

Citizens for Justice and Peace

Subject: Man behind 'tiranga yatra' that sparked violence in Kasganj missing since clashes + (Video of Minute before clash)

February 6, 2018

To
Justice HL Dattu
Chairperson,
National Human Rights Commission,
New Delhi

From:
Citizens for Justice & Peace,
Mumbai

Dear Chairperson Sir,

For the past five days, since Republic Day, Kasganj Kasbah town in central Uttar Pradesh has been held ransom to the politics of division and hate. CJP is in possession of a series of Videos and extracts of Facebook Posts that reveal a sinister plot to set the communal cauldron on fire. Sir, we urge that the NHRC, as a statutory body committed to the protection and promotion of human rights issues notice to the UP government and police on serious questions that arise out of the circulation of this materials and videos.

As the attached report in *The Times of India* reveals, one Vishal Thakur, who, the UP police claim to be on the look out for appears to have led and mobilised the Tiranga Yatra on Republic Day. As the attached Facebook post (January 24, 4.30 p.m.) reveals, in a video posted two days before, he appears to be giving a call for mobilisation for the Yatra. A top-level forensic examination of this Video is required as in this Video (where he begins with exhortations to the nation and Sri Ram), he appears clearly to be interchanging words like 'danga' (riot), 'jhanda' (flag) and 'tiranga'. So far, newspaper reports and the attached videos suggest that Vishal Thakur was one of the main organisers and the young man who lost his life in a firing on that day, Chandan Gupta was on a bike with him. No FIR has been registered against Vishal Thakur, it is reported. The Video on FB needs a careful analysis of whether or not it was a dog whistle to gather crowds/mobs for provoking and attacking members of the minority community on Republic Day.

What is extremely worrying is the fact that the young man, who the police state that they are now on the look out for, has been spotted in the close proximity of the politically powerful: the Kasganj BJP President Purendra Singh Solanki, BJP MLA from Amanpur, Devendra Pratap Singh.

We urge also Sirs that you refer to this
<https://timesofindia.indiatimes.com/city/agra/video-shows-kasganj-mohalla-preparing-for-r-day-surrounded-by-tiranga-yatra-youths/articleshow/62729675.cms>

Video shows Kasganj mohalla, preparing for R-Day, surrounded by Tiranga Yatra youths

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<https://timesofindia.indiatimes.com/city/agra/-police-probing-new-video-that-shows-hindu-youths-during-kasgang-clashes-carrying-guns-firing/articleshow/62715167.cms>

Police probing new video that shows Hindu youths during Kasgang clashes carrying guns, firing

The entire issue calls for a dispassionate and thorough probe that appears to be out of bounds for an administration and police that has lost people's confidence.

If the NHRC were to conduct such a probe, it would go a long way in re-establishing the faith of the people in the rule of law.

Meanwhile, the CJP has received detailed grievances from local members of the minority community. We attach a report that we have received from local residents. We have not ourselves been able to verify all aspects of the facts contained in the report but urge, Sir, that the NHRC urgently despatches a team to this central UP Kasbah town to contain the violence and ensure that the fissures and fault-lines created by this do not spill over to other parts of Uttar Pradesh. That would be completely fatal, Sir.

As a civil rights group committed to the rule of law and equality before the law as enshrined in the Indian Constitution we urge that the National Human Rights Commission (NHRC) takes *suo motu* cognisance of this under the Protection of Human Rights Act (PHRA). We urge that in exercise of these powers, Sir your esteemed self, "(a) inquire, suo motu or on a petition presented to it by a victim or any person on his behalf [or on a direction or order of any court]1, into complaint of (i) violation of human rights or abetment thereof; or (ii) negligence in the prevention of such violation, by a public servant;" (Section 12)

Honourable Chairperson Sir we urge that you summon and examine the evidences and forensically have the same tested for "2) For the purpose of investigating into any matter pertaining to the inquiry, any officer or agency whose services are utilised under subsection (1) may, subject to the direction and control of the Commission:- (a) summon and enforce the attendance of any person and examine him; (b) require the discovery and production of any document; and (c) requisition any public record or copy thereof from any office." (Section 14)

Sir, we urge that you look into this complaint at the earliest.

Yours Sincerely,

Anil Dharker, President

Teesta Setalvad, Secretary

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