

Of Human Bondage: An Account of Hostage Taking in Bastar

*Report of the team of human rights activists who secured
the release of five policemen- hostages in Chhattisgarh,
January-February 2011*

A joint report by

Sarva Dharma Sansad

People's Union for Civil Liberties

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March 2011

'Our lives are valued less than slaughtered chickens!'

(A local witness at the hostage release event)

Untold stories of the grim fight for dignity, self-sufficiency and independence of the Adivasis in Bastar and Abujhmad forests of Chhattisgarh

Preface

An event of great political and historical significance occurred on 11 February 2011 inside the dense forests of Abujhmad in Chhattisgarh with the CPI (Maoist) releasing five policemen of Chhattisgarh police force, abducted by them on 25 January 2011, before a committee of human rights activists and select members of the media. The importance of the event was that the Maoists were releasing the policemen unconditionally. Equally significant was the fact that the Maoists were responding positively to a demand made by human rights groups from across India who questioned the politics of abduction and demanded the release of the policemen-hostages. The Maoists seemed to accept the suggestion of many human rights groups that the Maoists should not wait for matching action from the Chhattisgarh state and should demonstrate their commitment to fairness and human rights values by releasing the hostages. Their only condition was that the release would not be before the police or any state agency but to a committee of human rights activists. On 9 February they intimated that the team should come on 11 February when, they assured, the hostages would be released.

In response to the offer of the Maoists, on 10 February a team of six human rights activists - social activist Swami Agnivesh, Manu Singh of Sarva Dharma Sansad, Gautam Navlakha and Harish Dhawan of People's Union for Democratic Rights (PUDR) and Kavita Srivatsava and V. Suresh of People's Union for Civil Liberties (PUCL) - undertook the gruelling journey into the Abujhmad forests. On the way the team

met the relatives of the policemen taken hostages who joined the entourage along with a posse of media personnel, both electronic and print journalists being present.

We seek to document the experience, not merely as a record of the event but because of some significant issues involved, which unfortunately have not received wider media exposure or public discussion. These relate to the following facts:

- (i) The release of the policemen-hostages was unconditional and independent of reciprocating quid-pro-quo from the government.
- (ii) The Maoists were raising questions about the larger issues of industrialization and development policies adopted by the Central and state governments resulting in concentration of wealth with corporate interests; appropriation of common resources including land, minerals, water and resultant eviction of local people, especially Adivasis, from their habitats. they exhibited the alliance between state agencies and corporate interests and militarization of the area in the name of curbing or suppressing the Maoist movement. The Maoists indicated that their future actions would revolve around these issues and called upon other human rights groups to respond and demand more vigorous public debate on these issues.
- (iii) The plight of local Adivasis, and particularly the human rights abuses committed by police and para military forces. The call was for democratic forces and concerned

citizens groups in India to intervene by demanding greater compliance with rule of law and human rights standards.

By sheer coincidence, very shortly after the hostage release in Chhattisgarh, an IAS officer Murali Krishna, collector of Malkangiri district in neighbouring Orissa, was kidnapped by Maoists. The striking similarities in both these incidents, the demands raised by the Maoists about mitigating the impact of past development schemes which have adversely impacted tribals,

questioning the current industrialization plans and so on clearly reflect a changing politics which will have to be taken into account. The experience in Chhattisgarh therefore assumes greater importance.

More than documenting the event itself, a primary intention is to bring to the attention of the wider human rights community the unheard voices of ordinary tribals in interior areas of Bastar and Abujhmad, victimized due to security actions and their appeal to the rest of India to help.

Introduction

On 25 January 2011, a group of cadres of the CPI (Maoist) abducted five policemen from a bus near near Kongra village in Narayanpur district of Chhattisgarh. The abducted policemen were two constables, Ranjan Dubey and Mani Shankar Dubey, and three head constables, Tarsus Ekka, Ramadhar Patel and Raghunandan Dhruv.

Some days later, the CPI (Maoist) put forward their eleven-point demand for the release of the hostages. The demands were:

1. An immediate halt to the reign of terror unleashed in neighbouring villages that included beatings, molestation of women, arson and destruction of houses. Ten persons from Kongra village and four from Vaddenod village had been arrested.
2. Implementation of the Supreme Court order asking the security forces to vacate schools so that they could be used as schools.
3. Halt to the practice of fake encounters. A judicial inquiry be conducted into the killing of Sanau Salam, of Nibra village in

Narayanpur district, that took place on 21 October.

4. Stop the indiscriminate arrests of villagers and immediately release such arrested common villagers.
5. Stop the destruction of villages, burning of houses, destruction of crops, and the killing and looting of livestock. Pay compensation to the aggrieved villagers.
6. Halt to the patrol campaigns to terrorize villagers.
7. Immediately halt the deployment of army in Dandakaranya.
8. Stop the unjust Operation Green Hunt against the people.
9. Removal of paramilitary and special police forces from the state.
10. Punish the police and security forces personnel responsible for the massacres, rape of women and destruction of villages.
11. Cancel all MoUs with corporates in the tribal areas.

The government did not give any assurance that any of these demands would be considered. The Chief Minister is reported in the press to have declared

that the demands would be examined if the hostages were safely released. Having taken such a recalcitrant position, the government clammed up and waited for the hostage denouement to take its own course. The government, on its part, did not do anything to break the deadlock or to initiate any moves to secure the release of the policemen-hostages.

As days passed without release of the hostages, distressed and distraught families- wives, children, parents and relatives - of the policemen, anxious about their personal safety and lives, were left abandoned by the Administration who did nothing to assuage their anxieties or assure them with a plan to secure their release. Consequently, the relatives were left to their own devices. The media reported that relatives were found to be roaming aimlessly in the district seeking to somehow find someone to help them in their hour of need.

A moot question, talked about privately amongst media personnel, human rights activists and political groups, was about the stand taken by the government of not wanting to negotiate with the abductors and whether the stand of the government was because the abducted persons belonged to the constabulary, low down in the police hierarchy. The unspoken question was whether the government would have been equally unyielding and inflexible if the abducted person was a senior person belonging to the elite Central services. But with the passage of time and non-resolution of the hostage crisis, pressure started building up and clearly other initiatives had to be taken to resolve the issue.

It needs to be stressed that the issue of correlation between the government response and hierarchical position of the abductees is not a hypothetical issue we are raising. This was echoed by many people the team met during the trip.

The Release

The CPI (Maoist) Party approached civil liberties and democratic rights organizations expressing its willingness to release the hostages on the condition that the hostages would be handed over to the representatives of these organizations in the presence of the media. The Party claimed that it had conducted a people's court and had not found sufficient evidence against the accused.

On 11 February 2011, a team of representatives of the People's Union for Civil Liberties (PUCL) and Peoples'

Union for Democratic Rights (PUDR), along with Swami Agnivesh, accompanied by the family members of the hostage policemen and media representatives from a large number of newspapers and TV channels, reached the designated spot. Several days before, on being contacted by the Maoists, Swami Agnivesh had talked to the Chief Minister of Chhattisgarh, Raman Singh, offering to mediate in the issue to secure the release of the policemen on condition that the Chief Minister personally agree to (i) a ceasefire for forty-eight hours on the

part of the security agencies in the Abujhmad areas and (ii) free access for the team to move about in the area to reach the designated spot. In view of the fact that the area was also covered by the CRPF, Swami Agnivesh had also spoken to the Union Home Secretary seeking similar assurances. It was only after the agreement of both the state as also the Central government, that the team representing human rights group made preparations to enter the area.

It was an adventurous drive through villages and forest areas almost 140 kilometres from Jagdalpur district headquarter. We began at 7 a.m. in the morning but only got into the forest area of Kadinar at about 3.30 p.m. After being misdirected and misled, what was the most significant part of the journey was that not a single soldier did we see patrolling. The otherwise heavily militarized area saw the men in uniform in their barracks, with the guns absolutely silent from both sides.

The promised ceasefire of twenty - four hours was visible on the ground. We were told later that it was maintained for more than forty-eight hours.

A walk of about twelve kilometres through a patch of pristine forests at the foothills of Abujhmad got us to the village where the programme for the release of the five hostages had been organized.

The Hostage Release Event

The actual event of handing over the hostages took place in an interior part of the village. We were told that since morning local residents from neighbouring villages had travelled long distances to share their woes with

representatives of human rights groups and the media concerning the atrocities meted out to people during their patrols/search operations in the villages. The list of atrocities that was presented (given below) ranged from harassment of residents and looting of property, grain and livestock to arson, destruction of dwellings, beating, arrests and killings. Over a thousand people had gathered.

All the visitors were received with a guard of honour that consisted of shaking hands with about thirty to forty very young uniformed men and women. Their average age seemed less than twenty-five years, who stood in a line and greeted us. There was a joyful mood although the people had been waiting for us for the last four hours.

After the preliminary introductions, one of the Maoist leaders, who introduced herself as Neeti and conducted the programme, began by making a short speech. She said that even for them an unconditional release is very significant. But since 'our goal is to live and make a "shoshan mukt samaj" (exploitation free society), we could not have confined those who had done no wrong. We had put up posters on 30 January itself, after our Jan Adalat had acquitted all the Jawans, that they should come and take the jawan's away. But nobody came. So we waited for all of you to come. We are very glad that Sawmiji, Gautam and all the others are here. We also welcome all the media persons and the relatives of those held hostage'.

She then handed over the policemen to their family members in the presence of all of us.

After an emotional coming together

of father and son, mother and son, and brother and sister, with the electronic media going mad with their shots, interviews, and piece to the camera, the policemen began speaking.

In the hostages' own voices

Tarsus Ekka: In the first few days, it was very difficult. We did not know where we were. Initially we were kept in an enclosed space and blindfolded only when being shifted from place to place. Sometimes our hands were tied. However, this stopped soon. Then we were assured that nothing would happen to us and that our lives would not be harmed. No wrong was done to us. We were kept like members of the family. Fed well and looked after well. I am a poor man with no land and property and had therefore joined the police force to feed my family.

Ram Adhar Patel: I am poor with four children and so had joined the police to take care of my responsibilities. We were kept very well and all our needs were looked after. There was always somebody asking whether we needed something. I am grateful that I have been released.

Mani Shakar Dubey: We are two brothers and a sister. I come from a very poor family...I was travelling to Narayanpur on a personal task when we were picked up. Initially I was very scared. I had the impression that these Naxalites, who are violent people, will harm us. But on the contrary, we were kept like family members. I want to especially thank all for looking after us so well. I wish to thank all the Naxalites and all of you for getting us released.

Raghunandan Dhruv: I come from a very poor family that has twenty-three

members. We all have to survive on an eight-acre piece of land. I have seen acute poverty. So I joined the police. We were taken hostage on the 25th from the bus. I thought then that my life was over. For two days, we were made to walk a lot. I really feared that I was being led to the end of my life (*jeevan lila samapt hone wali hai*). But I was really surprised to get this humane treatment. All the facilities of food, sleep and water were provided. After a few days, the Naxalites were motivating us to have the confidence that people would come for our release.

Rajan Dubey: On 25 January, I was in the bus as I was going home for my annual leave. I was unwell. I was not scared but felt weird when we were held hostage. I do appreciate the way we were looked after. I was unwell and I know that I was cared for. Through all of you human rights people we want to tell the government that the poor are really neglected and that it must pay attention to what is happening to them. We were assured that no harm would come to us in the initial days of us being held hostage. For eighteen days we were well looked after. We were made to hear the radio in the last few days where we knew that you people were coming. We heard on the BBC that you people had left Delhi and had reached Raipur.

I thank all of you for coming here and bringing my mother and sister here today, the day I have got a new life.

The relatives thereafter were invited to speak. While expressing their appreciation for the safe release of all the policemen, the parents spoke of their anxieties till the actual reunion took place and the fear for the safety of the policemen. They also spoke of the

trauma and frustration of not knowing whom to approach and how to reach the Maoists with their request for release.

The team and the media were not prepared for the next part of the

programme that followed the reunion. It was like a dialogue with the villagers and the Maoists on several issues. What follow are facts emerging from the dialogue:

Testimonies of Village Dwellers

‘Are you prepared to listen to our trauma?’

Just when everyone thought the programme had ended with the handing over of the policemen, an announcement was made inviting the human rights team and media to the next part of the programme.

What followed was a totally unexpected programme - the presentation of testimonies of human rights abuses and violence endured by ordinary Adivasis in the area at the hands of the security forces. It was a very moving and distressing account of the experience of the Adivasis of the area with the security forces, not just during combing operations or targeted searches but even in day-to-day activities like visiting markets, in schools and other routine activities.

Many of those who spoke clarified that they were not necessarily Maoists or supporters of Maoists. But they had suffered at the hands of the security forces over allegations that they were or had supported the Maoists. As speaker after speaker pointed out, once picked up by the security forces, there was no question of explanation or discussion. It was a grim story of utter lawlessness and helplessness of a people having to contend with an alienating and brutalized administrative / security system and complex judicial remedial system. The sheer vastness of the area, difficulties of travel, financial burden - all made it difficult to seek

remedies.

Worse was the institutional suspicion, hostility and lack of sympathy with which their plight was ignored by the media as also other official agencies who treated the Adivasis as an extension of the Maoists.

It is difficult to ignore the fact that most of the Adivasis were themselves illiterate and unused to the wiles and complexities of manoeuvring through modern legal, administrative and media institutions. Confronted with continued incarceration of their close family members and with no indication of a solution to their actual suffering they had a simple request: ‘Please share our stories with the rest of India!’

The second part of the programme consisted of those who had gathered to share their stories of arbitrary arrests, loot, rape and living a life of fear. One after another, parents, wives, children and relatives of Adivasis from numerous villages across the entire area marched to the mike. The people who spoke also provided the team with detailed lists of household goods, poultry and livestock looted by the security forces during their regular patrols. One such incident that has also been complained about to the superintendent of police is detailed below. To the best of our knowledge, no action has been initiated into the complaint.

Complaints of arrest, looting etc.

On 27 December 2010 a police patrol entered gram panchayat Koodhoor in Bastar district. The patrol party included policemen from Murdapal. The details of the happenings are as follows:

Looting: *From ten houses:*

1. Situram s/o Bogi r/o Tumdibal (silver Rs 6000, Money Rs 15000, Cloth/clothes Rs 700)
 2. Sundar Ram s/o Badhru Muria (Money Rs 800)
 3. Mandhar s/o Badhru Muria (Money Rs 2500)
 4. Buaal s/o Raitu (Utensils Rs 2500)
 5. Ghasia s/o Fasele Muria r/o Kotmatapara (Destroyed door, Money Rs 980)
 6. Jamdhar s/o Hagru (Money Rs 5000)
 7. Kadaru s/o Budhu (Money Rs 300)
 8. Ganesh s/o Kaharu (Money Rs 2000)
 9. Ramnash s/o Hadi Raut r/o Kotmetapara (Chickens 3)
 10. Bagdev s/o Kamlu: (Battery 1)
- From Tumribal village: (100 arrows, 2 catapults)*

Beating: *Beating of five women*

Gadri w/o Late Deshu
Gangadhai w/o Buaal
Phoolmati w/o Mandhar
Dashri w/o Late Lakhan
Masan w/o Jagnath

(Source: Complaint to the superintendent of police, district Bastar)

The general pattern of police raids on villages was confirmed by many other people who deposed before us. The same pattern was confirmed to us by people present at the Bhoomkal Diwas

celebrations at Jagdalpur on 10 February 2011. It was also instructive that the issues which figured in the speeches at Jagdalpur were against displacement from forest areas, land acquisition, privatisation of river water and its diversion for industrial use as well as state administration's pro-corporate sector tilt.

Arrests: Three persons (Mandhar s/o Badhru, Buaal s/o Raitu, Manku s/o Fardun)

A number of people confirmed that during patrols by the police officers mainly young men are routinely and arbitrarily picked up by the police and taken away. Later their arrest is confirmed when family members visit the police station, the jail at Jagdalpur or elsewhere.

A table showing the people lodged in the Jagdalpur jail is provided below. Many of the arrests also occur when people visit the weekly 'haat' (market) or go to the nearest town to purchase goods. According to Jagannath, he had purchased a large cooking vessel which the police got hold of saying it must be for the Maoists.

In case they go to a chemist to purchase medicines, they are accused of being Maoists and collecting medicines to supply them to Maoists. Even local journalists confirm this pattern. It is reported that this situation is responsible for men in large numbers migrating to neighbouring Andhra Pradesh to look for work. The number of men in many villages is drastically reduced and there are reports of some villages in Narayanpur district that are presently inhabited by women alone.

Situation in jails, access to legal recourse and costs of redress

The team was told about the large number of people who have been detained in jails across Chhattisgarh. In most cases the so-called 'Naxalite inmates' in jails are not produced before a magistrate. The families are unaware of the charges against them. While we could not get a list of those arrested, we were told that from the villages which fall under what the Maoists describe as their East Bastar Division, at least 500 people are either in jails or their whereabouts are not known to their families. Our inquiries revealed the following:

Against a capacity of 1987, there were 5878 convicts and undertrials in five jails of Chattisgarh. Which means the actual prison population was three times the capacity. Anecdotal evidence shows that 90 percent of the prisoners are Adivasis. These figures collected by civil liberties groups more or less match the figures of jail inmate population

provided last April by some newspapers. These too show that against the prison capacity of 1952, the actual prison population was 5206. Of these, 1036 were charged with either being a Maoist /Naxalite supporter/sympathiser or member. There are also about 300 activists of the Adivasi Mahasabha, a mass front of the Communist Party of India, in the jails of Bastar region.

The point to note is that most of these jails are overcrowded. Jail authorities have shared their concern with civil liberties activists fearing collapse of the jail administration due to this as well as its detrimental impact on the mental and physical well-being of jail inmates. Jail authorities have told our colleagues in Chattisgarh that since the cases registered against the accused - alleged to be Maoists-fall in other districts, the police department routinely expresses its inability to provide security citing shortage of staff.

| Name of Jail | Capacity | No. of convicts | No. of undertrials |
|--------------|-------------|-----------------|--------------------------------------|
| Dantewada | 250 | 4 | 577 |
| Kanker | 65 | 8 | 217 |
| Jagdapur | 648 | 573 | 1120 |
| Bilaspur | 628 | 1398 | 673 |
| Durg | 396 | 627 | 681 |
| Total | 1987 | 2610 | 3288 (20 in civil cases) |
| | 1987 | | Convicts + Undertrials = 5878 |

| Name of Jail | Capacity | No. of inmates | Naxalite / Maoist |
|--------------|----------|----------------|-------------------|
| Jagdapur | 648 | 1700 | 651 |
| Dantewada | 250 | 375 | 153 |
| Kanker | 65 | 231 | 79 |
| Durg | 396 | 1200 | 113 |
| Ambikapur | 593 | 1700 | 40 |

Source: Indian Express (New Delhi edition) 26 April 2010.

| Details of village people in jail | | | | | | |
|-----------------------------------|---------------------------|----------------------------------|----------------|-----------|------------------|---------------------------------------------------------------------|
| No. | Name & Age | Village | Informant | Jail | Time period | Remark |
| 1 | Godru s/o Mata (30-35) | Itametta Paool, panchayat Erpond | Balnatti, wife | Jagdaipur | One year | Arrested from Lohandiguda bazaar |
| 2 | Guddi | Same as above | | | One year | Same as above |
| 3 | Govardhan s/o Ram Singh | Hararkurer | Manku, wife | Jagdaipur | 2 years 7 months | Taken from Murga bazaar |
| 4 | Com. Nandu | | | Jagdaipur | 3 years | |
| 5 | Com. Mahendra | | | Jagdaipur | 3 years | |
| 6 | Jamiba | South Bastar | | Jagdaipur | 21 March 2010 | |
| 7 | 15 people | Adevadda | Jaganath | Jagdaipur | 2005 | |
| 8 | Ram Singh s/o Nohru (25) | Mudhunar | Nohru | Jagdaipur | 3 years | Arrested from a meh in Chhote Dongar |
| 9 | Mahadev | Same | | Jagdaipur | | Same |
| 10 | Ramji Sapanch | Same | | | | Same |
| 11 | Mandar | same | | | | From the village, he was constructing his house |
| 12 | Ram Sai | Tursametta, panchayat as above | | | One year | |
| 13 | Kave | Same as above | | | One year | |
| 14 | Ramdeya (60) | Kaknaar panchayat | | Jagdaipur | 4 months | From his house at 1 o'clock in the night. Police also took Rs 3000. |

| | | | | | | |
|----|-----------------------------------------------|----------------------------------------------|--|-----------|----------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 15 | Pancho Ram (40-50) | Kaknaar | | Same | same | |
| 16 | Sukh | | | | | |
| 17 | Sukali (30) | | | | | |
| 18 | Sukandar (25) | | | | | |
| 19 | Neeh () | | | | | |
| 20 | Damu (30) | | | | | |
| 21 | Mandu (30) | | | | | |
| 22 | Gasu | | | | | |
| 23 | Ram si | | | | | |
| 24 | Sannu | | | | | |
| 25 | Bhagat Ram | Kodil panchayat, dist. Narayan- pur | | Jagdalpur | 3 years | Taken from his house, and asked to show the way in the forest. |
| 26 | 50 persons of which 7 are still in jail | Madona- ar | | Jagdalpur | 2005 | The families have spent Rs 3,24,000 on lawyers to date. |
| 27 | Jagram (18) | Badko, panchayat at Kejam | | | 2 months | He was picked up from Kondagaon bazaar. Police claimed he had come to shop for Naxalites. He has no father or mother. |
| 28 | Nandu | Same | | Durg | 3 years | |
| 29 | | Kondh | | | | Had gone to the village to get a cycle. |

Discussions with the leadership of Maoists

Reaching the village late in the afternoon unfortunately reduced the time for interaction with the Maoist leaders. The responsibility of having to ensure traversing twelve kilometres kms of forest path in darkness and safe passage out of the conflict zone placed an onerous burden on the team to leave the area early. However, the visiting team managed to have a brief discussion with the leaders of the Eastern Command of the Maoist forces.

About involvement of child soldiers

When some team members among the human rights activists raised the issue of child soldiers, Neeti and Rehmati made it clear that there was no way they could allow children below sixteen years of age to become members of the People's Liberation Guerrilla Army (PLGA). Thus, they were not allowed to take up arms. They stated that in that little area more than sixty-five children were going to the alternative school that they had set up. However, they said that the local police was attacking their schools. According to them, in October 2010 in Tirka Village the Janata school was attacked by the forces. Baldev, the teacher of that school, was arrested and jailed. The children in these schools often have to even give protection to their schools because of which they may have to take up arms. So Neeti made a plea that even in a situation of war 'teachers' must have immunity and must not be picked up and taken away.

She also said that in the struggle against superstition and illiteracy in the area, they found themselves moving ahead in the area of education, science, culture and medical facilities. She also talked proudly of how they had started

developing books in the Gondi language that are being read in more than a hundred villages; the schools in these villages are being run under the new educational system.

Educating the people of the area on a priority issue and vacating schools occupied by security forces

The young Maoist leaders were very vocal about the attack on the children's education system in their area and the closure of schools due to takeover of the buildings by the police and paramilitary forces. They also expressed concern that teachers were not being allowed to come to their area and teach the children.

They said that they are accused of bombing the schools. It is frequently said that children are unable to go to schools as a consequence of Naxal violence which has caused the closure of schools. They are also accused of preventing tribals from educating their children in schools. This is a constant propaganda against them that the media and the government have indulged in, they said. But the reality is something else. They vehemently stated that 'The revolutionary movement has never been against education. Instead it has always promoted education.'

According to them, the real reason for the denial of education was the policy of privatization of education that has resulted in only the rich accessing it. They said that the Sarva Shiksha Abhiyan and Total Literacy Programmes had failed. And that the glaring reality was that in the last sixty years less than 25 percent children were ever educated in this region. Higher Education

remains a distant dream for the people of this region. They blamed the imperialistic educational policy, of both the Central and the state government, which is responsible for keeping Adivasi children uneducated.

In this context, the team was given a pamphlet to explain their position on the issue of education and schools. The CPI (Maoist) party pamphlet titled 'Security Forces, Vacate Schools and Ashram School Halls Immediately! Strengthen the movement for the implementation of the Supreme Court Orders! Do not convert schools into police stations and police camps but appoint school teachers in these schools'. The pamphlet, issued on 5 February by the East Bastar Divisional Committee, was provided to us. The pamphlet gave the statistics that more than 156 schools in Dantewada and Bijapur districts were presently occupied by security forces. A pamphlet distributed by the East Bastar Divisional Committee on 8 February 2011 claims that in five blocks of Bijapur and Dantewada, school and ashram buildings in Cherapal, Pamalvai, Cheramangi, Murkinar, Naimarh, Matwara, Jaiwara, Pinkonda, Nelnar, Ranibodli, Toynar, Gudma, Bodli, Polampalli, Injaram, Maraiguda, Aranpur and Palna village, schools now function as police camps. Besides, ashrams located in Padera, Pidia, Tamneri, Kadenar, Vechhapal Munder, Tudem, Dharmapuram, Regadgatta, Todka, Torram, Ilingair, Dadli and Dabbakunta have been moved next to police or relief camps, rendering the schools redundant for the villagers who fear venturing close to the police station. According to them, in the interior villages of Basaguda, Usur, Gangalur,

Mirtul, Kuttru, Bhopalpatnam, Konta and Kistaram, schools have stopped functioning and teachers are reluctant to attend these schools because they are suspected to be Naxalite sympathisers.

The pamphlet highlighted the pathetic situation of how teachers could not stay in the villages as the police had even occupied the staff quarters in the schools.

The pamphlet also shows how the attack on the educational system is from all sides. On one side, the police and paramilitary forces have occupied the schools and on the other side, the schools initiated by the Jantana Government are being attacked.

The pamphlet endorses the SC orders asking the forces to vacate the schools when it goes on to say 'the highest court of our country, in a PIL filed among others by Nandini Sundar, Ramchandra Guha, Manish Kunjam, has ordered the Chhattisgarh government on 18 January 2011 to vacate, in four months, the schools and ashrams which have been turned into camps of police and paramilitary forces in Bastar region. In the circumstance that the Orders are not implemented it gives a very interesting call to 'all the ordinary people, teachers, intellectuals and all those who have stood by people, to come forward to implement the decisions of the Supreme Court.'

The pamphlet also makes an appeal to all those absentee teachers, who are not carrying out their duty as teachers, to come forward and teach students in the new session. The pamphlet also makes an appeal to the people to fully cooperate with the teachers when they come to the school. Finally they end the prose by saying that 'In the situation

where teachers do not come, we appeal to the people to protest in front of the

higher officials demanding the presence of teachers.'

The concerns of the media

While we were on our way to Jagdalpur, as we neared Kanker, we were contacted by some journalists who wanted us to make a brief halt at Kanker and meet the local press people who were all members of the Chattisgarh Shramjivi Patrakar Sangh, CSPS, (Chattisgarh Working Journalists Organisation). They have been agitating against acts of omission and commission of the administration and local officials. They gave us a copy of the memorandum submitted by the CSPS to the Chief Minister of Chattisgarh. The memorandum, undated, among other things refers to the killing of two reporters: one Sunil Pathak at Bilaspur and another Umesh Rajput at Chhura in recent times. It points to the mistreatment of NRK Pillai, Anil Mishra and Yashwant Yadav at the hands of a local commander of a c\Central force as well as refers to how the local administration instigated activists of the Bharatiya Janata Party (BJP) and Maa Danteshwari Swabhimani Manch (a front floated by Salwa Judum activists and notorious for their attacks on social activists, and the fact that one of their leaders is wanted in a case of rape and murder) who issued posters warning these senior reports of dire consequences if they do not mend their ways (see Box 1).

Some media persons accompanying us told us that the unedited video of the handing over of the hostage programme organized by the Maoists would reach the Narayanpur LIU (local intelligence unit) and all the villagers

present at the meeting will be identified. Were anyone of them to visit the nearest 'haat' or go on other errands, they risk getting themselves arrested. We were told that in about a fortnight we will start hearing stories about such happenings from here. Whether this would happen is not something we know for sure. However, the very fact that media mentioned this showed how the police were cracking down on people from interior villages and that the local media was aware of this.

In response, we asked them why it is that they do not file such stories. Is there embargo on filing reports on such incidents or issues? We were told that journalists, and especially stringers, faced many obstacles. They have been threatened; some found FIRs registered against them. Moreover, the owners/publishers/ editors are reluctant to stand by the stringers since they are not on their payroll. As for reporters employed by newspapers or electronic media, their management discourages the filing of such reports. As one reporter told us, 'How do you expect media houses to allow such reports when the owners of these media houses are setting up super power plants or own sponge iron mills . . . ?' Thus by demolishing Vanvasi Chetna Ashram, driving away Himanshuji and filing cases against its activists, independent voices have become scarce in this region. And the existential problems faced by the local media only means that information does not reach the public at large.

Despite these explanations, however, when opportunity knocked at their door and they heard the villagers narrate their experience, barring few, the local media blacked it out.

This is important to note. Because apart from everything else there appears to be news management or control of news flow from the area. Neither the journalist organizations nor the Editors

Guild have shown any concern for the working rights of those working in conflict areas, especially when they come under attack.

Finally, they especially wanted to pay a tribute to Mr KG Kannabiran and had been disheartened when no newspaper in that region or in the north had published their obituary for him.

Press Meeting in Raipur with the Chief Minister

On 12 February 2011 a press meeting was organized in Raipur to announce the successful release of the policemen in the presence of Shri Raman Singh, Chief Minister of Chhattisgarh and Swami Agnivesh, Harish Dhawan, Kavita Srivatsava and Dr V. Suresh of the human rights team.

In the course of the press meeting, the Chief Minister acknowledged and thanked the role of the team in securing the release of the policemen.

Speaking on behalf of the team, Swami Agnivesh appreciated the Chhattisgarh CM for ensuring that the ceasefire was honoured in fact and spirit and for ensuring that there were no hurdles or difficulties faced by the team during their visit into the forests of Abujhmad to secure the release of the policemen-hostages. He also highlighted that while it should be appreciated that the hostages had been released unconditionally by the Maoists, it was equally important for the Chhattisgarh government to respond to many of the genuine grievances of local Adivasis about police high handedness, mistreatment and abuse of power, implication of villagers in false cases and their incarceration for long periods in trivial and insignificant cases, and

such like. The team specifically made three demands to the Chief Minister during the press meeting:

- (i) That the police should not launch vindictive action against the villagers where the release function had been held on the basis of press coverage of the event or against any of the other Adivasis who had complained of police abuse, false arrests and so on;
- (ii) That the government should exhibit their commitment to the generation of peace in the region by reviewing the cases of Adivasis and others arrested on grounds of being allied with or linked to Maoist groups and to facilitate the release of all those charged with smaller or petty offences. A request was made that as a gesture of goodwill, the Adivasis languishing in jail without offences be released.
- (iii) The government should proactively initiate a detailed process of dialogue with the Maoists as part of the peace building process and this should be unconditional in the beginning to bring all parties to the discussion table in an open, transparent and participative manner. Swami Agnivesh offered all support to such

an open and transparent process of ceasefire.

The Chief Minister, in replying, assured that he would set up a Review Committee to look into these issues and

to examine the issue of release of Adivasis not directly involved in any incident. He also announced that on their part, the government would discuss the issue of peace talks and respond appropriately.

Proposed Army Training School, Narayanpur

The Cabinet Committee on Security of Government of India has cleared the setting up of a battle manoeuvre range and training centre in Narayanpur, right at the edge of Abujhmad forests. This cannot come up without clearing the forests of the region. Although the Chhattisgarh government has reportedly laid down the conditions for land allotment - stating that there will be no cutting of trees and no displacement of local population - this hardly seems to be possible. As one newspaper reported the Army's viewpoint, 'not many manoeuvre drills can be done in this dense forest unless one clears up some area'.¹ It is important to remember that even in the best-case scenario of the Army's non-engagement in a war against the Maoists, their very presence is a part of the counter-insurgency objective of army domination, which is certainly a purpose behind the Chhattisgarh state governments drawing the Army into the conflict zone.

There are varying reports in the media regarding the exact size and spread of the proposed training facility. *Times of India* reported it to be 500 sq km, *The Hindu* reported 600 to 900 sq km (only 100 acres at an earlier date), and the *Indian Express* and *Jansatta* (Raipur edition) gave the figure of 625 sq km (300 sq km at an earlier date).² The location of the training centre is supposed to be ten kilometers south of Narayanpur town and west of Dhaudai.³ This makes it evident that the training camp will be located in Abujhmad.

Although the state government has already handed over the land to the Army according to news reports, it is not clear how this can be done (using forest land for non-forest purposes) without taking the mandatory permission from the Forest Advisory Committee of the central government under the Forest Conservation Act 1980. The list of pending proposals for forest clearances on the Chhattisgarh Forest Department's website does not include any such proposal.

Besides violation of the Fifth Schedule of the Constitution, Panchayat Extension to Scheduled Area (1996) and Forest Rights Act (2006), the location of the training camp makes evident the likely involvement of the army in central India. The Indian army chief told his senior officers on 16 July 2010 to be 'mentally prepared to step into the fight against Naxalism ... It might be in six months or in a year or two but if we have to maintain our relevance as a tool of the state, we will have to undertake things that the nation wants us to.'

1 *Indian Express*, 2 January 2011

2 *Times of India*, 10 January 2011, *The Hindu*, 31 January 2011 and 10 January 2011, *Indian Express*, 2 January 2011, and *Jansatta* 9 January 2011 and 16 February 2011

3 *Times of India*, 10 January 2011

4 *Indian Express*, 17 July 2010

Conclusions

While we recognize that there is an element of desperation behind hostage taking, using human beings as bargaining tool is fraught with danger. That in all three recent cases of hostage taking by CPI (Maoist) nothing untoward happened and hostages remained unharmed does not mean that things could not have gone wrong. Ever more so for a movement such as that of CPI (Maoist) which claims that they are fighting for a life of dignity and for power to the people. Yet, the legitimacy of the grievances and the remedy sought cannot be denied. Their demands are also different from the usual demand for the release of an arrested leader or accused in return for the hostages, something routine for the investigating agencies. On the one hand, hostage taking by CPI (Maoist) is akin to when security forces take into custody kith and kin of 'suspects' or accused for leveraging their surrender, albeit with a significant difference. The CPI (Maoist), in all three recent instances of hostage taking, have focused on the release of thousands of Adivasis detained by the police and investigating agencies, proper implementation of the laws of the land, compliance of the orders of the Supreme Court, proper conduct by security forces, action against police personnel for indulging in crimes, unwarranted arrests / detention of villagers, overcrowded jails, compensation to the victims and implementation of laws to prevent alienation of tribal land . . . issues that would be raised by any democratic-minded individual or organization in the country. Even in Orissa, twelve out of fourteen demands

raised by the CPI(Maoist) related to the impact of 'development' on Adivasis and only two related to the release of Maoist cadre. Even in this case, they wanted those cadres released against whom there were no serious charges. As for Bastar, not a single one of the eleven-point demand was for release of any CPI (Maoist) leader, all of them were geared to ensure that Adivasis were not harmed.

We are reminded that legitimate demands, even when they are voiced through illegitimate means, do not make the means adopted legitimate. However, it does not make the demands illegitimate because these grievances and their remedy sought calls on all of us to dwell on the legitimate and just demands of the people.

A stark reality confronts us when we consider the institutional response to the hostage taking of police constables in Chhattisgarh and shortly thereafter of a district collector of Malkangiri in Orissa. The five policemen taken hostage received little notice. But the police administration in Bastar went out of its way to remove/tear posters of CPI (Maoist) which explained what their demands were and why they had abducted the police personnel. The abduction of the district collector, on the other hand, elicited a different response. The national media descended on Malkangiri for the very first time and the public, for the first time, got to know that there were tribals in Orissa who were not rehabilitated by projects undertaken in Orissa's Malkangiri and Koraput districts forty to fifty years ago!

The dam built on Sileru (also called

Machkund at its source in Dandkarnaya Hills) river in 1970s and Balimela reservoir which was created, displaced an estimated 25,000 villagers from 150-odd villages which got submerged. The public also got to know that in Narayanpatna (Koraput), where 629 tribals were arrested for being Maoists, tribals had been agitating for restoring lands occupied five generations ago by non-tribals and the lands they worked on as bonded labour, attached to the very people who had occupied their land! When they organized themselves under the banner of Chasi Mulia Adivasi Sangh and began their agitation non-violently to get their land restored to them, years passed by and all they saw was indifference, lathi, bullet, arrests and criminal cases foisted on them. What are the people supposed to do? Would this ground reality, known to civil right activists for years, have come to the notice of the wider Indian public in any other way? Would the state government have shown willingness to meet the demands any other way? Would the 629 tribal members of CMAS, arrested on patently false cases, even figure in the government's imagination and referred to the committee for expeditiously ensuring their release any other way? If all of this was possible, without hostage taking, then why was nothing done until now? In fact, it is regrettable that whereas the Congress and BJP and the corporate media protested negotiations on the demand, a patently irresponsible and anti-people approach, they have shown reckless disregard of the long-pending demands of the tribal people so dramatically brought to surface by the Maoists

through their abduction. It is this pitting of law and morality as a counter-weight to the harsh reality faced by people that is disturbing. It bodes ill for our much-vaunted Constitutional democracy.

It is worth studying the negotiations between the Orissa government and mediators appointed by the Maoists for effecting the release of the Malkangiri district collector R. V. Krishna and junior engineer Pabitra Mohan Majhi, as well as the one in October 2009 in West Bengal (where O.C Atindernath Dutt, a police officer was released by the CPI (Maoist) in exchange for the release of thirteen Adivasi women, including a seventy-year-old grandmother, all of them incarcerated for more than a year on charges of 'waging war'). In long-neglected areas that have become conflict zones now, Rule of Law does not operate and people are subjected to Police Raj under the pretext of suppressing Maoist insurgency. It is equally significant to note that, notwithstanding our Constitution, some Indians count for more than the others. Illegal arrests of ordinary Indians by police and their incarceration, or the plight of their kith and kin, counts for less than the abduction of police personnel and their families.

But even more startling is the fact that in Chattisgarh, the government showed no desire to negotiate the release of the five police personnel. Presumably, it was because they were not senior enough to merit the administration's attention. Therefore, the local and national media too showed indifference to the issues raised by the

Maoists through their demand. In contrast, the Orissa government, because an officer belonging to the IAS cadre was involved, negotiations took place and the demands raised by CPI (Maoists) were considered, even in face of the Union government's advice to them not to do so! In both the instances, the demands were perfectly legitimate, constitutional and just. This is also a reminder that conflict zones in India in general and Bastar (Chattisgarh) in particular, have become no-go areas where the Constitution does not operate and arbitrary approach takes precedence over lawful conduct. It is this lawless climate, brought about by 'Operation Greenhunt', which is singularly alarming.

If we are opposed to the politics of hostage taking, does jailing of people for daring to protest their conditions and making perfectly legitimate demands, or merely belonging to interior villages, anything other than a 'legally' sanctioned abduction? Similarly, if hostage taking by the CPI (Maoist) is wrong but the demands raised by them are legitimate, should we not ensure that the state government complies with the demands? How do we ensure that the State upholds the Rule of Law and not consider it a malleable principle,

gives up its arbitrary ways and abides by the Constitution? How can we persuade the CPI (Maoist) to not take recourse to desperate steps like that of hostage taking that can cast shadow on their legitimate demands?

We wish to urge the media to stop acting as a handmaiden for a callous and cruel administration, notwithstanding some administrators who genuinely serve the people, and show courage to inform the public about actually existing conditions and people's concern. For instance, it took the abduction of an IAS officer with pro-people leaning to bring the national media to descend on Malkangiri. What does it say about the media? Why did they not show any interest in visiting and reporting from such areas when it was not in the grip of a sensational unfolding of an event? Are Orissa's tribal people of no interest other than when something sensational happens to a government official? These issues can no longer be ignored and need to be widely discussed in all fora, including in interactions between human rights movement and government functionaries. At stake is not merely the resolution of a conflict situation but the survival of democracy and the democratic process itself.



छत्तीसगढ़ श्रमजीवी पत्रकार संघ

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अर्पक

दिनांक

प्रति,

माननीय श्री रमन सिंह जी

मुख्यमंत्री

छत्तीसगढ़ शासन रायपुर

सादर विदित हो कि प्रदेश में मीडिया कर्मियों के उपर हो रहे लगातार हमला से प्रजातंत्र का चौथा स्तंभ अपने कर्तव्यों के निर्वहन में अपने आप को असुरक्षित महसूस कर रहा है। लगातार पत्रकार साथियों के साथ मारपीट, गाली गतीब, दुर्व्यवहार, झूठा अपराध पंजीबद्ध कराना, कातिलाना हमला से लेकर दो पत्रकार साथियों की हत्या तक कर दी गई। जिससे पत्रकार जगत स्तब्ध है और अपने और अपने परिवार की सुरक्षा के लिए विधित भी प्रजातंत्र का प्रहरी होने के नाते पत्रकार साथी समाचार संकलन व प्रसारित कर अपने कर्तव्यों का निर्वहन करने में अपने जान को भी जोखिम में डालने से बरहेज नहीं करते। लेकिन इन घटनाओं ने मीडिया जगत के लिए एक नई चुनौती खड़ी कर दी है। एक आम आदमी की तरह पत्रकारों की सुरक्षा का भी दायित्व सरकार की है जो प्रदेश में भली भांति नहीं हो पा रही है। बिलासपुर की पत्रकार साथी सुनील पाठक की हत्या के तुरंत बाद दूसरे पत्रकार साथी उमेश राजपूत की निर्मम हत्या होना सरकार के गृह विभाग के उपर उगली उठाने मजबूर कर रही है।

उपरोक्त संदर्भ में निम्न घटनाओं पर भी आपका ध्यान आकृष्ट कराना चाहेंगे:

1. विगत दिनों दत्तेवाड़ा में एक्सपायरी डेट की दवाईयों के वितरण के समाचार संकलन करते समय पत्रकार साथियों के साथ वहा के अधिकारी द्वय, एसडीओपी एवं एसडीएम ने पत्रकारों के साथ धक्का मुक्की, बदसलूकी करते हुए घमकी दी थी।
2. रायपुर में एक महिला पत्रकार साथी के साथ प्रशासनिक अधिकारी के द्वारा दुर्व्यवहार किया गया था।
3. धरमजयगढ़ में पत्रकार साथी नारायण बाइन का समाचार प्रकाशित करने से विद कर स्थानीय राजनेता के पुत्र ने फर्जी रिपोर्ट दर्ज करा दिया था।
4. सारगढ़ के पत्रकार साथी भरत अग्रवाल वानिकी विभाग में किसानों के बुलाने पर (किसानों को आतू बीज नहीं दी जा रही थी जिससे किसान परेशान थे) समाचार संकलन कर रहे थे, उनके विरुद्ध उक्त अधिकारी ने फर्जी रिपोर्ट दर्ज कराया।

5. कांग्रेस के पत्रकार साथी अनुपम अवस्थी को असजकतलों ने पत्रकारिता छोड़ने के लिए जान से मारने की धमकी दी।
6. बिलासपुर के पत्रकार साथी सुनील पाठक की निर्मम हत्या कर दी गई।
7. धुरा के पत्रकार साथी उमेश राजपूत की हत्या उनके घर के सामने की गई। जबकि उनके द्वारा प्रकाशित समाचार को लेकर एक महिला कर्मि के द्वारा दी गई धमकी के विरुद्ध कार्रवाई करने पत्रकार साथी ने बाना धुरा में लिखित रिपोर्ट दर्ज कराई थी पर पुलिस विभाग ने पंद्रह दिनों के बाद भी जांच करना आवश्यक नहीं समझा।
8. कोमाखान (जिला महासमुंद) के पत्रकार साथी विनीष शर्मा द्वारा टोनही प्रताड़ना के विरुद्ध कार्रवाई नहीं करने पर शान्ति के विरुद्ध समाचार प्रकाशित किया गया। जिसको लेकर वहां के चौकी प्रभारी पत्रकार साथी को लगातार धमकी दी जाती रही। जिसकी शिकायत एसपी महासमुंद से की गई थी।
9. कवर्धा जिला अंतर्गत दसरंगपुर पुलिस चौकी के प्रभारी ने दो व्यक्तियों के विवाद पर गवाह बनने के लिए वहां के दैनिक भास्कर के पत्रकार साथी जितेन्द्र केसरी से आग्रह किया बाद में चौकी प्रभारी उसी पत्रकार साथी का नाम उस विवाद के प्रकरण में जोड़कर पत्रकार साथी को प्रताड़ित किया जा रहा है।
10. दत्तेवाड़ा के वरिष्ठ पत्रकार श्री एन आर के पिल्ले, अनिल मिश्रा, यशवंत यादव को कोण्टा समाचार संकलन के लिए जाते समय कमाण्डर द्वारा दुर्व्यवहार करते हुए धमकी दी गई।
11. दत्तेवाड़ा के पत्रकारों के विरुद्ध वहां के प्रशासनिक अधिकारी के सह पर भाजपा नेता व स्वाभिमान मंच के द्वारा पत्रकारों को मारने की धमकी भरा पर्चा बांटा गया था।
12. भिलाई के होटल में बीआईटी कालेज के छात्रों द्वारा अश्लील हरकत की जा रही थी जिसके समाचार संकलन कर रहे पत्रकार साथियों के साथ उक्त छात्रों ने मारपीट की। जिसकी रिपोर्ट पत्रकार साथियों ने पुलिस विभाग से की लेकिन आज तक कोई कार्रवाई नहीं की गई।
13. प्रशासनिक एवं पुलिस अधिकारियों द्वारा पत्रकारों को पीड़ित किया जाना आम बात हो गई है।

उपरोक्त संदर्भ में आपसे सादर अनुरोध है कि प्रदेश में पत्रकार साथियों को पूर्ण सुरक्षा उपलब्ध कराई जाए एवं पत्रकार साथी सुनील पाठक व उमेश राजपूत के हत्या की उच्चस्तरीय जांच कराने का कष्ट करें।
यह भी निवेदन है कि असमय व दुर्घटना में दिवंगत होने वाले पत्रकारों के परिवारजनों को आर्थिक सहायता हेतु पत्रकारों को शामिल करते हुए विशेष कमेटी का गठन करवाने का कष्ट करें।

कमल शर्मा
अध्यक्ष

एन.सी.संगठन अमृजीवी पत्रकार संघ
मुम्बई-जिला

सहस्रिका - श्री हवासी अग्निदेहा

शंकर पाण्डेय

अरविंद अवस्थी

प्रदेश अध्यक्ष

Our demands

To the CPI (Maoist) party

1. The practice of taking hostages to press for demands at the risk of the lives of the hostages is unacceptable in any situation. This practice needs to stop immediately.

To the government

1. Immediate suspension of 'Operation Green Hunt'.
2. Immediate review of cases of village dwellers currently imprisoned and charged for having links with the CPI (Maoist), and their release.
3. The practice of indulging in wanton destruction and looting should be stopped and the culprits should be brought to book.
4. Immediate judicial inquiry into the allegations of violence against

villagers and the looting of their cash, goods and property by security force personnel.

5. Lift the ban on the CPI (Maoist) so that villagers can access the market, make complaints to government officials and protest publicly to voice their grievances.
 6. Implement SC orders relating to police force and paramilitary troops vacating school buildings.
 7. Stop displacement of people in the name of development.
 8. Suspend decision to transfer forest area of Abujhmad to Indian Army until the decision is reviewed for its non-compliance with the Fifth Schedule of the Constitution, Panchayat Extension to Scheduled Areas Act, 1996 and Forest Rights Act 2006.
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Published by: Secretary, Peoples Union for Democratic Rights, Delhi (PUDR)
For Copies: Dr. Moushumi Basu, A- 6/1, Aditi Apartments, Pocket D, Janak Puri,
New Delhi - 110058
Printed at: Hindustan Printers, Navin Shahdara, Delhi - 110032
E- Mail: pudr@pudr.org and pudrdelhi@yahoo.com
Website: www.pudr.org
Suggested Contribution: Rs. 10