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Muslims face new legal tsunami in India

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The political, legal, economic and social conditions of our country are changing rapidly every day. In the name of legal changes and reforms, Muslims are being targeted from all the directions. With respect to all its constitutional and legal rights in the country, it is becoming increasingly difficult to lead individual, family and social lives. All political secular parties in the country are weakened by the ruling party. Their leaders are facing serious corruption cases. No one has the courage to speak out in favor of the minorities and talk about their legitimate demands. In this poisonous environment, the only way left for the Muslims is to recover their legitimate rights, justice and fundamental human rights is through the judiciary only.

Five types of cases are commonly encountered by the Muslims in General:

- (1) Terrorism Cases, -----
- (2) Personal Law and Endowment Cases -----
- (3) Fundamental Human Rights & Civil Rights Cases -----
- (4) Criminal Cases (Mob Lurching, Cow-Rakhshak Crisis, & Baseless allegations).
- (5) Bail

For almost 30 years, innocent youth have been illegally detained in various areas and cities of the country for 10 to 20 years, based on terrorism charges. After passing their entire life in prison, 95% of them were released with full honor & respect but their life is lost. They were arrested on charges of dangerous terrorism on the basis of widespread false assumptions. Hundreds of fake encounters were done without cause. In addition, the bloody riots in the country caused a great loss of life, honor and property of the Muslims on a very large scale. Bomb blasts killed thousands of innocent civilians from the 1981 'Neilli' Assam riots to the recent 'Muzaffarnagar' riots, sectarian killers and bullying elements and their extremist organizations have been released with impunity & honored by RSS. Even 'Samjhota Express' Ajmer, Makkah Masjid, Blast accused Aseema Nand Swami (Jitendra Nath Chatterji), who had been given the highest RSS 'Guruji Samman' award, has been released.

On the other hand, some serious welfare, social, institutions, activists have been engaged in pursuing cases in the FT and the High Court and the Supreme Court in the cases related to our community such as 'Babri Masjid', 'Triple divorce', 'NRC' in 'Assam'. Muslims were having good success rate in community cases earlier, but since the BJP came to power, in most of the cases Muslims have suffered failure and deprivation of their constitutional fundamental rights.

There is no legal platform of Muslims in the country that can handle all the legal issues and cases that have arisen on a large scale, to represent and do the necessary legal follow-up in the lower courts to the Supreme Court through the legal process under expert & experienced renowned, reputed, lawyers. In our community some of them are handling such cases on their own level, in the form of, social groups and welfare organizations and charities are helping to fight the legal cases, We are thankful to our social workers both Lawyers and Non-Lawyers those who have provided the community with exceptional services in following up the cases of the victims & representing them in the courts lower courts to supreme court.

All the Muslims of the country have a complete trust in the Muslim Personal Law Board. The board sincerely performed its duty well in the cases of 'Triple Divorce' cases in the Supreme Court by Muslims. The failure was due to its ruthless attitude by the government in imposing the 'Triple Talaq bill' and now the Babri Masjid case is being

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fought with great solemnity and solidarity with no political vested interest as the ultimate goal. The board is busy following up with the help of great lawyers and their team in the Supreme Court of our country.

Things Have Changed There is need for broader Muslim Legal Board:

The Muslim Personal Law Board came into existence to handle 10 defined objectives, which do not cover all the issues of our community. Since the independence of our Country, NRC, FT, Kashmir 370 and the adoption of the 'UAPA' Amendment Bill, there has been a terrifying 'legal tsunami'. The Muslims of India are not in a position to handle the millions of cruel criminal cases that need to be properly followed in the courts. Kashmiris are now among the common Indian Muslims like us, it is our duty to protect their legal and constitutional rights. According to valid reports, 40,000 Kashmiris have been arrested and shifted to different jails of the country so far, including 12,000 young children. The 12 amendments in the recent Parliament session to 'UAPA' include that if an officer even under the level of an inspector has doubt about a person that he is a terrorist or connected to a terrorist network, or if someone's views in the opinion of the officer are like terrorists, the officer is fully authorized under 'UAPA' to not only arrest such a person, but the 'NIA' has been given full authority to confiscate all his immovable and immovable properties. According to the same law, the accused cannot get bail for up to 2 years even though a writ has been filed against that persons arrest in the Supreme Court. The Supreme Court is yet to issue its restriction or 'STAY' on it.

Already, the 'NRC' cases in Assam have become beyond the endurance for Muslims. Then who is there to fight for the release of Kashmiris who should file a petition? Many serious legal issues have arisen; the judicial system in Kashmir has been completely shut down. Even most senior lawyers in the bar council are in the police custody. The government does not want to talk to anyone, politicians, social and religious representatives at all, nor is it willing to take any action against the military atrocities on Kashmiris. The government has also announced that the process of distribution of property has begun. Then came the announcement that more than 50,000 temples would be opened. The gardens of the most of the wealthy & financial institutions of the Kashmir are now have been transferred to the army as the owners have been arrested and the applications against the atrocities being committed by the armies are being rejected by the authorities.

The worst military offensive in recent human history continues. The Hindu block has deprived the entire population of 9 million on a colonial pattern. At the end of his visit to Kashmir, Ghulam Nabi Azad said that democracy in Kashmir has completely died. 'UNDECLARED' martial law is clamped on Kashmiri' population, Kashmir will be devastated and soon Kashmiris will be forced to flee their homeland to save their lives and seek refuge where ever they can.

All humanitarian, charitable, religious organizations and lawmakers of India, & those with humanitarian and moral values, have this great responsibility to launch their own efforts on a very large scale based on Humanitarian grounds to bring immediate relief to the Kashmiris through courts at large; otherwise history is not going to forgive us.

Stop Playing games:

For a long time, Modi Maulvis have been playing games in the 'Muslim Community Cases' they have just been pretending and acting to represent several of the 'Community Cases', except in a few cases, but they were collecting donations of Millions of rupees in the name of each case to represent in the court. All the senior lawyers and the country's lawyers are well aware that they are all government agents and informers. 'Mahmood Paracha', a former Jameeat-e-Ulema lawyer, made many sensational revelations in one of his 'TV' interviews. "I have evidence of organized crime against our community," he said, referring to RSS and the country's secret departments are in close relationship with Jameeat'. The Jameeat was forced to issue a notice of defamation but were silenced due fear of community backlash on a large scale. Then the world watched how shamelessly the Jameeat has announced how they are standing by the side of the leadership of RSS and the Modi administration.

It is not possible for us to cite the multiple-community cases in which the Muslims suffered under the hands of the lap leadership. Be it in cases of terrorism, cases of 'NRC' or 'Triple divorces, Babri Masjid', their behavior has always been suspicious and dubious. Nine cases of Babri Masjid are pending in the Supreme Court, out of that six are being

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pursued by the Sunni Waqf Board, along with the country's leading lawyer, Rajiv Dhawan and his team. 'Jameeat' declared, "Rajiv Dhawan is our lawyer. We have paid him a fee. That was enough to annoy 'Rajiv Dhawan' he became very angry, he said, "What is the morality of your people, I did not charge even a rupee towards fee. Then why did the propaganda in the newspapers, Dr. Qaem Rasool Elias, convener of the Babri Masjid Legal Committee and the Legal Secretary said that our 'Urdu The press' has been bought by 'Jameeat' the news that we send to the newspapers is being printed with headlines under the captions of 'Lap Leadership'. He went further to say that they have bribed a journalist by gifting him a car against such services.

Whenever they file a writ in any case they know nothing other than weakening the case this is what has happened in the cases of 'Foreign Tribunals' in Assam, and the 'Terrorism related cases' and the cases which they have filed to deport the 'Rohingya Refugees' from the country. They have been exposed before the community of lawyers and legal experts that they have been playing their dirty political games against the 'Muslim Community'. Hence we are supposed to keep away such so called organizations that are doing damage to the cause in integrity of the Muslim community. These Modi Maulvis who have traded our community and such intellectuals are on record for having said that as the case of Kashmir is pending hearing in Supreme Court we are standing by the side of the government. Over and above all these their declaration through a resolution that the Government should implement 'NRC' on national level. They are doing it to gain some of their very cheap vested interests full filled at the cost of the over a billion people who will be subjected to all kinds of hardships.

None of the organizations of our country or institutions have the capacity to take up the challenge nor do they have enough resources and wealth at their disposal to secure the release of thousands of 'Kashmiris' who are in prison or the Bengali Muslim Minorities who have been declared foreigners even the largest of the organizations have stopped their legal aid. The affairs of the Muslim community are head fast towards darkness & gloom.

Complimentary Services by the Legal experts Journalists and Social workers:

It is a very welcome move by many eminent Muslim and non-Muslim famous legal experts and social workers have been rendering exemplary service in providing the legal aid to the helpless Muslims. That highlights the secular values of our country the most prominent among them are Senior Lawyer Mr. Colin Gonzales, Mr. Gopal Palis Hoodkar, Mr. Faizan-e-Mustafa, Mr. Darapori, former DIG UP Police, Mr. Prashant Bhushan, Mrs., Indira Jaising, Mr. Harshmandar former IAS, Mr. Mahmood Paracha, Mr. Fozail Ayoobi, Mr. Syed Imtiaz Ahmed, Mr. Wajahat Habeebullah, Mr. Imtiaz Ahmed, Mr. Junaid Khalid, are included, apart from that all the social workers, and Journalists Mr. J. Sanjeev Bhatt, Mr. Rana Ayoob, and Mr. Seema Mustafa are included.

The time has come for the Muslims in India to set aside part of their incomes to for the sake of the legal protection & fight their cases in the in a better manner in the courts of our country they should start constituting their ' Legal Aid' companies otherwise even this opportunity will be lost.

The End

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