

Caught in an Irresponsible War

Report of a fact-finding team which visited Bastar division, from 12-16 May, 2016.

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Bastar division, comprising seven districts, in the state of Chhattisgarh, is one of the most militarized zones in India, owing to the conflict between the State and the CPI (Maoist). This conflict which has been going on since the late 1980s, reached its current peak with the state's sponsorship of a vigilante movement called Salwa Judum in 2005. This resulted in widespread displacement of villagers into camps and neighbouring states, and the creation of a local counter insurgency force out of young, often minor, civilians. These Special Police Officers (SPOs) became the first line of defense against the 'Maoists' and a civil war type situation was created in Bastar. The understanding that the 'Maoist problem' is largely a 'law and order' and 'internal security' problem has been refuted by a committee of the Planning Commission in 2008 which outlined the material and political contexts under which Naxalism has been expanding its influence. The report clearly pointed towards the development challenges in the region and also cautioned against a purely militaristic approach towards Naxalism. It also clearly pointed out that if adivasi rights were not respected then the alienation between the adivasis and the rest of society was bound to grow.

Subsequently, the Salwa Judum was pronounced as unconstitutional by the Supreme Court in 2011, which ordered that local civilian youth under any name (SPOs or otherwise) should not be used to combat insurgency, that all crimes committed by the state and Maoists should be prosecuted and that the victims of conflict should be compensated. Rather than following the Supreme Court's directions, the Chhattisgarh government merely renamed the SPOs, and called them Armed Auxiliary Forces. It has recently recruited more surrendered Maoists and other civilians under the name of District Reserve Group. No-one has been prosecuted or compensated for crimes committed by the Salwa Judum vigilantes, SPOs and security forces. Above all, the government has intensified its military offensive, with Police, BSF and CRPF camps opened up in the most interior parts of Bastar Division, along with the liberal distribution of money to bribe villagers into becoming informants, along with coerced surrenders. This in turn has led to a kind of Maoist implosion. The Maoists have started targeting the local population, accusing them of collaborating with the police. This has escalated the conflict and placed the villagers in a position where they face repression from both sides.

In this situation a group comprising of Sanjay Parate, Secretary State CPI-M, Vineet Tiwari, Joshi-Adhikari Institute of Social Studies and CPI, New Delhi, Archana Prasad, Jawaharlal Nehru University and member AIDWA, and Nandini Sundar, Delhi University visited Bastar Division from 12 to 16 May 2016. The visit covered Bijapur, Sukma, Bastar and Kanker districts. The focus of the visit was on the situation of ordinary villagers who are living through the conflict between the state and Maoists. In all four districts, we visited villages chosen randomly, but with a focus on the most interior villages. In both Bijapur and Bastar for instance, we visited villages located in or at the boundaries of National Parks to try and assess the role of the revenue and forest departments. Our conclusions on incomes etc. are based on rough estimates, and proper surveys need to be carried out. In all we visited eleven villages.

The level of Maoist presence and scale of state repression varies somewhat across the districts. The worst affected at the moment appear to be Sukma district, portions of Bijapur district and the Darbha and Tongpal areas of Bastar and Sukma district, but fake encounters, rapes and arrests by police and security forces, beatings (by both police and Maoists), IED blasts and killing of informers (by Maoists) are a serious problem everywhere. The findings of the study team should be seen in this context.

THE MATERIAL CONTEXT and OUTCOME OF THE CONFLICT

The historical underdevelopment and exploitation of Bastar has laid the foundation of the growing conflict. During its visit the study team tried to ascertain whether the villagers were receiving the benefits of the schemes run by the state in the normal course of governance, leave alone those created under the Integrated Action Plan for Left Wing Extremist (LWE) affected areas. We collected information about the main livelihood strategies, namely agriculture, collection of tendupatta, Public Distribution System and the work generated through the National Rural Employment Guarantee Act (MNREGA), as well as by the forest department. Almost all the blocks visited revealed one common feature: the villages near the camps of the security forces or where these camps were located had better facilities than the ones which were in the remote areas. This is largely because the government is using development as an instrument to get villagers to cooperate with security agencies.

MNREGA

This is a drought year and there is mass migration to Andhra Pradesh and even further afield for work. The only way people are surviving is through this migration. For instance, if they go to AP for 2 or 3 months they get Rs. 8-9,000, which is often their only source of cash income apart from tendupatta work which lasts about 10-15 days a year.

However, there is no sign that the administration has responded by providing rural employment as required under MNREGA. For example in Somanpalli village (the panchayat headquarters near the road) all villagers have ration cards, get about 45 days of MNREGS work (at Rs. 160 per day) and 15 days tendupatta work. While the official rate is Rs. 150 per saikda or 100 bundles of 50 leaves each, the traders give Rs. 50 extra, such that the villagers are getting Rs 200 for 100 bundles. They also sell about 50 percent of their paddy production and get a profit of Rs 2500 per acre. The average size of land is three acres. Overall the family makes about Rs. 1300-1500 per month. In another remote village, Tadmendri in neighbouring Sagmeta panchayat (at a distance of 14 Km on the forest road), the villagers have not got any MNREGA work and had not even heard of it. They also have to walk 14 km for their rations and were not able to produce anything from their land this year because of the drought. The households of this village barely make about Rs. 1000 per month.

There are other villages in the Koleng panchayat in the Kanger National Park where villagers have not received wages for MNREGA work for several years. The Bhadrimahu villagers informed us that they completed work for making a road 6-7 years back under MNREGA but have not been paid for it yet. Therefore when the contractor contacted them to do MNREGA work recently, they refused to work for him. In Koleng, they have not been paid since February 2016, ie. 3-4 months.

In Kanker district, the villagers of HP had been given MNREGA work for three month to work on leveling the fields of three households. They had been paid only for two fields so far, although the work on the third field was also finished in March, i.e. three months earlier.

A look at the MNREGA website yields the following data about the amount of work generated for villagers in 2015-16 for selected panchayats visited by the study team:

Panchayat	Person days of work generated, 2015-2016	Number of Active Workers, 2015-16	Average number of days of work per person
Koleng	1579	371	4.12
Soutnar	4305	603	7.13
Sagmeta	10810	318	33.99
Tongpal	2539	235	10.80

The lack of work in MNREGA is accompanied by machine driven construction of roads in the entire area.

In one case from Sukma district, we heard that the CRPF had organized the villagers to do MNREGA work (apart from free work cleaning up the CRPF camp), along with forcing the sarpanch to attend a mass fake surrender ceremony. The Maoists then detained the villagers, including the Sarpanch, for 12 days as punishment for cooperating with the district administration, and beat up some of the villagers.

In the Kanger national forest we found that the forest department, which used to provide employment in bamboo coupe cutting had stopped that work. The villagers had no work. In the Indrawati National Park area, villager said the forest department had stopped coming to their village.

LAND TITLES and GOVERNMENT JOBS

Although Chhattisgarh states that it has addressed 100% of the claims made under the forest rights act coming to a total of 8.5 lakh claims, with 3.47 lakh claims accepted and 5.07 lakh claims rejected,¹ we found that many people continue without land titles. For instance, in Tadmendri, only 10-15 households out of 38 households in the village had pattas. Other villages on the roadside like Ambeli and Gattapalli – which incidentally had actively participated in the Salwa Judum – had received pattas. There were many educated youth in the area who had not got any employment and were at home cultivating.

In Soutnar panchayat, one of the causes for resentment with the Maoists was that the police was giving surrendered Maoists jobs as part of the District Reserve Group but when they applied for jobs with the Bastar battalion, they had to wait for years and didn't get jobs. Across the district, unemployment is a big problem.

SCHOOLS

Since the schools were earlier used as police camps, schools buildings were destroyed by Maoists in several villages between 2006 and 2010. In Soutnar, the school was destroyed as late as 2013, even after the CRPF had started building their own extensive barracks.

During the Salwa Judum the administration moved all schools to camps and has not restored them even when people have gone back. One such ashram school that we saw is Mukabeli whose ashram school is now housed in Pharsegarh opposite the security camp, more than 20 km away

¹ Ministry of Home Affairs, Annual Report 2015-16, pg. 28

from the actual village. This is effectively a violation of the Right to Education Act of 2009 (RTE). Across the district, the government is building 500-1000 seater portacabin schools and ashrams next to security camps, rather than restoring primary schools to the villages.

One of the contentions made by the State is that the Maoists have been at the forefront in stalling the development of the region by asking the villagers to not cooperate with the government. While this may be a partial truth – as mentioned above, we heard of Maoists threatening villagers in some cases - the study team also found that in areas where there are no Maoists, there is no evidence of the developmental state and Chhattisgarh continues to be at the lower end of the Human Development Index of the country.

THE PHYSICAL TRANSFORMATION OF THE AREA – OCCUPATION BY CAMPS

As soon as one enters Kanker it is clear that the conflict zone has arrived. In fact, even the guesthouse overlooking the Keskhal pass has been taken over by the Central Armed Police Forces (CAPF) consisting of the CRPF, the BSF, the ITBP etc. The whole division is heavily militarized with CAPF camps every 5 km, and in the villages around Raoghat in Kanker district, every 2 km. These are being set up in complete violation of the 5th Schedule, Panchayat Extension to Scheduled Areas Act, 1996 (PESA) and the Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act 2006 (FRA), under which the consent of the gram sabha has to be taken and the villagers claims settled. According to the Ministry of Home Affairs Annual Report, 2015-16, the Ministry of Environment and Forests (MoEF) has given general approval under Sec 2 of the Forest Conservation Act of 1980, to divert 1-5 ha in LWE affected areas, for developmental purposes. However, under this head it has also smuggled in “police establishments like police stations/ outposts/ border outposts/ watch towers in sensitive area” as well as two lane roads. It is not clear that this blanket permission is entitled to ride over the requirements of PESA and FRA. Just as irrigation facilities, schools, dispensaries etc. must be built in consultation with the villagers, so should police outposts.

What the villagers across the district reported was that camps come up at night, and people’s land is taken over, without their rights being settled. In HP village in Kanker district, three people lost *marhan*² land they had been cultivating for several years, and to which they should have been given title under FRA. They are unable to say anything to the camp authorities. There

² non-patta less fertile land

is visible and massive destruction to the environment, with trees along the roads also being cleared for security purposes.

In the Raoghat area, where the camps are very frequent, the villagers reported that the Maoists had ceased visiting the villages about 2-4 years ago. They said that earlier the security forces used to pick up chickens and steal money from the villagers but that has also ceased. In some places, we also got the impression that the villagers were scared to report rapes or other abuse by the security forces to avoid further trouble. There has been no visible developmental benefit of having camps in terms of land pattas, irrigation facilities etc. As one villager said: “Earlier the Naxalites stopped road building. Now that they have gone, the government pays us no attention.”

The expansion of the camps has also exacerbated the tensions between villagers and Maoists, as we discovered in Soutnar and Koleng villages of Bastar district, with a chain of police arrests leading to Maoist retaliation on those surrendering which in turn leads to villagers demanding camps, which in turn invites more Maoist retaliation. All of this has heightened the insecurity of the villagers, caused divisions within the villages and created the potential for a new Salwa Judum type of displacement and division.

As we note below, the camps have also led to greater insecurity for women.

SPECIFIC INSTANCES OF ATROCITIES AND REPRESSION

Marjum fake encounter:

In first week of May, 2016 one police personnel died and one got injured in a cross firing between Police/Paramilitary forces and the Maoists near Marjum village in Dantewada district. After a few days, on 7th May, 2016, the villagers of Junglepara went to Bheemapara to celebrate Beej Pandum, a traditional festival of the villagers. The village has two *paras*: *Junglepara* and *Bheemapara* (para is a local term for hamlets, elsewhere known as mohalla or tola). Singing, dancing and hunting which are parts of the festival began at around 9 am in the morning. At around 12 noon, they were informed by the villagers of the neighboring village Chitrapal that there was a firing in the forest and two boys were shot. Two boys aged around 17-18 years, namely Markam Mangloo and Podiyam Vijja, who went to bathe in the nearby stream, were found missing from the group of the Junglepara villagers. According to the villagers, the patrolling force found them alone, shot them there and declared them Maoists. The newspapers were informed by the police that both the boys were Maoists and they were killed in an encounter.

As soon as we reached Dantewada, we got to know that there was a press conference called on 12th May, 2016 evening by ex MLAs of CPI Nanda Sori and Manish Kunjam.³ Their sources told them that the killed boys were innocent tribals. They brought the villagers to Dantewada and in the press conference, villagers accused the police of the fake encounter. Villagers said that both the boys had no connection with Maoists at all. Ms. Balmati, the Sarpanch of the village and the Anganwadi helper Aaiti were also present along with the family members, relatives and other villagers in the press conference who also confirmed that the police was making false allegations. The deceased boys and their families were well known to them and these were nothing else but the murders of innocent tribal boys. They also said that later that day, two more boys namely, Dewa and Podiyam were arrested from their houses in the village.

Markam Mangloo's father Santu passed away earlier. His mother Gangi is left alone without husband and son. Another deceased boy was Podiyam Vijja, son of Podiyam Godha (father) and Sukdi (mother). Both father and mother were shattered with the death of their son. They were all sitting quiet and just answering the questions the press asked monosyllabically in a dull voice. Their language was Koya so Com. Manish Kunjam and others were helping in the translation. Marjum is located in deep dense forest. It was evident from the fact that no media person could succeed in reaching the village after the incident.

It is impossible to expect these villagers to fight for justice in the courts, when they find it difficult to even express themselves even in Hindi. When one of the media persons asked villagers regarding the police accusation that Rs. 7550 was found with Mangloo, his mother Gangi, the anganwadi helper Aaiti and all others replied in rage, "That was the money he collected after selling *imli* (tamarind) and the wages he received after digging the *dabri*. He was so worried of losing that money to the Police or thieves that he kept it all the time with him and did not even give it to his mother." They said, "Police had beaten us several times earlier. They even don't leave the elderly people. We are beaten up from both sides. Naxalites say that we should not talk to the Police and if we talk they accuse us of being police informers and then they punish us. On the other hand, police people say that we help Naxalites by providing them ration and other things, so they also beat us often. Whenever they come to the village they take away all chickens and goats. We have no proper access to ration or any other thing. Our ration shop is also 15 km away in Katekalian village. In such circumstances, we live somehow."

The villagers also informed us about a very serious thing in the end. They said that after killing the two boys, the force came to our village, picked up two boys, beat up many people and while leaving they sprinkled some liquid in our stored rice and foodgrain. It had a very bad intolerable

³ <http://epaper.patrika.com/c/10263865>

smell. We thought it was poison so we threw that rice away.” There was no way of checking their allegation but if that was true then it is a very serious crime against them. It is shocking that not only are they surviving on their own and with very meager support from the government, but that another branch of the government should actually try and kill them deserves an enquiry and strict punishment.

The press conference was almost over when some villagers said that Mangloo was engaged to a girl Paike of the same village who was arrested earlier this year in February for being a Naxalite by the Police. She was also innocent. Mangloo was expecting her release soon and collecting money for his married life. The amount of Rs. 7550 was also part of the preparation of his dream which died with him. Adivasi Mahasabha President Manish Kunjam informed the press that he had earlier also met the police and administration with regard to Paike’s arrest, on the grounds that she was engaged to be married. He raised the point that Naxalites do not marry so how could Paike and Mangloobe Naxalites when they were engaged and planning to marry.

CPI and Adivasi Mahasabha announced a protest demonstration for the fair enquiry of the incident on 19th May, 2016. We got to know about the successful demonstration later through newspaper reports.⁴

The effect of staged surrenders, mass arrests and civic action programs on villages – Maoist beatings, revival of Salwa Judum style division of villages

Kumakoleng: We visited Kumakoleng, thana Leda, Tongpal block, Kumakoleng panachayat, where we had heard that the Maoists had beaten up villagers. This is a village dominated by the OBC caste of Dhakads (60 out of 110 households). Kallars, Rauts, Dhurwas and Gonds make up the rest. Here too, the village had got no NREGA work for the last five years; this year they got 20-25 days of work. Before the elections, they said, the government blindly distributed ration cards, after the elections, many of these were taken away. The agricultural wage rate is Rs. 100 for men, and Rs. 60 for women.

When we visited, we found that the village was largely deserted, after the Maoists had beaten up villagers on 17 April. 8 villagers had to be hospitalized, including two women. People were scared to return to the village for fear of being beaten by the Maoists. The sequence of events that we could piece together is as follows:

⁴http://naiduniaepaper.jagran.com/Article_detail.aspx?id=56001&boxid=17262&ed_date=2016-5-20&ed_code=43&ed_page=13; <http://epaper.patrika.com/c/10472897>

The Maoists came to this area between 2004 and 2007/8. In 2008, they held a janadalat in which they asked the villagers to support them. The villagers refused because they did not want a Salwa Judum type of situation in their village. The Maoists then beat up the village leaders, Gotti Ram Karma, Domu Markam from Markamiras, Jagdev Thakur and Dunu from Kumakoleng. Later, the Maoists also killed Beni, a Dhakad from Kumakoleng, and in 2010, they killed Somaru of Nama, both on charges of being an informer. (In Nama, people particularly resented the killing of Somaru – saying they did not think he was guilty as charged).

But several people also joined the *dalams* (armed wing of the Maoists) and *sanghams* (unarmed village level volunteers) were formed. There was a firing in Chintalnar near Kachiras, in which one of the dalam leaders, Sonadhar left his diary (Sonadhar was later killed by the police in Odisha). The diary contained the names of many villagers who had contributed food etc. to the Maoists. The police put pressure on these villagers, threatening to arrest them. In January, 2016 a Maoist called Shankar surrendered, and was used to identify sangham members. Therefore, in March 2016, approximately 50 people from Kumakoleng panchayat ‘surrendered’ to the police; some of them were also later brought around to identify others. The Maoists then put pressure on the villagers for surrendering. On 15 April, 2016 the police held a camp in Kumakoleng and distributed sarees, vessels etc. This was attended by the Additional SP among others. At this shivir, some of the villagers, especially the Dhakad women,(the Dhakads have traditionally not been so close to the Maoists) asked the police to set up a CRPF camp in their village. On 17 April, 2016, the Maoists came looking for two people who had surrendered, SukhmanYadav and Bhagirath, and beat up a large number of people in Kumakoleng, including those who had asked for a police camp. On 18th the police came and took 8 people to Maharani hospital in Jagdalpur. Only 35 out of 110 households are still left in the village. The rest of them left for other villages to live with their relatives. The fear of the Maoists was very palpable.

The following day, we met one of the Dhakad women, Ramvati, who had been taken to hospital and was living in rented accommodation in Tongpal. According to Ramvati, apart from her, three other women had been hit that day, Devaki, Lachandei and Chero. Devaki also had to be hospitalized. Ramvati’s elder son, Tulsiram Nag, is one of those who had surrendered. She described how one of the dalam members had dragged her out from her shop and hit her on the soles of her feet, and with an axe near her eye.

According to Ramvati, not everyone in the village supported the idea of having a camp.

In neighbouring Nama village, Soutnar panchayat, all the villagers have resolved to keep the Maoists out and have been patrolling the villages with bows and arrows and axes for the last three months. They have not given their initiative any formal name like a gram suraksha dal and

laughingly called themselves the ‘tangiya gang’. At night the youth sleep together in clusters for safety.

In the Soutnar case too, tension with the Maoists was created after the surrender of a former Maoist, Shankar, who then accompanied the police when they held a camp in the village and identified villagers. Earlier villagers were scared to go to Tongpal because they were treated as Maoists by the police and feared arrest. Under pressure from the Maoists for surrendering, the villagers asked for a CRPF camp. As mentioned before, they were also put off by the beating and killing of a villager Somaru in 2010 on charges of being an informant, when the villagers felt he was innocent. A couple of villagers also complained that they were beaten when they did not give food to the squads.

We sat in an empty mining office, which was built in 2008. There is tin and colombite in nearby hills but mining has not started. The villagers said that illegal tin mining, which used to be rampant among immigrant traders in this area stopped about ten years ago, because the rivers used for smelting dried up.

In the meeting with 50 odd villagers including women, we were asked by the villagers what they should do. Responding to their question, we told them that in your condition, you are the best judge, but we must say that we want your safety, peace and development. Beating and killing the villagers by Naxals is definitely wrong and it should be stopped immediately but having CRPF camps around the village is not a long-term solution either. Ideally, the best option for the villagers would be neither the Naxalites nor police/CAPF camps, but their own open resistance to any interference in their affairs. Whatever happens, the villagers must stay united.

In Koleng village, a year ago, the villagers said that Maoists had killed Janpad member Pandu Ram Nag and left a note with his body threatening others for being informers. They complained to the police, and his wife is now sarpanch. More recently, the police held a camp and distributed sarees, blankets, lungis, vessels, sports equipment like a bat and ball for the school. When their supplies ran out, the police gave Rs. 50 to individuals, The police also distributed mobile phones. Villagers told us that the elders had decided they would be better off with a police camp.

To summarise, under the pressure of Maoist coercion and police arrests, the villagers are trying to make difficult choices about who to side with and which will be a safer option for them. These are contingent, unstable and unhappy choices to have to make. A peaceful, democratic solution needs to be found in the long-term interests of the welfare of the villagers.

ARRESTS

Across the four districts, villagers complained of people being arrested in large numbers. The villagers have no understanding of the legal system, are forced to pay high fees to lawyers, and their lives are ruined. The law is being used as an instrument of torture rather than of justice or peace keeping.

Indrawati National Park area

In January 2016, three people were arrested from Sagmeta panchayat for 'Naxali offences': Tuggewadde, Munna Vedenja and Chinna Vedenja.

In 2016, the police shot three boys who were bathing in a nearby stream, namely Sukhram from Dokke village, Sukku from Bade Alweda village and Soma of Gundapur village. The deceased were taken to Maharashtra by chopper and then sent to Bijapur. Later, villagers were called by the police in Bedre and handed over the bodies for last rites.

Many villagers from this area went to a Salwa Judum camp in 2005. Tadmendri was one of the first villages which the Judum attacked. We got to know that first Judum people came and asked the villagers the names of the people associated with the sangham and dalam. When villagers refused, they were beaten up by the Judum people. Some of them got severe wounds. Later, there was a cross firing between the Judum and dalam people. When Police camp started coming up in the area, *dalam* people burnt the school fearing the police force would make the school its shelter. Since then, there has been no school in the village for last 10 years. Children go to Pharsegarh village which is 9 kms away from the village. There was an all out attack on the Maoists at that time and many people were killed.

In Mukabelli, during the Judum, one villager had two wives and both were shot by the police. One of them was pregnant too. One six-year-old boy was also shot. Most of the villagers went to the camp under police pressure. The Maoist also shot suspected informers, like the Patel of a nearby village, in 2008 or 2009.

We also heard that the Maoists helped people with medicines, and financial aid for students and in other ways.

Kanger National Park area: Arrests used to lure villagers to attend Jan JagranAbhiyans

In Darbha, police arrested 5 villagers from Bhadrimahu when they went to the haat or bazar on 26 August 2015. Three others were picked up from their homes. On 29 September, 2015, the entire village of Bhadrimahu was told to come to Darbha if they wanted to get the men released. So everyone from the village went, but instead of releasing the men, the police distributed sarees

and other goods to the villagers. Instead, journalist SantoshYadav who came to report on the arrests was arrested.

A similar pattern was observed in the Chintalnar-Chintagufa area from Jan-March 2016 where the relatives of arrested persons were used to provide numbers to the police Jan JagranAbhiyans.

Arrests in Antagarh, Kanker district

Two men Pinashi Darro and Ramu Darro of Badarangi village have been picked up by the Police on the pretext of being a Naxal. Pinashi has now been in jail for the last one year. The villagers allege that a tiffin bomb was planted behind his house to prove that he is a naxal. When the police came to arrest Pinashi, they also beat up his elder brother Soma, and kept him in camp for a day. The Tadoki police demanded a bribe to let him off. Soma borrowed Rs. 20,000 from other villagers to pay this, but died of his beatings before he could return it. Ramu was picked up 3 months ago. His wife died and he has three small children, two of them girls, who have been left helpless. The villagers claim that he has nothing to do with Naxalites.

In Sadrangi village, one Jagjivan Darro was arrested on 30 March 2016 for the murder of a constable Jai Singh in 2008. The warrant came only in 2014, one of many in which the police arbitrarily fits in whatever names they want on existing crimes. In 2015, the BSF showed Jagjivan as surrendered in a big show in front of the SP. During the surrender period he was with the police for 15 days. However, since they had not done any paper work on his case – and his name was still implicated in the police records – he was arrested in 2016. JagjivanDarro is married and has three children. The eldest is in the 6th class, and the youngest is 4 years old. This indicates that he is hardly likely to be a Naxalite.

RAPE AND SEXUAL VIOLENCE

Alleged Rape in Indrawati National Park

A rape case was alleged of a young woman, Phullo, of Chuchkunta village, while she was working on an irrigation pond. The villagers said she was not a Naxalite, but has been raped and then arrested as one. She was raped by SPOs and men from the district force on 17-18 January 2016. The Pharsegarh camp forces patrol the area frequently. We asked the Camp-in-charge charge of Pharsegarh, Shivanand Tiwari, who said that she was from Platoon 2 of the local area Dalam, and denied any rape. He claimed that her father was kept along with her till she was taken to jail. She is now in Jagdalpur jail.

Rape and Sexual Exploitation by BSF SPO in a Village in Antagarh

A visit to Etebalka resulted in the revelation of a case of a young girl being exploited by an SPO, Budu Ram, s/o Phagu Ram, attached to the nearby BSF camp. He regularly visited her house and raped the girl 2-3 times. When the girl protested, the SPO threatened her and said that “the reward for being a police informer and SPO is that he is free to do all these things”. The girl was married off to another person by her family in June 2015 without any knowledge of this incident. Her in-laws discovered she was pregnant and she was sent home with a demand that the husband’s family should be compensated. The SPO already has two wives. A Panchayat was called to settle the matter. It decided that the SPO should pay Rs 51000 to the girl’s family, but only Rs. 25000 has been so far paid. The girl wrote a complaint to the district collector for which she has not got any response. There is no action by the BSF against the SPO.

The existence of such camps and the authority it gives jawans and SPOs/sahayakarakashak/DRG leads to sexual exploitation, and makes all women in the vicinity vulnerable. We also heard allegations of rapes, at least one of which resulted in death, in the vicinity of other BSF camps but the families were unwilling to talk.

MAOIST VIOLENCE

In villages in both the Kanger Park area and in Antagarh, we heard stories of both police and Maoist killings in the past. For instance, in village Sarandi, in Antagarh, three men have been killed by the police in the past ten years. Four men have been killed by the Maoists, including MeghnathDhuruGond who was sarpanch for 15 years and was killed by the Maoists with an axe in 2011. For the past five years, however, the Maoists had not been coming to this area. However, as mentioned above, Maoist beatings and killings of so-called informers have gone up in parallel with state repression and co-optation of villagers.

HARASSMENT OF STUDY TEAM BY STATE POLICE AND ADMINISTRATION

At Pharsegarh on May 13, the Camp-in-charge, Mr. Shivanand Tiwari, invited us for a ‘friendly’ chat over tea, and then took our phone numbers and insisted on photographing us. One of us, Nandini Sundar, gave her name as Richa Keshav, since she had been harassed considerably in the past due to her Supreme Court case against Salwa Judum, and giving her real name would have meant that the team would have been detained and unable to proceed with the fact-finding. This is the only place where she gave this name. The details of all the team members were then relayed to all the police stations across Bastar, as if we were suspicious characters who must be trailed. We were then stopped at other points and questioned.

As soon as we left Bastar on 17 May 2016, a fabricated complaint was filed in the name of villagers from Kumakoleng and Nama alleging that the study team had gone to Kumakoleng and

Nama villages and threatened the villagers that if they did not cooperate with the Maoists than their villages would be burnt and they would be killed. The complaint also alleged that the study team had gone to instigate the villagers against the government. It is telling that they initially used the name Richa Keshav, when this was a name known only to the police. This unverified complaint was posted by the Bastar District Collector, Amit Kataria, on his personal facebook page and canards were spread in the social and electronic media about the 'Maoist' orientation of the study team. The entire episode was even linked to the fact that one of the Professors was from JNU and that it is natural that teachers and students from this premier university would be 'anti-national' and Maoist. Zee news went to town with a biased and defamatory story. A demonstration of 'villagers' was organized by the police outside Darbha thana, followed on May 23 by a letter to the President again in the name of these so-called villagers asking that the members of the research team be arrested and sacked from their jobs. On May 27, members of what used to be the Samajik Ekta Manch, a vigilante group but has which has now acquired several new names, organized a protest with pictures of Archana Prasad and Nandini Sundar, in Jagdalpur, accusing them of being Maoist and elitist.

The *Indian Express* and *Naidunia* interviewed villagers, exposing how the police are fabricating the complaints. When the *Indian Express* reporter (29 May 2016) showed the villagers a copy of the complaint they clearly stated that none of the people were from Nama village. They also thought that the signatures could be of people who had surrendered to the police and got jobs as SPOs. Hence the so-called villagers are actually the people who have already surrendered or SPOs, and are all in the control of the police. They also stated clearly to the reporters that no-one had told them to support the Maoists.

The Press Release of the study team with its preliminary findings made its position clear that both the Maoists and the State were responsible for the existing situation. But the intimidation and witch hunting has continued. All local people who accompanied the team are being harassed beyond measure. Manju Kawasi, a member of the CPI, who went with the team was visited by the police at midnight and asked to appear before the Sukma and Kukanar police. Mangla a villager we picked up to guide us to Nama has been continuously called for questioning. The car driver hired from Raipur has been repeatedly summoned to Jagdalpur. The police has also contacted all others whom we met and visited in the course of our visit, including old friends who had nothing to do with the fact-finding. The Superintendent of Police of Bastar has written to the Vice Chancellors of JNU and Delhi University sending them the complaints for "further pursuance". However, no letter has been sent to us, suggesting that the purpose is not to carry out any genuine enquiry, but instead to carry out a media vilification campaign. RTIs have been filed

in both JNU and DU asking if we took leave to go to Bastar. (As a matter of principle, we always do).

The story of this study team is, however, not unique. Lawyers and journalists in Chhattisgarh have been harassed by the administration on the grounds that they are ‘Maoist sympathisers and supporters’. Three journalists continue to be in jail on the same charges; one has now been released. It is increasingly clear that the state of adivasis in Bastar is very bad and the impact of the State-Maoist conflict is leading to the disruption of their daily lives. Their constant harassment and oppression has been a subject of much concern and any one who has tried to expose this has faced the ire of the State police. That Chhattisgarh is an intolerant police state is becoming more and more evident and the recent attacks on the study team are meant to ensure that no independent study groups visit the areas and voice the concerns of the adivasis of the State.

The general secretaries of CPI and CPI (M) have written to the Chief Minister and Home Minister protesting against the harassment of members of other political parties in a democracy. However, it is clear that the BJP is not interested in normal democratic processes.

RECOMMENDATIONS

To Political Parties

1. An all-party delegation should visit Bastar, especially some of the interior villages, and initiate conversation with a wide range of stakeholders to suggest measures for conflict resolution.
2. The parties should demand that the Centre and state government initiate a dialogue with all political parties and the Naxalites, and come up with a comprehensive plan that recognizes the rights and development needs of the people.
3. The BJP must allow opposition political parties to operate freely without arresting and intimidating their members.

To the Central and State Government

1. There should be a high level judicial enquiry on all the encounters, arrests, surrenders and rapes and other atrocities by police, security forces and Naxalites since 2005.
2. There should be prosecution of all these cases and compensation should be paid regardless of perpetrator.
3. The camps should be removed.

4. The forest rights, and land rights of the people should be recognized. No projects should be implemented, including mining, without the full knowledge and consent of the gram sabha.
5. There should be a full accounting with on the ground verification of all works done under government schemes. In particular NREGA should be implemented, and all pending dues must be immediately paid.
6. The harassment of political activists, scholars, journalists, lawyers and others fighting for adivasi rights must be stopped and their freedom of movement and security ensured.

To the Maoists

1. The Maoists must allow all development works to take place.
2. They should allow political activity such as standing for elections.
3. They should stop beating people, and killing so-called informers.
