

DEMOLITION OF AN ASHRAM RUN BY GANDHIAN ACTIVISTS



**Fact - Finding Report
of Demolition of
Vanvasi Chetna Ashram,
Dantewada, Chhattisgarh**

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29 MAY - 1 June 2009

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FOREWORD

I have read with deep pain and anger the Fact Finding Report given by an All-India Team of dedicated human rights activists at the wanton and almost barbaric demolition of *Vanvasi Chetna Ashram* (VCA) at Kanwalnaar near Dantewada and run by Himanshu Kumar - a dedicated Gandhian, who is working amongst the tribals in districts of Bastar region of Chhattisgarh since 1992.

The illegal manner in which the police was used to throw out the inmates & seriously depriving the tribals of getting the benefit of elementary education, health services makes one doubly angry because it is the duty of governments to provide these services & in order to conceal their indifference to the poor tribals complex with the contempt of human rights the security forces assisted by now well acknowledged illegal activists of *Salwa Judum* have wrought this demonic act.

It calls for strongest condemnation by all those who believe in the rule of law enshrined in our constitution. This action by the police, when matter was pending in the courts itself amounts to contempt of court - I hope the courts suo-moto take necessary action.

The false excuse for all these excesses to purportedly meet the challenge of Naxalite is self-defeating and shows contemptuous ignorance of the vital observations of the expert group set up by the Planning Commission on "Developmental issues to Deal with the Causes of Discontent, Unrest and Extremism", released as late as April 2008 which has strongly condemned the vigilante groups such as *Salwa Judum* and called for their abolition. The Planning Commission states categorically that "*It should be undone immediately and be replaced by a strategy which positions an empowered task force of specially picked up responsive officials to execute all protection and development programmes for their benefit and redress people's grievances.*" Which means tribals — the most neglected sector of our population.

The report also contains key concerns & truthful accounts of villagers talking of the brutality of the police.

The brutality of police & security forces has been equally barbaric on the press. One of the most levelheaded accounts given without rancor, though a victim of police brutality is by Javed Iqbal who bravely has said that in spite of this "*I shall not pack my bags & leave...*" makes you feel proud of such journalist & their commitment to Human Rights. He is bold enough to say that he is not a Naxalite sympathizer but that will not let him excuse the brutality & the authoritarianism of the police.

I hope people in large numbers will read the report and feel perturbed at the human right violations by the so-called protectors of law.

To allow any barbaric police action by posing the picture of extremism is self-defeating and unacceptable way to meet the challenge of extremist violence.

My compliments to my colleagues of the PUCL for their very easily readable report which challenges all human rights activists not to let their guards down on any alleged false slogan by the government at meeting the challenge of extremism.

June 26, 2009
New Delhi

Rajindar Sachar

Mr. Rajindar Sachar is Former Chief Justice of Delhi High Court, Former National President of People's Union for Civil Liberties (PUCL), and was the Chairman of a Committee appointed by Prime Minister Manmohan Singh on the Social, Economic and Educational Status of Muslims in India.

INTRODUCTION

An all-India fact-finding team visited Chhattisgarh from 29 May to 1 June 2009 in the wake of certain disturbing developments in the State plagued by Maoist violence, state terror, the Salwa Judum campaign and attacks on voluntary organizations by the powers-that-be. The team visited the site of the demolished Vanvasi Chetna Ashram (VCA) at Kanwalnar near Dantewada and run by Himanshu Kumar, a noted Gandhian social activist working among the tribals of Dantewada and Bijapur districts of Bastar region.¹

The members of the fact-finding team were Dr Sandeep Pandey, Magasaysay award winner social activist, Lucknow; Janak Lal Thakur, President, Chhattisgarh Mukti Morcha (CMM), former MLA, Dalli-Rajhara; Sumit Chakravarty, senior journalist and editor,



Himanshu Kumar, telling the Fact-Finding Team that the demolition has surprised them, as the same Government was not ashamed of burning down of 700 villages.

Mainstream, New Delhi; Kamayani Bali Mahabal, human rights lawyer and women's rights activist, Mumbai; Dr Harsh Dobhal, editor, Combat Law, New Delhi; Vijendra, representative of PUCL, Chhattisgarh, Raipur. Apart from the Superintendent of Police, Dantewada, Rahul Sharma and the Governor of Chattisgarh, E.S.L. Narasimhan, the team also met the Gandhian social activists running the VCA as well as Manish Kunjam, the former MLA of the CPI. The team members spoke to various people (villagers, social activists, and local media persons) in Kanwalnar, Lingagiri, Basaguda, Boraguda,

Kamaram, Bijapur and Dantewada. All of them confirmed and acclaimed the constructive work that the VCA has been doing in the region for the last 17 years.

A dominant impression that emerged after the visit was that the State is trying to use military means alone to address the problem of naxalism in Chhattisgarh. Anyone not with the State (read also Salwa Judum), runs the risk of being branded a naxalite sympathizer. As a result, space for any dissent against the State and the middle ground for civil society to function is eroding very fast. The authorities hinted at their special attempts to 'reclaim' the area under



Books lying on the debris. It is history now that kids from nearby villages get free education at the Ashram.

1. The Video on VCA demolition by Kamayani is available at : <http://www.youtube.com/watch?v=DuwBumSuaKA> with English subtitles.

Naxal influence. In the circumstances they do not want any NGO or voluntary organization to operate in the region. Nothing explains this better than the demolition of an ashram run by Gandhian activists. This is totally unacceptable to civil society at large and is symptomatic of a dangerous trend that has the potential for ultimately destroying the fabric of our democracy.

The Vanvasi Chetna Ashram (VCA) was established in 1992 by Himanshu Kumar. He came down from Meerut (Uttar Pradesh) to the far-flung tribal region of Dantewada, where even government officials hate to be posted, as it is located around 1200 km away from Bhopal, the state capital of Madhya Pradesh, and 440 km from Raipur, the capital of the new state of Chhattisgarh.

The VCA started working on many aspects of empowerment of the poor adivasi of south Bastar with advocacy for rights and justice, especially for community health service, elementary education, natural resource management in the inaccessible areas that lack access to basic public services. Since 2005, the VCA has been involved in such work, which has occasionally invited wrath of both the State and the Naxalites.

The emergence of the Salwa Judum campaign compelled the VCA to take up the cause of the adivasis being tortured, looted, violated and displaced from their hearths and homes. The VCA began providing legal aid and succour to the victims of Salwa Judum, security forces and Maoist violence. The VCA, which is the only voluntary organisation involved in developmental work in the area, rendered invaluable service by documenting instances of severe human rights violations and approaching the legal system for justice and redressal. Since most victims of violence were too traumatized and afraid to file complaints against the perpetrators, the VCA performed the crucial function of helping the victims file not only First Information Reports (FIRs), which are a necessary first step for delivering justice, but also assisted them throughout the long and arduous judicial process.

On the basis of the interactions with the local community and authorities, the fact finding team members strongly suspect that the vindictive attitude shown by the authorities in demolishing the Ashram, when the issue of its encroachment was pending in the court, stemmed from the fact that the VCA's founder, Himanshu Kumar, had raised his voice against human rights violations in the fight against Maoists and opposed the Salwa Judum campaign that often targeted the hapless tribals. The VCA is perhaps the only community organization in the area engaged in resettlement and rehabilitation of displaced *adivasis* through individual and community support under very adverse conditions. It also needs to be noted that the VCA since its inception has been using peaceful means in all its activities and has always functioned within constitutional provisions.

The VCA was also involved in highlighting the complicity of the state administration in several cases of extra-judicial killings — including the Singavaram massacre, where 19 villagers were killed on January 8, 2009. What was initially presented by the State as a case of Maoist insurgents being killed in an alleged “encounter” with the state security

forces was later revealed by media persons and human rights organizations to be a staged killing of unarmed villagers. The VCA has been demanding transparency and accountability from the government on such incidents. It is significant to note that the SDM who carried out the demolition of the VCA premises, Mr. Ankit Anand, was also the one who conducted the magisterial inquiry in the Singavaram killings. Many a times Ankit Anand pressurized Himanshu Kumar to get the victims' testimonies before him for which the victims refused to depose as they did not have faith in the State-sponsored probe.



Villagers of Basaguda sharing their resolve of not leaving their village even under hostile situation.



Slogans by Maoists on the road and on the walls of houses.

THE DEMOLITION



*Himanshu Kumar
looking at the debris
of VCA premises.*

On the night of May 29, the fact-finding team reached Dantewada. It took nine hours of travel from Raipur. Soon after arriving at Dantewada, the team members visited Himanshu at his makeshift residence on the periphery of the town. In a taped conversation, he gave the team the following context and background of the demolition:¹

“The purpose of our work here has been very clear and explicit. We felt the need to work among these marginalized Adivasis cut off from the mainstream, non-existent in the consciousness of the nation. One of our Gandhian friends advised us to move to Bastar and work among the Adivasis. He said that no organization was working for their cause. He also told us that the region was not a non-violent region but still we were required to work in a non-violent way. On the advice of Ms. Nirmla Deshpande, I landed here in January 1992. Before settling at some place, I was taking study rounds and finally people of this village (Kanwalnar) requested me to settle down here and work among them. They even offered land for the Ashram.

I got married the same year i.e. 1992. My wife was also associated with social work. Both of us made a hut in this village and started living in the hut. We started imparting education in a region where teachers were not to be seen; started distributing medicines to the sick people. Also, we began telling them about their rights. The purpose was to integrate them with the national mainstream. The pace of our work was slow and steady. There was no financial support from anywhere for initial four-five years. We were dependent only on our friends, members of our families and well-wishers.

“Later, agencies from national to international and the government noticed our work and commended us for that. They also wanted to assist us financially. Slowly the pace of our work picked up and with the support of some 250 people, our organisation extended its work to four districts of Bastar. Today, our organisation is mainly focusing on education, health, women empowerment, awareness and the constitutional rights of the Adivasis.

¹ See video of demolition at <<http://www.binayaksen.net/2009/06/video-himansu-kumar-about-vca-demolition/>>

In the meanwhile, a movement was launched here. It was called Salwa Judum. We were appalled to see that those Adivasis, who were helped by us, were the target of the Salwa Judum attacks. The attackers were usually people of the Salwa Judum outfit and they carried out attacks in connivance with or support of the police. We drew the government's attention towards this. We told them that whatever was being done was wrong. It was strange that the government insisted that the Salwa Judum movement was based on Gandhian thinking and aimed at finishing off the Naxalites. But on the other hand, we were witness to something else in the name of propagation of the Gandhian philosophy. The villages were being attacked; the houses were being torched; and women were being raped. The fear of such attacks forced the people to side with the Naxals and join hands with them. Gradually, the number of the Naxalites started swelling. This led us to conclude that the movement actually resulted in escalating the Naxalite activities. We brought this to the notice of the government. This led some local leaders to oppose us. These leaders included those who were getting money from the Salwa Judum or for related activities. They also started giving false information about our organisation to the government agencies. Consequently, the government agencies started harassing us. In 2007, we received a government notice, which claimed that the land we had for our Ashram was actually illegally occupied. We told them that the village people provided the land to us. We also told them that even the district magistrate and the local administration had commended our work in the past. They had praised us for working in such a hostile area where even government employees did not dare to visit. They had also praised us for leaving the comforts of Delhi and working among the Adivasis.

At one point of time, the administration was even willing to allot the land in the name of the Ashram and asked us to make a formal application in this regard. We applied in 1993 for the transfer of the land in the name of the Ashram. The particular land was under



A demolished kitchen and residence used to accommodate participants to various programmes conducted by the VCA.

the agricultural use category but the notice we got in 2007 charged that the land fell under the category of the revenue forest; therefore, it was a case of land encroachment. After getting the notice, we informed the administration that we had applied for the transfer of the land way back in 1993. The authorities, however, told us that the application was turned down in 2004 itself. We tried to tell them that the particular land was under the category of agricultural use, but the authorities replied that the category of land use was changed in 1996 itself.

In July 2007, while the case was still under consideration in the court, the VCA was issued an eviction order by the local revenue official, ordering them to immediately vacate the premises. Interestingly, the land record i.e. map with patwari (revenue official at the village level) shows that the land is under cultivable category, known as 'kabil kast bhum'i in land revenue parlance, while the eviction order was obtained on the basis of the category of 'chhote jhad ka jungle' (forested land under revenue definition). How a cultivable land being in occupation was converted into forest land remained unanswered. The VCA through the right to information asked for a copy of the land records. The Collector's office informed the VCA that the land records between 1993 and 1996 were not available.

In January 2008, the VCA received another notice from the Registrar of Firms and Societies in Chhattisgarh, threatening to cancel their registration under the Societies Registration Act of 1973, on the basis of the complaint of the District Collector that they have encroached on government land even though the matter was still sub-judice.

In December 2008, the VCA's registration under the FCRA, 1976, was 'temporarily suspended in public interest' without any reason being provided — making it impossible for it to receive funding from international donors. Finally, on May 16, 2009, the VCA was delivered a notice dated May 13, informing the VCA members that their premises were going to be bulldozed the next day. Not only was this a blatantly illegal notice, considering that the matter was still under judicial consideration, the late delivery of the notice also ensured that the VCA was left with no time to move the courts to get an injunction to stay the order, the 16th of May being a holiday. Even though the VCA immediately responded to the notice informing the local administration of the status of the case it made no difference.

At around 5 in the morning of May 17, 2009, a huge force of around 500 CRPF, STF, Chhattisgarh Police, and SPOs (the contingent included 100 policewomen), landed at the campus of the Vanvasi Chetna Ashram at Kanwalnar and began cordoning off the entire area by posting paramilitary personnel in every direction. All these actions were part of the demolition of the VCA office and residential premises, which was to follow in the next few hours. A day before (Saturday, May 16) a notice dated May 13 had been served to the VCA by the SDM, which mentioned a period of five days (May 13-17) during which time the Ashram would need to be vacated since they deemed the Ashram to be 'an encroachment' on government forest land.



A beautiful site with numerous trees and structures made with local artistry destroyed during demolition.

Having cordoned off the area, the SDM, Ankit Anand, then informed me at 7.00 am that my family, staff and I had one hour to remove all our personal belongings, official papers, etc. At 8 am around four to five bulldozers began rolling into the Ashram premises and within the next few hours they had razed the entire campus (including training halls, staff quarters, the main office building, and residential area) to the ground not even sparing the tube wells and an open well

which had been constructed by the Government. The boundary fence of the Ashram, the boards on the road leading to the Ashram, were also twisted and uprooted. All this continued for four hours. Besides destroying the buildings and all Ashram properties (including official files which could not be removed on time, cupboards, etc.) the police and armed personnel manhandled four of seven visitors to the VCA including a freelance photojournalist, two Ph.D research scholars from IISc, Bangalore, one woman student intern from Symbiosis, Pune, my nephew who was there on a



The gate of VCA, which always welcomed the marginalized Adivasis, activists and govt. officials now lying on the ground.

personal visit, and a health worker of the VCA. These people were released after two hours after an interrogation, taking down their statements, and a cursory medical checkup of those who were beaten. Though the SDM and his forces allowed the press to go into the VCA premises during the demolition drive, they made all VCA staff and supporters sit a kilometer away on the road leading to the Ashram saying that they could not allow any outsider while the demolition was going on. As of now all VCA staff, my family (including my wife and two children), visitors and supporters of the VCA who were in residence are camping under trees in the Ashram premises. The District Collector had a brief meeting with me and those who were picked up and manhandled at his office. The Collector has offered the use of a hall and room in the Government Circuit House as temporary shelter and storage.

The land itself comes under the Fifth Schedule of the Constitution, which gives sole authority to the Gram Sabha - the villagers- to use it in the manner they wish. Not a single building can be built or destroyed on that land without their permission. In 1994, the Gram Sabha of Kawalnar had already allotted the land to the Ashram for carrying out their service work. A day before, the same villagers confirmed that they do not want the Ashram to wind up.

“As we understand, the administration is not happy with us on a few counts. First, we opposed attacks on the villages and forced evacuation from 650 villages. We understand that this has been done to accommodate industries in the region. The whole operation was

carried out in the name of fighting the Naxalites. As a result, the Naxalites are now more consolidated. Also, several hundred thousands of those Adivasis who were displaced from their villages opted to be on the side of the Naxalites. According to police records, the Naxalites' strength in 2005 (when Salwa Judum was launched) was 5,000. Today, their strength has grown to 1,25,000. This is the direct contribution of the Salwa Judum.

Secondly, we tried to create an atmosphere for peace and bring back the Adivasis to the mainstream. The Supreme Court also directed the district administration to carry out the rehabilitation programme for the Adivasis and also compensate for the damage done to them by the Salwa Judum. We were trying to build pressure on the administration on this issue to implement the Supreme Court directives. It seems that the administration did not like our effort to save the Adivasis. During this period, several incidents took place resulting in the killings of innocent people. The police and the Salwa Judum people did the killings. We took these cases to the courts. We also lodged complaints with the Superintendent of Police. We lodged some 550 complaints, most of them against the police personnel.

One more incident took place on January 8, 2009 at a village called Sudramgaon, where the police personnel and the SPOs killed 19 Adivasis, including four girls. The girls were raped before being killed. Our organisation filed a petition in the High Court at Raipur. The judgement is expected soon. We hope that the judgment will be in favour of the people.

The administration was also scared at some point of time and carried out sabotage operations in retaliation.

As far as the documents related to the land of Ashram are concerned, they were ready and the land should have been transferred in the name of our organisation. The administration is behaving in an illogical manner. The authorities said that the land use of the area was changed as it had shrubs and plants only. On being asked how the land use category was changed, the administration had no clear-cut answer to that. They simply said that the records from the district administration were just missing. We were again told that the land use category was changed in 1996. Now, we plan to move court on this issue.



Legal Aid Centre run by VCA in Dantewada.

In the Bastar region, all lands belong to the government and the whole village has no land pattas. The Ashram is also on the same piece of land. The encroachment theory thus applies to the whole area not just to the Ashram. Also, there is another fact. Some 90 percent villages in the Bastar region are located in forest areas. This fact leads to a question: Will the administration continue to demolish and destroy all villages situated in the forest areas?"

TESTIMONIES OF VILLAGERS

The same day a few villagers including the Sarpanch of the Kamaram village had come to lodge a complaint of attack by the Salwa Judum on their village. We met them at Himanshu's makeshift residence at night. They shared with the fact finding team their issues and concerns.



Adivasis sharing their woes due to ongoing conflict.

Pratham Singh (28), the Sarpanch of Kamaram village, said:

“Before polling in November 2008 for the State Assembly, we were quite busy in the campaign. At that time, some people associated with the Salwa Judum came to our village. They beat up the villagers and took away one of our boys. He was kept in the Salwa Judum camp for a week. Later, he was brought back to the village by a helicopter. Luckily he was not beaten up badly in the camp, as he knew a police officer there. He was not harmed the way other are harmed there.

On May 3, 2009, some 400 people came to our village with policemen. Belonging to the Salwa Judum, they along with some policemen attacked our village, which has around 130 houses. At that time, several villagers were away in the forest to fetch tendu patta or the leaves used to wrap biris. They beat up several people and tried to take away a girl with them. Everything in her house was looted. Luckily her father came in time and she was saved. Some of these people killed our chickens and got drunk. They looted our belongings. Whatsoever, we have not deserted our village.

“They came from a village called Jagargunda, some 4 km away from our village. Some of them were known to us. Before leaving our village, they beat up the people in the village and kidnapped two persons. Later, they released them. They did not ask us to join the Salwa Judum. In fact, we were not even asked when this Salwa Judum was started. At that time, a very nice police officer was posted here. We felt quite safe. We freely used to visit the marketplace to sell our yield. After his death, things changed and we were subjected to the police atrocities.



This season, we have collected tendu patta worth two lakh rupees. Payment has not been made so far. As far as Salwa Judum is concerned, we do not see it as an alternative. They cannot provide safety and security to us and we do not need from them. The Naxalites here have never attacked us. Whenever they crossed through our village, we would just tell them the way. Our village is some 85 kilometres away. This time on May 3, the only purpose of the visit of these Salwa Judum people was to loot our village. We do not know what they want and what their ultimate purpose is. Maybe, they want to terrorise us so that we leave our village. But how can we leave our village? This place belongs to us, we have here our houses and our agricultural lands. Earlier in 2006, the village had an Anaganwadi school and the Rajiv Gandhi Water Management Programme. The ration shop is not there — it is closed since 2006. Purchase from the open market is difficult - the ric, which was Rs 3 per kg is now bought at Rs 15 per kg. The media never comes to us. The BPL card is there but we don't get ration. The question is: where is your ration going? The ration for three lakh villagers is being usurped by 20,000 people only.”

Vimla (25):

“**Sukmat**, a 19-year old girl, was about to get married. One fine day, these Salwa Judum people came and took away everything from her house, practically everything organised for the marriage ceremony. Even there was some enthusiast among these people who wanted to forcibly marry this girl. These people took away everything with them, even her personal things like perfumes. These people all came from the Salwa Judum camp. We have lodged a complaint against this loot with the police.”

On the morning of May 30, the fact-finding team visited the demolition site and saw:

- ◆ Broken buildings of the Ashram
- ◆ Demolished school premises with educational material strewn around
- ◆ Vandalised documents belonging to the Ashram



A demolished TV reception tower.

- ◆ The water hand pump, which the SPOs vindictively demolished;
- ◆ The Sanitation programme of the government that was totally destroyed.
- ◆ A demolished TV reception tower

On May 30 the team visited Basaguda, Dholiguda, Lingagiri and Borguda villages. After visiting these villages and talking to a number of villagers, the team members were convinced that the

villagers relied on the VCA for carrying out rehabilitation work by boosting their confidence, providing them the necessities and ensuring such facilities as public transport. The villagers told us that they never wished to leave their villages in the first place and were

compelled to do so by security forces and the Special Police Officers (SPOs). These villagers left their villages in 2006 and about 30 per cent of them managed to come back recently with the help of the VCA.

A moving account of State brutality was narrated by a young adivasi.



Gantal Raju of Lingagiri village showing pictures of his parents killed brutally by the paramilitary forces.

Gantal Raju, 30, his father Gantal Kanhaiya, his wife and his 20-year-old sister Sreedevi were at home at Lingagiri village on 29th December 2006 “when a group of CRPF and SPOs entered our village from jungle early in the morning. An elderly person from the village was going towards the jungle when he noticed some armed CRPF and SPOs approaching the village”. When they opened fire, he ran back towards his village and started telling villagers about the approaching security forces. As he was narrating what he saw to some of his neighbours, “these armed CRPF and SPOs started entering houses and dragging people out. They began beating me up mercilessly. When my father tried to object, they dragged him and started hitting him as well. When he still resisted and tried to

argue that they were innocent villagers and not Naxalites, the men in uniform stabbed him right in front of his house. The barbaric act did not stop there. They beat up my mother and broke her thigh bones. They then dragged my sister by hair towards a pond in the nearby jungle, where she was raped and finally killed. Her body was found by us four days later. The CRPF and SPOs also robbed the family of all our belongings.” According to Gantal Raju, they were left with few rags they had on at that time.

It was during the same incident that Gantal Baby, Sreedevi’s close friend and a relative, gave birth to Adagu Ramadu in the forest after she ran with other villagers to escape the brutality of the security forces. When Baby gave birth to her child in the forests, she did not have any clothes other than she had put on. She and others with her did not have even a single hanky or towel with them. Baby and others fled to neighbouring Andhra and returned recently after a gap of three years. Gantal Raju and his wife lived in Andhra with his father’s sister for three years. Gantal Raju said that the CRPF personnel once openly told him that they were the ones behind the incident and that they would kill him also some day. Ever since he has been fearful for his life.



Baby Adaya Ramadu looks on, who was born in the Jungle during police raid.

OFFICIAL VERSION

On May 31, the fact-finding team met the Superintendent of Police, Dantewada, Rahul Sharma. He said that he had great respect for human rights activists like Himanshu Kumar who was the only person in the area doing such good work for the Adivasis. But he felt that Himanshu was reporting very negligible disputes to the higher ups in the police and judiciary. Regarding the issue of demolition of the VCA, he said that Himanshu did not take adequate legal recourse to save his Ashram from demolition. He emphatically described the demolition as legal, saying that Himanshu's ashram was built in violation of law as it was on encroached land.

On the issue of Salwa Judum he said that this is not a permanent solution to the Naxal problem and that now from 50,000 villagers in Salwa Sudum camps in 2005 the figures had come down to 26,000 as the villagers were being resettled . But the camps came up for providing villagers' safety from Naxal attacks and the government was doing a favour to the tribals by ensuring their safe stay at camps *"where they are having a happy life and enjoying the fruits of modernity like television etc"*. He said: *"These villagers don't want to go back as they fear the Naxals will kill them. On the contrary, they are happy with government hospitality. But we would like them to be the resettled, but not until we are sure Naxalism has been totally uprooted."*

On June 1, the team met the Governor of Chhattisgarh, E.S.L. Narasimhan, who told us that civil society groups complain only when a social activist faces problems with the administration and not when the government wants to carry out developmental work but the Naxals don't allow the administration to do it. He was time and again emphasising that the Naxals are stopping development work, not allowing schools, roads, hospitals from being constructed because they want villagers to be deprived of development so that they (the Naxals) can have a free hold on disadvantaged groups. He hinted at a military solution to the Naxal problem and made it clear that no group will be allowed to substitute for the government. When his attention was drawn to observations to the contrary contained in the report of the expert group set up by the Planning Commission on "Development Issues to Deal with the Causes of Discontent, Unrest and Extremism", released in April 2008, he appeared to be quite dismissive.

The fact-finding team submitted a memorandum to the Governor and he said that he would look into it. He also noted the names of villages where the villagers have been resettled but were not getting basic amenities of food water and education.

In the context of what the Governor told the fact-finding team, it is worthwhile to note what the report of the aforementioned expert group had stated.

In the chapter on Recommendations, it observed:

"Encouragement of vigilante groups such as Salwa Judum and herding of hapless tribals in makeshift camps with dismal living conditions, removed from their habitat and deprived of livelihood, as a strategy to counter the influence of the radical Left is not desirable. It delegitimises politics, dehumanises people, degenerates those engaged in

their 'security', and above all, represents abdication of the State itself. It should be undone immediately and be replaced by a strategy, which positions an empowered task force of specially picked up responsive officials to execute all protection and development programmes for their benefits and redress people's grievances. This is the best strategy to eliminate the influence of radical Left groups.

The authorities should encourage civil society groups, having knowledge of and sympathy with local tribals, in assisting the task force for wider participation of people in implementation of the strategy outlined above."

In the chapter on The State's Response, it underlines:

"...the Naxalite movement has to be recognised as a political movement with a strong base largely among the landless and poor peasantry and adivasis. Its emergence and growth need to be contextualised in the social conditions and experience of the people who form a part of it. The huge gap between State policy and performance is a feature of these conditions. Though its professed long-term ideology is capturing State power by force, in its day-to-day manifestation their supporters look upon it as basically a fight for social justice, equality, protection and local development. The two have to be seen together without overplaying the former. Its geographical spread is rooted in the failure to remove the conditions, which give rise to it.

"Since the goals of the movement are political, it has to be addressed politically. Negotiation is the only political instrument of such a response in democracy. An ameliorative approach with emphasis on a negotiated solution helps to generate greater confidence of the alienated people in governance. This approach is used the world over to tackle insurgencies democratically. It will cause the least possible injury to the people caught in the conflict."



A "Salwa Judum" Board and a Relief Camp.

MEMORANDUM

Memorandum on the VCA demolition submitted to the Chhattisgarh Governor by the Fact-Finding Team after return from the region:

- ◆ The Vanvasi Chetna Ashram (VCA) was implementing various government schemes in the area including the Mitadin health programme, watershed development, water and sanitation programme in villages and Salwa judum camps and Himanshu Kumar was also on various government committees including the district legal aid committee. It is inexplicable why an ashram run by him should have been demolished.
- ◆ We think the government should have been grateful to him, as he has been doing this constructive work in the region for the last 17 years, without any vested interest.
- ◆ As the matter of land is subjudice the action of the demolition of the ashram by the district administration was unwarranted.
- ◆ The authorities' contention that the land which was earlier agricultural land in government records was changed to revenue forest land, is unprecedented, We think that the due process was not followed in this case.
- ◆ The VCA was engaged in the important task of resettling internally displaced persons in their original villages, which no government agency had undertaken in spite of the Supreme Court's instruction to the Chhattisgarh Government.
- ◆ The team spoke to various persons (villagers, civil society activists and local media persons) in Kanwalnar, Lingagiri, Basaguda, Kamaram, Bijapur and Dantewada. All of them confirmed and acclaimed the constructive work that the VCA has been doing in the region.
- ◆ The resettled villagers need immediate provision of facilities like PDS, primary health, primary education and; public transport. We hope the government would do the needful in this regard without delay.
- ◆ We sincerely hope the authorities would take remedial measures at the earliest to mitigate the problems of the VCA and enable to it continue its constructive work in the area.



**Eye Witness Account of Veronica*,
which appeared in *Mumbai Mirror***

On May 17, at 6.30 am, about 50 CRPF Jawans arrived and took positions around the Ashram's premises, ensuring not a single villager could get to the main buildings. After a while, some 500 security personnel and sub-divisional magistrate Ankit Anand had arrived. Kopa Kunjam, a social worker and an employee of the ashram, asked the magistrate for the letter granting permission from the Gram Sabha authorizing the demolition. The Magistrate blatantly ignored this imperative procedure and ordered the demolition to proceed by 8 am.

As the demolition began, a photojournalist, two students from IISc Bangalore, another from Gujarat, and I were manhandled and detained in a van. Our cameras and our bags were confiscated and two of us were beaten with malice. The photojournalist Javed Iqbal was deliberately singled out for his reports on police atrocities and beaten. Later, we were all taken to the Dantewada police station, and made to give statements on our motives, our identities and our perceptions of the work of Vanvasi Chetna Ashram. We were then taken to the hospital for a medical check-up under police supervision where no one really checked for physical injuries. We were eventually released after the check-up.

Regarding the continuation of my internship, I have no compulsions to leave. If I didn't have two more years of college to finish, I would have stayed back and continued to be a part of the struggle for social justice, being in the company of incredible people and social workers like Himanshu Kumar, Kopa Kunjam, Akkalbatti Naag, Sukhdev Kadiyam, Abhay Sinh Rathwa along with researcher Bela Bhatia and photojournalist Javed Iqbal.

These are the people who are still upholding the principles of Gandhian ideology against an increasingly brutal state machinery, that shows no signs of giving up.

**Veronica is a Media Intern from Pune, who was undergoing special exposure and training at the Vanvasi Chetna Ashram, Dantewara*

Testimony of Javed Iqbal to the VCA

On the 17th of May, 2009, during the demolition of the Vanvasi Chetna Ashram, I was taking pictures and the instant the archway of the Ashram's gate was broken by the bulldozer, I was picked up by a policeman, had my camera confiscated, then beaten repeatedly by some CRPF personnel and some members of the STF.

I was then locked up in a police van. Some thirty minutes later, two policemen entered the van, that now had about three other people, and then taken out into the open. Now I was beaten again by three-four policemen by lathis, specifically from the STF who started to abuse me, by saying: 'Saala *****, tum humare khilaf likhta hai?' (You *****, you write against the police?) 'Tu Badepalli gaya tha na, *****?' (You had gone to Badepalli, hadn't you, *****?)

Eventually, I was let back into the van and kept there for another few hours in the summer heat. I was repeatedly abused by passing policemen yet also treated kindly by a few sympathetic policemen from the CGP (Chattisgarh State Police). I was then taken to the police station and released after a medical check-up under police supervision that didn't even bother to check for any bruises. Now, to the police, all you have done is helped motivate me, and offered me more clarity than before. I shall not pack my bags and leave, and even if I do, I shall be back. Your lathi-wielding policemen actually 'complimented' me, mentioning the stories that I've done as they beat me, and I was happy that someone was reading my work. In fact, the mention of Badepalli by the policeman who beat me, where 19 homes were burnt on the 26th of April 2009, is really the first compliment I've gotten for that story. But before there are any more incidents as such, when your 'boys' think it's necessary to beat up journalists who delve for the truth and listen to the whispers of a suffering people, I believe the time has come for a little clarity between us, and you must know what I am doing here.

You, are, my police.

I do not pay my taxes for you to kill villagers and burn villages without the proper conduct of law. I do not accept that you earn the right to live in the grey world, believing you have the right to do as you wish, as long as it is for the greater good. Yet what is this greater good? This funny little thing called Law & Order. There is no such thing as the greater good and I don't give you the right to be the defenders of denial, of the status quo that ensures that people remain ignorant, unaware, apathetic, and live a meaningless insecure egocentric life in the pursuit of wealth, self-indulgence, power with the daily dosage of IPL matches, saas-bahu shows and parties, when more than half the country starves its own soul for a single meal.

I believe in shattering the mirrors of the status quo with a hammer and you wish to protect it. I believe people have the right to dissent, to protest and to ensure that the state does not get away with the power that we, the citizens, have bequeathed upon it. And this protest, this dissent has every right to exist in a democracy. The stone that is

hurled at the police ordered in to curb an angry mob, who've been betrayed by an incompetent or corrupt administration, is democracy.

I believe in the Rule Of Law, as flawed it is, as absurd it can seem, and you believe you are it, when you are not. I believe the Indian public has every right to know what it's police does in our name. And whether you can live with your actions or not, I can't.

Yet does this make me a Naxalite sympathizer? Maybe to you, but I know where my conscience lies when it comes to the actions of men who give themselves unlimited power to do as they wish. There's no secret that the Naxalites are also capable of brutality, authoritarianism and the very kind of actions that your SPOs have become infamous for. The Naxalites are as brutal and I am not going to hide the fact that I disagree with their methods, their violence and even their policies. I have heard the other voices of the people - the very tribals whom the Naxalites apparently fight for. I have heard their anger, and I have seen them cry about their helplessness. Bastar possesses it's own world at times, when concepts like human rights, Marxist theory and development become completely irrelevant as a man is being hacked to death.

I have spent more than 50 days in Bastar, and spent lots of time around policemen and SPOs, and each time, a certain thought would pass my mind - about them getting killed by IDPs, or by the Naxalites, and I would shudder each time. This is where I can even understand the patriarchal love of the police superiors regarding their juniors, their boys. The possibility of a violent death hangs over their heads. And that is not a fate I'd bequeath upon even the vilest of men in the world. And not a single ounce of anger I have for the policemen who beat me at the Ashram. It is their power that I have loathing for.

And I am aware of the moral burden of my work: reporting atrocity only fuels more atrocity. And the war between the police and the Naxalites is acted out on who possesses moral authority, played out onto the stage called the press and public opinion. Yet does keeping quiet make anything any better? If I don't report a single killing, does it cease to exist? If I don't take pictures of a burnt village, does it cease to exist? If I don't report a disappeared 12-year-old girl, does she cease to exist? No, there are the people who lost their loved ones, and there are the people who live and die in those villages. Their sadness and their rage will exist, whether I am there or not, whether they, the many brave and dedicated reporters, are there, or not.

Truth, is always more important than chaos. We will write, because we know that if we keep quiet now, we shall all pay for it tomorrow. And we shall bring out the voices of people who possess real moral authority - the villagers who just want to live and want nothing to do with the police or the Naxalites or the Salwa Judum, yet circumstances are such that they have no choice but to take sides. And you had visited the village of Samalwar, and slapped people around because they spoke to me, because they helped me write a story on a fake encounter and the cold-blooded murder of a 19 year-old boy.

These are not the actions of a police; this is, in simple, goonda-giri. These are signs that further manifest India as a Police State, and further manifest that the Police in Bastar

merely exists to repress the Adivasis of Bastar. And of course, I shall not fall prey to the laziness of prejudice. Truth is, that even as your STF were beating me, there were certain policemen who protected me from further beatings and harassment. There are no words to express my gratitude to them, not just to protect me, but to remind me about their own humanity. I would hope, as far as hope goes, that those young boys never lose their sense of decency, and their conscience, being actors in a play that wants them to lose their souls, and in the name of duty, learn the value of brutality. All I could offer them, for their kindness, is a thank you, and I know there was no other way for me to show my gratitude to them; for fear that their superiors would reprimand them for being human beings. And I hope, as far as hope goes, that they don't fall victims to Naxalite violence.

Not all policemen are guilty of atrocity and this is an indictment to all forms of prejudice - we must learn to value individuals, not look at things as a whole and condemn it all because that would make life so easy and simple. Prejudice, in the end, is merely lazy thinking. I don't look at the actions of the police as indicative of the entire police forces character. Most are merely following orders, and many are slaves to a pay cheque, others are trapped in catch-22 situations where they can neither fight the counter-productive policies of their superiors nor remain public servants who work for the people. Many have seen their friends and comrades die, and are blinded by hatred. And most find it hard to play the game and still keep their conscience, or in simple, their posts.

Yet we find ourselves as antagonists and this is merely the beginning. There are chances that we meet again under violent circumstances, and your conscience-less violent gorillas would come after me again. Well, let them. Yet, I do have one request, I myself, feel that I didn't deserve those beatings for one reason alone - I don't think I wrote enough, or took enough pictures, and I request that my next beating take place after I have actually done a significant amount of work.

Thank you,

Regards,

Javed Iqbal

Freelance Photojournalist.





The Web of Life

How can you buy the sky ?
Chief Seattle began.
How can you own the rain
and the wind ?
My mother told me,
Every part of this earth is
sacred to our people.
Every pine needle, every sandy shore.
Every meadow and humming insect.
All are holy in the memory
of our people.
My father said to me,
Know the sap that courses
through the trees,
as I know the blood that flows through
my veins.
We are part of the earth
and it is part of us.
The perfumed flowers are our sisters.
When the last Red Man and Woman
have vanished with their wilderness,
and their memory is only the shadow of
a cloud
moving across the prairie, will the

shores and forest still be there ?
Will there be any of the spirit of my
people left ?
My ancestors said to me,
“This we know : The earth does not
belong to us.
We belong to the earth”.
This we all know :
All things are connected like the blood
that unites us.
We did not weave the web of life,
We are merely a strand in it.
Whatever we do to the web,
We do to ourselves.
We love this earth as a newborn loves
his mother’s heartbeat.

Nearly 150 years ago, Chief Seattle, a wise and respected Red Native Chief delivered this compelling message to the government in Washington, which wanted to buy his people’s land. This is perhaps the most eloquent statement ever made on the environment.

An all-India fact-finding team visited Chhattisgarh from 29 May to 1 June 2009 in the wake of certain disturbing developments in the State plagued by Maoist violence, state terror, the Salwa Judum campaign and attacks on voluntary organizations by the powers-that-be. The team visited the site of the demolished Vanvasi Chetna Ashram (VCA) at Kanwalnar near Dantewada and run by Himanshu Kumar, a noted Gandhian social activist working among the tribals of Dantewada and Bijapur districts of Bastar region.



During the demolition, the Administration did not even spare the hand pump, though it was installed by the Government itself.

**Fact - Finding Report of
Demolition of Vanvasi Chetna Ashram,
Dantewada, Chhattisgarh**

People's Union for Civil Liberties - Chhattisgarh

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