

CCG OPEN LETTER TO THE CHIEF MINISTER, UTTAR PRADESH: WITHDRAWAL OF ORDINANCE ON INTERFAITH MARRIAGE

ON [DECEMBER 29, 2020](#) BY [CONSTITUTIONALCONDUCT](#) IN [CONSTITUTION, GOVERNANCE, PUBLIC AFFAIRS, UTTAR PRADESH](#)
29 December 2020

Mananiya Mukhya Mantriji,

It is with deep disapproval and concern that we, a group of former civil servants, seek to address your government on a matter of overriding importance for the continued unity of our nation. We should like to clarify at the start that we, as a group, have no political affiliation but share a commitment to the idea of India as defined in our Constitution.

Today we wish to share our anguish at the infamous Moradabad incident, and several similar incidents that have occurred at about the same time in your state. In the Moradabad incident, 22-year-old Rashid and his 25-year-old brother, Saleem, were arrested, to be released only two weeks later when Rashid's wife, Pinki, gave testimony that she had married him willingly, without any compulsion. Rashid and Pinki, who married in July, 2020, well before the promulgation of any ordinance on the issue of interfaith marriage, were on their way to have their marriage registered on December 5 when they were accosted by alleged Bajrang Dal men, who accused Rashid of "love jihad", and took them to the police. Saleem was with them at the time. While Rashid and Saleem were arrested, Pinki was sent to a shelter home. Pinki repeatedly told the media, the police and the court right then that she had married Rashid willingly and wanted to live with her husband's family. The vigilantes who had accosted them brought Pinki's family to the police station. What is inexcusable is that the police remained mute as the vigilantes harassed and interrogated the innocent couple. Pinki suffered a miscarriage, possibly as a result of the harassment. Rashid is reported to have said, "*I told the Bajrang Dal men my wife is pregnant, but they hurled abuses at us. They dragged us to a police station and called my in-laws. We were then locked up and sent to a quarantine centre. I wasn't able to meet my wife.*" (Rehman & Sinha, The Indian Express, December 20, 2020). Does this not amount to effective murder of an unborn child and is the police force of your State, by their inaction, not complicit in this?

Regrettably this is only one of a series of heinous atrocities committed by your administration against young Indians across Uttar Pradesh (UP), Indians who are simply seeking to live their lives as free citizens of a free country. These atrocities, regardless of the indignation of all Indians devoted to the rule of law,

continue unabated. The anti-conversion ordinance of your State is being used as a stick to victimise especially those Indian men who are Muslim and women who dare to exercise their freedom of choice. While the various High Courts, including the Allahabad High Court, have ruled unequivocally that choosing one's life partner is a fundamental right guaranteed under the Constitution, the state of UP is blithely undermining that very Constitution. The vigilantes are acting as a power unto themselves in intimidating innocent Indian citizens. It has become painfully evident that, in recent years, UP state, once known as the cradle of the Ganga-Jamuna civilisation, has become the epicentre of the politics of hate, division and bigotry and that the institutions of governance are now steeped in communal poison. What is worse is that your law enforcement machinery, with the active backing of your government, is playing a role reminiscent of the secret police in authoritarian regimes. You can pose no greater threat to the nation than by turning its own citizens against one another, a conflict that can only serve the country's enemies. As Chanakya taught us, a crafty politician must sow dissension amongst rivals. Here you are sowing dissensions among our own people.

We, therefore, demand that the illegal ordinance be withdrawn forthwith and those Indians that have suffered from its unconstitutional enforcement be suitably compensated. The policemen who were responsible for allowing this must be called to account under the law, suitably investigated at a senior level of the magistracy and if found to have facilitated the death of the unborn infant, be put to trial under the IPC. Moreover, the entire police force of Uttar Pradesh needs to be trained without delay in respecting the rights of all citizens; and the politicians of UP, including yourself, need to re-educate yourselves about the provisions of the Constitution which you and other lawmakers have sworn to uphold. While our past communications to you give us little reason to expect that your government will take corrective action to uphold the rule of law, we do hope this letter will contribute to mobilising informed public opinion against these developments and that the Courts will take notice and intervene to stem the rot.

SATYAMEVA JAYATE