

(Full text of CHRO Secretary General, Mukundan C. Menon's letter to New Indian Express sent on 17 July 2004)

This refers to Mr. Jeevan Jose's letter "The antics of rights activists" (NIE, July 17) quoting Lashkar-e-Toiba owning up the Mumbai college girl, Ishrat, killed in July 15 encounter at Ahmedabad, as their martyr. Based upon this Let claim Jose questioned the credibility of rights activists like me in taking up such "encounter" killings.

All right activists and bodies have been repeatedly making our stand clear on such issues over the past several decades now. For example, soon after the present "encounter" and before the latest Let claim, Justice Hosbet Suresh (President, Lok Raj Sangathan, Mumbai) said: "The question is not about the terrorist links of Ishrat, Javed and others are alleged to have had, but is how, why and under what authority the police killed them. Unfortunately, the media debate is confined to the former question and not the latter. Assuming that they had terrorist links, what did they do? Did they take part in overt or covert acts? Question arises whether mere terrorist links, without any act of commission or omission, is sufficient to kill any person?"

It is also pertinent to note the approach of Indian Muslims on the issue. Reacting to Let's claim that Ishrat was its member, Chairman of the UK's Council of Indian Muslims (CIM), Munaf Zeena, said in a statement issued in London on July 15: "We cannot expect any better action from a terrorist organization like the LeT than to defame Islam and create problems for Indian Muslims". Asking Pak President Musharraf to ban Let, and wondering whose interest LeT is serving, the CIM said: "Truth - that has become the casualty of war on terror - is the only weapon that can crush terrorist organizations."

There are numerous patterns of similarities in all the post-Godhra massacre "encounter" killings in Gujarat. Equally numerous questions on them still beg for answer from Gujarat police. In the present encounter, for example, Gujarat police claimed that all the four persons killed were under their surveillance for long, and whom they followed while they were watching the vicinity of Modi's official residence at Ahmedabad on June 13. There was no answer as to why they were not taken into custody for interrogation on the same day, instead of arbitrarily executing them two days later. Also, the Gujarat police repeatedly claimed that two of the four killed were Pakistani nationals and Let operatives. However, they failed to convince the Central Government with evidence about their Pakistani identity, because of which their bodies remain in Ahmedabad civil hospital mortuary as unclaimed and unidentified.

The Supreme Court verdict to transfer Best Bakery case to neighboring Maharashtra clearly indicates that one can no more fully trust the functioning of even judicial courts in Modi's Gujarat. As such, how can anybody trust the version of Gujarat police?. Right activists do not depend upon the versions of either LeT or Modi police. We only insist that Constitutional Rule of Law binds our rulers and police, whose actions should be transparent. Transparency of both their actions and purpose are what make them different from terror outfits like Let.

It is unfortunate that Keralites have short memory on the police pattern and mechanism. Or else, these questions might not have been raised despite all those thorough exposures on police claims of "encounter" killing of Verghese in 1970 and custodial disappearance of engineering college student Rajan in 1976 — in both of which police raised the bogey of

extremism and violence only to cover up their misdeeds of state-terror.

Mukundan C. Menon

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