

LETTERS

A GREAT MANIPULATION

People's Union for Civil Liberties (PUCL) is deeply disappointed at the miscarriage of justice reflected in the judgement of Raipur Additional District and Sessions Judge B P Verma sentencing PUCL, Vice President Dr Binayak Sen to life imprisonment under charges of sedition 124 (A) of the IPC read with conspiracy (120-B IPC) along with convicting him concurrently u/s 8-(l), (2), (3) and (5) of the Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005 (Chhattisgarh Special Public Safety Act, 2005) and u/sec 39 (2) of the Unlawful Activities Prevention Act, 2004 (amended). It is a sad day for the PUCL and all human rights defenders in the country and a black day for the Indian Judiciary.

Dr Binayak Sen was charged with being a courier of letters from co-accused Narayan Sanyal to Piyush Guha. All through the trial not a single Jail authority appearing as prosecution witness confirmed this. In fact, there was no substantive evidence to confirm any of the allegations of the prosecution.

PUCL holds that Dr Binayak Sen is a victim of the vendetta of the Chhattisgarh government for his bold and principled opposition to state sponsored vigilante operation Salwa Judum, which has been held unacceptable even by the Supreme Court. His conviction is one more example of the state succeeding in securing the conviction of an innocent person on the basis of false evidence. It is an occasion for the nation to demand drastic reform of the criminal justice system to ensure that it is not manipulated by the state to persecute, prosecute and victimize innocent persons.

PUCL will continue to work towards Dr Binayak Sen's release and take all legal measures in this regard. It will also work towards building public opinion against the ongoing persecution of activists and Human Rights Defenders in the country.

Prabhakar Sinha (President), **Pushkar Raj** (General Secretary), **Mahipal Singh** (National Secretary), **Kavita Srivastava** (National Secretary), PUCL

JUSTICE ON TRIAL

The horrifying verdict of life imprisonment for Dr Binayak Sen, accused of unimaginable crimes such as treason and sedition, has come as a real shame in the continuity of injustices often occurring in the state of Chattisgarh. Civil society movements have been challenged in the state by attacking the basics of Indian Constitution and fundamental freedoms by enacting draconian laws to throttle the tenets of democracy.

Dr Binayak Sen a true deliverer, always stands for underprivileged sections of Chattisgarh, providing medical support to the poorest of the poor aborigines in the state ; it was no way a deserving 'reward' for his unflinching commitment for marginalized section of the society and establishment of democratic practices with larger perspectives.

Human Rights Groups and individuals of this country and from abroad condemned this injudicious act of judiciary, where the judge himself parroted the police version without verifying its contents and the judgment itself a valediction of impartiality of judiciary in your state. Binayak's conviction challenged the judiciary and its related components, such as, investigation, prosecution and justice delivery system in Chattisgarh. From every nook and corners of civil society and power corridors across India, this is a judgment which is seen to be clearly destroying the last edifices of the public perception of the independent nature of Indian justice system.

In a larger contextual situation prevailing in Chattisgarh, the man in the street demands immediate release of Dr Binayak Sen, all charges against him should be withdrawn, immediate repeal of Chattisgarh Special Public Security Act, banning and unarming the ill-repute 'Salwa Judum' in the state and adequate compensation for restoration of Dr Binayak Sen's and his family's integration and reputation.

MASUM, DISHA, IJSLEU, Ganaudyog, FAMA, SGMREDO, Ebang Anya Barta, and others