

Withdraw False Charges Levelled on CPI(ML) General Secretary Dipankar Bhattacharya! Stop the Witch-hunt of CPI(ML) Activists in Jharkhand!

Saturday 10 June 2006, by [CPI \(ML\) Liberation](#), [KUMAR Prabhat](#) (Date first published: 26 May 2006).

To All Who Oppose Authoritarianism and Uphold People's Right to Protest

Dear friend,

You may be aware that CPI(ML) General Secretary Comrade Dipankar Bhattacharya is the latest target of the BJP Government's witch-hunt of CPI(ML) leaders in Jharkhand. Comrade Dipankar along with four others face the prospect of conviction under a range of charges including that of attempted murder. Their crime? They led a March to the Assembly of the newly formed Jharkhand State on March 1, 2001 to protest against a spate of incidents of police brutality, including the infamous and unprovoked firing on Muslim youth at Doranda and on tribals at Tapkara protesting displacement by the Koel Karo project.

This incident marks a brutal authoritarian assault on the very right to protest. If the Jharkhand government and its police are allowed to get away with this fascistic experiment of framing leaders and activists of the democratic movement, there will be no democratic means left to oppose even police brutalities like the Topkara and Kalinganagar massacres.

So, get involved! Append your signature to the petition enclosed herewith and join the battle against authoritarianism.

Yours in solidarity,

Sd/-
(Prabhat Kumar)
For central committee,
CPI(ML)

Sri Arjun Munda

Chief Minister,

Jharkhand

We, the undersigned individuals and organisations, hereby demand immediate and unconditional withdrawal of the false charges framed against CPI (ML) General Secretary Dipankar Bhattacharya

and others in a fast-track court in Ranchi under Sections 147, 114, 148, 149, 353, 323, 324, 307, 188, 431 of the IPC and Section 17 of the CLA (a repealed act that continues to be invoked in Jharkhand !).

It may be recalled that on March 1, 2001 the CPI(ML) had organized a protest demonstration, led by Dipankar Bhattacharya, before the newly formed Jharkhand Assembly demanding action against guilty police officials who had killed eight tribal protesters opposing the NDA government's move to resume the controversial Koel Karo project. The police not only ill-treated and arrested him and other leaders and resorted to brutal lathicharge but also slapped a false case on them! Newspapers carried photographs of dozens of CPI(ML) activists lying bloody and battered, and of the police dragging Dipankar Bhattacharya and late Mahendra Singh (then CPI(IML)'s lone MLA in the Jharkhand Assembly) by their clothes and hair.

For the General Secretary of a recognised political party, leading a political protest to voice certain issues before a representative Assembly, to be charged with 'abetting attempted murder', is probably unprecedented in the annals of Indian politics. For Jharkhand under BJP rule this however seems to be order of the day. The state has become notorious for wanton violation of human rights. A draconian legislation like POTA has been used most arbitrarily against innocent people in Jharkhand.

Apart from frequent incidents of police atrocity, the state has been witness to disturbing cases of state-sponsored murder including those of Prashant Sahay, a spirited public interest lawyer, and Comrade Mahendra Singh, popular CPI(ML) leader and legislator. The CBI team probing Mahendra Singh's assassination has found the police guilty of violating all standard norms after the assassination even as Dipak Varma, the erstwhile Giridih SP and one of the prime accused in the murder case, continues to be protected by your government from any punitive legal or administrative action.

We are also outraged by the double standards of your government. While all the cases pertaining to the Ram Janambhoomi campaign and the Jharkhand movement have been withdrawn, the one pertaining to the March 01, 2001 protest is being zealously pursued.

We cannot tolerate this and demand immediate withdrawal of the thoroughly fabricated and politically prejudiced charges leveled on Dipankar Bhattacharya and four others.

Yours truly,

...

Invitation for Public Meeting:

Growing trends of assault on 'Right to Assembly and Protest'

(With special reference to the conspiracy of BJP-led Jharkhand Government to frame CPI(ML) General Secretary Dipankar Bhattacharya under patently false charges including 307 of IPC and Section 17 of CLA)

Dear friend,

Recently Jharkhand government framed Comrade Dipankar Bhattacharya, General Secretary of CPI(ML), and other party activists under patently false charges including 307 of IPC and Section 17 of CLA. Comrade Dipankar's only crime was that he led a March to the Assembly of the newly formed Jharkhand State on March 1, 2001 to protest against a spate of incidents of police brutality, including the infamous and unprovoked firing on Muslim youth at Doranda and on tribals at Tapkara protesting displacement by the Koel Karo Dam. Charges have been framed before a fast-track court in Ranchi, charging CPI(ML) leaders and activists - Comrade Dipankar Bhattacharya (General Secretary, CPI(ML)), Om Prakash, Harsh Narayan Singh and Sita Ram Singh as well as Motu Oraon, a labouring tribal youth who was a bystander, under Section 147, 114, 148, 149, 353, 323, 324, 307, 188, 431 of the IPC and Section 17 of the CLA (Criminal Law Amendment Act). The CLA is incidentally a draconian act (which came into force between TADA and POTA), which, despite being repealed, nevertheless continues to be frequently invoked in Jharkhand.

It may be recalled that on 28 December 2000, barely a month after the first Jharkhand Government took oath, four Muslim youth protesting against the killing of a 5 year-old girl run over by a BMP vehicle, were gunned down in Doranda on the day of Id - right in the middle of Ranchi town. On January 2, 2001, tribals at Topkara protested to demand scrapping of the Koel Karo hydro-electric project, which would displace thousands of tribal families. Here, too, police resorted to an unprovoked firing, killing 8 tribals and injuring many. Such police brutality against minorities and the very tribals in the name of which the new State had been formed, sparked off anger not only in Jharkhand, but all over the country.

It was to express this spirit of protest, and to appeal to the people's representatives in the Jharkhand Assembly to uphold the aspirations and demands of the Jharkhandi people, that thousands of people under the banner of CPI(ML) marched to the Assembly on March 1. It is highly unfortunate that this mass act of public political protest, instead of meeting with a political response, was greeted with repression, political victimisation and witch-hunt. The Assembly March was brutally lathicharged; newspapers carried photographs of dozens of CPI(ML) activists lying bloody and battered, and of the police dragging CPI(ML) General Secretary Dipankar Bhattacharya and late Comrade Mahendra Singh (then CPI(ML)'s lone MLA in the Jharkhand Assembly) by their clothes and hair. Comrade Dipankar was detained in judicial custody in jail for a week, and false charges were slapped against the arrested activists. Now, charges have been framed and the Jharkhand Government is pursuing these false cases assiduously. Note that the Jharkhand Government has dropped the cases against several activists of the Jharkhand movement, and even against leaders of the Ram Janmabhoomi agitation; in contrast, it is outrageous that it is choosing to retain and pursue false criminal cases against leaders of the CPI(ML).

The CPI(ML) March to the Assembly was to protest against police brutality. In response to this democratic challenge seeking to check their high-handedness, the Jharkhand police brutalised the protestors and slapped false cases on the leaders. All witnesses in the case are police witnesses, and entire case has clearly been fabricated by a vindictive police. Political slogans raised by the marchers - 'Punish the police officials guilty for Tapkara firing', 'Gherao the Assembly, Punish the Killers' and 'Scrap the Koel Karo Project' were addressed to the Government, demanding action against the police firing and resisting displacement of tribals in the tribals' own State. The seizure material cited by the police shows banners and placards with these political slogans. At the same time, the police have claimed that Comrade Dipankar and other activists were 'inciting' protestors for a murderous attack on police and Assembly. Is it being implied that such political slogans amount to 'incitement' to murder?! If the Jharkhand Government allows the police to punish and persecute leaders of democratic movements, there will be no democratic means left to protest incidents like the police firing at Tapkara and Doranda. The police will become a law unto themselves, and Jharkhand will become a police state.

For the General Secretary of a recognised political party, leading a political protest to voice certain issues before an elected Assembly, to be charged with abetting attempted murder, is probably unprecedented in the annals of Indian politics. The only comparable precedent can be found in the arrests of political leaders during emergency.

The incident obviously is a representative case of the growing intolerance of the state towards the fundamental right to assembly and protest, enshrined in our constitution.

To discuss the ways and means to combat the above challenge, we are organising a public meeting at Gandhi Peace Foundation on June 15, 2006 at 2 P.M. You are cordially invited.

Yours in solidarity,

Prabhat Kumar
Central Committee,
CPI(ML)

Venue:
Gandhi Peace Foundation
Deendayal Upadhyay Marg, near ITO

New Delhi
Time: 2 P.M.
Date: June 15, 2006

COMMUNIST PARTY OF INDIA
(MARXIST-LENINIST) (LIBERATION)
Central Office:
U-90, Shakarpur, Delhi-110092
Phone: 011 -22521067 Fax: 011 - 22518248 ;
E-mail: mail cpiml.org;cpiml.lib bol.net.in
Website: <http://www.cpiml.org>