

Dossier on Human Rights Violation in Hyderabad Central University - JNUSU

The events of 22nd March in the University of Hyderabad weigh heavily on the democratic ethos of our republic. This letter is a request from the JNUSU to the commission for a detailed inquiry into the matter. The sharp brutality of police action on peacefully protesting students is in evidence in various videos, photographs, and testimonies by students from the campus. The health of a democracy is ultimately dependent upon the exercise of the core principles of popular sovereignty. Protest, especially against institutional hubris and arrogance is a core value in those principles. Yet, time and again, across campuses of this country we continue to witness an explosion of nonchalant violence against student activists. 25 students and two highly respected members of the faculty have been arrested and several students have been injured in the police action.

Prof. K. Y. Ratnam, the founder of the Centre for Ambedkar Studies, is a widely known and well loved voice of reason and freedom. Hailing from a dalit family himself, he has been an important part of anti-caste movements demanding equality, constitutional rights and affirmative action. His arrest demonstrates to the national audience an institutional tendency towards stifling strong political and intellectual voices from oppressed and disadvantaged communities. In the current national context of political turmoil such excesses by state institutions can only sharpen discontent and distrust. Dr. Tathagata Sengupta, another popular and respected teacher from the UoH campus was arrested on the same day. Known as a helpful and approachable teacher with democratic and egalitarian political views his arrest can only be seen as an attack on the university community's demand for justice in the case of suicides by dalit students including, but not limited to, the case of Rohith Vemula.

These questions are being raised today in conjunction with the larger miscarriage of procedure and justice in the UoH campus. The present situation of police action, brutality and arrest comes at a moment of bitter acts of intransigence by the university administration. Students across the country feel deeply concerned with the hubris of the government in continuing to back the Vice-Chancellor Mr. P. Appa Rao in the face of student's complaints regarding his role and his negligence in the Rohith Vemula case. Mr. Rao has a sub-judice SC ST PoA case lodged by the students after Rohith's suicide. In the light of such important contestations his sudden return and reinstatement in the campus can only be seen as a sign of extreme neglect towards procedures of justice and a complete disregard for student welfare. In fact it seems a calculated act to disturb the regular functioning of the university which had been resumed under the capable guidance of Prof. Periasamy. The VC's decision to stay away from the campus during the crisis around the much debated and well known circumstances of a bright student's tragic decision to take

his own life when faced with absolute abandonment by the university authorities amply demonstrated his cavalier attitude towards students' well being. His decision for an extended leave thereafter has raised further questions on his competence and intent. The students in UoH has placed several procedural questions against Mr. P. Appa Rao. He has apparently been holding Academic Council meetings in his residence attended by politically biased members of the faculty. He has also been accused of having invited only one section of the students in campus representing ABVP to meetings in his residence while barring other student organizations from these meetings. His inaction has also been noticed in the fact that he could not ensure basic utilities and services to the students on campus even after having received notice from the non-teaching staff declaring their intent to go on strike. Not only was he not able to negotiate on the behalf of the students, he also failed to create any alternatives for utilities and services that the University owes common students. His failure allowed the enforcement of the strike by the non teaching staff. In its aftermath the students spent days in the campus without access to water, food, electricity and internet connection. There has been an almost airtight enforcement of a media blackout and the piecemeal reporting done on social media by the students themselves paint a horrifying picture of denial of basic human and constitutional rights of students.

The assault on the students and teachers at HCU on 22nd March was one of the most brutal crackdowns on the students in a University space. The academic environment of a University is threatened by the heavy and absolute presence of the police forces, and the CRPF and RAF personnel on the campus. The images of all these forces chasing out protesting students even outside the campus gates is not only terrifying but invokes a great sense of shame and deep anguish. There is a constant surveillance on not only the supporting students and faculty but also the visitors in solidarity who are reaching the site and trying to meet students. The intent behind the media blackout is just another display of the systematic repression - so that no voice of dissent and no cry of injustice be heard from the fortress of a campus.

UNIVERSITY OF HYDERABAD

No. UH/Reg./2016/

Office of the Registrar

Dated : 22/03/2016

ORDER

Subject : Prevention of entry of outside persons into the campus – reg.

Reference: Vice Chancellor's order dt.22.03.2016.

In view of the prevailing extraordinary situation on the campus of the University, it has been decided not to allow entry of outside persons viz. print & electronic media, and political, social and student groups/individuals into the campus, until further notice.



REGISTRAR i/C

Copy to:

1. All the Deans of Schools, Heads of Departments & Centres.
2. The Chief Proctor.
3. The Controller of Examinations.
4. The Deputy Registrar (Estate & Security).
5. The PRO/Webmaster.
6. PS to Vice Chancellor.

Some of the students from the University, report their experiences of the attack: "...the arrested students and faculty were in fact beaten brutally, not only in the police van right after being detained, but also in the police stations and during subsequent transportation in police vehicles. In the police van, students were punched, with fists and with elbows. Policemen stood on the seats and jumped upon the students from a height. They hit students on the head while immobilizing them and slammed their fingers against edges of the seats. Faculty who tried to intervene were punched and slapped, while being abused as teachers training students to be as "anti national". One student, Prasanna, was playing cricket, when he saw a group of students running from the police. He started taking photos and was dragged into the police van. Several students' phones were stolen by police when they were filming the police brutality. Muslim students were especially targeted for brutality by the police; many of them were asked for their names before being picked up from the Humanities department and shoved into the vans. They were abused constantly in the van while being especially brutally beaten and were called Anti-nationals, Pakistanis, drug peddlers, naxalites etc. They were being forced to agree to these accusations and forced to sign documents, in which they always signed and wrote underneath 'by force'."

The horrific details of the police crackdown and the idea of forced signatures only leaves us to imagine the forthcoming danger and efforts at stifling these voices.

Although the NHRC had recently sent a notice to UoH, after it took suo-moto action on the happenings of 22nd March and the human rights violation thereafter, the responses of the Registrar are indicative only of how much more challenging it is going to be for us to get justice for Rohith and the many other students and teachers of UoH. The Registrar denied all charges and responded as follows:

- 1) "Evidently none of the students approached this honourable authority":
- 2) "A political party having no connection with the university lodged a false complaint"
- 3) "After conclusion of the depositions of various stakeholders by MHRD on March 21, the VC resumed his duties on March 22..."
- 4) The VC... "was holding a meeting with local members of the executive council, deans of schools, chief proctor, and director for college of integrated studies in the committee room at his residential premises on the campus of the university"
- 5) "the timely intervention of the students from Life Sciences... in forming a protective cordon..."
- 6) "On being alerted by the administration, the police reached the spot and restored order " and "resorted to mild force"
- 7) Factual position to charge no: 1 says the water shortage was "forcing the administration to regulate water supply"
- 8) Factual positions to charges 1 and 2 mention food, water and Internet were restored "on the appeal of the VC"

Additional Item 1.

Independent National Fact Finding Team: Interim Report

Title of the Case: Interim Report of the Independent National Fact Finding (FF) team into the Campus Violence on 22nd March, 2016 at the Hyderabad Central University

Date of the Fact Finding: March 24th - 25th 2016

Members of the Fact Finding Team:

[Henri Tiphagne, Human Rights Defenders Alert, India, Tara Rao, Amnesty Intl, Burnard Fatima, International Movement against all forms of Discrimination and Racism, Kuffir Nalgundwar, Round Table India, Kiruba Munusamy, Supreme Court Lawyer, Beena Pallical, National Campaign on Dalit Human Rights, Ramesh Nathan, National Dalit Movement for Justice, Asha Kowtal, All India Dalit Mahila Adhikar Manch, Paul Divakar, Asia Dalit Rights Forum]

Mandate of the Fact Finding Team:

1. To ascertain and understand the sequence of events that led to the escalation of violence on the 22nd of March at Hyderabad Central University (HCU).

2. To identify the human rights violations that transpired as a result of the events.
3. To contribute towards a restoration of normalcy, peace and an environment of non-discrimination in the University Campus by making key recommendations to the concerned parties – the University Administration, the Central Government, the State Government and University Students and Faculty.

The team comprising of senior activists, academicians and lawyers have met with the students, faculty members, the police, the Home Minister and local civil society organisations. The team will be presenting a more detailed report at a later date based on the compiled narratives and testimonies. This team was constituted as a response to the terrifying news of the escalation of violence at HCU on March 22, 2016.

The FF team had taken several efforts to fix appointments with the HCU officials and in particular with the Vice Chancellor, Dr. Appa Rao, the Registrar and the Chief Security Officer.

- In spite of formal letters being handed over, the VC had after taking a lot of time and communicating with the FF team [made to sit outside the HCU campus] finally refused to meet the FF team and directed the FF team to communicate with the Professor-in-charge, Public Relations and Official Spokesperson of the HCU that he had appointed the day before.
- When this Professor –in-charge, Mr. Vipin Srivastava [the previously appointed VC in charge when Dr. Appa Rao was to proceed on long leave but who could not take charge since he did not enjoy the trust of the faculty and students and hence Prof. Periasamy had to take charge] was contacted he responded stating that he could not meet the FF team but only speak to them on the phone!
- The same was the result of the FF team's effort to meet the Registrar and the Chief Security Officer, conveying clearly that all the senior functionaries of the HCU were in no mood to discuss the happenings in the HCU under any circumstances.
- This also explains why the FF team was not allowed by the HCU security officers who were manning the main gate of the university, to even enter the university campus.
- A sense of fear was amplified with the order passed by the office of the Registrar dated 23rd March preventing the entry of outside persons viz. print and electronic media and political, social and student groups/individuals into the campus – due to the prevailing extraordinary situation on the campus of the university.
- We are of the strong opinion that this was only an effort to try to keep the university as a closed 'fortress' with no external visitor allowed to meet the faculty or students on campus and see for themselves the place of occurrence of the campus violence let loose on the 22nd March, 2016.
- This further reveals that the officials of the University of Hyderabad had more to hide than reveal in the violence on its campus on 22nd March 2016.

The team was able to meet with representatives from the student community, faculty, the Police (the DCP K Kartikeyan, ACP and Inspector), the State Home Minister)

Key interim findings:

1. The Vice Chancellor Mr Appa Rao has a registered case pending against him under SC ST PoA Act 1989 in connection with the Rohith Vemula suicide. No action has been taken in this regard.
2. His unexpected re-entry into the campus was pre-planned with details chalked out with his supporter students and faculty, which triggered the escalation of violence.
3. What has been the role of the MHRD in his reinstatement and this process was not transparent
4. Interim situation: It was established that the University was working smoothly and with regularity in the interim phase, while Professor Periasamy was the Vice Chancellor. The routine at the University was maintained, including the proceedings within the University's Academic Council. Students and Faculty have confirmed their satisfaction. Even during the indefinite leave of Mr Appa Rao, the students association, faculties and various political parties continue their struggle within the campus with various demands
5. It has also been observed that the Union Minister Shri Dattatreya and Shushil Kumar also have not been arrested after being booked for non-bailable offences. This inaction of the state, central government has contributed to this situation
6. Disruption of the Campus: The return of the Vice Chancellor, Appa Rao, who had proceeded on indefinite leave triggered the disruption of peace on campus. According to the Home Minister, VC Appa Rao expressed a desire to the Minister to return to the campus and was strongly advised against it by the Police Commissioner and the Home Minister, saying that it would cause disruption of University. In spite of the Home Ministry's advice he chose to return to the university.
7. Police's role: People arrested were not presented before a magistrate within 24 hours as required by law.
8. Women students: Widespread assault of women students and abusive language and threats to rape the women students were heard from the police. Also targeted statements towards minority students and describing them as "terrorists" was also heard
9. The police could have given bail but the students and faculty were remanded in judicial custody

Recommendations:

The Fact Finding Team gives the following recommendations in restoring the normalcy and peace in the University:

1. In the best academic interest and in restoring a peaceful environment in University and in order to ensure a fair investigation is done, the FF Team recommends that the Vice Chancellor Mr Appa Rao must be suspended pending the outcome of the investigation.

2. Police need to step up their response in dealing with the cases filed (VC, and student arrests) with efficiency and due legal process both in the case of the VC and the arrested students.
3. Normalcy of the University must be restored immediately. Free mobility in and out of the University and this must be brought back to regular functioning. This is essential for the academic health of the University, which has suffered significantly.
4. Criminal investigation should be immediately conducted and action should be taken against the police who have wilfully neglected their duty under Section 4 of the SC ST PoA Amendment Act 2016.
5. Recommendation to the State Government should play a facilitating role in bringing back normalcy to the campus.
6. The Central Government must swiftly and efficiently ensure a smooth transition of the leadership of the University in the best interest of the primary objective of the University of Academic Excellence by replacing the Vice Chancellor in close consultation with the University students and Faculty.