

Impact of Fascism on Administration

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India is a pluralist society that creates magic with democracy, rule of law and individual freedom, community relations and (cultural) diversity. What a place to be an intellectual!... I wouldn't mind being born ten times to rediscover India. Robert Blackwill, departing US ambassador, 2003.

Abstract

Fascism comes from the Latin word fascio meaning "bundle or political group". In fascism, the people are looked at as a bundle- one body that must be controlled by the government with absolute force. Fascism is a form of radical authoritarian ultra nationalism characterized by dictatorial power, forcible suppression of opposition and strong regimentation of society and of the economy. Foremost characteristic of fascism is extreme nationalism. It means an emphasis on the rebirth of the nation after a period of decline. It signifies building up of the greatness and prestige of the state. It also means that one's own nation is superior to all others. Secondly, the characteristic of fascism is that of setting up of a totalitarian system of government. This means a complete way of life in which the government attempts to arouse and mobilize the great wars of ordinary people, to control and organize with strong discipline as many aspects of people's lives as possible. This necessarily promotes the greatness of the state. Thirdly, fascism is a one party state. There is no place for democracy. Fascism is especially hostile to communism. The fascist party members are the elite of the nation and extreme emphasis is placed on the cult of the leader who wins mass support with thrilling speeches and skillful propaganda.

Defining characteristics of Fascism

- 1) Powerful and continuing nationalism.
- 2) Disdain for the recognition of human rights.
- 3) Identification of enemies/ scapegoats as a unifying cause.
- 4) Supremacy of the military.
- 5) Rampant sexism.
- 6) Controlled mass media.
- 7) Obsession with national security.
- 8) Religion and government are intertwined.
- 9) Corporate power is protected.
- 10) Disdain for intellectuals and the arts.
- 11) Labor power is suppressed.
- 12) Obsession with crime and punishment.
- 13) Rampant cronyism and corruption.
- 14) Fraudulent elections.

Introduction

Moving on toward the actual topic, my focus of study is Impact of Fascism on Administration. Administration itself is a vast entity. Therefore, for convenience sake, I have briefed my research topic on Impact of Fascism on Law Enforcement Agencies. Fascism in

general, cannot tolerate opposition. The power to dictate terms and create non-abidable laws is a little difficult in the presence of an active opposition. Also, the fascist forces cannot enjoy their monopoly and are somewhat restricted in their fields if an active opposition is present. Naturally, they need to either negotiate, disintegrate, dissolve, or, in a broader view, simply pacify the “activeness” of the opposition. Hence, to curb the opposition the fascists use various tools.

Some of them are enlisted below:

Media- The Media plays a vital role in propagating news- irrespective of it being true or false, verified or fabricated news. What it actually does is just spreads news and rumors both like wild fire. Fascism controls all kinds of media sources, be it either print, electronic or now a day’s social media. It tries to purchase all variant sections of the media. Once this is done, no one can oppose government. As famous saying goes, a dog with a bone in its mouth cannot bark. Those media variants that reject to bind themselves in the clutches of fascism meet the fate of suppression.

Money- Financial inefficiency is a non neglectable drawback in India today. To achieve their malicious goals, the fascist forces make use of money, not only very often but also in the most logical and coherent ways. **Public Emotions-** This is one tool where every countryman can be easily trapped. The fascists are highly skilled in primarily arousing the emotions and secondarily justifying their act. For example, arousing the emotions by repeatedly mentioning the sacrificial lives of the brave soldiers. **Judiciary:** Fascist government desire exclusive control over the entire judiciary system, thus enabling them to govern and malign the rules and laws of the country. **Government Machinery-** This is the most important tool that the fascist forces bring into action. This machinery includes law enforcement agencies namely the police department, the crime branch, the crime investigating department etc. These law enforcement agencies are distorted and put into use as per the convenience of the fascist government. It thus appears to the general public, that this machinery is diligently “on duty” whereas in reality they are being used as puppets.

Opponents:

The Fascists forces have certain major opponents. These are mainly the:

- 1) **Political Opponents:** Political opponents are the major opponents for fascist government. In our nation, the INC, AAP, JDU, Samajwadi Party, Trinamool Congress, Bahujan Samaj Party etc are opposition parties.
- 2) **Civil Society Opponents:** these include social activists, intellectuals, lawyers, writers, media persons etc. In short, any person who poses a threat to fascism needs to be curbed.
- 3) **Fake national threats:** The fascists raises a false national threat in the form of minorities. They make false allegations that these minorities in India are a national threat. Hence, they suppress and degrade the minorities.

Civil Society Opponents:

Civil society is the “aggregate of non-governmental organizations and institutions that manifest interests and will of citizens”. Civil society includes the family and the private sphere and is referred to as the “third sector” of society, distinct from government and business. By other authors, “civil society” is used in the sense of

- 1) the aggregate of non-governmental organizations and institutions that manifest interests and will of citizens
- 2) individuals and organizations in a society which are independent of the government. Sometimes the term *civil society* is used in the more general sense of “the elements

such as freedom of speech, an independent judiciary, etc, that make up a democratic society”Mr. Modi’s government has been even more openly hostile to civil society groups. It repeatedly denounces human rights and environmental activism as “anti- national” a phrase that carries connotations of treason. The patriotic rage is a mask for a more pedestrian motive: punishing pesky critics. In 2016, what is normally a routine license renewal process was used to punish groups that have been critical of Mr. Modi or his policies.

Due to the absence of a strong opposition party in India, the main opposition for the Modi Government are the elements of civil society. Following are the some cases that were targeted by Modi the government.

Greenpeace and Priya Pillai:

Sometime back, Priya Pillai, an activist at Greenpeace was not allowed to travel to the United Kingdom because she was allegedly indulging in anti-national activities. The Delhi High Court took just a few months to order the government to remove her name from the “no fly” list. Meanwhile, the government has also cracked down on Greenpeace for violating Indian laws related to use of funds. All its bank accounts were frozen. A High Court Bench in Chennai ordered the government to “unfreeze” at least a few accounts so that Greenpeace could perform basic day to day functions. Subsequently, the registration of Greenpeace was cancelled. The Chennai High Court has provided interim relief even in this case.A final judicial verdict is awaited. The Lawyers Collective has been prominent among such groups.In 2015, Priya Pillai,a campaigner from Greenpeace India, was traveling to London to testify in the British Parliament about coal mining in central Indian forests by Essar Energy, a corporation registered in Britain. Federal officers pulled Ms. Pillai off her flight, arguing that her deposition would have hurt India’s “national interest.”Ms.Pillai went to court; the Lawyers Collective represented her. Some of these groups are seeking redress in Indian courts, which have largely been fair. But legal battles exact a cost:With bank accounts frozen for months during investigations, bills for rent, electricity and lawyers mount.People’s Watch, a human rights group,was unable to pay salaries for 23 months.Many Greenpeace India employees took pay cuts in 2014.As court duels drag on, campaigns lag,research comes to a standstill and years of community mobilization dissipate.

2) Swaraj India president Yogendra Yadav :12th july 2018, Swaraj India president Yogendra Yadav s sisters’ hospital and nursing home in Rewari, Haryana were raided by the Income Tax department on Wednesday morning in an attempt to intimidate him, and silence his agitation on behalf of farmers.

The I-T department confirmed the searches and said it has so far recovered about¹ 20 lakh in cash from two properties associated with Mr. Yadav’s family members, and has “found evidence” of links to the Nirav Modi bank fraud case.

“This is ridiculous, to allege any connection to Nirav Modi,” Mr. Yadav told *The Hindu*. While stating that he did not have any direct involvement in the hospitals, he said his sisters had gone out of their way to pay all taxes, and be accountable, to the extent that their donations to him and his party were done through transparent online methods.

“This raid comes just 48 hours after my nine-day padayatra ended in Rewari, and I announced an agitation on MSP (minimum support prices for crops) and against liquor thekas (vends),” said Mr. Yadav. “It is a clear attempt at political intimidation, but I will not be silenced... The PM is so rattled by the farmers’ issue because he knows it can cost him elections.” Mr. Yadav said the raid began at 11 a.m. and was still ongoing as of Wednesday evening. A raid team of more than 100 people was involved and came in vehicles bearing Delhi number plates,

he said, adding: “This is not local. The decision to raid came from the very top.” On Twitter, Mr. Yadav alleged: “Modi regime now targets my family... [Please] search me, my home, why target my family?” “Hospital sealed, including ICU for new-born babies. A clear attempt to intimidate. Modiji you can’t silence me,” Yadav said.

3) Teesta Setalvad: Teesta is a human rights activist who has been campaigning against the alleged wrongdoings of the Modi led government in Gujarat during the 2002 riots. In activist circles, she is the best known “face” of those who are implacably opposed to Modi. On July 14, 2015, the Central Bureau of Investigation raided the home of anti-communalism activist Teesta Setalvad, a week after the Union Home Ministry transferred an ongoing investigation into her finances to the elite agency.

The CBI filed a case against her for criminal conspiracy and illegally receiving foreign funds, charges Setalvad denies. Though she wrote to the CBI saying she was willing to cooperate with them in every way, the CBI decided to raid her premises.

The CBI raid on Teesta came barely a day before the appeals by those convicted for the Naroda Patia massacre case were to be heard in the Gujarat High Court, and just two weeks before the final hearing of Zakia Jafri’s petition against the closure report of the Supreme Court-appointed SIT, which cleared Narendra Modi of criminal liability for the Gujarat riots. Setalvad has been closely assisting Zakia Jafri with her petition and appeal.

Some residents of Gulbarg Society, where former Congress MP Ehsaan Zaffri was brutally murdered by a mob filed a complaint with Gujarat Police that Teesta and her husband Javed Anand “cheated” them and misused funds acquired in the name of riot victims.

Apparently, Teesta had promised to erect a memorial museum at Gulbarg society and collected funds for the same. The memorial wasn’t built. Subsequent allegations and investigations revealed that Teesta and her family “generously” used the funds collected for riot victims for personal expenses, including the purchase of wine and visits to the beauty parlor. The case is still going on and the Supreme Court has extended her protection from arrest.

3) Sanjiv Bhatt: Sanjiv Bhatt is a former Indian Police Service officer from Gujarat. He is known for his role in filing an affidavit in the Supreme Court of India against the Chief Minister of the Government of Gujarat, Narendra Modi, concerning Modi’s alleged role in the 2002 Gujarat riots. He claimed to have attended a meeting, during which Modi allegedly asked top police officials to let Hindus vent out their anger against the Muslims. However, the Special Investigation Team appointed by the Supreme Court of India concluded that Bhatt did not attend this meeting, and dismissed his allegations.

On 8 August 2011, the Gujarat government suspended Bhatt, accusing him of unauthorised absence from duty, not appearing before an inquiry committee and using his official car while not on duty.[38] Bhatt claimed that he was unable to report for work because he was required to attend various legal and investigatory hearings, including those of Nanavati-Mehta Commission (NMC) -originally known as the Nanavati-Shah Commission-which had been established by the government of Gujarat. Bhatt was removed from the IPS on 19 August 2015 on the ground of “unauthorised absence”.

4) Ford Foundation: The Ford Foundation is a New York-headquartered, globally oriented private foundation with the mission of advancing human welfare. Created in 1936 by Edsel Ford and Henry Ford, For years it was the largest, and one of the most influential foundations in the world, with global reach and special interests in economic empowerment, education, human rights, democracy, the creative arts, and Third World development. In April, 2015, the

Union Home Ministry put Ford Foundation under a watch list of foreign donor agencies. Basically, the Home Ministry issued orders which said that all donations made by Ford Foundation will only be allowed after scrutiny by authorities. There were allegations that Ford Foundation, active in India since the early 1950s, had of late started “interfering in the judicial process” of the country, working to “disturb communal harmony” and finance anti national activities. Modi critics promptly pointed out that three of the biggest critics of the man and his regime: Arvind Kejriwal, Teesta Setalvad and Indira Jaising, were recipients of generous Ford Foundation funds.

6) Banned Various NGO’S-FCRA Civil Society and Freedom of Association:

The Modi government continues to use the Foreign Contribution Regulation Act (FCRA), which regulates foreign funding for civil society organizations, to cut off funds and stymie the activities of organizations that question or criticize the government or its policies. In April 2016, Maina Kiai, the UN special rapporteur on freedom of assembly and association, analyzed the FCRA and said that restrictions imposed by the law and its rules “are not in conformity with international law, principles and standards.”

In May, the government temporarily suspended the FCRA status of the Lawyers Collective, an organization founded by Indira Jaising, a former additional solicitor general, and her husband, Anand Grover, a former UN special rapporteur on the right to health. The Lawyers Collective accused the government of attempting to disempower and weaken the organization because of its work assisting people in cases challenging Modi government policies. In June, three UN special rapporteurs released a statement raising concerns over the suspension and calling on the government to repeal FCRA. In November, the government refused to renew FCRA for 25 NGOs, including several prominent human rights groups.

Even as authorities were using FCRA to tighten restrictions on NGOs, the government amended the law in March to retroactively legalize funding by foreign entities to political parties.

Licences of around 20,000 of 33,000 NGOs have been cancelled by the government after they were found to be allegedly violating various provisions of the FCRA, thus barring them from receiving foreign funds. This was conveyed to Home Minister Rajnath Singh during a review of the Foreigners Division of the Home Ministry here today. Giving a detailed presentation, Home Ministry officials said after cancellation of FCRA licences of around 20,000 NGOs, only 13,000 NGOs in the country are legally valid now. Organisations such as Greenpeace India, Amnesty International India, TARSHI Delhi and the Centre for Social Justice were all signatories to this statement. Even the National Human Rights Commission has issued a notice to the home ministry on the issue.

“Prima facie it appears FCRA licence non-renewal is neither legal nor objective and thereby impinging on the rights of the human rights defenders in access to funding, including foreign funding,” the apex human rights watchdog in the country said in the notice.

7) Dalit Organisations:

Since Mr. Modi rose to power, emboldened hard-line Hindu activists have assaulted cow traders and people suspected of eating beef, claiming to defend Hindu beliefs. In July 15, vigilantes stripped and flogged four Dalit, or lower- caste, men in Gujarat for skinning a cow. Many Dalits earn their livelihood from skinning dead animals and selling their hides to leather traders.

The assault prompted protests by Dalits and damaged Mr. Modi’s image among the group, about a sixth of the country’s population. Dalit rights organization, Navsarjan Trust, played a leading role in the protests. On Dec. 15, the federal government canceled the foreign funding license of A the Trust. Indian newspapers quoted unnamed officials claiming that intelligence agencies have described seven civil society groups, including the Trust, as “working against

public interest” and painting the Modi government as anti-Dalit abroad. Mr. Modi’s government found a way of legally transforming its donors from foreign companies to Indian ones. It amended the law to change the definition of a foreign business, retroactively making a wider range of companies permissible campaign donors. While the civil society groups working with the poorest Indians are being choked, India’s political parties found many more avenues to receive more money.

8) Koregaon Bhima Dispute:

Police from various states are raiding the homes of noted human rights lawyers, lawyers and public intellectuals as part of an investigation into the massive Dalit protest in Bhima-Koregaon, Maharashtra, in January this year. The searches are also stated to be part of the investigations in connection with the Maoist plot to kill Prime Minister Narendra Modi and Maharashtra Chief Minister Devendra Fadnavis unearthed recently in Pune.

1) Pune police raided Arun Ferreira, Susan Abraham and Vernon Gonsalvez’s residence in Mumbai.

2) Civil Rights activist Anand Teltumbde’s house in Goa was also raided. Human rights advocate Sudha Bharadwaj’s home was raided and she was taken into custody this morning. APCLC leader and writer Varavara Rao, his daughter Anala’s house were raided in Hyderabad.

3) Rao’s nephew Venugopal, editor of Veekshanam Telugu magazine, told TV channel Sakshi after the raid, “This is an attempt to stifle voices that talk about murders of Dalit and Adivasis in areas like Gadchiroli. There is a cooked-up story that VV Rao related to an assassination attempt on Prime Minister Narendra Modi. There is no truth to it. Apart from VV Rao, his two daughters and son-in-laws have been targeted. They do not have any connection with VV Rao’s politics. The Central government, Maharashtra government, aided by the Telangana government, are engaging in intimidation to stifle democratic voices.”

4) The Maharashtra police on August 28 conducted a series of coordinated raids across multiple locations in India which has now drawn strong criticisms from civil society and opposition parties as well. Houses of several people including that of prominent activists, lawyers and writers were raided by the Pune police in Mumbai, Delhi, Ranchi, Goa and Hyderabad. While the police, in a bid to justify these arrests have termed them as “Urban Naxals”, many others have condemned the move and has termed it as a “virtual declaration of Emergency.”

5) By the end of the day, five prominent activists – Sudha Bharadwaj, Vernon Gonsalves, Varavara Rao, Gautam Navlakha and Arun Ferreira had been arrested by the police on a myriad of charges. Reportedly, the searches and detentions were carried out under the anti-terrorism Unlawful Activities Prevention Act (UAPA) and Sections 153A, 505(1)(b), 117, 120(b) and 34 of the Indian Penal Code. Raids had also been conducted in the houses of activist Stan Swamy in Ranchi, activists Kranti Teluka in Hyderabad, Dalit scholar Anand Teltumbde in Goa.

Political Opponents

The number of cases against the Opposition leaders since the Narendra Modi government has come to power is increasing by the day. Some of the cases involving prominent Opposition leaders involve at least three Opposition party chief, two serving chief ministers and former union ministers among others. An average citizen can see for oneself that the hammer has not fallen on any BJP leader in the last four years that the party has been in power. Are we to understand that the leaders of the BJP and its allies are clean? Or, does it mean that the investigative agencies have chosen to look the other way when the leaders belonging to the ruling party are caught with their pants down?

Aam Aadmi party:

What is it that Narendra Modi values more than winning elections? What does he want, now that he has achieved the highest political office that the Indian democracy allows a citizen to occupy? He wants to be a Prime Minister who will be remembered as the Pandit Nehru of 21st century India. He wants to leave behind a legacy which will grant him direct entry into school textbooks, cultural symbols and the average Indian's consciousness. Only death could displace Nehru as India's unchallenged leader, after remaining in office for 17 illustrious years.

That is what Modi is after. While there is nothing objectionable about a Prime Minister who wants to dominate history, it is this aspiration of his that makes him despise that one man who has the potential to crush his dreams: Arvind Kejriwal. AAP is the only force which has the platform and the guts to take on a dictator, and Modi knows it.

They did it in when modi wave was at its peak.they snatch 67 seats from modi.

The CBI carried raids against Arvind Kejriwal's principal secretary Rajendra Kumar which became a major flashpoint between the AAP and the Centre. Kejriwal claimed the CBI was searching for a file relating to Union Finance Minister Arun Jaitley's handling of the Delhi and District Cricket Association (DDCA). The CBI refuted the allegation categorically denying that it had entered Kejriwal's office during the search. Slamming Prime Minister Narendra Modi over the raid, Kejriwal tweeted, "CBI raids my office. When Narendra Modi couldn't handle me politically, he resorts to this cowardice. Modi is a coward and a psychopath." The Delhi Police arrested 13 MLAs of the ruling Aam Aadmi Party in the last two years on charges ranging from rape, extortion, cheating, forgery to rioting. For most of these offences bail is hard to come by, but all the 13 lawmakers are out on bail. In fact, two have been cleared of all charges. The Election Commission has recommended that 20 Aam Aadmi Party MLAs embroiled in the office of profit case be disqualified. In 2015, the Arvind Kejriwal government had passed an order appointing 21 MLAs as Parliamentary Secretaries to seven ministries. This was challenged by Advocate Prashant Patel who petitioned President Pranab Mukherjee on June 19, 2015, that these MLAs were now holding 'office of profit' and therefore should be disqualified.

The Election Commission's (EC's) decision to disqualify 20 AAP MLAs for holding offices of profit, was its chief AK Joti's parting gift to Prime Minister Narendra Modi, senior AAP leader Gopal Rai said in New Delhi on Saturday. Addressing media, Rai also said that the party will launch a campaign against BJP's decisions to allow FDI in retail and the sealing drive in the city.

- 1) On Friday, the EC recommended to President Ram Nath Kovind to disqualify 20 AAP MLAs for holding offices of profit as Parliamentary Secretaries, triggering calls for resignation of Chief Minister Arvind Kejriwal.
- 2) The President is bound to act in accordance with the poll panel's recommendation.
- 3) On Saturday, Rai said that Joti was Principal Secretary in Gujarat when Modi was the state's Chief Minister and he was Modi's closest officer.
- 4) "The disqualification of 20 AAP MLAs was his gift to Modi. What is the reason for this gift? Why it has been given? Aam Aadmi Party and the country want to know this," the senior leader said.
- 5) "Everyone in the country has only one question on their mind: What was the compulsion for him to take the decision with only two days to retire," Rai asked.

The leader also rubbished claims that the AAP MLAs were given multiple chances to appear before the EC and said that lies were being spread in the media.

- 1) Rai said that all notices given by the EC were replied by AAP's lawyers and added that even during the the British rule, people were heard before giving punishments.
- 2) Holding out a purported order from the EC, Rai said that the EC had not given a date of hearing for the AAP MLAs, after March 13, 2017.
- 3) The EC gave its opinion to the President on a complaint by advocate Prashant Patel, a member of the Hindu Legal Cell, in June 2015, who petitioned then President Pranab Mukherjee alleging illegality in the appointment of Parliamentary Secretaries.
- 4) The decision led to calls by the Congress and BJP-who have been demanding the disqualification-for Kejriwal's resignation.
- 5) Later on Friday, the Delhi High Court refused to grant interim relief to AAP MLAs against the Election Commission's recommendation.

P. Chidambaram:

The CBI raided P Chidambaram, his son Kartik's house in Chennai in connection with clearance given to INX Media in 2008. Allegations are that Karti received kickbacks from the media company which was then owned by Peter Mukerjea. The government, using the CBI and other agencies, is targeting my son and his friends. The government's aim is to silence my voice and stop me from writing, as it has tried to do in the cases of leaders of Opposition parties, journalists, columnists, NGOs and civil society organizations. All I will say is, I shall continue to speak and write.

"Everyday Prime Minister Modi and his government use the ED and the CBI as captive puppets to seek revenge from the Opposition," Surjewala added. The reactions from the Congress came shortly after the Enforcement Directorate officials conducted a raid on former union minister P Chidambaram's son Karti's homes in Delhi and Chennai in connection with the Aircel-Maxis case. Reacting to the raids, Chidambaram said that the ED officials found nothing during the raid at his son's Karti Chidambaram's residence, therefore, took away a few documents to justify themselves. Chidambaram said the ED has "no jurisdiction" to conduct such searches under the Prevention of Money Laundering Act (PMLA).

"The ED has no jurisdiction to investigate under the Prevention of Money Laundering Act (PMLA)," Chidambaram told reporters here. He also said that there is no FIR concerning a scheduled crime by the Central Bureau of Investigation (CBI) or any Police agency.

"Yesterday, the Supreme Court issued notice on the cases filed by my son Karti Chidambaram. These cases have been filed some time ago, notices were issued yesterday and the respondents were asked to file their reply if they wish to and the cases posted for hearing on January 30. The main ground in the case is that there is no FIR in respect of a scheduled crime registered by any police agency including the CBI," said Chidambaram

Lalu Prasad Yadav:

- 1) CBI raids Lalu Prasad yadav,The CBI, in its FIR lodged on Wednesday, has accused Lalu, as railway minister, of rigging a tender process in 2005 to award the sublease of railway hotels in Ranchi and Puri to his favoured hoteliers in exchange for three acres of prime land in Patna routed through a benami company.
- 2) Lalu was in Ranchi today to appear before a CBI court in a fodder scam case (RC 64 A/ 96) pertaining to the Deoghar treasury.
- 3) Speaking to reporters at the state guest house before leaving for Patna in the evening, Lalu said he and his family were being targeted for being vocal against the Modi-Shah regime.

- 4) "I have been trying to bring Opposition parties under a single umbrella against the despotic Modi-Shah regime and running a campaign to save the
- 5) country from the BJP. So, Modi and Shah want to pack me off to jail. But I'd rather die than bend before them," Lalu said. "During the rally on August 27 in Patna I will expose BJP's political vendetta."
- 6) Lalu has called for a mega BJP bhagao rally in Patna's Gandhi Maidan on August 27.
- 7) The RJD chief claimed that Indian Railways became a profit-making undertaking and got international recognition under his tenure.
- 8) Lalu will again be in Ranchi on July 11 to record his statement in fodder case RC 68A/96 related to the Chaibasa treasury.

I-T probe against Sonia Gandhi, Rahul underway in National Herald case

CBI probe against Himachal Pradesh CM Virbhadra Singh is going on.

- a. CBI raid in the residences of former Haryana Chief Minister Bhupinder Singh Hooda, in a case of alleged irregularities in acquisition of land in Gurgaon, was also part of the "same malice". Hitting back at the Prime Minister, he claimed that in Gujarat, thousands of hectares of land were "sold for a song" and if land deals are probed, all the BJP chief Ministers would be in the dock.
- b. I-T teams conducted raids on former Tamil Nadu Chief Secretary P Rama Mohana Rao at a time when ruling AIADMK was embroiled in bitter factionalism. Later, I-T department raided the properties and offices of Tamil Nadu chief secretary P Rama Mohana Raon. Though, no politician was targeted in the raids conducted across Tamil Nadu and Karnataka, it was widely perceived as a message to the AIADMK leaders.

2) December 2015:

The ED, I-T department conducted raids on firms 'linked' to P Chidambaram's son Kartik in connection with a money laundering case in the Aircel- Maxis deal.

3) December 2015:

The CBI carried raids against Arvind Kejriwal's principal secretary Rajendra Kumar which became a major flashpoint between the AAP and the Centre. Kejriwal claimed the CBI was searching for a file relating to Union Finance Minister Arun Jaitley's handling of the Delhi and District Cricket Association (DDCA). The CBI refuted the allegation categorically denying that it had entered Kejriwal's office during the search.

4) May 2016:

The CBI conducted raids at 16 locations in Chandigarh, Panchkula, New Delhi, Faridabad, Gurgaon, Rohtak, Karnal and Kurukshetra. The CBI searches included properties of former Haryana Chief Minister Bhupinder Singh Hooda.

5) December 2016:

I-T teams conducted raids on former Tamil Nadu Chief Secretary P Rama Mohana Rao at a time when ruling AIADMK was embroiled in bitter factionalism. Later, I-T department raided the properties and offices of Tamil Nadu chief secretary P Rama Mohana Raon. Though, no politician was targeted in the raids conducted across Tamil Nadu and Karnataka, it was widely perceived as a message to the AIADMK leaders.

December 2016

T officials in Chennai claimed to have seized Rs 90 crore including Rs 10 crore in new Rs 2,000 notes - at a time when the entire country was facing cash crunch due to demonetisation - from an AIADMK functionary. The officials claimed that the money was meant for dubious political game.

January 2017

I-T raided places related to Karnataka Small Scale Industries Minister Ramesh L Jarkiholi and state Mahila Congress president Laxmi R Hebbalkar. The I-T team found Rs 162 crore in cash and 12 kg gold during the raids.

April 2017:

I-T conducted searches at offices of Shivraj Patil's son, Shailesh Patil in Chandigarh and new Delhi in connection with a money laundering case.

May-June 2017:

The ED raided locations related to Congress leader Baba Siddique. The ED also conducted raids on May 31 at five places including residences of Baba Siddique and Pyramid Developers' Rafique Maqbool Qureshi. The case relates an alleged Rs 400-crore slum rehabilitation scheme scam at Mumbai's Bandra.

August 2, 2017:

I-T conducted raids on 64 locations related to Congress leader and Karnataka Power Minister DK Shivakumar.

Ranchi, July 7, 2017

Internal Threats

To understand this phenomenon we are considering only one state. Uttar Pradesh. Even there are any state facing similar problem like J and K, Manipur, Assam, Tripura, Haryana etc.

- 1) After Yogi Adityanath came to power in Uttar Pradesh in March 2017, the number of fake encounters or pre-mediated extra-judicial killings have arisen in the state, with victims belonging to vulnerable social communities such as Dalits and Muslims in most cases, said a report compiled by an a rights group.
- 2) The report 'Countering the Silence' by Citizens Against Hate (CAH), documented as many as 16 incidents of alleged encounter killings in Uttar Pradesh and 12 cases in Haryana's Mewat region, which had occurred between 2017 and 2018.
- 3) The report observed: "(a)ll victims come from vulnerable social groups. Most came from poor 'lower castes' backgrounds, typically, landless farmers, engaged in manual labour and as farm hands, or working as informal sector workers, as hawkers. In UP, most were under trials, with some past involvement in petty crime."
- 4) "Torture was a common theme across cases. Most families reported having received dead bodies that had signs of grievous injuries to the body, not explained by a shoot-out."
- 5) Though there are a Supreme Court judgment and NHRC guidelines for police to follow in the encounter cases, the team found that these were being flouted routinely. "Most cases we studied, did not have FIR of the murder of the deceased filed by police. When families attempted to file a complaint or seek help to address the grievance, they were met by strong resistance from police, in the form of threats of charging in false cases, even of getting another family member 'encountered'," the finding revealed.
- 6) At times, "when families have mustered the courage to speak out, more serious accusations have been made. In several cases, accusations of rape have been initiated by police against family members."
- 7) "In the name of crime control, the blowing of trumpet over the police encounters in the last six months raises questions that do only members of a particular class or community engage in crime or are history-sheeters?" Ms. Mayawati asked.

- 8) In all, at least 50 criminals have been killed in over 1,700 encounters since the BJP government took over in UP in March last year. The UP State Human Rights Commission (SHRC) is already conducting a probe into four of these alleged encounters following complaints by family members that they were fake.
- 9) Saleha, a frail looking woman whose husband was shot dead in one such encounter, recollected the first time she saw his dead body.
“The body was decaying at several places. There was no blood as he was killed days before we were informed. We came to know later that although police told us he had been shot the day we were informed, he had actually died two to three days ago,” she said.
- 10) “The CM had stated that those who believe in gun, will be answered through guns,” stated senior advocate Prashant Bhushan, who recently petitioned the NHRC to probe these encounter killings.
- 11) The report has also taken note of 12 cases in Mewat region near Gurugram in Haryana between 2017 and 2018, and said they too were likely to be fake encounters. There has been a spike in encounter cases related to attempts to smuggle cows for slaughter.
- 12) “The victims are mostly Meo Muslims. Most of them are cattle farmers and are socially and economically downtrodden. But there is an extreme level of police impunity observed in the area. Bodies of victims killed in encounters were often not returned to families and if burial took place it was amidst heavy police presence which ensured no evidence remains of their crime. Most of the families don’t even have death certificates yet,” said one of the members who was a part of the fact finding team.
- 13) The report has also highlighted a few cases in other states like Rajasthan. In August 2017, one Qasim was shot in his village during the early hours in Bharatpur. His family maintains that Qasim was acquitted in all criminal cases at the time of this incident, and that the police was informed of it during the encounter. Still the operation went on.
- 14) Akram Chaudhary, a local leader, claimed that “almost 1500 such encounters have taken place since 2014” and attempted to bust the common ground often resorted to by officials for conducting such encounters.
- 15) “In UP, state government seems to have launched a drive for encounter killings. The state has also a reward system for officers fighting crime aggressively. Officers are seen as high achievers and have been known to be given ‘prize’ postings. The situation is similar in Haryana,” states the report.
- 16) **As per data released by the government in a booklet** showcasing its achievements, apart from the encounter killings, from March 20 to September 14, the police have conducted 430 encounters. During this period, 868 wanted criminals were arrested while around 90 criminals were also injured during police encounters.
- 17) UTTAR Pradesh will be crime free – was the much-touted slogan of Yogi Adityanath after he became the chief minister. The illegal method of eliminating crime, aka ‘encounters’, started in 2017. “*Thok do*” (shoot them) was the dictum given to police officials to gun down criminals. It is a different matter that the chief minister himself is facing 15 criminal cases and 143 MLAs of the state have criminal cases registered against them, of whom 83 are from the ruling BJP.
- 18) “Chief minister of UP, Yogi Adityanath is lauding the police officers for such ‘encounters’ and rewarding them with promotions and medals which is against the orders of Supreme Court. This is a serious matter of branding marginalised Dalits and Muslims as criminals and killing them in fake encounters. The police are becoming extortionists and gunda-raaj is becoming the

reality of UP. Courts have stated that encounter killing is a grave crime but the CM is boasting it as an achievement to gather votes. The civil society should protest against it.”, Prashant Bhushan said.

19) Also presented was a fact finding report by civil society organisations, of another 8 cases where families were not able to give their statements on affidavits. The complaints in all these cases, requested the NHRC to take serious notice of these killings, order an immediate impartial investigation and take strict action against the concerned Police officials in accordance with the Supreme Court guidelines. NHRC chairperson has taken up the matter for further consideration and investigation. Table detailing the inconsistencies in police version and family version alleging torture are annexed.

20) The report submitted to NHRC is a documentation of 16 incidents of extrajudicial killing in UP and 12 cases of Mewat between 2017-18.

21) A report compiled by a rights group has claimed that “extra-judicial killings” have taken place in Uttar Pradesh in recent months, with the victims mostly from vulnerable social groups such as Dalits and Muslims. The report by ‘Citizens Against Hate’ group documents 16 incidents of alleged encounter killings in UP and 12 cases in the Mewat region, that took place between 2017-18. Senior Supreme Court lawyer Prashant Bhushan dubbed the police encounter killings in UP as “murders” and demanded a probe into all such cases by independent teams of National Human Rights Commission(NHRC). “These are extra-judicial killings, murders. Such killings by police are probed by junior level officers of the department and it cannot be independent. NHRC should get all such cases probed by its independent teams,” he said at a press conference.

22) “Our report, which takes a detailed look at the legalities involved, the investigation and the forensics, concludes that the idea of ‘crime control’ here is clearly an eyewash. Almost all the victims of these killings belong to vulnerable social groups - muslims, dalits and bahujans, and come from low- economic households. All the families, without fail, state that the victims were abducted by the police or entrapped through their informer networks.

Bodies of all victims showed visible signs of torture along with close range bullet injuries above the waist- a fact that is corroborated by the post mortem reports accessed by the team.”, CAH stated.

“Further, it is stated in the FIR that one bullet fired by the criminals hit the bullet-proof jacket of SHO Rashid Ali, P.S. Lasadigate. There is no mention of the bullet-proof jacket being seized and parcelled for investigation.”

23) In its analysis of 16 deaths in Uttar Pradesh and 12 in Haryana, the report found that most victims were poor and from the lower castes, “typically landless farmers... farm hands... hawkers”.

24) “In Haryana, most were from Meo and Gujjar backgrounds, involved in cattle trade, either as drivers or (as) handymen, or traders.”

25) “The objective is to tell the public, ‘See, we have killed criminals’. And by mostly targeting Muslims or Dalits, they are saying, ‘Look, they are the criminals’,” Bhushan said. The researchers, who included lawyers from the human rights research group Quill Foundation, found a similar pattern in most cases in Uttar Pradesh.

26) “FIRs spread over multiple episodes use exactly the same text, hinting at (the) use of a common template by state police Most of those killed

have, in police FIRs, the same number of weapons on them Autopsy reports contradict the FIR version(s),” the report says.

27) “Most bodies had tattooing marks and blackening of skin around bullet holes, indicating close-range shooting and not a shootout.”

1) Fascism has adverse effect on administration

2) Administration, as its primary characteristics should be unbiased but with powerful grip of facism this administration become bised.

3) The sole purpose of administration is to serve the nation. But in facist government admistration get inclined towards the service of government.

Refrences:

1) Indian Express The wire.

2) NHRC CSDS

3) The Quint Times of India Economic Times

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