

02nd August, 2020

***Stop the Witch Hunt and Persecution of Conscientious Dissenters!
Release Prof. Hany Babu; Stop Vindictive Raids on his Family members.***

The **People's Union for Civil Liberties (PUCL)** expresses its outrage and condemnation at the recent arrest of renowned linguist, Dr Hany Babu M. T., faculty member in Delhi University, by the National Investigation Agency (NIA). It shows once again the Indian State's desperate and diabolic endeavour to continuously silence intellectuals and criminalise those questioning its actions and holding different views, by resorting to fabricated prosecutions using the UAPA, which is one of the most undemocratic laws in the statute books, where bail is denied. He is the 12th intellectual arrested in the Bhima Koregaon case.

Dr Babu is a highly respected member of the Department of English, Delhi University, and is well-known as a scholar, teacher and a social activist. He is the author of several significant publications, including '*Breaking the Chaturvarna System of Languages*' and '*Unequal Rights: Freedom, Equality, Life and Liberty of Citizens and "Others"*'. Besides this, Dr Babu was also known for his commitment to the Ambedkarite cause of anti-caste struggle and social justice. He is also widely respected by his students as one of the most democratic and friendly teachers, who always went out of the way to help them. Dr. Babu has been under investigation by the NIA since September, 2019, for his alleged connections with the Bhima Koregaon-Elgar Parishad case. On the morning of September 10, 2019, Dr. Babu's house was raided by a contingent of Pune Police, accompanied by the UP police. They seized all electronic devices, laptops, pen drives, mobile phones, etc., and even the documents related to his everyday teaching, such as student assignments, timetables, etc., Furthermore, they locked him out of his email and other internet facilities.

The fact that the raid was conducted in 2019, coercively, with no search warrant, was only one among several fundamental violations of Dr Babu's civil and legal rights by these law enforcement agencies. It is known, for instance, that no proper inventory or hash value of the seized items was provided to Dr. Babu. The confiscated devices were thus clearly vulnerable to being tampered with. The hash value of the devices in particular is crucial, as it gives the time of the activities undertaken on the device. Any activity undertaken after seizure would thus become explicitly clear. But the police have consistently refused to provide these crucial details. Clearly, this is to facilitate the planting of fabricated evidence – a practice that is now becoming a familiar pattern with these agencies.

Based on the "findings" from his devices, the NIA summoned Dr. Hany Babu to Mumbai to take his statement as a witness in the Bhima Koregaon-Elgar Parishad case. Given the COVID pandemic, Dr. Babu sought permission to do so via video conferencing, but this was summarily denied. Though Dr. Babu has repeatedly maintained that he has no connection to the same, in the spirit of cooperation, on 24th July, 2020, notwithstanding the dangers of COVID-19, he travelled to Mumbai. As Dr. Babu informed his family

subsequently, when the interrogation began, it became clear that the summons had been simply a means to bully and intimidate him into providing false statements against other activists, as well as admit to his own alleged complicity in the case. After five days of this relentless attempt at coercion proved unproductive, the NIA has evidently acted in sheer spite, and charged him with being a “co-conspirator” in the Bhima Koregaon-Elgar Parishad case, and arrested him on 29th July, 2020. In the light of this rather vengeful action, the fact that the NIA is now seeking permission to keep him for some more time, for “custodial interrogation”, does not bode well for Dr. Babu, and is a matter of serious concern, as well as blatant violation of his civil liberties. PUCL expresses its deepest concern at the grant of police custody of Dr. Hany Babu.

The PUCL is also shocked at the raid on 3rd August, 2020 at the house shared with his wife Dr. Jenny Rowena, who is an Associate Professor at the Miranda House College in Delhi. It is reported that the police took away, two pen drives, the hard disk and some old letters and files, all which had been left behind by them in the earlier raid. Though conducted under cover of a warrant the attempt seems to evoke fear and harassment to the family and also to plant materials to somehow implicate Dr. Hany Babu, as there is no prosecutable case against him.

The arrest of Hany Babu under sections 153, 505(1)(b), 117 and 34 of IPC and sections 13,16,18,18B,20 and 39 of UAPA, is yet another instance of how the Indian state, with increasing impunity, is relentlessly violating the rights and liberties of its citizens. It is important to note that the maintenance of law requires that all citizens be treated equally under the law. However, this dictum has been compromised as is a well-known fact that some of the early arrestees in this case, who belong to the Rashtriya Swayamsevak Sangh (RSS) or its allied organisations, including Sambhaji Bhide (of the Shiva Pratishthan Hindustan) who was never arrested and Milind Ekbote, (of the Hindu Ekta Manch, Dharmaveer Sambhaji Maharaj Pratishthan and Samasta Hindu Aghadi (SHA)), was granted bail almost immediately, and are now roaming free, despite clear prima facie evidence of their involvement in the violence. It increasingly appears that the state is acting in concert with several communal, casteist and violent non-state forces to repress any voice of social concern, or dissent against its policies, especially those that are concerned with social justice and equality.

The PUCL reiterates its outrage and condemnation of the arrest of Dr Babu, and the raid that happened today, 2nd August, 2020. The PUCL demands

1. The immediate and unconditional release of Prof. Hany Babu, as well as the release of all other such prisoners who have been arrested in the name of the conspiracy of the Bhima Koregaon case.
2. The immediate withdrawal of all pending cases against social activists on the grounds of alleged links to Naxals and Maoists.
3. The immediate repeal of draconian laws like the UAPA.



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