

25th February 2020

Statement by the Medico Friend Circle against the arrest of Dr Kafeel Khan

We, the members of the Medico Friend Circle (MFC), strongly condemn the arrest of Dr Kafeel Khan under the National Security Act (NSA) on February 15th, 2020.

The MFC is a nation-wide platform (since 1974), comprising of secular, pluralist, and pro-people, pro-poor health practitioners, scientists and social activists interested in the health problems of the people of India.

Dr Kafeel Khan was arrested on January 29th, 2020 on charges of voicing his opinion against the Citizen Amendment Act (CAA) at the Aligarh Muslim University (AMU) on 13th December 2019. The Chief Judicial Magistrate court in Aligarh granted him bail on February 10, 2020. Despite this, the Uttar Pradesh (UP) police kept him in Mathura jail in contempt of the court orders. On 14th February, the Court once again gave the release order and Dr Khan was to have been released the next day. However, the UP police drew up a new charge sheet re-arresting¹ him under the NSA. The charge sheet was initially on 153A¹ but 505(2)² and 109³ were added. The NSA is a draconian undemocratic Act and any person can be detained without being brought to court for 12 months. Arresting Dr Kafeel Khan is a blatant attempt to suppress dissent.

This is not the first time that Dr Kafeel Khan has been unlawfully arrested. In 2017, Dr Khan was also arrested in relation to the Gorakhpur's BRD hospital tragedy where 34 Children died over two days. As the paediatrician employed in the hospital, Dr Khan had been continuously raising questions about the lack of oxygen supply to the hospital. The UP government under Chief Minister Yogi Adityanath held Dr. Khan responsible for the deaths and arrested him for medical negligence and corruption. Later, the departmental enquiry submitted that there was no evidence of negligence or corruption.

We unequivocally condemn the arrest of Dr Kafeel Khan who is known for his high professional ethics. Dissent should be seen as a healthy sign of democracy. It is unfortunate that the present government is trying to suppress all voices raised against some of its anti-people policies. We condemn the government's repeated targeting of Dr Kafeel. We stand in solidarity with Dr Kafeel Khan's family and friends. We urge he must be released immediately and the fraudulent charges against him dropped.

¹ Section 153A in the Indian Penal Code. Promoting enmity between different groups on the grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony

² Section 505(2) in the Indian Penal Code. Statements creating or promoting enmity, hatred or ill-will between classes

³ Section 109 in the Indian Penal Code. Punishment of abetment if the act abetted is committed in consequence and when no express provision is made for its punishment.