

India: Police accused of summarily executing “terrorist suspects”

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India's Congress Party-led coalition government has rejected calls from civil rights groups and some opposition political parties for a judicial inquiry into a September 19 Delhi Police assault that resulted in the deaths of two Muslim youths.

The police have claimed that Mohammed Sajid, a 17-year-old high school student, and Mohammed Atif Amin, a 24-year-old university student, were "terrorists" and participants in the September 13 synchronized bomb attack in New Delhi that killed more than two dozen people. But the police's claims have been vehemently denied by their friends, relatives, and neighbors. Moreover, the police's version of what happened on the 19th has been contradicted by numerous eye witnesses, with many asserting that the gun battle in which the Muslim youths allegedly died was entirely concocted, and that the police summarily executed them.

Indian security forces have a long history of staged "terrorist encounters," in which anti-government insurgents and in many cases ordinary civilians are murdered.

"We could not find a single person in the entire locality who could agree with the [police] story of the 'encounter,'" reports a citizens' fact-finding team that visited Jamia Nagar several days after the shooting. "There is a complete unanimity in the opinion of the people about the one-sided nature of the firing and the time for which it continued. ... No one told us about an exchange of fire. It was 'only one kind of sound'."

A number of opposition parties, including the Samajwadi Party (SP), the Trinamul Congress, and the Janata Dal (Secular) have called for a judicial inquiry into the "encounter." Appearing at a rally in Delhi's Jamia Nagar neighborhood last Friday, Trinamul Congress head Mamata Banerjee openly accused the police of staging a "fake encounter."

A climate of semi-hysteria

The September 19 police action took place under conditions of semi-hysteria fomented by the government, the official opposition Bharatiya Janata Party (BJP), and the corporate media.

With the shadowy Indian Mujahedeen taking responsibility for the September 13 bombing outrage, the political establishment and press launched a visceral campaign against Islamic terrorism. Many editorialists went so far as to suggest that India's very existence is threatened by terrorism and urged that traditional civil liberties be set aside to confront the terrorist menace.

Police, under pressure to demonstrate that they were taking action, mounted a widespread and indiscriminate dragnet targeting Muslim youth. The Kolkata Telegraph recently shed light on the police's mindset in a recent account which stated that, "Delhi police, under attack for [their September 13] lapses, asserted they have rallied to hit back."

The police, led by special-forces armed with AK-47 assault rifles, mounted the massive September 19 operation in Delhi's Jamia Nagar neighborhood, a Muslim enclave. The ostensible aim of the operation was to capture Abdul Subhan Qureshi, a leader of the banned Students for Islamic Movement in India (SIMI) and the alleged coordinator of a series of Indian Mujahedeen attacks.

The corporate media, which revels in vulgar, sensationalist campaigns against Muslim terrorism, reported with breathless enthusiasm the police narrative of the Jamia Nagar raid, which failed to apprehend Qureshi, but did result in the deaths of Sajid and Amin. Typical was the *Times of India*. It ran a blazing front-page headline, "Shootout in Capital Kills 2 Delhi Bombers."

The Joint Commissioner of the Special [anti-terrorism] cell of the Delhi police, Karnail Singh, boasted, "We have been able to eliminate the chief of the Indian Mujahedeen," and the press trumpeted his claims—blithely ignoring the fact that the police's job is not to "eliminate" criminal suspects, but rather to arrest them so that they can be tried in a court of law.

Singh termed the dead youths the "masterminds" behind a series of bombings in Uttar Pradesh on November 23, 2007, in Jaipur, Rajasthan on May 13, and in Ahmedabad, Gujarat on July 26. The police thus claimed to have "solved" a series of complex cases in one fell swoop.

They have since been forced to back away from some of these claims. Nevertheless, the police and government continue to defend the raid and label Sajid and Amin terrorists.

According to a later *Times of India* report, the September 19 raid was mounted after police became aware that a person bearing "physical appearance of a senior SIMI [Students for Islamic Movement in India] operative" was living in Jamia Nagar. The police assault could thus well have been a case of mistaken identity, mounted because the police believed one of the dead youths was Qureshi.

To date the police have provided no proof substantiating their claims that the two students had terrorist ties. But even were such ties to be established, it would not make their summary execution any less a state crime.

The police story and the fact-finding report

The police claim that after they located the "terrorist hideout," that is the fourth-floor apartment where Sajid and Amin resided, they sent a police inspector, disguised as a salesman, to knock on the apartment door. The inspector then got into an argument with Sajid and Amin and police stormed the apartment, only to come under fire.

The police claim that the two Muslim youths were killed in an ensuing gun battle and a third young man, Mohammed Said, was captured. An

"encounter-specialist," Police Inspector Mohand Chand Sharma is also said to have been shot and killed. Meanwhile, two other unidentified persons reputedly escaped.

Information collected by the citizen fact-finding team—an ad hoc group comprised of teachers, students, civil rights activists, and intellectuals concerned about police abuse and the climate of hostility whipped up by the India establishment against the country's Muslim minority—challenges the police version of events at numerous points.

As previously mentioned, it reports that local residents deny there was a gun-battle. Only one side, i.e. the police, discharged weapons.

Further, some claim to have witnessed the police drag three men from the fourth floor to the ground floor.

The fact-finding report also notes that photographs of the dead Sajid "show clear marks of 7-8 gunshots on his head from above. These shots, which are at point blank, cannot happen in the case of an encounter. Because ... where the shots are fired from a distance, the wounds open up."

The report also notes that the police claim that two other terrorists escaped is implausible. "After visiting the rear and sides of the L-18 flat [the flat in which Sahid and Amin resided] no one could have bought the story of someone escaping as there was only a single entrance, which the police had already been covering. It was impossible for anyone to jump from the fourth floor flat, as it would have resulted in near death or fatal injury."

The report also casts doubt on the police's explanation of Inspector M.C. Sharma's death. Why did a reputed "encounter specialist" participate in an operation that purportedly targeted deadly terrorists without bothering to wear a bullet-proof vest?

The release of the autopsy into Sharma's death only raises further questions. While he was said to have died from gunshot wounds, the autopsy found no bullets in his body and concluded he died of internal bleeding.

The fact-finding report also drew attention to the climate of fear that exists in Jamia Nagar as a result not only of the vast police operation staged in the neighborhood, but also the dragnet arrests of Muslim youth that both preceded and followed the Sept. 19 raid.

This sense of fear is hardly restricted to Jamia Nagar. Even the government-appointed Sachar Committee inquiry into the status of India's Muslim minority conceded that Muslims perceive themselves to be victims of police harassment.

Congress and BJP defend police

Prime Minister Manmohan Singh has rejected the calls for a judicial probe into the Jamia Nagar encounter, while his National Security Advisor, M.K. Narayanan, dismissed the demand as a "travesty."

Because of the outrage in India's Muslim community, some Congress Party officials expressed concern about the Jamia Nagar encounter, but on Monday a leading party official reiterated that the Congress has not asked for an outside inquiry into the police action. "Police have done their duty admirably," said Jayanti Natrajan. "Whatever doubts might be in the minds of people must be answered by authorities concerned."

As would be expected, the Hindu supremacist BJP has also rallied behind the police. The BJP Chief Minister of Gujarat, Narendra Modi, has previously defended police implicated in the summary execution of a Muslim man wanted by the police and his wife. (See "Gujarat elections: BJP chief minister reverts to Muslim-baiting")

BJP spokesman Ravi Shanker Prasad accused the opposition parties calling for a judicial probe into the Jamia Nagar encounter of practicing

"vote-bank" politics, i.e., of courting Muslim support, and of "causing irreparable damage to the morale of our security forces."

The BJP intends to make the charge that the Congress and its United Progressive Alliance government are "soft" on terrorism a major campaign plank in the coming national elections. It is demanding the restoration of the Prevention of Terrorism Act (POTA), legislation adopted under the BJP-led coalition government in 2002. Under POTA, scores and possibly hundreds of Muslim youth were indiscriminately arrested, tortured, and kept in jail for years without charge.

The Congress Party, meanwhile, has signaled that it will soon introduce a new anti-terror bill. On September 16, the so-called second Administrative Reforms Commission (ARC), headed by Congress leader Veerappa Moily, submitted a report that called for the establishment of a new federal agency to combat terrorism, granting the state power to hold persons in "preventive detention" for up to a year, and relaxing limits on the use of "confessions" in court so as to facilitate the use of "coerced" confessions in prosecuting alleged terrorists.

In preparing India's new terror law, National Security Advisor Narayanan has reportedly had extensive consultations with the US Homeland Security Department.

"There should be a strong" anti-terror law, declared Rahul Gandhi, the Congress General-Secretary and heir to the Gandhi-Nehru political dynasty. "A powerful law, not a failed law," like POTA.

The corporate media is baying for repressive measures as exemplified by a recent *Times of India* editorial that declared, "At this time of crisis, some of the liberties that we take for granted might have to be curbed to ensure that terrorists, who follow no norms and rules, are effectively restrained."

The Indian elite's anti-Islamic terrorism campaign is reactionary—serving as the pretext for building up the powers of the state and justifying the violence of security forces. And it is utterly hypocritical.

The BJP, the Indian bourgeoisie's second largest party, has repeatedly incited mass anti-Muslim violence, most infamously in 1992 with its campaign to raze the Babri Masjid mosque in Ayodhya and in February-March 2002 in Gujarat. The Congress, while proclaiming itself the cornerstone of a secular India, has an equally long record of capitulating to and conniving with the Hindu right. Under Congress-led governments, security forces have been allowed to run amuck in Indian-controlled Kashmir.

For the Indian elite, combating terrorism means unleashing the security forces against Muslim youth, thus furthering the very alienation that has led a small section to support the communalist politics of the Students Islamic Movement of India or to seek "revenge" through terrorist actions.



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