

West Bengal: Condemn strongly the malicious media trial of Chhatradhar Mahato!

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Condemn strongly the malicious media trial of Chhatradhar Mahato!

The West Bengal Government cannot violate laws and procedures to deny Chhatradhar Mahato his right to all legally guaranteed safeguards until proven guilty!

The Committee for the Release of Political Prisoners notes with great concern that the government of West Bengal has started unleashing a vicious character assassination campaign against Chhatradhar Mahato, the leader of the People's Committee Against Police Atrocities, that have been spearheading the Lalgarh movement. It is this vicious media trial indulged in by sections of the media and the administration, particularly by Bhupindar Singh, DG Police, Ardhendu Sen, Home Secretary and Ashok Mohan Chakraborty, Chief Secretary, Government of West Bengal, ever since he was abducted and arrested by the Special Task Force of WB police on 26 September 2009 from Lalgarh.

While arresting him, the police had broken law on two grounds. It had violated section 50-A of the Cr.PC by arresting him without providing the arrest memo, explaining reasons of arrest and nine other things which are mandatory under Supreme Court order (Justice D.K. Basu vs. Government of West Bengal, 1996); by posing themselves as scribes which is not permissible under the law, thereby acting as imposters which is punishable under the law; and by planting 20 to 22 cooked-up cases against him and booking him under the Unlawful Activities Prevention Act. The CRPP strongly condemns such actions made by the administration and assert that the WB government is indulging in such slander campaigns with the aim of maligning the Lalgarh movement that had already drawn universal acclaim from different parts of the world.

Very recently, it has started another vicious campaign—that of character assassination of this leader of the people's movement. The information that police claimed to have got from Chhatradhar are:

- 1) Mahato has a life insurance policy of Rs.1 crore;
- 2) He owns a house in Mayurbhanj in Orissa;
- 3) That the PCAPA has a bank account;
- 4) A person from Calcutta donated Rs.1.25 lakhs to Mahato's committee;
- 5) Police have got names of 160 sympathizers of the committee, including over 50 from Kolkata.

The DGP said that Mahato made these confessions in custody and also admitted to Maoist links.

Rights activists and intellectuals in Kolkata were quick to debunk the claim, saying that the 'confessions' were extracted through coercion(*The Times of India*, 01-10-09; *The telegraph*, 01-10-09).

It goes against the law of this land to leak to the press the so-called confessions made by Chhatradhar Mahato. No confession can stand in a court of law as evidence against the accused. So it is the criminal intent of the senior police officials and the home secretary and the chief secretary to influence the court and the public opinion even before the commencement of the legal proceedings on Mahato in the court of law. This is nothing but condemning someone as guilty through the media even before he is given a chance to defend himself. Besides the violation of the law of the land it is also violation of the International Covenant of Civil and Political Rights to which India is also a signatory. This vicious media trial would stigmatize the right of Chhatradhar Mahato to be presumed innocent until proven guilty on charges before a court of law. CRPP strongly condemn such vicious propaganda of the state and demand criminal proceedings against all such elements who have misused their positions of power to incriminate illegally a leader of a people's movement. We also demand legal action against all such media houses who have facilitated this despicable act of the government with criminal intent.

Many of these 'charges' that the administration in a despicable manner have been raising through a section of the media have been proved to be patently false with the facts about Chhatradhar Mahato pouring in. First, Chhatradhar does not have such an insurance policy. He himself owns some bighas of ancestral land and used to sell saal leaves. His hut is a broken one; the tube-well in front of his house, like many other tube-wells, hardly works. As he got busy with the movement, he was forced to send his two sons—one reading in Class VI and the other in Class VII—to sell leaves, which means that the business was not going well. He has one ancestral house in Mayurbhanj. It is a two-storied house, and after division among the members, he was left with only one room in that house. There were times when he literally had to depend on monetary help from the committee to have daily meals. He wears spectacles, one band of which got broken, and he had to go without glasses for days until the committee helped him with money to buy a fresh pair of bands. Journalists who went to his house in Amlia village know how 'rich' he is. Second, that the committee has a bank account is quite natural and only betrays its transparency. It was well-known and there was nothing secretive about it. Third, the Lalgarh Manch(forum) has categorically declared at a press conference held on 1 October in Kolkata that they did try to express their solidarity with the movement by various means, besides sending some money; they are sorry to say that they could not do more. Didn't people send assistance to Spain during the fight against fascist Franco, or to Cuba or to Vietnam, or to East Pakistan(now Bangladesh) in 1971 ? What is illegal then about sending money or medicine to Lalgarh? Fourth, if Mahato maintained contact with the Maoists before ban was imposed on the Maoist party, there was nothing illegal about it. What the administration is actually trying to do is somehow to establish the link between Mahato/PCAPA and the Maoists and then to extend that link between the urban intellectuals, students and the Maoists.

That vicious game became clear in the last one or two days. The government officials went on declaring that some Kolkata intellectuals had assisted Mahato not only by donating money, but also by giving advice on the direction of the movement. Those intellectuals would be called for questioning, to be brought to book and might be booked under the UAPA. These are pure threats, acts of intimidation which should not go unprotested and unchallenged. In fact, the WB government has taken the cue from P.Chidambaran, Central Home Minister, who had recently threatened those who, in his eyes, are sympathetic to the cause of the Maoists/Naxalites and arrogantly declared that the government would utilize the services of the media to start a vilification campaign to show how cruel and bad the Maoists/Naxalites are. That is why they have picked up Mahato and through him are trying to tie the link between the urban intellectuals and the Maoists. In this way they have

started a sinister campaign not only to demean the Lalgarh struggle but also to force the intellectuals to dissociate themselves from the people's movement in Lalgarh by constant threats of arrests and other forms of intimidation.

The CRPP strongly denounces such despicable attempts launched against the Lalgarh people and the urban intellectuals and calls upon the people both in India and abroad to raise their voice against such attempts and put pressure on the government to release Chhatradhar Mahato and all others prisoners from Lalgarh.

In Solidarity,

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