

Anything goes.... In the name of National  
Security  
Story of Soni Sori



**A Joint report by:**

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In a society largely patriarchal, lives and dignity of women are always under constant threat and danger of being compromised. However, this takes on a more serious character, when State functionaries themselves violate the constitutional guarantees provided to women by law. Such crimes include cases of molestation, torture, rape and killings of women, '*in custody*' of the state by state functionaries. As per the Government's own estimates (National Crime Records Bureau) crimes against women have recorded a significant increase over the period 2006-2010. In comparison to 1,64,765 cases in 2006, in 2010, a total of 2,13,585 incidents were reported throughout the country. These figures largely relate to reported cases of dowry, rape, molestation, trafficking etc., by private individuals and are best a conservative estimate of trends, largely representing one aspect of the entire story. Crucially, these figures do not cover incidents of violence against women committed by state functionaries in custody, which usually go unreported.

Through this small report, where we cover in detail the story of violence perpetrated against a 35 year old tribal woman, Soni Sori, by the Chhattisgarh police and the prison authorities of the jail where she is imprisoned, we intend to highlight this relatively pervasive aspect of violence against women in the custody of the state, by state functionaries. Constitutionally mandated to safeguard the lives of citizens, state functionaries such as the police, paramilitary, army and other security personnel, enjoy overwhelming authority over persons under their custody.

In the context of 'disturbed areas', this necessarily translates into unquestioned powers to authorities to detain, interrogate and arrest suspicious persons in the name of protecting national security. Military offensives such as, Operation Green Hunt against Maoists in Chhattisgarh, Orissa, Jharkhand and West Bengal, counter-terrorism strategies in Kashmir or the Armed Forces (Special Powers) Act in the North east, have strengthened the hands of the security establishment vis-a-vis the people. In taking up the case of Soni Sori, we would like to remind ourselves of some of the other important cases of violence against women perpetrated by State functionaries in the past.

Like Mathura, the 16-year-old tribal girl who was raped by two policemen in the Desai Ganj police station in Maharashtra's Chandrapur district in 1974, even as her relatives waited outside for her - only to have the Supreme Court let off the guilty on the grounds that there were no injuries to 'establish' that Mathura had 'resisted' the assault, and that 'she seemed habituated to sex'.

Like Thangjam Manorama alias Henthoi, the 32 year old woman from Imphal who was brutally tortured, raped and killed by personnel of the 17 Assam Rifles on 11 July 2004 after she was picked up 'for questioning', triggering the iconic naked protest by a dozen Manipuri women in Imphal, who stood before the headquarters of the Assam Rifles on July 15, 2004, screaming "Indian Army Rape Us".

Like Neelofar and Aasiya of Shopian who were abducted, gang raped and murdered in Kashmir in 2009 near a police camp, only to have the State and paramilitary machinery work to obfuscate the facts, protect the guilty and victimise the affected family and witnesses.

If Mathura's case galvanised the women's movement, a coming together of women, from all over the country to campaign for change in the laws related to rape, Manorama's death created national awareness of the crimes committed by the paramilitary forces under the protection of Armed Forces (Special Powers) Act. But like the campaign for justice in Manorama's case, the Shopian case too found itself pitched against the greater narrative of national security and interest. After all how can the suffering of a few women be reason enough to pause for a moment to reflect upon what is being done in the name of protecting the country and its borders?

And so it is in the case of Soni Sori, a 35 year old adivasi school teacher and the warden of a government-run school for tribal children in Jabeli, Dantewada, who was arrested and tortured in police custody in October 2011, but continues to her fight against injustice from her prison cell in Dantewada jail.

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In early October 2011, the 35 year old tribal woman, Soni Sori fled from her village Jabeli, in Dantewada Chhattisgarh, travelled all the way to Delhi. She took refuge in this absolutely alien and hostile city, leaving behind her three little children, only to save her life and to narrate the horrific tale of her harassment and that of her family by the Chhattisgarh police. She had hoped that she would be saved if her story became public. She had hoped that she could save herself from being falsely implicated if she appealed to the judiciary in the capital of this biggest democratic republic.

Soni Sori managed to recount her experiences of continuous persecution to a weekly magazine Tehelka that made it public through a video graphic release. However before she could initiate any legal action she was arrested on 4 October, 2011.

She was taken back to Chhattisgarh and was subjected to brutal mental and physical torture. She was verbally abused, given electrical shocks, stripped, beaten and sexually assaulted.. A medical examination conducted by NRS Medical College Hospital in Kolkata, following an order from the SC, confirmed the brutal torture.

## **Who is Soni Sori and why is she being hounded?**

Soni Sori is among the few tribal women from Dantewada to be educated. And to become a school teacher and the warden of a government-run school for tribal children in Jabeli, Dantewada. In the war-torn district of Chhattisgarh, this was one of the few schools still operational in the countryside, till the Chhattisgarh police forced her to flee from Dantewada in early September 2011. She was born in a well to do and politically active family. Her father has been a sarpanch for the last 15 years, her uncle has been an MLA from the Communist party of India and her elder brother has been active with the Congress party. Her upbringing included exposure to Gandhian philosophy through her association with Himanshu Kumar of Vanvasi Chetna Ashram, both as her teacher and mentor. Politically aware, vocal and assertive, and conscious of being a tribal, Soni Sori believes in using her education to fight for the rights for fellow tribals. This has led her into confrontations with the contractors, politicians, police and even the Maoists. In struggles to raise minimum wages for the tribals in bidi leaf collection, for the rights of the mine workers, or against the illegal teak trade conducted by government officials, she was joined by her nephew Lingaram Kodopi, younger by a decade. These activities brought both of them into prominence. Lingaram was invited by the Maoists to join their ranks, which he declined. The police too tried to induct him as a Special Police Officer (SPO).

The hounding of Soni and her nephew started with Lingaram's refusal to be part of the SPOs or the Salwa Judum. On 30<sup>th</sup> August 2009, Lingaram was abducted by the Chhattisgarh police from his village Sameli, held in a toilet in a police station and tortured repeatedly for 40 days to force him to become a SPO. Soni Sori was instrumental in the filing of a habeas corpus petition in the High Court, which led to his release. This brave act was viewed by the police and security forces as a provocative attempt to question their authority. Masaram Kodopi, his elder brother was the formal petitioner in Lingaram's habeas corpus. He was arrested the very next day and accused of securing the release of a naxalite. Given this situation Lingaram was advised to leave Chhattisgarh to prevent his re-arrest under some trumped up charges.

Travelling with the survivors of the police attack on Gompad and Gachchanpalli villages of Dantewada, Lingaram arrived in Delhi and recounted his harrowing experiences at the first meeting of the Citizens Initiative for Peace. He assisted the survivors in filing their petition with the Supreme Court. The fate of that petition and of the petitioner is another tale of administrative vengeance and judicial apathy as traumatic the present one. (see Box: Sodi Shambo)

In Delhi, Lingaram enrolled himself in a journalism course at the International Media Institute of India at Noida and was vocal on news channels and other platforms on issues of tribals in Bastar. In April 2010 he also deposed before the Indian Peoples Tribunal at Delhi on the atrocities committed by Salwa Judum and the security forces as part of the Operation Green Hunt. Soni Sori felt the heat of Lingaram's actions through regular harassments and threats by the Dantewada police to persuade her nephew to return. Demands were also made on her to become a police informer. Her refusal led to her name being dragged into every incident of Maoist violence in the vicinity.

## Shambo: Tale of a Survivor and Witness

Shambo is 30 years old, or 35, she doesn't know. She has four children. She lived in village Gompad in Dantewada district of Chhattisgarh, which is unconnected by road. The region where her village is situated has seen the presence of the Marxist- Leninist (now called Maoist) movement for the last two decades. Since 2005, the state government and the central government initiated and encouraged a group called the Salwa Judum to fight the Maoists. This has led to some 650 villages being evicted of their residents and homes being burnt to ashes. Many more villages are being denied any access to rations, medical aid or education.

In 2009, a Gandhian organisation Vanvasi Chetna Ashram (VCA) based in Dantewada had been trying to help implement a Supreme Court order that people be resettled in their villages. One such village is Nendra, located close to Shambo's village. On 1 October 2009, a police party composed of the CRPF along with the local police entered Shambo's village. Most able-bodied people ran for their lives. Those left in the village were at the mercy of the police party. A team of civil rights activists visited Nendra 10 days later, after news trickled out that nine persons were killed in Gompad village. People from Gompad met this team and gave them details of those killed: two persons travelling from Bhadrachalam town who had taken shelter for the night; four persons of one family, a couple, and their two daughters. One infant's fingers were chopped off. Others including Shambo were injured. Some days later, the VCA received news that villagers had carried Shambo to the road as the bullet wound in her leg had started rotting. Himanshu Kumar of VCA brought her to their ashram and from there to Delhi. She was brought to a public meeting at the Constitution Club to demand initiation of a process to prevent further escalation of the war whose most visible outcome was Shambo, lying on a makeshift stretcher next to the podium.

That evening Shambo was admitted to a hospital where doctors struggled to save her leg. After the surgery, metal pins were drilled that held her leg together. From the hospital, Shambo recorded an affidavit detailing the happenings on 1 October at her village. The same was filed as a petition at the Supreme Court. After a period of recuperation, Shambo was desperate to see her children and the VCA arranged for her to stay at their ashram in Dantewada till her wound healed and she was fit to undergo the rest of the long medical procedure. She was to return to the hospital at Delhi around the end of the year.

Meanwhile, the situation was getting worse in Dantewada. The central Home Minister declared in a meeting with Mr. Himanshu Kumar that he was willing to visit Dantewada and hear the people to gather the truth about atrocities committed against them. To make this meaningful, the VCA decided to launch a month long programme, starting on 14 December with a padyatra to the affected villages to tell people about the proposed visit by the Home Minister, a satyagraha to plead with the government to see the truth and a public hearing where victims and their families could depose before the public. But the entire programme was disrupted by the state government. A senior activist of the VCA was arrested on 10 December and charged with murder. On 12 December, police forced the cancellation of the venue booking where people coming for the padyatra were to stay. On the night of 13 December people were prevented from reaching Dantewada and those in Dantewada faced threatening mobs of the Salwa Judum. The entire programme was thus cancelled.

Meanwhile, four women from Samsetti village in Dantewada who had suffered rape at the hands of Special Police Officers two years ago and had shown the courage to file a complaint were made to put their thumb impressions on blank papers. Himanshu Kumar sent protest messages but the next day the four women were again picked up by the police and illegally detained for five days. To protest against this attitude of the government, to find a way so that truth could prevail, Himanshu Kumar started a fast. The government in turn continued its offensive. People visiting Dantewada to express support for the fast were prevented from getting a place to stay, were followed by police and harassed till they left the area. They were also prevented from visiting any village. All

this while Shambo was housed in the VCA ashram and its volunteers took care to ensure that her wound remained free of infection. The police pressurized the landlord whose rented premises served as the office of the VCA to have the same vacated. To prevent the landlord's harassment, the VCA decided to vacate. The first task towards this end was to send Shambo to the hospital in Delhi for her further treatment. On the night of 2 January 2010, Shambo was put on a bus to Raipur. After police surrounded the bus thrice, those accompanying her brought her back.

The next morning when Himanshu Kumar escorted Shambo, a vehicle with policemen followed them. On reaching Kanker town they were stopped, brought to the police station and detained. When protest calls were made to the state government, police responded that Himanshu Kumar was free to leave, but that the Dantewada police needed Shambo for her statement. A need that the police discovered only when Shambo embarked on her journey to the hospital after staying a month in Dantewada town! Late in the evening Shambo was taken away by the police. Her whereabouts were not disclosed. That the Cr.P.C. through S.160 forbids the any woman from being asked to appear at any place except her home for the purpose of recording a statement, is conveniently bypassed. A message was being sent: if a victim of state violence obtains some satisfaction by seeking redress and justice then additional pain would be caused to her that more than offsets that satisfaction.

Shambo's medical condition was precarious. The Peoples Union for Democratic Rights (PUDR) and the Peoples Union for Civil Liberties (PUCL) approached the National Human Rights Commission on 4 January 2010. The NHRC found no reason why Shambo's movement may be restricted and stated that she was free. But no order directing the police to free her was delivered. On 6 January the PUCL and PUDR filed an application in the Supreme Court that the petitioner Sodi Shambho, was being intimidated to coerce her to withdraw her petition. The petition prayed that she be permitted to come to Delhi to continue her treatment at the St. Stephens Hospital and that state bear her expenses. The next day the court passed an order directing the police not to prevent or to create any obstacles to Shambo coming to Delhi for medical treatment. The Chhattisgarh administration has since used every method and every specious argument to prevent Shambo from meeting anybody and from petitioner organisation escorting and assisting her passage to Delhi. A classic piece in this respect is the argument that Shambo is a witness and needs to be protected against anybody influencing her.

Without the knowledge of her advocate and well-wishers who had helped her with the oinitial treatment, Shambo was admitted by the Chhattisgarh police in the VIP ward at AIIMS. Her stay was kept under wraps and access to her room was heavily guarded. While her counsel moved the court with the plea that his access to her should not be blocked, Sodi Shambo was discharged and moved out of Delhi as quietly as she was brought. Once again the order of the Supreme Court was sidestepped. With all the witnesses of the Gachanpalli and Gompad massacres in interminable custody of the police, suffering coercion each moment and hoping they had never knocked on the doors of the court, there was little possibility of justice for them. On the orders of the court, the witnesses were brought to a district court in Delhi in two batches and their statements were recorded. The denied any wrongdoing on the part of the police, feigned ignorance of the identity of the attackers in the massacres, and claimed they were under no pressure from the Chhattisgarh police. Witness protection can sometimes become worse than arrest. Especially when one is a witness against the very police that conducted the crime.

She is not permitted to apply any degree of stress on the leg currently held in place by metal rods. She needs regular cleaning of the metal pins with antiseptic to prevent infections that could travel straight to the bone, permanently affect all possibility for her recovery. It is feared that her affidavit to the Supreme Court of India seeking redress for injustices committed by the forces of the Union of India will become the reason for being forced to give statements against herself, for her continued detention and possible incarceration and for 43 denying to her the possibility of proper medical treatment.

## How The Trap Was Set

Incidents of violence concerning the CPI Maoist are not difficult to come by in Dantewada, especially in the region of Palnar and Geedam where Soni Sori's house and her school are situated.

On 7 July 2010, a large group of over 200 armed persons from the CPI Maoist and villagers encircled and attacked the house of Avdesh Gautam, a powerful local contractor and Congress leader, killing his brother-in-law and servant and injuring his son. Of the 60 persons named by him as being responsible for the attack, Soni Sori and her husband, Anil Putane, were included. Avdesh Gautam had long-standing political enmity with the Soni Sori's family. Three days later, Anil Putane had been arrested and continues to be in custody.

The intensity of the desire to implicate Lingaram and Soni Sori can be gauged by the fact that the then Superintendent of Police, SRP Kalluri held a press conference specially to declare that Lingaram was the "mastermind" behind the attack on Gautam; that he had received training in terrorist techniques in Delhi and Gujarat; and that he was in touch with writer Arundhati Roy, activist Medha Patkar and sociology professor Nandini Sundar. The public protests against these indefensible accusations led to their withdrawal by the Director General of Police. But the general drift of the intent of the police was written clearly on the wall.

More attacks, on the Kuakonda police station on 7 July, blasting of the Kuakonda tehsil office on 15 August, arson on some trucks in Nerly on 16 September each found its echo in the inclusion of Soni Sori's name in the list of the accused. More interesting is the fact that the police made no attempt to arrest her while she was regularly attending to her duties as the hostel warden (as evidenced by the school attendance register), meeting with police authorities to complain about her own harassment and in connection with the incident of attack on her father by the Maoists and attending court hearings in the trial against her husband. But when the charge sheets were filed in the court in October and December 2010, Soni Sori is mentioned as "absconder". The stage was thus being set to make a bold woman into a threat to the security of the nation.

In doing so, absurd sorts of evidence was being created. Witness accounts of the incidents of 7 July and 15 August by two different witnesses stating seeing Soni Sori in the company of Naxalites are verbatim copies of each other. That fabricating such documents will generate amusement at their expense, did not perturb the police establishment. For, it was understood that no action would be taken against the prosecution for such fabrication. The highest court in the land had already set the standards for Chhattisgarh in the case of Sodi Shambo who was not even accused as a Naxalite. (see Box: Sodi Shambo)

In March 2011, security forces surrounded the villages of Tadmetla, Morapalli and Timmapuram, in Dantewada, killing three people, raping three women and destroying around 300 houses. Access to the villages was blocked and those attempting to proceed were attacked by SPOs

with the connivance of the police forces. Facing flak for authorization of such obnoxious police conduct, the government transferred the then SP, SRP Kalluri. But this transfer did not put an end to the travails of Soni Sori or that of Lingaram.

Having completed his journalism course, Lingaram decided to return to his home in mid 2011. In June, Maoists attacked Soni Sori's father and shot him in the leg and Soni Sori filed the complaint against the Maoists. By 9 September Lingaram was arrested from his village and Soni Sori from Delhi on 4 October, accused of extorting money for the Maoists.

The corporate group Essar operates a steel plant in Gujarat that obtains iron ore from the Bailadila mines in Chhattisgarh. The ore is piped to Malkangiri and the pipeline has suffered many attacks from Maoists, the latest one in 2009 that led to the shutdown of the Malkangiri facility. A contractor B.K. Lala had been engaged for the repair work and had successfully completed it. On 8 September, a police constable Mankar of the Kirandul P.S. approached Soni Sori asking her to convince Lingaram to pose as a Maoist in order to implicate B.K. Lala for passing Essar funds to the Maoists. In return she was promised the dropping of all cases against her. She refused. The constable then grabbed her phone and made a phone call to B.K. Lala posing as a Maoist. This claim of Soni Sori is confirmed by a sting operation over phone conducted by the Tehelka magazine, where Mankar admitted to have proposed this deal and falsely implicated Lingaram and Soni in the Essar case.

The next day, on 9 September, a police party in plain clothes came to Soni Sori's father's house in Palnar and took away Lingaram. While Soni Sori was looking for his whereabouts, Lingaram the recorded FIR claims that he was arrested red-handed from the Palnar market while receiving money on behalf of the Maoists from B.K. Lala.

By the next day, police was on the lookout for Soni Sori, and according to her claim there was an attempt on her life. She fled to Delhi to obtain protection, to approach the highest judiciary and to relate her situation to the people at large. Having provided her account to Tehelka, and having met her advocate, she was waiting for the petition to be filed when a police party of the Chhattisgarh police arrested her in Delhi on 4 October. She along with Lingaram is arrested under the horrific Unlawful Activities Prevention Act and the still more horrific Chhattisgarh Special Public Security Act.

### **Tortured in Custody: Indicting Evidence**

Evidence in cases of custodial torture is extremely rare to come by, since such torture is usually inflicted in circumstances fully controlled by the perpetrator, the police in this case. However, the present case is one of those rare ones in which there is incontrovertible proof that the victim was subjected to the most brutal forms of torture.

We attempt to provide the details through the letters written by Soni Sori to the judge, her lawyer and her old teacher.

After being arrested in Delhi, Soni Sori was produced before the Additional Chief Metropolitan Magistrate, Saket District Court (*see Letter 1*). Fearing vengeance from the police, whose workings she had exposed before the media in Delhi (*Tehelka Magazine, Vol 8, Issue 41*), she pleaded with the Magistrate, and the Delhi High Court for permission to stay in Delhi for an additional few days till she could file her petition in the Supreme Court. This filing had got delayed because of the court holidays on account of Dussehra. The Chhattisgarh police claimed that she had several cases against her and was absconding for some time. Soni, vociferously challenged these claims by stating that her school records would prove she had been attending work. And also proved the absurdity of the police claim on the basis of the fact that she had been in and out of the local police station to follow up the case of attack on her father by the Maoists. Despite all her pleas, Soni Sori was remanded to the custody of Chhattisgarh Police by the courts, albeit with explicit directions to the Police to ensure her safety and that a report be filed before the Delhi High Court, outlining steps taken to keep her safe.

**Letter 1**

**Submitted by Soni Sori in the District Court, Saket on 5 October 2011**

Honourable Judge Sahib,

I am submitting a written statement here, which is the entire truth. I request you, Judge Sahib, to kindly pay attention to my truthful account.

For the last two years, the policemen have been harassing me. They would deliberately trouble me by summoning me to the police station, entering my family's house, breaking our household items and tossing about our clothes. If we tried to say something, they would threaten us, "Where would you go to lodge the complaint? Who will listen to you? One day, you will be declared a Naxalite and killed. This is why you have been proclaimed an absconder since last year itself." I would tell them that I am working as a teacher in a school. Then how could you call me (an absconder)?

Judge Sahib, I had come to Delhi with a purpose. By hiding here and there, it was this purpose that I was trying to fulfill. Had I committed any crime, I would have never come here [to Delhi]. Truth is with me, and I want to present this truth before the Supreme Court. I have kept my lawyer informed of everything that I have done. I have given an interview to the Tehelka Press too.

Judge Sahib, please tell me, why did the police declare me an absconder? And having done so, why did they open fire at me?

The policemen wanted me to make a phone call for them, posing as a Naxalite. When I refused to ring up B. K. Lala, they declared me an absconder and spread the news far and wide in all of Chhattisgarh, tearing my reputation and social standing to shreds. Now the situation is such that even my kith and kin, who are resident in Chhattisgarh, look upon me as a criminal. This is why I want to stay here and fight this battle between truth and falsehood. Judge Sahib, when I go back to Chhattisgarh, I want to be able to say with pride that I have been victorious in this fight for truth.

Judge Sahib, I request you kindly not to send me back to Chhattisgarh. The police there would cook up some case against me and kill me. I have suffered torture by policemen. Sahib, I have three children. At present, they have no other support. My husband has also been incarcerated since last year on some fabricated charges.

There has been no hearing in the court [in my husband's case]. I am much harassed by the police. I have tried to tell the truth to the police many times, but even so, they consider me a Naxalite supporter. If I were a Naxal supporter, would I not have saved my father's house from being ravaged and destroyed [by the Naxals]? A few months ago, on 14-6-2011, the Naxalites looted my father's house and shot him in the foot. Even then, the police are unable to see the truth. Before coming to Delhi, I had asked several people to help me, but no one came forward to help me out of fear of the police. Judge Sahib, I request you again not to send me back. My case should be heard in the Supreme Court.

Judge Sahib, I have some demands.

1. The police have implicated me in the attack on Avadesh Gautam, the firing at the Kuakonda police station, the bombing of the Kuakonda tehsil office, holding rallies after burning vehicles in Nerli and other false cases. I request the Judge Sahib to order a CBI inquiry into all of them.
2. The police administration should not harass the residents of my area and the members of my family, such as my brother, my father and mother, and my children on my account.

However, her fears were to come true only too soon. In flagrant contempt of the directives of the court as well as various provisions of the law, the Chhattisgarh Police brutally tortured her for the two days she was in their custody before she was to be produced in front of the Dantewada Magistrate on 10 October 2011. Soni Sori, who had been in perfect health on 8 October 2011 when she was remanded to police custody, was in such a bad condition that she could not get down from the police van and go to the courtroom. Her statement was recorded by a court clerk. And the Magistrate, in a clear travesty of justice, passed an order without even seeing her. The police claimed 'she slipped in the bathroom and had hurt her head'. The examining doctor at the District Hospital said 'she was brought in unconscious, the X-ray showed injuries on her head and back, and black marks were observed on her fingertips' – indicating that she had received electric shocks. A video clipping of her appeared online on the same day, showing her writhing in pain in the hospital, confirming fears of custodial torture.

Initially Soni Sori herself said that she had fallen in the bathroom. Later, it emerged that this was because she had been threatened by the police that her brother, the sole caretaker of her three children (since her husband is also in jail on charges of being a Maoist), would be arrested if she spoke of her torture.

But Soni Sori was not to be silenced forever. In her subsequent statements to relatives and a letter addressed to the Supreme Court, she has clearly stated that she was 'pulled out of her cell at the Dantewada Police Station at midnight of 8/9 October and taken to the Superintendent of Police, Ankit Garg's room.' There she was stripped and given electric shocks. When she woke the next morning she had severe aches and pains all over her body, injuries to her neck and spine and acute pain in her lower abdomen.

In response to a petition filed on her behalf in the Supreme Court, a three-Judge Bench observed that the injuries against her person did not appear to be as simple as the State was making them out to be, and ordered an independent medical examination in NRS Medical College Hospital in Kolkata.

The report, presented in Court on the 25 November 2011, states that two stones had been found inserted deep inside her vagina and one inside her anus, which was the primary cause of the acute abdominal pain she was suffering. Quite naturally, she also had inflammation in both areas and the MRI scan also shows annular tears on her spine.

Taken together with her verbal and written testimony, what we are looking at is damning evidence of custodial sexual torture by the Chhattisgarh police while she was in their custody. (See letters 2 and 3)

**Letter 2**

**Letter to the Supreme Court Judge and the lawyer on 20.1.12**

Sir Judge

Upon your order, I was treated in Kolkata, which saved my life. Then why have I been sent back among the same people? I am not safe here. I'm having to battle many problems. If your court believes the charges against me, punish me. But don't leave me among these people. Each day and each night is extremely difficult. I have great pain internally and I await your judgement. The Chhattisgarh government did not delay in bringing me to the Court. The Court in Delhi very swiftly handed me over to them. Then why this delay in your Court?

Was the abuse on me not enough? Why did you give me a new lease of life then? You should have left me to die. I live, thanks to your order, which I'll never forget. I don't understand why the Delhi Court doesn't hear my cries. If they had understood my helplessness, I wouldn't have been in this state. Despite all that, I was handed over the Chhattisgarh police. At that point, in my heart I was saying "Please don't send me with them; what they will do with their sister/daughter, you have no idea. " But the esteemed Court had more faith in the police than in their daughter and because of that, I have lost everything today. The Court still doesn't understand. Anyway, today one daughter has been abused. Tomorrow it will be another.

This is a plea from a helpless daughter. Please do something otherwise they will just become stronger in the coming days. They said to me that it is the Court that has permitted us to keep you in our custody. Now which Court do I appeal in? This means, Sir Judge, that your Court handed me over to them. They can do anything. I am this country's first daughter who they brought here with the permission of the Court and then heartlessly abused mentally and physically. Why this injustice to me? Giving electric shocks, stripping me naked, shoving stones inside me - is this going to solve the Naxal problem?

Sir Judge, my body is in great pain. If, in case, I die before you are able to pass judgment, then the Chattisgarh government and police are to be held responsible. Ever since SP Ankit Garg and other police officers did what they did to me, my body is in bad shape. I have three children. After me, there is no one to look after them. My husband has been in jail for the last year and a half in a false case. The Naxals have looted my father's house. My children

need support. My three children are going through great difficulty. They live like orphans. This is a mother's plea for her children, Sir Judge. Sir Judge, the police is committing the crime and I am being punished.

If they had made the warrant a year and a half ago, why did they not arrest me? I went to the police station and CRP camp many times. I used to meet the police officers and the cops used come home many times. Whenever there was an administrative meeting of the Collector , or any other officer in Dantewada, I was always present. Why wasn't I arrested then? In the Essar case also, the police made a plan to take money from them and asked me to pretend to be a Naxalite. When I refused, they said we have an arrest warrant in your name. If you do this for us, we won't arrest you. Think about it. Sir Judge, I did not do it. I appeal to you,

**Letter No. 3**

***A Letter to Supreme Court on 24.1.12***

Advocate Sir

On the night of Saturday, 8.10.2011, in the new police station in Dantewada which has been built next to the old police-station, I was tortured. That night, when I was sleeping, I was woken up by two policewomen. I asked them, why am I being woken? I was told that SP Ankit Garg has come. I was taken to a second room. In that room, SP Ankit Garg and the SDPO of Kirandul Police Station were seated. I was made to sit in that room for some time along with the women police.

After a while, the two police women were asked to go out of the room. They were told, "Whatever is happening in this room should stay in this room-if word gets out, you know very well what will happen to you." The two of them said, "Yes, sir. We won't tell anyone." "Okay. Go," they were told.

After this, Constable Mankar and Basant were called. He told Mankar. "Don't be afraid. After all, I am here for you. What will this bitch do to you? Bitch, you should know that the plan was hatched by us together, and it looks like the plan is yielding success." He told Mankar, "Son, you have acted very bravely. I am very happy with you." "Bitch, do you know who I am? I am SP Ankit Garg ... who used to be in Bijapur earlier, and am soon going to be promoted from an SP to an official of the big range." He banged on the table and said, "Everything happens from here. Whatever we order will be carried out. We are the administration, authority and government. Do you understand, you bitch? How will you defame Mankar? He will now be given a promotion."

For a long time, he verbally abused me and tortured me psychologically. I have referred to the verbal abuse in my earlier letter. Maybe you have received that letter. I can't write about all the abuses in this letter. I was asked to sign on some papers and was asked to write down some things. When I refused, I was pressured through stern talk. I still refused, and then they started giving me (electric) current in my feet, legs and on my clothes. For some time, they stopped doing this and told me, "Do whatever we are asking you to do. Your well-being lies in this. You will be safe, do you understand? Write a letter saying that Himanshu, Swami Agnivesh, Prashant Bhushan, Colin, Lingaram, Kavita Srivastav, Medha Patkar, Arundhati Roy, Nandini Sundar, Manish Kunjam, Rama Sodhi, the owner of Essar company, are all Naxalite supporters. That Linga and I used to send all

news from here to Delhi. That I went to Delhi since they had asked me to come. That Essar company officials used to always give money to Naxalites through Manish Kunjam, Rama Sodhi, and me. This is the way in which we used to help the Naxalites..." There were a lot of things. This is how they asked me to write a letter.

I did not write such a letter, nor did I sign the papers on which they had written. "Bitch, sign the papers which we have written!"—a lot of pressure was put on me. I told them that I am willing to die but I have not committed any crime and I will also not write about the people you are asking me to write about. I told them that it is better that they kill me. He said, "This also would have been done, but we can't do it now since you have been arrested in Delhi. However, since you are not obeying my commands, I will send you back only after punishing you. You will be so ashamed of yourself; you will beat your head against the walls of the jail and die of shame. You are an educated woman; you will not be able to live with this shame."

He said these kinds of things and ordered that electric shocks be given. After repeatedly giving me electric shocks, my clothes were taken off. I was made to stand naked. SP Ankit Garg was watching me, sitting on his chair. While looking at my body, he abused me in filthy language and humiliated me. After some time, he went out and in a little while, he sent three boys. These boys started molesting me and I fell after they pushed me. Then they put things inside my body in a brutal manner. I couldn't bear the pain, I was almost unconscious. After a long time, I regained consciousness and found myself in the room in which I had slept. By then, it was already morning.

On Sunday, 9-10-2011, I bore the pain quietly, all by myself. Whom could I tell; there was no one that was on my side there. On the morning of Monday, 10-10-2011, the women police told me to freshen up since I had to be taken to court. I told them, "Madam, I am feeling quite dizzy. I am not feeling strong enough. Please wait for a bit." They said, "They are asking to have you ready quickly. Otherwise, they will shower abuses on us." Then I asked for a cup of tea so that I could get some strength. I drank some tea, and slowly got up and went to the bathroom. After a while, I felt dizzy and fell down. I was anyway not fit enough to go to the bathroom, but I was pressured to go to the bathroom to freshen up. Maybe these people wanted to present me in a good condition in front of the court. But this could not happen. As soon as I fell in the bathroom, I became unconscious. Then, they took me from the Dantewada police station to the Dantewada hospital. After a long time, I regained consciousness. After regaining consciousness, my pains had increased and I could not stand up, nor could I even get off the bed. I was in a fully injured condition.

I did not mention my torture to anyone at that time. I had been threatened. Still, I kept looking for an opportunity to talk about my torture, but I was surrounded by police at all times. Then, around 2 pm, I was taken from the Dantewada hospital, lying down on the seat of the police vehicle, and brought to the court. For a long time, we were kept outside the court and were not taken inside the court. SDPO brought some papers from inside the court and asked me to sign them. I told him, "Sir, I want to give some testimony in front of the Judge." He told me that all that will happen later. All these papers are to send you to jail, sign them. What could I do? I thought that going to jail is better than this. The Judge Madam did not hear me out, did not talk to me, and just sent me off to jail.

After the court, they brought me to Dantewada police station. Two people were already present in the Dantewada police station. In spite of all my difficulty, they started to interrogate me about Kavita Srivastav. I told them that I am not feeling well, I am not in any shape to talk. Please do not force me. By that time, my brother Ramdev had reached the police station along with my family. He started asking, "why have you brought my sister here? The court had given you the permission to take her to the jail." Then, they immediately took me to the Jagdalpur. We reached the Jagdalpur Central Jail around 7-8 pm. On seeing my condition, the jail authorities refused to admit me. Then the guard (*unclear*) of Dantewada only got me admitted into the Jagdalpur hospital. They treated me. Then, on Tuesday, 11-10-2011, the doctor at Jagdalpur hospital referred me to Raipur. In the evening around 10-11 pm, we left for Raipur and reached Raipur on Wednesday morning, 12-10-2011. I was treated there. The Raipur guard forced the doctor and brought me to the Central Jail Raipur around 8-9 pm. I tried my best to tell them, "Sir, I am in a lot of pain. Please let my treatment continue." Then also, they brought me forcibly and told me, "You will get better immediately on seeing the red gate." I wasn't in any condition even to walk. I managed to enter the gate of the jail with a lot of difficulty.

Applicant,

Soni Sori

As the physical evidence of her torture began to mount, she was being pressured to withdraw her allegations and her extended family was being threatened and prevented from accessing her. Additional cases have been heaped on her nephew Lingaram Kodopi, her brother is facing imminent arrest and the compensation money due to her father for his injury is also being withheld.

### **The State response**

In the face of undeniable evidence of custodial torture, the Chhattisgarh government, instead of initiating action against the perpetrators, has been actively shielding them. Despite Soni Sori's complaints of severe lower back pain, her inability to stand, tenderness in the lower back and difficulty in walking, none of the three hospitals in Chhattisgarh which claimed to have examined her found inflammation of her private parts or stones lodged in her vagina and rectum (at least the hospital in Jagdalpur recorded inflammation on her spine and black marks on her fingers). On the other hand, Dr. Vivek Choudhary, Medical Superintendent of the Ambedkar Hospital in Raipur, was quoted in the Hindustan Times as saying: "Medical tests reveal Sori is a malingerer", someone who feigns or exaggerates illness. This denial extended to the highest levels of the Chhattisgarh government. At a meeting with Principal Secretary, N. Bajendra Kumar in Delhi on 14th October 2011, concerned women's groups were assured that she was 'safe in jail and that her wounds were not serious.' He also said that the Health Secretary had 'confirmed the fact' so there was no need for concern about her safety; that he had been told by Dantewada Superintendent of Police Ankit Garg and state DGP Anil M Nawaney that Ms. Sori had not been ill-treated!

When Chief Minister of Chhattisgarh, Raman Singh, arrived in Delhi on 1st December 2011, representatives of several Delhi-based women's groups and democratic rights groups staged a protest at the Chhattisgarh Sadan, demanding justice for Soni Sori, Lingaram Kodopi and various tribal activists in the State. Instead of meeting the protestors, the Chief Minister ordered the Delhi Police to forcibly remove them from the premises and out of the way so that he could proceed to 'his next meeting'.

So far, no step seems to have been taken against any of the errant police officers – not against Constable Mankar, who has been caught on tape by the news magazine, Tehelka, admitting that false cases had been registered against Soni Sori and Lingaram Kodopi, nor against the Superintendent of Police, Ankit Garg, in whose custody Soni Sori was subjected to brutal torture, including sexual violence.

The National Human Rights Commission, despite receiving many complaints and officially registering them, has not taken any action. Ditto for the National Commission for Women which has so far only requested an Action Taken Report from the Director General of Police, Chhattisgarh. Meanwhile, the state level commissions have not even acknowledged violation of rights. The Chairperson of the State Human Rights Commission (SHRC) is quoted as having said, "Being fettered to a hospital bed does not qualify as human rights violation. We will take action when something happens". Apparently, what has happened to Soni Sori is not yet enough torture to warrant the intervention of the SHRC!

The Judiciary has miserably failed to provide relief or justice to Soni Sori. The Session's court at Saket in Delhi is directly responsible for her torture in Chhattisgarh, because it paid no heed to her justifiable fears and chose to hand her over to the same police force personnel. The magistrate at Dantewada in Chhattisgarh is guilty of serious dereliction of duty for passing order without personally examining the accused, moreso when the accused is being brought from police custody. The magistrate displayed a complete lack of a judicial mind by permitting the recording of the statement of the accused by court clerk, that too in the presence of the police. Without any justification, she preferred to believe the police version that Soni had got hurt as she fell in the bathroom inside the jail. (See Letter No. 4)

The Supreme Court also fared no better. The PIL filed on 10th October 2012, is yet to yield any results. It not only failed to order action against the guilty, it failed even to force the police or the state of Chhattisgarh to explain its actions. Following the confirmation of torture through the medical examination at Kolkata, on 2nd December, the three judge bench gave the state government a 45 days period to file their reply. The Court took no cognisance of the torture, despite her repeated appeals/letters (see Letter No. 5 and 6). And to make a sham of action taken ordered that Soni Sori be shifted to Raipur jail, a change that lessens her access to her family as well as to the magistrate. The case was listed for 25 January this year, but never came up. Two applications were filed for early hearing, but no response to those was obtained. It was rescheduled for 2nd February but not heard again. The highest court has not even been pass an order for proper medical case to Soni Sori till date.

Letter No. 4

**Letter written to Himanshu Kumar on 26-11-2011**

Respected Guruji,

Loving salutations!

How are you all? I think of you all very often. This life is dependent on your efforts. These people have made many inquiries about you and your NGO. I can't go into all the details in this letter, but I will share a few things with you.

They asked me, how do you know him? I told them that he is my Guru. Whatever was done to him while he was in Chhattisgarh—was that right or wrong? I said whether it was the Chhattisgarh government who did it, or the police and leaders - whoever did it, did wrong. But they said, why do you think this way? I said the Guru who teaches me to fight for the truth, taught me to struggle, how can he be wrong? Whatever struggle I am conducting today is all because of what was taught to me by Guruji. Will he come to Chhattisgarh? I said he will have to come. Because it isn't my suffering alone - in this jail, there are 50 women who are in deep trouble. Like me, they were hunted and brought here, and then charged in false cases. Now even these people don't need them. Many such things were debated. Since the time that I was brought to this jail, every day people introduce me to new stories of their sufferings, and I think of you. I try to give them some faith. When I meet you, I will tell you everything. Here also, there is much discussion about you. I keep waiting, thinking that at least a few of you all will come to meet me.

I also keep trying in the court. I try to inform the court about everything that is happening to me. Still the judge in the court (the magistrate) doesn't take me seriously. This is how it appears to me. You are more familiar about the situation here than us. On hearing on the 14.11.2011, there was a debate with the Judge madam, Smt. Yogita Wasnik, in which even my lawyer Dubey sir was not present. Madam said that you were presented in my court after being brought from Delhi; at that time you were just alright. I told her that I was okay at that time. It was only after being presented in your court that these policemen did all this to me in the night, in which SP Ankit Garg and others participated. I cannot forgive Ankit Garg. Madam, what was my fault? If I had done something wrong, then I should have been questioned without being tortured and brought into the court. The court could have decided how to punish me. But they kept me in their custody and gave me such a severe punishment.

Guruji, Madam said that when you were brought to the court on 10.10.2011, then why did you not tell all this in the court? I would have taken immediate action. Then, I asked her that why did you not call me inside your court? She started to say that they [the police] told me that you had fallen in the bathroom and cannot get up. Even then, Madam, you should have given the order that I should be brought into the court in whichever manner. If that had happened, I would have surely tried to tell you everything that happened. You kept me outside the court and passed the order that I should be moved into jail. Outside the court, how could I tell all this in front of very policemen who were responsible for my condition.

There were also arguments about the case. Guruji, on 14.11.2011, three

cases were presented in the court. On these also, there were arguments. Madam said more cases have come in against you. I said that instead of telling me this, Madam, you should ask the policemen what they were doing for the past one and a half years and why didn't they arrest me. Madam started to say that I have asked the police and they say that you were always absconding. I said that if it were so, then they would have given information to your court earlier that that this woman is absconding. Then, Madam, why did you not take action earlier? You should have sent a notice from the court to my education department (my employers). Then Madam smiled and said, you are absolutely correct. I myself get confused when I think about your case. I am not able to understand all this. On one hand, you are drawing salary from the state, and the police also did not inform this court that you are absconding.

Guruji, please do something. I am deeply troubled by my condition. I am innocent, and yet I am in jail. And all the people who did this to me, they are all outside. It is better to die than go through all this. What all these people did to me is in front of my eyes every minute, every moment. I cannot forget it. Ankit Garg SP has said to me—"all this Court, Rules and law, everything gets decided in my office."

Smt. Soni Sori (Sodhi)

**Letter No. 5**

**Submitted in the Supreme Court on 21.10.11**

1. Why are my feet chained?
  2. Mankar constable is the culprit in the Essar case. He made me into a criminal by asking me to abscond. Why is there no action taken against him on this?
  3. For a year and a half, the police have been harassing me by lodging false cases against me. I used to openly come and go in front of the police force. I was called at the police station many times, and I used to go there. Why did they not arrest me at that time? For no reason, they declared me as an absconder, even though I was regularly doing my service at the ashram school at that time.
  4. I was brought here from the Saket Court in Delhi by promising that there would be no physical or mental torture, and I believed this to be the order of the court and came here. Then why did the police do this to me (torture me), why was this allowed to happen?
  5. On the night of 8.10.2011, from 12 midnight to 2:30 am, SP Ankit Garg called me into a room in the police station, gave me electric shocks (current shock), took my clothes off and severely tortured me. Why has no action been taken against him?
- Today, who bears the responsibility for my condition? The government of Chhattisgarh or the police administration? I am a suffering adivasi woman and I want the Supreme Court to answer my question. I am also a daughter and sister of this country. Why did this happen to me? This is why I have not yet broken my hunger strike. Applicant

Mrs. Soni Sori, Central Jail, Jagdalpur

**Letter No. 6**

**Letter to Supreme Court Judge via Lawyer on 26.11.11**

1. What was the police doing for one and a half years? If they had a warrant for one and a half years, why did they not arrest me? Now the police say that I was always absconding. If this was so, then why didn't the police people inform the court that I was absconding so that the court could have issued a notice to my education department? On what basis did my education department give me my wages?

2. Why does the police want to kill me? Even in the protection money case [note kaand], they fired on me on 11-9-2011. Only I know how I saved myself. After that a policeman himself tried to get me entangled in a false case by asking me to flee. I told these things even in the Saket Court. I cried and cried and tried to tell [the court] that the police had tortured me, even showed my earlier wound, and said that I will not go back from Delhi, I will carry on my fight in Delhi court. But even then the Court did not believe me and gave me to the Chhattisgarh police. I want to know from the Supreme Court who is responsible for my current condition? Court? Police? Administration? Government? Why did SP Ankit Garg and Mankar keep me in remand and torture me physically and mentally after so horrifically giving me electric shocks? Even if I want to, I cannot forget the internal wounds they gave me. If I was guilty, then they should have presented me at court after interrogation. Then the Court would have decided if I was to be punished or not. Judge Sahib, what sort of law is this that an innocent human being is being punished? What is my mistake?

3. I believe that when Naxalites brutalize us or kill us, and we complain to the government, then the government would help us. But when the government's people commit atrocities on us, where shall we go and complain? When the government's functionaries tell us that you cannot complain anywhere because the government and the courts are all under us, tell me Judge Sahib, where can a woman made helpless by police brutality go?

4. I argued with the Naxalites and raised the tri-colour national flag at my ashram school when some other schools flew a black flag on 15 August. Even on this, SP Ankit Garg swore at me using very bad words and said that "you are an ordinary tribal woman and you talk lofty things about the flag, who do you think you are? [tumhari aukat kya hai?]" Was it my mistake that I had argued using the words of my education and raised the national flag? Judge Sahib, the Naxalism problem cannot be finished by the gun because this will end life itself. But the strength of education is more than the strength of the gun. For so many years I have tried to develop good education in the Naxalite affected area, and I have also been successful because of the strength of this education which has kept the peace in that area. But the police and administration does not want such a peaceful atmosphere and so they have used one excuse or another to put me in jail despite the fact that I am innocent. They have forcibly taken my honor and dignity. Forced my three children to live like orphans. Today my children are without food and water and their mother and father every day. I am unable to do anything for my children. Judge Sahib, what kind of justice is this?

5. Naxalites use many different ways to cause incidents. When the police received news of some incident, why didn't they come to my Ashram School Jabeli and enquire whether or not I was in the Ashram on the day of the incident?

Judge Sahib, I am in the middle of 100-150 children, serving my Ashram School Jabeli students night and day. I have always taught these children to speak the truth. My students will never tell a lie. Then why did the police not question these students? The current situation is that the police are making up false cases and presenting them to the Court. If the people who are supposed to teach us about the law are operating on a foundation of lies, then many innocents like me will be made into criminals.

6. If I was a supporter of Naxalites, then why could I not protect my father's house and property from being looted by the Naxalites? When the Naxalites shot my father in the leg, and who today is not in a condition to walk, then why could I not save my father from this fate? This truth is well-known to the police and to the court, but they have still blindfolded themselves. My father entered the court and gave testimony, but the court still ignored it. Judge Sahib, where shall I go in this situation? Now my last hope and trust are on the Supreme Court.

Judge Sahib, I have tried to honestly present the truth: 1) Presented evidence in the protection money case [note kaand], where Mankar is the [guilty] policeman; and 2) also tried to present evidence in the other cases, such as the questioning of the Ashram Shaala Students, Education Department Officials, my Pay Slips, and Daily Attendance Register. Where will I get more truth than this to present, the truth is only this much. Judge Sahib, please pay attention my tale of truth, this is my humble request to you.

Applicant

Mrs. Soni Sori Sodi

The Central Government responses were most pathetic. Despite all the media coverage of the case, the Central Government did not hesitate even once before announcing the name of the SP Ankit Garg for the President's Gallantry Award even though he is the main police official responsible for continuous harassment and torture of Soni Sori in custody and outside. There was widespread condemnation of this shameful action of the Government by the several women's and other civil liberties and democratic rights organisations.

### **The Campaign for Justice**

Soni Sori is a fighter and a brave woman. She has appealed to all the people who believe in justice to join her fight against injustice.

In her appeal to the nation she says:

"This if for all social workers intellectuals, NGOs, human rights organisations, women's commission and citizens of India. An abused and helpless tribal woman, is asking you to answer why she is being brutally tortured and she wants to know- That by giving me electric shocks, by stripping me naked, or by brutally assaulting me and inserting stones in my rectum- will the problem of Naxalism end ? Why so many atrocities on women? I want to know from all my country people.

When I was being stripped, I felt someone should come and save me and it did not happen. In Mahabharata, Draupadi's honour was saved when she called upon Krishna. Whom should I have called? I was given to them (police) by the court . But now, I can't ask to save my honour as I have nothing left. Yes, I want to know from all of you that why was I tortured?

Police officer, S. P Ankit Garg after stripping me said, "You are a whore, a bitch, who pleases naxal leaders by selling your body and they come to your house every day and night. We know everything.", he said adding, "You claim to be a good teacher, but you sell yourself even in Delhi. What's your status, anyway? You think the big stalwarts will support such an ordinary woman like you?". Why will a police officer say this? Today history is witness that whenever there is war in a country or any other conflict, women have contributed a lot to the nation. Jhansi Lakshmi Bai fought with the Britishers, did she sell herself? Indira Gandhi as the prime minister of India , she governed the country, did she sell herself ? Today all the women who are working in their respective areas, are they selling themselves ? All of us are bound with each other in unity and support, then why no one is coming to help me ? I would like to have an answer from you.

Who has made the world? Who gave birth to the powerful, intellectual fighters? If woman would not have been there, was it possible that India would have got freedom? I am a woman, so why did this happen to me, answer me.

My education has been mocked at. I got my education at the Gandhian school, Rukmani Kanya Ashram, Dimripal. I strongly believe in the power of my education. Whether it is a naxal problem or any other, I can face it. Education is my tool for survival and pen is my weapon of choice . Still they have put me in jail as a Naxal supporter. Mahatma Gandhi also had the same tools. If Mahatma Gandhi was alive today, then would he also have been put behind bars as a Naxal supporter? I want to know from all of you.

Why are only villagers and tribals being put in jails as Naxal supporters and cases been fabricated against them? Many other people can be Naxal supporters. Is it because they are illiterate, uneducated, simple people, living in huts in forests, and they have do not have money or is it because they have the capacity to tolerate torture much more? Why? I want to know from you people.

We Adivasis are being abused and tortured in many ways. We are accused of being Naxal supporters. Cases are being fabricated against us, even for 1 or 2 cases people are being kept in prison for 5 or 6 years. Neither there is judgement, nor bail or acquittal. After all, why? Is it because we Adivasi people do not have the calibre to fight the government or that government is not with Adivasi? Or because Adivasis are not sons/ daughters or relatives of big political leaders. Till when will the adivasis be exploited, till when? I am asking all citizens of India. Answer me.

In Jagdalpur and Dantewada prisons, 16 year olds boys and girls were bought and they are now 20-21 years old. But still their cases are not being heard. If their cases will not be heard in coming days or years, then what will be their future? Why so much atrocities upon the adivasis? All social workers, intellectuals, NGOs, citizens, please think.

The Naxals looted my father's house and shot my father in the leg making him disabled. Why did they do that? They thought my father was a police informer. About 20-25 people from my father's village Bade-Bidema have been put in jail as

Naxal supporters. The Naxalites punished my father for their imprisonment. I want to know from you who is responsible for this? Government or police or my father? Today there is no support or help for my father. Instead, the police administration is trying to implicate his daughter as a criminal. If he was a politician, we would have got help but my father is an ordinary villager and an Adivasi, what will the government do for the Adivasis? Tell me."

Struggling with Torture- a Chhattisgarhi woman,  
Soni Sori (Sodi)

Ever since Soni Sori's arrest, there has been deep concern about her safety and the threat she faces from the Chhattisgarh government. If nothing else, the incarceration and harassment of so many human rights activists by the state government has shown us that there is no alternative but to speak out. To keep throwing the spotlight on what is happening in the state, to keep unravelling the web of lies systematically put out by the state, to keep unearthing the truth.

Considering the impunity with which the Chhattisgarh police has acted so far, Soni Sori is in an extremely precarious situation. If anything can save her, and indeed, others like her, it is only pressure from the outside. We need relentless campaigning that keeps clear sight of the price individuals are paying for having the courage to stand up for what is right, and the larger context in which the voices of educated, empowered tribal women like Soni Sori are only being suppressed. Even within the Jail premises, Soni Sori is continuing her struggle for justice. She started a hunger strike on 8<sup>th</sup> February 2011 demanding proper health care. On 29<sup>th</sup> February several women's groups and other democratic rights groups in Delhi held a daylong hunger strike at Rajghat from 6 am to 6 pm in solidarity with Soni Sori, demanding proper health care for her and action against all the police officials involved in her custodial torture. Programmes were held also in Bengaluru, Bhopal, Jaipur, Mumbai, as well as in San Francisco and Boston.

We demand:

1. Prompt and exemplary action against the SP Garg and other officials of the Dantewada police station involved in the custodial sexual violence and torture inflicted upon Soni Sori on the night of 8/9 October 2011.
2. That the state government stop challenging her demand to be moved out of the State on the grounds that she fears for her life in Chhattisgarh.
3. Immediately stop the persecution of Soni Sori, Lingaram Kodopi and the rest of their family.
4. Put an immediate end to the offensive that has been declared on the tribals and activists in the region.

Additionally, ever since her medical condition has been deteriorating, we have been demanding urgent medical attention for her without any further delay.

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सुप्रीम कोर्ट न्यायालय के वकील घर के नाम पे खत

शनिवार दिनांक 8-10-2011 को रात में दूनबाड़ा अ पुराना चाने के ही बगल में नया पाना बना है उसी नया पाना भवन में उताड़ना किया गया है रात में मैं लोई पी के लेडीज पुलिस ऊर्मी मुझे उठा मेरे मैंने पूछा क्यों जागा रहे हो उन्होने लगे एसपी अंकिता गर्ग साहब आये हैं मुझे दूसरे कम में ले गयी उस कम में एसपी अंकिता गर्ग और छिरटूल चाने अ एस डी पी ओ भी बैठा हुआ था मुझे उस कम में बिठामा गया साथ में कुछ समय तक लेडीज पुलिस ऊर्मी के कुछ देर बाद उन दोनो लेडीज को कम से बाहर जाने को कहा और कहा कि मह पर जो कुछ भी हो रहा है इस बात को छिपी से नही कहोगे यदि ऐसा हुआ तो तुम लोग के साथ क्या कर सकता हूँ तुम लोग अच्छी तरह जानते हो वो

क्या है इस तरह का खत लिखने को कहा जो मैं लिखकर नही टी ना ही उनसे लिखा जागज पर साइन भी नही किया मादर सौट हमारे लिखित जागज में जागज अ बहुत ही टबाब वाले मैंने आ आप जान ले लो पर मैं जो गुनाह की नही और भिन्न लोगो के बारे में कुछ रहे हो। हो भी नही छुडगी मैंने क्या इससे अच्छा मार दो उन्होने लगा ये भी कर लेते पर नही कर सकते क्योंकि तुम्हे दिल्ली से अरेस्ट किया गया है अब तुम मेरी बात नही मान रही हो तो सजा देकर ई जेल में भेजो ताकि शर्म के जेल की टीबारी में अपना सर पर धर मर जाऊगी सिनियर महिला हो इतनी शर्म को तो लेकर भी तो नही पाऊगी इस तरह का बातें और फिर अरेस्ट साह तेने को कहा अरेस्ट साह दे देकर मेरे उपडे को उतरामा गया नंगा करके रक्ता ररवा एसपी अंकिता गर्ग कुर्मी में बैठकर हमें देख रहा था शरीर को देख देखकर गंती गती मालीयां देखकर बेइज्जत किया कुछ देर बाद बातर निकला और कुछ समय बाद फिर लीन लपके को भेजा वो लपके उलरी लीची हरको करने लगे और धक्का

## Open Letter to the Supreme Court

Honorable Chief Justice,  
The Supreme Court of India,  
New Delhi

This letter is apropos Soni Sori, in whose private parts, Dantewada SP had inserted pebbles, and whose case is currently in your court. Her medical examination was conducted following the directive issued by you. The doctors confirmed her allegations, and along with the medical report, they also sent the three pebbles they extracted from her private parts.

Yesterday (Dec 2, 2011), even after you saw this shocking evidence with your own eyes, you have left this adivasi woman at the mercy of the Chhattisgarh authorities, and have ordered that she remain in the Chhattisgarh prison, and have given a month and a half to the Chhattisgarh Government to respond.

Sir, I have two daughters, and had someone done this to my daughters, I would not have given a minute and a half, let alone a month and a half to respond. And were Soni Sori your daughter, would you have given someone who had inserted pebbles in the private parts of your daughter 45 days to respond? And would you have asked him why he committed this shocking crime? Would you have really said that they could keep your daughter imprisoned for 45 days, after which they can explain why they committed this heinous act?

The goon who committed this unspeakable crime knows that you and the Supreme Court is there to protect him. That is the reason he can brazenly and without any worry commit such a heinous crime, and your order from yesterday has further shown, as if a proof was needed, that the Supreme

Court will keep on protecting the powerful who commit these unspeakable crimes much the same way it protected the police forces of British India.

Sir, this court was established to protect the weak and the dispossessed such as this adivasi woman, not a powerful goon like the SP. This Court is the apex judicial body of this democratic country, and its first obligation is to protect the weakest. You should remember that women, adivasis,

dalits, and crores of famished, undernourished, and starving people comprise the weakest section in this country, and every judgement of this Court should be geared towards making the lot of these wretched crores better. However after independence, all that these people have gotten from

such an august body as yours is neglect. In marked and perverse contrast, you have provided protection to those who commit crimes against these indigents.

My father fought for the independence of this country. What kind of dreams did these lovers of freedom dream? Could they have ever imagined that after independence that the Supreme Court would protect those who commit atrocities on adivasi women?

From childhood, it has been drilled into us that this country is a democracy, and this means that it is by, of and for the crores of adivasis, crores of dalits, and crores of starving people. However all your judgments are always in the favor of those monsters who push these people into misery

in the first place. Have you not seen women and little children lying on hot sand trying to protect their lands in Jagatsinghpur, Orissa.? Did you not see how the Abhay Sahoo, the fearless activist who protested against such grave injustice, was deftly picked up and thrown in prison by the Government, on the orders of corporate honchos?

Gompad massacre case, in which 16 adivasis were murdered by security forces, has been dragging on for the past 2 years with no resolution in sight. When I brought this case to the Court, a naxalite leader had challenged me that if I could get appropriate punishment for the policemen responsible for

murdering these adivasis, he would give up his gun. But I lost this challenge! For daring to testify in the Court, the police abducted family members of these adivasis as punishment, and they are still under illegal police custody. That the guilty have not been punished is not a victory for the Government, it is a resounding victory for the naxalite leader who challenged me. How can I now with a straight face boast about this country's great democratic institutions and its impartial justice

system to this naxalite leader? And how can I reasonably argue that he is wrong to take up arms?

Had this country been a dictatorship, we would have been satisfied, since the battle lines would then be clearly drawn, and we would have fought against the dictatorship, but we were told that our country is a democracy. However every institution, every legislator, every judiciary has conspired

to work against the majority of the people, and for the minuscule few rich and powerful people of this country. It would be incongruous to call this farce a democracy, and we are not ready to tolerate this egregious farce even for a day.

Today, I take the vow that I will never again come to your Court to redress wrongs committed on an indigent. I will now go to the people and urge them to attack and destroy this farce of a democracy, so that foundations of a true democracy can be erected in its place.

If the reason you cannot deliver justice for this woman is because you think that the State will be angry, and that 'development' and 'progress' will stop, then think again. Just look back at history! History has no place for corrupt, incompetent, and ineffective judges. Who remembers the judges who condemned Socrates? Who remembers the judges who nailed Jesus to the Cross? Your unjust judgement will render Soni Sori immortal, and your name will be completely obliterated from the history books. However if you follow the true spirit of our Constitution, and deliver justice to this

weak, solitary adivasi woman, then although the ruling elite may despise and denounce you, your worth will rise in your own eyes, and in the eyes of the majority of the people of this country.

I am not afraid that you may arrest me for writing this letter. Nor would I be sad, for then I would at least be able to face my two daughters, and tell them that I was not silent out of fear when atrocities were being committed against Soni Sori, and I did exactly what a father should do after his daughter has been humiliated and dishonored.

English translation of the original Hindi Open Letter in Hindi sent by Himanshu Kumar

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**Suggested Contribution:** Rs.