

Coordination of Democratic Rights Organisations

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CDRO Tribute

on the Untimely Death of Three Civil and Democratic Rights Activists



The member organisations of CDRO are saddened by the death of three democratic and civil liberty activists in the last one week – Professor Dipankar Chakroborty, Vice President of Association for Protection of Democratic (APDR), West Bengal; Chandrasekar (47), civil right activist and a popular human rights lawyer in Andhra Pradesh and Pradeep Sapolia, Secretary of Association for Democratic Rights (A FDR), Dist. Mansa Unit, Punjab.

Professor Dipankar Chakroborty (71), popularly known as Dipankarda passed away on 27th January when he was being taken to the hospital after he developed respiratory problem. A great intellectual and Human Rights campaigner, Dipankarda was born in Dhaka on 14 December, 1941. He grew up in Murshidabad and then completed his education in Bahrampur and Kolkata. He taught economics and retired from Krishnanath College at Baharampur. A veteran of the Left movement since the sixties, he began publishing and editing Aneek in 1964 when ruptures in the CPI on ideological and political issues led to split

and birth of the CPI(M). In the wake of the Naxalbari uprising three years later that had triggered another split and birth of the CPI(ML), Chakroborty did not join the new party. But he devoted himself to publishing Aneek. When APDR was formed in Calcutta on 25 June 1972, Dipankarda took the initiative to form one of its first branches outside Calcutta in Murshidabad in 1974. Since then, till his last breath he was one of the stalwarts who steered APDR through many turbulent periods. With promulgation of Emergency in 1975 APDR was banned and Dipankarda was arrested. He spent 19 months in prison and was released in 1977 and since then throughout his life he engaged himself in the publication of Aneek and participated in the socio-political activities in Bengal and other parts of India as an individual and also assumed various responsibilities in APDR. During the Singhur movement when the police was illegally evicting the Singur people by brutal force, Dipankarda stood by the side of the people. He was arrested from the Singur farmlands along with many activists such as Medha Patekar, Amitadyuti Kumar and Sumit Chaudhary. At the time of his death he was Vice President of APDR.

Chandrasekar (47), a popular human rights lawyer passed away on 22nd January. He is known for his significant role in getting the death sentence of Chalapati Raju and Vijayvardhan commuted to life imprisonment. Chalapati and Vijayvardhan were accused of setting a bus on fire in which 23 people were killed. He also played an extraordinary role as a public prosecutor in Tsundur Carnage case in which dalits were hunted and killed by upper caste people. It was by his effort that accused were convicted in this case. Chandrasekar always played a leading role in taking up the cases of dalits and the downtrodden. He did so from a deep sense of conviction, and his life was dedicated to the cause of

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providing justice to the downtrodden and dalits. His concern and hard work in fighting extra judicial murders (fake encounters) in the state unnerved the police establishment. He approached the High Court and Supreme Court and National Human Rights Commission for justice in extra judicial murders and continued his fight till his death. He abhorred death penalty and played a key role in the campaign to abolish this system in Andhra Pradesh.

Pradeep Sapolia (48), an advocate by profession died on 26th January. As a pro-people advocate, Pradeep always showed an interest in providing legal assistance to the struggling farmers and agricultural labourers in Mansa and other districts of Punjab. Many of the people oriented organisations felt at ease in approaching Pradeep for seeking legal assistance. His closeness and sympathetic attitude towards these organizations can be seen from the fact that all these organizations active in Punjab attended the

memorial service in his memory on Jan. 31. In the recent time, when AFDR was reviving its activities in Punjab, Pradeep took keen interest and played an active role in its Dist. Mansa unit. Pradeep took keen interest and actively participated in the two recent fact finding reports against police repression on the people which AFDR brought out.

Their loss would create a void both within the civil liberties and people's movement and the organizations in which they were tirelessly contributed their time, intellect and resources. CDRO pays homage to their memories and their pro-people activities.

Paramjeet Singh (PUDR)
 Kranti Chetanya (APCLC)
 Tapas Chakravorty (APDR)
 Parminder Singh (AFDR)
 Phullendru Komsam (COHR)
 (Coodinators)
 Date: 31 January 2013

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People's Union for Democratic Rights Suggestions to the Verma Commission

To,
The Secretary
Justice Verma Commission
New Delhi

Subject: Submission of suggestions for changes in law and procedure regarding violence against women

People's Union for Democratic Rights, Delhi [PUDR] is a Delhi based democratic rights organisation that has been intervening in various issues of violence against marginalised sections of our society. While PUDR understands that Indian society is deeply patriarchal, we also believe that the Indian state is primarily responsible for the sorry state of women's rights in this country, and that its actions enforces and sustains the inequality of women in the family, community and society.

The fact is that rape is a crime whose basis lies in the operation of power: patriarchal, class, caste, ethnic and religious, and of the state. Thus raping women is used as an instrument to attack communities and to bring them to their knees by the state forces wherever armed forces are deployed. It has been an integral part of ethnic, caste and communal attacks. It is in these cases that the levels of reporting of sexual violence are low and prosecution virtually absent. By turning a blind eye to these crimes, the state actively abets and sustains the culture of rape. It is this reality that needs to be addressed if a safer and more just society for women is contemplated.

In whatever constrained way that law can be expected to promote justice it cannot do so in absence of its strict adherence and swift implementation. Legal mechanisms to achieve justice therefore should factor in the challenges and roadblocks of its implementation, structural or otherwise, right from the stage of planning and framing the law.

We list below some suggestions/inputs for better of violence against women:

Changes required in the definition of sexual violence

1. The expansion of the definition of penetrative sexual assault under Sec. 375 IPC, beyond peno-vaginal penetration (rape) as proposed in the Criminal Law Amendment Act is a step in the right direction. It is imperative that the definition of sexual assault is broad enough to include anal, oral rape, digital rape, rape with objects etc. and also includes sexual assault against transgender people. There is need for more deliberations and separate laws to deal with sexual offences committed on or by transgender people.

2. We find the expression 'penetrate for a sexual purpose' in Sec 375(a) of the proposed Criminal Law Amendment Bill, 2012 deeply problematic. Any contact without consent is what must be punished and the intent of the perpetrator is both irrelevant, and impossible to prove.

3. 'Outraging modesty of a woman' to be replaced with 'violation of bodily integrity: S.354 and S. 509 IPC, which contain archaic notions of 'outrage of modesty', ought to be repealed, and a clear gradation of offences and punishment as mentioned above should be inserted. We believe that 'sexual assault' should rest firmly on the concept of violation of bodily integrity and dignity, and sexual harassment should be defined as it is in the Vishaka Guidelines.

4. Consent: All the laws and provisions dealing with women be informed by the basic principle of treating women as intelligent, independent human beings capable of taking rational decisions. It is therefore imperative that the woman's consent is explicitly called for in any sexual activity and not assumed. Rape within marriage should therefore be recognized and should be strictly penalized. The punishment for rape should be the same irrespective of whether the perpetrator is married to the survivor of rape or not. CLA Bill 2012 should introduce this and drop the provisions of making exception to the consent of the wife.

5. Separate and rigorous punishments be there in case aggravated forms of rape such as gang rapes, child rape, rapes in custody of police and security forces, in the custody of hospitals, jails, remand homes etc. and rape of women employed in homes as domestic workers.

6. Medical tests for rape

continue to rely on judgements of the 'character' of women by deciding whether a woman is inured to sexual intercourse using the infamous 'two-finger rule'. And the state continues to divest itself of any responsibility towards victims of rape. Leave alone a crime of power like rape, quaintly-named crimes against women such as 'eve teasing' and 'outraging modesty' are barely reported, investigated and prosecuted.

Changes required to ensure proper prosecution

1. Provision for criminal action and punishment for refusal to register a crime of rape, sexual assault or harassment.

2. Mandatory criminal action in cases where the judicial officer is of the opinion that the police/prosecution has performed a shoddy investigation, or has in any other manner reduced the possibility of conviction through acts of omission or commission.

3. Criminal investigations and action against doctors and medical staff accused of delaying the investigation, fabricating or hiding information; including against forensic agencies and officials for tampering with/contaminating forensic evidence. The present practice of departmental enquiries are no substitute to the registration of a criminal charge.

4. The Protection of Women from Domestic Violence Act was passed more than seven years ago but it has been poorly implemented. The Act also needs to specify the duties of the Protection Officer, the process of her appointment, and the accountability.

5. Other laws specifically

dealing with women like The Dowry Prohibition Act, The Pre-Natal Diagnostic Techniques (regulation and prevention of misuse) Act, The Medical Termination of Pregnancy Act, The Maternity Benefit Act amongst other Acts be opened up for review to ensure their proper implementation.

6. All the workplaces, from smallest to the biggest, government, private, trust or aided, should have sexual harassment committees in place as per the guidelines of the Vishakaha Judgment in 1996. The structure and constitution of committee of complaints in public or private offices be made democratic and independent of superior authorities. Details of each case at first information level (admissible or non-admissible) and its current status should be available in the public domain.

Changes required to address and prosecute sexual assault by police and security forces

1. Security forces be it the Army, Paramilitary, or SPOs recruited under the Police Acts should be covered by CLA 2012. Two justice systems that presently prevail in matters where the Army is concerned should be immediately revoked and all accused of sexual violence should be equally tried and punished under the IPC.

2. Withdrawal of the Armed Forces Special Powers Act, 1958 which, because of the overarching powers they give to the security forces, virtually provides legal sanction to rape and sexual assault. The powers of search and seizure under the AFSPA have worked as permissions to enter households and harass, molest and

rape women with impunity.

3. Rape under no circumstances be presumed to be in 'good faith' or 'in line of duty' and overlooked without credible and proper inquiry, fixing culpability and punitive action.

4. Command responsibility should be fixed in cases of sexual assault committed by state personnel during security operations and while in custody. The commanding officer in the case of the military and paramilitary or the SP/DSP in the case of police forces should be held criminally liable for crimes committed by those under their command or within their control.

5. Rape not only a weapon of war but also a crime against humanity, an instrument of genocide and a part of torture techniques. Our domestic laws dealing with sexual assaults must be informed by the debate and brought in line with international jurisprudence governing armed conflict. There are many judgments like the 1998 Akyesu Judgment by the International Criminal Tribunal for Rwanda, International Criminal Tribunal for the former Yugoslavia (ICTY, 1993) jurisprudence, The Special Court for Sierra Leone (SCSL 2001) added to this growing body of knowledge by bringing forced marriages into the jurisprudence of violations of international humanitarian laws.

6. Strategic hamleting and shifting of people into camps as counter insurgency measures be given up as inquires over a period of time have proved them to be captive centres of sexual assault.

7. A mandatory and periodic investigation into the condition of women prisoners in

Continue in page 7

NAPM Condemns Brutal Lathi Charge by Police on Farmers Protesting Land Acquisition in Ghaziabad for Wave City Project

NAPM condemns the brutal lathi charge on the farmers who were protesting, under the banner of Kisan Sangharsh Samiti, the illegal acquisition of land for wave city project developed by the Ponty Chadha group in Ghaziabad, Uttar Pradesh on Wednesday and were demanding halting of work. Protesting farmers were brutally lathi charged by the DSP Arvind Kumar. He along with other police men lathi charged the women and men protesters, which left three women (Rajesh Devi, Rajvati and Prema) with fractures in hand and twenty others injured, in complete violation of the law. Police has been working hand in glove with the builders who don't even have the mandatory clearance from the National Capital Region planning Board. Women protesters were man handled and brutally beaten without any presence of female police. In past, too false cases have been imposed on six farmers and the activists of Kisan Sangharsh Samiti, including its Secretary, Dr. Rupesh Verma.

Since Wednesday, they have been continuing their dharna against this brutal assault but no action has been taken against the guilty officials. In that regard, they staged a demonstration at the Jantar Mantar today afternoon demanding action against DSP Shri Arvind Kumar.

It needs to be noted that the Wave city project is spread over 9,000 acres of land, which will affect 10,000 families of 23 villages in Ghaziabad and Gautam Buddh Nagar districts of Uttar Pradesh. The land purchase started without declaring the intended purpose by the builder through real state agents in 2005, after paying at the rate of agricultural land. Simultaneously, in collusion with the Ghaziabad Development Authority officials they got the land use changed from agricultural to urban development, thereby making a windfall gain on the purchase price. Wave City developers till date have acquired nearly 1850 acres from the villages of Nayafal, Kazipura, Mehrauli, Dasna and Bayana of Ghaziabad district on which construction work is in progress at the moment. It need to be noted that apart from the private purchase, Uttar Pradesh government acquired their residence land, village common land or any other private land using urgency clause, Section 17, of the Land Acquisition Act, 1894.

Most of the farmers affected by the project are marginal farmers with land holding upto two acres. Farmers of the villages Dujana, Kachera, Duryee of the Gautam Buddh Nagar District recaptured their land in October 2012 which was forcefully acquired from them. They have also started farming on that land. The recent lathi charge happened when they went protesting and demanded halting of the complete work, since the developer have cheated the farmers, made windfall gain by converting the land use and UP government used Urgency clause which was not at all necessary. The project has been resisted by the farmers for

nearly five years now, but even then successive governments have continued to support it.

Kisan Sangharsh Samiti alleges sever irregularities and collusion of officials and also investments of the powerful politicians in the project. We demand an impartial enquiry and immediate action against the DSP who lathi charged the protesters and severely injured them. We also demand that farmers from whom the land has been fraudulently purchased be paid actual market value after the land use change and adequate resettlement and rehabilitation plans be prepared for them. We also demand that pending an independent enquiry, all the work on the project must stop with immediate effect.

Bhupinder Singh Rawat,
Rajendra Ravi, Baljeet Singh,
Vimal Bhai, Madhuresh Kumar,
Seela Manaswinee, Anita Kapoor,
Sunita Rani, Dr. Rupesh Verma,
Kisan Sangharsh Samiti

National Alliance of People's
Movements

New Delhi, January 4, 2013

Manipur Killing: Amnesty International Public Statement

India: Manipur authorities should cooperate with Supreme Court-appointed panel to probe extrajudicial executions

Amnesty International welcomes the 4 January order of India's Supreme Court to set up an independent panel to investigate six alleged extrajudicial executions in the northeastern state of Manipur, and urges the Manipur authorities to fully cooperate with the three-member panel.

The Supreme Court was responding to a public interest litigation filed by a Manipur-based victims' group and a local human rights organisation seeking the Supreme Court's intervention in the cases of 1528 alleged extrajudicial executions during 1979-2012. The panel appointed by the Court, consisting of retired Supreme Court judge Santosh Hegde, former Chief Election Commissioner, J M Lyngdoh, and former Karnataka police chief Ajay Kumar Singh, has been instructed to submit its report by 12 March. The court has not yet accepted the petitioners' request for a special investigation team to be set up to look into the other cases of alleged extrajudicial executions in the state since 1979.

Authorities in Manipur should fully cooperate with the probe to ensure the panel's investigations are thorough and fair as directed by the Supreme Court, and the panel should complete its investigations in a timely manner to ensure that those responsible for these deaths are eventually brought to justice and the rule of law restored.

Amnesty International welcomes the Supreme Court's order as a positive first step towards battling impunity prevailing in Manipur, which has faced an armed insurgency over the last few decades. The independent investigation offers a ray of hope for the families of hundreds of people who were allegedly extrajudicially executed in Manipur since the late 1970s. Parts of Manipur remain declared officially "disturbed areas" where the Armed Forces (Special Powers) Act remains in force providing soldiers wide powers, among them, to use force, including lethal force; for such actions they are granted immunity from prosecution and civil suits unless the Central government sanctions such proceedings, which it very rarely does.¹

In the past, human rights activists in Manipur have urged the Supreme Court to appoint a special investigation team to investigate all the cases to help end the prevailing culture of impunity in Manipur and provide justice for the victims' families. Speaking to Amnesty International, Neena Ningonbam, the wife of one of the victims and member of the Extrajudicial Execution Victims' Families Association of Manipur (EEVFAM), welcomed the Supreme Court order and hoped that it would bring justice to the victims in the first six cases and help combat impunity in Manipur.

Describing "the right to life and personal liberty of every person" as "the most precious of all rights," the Supreme Court also directed the panel to address the larger question of the role of the Manipur police

and the security forces in the state, report on their functioning and, if it found their actions "transgress the legal bounds," make recommendations to ensure that this is redressed, "without compromising the fight against insurgency."

A one-member panel comprising a retired Supreme Court judge H S Bedi is already investigating 17 extrajudicial executions in Gujarat during 2002-2006, as instructed by the Supreme Court on 25 January 2012.

Impunity in cases of extrajudicial killings is a matter of grave concern in Manipur and some other parts of India. In his comments after visiting India in 2012, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions Christof Heyns observed that "Impunity for extrajudicial executions is the central problem. This gives perpetrators a free rein, and leaves victims in a situation where they either are left helpless, or have to retaliate."² The National Human Rights Commission has itself on occasion said 'extrajudicial executions have become virtually a part of state policy'.

Among the recommendations made by the Special Rapporteur is that India set up a credible Commission of Inquiry (into extrajudicial executions) "that inspires the confidence of the people and which also serves a transitional justice role".

Report from Poso Pratirodh Sangram Samiti (PPSS) on Police Repression as On.

In the mid-night of 9th January, the police filled in two vehicles entered into the Dhinkia Village secretly in order to arrest Mr. Babaji Charan Samantary aged about 65 years, of Dhinkia village in false cases. However, once our villagers became aware about it, they readied for defense. The vehicles went away.

Mr. Samantary who worked as postmaster in Dhinkia for 28 years, was suspended on 14/12/2007 on the ground that he was not willing to give his land for the proposed POSCO project. Despite of the suspension, Mr. Samantary voluntarily continued his work and delivered the post everyday, for about 7 – 8 months. However, around July, 2008, the bag of post was not sent, and since then the basic service delivery like post office has been arbitrarily closed in the Dhinkia village and villagers are not receiving any letter to their area.

From 9th January 2013 evening onwards, the government has deployed 10 platoon of polices near to our villages. We came to know that the government is bringing another 8 platoons of police to deploy today.

Apprehending the police operation at any time, the villagers are united and erected barricades, refusing entry to outsiders to their village. Both Men and women have kept a strict vigil 24 x 7 and disconnect all the village connecting road to Dhinkia and Govindpur village.

Friends, as you know, the National Green Tribunal have put the project on hold on environmental and forest rights ground project on 30th March 2012. It is completely illegal on part of the state government to announce resumption of the process at the proposed plant site. But since elections are approaching both the Congress in the centre and BJD in Odisha are trying their best to mobilize election funds which will be held at 2014.

At this juncture, we earnestly appeal to all our friends to express the solidarity with our villagers and request our media friends to rush and cover the government's illegal activities from the ground zero.

Prashant Paikary
Spokesperson, POSCO Pratirodh Sangram Samiti

January 11, 2013

(People's Union for ...)

jails and remand homes and its report be made available to the public.

Some Other measures to ensure liberty and equality of women:

1. Public Transport Facility be made available on demand to women working outside their homes (for the so called non-working women work inside their homes taking care of domestic chores).

2. Public transport- metro trains, buses. Number of staff members aboard a form of public transport be fixed. Presence of Women Staff be ensured in each public transport.

3. Registration of bus staff and issuing of identity cards and badges. Responsibility of the principal employer to ensure the above. Affixing responsibility on the contractor/ employer and bus owners as principal employer in cases of violence against passengers.

4. Building shelters for women, especially night shelters as a basic safety measure. Homeless, destitute women highly vulnerable to assault. And the possibilities of their complaints being registered, nil.

5. Limiting the time during which liquor shops remain open. Strict action against those found in a state of inebriation in public spaces.

6. Adequate street lights. All traffic lights to function in the same way as in the daytime.

D. Manjit and Asish Gupta
Secretaries, People's Union for Democratic Rights

Delhi: 05 January 2013

Bestial Deeds of the Two Warring Sides in Latehar district of Jharkhand

PUDR deplores the bestial deeds of the two warring sides in Latehar district of Jharkhand, during the early hours of Tuesday, 8th January 2013.

Mutilating the body of a dead is unacceptable under any circumstance. To do so in war on the body of a dead combatant is virtually considered taboo under laws that govern war/s. That the bodies were used to plant explosives which would have killed medical staff and those recovering bodies makes it doubly heinous. The use of civilians as human shields by the forces of the government is equally deplorable. The cowardly nature of this conduct where soldiers hide behind civilians is something that has been a common occurrence in Jammu and Kashmir and the North East.

In this instance, men, women, and children were drawn out of the villages to accompany security forces of the state in the pretext of search operation, which was in fact a gun-battle. One of the injured victims, Vijay Turi said, from his hospital bed that “Almost hundred of us, including many women and children went as search party from my village and from Navadih village. In fact, there were more women than men. We took children because we thought we will be safe from the police doing anything to us if we take them with us. Ten of us at the front and got injured the most from the blasts.” According to the reports of the local police, the entire Ambatikar village, near the Katiya forest where the battle occurred, was deserted at the approach of security forces.

The Government of India denies that any armed conflict is going on anywhere in India and yet has been most active prosecutor of war against our own people. This deniability when is read with laws that make resistance unlawful have made the conduct of war dastardly. Incidents such as these strengthen our apprehension that the war is turning attritional where engagements are becoming brutal. While we condemn both sides for their acts of war crimes PUDR unequivocally holds the Indian rulers responsible for prosecution of war. The Indian Prime Minister had told the editors of leading newspapers on April 10, 2010 that unless forests are rid of the Maoists/Naxalites and secured for inviting foreign direct investment into mining India’s growth story cannot be sustained. Clearing of Saranda forest in West Singhbhum district of Jharkhand has resulted in setting up of nineteen CRPF camps in such a manner that the area meant for mining have been ‘secured’.

However, CPI (Maoist) through such deeds does its own cause harm apart from weakening the resistance to Government’s growth obsessed and FDI driven policies which is resulting in development of underdevelopment. Instead of occupying higher moral ground for their ‘people’s war’ Maoist combatants are showing propensity towards regression. We need to know from CPI (Maoist) if they accept the principle of command responsibility for this act? What action have they taken so far to find out who was responsible for this act which was not possible without some planning and preparation?

PUDR has for long demanded that the Indian State should give up waging war against our own people and to instead resolve disputes/problems through recourse to democratic methods. Until that happens and so long as war continues to be foisted on the people by the Indian State, we reiterate our demand that the Government of India and CPI (Maoist) adhere to the principles enshrined in Geneva Convention and Protocol, especially common Article 3. The do’s and don’ts oblige combatants from not harming the civilians, desist from maltreating prisoners of war, doing away with humiliation/mutilation of dead, and allow medical or rescue teams to perform their responsibilities etc. This would also involve allowing access to International Committee of Red Cross in order to breach the wall of impunity that prevails. Finally, PUDR also insists that India’s Civil Liberties and Democratic Rights groups be allowed access to the conflict zones to carry out their fact findings into instances of crimes committed by either side.

Ashish Gupta
D. Manjit
Secretaries

Peoples’ Union for Democratic Rights (PUDR)

Date: January 15, 2013.

APDR Letter to Mamata Banerjee on threats to Environmental Activists in Chandpara

To
The Hon'ble Chief Minister,
Government of West Bengal
Writers Buildings, Kolkata -700 001

Subject: Urgent intervention solicited.

Respected Madame,

APDR solicits your urgent intervention in activating 24-Parganas police administration in setting aside potential life-threats to certain environment activists in Chandpara region engaged in saving a fragile tributary of 'Jamuna-nadi' (stretching about 25-30 kilometers) and now turned into 'Chalundia Khal'. The threats comes from a section of land grabbers and local promoters alleged to be involved in the network with strong political connections which murdered Barun Biswas of near-by 'Sutia' village in broad daylight in Gobordanga Railway station few months ago.

On 28th December, 2012, the threatened activists were severely beaten with rods, bamboos, bricks etc by a group of goons and promoters who wanted to reclaim large parts of 'Chalunlia Khal' for personal gains and wanted to eliminate those who dare to stand in their way to gain free lands out of a river-tributary which belong to state. Earlier the same activists saved a large plot of land known in the area as "Saheb-Bagan' from the strong hands of the same group of land grabbers. River expert Kalyan Rudra and others provided active moral support to them in that effort. So, vengeance is at work at this stage to eliminate those activists and associated people to steer clear of any active resistance against river-grabbing. Local police is operating hand-gloves with the land grabbers. Local BDO and BL&LRO are nervous and prefer not to act against any vested interest for fear which they can only explain.

APDR activists are connected with the local people's constitutional efforts to save the 'chalundia Khal' and the secretary of 'Chalundia Bacho

Committee' happens to be an APDR activist (Nandadulal Das) whose two ribs the goon broke in the 28th December, 2012 attack mentioned above along with some others.

APDR is seriously concerned in the above-said incident leading to continuous life- threats given to those activists and disturbing inaction against the threat-mongers and assaulters. It is further said that the same local APDR activists were awarded by the local administration medals and cash prize worth Rs. 1700.00 each for heroically chasing and finally arresting a snatcher. Now, they're being threatened and these threats, APDR feels, may at any time be practically executed if current administrative inaction runs on.

So, APDR solicits your kind, appropriate and immediate intervention for saving life.

Thanks.

Signed,
Dhiraj Sengupta
Association for Protection of
Democratic Rights
January 17, 2013

APDR statement on deteriorating condition of electoral democracy in West Bengal

When our whole country has been agitating against rape of women, our state has become stupefied with another kind of rape – the rape of electoral democracy. A queer darkness has, indeed, pervaded our West Bengal. The process has started earlier, but during the last few days it has openly come out in the lime light exposing the open violation of all constitutional norms, highlighting anew the process of criminalisation of politics in this state. First, an aged opposition leader was brutally assaulted by an enterprising 'udyomee' leader of the ruling party, who had earned a dubious fame earlier for his questionable anti-people role. But this time, in the interest of the ensuing Panchayet elections, he was rewarded by open commendation by

the top leaders. And then, when a protest march was being organised by the opposition parties, buses and cars carrying people going to participate in that protest were openly attacked, fired upon, their carriers burnt under the leadership of that same infamous leader, thereby earning more praise and appreciation of his party and the state-ministers. Even the Governor,

the constitutional custodian of the state administration, was attacked crudely for expressing his concern and criticism.

In the 20 months' rule of the Trinamul Congress Government, the right to freely express one's opinion and also to protest and organise peaceful meetings and marches has been trampled upon again and again, thereby exposing the real nature of the 'Paribartan' promised by them. Gradually it has been reaching its zenith. The present situation is only a symptom of that process.

APDR has, since its birth, been protesting against all violations

of democratic rights. Its bold and continuous stand during the people's spontaneous protest against the autocracy imposed by the Left Front is known to everyone. We now protest against this ongoing and more and more openly naked violation of democracy by this new Government and its leaders.

We are happy that more and more eminent members of the civil society are becoming critical and outspoken against these undemocratic activities of the Government, calling it 'hooliganism'. Incidentally, a senior minister has asked a funny question

in this context in view of the open criticism made by Sankha Ghosh, the leading poet of this state : "Who is this Sankha Ghosh ? What does he write?" This is the most natural comment of a person who was the infamous minister of information during the Siddhartha Raj of the seventies of the last century!

Dhiraj Sengupta
General Secretary
Association for Protection of
Democratic Rights

Kolkata, January 11, 2013

Demolition of EWS quarters and the Eviction of Residents in Bangalore

The BBMP today began demolition of homes and evicting residents from the EWS quarters at Ejipura. During the process of demolition and eviction protestors were lathi charged, physically dragged by the police and arrested - all of them women. They have been remanded to judicial custody till next Tuesday. These women have been separated from their families and homes, and cannot protect their shelters and belongings from the demolition bulldozers.

The BBMP official, B T Ramesh who was at the spot could not produce any official documents that showed that he and his crew had the authority to demolish structures and evict residents. Nor did he produce any copy of the notification supposedly shared with the residents a month back. Notices which the BBMP claimed were pasted on the houses, were not visible on any of the houses. All the residents that we spoke to had not been notified and were unaware of this demolition drive.

In a meeting with the BBMP Commissioner today, Mr. Siddaiah agreed to stop demolitions of the occupied homes and to give a time period of 3 months for evacuation. In fact, Mr. Siddaiah called BT Ramesh in presence of activists and EWS residents. However, the demolition continued unabated; Mr. Ramesh insisted on a written order from Commissioners office, who conveniently disappeared by then. As of this afternoon, the police had given a 6 pm notice to the residents to clear their belongings. As of now, it is reported that as many as 500 homes have been razed to the ground by the BBMP bulldozers today. Many families are out on the streets, since they do not have the finances or support to re-locate. Children whose mothers were arrested are in streets - searching them. Women cry helpless, not knowing where to take their young and old.

We, the members of civil society, representing different organisations (PUCL, PDF, and Concern) condemn the deplorable and inhuman way the demolitions, police violence and evictions have been implemented. We call

for an immediate and complete halt to the eviction of residents and the demolition of occupied homes in the EWS quarters. We further demand that all charges against the residents and activists be dropped.

Right to shelter is one of the principle rights enshrined in Article 21 of our constitution. A state, under no circumstance, has a right to go against either the letter or the spirit of this right without providing alternative arrangements for all those it renders homeless. Further the police protection of demolitions does not legitimise its use of brute force and physical violence against the weakest in our society - who are but protesting, losing their all.

People's Union for Civil Liberties (PUCL),
People's Democratic Forum (PDF) &
Concern - Bangalore

Bangalore: January 19, 2013

Chhattisgarh: HRF Note on Abduction of Adivasi Women by Police

A four-member fact-finding team of the Human Rights Forum (HRF) to Nimmalagudem village on January 16, 2013 was told by tribal residents that two women of the village — Madvi Parvathi, (aged 21, wife of Madvi Bhaskar) and a minor Kovasi Somidi, (aged 15, daughter of Kovasi Idma and Kovasi Aite) were forcibly taken away by policemen from Andhra Pradesh at about 7 am on January 12, 2013 from the village itself. Their whereabouts are not known till date. According to Parvathi's mother Punam Jogamma and her husband Bhaskar, Parvathi is also pregnant.

Nimmalagudem, with about 30 tribal households, is in Konta block of Sukma district, Chattisgarh. It is located only about 3 km from the Andhra Pradesh border. Residents, who are all farmers, said a huge police party from AP consisting of over 100 personnel, including the Greyhounds, came to the village at daybreak on January 12. On seeing the police from a distance, most men fled into the forest in the opposite direction. The policemen began abusing and beating up residents including several women and children. Among those beaten up were Sodi Devi, a 10 year-old girl and a 12-year old boy Madvi Venkatesh. The boy lost three teeth as a result.

The policemen then picked up a farmer Podium Chukkaiah and his minor son (aged about 11) P Bhimaiah as well as Parvathi, Somidi and another woman Madkam Saramma. Their hands were tied and they were taken to a spot about half a kilometre away from the village below a hillock where there were remnants of a camp set up earlier by the Maoists. Accusing the four as well as the entire village of providing food and help to the Maoists, they beat them with their hands and sticks. Bhimaiah was slapped repeatedly.

Several women including Parvathi's mother Jogamma, her aunt Punam Somamma, Somidi's mother Aite followed the policemen pleading with them to not harm their daughters. The policemen instead abused and also beat up the three women and even kicked them. Aite and Jogamma tried to give some water to Parvathi and Somidi but the policemen did not allow it.

Soon after, the police partially disrobed Parvathi and Somidi and forcibly took the two away with them. They let go of Saramma, Chukkaiah and Bhimaiah. Chukkaiah was bedridden for two days from the beatings and is now better. Over a week after they were abducted by the AP police, there is still no trace of Parvathi and Somidi.

The incident was reported in the Telugu media after the tribals went to Cherla, a mandal headquarters in Khammam district of AP, and narrated the events to local reporters. When contacted by reporters, police officials have kept denying knowledge of the whole thing.

On January 16, Nimmalagudem villagers again walked to Cherla and met the Bhadrachalam sub-collector Narayana Bharat

Gupta. They told him what had happened on January 12 and pleaded with to help them locate their daughters. They told him that every-time there was movement of Maoists in the area or any incident involving the Maoists, the Andhra police were targeting Nimmalagudem and harassing them. Gupta promised to take up the matter with higher officials. Two days have gone by and there is no word about the women.

Fax messages have been sent to the Chief Justice of the AP High Court as well as the Chattisgarh CJ seeking their intervention.

An appeal was made by HRF through the media to immediately set the two women free and handed over to their families.

Members of the HRF fact-finding team:

1. VS Krishna (HRF State general secretary)
2. SK Khadar Babu (HRF Khammam district president)
3. D Adinarayana (HRF Khammam district general secretary)
4. N Amar (HRF Nalgonda district vice-president)

January 19, 2013

From Nonadanga to Ejipura: The Urban Battleground

The demolition of the Economically Weaker Sections (EWS) slum in Ejipura in Bangalore on 19th-20th January and the brutal eviction and dispossession of the 1500 families living there is another front of the urban battle that is going on across cities in India. It is a battle which we have fought, and are still fighting, in Nonadanga in Kolkata, and is being fought in many slums and communities across the country, such as Golibar in Mumbai. At the fundamental level, this battle, beyond the rhetoric on urban development and beautification, on rights and rehabilitation, is class conflict. It is a conflict between the urban working class and the bourgeoisie, and the basic question in contention is the “right to the city”. The contours of this conflict are going to shape the future nature and the character of the cities in India, where most of the economic activity in the country is already concentrated, and is therefore of immense importance for all of us.

The history of the demolition and eviction in Ejipura bears close parallels to that in Nonadanga, both being part of the neo-liberal attack on the lives and livelihoods of the urban working class. Both have their origins in the elite dream of “beautiful” and “developed” cities, the process of “beautification” and “development” involving the gradual pushing out of the working class to the peripheral areas, the same working class which provides the infrastructural services for running the cities but whose lives are an eyesore for the elite, and reconfiguration of the land they occupy into malls and genteel living spaces. And at the centre of it lies land, the most valuable resource in the urban scenario, especially in high population density cities in India, and especially at a juncture in capitalism where real estate and services have proved to be a far more profitable mode of investment than any productive industry. As the working class, by the virtue of their very presence in the cities, has staked claim to this priceless resource, it has become imperative for capital to get rid of them and get possession of this land, all the while couching it in terms of urban development and urban regeneration. And the state, representing the dominant class interests, has been the vehicle through which this war on the lives and livelihoods of the urban poor has been waged.

The EWS quarters in Ejipura is a stark illustration of this process. Originally designated in 1984 as land for housing the urban poor, basically working class slum-dwellers who had been evicted from various slums in more central parts of the city, it took 12 years for the Bangalore municipal corporation (BBMP) to build 1512 one room tenements for them in Ejipura, an area which was then at the periphery Bangalore. These three-storied blocks of flats, named as EWS quarters, lacked basic infrastructure such as toilets or water, and the BBMP also did not care to provide any basic necessities such as schools for children or medical facilities for the inhabitants. Yet, the people, who did not have any alternatives, started staying there. Very soon, as a fallout of the rampant corruption which is always part of these processes where the state attempts

to show its social responsibility towards the poor, these buildings were found to have major structural flaws and built with very inferior grade material. Many of the buildings developed cracks and in 2005 a number of them collapsed, killing three people and injuring many. Then the BBMP constituted a committee to look into the matter which recommended that 21 of the 42 blocks be demolished and the rest repaired. However, the BBMP went ahead and vacated all the buildings and tore them down. The inhabitants were settled in makeshift structures at the site, with the explicit promise that their flats would be rebuilt and they would be resettled back. Since then a lot of water has flown down the Kaveri, but these people have remained in their tin and bamboo sheds, while the machinations of elite interests have taken a turn towards ultimately dispossessing them from their right over the land.

A number of things have happened in Bangalore, and nationally and globally, over the last decade. Bangalore has grown as the silicon valley of India, the focus of interest and investment by the multinationals, and has therefore become one of the largest hubs of real estate development in the country. Any visitor travelling over the 30 km from the airport to the city will be dazzled by the sheer number of advertisements for huge real estate developments, each attracting potential customers to their “own” piece of Europe or America in and around Bangalore. Therefore land prices in Bangalore

have skyrocketed to become one of the highest in the country. Secondly, the city has expanded exponentially as people from all over the country mainly working in the IT/ITES sector have settled in the city, with the areas which were previously peripheral now becoming targets for intense real estate development for their housing and entertainment. With a large amount of liquid cash in hand, and loans becoming especially easy to get for these corporate employees, luxury houses and hotels, malls and multiplexes have become the defining features of Bangalore's geography. Therefore the elite pressure on urban land has become excessive. Thirdly, driven by the urban dreams of this dominant class, and catering to the need of the corporations for a more "efficient and productive" urban space, the Indian state has gone full steam ahead in reclaiming land on which the urban poor live and work, all in the name of urban development, rejuvenation or renewal. Various schemes have been devised to enable this process, such as the central government's Jawaharlal Nehru National Urban Renewal Mission (JNNURM), to implement which a plethora of government and quasi-government agencies have come into being in every major city such as the Bangalore Agenda Task Force (BATF) or Karnataka Urban Infrastructure Development Corporation (KUIDC) in Bangalore or Kolkata Environmental Improvement Project (KEIP) or Basic Housing for the Urban Poor (BHUP) in Kolkata. In many cases, money from World Bank, IMF or ADB are routed through these agencies, connecting them to machinations of globalized capital.

With the purported objectives of beautifying or rejuvenating cities, or building infrastructure, the main function of these schemes and agencies over the last decade has been to take over land belonging to the urban working class or dispossess them from commons land in the cities, and push them further and further to the peripheries of urban life, both literally and figuratively. Simultaneously, urban land being used productively as industries, employing and housing thousands of workers, has been progressively deindustrialized and transferred to real estate developers, as exemplified by the historic textile mills of Mumbai or the South City mall of Kolkata. In summary, the lives and livelihoods of the urban working class have been under constant attack. Various legal and commercial contrivances have been brought into play to facilitate this process and make it more palatable to urban liberal opinion, the public private partnership (PPP) model being one of the most popular. Under this model, a government agency, transfers the land to a private player, and the private player is then allowed to use most of the land for commercial purposes as long as it allocates a certain portion of it to some public purpose. Sold by the state as a win-win arrangement for both the public and private entities, in reality it just provides a fig leaf of public purpose to the wholesale transfer of public and commons resources to corporations. Followed by practically all state governments, left, right and centre, the PPP is especially a favourite of so-called populist governments such as that of the Trinamool Congress in West

Bengal, which has put the tag of PPP on many of the blatant land grabs of the previous Left Front era.

All of these phenomena have had their effect on the hapless people of Ejipura. While they remained in their tin sheds at the ruins of their erstwhile homes, the area surrounding their slum became a lucrative residential and commercial area. The so-called National Games village, housing originally constructed for participants in a National Games, which is very close to the EWS quarters, became a major residential area. It was therefore required to "reclaim" the site from the slum dwellers. The government called for bids to transfer the land to private builders who would build flats for the people who had originally been allotted accommodation in the EWS quarters under a PPP basis. Two companies bid for this, and after a lengthy litigation, the bid was awarded to a Maverick Holdings and Investments, a big real estate developer which owns the huge Garuda Mall in Bangalore. The owner, Uday Garudachar, is highly connected both politically and administratively, being a member of the ruling BJP and the son of an ex-Director General of Police (DGP). Apparently, his connections go even beyond the ruling upper caste and pro-corporate BJP; he had filed nominations to the Rajya Sabha from Jharkhand with the support of the BSP, the major party representing dalits in north India. Maverick Holdings represent the typical class interests spearheading the attack on the lives and livelihoods of the urban working class. These are middle level developers, connected to the local

politicians and government officials, and therefore favoured recipient of state largesse, leveraging that to go into the big-time developer league. In Kolkata too, a number of such developers, mostly from the Marwari community and connected to the CPI(M) such as the Todis and Neotias, had made it big, and had soon come to exert control over the decisions of the government, even getting laws amended for their purpose. A new set, mostly smaller Bengali developers or industrialists with connections to the ruling Trinamool Congress, has now come up and are the new predators on public land and resources in the urban and peri-urban landscape of Bengal.

Coming back to Ejipura, the PPP which Maverick Holdings now had with BBMP diverted 17 acres of the 22 acres of land originally allocated for housing for the poor for building a shopping mall, a shocking case of diversion of public land for private profiteering. The facade for this deal was that Maverick Holdings would build housing for the original EWS allottees on the remaining 5 acres. The reality was that most of the original people allotted housing in the EWS quarters had dispersed in search of livelihood (at the time when they were relegated to this area, there were no opportunities for employment nearby), and the people inhabiting the slum were their tenants, part of the successive waves of migrants coming to Bangalore and working as domestic workers, street vendors, auto and private vehicle drivers, house-keepers and security guards in the surrounding areas. Maverick Holdings had no commitment to

provide them with accommodation, and therefore probably envisaged even converting the housing part of the PPP deal into a profiteering racket. Similar things have happened before in Mumbai. Therefore, the people of the Ejipura slum have resisted the plans for their displacement over the last one year in various ways, even approaching the court, most probably inadvisably as the courts always stand in support of dominant interests, with a writ petition. When the court finally ruled in favour of the builder, the latter could easily put his contacts within the administration and BBMP in motion to go ahead and demolish the slum housing nearly 8000 people in Ejipura. The brutal demolition happened over the weekend of 19th and 20th January, making thousands of people homeless and with the accompanying police brutally beating up and arresting whoever stood in resistance. Twenty five women and four toddlers, including Kaveri Rajaraman, a young neuroscientist working at the Indian Institute of Science, Bangalore, who participated in the slum dwellers' resistance as an expression of solidarity, were arrested and twenty one of them were charged with various offences. They were later released on bail. Within two days, the entire community of around 8000 people, consisting mostly of dalits and minorities, living there for a decade and contributing to the economy of booming Bangalore as essential workers, were dispersed with an uncertain future. Because of the brave resistance of the slum dwellers and their comrades such as Kaveri, and the protests of civil

society organizations, the BBMP has said that the displaced people will be rehabilitated in Sarjapur, a place 15 km away, although there is nothing at that site for providing shelter at the moment. Although the first round in this urban battle has been lost, it is now up to strength of the resistance against the dominant class interests what the final outcome would be.

For those of us who have been closely connected with the struggle of the Nonadanga slum dwellers, the parallelism with Ejipura has been both unnerving and illuminating. Unnerving because it demonstrates the magnitude of the forces ranged against us and illuminating as it becomes clear that these struggles are part of the same continuum of class conflict in urban India. The area of Nonadanga, at the southern periphery of Kolkata, was also designated for housing for the urban poor under the ADB-funded BSUP scheme, mostly slum dwellers who have been evicted from various parts of Kolkata as a result of beautification and infrastructure development drives by various government agencies. The Kolkata Metropolitan Development Authority (KMDA) built one room flats for these people in the area, with entire families of 8-10 people being herded into a flat. No basic necessities such as schools or healthcare facilities have been provided. As a community has slowly developed in the area, more working people, evicted from their slums or migrating to the city to escape the ravages of natural calamities such as cyclone Aila, have settled down in the vacant spaces, building their lives around small shanties which they had set

up. Then last year, the KMDA decided to stop building the flats on their own because of a purported funds crunch and decided to go in for a PPP with an as yet unknown builder who would use the major part of the land for commercial purposes. Prior to initiating the PPP, and handing over the land to the private party, it decided to clear the land of all the people settled on it, people whom the agency calls encroachers. Therefore, they came in with bulldozers and the police at the end of March, and demolished and burnt down around 150 homes, demolishing the hopes and aspirations of around 600 people in the process. However, the people organized and put up a resistance, facing police lathi charges and waves of arrests, and still hold on to the land on which their homes were. Again, all machineries of the state, and the ruling Trinamool Congress party, have been put into motion to disperse them, and “reclaim” the land, including a concerted attempt to divide the resistance by intimidation and inducements such as the promise of houses at another site. The movement, however weakened by internal dissensions, police repression and physical attacks by ruling party goons, has survived and is still a challenge to the dominant class interests in this urban battleground. What will be the final outcome will yet be decided by the strength and unity of the resistance.

Therefore Ejjipura and Nonadanga are both part of the continuum of urban class repression and resistance. The same is happening in numerous other urban and peri-urban areas across the country; at the moment slum

dwellers in Golibar and other slums in Mumbai are resisting their displacement and corrupt deals of builders and the government to usurp their land and housing rights. In all these places the victims' class merges with their identities, for everywhere the victims are dalits and minority community members, trying to eke out a living in the cities by participating in the huge urban informal workforce. And everywhere, in the forefront of resistance are women, who see their dreams and aspirations crashing down in front of the state's bulldozers. What is required now is a countrywide alliance of these resistances, based on the understanding of the overall class nature of the conflict that we are facing. Over the last decade or so, the focus of most activists and organizations, including radical left organizations, have been mostly on the countryside, where large scale displacement and land grab has been going on in the interests of national and multinational capital. However, in the meantime, the urban conflict over land, over the right to the city, has also become more and more intense. Actually, the conflicts in the rural areas and urban areas are interlinked by economics and commonality of class interests. In the villages, due to the increasing loss of agriculture as a remunerative source of livelihood because of withdrawal of state support and loss of land to commercial interests, out-migration has become a defining feature. Millions of people are migrating from the rural to urban areas in search of livelihoods, joining the informal workforce and building the reserve army of labour, and populating the sprawling slums in

the cities. It is interesting to note that in the last five years the only sector which has seen significant growth in employment is construction. Therefore a vicious cycle has been set into motion across the country: people losing livelihood in villages and migrating to cities, joining the urban workforce engaged in construction and allied services sectors, settling down in slums in the cities, then losing their homes as the land on which the slums are situated are taken over by the real estate developers, and moving over to more peripheral areas together with other recent migrants to the city and building their homes and lives again only to lose it again in a few years as the city sprawls outwards and more and more land are usurped by elite class interests. This vicious cycle defines the class conflict in the cities, and closely interlinks it with the conflict in the villages. The state understands it, and fears that this conflict will coalesce with the greater anti-capitalist and anti-imperialist struggles of the country; hence the witch-hunt for Maoists in every urban struggle. As the adversary understands the general nature of this class conflict, it is upto the working class, and the radical forces arrayed on the side of the working class, to also realize that and build alliances spanning across cities and villages to fight this battle.

Partho Sarathi Ray

Report of the PUDR Meeting on “Impunity for Alleged Perpetrators and Quest for Justice in Jammu and Kashmir

PUDR organised a meeting on International Peoples’ Tribunal on Human Rights and Justice in Indian-Administered Kashmir (IPTK) and Association of Parents of Disappeared Persons (APDP) report on “Alleged Preparators on 24th January 2013. The meeting was addressed was Pervez Imroz of APDP and Karthik, a human Rights lawyer who has worked on this report. Nivedita Menon from Jawahar Lal Nehru University, and Arundhati Roy were special discussant on this report.

Pervez Imroz spoke on the response of the state including police and army personnel on this report. He elaborated how the state is providing impunity and also rewarding those who are perpetrators and whose involvement in the human rights violations has been documented in the report. Many of the policemen also enquired and wanted to know whether their name was in the report. But the state is silent and indifferent to the revelation in the report which is entirely based on the government document. He also raised his concern and expectations from civil society organization in various parts of the country.

Karthik spoke on the methodology adopted for completing this study which nearly three years. The study is based on 214 cases, using information garnered from official State documents. The documents include FIRs, statements before police and /or magistrates, police final reports, High Court petitions, objections, other documents forming a part of the court record such as compliance reports, status report, judicial enquiries, SHRC documents from complaints to objections, police submissions and final orders.

Nivedita menon while commenting report considered this task to be work of tremendous labour and produced the shocking result. However, how the Indian state is indifferent inspire of clear complicity of police and army personnel. This in turn confirms the attitude of Indian state towards

Kashmir.

Arundhati Roy spoke that Indian army considers it bounden duty to suppress the human rights of people in Kashmir. Indian Army is working under the well planned strategy of the Indian state. How can we expect justice when Army itself is given responsibility to investigate the reported human rights violation by the army personnel. She said that it not the statistics which should bother us, but we should see that is a well planned strategy of the Indian state. Therefore, the violation by the individual police and army personnel becomes less significant but the violation under well planned strategy by the Indian state should bother us and therefore should be questioned.

At the end of the meeting, which was attended by nearly 100 people, questions on the methodology of the study, what should be done and other questions were raised few members of the audience.

Haryana - MSWU Press Statement Regarding State Repression on ‘Justice Rally’

We from the Maruti Suzuki Workers Union (MSWU) and our families continue to face not only an exploitative company management but also continuous state repression since we started our agitation demanding justice and legitimate rights of workers.

This morning, Imaan Khan, one of the members of the Provisional Working Committee, MSWU, was picked up by the Haryana police while a Press Conference was underway, from outside the union office of Sarva Karmachari Sangh in Civil Lines, Gurgaon near Puspanjali Hospital.

This press conference and other such programs are being organized as part of the week-long ‘JUSTICE RALLY’ through the villages and cities across Haryana from 21st January 2012 to culminate in a Dharna in Rohtak on 27th January.

Also today morning, one of the teams of the state-wide jattha which started from Rewari yesterday and were starting from Dharuhera today, was also harassed, intimidated and finally forcibly picked up by the police from Bilaspur- all 20 workers’ cycles were dumped into police vehicles and dropped off to a village in Jhajjar. When the workers

Continued in page 18

Statement of Protest and Demand for withdrawal of Meritorious Service award to SRP Kalluri

We, the undersigned, are appalled at the conferment of the President's Police Medal for Meritorious Service to SRP Kalluri, IGP of Chhattisgarh. Mr Kalluri raped a tribal woman, Ledha Bai, when he was the SP of Sarguja District, ordered her gang-rape by his juniors, and then terrorized her and her lawyer when she decided to file a complaint against him. Coming on the heels of the award of the President's Gallantry medal to Ankit Garg, who had sexually assaulted another tribal woman in his custody, Soni Sori, it appears that sexual violence against women by the police is well tolerated, and even decorated, by the government. Is it any wonder then, that we are witnessing a spiraling increase in crimes against women?

Ledha Bai is a tribal woman who was married to Ramesh Nagesia, a member of the CPI(Maoists). Under advice from the police, she convinced her husband to surrender himself to the police. But, the police team, lead by the then-SP of Sarguja, Mr. SRP Kalluri, went to the pre-assigned meeting place and shot the unarmed Ramesh Nagesia dead, in front of his wife Ledha. Ledha was allowed to live, but with the caveat that she would not tell anyone about this episode. However, a few days later, Ledha, her 2 year old child and her parents were rounded up and taken to the police station. There, Ledha was stripped and raped by Mr. Kalluri, and green chillies were inserted into her vagina in front of her parents and daughter. Under orders from Mr Kalluri, SPO Dhiraj Jaiswal and others gangraped her in police custody for about 10 days. All this has been documented by several fact-finding teams and was also corroborated by Ledha's statement in front of a magistrate.

When Ledha tried to lodge a complaint against Mr. Kalluri, she and her father were intimidated to the extent that they had to withdraw the complaint, and instead, false charges were filed against the lawyer who had helped her file the complaint.

Mr. Kalluri is well-known for the reign of terror he let loose in Sarguja district as its SP, under the pretext of fighting Maoists. Extra-judicial killings were frequent, such as the one of Narayan Khairwar, and anyone who raised a voice against this was victimized. Even a Rozgar Yatra led by the eminent economist Jean Dreze was subjected to a lathi-charge, on account of being constituted of suspected Maoists.

Later on, Mr. Kalluri was transferred to Dantewada as Senior Superintendent of Police. His authoritarian rule continued there, and activists and ordinary tribals were subjected to endless harassment under his orders. Himanshu Kumar, a well-known Gandhian activist opposing Salwa Judum, had his ashram demolished and was forced to flee from

Dantewada. Mr. Kalluri held a press conference announcing the well-respected international organizations such as the International Committee of the Red Cross and Doctors without Borders, were helping Maoists. In another press conference, he announced that Lingaram Kodopi, a 20 year old journalism student in NOIDA who had addressed public meetings in Delhi talking about the reign of terror in Dantewada under Salwa Judum and Operation Green Hunt, was in fact a spokesperson for the CPI(Maoist) and had masterminded a Naxalite attack in Dantewada while sitting in Delhi. Linga's aunt, Soni Sodi, another outspoken tribal woman, was harassed by having multiple false cases lodged against her, and her husband arrested in another false case. Any tribal activist, other than those working for the ruling party, were arrested and thrown into jail. Consequently, CPI was forced to write a letter of protest to the Prime Minister, complaining of the witch hunt of their party workers under Mr. Kalluri's reign, more than a dozen of whom were arrested and many of whom still continue to languish in jail. Kartam Joga, an elected Janpad member of the CPI, who had filed a writ petition in the Supreme Court against Salwa Judum, was similarly picked up on

spurious charges and has just been released after 29 months in prison.

In March 2011, SPOs torched three villages in Dantewada district. As Swami Agnivesh was attempting to deliver relief to these villages, police sealed off these areas and attacked the convoy along with Swami ji and accompanying journalists. The uproar created in the wake of this incident forced the Chhattisgarh government to transfer Mr. Kalluri out of this area.

In view of these crimes committed by Mr. Kalluri, we are unable to understand what constitutes meritorious service in the eyes of our government. We demand that the medal be immediately withdrawn.

Signed by -

Shabnam Hashmi, Social Activist; Sudha Bharadwaj, Advocate; Shalini Gera, Activist; Nandini Sundar, Academic; Himanshu Kumar, Gandhian activist; Indira Chakravarti; Bela Bhatia, Academic; Kalpana Mehta; Vrinda Grover, Advocate; Ram Punyani, Scientist and Activist; Mansi Sharma, Activist; Naish Hasan, Activist, Lucknow; Sheba George, Activist, Gujarat; Mahtab Alam, Activist and Journalist; Manisha Sethi, Activist-Academician; Sanghamitra Misra, Activist-Academician; Syed Zafar Mehdi, Journalist; Dr. John Dayal, All India Christian Council & Member, National Integration

Council, GoI; Ahmed Sohaib, Activist-Academician; Aslam Khan, Activist, Delhi; Kavita Srivastava, PUCL; Navaid Hamid, member, Member, National Integration Council, GoI; S R Darapuri, former DGP Police; Annie Raja, National Federation of Indian Women; Zakia Soman, Bhartiya Muslim Mahila Andolan; Zulaikha Zabeen, Journalist, Raipur; Sucheta De, AISA; Asad Zaidi, Three Essays Collective; Vinay Bhatt, Activist; Shaheen Nazar, Senior Journalist; Harsh Dobhal, Human Rights Law Network (HRLN); Kavita Krishnan, All India Progressive Women Association (AIPWA); Reena Philipm, Activist, Kerala; Reny Ayline, NCHRO; Purva Bhardwaj, Activist and Researcher; Prof. Apoorvanand, Delhi University; Kumar Sundaram, CNDP; Lateef Mohd Khan, CLMC, Hyderabad; Jay N Jayram, Researcher and Journalist; Seema Mustafa, Senior Journalist; Dilip Simeon, Academician; Aijaz Zaka Syed, Writer and Columnist; Prakash K Ray, Researcher; Irshadul Haque, Editor, Naukarshahi.in; Iftikhar Gilani, Senior Journalist; Seela Mahapatra & Madhuresh Kumar, NAPM; Prasad Chako; Utkarsh Sinha; Jawed Naqvi, Senior Journalist; Vineet Tiwari, Gen Sec, M P PWA; Meera Ahmed, University of Delhi

25th January 2013

(Haryana - MSWU Press ...)

valiantly resisted these repressive tactics by laying on the ground and holding on to each, the police used force to remove us and gave threat of arrest. PUDR Statement Upholding the Maruti Workers' Right to Protest

s and torture if we enter Gurgaon. Before this, on 22nd and 23rd January, police tried raiding our Union Office and threatened workers and their families of further arrests and torture if we dare to continue with our agitation. Besides our 149 fellow workers who continue to languish in jail for the last seven months, non-bailable arrest warrants against 66 more workers have been slapped on whom police repression is continuous. 546 permanent and 1800 contract workers have been terminated from our jobs.

We strongly condemn this continuous use of brute police force on workers and our families and anti-worker stance of our elected representatives, which is showing how nakedly the state is working to maintain the injustice and exploitation by the management of Maruti Suzuki company. It is our democratic right to protest, and we demand the immediate release of Imaan Khan, MSWU Provisional Working Committee member, and stop to further harassment by the police on our justice rally for Rohtak 27th January.

Ramnivas, Omprakash, Mahavir, Yogesh, Katar Singh, Rajpal (on behalf of Provisional Working Committee

Maruti Suzuki Workers' Union
24 January 2012

POSCO Pratirodh Sangram Samiti (PPSS) Commenced Resistance Struggle.

POSCO Pratirodh Sangram Samiti (PPSS) commenced resistance struggle in the border of Govindpur today against the forced land acquisition by POSCO and Government of Orissa.

6 Activists of PPSS arrested and over 230 cases filed against 2000 villagers resisting establishment of POSCO Steel Plant

The Struggle in Dhinkia and nearby villages continues against the POSCO project despite every attempt of the State Government to muzzle this courageous dissent. One of the weapons used by the State Government has been foisting hundreds of criminal cases against activists and villagers resisting the project and arbitrary arrests and jailing of them. It appears that the State Government is attempting to frustrate the struggle by getting the activists embroiled in court battles, compelling them to run around for bail and forcing them to run around from court to court proving their innocence so as to prevent them from engaging in their struggle for justice. This Appeal is to all to ensure that this underhand and unconstitutional strategy of the State Government is defeated.

As is now well known, the Government of Orissa and Pohang Steel Company (POSCO), Republic of Korea signed a Memorandum of Understanding (MOU) on June 22, 2005 for setting up an Integrated Steel Plant of a total capacity of 12 million tonnes per annum in Orissa at Paradeep, in Jagatsinghpur district. The integrated steel plant includes captive power plant and a captive minor port, and was to be located on the northwestern bank of the Jatadharmohan river creek 12 km south of the Paradeep Port requiring a total of 4004 acres of land and would affect 8 villages of three Gram Panchayats of Kujang Tahsil, i.e. Dhinkia, Gadakujanga and Naogaon.

The attempts by the district administration to acquire land has been thwarted by strong local opposition starting early 2006, primarily the POSCO Pratirodh Sangram Samiti (PPSS), that spearheads the movement against POSCO, which has its base in Dhinkia Gram Panchayat, wherein three of the villages, namely Dhinkia, Govindpur, and the hamlet village of Paatna are being affected. In response to this resistance, the State Government has used several tactics to tire out the movement. One of this is the abuse of the criminal system to file numerous criminal complaints against members of the PPSS leading to threats of arrest perpetually hanging over the head of all persons resisting the project. Around 230 cases have been filed implicating almost 1500 - 2000 villagers who are resisting the establishment of the steel plant between 2006 and 2012.

The Government of Orissa has started the process of forcible land acquisition from Govindpur village, due to which PPSS has started its resistance struggle in Govindpur against the forcible Land acquisition. The Police are attempting to break this struggle by the filing of false cases and arresting persons resisting the project. In the last one month around 6 activists of the PPSS have been arrested and are presently in prison.

Representatives from Delhi Solidarity Group (DSG), New Delhi and Alternative Law Forum (ALF), Bangalore had gone on a Fact Finding visit to the POSCO affected Dhinkia Panchayat consisting of the villages of

Dhinkia, Govindpur and Paatna between 22nd-24th December 2012 to collect first-hand information in regard to the abuse of the criminal system to implicate villagers as well as to figure out the areas of support needed. It was found that villagers have been unable to leave their villages for almost 6 -8 years in fear that they would be arrested, and have been unable to approach the court for legal remedies due to financial constraints.

The present situation where the Government is attempting to forcibly acquire land from the villagers, and placing the threat of arrest over all persons who legitimately protest the same, forces the villagers and activists to carry out their struggle both on the ground and in the courts in order to prevent arrests and to ensure that persons who have been arrested are released on bail. This entails a substantial amount of financial commitment in terms of legal expenses. There is an immediate need for Legal and Financial support for the movement to apply for bailing out the protesters and other innocent villagers, and to prevent further such arrests.

Lawyers, Activists and others who can help with this process feel free to contact:-

maitreyi@altlawforum.org
(0 9 2 4 3 1 9 0 0 1 4) ,
raghu@altlawforum.org
(0 9 3 4 3 6 1 7 1 7 5) ,
sanjeev@delhiforum.net
(09958797409).

Please respond so as to ensure that the underhand and

Continued in page 20

PUDR Statement Upholding the Maruti Workers' Right to Protest

Imaan Khan, one of the active members of the Provisional Working Committee, Maruti Suzuki Workers Union (MSWU) was picked up by the Haryana police in the morning of January 24, just before a press conference of the union was to begin from outside the union office of Sarva Karmachari Sangh in Civil Lines, Gurgaon. The charges put against him are the same as those on the workers arrested for the July 18, 2012 incident which was happened in manesar plant, in which one of the HR Managers Awanish Dev had died. There is apprehension now of other active members of the provisional committee being picked up. This is possible because the FIR of the incident was against 500 unnamed accused.

It needs to be reiterated that 146 workers, including the entire union, are in jail for the last seven months and there are non-bailable arrest warrants against 66 more workers. Also 546 permanent and 1800 contract workers were terminated.

With the entire union body in jail, the provisional committee is actively questioning the actions of the illegal termination of workers, arbitrary arrests and in general state-management-police nexus. All are being met with a heavy hand to break the morale of the workers.

A week long program comprising of 'JUSTICE RALLY' through the villages and cities across Haryana was organized, by the committee from 21st January 2012, after all talks with the management and labor department for the reinstatement of terminated workers failed. The program culminated in a dharna in Rohtak on 27th January. During this period too, the workers participating in the jatha were harassed, intimidated and finally forcibly picked up by the police from Bilaspur, cycles all 20 of workers' were dumped into police vehicles and dropped off to a village in Jhajjar. When the workers resisted by laying on the ground and holding on to each other, the police used force to remove them and gave threats of arrests and torture if they entered Gurgaon. The MSWU union office was raided January 22 and 23 January.

Even the family members of the workers are being continuously harassed, by repeatedly summoning to the police stations and pressurized to get the workers to stay out of organizing work. Workers inside the plant are being given transfer orders to faraway places for supporting the agitation too. Transfer orders were handed out to 12 workers to Mumbai, Kerala and Gauhati. This amounts to a virtual dismissal since workers find it tough to relocate.

PUDR strongly condemns the continuous repression and persecution of the Maruti workers by the Haryana government. This repression is clearly aimed at preventing them from exercising their right to protest against unfair labour practices and for demanding their legitimate rights.

We in PUDR

* Uphold the democratic right of the workers to protest and demand the immediate release of Imaan Khan, MSWU Provisional Working Committee member

* Demand an early and complete inquiry into the death of the HR manager and other events of July 18 and urge the Haryana government not to use the case to arrest more workers justly struggling for their rights!

* Prevail upon all other democratic forces to stand by the right of workers against the state, capital and management nexus for a more dignified life struggling workers and recognition of their just demands.

Ashish Gupta and D Manjit,
Secretaries

People's Union for Democratic Rights, Delhi (PUDR)

27th January, 2013

(POSCO Pratirodh Sangram ...)
unconstitutional tactics used by the State Government to curb legitimate dissent is defeated.

Please note Financial Aid can be directed to the following account details Do let us know the denomination of transfer once you do for our reference and easy mobilization:

ACCOUNT DETAILS

The bank details are given below:

Name: Update Collective

Bank: Bank of Maharashtra

Account Number: 20042900515

Branch: Press Enclave, Saket, New Delhi - 110017

in Solidarity,

Maitreyi Krishnan (ALF),

Raghupathi S (ALF) and Sanjeev

Kumar (DSG)