

# *'BLOODY SUNDAY'*

*Brutal Attack on Jamia Students*

**Peoples Union for Democratic Rights  
Delhi, May 2000**

TWELVE DAYS AGO, on Sunday, 9 April 2000, perhaps one of the worst ever incidents of police terror against students since the Emergency took place in Jamia Millia Islamia University in Delhi. A four-member team of PUDR carried out a fact-finding investigation into the incident and its aftermath. The team spoke to several eyewitnesses, including the provost of the SRK (Shafiqur Rehman Kidwai) hostel, Dr. Mohd. Sami of the Department of Physics, the Warden and caretaker of the Pink House hostel, Mr. Tabrez Alam and Mr. Shamim respectively, the Imam of the mosque Mr. Mahmud ul Hasan, and scores of students and faculty members. We met the Registrar Dr. Anisur Rehman, while the Vice Chancellor Mr. Syed Shahid Mahdi refused to meet us. We also tried to meet the DCP (South) Mr. Sudhir Yadav who was present during the entire attack. He did not respond to our repeated requests for an appointment while the additional DCP (South) Mr. Vivek Gogia did not speak to us on the matter. We spoke to police personnel at the New Friends Colony P.S. and scrutinized the FIR accounts. The following is a brief report of the team's main findings. The best reconstruction we could make of the incident is as follows.

On the night of 9th April 2000, between 7.30 p.m. to 8 p.m., two policemen of the Jamia Nagar Police Post came to the Jamia Stores to arrest two youths, Rizwan and Mubarak, who had cases against them. Both of them were rusticated students of Jamia. However other youths in or around the store, some of who were probably students, interceded and forcibly prevented the policemen from taking the two youths away.

Shortly afterwards the policemen returned with a few others, all from the nearby Jamia Nagar Police Post. There were reportedly seven to eight of them initially, and they entered the Library in search of either the two escaped youth, or those who managed to secure their release. A large number of students were studying as the Annual Examinations were on. The policemen randomly caught two students sitting in the Library Reading Room and tried to arrest them. According to students present there, these two students, both of first year B.Sc. Mathematics, had had nothing to do with the earlier incident, and it was a case of mistaken identity.

On seeing their fellow students getting arrested and police entering the library, the other students studying there got incensed. There was a fracas with the police in a bid to rescue these two. The police it appears may have been roughed up and they were forced to release these two boys. Meanwhile the students, incensed at the police entering the campus and the library without permission from the V-C, had also started a *chakka-jam*, by placing some rickshaws across the road. Some of the students claimed that it was the police who had initially roughed up the students at the time and it was in protest against this that they did the *chakka-jam*. The reading room light was put off and many students joined the blockade. Soon the number of policemen increased as reinforcements arrived. They tried to clear the road, at which the students started brick-batting the police. In retaliation the police, who were outnumbered and keeping a safe distance, started firing tear-gas shells.

During all these events, which took place by about 9.00 p.m. or so, several students, not wishing to take part in the fracas, had left the library and rushed home or to their hostel rooms. Others came from the SRK hostel, located on the main road itself, and joined in. Many students were already quite distraught and tense. Meanwhile the brick-batting and tear-gassing continued. The angry students got hold of two scooters belonging to policemen and burnt them.

At about 9.00 p.m. the first university official, the provost of the hostel, Dr. Mohd. Sami, appeared on the scene. He first tried to contact the registrar, the proctor and the Vice Chancellor, but finally went on to the road alone. He tried to stop the brick batting and started persuading the students to return to the hostel. By about 9.30 p.m. to 9.45 p.m., he had managed to persuade all the students and youth present on the road to stop the brick batting and come inside the hostel campus. The outer gates of the hostel were locked, and the provost came to the gate and told the police that the situation was under control, all the students were inside the hostel, and that they should stop tear-gassing.

For a while, it appeared that the crisis had blown over, and all appeared calm for the next fifteen to twenty minutes. The police were at the outer gate of the hostel, the students were inside the inner gate, and in their rooms or the mess etc. Soon however large numbers of police reinforcements arrived and the police started to break open the hostel gate.

The provost rushed out and tried to stop them, but to no avail. By now anywhere from 300 to 500 or even more policemen had arrived from at least 11 police stations and posts all over south Delhi, under the command of the DCP (South), Sudhir Yadav, and some other officers. A full scale and brutal attack now began with police breaking through the closed gates at which Dr. Sami was standing. He was hit four times by the police till Ratan Singh, the Special Branch officer routinely posted at Jamia, intervened on his behalf. In the meanwhile the police had entered the hostel and stationed themselves around the hostel building, along the staircase and on the rooftop. They then broke into the rooms of the students tearing down the doors, (many of which have gaping holes and others have been completely destroyed) and began to beat up the students mercilessly. Rajnish\* a third year student, described how he and his roommate (who had a job interview the next day) were trying to study, when the police broke into their room. They hurled abuses and beat them up; he also said that after one policeman had beaten up a student he would pass the student onto another policeman, saying, 'lo, ab hamne maar liya ab tum peeto.' The police entered room after room and fell upon the students calling them ISI agents and other communal abuses and asked non-muslim students why they were in Jamia. As the police advanced upon them, hitting them with lathis, after entering their rooms, some of the students retreated to the only space available which were the balconies. In panic, some of them jumped off from the balconies and others keeled over as the police hit them. All the students we talked to, whether hindu or muslim, charged the policemen with making a special target of anyone who was bearded and was wearing a *kurta-pajama*. The masjid in the compound was broken into and the imam, himself a Ph.D. student, was beaten up. Many of the students we spoke to, with broken arms and legs, and head injuries, also were bewildered and deeply traumatised by the nature of the assault on them.

Among the special targets of the police were the students from Kashmir. A university topper of the M.Sc. BioSciences, Arif\*, was in his room along with his roommate, another Kashmiri student, Tahir\* a student of the Masters course in Social Work when both were attacked. Arif\*, whose head and arm was still bandaged, and leg in plaster when we met him a week after the assault (he had to have six stitches on his head before the bleeding was controlled; his leg had a fracture and he had bruises all over his back) told us how a group of policemen dragged him out of his room, down the staircase and across the compound, hitting him all the while. He was a special focus of their attention because he is from Kashmir. Among the statements made to him by the police was 'So you want azaadi! Here is azaadi for you!' At least five other Kashmiri students were given the same treatment. Another Ph.D. student among them was told, 'You think you can become a lecturer?

We'll see to it that you can't! 'This is the end of your career.' Other students who were concerned about their exams and tried to plead with the police to let them off were told that they were in a 'gandi' university so exams did not matter.

The students in the other hostel off the main road, the White House, heard and saw the brutal attack on the SRK residents, and ran away to save themselves. Then at about 10.30 p.m., the police reached the Pink House and the New Boys Hostel located at least half a kilometre inside the campus behind several faculty buildings, away from the main road. Many students here were unaware of what had occurred on the road. The main collapsible door of the Pink House was broken by a contingent of about 35 policemen and similar havoc created. Students were beaten with lathis as was the caretaker of the Pink House hostel, until he showed them his 'ex-army' identity card. Altogether 24 students from both these hostels were picked up, dragged to the main road and assaulted and abused. Two of them were among those finally sent to jail. The police then returned to these hostels later in the night, and encountering the warden of the Pink House, Mr. Tabrez Alam, who had rushed there from his residence in the neighbouring locality, warned him to stay away or else he too would get beaten up. They beat up the cook of the hostel mess and then ate the 'special' Sunday dinner, got tea made at about 2.00 a.m. on 10 April.

By 10.45 p.m. or so it was all over. By then there was not a single student left inside the hostels. All the students (at least 160 of them) had been rounded up and taken and SRK hostel (and the Pink House and New Boys' Hostel mentioned above) were full of police. The provost, who had been beaten with lathis, went to Holy Family Hospital for a check up with a staff member and returned at about 1 p.m. He entered the SRK hostel to see what was happening, and saw a curious sight. A large number of policemen were sitting in the mess and eating the special Sunday chicken dinner made for the students. Others were resting on the students' beds. On the second floor of the hostel, ACP T.Ganeshan with a number of policemen were breaking into those rooms which were locked. When Dr Sami asked what they were doing, he was told that they were 'searching'. On which Dr Sami told them that if they wanted to do a search they should do it in the presence of university officials, otherwise the search has no meaning. He asked the ACP if he had permission to enter the university campus, at which the officer replied that it was an open campus, and in major incidents permission was not needed. However the policemen stopped 'searching' the rooms, and also refused to take any responsibility for the belongings and property of the students. It should be noted that many students have alleged that watches, transistors and money was missing from their rooms. Some students said that a year of research material and books had got destroyed as well. Early on the morning of 10 April, policemen were also deployed to clear up some of the signs of the attack, and bloodstains were washed off but even when we visited the hostel the place was in shambles with glaring evidence of destruction.

Meanwhile the boys, many with broken limbs, head injuries or flesh wounds, were sent to five police stations: Srinivaspuri; Defence Colony; New Friends Colony; Hauz Khas and Kalkaji. In the police stations, for most of them, their night of terror continued.

The injured and bleeding students were at first denied even water. They were threatened and intimidated, and made the butt of cruel communal comments. After repeated leading, the badly injured students were separated from the others and sent to different hospitals for treatment. At the Srinivaspuri P.S. they were also kicked and beaten.

Even in the hospitals their tale of torment continued. It appears that the doctors, especially in the prestigious All India Institute of Medical Sciences, cursorily treated the visible wounds of the students, but did not bother to properly examine them. As a result many serious injuries went untreated. The most ridiculous example of this callousness was a student whose leg was bandaged with a splint, though he had no fracture in his leg, but his arm which was fractured was not treated. Many other students had their fractures over-looked; one boy had multiple fractures that were not detected.

Many of the injured students spent the night in the hospital and were brought back to the police station the next morning. They then discovered that they had been victims of a cruel trick. All those who had got medical attention, and for whom Medico-Legal cases had to be registered, were charged with a number of offences including Section 307 IPC (Attempt to murder), and sent to the Patiala House Courts. Sixty six students were thus charged and sent to the court, while the remaining 94 were released from the police stations upon intervention of the University authorities later in the day (10 April).

At last in the hands of justice? Alas it was not to be! The Indian criminal justice system did not fail to live up to its reputation. The students were put into buses, which moved all around Patiala House Court, till the policemen in charge appeared to have received the signal that the magistrate was ready. After more than an hour of moving around in the evening, evading members of the press apparently, the buses stopped outside Patiala House court and the magistrate entered them in turn. He is reported to have said: "Kisi ko kuch kehna hai?" Some students reportedly replied: "Sir, imtehan hain..." At which, duty done, the magistrate disembarked and sent all 66 injured students to Tihar jail. So much for 'presentation' in court!

At a time when there were several holidays, officials and judges were on leave, it was only after much effort by University authorities, that the Additional Sessions Judge Mr. L.K. Gupta granted conditional bail on 13 April, for the students to take their examinations. After spending 3 days in jail, mostly in torn and bloody clothes, with no money and untended wounds, the arrested students of Jamia, were released, on surety provided mostly by various individual teachers of the University.

## **The Police Version**

The police version begins with their trying to arrest two accused, Rizwan and Mubarak, facing resistance and assault, and subsequently brick batting. They claim (as implied in the FIR lodged against the students) that their action was purely defensive and also to 'control' the situation. The fact that arms (country weapons) were found on two of those arrested (Salauddin and Haaris, who were not the two accused they were originally after) and Arms Act cases made against them, is now being used as a justification for the police attack. Apparently 23 policemen received injuries in the stone throwing.

The police deny entirely that they entered the library. Several witnesses testify to their entry, without due permission.

They deny that they even entered the hostels and claim that all injuries to students were sustained on the road itself. They are not willing to forward an explanation for the mass destruction in the hostels. Hundreds of witnesses to their entry and rampage in the hostels exist. The police not only

did not take permission from the University authorities as per convention for the entry, but also assaulted the provost, for which too witnesses exist - including Ratan Singh, the Special Branch representative.

The concocted nature of their version as presented in the FIR 169/2000 (New Friends Colony P.S.) is blatantly apparent from the fact that they state repeatedly that there was continuous brickbattling during the episode from the Pink House hostel as well, on the police on the road.

It needs to be noted that this hostel is at least 500 metres (if not more) inside the campus.

## **The Aftermath**

On Thursday, 13 April, the Lt. Governor, Vijai Kapoor, ordered a magisterial inquiry into the incident. The inquiry is to be conducted by Ashwani Kumar, Commissioner (South), and the report is to be submitted within a month. The inquiry followed an assurance given by the Home Minister, L.K. Advani to Delhi Chief Minister Sheila Dikshit, who had visited Jamia on the 11 April and had condemned the police action. According to press reports, the Home Minister has also asked the Home Secretary, Kamal Pande, to enquire into the incident.

The students have been sitting on a dharna at Jamia, demanding that the charges be dropped and action be taken against the accused. Three students are on and indefinite hunger strike. While condemning the police action and their failure to take permission from the authorities to enter the campus, the Vice Chancellor has asked for the dropping of charges against the students. The University authorities, who have rescheduled the disrupted examinations from 26 April, are regarding a recent ambiguous statement by the Home Minister, as an assurance. Students are asking for more concrete evidence that charges against them will be unconditionally dropped, while indicating willingness to cooperate with the University in holding examinations the moment this was done. Their dharna entered the 6th day today.

## **Issues and Questions Arising from the Above Course of Events.**

- Just before the police rampage in the hostels, calm had in fact descended and the situation had been brought under control. Why, then did the police carry out such a brutal attack? If the police claim at the time of the attack was that they were looking for miscreants, then since they were already in control and the hostel had been cordoned off, they could have done so by informing the university authorities, and searching. As it was the actions, of the police seemed to be at least partly motivated by sheer revenge for some of them being roughed up earlier (and partly perhaps on higher instructions?).
- One of the enduring traumas caused by the attack derives from the communal remarks made by the police against the students which would surely leave a scar that will last far longer than their other wounds.
- This attack must be seen as a violation of the long-standing convention of the autonomy of universities. The police attack and subsequent effort to convert their very victims into criminals shows a blatant disregard for rule of law.

- The university authorities have revealed a peculiar lethargy in reacting to an incident of such gravity. It is shocking to note that they have not made more active efforts or built more pressure to get the charges against the students dropped nor lodged an FIR to date against the guilty policemen, despite strong evidence against them. By acting too late and doing too little they have added to the anguish of the students.
- The failure of the state to institute an independent enquiry into the police attack, condemn the lawlessness of the upholders of law and take action against guilty policemen and unconditionally withdraw charges against the students- shows that it too is complicit with the disregard for rule of law demonstrated by the police. How dangerous this could be for citizens and democracy hardly needs to be stated. Twelve days have passed since the incident and the students are carrying on their agitation for just the minimum redress. And yet the sources of redress- the university authorities and the Delhi and Central governments and the judiciary almost determinedly continue to fail them.

### **PUDR Demands**

1. Immediate and unconditional withdrawal of charges against the students.
2. Lodging of FIR against the guilty policemen and immediate action against them.
3. Compensation for the victims of police attack.
4. Immediate institution of independent judicial enquiry by at least a serving well respected High Court judge into this attack.

*\*Names of these students have been changed to protect the identity.*

## POSTSCRIPT (29 April, 2000)

*Subsequent to the above incidents, based on the vague assurances of the Lieutenant Governor and the Home Minister the University authorities tried to forcibly remove the tents under which the protesting students were sitting, early on the morning of 22 April. The authorities also tried to go ahead with examinations on 26 April, even though there was no change in the situation. The charges against the students had not been dropped, no FIR had been lodged against the police, no judicial inquiry had been initiated. The inquiry by the executive magistrate had been given an inordinately long period of one month to finish its work. And the magistrate had till then not even met the students. Once the exams finish students would have to vacate the hostels, and it would be impossible for the magistrate to meet them, rendering even this magisterial probe infructuous. Many of the injured students were physically not in any condition to write examinations. Following en masse boycott of the exam on 26 April, the University authorities have now rescheduled the examination to 5 May, to which the students have agreed.*

*Yet none of the issues have been addressed. The gross violation of a university's autonomy has not been questioned. The fear that this brutal and heinous attack by the police may go unpunished looms large. The victims of the attack continue to be deemed criminals. **Three weeks later no real redress has still been made.***