

WAR IN THE HEART OF INDIA

**AN ENQUIRY INTO THE GROUND SITUATION
IN DANTEWARA DISTRICT, CHHATTISGARH**



INDEPENDENT CITIZENS' INITIATIVE

20th JULY 2006

ACKNOWLEDGEMENTS

Several organizations helped in this effort, but members of the Independent Citizens' Initiative alone remain responsible for the views expressed in this report. The Commonwealth Human Rights Initiative (CHRI, Delhi), The Other Media (Delhi) and the Centre for Social Justice (Ahmedabad), helped fund travel to and within Chhattisgarh. CHRI and Other Media helped with logistics and backup support. Asian Center for Human Rights (ACHR) were generous in sharing their newspaper documentation on Chhattisgarh with us. We are grateful to friends in Delhi for help of various kinds, including translation, and to Jitendra Kumar for translation of the Hindi press release. We are also extremely grateful to a number of individuals and organizations in Dantewara and Bastar who helped us with logistics, and who shared with us their views, insights and hopes for a safer future. We will never forget the courage of our young interpreters who took the risk of accompanying us and suffered severe consequences as a result. We do not wish to name any of these people here for fear it would further endanger lives already vulnerable in a situation of armed conflict. We salute each one of them, living through a terrible ordeal, yet managing to find the courage to keep working at changing the situation in what ever way they can.

Members of the Independent Citizens' Initiative

Ramachandra Guha — (Historian and Columnist, Bangalore)

Harivansh — (Editor, *Prabhat Khabar*, Ranchi)

Farah Naqvi — (Writer and Activist, New Delhi)

E. A. S. Sarma — (Former Secretary to the Government of India, Visakhapatnam)

Nandini Sundar — (Professor of Sociology, Delhi University)

B. G. Verghese — (Former Editor, *Hindustan Times* and *Indian Express*, New Delhi)

CONTENTS

MAPS

Map of India with Chhattisgarh

Map of Chhattisgarh with Dantewara

Map of Dantewara with affected area

1. INTRODUCTION TO THE INDEPENDENT CITIZENS' INITIATIVE	1
1.2 Background to the fact-finding	2
2. THE MAOISTS IN DANTEWARA	4
2.1 Maoist views: On development, organizational structure, and acts of violence	4
2.2 People's views on the Maoists and on the Salwa Judum	7
3. UNDERSTANDING THE SALWA JUDUM	8
3.1 Origins of the Salwa Judum: Piecing together a narrative	8
3.2 Convergence of narratives: Modalities of the Salwa Judum	9
3.3 Evidence of government sponsorship	11
4. LEADERSHIP AND COMPOSITION OF SALWA JUDUM	13
4.1 Political leadership	13
4.1.1 Interview with Mahendra Karma	13
4.2 Camp leaders	15
4.3 Special Police Officers (SPOs)	16
4.4 Surrendered sangham members	19
4.5 Ordinary villagers	20
5. THE SALWA JUDUM AND VIOLENCE	21
5.1 Counting the death toll	21
5.2 Violence against women	23
5.3 Terror tactics: Arson and loot	23
5.4 Summary arrests	26
5.5 Missing persons	27
6. INTIMATIONS OF CIVIL WAR	28
6.1 Divided villages	28
6.2 Collapse of civil administration	30
6.3 Forced relocation and relief camps	31
6.4 The impact of the Salwa Judum on urban residents	34

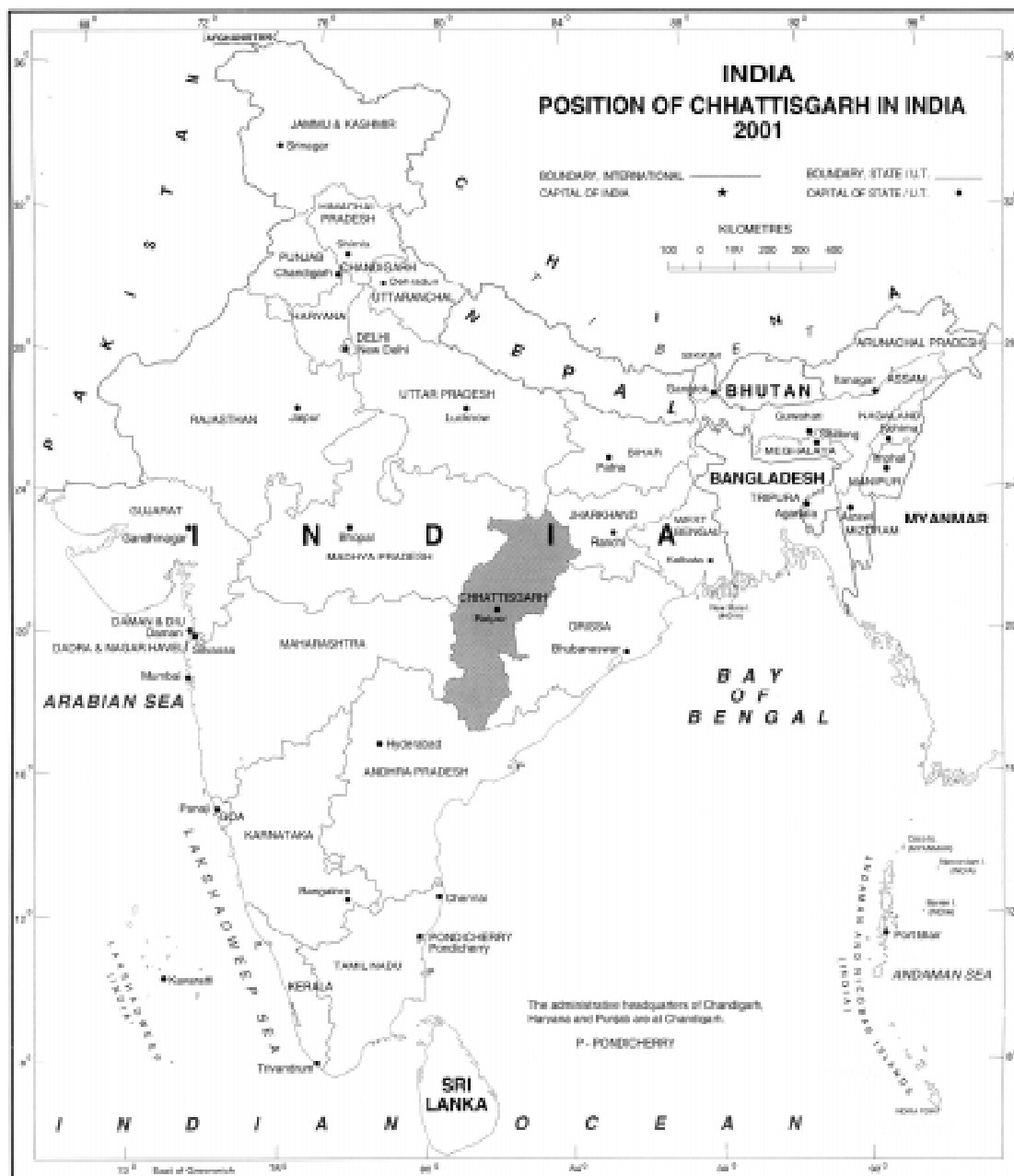
7. UNDERMINING CIVIL RIGHTS	35
7.1 Curbs on the Press	35
7.2 Chhattisgarh Special Public Security Act, 2005	35
8. DANTEWARA MILITARISED	37
9. CONCLUSIONS AND RECOMMENDATIONS	39
Appeal to the Government	40
Appeal to the CPI (Maoist)	42
Letter to the NHRC	44

ANNEXURES

I. Extracts from the Final Report of the Lokayukt Enquiry into the Malik Makbujja scam, 1998	45
II. List of people killed by Maoists – not supplied by government	47
III. List of people killed by the Salwa Judum – supplied by CPI (Maoist)	50
IV. List of villages burnt by the Salwa Judum – supplied by CPI (Maoist)	53
V. List of women raped – supplied by CPI (Maoist)	56
VI. Extracts from the Chhattisgarh Government’s Policy on rehabilitation of Naxalite affected persons and surrendered Naxalites.....	58
VII. Extracts from Protocol II Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977.	60

Photographs

All photographs have been taken by members of the Independent Citizens’ Initiative.



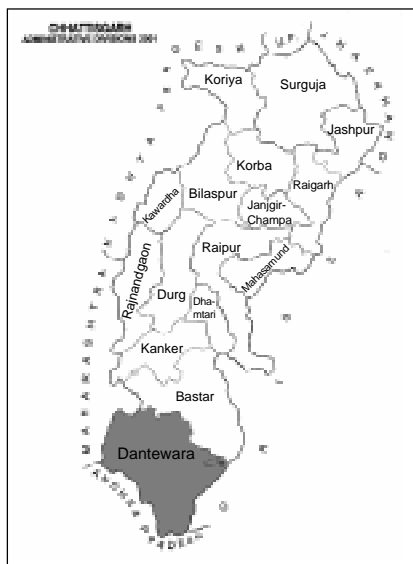
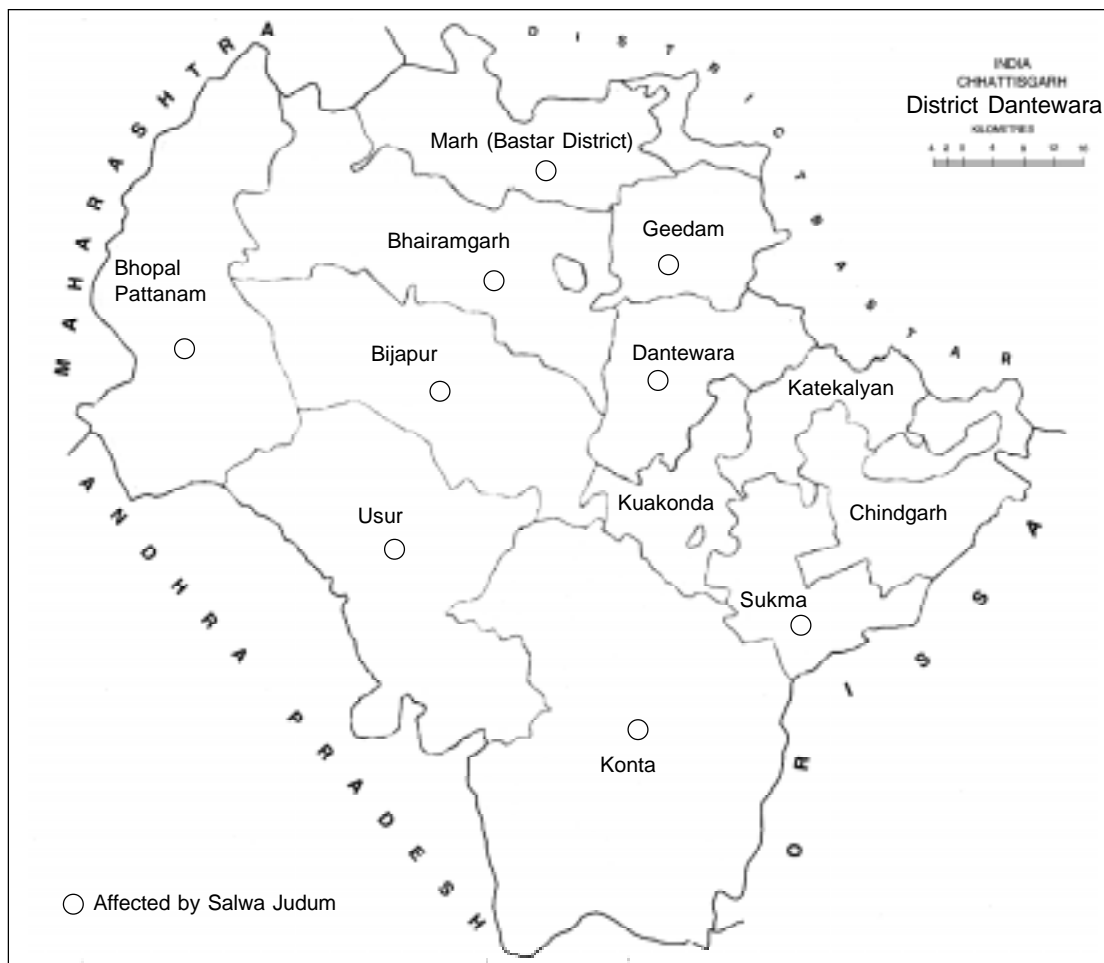


Table: Social Indicators of Dantewara District

Area sq km.	17,634	% urban population	7.2
Population	7,19,487	% rural pop.	92.8
Population density per Sq. Km.	41	Sex ratio	1016
No. of villages	1,220	Infant Mortality rate	58.4
Literacy rate total	30.2	HH with electricity %	22.1
Percentage ST pop.	78.5	HH with safe drinking water %	53.0
No. of primary health centres	34	No. of primary schools	918

Source: Population Foundation of India: Chhattisgarh, Population, Health and Development, New Delhi 2006



1

INTRODUCTION TO THE INDEPENDENT CITIZENS' INITIATIVE

A six member team of independent citizens from Delhi, Bangalore, Ranchi and Visakhapatnam undertook a 6 day visit to Chhattisgarh between May 17th – 22nd, 2006 to attempt an objective, in-depth, on the ground assessment of the situation there. The team met a wide cross-section of people from different walks of life, with different perspectives on the conflict. Among those we spoke to, at length, were the following:

1. Government Representatives

- Chief Secretary Chhattisgarh Government, Raipur, Mr. R.P. Bagai
- Additional Chief Secretary (Home), Mr. B.K.S Ray
- District Magistrate, Dantewara District, Mr. K. R. Pisda
- District Magistrate, Bastar District, Mr. D. Srivastav
- Superintendent of Police, Dantewara, Mr. P.K. Das
- Inspector General of Police, Bastar, Mr. Longkumer
- Commander, Jungle Warfare and Counter Insurgency School, Kanker, Brigadier Ponwar
- Superintendent, Jagdalpur Jail, Mr. Akhilesh Tomar

2. Salwa Judum Representatives

- Mr. Mahendra Karma, Member of the Legislative Assembly (MLA) from Dantewara, Leader of the Opposition (Congress Party) in the Chhattisgarh Assembly and acknowledged leader of the Salwa Judum
- Mr. Madhukar, School teacher and prominent Salwa Judum leader, Kutru
- Mr. Ram Bhuvan Kushwaha, Trader and Salwa Judum leader, Dornapal
- Other local leaders and several Salwa Judum activists

3. Communist Party of India (Maoist) Representative

One senior Maoist spokesperson, with approximately twenty years experience

4. Hundreds of people from the following villages and towns across Dantewara District

The team met them in their villages, in relief camps, and in jails. We have reproduced the names as we were told. We have marked * where the names do not correspond to villages in the census, and we are not certain of their location.

Bijapur Tahsil: Guttamangi, Teliphenta, Parkeli, Kodka, Pata Kutru, Kutru, Mankeli, Peddakorma, Bangur(*), Tumnar, Nelgoda, Cherli (Hariyal), Belnar, Kondapal, Basaguda, Mittmeli (*), Pottenar-ichwada, Satwa, Chinger, Padera, Jangla, Bamanpur, Ghatpalli.

Konta Tahsil: Manikonta, Dubbatota, Mundpalli, Dornapal, Phandiguda, Midwai, Argatta, Polampalli, Ettaguda, Misma

Towns visited: Dantewara, Bhairamgarh, Konta, Sukma, Bijapur

5. Relief camps visited

1. Bangapal
2. Mirtur
3. Bhairamgarh
4. Jangla
5. Nelasnar
6. Kutru
7. Dornapal

In addition the team met members of the Communist Party of India, NGO representatives, members of the intelligentsia and several journalists in both Dantewara and in Raipur.

1.2 Background to the Fact-Finding

About a year ago, from June 2005, reports started appearing in the local Chhattisgarh press about a 'spontaneous people's uprising' against the Maoists (generally called Naxalites) under the name of **Salwa Judum**. Similar, smaller news items made their way to the national press. It took almost 10 months for the media to begin questioning this description and to allude to the State Government's sponsorship of this so-called 'people's movement'. Media reports also began to highlight an impending humanitarian crisis in Dantewara district. Apart from the official figure of 45,958 villagers displaced and living in camps by the main roads, media reports also mentioned that some 40,000 people from the southern part of the district had fled to Andhra Pradesh and other neighbouring areas. In the last few months, there has been an almost daily litany of violent acts committed by the Maoists including attacks on railway stations, transformers, police and paramilitary forces as well as civilians. News reports in April/May 2006 also mentioned killings of suspected Maoists by the Salwa Judum and security forces. In the last 6 months, several human rights and other concerned groups have visited the area. These include the 1) Human Rights Forum (HRF), Andhra Pradesh, 2) Communist Party of India (CPI) – Chhattisgarh State wing, 3) An All India team comprising People's Union for Civil Liberties

(PUCL), Chhattisgarh, PUCL Jharkhand, People's Union for Democratic Rights (PUDR), Delhi, Association for the Protection of Democratic Rights (APDR), West Bengal and Indian Association of People's Lawyers (IAPL) (henceforth referred to as the All India Team) and 4) Asian Centre for Human Rights (ACHR), Delhi. Each of these groups reported widespread coercion, killings, arson and other forms of violence by the Salwa Judum but were unable to visit the area freely. (All these reports are available on www.cgnet.in). Despite mounting evidence that human rights were being violated with impunity, there was little regular news filtering through of the real situation.

Given the urgency of a rapidly changing ground situation, the task before the present fact-finding team was the following:

- Ascertain the latest situation in terms of incidents of violence
- Investigate reports of sexual violence against women
- Study the latest situation in terms of internal displacement of villagers
- Understand the present organization and accountability of the Salwa Judum
- Ascertain the degree of popular support for the Salwa Judum
- Assess the Government's plans to restore peace and establish rule of law
- Suggest directions for conflict resolution – both immediate and long-term

2

THE MAOISTS IN DANTEWARA

Over the past two decades, Maoists have been making steady inroads into the tribal districts of Chhattisgarh, and Dantewara particularly. Parts of the district have largely passed out of the control of the state administration. As in some other states in India, the growth of Maoist influence is in large part attributable to the neglect of tribal interests and aspirations by the formal political and administrative system. The government has been deficient in providing the residents of these areas with schools, hospitals, roads, and gainful employment. At the same time, the tribals have had their access to natural resources curbed. Forest, mining, water and energy management policies have consistently discriminated against them.

2.1 The Maoist View

On May 17th, 2006 members of the fact-finding team met a spokesperson of the CPI (Maoist). The following are excerpts from our conversation:

Approach to Development

He said the aim of the Maoist party was to first establish a democratic system, which ensures basic rights for people, and the final goal was the establishment of a communist state. Tribals should have the right to *jal, jungle and zameen* (water, forest and land), and there should be land to the tiller. The party wanted basic development for the people, not four-lane highways for multinationals when village after village lacked electricity. The government was only spending money on developing infrastructure for MNCs. Roads, he said, were being constructed by the government only to facilitate movement of troops to suppress the Maoists' armed struggle. As evidence of the Government's dubious motives, he pointed to the fact that the Bastar Development Authority was set up in the same year (2003) as the beginning of sustained CRPF attacks on Naxalites, "to separate people from armed struggle". As for the charge that his party had actually come in the way of development, he said that there was little evidence of any development even in areas not controlled by the Maoists.

Given that only 2% of the agricultural land in Bastar and Dantewara was irrigated, the Party had built ponds in the areas where they were strong. In some of the villages in Konta which had been burnt by the Salwa Judum, the Party had created orchards.

He refuted the allegation that people were upset with the party for its ban on tendu leaf collection and the consequent loss of their income. He argued that without strikes people would never get their due. The ban varied according to the local strength of the movement. Where the party organization was weak, tendu sales took place at rates close to 45 paise. Where the party was strong, they had managed to get contractors to buy at 75 paise per bundle of 50 leaves. Their current strategy was only to force a ban for 5 days out of the total 15-20 day tendu leaf season. This area produces tendu leaves of particularly good quality, so 75 paise per bundle is not too high a price at all. (The CPI has also demanded this rate). On average, an entire day's collection yields a hundred bundles (Rs. 45-75, which is just about the minimum wage).

Regarding the allegation that they had un-necessarily distributed land in an area where holdings were not productive, he said that only those with very large holdings, who got their land tilled through the collective labour of others, had their land redistributed.

Party Organization and Adivasi Representation

The party spokesperson explained the structure of the party organization in Dantewara. The Maoists have organized themselves into 'zones' that may not coincide with State provincial boundaries. At the top of the Party structure is the **Central Committee**. Below that are the **State or Zonal Committees**. Chhattisgarh has two State Committees: One for North Chhattisgarh (Sarguja and Jashpur Districts) and one for South Chhattisgarh called the **Dandakaranya Special Zonal Committee (DKSZC)**. The Dandakaranya zone includes 8 districts (5 from Chhattisgarh including Dantewara District, 2 from Maharashtra and 1 from Orissa). Below the DKSZC are several **Divisional Committees**, below that are **Range Committees** and below that the **Village Committees**.

Before the Salwa Judum started there were 5 Divisional Committees in Dandakaranya—now two more have been added (making it a total of 7 divisions). There are two main **mass organizations** –the **Dandakaranya Adivasi Mazdoor Kisan Sanghathan (DAKMS)** and the **Krantikari Mahila Adivasi Sanghathan (KAMS)**. Members of these mass organizations, are known as **sangham members** at the village level. The party has formed 1000 revolutionary peasant committees (or Gram Rajya Committees) at the village level, 70% of which are in Dantewara district. While denying the allegation that the Naxalites were 'outsiders' and did not represent adivasi interests, he conceded that a majority of the 17 people in the DKSZC were from Andhra Pradesh. The DKSZC not only had no adivasi representation but very low female representation - there were only 3 three women on the Committee. Local adivasis, he said, were only now beginning to enter regional committees and take over leadership roles, though the cadre was entirely local.

Special guerilla squads (**dalams**) have now developed into a standing army, the **People's Liberation Guerilla Army (PLGA)**. The spokesperson said that after the Salwa Judum started, they had a flood of recruits. They were forced to restrict recruitment to the PLGA since they did not have enough weapons. Instead, they had started a **Koya Bhumkal Militia** for men and women aged 16 to 45, named after the major 1910 rebellion in Bastar known as the *Bhumkal*. Koya is the local name for Maria Gonds.

The increase in recruits was indirectly corroborated in an informal conversation with the Tribal Welfare Secretary who said that he had heard rumours to that effect. At the Dornapal CRPF camp, on 18 May, we



The body of Rami Vette in the CRPF camp, Dornapal

saw the body of a young adivasi woman, Rami Vette, who had been killed during a combing operation by the CRPF and the Salwa Judum. She was wearing a green uniform and had been carrying newsletters of the Koya Bhumkal Militia.

Armed Struggle and Violence

His party accepted responsibility for a series of violent attacks in recent months, but each of these incidents of violence was explained away either as mere ‘mistakes’ or as necessary ‘counter terror’ to stop the terror unleashed by the Salwa Judum. Attacks on police stations were justified as a way of telling the police to stop harassing people and also to seize their arms.

- 30th January, 2006 Gangaloor (Bijapur Block): An armed squad entered the Gangaloor relief camp after midnight and killed 7-8 Special Police Officers (SPOs). As evidence of popular support for the killing, he claimed that villagers in the camp themselves helped the Maoists identify those SPOs who were active in the Salwa Judum campaign and responsible for many acts of violence against ordinary people.
- 6th February, 2006, Kottacheur landmine: The Maoists killed 9 soldiers from the Naga Battalion in a landmine. The Naga battalion has become notorious here for their attacks on villagers.
- 28 February 2006, Darbhaguda: One truck out of a convoy of 4 vehicles carrying Salwa Judum activists was blasted at Darbhaguda on its way back from a Salwa Judum rally. 27 people were killed, some on the spot and some brutally by clubbing and stabbing and 30 badly injured. Again, he claimed that people had congratulated them for the killings. He admitted that innocents had also died in the Darbhaguda attack and for those deaths he ‘apologised’. He also admitted that among those killed in Darbhaguda there was one girl. But he emphasised that they (Maoists) “do not target women”.
- 13 May 2006, Injeram Relief camp, The Maoists attacked Injeram relief camp in Konta tahsil, killing 4 SPOs and wounding 5. Several Maoists were also injured in the shooting. Again, the attacks on relief camps is justified as freeing people who have been forcibly brought in.
- 16 May 2006, Gadchiroli: This attack was described as a case of mistaken identity. What turned out to be an innocent marriage party returning from Gadchiroli, was understood to be CRPF troops traveling by bus. He claimed that his organization gave cash compensation to those who “died by mistake”, but that he was not at liberty to disclose the amount.
- 24 March 2006, Kanker: 14 people were killed when a jeep consisting of traders and local adivasis was blasted on its way back from the local haat. This was justified by the presence of CRPF personnel in the jeep, who had got off the jeep, after information had been given that such a jeep was on its way.
- 24 April 2006, Manikonta: The killing of 13 villagers in Manikonta was attributed to the anger of the villagers, which the party could not control. The villagers held a ‘jan adalat’ attended by 20-25 villages, and ‘punished’ those who participated most actively in the Salwa Judum, releasing the rest of the 50 odd whom they had kidnapped. He said that the Salwa Judum had corrupted tribal society, creating a class of lumpens who had been given permission to loot, rape etc. The party would ensure that the widows were looked after.

The representative said that armed struggle had to be their main form of action, because unlike Nepal, Indian society was divided into too many different parties like the Congress, BJP, CPM etc. as well as different classes. But the party conceded that there are conditions under which dialogue is possible.

NOTE: The Independent Citizens’ Initiative was struck by the little regard shown for the fact that armed struggle allows mistakes to happen – mistakes which have resulted in the deaths of many innocents and continue to do so. There is also an implicit assumption that the CRPF are fair game, just

as the CRPF regards Maoists as fair game. In the process, both sides continue to bear responsibility for the death of scores of civilians caught in the crossfire.

2.2 People's views on the Maoists and the Salwa Judum

We heard several complaints about the Naxalites from villagers across the district. Mirtur camp residents complained that Maoist pressure to double tendu rates in 2005 led to very little plucking and loss of significant cash flow in a drought year. Several people in both the Konta and Bhairamgarh/Bijapur areas expressed unhappiness with the Maoists for not allowing activities like road building in the area, for forcing them to attend meetings, making them provide food to the squads, making them give away land and cattle which the Naxalites deemed excess or forcing them to cultivate lands on behalf of the armed squads. Mirtur residents referred to the Maoist practice of press-ganging each family to send a male/female member to join their ranks. People resented the fact that at meetings, the Maoist leaders would dominate and villagers would not be allowed to speak. Whatever the Maoists decided would hold. Some villagers in Dubbatota (Konta tahsil) living in Dornapal camp, whom we met in their village where they had come to retrieve their possessions said 'the government is giving us tin for house roofs and rice, what have the Naxalites ever given us?'

We also heard from some villagers in Konta tahsil that the Naxalites had not killed civilians in their area before, not even informers, and that civilian killings had started only in retaliation to the Salwa Judum. They noted that the leader of the Salwa Judum in Konta, Soyam Mooka, resident of Gaganpalli village, was a school teacher who allegedly never attended school. His father, Soyam Jogaiah was a Congress MLA. The Salwa Judum leader in Dornapal, Ram Bhuvan Kushwaha, was a contractor who allegedly had not made his labour payments. The Naxalites had targeted such people, they said, and therefore they had an interest in eliminating them. They added bitterly that it was for the safety of people like Mahendra Karma and Kushwaha, who had cases against them, that the CRPF and entire public was enlisted into the Salwa Judum.

This view was echoed by sections of the intelligentsia in Jagdalpur town as well, who said that the three major reasons why the Salwa Judum was started and was continuing was 1) to provide employment as SPOs to Mahendra Karma's constituency and followers, 2) to divert attention from the criminal cases the leaders of the Salwa Judum were facing, including the Malik Makbuja scam and 3) to make money, as there was no oversight and accountability for the huge funds that were being poured in under the guise of counterinsurgency (see figure for compensation in the Table in Section 5.1 and Section 6.3.3.)

A former zilla panchayat member, representing one of the mainstream political parties, told us that the Naxalites had never stopped development. Instead they had insisted on schools being run. The Government was taking commission from teachers for allowing them to bunk school. The Naxalites had started addressing the land question. Now, thanks to the Salwa Judum, everyone was uprooted. We were told that the majority of the public was with the Maoists, and that the Salwa Judum had only managed to forcibly move people within a 10-15 km radius of the road into relief camps.

NOTE:- It is critical to note that the movement of the Citizens' Initiative was physically curtailed through acts of violence and threats of further violence by Salwa Judum activists. Thus, barring a visit to one village which had been attacked for supporting the Maoists, which we happened upon by chance, we were unable to freely visit villages which were considered Maoist strongholds especially those which had reportedly been attacked by the Salwa Judum. Our impressions are therefore largely drawn from villagers who came from villages where there were no active sanghams or who were located in camps under the watchful eye of Salwa Judum leaders. This was a regrettable omission, especially since the numbers with the Maoists appear to be increasing rather than decreasing after the Salwa Judum and it is important to understand why (see Section 2.1 on increase in recruitment).

3

UNDERSTANDING THE SALWA JUDUM

Mahendra Karma and the Government claim that Salwa Judum means ‘peace mission’ in Gondi. However, according to other Gondi language speakers, a more accurate translation of Salwa Judum is ‘purification hunt’.

3.1 Origins of the Salwa Judum: Piecing together a narrative

The origins of the Salwa Judum are unclear. The few facts commonly accepted are as follows - In June 2005, a movement was launched to combat the Maoists in Dantewara district. Known as ‘Salwa Judum’, its prime mover is Mr Mahendra Karma, a Congress MLA from Dantewara district who is currently the Leader of the Opposition in the State Assembly. Mr Karma’s initiative is being supported by the BJP Chief Minister of Chhattisgarh, Dr Raman Singh. According to a number of journalists, Mahendra Karma is popularly known as Raman Singh’s 16th cabinet minister.

As for whether the Salwa Judum began ‘spontaneously’ as a people’s movement or is a deliberate Government sponsored strategy to counter the Naxalites in the district, we pieced together the following, sometimes overlapping and sometimes conflicting, narratives.

Version 1:

According to residents at the camp in Kutru village (Bijapur tahsil), the movement began in village Chote Karkeli, near Kutru. Sangham members from Karkeli intercepted a truck carrying rice for the CRPF camp at Bedre (Bijapur tahsil). In retaliation, the CRPF and the Kutru police arrested all the adults of Karkeli village and illegally detained them in the Kutru jail. They were beaten till they agreed to bring the local Maoist leaders to jail. The villagers from Karkeli went back and called for a meeting to be attended by people from surrounding villages and by members of the local Maoist armed squad (dalam). The dalam members, including the DAKMS Range Area Leader, were told to come unarmed. The meeting was held in nearby Ambeli Village. At the meeting, the Maoists were placed in the center of a large gathering and asked why they conducted armed actions without consulting local villagers, who invariably faced the consequences. The Maoists were then handed over to the police station.

Version 2:

Mr. Madhukar, the local Salwa Judum leader in the Kutru area said that the villages of Ambeli, Karkeli, Usikapatnam, Tadmer etc., (Bijapur Tahsil) were sick of the Maoists because of their ban on tendu patta collection, and the bomb blast at Karremarka (on 24 May in which 5 CRPF personnel were killed) which put them all under suspicion. Therefore they called a meeting in Ambeli, questioned the Maoists, and handed them over to the police. People came to him for advice, which is how he initiated the Salwa Judum. The Maoists resisted the Salwa Judum by killing people who took part. This terror has made people flee to camps. According to Madhukar, the following week after the Ambeli incident, (according to an official list almost a month later, in July), the Maoists killed 7 people from villages Karkeli, Usikapatnam and Ambeli.

Version 3:

The narrative above is at slight variance with the version provided by the Maoist representative we spoke to. He said repression in the area had increased from 2003 onwards when the CRPF arrived in the district in large numbers. In May 2005, the PLGA killed some CRPF men in an ambush in Karremarka Village. Following this, Mahendra Karma (Congress MLA from Dantewara) and Kawasi Lakhma (the Congress MLA from Konta) held meetings in a series of villages near and around Kutru village, south of the Indrawati River. While the Naxalites have a virtually untouchable presence north of the Indrawati River (in the 12,000 sq km area known as Abujmarh), in the area between Kutru village and the Indrawati their organization is weak. Thus Mahendra Karma was able to mobilize a cadre of people around him whom he christened the ‘Salwa Judum’.

The first meeting of the Salwa Judum was held in Ambeli village where the DAKMS range area leader and 4 others were told to come unarmed, were beaten and handed over to the police. They had planned a similar meeting in neighbouring Usikapatnam village, but the PLGA squad dispersed that by firing in the air. From then onwards, the Salwa Judum kept calling meetings. Where the Maoists had a strong base, as in village Kotrapal, they would organize the villagers to resist (see next section).

Version 4:

Mahendra Karma whom we interviewed in Raipur (see Section 4.1), placed the Salwa Judum in the genealogy of the Bastar rebellion of 1910 (Bhumkal) and the previous **Jan Jagran Abhiyans** (Public Awareness Movements) he had led in the area in 1989-91, when the Maoists left Bastar for six months (on Jan Jagran Abhiyans see All India Team Report, page 12). The Maoists, he said, killed anyone who opposed them and stopped all development programmes. They thus alienated the tribals who, living close to and within nature, are “opposed to any ‘ism’”. “There is a limit to how long tribals can live under terror.” He noted that the first Indians to resist British colonial rule were the tribals, and mentioned Birsa Munda and, in Bastar, Gunda Dhur. “This is a repeat of that rebellion”, he told us.

In 2005, after the blast in Karremarka, he held meetings in different villages. He claimed that the Salwa Judum was a ‘Peace Mission’ which went village by village, persuading sangham members to join the ‘mainstream’ and surrender their guns and bombs. 3000 sangham members had surrendered, and more were surrendering in Konta, bringing it up to 4000. “We said we will forgive Naxalites. Wherever we went, Naxalites fired on us and there were encounters. But we went on nevertheless.”

3.2 Convergence of Narratives: the modalities of the Salwa Judum

The Salwa Judum originated around Kutru, in a place where the Naxalites were not strong. However, at or very soon after its inception, the Salwa Judum came under the control and leadership of

Mr Mahendra Karma. From roughly June 2005 onwards, according to all sides – Mr. Madhukar (the Salwa Judum leader in Kutru), K.R Pisda (the Dantewara District Collector), Mahendra Karma and the Maoist representative - meetings began to be called in different villages to mobilize people against the Maoists. These so-called ‘meetings’ appear to have involved more than just people gathering at a place and discussing how to counter the Maoists. They consisted of Salwa Judum activists, in combination with the security forces, going to villages, threatening to burn them if they did not join the Salwa Judum, and then acting upon this threat.

This is clearly corroborated in a wireless message from the former Superintendent of Police (SP), Bijapur, Mr. Manhar, issuing orders to the police stations under his command. The message was recorded by the Maoists and released to the press in Raipur. The authenticity of this recording needs to be judicially verified. We have included it here because an independent journalist from outside the state has confirmed from other senior police officials that it is undoubtedly him.

Bijapur SP Issuing Instructions over Wireless (August 2005)

Recording provided by CPI Maoists to journalists

Extract from English translation of transcript

- 0.01 You will have to take out party and you should go to all villages in your police station area
- 0.05 The villages which are awakened - message us separately about them
- 0.13 The villages which have joined in Jagaran (Salwa Judum) two lakh rupees have been sanctioned for them.
- 4.25 Take care of that side. All officers and the forces should be distributed on all sides. And be on high alert. **If any Journalist comes to report on Naxalites - kill them.** Did you understand ? Roger Sir.
- 8.11 Three encounters happened 9 people died ,
- 8.18 **And all the grain storages have been burned by the Jan Jagaran people**
- 8.24 Today Kotrapal sangam members will surrender.
- 8.32 They are saying people are dying on the other side, no development is happening so they will surrender today.
- 8.43 The Jan Jagaran people are telling very clearly to villagers “you come with us first time, or second time. If you do not come third time, we will burn your village”**
- 8.53 Their challenge is direct- understood?
- 9.09 **These Jan Jagaran people are telling us “you don’t need to do anything. We will go with our bows and arrows, and bring them back on our shoulders after killing them.**
- 9.28 So this is the situation, so there is nothing to worry.

According to the Maoist spokesperson, where the Maoists are strong, as in Kotrapal village, the villagers have resisted, in some cases, with assistance from the PLGA. In Kotrapal in June 2005, when the Salwa Judum attacked, old people, women and children were sent into the jungle. 30-40 of the able bodied males faced 1500 of the Salwa Judum. They captured 12 people and killed 3. Elsewhere, villagers supporting the Maoists or simply resisting the Salwa Judum, have died in encounters. Mostly these deaths are not recorded, or where recorded, some may be passed off as killings by Maoists or of Maoist armed squad members rather than civilians (see Section 5.1 on the death toll).

Villagers’ grain stores have been destroyed, their livestock looted, and even the gourds that people grow on the roofs of their houses have been destroyed. In other words, causing economic loss is a

major part of the Salwa Judum's mode of operating. According to the Maoist spokesperson, in some villages they have managed to preserve their grain from looting or arson by hiding it underground. We were also told by Sukma townspeople that the prices of poultry and goats had fallen dramatically, as people were keen to sell them before the Salwa Judum got to them. On the other side, a woman who had relocated to camp in Konta said that the 'andar wale' (Maoists or their village supporters) took away the livestock that they had been forced to abandon. Cattle are becoming feral.

Mahendra Karma did admit that some violence was taking place, but dismissed it as a 'a chota apradh in a maha yudh' (small crime in a big war). The Additional Chief Secretary (ACS) Home, said he had not heard of any atrocities by the Salwa Judum but conceded that there 'may be some anti-social elements'. The Inspector General of Police, Bastar, Mr. Longkumer was the only senior official who admitted hearing reports of houses being burnt, but he said he had not received anything in writing. He said he had issued orders to his officers to take action against anyone indulging in unlawful activities including Salwa Judum activists. Salwa Judum supporters in camps were more open about the violence. Several camp inmates told us of widescale arson committed by the Salwa Judum and security forces in Konta tahsil (see Section 5.3 on arson).

Initially, according to the Maoist spokesperson, the Salwa Judum seem to have targeted sangham members, but after August, they started killing randomly. For instance, two women who were killed (5th October 2005) while working on their fields in Mukavelli village, Vedinje Nangi and Vedinje Malli, appear to have had no connection with the party. From June 2005 till February 2006, the Maoist counteractions also appear to have been limited to police and individuals who were actively involved in the Salwa Judum. From February 2006 onwards, since the Salwa Judum spread to Konta, their actions have been large scale and aimed at not just the leaders but the rank and file of the Salwa Judum, many of whom are not in the camps by choice. Both sides seem to have lost control of their cadres.

3.3 Evidence of Government Sponsorship

- An untitled video given to the Independent Citizen's Initiative team by Brigadier Ponwar of the Counter Insurgency and Jungle Warfare College, Kanker who said it was made by the police, speaks clearly of 'Operation Salwa Judum', which began as early as January 2005 when the police launched overt and covert operations to mobilize villagers against Maoists.
- Local journalists told the fact-finding team that invitations to mobilize people for the Salwa Judum in the early phases of the campaign (from June 2005) and press releases about the Salwa Judum were issued in the name of a local adivasi called Sodi Deva. However, when journalists tried to track him down, they could not locate any man by that name. Instead, they discovered that press releases in Sodi Deva's name were emanating from the office of the Inspector General of Police in Jagdalpur.
- An official Government document - The Work proposal for the 'People's Movement against Naxalites' drawn up by the Collector of Dantewara in 2005 - clearly spells out the modalities of the Salwa Judum's operation. The document mentions the need to give the movement prominent leadership, specifies how much funding is necessary and what tasks must be conducted by which department. For example, the police must identify friendly villages to know how many are with the police and how many are with the Naxalites, and create village defence committees. Chapter 4, paragraph 9 says that informers will not trust government unless their information is immediately acted upon and Naxalites are shot and killed. The police should not wait for written complaints. Paragraph 10 notes that if innocents die in large operations, higher up authorities must keep quiet. Unless Maoists are killed in large numbers people will have divided loyalties and, for this, police

must be given targets. The Collector also advocates controls on the media. All of this is uncannily being followed to plan.

- The appointment, training and payment of Special Police Officers (SPOs), who are the backbone of the Salwa Judum, is clear evidence of government sponsorship.
- Government support for the Salwa Judum is evident in a number of ways. Printed posters are pinned to trees along the highway, and there are painted signboards every few kilometers along the main Bijapur-Gangaloor road which proclaim – *Naxalwad se mukti ka moolmantra: Salwa Judum. Naxali bhagao, desh bachao. Naxali bhagao Bastar bachao*, (the anthem to defeat Naxalism: Salwa Judum. Make Naxalites run, save the country. Make Naxalites run, save Bastar).
- It would be unusual for a poor adivasi people's movement in a district with such low literacy to spend money on printing such a huge number of posters. On the other hand, the central government has set aside funds for publicity material (All India Team Report, p. 31). The government is financially supporting the Salwa Judum in other ways. There are memorials constructed in some relief camps commemorating Salwa Judum 'martyrs'. The first anniversary celebrations of the Salwa Judum held on June 4, 2006 at Kutru, were attended by the Chhattisgarh Home Minister Ram Vichar Netam, where he promised to construct many more Salwa Judum martyr memorials. On May 18th, 2006, the Chief Minister Dr. Raman Singh inaugurated a 'permanent' relief camp at Nelsanaar. When members of this fact-finding team reached the site later the same day, we saw a large sign in Hindi saying *Salwa Judum Raahat Shivir: Nelasnar* (Salwa Judum Relief Camp: Nelasnar).



Salwa Judum signs dot all the main roads in Dantewara

Thus, the Salwa Judum is clearly promoted and funded by Government, yet it is not officially listed anywhere, nor is there transparency on how much of the state's budget has been set aside for the Salwa Judum. We believe that the 'unofficial' status of the Salwa Judum allows the Government to refuse to accept accountability for Salwa Judum's actions on the ground. Salwa Judum activists are thus being granted impunity to operate outside the law of the land, with assurance of full State protection.

4

LEADERSHIP AND COMPOSITION OF THE SALWA JUDUM

The government describes the Salwa Judum as a ‘spontaneous’, ‘self-initiated’ ‘peace mission’ to which ordinary villagers are flocking. While it has full government backing, as described in the previous chapter, its structure is amorphous, creating the possibility that it may eventually spin out of government control as well. Several members of the local urban intelligentsia expressed concern that the non-tribal leadership of the Salwa Judum would soon form a caste vigilante group like the Ranbir Sena.

We were able to discern at least five different levels in the Salwa Judum hierarchy: 1) top political leadership, 2) camp leaders, 3) SPOs, 4) surrendered sangham members and 5) ordinary villagers. Of these, the first three sections are there by choice, while the others have been forced to participate.

4.1 The Political Leadership of the Salwa Judum

The Salwa Judum has the political backing of both the Congress and the BJP, but Mahendra Karma, is the widely acknowledged leader of the Salwa Judum.

He has been charged by the CBI for involvement in the Malik Makbuja scam, in which hundreds of adivasis were defrauded of money for the timber bearing trees on their lands, in violation of the MP Protection of Aboriginal Tribes (Interest in Trees) Act 1956. Some people in Jagdalpur attributed his promotion of the Salwa Judum to his need to divert attention from this (see extracts from the Lokayukt Final Report, Annexure I).

4.1.1 Interview with Mahendra Karma, 22 May 2006, Raipur.

Views on Maoists, the Salwa Judum and his own role in the movement

Karma started off by telling us that Bastar was the gateway through which the Maoists spread from Andhra Pradesh to the rest of India. They had been organizing in Bastar for two decades, and the shape of their *Janatana Sarkar* (People’s Government) had been fully formed. The Dandakaranya struggle was the most advanced stage of the Naxalite movement.

Displacement, according to Mr Karma, was an inevitable consequence of terrorism. “The Salwa Judum has challenged political terrorism.” As proof of the success of the Salwa Judum, Naxalites have sent their cadres from all other districts/states to Dantewara to resist it. When we asked whether that was not self-defeating, that the Salwa Judum instead of expelling Naxalites from the district had increased their number, Karma said that counter terror would work only for a while. He then said he had a secret and ultimate weapon which he could not yet reveal, and that one must be prepared to go ‘*kissi bhi had tak*’ (to any length) to defeat them. When we asked him to explain the ‘to any length’, he got agitated and said: “*iska matlab main apna jivan dene ko tayyar hoon—aap ko jo likna hai lik lijiye*”. (“I am ready to give my life for this, write what you like”).

When we told him about the Salwa Judum manhandling people, taking our camera etc. he said loftily “*badé badé anoalanon main kabhi kabhi aise chote apradh hote hain.*” (such small mistakes happen in any big movement”). When we mentioned the use of minors as SPOs, he picked up his pen, fiddled with it and said: “*theek hai, theek hai*” (ok, ok).

When asked about reports that people were returning to their villages, Karma said: “The Naxalites are deploying all their strength. If in some villages, people are returning home, its no big deal. The sanghams will be identified, and once they are brought in, the Naxalites will be progressively pushed back.”

As for how long the camps would function and what people would do for their livelihood: “The Salwa Judum could take 1-2 years. The camps are temporary. Once the Naxalites are finished, they will go back to their villages.”

Proposed Industrial and Development Projects in Bastar, Dantewara and Kanker Districts

The Government of Chhattisgarh Industrial Policy (2004-2009) notes that “special effort has been made in the policy to see that, in addition to the industrially more developed areas, industries are set up in the state’s industrially backward areas also” (1.4). They will be given maximum incentives for setting up mega projects in the most backward scheduled tribes predominant areas (like Dantewara) (4.4.10).

Essar is currently trying to acquire 900 ha for its steel plant at Bhansi and Dhurli near Dantewara. A 267 km. Essar slurry pipeline will connect Bailadilla and Visakapatnam. The Tatas want 4500 acres for a steel plant at Lohandiguda. The government has also revived plans for the Bodhghat Hydroelectric Project and the Jagdalpur-Dalli Rajhara railway line. The Polavaram dam will also affect a part of Konta tahsil. Local people are resisting all these projects on the grounds of displacement, and loss of forest cover. For instance, Bodhghat would require 5734 ha of forest land, and the Dalli-Rajhara railway line 259.94 ha. A writ petition has been filed against Essar for cutting down a width of 20 m in the reserved forest through which it passes, as against the sanctioned 8.4 m width (Bhupesh Baghel vs Union of India, 2005). Reports of coercion are being reported from Bhansi and Dhurli villages where the Essar steel plant will be located.

When asked about the leadership of non-tribal contractors and alleged criminals in the Salwa Judum, Karma said: “this is not a tribal movement alone, this is an affected people’s movement.”

When asked about opposition by people like former Congress Chief Minister Ajit Jogi and Congress MLA Rajendra Pambhoi, Karma replied: “This is not a political movement. So their opposition or support will make no difference. Some people are opposing the Salwa Judum because they are scared. If they don’t have the guts what can I do?”

Asked about his ultimate goal for the Salwa Judum, Karma said that if he is not killed he will win the *dharma yudh* (religious war) and take the Salwa Judum to the whole of India. “No one before me had the guts to take *panga* with (Pick a fight with) the Naxalites. Now I have taken it up.”

Views on Development

When we asked Karma what he thought about tribals getting a share in mines and mills built on their land and run on resources found in their areas, he laughed and said

“*ye sab bolne ko achcha lagta hai*” (all this sounds good on paper). When pressed on this, said: “*aap sab human rights walon aisa hi bolte ho*” (all you human rights types say this). “Time will tell whether we were right or the Naxalites (who have also been making this demand). Whatever you say it will continue.”

When asked for his views on local resistance to land acquisition for the Tata steel project: “Why shouldn’t Tata, Essar and others be put on tribal land? Who can stop these big projects and why should we? We must think more about value addition like employment and ancillary industry. Since tribals will consume any compensation they are given, they should be given work in ancillary industries. Instead of tractors, use them for land leveling.”

When asked about reservation for tribals specifically, he said the Chhattigarh government’s policy is that in new industrial projects there should be 90% reservation at lower levels (non-management) and 50% at managerial level. This reservation, however, is for all the people in Chhattisgarh, i.e. not just project affected families or local tribals. On a specific question on the special power conferred under schedule V of the Constitution to amend laws for the tribals, including the regulations on reservation for STs, he chose not to respond.

The Government of Chhattisgarh Industrial Policy, 2004-2009, Section 4.4.11 notes that “Directed incentives will be available only to those industrial undertakings which employ, in the case of unskilled labour at least 90%, in the case of skilled workers at least 50%, and in the case of administrative posts, at least 1/3rd persons, domiciled in the state.”

When asked about the Bastar Development Authority and if development would help to counter Naxalites, Karma said: “*Sab Bakwas hai*” (this is rubbish). We are not concerned with that. Right now, we are only concerned with the movement.” But when pressed on what effect the absence of development would have on people’s support for Naxalites, he replied “*Log unke saath bilkul jayenge*” (people will definitely go with them.) “The central and state government should provide a development package on a war footing.”

NOTE: The Independent Citizens’ Initiative was struck both by how articulate Mr. Karma was, and how much he seemed to represent non-tribal interests in the area. While he did not see the camps as long term solutions, like senior officials he had no answer as to how people would survive in the short term. The Chief Secretary told us that while Mr. Karma was keen to extend the Salwa Judum to other areas, the government had called for a temporary halt since they did not have enough security for the camps.

4.2 Camp Leaders

Several of the local Salwa Judum leaders, such as Soyam Mooka in Konta, Ram Bhuvan Kushwaha in Dornapal, or Ajay Singh in Bhairamgarh, are personal followers of Mahendra Karma. Kushwaha said he was in daily telephone touch with Karma before the Maoists blasted the local transformer. People like Kushwaha or Ajay Singh are non-tribal immigrants from UP, who have worked as contractors and traders. They allegedly have various criminal cases pending against them. Kushwaha told us that as a trader he had, like others, earlier supplied stores to Maoists until they sought contraband goods. He then chose to join the Salwa Judum under the leadership of Mahendra Karma. (We were independently told he had been targeted by the Maoists for not paying his labour).

Some Salwa Judum leaders like Soyam Mooka in Konta and Madhukar in Kutru (also non-tribal) are school teachers, who allegedly rarely attend school.



Ram Bhuvan Kushwaha, Salwa Judum leader at Dornapal (Konta Tahsil)

Kushwaha, Ajay Singh and other such leaders carry guns and are surrounded by .303 or lathi bearing lieutenants. Kushwaha's gang included one non-tribal settler and four young Gond men.

While Kushwaha etc. are acknowledged leaders, their leadership is temporary, depending on the balance of force they are able to muster. For instance, in Dornapal, we were stopped every hundred yards by a Salwa Judum checkpoint. When we protested that we had been cleared by the camp leader Kushwaha, they replied: "*yahan koi leader nahi hai, is checkpoint ke hum leader hain.*" (there is no leader here. we are the leaders of this checkpoint).

Meeting the 'Boss' of Kutru

As we crossed a river enroute to the Kutru area in the western part of Bijapur block, where the Salwa Judum is said to have begun, our team encountered a local tendu leaf contractor stacking up his bundles. We asked him the way to the Kutru relief camp. It was evening, so he said we should be careful, this was a dangerous area. But in case we run into trouble or need help, he continued, we should just ask to be taken to "Madhukar Sir." And who is Madhukar Sir, and where would we find him, we asked. "*Arre woh toh is area ke boss hai. Koi bhi bata dega*". (Oh. He is the boss of this area. Anyone will guide you to him). The omnipotent and omnipresent 'Madhukar Sir', whom we met later that evening, turned out to be a middle school teacher (hence the "Sir"), now also the full-time Salwa Judum boss of the Kutru area. By his own admission, Madhukar Sir manages to do both since, "*school toh attend karte hain. Beech, beech main.*" (I attend school. From time to time.)

In his interview with us, Madhukar told us that they want to cover the whole of Bastar with the Salwa Judum and then take it to other parts of Chhattisgarh and Maharashtra. He was impatient with anyone who doubted the need for the Salwa Judum, like former Chief Minister, Ajit Jogi: "Whoever opposes us in parliament or wherever is a representative of the Naxalites. Ajit Jogi could also be a representative of the Naxalites."

His group's demands, he said, included 1) a police station every 15 km with boundary walls and a bhavan (building), 2) that those SPOs who had been targeted should be inducted into the regular police force, and 3) that families of those killed by the Naxalites should be given employment and not just cash compensation.

Neither Kushwaha, Madhukar, Ajay Singh or any of the other Salwa Judum leaders we met appeared to have any 'official' position in the security force. However, the local CRPF and civil police personnel seemed to work in close consultation with them.

The question is by what authority do these local Salwa Judum leaders issue orders, prevent people like us from visiting villages and dictate movements to the CRPF? By what authority do they identify a person and brand him a 'Naxalite', inciting the Salwa Judum mobs to attack him/her? When we brought this to the notice of the Collector and others, their response was to ignore this gross illegality altogether. Anybody appointed to an office provided for under the Chhattisgarh Police Regulations should be subject to disciplinary action prescribed under the Regulations. When somebody is not appointed under any regulation or if so appointed, violates these regulations without check, there is no accountability. It is indeed a dangerous arrangement when the State out-sources its law & order responsibility to outsiders without any commitment from them to abide by the law.

4.3 Special Police Officers

According to figures upto March 2006, supplied by the ACS (Home) in Raipur, the government has appointed some 3500 SPOs. The number is expected to go upto 5000. These are not merely additional security forces, but are an integral part of the Salwa Judum movement.

Under the MP Police Regulations (adopted by Chhattisgarh), the government has the powers to appoint Special Police Officers (Section 17, 18, 19 of the Police Act 1861). These SPOs are meant to be recruited in special situations of ‘unlawful assembly or riot or disturbances of the peace’, when the regular police force is not sufficient (Section 17). They are not meant to counter a long term problem like guerilla warfare. The SPOs are meant to be people of standing in the area who can ensure peace, not minors and certainly not lumpen elements with allegedly criminal pasts. To appoint an SPO, a police officer not below the rank of an Inspector must apply to the nearest Magistrate (Section 17). If an SPO neglects his appointed tasks or refuses to serve as an SPO, he is liable to fines (Section 19). The SPO has the same powers, privileges and protection, is liable to perform the same duties as a regular police officer and is amenable to the same penalties (Section 18).

However, the SPOs here are clearly not armed in the same manner as regular police officers. They are given much lower levels of compensation if killed in the line of duty - they get only 1 lakh, (a proposal to raise it to 2 lakhs is under way), compared to the Rs. 10 lakhs given to a policeman killed on duty, and also get no pension or any other benefit.

In Dantewara most SPOs wear no uniforms and carry no official identification. In Injeram camp, some SPOs who had paper slips bearing the Nos. 19, and 153 pinned to their shirts told us that they avoid wearing badges so that they are not marked by the Naxalites. Whatever the reason, on the ground it is difficult to distinguish an SPO from an ordinary villager, leading to an absolutely seamless merging of illegal and legal authority. Visitors to the area (like us) are stopped by mobs – some claim to be SPOs, some are Salwa Judum activists – they look the same and act the same. They appear to be bound by no rules or authority whatsoever.

The only place where we encountered SPOs with any training was in Mirtur camp, where the SPOs were all adivasis. They saluted us meekly, and stood to attention till dismissed. They did not wear even vests, as they had no vests of their own. Their plight appeared to be pathetic, as they had not been paid any wages for quite some time. Later, the Inspector General of Police, Bastar clarified that there was an accounting problem that caused delay in the payment of wages to SPOs at some places.

Many SPOs complained that while they are repeatedly told that they have been enlisted in the service of the nation to ‘rid the area of the Naxalite menace’, yet they have not been trained in weapons use and cannot even defend themselves let alone rid the area of Naxalites. On the other hand, they are particularly vulnerable to Maoist counter attacks. Because these adivasi SPOs are locals, they know their way around the terrain and are used by the para-military forces as guides during patrolling. Many are armed with bows and arrows, or with



SPO accompanying CRPF on combing operation, Dornapal Camp

obsolete WWII vintage .303 rifles. The government is unwilling to arm them with better weapons for fear they will fall into the hands of Naxalites. Members of this fact-finding encountered several patrol parties in which SPOs in civilian clothes, armed with bows and arrows or .303s led the way, followed by uniformed CRPF personnel sporting lethal AK 47s or Insas 5.56 rifles. They were also accompanied by surrendered sangham members (see Section 4.4).

Who are the SPOs?

Unemployed tribal youth

Many Special Police Officers (SPOs) are unemployed tribal youths, both boys and girls, who have joined up merely to earn the Rs.1500 that SPOs are paid. Even this small amount is paid irregularly. When they signed on, many of these SPOs had no idea of the grave danger they were letting themselves into or that they were taking sides in a war against their own co-villagers. They merely thought they were getting a 'government job', a valued commodity in an area where unemployment is high.

When we asked a group of female SPOs in Bangapal, why they had become SPOs, they first raised their arms in fist-clenched collective salute and shouted on cue in one voice “*Naxali ko maarne!*” (to kill Naxalites). When this declaration of bravery was met with a skeptical look, they half-smiled, and after some gentle probing confessed with downcast eyes, that for each one of them, the 1500 rupees they earn and send home once a month is crucial to family survival. Most of these SPOs harbour the hope that they will get absorbed into the regular police force.



Ramanna Bhandari, SPO from Village Kotrapal, 19 years old, showing us how to load a 303 rifle at Paamalvaya Camp on Bijapur-Gangaloor Road



Young SPOs: Dinesh, Village Cherkanti, Age claimed 19 yrs. Ganesh, Village Koter, Age claimed 21 yrs. Ganesh Gongla, Village Koter, Age claimed 18 yr

Several villagers from Teliphenta Village are now homeless in the Kutru relief camp merely because some ten or twelve young men from Teliphenta signed up as SPOs. In the first phase of the Salwa Judum operation in June 2005, the Government distributed forms in many villages encouraging young people to join up to be SPOs, offering them Rs. 1500. In retaliation, one night, people from the neighbouring villages of Parkeli, Guttamangi etc. looted ten houses, burnt two homes and killed one SPO, Budhram Telam, who had gone home to see his parents. The morning following this attack, the CRPF and SPOs went to Teliphenta

and killed 5 members of the armed squad– 3 men and 2 women – all in uniform, in an encounter. (*Times of India*, 27 March 2006, reported that 8 were killed, but only 5 bodies were found).

Minors

The appointment of minors as SPOs violates international conventions like the UN Convention on the Rights of the Child, ILO Convention No.182, Child Rights Convention, as well as Article 24 and 39 (e) of the Constitution and the Child Labour (Prohibition & Regulation) Act, 1986 which prohibit employment of children in hazardous activities. Yet the Chhattisgarh State Government is clearly recruiting minors as SPOs and employing them in activities that expose them to danger to their lives. Many tribal boys and



Anita, a young unarmed female SPO guarding the check point at Naimed (Bijapur block) said she was either 16 or 17.

girls do not have birth certificates and therefore no proof of accurate age. In such a situation one has to rely on the simple criteria of physical appearance. We found SPOs all over the district who looked no more than 14 or 15 years of age. It is a testimony to the cover-up in place that when we asked a group of about 10 female SPOs their age – they shouted “attharra!” (18) in unnatural unison, as if taught to say that to any outsider who asked. They did not look 18. Many individual SPOs, however, innocently confessed their true age. In one instance, our camera was snatched (see box 6.2.1) in part because the fact-finding team shot pictures of a minor boy who stopped our vehicle right outside the Bhairamgarh police station.



Minor SPO who stopped us in front of Bhairamgarh Police Station

Villagers especially active in the Salwa Judum

Apart from those who signed up simply to get a job, villagers particularly active with the Salwa Judum in burning, killing and extortion from ordinary civilians have also been recruited as SPOs. Even rusty .303 rifles in the hands of this criminal class has created an extremely dangerous situation in Dantewara.

Some surrendered sangham members

A young SPO stationed at the Bangapal camp, 25 year old Raghuram from Nelasnar Village was earlier a *sangham* member for a year. He switched sides simply because being an SPO was more lucrative.

4.4 Surrendered Sangham Members

According to a Government Press Release of June 4, there are 2,638 ‘low-ranked, village-level cadres of the outlawed Communist Party of India-Maoist who have surrendered since June last year’. These sangham members are kept close to the thanas, and forced to serve as informers. There are 39 surrendered sangham members kept at the Jangla relief camp who regularly accompany all patrol parties. However, the CRPF told us that these people “cannot be trusted yet.” There is a proposal under way to make these surrendered sangham members also eligible for the government’s Naxalite rehabilitation policy (see Annexure VI).

We met three surrendered sangham members - young girls from the villages of Midwai and Argatta (both Konta tahsil), who were called into the CRPF camp at Dornapal to identify the body of Rami Vette, the killed militia woman. They were, however, unable to place her.

Some of the sangham members are under arrest while others move about. We were unable to verify the conditions under which the arrested sangham members were kept. Samlu Kunjaam Pitatoke, from Village Pottenar-Ichwada (Bijapur tahsil) whom we met at Jangla relief camp had his house burnt by the Salwa Judum because his daughter Lakke was a sangham member. She has apparently now surrendered and is being kept in the Bhairamgarh Camp. He has not been able to track her down or confirm her whereabouts and well-being for over 8 months. He said he was too scared to even try to find her.

4.5 Ordinary villagers

Also considered part of the Salwa Judum are hundreds of ordinary adivasis - many of whom have been forcibly 'brought' to camps by the forces. Villagers from Manikonta, Ettaguda, Mundpalli, Padera all told us that they had been told to come to camp by the Salwa Judum and security forces or else their houses would be burnt. One woman told us "*Salwa Judum hamare admi ko chutiya bana kar le gaye.*" (The Salwa Judum fooled our men and took them). Many people come in after combing operations. On our way back from Dornapal, we saw a long line of people bringing their belongings, in baskets, small trunks and carrier bags, from the villages of Neelwaya and Nelguda where search operations had taken place that morning for villagers who had been allegedly kidnapped by the Maoists. One militia woman had been killed in that operation (see Section 2.1).

People are made to mark attendance morning and evening to prove they are not Maoists but are loyal to the Salwa Judum (see Section 6.3.13 on night camps).

There are also groups like the Kallars of Belnar, who have been threatened by the Maoists (see Section 6.1.2: The Story of Belnar). An inordinate number of people in the Dornapal camp seem to be those villagers who held posts of authority in the existing system, such as mukhiyas, sarpanches and patels (headmen and panchayat officials). With the setting up of the Revolutionary Peasant Committees and the sanghams, their authority has been challenged. In some cases, their families have suffered losses of both people and property. However, the headmen in the district vary considerably in terms of wealth and power. The headman of Mirtur, for instance told us that in his area heads were elected. The position was not hereditary. He himself had only 3-4 acres of land.

Once in camp, people become party to the violence enacted by the Salwa Judum. They are taken to loot and burn other villages and become vulnerable to retaliatory action by the Maoists and the villagers whose houses have been burnt or relatives killed.

5

THE SALWA JUDUM AND VIOLENCE

The Salwa Judum has been responsible for a huge amount of violence in the district, which includes killing civilians, burning and looting their houses, and raping women. Rather than stopping Maoist violence, it has actually led to an increase in retaliatory killings by Naxalites.

5.1 Counting the Death Toll

Across the district, rumours abound of people being burnt inside their houses and of bodies being dumped on the roadside. There is a general feeling of insecurity and abandonment since there is no one to complain to. Estimates of those killed in the last year vary from anywhere near 500 to over a thousand. Our attempts to get an accurate and comprehensive picture of the number of deaths in the district ran into three roadblocks: 1) the discrepancy in official figures and the lack of an updated list, 2) the fact that a large number of deaths appeared to be officially unrecognized, 3) there is no detail on the circumstances of these deaths. So even while some names figure on the government list and others figure on a Maoist list, it is not clear who killed them.

Official Deaths

Despite repeated requests we were not given the list of people killed by the Maoists till date (see letters in Annexure II). All we have is the total count, and a list of names of those killed upto November 2005 (reproduced in the All India Team Report).

However, in the total count, there appears to be a discrepancy in figures. We have three different official figures.

Discrepancy in official figures of civilians killed by Maoists:

<i>Period</i>	<i>Numbers Killed in Dantewara</i>	<i>Source</i>
June 2005 – June 2006	268 civilians killed	Govt. Press Release dated June 4, 2006. The Release also states that the government has paid Rs.31 million to the families of the deceased as economic assistance, and about Rs.3.8 million to 796 people who were injured in attacks.
Years 2003, 2004, 2005 and 2006	7, 9, 16, and 17 civilians killed respectively	Official figures provided to the fact-finding team by Home Secretary's Office, Raipur. The latest figure of 17 killed in 2006 is for the period January – April 2006
June-November 2005	81 killed with names	List made available to the All India Team by the District Collector, Dantewara

Unofficial deaths

The Maoists have released to the press their own list of 116 people killed from June 2005 to March 2006, with a rider that this is a provisional and not a comprehensive list (see Annexure III). Many of the people, but not all, are listed as sangham members or Maoist supporters. None of these 116 deaths have been officially recognized. Senior police officials confirmed to us that no FIRs have been registered against the Salwa Judum for killing. We assume then, that there is no investigation and no compensation to their families.

We met villagers from Cherli (Hariyal), now in Mirtur camp, who named ten people from their village who were killed in early September 2005, in what appears to have been cross fire between the police and Maoists. The names we were given are - *Kadti Chinna, Kadti Sannu, Kadti Kamlu, Kadti Aitu, Kadti Ramial, Kadti Kummial, Kadti Badru, Kadti Jayaram, Ooji Masaram and Emla Sukka*.

Villagers of Kondapal (Kondam) told us that one *Vettri Joga* had been killed in their village.

These eleven names corroborated the information on the Maoist list of civilians killed (including names and date of incident).

No clarity on circumstances of death

It is not clear from either the government list (people killed upto November 2005) or the Maoist list (upto March 2006) under what circumstances people have been killed. In a situation where credit (for killing Maoists) and compensation (for being killed by them) is on offer, there is reason to believe that casualty figures might be tampered with.

For example, while the pro-Maoist journal, *People's March* (January 2006), which has now been banned for reporting on the Salwa Judum, claims that 10 villagers of Cherli (Hariyal) were killed in cold blood and buried while on their way to the forest, the *Hitvada* newspaper, 6 September 2005, quotes the police as saying that 10 armed Maoists were killed by the security forces in operation Green Hunt. Villagers from Cherli, now in Mirtur camp, told us that they were ordinary villagers, but were killed in cross fire between the police and Maoists. Similar conflicting reports have come from Kotrapal village (Bijapur tahsil).

An independent and impartial inquiry alone would reveal the nature and magnitude of violence and the identity of the culprits in each case.

5.2 Violence Against Women

Reports of extreme violence against women, including rape, gang-rape, maiming and beating have been filtering in from Dantewara District for close to a year now. These incidents have been reported by local NGOs and other citizens. The Maoists have also released a list of 31 women who were allegedly gang-raped and severely brutalised by the police and security forces and the Salwa Judum (Annexure V). Of these, 6 women were allegedly killed after being gang-raped. In addition, the Maoist list contains details (including names of women and villages) of 6 separate incidents in which women have been abducted, raped and remain in the custody of security forces. The list also mentions an additional 8 unnamed women (from 3 separate named villages) whom the Maoists claim are still in the custody of security forces and are being tortured. The list is not dated. However, it mentions incidents up to end March 2006, leading us to assume that the list was issued around or after April 2006.

As in all instances of mass violence, cases of sexual violence against women are notoriously difficult to document and verify. In Dantewara there is currently a massive movement of populations – from villages to relief camps, from camps back to villages, and into the jungle, making individual survivors of sexual violence extremely hard to track down (see Section 5.1.5 on missing persons). In addition, as mentioned several times in this report, our attempts to reach villages from where incidents of sexual violence were reported, were physically blocked by the Salwa Judum and the security forces.

We met a female inmate of the Jagdalpur Jail who said she had been picked up while accompanying her brother on a cycle, to visit their sister. Her brother was shot dead in front of her and she was first gangraped by the CRPF near the roadside and then sent to the local thana where she was held and gangraped for another ten days, after which she was sent to Jagdalpur Jail. The other women in jail corroborated that when she first arrived, she was so swollen from the sexual torture that she could hardly walk. This woman (whose identity we cannot reveal) is currently charged under the arms act and dacoity. This woman was not on the Maoist list of women raped.



Village Padera: Lakme shows us how Salwa Judum made men and women lie down and then beat them on the soles of their feet

A woman in Padera village (Bijapur Tahsil) showed us how the Salwa Judum made women lie on the ground and then beat them on the soles of their feet. She herself was beaten several times. Other residents of Padera village had heard of the rape of three young girls from Savnar village but they were unable to give us details.

There is no official record of cases of sexual violence in Dantewara District in the last year. We believe that an impartial enquiry into all alleged cases is critical to ascertain the scale of sexual violence taking place.

5.3 Terror tactics: Arson and Loot

Hundreds of homes in villages across Dantewara have been burnt or destroyed. The Maoists have released a list of 91 villages and 1,857 houses burnt by the Salwa Judum (see Annexure IV), with the caveat that the list is not exhaustive. The last incident recorded on this list is dated March 2006. Indeed, some burnt villages which members of the fact-finding team heard about like Arlampalli and

Gaganpalli (Konta tahsil) are not on the Maoist list. Members of the fact-finding team tried to visit villages both on the Maoist list and those mentioned by displaced villagers which had allegedly suffered large scale arson, loot and killings, but we were physically prevented by the Salwa Judum in tandem with the security forces from visiting them. For example, we tried for several hours to visit villages like Belnar (across the Indrawati) but were unable to find any villager ready to ferry us across the river. In retaliation for our efforts we were attacked by a Salwa Judum mob later that evening (see Box Section 6.2.1). Despite these severe restrictions on our movements, we were able to gather the following evidence of widespread arson as a Salwa Judum terror tactic.

Evidence from Konta Tahsil

What we were told

- We spoke to one Salwa Judum activist from Dubbatota village who admitted to personally burning villages in Arlampalli and Palemadgu villages.
- We were also told by Dornapal and Konta camp inmates of a number of burnings by the Salwa Judum and security forces in Gaganpalli, Asirguda, Arlampalli, Regadigatta, and Neelamadgu villages.
- Widows from Manikonta village said that knowing that houses had been burnt in Gaganpalli, Asirguda and Injeram villages by the security forces and the Salwa Judum, they had believed the threat to burn houses in Manikonta was real and had left the village.
- Camp inmates told us that sometimes the security forces went on their own and burnt houses (as in Regadigatta village), and sometimes they were accompanied by the Salwa Judum.
- Village Arlampalli, which falls on the road from Dornapal to Jagargonda, was repeatedly referred to by camp inmates and by Sukma residents as a village which had been very badly affected.¹ Out of the 162 houses in village Arlampalli, reportedly all except two or three houses had been burnt. All the grain had been destroyed. The houses apparently smouldered for almost a month. The villagers are said to be camping in the jungle. One woman from Phandiguda, whose sister-in-law had been badly injured by the Darbhaguda blast engineered by the Maoists told us that she had heard that people had been burnt alive in their houses in Arlampalli by the Naga battalion and the Salwa Judum. When we tried to go to this village, we were chased and forced to come back by the Salwa Judum who accused us of being pro-Maoist. Our guide was badly beaten.

What we saw

- We saw one house in Dubbatota village allegedly burnt by 3 sangham members from a neighbouring village. This belonged to the Salwa Judum activist who had admitted to participating in arson in other villages. His



Burnt House in Asirguda Village, Konta Tahsil

¹We were told that in 1991-92 during the first attempt by a joint front of the Congress and CPI to get rid of the Maoists (Jan Jagran Abhiyan) this village was the only one to oppose the Maoists. The Peoples War Group had broken the hand of the village CPI leader. The village then surrendered and began to support the Maoists. Having once faced the wrath of the Maoists, they were reluctant to join the Salwa Judum

explanation for his house being attacked was that he was a tractor driver employed by the village headman and ferried people to Salwa Judum processions

- We visited one hamlet of Asirguda village near the roadside. It was entirely deserted except for some abandoned cattle. One house and its pig pen had been completely burnt – only some earthen pots spoke of human habitation once. As soon as we left the village, we were stopped by the CRPF who asked us why we had wandered off the main road.

Evidence from Bijapur Tahsil

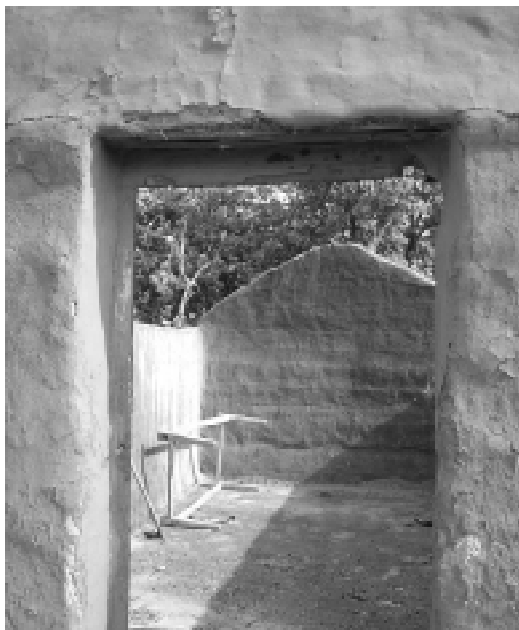
What we were told

- We personally met people from Pottenar Village at the Jangla relief camp, whose houses had been burnt by the Salwa Judum. 90 families from Pottenar have been forced to flee the village.
- One man, Samlu Kunjaam Pitatoke from Pottenar- Ichwada village had 3 houses belonging to different family members burnt by the Salwa Judum in September 2005, because his daughter Lakke was a sangham member. He never reported the incidents. When we asked him why, he said the police came along with the Salwa Judum to burn so whom should he report to. Some 30 families from Ichwada have fled the village.
- Several villagers from Jangla reported burning of their homes by the Salwa Judum. Now, the entire village of Jangla, once spread over many kilometers and 12 hamlets, has been collapsed into a single hamlet on the road next to the Jangla Police Station.
- Villagers from Belnar (Indrawati Area) could not count how many houses were burnt – in the initial phase by the Salwa Judum, and later by the Maoists. (for more details see Section 6.1.2 *The Story of Belnar*).
- Villagers from Kondapal, now in Mirtur camp told us that five houses had been burnt in Kondapal. However, it is not clear who burnt these houses, with some people attributing it to the Salwa Judum and some to the Maoists.

What we saw

- In Padera village, which we wandered into by chance, Aitu Korsa, showed us his brother Budu Korsa's burnt house. In another hamlet of Padera, an old man Masa, after whom the entire hamlet is called 'Masa Para' showed us 9 houses including his own burnt by the Salwa Judum. No one has lodged a FIR. One consequence of our accidental visit to Padera was facing a CRPF unit with guns pointed at us in a field just outside Padera, asking why we had ventured into a 'Naxalite' area. We were also subsequently attacked by a Salwa Judum mob while leaving this village, while the CRPF looked on.

Later, upon examining the Maoist list of villages, we found that our evidence from Padera and Kondapal villages conformed exactly to the information supplied by them.



Salwa Judum burnt 10 houses in Padera. No one has lodged a FIR. There is no compensation

5.4 Summary Arrests

We found evidence that ordinary villagers have been picked up and kept in jails for extended periods of time with the administration claiming they were 'Naxalites'. One old man, Boda Barsa, whom we met at the Nelasnar relief camp was arrested from Satwa Village (Bijapur tahsil), jailed for 8 months and then released some months ago. He does not know why. He was working in his field when he was arrested. Since Dantewara jail is smaller, many suspected Maoist related detainees are moved to Jagdalpur. All the women are housed in Jagdalpur jail since it is the only women's jail in the region.

We spoke to prisoners in Jagdalpur jail. Many of them said their families did not know where they were and even if they knew, would find it difficult to visit them since the jail was so far from their villages. Their trials get extra delayed because the witnesses have to be brought from Dantewara and a police escort is not always easily available. We provide some of their experiences below.

- Two young women, Aiti, w/o Sannu and Somli, w/o Poosam Chinna, from Mankeli village (Bijapur tahsil), said they had both gone to Bijapur market to sell wood when they were picked up by the Naga Battalion. According to their own accounts, they had been in jail for two months, but according to the prison record they had been there for 3 weeks. They had been charged with Sections 151, 107, 116 CrPC. (all preventive detention sections).
- Two women, Aiti d/o Budru and Somli d/o Manglur Muria from Peddakorma village (Bijapur tahsil) said they were cutting grain on their own fields when they were picked up by the CRPF. Both said they had been there for seven months, but prison records noted that they had been there for 5 months. Both were charged under Section 307 and the Arms Act.
- A 25 year old Muria prisoner, Dabba Boomaiah, from village Bamanpur near Bhopalpatnam, said he was working as a labourer on a lift irrigation project, when some Border Roads men asked him the way to Bhopalpatnam police station. He escorted him there, and the police began quizzing him about the Naxalite presence in his village. Then they asked him to join the Salwa Judum. When he said he couldn't as he had a wife, two small kids and a widowed mother to support, they arrested him. This happened around 17/2/06. He was taken to Dantewara jail, from where he was shifted to Jagdalpur, as he recollects, on 5th April. His wife and children haven't seen him since his arrest. When asked why, he answers; They haven't ever seen even Dantewara? How will they come to Jagdalpur?
- Another 22 year old male prisoner, Raju Majhi from Ghatpalli (Kutru Police Station) was arrested in a similar manner. CRPF came past their village on patrol. They said they were lost and needed some villagers to guide them to the nearest thana. Once they reached the thana, all the 5 villagers who had guided them, were first questioned and then arrested. The 22 year old we spoke to has been imprisoned since June 27th 2005, first in Dantewara Jail and from August 28th in the Jagdalpur Jail. Back home he used to work with his uncle cultivating their 10 acre plot. Now he has no idea how his wife and two children (a 5 year old and a 1 year old) are surviving. No one from the village has come to visit. He wrote a few times to his uncle but never received a response. He has no idea if they ever received his letters or if they are too scared to visit. He said he had been charged under Sections 307, 47, 48, 39, 25 and 27. The prison records say he is charged under Section 307 (attempt to murder), Arms Act, and Explosives Act. Hearings for his case take place in Dantewara. So far he has had close to 17 – 18 hearings. He seemed to have no hope of being released.
- We met another male prisoner Baldev Singh who was classified as a Naxalite, from Geedam police station, and was charged under murder and arms act. He has not been visited by family members, nor does he appear to have any idea of the legal proceedings ahead of him.

- We met one young boy, Sujit, who was studying at the Engineering College, Khammam. While meeting a friend, he was involved in an ‘encounter’ with the police and he was shot at. Later, he was picked up by the police as a ‘suspected’ Naxalite and shifted from prison to prison in Chhattisgarh. He is presently lodged at Jagdalpur jail. He could only speak Telugu. He had never joined the Maoists and wanted to write his first-year engineering examination, if he could secure bail from the local court. He needed urgent surgical treatment, his parents needed to be told about his whereabouts and his bail application had to be processed. In order to get bail, he would need a surety from somebody in Chhattisgarh. His parents are uneducated, small landholders in Andhra Pradesh. It is doubtful whether they could visit Jagdalpur and help him. It is also not clear as to how long he has to bide his time in the jail, as an undertrial.

5.5 Missing Persons

There are no lists of missing persons, no formal mechanism through which families can lodge complaints and try to track down family members, and no attempts to make this information available.

We tried to track down three women – Phoolwati, Saibo and Shyamo, from Ehkel Village, who were allegedly injured in police firing on November 15th, 2005 and were being kept in Bangapal Camp. Villagers from Ehkel were apparently first kept in the Geedam Relief Camp, and from there they dispersed to other camps. We went to Bangapal camp but discovered that the civilian population in the Bangapal Camp supposedly numbering 969 according to the list given to us by the Addl Chief Sec, Raipur, has entirely dispersed from there. The camp currently houses only SPOs. No one in the camp, including policemen at the attached Bangapal Thana could tell us where people had gone. Enquiries made among the female SPOs yielded unconfirmed information. One SPO said that she knew that Phoolwati had died. Others said that Shyamo was shifted to the Bhairamgarh camp. And one claimed that Saibo was taken back to her village by her parents. We could not verify any of this information.

Villagers from Satwa are still looking for several missing people. The team met Rokni, with her 4 year old son at the Nelasnar Camp. Her husband Soma Emla has been in jail since November. She does not know why or where. “*Salwa Judum lay gayi*” (Salwa Judum took him). She had last met him in the Dantewara jail but had no idea under what charges the police was keeping him. We tried finding him but could not locate him in either Dantewara or Jagdalpur Jail.

The team also tried to locate 4 other people from Satwa who had been arrested along with Soma Emla at the end of November 2005. Their names are: Kumli w/o Sonalu, Icham Paklu s/o Mungdu, Barsa Sudru, and Lachhu (Paternal uncle of Soma Emla). We were unable to trace them either in Dantewara or Jagdalpur Jail.

We tried to locate women who the Maoist list named as having been gangraped, such as Madri Sarita and Tellam Jamli, of Karremarka village and three girls from Kondapal village, Madvi Somli, Budri and Muni. However, we could not find them. The Kondapal villagers we met at Mirtur camp denied any rapes of girls from their village.



Soma Emla and four others arrested from Satwa village in November 2005, in Geedam Thana.

Photo taken by All India Team

6

INTIMATIONS OF CIVIL WAR

6.1 Divided Villages

A consequence of the Salwa Judum, now a cause of civil war

The creation and support of the Salwa Judum has divided entire villages and families, perhaps irreversibly. They are forced either to choose the Maoists or the Salwa Judum. Official figures state that 644 out of 1153 villages or nearly 56% are involved in the Salwa Judum. A cycle of retribution and revenge has been set in motion, with the Salwa Judum targeting villagers believed to be sympathetic to the Maoists and the Maoists in turn killing those active in the Salwa Judum. Going to camp or staying in the village has become a bone of contention. Those suffering in camps resent those who have continued to live at homes. One woman in camp told us that people from Regattigatta and Neelamadgu villages (Konta tahsil) had burnt the houses of others in their village saying ‘*rahenge, to saath me rahenge.*’ (we will live together or not at all). People living in the villages, on the other hand, feel betrayed by those who have gone to camp. People from villages like Guttamangi and Pyslanka (near Kutru, Bijapur tahsil) told us that half the village was in the camp, and half was in the jungles with the Maoists.

Manikonta village (Konta Tahsil) and Belnar village (Bijapur Tahsil) both illustrate the tragedy of a divided society.

6.1.1 The Story of Manikonta

We spoke to nine widows from Manikonta, in the Dornapal camp. They said that one night four months previously, the police had forcibly brought their families to Konta. About a hundred houses from School para and Patel para (two hamlets) came to camp to avoid their houses getting burnt while the Sarpanch para people went to the jungle. They were sent by Soyam Mooka, the Konta camp leader from Konta to Dornapal camp (it is not clear why). One man said he had gone to Andhra Pradesh to work in the *mirchi* (chilli) harvest, but was caught and brought to camp by the police.

Those who came to camp had left behind their grain and household possessions and (on April 25) when they returned to the village to retrieve their implements to build homes in Dornapal, some 50 of them were kidnapped. The majority, including 20 women, were released. 13 men were brutally killed. We were told by camp inmates that none of those killed had been shot, they had all been beaten to death. One widow said bitterly 'we used to give them rice and now they kill us'. She named the people from their own village who had been part of the killing, who she said were sangham members. The widows had each been given Rs. 10,000 in cash by the Government and Rs. 190,000 had been deposited in their bank pass books.

The Maoists have justified the killing as 'counter action' and said that the decision to kill these men had been based on a *jan adalat* (people's court) attended by people from 20-25 villages. These men had acted in a particularly criminal manner. The experience of living in camps has lumpenised many people. The brutality with which the killings had taken place was attributed to villagers' anger at what had been done to their houses and to them by the Salwa Judum. The Maoist spokesperson told us that party policy instead recommends 'humane' killing.

Whatever their husband's crimes for which they were given a summary death penalty, these widows were hardly oppressors, pathetic defeated women, helplessly thrusting out their pass books without knowing what they contained or what they might do with the money, now that their husbands were gone. The women said they wanted to go home, but were scared to do so till there was peace. When we asked how peace could be brought, one said 'kill the Naxalites', and then in the next breath, 'stop the Salwa Judum'.



Manikonta widows

6.1.2 The Story of Belnar

The Salwa Judum appears to be exploiting and widening existing fault lines in the traditional organization of adivasi society and villages.

Members of the fact-finding team encountered about 50 families from Belnar village living in an abandoned haat along the main Bijapur-Bhairamgarh road for the past 8 months. They all turned out to be from the Kallar caste. Their village was across the Indrawati river, in the area considered to be a Maoist stronghold. The village was divided almost equally between the Kallars, an OBC caste of agriculturists and distillers, and Murias, a tribe of cultivators. The Murias speak Gondi, while these Kallars are Halbi speakers. According to them, the Naxalites repeatedly put pressure on the Kallars, who are marginally better off than the Murias, to give away land, produce and animals which the Naxalites deemed to be 'excess'. The Kallars resented this and the Salwa Judum exploited their resentment. Belnar was attacked by a Salwa Judum-Police-Paramilitary combine threatening people to join the Salwa Judum campaign. The Kallars, who did not see the Naxalites as their natural allies, felt they had no option but to cooperate with the Salwa Judum and were forced to demonstrate allegiance by fleeing the village. All the Murias (roughly half the village) have stayed back, despite being attacked. 72 houses in Belnar have allegedly been burnt in two separate attacks (see Annexure IV).

Now the Kallars feel terrified that they will be seen as Salwa Judum collaborators by the Naxalites, and cannot return. Did they want to? we asked. “Yes. Of course, but how can we? Now the Naxals might attack us.”

Thus, forced to choose sides in a war they did not make, the Kallars of Belnar have lived in an abandoned haat for 8 months, open from three sides and survived by labouring on govt works, road-building, carrying loads. They were now shifting to the ‘permanent’ camp at Nelasnar, but they were still scared. At least the crumbling old haat had a CRPF camp next to it. “Who will protect us at Nelasnar?”, they asked.

We tried to visit Belnar to get the whole story but the Salwa Judum prevented us from going there.



This abandoned “haat” has been home to approximately 50 families from Belnar for over 6 months

The divide is not just between tribals and others. The leaders of the Salwa Judum in Konta, like Soyam Mooka, are from the Dorla tribe. Initially, we were told by Gonds in Sukma, that the Salwa Judum leaders suspected all Koyas (Maria Gonds) as being with the Maoists. All the villages burnt in Konta tahsil except Gaganpalli (which is a Dorla village), are Koya villages. Eventually the Salwa Judum leadership seems to have decided this was bad policy.

6.2 Collapse of Civil Administration

In several parts of Dantewara, whatever parts of the district were left in the control of the administration have now passed into the hands of the Salwa Judum. At least along the main roads, the Salwa Judum is allowed a more or less free hand to stop and intimidate anyone deemed to be not on their side. Our team members were stopped at several places.

6.2.1 The Salwa Judum or the Chhattisgarh State Government: Who controls Dantewara?

While the Salwa Judum has no official position of authority in the district, the writ of local Salwa Judum leaders holds sway over large parts of Dantewara. Our encounter in the Kutru and Bhairamgarh area of western Dantewara on May 21st 2006 illustrates this well.

On our way from Kutru back to Dantewada at night, our vehicle was forcibly stopped right outside the compound of the Bhairamgarh police station by a young SPO without any identification. The reason – we had tried to enter ‘Naxalite villages’ earlier that day. A mob gathered and we were asked to explain ourselves. For over an hour, we (including women team-members) were threatened, our bags and belongings emptied on the road and forcibly searched, and tape recorder taken. Witnesses were produced who claimed we were Naxalites whom they (the witnesses) had seen attending Naxalite meetings. We ran back and forth between the inside of the police thana and our vehicle, trying desperately to shield our belongings and ourselves, hounded by the mob, making ineffective phone calls to every official we knew in Chhattisgarh. The policemen inside the thana were drunk and entirely under the control of Salwa Judum activists. Our letter of introduction written by the Additional Chief Secretary, Chhattisgarh State Govt, was contemptuously tossed aside. Luckily our other team members had just finished meeting the SP of Dantewara and when we phoned in panic, they asked

him to intervene. Even when the SP managed to get through, his call was reluctantly taken. The Salwa Judum did not recognize State authority or rule of law. We finally escaped within an inch of our lives (although our camera was seized just as we left), probably because the mob leader was by then satisfied with a job well done. He had let us know who was the real boss of Dantewara.

The District Collector Mr. K.R Pisda seemed entirely unconcerned at the incident described above. Despite receiving emergency messages from colleagues whom we had managed to contact in Delhi, he did nothing to save us from the Salwa Judum mob. When members of the fact-finding team met the Collector later that night to complain about the incident, his response was that phone lines were down and he could not reach the Bhairamgarh Police Station. Given that Dantewara is considered one of India's most 'Naxalite affected' districts, we found the fact that the Collector did not have access to a wireless transmitter to be either entirely untrue or, if true, to be entirely alarming. Subsequent attempts to recover our camera, snatched by the mob, met with the same response. Over 10 days after the conclusion of the fact-finding visit, the District Collector continued to tell us that his phone lines were down. The camera was eventually returned by the Collector, with a note saying that 'investigations were carried out to trace the 'lost' camera, and it was herewith being returned.' No apologies and no mention of the fact that it was seized outside a police station by a mob of SPOs and not simply 'lost'.

Thus, despite carrying letters of authorization from the Additional Chief Secretary, we were prevented from traveling to several affected or burnt villages where we wished to make our own independent enquiries. At one place, near Cherpall (Bijapur Tahsil) the driver of our car had a knife thrust to his neck, and all our documents and CDs were snatched for 'inspection'. This happened while jawans of the Central Reserve Police Force (CRPF) looked on. A young boy acting as our guide had a rifle butt smashed on his finger in Dornapal (Konta Tahsil), making it bleed and was subsequently beaten up. The Salwa Judum attempted to commandeer his motorcycle for a combing operation. The Salwa Judum activists subsequently visited Sukma where he lives, and threatened him. Two months later, he is still traumatised from that incident.

6.3 Forced Relocation and Relief Camps

Thousands have been forced to leave their homes and fields and come to live in shanties along the roadside. Many of the camps display dangerous sanitary conditions, leading to the possibility of serious epidemics during monsoons. Nutrition also seems to have been badly affected, with people getting very little or no rations, and not being able to cultivate their fields this season. Kharif is the main crop in this area, and if this is missed, people will have no stocks at all. The government appears to have no long-term plans for people.

The Chief Secretary's office made available a list of 27 camps housing 45,958 residents including villagers, SPOs and surrendered Naxalites. This list is either not updated or is deliberately inaccurate. Our impressions on the ground were at considerable variance with this list.

6.3.1 Bijapur-Bhairamgarh Side – First Phase of Displacement

6.3.11 Non-existent relief camps

In some cases, names which appear on the Government list of 'temporary relief camps', such as Bangapal, are misleading, for the Bangapal camp no longer houses any villagers. While the official figure is 969 villagers and 350 SPOs (total 1319 residents), the camp in fact houses only 170 SPOs. There is no information on where the villagers have dispersed.



Dornapal relief camp: people have come with whatever they could carry.

6.3.12 Existent relief camps but no relief

Some camps such as Jangla still have a large civilian population huddled together in shanties (with makeshift tarpaulin sheets strung over bamboo). But while the Government lists these as ‘relief camps’, they appeared to provide nothing to the displaced villagers – no food, no education and no alternative employment.

In Mirtur, there was a ration shop but people were mostly surviving by doing occasional coolie labour on government road construction works. The Mirtur residents told us they were getting Rs. 50 per day which is less than the minimum wage. The camp inmates were in clusters that corresponded to their respective villages. Many of them were eager to return to their villages, provided they had some protection.

Poyami Desuram, Sarpanch of Jangla, now in Jangla relief camp, told us that for the first three months of displacement they got rice and blankets from Government. Then it stopped. Each one of these ‘camps’ is located right next to a police station.

6.3.13 Night Camps

In some camps like Cherpai (officially listed as having 2400 displaced villagers) villagers no longer live there during the day. But at night men are forced to mark attendance. All the men from Padera village, for instance, return to the village during the day to collect forest produce or tend their lands, but at night they are forced to sleep in the Cherpai camp. The camp does not even provide dinner. If they do not come to camp at night, the CRPF and Salwa Judum come and beat them.

6.3.14 Permanent Relocation

In many of the older camps on the Bijapur-Bhairamgarh side (like in the Kutru Camp mentioned above), where people were moved in the first phase of the Salwa Judum (June 2005 – Feb 2006) the government has sanctioned funds to convert temporary dislocation into permanent relocation. Across the board, temporary camps are being replaced by semi-permanent housing colonies which villagers are themselves asked to build. They are given a package ranging from Rs 12,000 – 10,000 to build houses. Of this total amount, only Rs. 3,000 is given as cash and the rest as material. In these housing colonies the Government

Likewise what is called the Kutru Camp actually houses a company of 125 CRPF personnel and 200 SPOs. The total official figures for Kutru camp are 1519 residents (including 1100 civilians). Many villagers are in fact now constructing ‘permanent’ homes about 1 km away from the Kutru camp (see Section 6.3.14 on permanent relocation).

The official version of the number of inmates at Mirtur camp is 1500. But there were hardly 300 inmates at the camp when we visited it on the 21st of May.



Kutru Relief Camp – Permanent Relocation

is taking no responsibility for providing alternative employment or land to villagers. In all the permanent camps we visited – including Kutru, Nelasnar, and Jangla, people were so desperate to survive that most of them have compromised on the quality of the shelter and are using the Rs. 3,000 to buy food.

The Salwa Judum Relief Camp, Nelasnar, to which villagers from Belnar had moved, has rows of small structures with asbestos roofing, no replacement for the more spacious homes that they have been forced to leave behind. For the eight months that the Belnar villagers had lived in an abandoned 'haat' they had not received government rations *even once*.

Many residents of the Nelasnar colony, which includes villagers from Satwa and Chinger, are on the verge of starvation. They get barely one square meal a day. Young 9 year old girls are forced to seek work under the food for work programme.



Malnourished child from Manikonta village, whose mother had been in Dornapal camp for 4 months

The people in the 'permanent' colony at Kutru are likewise surviving on road construction labour. They are currently building the Pharsegarh road for which, as in Mirtur, they get Rs. 50 per day. Fortunately for the villagers from Teliphenta now permanently building houses in Kutru, the village is only 5 km from Kutru, so they can continue to cultivate their fields. However, one woman said she was scared of being 'encountered' while cultivating. The school in Teliphenta stopped some two months ago – now all the children from neighbouring villages come to Kutru school. During our interview, grown men from Teliphenta openly wept – "*Ghalti ho gayi. Salwa Judum ki wajah se ghalti ho gayi. Ab saare log Nelasnar se Bedre tak, thano se chipak kar baithe hain. Lekin hum kisan aadmi, coolie ka kaam kab tak karenge*" (We made a mistake. Because of the Salwa Judum we made a mistake. Now people like us all the way from Nelasnar to Bedre are sitting stuck to police stations. But we are farmers, for how long can we do coolie labour?)

6.3.2 Konta Side: The current wave of displacement

The Salwa Judum which began in the Bijapur-Bhairamgarh side of the District in June 2005, was extended to Konta Tahsil, in the south of the district in February 2006. Relief camps in Konta tahsil are therefore relatively recent. The shelters are open from all sides with just a thatch for covering or a tin



Trees being cut near Dornapal camp - there is no control.

roof. Some people are building more permanent structures, and are being sent back to their villages in trucks to salvage whatever construction material they can. They have also been given permission to cut whatever trees they need – there is no marking or supervision – leading to large scale felling.

In Dornapal camp, we were told that people are getting rations. However, the quantity is small, leading to starvation and malnutrition.

A few people whose villages are close to the camps go back during the day to look after their houses and livestock but a large number have had to abandon their fields, and their cattle. It is unclear what they will do when the sowing season starts.

We saw a building at Injeram camp which had been blasted by the Maoists in their attempt to ‘liberate’ the villagers in the camp (see Section 2.1). If the idea, as the government claims, is to protect villagers from Maoists by housing them in camps, the security provisions look extremely inadequate.

6.3.3 Lack of Government Accountability

There is lack of Government accountability about the camps and relief provisions. Despite sending the State Government an advance list of information required by the Citizen’s Initiative, (see Annexure II) we were unable to get any concrete information or even copies of government orders mandating certain minimum relief provisions in the so-called government camps, or any details of compensation and rehabilitation packages.

In an official press release on June 4, 2006, on the ‘first anniversary’ of the Salwa Judum, the Chhattisgarh Government provided the following figures: The government has spent Rs.36.5 million on food and Rs.700,000 on transportation for villagers in relief camps under the Salwa Judum. What precisely these figures mean on the ground in terms of provision of food and relief, who is entitled to what, for how long - we were unable to get answers to any of these questions from any State official. Throughout the visit, when members of the fact-finding team expressed concern for the conditions of people in camps, several (though not all) officials we met displayed remarkable insensitivity to adivasis, whom they variously described as ‘primitive and promiscuous’, and ‘very lazy’.

In the context of the vulnerability created by the Salwa Judum, the Naxalite rehabilitation policy (see Annexure VI) is a mockery. Giving people Rs 1 lakh for deaths, Rs. 50,000 for permanent injuries and Rs. 10-20,000 for the loss of a house – after deliberately putting them in harm’s way – is an indication of how cheaply the government values adivasi life.

No precise details were available about the content and working of the Bastar Development Authority (and its two other counterparts in Sarguja and a Special Scheduled Caste Zone). The programme, presided over by the CM and funded in according with bi-monthly maha-panchayat meetings taken by him, appears to be ad hoc and lacking in coherence. We gathered that upwards of Rs 40 crores have been allocated/spent on the three Authorities through 2005-07.

6.4 The impact of Salwa Judum on urban residents

Anyone not fully supporting Salwa Judum is immediately treated as suspect. Even shopkeepers are not spared. A small tea shop owner in Dornapal told us that he was forced to go on Salwa Judum rallies, *“nahi to hum ko itna peethte hain ki saha nahi ja sakta”* (they beat us so much one can’t bear the pain). We were told that bus drivers running the Jagargonda- Dornapal route and the Dantewara-Bijapur route had gone on strike against the excesses of the Salwa Judum. People in Dantewara and Bijapur town reported petty extortion by SPOs at Salwa Judum checkpoints. Normal life seems to have come to a standstill. For instance, ambulances were refusing to go to villages to pick up very ill people. We were told by the relative of a man who had died of TB at the Bachel hospital, that he had to be buried without his wife and children present because it was impossible for them to travel under the restrictions imposed by the Salwa Judum.

7

UNDERMINING CIVIL RIGHTS

7.1 Curbs on the Press

Local journalists whom we met in Sukma and Dantewara and who did not wish to be named, described how they were scared of the Salwa Judum and unable to investigate and write the truth. Their activities were limited to reporting statements issued by the police, and in some cases, the statements issued by the Maoists. Some had been harassed and intimidated by the administration, and one (Kamlesh Paikra) has had to leave his home in Bijapur, and is in severe hardship. Two journalists (Sanjay Reddy and Anwar Khan) had been badly beaten up by the Salwa Judum and police leading to demonstrations by journalists in Jagdalpur. We were also told that the Maoists had warned two journalists from the Dantewara editions of *Dainik Bhaskar* and *Haribhumi* for misreporting.

7.2 Chhattisgarh Special Public Security Act 2005

In December 2005, the State Assembly passed the Chhattisgarh Special Public Security Act, allegedly at a time when the opposition had walked out. The Act received Presidential assent in March 2006. On April 12, the Chhattisgarh government banned the CPI (Maoist) and five of its front organizations – the DAKMS, the KAMS, the Krantikari Adivasi Balak Sangh, the Mahila Mukti Manch and the Krantikari Kisan Committee, under the Public Security Act. In July 2005, the Central Government blocked the web edition of the *People's March*, on the grounds that it reported atrocities by the Salwa Judum.

The Public Security Act is justified as a way of fighting against Naxalite violence, but its provisions are so vague that it can be used against a wide variety of people. Indeed, the Maoists will not be much affected, since they in any case function underground. However, anyone who dissents with the government, including over actions like Salwa Judum, will be vulnerable.

One example of how the act can be misused comes from the definitions of unlawful activity. These include any written or speech act or visual representation committed by any person or organization:

- Which poses a danger or fear thereof in relation to public order, peace or tranquillity; or

- Which poses an obstacle to the maintenance of public order, or which *has a tendency* to pose such obstacle; or
- Which poses, or *has a tendency* to pose an obstacle to the administration of law or to institutions established by law or the administration of their personnel; or
- Which intimidates any public servant of the state or central government by use of criminal force or display of criminal force or otherwise; or
- Which involves the participation in, or advocacy of, acts of violence, terrorism or vandalism, or in other acts that have a *tendency* to instil fear or apprehension among the public or which involves the use, or the spread or encouragement, of fire-arms, explosives or other devices which destroy the means of communication through the railways or roads; or
- Which *encourages* the disobedience of the established law or the institutions set up by law, or which involves such disobedience

The use of words like *tendency* or *encourage* to define a crime is an open invitation to misuse. Deciding what constitutes a threat to public order or enforcement, or the disobedience of established law is entirely up to government. Any violent act is already covered under the Indian Penal Code and the Criminal Procedure Code and does not require a special law to enable prosecution. Similarly the provision 9 (2) to evict a person from a place being used for unlawful activities is dangerous. None of the people we met in jail had been charged under this act, but arrests have taken place since, including of a school girl in the 12th standard. Several organizations, like CHRI, PUCL, PUDR and Human Rights Watch have criticized the Act for its wide scope, arbitrary powers and vulnerability to misuse (see critiques on www.cgnet.in).

8

DANTEWARA MILITARISED

Quite apart from the enlisting of civilians into the frontlines of battle, the Maoists and the government are engaged in military attacks on each other. According to a report by *Zee News* Jagdalpur, June 3, 2006, in the last year 72 police personnel and 30 Naxalites have died.

The Maoists called a *Bandh* on May 20-21, which overlapped with our visit, to oppose the Salwa Judum and the Chhattisgarh Public Security Act. During this period, the press reported that they burnt four passenger buses, after asking the passengers to alight, and two trucks, near Birla village of Errabor police station. Two of the passengers were abducted. An ore freight train was derailed barely 15-20 km from Dantewara town, towards Kirandul, after the joints were removed. The Essar slurry pipeline and equipment and NMDC machines were damaged. A transformer at Fanderi was blown up (*Dainik Bhaskar*, *Hitvada* and other Raipur newspapers, 22 May 2006). The Maoists are opposing these industrial projects on the grounds that they bring the adivasis no benefit and exploit their resources instead.

The Maoists have also carried out a number of attacks on police personnel, which have intensified over the last year. The biggest of these incidents was the landmine explosion near Padera village on 3rd September 2005 in which 22 CRPF personnel and 2 policemen traveling in an anti landmine vehicle were killed.

The government response to this has been similarly militaristic. A Rs.730 crore plan has been prepared to fight Naxalism. We were unable to get Ministry of Home Affairs figures directly, but newspapers reported Home Minister Shivraj Patil as saying that 26 battalions had been deputed to fight against Naxalites in Chhattisgarh (*Kashmir Times*, 2 March 2006). As of May 2005, there were 14 battalions of security forces (6 CRPF, 1 Nagaland India Reserve Battalion, and 7 battalions of the Chhattisgarh Special Armed Forces). On February 16, 2006, 172 commandos of the National Security Guard (NSG) were sent to Dantewara but they have since been withdrawn.¹

¹Saji Cherian, *Chhattisgarh: Reality Bites South Asia Intelligence Review Vol 3 (46)*, May 30 2005. (http://www.satp.org/satporgtp/sair/Archives/3_46.htm#ASSESSMENT1)

In May 2006, the Gujarat Government reportedly sent 6 companies of the Special Armed Forces to help the Chhattisgarh Government. 10 CRPF battalions were to be sent from Bengal and Assam where they had been released after election duty. They have also recently received 3 India Reserve Battalions from Mizoram. The Chhattisgarh government has also got 4 helicopters for reconnaissance and spotting, airlift to inaccessible areas and medical evacuation.² The government has rocket launchers, and allegedly, so do the Maoists.

In 2005 the Chhattisgarh government established a Counter Insurgency and Jungle Warfare College at Kanker, headed by Brig. Ponwar (Retd), former Commandant of a similar Army training establishment in Vairangte, Mizoram. The philosophy is that normal police training is geared to routine requirement of policing under the IPC and CrPC. This makes the police road and thana bound whereas what is required is a mobile commando-type force that can live off the land and fight as guerillas. Each course is of six weeks for 60 officers and men. So far 1100 people, including 9 women, have undergone training. The Chhattisgarh Government has decided that promotions will be dependant on completion of a course at the School.

² Sujit Kumar, *Chhattisgarh to intensify war on Maoists*, Friday, 12 May 2006 | <http://www.nerve.in/news:2535001018>

9

CONCLUSIONS AND RECOMMENDATIONS

After years of trying a military response and failing to end the threat of armed Maoist insurgency, the Chhattisgarh government has decided to pit civilians against the Maoists and against each other. We believe that as a method of combating Maoists the Salwa Judum movement has been a failure. The State cannot outsource law-and-order to underage, untrained, and unaccountable civilians. In the year since Salwa Judum started, civil strife has increased, and the administration is on the verge of collapse. As an elected government which has sworn to uphold the Constitution, its blatant violation of human rights is completely unacceptable.

The government has simultaneously stepped up police operations. These also hold the danger of leading to the loss of civilian lives. What it has not done, and which is at the root cause of popular support to Maoists, is taken up development on a large scale such as building schools, primary health care centers, providing employment etc.. The conditions of the camps are witness to the lack of desire in this field. Given the starvation levels in the camps, at the very least, the Centre should consider intervening and assist Dantewara under the norms applicable to regions affected by a national disaster. The working of the National Rural Employment Guarantee Act in the area should be reviewed and strengthened to ensure livelihoods in the face of disturbed conditions and the loss of economic assets and livestock.

For their part, the Maoists, who have hitherto concentrated on military and police forces, are now killing civilians in larger numbers. We have raised a number of questions to the Maoists which must be answered by any party to armed conflict.

Our primary demands are for a ceasefire, national dialogue, for both sides to enable villagers to return home and a comprehensive and impartial enquiry into all the incidents of violence and punishment of those responsible.

If neither side is willing to declare a ceasefire, we demand that they must stick by the rules of responsible warfare as outlined in the Additional Protocol II to the Geneva Convention. Both sides must avoid using civilians as shields and targeting civilians (see Annexure VII).

For a comprehensive list of demands, see our letters to the Government of India and the Government of Chhattisgarh, to the CPI (Maoist) and to the National Human Rights Commission. As of July 15, 2006 the NHRC had not responded to this petition. Previous petitions to the NHRC on this issue have been referred to the Chhattisgarh Government for action.

Appeal to the Government

July 15, 2006

To

The Prime Minister, Government of India
Chief Minister, Government of Chhattisgarh

As members of an Independent Citizens' Initiative, we visited different parts of Dantewara District in Chhattisgarh from the 17th to the 22nd of May 2006 and met with a cross-section of people with different perspectives on the ongoing conflict in the district. In particular, we met a large number of adivasis in their villages, in relief camps and in jail. We also met the Chief Secretary and other senior officials, the Collectors of Dantewara and Bastar, the IG Police at Jagdalpur, and Shri Mahendra Karma, the Leader of the Opposition in the Assembly and the prime mover of Salwa Judum.

Our views and findings are briefly as follows.

- At the very outset, we wish to register our outright condemnation of any kind of violence, whether it is committed by the Maoists, Salwa Judum or by security forces and the police. We are aware that the Maoists have committed several brutal acts of violence in which innocent lives have been lost. We whole-heartedly condemn such brutalities.
- At the same time, we wish to state here that any counter-insurgency operation founded on violence in response to violence is totally unsustainable, especially when it fails to distinguish between combatants and non-combatants. By resorting to such an approach, the government is questioning the efficacy of democratic means of finding solutions to problems and of all lawful procedures. It is justifying the Maoist notion that ultimately only the gun has power.
- From what we have seen, Salwa Judum is not the "spontaneous peoples' movement" it is made out to be. It appears to be fully sponsored and supported by various government agencies.
- The local civil administration is in a state of collapse. The Salwa Judum has been taken over by lumpen elements prone to running a parallel administration, which is completely unaccountable. The leadership of the Salwa Judum appears to be drawn from the very section that has been responsible for exploiting the adivasis. Unless Salwa Judum is disbanded forthwith, the government will lose all control.
- While the acts of violence committed by the Maoists are reported, there has been no recognition of similar acts committed by Salwa Judum, the local police or the para-military forces. We have ourselves come across several unrecorded instances of killing, gang rape and other violence against women, arson, looting and forced displacement of villagers committed by Salwa Judum workers and the para-military forces. The deaths are said to number in the hundreds. Many adivasis are languishing in jails for months on false charges. Many are missing. In those cases, no magisterial enquiries, mandatory under the law of the land, have ever been conducted. An independent and impartial inquiry alone would reveal the nature and magnitude of violence and the identity of the culprits in each case.
- Salwa Judum has spread an all-pervasive fear and terror not just among adivasis, but also among journalists, shopkeepers, bus drivers etc. All those that fail to side with the Judum are at once termed "Maoist" and brutally dealt with. It is essential to maintain a distinction between civilians and combatants.

- Minors are being armed (with .303s) and made to man checkpoints. Civilians, especially minors, cannot be used as shields or substitutes for military or police forces. By using civilians as combatants the Salwa Judum has fractured tribal society grievously.
- We found very little sensitivity towards adivasi problems in terms of food security, health, education and control over natural resources. Instead, we found prejudice, condescension and disregard for people's basic rights – the very attitudes that drove them to support the Maoists in the first place. The government appears to have no solution regarding the livelihood needs of people resettled along the road.
- The Chhattisgarh Special Public Security Act, 2005 creates a wide scope for human rights violations that make a mockery of the democratic norms enshrined in our constitution.

Against this background, we earnestly appeal to the Central and State Governments to proceed as follows:

- Keeping in view the enormous havoc that it has already caused, disband Salwa Judum with immediate effect.
- Enable the adivasis in the relief camps to return to their villages before the monsoon sets in, so that they can attend to their agricultural activities.
- Institute an independent and credible enquiry into all incidents of violence committed by any organization, whether it is the Maoists, the local police, the para-military forces or Salwa Judum and take stringent action against all those concerned.
- Shun violence as part of the counter-insurgency strategy and, instead, recognize the urgent socio-economic factors that lie at the core of adivasi concerns.
- Announce a comprehensive set of confidence building measures under Schedule V of the Constitution and accord unambiguous recognition to the adivasi entitlement over natural resources viz. land, forest, minerals etc.
- Restore good governance in the district by replacing its senior functionaries by those with proven track record, aptitude and sensitivity in addressing adivasi problems.
- Repeal the Chhattisgarh Special Public Security Act, 2005.
- Announce an unconditional cease-fire and call the Maoists for a National Dialogue on all issues that concern the well-being of the people in general, and adivasis in particular. Since both the Maoist threat and tribal concerns go beyond the political boundaries of Chhattisgarh, it is imperative that these are addressed at the national level, collectively by the Central and the State Governments.

We believe that, as a democratically elected entity, the Central and the State Governments will heed our appeal. We have separately issued an open letter to the CPI (Maoist) and a copy of the same is enclosed for your information.

Yours sincerely,

Ramachandra Guha (Historian and Columnist, Bangalore), Harivansh (Editor, *Prabhat Khabar*, Ranchi), Farah Naqvi (Writer and Activist, New Delhi), EAS Sarma (former Secretary, Government of India, Visakhapatnam), Nandini Sundar (Professor of Sociology, Delhi University), B. G. Verghese (former editor, *Hindustan Times*, *Indian Express*, New Delhi).

Appeal to the CPI (Maoist)

July 15, 2006

To
General Secretary
CPI (Maoist)

As members of an Independent Citizens Initiative, we visited different parts of Dantewara District in Chhattisgarh from 17th to 22nd of May, 2006, and met with a cross-section of people with different perspectives on the ongoing conflict in the district. We met a large number of adivasis, in the villages, in relief camps and in jails. We feel deeply distressed at the plight of the adivasis in Dantewara and, in that context, we make this earnest appeal to you.

We believe that the well-being and all-round development of the adivasis in Dantewara and elsewhere should be the central theme of any discussion or effort that impacts their lives, either directly or indirectly. We also believe that the defence of the rights of the adivasis can be ensured more effectively through political, non-violent and open means, rather than through armed struggle.

What is happening today in Dantewara is truly traumatic for the adivasis. The majority stand deprived of their basic entitlements in terms of land and other natural resources, education, health, food security etc, either due to the apathy and insensitivity of the State, exploitation by outsiders, or because of the restrictions imposed by you. Due to the violence unleashed by the government and government-supported Salwa Judum movement and the atmosphere of fear and uncertainty created by your violent response, the situation in Dantewara is near civil war. We condemn both kinds of violence. Adivasi society is deeply divided. This is a situation that cannot and should not be allowed to go on. We hold all concerned, namely, the government, the government-sponsored Salwa Judum movement and the Maoists responsible for this unfortunate situation. Every one of you should own up to this and come forward to resolve the crisis through discussion and dialogue.

Based on our visit, we have a number of questions we would like to pose to you:

- Several organisations – An All India Fact Finding team (PUCL, PUDR, APDR, IAPL), Human Rights Forum, Asian Centre for Human Rights and, the Independent Citizens Initiative - have called upon you to declare a ceasefire with the government in Chhattisgarh and engage in dialogue. You have not responded to this call. On the contrary, you have escalated violence, and killed Salwa Judum members in retaliation, often very brutally. Are you prepared to engage in dialogue?
- We are worried at your casual attitude towards taking away life. Deaths, like that of the marriage party returning from Gadchiroli or of the traders in Kanker are treated as ‘mistakes’. Unfortunately, armed struggle leads to too many ‘mistakes’. Should this not lead to a reconsideration of strategy? In any case, what does a ‘mistake’ really mean? We do not condone the killing of policemen either on moral or political grounds, especially given that many people join the police or forces only as a means of employment.
- Regarding the “jan adalat” held in Manikonta in which 13 villagers were brutally killed – what gives the villagers or the party the right to impose death sentences? Is a death penalty the only penalty possible? Where is the evidence that due process was followed in these so-called jan adalats?
- Why have you laid mines all over, a weapon which people throughout the world have condemned as indiscriminate and actually want banned? Mines will not prevent Salwa Judum, but will only endanger the lives of ordinary people.

- Why do you train minors (under 18) in the use of arms? Why do you have to destroy schools, even if the CRPF uses them? Will this not affect education in the long term to the detriment of the adivasis?
- Not all the lack of development can be blamed on the government. People have a right to vote, to work on road construction schemes, to access panchayat money, all of which your party has opposed. Even if your party builds a thousand irrigation ponds and runs schools, can you ever replace the resources that the government has, and to which people have a right?
- While your armed squads may be ready to face military operations and death, why put people at such risk? You claim that if it were not for repression by the State, people would be fully with you. By taking up armed struggle, are you not inviting greater repression?
- Are you not subordinating the interests of the people of Bastar and Dantewara to your wider goal of violent state capture, a goal that they may not fully share? While there may be a great deal of support for your party, how does one measure this in any independently verifiable fashion? Are you prepared to demonstrate that through impartially conducted polls?
- All those who claim to struggle for the people must struggle responsibly and with full accountability. There must be a distinction between civilians and combatants. Today, due to both the Salwa Judum and due to your response, such a distinction does not exist.

We appeal to you to respond to our call for a national dialogue, announce a cease-fire and agree to be party to any approach that benefits the adivasis and enhances their well being.

We have appealed to the Central and the State Governments through a similar open letter to disband Salwa Judum, announce an unconditional cease-fire, come up with confidence building measures for the benefit of the adivasis and initiate a national dialogue with you.

Yours sincerely,

Ramachandra Guha (Historian and Columnist, Bangalore), Harivansh (Editor, *Prabhat Khabar*, Ranchi), Farah Naqvi (Writer and Activist, New Delhi), EAS Sarma (former Secretary, Government of India, Visakhapatnam), Nandini Sundar (Professor of Sociology, Delhi University), B. G. Verghese (former Editor, *Hindustan Times*, *Indian Express*, New Delhi).

5th June 2006

The Chairperson
The National Human Rights Commission
Faridkot House
Copernicus Marg, New Delhi

Dear Justice Anand,

Further to our meeting with you on 31st May, we are writing to ask for an independent, comprehensive and timebound enquiry into all incidents of killings, arson, and rape in Dantewara district in the course of the last one year.

The government has provided a figure of some 220 people killed (81 till December 2005), while the Maoists have released a figure of some 116 civilians killed, 91 villages (1857 houses) burnt and 31 women gangraped. These are not officially recognised. (All the lists have been personally handed over to you).

If even a part of these statistics are correct, the situation is frightening. The Citizens Initiative and PUCL/PUDR have independently corroborated 16 deaths in the villages of Mankeli, Cherli and Kondapal, which are not in any government list. These people are: Modiyam Bhadr, Korsa Suklu, Punem Kanda, Kosa Aitu and Emla Kova in Mankeli village. The people killed in Hariyal Cherli village are: Kadti Chinna, Kadti Sannu, Kadti Kamlu, Kadti Aitu, Kadti Ramial, Kadti Kummial, Kadti Badru, Kadti Jayaram, Ooji Masaram and Emla Sukka. In Kondapal (Kondam) village, Vettri Joga has been killed. All these victims appear to be ordinary adivasis.

The Citizens Initiative has recorded one instance of gang rape of a woman, allegedly by the CRPF and police. She is now in jail. We are hesitant to reveal her name right now in case she is harassed, but will be happy to do so once the enquiry starts.

We surely cannot allow the state to connive at killing, maiming or raping anyone in the guise of combating Naxalites. As you have yourself said, state terrorism is not an answer to terrorism. We are therefore requesting an independent enquiry.

Yours sincerely,

Ramachandra Guha (Historian and Columnist, Bangalore), Harivansh (Editor, *Prabhat Khabar*, Ranchi), Farah Naqvi (Writer and Activist, New Delhi), EAS Sarma (former Secretary, Government of India, Visakhapatnam), Nandini Sundar (Professor of Sociology, Delhi University), B. G. Verghese (Former Editor, *Hindustan Times*, *Indian Express*, New Delhi).

ANNEXURE I

Extract from the Final Report of the Lokayukt Committee on the Felling of Trees on Malik Makbuja and Other Government Land in Bastar District (M.P.) March 1998

The Lokayukt committee was set up by an order of the Supreme Court passed on 5.3.97 in Writ Petition (Civil) No. 202 of 1995 (Godavarman Tirmulpad) on I.A. No. 60 of 1997

Under the Malik Makbuja rules, a land holder can apply to have the trees on his/her land felled (MP Land Revenue Code Sections 179, 180, 240, 241 and their rules). Under the MP Protection of Aboriginal Tribes (Interest in Trees) Act 1956 the marking and sale is done under government supervision to prevent the tribal being cheated. In the 1990s, there was a major scam, in which rich and influential non-tribals and tribals bought land cheap in order to sell the trees on it. Most cases involved the purchase of non-tribal land (since tribal land can only be sold to tribals), except for cases involving powerful tribal politicians like Mahendra Karma and Rajaram Todem.

“On scrutiny of the case records it is found that the purchasers of land have purchased it for a paltry sum not commensurate with the value of land with trees standing thereon...The Committee came across a number of such cases in which even the full amount agreed upon between the parties was not paid and payment of part amount was deferred on some pretext or the other....Though, in the sale deed invariably, the full amount is shown to have been paid but interrogation of some sellers during the spot visits revealed the above factual position. Revenue case Nos. 107-A-63/1995-96, 108-A-63/95-96, 155-A-63/95-96 all of one applicant namely Rajkumar Mandavi and 132-A-63/1993-94 in which applicant is Mahendra Karma may be cited as examples of such cases.” (p. 16)

“These officers (forest and revenue officials responsible for supervising sales) granted permission freely in favour of other influential persons also like Mahendra Karma (the then Member of Parliament), Rajaram Todem (presently Dy. Leader of Opposition in M.P. Legislative Assembly) and other influential merchant families like Suranas, Awasthis, Brij Mohan Gupta and many others who have entered in this trade of purchasing land with standing trees and selling the timber. It is observed on the basis of scrutiny of records that their cases were decided with utmost promptness whereas cases of other ordinary persons were decided in a routine manner.” (p. 22)

In the Court of Additional Collector, Dantewara, Revenue Case No. 132/A-63/1993-94, Mahendra Karma, s/o Boda Karma, r/o Pharaspal (extracts from page 28-31 of the Lokayukt report)

Mahendra Karma, s/o Boda Karma, caste Gond, r/o Pharaspal, Tahsil Dantewara applied for felling of all the timber trees standing on his Bhumiswami land Kh. No. 63, area 7.35 acre situated in village Kasoli, Tahsil Dantewara.... it is found that the applicant purchased the land from Linga, s/o Pandru, Mst. Bodo w/o Pandru, Paiku s/o Mara, Kuma s/o Mara and Rupa s/o Soma all caste Gond and r/o village Kasoli. ...From the registered sale deed dated 10.2.94, it is found that there are 25 teak trees, 2 bija trees, and 7 mahua trees. The trees have been valued at Rs. 1,61,600/- while the cost of the land is Rs. 22,050/-. The total value of the property is Rs. 1,83,650/-.

The number of trees mentioned in the sale deed is much less than that found by the RI/Patwari at the time of enumeration (for the Lokayukt enquiry), i.e 79 trees.

The Addl. Collector examined the applicant. In his statement the applicant stated that he has paid full amount according to the registered sale deed to the sellers. ..(The seller says) he has received only 1.50 lakhs.

From the report of the forest department, it is found that a payment of Rs. 1,750,632 (17.5 lakhs) has been made to the applicant (Karma) as cost of the timber sold by him. Presuming that the applicant has paid the price as mentioned in the sale deed to the seller, the applicant has made a profit of Rs. 1,696,982 (NB: should have been Rs. 1,566, 982 or almost 16 lakhs) in a short period of less than 6 months. It may be mentioned that the applicant was a Member of the Parliament from Bastar. His political influence is apparent in the disposal of this case by the Revenue/Forest officers at all stages.

CBI FIR dated 8.12.1998

“The facts contained in the writ petition, reports of Lok Ayukta and its connected papers, prima facie show that the above named officials of Govt. of Madhya Pradesh and land owners namely Mahendra Karma, Rajaram Todem, Suresh Chand Surana, Srinivasan Awasthi, Brij Mohan Gupta and others were party of criminal conspiracy during 1992-96 to cause wrongful gain to the Land Owners in the matter of felling trees. It is alleged that accused public servants abused their respective official position and bestowed undue favours to the said land owners and others and illegally accorded permission in their favour for felling large number of valuable timber trees on the basis of forged and fabricated documents and in utter disregard of the provisions of the MP Protection of Aboriginal Tribes (Interest in Trees) Rule 1957 and Madhya Pradesh Land Revenue Code 1959.”

Note: No further action has been taken on this FIR.

ANNEXURE II

LIST OF PEOPLE KILLED BY THE MAOISTS

Despite repeated requests at all levels by letter before the visit (Letter 1), in person during the visit (we asked the Chief Secretary, Additional Chief Secretary (Home), Collector Dantewara and IG, Police Jagdalpur) and by email after the visit (Letter 2), the government did not give us a list of people killed by Maoists. We are attaching copies of our letters and emails below.

LETTER 1

Independent Citizens Initiative c/o B.G. Verghese,
30 Ferozshah Road, New Delhi - 110001

May 10, 2006

Mr. R.P. Bagai IAS
Chief Secretary
Government of Chhattisgarh
Mantralaya, Raipur
Tel/Fax:5080207/5080206

Dear Mr. Bagai,

I write this letter further to our discussions on 27th April on the prevailing Naxal-related situation in Chhattisgarh with special reference to the Bastar region and the Salwa Judum movement.

As mentioned, I plan to visit Raipur and the Bastar region from May 17 to 23 as part of a fact-finding *Independent Citizen's Initiative* team to get a more detailed and complete picture.

The team will have on board Mr. E.A.S. Sarma, (former Secretary, Economic Affairs, GOI, now retired in Visakhapatnam), Mr Harivansh, (Editor, Prabhat Khabar, Ranchi), Prof. Ramachandra Guha, (historian, Bangalore), and Ms. Farah Naqvi, (writer and women's activist), Prof. Nandini Sundar, (sociologist, Delhi School of Economics) and myself from Delhi. Mr Harivansh and I are also associated with the Commonwealth Human Rights Initiative (CHRI) which has its headquarters in Delhi and has a small on-going police training, prison reform and right to information programme in Chatisgarh in collaboration with your government.

We would like to get a better understanding of the Naxal issue in terms of causative factors and the current situation and proposed law and order and socio-economic/developmental strategies under consideration for its resolution.

However, before we leave Raipur for Bastar, Dantewara, Konta and some displaced persons' camps on the evening of May 17, we would greatly appreciate an official briefing that backgrounds the situation and provides answers to the issues listed in *Attachment 1*. This will lend perspective to the nature of the problem and possible solutions.

While a meeting with you and the DGP and any other officials would be most useful, we would also appreciate a meeting with the Chief Minister, either jointly or separately, so that we are filled in on the political dimensions of the problem as well.

Since the team will be travelling in two vehicles and plans to follow two different circuits from Jagdalpur we seek your kind assistance in obtaining *two permits* in the names listed above which will

facilitate travel and local movement without hindrance or delay. We understand from others that there are security personnel, SPO and salwa judum cordons and regular vigil is maintained near the camps, etc especially in Dantewara and Konta.

These letters we might carry and advance messages from you to the concerned authorities to receive us will facilitate meetings with concerned district civil and police officials and those associated with the Bastar Development Authority. While we plan to visit some camps and villages from which their inmates are drawn, we would also like to drop by at the Jungle Warfare School at Kanker and meet its IG, Mr Ponwar. This would add value to our understanding of how the law and order situation is proposed to be tackled on the ground.

I trust the CM and you yourself and the DGP will kindly be able to spare some time for us on May 17 at any time between 11 a.m and 5 p.m, (preferably in the early afternoon by when all our team would have reached Raipur). We would like to head for Jagdalpur by 5 p.m. I am endorsing a copy of this letter to the CM, but would request you to please speak to him on our behalf as well.

We would also like to interact with your team to share our impressions on our return to Raipur on May 22 afternoon or May 23 morning before our departure.

With many thanks and regards,

B.G. Verghese

Visiting Professor, Centre for Policy Research and Chairman, Commonwealth Human Rights Initiative, Delhi

cc: The Chief Minister, Dr Raman Singh

ATTACHMENT 1

- Number of killings by the Maoists/Salwa Judum activists and the number of Naxals/militias or sympathizers (Sangham members) killed or arrested by the Security agencies since April 1, 2005.
- Number of security personnel who have lost their lives and/or been injured while tackling the present situation since last year.
- The number of FIRs registered against Maoists for kidnappings, killings, destruction of property and sexual assaults on women or children.
- Details of FIRs registered against government or security personnel for summary killings, rape or destruction of property.
- Number of people living in camps, or who have fled to other villages.
- Number of surrendered Naxals and their rehabilitation
- Details of plans to provide relief and rehabilitation for people who are presently living in camps and reported plans for building cluster settlements for scattered hamets where services and security can be more easily provided .
- Details of any compensation package for those who have suffered damage or loss of lives in Naxal violence or due to salwa judum actions.
- Structure, programme and funding of the Bastar Development Authority, the Sarguja Development Authority and the SC/ST Development Authority and works completed up to date and work programme for the current financial year.
- Action taken so far under the Chhattisgarh Special Public Security Act – numbers and grounds for action. Establishment and membership of the Advisory Board.

- List of 5th Schedule Areas in Chhatisgarh
- Details of any National Rural Employment Guarantee programme in Chhatisgarh.
- Status of the proposed Tata and Essar steel plants and the numbers likely to be displaced by them for the plant and appurtenant/associated works and infrastructure (township, mines, water supply).
- Nature of coordination with the neighbouring states of Andhra, Maharashtra, Orissa and Bihar.
- Plans for conferring land and forest rights on tribals under the new Forest Act

LETTER 2

From: **EAS Sarma** <eassarma@gmail.com>

Date: Jun 30, 2006 9:22 AM

Subject: List of persons killed in Dantewara District by Maoists during 2005

To: cs.cg@nic.in, rpbagai@nic.in

Dear Shri Bagai,

Please recall the meeting we had on the 22nd of May when, we, the members of Independent Citizens' Initiative met you at your office. We are grateful to you for the courtesy shown to us and the useful inputs provided by you.

We are finalising our report on our visit to Chhattisgarh. In this connection, we need accurate information on the following:

The number of persons killed by the Maoists in Dantewara District during the calendar year 2005-6, with the details of their ages, names and villages (which Tehsil also). It will help us in reflecting the information as available from the official sources.

I am sorry that I am bothering you about this but it will enable us to report the figures as furnished by the government.

Regards,

E.A.S.Sarma
(Former Secretary to GOI)

ANNEXURE III

LIST OF PEOPLE KILLED BY THE SALWA JUDUM AND THE SECURITY FORCES

This list was given to us by the Maoist spokesperson we met. We believe it has also been released to the press. We have reproduced it as it is.

List of people killed by state police, Naga police, para-military forces and goons in the name of 'SALWA JUDUM' or 'JAN JAGARAN' ABHIYAN

(Known till March 2006)

All of these persons belong to mainly Bhairamgarh, Bijapur, Oosur, Bhopalpatnam blocks in Dantewara district, Chhattisgarh State.

S. No.	Name of the person	Sex	Village	Killed on
1)	Karam Pandu (45)	M	Eeril	2/9/2005
2)	Tamo Sukhram (20)	M	Dumri Paralnar	1/9/2005
3)	Aatam Bodi (30)	M	Kotrapal	11/8/2005
4)	Bogami Sannu (18)	M	Munder	28/8/2005
5)	Bogami Kotlal (40)	M	Dorum	1/9/2005
6)	Bogami Somvary (36)	F	Dorum	1/9/2005
7)	Kadti Bayyal (45)	M	Pulladi	1/9/2005
8)	Emla Rekal (50)	M	Pulladi	1/9/2005
9)	Madkam Kummal	M	Alvoor	9/8/2005
10)	Tellam Buggur (55)	M	Hindri	6/9/2005
11)	Lekam Lakmu (50)	M	Pottenar	5/9/2005
12)	Madivi Somaru (35)	M	Pottenar	5/9/2005
13)	Aalam Mahadev (30)	M	Pottenar	5/9/2005
14)	Modiyam Boddal (25)	M	Pottenar	5/9/2005
15)	Tamo Ramu (35)	M	Karremarka	16/8/2005
16)	Lakam Lakhu (35)	M	Jangla	27/8/2005
17)	Madivi Paklu (35)	M	Gongla	27/8/2005
18)	Uike Sannu (50)	M	Kotrapal	1/7/2005
19)	Vanjami Mangu (55)	M	Kotrapal	1/7/2005
20)	Lekami Budhram (35)	M	Kotrapal	11/8/2005
21)	Kadti Chinna (40)	M	Hariyal (Cherli)	2/9/2005
22)	Kadti Sannu (35)	M	Hariyal (Cherli)	2/9/2005
23)	Kadti Kamlu (35)	M	Hariyal (Cherli)	2/9/2005
24)	Kadti Aitu (40)	M	Hariyal (Cherli)	2/9/2005
25)	Kadti Ramaal (45)	M	Hariyal (Cherli)	2/9/2005
26)	Kadti Kummaal (12)	M	Hariyal (Cherli)	2/9/2005
27)	Ooji Masaram (40)	M	Hariyal (Cherli)	2/9/2005
28)	Ooji Jayaram (35)	M	Hariyal (Cherli)	2/9/2005
29)	Emla Sukku (40)	M	Hariyal (Cherli)	2/9/2005
30)	Kadti Badru (35)	M	Hariyal (Cherli)	2/9/2005
31)	Pottem Cheri	M	Poosnar	12/9/2005

32)	Endrik Gullu (22)	M	Gongla	20/9/2005
33)	Pottem Sonu (20)	M	Gongla	20/9/2005
34)	Korsa Santo (20)	F	Phoolgatta	2/9/2005
35)	Vetto Joga	M	Kondam	3/9/2005
36)	Madivi Laxman	M	Pollevaya	22/9/2005
37)	Korsa Sukku	M	Mankeli	25/9/2005
38)	Poonem Kaandal	M	Mankeli	25/9/2005
39)	Modiyam Sudru	M	Mankeli	15/9/2005
40)	Kadti Kummal	M	Munder	3/9/2005
41)	Kadti Kamlu	M	Munder	10/9/2005
42)	Kalma Badru	M	Neelam	15/9/2005
43)	Emla Koval	M	Mankeli	3/10/2005
44)	Kursam Aitu	M	Mankeli	3/10/2005
45)	Modiyam Sukki	F	Pedda Korma	7/10/2005
46)	Kursam Lakke	F	Pedda Korma	7/10/2005
47)	Barse Sonu	M	Paralnar	11/10/2005
48)	Madkam Channi	M	Etpad	5/10/2005
49)	Aapka Sonu	M	Padeda	13/9/2005
50)	Sodi Kosa	M	Gornam	15/5/2005
51)	Poonem Budhru	M	Poombad	1/9/2005
52)	Paklu @ Ursa Channu	M	Pamra	2/9/2005
53)	Emla Lachu	M	Mosla	9/10/2005
54)	Madivi Vijja @ Bomada	M	Keshkuttul	11/7/2005
55)	Vedinje Nangi (24)	F	Mookavelly	5/10/2005
57)	Tati Somvaru (35)	M	Mukaram	10/9/2005
58)	Korke (20)	M	Alvada	8/9/2005
59)	Vijjal (22)	M	Alvada	8/9/2005
60)	Poosu (25)	M	Morimadugu	20/9/2005
61)	Kursam Suresh (23)	M	Tadimendri	20/9/2005
62)	Veko Dukaru (40)	M	Dunga	30/11/2005
63)	Tati Budhru (40)	M	Vedama	30/11/2005
64)	Emla Kootal (52)	M	Karremarka (NP)	31/10/2005
65)	Emla Munnal (22)	M	Karremarka (NP)	31/10/2005
66)	Emla Dokri (48)	F	Karremarka (NP)	31/10/2005
67)	Elam Somvary (20)	F	Karremarka (NP)	31/10/2005
68)	Madkam Sannu (35)	M	Oorepal	6/10/2005
69)	Sudru (25)	M	Markapal	17/10/2005
70)	Emla Somlu (35)	M	Mallur	8/11/2005
71)	Ursa Sonu (28)	M	Mallur	8/11/2005
72)	Avalam kedat (35)	M	Mosla	8/10/2005
73)	Korsa Sonu (25)	M	Mosla	8/10/2005
74)	Vijaylal Dugga (45), Teacher	M	Mosla	8/10/2005
75)	Papayya (50)	M	Padeda	10/11/2005
76)	Kadti Mookal @ Gerral (26)	M	Kokkod	28/9/2005

77)	Emla Sukhram (25)	M	Paralnar	12/10/2005
78)	Madivi Munnal (18)	M	Munder	20/9/2005
79)	Modiyam Paiku (19)	M	Munder	22/9/2005
80)	Emla Kallu (23)	M	Munder	3/10/2005
81)	Oyam Aitu (50)	M	Pidiya	8/10/2005
82)	Mahesh Bogam (20)	M	Kodem, Belnar para	14/11/2005
83)	Satti Bogam (20)	M	Kodem, Belnar para	14/11/2005
84)	Manni (20)	M	Oothla	14/11/2005
85)	Budhram (35)	M	Karkavada	23/10/2005
86)	Buggur (33)	M	Ehkel	23/10/2005
87)	Gulab (38)	M	Belnar	14/10/2005
88)	Manku (21)	M	Markapal	10/10/2005
89)	Sukhram (21)	M	Tadum	7/10/2005
90)	Juru (30)	M	Tekla	3/9/2005
91)	Somvaru (32)	M	Pooslakka	8/10/2005
92)	Bokkal (28)	M	Ponad	20/06/2005
93)	Modiyam Budri (30)	F	Korma	22/11/2005
94)	Somlu	M	Poombad	6/11/2005
95)	Apka Lakku (20)	M	Gornam	16/12/2005
96)	Ursa Manni (25)	M	Keshkuttul	16/12/2005
97)	Tati Shankar (21)	M	Regadi	20/12/2005
98)	Korsa Mangu (50)	M	Padedda	18/12/2005
99)	Madivi Budhram (30)	M	Jappur	18/12/2005
100)	Jogal (25)	M	Vechapal	18/12/2005
101)	Vacham Budhru (30)	M	Kotrapal	5/12/2005
102)	Poonem Sukhram @ Sannu (30)M		Poombad	9/1/2006
103)	Tati Lachu (20)	M	Kakikorma	3/1/2006
104)	Rupa Kadiyami (24)	M	Bodga	25/3/2006
105)	Boti Korrami (17)	M	Tekla	25/3/2006
106)	Bheeme Madvi (15)	F	Eedveda	25/3/2006
107)	Phagni Veko (15)	F	Eedveda	25/3/2006
108)	Dasuru Muhunda (25)	M	Kounde	25/3/2006
109)	Raju (12)	M	Kounde	25/3/2006
110)	Pottam Pandu	M	Poombad	30/1/2006
111)	M	Edsum	12/2/2006
112)	M	Edsum	12/2/2006
113)	Yenki	F	Gangaloor	29/1/2006
114)	Madivi Sanku (20)	M	Gangaloor	29/1/2006
115)	Kunjam Raju (22)	M	Gangaloor	29/1/2006
116)	Poonem Pandru (19)	M	Gangaloor	29/1/2006

Due to severe state repression that has been going on in the name of ‘Salwa Judum’, we could collect only a few names. We could not collect the names and details of many more people who were killed by State mercenary armed forces and armed goons and whose dead bodies were either thrown away into the river Indrawati or disposed elsewhere.

ANNEXURE IV

LIST OF VILLAGES BURNED BY THE SALWA JUDUM AND THE SECURITY FORCES

This list was given to us by the Maoist spokesperson, and we believe, has also been released to the press.

Bijapur and Bhairamgarh Areas (West Bastar)

S. No.	Name of the Village	Number of houses burnt
1.	Eeril	6
2.	Dumri Paralnaar	10
3.	Timmenaar	40 (attacked 2 times)
4.	Oorepaal	30 (attacked 2 times)
5.	Vechapaal	40 (attacked 2 times)
6.	Gamnaar	5
7.	Kondam	5
8.	Hariyaal (Cherli)	25
9.	Dorum	10
10.	Peddarn	20
11.	Phoolgatta	10
12.	Munder	40 (attacked 2 times)
13.	Jappur	20 (attacked 3 times)
14.	Parnra	5
15.	Alvoor	50
16.	Pullum	80 (attacked 2 times)
17.	Bodili	10
18.	Pollevaya	10
19.	Dobinpara (Pondum)	10
20.	Kesmundi	5
21.	Surakada	5
22.	Kotrapal	60 (attacked many times)
23.	Karremarka (Bhairamgarh area)	20
24.	Jangla	25
25.	Pottenar	50
26.	Akwa	20
27.	Pedda Jojod	42
28.	Gangaloor	2
29.	Kakikorma	26
30.	Duggal	5
31.	Ponjer	10

32.	Boggamgudem	10
33.	Chilnaar	5
34.	Neelam	10
35.	Edsum	15
36.	Toyum	10
37.	Tadkel	20
38.	Mankeli	25
39.	Pangod	13
40.	Gornam	20
41.	Peddakorma	20
42.	Padedda	10
43.	Mettapadu	30
44.	Pumbad	85
45.	Murunga	2
46.	Mosla	10
47.	Gundepool	5
48.	Jaakem	10
49.	Pidiya	20
50.	Tammod	5
51.	Gampoor	10
52.	Paralnaar	30
53.	Malloor	35
54.	Boorgil	15
55.	Majjimendri	35
56.	Tadimendri	2
57.	Tummirgunda	7
58.	Mookavelly	9
59.	Karremarka (National Park Area)	3
60.	Nendra	5
61.	Kacheli	15
62.	Aaded	7

Above list was prepared in November 2005. We received news that till then many more villages were burnt down as the Salwa Judum is going on till now. The number of burnt houses may be high because these villages are being attacked frequently.

Konta Area (South Bastar)

S. No.	Name of the Village	Number of houses burnt
63.	Regadigatta	2
64.	Asirguda	10

65.	Neelamadugu	10	
66.	Mukkiditong	6	
67.	Darbhagudem	15	
68.	Onder	15	
69.	Kottacheruvu	15	
70.	Gorkha	7	
71.	Etegatta	7	
Pamed Area (South Bastar)			
72.	Galgaon	9	
73.	Nadampalli	8	
74.	Timmapuram	2	
Gangaloor Area (West Bastar)			
75.	Pidiya	6 (attacked 2 times)	
76.	Peddarn	12	
Basaguda Area (West Bastar)			
77.	Korsiguda	105	
Indrawati Area (Maad)			
78.	Dunga	52	29/11/05
79.	Poosal	15	(2 times)
80.	Pollevaya	45	(2 times)
81.	Vedama	40	29/11/05
82.	Ponaad	7	29/11/05
83.	Belnar	72	(2 times)
84.	Neerum	7	29/11/05
85.	Takilod	80	9/1/06
86.	Jaadka	76	9/1/06
87.	Endepara	5	9/1/06
88.	Dharma-Marrametta	40	9/1/06
89.	Kolnaar	5	9/1/06
90.	Bodga	7	9/1/06
91.	Kounde	5	15/3/06

Total number of Villages burnt by SJ-Police-para military combine – 91

Total number of houses burnt by SJ-Police-para military combine – 1857

Note: *These are only roughly collected figures. The actual figures will definitely be far higher than these.*

ANNEXURE V

LIST OF WOMEN RAPED BY THE SALWA JUDUM AND THE SECURITY FORCES

This list was given to us by the Maoist spokesperson. It is translated from Hindi.

Women victims of gang-rape

	Name of Woman	Village
1.	Madvi Budhri	Kondam
2.	Somli	Kondam
3.	Munni	Kondam
4.	Modiyam Sampo	Karrebodhli
5.	Modiyam Seemo	Karrebodhli
6.	Oyam Bali	Pallewaya
7.	Madvi Parvati	Karre Pondum
8.	Madvi Kope	Karre Pondum
9.	Rukni	Karre Pondum
10.	Bogam Gugge (pregnant)	Neelam
11.	Kadti Munni	Phulgatta
12.	Kadti Pande	Vecham
13.	Korsa Munni	Jangla
14.	Kalmu Jayyu	Jangla
15.	Korsa Butki	Jangla
16.	Madvi Sarita	Karremarka
17.	Telam Jamli	Karremarka
18.	Kadti Jaimati	Ariyal
19.	Sukhmati	Pittadgudem
20-22.	unnamed women	Kotrapal
23-24.	unnamed women	Kopal
25.	Kursa Santo	Phulgatta

Women raped and then killed

1.	Modiyam Sukki	Pedda Korma
2.	Kursam Lakke	Pedda Korma
3.	Madkam Sanni (pregnant)	Etpad
4.	Vedinje Malli	Mukavelli
5.	Vedinje Nangi (pregnant)	Mukavelli
6.	Bogam Somvari	Kotlu

Additional Incidents of Violence Against Women in the Indrawati Area

1. Mase Parso, age 35 years, village Chinnapalli: Raped in February by 10 Salwa Judum goons. Had her throat knifed and was left as dead in the forest. The PLGA found her the next day and saved her life.
2. Lakke, village Idawada: Caught by SPOs from Kotmetta and Jeggur villages and then raped by 15 goons. Has been kept in Jangla relief camp.
3. Jaini, village Nungur: Was caught and raped by Rama and Jugal, two SPOs from her village. Currently being kept and tortured in Bedre CRPF camp.
4. Budri, village Kummameta: Gangraped by SPOs and police, currently being kept and tortured in Bedre CRPF camp.
5. Two women from village Lanka, four from village Nungur and three from village Ingmetta are currently being kept as sexual slaves in Bedre relief camp.
6. 25 March, Parkeli village: Wounded militia member Comrade Phagni was brutally tortured and killed by the police and Salwa Judum. The dead body of comrade Bhime was stripped naked by the Salwa Judum and dragged away.
7. 15 November, 3 women from Ehkel village, Phulmati, Saibo and Shamo were wounded and taken away by the police. They are since missing. Reports say that they are in Bangapal police camp.

ANNEXURE VI

Extracts from the “Action Plan for the Rehabilitation of naxal affected persons and Naxalites who have surrendered.”

Issued by the Directorate of Public Relations, Government of Chhattisgarh, Raipur, 22nd October 2004

Who is eligible: Any person or member of a family who has been killed by the Naxalites or has been physically disabled, or has lost so much property that his/her livelihood has been hampered, shall be considered a Naxalite affected person or family. Only the head or legal heir of the affected family is entitled to receive the amount for relief and assistance.

Surrendered Naxalites: While rehabilitating any surrendered Naxalite, it will be investigated how much he has co-operated with the State in action against Naxalites.

Surrendered husband and wife Naxalites will be considered a single unit and only one of them will be given the rehabilitation amount.

Procedure for implementation: A Committee under the chairmanship of the Collector will be constituted comprising the Police Superintendent, Divisional Forest Officer, Chief Executive Officer (Zilla Panchayat), Deputy Superintendent (Agriculture), Deputy Superintendent (Education), Assistant Commissioner (Tribal Development). The schemes under this plan are to be monitored by an inter-departmental committee under the chairmanship of Additional Chief Secretary/Chief Secretary.

Timetable for rehabilitation: Rehabilitation is to be done within 90 days.

Scheme for rehabilitation: The age, education, socio-economic background etc. of the person, whether surrendered Naxalite or Naxalite affected person, will be taken into consideration when deciding on the rehabilitation grant.

Rewards on Naxalites: If there is any reward on a Naxalite and s/he has co-operated with the government after surrender, s/he can be given the entire reward. This will be included in the amount sanctioned for rehabilitation of the surrendered Naxalite.

Seperate compensation for arms surrendered: Rs. 3 lakhs for LMG rifle, Rs. 2 lakhs for AK 47 rifle, Rs. 1 lakh for SLR Rifle, Rs 50,000 for .303 rifle, and Rs. 20,000 for a twelve bore gun.

Compensation for death: Rs. 1 lakh to families of those killed by Naxalites (govt proposing to increase to 2 lakhs).

Compensation for injury: Rs. 50,000 for permanent handicap, Rs. 10,000 for serious injury,

Compensation for property: Rs. 10,00 for loss of kachcha house, and Rs. 20,000 for pakka house or shop; Rs. 5000 for loss of bullock cart, Rs. 10,000 for loss of boat, Rs. 25,000 for loss of jeep or tractor (in addition to insurance amounts)

Priority will be given to Naxalite affected or surrendered Naxalite persons in:

- Ongoing schemes relating to housing and employment of the department of rural development
- Loans and grant for self employment under Rashtriya Sam Vikas Yojana and Chhattisgarh Policy Alleviation Scheme

- Allotment of agricultural land if they have no means of livelihood; or they can apply to exchange their land anywhere in the state
- Settlement of encroached forest land (upto 1980 cut off date) or revenue land
- Urban nazul plots if they wish to settle in urban areas
- Jobs in education department or other government services on reserved seats basis
- Jobs as a Home Guard, or lowest posts in the police department like guard or ardali if they have specially co-operated with the police
- Schemes of women and child department for Naxalite affected women or surrendered women Naxalites
- Children under 18 of any person killed by Naxalites can get hostel facilities and SC/ST scholarship
- Withdrawal of criminal case if surrendered Naxalite co-operates

ANNEXURE VII

PROTOCOL II

Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977.

Preamble

The High Contracting Parties, Recalling that the humanitarian principles enshrined in Article 3 common to the Geneva Conventions of 12 August 1949, constitute the foundation of respect for the human person in cases of armed conflict not of an international character,

Recalling furthermore that international instruments relating to human rights offer a basic protection to the human person,

Emphasizing the need to ensure a better protection for the victims of those armed conflicts,

Recalling that, in cases not covered by the law in force, the human person remains under the protection of the principles of humanity and the dictates of the public conscience,

Have agreed on the following:

Part I. Scope of this Protocol

Art. 1. Material field of application

1. This Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions or application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.
2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.

Art. 2. Personal field of application

1. This Protocol shall be applied without any adverse distinction founded on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria (hereinafter referred to as "adverse distinction") to all persons affected by an armed conflict as defined in Article 1.
2. At the end of the armed conflict, all the persons who have been deprived of their liberty or whose liberty has been restricted for reasons related to such conflict, as well as those deprived of their liberty or whose liberty is restricted after the conflict for the same reasons, shall enjoy the protection of Articles 5 and 6 until the end of such deprivation or restriction of liberty.

Art. 3. Non-intervention

1. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.
2. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the High Contracting Party in the territory of which that conflict occurs.

Part II. Humane Treatment

Art. 4. Fundamental guarantees

1. All persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honour and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.
2. Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph I are and shall remain prohibited at any time and in any place whatsoever: (a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment; (b) collective punishments; (c) taking of hostages; (d) acts of terrorism; (e) outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form or indecent assault; (f) slavery and the slave trade in all their forms; (g) pillage; (h) threats to commit any or the foregoing acts.
3. Children shall be provided with the care and aid they require, and in particular: (a) they shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care; (b) all appropriate steps shall be taken to facilitate the reunion of families temporarily separated; (c) children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities; (d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of subparagraph (c) and are captured; (e) measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

Art. 5. Persons whose liberty has been restricted

1. In addition to the provisions of Article 4 the following provisions shall be respected as a minimum with regard to persons deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained; (a) the wounded and the sick shall be treated in accordance with Article 7; (b) the persons referred to in this paragraph shall, to the same extent as the local civilian population, be provided with food and drinking water and be afforded safeguards as regards health and hygiene and protection against the rigours of the climate and the dangers of the armed conflict; (c) they shall be allowed to receive individual or collective relief; (d) they shall be allowed to practise their religion and, if requested and appropriate, to receive spiritual assistance from persons, such as chaplains, performing religious functions; (e) they shall, if made to work,

have the benefit of working conditions and safeguards similar to those enjoyed by the local civilian population.

2. Those who are responsible for the internment or detention of the persons referred to in paragraph 1 shall also, within the limits of their capabilities, respect the following provisions relating to such persons: (a) except when men and women of a family are accommodated together, women shall be held in quarters separated from those of men and shall be under the immediate supervision of women; (b) they shall be allowed to send and receive letters and cards, the number of which may be limited by competent authority if it deems necessary; (c) places of internment and detention shall not be located close to the combat zone. The persons referred to in paragraph 1 shall be evacuated when the places where they are interned or detained become particularly exposed to danger arising out of the armed conflict, if their evacuation can be carried out under adequate conditions of safety; (d) they shall have the benefit of medical examinations; (e) their physical or mental health and integrity shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned, and which is not consistent with the generally accepted medical standards applied to free persons under similar medical circumstances.
3. Persons who are not covered by paragraph 1 but whose liberty has been restricted in any way whatsoever for reasons related to the armed conflict shall be treated humanely in accordance with Article 4 and with paragraphs 1 (a), (c) and (d), and 2 (b) of this Article.
4. If it is decided to release persons deprived of their liberty, necessary measures to ensure their safety shall be taken by those so deciding.

Art. 6. Penal prosecutions

1. This Article applies to the prosecution and punishment of criminal offences related to the armed conflict.
2. No sentence shall be passed and no penalty shall be executed on a person found guilty of an offence except pursuant to a conviction pronounced by a court offering the essential guarantees of independence and impartiality. In particular: (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence; (b) no one shall be convicted of an offence except on the basis of individual penal responsibility; (c) no one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under the law, at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby; (d) anyone charged with an offence is presumed innocent until proved guilty according to law; (e) anyone charged with an offence shall have the right to be tried in his presence; (f) no one shall be compelled to testify against himself or to confess guilt.
3. A convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.
4. The death penalty shall not be pronounced on persons who were under the age of eighteen years at the time of the offence and shall not be carried out on pregnant women or mothers of young children.

5. At the end of hostilities, the authorities in power shall endeavour to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained.

Part III. Wounded, Sick and Shipwrecked

Art. 7. Protection and care

1. All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected.
2. In all circumstances they shall be treated humanely and shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Art. 8. Search

Whenever circumstances permit and particularly after an engagement, all possible measures shall be taken, without delay, to search for and collect the wounded, sick and shipwrecked, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead, prevent their being despoiled, and decently dispose of them.

(Arts 9-12, 15 have not been reproduced here since they are not directly relevant).

Art. 9. Protection of medical and religious personnel

Art. 10. General protection of medical duties

Art. 12. The distinctive emblem

Part IV. Civilian Population

Art. 13. Protection of the civilian population

1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances.
2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.
3. Civilians shall enjoy the protection afforded by this part, unless and for such time as they take a direct part in hostilities.

Art. 14. Protection of objects indispensable to the survival of the civilian population

Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless for that purpose, objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works.

Art. 15. Protection of works and installations containing dangerous forces

Art. 16. Protection of cultural objects and of places of worship

Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, it is prohibited to commit any acts of hostility directed against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples, and to use them in support of the military effort.

Art. 17. Prohibition of forced movement of civilians

1. The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.
2. Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.

Art. 18. Relief societies and relief actions

1. Relief societies located in the territory of the High Contracting Party, such as Red Cross (Red Crescent, Red Lion and Sun) organizations may offer their services for the performance of their traditional functions in relation to the victims of the armed conflict. The civilian population may, even on its own initiative, offer to collect and care for the wounded, sick and shipwrecked.
2. If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as food-stuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned.

Part V. Final Provisions

Art. 19 – 28 regarding Dissemination, Signature, Ratification, Accession, Entry into force, Amendment, Denunciation, Notifications, Registration and Authentic texts, have not been reproduced here.

As we were going to press, the Maoists attacked the Errabor relief camp (Konta tahsil) on 17 July 2006. We are reproducing here our statement on the incident, released to the press on 19th July 2006:

The Independent Citizens' Initiative, which studied Salwa Judum in May 2006, strongly condemns the Maoist attack on Errabor camp in Dantewada district on 17 July 2006, in which more than 40 adivasis were killed or seriously injured. Even small children were not spared in this attack. The kidnapping and killing of people in custody is equally reprehensible. We feel that this attack was brutal, inhuman and unpardonable. We urge the CPI (Maoist) to desist from such atrocities.

At the same time, this confirms our earlier stand on the Salwa Judum, that rather than stopping violence, it has escalated violence. We equally condemn the atrocities committed by the Salwa Judum and security forces due to which many people have been killed without record, houses have been burnt and women raped. The Government is responsible for ensuring the safety of its citizens. Not only did it not do that in Errabor, but by continuing with the Salwa Judum and forcing people to live in camps against their wishes, it is further endangering the lives of ordinary people. The people of Dantewara should not be used as fodder in this unfortunate game of retribution and retaliation being conducted by both sides.

We repeat our earlier plea to both sides that violence cannot be an answer to violence. The only solution to this problem is through democratic means, starting with a ceasefire, dialogue, enquiry into all acts of violence and punishment of the guilty. Adivasis should be brought to the centre stage of decision-making.

Price: Rs. 25/-

For hard copies of the report, contact:

independentcitizens@gmail.com

For a web version, see www.cgnet.in