

DEC
2019



BLOODY SUNDAY

2019

Police brutalities at Jamia Millia Islamia 13-15 December 2019

People's Union for Democratic Rights

WHAT IS THE CITIZENSHIP (AMENDMENT) ACT?

Citizenship (Amendment) Bill 2016 [CAB 2016] was introduced in the Lok Sabha on 19 July 2016. It was entrusted to a Joint Parliamentary Committee (JPC) which submitted its report on 7 January 2019, recommending the Bill for discussion in Parliament. Nine members of the thirty-member committee dissented.

CAB 2016 was placed for discussion in the Lok Sabha on 8 January 2019 in the Budget session, the last session of the 16th Lok Sabha. It faced opposition in the Lok Sabha but was passed with the force of numerical majority of the ruling NDA. It was then placed for discussion in the Rajya Sabha on 9 January, a day when the proceedings in the house were dominated by the Economically Weaker Section (EWS) quota bill, which led to the adjournment of the House. With the dissolution of the Lok Sabha by the President in preparation for the next general election, the CAB lapsed.

CAB 2019 was introduced and passed in the Lok Sabha on 9 December 2019 after a twelve-hour debate with 311 voting in favour and 80 against it. It was discussed and passed in the Rajya Sabha on 11 December 2019 with 125 votes in favour and 105 against it. The Rajya Sabha rejected the motion of sending the Bill to a Select Committee with 124 votes against it. The House also rejected many amendments moved by the opposition by voice vote. On December 12, 2019 the Bill received Presidential assent and became the CAA. A comparative sketch of the provisions of the two Bills is provided below.

CAB 2016	CAB/ CAA 2019
<p>Amendment of Section 2 (b) of the Citizenship Act 1955 to make an exception in the interpretation of the category ‘illegal migrant’ [Section 2 CAB 2016].</p>	<p>Amendment of Section 2 (b) of the Citizenship Act 1955 to make an exception in the interpretation of the category ‘illegal migrant’ [Remains unchanged from CAB 2016]</p>
<p><i>An illegal migrant under the Citizenship Act is a foreigner who has entered without a valid passport or travel documents or has overstayed the authorised period of stay. Section 2 of CAB 2016 exempted six ‘minority communities’, Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians, from three countries - Bangladesh, Pakistan and Afghanistan - from the category of ‘illegal migrants’. These exemptions were retained in CAB 2019.</i></p> <p><i>The category ‘illegal migrants’ was inserted in Section 3 (Citizenship by Birth) and Section 5 (Citizenship by Registration) by the Citizenship (Amendment) Act 2003. Section 6A of Citizenship Act 1955 inserted the category ‘illegal migrant’ through an amendment in 1985 in the specific context of Assam.</i></p> <p><i>By exempting the specified communities from the category of illegal migrants, the CAB has aligned the citizenship law with executive orders and rules issued by the central government in 2015 making changes in the Passport (Entry into India) Act 1920 and Foreigners Act 1946 to ensure that the communities identified in the CAB 2016 are not treated as illegal migrants under both these Acts. The gazette notification dated 7 September 2015 which made changes in the Passport Act and the Foreigners Act, introduced the cut-off date of 31 December 2014 as the date of eligibility of illegal migrants for exemption.</i></p>	
<p>Amendment of Section 7D (pertaining to cancellation of overseas citizenship) [Section 3 CAB 2016]</p> <p><i>CAB 2016 added another ground for cancellation of an OCI’s registration, whereby the OCI registration could be withdrawn if the OCI cardholder had violated any of the provisions of the Citizenship Act or any other law in force at the time.</i></p>	<p>Amendment of Section 7D of the Citizenship Act 1955 [Section 4 CAB 2019]</p> <p><i>Remains the same as Section 3 of CAB 2016, except for the addition of a provision that the OCI would be given a reasonable opportunity of being heard, before an order of cancellation of OCI registration is passed.</i></p>
<p>Amendment of the Third Schedule of the Citizenship of India Act pertaining to the requirements for naturalisation to reduce the aggregate period of stay for the ‘persons belonging to minority communities’ identified in Section 1 CAB 2016 from 11 years to 6 years. [Section 4 CAB 2016]</p>	<p>Amendment of the Third Schedule of the Citizenship of India Act pertaining to the requirement of minimum period of stay for naturalisation reduced from 6 years in Section 4 CAB 2016 to 5 years [Section 6 CAB 2019]</p>
	<p>Inserts a new Section 6B (i, ii, iii) [Section 3 CAB 2019]</p> <p><i>Empowering Central government to issue a certificate of registration or naturalisation to persons specified under the CAB who would be deemed to be citizens of India from the date of entry in India. All proceedings against such persons upon the grant of certificate of citizenship would be cancelled.</i></p>
	<p>Inserts a new Section 6B (iv) [Section 3 CAB 2019]</p> <p><i>Excluding tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and the area covered under “The Inner Line” notified under the Bengal Eastern Frontier Regulation, 1873, from the purview of the new section 6B.</i></p>

ASIX-MEMBER PUDR TEAM conducted a four-day fact-finding from 16 to 19 December 2019 into the incidents of police brutalities at the campus of Jamia Milia Islamia on 13 and 15 December 2019. The brutalities happened in the midst of ongoing protests against the Citizenship (Amendment) Act 2019, passed by the Parliament on 11 December 2019. Students at Jamia had been peacefully gathering outside Gate 7 since 12 December. This report documents the course of events from this day itself, as these frame the context for the police brutalities to follow. PUDR spoke to a number of students and workers at the university campus, as well as eye-witnesses to the events of neighbouring areas, to reconstruct the events. The report covers a number of simultaneous happenings in different parts of the campus from 13 to 15 December, given its spread across time and space, but it does not claim to provide a complete account of all that happened on this day. Recalling the police brutalities in Jamia Milia Islamia University on 9 April 2000, documented in PUDR's fact-finding report "Bloody Sunday: Brutal Attack on Jamia Students" of May 2000, this report attempts to provide an extensive account of this bloody Sunday of 15 December 2019.

12-13 DECEMBER 2019 (THURSDAY & FRIDAY)

On Thursday 12 December 2019, by 8 pm, hundreds of Jamia students had gathered on the main road outside the campus, between Gates 7 and 8, and were shouting slogans. The students we spoke to put the estimate at 700-800. Earlier in the day, women students had successfully mobilised fellow students in the women's hostel. It started raining around 8:30 or 9 pm but large number of students stayed outside shouting slogans for hours. Several students believe that it was this display that alerted the police to the strength and power of student solidarity and provides the context for the police violence that followed over the next few days. On that day, the only police barricades were the usual ones near Hotel Suryaa that are present in the ordinary course of things.

For the following day, 13 December 2019, Jamia Teachers' Solidarity Association (JTSA) had earlier given a call for a sit-in outside Gate 7 at 2 pm, and Jamia students had given a call to march from the Jamia Metro to Parliament Street at 3 pm the same day. The police put up new barricades as early as 1 pm ahead of Holy Family hospital near the campus (where the road forks) to block the march.

The teachers gathered outside Gate 7 for their sit-in and gave speeches. The students we spoke to joined the student march outside Gate 4 around 3 PM, by which time some local residents had also joined. Other students, at the front of the procession marching towards Holy Family hospital, were stopped at the police barricade. Soon the students got atop the barricade, and on the other side of the road, they were able to push over the barricade. The police hit students with lathis to push them back towards the campus. Immediately tear gas shells were fired into empty spaces between the students. Some students began running back; others ran forward again and the police kept firing tear gas shells, now with increasing frequency and at closer proximity to students.

Amidst the barrage of teargassing, someone from the crowd picked up an unexploded tear gas shell and threw it back at the police. On seeing this, some

others also followed. One shell exploded in the hand of a student, severing his thumb. As he was taken to Holy Family hospital, his friend tried to follow him with the severed piece of his thumb so the doctors could reattach it, but he was prevented by the police. The friend himself was covered in severe rashes and swelling all over his face from the tear gas.

Around 3:30 or 4 pm, the police began lathi-charging the students all the way back to Gate 7. There was a stampede-like situation and tear gas shells continued to be fired everywhere, landing between students. Starting at around 4:30 pm till approximately 6 pm, the police also fired tear gas guns inside campus through the grills of Gate 1. Some students said that they saw a flame of fire emerge from the gun barrel each time the police fired. Students giving exams inside campus near Gate 7 and 8 had to leave the exam room several times because tear gas shells were fired right outside on the main road. Even students in hostels far inside campus reported feeling a burning sensation in their throat because of the tear gas.

Amid the tear gas shelling, the police also entered campus without permission from Gate 4 and indiscriminately beat up students in front of the Indian Bank and used their lathis to smash several motorcycles that were parked there. This unauthorised entry and violence by the police received surprisingly little media coverage. Local residents also complained to students that the police had broken the windows of cars parked near the Sukhdev Vihar turn near campus. Dozens of students were detained from outside Gate 4 during the daytime (the exact time and number is unclear) and taken to Badarpur PS.

According to a student organiser, over 100 Jamia students had been injured that day. One other student was admitted to the hospital with a fractured arm, and another with fractured legs. Many students with less critical injuries went to the Ansari Health Centre for treatment but the equipment there is reportedly extremely inadequate. According to the students we spoke to, some local residents also pelted stones at the police that day.

By around 5:30 / 6 pm, the situation had quietened down and many students, including women students, went back outside to continue the protest, with loud sloganeering continuing for hours in various groups. The police sporadically threw tear gas shells and used lathis but the students stayed outside and continued sloganeering. Two women students went to the police and tried to ask them again to let them proceed behind the barricade but to no avail. Some politicians and media personnel arrived at the protest.

Around 6 / 6:30 pm, the police detained several students in a police bus standing outside Gate 7, but students blocked the bus and did not let it leave. Finally the police opened the bus doors and allowed the students to climb out, who did while singing songs and sloganeering. The bus then reversed and was parked on the other side of the road outside Gate 8.

Once it grew dark, the Proctor's team came outside and asked the students to go back inside, telling them that the students who had been detained had been released. Students then began trickling back in slowly though some stayed longer. Jamia students tried to contact the VC that day but were unable to.

The traffic on the road opened back up again at night, roughly around 8 pm. One of the students we spoke to was able to leave campus at around 10:30 pm and saw a considerable number of police personnel gathered at Gate 1 of the university, Jamia Metro, Holy Family and Sukhdev Vihar colony's Gate 4. Students saw only Delhi Police personnel that day, no officers from the Rapid Action force or CRPF.

14 DECEMBER 2019 (SATURDAY)

On Friday night, students received messages urging Jamia students to join a march on Saturday to the Home Minister's house at 12:30 pm that had been planned by other groups in Delhi, outside Jamia. But later, students got messages on their class and hostel groups that Jamia students were disassociating themselves from the march and would not join, and there would instead be a peaceful protest just outside Gate 7.

The students we spoke to had gone to Gate 7 around 12 - 12:30 pm. Different groups of students had formed circles on the main road outside campus and local residents kept joining. Effigies of the Prime and Home Minister were burnt and janaazas taken out for both. One student organiser who was walking towards the demonstration from the Jamia metro saw some men in the crowd in an altercation with a reporter and intervened on the reporter's behalf. When the men went away, the student apologised to the reporter on their behalf, saying that he didn't recognise them either as Jamia students or residents and they had likely come from somewhere else.

When he reached Gate 7, he addressed the crowd of students saying that the crowd's behaviour was tarnishing Jamia's image.

The student we spoke to and other student leaders / organisers were worried at the number of outsiders who had come to the protests that day, since on previous occasions, they had never come in such numbers. Some protestors were pressuring those who had gathered to march outside campus, but student leaders resisted this pressure on several occasions, insisting that they would not march anywhere without prior planning. Some students led the crowd from Gate 7 to Gate 4 to lessen the rush on one side of the road and addressed the crowd on the issues about which they were protesting.

At around 7 pm, student organisations held a general body meeting to discuss their apprehensions and concerns about the number of outsiders who had come to the protests that day. They decided that on the following day, Sunday, they would hold small controlled protests by students inside campus itself, given the harassment from outsiders that the students had endured that day and the tense situation that had prevailed. They even considered using students I-cards to regulate entry the following day. At 9 pm, they circulated a message to the media that the Saturday protests had ended so that the outsiders would disperse since the police was not dispersing them. The students began discussing potential dates for marches on 17 and 19 December.

Although police barricades were present that day as well near Holy Family hospital, students were being allowed to go to the nearby Community Centre (CC) in New Friends Colony, a popular student hub with eating joints. On Saturday itself, the exams that were scheduled to take place in December were postponed to January and winter vacations declared.

15 DECEMBER 2019 (SUNDAY)

THE RALLY

The account of the rally on Sunday has been pieced together from interviews with a number of people ranging from students of Jamia Millia, students from other universities, and residents from nearby colonies.

There was no formal notice for the gathering. Most people got information either by word of mouth or else over social media. The lathicharge on Friday formed the immediate context, and those participating felt a need to be there to send a message against the use of force by the police during a peaceful demonstration by students. It being a Sunday also enabled a number of working people to participate.

The gathering at the main gate (Gate No. 7) started around 12 noon. Sloganeering continued for hours. Campaigning for residents to join the

gathering was also being done in neighbouring colonies and students were talking at the gathering to residents about the proposed pan-India NRC. People of all ages were part of this gathering. By 3 pm, estimates of the size of the gathering varied from a few thousand to over ten thousand.

The gathering took the form of a rally around 3:30 p.m. and started moving towards the Julena crossing. The rally had no pre-determined route that was announced and all those we spoke to had no idea where the rally was headed. It was assumed that either it would march up to the police barricade near Suryaa hotel or take a round and return. Many students remained at the main gate and did not form part of the rally.

The rally reached the police barricade near the Suryaa Hotel around 4 p.m. There was substantial police presence and the rally kept a 50 metre distance from the police. People waited at this point for many minutes and some in the rally also sat on the road. Before 4:30 pm the rally had bypassed the police barricade and found its way through a branch road to the Mata Mandir Road towards the Mathura Road and some people at the head of the rally had attempted to block traffic on that road. It is on Mathura road that two persons received bullet injuries, one on the chest and one on the leg. Two videos coordinated and aired by NDTV channel show three policemen with small firearms shooting and one fleeing protester getting hit by a bullet. It is also stated by the anchor on NDTV that the Medical Superintendent at the Safdarjung hospital has confirmed receiving and admitting two patients with bullet injuries. One bus was burnt on Mathura road as well, though the timing of this could not be verified. Even a few days later, this burnt bus could still be seen on the pavement next to Mathura road some 200 metres from the Mata Mandir Road.

Meanwhile most of those in the procession were reaching the the Mata Mandir Road around 4:30 p.m. Some of the students held hands to create a human chain to protect women from all sides. Some of the women protestors took a break to offer namaaz prayers on the road. Traffic had come to a halt on this road. Around this time the protestors closer to Mathura road started running backwards as the ones in front were lathicharged by the police and tear gas shells were landing into the gathered crowd. The tear gas was making it difficult to see anything. Some protestors were seen pelting stones in the direction of the police and at buses. One of the students we spoke to reports that he shouted at those hurling stones and tried to stop them. He also states that among those throwing stones were many of the rowdiest from the neighbouring areas. The women students we spoke to stated that they started quickly retreating back towards the university through smaller lanes to escape the police. Meanwhile the police was advancing and thrashing anyone they could lay their hands on. A series of photographs of

that time show a badly bruised man collapsed on the road being shielded by two women students as the police attempt to rain more lathi blows on him.

People running roadside vends, those at the temple and guards at houses with gates opening onto the road told us that the crowd consisted of very few students who ran back quickly towards campus-side once the police lathicharge started. Two buses had been stuck in the jam caused by the rally. Once the lathicharge started, those in the buses quickly disembarked. Some people from the rally threw stones and brick pieces at the buses. A few of them set fire to a motorcycle parked along the wall of a house on the road. The tree above and the ground below bear testimony to burning. However, the charred remains of the motorcycle lie behind one of the burnt buses. Footpath vend owners opined that fuel from other motorcycles must have been used to set the two buses on fire. Another burnt bus can be seen on the Jamia road perpendicular to the Mata Mandir road. No witnesses were available to explain the happening but the shop-owners there confirmed that there was no damage to the shops or to the numerous cars parked along the road. All students we met confirmed that they saw smoke from a distance when they had gone a good distance away.

Having dispersed the crowd from the roads outside the campus, by 5:30 pm the police moved into the Okhla road that bisects the University. The students fleeing the violence had taken refuge in the campus. Soon afterwards, the police with renewed numbers entered the campus without informing the university authorities, threatening the guards and breaking the locks on the gates.

WOMEN'S HOSTELS AND SOUTH-SIDE OF CAMPUS

Around 5 pm, news of lathi charge and tear gas shelling on the march near Sukhdev Vihar arrived on campus. At 5:30 pm, there was a veritable stampede-like situation with lots of students and other protestors running to get inside campus, even as far as Gate 13. Guards at the gate were instructing students inside the campus to move further back so that more students could enter. Students sitting at Maggi point (far inside Gate 8) heard the maghrib-time azan (just after sunset) stop abruptly, and later learned from other students that the imam of the SRK masjid had been beaten up by the police after they forcibly entered the masjid around then. The firing of tear gas became intense, occurring every 5-10 minutes. Students also claim that stun bombs/grenades were being used since they could see flashes of lightning.

By 6 pm, the Maggi point was shut down and the rush of students / local residents running from outside, coming inside campus and telling others to go inside continued. Students began getting calls for help from their friends who were trapped at various other places on campus.

A student we spoke to got a call from his friend who was stuck at Gate 4 with others because of tear gas shelling. He tried to exit Gate 8 to go to Gate 4 to help her but stones were being pelted and the police were throwing tear gas shells inside the university, so it was extremely difficult to even go near any gate. He saw tear gas and police inside the campus even while crossing the physiotherapy department, half-way to Gate 8 but finally somehow managed to run across.

Returning with his friend to the Gate 8-side of the campus around 6:30 pm, he saw the police inside the campus in large numbers lathi-charging students. A school girl (9th or 10th grader) was running inside campus and crying, saying "Bhaiya bahut maara." There were a lot of panicked and grief-stricken students who were trying to console one another. The guards were advising students to leave from the gate behind the IAS coaching hostel. By around 7 pm, there were almost no students or protestors outside. Stone-pelting started from inside the campus. Local residents with lathis were also seen entering the campus and leaving through the back entrance.

Male students sought shelter in women's hostels. Around 7:30 pm, women students started to take injured male students inside their hostels. The Begum Hazrat Mahal (BHM) provost said no to letting injured men in. The women students snuck in one injured man who was later shifted to J&K hostel, another hostel for women situated half a kilometre away outside the main campus.

The J&K hostel provost also initially said no but women students told the provost on the phone they wouldn't listen and began convincing the warden and caretaker standing there to let injured men in. The caretaker also began crying. The person who runs the canteen near Gate 8 was begging with the warden and caretaker to let him in, saying 'Behen andar jaane do, help karo, hum bhi tumhaari help karte hain' and started abusing them in desperation when they refused to let him in. Women students finally took several injured men to the first floor of J&K and turned the lights off inside and told other women students in the hostel to arrange and give them first aid. The women students then went back downstairs to keep giving entry to whoever they recognised or who seemed badly injured. At some point, when lots of men had entered and many were local residents, J&K hostel stopped taking in any more.

Many students had been trying to contact ambulances by dialing 108 but had no response. Ambulances were also being stopped from entering the campus but managed to get in around 7:30 PM onwards. A severely injured student with both legs broken was somehow driven on a bike by others to the J&K hostel around that time, and he was put in an ambulance that was standing at the Begum Hazrat Mahal gate and called to the J&K hostel gate.

Before the ambulance left, one student went to the first floor of J&K hostel where injured students were hiding and asked for those needing urgent medical attention. Then he himself carried another injured student downstairs to the ambulance but that injured student was so scared, he started running when he saw the ambulance. A whole crowd of students had to make the injured student understand that it was an ambulance and he would be safe. A total of three injured students were taken out of J&K hostel into that ambulance. The ambulance left campus around 7:30 PM.

Around the same time, a student who was trying to cross Gate 13 to help a friend trapped in the central library had seen guards being badly beaten up by the police, and saw a police rally of around 1000 to 1500 policemen moving from Gate 13 towards Batla House. People were being beaten on the main road around then as well. Three students caught in the violence outside campus when the police entered the university were trying to get inside near Gate 1 but 8-10 policemen saw them and started beating them up. There wasn't a single female constable with them. Out of the three, one of the women students was beaten up the worst. The police hesitated for a second before hitting her but then noticed her scarf and started beating her. The students ran away and somehow reached Don Bosco Institute and hid there for a while. They then took a rickshaw from Sukhdev Vihar metro station to Gate 18. The guard there wasn't opening the gate to campus as there were many locals there. The locals backed off when they realised that there were three students who wanted to get inside campus. The three entered the men's hostel where they hid till the warden came and asked them to leave. They then went on to hide in the Department of Fine Arts. A guard there helped them and told them to hide in an ambulance to reach their hostel. That guard was also beaten up by the police.

By 8 pm, media presence on the road outside campus had increased. A student trying to walk back from the Jamia metro towards Gate 4 was stopped twice and had to say that he was Hindu for the police to let him pass. By this time, the police presence had considerably lessened. Students received news that some police personnel had gone onwards to Batla House / Gaffar Manzil and three police checkposts around the area had been burnt. The students were mostly inside campus by then which made these students think that only local residents could have burnt the checkpost. PUDR visited two of these checkposts and saw charred remnants of a window in one checkpost, which was otherwise unharmed, and black marks on the floor/walls and a lingering burnt smell in the other.

Around 8:30 pm, other ambulances began doing rounds to pick up women students stranded in the masjid and other parts of campus, on repeated calls from students. Around 9 pm, some police officers came to the J&K hostel door asking if there were any

injured male students inside. The warden said no. The students had kept the door locked from outside and switched off the lights of the rooms and corridors where the injured boys were hiding. The warden told the students that the police had said they would come back at 11 pm to check, and if they saw any men then, they would not differentiate in how they treated men and women. The police, however, did not come back.

Even after 11:30 pm, several vans and ambulances continued doing rounds. The proctor sent a message asking to call him if anyone was stranded anywhere and he would send the van there. An ambulance came to pick up injured men from J&K hostel and left at 12:30 am because before then, they could not risk taking men out of the J&K hostel. Local residents of Gaffar Manzil put up ladders against the boundary wall they shared with Jamia, so students who were not injured could climb over that wall and get out of campus.

NORTH-SIDE OF CAMPUS: LIBRARY AND MOSQUE

The police and paramilitary forces in riot gear, including few in civilian clothes, stormed the main campus building from Gate 7 (campus main gate), from between the Zakir Husain Library and the campus mosque, and from Gate 4 facing the cricket ground, after *maghrib* around 6 pm. As per the Vice Chancellor Najma Akhtar during the press conference on 16 December 2019, the forces entered campus without the permission of the university administration. On Gates 4 and 8, the fact-finding team saw signs of forced entry. The guards at both gates who were present at the time of the incident stated that approximately 50-60 uniformed men (with some in civilian clothes) attempted to enter through the gates forcibly. When the guards tried to stop them, they broke the lock and chain at the gates, kicked and assaulted the guards, and broke the windows of the guardrooms. Upon entering forcibly, they immediately looked for the CCTV cameras, and at one of these gates successfully broke the cameras and turned them in different directions. One of the men in civilian clothes entering from Gate (cricket ground) also repeatedly hit the guard on his hands to wrestle the walkie-talkie from him, but the guard held on tight and did not relent. Both guards we spoke to complained of injuries on their shoulders and backs, and said that they pleaded with the forces to save themselves from the assaults as they were former army men, but the police force did not show any mercy. The Guard at gate (cricket ground) had been working at the university for the past 19 years, but had never witnessed this scale of violence before. He stated that approximately 18-19 years ago, there was a similar attack on students at the JMI campus, but at the time the guards had been spared.

Upon entering from these three gates, the forces blocked entry and exit, took over all the pathways surrounding the polytechnic building area leading



Guard holding up broken lock and chain from forced entry at Gate 4

up to the Zakir Hussain library. Students we spoke to estimated that anywhere between 1000-2000 uniformed men were present on campus during this time, although we were unable to ascertain exact numbers.

From here, multiple eyewitnesses (including students and passersby who were present at the scene) stated that the forces began to beat up and lathicharge indiscriminately anyone who they saw on their way, including students both men and women, staff such as guards and workers etc. This rampage extended around the polytechnic building, the library (new and old buildings), bathrooms outside the library, and the masjid outside the gate. Particularly, brutal assaults, tear gassing and lathicharge took place at the library and mosque.

One student we spoke to said that around 6 pm, he received a call from his friend who was stuck near the library and could hear explosions. The student we spoke to said that he somehow managed to enter the campus through the back gate and headed towards the Commerce Department building. When he was between the Commerce department and the central canteen, a tear gas shell fell about 20m away from him and exploded, and for about 2 minutes he was disoriented and could not hear anything because of the loud explosion. When he recovered himself and started running, he noticed he was surrounded by many other students who were in a total state of panic, and in this chaos, another tear gas shell fell close to him. He spotted his friend and ran towards the library, where both of them decided that they should get away from campus. As they were heading towards the Diploma building near which they have a flat, around 6:30pm, they saw policemen indiscriminately lathi-charging at students. They changed course and started running towards the

mosque, but heard from other students on the way that the policemen were present there as well. They considered jumping over the walls to flee, but found forces deployed there as well. Eventually, they ran towards the library.

The Zakir Hussain library shuts in the evening, and only the reading rooms remain open. A large number of students were present in the reading rooms. By now, many students were trying to break the main door of the library in fear, looking for a place to hide. The student we spoke to also tried to seek refuge in the reading room on the ground floor along with his friend, but found it full and locked from inside. They then ran towards the first floor section for PhD scholars, where about 70-80 students were studying, and sought refuge here along with a few others who were already injured from the assaults. From the window, they could see downstairs that students who had been unable to escape were being beaten. The police had lined up around 20 students on the ground in front of the library and were beating them continuously with lathis. From here, the accounts of the students, as well as the workers from the electric sub-station adjacent to the library, converge to provide a perspective on what transpired on the ground floor and first floor of the library. We spoke to family and friends of students who were admitted at Al-Shifa hospital who also recounted similar details of the incident in the library.

On the ground floor, the police broke the window meshes and the glass panes lining the reading room, and tossed many rounds of teargas inside where the students were studying. On the first day of our visit, we could still see broken furniture, empty tear gas shells, pens etc. tossed around on the floor through the window, splintered glass and meshes tossed outside. When they entered inside the library, they smashed the CCTV cameras and their wires outside and inside the library, and broke the furniture. Here, there were both men and women students. The police were lathi-charging the male students and when the women tried to help them, the police started hitting the women students who then ran into the women's washroom. A student showed us a video of the police smashing windows of the library from the lawn. The video also showed police hitting students who had been made to kneel in a line on those lawns. Three minutes into the video, a crowd of students is seen running out of the library with the police indiscriminately hitting whoever they can lay their lathis on.

The police followed the women into the washroom and the lights were turned off. The family / friends of the admitted student speaking to us said only the women would be able to tell us what happened to them in the washroom. We could not speak to any women students who were a part of this group.

By around 7 pm, the students hiding upstairs could also hear and smell the teargassing going on

downstairs. To escape this, students in the library ran in many different directions. Some went upstairs, to the room on the other side of the PhD scholars' room divided by a glass pane; some rushed outside towards the bathrooms, some hid inside the electric sub-station, some fled towards the mosque through the exit gate, while some tried escaping to the terrace of the library. There was one female journalist from BBC inside the library at the time, who was dragged out by her hair.

Those in the room on the other side of the PhD scholars' room tried to break the glass pane separating the two but were persuaded not to, as the splintered glass could injure them further. They then started running helter-skelter trying to find other escape routes. Those who hid inside the boys' toilet outside the library were chased down by the policemen. Here, the policemen broke the doors of the cubicles, mirrors, and beat up students mercilessly. At least one student was badly hit on his head and was bleeding profusely. The workers at the sub-station said that around this time, they turned off power to make sure that the students hiding inside the sub-station were not discovered by the police and could be kept safe. Those trying to escape to the terrace of the library were unable to do so because of the darkness.

Some time later (possibly around 7:30 pm), the police went upstairs to the PhD scholars' room, and broke down the door. They immediately started to beat up two students who were standing next to the doorway. One of them was beaten so badly that his arm was immediately fractured. Students started pleading with the policemen to not beat them as they were only studying. The police launched communal abuses on them ("jihadi", "deshdrohi", "katwa"), and then had them line up and come outside the room with hands on their heads, after which they sat them down on the stairs and beat them. The communal abusing continued, "*tum mulle ho, katwa ho, tumhein chodenge, tumhare 7 pushton ko chodhenge*", alluding to threats of sexual violence.

After a while, the police told the students to put their bags on their heads and walk out of the library, intending to use them as human shields of sorts against anyone inside campus who might try to pelt stones at the police. There were two groups, both taken in different directions by the police. In the first group, one student lost her slippers, so a friend gave her his and walked in socks till they found some abandoned slippers on the campus. This group was taken towards the mosque, where the police left them. Some students went into the mosque, some into flats in the residential areas in the lanes behind the mosque. The second group was marched with their hands above their heads, and then taken towards the Sukhdev Vihar metro. One student was beaten up so badly that both his legs were fractured, and he was operated upon in Jaypee hospital, Noida to have rods transplanted.

We met with a family member of the student whose left leg was fractured at two places, who had been admitted to Al-Shifa hospital at Abu Fazl Enclave, and who underwent an operation on 17 December 2019. At the time of the crackdown, he was on the first-floor section of the library studying for his UPSC exam on 5 January 2019. He does not live on campus and had reached the library around 2 pm.

When the police broke into the first-floor room and started beating students indiscriminately, he tried to plead with them that he was not present at the protest as he was taking a timed exam as part of a test series. The police abused him saying, '*tumhe azaadi chahiye? Azaadi dilate hain*'. First they hit his legs with a lathi and broke both of them, then they pulled him up by the collar and said, '*ab bhaag*'. They pushed him off the stairs, after which 10-12 people in the group hit him repeatedly. Admitted into the hospital, he had bruise marks all over his shoulders, back and legs. To save his head, he covered it with his hands and received blows on his hands instead, as a result of which his wrists swelled up.

After beating him, the police left, and as the other students had run away, he was unable to move. He lay there until he was able to use one of the lathis that the police had left on the ground to pick himself up and try and walk downstairs. Two students then saw him and carried him on their shoulders to the hostel, where they waited for an hour. Then he was taken to Al-Shifa in an ambulance, and reached there sometime after 8 PM.

We saw his X-ray, which showed that a splinter of bone had broken off from below the knee and was lodged above the knee, and that his kneecap had been completely displaced upwards.

On the way, these students witnessed others from the ground floor reading room who had been unable to escape, lined up in front of the mosque, kneeling, with their hands above their heads. On the way to the metro station, the students noticed that media personnel had begun to arrive at the scene, and for this reason, they were spared further assaults from the officials. They were left here at the *tapri* near the fork of Sukhdev Vihar.

Besides those in the Zakir Hussain library, students studying in the Ibn Sina block of the library, which is between the Zakir Hussain library and Gate 7, also suffered brutal attacks by the police. The Facebook post of one student recounts how he had been preparing for his M.Phil interview in the second floor of the Ibn Sina building from noon onwards that day. Sometime after 4 PM, tear gas smoke began filling up the room he was sitting in, and shortly thereafter, around 40 students ran into the room seeking shelter from the tear gas shelling that had started inside campus. The students locked the door from the inside. When the police reached the door and began trying to break it open, officers at the door said, '*Kalima padh lo, ye tumhara akhri waqt hai*.' The police then stormed inside and started lathi-charging students—men and women—indiscriminately. In his Facebook post, the student narrates how he was hit by a lathi on his forehead and continuously beaten by police officers as he was dragged outside till Gate 7.

From the set of students escaping towards the mosque, the police chased them down as well. As per the *imam* (who had been working at the mosque for the past 43 years) and his son, about 35-40 police personnel tried to forcibly enter the mosque pursuing the students. The *imam* and his son (along with 2-3 other people) tried to stop them from entering as it is a holy site, and they had been making regular appeals on the loudspeaker calling upon students,

civilians and the police to maintain peace and calm. The policemen launched communal abuses and beat the Imam with lathis along with 2-3 others who were at the gates with him, reminding them of the Golden Temple incident ("*swarn mandir yaad hai na?*"). One of the policemen in this troupe was a Sikh man who did not react to this reference. The *imam's* son was not physically assaulted but abused, and told to continue making the announcements on the loudspeaker. The *imam* complained of continuous pain on his shoulder and arms due to the beatings.

Even though they were successful in stopping the police forces from proceeding further into the mosque from the front gate, a large section proceeded to the rear of the mosque (where the residence of the *imam* is located), where they then began to teargas, lathicharge and beat up students relentlessly. Students who had been offering prayers were beaten up. There was still blood on the steps of the mosque, and we also saw empty tear gas shells here. At least 4-5 teargas shells were fired here in a short span of time. This part of campus is right next to the residential areas where a large number of students and Muslim residents live. The police force then went up to the residential areas, but did not enter the lanes, and on the way, hit their lathis on every single car and two-wheeler parked along the stretch of the road. One person said that on average, by this time they could hear teargassing every 4 minutes, and it felt like a "war-like" situation. They also said that the police had by now spread widely across the campus and residential areas, going all the way up to Noor Nagar.

Later at night, once the violence had subsided, the sub-station workers did a survey of the library and main campus area to find if there were any students stuck there without help. During this recce, they found two injured students in the park adjacent to the polytechnic school with fractures on their legs

and arms, and had them transported immediately to the hospital.

OFF-CAMPUS

The police forces retreated from the main campus area by around 8:30-9 pm. By this time, a large number of students had been admitted to hospitals in the area, including Holy Family, Al Shifa, Cribs etc., which are close to the campus, and also in Safdarjung and AIIMS which are further away from campus (for more serious injuries). By that time, the police had also detained around 15 students and one local resident at the New Friends Colony PS, and around 34 students at the Kalkaji PS. The scenes of the crackdown then shifted from campus to the Holy Family and Al Shifa hospitals, and the police stations where the students had been detained. The accounts of the tail-end of the crackdown at these three sites have been pieced together based on the eyewitness account of a detainee at NFC PS, the account of social activists and lawyers present at both police stations, contemporaneous updates received on social media, and the Facebook post of one of the students detained. Independently, some of the respondents we spoke to also corroborated that they had heard of these incidents second-hand.

One student who was detained at NFC PS, had left that day from his off-campus residence for Jamia only after he received messages and calls from friends at around 6 PM about the police entering campus and beating up students. He had been relaxing at home since the plan for that day had been to hold light protests only inside campus, given how tense the situation had been in the previous days.

While coming to campus, he was able to reach only as far as the Maharani Bagh bus stop and had to run the rest of the way since autos were not being allowed on to the main road outside campus. When he reached the Sukhdev Vihar metro, the police chased him away. Unable to reach campus, he made his way to Holy Family Hospital since he received Whatsapp messages informing him that many students there needed help.

At Holy Family hospital, he saw students with fractured hands and head injuries, including friends, who immediately started crying when they saw him. A woman staff employee of Jamia was shouting and crying that she was a widow and she would no longer be able to earn money because she had suffered grievous injuries on both her legs, which were heavily bandaged.

At Holy Family, there were people attending to the students, organising chai and water etc. and many activists and students kept coming in to meet students. At around 9 pm, two tall men kept coming into and leaving from Holy Family, asking the names of several injured students. As the men looked unfamiliar, the students asked them who they were, as these men too claimed to be from the university.

One of the two men left and sat in the police jeep outside, while the others stayed but gave evasive answers to the students, that he had come to meet someone. The students approached a policeman standing nearby, who later identified himself as the Defence Colony PS SHO, and asked him to tell the men to identify themselves. Suddenly, when a different hawaldar approached the man, he said, 'One man isn't enough, bring a force of more people.'

The hawaldar left and returned with 10 Delhi Police personnel who pulled aside two students, and threatened them with arrests. The student's jacket got torn and the police then started beating him and his friend with lathis, though the friend had already suffered injuries earlier. The police then put the two in a police jeep around 10 pm. One of the unidentified men then came up to the student, slapped him across his face, '*saala, police se hi sarvaal poochta hai.*' In the jeep too, the two students were beaten on their stomach with lathis and abused. One policeman said, '*sab naxali hain,*' and another policeman responded, '*naxali JNU vaale hote hain, yeh aatankvadi hain.*' The two students apologised for having unknowingly questioned the policeman and were pleading to be released, but they were taken to the New Friends Colony PS.

At the PS, the police took the student I-card of the detainee we spoke to, which was never returned to him, and clicked a photo of him. Though he asked to be released once they had taken his ID, a police officer kicked him, causing him to fall, and said '*10 number ka joota hai, dekh le.*' The student and his friend were then shoved into a room, where 15 people, several of whom were badly injured, had already been detained. The student had come to the same PS at 8:30 pm earlier that night to enquire if anyone had been detained, at which time the police had said no. By the time the two new students were pushed into the room, the 15 already detained said they had been there for hours already.

Of these 15 detained, 13 were Jamia students who had mostly been beaten and picked up from the library. One was a Shaheen Bagh resident, and another was a Muslim CISF jawan in plain clothes who had been beaten up first by a mob and then by the police. The Facebook post of one male Kashmiri student who had been detained at the NFC thana narrates that he had been brutally beaten up on his head repeatedly when he was in the library, had communal abuses hurled on him, and flogged by at least 40-50 policemen on the way from the library to Gate 7. At the Gate, he was hurled inside a police van like a 'sack of potatoes', where he was lying with 4 other men, ostensibly to be taken to the hospital. After driving through dark lanes for a long time, they were finally taken to the New Friends Colony police thana. Here, they were kept inside a room for about 2 hours, where they begged for help of any kind, whether food, water, medical help or anything to stop the profuse bleeding of his nose. Throughout

this time, they were told to keep their mobile phones away, continuously barraged with verbal abuses, taunted with '*kya problem hai tumhe CAB se*', etc.

Even though the NFC detainee we spoke to had been badly beaten up, his condition was still better than others in the PS. No detainee was allowed to use the washroom or given water. On being asked for their names, one detainee had said 'Rahul,' and in response the police asked him 'Kanhaiya banega kya?' One student we spoke to was furtively

broadcasting to Jamia contacts asking for help at the NFC PS. Another student already detained at the thana asked him to check if someone could ensure that his laptop and pendrive were saved from the library.

An hour later, he began receiving messages from Jamia students saying they had gathered outside the PS. One lawyer was allowed in and took the detainees' names and numbers, but the detainees were not allowed to speak to her without a police

ACCOUNTS FROM THE HOSPITALS

At Al-Shifa, injured students started arriving around 5:30-6 PM. Around 85 injured students came into Al-Shifa this day. According to the hospital staff, the students came in with different types of injuries seeking different treatments:

- Suturing/Stitches- 35
- Vomiting due to head injuries from lathis- 20 or 22
- Orthopedic fractures- 15 to 20
- Some students with swollen bubble formations on their skin which didn't burst, suggesting that the patients might've been hit by rubber bullets.
- 2 with other severe injuries.

Ambulances started arriving on campus around 7:30 pm and were taking the injured students to hospitals. The students were taken to Al-Shifa, Holy Family, Safdarjung hospital, AIIMS, Apollo hospital, Cribs hospital and Batla clinic on this day.

AIIMS had admitted a total of 22 students. Two students with bullet wounds were admitted to Safdarjung hospital between 7 and 10 pm and everyone else was discharged with first aid. Al-Shifa treated around 85 injured with first-aid and discharged them, and admitted two. Number of students in other hospitals/health clinics is unclear.

MAJOR INJURIES:

1. Based on a report by NDTV, at least 2 persons were shot by the police somewhere along Mathura road, one a student of Jamia and one a passer-by. As per two videos, one circulated on social media in simultaneous documentation of the incident, and one accessed by NDTV, the Jamia student was seen running away from the police when he was shot just below his chest. The other person, however was not a part of the protests and was passing by the area when he was shot twice in his left leg, with one wound on his lower leg and one on his upper thigh. It is unclear whether they were shot by actual bullets or rubber bullets. The discharge summary of one of those two, accessed by us, states that a "foreign object" had been removed surgically. Under the section 'Medical History', it states 'sustained gunshot injury to left leg' as the alleged history of assault. Both of them were admitted in Safdarjung hospital between 7-10 PM.
2. An LLM student admitted at Al-Shifa hospital and later at AIIMS, was hit on his head and eye in the library when he fled to the boys bathroom to escape the violence and fell unconscious. He has lost sight in one of his eyes and has bruises on his hands.
3. A Kashmiri male student studying on the first floor of the library provided his account on a Facebook post. He was abused by the police and told "Kalima padh lo, ye tumhara akhri waqt hai" (offer your prayers, this is your last chance). He was hit on the head with a lathi and started bleeding profusely. He was then paraded from library to a police van at Gate 7 and flogged by 35-40 policemen on the way. Instead of taking him to a hospital, the van detained him at New Friends Colony police station with 15 others. They were taken to AIIMS trauma centre, and released early morning the next day. He also went to Apollo hospital to follow-up on his medical case.
4. One student of BBA 2nd year sustained fractures in both his legs and had to go through a rod transplant surgery. He is admitted in Jaypee Hospital, Noida. Another student sustained two fractures in his left leg, and wounds all over his body. An ambulance took him to Al-Shifa hospital around 8 PM.
5. One student lost his thumb on 13 December 2019 in the teargas firing. He had attempted to throw an unexploded teargas shell back when it exploded in his hand. Another student picked up the thumb and tried to get it to Holy Family hospital for the surgery, but was stopped by the police.

MINOR INJURIES:

1. Tear gas caused swellings and rashes all over the bodies of many students.
2. Many students were hit by lathis on the head which caused vomiting. Around 20-22 of such cases were handled in Al-Shifa hospital on Sunday alone.
3. Minor fractures and sprains suffered by many students.
4. Many suffered injuries that required stitches.

officer present. The SHO also did not allow any detainee to sign a vakalatnama. Around 11pm, a senior IPS officer came to the PS. The detained student complained to him against the inhuman treatment meted out to them that day. The senior officer assured him and left.

Half an hour later, the Registrar and Proctor of Jamia came inside the holding room, reassuring them that they had come to get them released. Some time before midnight, the Delhi Minorities Commission issued emergency orders to the SHO Kalkaji PS to release the detained Jamia students immediately, and to file a compliance report by 3 pm latest the next day.

At around 11:30 pm, the policemen started arranging for the MLCs (medico-legal cases) of the detainees. They were told that they could not speak to anyone, especially regarding their MLCs. While leading them out, police officials were grabbing the hands of those injured on their lands, and making those with injured legs walk. The detainees were taken to the AIIMS trauma centre for their MLC, accompanied by the deputy proctor and another professor from Jamia. They reached AIIMS by around 1 am and remained there for around 5 hours while MLCs were being done. Only the most gravely injured were put on stretchers or given any first-aid treatment, though most were in need of some. No water or food was given to the detainees there. At around 6 am, the detainees left AIIMS and were taken back to the NFC PS. Finally around 6:30 am, the detainees were allowed to leave the PS.

The total tally of detainees through the night are approximately 17 at NFC PS and 34 at Kalkaji PS. At both stations, those detained were not being allowed to meet lawyers, family members or social activists for a long time, and thereafter, only one lawyer and one social activist were allowed inside. Many other lawyers waited outside the stations to offer legal aid to the detenus.

THE POLICE ACCOUNT

The police has given different accounts of its actions, what it did and did not do, and provided different explanations for each of these, in tandem with the new facts as they emerged. PUDR tried to reach out to the SHOs of the Jamia Nagar PS and the NFC PS multiple times over 18 and 19 December but the SHOs were unavailable. PUDR was informed by other officers at the NFC PS that the SHO would not be able to respond to queries, as only the DCP (South East), Chinmoy Biswal was authorised to address queries regarding the Jamia incident. PUDR tried to meet the DCP (South East) at his Sarita Vihar office but he was not available. The DCP however has spoken frequently on the issue and his statements have been covered extensively in the media with reports seconding each other. The following account is therefore put together from the DCP's reported statements, medical documents, FIRs, and news

clips.

DCP Biswal has claimed that the police were compelled to use force against the protestors to control a riotous mob that had resorted to violence and was destroying public property, and that its justification for entering campus without permission was to find out about the stone-pelting happening from inside campus.

In response to emerging allegations of firing, DCP Biswal categorically denied use of guns, and of bullets of any kind. One of the questions that has repeatedly arisen is whether the police used firearms, and bullets, or alternately rubber bullets. He has said that they had only used tear gas shells, both claims that were supported by the Ministry of Home Affairs (MHA).

Regarding gunshot wounds caused to protestors and passers-by, DCP Chinmoy Biswal, in a statement, asserted that the injuries were caused by shrapnel from tear gas shells, and such injuries could resemble gun-shot wounds. He stated that in any case, the case history or the initial recording was that of the patient or those who accompanied him, and not the doctor's findings. He said, "I hope we all understand the meaning of 'Alleged History of....' on a medical paper. It means what the patient has himself or herself told the duty doctor about the injury while coming for treatment."

The DCP's explanation does not address information from George P.A., director of the Holy Family Hospital, that: "There are two local persons, and two police officials admitted here for injuries in the clash today.... One man was admitted with a gunshot wound. The bullet has been removed."

The DCP has also been asked if empty bullet shells were found near the roadside as was mentioned in the official police report. PUDR does not have access to the report and these are theories arrived at through the DCP's responses. Noticeably, the DCP did not reject the query outright. His first response was that the matter was being investigated, and on being pressed, that he could not discuss an ongoing investigation.

The DCP at his Press Conference on 17 December after reiterating that the claims of gunshot wounds were false, brought up a medical report that had surfaced that referred to a gunshot wound. He continued that "if", underling the "if", there indeed was a gun -shot wound the police would inquire into "kaun zimmewar hai" / who is responsible. He added that if such were the case the police would also inquire why a gun-shot victim who sustained a bullet injury at 4.15-4.20 pm on Mathura Road chose not to go to Holy Family or Fortis hospitals in the immediate vicinity but to Safdarjung Hospital twelve km away, and was admitted an hour later. "Yeh bhi sandeh ka Vishay hai aur hum iski bhi jaanch karenge" ("This is cause for suspicion and we will inquire into this too").

Two of the most horrific aspects of the police violence were the use of tear gas shells against students on campus and their barging into the campus without any permission from or information to University authorities. As to why tear gas shells were used the DCP responded that “Jo log police par pathrav kar rahe the, public property mein aag laga rahe the *unko disperse karne ke liye teargas shells ka istmal kiya gaya*”, the tear gas shells were expressly used to “disperse” those who were pelting stones at the police and setting fire to public property. But when asked why the police entered the campus then and used 400 tear gas cannons, the largest number since 2012, the DCP responded that “...this violent mob, they were also going *inside* the university campus and throwing stones from *inside*. So we were trying to check from where these stones were being thrown.....” But stones were certainly not being thrown by students in the reading room and library, the washrooms that they had to be gassed out or from the History and Urdu departments which were vandalised by the police.

The DCP stated that two FIRs were registered, one at PS Jamia Nagar and one at PS New Friends Colony in which ten persons have been arrested for rioting and arson. The DCP stated that none of them are students, but are residents in neighbouring areas, though the Jamia Nagar FIR itself describes a few accused as students. The DCP refused to explain how the police concluded that they were the perpetrators, how the police tracked them down, or what was the evidence against them. The Ministry of Home Affairs has given a statement that no guns were used by the police and that all those arrested had criminal records; and warned of discovering many more “anti-social elements,” which given the broad nature of allegations in the FIR could enable the authorities to take several others into custody without specific allegations against them. Reports also refer to FIRs against 50 named students and many unnamed accused. Most significantly no FIR has been filed against the police.

The police’s shifting statements, the cover-up that is being effected, the attempts to protect their own, to escape all accountability for their brutality in Jamia, all point towards an outcome where the police will escape unscathed.

AFTERMATH

By Monday morning, the JMI administration had declared winter vacations until 6 January 2020, and all residents of hostels had been advised to leave. Many had already started leaving late the previous night, and continued to stream out of campus regularly all through Monday, because they themselves were panic-stricken, and had been receiving anxious calls from their families back home asking them to come back immediately.

On 16 December 2019, SHO Upender Singh filed an FIR at Jamia Nagar PS against 7 named persons,

under Sections 143, 147, 148, 149, 180, 253, 332, 308, 427, 435, 323, 341, 120B and 34 IPC, and Sections 3 and 4 of Prevention of Damage to Public Property Act, relating to the events of 15 December at 3:30pm. The seven named suspects are as follows:

1. Ashu Khan, local politician, r/o Abu Fazl, Jamia Nagar
2. Mustafa, local politician, r/o Abu Fazl, Jamia Nagar
3. Haider, local politician, r/o Abu Fazl, Jamia Nagar
4. Asif Khan, ex-MLA, r/o Abu Fazl, Jamia Nagar
5. Chandan Kumar, AISA, Jamia University, r/o Jamia University, Jamia Nagar
6. Asif Tanha, SIO, Jamia University, r/o Jamia University, Jamia Nagar
7. Kasim Usmani, CYSS, Jamia University, r/o Jamia University, Jamia Nagar

The FIR alleges that the seven named suspects had been leading the rally, and had been loudly sloganeering against the NRC and CAB amid the students. On the same day, another FIR was filed at the NFC PS but despite our best efforts, we were unable to get a copy and have no knowledge of its contents.

Later at night on 16 December, the police arrested 10 persons and claimed in the media that none of those arrested were students. A Times of India report of 17 December 2019 states that Metropolitan Magistrate Kamran Khan has remanded 10 persons to judicial custody in relation to the violence at Jamia for fourteen days until 31 December 2019. These are: Mohammad Hanif, Danish alias Jafar, Sameer Ahmed, Dilshad, Shareef Ahmed, Mohd Danish, Yunus Khan, Jumman, Anal Hassan and Anwar Kala. These 10 persons are a completely different set of persons from those named in the Jamia Nagar FIR, and we are unable to confirm whether they have been named in the FIR at NFC PS.

Our inquiries with residents of Batla House revealed that the police had come to their colony around 9:30-10:00 pm on Monday night, 16 December 2019, and arrested 2 locals from there. One is Danish, s/o Mohammad Arif, above 18 years of age with exact age unknown, and the second is Sharif alias Badshah Khan, s/o Taj Mohammad, age 32 years. We managed to speak to the families of both of them.

We met with Mohammad Arif at his family house which is presently under construction. They have a one room house which also acts as a shop. He recounted that Danish is a plumber and has 2 brothers out of which 1 runs a phat-phat seva and 1 sister who works at a beauty parlour. Danish was arrested on Monday night when he went out after dinner at around 8 pm. The police did not inform his family of the arrest, and they found out only from the neighbours. Arif called the Jamia Nagar PS but

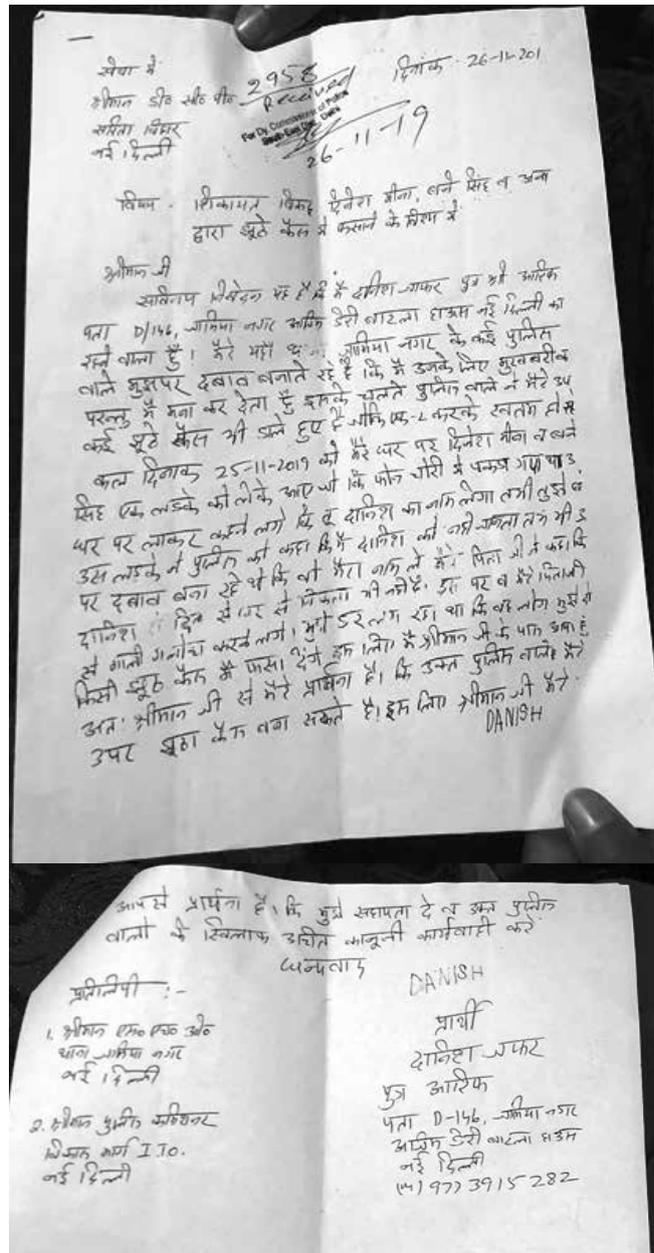
his call was not attended. In the two days since his arrest, he was worried as he still had not been able to track down his son. Arif alleged that the police has no evidence against his son, and that he had not attended any protest on Sunday. He also said that they had filed a complaint against one officer Dinesh Mira at the Jamia Nagar PS who has been regularly harassing them and others in the colony. And that Danish had been falsely accused of possession of a firearm and the rape of a girl in the past, but had been acquitted in both cases. The picture of the complaint filed against the officer at Jamia Nagar PS is provided.

We also met with the family of Sharif, who said that he is a drug addict, and had been arrested by the police around the same time as Danish. The family was not informed about the arrest by the police, but found out from the neighbours. One elderly woman from his family said that they do not know where Sharif has been taken, and that she does not have the means to go to the police station to inquire after him and be humiliated in trying to find him.

On 16 December 2019, Senior Advocate Indira Jaising on behalf of Jamia students/ alumni, petitioned the Supreme Court seeking suo moto action against police brutalities on Jamia and AMU campuses the previous night, before a bench headed by CJI SA Bobde through an independent committee. The Bench first refused to hear the matter, citing destruction of public property by protestors but posted it for hearing the next day. On 17 December 2019, the three-judge bench headed by the CJI refused to constitute a special committee to look into the incidents, asking the petitioners to approach their High Courts instead.

On 19 December 2019, the Delhi High Court refused to intervene, and did not issue any orders, including interim orders for protection or orders to prevent destruction of evidence. The matter has been adjourned to 4 February 2020.

On 20 December 2019, the National Human Rights Commission made a fact-finding visit to the university campus and made spot inspections around the library, toilets etc. Their report is presently awaited.



MAJOR FINDINGS AND CONCLUSIONS

THE CRACKDOWN ON STUDENTS ON 13 DECEMBER 2019 BY THE DELHI POLICE FORMS THE BACKDROP TO THE INCIDENTS OF 15 DECEMBER 2019

The decision by the Delhi Police to disallow students from conducting a march to Parliament on 13 December was immediately followed by the use of brute force in the form of an excessive and indiscriminate lathi charge. Far from being limited to pushing students behind the police barricade, it was aimed at causing injury to the protestors. The police force caused wanton damage to vehicles parked nearby, and reportedly detained around 50 students. Far from dissuading students from protesting against the CAA, this action ensured larger presence of students and of other residents from the neighbourhood of the University in subsequent protests. The massing of police forces closer to the campus set the stage for a more violent attack.

THE DELHI POLICE USED EXCESSIVE FORCE AGAINST STUDENTS AND PROTESTORS OUTSIDE AND INSIDE THE UNIVERSITY CAMPUS ON 15 DECEMBER 2019

The police action from its start near the Mathura Road was ruthless. We found no evidence of any attempt to make announcements asking the protestors to halt or to retreat. Use of lathi-charge and tear gas was unrelenting and cruel, continuing well after the crowds had already started to disperse. Protestors who were retreating were attacked and those who were injured were subject to further assault. The use of firearms with live rounds by the police is without authorisation and without the necessary safeguards. More serious is the attempt by senior police functionaries to deny and to obfuscate this serious transgression.

DELHI POLICE AND PARAMILITARY FORCES LAUNCHED UNPROVOKED AND BRUTAL ATTACKS ON STUDENTS AND STAFF IN THE LIBRARY, MOSQUE, AND OTHER PARTS OF THE UNIVERSITY CAMPUS

The entry of the police into the campus is without authorisation and even without informing the University authorities, failures that cannot be justified by statements that the police was chasing protestors. In this fashion the police has precluded the necessary presence of a University official to accompany the police party.

The destruction of CCTV cameras by the police force at the gate, inside the campus, and at the library and reading rooms is clear evidence of the intention of the police force to indulge in actions that are prohibited and amount to criminal offences.

The attacks on guards, students, the *imam* and other employees inside the campus was indiscriminate. Everyone that the police could lay their hands on was subject to severe beating with the police lathi, amid a barrage of communal abuses

against Muslims and Kashmiris. Widespread use of tear gas affected everyone in the campus.

The entry into the library, reading room and masjid; and the attack on the students there; marks a deliberate choice of targeting persons unconnected with the protest demonstration and those attempting to protect themselves from a savage police attack.

The extent of cruelty shown by the police is wholly unacceptable. People were attacked with lathis specifically on the head, face and on the anterior side of the legs. The force used was sufficient to cause deep gashes and bone fractures, and the nature of injuries make clear that they were intended to cause maximal damage. Thus, incapacitated students were further maltreated by leading to additional injuries. This onslaught appears to have been orchestrated to only terrorize the university and neighbouring areas.

ILLEGAL DETENTIONS AND DELIBERATE DENIAL OF MEDICAL HELP

The detentions were completely arbitrary. Many of the people injured in the police action were brought to the police stations. At least one account suggests that students were detained only on account of questioning the police. The detained were also prevented access to family members and lawyers for a long time. When some people were permitted to visit those detained, all writing material and phones were taken away lest the detained sign a vakalatnama or photographs of their injuries get recorded while in police custody.

Many of the detainees were seriously and gravely injured but as a rule, those detained were denied medical aid. Hospital could be accessed only when the detained were released or else when they were taken for the MLC to a hospital. There are also instances of more deliberate action to block medical help to the injured. These include reports of injured receiving treatment being removed from hospital, ambulances being prevented from reaching the injured and those seeking medical help being intimidated.

DESTRUCTION OF PROPERTY

The day witnessed widespread damage and destruction of property, especially in the university library.

The incidents of arson on public buses need to be investigated as reliable accounts are not forthcoming and contradictory evidence and statements abound.

Some persons from the protest rally are responsible for damage to private vehicles parked in the NFC area and arson on one motorcycle, while other protestors tried to restrain them from doing so to ensure peace and calm.

The police is responsible for damage to parked vehicles of students and other residents in and around the Jamia campus on 13 and 15 December.

The police parties that entered the campus are also responsible for the destruction of CCTV cameras, window panes and other library property of the University as well as cell phones belonging to a number of students.

FACTS GATHERED REVEAL SIGNIFICANT CAUSE FOR HIGHER JUDICIARY TO TAKE SUO MOTO ACTION AGAINST THE DELHI POLICE FOR BRUTALITIES

The scale and brutality of the attack by the police, the unauthorised entry into the University campus, the destruction and damage, as well as the disregard for norms and procedures is reason enough for the higher judiciary to take suo moto notice of the happenings and to issue appropriate directions to ensure medical relief and to enquire into the conduct of the police forces. Both the Supreme Court and the High Court had the opportunity to do so, since the matter was brought before them, but both refused to intervene immediately. The Supreme Court stated that it is not a court of first instance for determination

of facts, and the Delhi High Court adjourned the matter until February.

AGGRAVATING FACTORS

The residents of the area surrounding the Jamia campus have a high degree of distrust of the police. The police have, on its part, provided reason on past occasions to earn this distrust. The spiteful verbal abuse noted in this report is a reflection of the same. This historical situation has certainly contributed to the barbarity by the police and to the stone pelting by the residents. The conduct of the police on 15 December can only reinforce the mistrust.

The lack of a student's union at Jamia implies that there is no official body that takes responsibility of, plans, controls and directs protest demonstrations. It also means that there is no student representative in communication with the police. This lacuna could easily hamper any attempt to prevent matters getting out of hand.

PUDR DEMANDS

1. That the right of citizens to protest must be recognized as inalienable and the practice of routine refusal to grant permission must be stopped.
2. That an FIR should be registered against the police for brutal use of force inside the campus in Jamia Millia Islamia.
3. That a Commission of Enquiry be instituted to examine the unauthorised, unjustified and excessive use of force and wanton acts of destruction by the Delhi Police.
4. That the police personnel to be posted at police stations in the Jamia area need to be sensitized to counter a communal outlook and to ensure civil behavior as becoming of a public servant. The police personnel and officers who were part of the attack on students need to be shunted out of the police station without delay.

PARLIAMENT AND THE PEOPLE

THE ANTI-CAA MOVEMENT

Since the tabling of the CAB in the Lok Sabha, more so after its fast-track passing in Parliament without debate and by dismissing opposition out-of-hand, numerous protests have broken out all over the country to have the CAA withdrawn. These protests have been accompanied by intense repression, police brutalities, and targeted violence at Muslim colonies. Given their vast scale and spread, the following list of the major happenings is necessarily incomplete, yet hopefully indicative:

- December 4: Protests in Assam
- December 10: Internet shutdown in Arunachal Pradesh and Tripura
- December 12: Curfew imposed and Internet shut down in Assam;
 - PIB issues advisory to private satellite TV channels refraining them from airing 'anti-national' content.
 - Internet shutdown in Manipur and Meghalaya
- December 13: Shutdown in Malerkotla (Punjab) over CAA
 - travel advisories for travel in the Northeast issued in select countries including USA and the UK
 - Japan PM cancels his visit to India.
- December 13-22: (continuing) protests in Delhi
- December 13-22: (continuing) Internet shutdown in UP
- December 14: Protest against CAA in Ludhiana
- December 15-16: Police brutalities in Jamia and AMU. Countrywide protests in universities, cities and towns in response. Protests in Lucknow's Nadwa University lead to clashes. West Bengal, the Chief Minister lead a protest demonstration.
 - Internet services suspended in UP's Meerut, Aligarh and parts of West Bengal.
- December 16: protests in Seelampur in Northeast Delhi, Seelampur. Police use tear gas and police picket is damaged.
- December 18: Supreme Court refuses to stay the implementation of the Act as petitioned by 59 petitioners and sets 22 January 2020 as the next day for hearing. S. 144 imposed for three days in Bangalore.
- December 19: Mr. Rajeev Gowda, Member of Rajya Sabha and others challenge imposition of 144 in Bangalore before the Karnataka High Court
- December 19: Massive countrywide demonstrations. S 144 imposed in parts of Delhi and in some selected towns and cities of UP. Hundreds of people detained including well-known political activists and intellectuals. Two deaths occur in police firing in Mangalore. Protester sets himself in flame in India Gate, Delhi. Urdu writer, Mujtaba Hussain says he'll return his Padma Shri.
 - Delhi High Court refuses interim protection and schedule next date of hearing on February 4th 2020.
 - Internet shutdown in Mangaluru City and Dakshina Kannada district in Karnataka.
 - Gauhati High Court lifts the internet ban in Assam
- December 20: Police brutalities against Muslims at Delhi Gate/ Daryaganj and Seemapuri, among others, in Delhi. Lathi-charge, teargassing, stone-pelting at Muslim houses and at protestors. Dozens detained overnight, including minors, without medical and legal aid.
 - Gauhati High Court quashes the review petition filed by government seeking internet ban
- December 21: Protest against CAA in Hyderabad
 - Broadband and internet connection shut down in Rampur, Uttar Pradesh
 - Curfew relaxed in Mangaluru 3 - 6 PM on 21st December but it shall continue during the night and curfew (Section 144) to be imposed from 23rd December.
 - Around 35 people arrested in Madhya Pradesh for their alleged actions on Friday (20th December); Curfew imposed in parts of Jabalpur
 - Delhi Court sends 11 people to judicial custody for 14 days regarding protests in Seemapuri (North East Delhi)
 - Bhim Army leader Chandrashekhar Azad's bail petition rejected by Tiz Hazari Court in Delhi and he has been sent to judicial custody for 14 days.
 - Section 144 imposed in Haridwar, Uttarakhand; Internet shutdown to continue in Lucknow till 23rd December
 - Delhi Police detains 4 protestors outside UP Bhawan in Chanakyapuri; Chennai Police detains over 200 protestors near Central Railway Station
 - 15 people arrested from Daryaganj, Old Delhi sent to 2 days of judicial custody
 - Curfew declared in Tinsukia (Assam) from 8 pm (21st December) to 5 am (22nd December) and intellectuals. Two deaths occur in police firing in Mangalore. Protester sets himself in flame in India Gate, Delhi. Urdu writer, Mujtaba Hussain says he'll return his Padma Shri.
- December 22: Internet restored in Aligarh
 - Protest march in Dharavi and Malad, Mumbai
 - Indian Medical Association reiterates hospitals being 'safe zones'
 - Protest in Delhi's Nizamuddin Basti
 - AMU VC sets up a one man judicial panel headed by Retd. Justice VK Gupta (Former CJ, Chhattisgarh HC) to look into matters from December 13-16
 - UPs Deputy CM blames 'outsider' for the violence.
 - UP DGP confirms arrest of 879 people and preventive detention of 5000 people. Total of 135 cases have been registered and 288 police injured.
 - Pro-CAA rally held in Nagpur.
 - Uttarakhand put on alert due to CAA protests.
 - Press Association condemns the attack and unnecessary harassment of journalists covering the protests.