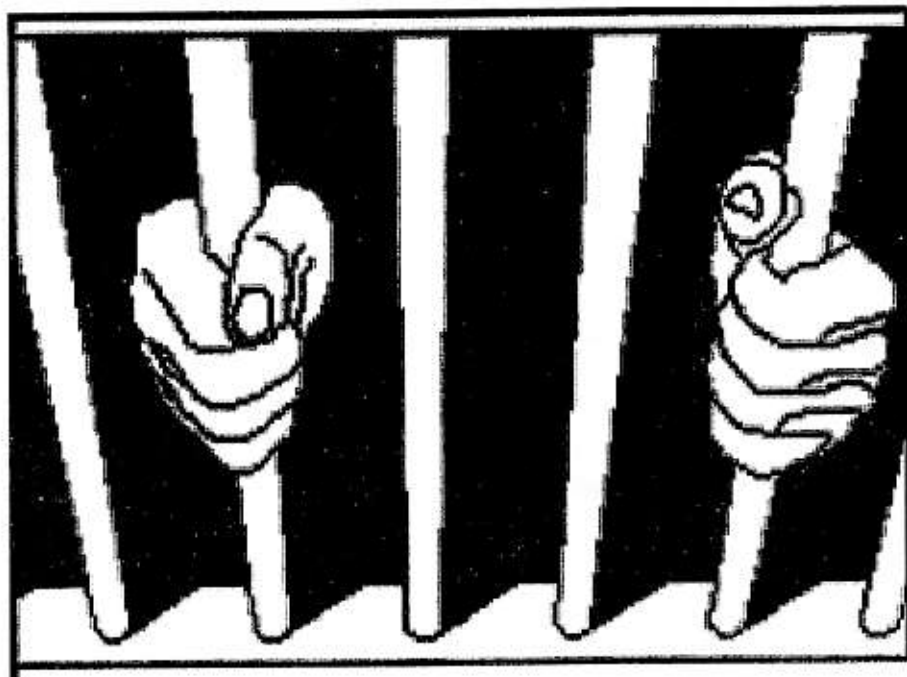


Caged behind bars

Inquiry into the hunger strike by 13 undertrial prisoners of Nagpur Central Prison protesting victimization of political activists



**Report
of a
Joint Team of CL & DR Organisations
July 2008**

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PREFACE

Thirteen undertrial political prisoners incarcerated in Nagpur Central Prison were on a hunger-strike from 7.4.2008 till 3.5.2008 having raised demands pertaining to general conditions of prisoners in jail and also specific targeting of political undertrials. The undertrials called of their strike on the promise of representatives of activists belonging to democratic rights organizations that this issue would be taken up at a larger level by the civil liberties and democratic rights groups (CLDR). A meeting of the members of the CLDR organizations was held in Mumbai on 18.5.2008 and this issue was discussed. It was decided that a joint fact-finding team, consisting of representatives of civil and democratic rights groups from all over Indian would visit Nagpur and meet the prisoners and also look into the state's response to the issue raised by the hunger strikers. Therefore, a team consisting of representatives of civil and democratic rights groups from Hyderabad, Delhi and Mumbai visited Nagpur city on 5.7.2008 to conduct the fact finding. The members of the fact finding team were D. Suresh Kumar, Andhra Pradesh Civil Liberties Committee (APCLC), K. Murali, Human Rights Forum (HRF), Ujwal Kumar Singh, People's Union for Democratic Rights (PUDR), Monica Sakhrani, Committee for the Protection of Democratic Rights (CPDR) and Apoorva Kaiwar, Advocate, Mumbai.

The team had also read a report which appeared in the Mumbai Mirror regarding social profiling of students being done in Nagpur by the police in order to ferret out potential naxals. The team members were also informed that a circular had been issued to colleges in Nagpur asking for details of students who had gaps in their education to be submitted to the police to screen students on the ground that colleges are the hub for potential maoist activities. The team decided to look into this issue also.

The Terms of Reference of the team were:

- (i) to inquire into the demands of the hunger-strikers;
- (ii) whether the demands of the hunger-strikers are justified;
- (iii) to inquire into the interference of the police in the running of colleges;
- (iv) to inquire into the targeting of student activists by the police.

The team decided to look at the enquiry as:

1. Issues concerning undertrial prisoners who were on the hunger fast
2. Issues concerning students

The team was refused permission to meet the prisoners and was shocked by the deliberate concerted attempts by all the organs of the state- administration, prison officials, police and the judiciary- in maintaining a complete silence over the legitimate demands of the hunger strikers. There has been no response towards the genuine demands which are within the constitutionally guaranteed rights granted to prisoners and concern basic issues relating to the rule of law.

THE REPORT

Introduction

Over the last few years, there has been a spurt in the number of people being arrested on allegations of being Naxalites. Andhra Pradesh, Chattisgarh and Maharashtra, particularly in areas like Chandrapur, Gadchiroli and Nagpur which have experienced peasant struggles around issues of land and livelihood, have reported the maximum number of arrests. These arrests have been facilitated by a range of draconian laws. Laws like the Unlawful Activities Prevention Act (2004) and the public security acts operating in different states ban the activities of Marxist-Leninist groups and permit the arrest of persons merely on 'suspicion' of being a member of such a group or having any 'association/sympathy' with such groups. All persons arrested under these laws are denied bail for long periods of time, and are subjected to ill-treatment inside the prison. Police torture of those arrested, particularly those arrested on suspicion of being Naxalites, has frequently come to the notice of civil liberties and democratic rights organizations. Historically, it has also been seen that political prisoners have resorted to hunger-strikes for improvement of prison conditions. They have drawn attention to the specifically appalling treatment

handed out to them in contravention of the rules laid down in prison manuals. Apart from asking for the fair implementation of the provisions of prison manuals, they have also identified provisions that are unjust and inhumane, which needed to be changed.

The Prisoners And Their Demands

In this particular case, about 13 undertrial prisoners lodged in Nagpur Central Jail (namely Murli @ Ashok Reddy, Arun Ferreira, Dhanendra Bhurule, Naresh Bansode, Lata Prakash Gauda, Ramu Salame, Sanjay Madavi, Anil Mamhani, Babasaheb Saimote, Raoji Tulavi, Fagulal Madavi, Dayaram Pandhre and Vishwanath Kulmetha) for alleged naxal activities went on a hunger strike

DEMANDS

of the hunger striking prisoners

- ♦ The Maharashtra police should stop the practice of branding social organisations and activists as Naxalites or Naxal sympathisers.
- ♦ Undertrials accused of offences for alleged Naxal links should not be kept in solitary confinement, instead they should be kept together in a common general barrack.
- ♦ Time period for interviews between prisoner and family or friends should be extended to 30 minutes, and during such interview the family member or friend should be allowed to hand over eatables to the prisoner.
- ♦ Undertrials should be permitted personal interviews with their lawyers without separation by a grill.
- ♦ Telephones should be installed in each barrack.
- ♦ Undertrials should not be compelled to wear uniforms generally worn by convicts.
- ♦ Persons accused as Naxalites who have been acquitted by the courts should not be re-arrested on release under preventive detention laws, and any person so re-arrested should be unconditionally released.
- ♦ Section 110 of Criminal Procedure Code should be repealed as it is being used like a penal provision to arrest persons and deny them bail.

from the 7th of April to 3rd of May 2008. The demands raised by the hunger-striking prisoners focused on the specific treatment being meted out to them, the prison conditions in general and the treatment of under-trial prisoners in particular [See box on page 3].

On 11th April the prisoners addressed a letter to the editors of various newspapers, pointing out that their demands were not being considered by prison authorities. Civil liberties and democratic rights organizations felt that an All-India fact finding team should enquire into the demands of the prisoners and the response of the establishment to the said demands. In addition to this, given that a number of student activists had been arrested under charges of being "naxalities" and there were newspaper reports of profiling of students¹, it was important to also enquire into these reports.

It was felt that a fact-finding was essential to ascertain whether the prisoners were being persecuted and denied basic rights for their political beliefs and whether under the pretext of curbing naxal activity, the state administration and the police were targeting students, especially those coming from specific districts.

A fact-finding team consisting of members from Andhra Pradesh Civil Liberties Committee (APCLC), Human Rights Forum (HRF), Peoples Union for Democratic Rights (PUDR), Committee for the Protection of Democratic Rights (CPDR) and independent lawyers, visited Nagpur on 5 and 6 July 2008. They visited the Nagpur Central Jail and met the concerned police officers, jail authorities and civil administration to enquire into the above issues.

Prior to visiting Nagpur, a written request was made to the Superintendent, Nagpur Central Prison to fix a time when the team could on 5th July, meet with him and the hunger-strikers. It was only on the evening of 4th July that the team was told that the permission of Mr. Surender Kumar, DGP [Prisons] would be necessary if the team wished to meet with the hunger-strikers. Hence, with a prior appointment the team went to meet with Mr. Surender Kumar on the 5th July at 12.00 noon. The team was refused their request for being allowed to meet with the hunger-strikers, on the ground that the Prison Manual only permitted relatives and advocates to visit prisoners. The team then informed Mr. Surender Kumar that members on the team included lawyers, and that in fact, Mr. D. Suresh was Murli @ Ashok Satya Reddy's lawyer in Andhra Pradesh. Mr. D. Suresh was asked to prove that he had represented as a lawyer,

Murli @ Ashok Satya Reddy. The identity card issued by the Bar Council of Andhra Pradesh was not sufficient to permit D. Suresh to meet with his client.

The team then requested that Maharukh Adenwalla, an advocate who had represented Arun Ferreira and Murli @ Ashok Satya Reddy before the Nagpur Bench of the Bombay High Court, be allowed to meet with Arun and Murli on their behalf. Mr. Surender Kumar did not readily agree to this, and the team was told that the final decision to grant entry was that of the Superintendent, Nagpur Central Prison. Moreover, the team was also denied access to observe the jail facilities.

Thereafter, an application to meet with Arun and Murli was made to the Superintendent, Nagpur Central Prison by D. Suresh and Maharukh Adenwalla. Permission was only given to Maharukh Adenwalla to meet with them, and D. Suresh was told to obtain an order from the court. The team was told that the only reason Maharukh Adenwalla was allowed to meet Arun and Murli was because she had represented them before the High Court, and also because she had been earlier permitted by the Magistrate to visit them.

■ INTERVIEWS WITH PRISONERS AND INSIGHTS INTO PRISON CONDITIONS ■

The aftermath of the hunger-strike as it emerged from the interview of undertrial prisoners, Arun Perreira and Murli, aka Ashok Reddy with their advocate, was the following:

- (i) None of the prisoners' demands had been met
- (ii) During the hunger strike of 27 days they were kept in solitary confinement and not allowed to meet anyone
- (iii) Even now the cells they are kept in are separate individual cells which amounts to solitary confinement
- (iv) Basic facilities such as medical care, proper access to their lawyers and visitors were denied.

□ Prison conditions and demands of hunger-striking prisoners

CONDITIONS SPECIFIC TO NAXAL PRISONERS

Unequal treatment: In Nagpur Central Prison, those accused of naxal activities were not treated in the same manner as other prisoners, and were deprived of certain facilities given to other prisoners. In a letter dated 16th December 2007,

the prisoners informed Mr. Surender Kumar, DIG [Prisons] of the unfair and unequal treatment and certain demands were made of the administration. When they received no response, the 13 under-trial prisoners were forced to go on a hunger-strike. Initially, the written representation made by the hunger-striking prisoners listing their demands was not accepted by the jail authorities on the ground that they did not accept collective written demands. It was only after appearance of press reports about the hunger-striking and their demands, that the jail authorities were forced to receive the aforementioned letter.

Blocking of information, public contact, and discouragement of legal assistance: During the hunger-strike, the prisoners were deliberately denied any visits and material that would reflect what was happening in pursuance of their hunger-strike. They were denied personal interviews with their family and newspaper reports about the hunger-strike. Not only were each of them being kept in a separate cell, their cells had no fans, and they had no access to television and uncensored newspapers. The jail authorities gave them newspapers after first censoring all news items relating to their hunger strike. Those prisoners accused of naxal activities were not given an audience when judges and others visited the prison nor were they given access to a complaint box, which was available to other prisoners. The District Judge confirmed that a judge of the District Court fortnightly visited Nagpur Central Prison. The team met this particular judge in the evening and brought this to his notice. He did not deny these facts.

Murli @ Ashok Satya Reddy was most upset that D. Suresh was not permitted to meet with him. When Murali was asked by the jail authorities to list the names of his lawyers, he had obviously not put down the name of D. Suresh, who represented him in Andhra Pradesh. Murli, after his meeting with Maharukh Adenwalla ended, himself sought permission from the Superintendent to meet with D. Suresh, but the same was refused. Mr. Jadhav [Senior Jailer] informed D. Suresh that he should return after obtaining orders from the court.

The prisoners' request for access to the Prison Manual, and other rules and regulations applicable to prisoners, especially those relating to prison facilities, has not been heeded to. This despite that fact that the Supreme Court has in a judgment delivered almost three decades back (Sunil Batra's case) stated that a copy of the Prison Manual ought to be kept in the prisons for reference by the prisoners. What is most surprising is that Nagpur Central Prison is recognized to meet ISO 9002 standards. And this is happening after RTI Act 2005.

Solitary confinement: Soon after the hunger-strike commenced, Murli and Dhanendra Bhurule and he were placed in solitary confinement, and the same continued for 10 days after the fast ended. Murli was kept alone in a cell that was exposed to the harsh summer sun light for 23 hours a day. When there is no specific court order instructing prison authorities to keep them in separate confinement, this is completely unjustified. Moreover, the DIG agreed that the prisoners in question were all well behaved, and indiscipline as ground for separate confinement would not apply in this case. But the fact is that all those accused of being Maoists are kept in separate confinement as a matter of routine. Currently too the hunger-striking are kept in separate individual cells in different barracks for most part of the day : Murli is being so kept for 16 to 18 hours a day. Murli said that there are currently 14 prisoners in Nagpur Central Prison who have been arrested for being Maoists, and all of them are being kept in separate cells. It seemed that the jail authorities were acting under the directions and instructions of the police. Murli inquired about the reasons why they were kept in solitary confinement and in separate cells, and was informed by Surinder Kumar, DIG [Prisons] that such placement was due to government orders. Despite repeated requests, till date Murli has not been given copy of the said government order. The Superintendent, Nagpur Central Prison, by letter dated 12th April 2008, bearing Dispatch No.3490 of 2008, informed each of the hunger-striking that they were being kept in separate individual cells as they were naxalites. Murli has attempted to lodge an FIR with the police with regards to their placement in solitary confinement, but to no avail. Murli has also complained of the same in writing to the Chief Justice, Bombay High Court, but this too has not been responded to.

It may be noted that Section 73 of IPC on solitary confinement has been repealed. Sections 46(8) and (10) of Prisons Act of 1894 provide for separate and cellular confinement for convicts with lots of conditionalities and restrictions on prison authorities but in practice they virtually used as solitary confinement even for Under Trials. This is what is happening with all those accused of being Naxalites, SIMI and ISI activists.

Denial of medical facilities: Medical treatment too was denied. It was only after 12th April, i.e., the fifth day of the hunger-strike, that they were medically examined. As the hunger-strike continued for 27 days, many of them fell sick, but they were not admitted to the hospital except one at a time, and were informed that this was under instructions of DIG [Prisons]. During the hunger-strike,

they were constantly threatened that they would be arrested under section 309 of the IPC for attempting to commit suicide.

The jail authorities' ill-treatment continued even after the fast was broken. On breaking the fast, it is recommended that a person is to be given a liquid diet for a few days as the intestines are weak and cannot digest solid food. Instead of giving the hunger-strikers an adequate liquid diet, they were each given only half a kilogram of water melon.

In the 2 months after the fast was broken, Murli had been medically examined just once. The jail authorities refused to send Murli's written representation in this respect to the Director of Health Services.

Denial of work as a punishment: Shyamlal Faghuram Salami, one of the hunger-strikers, prior to the hunger-strike used to work in jail so that he could earn and send money home. After the hunger-strike, though he has repeatedly so requested, Shyamlal is not being given any work as a result of which his family is suffering. The denial of work inside prison is undoubtedly being done as a punishment for prisoner's protest. This is, however, a significant reflection on the sufferings of the prisoners and their families, considering that the wage earned by the prisoner, which is in any case insubstantial, should be so important for the survival of his family.

PRISON CONDITIONS IN GENERAL

Quality of food: There was no professional cook in Nagpur Central Prison, and the food was prepared by the prisoners without any professional help, thus the quality of the food depended upon the culinary expertise of prisoners, and was often unpalatable. The prisoners were given three meals a day : breakfast at 6.00 a.m., lunch at 10.00 a.m., and dinner at 4.00 p.m., so they went without food for 14 hours between dinner and breakfast.

The Legal Web and political prisoners

The prisoners apprehend that the state will do all in its power to ensure that those arrested for alleged involvement in naxal activities are not released. For example, one of the hunger-strikers, Sampat Gyansingh Madavi has been in jail since the last 4 years. He has been acquitted in 12 cases, and now only 2 cases are pending trial in Maharashtra. Very recently, i.e., after the hunger-strike, 6 more criminal cases have been foisted upon Sampat. The same is the case of Madanlal who immediately on release was arrested in other cases.

Similarly, several cases have been foisted upon him Murli. Murli complained that he has not been produced before the courts on each remand date. When he complained, the jail authorities claim that in 2005, the government of Maharashtra has issued a Government Resolution that only those prisoners whose presence is desired by the court should be produced before the court. Needless to say a copy of this Government Resolution has not been given to Murli.

Murli has on different issues from Nagpur Central Prison filed Right to Information applications, but has not received any positive response from the different authorities, so he has preferred few applications to the appellate authorities. For example, an RTI application has been made to the Central government on 18th January 2008 seeking information as to the basis on which an organization is banned under the Unlawful Activities Prevention Act. By application dated 30th November 2007, information has been sought with regards to banned literature, and the Prison Manual. Murli has also through another application sought copies of CDs in respect of the Narco-Analysis Test conducted upon him. The attitude of the authorities to Murli's RTI applications is reflected in the following incident. By application dated 2nd June 2008, Murli sought information from the Home Department in respect of the steps taken in pursuance of their demands. A reply was promptly received that his application cannot be considered as the requisite court-fee stamps had not been affixed. Murli has now explained to the authorities that persons in custody are not required to affix court-fee stamps, which fact surely the jail authorities are well aware of since they kept quoting the rules to the team members to deny the team the right to meet the prisoners and to deny the prisoners' demands.

MEETING WITH SURENDER KUMAR, DIG PRISONS

The fact finding team met with Mr. Surender Kumar, DIG prisons, who is on deputation from the Police Department. Since the meeting with the DIG took place prior to the Advocate meeting the prisoners, specific issues other than the demands which had already been submitted could not be raised with him.

The DIG said that the demands of the prisoners were not acceptable, since they went beyond what the prison manual mandated. He further said that by way of letter dated 12th April 2008, the demands of the prisoners had been responded to.

The DIG denied that the prisoners had been kept in solitary confinement. He, however, accepted that they were being kept in separate cells. When he was questioned as to the separate confinement being imposed as a punishment, he evaded the question. He agreed that the prisoners in question were well behaved and that there were no security concerns. He explained that the justification for separate cells was the police advisories that they had received and their background.

Upon perusal of the letter dated 12th April 2008, it is clear that the prison authorities are quoting the manual wrongly for justifying their stance. For instance, the said letter justifies separate confinement on the basis of Rule 9 of Chapter XLIV Section 1 of the Maharashtra Prison Manual – “The Superintendent shall endeavor to take all steps necessary for the reduction and improvement of habitual criminals to maintain discipline in the prison and also shall take all security measures against their escape or otherwise and it is duty to maintain security and disciplines”. Chapter XLIV Section 1 only applies to habitual criminals as defined under Rule 2. A bare reading of the said rule makes it clear that the undertrial prisoners are not “habitual criminals” as defined under Rule 2, and therefore any justification of their separate confinement is completely contrary to the Prison manual.

The DIG stated that the meeting of inmates always took place as per rules. Their family members as well as their Advocate (not any Advocate) will be allowed to meet them. The Advocate should file Vakalatnama².

According to Chapter XXXI Section 1 Rule 3 (ii) of the Maharashtra Prison Manual which are called the Maharashtra Prisons (Facilities to Prisoners) Rules, 1962, interviews shall be granted to near relatives, friends and legal adviser of the prisoner. Nowhere does it state that a vakalatnama should be filed nor does it state that only lawyers appearing in matters will be allowed for the interview. It is clear that the prison authorities are misinterpreting the rules in order to deny interviews to the prisoners.

It is clear from this that the prisoners' statement that they are treated differently from other prisoners as they had been arrested on charges of being Naxalites is true.

The DIG also said that he would look into the possibility of installing telephones in barracks. Upon being informed by one of the members of the fact finding

team that prisons in Karnataka had telephones in barracks, he said that he would send someone to Karnataka jails and study that and make recommendations for installation in the Nagpur jail.

The DIG further agreed to examine the possibility of allowing prisoners to meet their Advocates on Sundays. He said that the grills would be cleaned so that the difficulty in talking to prisoners would be reduced, and that he would examine the possibility of installing glass panes instead of the grills through which visitors including Advocates could talk to the prisoners.

On none of these issues was the DIG willing to make any positive commitment. However, that he said that he would examine some of the issues was appreciated by the fact finding team.

■ MEETING WITH PANKAJ GUPTA, ADG (ANTI-NAXAL OPERATIONS) ■

The meeting with Mr. Pankaj Gupta was very intimidating. All the members of the team were frisked; one of the members was not allowed to carry her hand bag inside as it contained keys. The team was also photographed at the point of entry as well as in Mr. Gupta's room, without permission of the team. Details of the members including their phone numbers and addresses were obtained both during the entry and at the time of their leaving.

At the outset Mr. Gupta curiously denied having anything to do with the prisoners and wondered why the team was meeting him. On the one hand he denied having a hand in their arrests and detention and on the other claimed that his department had information about all the activities including the organisations that the team members belonged to implying that all the members were covert Maoists and therefore under direct surveillance of the state. Thus every attempt was made to tacitly threaten the team members.

Mr. Gupta denied all knowledge of the conditions of the prisoners. He said that it was the jurisdiction of the prison authorities and that he or his office has nothing to do with the demands. Mr. Gupta further said that the ANO (Special Branch - Anti-Naxal Operations) had nothing to do with the prisoners arrests or their remand. He claimed that the Nagpur High Court had dismissed the petition wherein allegations had been made against him thereby absolving him of all the charges without stating that the reason for the dismissal was because interim orders had been passed giving the reliefs sought and therefore in the

court's opinion nothing survived in the petition. He also had judgments of Supreme Court for ready reference when he met the team.

He denied that his office had issued any advisories to the prison authorities. When confronted with Mr. Surender Kumar's statement that the prisoners were kept in separate cells because of police advisories, Mr. Gupta admitted that such advisories would have gone from his office. He, however again denied that any such advisory had been issued.

MEETING WITH THE DISTRICT JUDGE

The District Judge, Mr. Patil is a new appointee. He was not even aware of the report of his predecessor regarding prisons conditions.³ He called for the records in the presence of the team and admitted that there was a report. However, he refused to provide the team with a copy of the said report. He was not even willing to inform the team the date of the report.

It was very disconcerting to meet the district judge. The judiciary has been the last refuge for people of this country for the last several years, when the administration has failed.

However, the present District Judge, the team felt, would not be able to play that role. He assumed that all the complaints made by any of the prisoners would be false. Indeed, it was shocking that, while the appalling conditions of our prisons are well known, the judge seemed to think that the food was always good, the spaces kept clean and that the rights of the prisoners were always respected by the jail authorities.

The district judge categorically told the team that the prisoners were treated well, that they were given nutritious food and that his colleague visits the prisons to take all complaints. He admitted that he himself had not visited the prison yet. He denied that his colleague had not visited the barrack in which the undertrial prisoners on hunger strike were kept.

The team requested him to show records, if any, of the punishment that these prisoners may have been given by the jail authorities⁴. Though the records were called for, no such record was found.

SURVEILLANCE AND REPRESSION REGARDING STUDENTS

The Terms of Reference of the fact finding team also included police interference in running of colleges and the targeting of student activists.

That students who are part of Deshbhakti Yuva Manch of Chandrapur, arrested in January this year have still not got bail. It seems as if there is a concerted effort on the part of police to monitor student activity in colleges.

The fact finding team was given a memo addressed to the principals of colleges by the police department asking them to report on all the students who came from the districts of Bhandara, Chandrapur and Gadchiroli for admissions with a gap certificate. The team wanted to meet with principals to confirm that such memo had been received and to enquire if any further action was being taken.

The team members met with three principals of colleges in Nagpur, who had all received a letter from the Special Branch, Police Department to the effect that details of students who were taking admission with a gap certificate had to be submitted to the police every Monday. The principals were unanimous in stating that such police interference was not correct and was detrimental to the autonomy of colleges. They also said that this kind of surveillance would result in denying the right to education of students alleged to be naxalites. One of the principals we met also stated that he had received an oral direction from the police department to the effect that students from Gadchiroli, Chandrapur and Bhandara seeking admission should be given only provisional admission which should be confirmed only after police clears the student. We feel that this is a very dangerous trend which will result in denying education to several students from backward areas.

The team had also questioned Mr. Pankaj Gupta (ADG (anti-Naxal Operations) regarding the same when they met him. Initially Mr. Gupta thought that the reference was being made to the article in Mumbai Mirror regarding social profiling of the students on the basis of their caste and other background. Mr. Gupta immediately furnished a letter written to him by Shri S.N. Pathan, the Vice Chancellor of the Rashtrasanth Tukdaji Maharaj University, Nagpur to show that the said information was being called for one "E Suvidha" Project. It was rather strange that such a letter had been addressed to Shri Gupta by the Vice Chancellor in reply to an unknown communication and the same was received by Shri Gupta on 1.7.2008 just 4 days before the team met him and after the team had written to him seeking permission to meet him.

With regard to the letter issued to college principals, he denied that his office had sent any such letters. However, it was evident to the team that he had

knowledge of the letter as he mentioned the contents of the letter even without us showing him the letter. He claimed that naxalites got admissions in colleges on false certificates in order to subvert the minds of youngsters which later led to unfortunate arrests of these misled students! He, however, said that he would be addressing college principals in the month of July 2008 on handing the "naxal menace".

CONCLUSIONS AND DEMANDS

The team was shocked by the deliberate concerted attempts by all the organs of the state- administration, prison officials, police and the judiciary- in maintaining a complete silence over the legitimate demands of the hunger strikers. There has been no response towards the genuine demands which are within the constitutionally guaranteed rights granted to prisoners and concern basic issues relating to the rule of law.

In a way the situation is not unexpected, especially since it has become part of the government's policy. This is evident from the Prime Minister's recent statement that "naxalism" is one of the major threats to the country, and state governments have encouraged the setting up of special units of the police and armed private forces to attack Maoists. Such statements and actions of the State would have an impact, both directly and indirectly. It would follow that anyone suspected of being a Naxalite or a Naxal supporter would be arrested and jailed. The surveillance operations and consequent arrests taking place in college campuses are dangerous trends. In the zeal to "remove the naxal scrounge", it appears as if ordinary citizens of the country are being denied their basic rights to education.

In fact the Government's own report of an Expert Group to Planning Commission, Government of India ("Development Challenges in Extremist Affected Areas") states, "It is critical for the Government to recognize that dissent or expression of dissatisfaction is a positive feature of democracy, that unrest is often the only thing that actually puts pressure on the government to make things work and for the government to live up to its own promises. However the right to protest, even peacefully, is often not recognized by the authorities and even non-violent agitations are met with severe repression. Greater scope and space for democratic activity will bring down the scale of unrest, as it would create confidence in governance and open channels for expression of popular discontent.

What is surprising is not the fact of unrest, but the failure of the State to draw right conclusions from it. While the official policy documents recognize that there is a direct correlation between what is termed as extremism and poverty, or take note of the fact that the implementation of all development schemes is ineffective, or point to the deep relationship between tribals and forests, or that the tribals suffer unduly from displacement, the governments have in practice treated unrest merely as a law and order problem. It is necessary to change this mindset and bring about congruence between policy and implementation. There will be peace, harmony and social progress only if there is equity, justice and dignity for every one" (Para 1.18.4 at pp 26-27 of the report). The report further at pg 51, para 8.10 states that "...the Naxalite movement has to be recognised as a political movement with a strong base among the landless and poor peasantry and adivasis. Its emergence and growth need to be contextualised in the social conditions and experience of people who form a part of it. The huge gap between state policy and performance is a feature of these conditions" and further that "4.11 Since the goals of the movement are political it has to be addressed politically. Negotiation is the only political instrument of such a response in a democracy. An ameliorative approach with emphasis on a negotiated solution helps to generate greater confidence of alienated people in governance. This approach is used the world over to tackle insurgencies democratically."(para 8.11). but the Government apparently is not interested in implementing its own report.

Any citizen concerned about democratic rights in this country has cause to worry. The moment any person is branded a naxalite, be it under trial prisoners or student activists, it would seem that the establishment has a carte blanche on the manner in which such a person is treated. Basic rights, long established by judicial pronouncements are violated with impunity by the authorities. Even the judiciary seems to have been influenced by the attitude and is given to treating all complaints as false.

OUR DEMANDS

1. The government should stop following undeclared policy of persecuting political prisoners and denying them basic human rights.
2. Interference of anti-naxalite police in prison administration should be stopped
3. The political prisoners should be treated on par with other undertrial prisoners and provided all residuary rights.

4. The archaic prison manual should be scrapped immediately and model prison manual of 2003 should be adopted.
5. The practice of immediately arresting released prisoners by foisting cases on them should be stopped.
6. The government should meet all the demands of hunger-strikers immediately.
7. We also demand that the government should stop interfering into the functioning of academic institutions.

(Footnotes)

- ¹ Mirror article
- ² This practice has been held illegal by the Court. See order dated 2.5.2008 of the Bombay High Court (Nagpur Bench) in Criminal Writ Petition No.267/2008 (*Amit Subhashrao Band vs. The State of Maharashtra and another*)
- ³ Following the hunger strike by the prisoners, the District Judge, on an order of the Nagpur Bench of the Bombay High Court had visited the jail and prepared a report of the conditions. The said report, according to Advocate Adenwala, has been submitted to the Hon'ble High Court. However, neither the prisoners nor their Advocate have been given a copy of the said report.
- ⁴ The District Judge has to approve and sanction punishment given to prisoners for indiscipline in the jail. According to the Maharashtra Prison Manual, punishment of separate confinement, not exceeding 14 days can be given to prisoners.



ANNEXURE I : HUNGER STRIKERS' LETTER TO THE PRESS


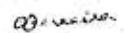


Date: 11th April 2008
Nagpur Central Jail

To,
The Editor

Dear Sir/Madam,

Please publish this pressnote in your esteemed newspaper and oblige. Considering this note is being sent from the Nagpur Central Jail, we do hope you will give it due importance.

Thanking you,





 Anil Reddy Anis Ferreira Chanderan Churule Nareish Barsode

POLITICAL PRISONERS IN NAGPUR JAIL ON STRIKE

When the four of us were arrested in Nagpur in May last year it made a nice headline on the front page of the major dailies. Many attributed this single incident to the vigilance of the Maharashtra Police department in curbing the (so-called) Naxal menace. Only a few raised questions. But during the past 12 months that incident has proved to be part of a trend to apprehend social activists and revolutionaries and thrust numerous false cases on them. Such cases under the draconian UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967 are so baseless in their charges that they don't even have an iota of conviction possibilities in the court of law. Take for example the case of Shri. Anil Mamane (currently at the Nagpur jail) and his 3 colleagues arrested at a Nagpur station and accused of selling 'inciting revolutionary' literature at the yearly assembly of Dalits at Deekshabhoomi. For proof of such 'inciting' literature pamphlets appealing to Dalits to struggle against caste oppression was shown as evidence. Together a total of 24 such social & political activists (8 in Nagpur, 3 in Mumbai and 13 in Chandrapur) have been arrested on charges of being 'Naxalites' or 'Naxal sympathisers' in the last one year.

This trend is nothing but a sign of the times to come. The government's 9th growth bubble has ultimately burst. Globalisation, the path followed by the Indian ruling classes, will definitely sink the Indian Economy now that America is heading towards recession. All the government's blue-eyed policies such as NREGS or billion crore loan waiver for peasants have begun crashing. Inflation has become the new nightmare for the rulers. The parliamentary opposition is in a state of fragmentation & bogged down by the TINA syndrome.

In such a scenario it has been social organisations and people's movements in the path of struggle which are showing the true development alternative. The struggles at Nandigram, anti-PeSCC movement or that of the Chhattisgarh tribals against the VATA, Rusa sponsored 'Sahwa Jindan' are recent examples. But obviously such alternatives are not palatable to the Indian ruling classes. So of late the government has begun branding social activists and organisations as Naxals and there has been an increase in the arrest of such activists and revolutionaries.

But Repression begets Revolt. Voices of protest are being heard from many a quarter. In various forms of Press conferences, seminars and mass demonstrations many have begun questioning these deliberate arrests. It is as part of this wave of resistance, and inspiration from the path laid down by Bhagat Singh while in jail, that we political prisoners of the Nagona Central Jail have decided to go on an indefinite hunger strike. At present 2 out of 13 (including a women inmate) such political prisoners have commenced the strike from 7th April 2008.

The letter addressed to the Maharashtra Home Minister contains the following demands (Reasons are bracketted for better understanding)

1. Persons who were accused as 'Naxalites' and thereafter acquitted by the Judiciary should not be rearrested immediately after release from Prison. Both Shrimati Jayakka and Shri Mallesh Salku should be immediately & unconditionally released. (Both Jayakka & Mallesh have been slapped with IPC 110 charges with full compliance of the Jail authorities. This is the second time that Mallesh has been rearrested on release since in Sep. 2007 by Gadchiroli Police & now in April 2008 by the Gondia Police.)
2. The Maharashtra Police should immediately stop branding social organisations and activists as 'Naxalites' or 'Naxal sympathisers'. Many are being falsely accused as Naxal sympathisers and put into jail and also being denied bail. These accusations on social activists should be withdrawn & they should be unconditionally released.
3. All undertrial (accused) Naxalite prisoners should be immediately removed from Solitary Confinement. (i.e. Anda Barrack, Punishment & Seperate Barracks, etc.) A common general Barrack should be provided for such undertrials. (Both these 3rd & 5th demands violate the famous principle of jurisprudence - innocent until proven guilty. Solitary confinement according to the law can only be given to death sentenced convicts. Such Solitary confinement barracks lack entertainment & recreational facilities, again in violation of the Maharashtra Prison Manual.)

4. Prison interview timings should be extended to 30 minutes, Advt should be allowed upon interviews (without grill) and cables should be permitted to be given at interviews. A facility for a telephone should be given in the Barracks. (Such facilities are already in implementation in many jails throughout India, but absent in the Maharashtra prisons.)
5. All undertrial prisoners (especially accused Naxalites & IPC 302 prisoners) should not be compulsary made to wear the prison dress.
6. IPC 110 should be scrapped which has become a tool by the Police department to harass the common people. (This IPC article commonly called 'chaper case' is being used on numerous urban unemployed youth and on many tribals in Gadchiroli and Gondia. With no jurisdiction of the law courts it has become a regular tool of oppression by the Maharashtra police.)

The Prison authorities similar to their counterparts in the Police department have reacted to our hunger strike with even more curbs. Initially our strike notice letter was not being accepted because it was collectively signed. Now our postal letters and interviews with our family members are being denied. (All under archaic rules of the Maharashtra Prison Manual drafted by the British) Every since we have been on strike no medical officer has even checked our body weight or Blood pressure. The true face of oppression is ever more apparent in times of struggle.

We appeal to all numerous struggling social organisations and activists and democratic intellectuals, teachers, journalists, etc. through to support this our strike in whatever way possible. Being in jail our voices are regularly attempted to be stifled. In such a situation it is the support from these sections which would greatly help in getting our just demands implemented.

जा.क्र. प्रशासन/वनु/नामका/349/06.
अधिक्षक, नागपूर मध्यवर्ती कारागृह
यांचे कार्यालय, नागपूर.
दिनांक : १२.०४.२००८.

विषय : नक्षल असल्याच्या आरोपाखाली अटक असलेल्या १३ आरोपी नागपूर जेल भव्ये उपोषणास वसल्याबाबत...

संदर्भ : मा. कक्ष अधिकारी, गृह विभाग (विशेष) महाराष्ट्र शासन यांचे पत्र क्रमांक एनएएस/०४०८/प्रक.१८६/विशा-१(व) दिनांक ११.४.२००८ नुसार..

उपरोक्त विषयाकित संदर्भानुसार कळविण्यात येते की, उपरोक्त संदर्भाकित पत्राचे सार खालील प्रमाणे आहे.

'मा. श्री कपील पाटील वि.प.स. यांनी नक्षलग्रस्त असल्याच्या आरोपाखाली पोलीसांनी अटक केलेले १३ जण हे नागपूर जेलमध्ये असून, ज्यांना खोट्या फव्दतीने गुन्हात गोवण्यात आले असून ते गेल्या ५ दिवसापासून जेलमध्ये उपोषणास वसले आहेत. तसे त्यांना न्याय देण्यासंदर्भातील मुददा उपस्थित केला आहे. यासंदर्भात मा. उपमुख्यमंत्री (गृह) यांनी सभागृहात याप्रकरणी अपर पोलीस महासंचालक दर्जाच्या अधिका-यांकडून या प्रकरणाची चौकशी करून सर्वथित १३ जणांविरुद्ध पुरावे आहेत किंवा कसे. याबाबत एका आठवड्यात चौकशी करण्यात येईल तसेच जेल प्रशासनामार्फत उपोषणास वसलेल्या आरोपींच्या निदर्शनास सदर बाब आजच आणून देण्यात येईल असे निवेदन दिले आहे'.

करीता उपरोक्त संदर्भाकित पत्राचे निर्देपानुसार माहीती करिता अग्रेषित....

नागपूर मध्यवर्ती कारागृह.
अधिक्षक

प्रतीलीपी माहीतीकरिता अग्रेषित...

१. बंदी क्रमांक ४७८/०७ मुरली / अशोक रेडडी नागपूर मध्यवर्ती कारागृह
२. बंदी क्र. ३४७७/०७ अरुण शोमस फेरस, नागपूर मध्यवर्ती कारागृह
३. बंदी क्रमांक ३४८०/०७ धमेद श्रीराम मुरले, नागपूर मध्यवर्ती कारागृह
४. बंदी क्रमांक ३४७८/०७ नरेश बाबुलाल वन्सोड, नागपूर मध्यवर्ती कारागृह
५. बंदी क्रमांक ५७६९/०५ चेकापल्ली निगरुया राजयथा नागपूर मध्यवर्ती कारागृह
६. बंदी क्रमांक १५७०/०७ दयाराप रामा मडावी नागपूर मध्यवर्ती कारागृह -
७. बंदी क्रमांक ५७५ बाबासाहेब याज्ञवंत सायमोरे नागपूर मध्यवर्ती कारागृह
८. बंदी क्रमांक २२ विश्वनाथ राजा कुलमेये नागपूर मध्यवर्ती कारागृह
०९. बंदी क्रमांक १३४फागोलाल सेजु टेकाप नागपूर मध्यवर्ती कारागृह
१०. बंदी क्रमांक शामलाल फागोलाल सलामे नागपूर मध्यवर्ती कारागृह
११. बंदी क्रमांक संजय नैयसिंग कडावी नागपूर मध्यवर्ती कारागृह
१२. महीला बंदी क्रमांक ४०८ लता गौडा नागपूर मध्यवर्ती कारागृह
१३. बंदी क्रमांक ५८५ अनील सुभाय ममाने नागपूर मध्यवर्ती कारागृह

जा.क्र. प्रशासन/वनु/नामका/३४९/०६.
अधिक्षक, नागपूर मध्यवर्ती कारागृह
यांचे कार्यालय, नागपूर.
दिनांक : १२.०४.२००८.

नोटिस

बंदी क्रमांक आपण येथे सन्मा. न्यायालयाचे आदेशान्वये दिनांक पासून नागपूर मध्यवर्ती कारागृह येथे न्यायाधिप बंदी म्हणून बंदीस्त आहात.

आपणास दिनांक १४.२००८ नुसार कारागृहास प्रशासनास विवीध मागणीबाबत पत्र देवून दिनांक १४.२००८ पासून उपोषण करित आहात असे नमुद केले आहे. आपण केलेल्या मागणीबाबत सविस्तर मुददे निहाय माहीती खालील प्रमाणे आहे.

१. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक १. न्याय पालीकाऔ व्दारा नक्षलवादी आरोप से बरी किये व्यव्तीयो को जेल से रिहा करने के बाद तुरंत पुन्हा अटक करना बंद करे । सदरहू मुददा कारागृह विभागाशी संबंधित नाही.
२. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक २. महाराष्ट्र पोलीस व्दारा सामाजिक संगठने और कार्यकर्ताओ को नक्षली समर्थक नक्षलवादी घोषित करणा बंद करे । नक्षल समर्थक नक्षलवादी के नामसे झूटा आरोप लगाके जेल में डाले गये और जमानत नही दिया जा रहे सामाजिक कार्यकर्ताओ पर लगाये गये आरोप वापस लेकर उन्हे वितनाशर्त रिहा करना । सदरहू मुददा कारागृह विभागाशी संबंधित नाही.
३. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक ३ अन्वये सभी न्यायाधिप नक्षलवादी आरोपी को अकेला बंदी यानी की अंडा बरेक गुन्हा खाना सेपरेट जैसे जगह से तुरंत निकालना । उन्हे एकत्रीत आप बरेक में रखना चाहीये ।

Maharashtra Prison Manual Chapter XXVI Prison Discipline Section I statutory rules page No. 380 rule 2 It is duty to established to maintain discipline and order amongst prisoner. Chapter XLIV Habitual & hardened criminal Section I statutory Rules Rule 9 Page No. 639 The Superintendent shall endeavor to take all steps necessary for the reduction and improvement of habitual criminals to maintain discipline in the prison and also shall take all security measures against their escape or otherwise & it is duty to maintain security & disciplines.

उपरोक्त बंदी हे जहाल नक्षलवादी असून त्यांना सुरक्षेच्या कारणास्तव नियमाच्या अधीन राहून इतर बंद्यापासून अलिप्त ठेवण्यात आले आहेत. त्यामुळे बंद्याची विनंती मान्य करता येणार नाही.

४. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक १. कारागृह ये मुलाखात के समय ३० मिनट तक विस्तारीत होना चाहीये । वकील मुलाखात खुली (बिना जालीके) होना चाहीये मुलाखात मे खादय पदार्थ देने की सुविधा होना चाहीये । बँक मे बंदीया को दुखनी के सुविधा देना चाहीये

Maharashtra Prison Manual 1979 Chpater XXXI (facilites to prisoners) rules 1962 rules 9 (Page No. 9) Sub-rule 3 अन्वये प्रत्येक न्यायाधि न मुलाखतीकरीता २० मिनीटे देण्याबाबत तरतुद आहे. परंतु बंद्याने विशेष बाब म्हणून अधिकाचायी परवानगी घेतल्यास मुलाखत वेळ ३० मिनीटापर्यंत वाढवून देण्यात तरतुद आहे. बंद्यानी धिर्नती केल्यास ती विशेष बाब म्हणून मान्य करता येईल.

बंद्याना मुलाखत देताना बंद्यास फक्त रक्ताचे नातेवाईक व त्याचे वकीला यांना भेट देण्याची तरतुद आहे. वकीलाचे वेळामध्ये दुसरा कोणताही गुन्हेगार येण्याची शक्यता नाकारता येत नाही. महाराष्ट्र नियमावलीनुसार बंद्याचे जीवितोत्तरे आणि त्याचे मालमलेचे रक्षकण करण्याची जबाबदारी कारागृह प्रशासनाची आहे. तयामुळे सुरक्षेचे कारणास्तव बंद्याचे वकीलास खुली मुलाखात (बिना जालीके) देण्यास शक्य नाही.

कारागृह नियमानुसार बंद्याचे मुलाखतीमध्ये खादयपदार्थ घेण्यास प्रतीबंध आहे.

Maharashtra Prison Manual 1979 Chpater XXXI (facilites to prisoners) rules 1962 rules 9 Sub-rule VIII अन्वये मुलाखतीचे वेळी कोणतेही खादय पदार्थ घेण्यास प्रतीबंध आहे. बंद्यास मुलाखतीमधून खादय पदार्थ दिल्यास कारागृहाची कायदा व सुरक्षा व्यवस्था धोण्यात येण्याची शक्यता नाकारता येत नाही. त्यामुळे बंद्याची धिर्नती मान्य करता येणार नाही.

कारागृहामध्ये अनेक गुन्हातील बंदी बंदीस्त असतात त्याचे गुन्हेगारी कृत्यास आळा घालण्याकरीता सन्मा. न्यायालयाचे आदेशानुसार बंद्याना समाजापसून अलीप्त ठेवण्याकरीता कारागृहात पाठविण्यात येते त्यामुळे बंद्यास दुखनी देल्यास कारागृहाची कायदा व सुरक्षा धोक्यात येण्याची शक्यता नाकारता येत नाही. शिवाय **Maharashtra Prison Manual 1979 Chpater XXXI (facilites to prisoners) rules 1962** नुसार बंद्यास दुखनी सुविधा देण्याबाबत कोणतीही नियमात तरतुद नाही. त्यामुळे बंद्याना सुरक्षेच्या कारणास्तव कारागृहामध्ये दुखनी सुविधा उपलब्ध करता येणे शक्य नाही.

५. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक ५ अन्वये सभो न्यायाधि न बंदी (खासकर नक्षलवादी आरोपी और भादवि ३०२ के आरोपी) को जेल ड्रेस पहनने की सखती नहीं होना चाहीये । सादर करण्यात येते की, कारागृहामध्ये अनेक जहाल बंदी जसे मोका, ताडा, गंगवार बंदी, विदेशी बंदी मोठया गुन्हातील बंदी किंरकोळ गुन्हातील बंदी बंदीस्त असतात.

Maharashtra Prison Manual Chpater XXXIII Bedding and clothing & equipment) rules 1965 page No 465 rules 4 वेगवेगळया गुन्हातील बंद्याना कारागृह प्रशासना तर्फ ओळख होण्याकरीता बंद्याना कपडे देण्यात येतात. जेणेकरून बंद्यास त्वरीत ओळखने व कायदा व सुव्यवस्था अबाधित राखनेस मदत होते. त्यामुळे बंद्याने केलेली धिर्नती मान्य करता येत नाही.

६. बंद्याचे तक्रार अर्जांमध्ये नमुद मददा क्रमांक ६ अन्वये कुर भादवि ११० को रद्द करना चाहीये जो पोलीस विभाग व्दारा आम जनता को सताने के औजार बन गये । सादर करण्यात येते की, सदर नमुददा कारागृह विभागाशी संबंधित नाही.

आपण कारागृह प्रशासनास पत्र दिनांक १.४.२००८ अन्वये पत्र देवून उपोषण करीत असल्याबाबत पत्र दिले आहे. **Maharashtra Prison Manual Chpater XXVI Prison Discipline Section I statutory rules page No. 380 rule 19 sub rule 17 refusing to eating of the food prescribe the prison diet scale .** अन्वये आणि महाराष्ट्र कारागृह कायदा प्रकरण ११ कारागृहीन गुन्हे नियम ४५ (१) अन्वये कारागृहीन गुन्हा टरत आहे म्हणून नोटीस प्राप्त होताच आपण आरंभ उपोषण त्वरीत मागे घेण्यात यावे.

नागपूर मध्यवर्ती कारागृह.
अधिका
१२.१०.०६

प्रती,

१. बंदी क्रमांक ४७८/०७ मुरली / अशोक रेडडी नागपूर मध्यवर्ती कारागृह
२. बंदी क्र. ३४७७/०७ अरुण थॉमस फरेरा, नागपूर मध्यवर्ती कारागृह
३. बंदी क्रमांक ३४८०/०७ धमेद श्रीराम भुरले, नागपूर मध्यवर्ती कारागृह
४. बंदी क्रमांक ३४७८/०७ नरेश बाबुलाल बनोड, नागपूर मध्यवर्ती कारागृह
५. बंदी क्रमांक ५७६९/०५ चेकापल्ली निगरुया राजयया नागपूर मध्यवर्ती कारागृह
६. बंदी क्रमांक १५७०/०७ दयाराम रामा भडावी नागपूर मध्यवर्ती कारागृह
७. बंदी क्रमांक ५७५ बाबासाहेब याशवंत सायपोरे नागपूर मध्यवर्ती कारागृह
८. बंदी क्रमांक २२ विश्वनाथ राजा कुळमेथे नागपूर मध्यवर्ती कारागृह
०९. बंदी क्रमांक १३४फागोलाल सेजू टेकाम नागपूर मध्यवर्ती कारागृह
१०. बंदी क्रमांक शामलाल फगोलाल सलापे नागपूर मध्यवर्ती कारागृह
११. बंदी क्रमांक संजय नैयसिंग कडावी नागपूर मध्यवर्ती कारागृह
१२. महीला बंदी क्रमांक ४०८ लता गौडा नागपूर मध्यवर्ती कारागृह
१३. बंदी क्रमांक ५८५ अनील सुभाष मयाने नागपूर मध्यवर्ती कारागृह

प्रतीलीपी माहीतीकरीता सविनय सादर, :-

१. मा. सचिव, गृह विभाग, (तुरुंग) महाराष्ट्र राज्य, मुंबई-३२.
२. मा. विशेष पोलीस महासंचालक (नक्षलविरोधी अभियान), सिव्हील लाईन, नागपूर.
३. मा. कारागृह महानिरीक्षक, म.रा. पुणे-१.
४. मां. कारागृह उपमाहानिरीक्षक, पुर्व विभाग, नागपूर-२०.
५. मा. जिल्हा दंडाधिकारी, नागपूर.

आपला विश्वासू,

अधिका

नागपूर मध्यवर्ती कारागृह.

ANNEXURE III : HIGH COURT ORDER REGARDING VAKALATNAMA

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.267/2008

Amit Subhashrao Band V/s The State of Maharashtra and another

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's order
of directions and Registrar's orders

.....
Mr. R.M. Daga, Advocate for the petitioner,
Mr. D.M. Kale, APP for the respondents/State.

.....
CORAM : K.J. ROHEE AND

A.B. CHAUDHARI, JJ
DATED : MAY 2, 2008

1. Mr. D.M. Kale, learned APP for the Respondents/State, prays for time to file reply-affidavit.
2. On the oral request made by the learned counsel for the petitioner, by way of interim relief, the respondents are directed not to insist for Vakalatnama of the Prisoner whenever the Prisoner's lawyer intends to meet the Prisoner. S.O. 26.6.2008. Steno copy is allowed.

Gulande

ANNEXURE IV : LETTER FROM THE POLICE TO COLLEGE PRINCIPALS

(गोपनीय)

कार्यालय
पोलीस उप आयुक्त विशेष शाखा
पोलीस आयुक्तालय, नागपूर शहर.
कॅम्पाक: विशा/नाग/पो.नि./5361/2008
दिनांक : 28/05/2008

प्रति,

भा. प्राचार्य,

विषय :- विद्यार्थ्यांसंबंधी माहिती पुरविण्या संबंधात.

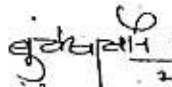
असे निदर्शनास आले आहे की, नक्षलवादी संघटना (सी.पी.आय. माओवादी) तरुण विद्यार्थी व शिक्षण अर्धवट सोडलेले आणि आर्थिकदृष्ट्या कमकुवत तसेच भावी जिवनावद्दल मोठ्या अपेक्षा ठेवणा-या तरुणांना शोषून त्यांना हस्तगत बनवितात. त्यांच्या कुटुंबियांच्या शैल्युक्त आर्थिक गरजा भागवितात आणि या तरुणांना खोटे व दुस-याची (अनोळखी व अज्ञात) शाळा सोडण्याचे प्रमाणपत्र देवून आर्थिक पुरवठा करून महाविद्यालयात गॅप सर्टिफिकेट चे माध्यमातून प्रवेश मिळविण्यास सांगतात व अशा बनावट विद्यार्थ्यांचे माफत विद्यार्थी संघटना पालवून नक्षलवादयांची ध्येय धोरणे, उद्देश यासाठी पुढे विचारांची विद्यार्थ्यांमध्ये प्रचार करतात. विद्यार्थी जनजागरण, पध्दतये, बौद्धिक चर्चा चे माध्यमातून विद्यार्थ्यांमध्ये नक्षलवादयांचे ध्येय धोरणाचा उद्देशाचा प्रसार व प्रचार करतात आणि विद्यार्थ्यांमधील सुप्त गुणांना जागृत करून आवाहन देवून देशविघातक कृत्य करण्यास मानसिकदृष्ट्या तयार करून नक्षलवादी चळवळीमध्ये तरुणांना प्रवेश करण्यासाठी प्रोत्साहित करतात.

आपल्या महाविद्यालयात आता जून 2008 पासून नविन सत्राकरीता प्रवेश प्रक्रिया सुरू होत आहे. या दरम्यान सर्व प्रकारचे विद्यार्थी प्रवेश घेतील.

आपले अधिनस्त प्रवेश प्रक्रियेसंबंधी प्राध्यापक व कर्मचाळे वर्गात वरील मुद्द्याची माहिती करून द्यावी आणि गॅप सर्टिफिकेट (अनिमियतता प्रमाणपत्र) देवून प्रवेश घेणाऱे तरुणांची यादी आमचे कार्यालयास दर आठवड्यास द्यावी. (दर सोमवारी)

गॅप सर्टिफिकेट देवून प्रवेश घेणा-या विद्यार्थ्यांचे नाव, गाव व पत्ता तसेच संपर्कासाठी यापूर्वीची शाळा / महाविद्यालय सोडण्याचे प्रमाणपत्र संबंधीतांमाफत राहिल्या केल्यानंतरच याचे पुर्व कल्पना आमचे कार्यालयास दिल्यानंतरच त्याचा प्रवेश निश्चित करावा. तोपर्यंत त्यांचे तात्पुरत प्रवेश द्यावा. प्रवेश घेण्यासाठी येणा-या विद्यार्थ्यांना त्यांचे अद्यावत फोटो मागावेत. तसेच ओळखणा-या दोन प्रतिष्ठित व्यक्तींचे नावे सुस्थ मागावीत.

नक्षलवादी चळवळीवर नियंत्रण आणण्यासाठी व त्यांचा प्रचार आणि प्रसार व नविन नक्षल समर्थक तयार करण्याच्या कार्याला प्रतिबंध घालण्यासाठी आपले स्तरावर वरील मुद्द्यावर सहकार्य अपेक्षित आहे.


पोलीस उप आयुक्त,
विशेष शाखा, नागपूर शहर

