

## **40 Days On: Aftermath and the On-going Struggles in Uttar Pradesh**

A five member team from Women Against Sexual Violence and State Repression (WSS) conducted a fact finding visit in four districts of Western Uttar Pradesh - Meerut, Muzaffarnagar, Shamli and Bijnor, on 1<sup>st</sup> and 2<sup>nd</sup> of February 2020 to document the situation 40 days after the incidents of alleged police brutalities, which occurred on December 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> 2019 in light of protests against the Citizenship Amendment Act (CAA). The team met the people who have lost their family members to police firing and also those who were arrested and/or detained in the days following the incidents.

**Meerut:** On December 20<sup>th</sup>, a protest was called following the Friday afternoon prayers. Permission for this protest was cancelled at the last moment. The police and paramilitary personnel, including Rapid Action Force (RAF), had taken over the Lisadi Main Road which is far away from the protest site. When people were returning from the evening prayers, the police began to lathi-charge. The returning crowd facing lathi-charge responded with pelting. The police and the paramilitary opened fire at the protesters; besides tear gas and wanton destruction of shop windows and the road divider, six persons were shot and killed, each bullet entering through the head, neck or chest. **Mohammad Mohsin**, 30 year old, was shot in the chest. When taken to Santosh Hospital he was denied admission. By the time he was taken to the government medical hospital, he was dead. His young son doesn't know his father is dead. **Zahir Ahmed**, 45 year old worked as a fodder collector, was shot in the head when he has stepped out for a smoke ten meters from his home. He was denied admission in the private hospital and was dead by the time he was taken to the government hospital. He leaves behind a 22 year young daughter. **Asif**, 30 year old tyre mechanic had gone to get a work order. He was shot from behind in his neck. He is survived by three children and a wife who is seven months pregnant. **Tanvir(name changed)**, 24 year old, shot in the head, denied admission in private hospital, left on road and declared brought dead at the government hospital. Brother struggled for almost 24 hours to get the body from the mortuary and was forced to bury him hurriedly in a burial ground away from the family. **Aasif**, 20 year old e-rickshaw driver, was shot in the head. His family was forced to bury his body away from their burial ground. In each case where the wounded person was taken to a private hospital, the hospital staff informed that they had been ordered by the administration not to admit persons with bullet injuries. The post mortem reports were given to the families only after the Allahabad High Court order condemning police inaction and the reports had several serious inconsistencies. Residents of Lisadi and Hapur road, spoke of men in civil clothes who accompanied the police and the paramilitary. The residents have installed gates at the entrance of every lane because they now live under the continuous looming threat of violence. Police continues to take rounds with sirens at odd hours that creates panic in the area mainly because of all that has transpired since the third week of December.

**Muzaffarnagar:** On December 20<sup>th</sup>, **Noor Mohammad**, a 25 year old rickshaw driver, stopped his vehicle and was returning home when he was shot in the head near Mahavir Chowk. Police refused to allow body to be buried near his home and his uncle was asked to take responsibility for all untoward incidents. The uncle refused. The body was buried in a forested area near Meerut. Due to extreme economic distress, his young child and pregnant wife have returned to her maternal home. Fear of retributive action by the police appears to have aggravated in the area over the last few days with many refusing to speak on record. Meenakshi Chowk has several banners with photos and appeal to identify wanted rioters.

**Shamli:** There was to be a protest in Shamli on December 19<sup>th</sup> after the mid-day prayers. People gathered and presented a memorandum to the police at the madrasa. On the night of December 19<sup>th</sup>, several police personnel entered Mamour village near Kairana in Shamli district in search of a man called **Sajid**. They



entered homes by breaking open the main gate, broke household items, asked men to remove skullcaps and women to reveal faces ("topi utaaro, chehra dikhao"), beat the young men, arrested seven people, including father and brother of Sajid, and charged them under sections 151 of the IPC. Many days after the arrests the Police added the charge of Section 153 IPC. On the same night, between 1 and 3 am in Goguan village, they came for **Munnavar, Gufran** and **Sarvar**; all three are in the wholesale business of medicines. Homes of those picked up were raided; jewellery and motorcycle were taken by the police from Gufran's home. In both these villages the police have returned several times to raid, interrogate and harass the family and, in the case of Sajid, threatened to kill him if the family doesn't cooperate. All the families depend on agricultural production as the primary source of their income. In Taprana village, **Naved**, mid 30s, was picked up late at night, taken to the police station and electric shocks were administered on his head, neck and legs alongside beatings while being interrogated. In Dehsani Islampur village, the head of the madrasa, **Maulvi Mohammad Saddam** was arrested at the police station where he went looking for his friends and brothers who were not reachable. **Mohammad Rizwan** was picked up in the intervening night before the 19<sup>th</sup> and beaten at the police station with batons and leather planks. A student, **Mohammad Fukran**, was picked up and kept in jail for an extended period of time for asking the police to explain why he was being detained. **Israr** from Kairana was charged with being a part of the anti-CAA protests on the 19<sup>th</sup> when he was in fact visiting the jail where those arrested the day before were lodged. After producing the jail entry records for the 19<sup>th</sup>, he was granted anticipatory bail. In total, 34 people were arrested between the 18<sup>th</sup> and 19<sup>th</sup> of December '19, and all charges were filed while each of the detained were being taken in the police vehicle to the jail. None of them were produced before the magistrate within 24 hours of arrest as it should have been, they were simply made to sign certain papers on the road. They were charged with several sections including sections 151 and 153 of the IPC. All of them were released within 4 to 24 days after they furnished bail bonds. Their families continue to face regular harassment by the police. There are also instances of police implicating young men with false charges and asking for 1 lakh bond money each to stay away from being arrested.

**Bijnor:** In Nehtaur, following the Friday afternoon prayers on 20<sup>th</sup> December, the police lathi-charged and opened fire at the crowd returning home. Several young men were injured and at least two died. **Mohammad Anas**, a 21 year old boy who worked in Delhi and was visiting home, was shot in the eye over one km away from where the lathi-charge was happening, while he was on the way to his uncle's place to get some milk. His family was not allowed to bury the body in Nehtaur. He was buried 20 kms away under police supervision. **Mohammad Suleiman**, a 20 year old student preparing for civil services exams in Delhi and had come home as he was not well. He was picked up by the police outside the mosque and shot in the chest at close range in a lane nearby. His bare body was found in a by-lane and declared brought dead at the government hospital in Bijnor. His family was threatened with dire consequences if they tried to take his body back home and were forced to bury him elsewhere. The role of *police mitr* was ubiquitous.

**Observations:** On the three days in question, a pattern of police action appears on the record. In the name of preventing protests, the police was armed and prepared to kill. The course of gradual escalation of force was evident and immediate shots to the head and chest was preferred. Muslim youth were specifically targeted. Unofficial orders were given to the hospitals to delay or deny immediate medical care to the injured. Post mortems were delayed and across the region none of the bodies were allowed to be taken back home to be buried. The post mortem reports were released only after the Allahabad High Court order and contain glaring inconsistencies. Police actions do not appear to correspond to the threat of violence and the police appear to have aggravated and escalated the tensions in several regions. Destruction of CCTV cameras and breaking of glass windows, clearly from the outside, indicates pre-planning and the presence of non-police personnel alongside the state forces. Refusal to file FIRs and the threat of retributive action on those filing complaints including the



targeting of hundreds of known persons and several thousand unnamed persons, including the all pervasive threat of arrests and detentions, has created a climate of fear that is visible and debilitating trust. The killings of largely poor Muslim youth, looting of well off households in Muslim majority areas and the targeted harassment of identified community leaders, including heads of madrasas and maulvis, has shaken the Muslim community, and robbed the sense of security of women and children, in the area. The notices sent in the name of further interrogation and the scope for claiming compensation for damaged property has further eroded the trust of the people in the police and administration. Most chillingly, the use of armed civil clothed men euphemistically called *police mitr* has created a sense of terror among the people in the region. Such State sponsored vigilante groups add to the impunity of the State and the police, and ensure perpetuation violence and terror.

#### **Demands:**

1. End the reign of terror prevailing in the region
2. Immediate stop to arrests and detentions of Muslim youth in Uttar Pradesh.
3. Release all persons arbitrarily detained in the name of Anti-CAA protests and cancel the unnamed list of people the police has.
4. Withdrawal of false cases filed against Muslim youth.
5. Registration of FIRs on all cases of deaths and detentions.
6. Constitution of a team of retired judges to investigate cases of police atrocities and excesses.
7. Immediate discontinuation of the State police handpicked, backed and supported vigilante group called the '*police mitr*' by the UP Police.

### **Women Against Sexual Violence and State Repression (WSS)**

Conveners: Ajita, Nisha, Rinchin and Shalini

Website: [www.wssnet.org](http://www.wssnet.org); Contact: 8860824559, 9868933115