

REPRESSION IN SINGHBHUM

*Report of the Fact Finding Committee of the
People's Union of Civil Liberties and Democratic
Rights, Delhi in Bihar, March 1979*

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People's Union of Civil Liberties and Democratic Rights – Delhi requested Professor Dalip S. Swamy, Delhi University; Mr. Suman Dubey Journalist; George Mathew, Jawahar Lal Nehru University; Mr. Anjan Ghosh, Indian Institute of Technology; Dr Aurobindo Ghosh, Kirorimal College, and Ashok Kumar Panda, Supreme Court Advocate to understand an on the spot investigation into recent incidences of firing and repression in Singhbhum district, Bihar.

The report submitted by them is published herewith.

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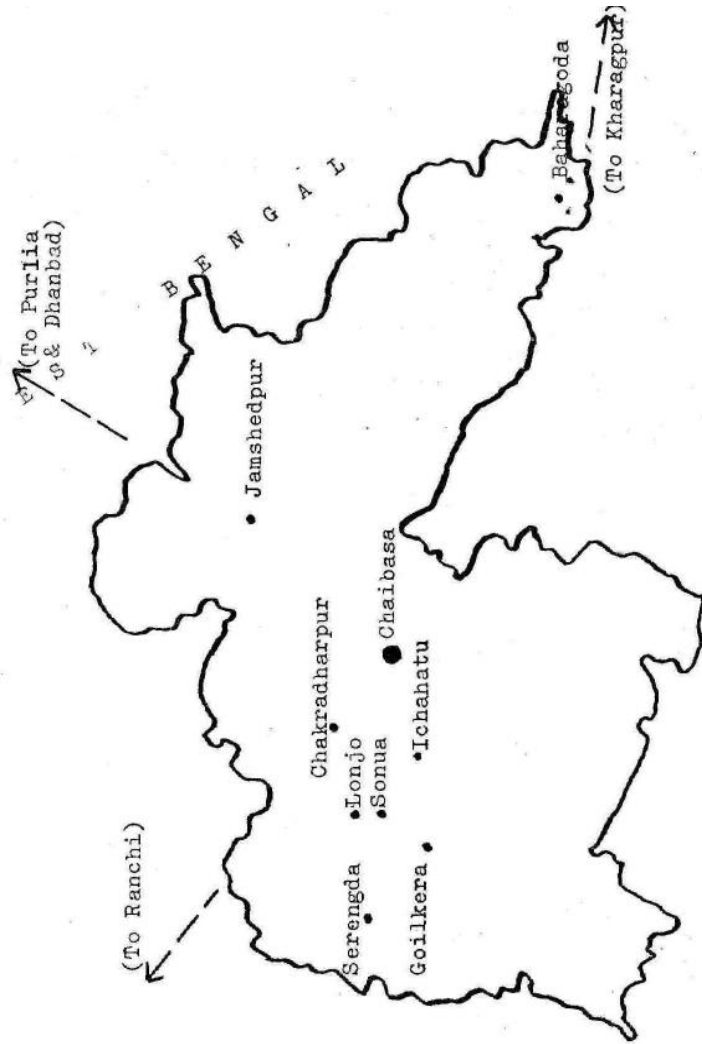
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Rough Sketch of Singhbhum District showing places visited by PUCL team



INTRODUCTION

1.1 The People's Union for Civil Liberties and Democratic Rights (PUCL) in Delhi was concerned to learn of frequent instances of police firing on adivasis in Chaibasa and oppression of landless labourers in Baharagora areas of Singhbhum in Bihar during the latter half of 1978. Specific incidents came to the notice of the PUCL, Delhi. One person was killed on 6th November, 1978 when the police opened fire on a gathering of adivasis near Ichahatu village, three persons were killed in police firing at the middle school in Serengda on 25th November, 1978. At Baharagora, in another part of the district (which is not an adivasi area) the police and landlords together were reported to have unleashed terror on landless labourers trying to organise themselves to implement minimum wages and to face the tyranny of landlords. Large-scale arrests, beatings, and molestation of women were reported through the latter part of 1978 and in to 1979.

1.2 The Delhi unit of PUCL, therefore, decided to send a team of investigators to make an on-the-spot study of such incidents in particular and the socio economic conditions of the adivasis and landless labourers, in general. The PUCL team consisted of :

1. Dalip S. Swamy, Professor of Business Economics, Delhi University, elected leader of the team
2. Suman Dubey, free-lance journalist
3. George Mathew, research scholar at Jawaharlal Nehru University
4. Anjan Ghosh, lecturer at Indian Institute of Technology, Delhi
5. Aurobindo Ghose, lecturer at Kirorimal College, Delhi
6. Ashok Kumar Panda, advocate, Supreme Court, Delhi

In the course of its visit from 2nd March to 10th March, the team visited Dhanbad, Jamshedpur, Chaibasa, Ichahatu, Golikera, Serengda, Lonjo, Baharagora, Ranchi and Patna. On account of earlier commitments, George Mathew and Suman Dubey left Bihar on 7th March, after the first stage of the inquiry, while the rest of the team visited the Baharagora area and Patna.

1.3 The team talked with a large number of people from all walks of life. This included administrators, police officers, forest officials, members of parliament, members of legislative assemblies, political leaders, social workers, village mundas and mukhias, individuals injured in police firings, people beaten up by the police, people threatened by the police, and scores of common people in the area. With the notable exception of the police at Naya Basan police camp and the hired goondas of the landlords near Olda village in Baharagora area, we were received everywhere with the greatest kindness and frequently extended help beyond the call of normal courtesy. Owing to the incident at Baharagora, in which some members of our team were severely beaten by the police and the goondas, we were unable to keep an appointment in Patna with the Bihar Chief Minister, Karpoori Thakur, but we had the privilege of being received by Jayapraksh Narayan, who gave us a most sympathetic hearing.

II. SUMMARY AND CONCLUSION

2.1 We went to Singhbhum to examine specifically the causes of firing, lathicharge and arrests in the Chaibasa area and repression of people and large scale arrests in Baharagora area; to assess the extent to which civil liberties and democratic rights of people have been infringed upon; and to ascertain the existence of extremist terror in the rural areas. After talking to different sections of people in Singhbhum we have reached the following conclusions :

First, the police firings and lathicharge were unwarranted and premeditated. The police actions were not ordered by the competent officers on the spot, necessary precautions were

not taken and warnings not given, innocent people were arrested without warrants, and the administration concocted charges and FIRs after the event. The law and order machinery seemed to be confident that Adivasis and poor peasants deserved this treatment. High government officials also seemed to condone these police actions, A Senior Janata party member summarised, "No minister thought it necessary to visit the places of firing because adivasis were killed". In no case were the victims given compensation or rehabilitated.

2.2 Secondly, civil liberties and democratic rights are the privileges of the wealthy. For the impoverished tribals around chaibasa or for the poor agricultural labourers of Baharagora their rights go by default. If they struggle for the maintainance of the forest and their rights to collect forest produce or for a minimum agricultural wage, stipulated by the government, then all they can expect is lathis, bullets and the police lock-up. The police and vested groups let loose repression when they speak the truth and organise themselves to protect their lives and their rights. The right to life, right to speak, right to petition is not respected by the police and the officials in the tribal areas. To terrorise the poor and the downtrodden seems to be the primary task of the police and the government administration in this area. In the Baharagora area the agricultural labourers' right to organise themselves for the implementation of minimum wages is sought to be suppressed by police and landlords.

2.3 Thirdly, there is no extremist terror in Singhbhum. There is, however, terror created by the police in collusion with certain vested groups like forest officials, contractors and administrators in the forest area of Chaibasa and in collusion with the big landowners and goondas at Baharagora. While the common people have narrated in detail the different forms in which the police are harassing, torturing and terrorising them, the P.U.C.L. team itself was captured by a police party near Olda village under Baharagora police station, at the point of a revolver, detained for nine hours and subjected to abuse, lathi and rifle butt blows and only released after being made to submit a Personal Recognition bond. It is clear to us that anybody uncompromisingly working for the poor can be branded an Extremist or Naxalite and faces the possibility of being killed.

2.4 We believe that what ails Singhbhum is not law and order but socio-economic-political problems. It is a social problem because the adivasis and landless labourers are intolerant of and trying to stand up against the age-old social oppression. It is an economic problem because they are demanding a larger share of the national cake. And it is a political problem because they are making organised efforts to fight for their common cause. The situation demands a political solution through basic social and economic changes rather than an administrative solution through police repression.

2.5. In the light of this we would like to put forward certain suggestions to protect the right and liberties of the underprivileged.

1. Individuals still wrongfully confined should be released.
2. False cases lodged against the people involved in these incidents should be immediately withdrawn.
3. Due compensation should be paid to the families of the killed and to those injured in these incidents.
4. Police and CRP camps be withdrawn from the villages.
5. That the saal forest be left undisturbed and the encroachment of the Forest Development Corporation on the Khunt Katti or 'common' forest of the tribals be stopped immediately.
6. That, if possible, tribal administrators are given charge of areas where there is a tribal concentration.
7. That the minimum wages for agricultural labour be implemented.
8. The police is supposed to use minimum force to handle aggressive crowds; but it is clear to us that it is trigger happy and shoots to kill frequently without cause. The government must review the use of lethal bullets and seriously Consider other deterrents such as rubber bullets which do not kill.
9. That the police and administraton should not take the law into their hands or interfere with the democratic movement of the people.
10. The practice of denying fundamental rights and unleashing violence against persons branded as Extremists or Naxalites should be immediately stopped.

III SINGBHUM TODAY: EXPLOITATION AND PROTEST

3.1 Singbhum is the southern-most part of Bihar State bordering on West Bengal and Orissa. It is part of the Chota Nagpur region towards one end of the adivasi region of India which stretches from Thana-Nasik in Maharashtra in the West to Bankura-Midnapur in West Bengal in the east. The Chota Nagpur area is a hilly region known for its abundant forest and mineral wealth. A substantial part of India's needs of coal, iron, steel, manganese, mica, china-clay, limestone, copper, uranium, lac and wood is met from this area.

3.2 The natural wealth of the area contrasts vividly with the desperate poverty of the adivasis who inhabit it. The adivasis are exploited at three levels. First at the market, the mahajans and traders exploit them by buying their produce cheap and selling them goods dear. The adivasis, who are by and large illiterate have no outside contact and are virtually ignorant of the prevailing prices for their produce in organised urban market. The mahajans, on the the contrary employ agents in villages who assess the size of the season's produce and also have intimate contacts with market operators in urban markets. These contacts at the purchasing and selling points enable the mahajans and traders to make substantial profits. For example, the adivasi will exchange chiranji seed for five to ten times its weight in slat—or at about a few rupees a ki'o; this seed sells in the metropolitan markets for more than Rs. 80/-a kilo. The government authorities claim that they have introduced minimum prices for lac and are trying to fix support prices for other products, but so far the adivasi remains at the mercy of the mahajan. The adivasis have a song in which the unknown poet tells:

'You enter our country thin as a needle,

You leave it thick as a ploughshare.....'

3.3 Secondly, the adivasis are exploited when they offer themselves for a job and borrow dhan, (paddy) for family consumption. They receive wages which are considerably lower than the statutory minimum wages. Only the forest department and the Bihar Forest Development Corporation pay the minimum wage Rupees 4.00 a day. Contractors and private employers pay much less. Contractors who take saal seed, for example, were paying only 1.50 rupees a day till a year ago. The adivasi has to pay a high rate of interest on borrowings. We were told that interest is paid in kind; one mound of 'dhan' is to be repaid by one-and-a-half mounds of 'dhan' after six months. Thus, the interest rate is 50 per cent for six months, 125 percent for a year. The third form of exploitation is social; by the state, by the forest department, by the Forest Corporation* by the 'alien' administrators and by the outsider. The State Government derives about two-thirds of its revenues from the Chota Nagpur area but spends only about one-fifth, in the area. This expenditure is almost wholly used in running the administration; very little is available for development purposes. The administration, which consists, mainly of outsiders, is greatly resented by the adivasis. This resentment is not merely because of economic exploitation; it is rooted in the racial prejudices of the outsider who sees the adivasi as an inferior being, fit for nothing better than semi-slavery. The outsider adds insult to injury by terrorising the people, behaving arrogantly with them, not bothering to learn their language and sometimes raping or molesting adivasi woman. The administration has also imposed an alien panchayat and mukhia system in the village on top of the traditional manki-munda system, without properly educating the people about the new system. The result is that there are conflicting centres of authority in their villages.

3.4 Perhaps the most obvious form of organised intrusion into the lives of the adivasis is the operation of the Forest Corporation. Set up in 1975 to improve the exploitation of the state's forest wealth, the corporation is a commercial operation which seeks to upgrade forests by planting teak trees. The forest department and the corporation have for a long time alaming teak in the reserved forests in which the adivasish»(£ few rights. Teak is more valuable from the point of view of the national economy than saal. The annual growth rate of teak is 50 percent more than saal and the price differential per cubic feet of wood is at least 100 percent. Recently the corporation has begun to replace saal, mohua and other trees by teak in the miscellaneous forests, which includes khuntkatti forest, in which the adivasis have complete rights. The adivasis traditionally satisfy a range of their daily needs from the saal tree, its wood, its fruit, its seed and its leaves. Saal is so necessary to the adivasi economy that it has the

status of a religious symbol. But the teak plantations, except for the wages that may be paid in the course of the forest operation, completely bypass the advivasi economy. Teak is used elsewhere, it creates jobs elsewhere, and it creates wealth and incomes elsewhere.

3.5 All these forms of exploitation, in their totality, have given rise to organised as well as spontaneous protest from the adivasis. At the organised level, the movement to create a separate state, consisting of 16 districts in Orissa, West Bengal and Bihar, including Singhbhum, has attracted many of the national parties and representative bodies of the adivasis. The first attempts at organising a separate Jharkhand ('Jhar' stands for bushes and trees and 'khaud' for the region) date back to 1939 when the Chota Nagpur Adivasi Mahasabha was formed. In the 1950s the Jharkhand party emerged as the largest single opposition in the Bihar assembly, but its strength has waned since then. Today, the movement is a coalition of various parties and interests which have also attracted mahajans and big financiers who stand to gain from a separate Jharkhand state.

3.6 At the grass roots level the movement is peaceful and democratic. It attracts the adivasis spontaneously because it meets their deepest needs. Slogans lik 'Jai Jharkhand', 'Maha-sul Nahin Denga', 'Ees par se oos par Jao Bihar Ganga Par', 'Sagwan Ropai Band Karo', etc were commonly used receniy. The organised movement has been able to grow only because of this grass roots support. The acclleratiou of the Jharkhand movement in the latter half of last year put renewed pressure on the administration and the vested interests to give the adivasis a better deal. The administiation and the vested group responded by trying to crush the non-violent protest of the adivasis with violence. This is the common thread that has emerged from the dispersed incidents we investigated in the adivasi area of Singhbhum: the lathi charge in Goilkera on 3rd November, 1978, the firing in Ichahatu on 6th November the killings at Serengda on 25th November and the arrests at Lanjo on 8th December.

IV. THE GOILKERA AND ICHAHATU INCIDENTS

4.1 **Goilkera** is a medium sized town, about 70 kms south of Chaibasa. A weekly market there attracts advasis of neighbouring villages. Since August 1978 a movement has slowly developed against the payment of haat (weekly markt) toll. On 9th November, 1978, Ratnakar Nayak, the local MLA, addressed a public meeting at the haat. He pointed out that in spite of repeated demands by the people, government has failed to

provide facilities? for sheds, drinking water, urinals etc at the haat. The collection of the toll is the prerogative of a contractor and who brought it at last year's annual auction for Rs. 10,000. The proceeds are meant for maintenance, improvement and provision of necessary facilities at the market place. The toll collected by the contractor is, of course many times, more than Rs. 10,000.

4.2. On the day of the incident, 3rd November, 1978 Lal Chand of Chakradharpur, the contractor, had an altercation with a tribal woman, who had come to sell some vegetables, while he was collecting the toll. As the Acting S.D.O., R.D. Ojha, was present he called the people to discuss the matter about the payment of haat toll. An argument ensued and the people refused to pay the toll. Without completing the discussion, the Acting SDO became enraged and personally began to beat people with lathi. He was joined in this act by the police party. Many people, including a number of women were injured in the beating. After this, about 14 persons were arrested including the Mukhias of Aresa and Serengda. According to a local Hindi paper the following women were beaten by Ojha himself—Salome Purty (30 years) Berna Purty (26 years), and S. Cherwa (78 years), Salome Purty was carrying a young child (Joseph Purty) in her arms while she was beaten. And this happened to people who had come to the weekly market to buy their requirements and sell their produce.

4.3 When we met R.D. Ojha in Chaibasa, he was reluctant to talk to us. But at our persistence, he denied that any lathi-charge had taken place. He went on to add that Sec. 144 had been announced a couple of days before and said that 15 persons had been arrested in order to quell an armed and si ogan shouting crowd at Goilkera haat on 3rd November.

4.4 During our meeting with some of the lawyers in Chaibasa we were informed that an Acting SDO cannot impose Sec. 144 without specific notification from above. But there had been no such notification with regard to the imposition of Sec. 144 on Goilkera. The notification could not be produced by the government when demanded in court.

4.5 **Ichahatu** is a small village in hilly country about halfway down the Chaibasa-Goilkera forest road. It is a poor village of 25 families without much cultivable land, and its inhabitants are mostly dependent on forest produce. It is near Ichahatu on 6th November, 1978 that some adivasis were fired on by the police, and one of them was killed.

4.6 The official version of this incident is contained in a first information report lodged by the Block Development Officer of

Goilkera and, in gist, in the answer given to A.K. Roy in the Lok Sabha on 21st February 1979 which is appended to this report. The official version says that nearly 1000 armed persons, violating prohibitory orders under Section 144 of the CRPC gathered near Ichahatu and threatened to blow up a bridge on the Goilkera-Chaibasa forest road, and cut teak trees in the Santara forest nearby. Seven people were arrested for violating orders prohibiting public meetings but the crowd became violent and started coming forward to release the arrested people. Warnings were of no use, and lathi charge was ordered. But this too failed to have any effect, and the crowd encircled the police party as a result of which there was danger of rifle snatching and bodily harm to the police, who had to open fire in self defence and disperse the crowd. The firing led to the death of Maheswar Jamoda, so runs the official version.

4.7 We visited Ichahatu on 4th March 1979 and interviewed a large number of people including Antu Maria, who was injured when a bullet grazed the back of his neck, Bela Maria, one of the arrested, the mundas of Ichahatu and Noongri villages, the son of Maheswar Jamoda and others. On the basis of these interviews we have been able to reconstruct the happenings at Ichahatu on 6th November, as follows :

4.8 The munda of Ichahatu had called a meeting of local adivasis for the morning of 6th November to discuss the plantation policy of the Bihar Forest Development Corporation, in particular to discuss what the people wanted to do about the policy of replacing saal forest with teak. The Ichahatu Munda told us "We don't know why the government is cutting saal and replacing it with teak. We only know that saal is ours while the teak is not meant for us." The purpose of the meeting was to unite the different villagers on a common platform of action.

4.9 The meeting was held on ryoti land about three kilometers from the Santara forest and about half a kilometer from Ichahatu village. By mid-morning about 400 to 500 adivasis had collected and everyone we talked to said, "The villagers did not have arms". The villagers told us that the BDO, an adivasi himself, had stayed the night in Ichahatu with a police party in anticipation of the meeting and before noon (about 11.00 AM) he arrived at the site of the meeting accompanied by the daroga of the Goilkera police station. The BDO then talked to the Ichahatu Munda who announced that the officials did not want the meeting, that he was assured no more teak would be planted, and that the meeting was over. The Ichahatu Munda left almost immediately for his fields, the crowd started dispersing and the BDO and the police left to return to Goilkera.

4.10. The assembled villagers were slow to disperse and others were still arriving when suddenly at about 3.00 P.M. the BDO and the police party returned in three vehicles, this time in the company of some forest officials. The forest officials stayed in their vehicle but the BDO, daroga and some armed policemen got down. The BDO began to order the villagers to disperse immediately. The daroga was reported to have suddenly fired his revolver in the air. The Munda of Noongri rushed forward at that time and waved his hands to indicate that there was no need to fire and they were dispersing. But within a few seconds the police fired into the crowd killing Maheswar Jamoda of Noongri village and wounding Antu Maria of nearby Kasi Jora village. There was no warning, no Jathi charge and no tear gassing.

4.11 The police picked up the body of Maheswar Jamoda and collected the unconscious Antu Maria and took them away. They then went on a spree, arresting people indiscriminately. The scared villagers had fled when the firing started and nobody else was arrested from the site of the meeting. Nine people were arrested altogether as the police returned to Chaibasa. Some were picked up from the forest roads where they used to carry bows and arrows. Bela Maria, about 50, of Kasi Jora village, told us that he had not attended the meeting but was arrested at the main road when he indicated with his hand, the sun was about 30 degrees (about three in the afternoon). He was tending his goats and hens. He and another nine persons are implicated in several cases under sections 147, 148, 188, 225, 246, 307, 324 and 511 of I.P.C. This was their first experience with the police and courts in their living memory.

4.12. Regarding the alleged attempt to blow up the road bridge which is 3 kms away from Ichahatu, the villagers told us that the next day after the firing, a mukhia of a nearby village was seen setting fire to one arch of the 20-metre long bridge. The bridge has not been in use for a long time and the road bypasses it as a diversion.

4.13 Today, at Ichahatu village, as the road to the meeting place forks to the right, a flag sits atop a small memorial. This is Maheswar Jamoda's memorial, erected by the villagers. It is also evidence of what appears to us to be unjustifiable and brutal killing by an organised police force.

4.14 The Ichahatu firing raises a number of questions which need urgent answer. Why did the BDO and police leave in the first place and return later to the site of the meeting? Why didn't the BDO order a Jathi charge, as he claimed to have done in his F.I.R.? We can understand that it would be in the interest of all officials and policemen present to make up a story about the

events to cover up their own actions but why did the police party arrest people from miles away, people who were not even present at the meeting who were simply carrying on their daily lawful occupation? What was the basis of the report that teak trees were likely to be cut down or the bridge burnt? Who ordered the burning of the bridge the day **after** the firing? Did the police panic and fire, were they actually ordered to fire, was the whole disgraceful episode a spontaneous and ill-disciplined exercise of police power?

V INCIDENTS AT SERENGDA AND LONJO

5.1 Serengda, a village with a middle school, nestles in rich saal forest close to the Koel river. A stone's throw from the village is a naked hill slope where the Bihar Forest Development Corporation has cut down saal and planted teak saplings. The saplings are still shoulder high, and the barren hill is a daily reminder to the villagers of the interference in their lives they have been protesting in the course of the Jharkhand movement. It was in this village, on 25th November last year that police firing killed three people.

5.2 Last year, on Mahatma Gandhi's birthday, the villagers of Serengda responded to the call of the movement by symbolically cutting down some saplings in a nearby teak nursery. They were also alleged to have burnt down some temporary jhuggis. The police in the area identified Shailendra Mahto a young man in his twenties, as the leader of the movement in the area. He is charged with a long list of crimes and is wanted by the police.

5.3 After the October incidents a small police detachment was at first posted at Serengda. Subsequently, this was replaced by regular daily patrolling along the main Goilkera-Sereng-da road, a distance of about 29 kms. It so happened that on 25th November last year, a Saturday and the day of the Serengda weekly market, a strong police party of about a dozen armed men accompanied by the Block Development Officer of Goilkera came to the village and made themselves at home in the verandah of the school a few meters from the market and in full view of it, watching a thousand or more villagers doing their week's shopping.

5.4 As was usual, the village 'dakua' (dugdugiwala or crier) Boas Lumda, who makes public announcements for a fee of fifty paise, was at the market. He told us that a chowkidar of the village asked him to make two announcements: First, he asked him, to proclaim that prohibitory orders had been promulgated forbidding public meetings, and a little while later that there would be a public meeting the very next day, Sunday, 26th

November at nearby Jate village which would be addressed by Bagum Sumbrui, the Local member of parliament, and others. A Pamphlet announcing the meeting was distributed (which is enclosed.)

5.5 Boas Lumda says that after he made the announcements, some of the constables came to him to say, the daroga wanted to see him. He went to the school verandah and the daroga roughly asked him why he was announcing a public meeting when Section 144 was in force. Alongwith the questions, he was dealt a few lathi blows. At this, "I got up and ran back into the market," said Boas lumda. He was pursued by the police, caught hold of, and dragged back to the school verandah. All this angered the villagers in the market and some came to the school to find out why the police was "beating our man." There were sharp exchanges between the police and the crowd which had become pretty thick by this time with people coming from the market.

5.6 We asked a number of people: "Were the villagers armed as the police claimed?" We were repeatedly told, "No, we were not armed, we do not carry arms to the market." We asked, "Did you provoke the police, did you throw anything at them?" John Munda, the mukia of Serengda. was absent from the village on the day of the firing, but said that there was some stone throwing that day. We believe that the atmosphere was charged because the police had picked out one innocent man from the crowd and roughed him up in front of the crowd. The villagers demanded that the police release Boas Lumda.

5.7 Instead, the police opened fire, in all 12 rounds. As in Ichahatu there was no warning, no lathi charge, no tear gas. The first few shots were fired into the air, and went through the wooden beams of the school verandah. The beams have since been replaced and this was the first repair of the school building ever since it was constructed by the villagers. The next few rounds were then fired at the crowd. Two men, Somnath Lomga, (25) of Serengda and Dukia Honga, (45) of Tenda village were killed. A yong boy, Lupa Buhr. (12) was also shot dead. One of the injured, Maghi Munda, a frightened old man who looks more than 70, told us he had come to the market to buy some tomatoes and was returning home, past the school when the shooting broke out. A poor man who had bought just 250 gms. of tomatoes and had only 18 paise with him—both of which he lost after the firing—Maghi Munda showed us the bullet scar on his forehead. It was a miracle he survived at all; a few millimeter this way or that way and the bullet would have blown out his brains. After being shot, he says he just sat down and bled profusely till the police came and collected him, bundled him into their truck, and took him to Chaibasa. For his troubles, he spent the next three weeks in jail and is caught up in a web of cases—all because he

choose that day to buy a quarter kilo of tomatoes! Fourteen accused have been listed and charged under sections 148, 149, 188, 225, 307, 323 324, 337, 379 and 511 of IPC.

5.8 How do the authorities explain this incident? With remarkable dexterity! According to the first information report and the reply given in parliament to A.K. Roy's questions in February, the police party arrived at the village and soon afterwards sported Shailendra Mahto in the crowd. The policemen apprehended him but the crowd, a thousand strong and armed with bows and arrows and other weapons, attacked the police and attempted to release him. The crowd failed to disperse in spite of warnings and a lathi charge, and instead threatened the lives of people in the police party which had to open fire in self-defence.

5.9 We asked many people: "Was Shailendra Mahto in Serengda that day? Was he arrested?" The unanimous answer is "No", he wasn't there and he wasn't arrested. "It was Boas Lumda who was arrested." We asked, 'Was there a lathi charge?' Again, the answer is 'No' The effort of the authorities to cloak the facts by giving out what appears to be a fabricated version raises important questions. Why did the chowkidar ask Boas Lumda to make contradictory announcements? Was he tutored to do so? Was the police looking for an excuse to teach these adivasis a lesson' for daring to raise the slogan 'Jai Jharkhand'? Was there any justification for the police party to be lodged in the middle school and interfere with the normal life of the village? Or, if the whole thing is accidental, was the police party disciplined? Did it panic? Was it adequately led? All the incidents show that the police acts like ill-disciplined, ill-mannered outsiders prejudiced against the adivasis. Consider what happened at the village of Lonjo, a few days after the Serengda firing.

5.10 **Lonjo**, a village of about 400 homes in three clusters, about five kms. from the Sonua railway station in the main Calcutta-Bombay railway line, illustrates the arrogance with which the police and authorities treat the adivasis of Chota Nagpur and their customs.

5.11 Shailendra Mahto features in this incident as well. On 1st Dec. 1978 he visited Lonjo village in connection with an on-going agitation under the banner of the Jhar Khand movement. A few weeks earlier the residents of Lonjo village participated in the symbolic cutting of teak saplings in a nearby nursery. They had, before that, taken part in an agitation to guarantee the supply of bamboo to the large community of weavers in the area when the supply was disrupted by the activities of a private paper manufacturing concern.

5.12 The police learnt of Shailendra Mahto's visit and, believing him still to be at the village, paid a visit the following

morning, 2nd December, at 4 a.m. The police party was led by the daroga of Sonua police station. He led his men without warrant or warning to the house of Damo Sundi, a prominent resident of the village and searched his premises, rudely waking up the women and children. Not finding the man they were seeking, the police party then preceded to the house of Durga Sundi whose young son is alleged by the police to be a friend of Shailendra Mahto. Durga Sundi told us that the police misbehaved in the same manner as they had done at Damo Sund's house besides intruding into the family prayer room, a sacred spot where no outsider is permitted,

5.13 Indignant at this high handed behaviour, two young men, who know how to read and write, wrote a letter of protest on behalf of the village Munda, Motai Digi to the Deputy Commissioner. They sent copies to other appropriate authorities including the Sonua police station. In this letter the Munda, who signed 'it, complained about the intrusions and asked, 'Do you think this was a justifiable act on the part of the police?' He wrote that as Munda he was demanding an explanation of this unlawful intrusion which was totally prohibited by an Act of 1833 which has not been repealed. The letter dated 6 December 1978 is appended to this report.

5.14 The next thing they know, on the morning of 8th December, the daroga was back at the village with another police party at exactly the same time This time they went to the Homes of the concerned people, pushed their way in, upset grain bins, woke up everybody and took Durga Sundi,, Damo Sundi and the Munda, Motai Digi, with them to Sonua police station. There they were all abused and threatened for having insulted the police by writing a complaint and taken to Chaibasa in **handcuffs**. Durga Sundi was asked in Chaibasa to copy the ill-fated letter of complaint. He overheard two police officers saying that the handwriting did not tally. They were, nevertheless, kept in jail till 22nd January 1979 when they were released on bail of Rs. 650/-each.

5.15 Why did this happen to them? Because they protested an illegal trespass by the police and stood up for what any ordinary citizen would consider to be his natural rights in civilized country? If there we're 'other' charges against them, then why were they not arrested earlier, or on 6th December when the police had at first raided their houses. Needless to say, the district authorities—and others in Patna— did not see it fit to even acknowledge the protest.

VI. POLICE TERROR IN BAHARAGORA

6.1 The area under **Baharagora** thana about 90 kms from Jamshedpur constitutes the eastern end of Singhbhum district. It borders Bengal and Orissa, with the Suvarnarekha river flowing across into Bengal. In spite of its proximity to the river, the land in this area is generally rugged and not very fertile because of lack of irrigation. Most of the area is monocrop, growing paddy. Control over land is extremely unequal. For instance, in Olda village, the biggest landowner possessed over 35 acres of land, while most of the villagers had less than 3.5 acres and out of a total of 120 households about one-third had no land whatsoever.

6.2 During the last six months, a democratic movement for the implementation of minimum wage to agricultural labour has gathered momentum in this area. This movements is led by the Kisan Samitis (K.S.) of the CPI(M-L). As a consequence of this movement the prosperous landowners have been antagonised. They are using their goondas and the local police to terrorise the K.S. activists and break up the movement. So far the police have atrested 35 K.S. activists and are wanting to arrest another 41 activists. Besides, beating, harassment, breaking-in and asault on workers continue regularly. From our interviews with different section of the people in villages (Kumardubi, Jaganathpur, Gaharamora and Olda we have been able to gauge the extent of police-landlord terror that reigns in this area.

6.3 Bhujanga Das, a 27-years old graduate, is the Mukia of Kumaradubi village. He is convinced that the police at the behest of the land-owners are harrasing and victimising those associated with the minimum wage movement. He state that there was no demand for wage increase in his own village, where the rate had ben 2f kgs of rice per day. But in neighbouring villages like Parlia and Jaganathpur, much less used to be given. Wages there used to be 1 to 1-| kg of rice per day; but after the movement women get 2| kgs while men get 3 kgs of rice per day. However, even now some people force the labourers to sign for 3 kgs while giving them only 2 kgs. The Mukhia said that since the time he began participating in the Kisan Samitis movement, all the prosperous landowners and even his better-off relatives had become hostile to him. On 29 November 1978 he was arrested in Ekdal at about noon, while passing the police camp. He was not shown any warrant, nor were any reasons stated for taking him into custody. The night before we met him, i.e. 6th March, the police had come and searched some of the houses of activists. Earlier, they had beaten up some of the women-folk, including the wife and daughter of a Kisan Samiti activist. A 30 years old woman was beaten up in a police raid for allegedly providing shelter to political activists. The police also beat up

several other women. (Names are omitted as the persons apprehend further harassment). A poor peasant was arrested when he could not furnish information to the police about some activists. He was released the following day when the CPI leader Rabi Das intervened on his behalf.

6.4 On our way out of the village, we were stopped by a young man of 21, who told us that he was afraid to speak out in public as the landowners had threatened the K.S members and landless labourers with dire consequence. He along with his 5 brothers had less than one acre of land and had to do some business in paday to support his family He thought that the Kisan Samiti was helping the poor.

6.5 Similar tales of the landlord-police terror were narrated to us in Jaganathpur. The case of old Sulobala over 70 years age epitomises the attitude of the police. The old woman was in a state of shock and consequently could not remember exact dates. But according to her, the police had come with Shashodhar Pal, a notorious landowner of the area, to her little wayside cafeteria. They had beaten her and did not spare even her young grandson, broken up her shop and taken away the furniture. Not only this, they had taken away a substantial sum of money which had been given to her the day before by her son who works in the Musaboni copper factory and had received his bonus that day. Her things have been attached. The police were looking for Satya Dolui (30) her absconding son-in-law, alleged to be a 'Naxalite'. The old woman frequently broke down crying during the interview. It was a moving and shocking experience for the PUCL team.

6.6 In the next village which we visited, Onda, a number of men and women testified that the police often swooped on the village at night, searched houses and beat up people-Miloo Singh, Tarapada Pradhan, Haripada Das and Mamal Das-had been arrested from the village. Others like Prafulla Das, Sutia Das, Guhia Singh and Arjun Singh were still wanted by police. These were mostly K.S workers. Their relatives suffered constant harassment by the police. The sister of one of the activists arrested was taken by the police to Jaipura panchayat where she was interrogated by the ASI. Her brother, presently out on bail, had been beaten up by the police while in custody. Another woman complained that her son should not return to the village because of threats from the musclemen of the landlord. His only fault is that he is the son of an activist who has been arrested.

6.7 Karunakar Mahapatra is a prosperous landowner and money-lender of Goharamora village. According to the landless labourers whom we interviewed, some members of the K.S. (Kamal Das, Sujoy Jha, etc.) went to the house of Mahapatra on

November 18th to recover some mortgaged articles of. one, Ajambar Naik, who had died recently. They were able to recover some of the mortgaged articles that day but Mahapatra asked them to come the next day for the rest. When they arrived on the following day, they found that some goondas had been mustered, who captured Kamal Das and took him to the house of Raghunath Singh, another big landowner in the nearby village of Naya Basan. On hearing this, about 3500 to 5000 people gathered spontaneously and went in a procession to Raghunath Singh's house. The goon-das opened fire on the crowd and 9 members of the procession, including 3 women, were injured. Soon after, the police came, freed Kamal Das and dispersed the procession. But Sujoy and Kamal lodged a complaint with the police. On November 21st, three of Raghunath Singh's men were declared missing, and the police imposed Sec. 144 on the area. Three days later, the bodies of the missing men were found on the bank of the Suvarnareka. Within a couple of days the CPI (M-L) were charged with the murder of the goondas and Moni Chakravarty, who has been twenty years in the area organising the people, was arrested along with 11 others. Subsequently, Moni Chakravarty has been released on bail. The case is now subjudice.

6.8 A tribal couple was arrested on December and severely beaten by ASI Natobar Singh Their fault was that they had given evidence before the S.D.O. on December 3rd when some leaders were conducting an enquiry into the happenings in the area. An innocent by-stander was arrested for bringing food to them at their request, since they had not been given any food for two days in the thana. The couple are still in jail in Jamshedpur. On February 3rd a police force went to Ghaspada-Brahamankundu, a village near the Bengal border, where it had been reported that 250 Naxalites from Bengal had crossed over. These 250 were no more than people who were buying fireworks from the village for the festival of Makar Sankranti the next day. But the police descended on the village and beaten up people indiscriminately, including a number of women, on grounds of sheltering 'Naxalites'.

6.9 All the evidence set forth above indicate that the reign of terror in the Baharagora area is being perpetrated by the landowners and their retainers, along with the police. According to ordinary village people, it does not seem to be terror by the so-called Naxalites. While the police, as an arm of the law, is supposed to remain impartial and maintain law and order, they seem to have been protecting the interests of only the landowners and the rural elite.

6.10 However, Nemai Chand Das and Karunakar Mahapatra

have a different view of the tension that prevails in the area. Nemai Chand Das is a 52 year old middle school teacher cum-shopkeeper of Kumardubi village owning about 2.5 acres of land. He believes that the police had arrested only the Naxalites who were trouble-makers and dacoits and spared the peace-loving people like himself.

6.11 Karunakr Mahapatra is 75 years old, matriculate and a prominent landlord and money-lender of Goharmora village. He owns about 25 acres of land scattered in 5 different places in the village, most of which is irrigated by his own hand-pump. During our conversation with Karunakar Mahapatra, over a cup of tea, we learnt that agricultural wages had increased from 2.5. kgs. of 'dhan' daily as a result of the wage movement. He complained that people's courts (Jan-adalat) had unjustifiably imposed a fine of Rs.5000 on him. He expressed his concern about the forceful recovery by KS activists of a vessel mortgaged with him several years ago without repaying the debt. He recounted the three murders which took place on 21st November, which he himself had reported to the police. When the police visited his village on 27 November and enquired about the murders he gave the names of moni Chakravorty, Amiya Das and Sujoy Jha alleged to be Naxalites-as the trouble-makers. According to Mahapatra, though the tension in the area had subsided, the presence of the Police was necessary because the Nexalites could create trouble unexpetedly any time.

VII. OUR EXPERIENCE AT BAHARAGORA

7.1 Four members of our team, who had gone to the Baharagora area for investigations, were detained by the police and beaten with lathis and rifle-butts by the police and the strongmens of local landlords. This incident of 7th March 1979 is like the tip of an iceberg if the police and the henchmen of local vested interests do not hesitate to unleash their violence on outsiders who carry proper identification with them including letters to the state chief minister, then what these authorities and vested interests do to the poor is beyond imagination. In section VI we had described the repression unleashed on the poor in the Baharagora area. It seems consistent with the state of affaire in this part of Bihar that a civil liberties team investigating the loss of civil liberties should also have a vivid experience of being denied their own rights. VI we had described the repression unleashed on the poor in the Baharagora area. It seems consistent with the state of affaire in this part of Bihar that a civil liberties team investigating the loss of civil liberties should also have a vivid experience of being denied their own rights.

7.2 As was our practice wherever we went, we took the people in the area and others familiar with the events and places we went to investigate. To repeat, this help came from such public figures as members of parliament and members of legislative assemblies, senior officials in the police and the administration and volunteers, social workers and politicians, in addition to countless common people everywhere. In the Baharagora area, we sought among other people the help of the Communist Party of India (Marxist-Lenist) which has been trying to organise the rural poor to press for their rights, notably the right to be paid the statutory legal minimum wage. In the course of our visit we requested one member of this party, Prasm Goswami, who is in the state committee of the CPI (ML) , and an activist of the Kisan Samiti, Dilip paul, to accompany us.

7.3 After completing our investigations, at about 5.45 p.m. we started for Jamshedpur. But we hadn't gone a few yards when we noticed some children waving out to us. Thinking that some people were keen to talk to us and might give us additional information, we stopped the vehicle and alighted. We noticed three hefty persons, all in plainclothes, coming towards us. One was earring a revolver and two others were armed with lathis. Two of them were in a drunken state and armed with lathis. Their leader was extremely aggressive and asked "Who are you? What are you doing here ? Why have you been taking photographs ?" Without warning, he accused us of carrying bombs and weapons and said we were dacoits. Our team leader, Dalip Swamy, tried to soothe him and asked him to talk calmly. In response, one of the lathi-wielding plainclothesmen retorted, "This is the way the police have been trained to talk ; otherwise, it is not possible to handle people like you. " It is at this point that they introduced themselves. The leader was an ASI of police who later gave his name as K.B. Rai. Some of us saw him carrying a revolver. The ASI introduced the other two with him as constables. (ASI later disclaimed this saying they were members of the public) In the police station despite our repeated requests, the Executive Magistrate-Circle Offlcer-and the Inspector from Ghatsila denied to us any opportunity to identify these two constables.

7.4 We then introduced ourselves to the three men, showing the letters we were carrying, one from V.M. Tarkunde of PUCL addressed to the Chief Minister of Bihar. We also explained the purpose of our visit. At first this seemed to placate him, and he began to narrate his version of events in the area, constantly accusing the CPI (ML) of creating terror, extracting money, and conducting people's courts. He said the Naxalites were responsible for killing farmers. Meanwhile, the constables kept up their barrage of abuses, wielding their lathis in a threatening

manner. And, very soon a crowd of villagers gathered. Meanwhile, Mahapatra had also arrived on the scene. When Professor Swamy confronted him to the ASI, Mahapatra denied that we had misbehaved with him—an allegation made by ASI Rai. The police seized the keys of our vehicle and forced us to move with them to the camp. It is at this point that ASI Rai brought out his revolver in full view of all. The message was clear to each of us: we were captives. Through out this interface we persistently reminded the police party that they should act in accordance with the law but their only response was that they would beat us up or they would shoot us dead.

7.5 A few minutes later, the ASI asked for the identities of the persons accompanying us. When he heard the name of Parasun Goswami, he went berserk. Losing control of his temper he shouted at Goswami who, it transpired, had written a letter of complaint to the higher authorities asking for an apology from the police for their mal-treatment of some Kisan Samithi activists. Rai tried to take Goswami from us, threatened to shoot him dead, and beat him up naked. We tried to reason with the ASI asking whether there was any criminal case or warrant against Goswami and reminded him not to take the law into his own hands. And, we said, if the ASI planned to take Parasun Goswami, he should take us all to the Baharagora police station so that the issue could be settled peacefully and in full accordance with the process of the law. Rai refused to take us to the police station and insisted that he would deal with us at the police camp. The constables in plainclothes pulled Dilip Paul from the jeep where he was sitting, and began to beat him up.

7.6 As we progressed down the path towards the camp, the police began to incite the crowd. We were naxalites, we were murderers, they shouted. They beat Paul and Goswami as we went towards the camp and some of us also received lathi blows. The police snatched our bags and luggage and Paul's bag with Rs. 80/- in it, was never returned to him. When they were reminded that we had appointment with the Chief Minister and that we would explain all that to him, we were told by the ASI that the Chief Minister could not do any thing to him and that he was discharging his duty. At the camp we were seated together as the ASI sent a message to the Baharagora police station. And what a message ! He told the police station that he had captured a gang of dangerous naxalites together with bombs and revolvers while they were trying to escape in their jeep. After about two hours a police party accompanied by the Circle Officer (who is an executive magistrate) came to the camp and again the ASI repeated this. At no time did he try and correct this impression.

7.7. At the police camp, the two constables and Rai began to

collect people. He sent for people by name, and very soon there was a large crowd of hostile villagers, armed with lethal weapons like lathis, spears, bows and arrows and large knives. Despite our repeated requests the ASI refused to disperse the crowd, saying that no harm would come to us unless he, Rai, ordered it. Instead of trying to calm things down, Rai and his two constables kept up a provocative commentary for the crowd. The ASI brought forward an old man and said he was the father of a victim of alleged Naxalite violence, and demanded that we should take down his statement. We obliged him, but as we started writing, another villager, who said he was the dead man's brother, came forward, snatched the notes from our hands and tore them to shreds. Then, the ASI took one of us to a spot to show him where naxalites were supposed to have thrown bombs. (There was nothing there). Again, the ASI brought forward a child allegedly the five year old son of the supposed victim, and described his wretched condition loudly in front of everyone. These tactics were extremely successful : the crowd grew more and more hostile, and restless.

7.8 By about 8.00 in the evening the circle officer and an armed police party arrived. The ASI identified us as the 'dangerous naxalites'. We tried to talk to the executive magistrate (though at that point we did not know who he was) and told him we were an investigating team and not naxalites, but he refused even to listen us. Instead, he ordered to search us and to take us to the police station in the jeep. He took no precautions to ensure our safety. When we moved towards the jeep, the crowd began to attack us from all sides. Some of the policemen joined in, and there was no police cordon to hold back the armed men. In the melee, Dilip Swamy was kicked from behind. Thrust forward he jumped into the jeep. One by one we followed but those who came in last, notably Aurobindo Ghose and Anjan Ghosh, were badly beaten. Ashok Panda, Dilip Paul and Parasun Goswami sustained severe contusions. Aurobindo Ghose lost his spectacles, and received a wound below his left eye which bled continuously for the next eight hours. As a result of this beating, Dilip Paul had to be admitted to the M.J.A. hospital in Jamshedpur the next day.

7.9. We were taken to Baharagora police station by about 8.30 p.m. but were not able to get any first aid or medical attention. There the Circle Officer identified himself and claimed that, he had saved us from the armed mob by telling them he would do to us in the police station what they wanted to do to us in the fields. Whether this was a reference to the beating we were given or whether the crowd planned to do away with us altogether, we don't know, but throughout the time we spent in the police station we were afraid for our lives.

While we were at the police station, about a hundred villagers suddenly arrived there. At our request, the circle officer ordered the crowd to go out of the police station.

7.10 ASI Rai got Karunakar Mahapatra, our host at Gaharamora village, to file a complaint of trespass. Rai also threatened the driver of our hired jeep with death and destruction of his jeep if he didn't make a statement favouring the ASI's version of the events. The inspector from Ghatsila arrived and told us since there were complaints against us we should execute personal bonds before the Executive Magistrate and then would be allowed to leave. We did this and also filed a first information report about the incident. The FIR was written in a hurry and in a tense situation and obviously, therefore, it was incomplete. We were then searched and at about 3.00 in the morning allowed to leave for Jamshedpur. We had a police escort for a part of the journey.

7.11 On reaching Jamshedpur by 5.40 a.m. the driver of our hired jeep (trekker) told us that he too was beaten up and the police had taken his previous day's cash of Rs. 90/- which he did not report at the police station as he was thoroughly scared. Why should the police, living up to its well-established reputation, spare a poor driver who had unwittingly carried some persons, later alleged to be Naxals by the police on that fateful day from Jamshedpur to Baharagora village. Sparing him would have been, shall we say an act of favoritism on the part of the police! The terrified and victimized driver decided not to ply his taxi on the road to Baharagora, around which "innocent people are subjected to such harassment." But, unlike the driver, the poor landless labourers have no alternative but to continue living in an atmosphere of perpetual terror and exploitation. This gives a flavour of the state of civil liberties and democratic rights in Singhbhum.

Sd/-

Dalip S. Swamy

Suman Dubey

George Mathew

Anjan Ghosh

Aurohindo Ghose

Ashok Kumar Panda

Delhi

March 23, 1979

APPENDIX I

LOK SABHA UNSTARRED QUESTION NO: 266

(TO BE ANSWERED ON THE 21ST FEBRUARY, 1979)

Adivasis Killed in Police Firing in Chhotanagpur, Bihar

266. Shri. A.K. Roy

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of Adivasis killed in police firing in Chhotanagpur (Bihar) during the year 1978, their names and the causes of firing, and the facts in details;
- (b) whether C.R.P. is involved in the firing in any case;
- (c) whether there has been any judicial probe into any of the firings; and
- (d) whether Central Government propose to have a probe in the atrocities on the Adivasis in Bihar?

Minister of state in the Ministry of home affairs (Shri Dhanik LalMandal)

- (a) The total number of Adivasis killed is 5(five). Names and details are given in the statement attached.
- (b) The CRP was involved in the firing incident at Simdega on 3.8.1978.
- (c) The State Government had ordered magisterial enquiries in all cases,
- (d) The subject matter falls within the purview of the State Government.

Statement mentioned in the reply given to Lok Sabha Unstarred Question No.266 answered on 21.2.1979.

1. Number of adivasis killed in police firing in Chhotanagpur (Bihar) during 1978 5(five)
2. Names of adivasis killed
 1. Shri Maheshwar Jamoda
 2. Shri Lupa Munda
 3. Shri Somanath Longa
 4. Unidentified
3. Facts, details and cause of firings.
 - (i) Place-Simdega: Dist, Ranchi, Date 3.8.1978.

About four thousand Adivasis surrounded Simdega Jail, attacked the police party and caught hold of the Jailor. The Magistrate on the scene was injured. The mob failed to disperse on warning. Firing was ordered as a result of which one unidentified person was killed.

- (ii) Place—Village Ichahatu, District : Singhbhum. Date: 6.11.1978.

An unlawful assembly of about 1,000 armed persons defied prohibitory orders under Section 144 Cr. P.C. and threatened to blow up the bridge over Goelkera-Chaibasa Road. They also threatened to cut down teak wood trees in Santara forest range. Seven leaders were arrested for violating prohibitory orders. The mob became violent and came forward for the rescue of arrested persons. Warnings, followed by Lathi-charge proved ineffective. The mob surrounded the police parties resulting in imminent threat of arms being snatched from the police. The lives of the police party were in imminent danger. Firing was resorted to, resulting in the death of one person by name Maheshwar Jamoda. (iii) Place—Village Serengda, District Singhbhum. Date: 25.11.1978.

A police patrol party arrested one Shri Shailendra Mahto, who was accused in cases of illegal felling of trees. The arresting party was attacked by about one thousand armed persons, injuring all policemen and the accompanying magistrate. Firing was resorted to, to prevent the snatching of arms and protect the lives of the patrol party. Three person, Shri Lupa Munda, Somanath Longa and one unidentified person were killed.

APPENDIX II

Extracts from the Report of the Commissioner for Scheduled Castes and Scheduled Tribes, 1975-1976 and 1976-1977, Part I TRIBALS AND FORESTS

7.30 The importance of forests in the economic and social life of the tribals is well known. It is recognised that even in the case of settled tribal cultivators, forests constitute not only important subsidiary means of livelihood, but also emergency reserves on which they can fall back in times of crisis. Unlike, non-tribal peasantry, most of the tribals do not have reserve stock in the form of ornaments or other valuable possessions.

7.31 Some forests are directly controlled and managed by the forest departments whereas others are community or panchayat forests and some are even under the ownership of individual persons.... In the past, the forest management was primarily concerned with the production of timber needed by the government and industries for railways, ship buildings, plywood industry and paper mills and so on. Though some of the rights of the forest dwellers utilising the forest products for domestic consumption were recognised by the Government, it was more the nature of charity and there were not much concern for the development of forests to meet the requirements of the people. It is necessary to make a multidimensional approach to forest planning involving integration of agriculture, animal husbandry, horticulture, water and soil conservation along with provisions for fuel and exploitations of forests for productive purposes. There is need for greater involvement of local people in administration, management, exploitation and marketing of forest products.

7.32 It has been observed that the rights of the tribals about the collection of minor forest produce for better sale are increasingly being curtailed on the plea of protection of forest wealth and nationalisation of these products by the forest department.

The tribals are required to work as labourers either under the departmental programmes of collection of minor forest produce or for contractors/forest labourers cooperative societies who take contract from the forest department for collection of minor produce. At times they are allowed to collect the minor produce, but they have to sell it to forest agents. The working conditions of the forest labourers including remuneration they get for their labour should be reasonably fixed by all the state governments. Payment of minimum wages should be ensured to all workers. It has, however, been observed that though profits earned by the forest departments after nationalisation of the minor forest produce have increased, - the conditions of tribals who are engaged in the collection of minor forest produce have not substantially improved. The operations of collecting forest

produce give employment to the tribals for a few months only. With the emphasis on providing full employment, it is necessary that steps are taken to set up small and medium scale primary processing units in the tribal areas to provide gainful employment to the tribals. The efforts of the Forest Development Corporations should be to teach skills to the tribal workers so that non-tribals are not required to be brought to the tribal areas for skilled and semi-skilled jobs. Efforts must be made to link up the forestry programmes with the welfare of the tribal communities. For example, in Kerala the Tribal Welfare Department has organised all the fuel collectors in a cooperative society in one project area. The members of the society have been given the right to collect fuel wood from the area from which they were traditionally gathering it and it is also proposed to plant a special felling series of fuel wood. In the same state, in the hills of Palgnat district the tribals had rights of collection of cardamom in the reserved forests. By organising cooperative societies, the Tribal Welfare Department have provided technical help in processing and marketing of cardamom and eliminated the traders and thereby the income of the tribals has increased manifold.

7.33 The National Commission on Agriculture suggested a massive programme of social forestry. This programme can only succeed in tribal areas if full cooperation of tribal communities is secured. A high priority should be given to the plantation of the quick growing species of trees which would supply fodder, fuel wood and materials for housing and village industries. Production activities should be undertaken by the village communities through their co-operatives in collaboration with traditional corporate institutions. In the management of forests there should be close collaboration between the technical personal of the forest departments, various official and non-official agencies, researchers and informed leaders of the local community. Forest labourers co-operative societies should be promoted and successfully run not only for extraction of raw materials but also for processing. The privileges and concessions of the tribal people in villages should be published in the various regional language in the form of booklets for free distribution among tribals.

29th December, 1977

Sd/-
Shishir Kumar
Commissioner

APPENDIX III

Substance of Resolution Passed in Forest Ministers Meeting on 12th July, 1978, New Delhi.

Items : Measures for comprehensive planning with tribal development and forestry development as complimentary elements,

Resolution Accepted

1. There should be comprehensive planning in all the integrated tribal development areas in which development of the forests should form an integral part.
2. In forest rich regions forestry based economy may be planned in which agriculture may be assigned a secondary position.
3. Needs of the local economy should get the highest priority in the forestry programmes planned for each region which should influence the areas of plantation and trees species to be planted and their phasing.
4. The tribal should be actively associated in a larger plantation programme giving rights on the trees and usual trust in plantation outside the tree reserved forests in those areas where the forests are depleted.
5. Forest officers may be taken as project administrators in selected project where it is envisaged to plan forest-oriented economy.
6. The programme of re-formulation of developmental and forestry schemes may be taken up as a time bound programme to be completed with the next one year, so that the new policy gets reflected in the new series of projects corresponding to medium term plan 1978-83.

Item : 1. Minor Forest Produce—Arrangement for collection, purchasing and their development.

Resolution Accepted

1. The tribal has full right on minor forest produce which should be duly recognised;
2. The marketing of minor forest produce should be organised entirely through the co-operatives so that full benefits can be passed on the primary collector of the minor forest produce;
3. The incidence of royalty and operational cost should not be passed on to the primary producer and absorbed by the system. If some areas the co-operatives have not been reorganised the purchase should be done directly by the forest department, or other Government departments without employing middle man in anyform;
4. The co-operative societies should be given a special status for the collection of minor forest produce and should not treated as any other contractor;
5. A comprehensive programme of first proceeding of minor forest produce within the tribal areas should be taken up as part of the tribal development programme to be completed within a period

of two years. The first proceeding of minor forest produce collection should be credited, ploughed back to the primary producer and collector;

6. A big programme of regeneration of minor forest produce resources should be taken up as a part of forestry programme plantation and plantation outside the reserved forests with limited ownership of the tribals and/or community.

Item 3. Forest Labour in Tribal areas-Its organisation in cooperatives and participation in management.

Resolution Accepted

1. A positive programme of organizing Forest Labourer's Co-operative societies may be taken up in all the tribal areas by the tribal development administration in association with the forest department;
2. All forestry work, to the maximum extent possible, should be operated through the forest labourer's Cooperative Societies with whom a special relationship should be developed as a partner in the development of the concerned areas;
3. The wages of forest labourers whose operations are not through co-operative should not be lower than the minimum agricultural wages of permanent wages in other sectors of economy in the same areas. These rates should be decided in fresh project area by a committee comprising the representatives of tribal development administration, forest department and people's representatives;
4. A time bound programme should be prepared for organization of forest Labourer's Co-operative Societies spread over a period of not more than two years through out the tribal area. This should be in the form of a movement. As this programme picks up the societies and their representatives should be associated in the management of forest resources in the local areas;
5. The composition of the forest labourer's co-operative societies should exclusively be that of actual workers in the forests and should effectively exclude outsiders, non-worker members.

Item 4. Commercial Forestry and Tribal Development.

Resolution Accepted

1. The programme of commercial forestry should be taken up in the tribal areas after fully considering the implications in the local tribal economy. In the more backward areas a preparatory stage with intensive programme of social services should be envisaged so as to prepare the community for a forest peace of economic development;
2. The development of the tribals in the likely areas of influence of new programmes should be a part of commercial forestry programme. The arrangement for implementation of this part of the programme should also be spelt out in the project itself so that it

could be ensured that there is simultaneous implementation of the programme.

3. A representative of the tribal development administration should be associated right from the project formulation stage to its implementation.
4. In other forestry project involving displacement of tribals their full resettlement should be a part of that project. Here also the tribal development administration should be associated from the early stage of conception of the project;
5. All the consisting commercial forestry projects and special projects having implications for tribal economy should be reviewed so that correctives can be taken without any further loss of time. This work may be completed within one year so that adequate provision can be made in the concerned sector in the next medium term plan 1978-83.

Item 5. Management of Forest Villages.

Resolution Accepted

1. In those states where the tribals have not been given inheritable but inalienable right over the land which they cultivate may be given these rights without any further loss of time;
2. The position should be revised and all the social services and economic development programme should be extended to forest villages also on the same lines as for other people in the area.

APPENDIX IV

Letter Written by the Munda of Lonjo Village to the Deputy Commissioner, Singhbhum

Sender : Name of Munda - Motai Digi
Village : Lonjo, Sonua Block
P.O. : Lonjo (Via Sonua)
District : Singhbhum (Bihar) Pin: 833 105.

To

The Hon. Deputy Commissioner,
Singhbhum, Chaibasa.

Sub : Illegal search without warrant by police on the premises of
my ward of Lonjo.

Sir,

I regret to inform you that on 1st December, 1978 at about 4.00 A.M. a party of some 20 armed policemen with guns intruded into Lonjo village that is under my jurisdiction without intimation or permission. The most

astounding and painful part of it is that they were without any kind of written warrant or notice to conduct the search.

This police party unwarrantedly entered the houses of two villagers of this area, named Mr. Durga Sundi and Mr. Damu Sundi, trampled under foot and scattered the bundles of paddy here and there. The most sad part of it was that the sleeping women and children were rudely awakened by flashlights shown in their faces and simultaneously shouted at and threatened loudly. In addition to this, the armed police wearing their boots intruded into the sacred area of worship where the Adivasi does not permit anyone but his family to enter.

Do you think this was a justifiable act on the part the police? As munda of my village, Lonjo, I demand an explanation from you: Why has the police intruded in this unlawfulmanner without my permission and without informing me, into the area under my charge? This kind of violation of our area under a Munda is totally unlawful under the Bengal Reg. XIII of 1833. I demand a clarification and apology from you for this illegal intrusion by the police.

Thanking you,

Yours faithfully,
(Motai Munda Digi)
Village Lonjo

CC :

1. Commissioner, Chotta Nagpur, Ranchi, Bihar
2. Home Minister, Bihar, Patna,
3. Inspector General of Police (Bihar) Patna.
4. Superintendent of Police, Chabara, Singhbhum.
5. Block Development Officer.
6. Thana in Charge, Sonua,
7. Mukhia and Munda (Sonua Block).
8. Editor, Jharkhand Time, Main Road, Ranchi

APPENDIX V

List of Persons Arrested after 19th November, 1978 from Baharagora

<i>Sl. No.</i>	<i>Name</i>	<i>Date of Arrest</i>	<i>Date of Remand</i>	<i>Date of Release</i>
1.	Shri Bhagan Tudu S/o Bisworath Tudu	21.11.78	23.11.78	29.1.79
2.	Shri Satrugan Singh S/o Jonjo Singh	21.11.78	23.11.78	Still Jail
3.	Moni Chakraborty	26.11.78	27.11.78	31.1.79
4.	Shri Pulin Singh	25.11.78	26.11.78	3.2.79
5.	Shri Atul Singh	25.11.78	26.11.78	3.2.79
6.	Shri Nabin Singh	25.11.78	26.11.78	3.2.79
7.	Shri Parameswar Nayik	25.11.78	26.11.78	Still Jail
8.	Shri Milu Singh	25.11.78	26.11.78	Still Jail
9.	Shri Tara Chand Pradhan	25.11.78	26.11.78	Still Jail
10.	Shri Jyoti Mahar	25.11.78	26.11.78	9.2.79
11.	Shri Santosh Mahar	25.11.78	26.11.78	9.2.79
12.	Shri Matar Munda	25.11.78	26.11.78	Still Jail
13.	Shri Kiran Mundain	25.11.78	26.11.78	5.2.79
14.	Shri Bhujanga Bhushan Das	29.11.78	1.12.78	15.2.79
15.	Shri Kailash Ch. Das	29.11.78	1.12.78	15.2.79
16.	Shri Kalipada Das	29.11.78	1.12.78	15.2.79
17.	Shri Haradhan Bera	12.12.78	13.12.78	Still Jail
18.	Shri Haripad Das	25.12.78	26.12.78	„
19.	Shri Sikdeo Munda	28.12.78	30.12.78	„
20.	Shri Phulmoni Dasi	28.12.78	30.12.78	„
21.	Shri Gunadhar Naik	31.12.78	4.1.79	„
22.	Shri Urdhab Naik	31.12.78	5.1.79	„

23.	Shri Brahmananda Majhi	1.1.79	1.1.79	„
24.	Shri Kaila Bag	1.1.79	4.1.79	„
25.	Shri Swapan Chakraborty	30.12.78	30.12.78	„
26.	Shri Galadhar Kumhar	21.12.78	22.12.78	„
27.	Shri Lalmohan Singh	9.1.79	10.1.79	„
28.	Shri Mangal Singh	9.1.79	10.1.79	„
29.	Shri Satrugan Singh	9.1.79	10.1.79	„
30.	Shri Budhu Singh	9.1.79	10.1.79	„
31.	Shri Sukurmoni Singh	9.1.79	10.1.79	„
32.	Shri Indi Mundain	9.1.79	10.1.79	„
33.	Shri Binod Naik	9.1.79	10.1.79	„
33.	Shri Gunadhar Pal	9.1.79	10.1.79	„
35.	Shri Kanai Lal Dug	9.1.79	10.1.79	„
36.	Shri Sanatan Singh	22.2.79	23.2.79	„
37.	Shri Bhim Singh		1.3.79	„

The above persons are involved in the following cases, some are involved in all the cases and others have been given 1,2,3 Nos. cases:-

1. Baharagora P.S. Case No. 7/1978,
G.R. Case No. 685/78
2. Baharagora P.S. Case No. 6/1978.
G.R. Case No. 687/78
3. Baharagora P.S. Case No. 2(ii)/1978, **G.R.**
Case No. 691/78
4. Baharagora P.S. Case No. 11/1978,
G.R. Case No. 711/78
(25 persons still in Jail)

APPENDIX VI

बिरसा भगवान की जय !

मुण्डा महासभा की जय !!

प्रिय भाइयों और बहनों,

आप सबों को विदित करते हुए अपार हर्ष हो रहा है कि आगामी दिनांक २६-११-७८ दिन रविवार को १२ बजे दिन से ग्राम जाते (सोनुवा प्रखंड) डाक बंगला मैदान में एवं २७-११-७८ दिन सोमवार को १२ बजे दिन से ग्राम कोईड़ा (गोईलकेरा प्रखंड) में मुण्डा महासभा का आयोजन किया गया है।

अतः आप सबों से निवेदन है कि इस सभा में हजारों-हजार की संख्या में पधार कर सभा को सफलीभूत करें।

विचारणीय विषय :—

- (१) मुण्डा खुटकटी का हक-हकीयत के सम्बन्ध में विचार।
- (२) मुण्डा समाज के पौराणिक परम्परागत पर विचार।
- (६) सी० एन० टी ऐक्ट के आधार पर मौलिक अधिकार पर विचार।
- (४) इस क्षेत्र के गरीब आदिवासियों के विकास के सम्बन्ध में विचार।
- (५) शिक्षा एवं चिकित्सा पर विचार।
- (६) अलग प्रान्त की मांग के सम्बन्ध में विचार।
- (७) शिक्षित बेरोजगार के सम्बन्ध में विचार।
- (८) बिहार सरकार द्वारा इस क्षेत्र को आकाल ग्रस्त क्षेत्र घोषित करने की मांग।
- (९) बिहार वन निगम (कार्पोरेशन) के सम्बन्ध में विचार।
- (१०) मानकी मुण्डा के अधिकार एवं कर्तव्य के सम्बन्ध में विचार।
- (११) अन्यान्य।

इस सभा में :—

(१) श्री बागुन सुम्बरुई (संसद सदस्य) (२) श्री रुद्रप्रताप सारंगी (संसद सदस्य) (३) श्रीमती मुक्तिदानी सुम्बरुई (विधायक) (४) श्री हाथीराम मुण्डा (लड़ाकु नेता) (५) श्री जगन्नाथ बांकिरा (विधायक) (६) श्री खुदिया पाहन (विधायक) (७) श्री छोनास खालको (लड़ाकु नेता) इत्यादि विशेष अतिथि के रूप में पधार रहे हैं।

विनीत :—

१. श्री नयन सिंह, मानकी (मुखिया)
२. श्री बनमाली सिंह पूर्ती (मुखिया)
३. श्री रूटा मुण्डा (मुखिया)
४. श्री रेवा मुण्डा (मुखिया)
५. श्री छेदी राम (सरपंच)
६. श्री घनश्याम मुण्डा (सोंगरा)
७. श्री खैरा सिंह मुण्डा (सोंगरा)
८. श्री अमर वोदरा (सरपंच)
९. श्री बुधवा मुण्डा (विरदा)
१०. श्री सिगराय मानकी (सोंगरा)

इत्यादि।