to be against the weight of authority. The principle laid down in the two cases mentioned above, *Makhan Singh and Thakor Bharat Singh*, was adopted and followed by a numerous other decisions of five or more judges of the Supreme Court. The bench of five judges in the present habeas corpus appeals had no authority to give a decision which contravenes the principle laid down in prior decisions of the same or larger number of judges of the same Court. Moreover, as shown above, the present decision is at variance with the intention of the makers of our Constitution and with the approach previously adopted by the Supreme Court in dealing with similar issues.

Apart from these purely legal considerations, there are several other reasons, rooted in public interest, which require an early re-examination of the correctness of this decision.

In the first place, this decision is bound to seriously impair and almost totally destroy the independence of the judiciary in the country. During the present Emergency, despite many difficulties, a number of High Court judges had shown remarkable boldness in dealing with arbitrary executive orders. Their attitude was in conformity with the tradition of judicial independence which had been gradually built up and strengthened in our country during a period

of more than a hundred years. This tradition is likely to receive a death-blow from the present decision of the Supreme Court. When the highest tribunal in the land, reversing decisions of seven High Courts, makes a deliberate choice in favour of executive absolutism and against the rule of law, it is idle to expect that a judge of a lower tribunal will continue to be critical of executive orders which are illegal, arbitrary or mala fide. It is immaterial in this context that the present decision of the Supreme Court will be operative only during an Emergency and that the present Emergency may or may not last very long. What is material is that any Central Government which has a bare majority in Parliament can proclaim an Emergency and continue it for an indefinite period, and during that period the judiciary will be incompetent to protect any individual if his life or personal liberty is taken away by an arbitrary and unlawful executive action. In such a situation the spirit of judicial independence cannot survive.

Secondly, it is essential that public confidence in the Supreme Court as a citadel of justice and a bulwark of democracy should be restored. The present decision is bound to damage, if not altogether destroy, that confidence. It is hardly necessary to point out that the present habeas corpus appeals were not concerned with any property rights, nor was the court called upon to pronounce on the validity of any piece of legislation. The issue was directly between lawful authority and lawless power, between right and might. A choice in favour of lawless power cannot but damage public confidence in any court of law.

Thirdly, this decision of the Supreme Court has virtually converted the Indian Constitution from an asset into a liability. Before the present Constitution was promulgated, the rule of law prevailed in the country, and that was so even during the grave emergency in which the country was involved on account of the Second World

War. During that period it was never possible for any executive authority to claim the licence of detaining any person without lawful authority. The object of the framers of the Indian Constitution was to improve upon that position and to design an instrument which would strengthen stabilize democracy and the rule of law in the country. The present decision of the Supreme Court allows that instrument to be used for the opposite purpose of suspending the rule of law itself- a consummation which was beyond the powers of the executive in the pre-Constitution days.

Finally, this Supreme Court decision is bound to have a very harmful effect on public morale during the difficult period through which the country is now passing. The proclamation of Emergency on 26th June 1975 and the various steps taken to meet the situation created a climate of fear throughout the country. People were afraid to speak out their mind, even in private conversation. Gradually, by the passage of time, the climate of fear began to be dissipated and people began to express their views, although in

a halting and cautions manner. This process was aided by the boldness shown by several High Court judges in dealing with various Emergency measures including orders of preventive detention. The present Supreme Court decision has not only dashed the hopes of thousands of starving families whose earning members are under preventive detention, but has made it known to all the people in the country that they will get no judicial protection if for any reason they incur the displeasure of the established authority and are in consequence deprived of their personal liberty.

Thus the Supreme Court decision in the habeas corpus appeals, apart from being legally unsound, is fraught with the greatest harm to our people and our country. It makes a mockery of the very concept of justice. It is essential that the decision should not be allowed for long to tarnish the fair name and commendable record of the highest tribunal in the country.

*V. M. T. (Published in 'The Radical Humanist' of June 1976)*

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**"The sanctimonious hypocrisy of our politicians should not let us forget that there were some real heroes of the Emergency. One of them was V. M. Tarkunde, .....**

**- Some forgotten heroes of the Emergency**

## **Politics and Play**

**Ramachandra Guha**

As we mark the 40th anniversary of the promulgation of the Emergency, we shall hear many politicians speak about their sufferings and sacrifices. L.K. Advani has already spoken, and no doubt other Bharatiya Janata Party leaders will follow. Perhaps we should remind them that Sanjay Gandhi's wife, Maneka, is one of their cabinet ministers, while his henchman, Jagmohan, is also a senior BJP leader. Moreover, in BJP ruled states like Chhattisgarh, the bullying of the media, and the violation of the human rights of adivasis, are on par with what happened under Congress rule in Haryana and Uttar Pradesh during the Emergency.

Among the young activists jailed by Indira Gandhi were Nitish Kumar, Mulayam Singh Yadav and Lalu Prasad. Will these leaders of the 'Janata parivar' speak of their sacrifices too? If they did, that would be a bit rich. Mulayam and Lalu were ruthless in their misuse of State power as chief ministers (with Akhilesh currently as amoral in that office as his father once was). As for Nitish Kumar, he has recently forged an alliance with the Congress, whose heir presumptive is the grandson of Indira Gandhi, himself entirely unapologetic about his grandmother's controversial tenure as prime minister.

The sanctimonious hypocrisy of our politicians should not let us forget that there were some real heroes of the Emergency. One of them was V.M. Tarkunde, a former judge of the Bombay High Court. In 1974, when Indira Gandhi's autocratic tendencies began manifesting themselves, Tarkunde and Jayaprakash Narayan (picture) set up Citizens for Democracy, a non-party platform

to draw attention to the violation of human rights across the country.

JP was arrested in June 1975 along with leading Opposition politicians and student activists. Later that year, JP fell seriously ill, and was released from detention. In 1976, with Tarkunde again, he formed the Peoples Union for Civil Liberties and Democratic Rights. After the Emergency was lifted, and the Janata Party came to power, senior figures in the new government urged that the PUCL&DR be wound up. Tarkunde refused. The lesson of the Emergency was that Indian democrats must work overtime to ensure that its excesses did not occur again. If eternal vigilance was the price of liberty, Indian democrats needed an independent platform to draw attention to attacks on civil liberties by parties in power.

Among the foremost activists of the PUCL&DR was an economist named C.V. Subba Rao. A brilliant student at Andhra University, he had been jailed during the Emergency for his involvement in radical politics. In 1978, he appeared for his MA finals in prison. Viva voce was mandatory; for which the examinee had to come to the university. Subba Rao was brought to his department in chains; even so, he performed splendidly, ranking first in the university overall.

After the Emergency ended, Subba Rao moved to Delhi, and got a job teaching economics in a college. He threw himself into the civil liberties movement, travelling to remote parts of the country to report on communal violence, the mistreatment of undertrials in prison, and the

illegal appropriation of village commons by industrial and mining interests.

I knew Tarkunde slightly, and Subba Rao well. Both were extraordinary individuals. The older man was gentle and soft-spoken; the younger man had a sharp sense of humour and a great love of Telugu poetry. Unlike most other Indian activists of my acquaintance, Tarkunde and Subba Rao were completely without vanity or self-regard. And their commitment to the deepening of democracy was absolute.

In 1980-81, the PUCL&DR split, into the People's Union for Civil Liberties and the Peoples Union for Democratic Rights. Each, in its own way, continued to work steadfastly for the protection of human rights, its members producing numerous fact-filled reports on agrarian and industrial conflicts, on attacks on the press, and on the misuse of State authority (as in the spate of 'encounter' killings). A particular (and to my mind very welcome) focus was on the violation of human rights in Kashmir and the Northeast, two parts of India always peripheral to the concerns of the urban middle classes and the media.

In 1984, after the anti-Sikh pogrom in Delhi, the PUCL and the PUDR collaborated in producing a landmark report entitled *Who Are the Guilty?* This, along with a book on the Delhi riots written by Uma Chakravarti and Nandita Haksar (both PUDR members), still provides the most authoritative account of the violence unleashed by the Congress and its leaders following the assassination of Indira Gandhi.

As a young researcher in the 1980s, I closely followed the activities of the PUCL and the PUDR. Its members were often college teachers or lawyers, who scrupulously met their professional obligations while using their free time for social activism, spending their own money on researching reports and having them printed. I recall, as among the most fearless of these civil libertarians, N.D. Pancholi, Inder Mohan and R.M. Pal of the PUCL, and Sudesh

Vaid and Harish Dhawan of the PUDR.

Beyond Delhi and North India, in the 1980s and 1990s the human rights movement was extremely active in other parts of the country. There was the Association for the Protection of Democratic Rights in West Bengal, which was in fact founded even before the Emergency, by the engineer-activist, Kapil Bhattacharya. There was the Committee for the Protection of Democratic Rights in Mumbai, one of whose leading lights was the stalwart social reformer, Asghar Ali Engineer. And there was the Andhra Pradesh Civil Liberties Committee, whose key members included the great lawyer K.G. Kannabiran and the mathematician-turned-lawyer K. Balagopal.

Some of these men and women are no longer alive; those still around are unknown to the general public. But they were all exemplary Indians, whose work needs to be recovered and remembered as an inspiration to the current generation of reformers and activists.

As a scholar who mostly stayed away from activism myself, I admired these men and women enormously. But I did have one complaint against them, namely, that they were careless about archiving and publicizing their work. Collectively, PUCL, PUDR, APDR, CPDR and APCLC must have produced close to five hundred reports on the attacks on human rights in different spheres of social life and in different states of the Union. Yet there is no place where one can find these reports, or even a large section of them. A small selection was published some thirty years ago in a book edited by the sociologist, A.R. Desai. About a decade ago, I asked the PUDR to compile their longer reports, and even got an assurance from a leading publisher to print them in a single volume that they would then distribute all over India. Sadly, this project ran aground on the selflessness and socialism of my friends; they did not want their organization's name to be tainted by association with a commercial enterprise.

Like individuals, voluntary organizations too have a life cycle, of birth, maturity, and decay. Although they still do important work, the PUCL, the PUDR and the like are perhaps not as effective as they once were. The main reason for this is the lack of renewal through the induction of fresh blood. The men and women who staff and run these groups are mostly in their fifties and sixties. Thirty or sometimes forty years of continuous activism have taken their toll.

A secondary reason for the limited effectiveness of the PUCL, PUDR and others is that they have in recent years tended to take partisan stands. Part of why V. M. Tarkunde and C.V. Subba Rao were so admirable was that they declined to take the word of the government at face value, while at the same time refusing to swallow the propaganda put before them by radical groups or revolutionary parties. They made their own independent investigations, and arrived at their own, fact-based, conclusions. On the other hand, in recent years, these civil liberties groups have sometimes been less than even-handed. While rightly critical of the excesses of the Indian army and paramilitary forces, they have tended to euphemize or downplay attacks on civilians by Maoists in central India or by separatists in our borderlands.

If the older civil liberties organizations are on the

decline, who will or can take their place? In my view, groups like Greenpeace and Amnesty International have a limited role in our country. Their promoters often have a sketchy understanding of the complexities of society and politics in India. The 'foreign' tag also makes them easy targets of an increasingly xenophobic government.

In contrast, the individuals and groups I have profiled in this column were more engaged with the lived experience of the aam admi. And they depended entirely on rupees, not dollars, these contributed by countless and mostly nameless individuals in India and not by large foreign foundations. On these two key factors rested their credibility, and hence their effectiveness.

Indira Gandhi's Emergency did some terrible things. Its attack on democratic institutions and constitutional values did, however, inspire some remarkable Indian men and women to work towards the protection of civil liberties and democratic rights. Now, forty years later, the political system is perhaps Emergency-proof. But the large-scale violation of human rights by Central and state governments, and by ruling politicians of all stripes, continues. The Republic of India sorely needs a new generation of Tarkundes and Subba Raos, Sudesh Vaidis and Inder Mohans.

**ramachandraguha@yahoo.in**

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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***

## 40 Years after Emergency

M.G. Devasahayam\*

As the nation is commemorating the 40th anniversary of the Emergency that turned a democratic Republic into a dictatorial fiefdom there is something bizarre in the political firmament. The present head of this very 'democratic Republic' was an important government functionary active in implementing Indira Gandhi's dictatorship agenda.

In the run-up to the Presidential election in 2012, Ram Jethmalani made this charge against Pranab Mukherjee - "During the scandalous Emergency imposed by Indira Gandhi in 1975 and the resulting suspension of human rights of all citizens and the virtual demise of democracy, you were a very loyal supporter of the Emergency. You fully supported it and participated in its misdeeds. You cannot honestly claim that at least in some small measure you expressed your disapproval of its evil or that you prevented a single atrocity inflicted upon some honest citizen. Citizens possessed of the highest intellectual, moral and spiritual qualifications were the victims. You saved none. Throughout the Emergency, you acted like a loyal servant of the Gandhi family and what is worse, you were a complete collaborator with the main criminal of the Emergency i.e., the late Sanjay Gandhi. You treated him as your boss."

The charge was not repudiated, but made no difference to the election. Mr Mukherjee won by convincingly defeating Purno Sangma, former Lok Sabha Speaker and a prominent tribal face.

The irony is that the present head of government (Prime Minister Narendra Modi) was at the opposite end of the Emergency when it was imposed. This is the Wikimedia Commons narrative about Modi's anti-Emergency role - "The RSS managed to create a coordinating committee for the fight against Emergency - the Gujarat Lok Sangharsh Samiti. It was in these

trying times that Narendra Modi became an active underground revolutionary for overthrowing the dictatorship of Mrs. Gandhi. Narendra Modi took active part in transporting activists, arranging secret meetings and creating safe houses for the party members. Modi soon became the 'Go-to man' of anti-emergency resistance in Gujarat."

The tragicomedy of the Indian Republic is that the Prime Minister and President, who were at opposite ends of the Emergency four decades ago, are now doing jugalbandi with the former producing Ordinances - symbols of autocratic governance - by the dozen and the latter signing them with utmost dispatch! The three-time promulgation of the regressive LARR Amendment Ordinance is a typical case in point.

Political hypocrisy of the post-Emergency period is epitomized by the fate meted out to the Shah Commission Report that had exposed the Stalinist agenda. It revealed how a system of administration was subverted, how sycophancy to the leader and her son reached unsurpassable levels, how middle-level bureaucrats connived with extra-constitutional power centres to wreck established norms and rules of governance. The Commission submitted its report - three volumes running into over 500 pages - by August 1978.

Emergency excesses were mentioned and examined in detail and the culprits singled out. Here is an example: "It is thus clear on the basis of evidence that has been brought on record that Mr. Pranab Kumar Mukherjee, the then Minister of State of Revenue and Banking, has misused his position and abused his authority in ordering the detention of Smt. Gayatri Devi and Colonel Bhavani Singh on wholly insufficient grounds. It is a clear case of subversion of the lawful process and of administrative procedures." Separately, the Commission accused him of

fudging the file about their release on parole, first recommending it to the PM and then retracting it under pressure.

The Government only had to follow up with action against those indicted. For this purpose the Janata Party government appointed a Committee under the Chairmanship of LP Singh (ICS), former Union Home Secretary with DP Kohli, former CBI Director and MLM Hooja, former Director of IB as members. BS Raghavan (IAS) was the Member-Secretary. This Committee gave its final report before the end of 1978 suggesting specific action against those found guilty by the Commission.

Till date nothing has happened and the Report of the Commission headed by a former Chief Justice of India died a silent death. The people it held responsible for Emergency excesses went from strength to strength. Indira Gandhi returned as Prime Minister and Pranab Mukherjee became finance minister. Sanjay Gandhi's career was on the ascent when fate intervened. The officials who implemented his orders, often with a lot of violence, lay low for few years but returned to hold influential positions, some of them in the BJP-led NDA I. What is more, the family (wife and son) of Sanjay Gandhi migrated to the BJP and has been holding powerful political positions since then. Pranab Mukherjee kept on scaling new heights with the rare distinction of serving at different times as Commerce, Foreign, Defence and Finance Minister and just missed out on becoming Prime Minister. He was awarded Padma Vibhushan in 2008 and has been acclaimed for his role as a consensus builder on difficult national issues. He finally reached the pinnacle of office as the President of India on 25 July 2012.

Proving Jethmalani right Mr. Mukherjee in his book, *The Dramatic Decade: The Indira Gandhi Years* (Rupa Publications; December 2014) endorsed the extraordinary situation for declaring the Emergency - "Prices soared, September 1974 witnessed a steep rise in the wholesale price

index, touching 33.33%. Smuggling and profiteering created an environment of frustration and restlessness. Industrial unrest increased, culminating in the railway strike of 1974, dealing yet another severe blow to the economy. The government's attempt to nationalize the wholesale trade in food grains failed and added to the confusion...It was against this backdrop that Jayaprakash Narayan (JP) started his movement against corruption. People supported his call because the skyrocketing inflation and the lack of goods and services had already affected them adversely...If this was not extraordinary, what else was?"

This 'extraordinary' situation was due to rank corruption and incompetence and in no way justified Indira Gandhi's death warrant on democracy. This bizarre endorsement assumes significance because only months earlier BJP (the self-proclaimed Emergency opponent) had formed the central government by trouncing Congress party that had imposed the Emergency.

While the Emergency-peddlers went up and up, those who genuinely opposed it and who assisted the Shah Commission at arriving at the truth were down and out. The team which probed demolitions in Delhi and censorship was shunted out of Delhi when Indira Gandhi returned to power in 1980. The worst was reserved for PR Rajagopal, who was secretary to the Commission. An MP-cadre IPS officer, who had held very senior posts in the BSF and CRPF prior to joining the Commission with the rank of a government secretary, was shunted out to the Bureau of Police Research and Development. This was the 'reward' for Justice Shah's noting that "services rendered by Rajagopal have been outstanding".

The Emergency's blackest spot was an attempt on the life of JP during his confinement in PGI Chandigarh. Due to certain circumstantial factors I, being the District Magistrate of Chandigarh and custodian of JP in jail had serious suspicion about this conspiracy. 'Delhi Durbar' considered

JP as the only person of stature who could defeat the Emergency and should therefore be put out. But by playing hardball with the PMO this conspiracy was defeated. JP was released and sent post-haste to Bombay's Jaslok Hospital just in time for his kidneys to be saved. He lived for four more years, defeated the Emergency and removed the dynasty from power in the early 1977 elections replacing it with the 'Janata' Government. My reward from this Government was relentless hounding and severe damage to my career because I stood in the way of the new power-drunk coterie following the same corrupt

and autocratic ways of the past. But the big question remains: Post-Emergency has India enriched its freedom and democracy? Far from it. In fact ruling dispensations have benchmarked Emergency excesses and have made them into reference points for shrinking freedom and liberty. From an autocracy, India has morphed into 'kleptocracy,' a system wherein ruling establishments arrogate the power and resources of the state and govern-at-will. This is India four decades after the Emergency!

25 June, 2015

- (*\*M.G. Devasahayam* who was District Commissioner cum Magistrate of Chandigarh, where Jayaprakash Narayan was jailed, and as such was JP's custodian. During this period he developed a humane and warm relationship with JP, which sustained after the Emergency and lasted till JP, the architect of 'India's Second Freedom', passed away in October 1979.
- *Devasahayam* was responsible for unveiling of the secret Emergency Papers and triggering the 'regaining' of the Shah Commission Report that has been published as a book recently. He has also written a revealing book on the events of the Emergency period: **India's Second Freedom - An Untold Saga and JP in Jail - An Uncensored Account**. *Devasahayam* had the privilege of being an instrument in making India's second freedom possible
- *M.G. Devasahayam* has diverse experience of serving in the Indian Army, Government as IAS, Corporate Sector, partaking in political process, pursuing advocacy of public causes in the voluntary sector.)

Courtesy *The Statesman*, 25 June 2015

### Readers' Comments

*Dear Editor,*

The Radical Humanist May 2015 issue is worthy for its choice of wide range of issues both national and international. As a researcher of freedom struggle I found article on RIN Rising full of facts which are not known generally. Thanks for adding to my knowledge. Moreover, a philosophical article titled 'What does Supernatural mean Anyway?' by Michael Shermer is worth sharing.

Please continue publishing regularly on different facets of Indian freedom struggle and atheism. Wishing you all the best.

*Shamsul Islam*

## Looking Back at the Emergency

Nandana Reddy

I stare at the rectangle of stone, part of the wall that towers 30 feet. On the other side was the cell where my mother spent the last months of her life. Where she sat on her cot feeling helpless yet outraged at India's fate under Indira Gandhi; where she felt powerless to fight the State of Emergency imposed by a dictatorial Prime Minister.

40 years have gone by and the new generations have no memory or knowledge of those painfully dark and silent days. History books have not recorded it and many of those who were victims of the Emergency are now ministers and members of the ruling party. We who cling to our principles to protect democracy and its institutions are a mere handful, isolated and numbed by the sheer onslaught of the so called modern, consumerist, Modified India. But we recognise Modi's dictatorial moves and authoritarian model of governance as elements of an undeclared emergency.

For us, youth, the war against the emergency was our war. We were 'midnight's children', fortunate to be born in a free India, but missed the struggle for independence and were jealous of our parents' experience. We yearned for the taste of a moral struggle and the ability to contribute to building the nation of our dreams. But the idealism that motivated us to oppose the Emergency was soon shattered when we witnessed the fall of our heroes when they formed the first opposition government, succumbing to the addiction of power and money. In the debris that remained it was a struggle to pick up the threads of life and rekindle the faith and hope in the things we had fought for and believed in - to revive our ability to struggle for them once more.

Unfortunately, the few honourable people left [an endangered species threatened with extinction], were relegated to the dustbin and gracefully withdrew from the arena. This made way for the manipulators, the power hungry, the crooks and those with fascist determination to occupy the political arena. Though in the recent past there was space for a political alternative, Anna Hazare and AAP discredited it, leaving people disillusioned.

Sushma Swaraj the bright and diligent member of the legal panel defending George Fernandes and CGK Reddy in the Baroda Dynamite Case joined the BJP and is now a minister in Modi's Cabinet. Many of the top BJP leaders, who were jailed and persecuted, now appear willing to comply with Modi's agenda. Only Advani has the courage to declare that forces in India can crush democracy and that Emergency could be repeated, implicitly pointing a finger at Mr. Modi's leadership style.

Mr. Modi has cleverly made all the right moves to ensure his dictatorship. The check list that determine a democracy - inclusive development, freedom of association; freedom of speech; freedom to practice our religion, speak our language and enjoy our culture, are all being systematically undermined, and the most important freedom - the freedom to dissent - has been curtailed. Any criticism of his pro corporate programmes are dubbed anti development, and anti development equals anti national and therefore you must be a terrorist! Modi does not use Indira's blatant method of jailing his dissenters; he just freezes their bank accounts and cancels their FCRA.

Looking back at the Emergency I feel it was a

*Contd. on page no. 41*

***Vajpayee, RSS cowered before Indira: BJP can't ignore Subramanian Swamy's account of the Emergency -Ajaz Ashraf***

*Swamy wrote on 13th June 2000 in Hindu (Unlearnt lessons of the Emergency), "It is on the record in the Maharashtra Assembly proceedings that the then RSS chief, Balasaheb Deoras, wrote several apology letters to Indira Gandhi from inside the Yerawada jail in Pune disassociating the RSS from the JP-led movement and offering to work for the infamous 20-point programme. She did not reply to any of his letters."*

## **Unlearnt lessons of the Emergency**

**Subramanian Swamy**

*(The account given by Subramanian Swamy in this article is as true today as it was in the year 2000 when he was not with the BJP. However, the bitter irony is that the same Atal Behari Vajpayee who cowered before Indira Gandhi during the Emergency in order to get himself released from jail, forgetting that more than one lakh people were languishing in jails without any charge sheet being filed against them and those out of jails were living a hellish life, all their civil liberties having been snatched with the proclamation of the Emergency, as if they were in confinement in an open jail, in utter contrast with the fortitude and commitment to democratic values shown by leaders like Jayaprakash Narayan and Morarji Desai, has been awarded the highest civilian award of the country, the Bharat Ratna now, when the RSS and BJP dispensation has come to power and that the same Subramanian Swamy who has written this account is now himself a part of the same party and the same dispensation about whose 'heroic' (?) deeds he has written in the article. - Editor)*

When attempts at seeking homogeneity of Indian society are carried beyond a point, it is dangerous for democracy... Those of us who can stand up, must do so now.

FOR TWO distinct reasons, it is ludicrous for the BJP to declare that it will hold meetings to remember the declaration of Emergency, whose 25th anniversary falls on June 26 this year. For one, during that 1975-77 period, most of the leaders of the BJP/RSS had betrayed the struggle against the Emergency. It is on the record in the Maharashtra Assembly proceedings that the then RSS chief, Balasaheb Deoras, wrote several apology letters to Indira Gandhi from inside the

Yerawada jail in Pune disassociating the RSS from the JP-led movement and offering to work for the infamous 20-point programme. She did not reply to any of his letters. Mr. Atal Behari Vajpayee also wrote apology letters to Indira Gandhi, and she had obliged him. In fact for most of the 20-month Emergency, Mr. Vajpayee was out on parole after having given a written assurance that he would not participate in any programmes against the Government. The vivid description of other erstwhile Jana Sangh worthies who chose to walk out of prison on promise of good behaviour is given in a book written by the Akali leader, Mr. Surjit Singh Barnala.

Some of us vigorously opposed the Emergency in our own ways. The full credit for inspiring the struggle must, however, first go to Morarji Desai, who was 78 years old and kept in solitary confinement, and to Jayaprakash Narayan who lay in Jaslok Hospital after both his kidneys were mysteriously made to fail in Chandigarh jail. More significantly, JP's heart had been broken when he saw an India utterly passive to the death of democracy, while those who had earlier egged him on e.g., the RSS, were now repudiating him and offering to work for the nation's tormentors. But JP never gave up. He sent me a message where I was hiding just after he had reached the hospital in August 1975, that I should escape abroad and campaign from there. But he warned me that the struggle may be "life long". Morarji, however, was completely unyielding and sanguine. When Indira Gandhi offered him parole on promise of good behaviour, he told the emissary who had come to visit him in jail that no sooner was he out he would start the struggle again. His daughter-in-law, Padma, had wept copiously and implored him to agree because of his age but he told her that death was a better option.

I must add that not all in the RSS were in a surrender mode. The exceptions were Madhavrao Muley, Dattopant Thengadi and Moropant Pingle. Muley had taken a tremendous liking to me. He supported me fully while I was abroad, and while I was hiding in India. But a tearful Muley told me in early November 1976 and I had better escape abroad again since the RSS had finalised the document of surrender to be signed in end January of 1977, and that on Mr. Vajpayee's insistence I would be sacrificed to appease an irate Indira and a fulminating Sanjay whose names I had successfully blackened abroad by my campaign. I asked him about the struggle, and he said that in the country everyone had become reconciled to the 42nd Amendment, and democracy as we had known

it was over. Democracy was over for the RSS but not for all others. A few weeks later general elections to the Lok Sabha were declared. No one quite understood then what had made Indira Gandhi do that. But as a consequence, the RSS luckily did not need to sign the document of surrender.

It was an uncoordinated combination of forces that made Indira Gandhi declare elections, and the demise of the Emergency. My intensive campaign abroad and access to the American intellectuals had attracted the attention of the authorities, and especially the newly-elected President of the U.S., Mr. Jimmy Carter, who even before taking oath of office began to breathe down the Indian Government's neck about human rights, which quite unsettled Indira Gandhi. Then there was the unsung hero, Jiddu Krishnamurti, who was motivating her to withdraw the Emergency and acknowledge to her inner self that she had done wrong in imposing it. More pain came to Indira Gandhi when she prostrated before Sri Chandrashekhara Saraswati, the Kanchi Math Paramacharya, for 90 minutes but he had refused to even look at her, making it known that he thoroughly disapproved of the Emergency. And finally she had to contend with an unyielding Morarji Desai as head of the Lok Sangharsh Samiti who refused to withdraw the struggle or even acknowledge any good had come from the Emergency, which Indira Gandhi's emissaries implored him to say as a gesture. In other words, these moral and spiritual personages refused to legitimise the state of Emergency, the infamous 42nd Amendment to the Constitution, and accept a highly- shackled democracy as normal for India. Instead, they all held that the Emergency was subversion of the Constitution and viewed Indira Gandhi as the usurper. It was thus the sustained non- violent and moral approach that won the day, and not a foreign- financed terror. A violent resistance suited the advocates of the

Emergency for justifying it, but that resistance had mercifully fizzled out early.

When Indira Gandhi called for elections, those who had failed in their violent resistance wanted to boycott the polls on the grounds that the Opposition parties had no chance in the circumstances since the illiterate masses would not be moved by the issue of democracy, and thus the polls would legitimise the Emergency. But Morarji and Charan Singh would have none of it. Obviously they had more faith in the Indian people than those who demagogically spoke in the name of the people.

It was the plurality and heterogeneity of Indian society that made people revolt against the authoritarian order. This is the crux of the Indian democratic paradigm. India is a democratic society in form because of the mutual gravitational pull of disparate sections that make the whole. Therefore, the lesson to be learnt from the Emergency is that as long as the composite nature of Indian society survives, Indian democracy will survive. Hence, when attempts at seeking homogeneity of Indian society are carried beyond a point, it is dangerous for democracy, at least till we have reached a level of education when good men and women will dare to struggle for fundamental rights.

Edmund Burke had said: "For evil to triumph, good men must do nothing". India has to progress considerably before we can confront evil in our society head on. During the Emergency, those who were in a position to fight, with notable exceptions, did not. But, today we do not even have giants like JP and Morarji to defend civil liberty. Mr. H. R. Khanna

chose to forego his Chief Justiceship of the Supreme Court rather than undermine judicially the concept of fundamental rights. Does anyone remember him? Further, luck too was on India's side then because Indira Gandhi decided to go for the polls. Had she not done so, it may have taken us a long time to unwind the Emergency.

Today, we are in a much weaker position than in 1975-77 to defend democracy. One reason is that the tall caste-neutral leaders of the Freedom Struggle are no more. Another reason is that a cadre-based fascist organisation is in control of the levers of power. This organisation has spawned lumpen front organisations that do not hesitate to kill even defenceless missionaries of religion. Worse, there is every indication that institutions are being undermined by a creeping Emergency. This is the second reason why the BJP plan to celebrate the struggle against the Emergency is ludicrous. The BJP has set into motion the overhaul of the Constitution not just a mere amendment to it. It has commenced the rewriting of history. Its sister front organisations such as the VHP and the Bajrang Dal are already unleashing eerie and shadowy terror at the micro level of society. How can the BJP then speak of defending democracy?

Thus, 25 years later we still cannot take democracy for granted nor put the challenge to it behind us. It is today invisibly under siege. "Eternal vigilance is the price of liberty" said the American revolutionary Patrick Henry. Thus, those of us who can stand up, must do so now. That sums up the lesson of the Emergency in retrospect.

*Courtesy The Hindu 13th June 2000*

*"The people of this country have a right to know every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing." Justice K K Mathew, former Judge, Supreme Court of India, (1975)*

## Nobel laureate Amartya Sen argues Modi government wants direct control of academic bodies

Sagarika Ghose

*["Nalanda not a one off incident. Nothing in this scale of interference has happened before. Every institution where the government has a formal role is being converted into where the government has a substantive role." - Amartya Sen]*

Sen pointed out that at the TIFR, the government refused to ratify the director's - Dr Sandip Trivedi's - appointment. This has never happened under any previous PM. Sen said it's not just the HRD ministry but the entire Modi government which is to blame, as Nalanda comes under the MEA.

He pointed out that at the NBT, its head the famous writer Sethumadhavan was asked to step down and an RSS ideologue was appointed as head. He also said that at the ICCR, Dr Lokesh Chandra who has been appointed is someone who believes PM Modi was a greater personality than Mahatma Gandhi. He said at the ICHR, the head, Yellapragada Sudarshan Rao has not done any historical research, instead is someone who has written an article saying the caste system was wrongly blamed for being exploitative when it did a lot of good for India.

"The Delhi IIT Director, Raghunath Shevgaonkar resigned, the IIT Bombay Board chairman, Anil Kakodkar, expressed that he could not help the government in anything in the future, for the IIMs they have introduced a bill where instead of having indirect power of withholding the signature which they did in my case or they did in Trivedi's case, now they would directly like to appoint the director. That's the new bill. Instead of having effective power, this becomes direct control."

He also said the Modi government has failed to understand that a market economy needs

successful public services. India spends 1.2 per cent of GDP on public healthcare, China spends 3 per cent. Now even that 1.2 has been cut to 1 per cent. There is confusion in India is wanting high growth rates like China but overlooking that China has improved public services dramatically. It has pretty much guaranteed healthcare for all, they have everyone in school, they have complete coverage. That has been the Asian pattern of development. You do it together: market economy and the state's role. The market economy needs a complementarity with the public services.]

NEW DELHI: In a move that could intensify the confrontation between the Modi government and Nobel laureate Amartya Sen, Sen has now gone public with what he calls his "ouster" from the Chancellorship of Nalanda University.

In a 4000 word candid essay about to be published in the August issue of the New York Review of Books, Sen has written about his exit from Nalanda University and said that Nalanda is by no means an isolated incident but part of a wide ranging attempt by the Modi government to seize direct control over academic institutions.

Speaking exclusively to TOI ahead of the publication of the essay, Sen lashed out at what he called the "extraordinarily large" interference by the government in academia. He also said the economy is doing badly, and he is extremely worried that budgets for health and education have been drastically slashed. "I have never been

anti industry but no country can become an industrial giant with an uneducated and unhealthy labour force," Sen said.

Sen is slated to step down as Chancellor of Nalanda on July 17, when he will be replaced by George Yeo, former foreign minister of Singapore.

"I was certainly ousted from Nalanda," Sen said. "Some members of the Board, especially the foreign members were keen on carrying on the battle for me but I stepped aside as I did not want to be an ineffective leader. The government may have held up finances or statues had I continued."

\*\*\*"Nalanda is not a one off incident. Nothing in this scale of interference has happened before. Every institution where the government has a formal role is being converted into where the government has a substantive role."\*\*\* [Emphasis added.]

\*\*\*Sen pointed out that at the TIFR, the government refused to ratify the director's-Dr Sandip Trivedi's appointment. This has never happened under any previous PM. Sen said it's not just the HRD ministry but the entire Modi government which is to blame, as Nalanda comes under the MEA.\*\*\* [Emphasis added.]

\*\*\*He pointed out that at the NBT, its head the famous writer Sethumadhavan was asked to step down and an RSS ideologue was appointed as head. He also said that at the ICCR, Dr Lokesh Chandra who has been appointed is someone who believes PM Modi was a greater personality than Mahatma Gandhi. He said at the ICHR, the head, Yellapragada Sudarshan Rao has not done any historical research, instead is someone who has written an article saying the caste system was wrongly blamed for being exploitative when it

did a lot of good for India.\*\*\* [Emphasis added.]

\*\*\*"The Delhi IIT Director, Raghunath Shevgaonkar resigned, the IIT Bombay Board chairman, Anil Kakodkar, expressed that he could not help the government in anything in the future, for the IIMs they have introduced a bill where instead of having indirect power of withholding the signature which they did in my case or they did in Trivedi's case, now they would directly like to appoint the director. That's the new bill. Instead of having effective power, this becomes direct control."\*\*\* [Emphasis added.]

\*\*\*"He also said the Modi government has failed to understand that a market economy needs successful public services. India spends 1.2 per cent of GDP on public healthcare, China spends 3 per cent. Now even that 1.2 has been cut to 1 per cent. There is confusion in India is wanting high growth rates like China but overlooking that China has improved public services dramatically. It has pretty much guaranteed healthcare for all, they have everyone in school, they have complete coverage. That has been the Asian pattern of development. You do it together: market economy and the state's role. The market economy needs a complementarity with the public services."\*\*\* [Emphasis added.]

He also believes that while the UPA's 2013 Land Acquisition bill was confusing, the new NDA bill is "comprehensively wrong". What has gone wrong with this government is the fundamental understanding that human beings are at the centre of development, Sen said. Sen's forthcoming book 'The Country of First Boys', a collection of essays, also dwells on his experiences at Nalanda.

*Courtesy TNN Jul 7, 2015*

## Who is a threat to the nation? Teesta or Sushma, Vasundhara, Sheoraj and Pankaja Munde?

Prabhakar Sinha

After failing to send Teesta behind the bars for alleged misappropriation of the fund of a private trust of which she and her husband are Directors, the Ministry of Home Affairs (at the behest of the powers that be) has set the CBI to hound her for an alleged violation of Foreign Contribution Regulation Act. The allegation is that she used the money received from Ford Foundation for publication without the permission of the Home Department. She has also been accused of hatching a criminal conspiracy with her husband and other Directors for the commission of the crime of violating the provision of FCRA. It is for the court to decide the guilt or otherwise of Teesta Setalvad, a valiant fighter against murderers and marauders of Gujarat carnage of 2002 presided over by Narendra Modi. Taking the worst view of the allegation against them, they may be guilty of misappropriation of money of a private Trust and receiving foreign contribution without following the prescribed procedure. For Narendra Modi, their act of misappropriation of some money of a private Trust was a crime of such magnitude as to warrant setting the CBI on them. In sharp contrast is the case of Sushma Swaraj, India's Foreign Minister, who made a pairvi to the British High Commissioner, who was on a holiday, to facilitate her friend and beneficiary Lalit Modi's travel plans reversing the policy of the government of India's objection to extending him such facility for travel. She also assured the High Commissioner that it would not have any adverse effect on India's relations with the U.K. It was a clandestine operation which was kept a secret from the Foreign Secretary. Helping a fugitive from the law in such a clandestine manner behind the back of the government was an act of treachery and betrayal warranting her

immediate sacking and a CBI enquiry into the give-and-take relationship between her family and Lalit Modi. Sushma Swaraj and her husband have already admitted the fact that their relationship with Lalit Modi is more than 20 years old. Her daughter was one of Lalit Modi's lawyers in a recent case. Most intriguing is the admission that her husband has been his counsel for the last 22 years without charging any fee. Why would a lawyer not charge a fee from a person who has tons of ill-got black and white money in his coffers? Because Kaushals have been receiving payment in kind or in cash under some secret arrangement, Sushma Swaraj returned the favour by making a pairvi for Lalit Modi betraying the nation.

Vasundhara Raje initially denied that she had signed any paper in favour of Lalit Modi with whom she had been neck deep in corruption. It is on record that Lalit Modi purchased shares worth several crores of Rupees in her son Dushyant Singh's company at exorbitant prices. Now it has been discovered that to help Lalit Modi she signed a document stating that Lalit Modi was being persecuted by the Government for politically supporting her. She had also urged them to keep the fact of her signing the falsehood a secret. Why did she tell lies in her statement? She was making a false case to help Lalit Modi get asylum in the U.K. One is entitled to get asylum only if he is being persecuted for political reasons. Vasundhara Raje, the liar, was building a case for Lalit Modi's political asylum. She was helping a partner in crime and corruption at the cost of the nation.

About Sheoraj Singh Chouhan the less said the better. In the Vyapam scandal at least 45 persons have died in most mysterious ways. It was only

the pile of dead bodies which has caused the Supreme Court to concede to the request for a CBI enquiry. But Narendra Modi could not care less for either the corruption or the deaths. Any innocent and self respecting C.M. would have resigned much earlier and any P.M. with respect for probity would have either sought Sheoraj Singh Chouhan's resignation or at least instituted an effective and impartial enquiry.

Maharashtra Minister Pankja Munde gave orders for supply of things worth more than Rupees 200 crores in one day, but she is not facing any

enquiry. Another Minister also did the same and is comfortably enjoying his ministerial throne.

The message for the nation is loud and clear. The writing on the wall is there for all to see. You are safe if you belong to the gang even if you are corruption incarnate, a shameless liar or an abominable traitor, but if you ever cross swords with the supremo, the State would go for your life. But it would not be Teesta's, your or my life but that of India, Indian democracy and our free and liberal society.

**Prabhakar Sinha** is the President, PUCL

## **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).

**Cheques/Bank drafts may be sent in the name of 'INDIAN RENAISSANCE INSTITUTE'** to: Mr. N.D. Pancholi, G-3/617, Shalimar Garden Extn. I, Rose Park, Sahibabad, Ghaziabad-201005 (U.P.)

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We make an earnest appeal to you to please donate liberally for the cause of the spirit of renaissance and scientific thinking being promoted in the writings of M.N. Roy.

Thanking you.

IRI Executive Body;

Subhankar Ray  
*President*

N.D. Pancholi  
*Secretary*

S.C. Jain  
*Treasurer*

**Phone No. 01202648691**

# Manabendra Nath Roy

(1887-1954)

(Text of the Lecture delivered by Mr. Kameshwar Wali at the IRI Convention,  
23rd and 24th January, 2015, Kolkata, West Bengal)

M .N. Roy, a legendary figure of the 20th century, is among those gifted individuals whose iconoclastic ideas have shaped the value of human activities - arts, philosophies and sciences. With the core belief in the power of reason and rationality, his life symbolizes a constant evolution in thoughts and actions in the pursuit of a rational society that led finally to a comprehensive philosophy and movement that became known as "New Humanism".

*"A thinking man is lost in the feeling monster of the masses."* These words have stuck in my memory since February 9, 1949. It was the first time I heard M.N. Roy speak. The lecture hall in Lingaraj College, Belgaum, India was standing room only. Roy, a tall Bengali, was dressed in a western suit and tie. This was unlike the other national leaders, who had made it a point to dress in the patriotic, traditional Indian style of dhotis and kurtas with the trademark Gandhi cap. Roy spoke in English about the situation of the country in slow, measured words. This too was unlike the traditional, emotion-rousing, demagogic speeches of political leaders.

I had just completed my undergraduate studies and working as a lecturer in physics in the college. Less than two years before, towards midnight on August 14, 1947, I had listened on the radio, standing in a crowd on the street, to Jawaharlal Nehru's famous speech:

*"Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out*

*from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance. "*

India was free, but freedom had come at a high price. The country had been partitioned into three fragments - India, East Pakistan and West Pakistan. Vivid pictures of riots, trains and bullock carts streaming along the plains carrying the dead, and refugee columns stretching across dozens of miles traumatized the country. That was followed by the assassination of Mahatma Gandhi, the "Father of the Nation," a prophet of non-violence. Brahmins across the country had become targets of attacks and murder, because a Brahmin named Nathuram Godse was the assassin. India was in turmoil, with strong voices raised against the leadership of the Congress party.

Roy's talk made a great impression on me. Then sometime later I read a lead article by him in the weekly journal *The Radical Humanist*. It contained the substance of the talk of the lecture on the evening in 1949. He wrote in part, "*... by merging man into masses politicians and social engineers have created a monster, which responds riotously to appeal to passion -hatred, greed, lust for power. Man has been debased to the level of unthinking beasts, to serve for the purpose of power politics. Parties need votes to come to power. It is easier to sway the people by appealing to their emotions and prejudices than to their reason. Therefore, to keep the people in political backwardness has become the result of modern political democratic parties. The alternative is to educate the people so that they will not be submerged into the masses anymore. That will be the end of the demagogic party system, and the beginning of morality in*

*public life."*

At the time, I knew only tidbits about M.N. Roy - that he was a Bengali teenage revolutionary who had left India at the beginning of the First World War in search of arms from Germany to free India, had travelled to Indonesia, Japan and China, and ended up in Mexico, where he founded the first communist party outside Russia after the Revolution in 1917. He had been invited to Russia by no other than Lenin and played an important role in planning "a world revolution." He was sent to Central Asia and China. He had mentored future leaders such as Ho Chi Minh and Mao Tse Tung. After his return to India in 1930, he was put in prison for six years on the charge of trying to overthrow the British rule in India.

After his release from the prison, Roy had joined the National Congress Party (NCP), but belonged to its left-oriented, progressive side; the majority side was bourgeois-dominated and under the influence of Mahatma Gandhi and Vallabh Patel. He had started the weekly Independent India. Under his editorship it had become the main organ of a radical movement in the country. It visualized a radical transformation of Indian society, culture and economy along with political independence. It had led to a Radical Democratic group within the NCP. By 1940, at the early stages of the Second World War, Europe was in danger of succumbing to Fascism; the Allied Powers' war had become an anti-Fascist war. Roy felt India should offer unconditional cooperation with the Allied efforts to defeat Fascism. If the Allies succeeded, the war would weaken Imperialism and would, he predicted, automatically bring India closer to its cherished democratic freedom. The Congress party, on the other hand, demanded a free democratic country as the condition for support of the war and declared the Quit India movement. Roy formed the independent Radical Democratic Party in support of the war efforts. As Roy predicted, India did become free after the

war ended, but after independence, the ideas of the Radical Democratic Party, which proposed a decentralized democracy built from the bottom, a cooperative economy focused on agriculture, and non-profit small scale industries, failed miserably in elections. Roy dissolved the party in 1948 and turned to activism outside of politics. He inaugurated a non-political "New Humanist" movement and spread its philosophy and practice at study camps across the country.

I was ready for Roy's ideas. I had spent two years of my high school belonging to the patriotic Hindu Nationalists under the name Rashtriya Swayamsevak Sangh (RSS), and I had become an ardent Gandhian, supporting the Quit India Movement. But after Independence I was disillusioned with the direction in which India was moving. At the time, I belonged to a small group of self-acclaimed "Royists." Our leader and mentor was Ranganath Rao, a local Law College professor, who was in touch with some of the more prominent Royists, members of the Radical Democratic Party. Our group had the responsibility of organizing a lecture by Roy and arranging his local hospitality. The group's financial supporter was a maverick, known as Desai of Nagarmunavalli, who had some landed property in a village near by Belgaum known as Nagarmunavalli. Curiously enough, he was very much interested in intellectual discourse, in hearing and talking about big names in western philosophy, science and politics. It was at the living room of this man's residence that we gathered almost daily for tea and discussions about matters that were far removed from day-to-day politics: the dismal state of affairs after Independence, the future of the country and the world, and a new vision for humanity.

M.N. Roy and his wife Ellen Roy arrived in Belgaum and were put up in the Green Hotel, situated in the Cantonment area. Before 1947, before Independence, it was an exclusive place, off limits to civilians, reserved only for British and foreign military officers. The hotel was known to have a wet bar and to serve western

food. During their stay in Belgaum, and the subsequent trip to the next city and the study camp, I had the opportunity to get to know the Roys. After the initial lecture we spent the evening at the Hotel garden and had a pleasant discussion, although most of the time, quite intimidated, I only listened. Roy also did little talking, but Ellen Roy was very friendly and inquired about us and the travel and other arrangements for the forthcoming study camp. I recall the following morning meeting Roy at the hotel entrance and waiting for Ellen Roy to come out. I was to guide them to Desai's vehicle to go to Dharwar for the study camp. It was then, while waiting - in what conversational context I don't recall - that I was led to state, 'Reality is what exists. Truth is only an approximation to reality.' Roy was taken aback, or at least that is how it seemed to me. Perhaps he had said it himself, in something I had read. Whatever the inspiration I felt it made a strong impression on him, and set me up in his mind as one of the young bright hopes for his movement. He told me about the Renaissance Institute in Dehradun and the meeting of a Research Group in the Fall and invited me to attend it if possible. I had no idea how I would be able to do that at the time. Dehradun was thousand miles away in the north. I had no financial resources.

The study camp that took place the next two days was quite well-attended. Several radical Democratic Party members from nearby towns were present and participated in open discussions about abandoning party politics and devoting resources to the education of the electorate. Roy talked about his philosophy of New Humanism. He advocated for abandoning party politics, taking on the task of educating the electorate, seeking a rational, moral society with individual freedom at the apex of values. He argued that convictions are necessary, but not the dogmas of faith based on religion or science.

The following year, I decided to leave Belgaum and go to Banaras (Varanasi) to continue my

studies for a M. Sc. degree in physics at Banaras Hindu University (BHU). Dehradun appeared closer and I wrote to Roy communicating my decision and the possibility of my visiting his Institute in Dehradun. I received a prompt reply:

August 29, 1950

*My dear Wally,*

*I was waiting to hear from you from Banaras. Most probably you have been preoccupied with settling down at the new place. Since you wrote when the question was settled, I did not want to discourage. But I don't know why you chose Banaras for the study of physics. However you must have your reasons.*

*There are some people at the Banaras University interested in our ideas. They will contact you. I don't know them personally. But I have learned that they are advised to contact you.*

*I don't think you will come to Lucknow. If you do, look up Chandmal, lecturer in the Dept. of Philosophy.*

*The dates of the Research Group meeting in October have not been fixed definitely. It will be early in the second half, most probably from the 15th. Your university will be closed at that time. In any case, it would be useful if you come to Lucknow during the holiday and meet Chandmal. You can stay with him.*

*Write soon to let us know how you are doing in the new place.*

*Yours Sincerely*

*M.N. Roy*

I was surprised and thrilled. A letter from Roy, a world famous thinker and a political leader! And in such familiar terms! I felt like he had taken me in his wings. I became a true "Royist." I also soon realized Roy was right. Banaras was not a good choice for advanced studies in physics. I had already studied and taught for two

years the required courses for my M. Sc. degree! But there was no way of going back. I reconciled myself to spending time attending advanced courses in mathematics, which subsequently proved very helpful for research in theoretical physics. BHU had the other advantage of being a National University that drew students for all over India in contrast with the small community college where I was teaching.

I continued to correspond with Roy. Unfortunately, I did not keep copies of my letters to him. In reply to my letter probably seeking his advice for my studies, Ellen Roy wrote:

September 4, 1950

*Dear Com. Wali,*

*Received your letter. The best thing is for you to write to Com. Chandmal first and ask him about the subjects you want to study. Then you can agree with meeting him at Lucknow sometime. So my suggestion was to go to Lucknow during the vacation, but if you can be there early over a weekend, if necessary his address is Chandmal, Chandraganj, Shyam Kuti, Bara Chandraganj.*

*We have also asked A.K. Mukerji of Delhi to write to you addresses of our other dear friends at B.H.U. Hence you can have some contacts, you can develop some groups, a renaissance club and study circles and with less disillusion. It always takes some time to create and .... world in a new place.*

*Yours sincerely,*

*Ellen Roy*

I recall that in another letter, Roy wrote to me about Aghehananda Bharati, who he said was interested in "our" ideas. As soon as I could, I had subscribed and started reading "The Radical Humanist" weekly. I found articles by Bharati, who had also just arrived at BHU, a faculty member in the Indian Philosophy Department. It was not difficult to find Swami Ji, as he was known. He dominated the BHU scene both by

his physical dimensions, which filled a whole rickshaw, and by his vocal presence at public lectures. With a shiny, cleanly shaven head and a Sanyasi's robe, he could not be mistaken for any other foreigner - a strange foreigner indeed, who stopped at open chai stalls under shady trees and who seemed to relish beetle nut pan like a true Banarasi. As a new young convert to the Humanist Movement, I had read every article Swami Ji had written in The Radical Humanist and greatly enjoyed visiting with him and listening to him in the University's special guest house for foreigners. We often talked about forming a study club, but because of my studies and his involvement in modernizing the University's philosophy curriculum, we did not accomplish much. Later, his sudden disappearance deprived BHU one of its most colorful personalities and severely impeded modernizing the philosophy curriculum.

Roy invited me to attend the Research Group Meeting in the autumn of 1950 during my mid-term Divali Festival Holidays. Unfortunately, I could not make it because of financial difficulties. I had to return home to secure the scholarship amount that I was granted. I continued to correspond and continued, amidst my studies, to read The Radical Humanist regularly.

In the September 28, 1952 issue, I came across the news that Roy had met with an accident while walking down an incline in Mussoorie and had sustained serious and complicated injuries involving the fracture of some ribs and foot bones. I kept on reading news about his recovery.

In the January 11, 1953 issue, marking the New Year, Roy wrote a message that began with "After seven months of illness":

*... in the earlier days of illness, few believed that I could survive. As a matter of fact, for weeks I lived in the dreamland bordering on life and death. That was a strange experience. Although I was half-conscious much of the time, I retain a vivid memory of the bizarre dream. Of that*

*memory would be produced a strange book. But I do not think that I would have the time for such pure literary venture.*

*However, I am back to life, and shall be with you personally again before long. Spiritually I've always been. Death has no terror for me. Indeed, in the days of despair, it might be a liberation for those who are feeling frustrated by difficulties. But the idea that I might not again be able to meet you all was painful."*

I was delighted to read these developments and wrote the following letter on June 7, 1953:\*

*Dear Com. Roy,*

*This is to express my joy and happiness at the news of your steady improvement and recovery. Since when I heard about the accident, I was very anxious to know about your health. But I did not like to make formal inquiry realizing how busy Com Ellen Roy must have been. I wish and hope you still have many years of your dedicated life to serve the cause of human freedom here in our country and elsewhere.*

*I am glad to inform you that I successfully completed my M. Sc. course and at present working as a lecturer in physics in the Science College of the university. I am continuing to study mathematics to take up research in Theoretical Physics. Last summer I got married too. My wife was reading with me for the M. Sc course.*

*My best regards to Ellen Roy. Hoping to hear soon about your complete recovery and you are back to your work and your mission.*

*Yours*

*Sd K.C. Wali*

I did not receive a reply. I learned that a trip was planned to send him to the U.S. for a medical treatment on October 11, 1953. It had to be cancelled, because of severe illness. From August 16 to November 11, 1953, Roy's condition was grave; he was in a coma,

paralyzed. And on January 31, 1954, in a special issue of *The Radical Humanist* came the heart-breaking news:

*"...passed away ten minutes before midnight, on January 25, 1954.*

*...For those who knew him well, he was the embodiment of the vital force that has persisted so triumphantly in an alien universe;*

*... He hated injustice and inhumanity, although he recognized development and decay to be inseparable; and having sat on the same council as Lenin, Stalin, Gandhi and Nehru, he voluntarily retired into the wilderness, because he found that to the majority of his fellow revolutionaries social change meant mere transfer of power without any real diminution of manmade misery. For such was his integrity that he could not discriminate between ends and means in action, and between sense and slogan in thought; and yet he was not unresponsive to pure ideas so called. At any rate the older he became the more analytically philosophical grew his writings; and even his early days of success his prominence was among the founders of Bolshevism was the consequence less of his Mexican exploits than of his mastery of the dialectical method in which he was at least the equal of Bukharin, and one felt this not only because of the extra-ordinary vicissitudes of his personal life but also because almost alone among the great revolutionaries of our times he pinned his undying faith in man - not in the abstract but in the individual measure of all things."*

I regretted then and ever since I wasn't able to see him again. I could not make a trip to Dehradun for the lack of resources. Together with a few friends, we commiserated the loss of a great individual.

The following year after his death, I proceeded for my graduate studies in the physics department of the University of Wisconsin, Madison, and pursued a research and academic

career in the United States. But I have never forgotten what I had read, presumably after his recovery, in the January 4, 1953 issue of *The Radical Humanist*:

*".. a new philosophy to be known as Radical Humanism - promoting a comprehensive socio-cultural revolution in Indian life. It declared itself in unambiguous terms against all forms of authoritarianisms, prejudices, privileges, exploitation, and restriction on human freedom. It made clear that the true need of Indian people was not a mere change from alien to indigenous rulers; the task of the day was a democratic revolution.....the so called political & spiritual leaders of the country were engaged in further fortifying this attitude of fatalism and authoritarianism- by herding the common people under the banner of religious nationalism. On the other hand, the foreign rulers, by making alliances with the indigenous vested interests were trying to preserve the antiquated social institutions and beliefs.*

*... stagnation of Indian society to merciless exposure of the pretensions of Hindu Nationalism and Muslim communalism...The need for a socio-cultural renaissance is now recognized to be not the need of India alone. In the context of the universal breakdown of the liberal civilization and the threat of a forcible return to regimented serfdom which modern totalitarian hold to mankind, the need of a new renaissance has been a global need."*

The words Roy said and wrote some decades ago ring equally relevant today. In spite of great progress in science, technology and economic growth, India's prosperity has failed to penetrate the vast masses. The basic problems - poverty, illiteracy, social and gender inequalities - continue to persist. While one individual-one vote has symbolized India as the largest democracy in the third world, it is nowhere near to the ideal of a society of free thinking men and women with equal opportunities to fulfill their potentialities. Instead, in the words of

Khilnani,\*\*

*"the meaning of democracy has been menacingly narrowed to signify only elections. The compulsion to win power publicly and legitimately has provoked unpicturesque illegalities, old and innovative - violence, corruption and 'booth-capturing', the take-over of a polling station by armed thugs so that the ballot boxes may be stuffed with uniformly fake ballots supporting the local darling."*

Of course, the situation in more "advanced" democracies in the Western world is not very different. Its description just requires a different vocabulary. Those following the situation in the United States, supposedly, the "Greatest Democracy in the world", would agree it is far from the ideal society that Roy envisioned. The technological breakthroughs of the last century, continuing through the present, have created new classes and new class struggles. The breakthroughs have created a technologically proficient society benefitting mostly the rich, leaving behind the conventional working class with no special talents, struggling to make a living. Conceived centuries ago as part of the constitution, the system of checks and balances between legislative, judicial and executive branches, has become dysfunctional with the increased partisanship and ideological polarization. Gender and racial inequalities persist. A president, elected twice by a significant majority is constantly hindered in making progress, in effect, stalling democracy. The 2010 Supreme Court decision, in the "Citizens United" case, has resulted in providing unlimited power to secret donors and corporations to manipulate the elections, and billionaire oligarchs are becoming their own political parties. As Roy has said, a new socio-economic-political renaissance is not only India's need, but a global one.

\*This letter is to be found in the Correspondence Files at Nehru Library in Delhi.

\*\* The Idea of INDIA, Sunil Khilnani, p 58.

## From the Writings of M.N. Roy:

### 'Evolution of Philosophy in India' by Kotha Sachidananda Murthy

*(Here is a rare writing of M N Roy which Dr. Innaiah Narisetti has traced. Roy wrote this introduction to Prof Kotha Sachidananda Murthy's 'Evolution of Philosophy in India'. On the request of Prof Murthy in 1952 Roy wrote this preface. Late Mr Abburi Ramakrishna Rao, Andhra state organiser of the Radical Humanist Association, recommended to him to write the preface.*  
- Editor)



**Kotha Sachidananda  
Murthy**

## Introduction

— By M.N. Roy

This book is a substantial contribution to the attempt to write a history of Indian philosophy. In a short compass, the author has covered certain aspects of the subject ignored in other more imposing works. The earlier chapters outline the sociological, anthropological, ethnological and psychological approaches to the problems of historical research. Though the treatment may not always be quite convincing, these chapters are of great importance methodologically, and as such constitute the more valuable part of a commendable work of scholarship. While the "effects of geographical environment on thought" are undeniable, "**race mind**" is an assumption which not only lacks empirical basis, but is fraught with dangerous cultural tendencies. However, in this respect the author's conclusions seem to be tentative. On the whole, his approach is rationalist and critical, which is sure to guide the seeker of truth in the right direction. The author's realization that an agreed definition of philosophy is the precondition for any fruitful enquiry into the history of philosophy, introduces a freshness in his treatment of the subject. A courageous rejection of the conformist, conventional and

patriotic view in favour of the objective, scholarly and critical has enabled the author to discover that Indian philosophy was never differentiated from Theology. It may be added that, owing to the peculiar features of what is generally known as Indian philosophy, even modern philosophers tend to be rather believers than thinkers.

But in ancient India, philosophy revolted against religion. The philosophical heritage of India has still to be discovered and properly evaluated. A philosophical reaction is the outstanding feature of the intellectual life of India, which is dominated by religious revivalism - a vain attempt to rationalize the irrational.

By her own effort, India never emerged from the intellectual twilight of her Middle Ages which followed the downfall of Buddhism. In the sixteenth and seventeenth centuries, individual religious reformers preached devotionalism which would dispense with the priestly intermediary between God and his devotees. But their influence was local and transitory. India experienced neither a Renaissance nor a Reformation. The intellectual stagnation lasted

until the middle of the nineteenth century, when a faint echo of the modern rationalist and liberal thought reached India, to disturb it partially. During the latter half of the century, the intellectual life of the country was influenced by a number of men who preached revolt against religious orthodoxy, intellectual parochialism and social injustice. There was no great philosopher amongst them. They were social reformers. None of them thought of going behind the twilight of the Middle Ages in search of India's philosophical heritage. The attitude of the more advanced amongst these forerunners of an Indian Renaissance towards her past was negative. They drew inspiration from the West and held that India as a whole must do the same in order to emerge from medievalism.

Unfortunately, the impact of modern western thought came in the wake of the British conquest. It made some headway until discontent and then hatred against the foreign political rule became the predominating passion of the educated classes. Then all western influence was decried as denationalising materialism to be opposed and rejected in favour of the spiritual genius of Indian culture. Speculative thought of any kind had been for centuries eclipsed by priestly bigotry, superstitious ritualism and practice of social injustice, such as the caste system, untouchability, etc., which passed as religion. In that atmosphere, the democratic simplicity of Christianity had a strong appeal not only for the victims of social injustice, but also for many liberal intellectuals.

A movement of religious reform and of revival of the spiritualist philosophy of India was the reaction to that process of the disintegration of an intellectually stagnant society. Return to the pristine purity of Vedic ritualism was the religious reform advocated. The orthodoxy of the reformers was more bigoted than the current variety. Such a reactionary movement being incapable of meeting the situation, it was reinforced by the modern prophets of India's spiritual mission, who sought to provide a

philosophical sanction for a religious revivalism. It was discovered in the post-Buddhist scholastic theology, which had expounded Vedanta as the quintessence of the philosophical thought of ancient India.

To have found the unity in diversity is claimed as the greatest merit of orthodox Hindu philosophy. But, as a matter of fact, the unity was not found. It was simply assumed or imagined. It is an ideal conception which brushes aside the problems to be solved. Since the rise of the material world out of the assumed immaterial root-cause is not logically possible, dualism persists, defying all metaphysical verbal jugglery. From the Aupanishad Rishi down to Sankaracharya, no orthodox Hindu speculative thinker was able to prove how the diversities of nature could arise from a common cause. The sheer impossibility of the task ultimately drove Indian speculation to the monumental absurdity of the Mayavada vitiated by the baffling, but obstinate problem of dualism, the speculation about the origin of the world must necessarily come back again and again to the good old conception of an anthropomorphic god, whose venerable appearance casts a sinister shadow on the sublime light of philosophy. Sankaracharya's laboriously constructed Advaitavada solved the problem of the world by the simple contrivance of declaring it to be a dream. Nevertheless, it could not get rid of a personal god. And a personal god is utterly incompatible with the philosophical conception of unity in diversity.

The various currents of philosophical, as distinct from religions, thought of ancient India eventually contributed to the rise of Buddhism. Because it grew out of a background of the subordination of the faith in the supernatural to human reason, Buddhism, though counted as one of the Great Religions of the world, was not a religion in the strictest sense. Therefore, it could not fill up the spiritual vacuum created by the disintegration of the early Vedic natural religion. On the one hand, it flourished as an intellectual movement (the Hinayana school) with a limited

scope and on the other, it compromised with the vulgarities of the decayed natural religion. In this latter form, it could not hold its own against the rationalized religious revival buttressed upon Sankaracharya's scholasticism.

The downfall of Buddhism buried the philosophical foundation in the ruins of time. The triumphant Brahmanical reaction not only falsified ancient philosophical thought, which had dared deny the authority of the Vedas and even the existence of God, so as to combat it conveniently; but the blasphemous works of atheists, materialists and nihilists were mostly destroyed. India entered her Middle Ages, during which theology, scholastic as well as anthropomorphic, dominated thought. What has come down as orthodox Hindu philosophy was elaborated in that period of intellectual reaction. Being primarily concerned with the nature of God, which conception was taken for granted, of the soul and how the latter could return to its transcendental home, it was not philosophy but theology.

But like ancient Greece, India also had known naturalist, secular and rationalist currents of philosophical thought. Jacques Maritain may still believe that theology is the queen of sciences; but more than two-thousand years ago the founder of the Sankhya system of philosophy, Kapila, denied the existence of God because there was no evidence. And Kapila's agnostic naturalism was preceded by the materialist (atomist) rationalism of the Nyana-Vaisheshika system expounded by Kanada and Gautama.

As against the ancient system of truly philosophical thought, which had resulted from the metaphysical speculations fragmentarily recorded in the Upanishads, Sankaracharya picked up the pantheistic theology of the Vedanta to oppose Buddhism, which had inherited the rationalist and atheist traditions of the ancient Indian thought. As the name suggests, the Vedanta system is conventionally believed to be the quintessence of the Vedas; and therefore, since Sankaracharya's time, it has been regarded

as the Hindu philosophy. But criticism must doubt the philosophical validity of a system which draws authority from the scriptures. Although traditionally Vedanta is counted among the six systems of the philosophy of ancient India, there is ground for doubt about its authenticity as such. The alternative theory that it was formulated on the basis of older religious beliefs to combat Buddhist, and that Sankaracharya himself was the author, appears to be quite plausible. The Vedanta Sutras are open to any kind of interpretation. They provided the authority also for qualified monist and out-and-out dualist theologies. The Gita is believed to contain the most authoritative (because it was preached by God Incarnate) elucidation of the Vedanta philosophy. It is a part of the epic Mahabharata, which evidently is a compilation of often contradictory pieces written at different times. The Gita must have been a very late, most probably post-Buddhist, interpolation.

In any case, the six systems of philosophy, whether they belonged to the same period or not, fall into two distinct categories, both resulting from the metaphysical and theological speculations quickened by the decay of the Vedic natural religion. The earlier three - Vaisheshika, Nyaya and Sankhya - record the development and naturalist and rationalist thought, which disputed the divine authority of the Vedas, rejected the belief in creation and therefore the idea of God, and preached rebellion against the priesthood. The other three - Yoga, Uttar4a Mimansa and Purva Mimansa - did not break away from the Vedic tradition, relied on the scriptural authority and constructed a partly anthropomorphic, partly impersonal, monotheistic religion superimposed upon the earlier polytheism. The last three systems, one of which deals with Vedic ritualism, collectively came to be subsequently called the Vedanta. The suggestion was that the earlier three did not flow from the Vedas, and therefore were not recognized as part of Indian intellectual heritage. Yet, they constitute, India's contribution to philosophical thought, as distinct from religious

doctrines and theological speculations.

Whatever record exists about the various schools of philosophical thought in ancient India, bears testimony to the fact that dissatisfaction with the Vedic natural religion gave rise to speculations about the origin of the world, which inevitably developed tendencies to explain the world in physical terms. In India also, physics preceded metaphysics. Much of the really philosophical thought of ancient India has unfortunately been lost. But from the fragmentary evidence on record,, that forgotten chapter of the spiritual history of India can be reconstructed. As everywhere, originally, in India also, philosophy was Materialism. The materialistic outcome of speculations of the rebels against the Vedic natural religion, contained in the three systems of philosophy proper, namely, Vaisheshika, Sankhya and Nyaya, provided the inspiration for the greatest event in the history of ancient India - the Buddhist Revolution. The spiritual development of India during nearly a thousand years beginning from the seventh century B.C., was very largely dominated by materialist and rationalist tendencies. It is highly doubtful if the Vedanta system was formulated before the end of that Golden Age of Indian history. Internal evidence tends to prove the opposite case. The main purpose with which vedantist pantheism was developed was to combat the materialist system of Kanada and Kapila as well as the revolutionary doctrines of Buddhism and the unsettling logic of the Jains.

Sankaracharya constructed his rigidly logical, but philosophically ambiguous, system of monism for combating Buddhist Idealism. But the real enemy he has to contend with was the materialist traditions of the pre-Buddhist philosophy. Sankaracharya was the ideologist of the Brahmanical reaction and patriarchal society which were re-established on the ruins of the Buddhist Revolution. But his effort for liquidating the traditions of the really philosophical thought of ancient India was a failure. It is obvious from a critical study of

Sankaracharya's work that he failed to meet the materialists on their ground. He could not refute their arguments. He had to fall back on the authority of the scriptures, the repudiation of which had been the starting point of all philosophical thought in ancient India. Of all the great ancient rationalists, Kapila alone had admitted scriptural testimony as evidence. But that was only a formal concession. While declaring that the existence of God could not be proved, because there was no evidence, Kapila does not take scriptural testimony into account. Even the Vedanta Sutras themselves do not accept the scriptures as answering all the questions raised by those dissatisfied with the dogmas of natural religion.

So highly developed and powerful were the materialist and naturalist schools combated by Sankaracharya that, whenever he tried to refute their arguments logically, he was driven to take up an essentially materialist position. His pantheistic monism is inverted Materialism. The Mayavada is a shamefaced recognition of the reality of the external world. The unreality of the phenomenal world is the fundamental dogma of the Vedanta system. But in order to refute the idealistic school of Buddhism, Sankaracharya himself rejected the very dogma. Therefore, his more orthodox opponents called him a *Pracchanna Buddha* (camouflaged Buddhist).

Dissatisfaction with the Vedic natural religion gave rise to the speculation about the origin of the world. The Upanishads contain fragmentary records of the early spirit of enquiry. Indeed, out and out atheism and materialism can be found in some of them. Naturalist heretical thought seems to have developed even earlier in the Vedic age. There are hymns which invoke the wrath of the gods against unbelievers. The Swabhavadins (naturalists), mentioned in the earlier Upanishads and the Vedas, must have been the pioneers of Indian philosophy. They not only disputed the existence of gods and scoffed at the pretensions of the priests they were empiricists holding that perception was the only

source of knowledge. Therefore, they were called 'Darshaniks'; subsequently, the term came to mean philosophers. The Lokayatavada expounded by those early fathers of Indian philosophy held that perception was the only authority; earth, water, fire and air were the primordial elements: there was no other world: enjoyment was the only purpose of human existence.

The authorship of the Lokayatavada was traditionally attributed to Brihaspati - the legendary preceptor of the gods. The tradition suggests that the forerunners of Indian philosophy were held in high esteem so much so that the authorship of the out and out materialist Charvaka system was also attributed in the preceptor of the gods. This proves that more than a thousand years, until the fall of Buddhism. Indian philosophical thought was skeptical, naturalist, empirical, materialist.

Although the fundamental principles of ancient Indian Materialism were stated originally in the Vaisheshika system, the dominating position in the intellectual life of that period came to be occupied by Sankhya system of Kapila. The latter deviated largely from the strictly materialist ground, and developed rather as a rational-naturalist system of metaphysics. Nevertheless, the physical principles of Materialism were elaborated philosophically by Kapila. He is known as an atheist who maintained that the existence of God could not be proved by logical evidence. But the real merit of his philosophy is the recognition of the objective reality of the physical world. The Sankhya system decidedly rejects the doctrine that the external world has no objective existence, and that nothing exists but thought.

The long process of the development of naturalist, rationalist sceptic, agnostic and materialist thought in ancient India found culmination in the Charvaka system, which can be compared with Greek Epicuralism and as such is to be appreciated as the positive outcome of the intellectual culture of ancient India.

The Charvaks laughed at the notion that the Vedas were divinely revealed truth: they held that truth could never be known except through the senses: therefore, the idea of soul was a delusion. Anticipating modern ultra-empiricism, they held that even reason was not to be trusted, because every inference depended for its validity not only on accurate observation and correct reasoning, but also upon the assumption that the future would behave like the past, and of this there was no certainty. But the Charvaks were not mere nihilists, agnostics and skeptics. They developed an elaborate system of positive philosophical thought, which can be summarized as follows:

All phenomena are natural. Neither in experience nor in history do we find any interposition of supernatural forces. Matter is the only reality, the mind is matter thinking. The hypothesis of a creator is useless for explaining or understanding the world. Men think religion necessary only because, being accustomed to it, they feel a sense of loss and an uncomfortable void when the growth of knowledge destroys faith. Morality is natural: it is a social convention and convenience, not a divine command. There is no need to control instincts and emotions: they are commands of nature. The purpose of life is to live: and the only wisdom is happiness.

The author of this book seems to have drawn his inspiration from the boldness of the philosophical thinkers of ancient India. Let his scholarship and critical attitude inspire the younger generation to cultivate the spirit of enquiry, which is rewarded with ever increasing knowledge; and the empirical content of knowledge is the only truth within human reach. Anything supposed to be beyond that has no bearing on human existence; it is mere figment of imagination which only deludes one into the dreamland of hallucination.

Dehradun, April 30th, 1952.

**M.N. Roy**

## Human Rights Section:

# For the Record: Delhi Police Encounters

May 20, 2015



### **From the CP encounter in 1997 to the recent encounter of Manoj Vashisht, Jamia Teachers' Solidarity Association sees a pattern to these killings carried out by the Special Cell of the Delhi Police**

The Manoj Vashisht encounter is not an exception. There is a pattern to encounter killings in the capital. An examination of any FIR in a case of encounter killing will reveal that a common template is employed in all these cases. It starts with the receipt of secret information about a gangster/ terrorist, followed by his interception, his attempt to escape by firing upon the police party and his death in retaliatory firing. Not only are these FIRs more or less identical, the 'heroes' of these encounters consistent over the last years collecting awards and promotions.

Listed below are some of the prominent encounters which have been conducted by the Delhi Police, especially its elite Special Cell. Magisterial enquiries have been few and far between, in absolute contempt of given procedure and NHRC guidelines; departmental enquiries have been nil. This gestures towards

the culture of impunity that thrives in the Delhi Police force.

**Connaught Place Encounter (1997):** Two businessmen were gunned down by the Special Cell led by S.S. Rathi. Rathi and his group of 9 men were found to be guilty by the lower court. They appealed, were found guilty again by High Court. They appealed yet again. The Supreme Court upheld their conviction in 2011.

**Ansal Plaza Encounter (2002):** Two men in their 20s -allegedly Pakistani LeT operatives were gunned down in the basement parking of the Ansal Plaza market on the eve of Diwali. An eye witness, Dr Hari Krishna, contested the Delhi Police version that the two 'terrorists' had driven into the basement; instead, he said, he had seen the Delhi Police dragging two men who could barely walk and then shooting them. Dr. Hari Krishna battled years of intimidation.

**Millennium Park Encounter (2003):** On 30 August 2003, Rafiq, a resident of Uttar Pradesh, a tailor and petty vendor of chappals, was killed along with another man by the Special Cell for

being an operative of JeM. Rafiq's mother told human rights team that visited her, that a special Cell team visited her house on 29 August and made her to speak to Rafiq on the cell phone. This indicated that Rafiq had been in police custody. Nothing came of the complaint filed to the NHRC by the mother. Rafiq's brothers were booked under POTA.

**Dhaura Kuan Encounter (2005):** Ravinder Tyagi of Special Branch-now a leading light of the Special Cell-claimed to have apprehended four men, all Kashmiris and allegedly members of a terrorist group, after a fierce gun battle. In 2010, the sessions court ruled that the encounter had been "scripted" sitting in the police station. The court ordered filing of an FIR and a departmental enquiry against Tyagi and Co. The police of course filed an appeal.

**Uttam Nagar Encounter (2005):** The Special Cell congratulated itself for averting an attack on the Indian Military by arresting four Lashkar operatives in a daring encounter. All the arrested men were released by the court in 2010 after examination of the misrepresentation and fabrications by the Special cell. The court was clear that the men had been set up.

**Sonia Vihar Encounter (2006):** Heroes of the Special Cell and Crime Branch-led by Sanjeev Yadav, then Addl Deputy Commissioner of Police-battled a dreaded gang from UP in May 2006 near Kahjuri Khas, Northeast Delhi. Years later it has been confirmed that they were picked up from their homes in Meerut and executed in cold blood. The Magisterial Enquiry ordered by the NHRC and conducted by the then Divisional Commissioner, Revenue Department (Govt. of NCT, Delhi) recommended a CBI enquiry. The

fate of the recommendation remains unknown. In March 2014, the NHRC asked the Centre to pay compensation to the family of those killed in the encounter, calling it "doubtful".

**Batla House Encounter (2008):** In a morning raid in Batla House, two young men were killed while an Inspector of the Special Cell sustained injuries, which turned out to be fatal. Despite gaping holes in the police story (viz., two 'terrorists' managed to flee the spot even with the police cordon; the gun shot entry wounds in the back and head of both the boys killed; the sloughing off the back and injuries on bodies not caused by gun fire), no judicial enquiry was ever allowed. The NHRC enquiry basing itself on the versions of senior police officers gave the Special Cell a clean chit.

**Fauzi Encounter (2014):** Firoz alias Fauzi, an alleged gangster, was killed by the Special Cell of Delhi Police supposedly on 19 August 2014 on Pushta Road, which falls under the Sonia Vihar Police Station. News reports about Fauzi's arrest had surfaced at least three days before the alleged encounter. Though NHRC took cognizance of JTSA's appeal to initiate an enquiry, it is not known whether the enquiry was concluded.

We must not allow the rhetoric of 'terrorism', 'gang wars', 'criminals' to overwhelm the due process of law. The right to self defence is not self evident. Those who kill, supposedly in the course of their duty, must prove that the force they used was necessary and proportional to the threat they faced.

*A release by Jamia Teachers' Solidarity Association*

## 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**

## **Communal Tensions in Atali Village of Ballabgarh Division - A preliminary report of fact finding team**

Communal tensions in Atali village of Ballabgarh Division, Faridabad district, Haryana, are far from dying down. Even today (27.05.2015) many unfortunate incidents unfolded that made minority community feel further scared and vulnerable.

- " One person was attacked with axes
- " One person who was taken into custody had to be released under pressure from the majority community
- " Cattle feed of the minority community was burnt down despite heavy police presence

Hasnu, 60, took out his animals for grazing in the afternoon. Around 2.30 pm, he was attacked with axes by four persons from the majority community. He was bleeding heavily when police intervened to rescue him. He is battling for his life in Badshah Khan Hospital in Faridabad.

He is not the only one in BK hospital. Four more persons are admitted in the hospital since Monday evening, when the majority community attacked the minority on the issue of construction of a mosque. Hindus of the village show intolerance towards the mosque as it is being built next to a temple. While Muslims claim that they have the right to construct as the land belongs to Waqf Board. In a recent order, SDM of the area upheld this claim.

After Monday's violence, in which at least 20 Muslim households selectively were broken and burnt down, most of them fled the village. 200-odd persons are staying in Ballabgarh police station out of fear of their own neighbours. Two buses full of them went to Atali last evening to check out the possibility of shifting back. But did not find the situation good enough to go back on two counts - most of the belongings are burnt

or broken, and they did not feel safe in their own village after abuses were hurled at them. In relation to violence on Monday evening, police raided the village and took one person in custody. But Hindus in the village engaged in violence with the police and he had to be released under severe pressure. A police officer said that he had to be released to de-escalate the situation.

At around 2.30 pm, same time as attack on Hasnu, the entire cattle feed of the minority community was burnt down. 10-15 Muslims who are left in the village have been making frantic calls to friends, asking to rescue them.

Tensions in the village had been brewing since Wednesday, May 20, 2015, merely two days after the CM's visit to inaugurate a power station, when an incident of stone pelting among the two communities was reported. Police of the area was camping in the village since then. On Friday, 22nd, construction of the mosque started. On Monday, 25th, morning Hindus threatened the Muslims living near the mosque saying "We will build your mosque at 3.00 pm," said Hasina, 55 (name changed), who has taken shelter in Ballabgarh police station. She said that the police convinced them that they need not fear. Victims confirmed that SHO of Chhainsa Babulal Rathi withdrew the force for at least three hours. By 5.00 pm a big mob of Hindus came to their area and started burning the houses down. They beat up many men, women and children. Among the 14 people who were taken to Ballabgarh Government Hospital, six were women and one child. Thirteen are Muslims, who reached the hospital on Monday evening. One Hindu was brought to the hospital on Tuesday morning.

Victims informed that meeting of the Hindu right were being held for three days since the

construction of the mosque started. These meetings, which took place in the village, had many elements from outside too.

**Questionable role of the police:**

In the light of above facts and after speaking to many victims, Janhastakshep thinks that the role of police in the episode is questionable.

If the tensions prevailed since Wednesday, how could such arson be possible? Administration is proving to be ineffective. It can be intentional too. If there can be arson and violence despite heavy police presence, then this has to be investigated.

The police has not provided any food and water to the victims in the police station. Non-governmental organizations have been arranging for the same.

Unfortunately, Police is still forcing them to go back, without arranging for proper security.

Due to suspicious role of the police over the last there days, victims don't trust them and do not want to go back under their supervision. Janhastakshep demands that a central police

force is deployed to build trust and give security to the minority community. It's unfortunate that despite so many days of violence, no central force has been deployed.

**Demands:**

The five member Janhastakshep team demands:

1. The culprits should be arrested immediately and FIRs be lodged against them.
2. Proper compensation and security should be ensured to the victims. Central force should be deployed to instill confidence and ensuring security
3. Judicial enquiry into role of the administration and police should be conducted

Anil Dubey: 9811080915, Rajesh Kumar: 9810812167, Parthiv Kumar: 9818343604, Ajay Verma: 9013677857, Jyotsna Singh: 9999332811

**Janhastakshep - A campaign against fascist designs: May 27, 2015**

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*Contd. from page no. 19*

tremendous opportunity to change the face of Indian politics. There was an overwhelming mandate against fascism and a yearning for change. The youth were enthused, the older generation hopeful and this was reflected in a surge of people's movements. All shades of the left and right joined forces to protect democracy and her institutions.

Now again India is faced with the possibility of a dictatorship and we need to rise to the challenge once more. We the people need to revisit the anatomy of the Emergency and bring it into the public domain so the youth of today

are informed. We need to remember. Only then will India be Emergency Proof.

Like my niece, Zui, I believe that walls hold our secrets and memories. And so I make this pilgrimage to what was once Bangalore Central Jail and is now incongruously called 'Freedom Park' and place my hand on that patch of stone 'lest we forget'.

*Nandana Reddy is a Social and Political Activist*

*Email: nandanareddy54@gmail.com*

**Civil Society Organisations condemn persecution and harassment of Teesta Setalvad and Javed Anand by the CBI:**

**Citizens for Democracy – Press Statement**

**Harassment and victimization of Teesta and Javed by the CBI condemned**

Citizens For Democracy strongly deplores the vicious persecution and harassment of leading human rights activists Teesta Setalvad and Javed Anand by the CBI at the behest of the ruling party at the Centre and the State of Gujrat. For the past about 30 years both Teesta and Javed have been relentlessly pursuing and espousing variety of causes in defence of human rights, especially of dalits, minorities and other deprived sections of society. After demolition of Babri Masjid in December 1992, they started strenuous campaign, in association with other democratic and secular forces, against the growing menace of communalism-whether of any group of majority or minority. In pursuing this cause they launched the "Communalism Combat" in 1993, the well known periodical, which has made singular contribution in promoting communal harmony and peace in the country. It is to their credit that the report of the Justice Srikrishna Commission relating to 1993 violence in Mumbai, which exposed the communal conduct of the police force against the Muslims and which the then government wanted to suppress, got published through their efforts. Both, through their magazine and articles in various papers, holding meetings and seminars, went on espousing various issues of human rights concerns, including State repression in Kashmir, Punjab and Northeast. When Gujarat

violence took place in 2002, they took up the cause of justice for the victims as 'crusaders' and threw themselves wholeheartedly, body and soul together, in the struggle. Eventually they succeeded in getting booked and punished many accused against all odds and despite the fact the entire might of the Gujarat State rallied against them in protecting and defending the criminals. Even Narendra Modi, the present Prime Minister of India, faces the danger of being arrayed in the company of some of the accused if the related cases are properly and honestly pursued by the investigating agencies.

Failing in its efforts to deter both of them, the present ruling party has resorted to such disgraceful tactics of using CBI to persecute, harass and humiliate them on flimsy and fabricated allegations and raiding their premises with a view to humiliate and malign them.

We urge upon the Central govt. and the CBI, to desist in employing such deplorable tactics which are inspired by nothing but malice and revenge. Govt. and CBI should know that democratic forces and the human rights movement in the country stand in support of both Teesta and Javed and such brutal efforts to silence the voices of dissent will be duly resisted.

**N.D.Pancholi**, General Secretary, Citizens For Democracy

**The Radical Humanist on Website**

'The Radical Humanist' is now available at <http://www.lohiatoday.com/> on Periodicals page, thanks to Manohar Ravela who administers the site on Ram Manohar Lohia, the great socialist leader of India.

**Mahi Pal Singh**

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