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RECORD VIRTUAL TURNOUT MARKS CYBER MEET ON BHIMA KOREGAON CASE

Team Spice Enquirer

More than 400 people logged in last Saturday to attend a virtual public audit of the Bhima-Koregaon case of rioting and violence and dating from early 2018. What was even more remarkable is that a simultaneous presence on Facebook Live drew nearly 7,000 people for an event that lasted more than two hours.

Organised by the People's Union for Civil Liberties (PUCI) and conducted by Lara Jesani, PUCI member, senior advocate and civil rights activists, the event had a Who's Who of prominent lawyers, social activists and relatives of the BK 12, referring to the 12 people who have been arrested in the case so far.

They include intellectuals, among them an 82-year-old poet, academics and civil rights activists. One of them is Sudha Bhardwaj, herself an office bearer of PUCI. (See box for complete list)

The charges against them include that they made inflammatory speeches at the Elgar Parishad (see Box) held at the Shanivarwada Fort in Pune on December 31, 2017, following which there was violence at Bhima Koregaon the next day when there was a huge gathering to commemorate the battle that took place there 200 years ago.

Those arrested have also been charged with acting on behalf of



"Words like 'anti-national' start becoming normal words."

Vrinda Grover
Supreme Court lawyer



"The Supreme Court and the High Court are allowing these things to happen and if you speak against the court then they speak of contempt."

Prashant Bhushan
Supreme Court lawyer

Maoists and plotting to kill the Prime Minister. The arrests were carried out in June 2018, followed by further arrests two months later on August 28. The last arrest, that of Professor Hany Babu of Delhi University, was made on August 9 this year. All the arrested have been kept in jail, with bail applications being rejected time and again. Many among the BK 12 are senior citizens with ailments that place them at risk of Coronavirus infection.

The meeting sought to throw light on the legal developments in the case as well as on the inhuman treatment being meted out to the 12. Speaker after speaker rose to point out that so far, no evidence had been produced by the police, the CBI and the NIA acting in the case. What had been produced was fabricated, it was stated.

Supreme Court lawyer Vrinda Grover spoke of personal freedoms and the history of Bhima Koregaon, crushing dissent and the use of allegations of being anti-national to carry out oppression by the government.

The law, she said was being "used as an instrument of fear to silence dissent and political expression".

She questioned how the law allows them to be held in jail in spite of no evidence being produced, adding, "We can no longer be quiet and wait for law to bring justice. We must come out and speak against this otherwise we will not be able to save our Constitution."

Mihir Desai, also a Supreme Court lawyer warned that this bid to silence people through oppression affected not just 20 people but the law of the country. He added that the government would like the case to have "international ramifications" in order to impress the

wider polity.

Relatives of those arrested came up to speak movingly about their concerns for the health of their relatives in jail. Jenny Rowena, partner to the latest arrest, Professor Babu, spoke of the fear and frustration of not being able to speak to him. She was literally allowed only a five-minute phone call, in which nothing could be said before it was cut off.

The daughter of Professor Varavara Rao spoke about her father's



"Legal violence crushes people."

Mihir Desai

mental condition and their concern about his health when they learned he had been infected with Covid 19 in jail. It was only after concerted effort that the authorities moved him to hospital in Mumbai until he stabilised. He is back in jail now. (see Box for others)

Those in the audience included Prof Binayak Sen, convicted of sedition and conspiracy by the Raipur Sessions court in 2007, upheld by the Chhattisgarh High Court, but freed on bail by the Supreme Court in 2009. His appeal against conviction is still pending! Meanwhile, he continues to practice as a pediatrician, write and gather international awards for his work as a civil rights activist.

"My father and my mother are my role models."

Sagar Gonsalves,
son of accused Vernon Gonsalves

THE BK12

Rutu Kadam

1. **Sudhir Dhawale:** actor & publisher of bi-Marathi magazine and also founder of organisation, Republican Panthers.
2. **Vernon Gonsalves:** academic and writer
3. **Hany Babu:** Professor in Delhi University
4. **Rona Wilson:** public relations secretary, Committee for the Release of Political Prisoners
5. **Varavara Rao:** poet, teacher, and writer.
6. **Sudha Bhardwaj:** American citizen, civil rights and trade union activist
7. **Anand Teltumbde:** An Indian scholar, writer, management professor.
8. **Gautam Navlakha:** Activist for civil liberties, democracy, journalist.
9. **Shoma Sen:** Professor, member, Committee for the Protection of Democratic Rights
10. **Mahesh Raut:** worker for tribal and rural development
11. **Arun Ferreira:** Criminal lawyer, civil rights activists
12. **Surendra Gadling:** Human rights lawyer

A GLIMPSE OF HISTORY

Sherine Raj
and Sulekha Sharma

Bhima Koregaon is a small village in the Pune district of Maharashtra with a strong Dalit-nationalist historical connection. A battle was fought here on January 1, 1818, between the forces of the Peshwa

who had upper-caste domination, and the British 'Mahar' regiment comprised primarily of Dalit soldiers. The Dalit-dominated British troops defeated the Peshwa army. Therefore, Bhima Koregaon has become a symbol in Maharashtra for celebrating Dalit pride.

An Elgar Parishad conclave

was held at Shanivarwada Fort in Pune to mark the 200th anniversary of the victory of the Dalits. The event had a power-packed attendance of tribal activists, many Left-wing activists, and the Dalit community to celebrate this day. An estimated 35,000 arrived to mark the day.

The Pune Police say that the speeches made at the Elgar Parishad conclave on December 31 triggered violence the next day

during the commemorative celebration of the Bhima Koregaon battle. Violence erupted at Bhima Koregaon when some groups carrying saffron flags entered the scene. One person, identified as 28-year-old Rahul Fatangale from Nanded, was killed and many others were injured. The Opposition parties and Left-wing activists blamed the Hindutva outfits and the ruling BJP for the violence.

TIMELINE OF BHIMA KOREGAON CASE

Neha Solanki

- **December 31, 2017:** Elgaar Parishad held to protest the desecration of the shrine that commemorated Dalit icon, Govind Gaikwad. And for Dalit assertion
- **January 1, 2018:** Thousands gather at Bhima Koregaon to commemorate the martyrdom of Mahar Regiment soldiers. Skirmish occurs between Hindutva groups and Dalits in which one person was killed.
- **June 6, 2018:** Pune Police arrests activists Surendra Gadling, Sudhir Dhawale, Rona Wilson, Shoma Sen and Mahesh Raut. Unlawful Activities (Prevention) Act invoked.
- **August 28, 2018:** Civil Liberties activist Gautam Navlakha, 82-year-old poet and academician Prof Varavara Rao, activists Arun Ferreira and Vernon Gonsalves, and trade union activist Sudha Bhardwaj arrested for alleged involvement in the Bhima Koregaon case.
- **Homes of two others:** Anand Teltumbde and Stan Swamy raided.
- UAPA invoked again.
- **August 29, 2018:** Prominent historian Romila Thapar and four others file petition in Supreme Court against arrests.
- **September 2, 2018: October 24, 2018:** Pune police granted extension of another 90 days by Special Court.
- Bombay High Court quashes the special court order.
- SC stays Bombay HC order upon inadequate merits. Places all five under house arrests. Appoints SIT.
- **October 27, 2018:** Arun Ferreira, Vernon Gonsalves and Sudha Bhardwaj taken into police custody.
- **November 15, 2018:** Pune police files Chargesheet (5000+ pages)
- **November 17, 2018:** Varavara Rao taken into judicial custody. Pune Police successfully seek extension of judicial custody.
- **October- November 2019:** BJP loses Maharashtra state elections. Maha Vikas Aghadi Government promises to revisit the case.
- **February 14, 2020:** Bhima Koregaon case now handed to NIA (National Investigation Agency) which directly reports to the BJP led central government. Maha State government alleges that no consultation was sought.
- **April 2020:** Plea for interim relief extension by Gautam Navlakha and Anand Teltumbde declined by the SC amidst coronavirus pandemic. Arrested by NIA.
- **July 16, 2020:** Activist Varavara Rao tests positive for COVID while in custody.
- **August 9, 2020:** DU Professor Hany Babu arrested by NIA.