

TAMIL NADU JESUITS AND SOLIDARITY ORGANISATIONS

PRESS RELEASE (Proposed)

ON THE ARBITRARY ARREST OF FR. STAN SWAMY.SJ

DATED 12 OCTOBER 2020

Tamil Nadu Jesuits and Solidarity Organisations condemn the arrest of octogenarian Adivasi and Dalit activist Fr. Stan Swamy by the National Investigating Agency (NIA). The fifty years of his dedication has been desecrated.

We are deeply troubled by the arrest of Fr. Stan Swamy by the NIA. By this arrest the State has desecrated his fifty years of dedicated life for the empowerment of Adivasis and Dalits of Bihar and Jharkhand.

Fr. Stan Swamy is a right based activist Jesuit priest born in Tamil Nadu. At his early age itself he left his native, joined the Jesuit Order of the Catholic Church well known all over the world for its stellar service in the field of education and for its commitment to the welfare of the poor, refugees, migrants and marginalized sections of society.

Fr. Stan Swamy regarded tribal areas of Bihar and Jharkhand as his second birth place. Over the past decades, he has focused his researches and writings on the existing socio economic inequality, exploitation of Adivasis and Dalits and degradation of environment by mass mining and forcible alienation of land of the indigenous people as against rights and entitlements of the native people enshrined in the Indian Constitution and statutes. All through his life he remained a law abiding citizen, teaching and practicing Constitutional values and rights.

We understand that Fr. Stan Swamy has been wrongly implicated into the Bhima-Koregaon case. Since the aspirations of land encroachers and degrading miners buttressed by the then party in power in the State were obstructed and thwarted through the vigilance of Adivasis, the NIA has subtly has implicated him into this case.

We observe that initially Maharashtra police had booked Fr. Stan Swamy as a 'suspected-accused' in Bhima-Koregaon case and consequently raided twice on 28 August 2018 and 12 June 2019. From the entry of the NIA, the agency had been trying to establish that Fr. Stan was personally and through him Bagaicha, the social work and research centre linked to extremist forces. Fr. Stan had denied both these allegations in strongest terms, while the NIA interrogated him for nearly 15 hours during a span of 5 days on July 27,28,29,30 and August 6 with his utmost cooperation. It is also learnt that apart from his bio-data and some factual information, several extracts allegedly taken

from his computer implicating his connection to Maoist forces were placed before him. He told the enquiry officer of the NIA that all these were fabrications stealthily put into his computer and he disowned them. Even then Fr. Stan Swamy has expressed his willingness for further interrogation through videoconferencing due to his age, illness and Covid 19 pandemic. But all these have been ignored by the NIA.

On 08 October at 7:30 P.M. Fr. Stan Swamy was taken into custody by the NIA from his residence at Bagaicha at Ranchi, Jharkhand and produced before the NIA Court at Mumbai on 09 October which has remanded to Judicial Custody. Charge sheet has also been filed charging him along with others under Unlawful Activities Prevention Act (UAPA). The NIA arresting him in the night and airlifting him to Mumbai are sheer unwarranted steps of the NIA. It appears by such acts that the NIA has attempted to make it sensational and dramatic. At this juncture, we wish to bring to everybody's attention 'Jail is an Exception and Bail is the Rule' a famous remark of Justice V.R. Krishna Iyer in a judgement.

We consider the arrest and detention of Fr. Stan Swamy, who has devoted all his life to selfless service and defense and protection of basic human and fundamental rights of the poor, marginalized and exploited Adivasi and Dalit population of the State of Jharkhand, are arbitrary. In another instance, there is a total disregard by the State of its constitutional mandate proclaimed in the Preamble, enshrined in the Fundamental Rights and Directive Principles in our Constitution

In this background, we demand the immediate release of Fr. Stan Swamy and all the other innocent human rights defenders arrested under the UAPA.

The country has borne a number of draconian laws like TADA and POTA, which have been repealed after nationwide protests due to its abuse and misuse to prevent legitimate dissent and freedom of expression thereof. The UAPA, under which Fr. Stan Swamy and several others have been arrested and detained, is one such law falling into same category as TADA and POTA and ought to be repealed for the same reasons. The present Government should not fail to learn from the history, because history is the greatest teacher.

We are also impressed by his unswayed conviction to serve the Advasis and Dalits and unparalleled boldness to face any eventuality for this commitment. We also thank one and all who stand with him in solidarity.

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