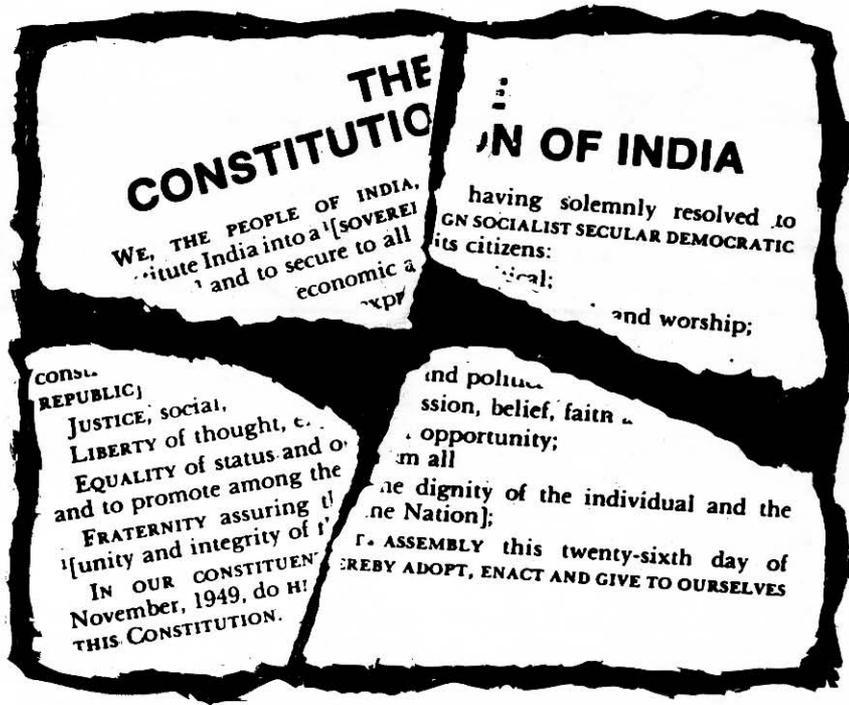


'Suppression of Naxalism'

What it really means



Andhra Pradesh Civil Liberties Committee
(APCLC)
Organisation for the Protection of Democratic Rights
(OPDR)

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'Suppression of Naxalism': What it really means?

The A.P. government's two decades old attempt to 'suppress naxalism' has reached a summit of unprecedented brutality in the last two months. The State's police have been joined by the Border Security Force, the Indo-Tibetan Border Police and the Central Reserve Police Force. Youth are being picked up from villages and killed every day in a brazen exhibition of cold blood. Villages are surrounded, raided house by house, and people are thrashed mercilessly without consideration of age, infirmity or involvement in unlawful activity. Jails are being packed with poor peasants and landless labourers charged under TADA for the crime of participating in movements for land or wages led by the naxalites.

We, as civil liberties and democratic rights organisations, have for nearly two decades been opposing this policy of wanton brutality. We have been pleading that the government should stop treating the naxalite movement as mere criminality and should recognise it as a political movement with roots in the oppressed classes and evolve democratic methods of dealing with it. It is true that the naxalites have chosen the path of armed struggle, and indulge in acts of violence frequently. We have never condoned or supported such acts of violence, and have explicitly condemned it when it has taken arbitrary forms injuring innocent people, but we have consistently pointed out that their violence has its roots in social oppression, economic deprivation and political failure, leading to the search for a political alternative. Quite simply, the rural poor support the naxalite movement and join it, notwithstanding its violence, because they have benefited immensely from it. They have obtained land, increased wages and freedom from landlords' oppression. To ignore this social reality and to indulge in a policy of brutal suppression is totally unsupportable in a democracy whose Constitution commits it to 'justice, social economic and political'. If a political movement is not dealt with politically but is treated as an outburst of criminality and handed over to the police and the paramilitary, and if further the police are given the license to indulge in unlawful and brutal acts to suppress the movement, the inevitable consequence is

immense injury to the social base of the movement, which in the case of the naxalite movement is the class of rural and tribal poor. Not only the supporters and sympathisers, but almost the entire cadre come from this class.

'Encounters'

The most visible form the suppression takes is the killing in cold blood that goes by the name 'encounter'. Upwards of 800 persons have been killed thus in the last two decades, but the year 1991 alone saw 105 persons massacred. Of them 34 were killed in December followed by 27 during the first month of 1992. If there ever was a time when the police made some attempt to dress up the killing as a true armed encounter, that facade is no longer found necessary. Persons are just picked up from their houses, taken away and killed, and a routine story of an exchange of fire with the naxalites is given. Along with the statement issued by the police the Press routinely carries statements issued by the victims' parents or other villagers, that he/she was taken from the village some hours before the killing. (See box on the next page for one example)

Yet not only the police but the Home Minister and Chief Minister go on insisting contrary to all evidence that all the 'encounters' are genuine.

During 1991 we invited civil liberties and democratic rights organisations from outside the State to join a fact finding committee to investigate a sample of 'encounter' killings in five districts. The committee spent one week investigating ten incidents accounting for 20 victims in the districts of Adilabad, Nizamabad, Karimnagar, Warangal and Khammam. The Committee for Protection of Democratic Rights (Bombay), People's Union for Democratic Rights (Delhi), Organisation for Civil and Democratic Rights (Tamil Nadu) participated in the fact finding committee along with APCLC and OPDR. The full report of the committee is attached as Annexure A.

On our own we have been regularly investigating all 'encounter' killings and preparing reports. Three of these reports, which are significant for

News Item about an 'encounter' published in the Telugu daily 'Andhra Jyothi' dated 29/1/1992.

Metpalli (Karimnagar dt). A woman naxalite was killed in an encounter that took place on the outskirts of Chittapur village of Mallapur mandal during the night of Monday, the 29th January. The victim has been identified as Mortada Narsamma alias Ailapur Narsu of Ailapur in Korutla mandal. The police say that they came to know of a meeting of five People's War militants near the village of Chittapur and went there. The naxalites started firing upon them and the police returned fire in self-defence. After the cessation of the firing the police searched the area and found the dead body of a woman naxalite. Some gelatine sticks, cartridges and revolutionary literature were found by the side of the dead body. The police say that Narsamma (30) was involved in several crimes such as the blasting of the Mandal Revenue Office, Korutla; the burning of a bus near Mallapur; the destruction of a landlord's house in Ailapur; the conduct of a People's Court; and four other crimes. Asst. Supdt. of Police of Jagtial, Mr. Umar Sharrif visited the spot of killing.

However, our reporter at Korutla says that masked policemen raided the harijan basti of Ailapur on the night of 27th and abducted Narsamma at about 11 pm, according to eyewitnesses. Narsamma was returning from a friend's house where she was watching TV that evening; on the way back she was waylaid and abducted by the police. Prior to that the police had gone to Narsamma's house and identified themselves as naxalites and asked her father Pochaiiah to open the door. They pointed their guns at him and beat him badly to reveal his daughter's whereabouts

different reasons, are given in Annexure B. Annexure C gives a tabular presentation of our findings concerning all the 'encounter' killings that have taken place since the coming to power (i.e. from the last week of December 1990) of the present Chief Minister, N. Janardhan Reddy, who has already set a record in the matter of 'encounter' killings. The table gives not only the date, place, number of victims and the mode of killing but also who the victims are.

The last is very important because our objection to this policy of suppression is not merely legalistic, though it can be and should be opposed on the ground of illegality, especially violation of the Constitutional guarantee of life and liberty enshrined in Article 21. But from a democratic point of view there is more than unlawfulness involved here, just as there is more to the ideals incorporated in the Indian Constitution than Article 21. This suppression impinges directly upon the ideal of social, economic and political justice proclaimed by the Preamble to the Indian Constitution. It is unrealistic to suppose that the elimination of naxalites means only the elimination of their armed cadre, a supposition that makes most people indifferent to the implications of this policy. On the contrary the so-called elimination begins with the rural poor and unarmed rural militants and only later reaches the armed cadre. This is not an accident but a matter

of deliberate policy. To attack the social base of a militant movement and thereby isolate it and latter attack it, is the only method of suppression the police know. This is the most unacceptable aspect of the police or military solution to the problem of armed militancy anywhere, especially when the social base consists of the wretched of the land as is the case with the naxalite movement. It is they who are killed in 'encounters', it is they who are jailed under TADA, it is their houses that are destroyed by the police during raids, and it is they who suffer torture in police lockups. And yet it is the betterment of this class and its status that is the explicitly proclaimed goal of the Indian Constitution.

Raids on villages

The police have been following a certain method for apprehending the cadre and rural militants of the naxalites. This method is completely without legal sanction but is being openly resorted to.

The Superintendent of Police of each district sets a deadline by which all the armed and unarmed cadre and anyone who has any connections whatsoever with the naxalites should surrender to the police. Otherwise, they threaten, there will be dire consequences. In a country whose Constitution guarantees freedom of opinion which includes freedom of political beliefs, it is

entirely unconstitutional to name a political ideology and ask its followers to surrender themselves to the police, but the threats are being issued regardless of the unconstitutionality. The threats are accompanied by raids on villages in the course of which people are indiscriminately thrashed and threatened that they will have to bear the consequences if they continue to harbour naxalites. Here is a news paper report picked up at random of one such raids. It is entirely typical of such raids, except that it is less violent than usual:

A village terrorised by police raid ('Eenadu; 30/1/92) Kollapur, Mahbubnagar dt.

On the suspicion that the village of Mukkidigundam in Kollapur mandal has become a centre of naxalite activity the police raided the village on the morning of 28 January and created havoc. They thrashed and terrorised the villagers, irrespective of age and sex. They forced the villagers to demolish a martyrs memorial built in the village by the naxalites.

This village on the edge of the forest is populated mainly by Chenchu and Lambada tribes and Yadavas. It was raided by 80 armed policemen in a sudden swoop. They surrounded the village and prevented people from entering or leaving the village. However it is believed that those who really had connections with the naxalites managed to slip away. The village resounded with the wailing of the terrified people.

The police then gathered the villagers near the martyrs memorial and explained that the village had been raided because it harboured naxalites. Deputy Supdt of Police, Wanaparthy, Mr. Suryaprakash Rao who led the raid explained that in such raids innocent people would also have to suffer, and whoever indulged in lawless and anti-government activity would have to face such punishment. He added that Wherever there was problem of law and order, development works would suffer. Officials would stop visiting villages out of fear and therefore it would become impossible for them to find out the people's problems and solve them. He advised them to behave properly in future. The people responded to his speech and said that they were caught in a fix between the police and the naxalites, and assured him that they would not harbour naxalites thereafter and would not indulge in unlawful acts. When a police officer

pointed to the martyrs memorial and questioned why that object which was of no use to any one should be there the people immediately took up crowbar and shovel and destroyed the memorial. They cleared the place leaving no trace of the remnants.

Later the people explained to this reporter that they did not destroy the memorial willingly but only out of fear of the police. They expressed resentment at the brutal thrashing the police had given all of them, women, children and aged included.

It is learnt that after completing the raid on Mukkidigundam the police went on to raid Molachintapalli.....

The only thing missing is an 'encounter' at the end of the raid. Otherwise the report is typical of what is happening daily in one village or the other in atleast half the districts of the State. These raids are conducted by the local police aided by the State's paramilitary force, the A.P. Special Police, and the CRPF, ITBF and BSF battalions borrowed from the Centre. One battalion of ITBP has been in the State for nearly two years now, and is stationed mainly in Adilabad district. One battalion of BSF was sent to this State last December and has been deployed in Warangal and Karimnagar districts.

These are the daytime raids, the visible raids. At night a different and more vicious category of policemen raid the villages. These are the anonymous, heavily armed plainclothesmen of the Special Task Force and the Special Striking Force. They do their work in deathly silence. They do not give speeches about law & order and development as the DSP did in the report quoted above. They are trained to kidnap, torture, maim and kill, and that is what they do without much ado. It is they who commit most of the 'encounters'. Policemen with the worst reputation for inhuman brutality and aptitude for violence are posted in these forces.

Destruction of martyrs memorials is not the only kind of destruction the police indulge in during the raids. The household property and the houses of the villagers, especially those who are kith and kin of naxalite cadre and those who 'harbour' them, are systematically demolished and destroyed. This has happened in about

45 villages of Warangal district during the last four months, and an almost equal number in Karimnagar district. Pots, pans, cots, chairs, clothes trunks, radios, wall clocks are smashed with axes and stones; and foodgrains are spoilt and thrown out.

TADA

The Terrorist and Disruptive Activities (Prevention) Act, or TADA, is being used extensively in the course of this policy of suppression. While the government claims that it is using the Act against armed naxalites who aim to overthrow the lawfully constituted government by force, the reality is very different. (Not that it is justified to use TADA against

armed naxalites: the Act is a travesty of the principles of natural justice). Landless poor who have occupied landlords' land under the leadership of the naxalites, persons who have taken problems to their People's Courts, activists of their democratic mass fronts such as student, workers or peasant fronts, sympathisers and supporters of naxalite politics, are being sent to jail under TADA.

During the rule of the Telugu Desam party, from Sept 1985 to Dec 1989 a total of 1076 cases were filed under TADA against 5415 persons. The Congress(I) government which followed has very rapidly overtaken this record. (See box for details of one district, Warangal).

TADA in Warangal district

Year	No. of cases instituted TADA under	No. of Accused in those cases
1985	1	19
1986	1	1
1987	23	96
1988	85	311
1989	43	157
1990	56	833
1991	(upto Aug) 15	125
	---	---
	224	1542

Notes 1. The number given in the last column is the number of accused specifically mentioned by the police at the current stage of investigation. There is usually a tag of 'and others' in the FIR under which any number of persons can be dragged into the case at the time of filing the chargesheet or with a subsequent chargesheet.

2. A comparable use of TADA has been made in the districts of Nizamabad, Adilabad, Medak and Karimnagar; to a lesser extent in Khammam, Nalgonda, Mahbubnagar and Ranga Reddy districts, and an even smaller extent in other districts.

Atleast another six to seven thousand persons have been named in TADA offences in the last two years of Congress(I) rule.

TADA is an entirely undemocratic piece of legislation. TADA is violative of Articles 14, 19(1), 20(3) and 21 of the Indian Constitution

Articles 2,7,10,11,(1)and 19 of the Universal Declaration of Human Rights (1948)

Articles 9(3),14(1)(2)(3), 19(1)(2) and 26 of the

International Covenant on Civil and Political Rights (1966)

Principles 21(1)(2) and 36(1)(2) of the Body of Principles for the Protection of all Persons under any form of Detention or Imprisonment, adopted by the U.N.General Assembly in 1985.

The immediate consequence of the use of TADA is that the accused spends a long time in jail before bail can be obtained. The bail provision itself is very stringent (the Court has to believe that

the accused is not guilty before bail can be given) and moreover lawyers charge heavy fees for obtaining bail. Since most of the persons accused of TADA offences are peasants, workers and breadwinners of the family, this entails enormous hardship to the family. Indeed it is this hardship rather than any desire to curb terrorism that has inspired the use of TADA. For instance, during the years 1990-91, in Karimnagar district, landless poor who occupied and tried to cultivate landlords' land were arrested under TADA just at the time of harvest so that by the time they could obtain bail and come out of jail the standing crop had withered away. As we have said in the beginning, the strategy adopted by the police is to attack the social base of the naxalite movement, the rural poor who have benefited from the movement, and make them suffer more than what they have gained from the movement. And TADA is serving this purpose very well. Quite apart from the monstrous nature of the Act, this use it is being put to is entirely illegitimate and a travesty of the stated aims of the legislation.

Attacks on civil liberties activists and the Press

It must be emphasised once again that what is happening is in pursuance of a conscious policy of the State government, supported by the Central government. The Chief Minister N. Janardhan Reddy and the Home Minister M.V. Mysoora Reddy have made no secret of the fact that they have given full freedom to the police to do whatever they feel necessary to 'root out naxalism' from the State. There was a time not long ago when Ministers used to acknowledge the social and economic roots of the naxalite movement, which entails a certain responsibility to handle it politically, and with sensitivity to the issues involved. But right now both the Chief Minister and Home Minister have started openly declaring that the naxalites are nothing but criminals and that there is no land problem or any other problem involved here. This is meant to justify the unlawful policy of brutal suppression they have adopted.

In this milieu, all those who are sensitive to the issues involved and are prepared to write or talk about them have become intolerable to the rulers of the State. They are being subjected to attacks. The principal targets are the civil liberties and democratic rights activists and the Press. Civil liberties

organisations have been consistently opposing in principle the policy of suppressing a mass-supported political movement by the use of brutal and unconstitutional force. We have been campaigning about the injury done to basic democratic rights and values in the process. The Press, for its part, has been writing reports on fake 'encounters' and other forms of police atrocities. It has also been publishing news about the positive activities of the naxalite groups, like land occupation struggles.

The police and the government backing them are openly unhappy with this. They regard any talk of civil liberties, any exposure of police atrocities, any explanation of the social and economic roots of naxalism and any publicity to its positive achievements as a hindrance to the task of suppression they have taken upon themselves. It makes no difference to them that the task they have undertaken has no constitutional sanction nor that what they are objecting to is the legitimate duty of the Press and the civil liberties movement.

It is no coincidence that December 1991, the month which saw the induction of the Border Security Force into the war against naxalites, also saw the murder of a civil liberties activist and a journalist by the police. Narra Prabhakar Reddy, convenor of the Warangal district unit of APCLC as well as Secretary of the Warangal district Bar Association, was shot dead at his house on the morning of 7 December 1991. (See box about him.)

And Ghulam Rasool, reporter of Telugu daily Udayam was shot dead in a fake 'encounter' late in the night of 27 December along with a friend of his by name Vijayaprasada Rao, at Masjidpadu on the outskirts of Hyderabad. A report of this killing is included in Annexure B.

For civil liberties organisations such attacks are not new. Dr A. Ramanadham and Japa Lashma Reddy, senior office-bearers of APCLC, were murdered by the police on 3 Sept 1985 and 7 Nov. 1986 respectively. Prior to that, on 12 Jan 1985, Gopi Rajanna a young lawyer of Jagtial and activist of Karimnagar unit of APCLC was killed by BJP activists. Many other civil liberties and democratic rights activists have been arrested and jailed on false charges. And we are constantly subjected to abuse and threats.

About Prabhakar Reddy

Narra Prabhakar Reddy(35) belonged to Veldanda in Narmetta mandal, Warangal district. Wife Sharada is a school teacher. They have two children, aged 2 years, and nine months, respectively. He took his degree from Arts & Science College, Warangal, in the seventies. In 1974 he was implicated in a murder case in which some prominent local naxalite leaders were the main accused. He was acquitted by the Sessions Court. Later he joined Law at Nanded (Maharashtra) and got the admission transferred to Osmania University, Hyderabad. He completed Law from Osmania University.

He began practising Law at the Warangal district Court in 1987. The same year he was elected Sarpanch of his native village. He contested and won as an independent candidate, without an alliance with either the Congress(I) or the TDP. He was very popular as a sarpanch, especially with the weaker sections of the village.

In August 1990 he joined APCLC. The district unit of APCLC had been inactive for five years, ever since the murder of Dr Ramanadham by the police. Dr Ramanadham had been President of the Warangal district unit, as well as Vice-President of the State unit of APCLC, at the time of his murder in Sept 1985. It was Prabhakar Reddy and Dr B.Ramulu, lecturer in Economics at Kakatiya University, who came forward courageously in 1990 to revive and rebuild APCLC in the district.

Under their leadership the district unit picked up activity and became a hindrance to the unlawful and oppressive acts of the police. But the district unit also intervened constructively on many occasions to help the district administration to resolve many problems.

In December 1990, the police opened fire on a large gathering of people who had sat on a dharna outside the Narmetta police station and killed two youth. To justify this firing the police made up a case of assault on the police station. A total of 353 villagers were booked under TADA. Subsequently heavy repression was let loose on the whole district. In the last quarter of 1991 the assaults increased manifold. Villagers were daily surrounded by armed policemen, people were pulled out of their homes, thrashed mercilessly, and many were arrested and booked under TADA. Household goods like utensils, chairs, cots, pots, and trunks were smashed with axes and big stones.

The district unit of APCLC, and Prabhakar Reddy in particular, played a significant role in opposing this repression. Prabhakar Reddy consistently argued bail petitions for TADA offences in Court and got the accused released very quickly. He must have obtained bail for anything like six to seven hundred persons accused of TADA offences during the last one year.

Prabhakar Reddy was unanimously elected Secretary of the Warangal District Bar Association for the year 1991-92 by the 380 members of the Bar. As Sarpanch of Veldanda he was also member of the Narmetta Mandal Praja Parishad. In both these capacities he worked unremittingly against the suppression of the rural poor of the district by the police.

The police were angry with him for this reason. They declared openly that they had a list of 17 civil rights activists and intellectuals whom they would 'take care of', and that Prabhakar Reddy was one of them.

On the morning of 7 December, at about 7-30 am, four policemen in plain clothes came to his house in Warangal town and asked for him. As he came out into the office room to meet them they shot him dead with a revolver.

Attacks on the Press are relatively new. It was during 1990 and 91 that the police started alleging that reporters have extremist connections. Their real grouse, as evidenced by their abusive complaints, is that instead of subordinating their job to the exigencies of policing, the reporters are filing stories in a spirit of independence. They are writing

about police atrocities as well as the positive achievements of the naxalite groups, both of which the police have come to regard as a hindrance to their job. Eight reporters were arrested, some of them tortured very badly, and implicated in crimes relating to naxalite activity. (See box for details).

Details of the Mandal-level reporters of Telugu Dailies arrested by the police during 1990-91 in A.P. They were charged with serious crimes like murder, possession of explosives, terrorist offences etc. Their 'crime' was not cooperating with the police in the task of suppressing naxalites.

Name	News paper	Mandal
S.Ramalinga Reddy	Udayam	Dubbaka, Medak dt.
Ch.Murali Krishna	Eenadu	Mahamutharam, Karimnagar dt
T. Sanjeev Kumar	Eenadu	Chinachintakunta, Mahbubnagar dt.
T.Srinivas Goud	Andhra Prabha	Kollapur, Mahbubnagar dt.
V.Yadagiri	Eenadu	Medak, Medak dt.
N.Ramanaiah	Eenadu	Ichoda, Adilabad dt.
S.S.Sudarshanam	Andhra Bhoomi	Korukonda, East Godavari dt
B.V. Srinivasa Rao	Eenadu	Dachepalli, Guntur dt.

Note: These are not local papers but some of the major dailies of the State. Eenadu is the largest circulated Telugu daily; Andhra Prabha is owned by the Indian Express group; and Udayam and Andhra Bhoomi are owned by Congress(I) Members of Parliament.

A complaint filed by APCLC in this matter is pending with the Press Council of India.

The murder of Ghulam Rasool comes as a culmination of this attack. The attitude of the Chief Minister and Home Minister, who instead of taking action against the policemen responsible for the killing, have been openly declaring that 'there are many more extremist sympathisers in the ranks of journalists' has emboldened the police to continue their threats. At Karimnagar, an anonymous policeman rang up the office of a local newspaper and warned by name seven journalists that they would suffer the consequences of anything the naxalites did in Karimnagar.

Conclusion:

In this grave situation it is our request to all

democratic minded individuals to write and put pressure on the government of A.P. to realise the following demands.

- stop 'encounter' killings and other forms of unlawful acts of suppression
- send back the CRPF, BSF and ITBP forces
- evolve a democratic and humane way of dealing with the problem
- implement land reforms, tribal land transfer regulation laws and other enactments, that are meant for providing livelihood to the poor and protecting them from oppression.

APCLC

OPDR

ANNEXURE A

Report released by fact finding committee consisting of CPDR (Bombay) PUDR(Delhi) OCDR (Tamil Nadu), APCLC and OPDR activists who investigated 10 'encounter' killings in five districts, during the third week of October 1991.

With the coming into power of the Janardhan Reddy government in Andhra Pradesh about ten months ago, the practise of staging 'encounters' as a method of suppressing the CPI-ML groups' movements has received fresh impetus. An offensive has been launched against the revolutionary groups. From the murder of Balanna and Yadagiri who were picked up from their fields and killed on a hillock in the outskirts of Mosra (Nizamabad dt) in the early hours of 30 Dec 1990, to the most recent 'encounter' near Chalwai (Warangal dt) where a young tribal labourer, Devanna, was picked up as he was cycling from Chalwai to Machapur on the afternoon of 14 October 1991 and shot dead 12 hours later, a total of 65 persons have died in 'encounter' killings. This is the highest incidence of 'encounter' deaths in any year in the past decade. The largest figure prior to this year was in 1988 when 61 persons were killed in 'encounters'.

A growing concern with this disturbingly dangerous trend, that threatens to erode the last vestiges of an already tenuous edifice of legal and democratic norms, prompted several civil rights organisations from different parts of the country to come together and look into these so-called encounters. A six-member team consisting of representatives of five civil rights organisations and one independent civil rights activist, toured the north Telangana districts of Adilabad, Nizamabad, Karimnagar, Warangal and Khammam for one week (13 to 19 October) and investigated 10 'encounters'. Twenty persons were killed in these ten 'encounters'. The incidents were selected on the basis of the availability of concrete evidence, and the accessibility of the place of killing. The following are the incidents investigated by the team: Madaram, Venkatapur (Adilabad district), Mosra, Gokul Tanda, Nagaaram (Nizamabad dt), Malkapur, Lakshmipur (Karimnagar dt), Nashkal, Chalwai (Warangal dt), and Kachenapalli (Khammam dt). The team spoke to not only the friends and relatives of the victims, but also to local people, local elected representa-

tives, and police and administrative officials where they were available.

We give the findings of the team below. Detailed incident by incident report is given at the conclusion.

FINDINGS

How the 'encounters' take place

The 'encounters' follow a frustratingly familiar pattern. The official version invariably involves a shoot out which is initiated by the naxalites and in which the police participate in self-defence. The police are shown as helpless victims of an attack which they are forced to repulse as a last ditch attempt to save themselves; after all their verbal warnings have proved ineffective. But in reality the police not only outnumber the victims but also have more weapons and more sophisticated weapons even in their own versions. A very large police force participated in the 'encounters' at Venkatapur, Gokul Tanda, Malkapur, Lakshmipur, Nashkal and Kachenapalli. And yet strangely, the bullets allegedly fired by the naxalites have never hit a single policeman.

The truth of the incidents, as the team found, is very different. Three of the 20 victims were chased and shot dead (two in Malkapur and one in Kachenapalli) three were overpowered and shot dead immediately (Venkatapur); and the remaining 14 were overpowered, taken into custody, and shot dead after a few hours, sometimes after being tortured severely, as for example in the Gokul Tanda, Lakshmipur, Nashkal and Kachenapalli incidents.

Who are the Victims

Since the CPI-ML groups do have armed squads and armed underground organisers, the possibility of an exchange of fire when the police attempt to apprehend them cannot be theoretically ruled out. But this is not what has happened in any of the ten 'encounters' investigated by this team

In our investigation we found that only six of the 20 victims were underground activists. They too were either chased and killed or caught and killed, but did not die in a shoot out. The remaining 14 were not even underground activists, nor were they armed. Some of them were tribal and rural youth or labourers. There was one medical

compounder, one field assistant in a seeds company, two elected representatives, and five activists working in the legal or mass fronts. Needless to add, all the victims are from the most oppressed sections of society.

Witnesses

In three of the ten cases investigated by the team, practically the whole neighbourhood witnessed the arrest and torture of the victim (Gokul Tanda, Lakshmipuram and Nashkal). The onlookers were also threatened, beaten and abused. In Lakshmipuram they were all arrested and detained for one to two weeks afterwards. In the Madaram, Malkapur, Nagaaram cases there is atleast one principal witness. The witness in the Madaram case, a car driver, has been sent away to some unknown place forcibly along with his family. The witness in the Malkapur case was arrested, tortured badly and jailed under TADA for allegedly making an assault on the police.

What happens after the killing

In six out of the ten cases, the body was not sent to the civil hospital for post-mortem examination as the Cr.P.C. specifies, but instead the doctor was brought to the spot of the killing and the post-mortem examination was done there itself. This is contrary to the law unless the body is in an advanced stage of putrefaction, and such a situation cannot arise in the case of an 'encounter' since the police themselves have killed the person and therefore there is no possibility of delay in information reaching the police. We find it surprising that responsible government doctors are cooperating with this illegal practice.

In not a single one of the ten cases did the police inform the family of the victims about the death. The family learns of the killing through press reports or by word of mouth. Often the police simply call the victim 'an unidentified naxalite' and they make no effort at all to publicise the dead man's photograph to get him identified. It is left to the people to react to rumours and run around verifying whether it is their man who has died.

Except in the Nashkal, Mosra and Chalwai cases, in no case was the dead body given to the family for cremation. The police finish off the cremation at the spot of the killing or some nearby location as soon as the post-mortem examination is over. In the

Venkatapur case, the father of one of the victims claimed his son's body but was driven away. In the Kachenapalli case the bodies were handed over to the concerned political organisation in a highly putrefied state after considerable agitation. In the Gokul Tanda and Nagaaram cases the cremation by the police was already over by the time the parents managed to realise that the 'unidentified naxalite' killed was their own son.

This condemnable practice exemplifies the inhuman nature of the operation better than anything else.

Special and paramilitary police

A disturbing aspect of the recent 'encounter' killings is the massive reliance on special squads like STF and SSF (Greyhounds) as well as paramilitary forces like CRPF, BSF, ITBP etc. While the special squads possess an anonymity that encourages them to commit violence against the people with even greater impunity, the paramilitary forces which are ignorant of local conditions and even the local language have been behaving very arbitrarily. It was the CRPF that killed two Revenue employees at Ankole in Nizamabad and it was the STF that killed two school children of the tribal residential school at Mohanapuram in East Godavari dt.

The task of policing should be entrusted only to the regular police who are responsible for the maintenance of law and order locally. It is not our case that they are more law-abiding than the special or paramilitary policemen, but only that they are identifiable by the people, and have well-defined responsibility, and can therefore be held to account more easily.

In the ten cases investigated by the team, it is the local police who have on paper owned up the responsibility, but the special or paramilitary police are present in every incident in large numbers, and in a few cases there is reason to believe that it was they who committed the killing without the knowledge of the local police, but at the instance of the higher ups. This is clearly true, for example of the Venkatapur incident.

Conclusion

The officials whom we spoke to replied that these 'encounters' and other forms of suppression are a consequence of the extra-legal acts of

the naxalites. They are killing landlords, police informers, liquor contractors, etc. They have even killed more than 25 policemen this year. They are taking the law into their hands and dispensing justice, grabbing land, etc.

We neither deny that violence has been resorted to by the naxalities nor do we support or condone it. However, firstly the preventive or investigative action taken by the police in the face of this violence must be strictly lawful, for otherwise there is no guarantee that innocent persons will not be hurt in the process. The State cannot become lawless on the plea that some people have become lawless. The police officials the team spoke to talk as if the police have the right to seek revenge against those who attack them. This is a very dangerous attitude. Secondly and more importantly, the naxalite movement cannot be seen as an outbreak of criminality. It is this attitude of the government that is resulting in staged 'encounters', torture, false cases, mass assaults on villages, 'disappearances' etc. The correct attitude would be to see the naxalite groups as political organisations that have come up in response to the problems of poverty and oppression in the rural areas. While taking all steps possible to lawfully maintain order, the government should concentrate on tackling the basic problems. Of this we see no evidence.

A vivid picture of the false and undemocratic attitude adopted by the government is provided by the sight of police stations selling country liquor, which the team saw at many places in Adilabad, Karimnagar and Warangal districts. Queues of drunkards standing outside a police station, and heavily armed policemen handing out liquor packets make a ridiculous sight. Prohibition being one of directive principles of the Indian Constitution, whoever tries to enforce it should be respected and

encouraged by the government. Instead it has converted that attempt into a 'problem of law and order' and police stations have become liquor shops in north Telangana.

Demands

1. An 'encounter', by its very definition, is killing in self-defence. Following the law, therefore, the policemen involved in every encounter should be arrested and prosecuted and the burden of proving that it was done in self-defence should be placed on them.
2. A judicial enquiry should be ordered into all cases of 'encounter' killings.
3. An amendment should be made to the Cr.P.C. making it mandatory for the District and Sessions Judge to record evidence suo motu in any 'encounter' announced by the police, take cognisance of the case and initiate prosecution proceedings against the policemen involved.
4. The families of the victims should be given a compensation of atleast Rs. 1 lakh.
5. All the special squads of armed policemen like STF and SSF should be disbanded and deployment of paramilitary forces should be discontinued.

Our five organisations as well as other civil rights organisations will publicise the findings of the week-long investigation and build a country-wide campaign in defence of the demands placed above.

CPDR(Bombay) PUDR(Delhi) OCDR (Tamil Nadu) APCLC & OPDR

DATE 20/10/1991
HYDERABAD.

DETAILED REPORTS OF THE TEN INCIDENTS

Adilabad District

Venkatapur

Three legal activists Lingaiah, Bachanna alias jagan and Mallanna alias papanna were killed in a fake encounter on 11th April. According to the eye-witness, a dhobi who was pressing clothes at the scene of occurrence, the 3 activists gathered to

discuss some matter and disperse after that. Two persons in mufti came and asked for Jagan. When Jagan suspected them to be police the three activists tried to run away. But meanwhile news of their presence reached the armed policemen waiting in a stream near the village. They came and rounded up the three activists as they were about to leave. They were asked to raise

their arms and were shot dead in close range in a cold blooded manner without any provocation or resistance by the victims.

The dhobi was also caught on suspicion that he was also an activist. But he explained that he never belonged to that group and he is a dhobi of that village and the child in his arms was his own child and his wife is washing clothes in the stream. They let him free only after taking him and the child to the stream and asking the mother to breast-feed the child.

The cremation was done by the police in the stream itself collecting fire wood from the houses of Venkatapur. Parents were not informed. They refused to hand over the dead body of Lingaiah even after his father's request. They refused on the grounds that they would give them only if all the three parents come.

Then all the houses in the village were raided and nothing was seized but the people in the village were threatened. The people abandoned and left the village for more than 2 weeks. An old man aged 70 years explained to us as to how he was beaten and tortured to show the ammunition hide-outs. He was caught and beaten unmindful of his old age, poverty and innocence, because he was unable to leave the village after the alleged 'encounter' murder had taken place. The lady residing in the house in front of which the 'encounter' took place could listen to the three victims offering surrender, and then the sound of rifle shots. The dhobi is an eye-witness for the rounding up of all the three witnesses, and the subsequent cremation etc.

MADARAM

A former mine-worker and an activist, Beda Ramaswamy was arrested by the police in the early hours of Independence day, 15th August 1991. We met the Tandur Mandal President Goud in his residence. He said that on that day he received a chit at 5 a.m. requesting him to take the local M.L.A. to police higher officials of the area and ensure the remand of Beda Ramaswamy within 24 hours. Soon after receiving the chit he went to the local M.L.A.'s house and took him to meet the Bellampalli A.S.P. at 7 a.m. As the A.S.P. was busy over the phone arranging police pickets in several sensitive areas, they waited for him. When the matter was informed to him at about 7.30 a.m. the A.S.P.

said that it is too late and the entire matter was over i.e. the 'encounter' had already taken place and Ramaswamy was dead.

The victim was arrested when he was traveling in a car from Goleti to Madaram and done to death. The main witness-a car driver was driven away from the place with his family by force and threat. He was not traced and examined by the Executive Magistrate.

The police at the first instance told his wife that he died in a lorry accident; later she came to know about the fake encounter. The body was cremated by the police after recording a statement that the body was handed over to his family members. We saw the place where the body was cremated. It is a road-side vacant land and not a cremation ground.

We met the Executive Magistrate who conducted the inquest. He said he could see one or two holes in the wind screen of the car probably caused by bullet shots. He also said that after a few hours he saw the entire wind screen of the car smashed.

However the Tandur Mandal President gave his statement before the Subdivisional Magistrate about the prior information regarding Ramaswamy's arrest which falsifies the whole story of 'encounter'. From the facts it is seen that the police on previous information laid a trap and killed Beda Ramaswamy in a cold blooded manner.

NIZAMABAD DISTRICT GOKUL TANDA

Dakya- a tribal youth and a petty contractor in the village Gokultanda was taken from his house on 10th June. He was killed in an 'encounter' near a railway line which is 3 k.m. away from his village on the same evening.

His parents, wife, children and his brother witnessed the arrest. Around 30 Policemen in plain clothes came to the village at 11 a.m. in the morning. They caught the youth and asked his name. He told his name 'Dakya'. His hands were tied behind his back with his lungi and he was taken towards the railway line. The whole family and villagers gathered and started crying and requesting the police to let him free.

The police beat the villagers and drove them away. The police said they would question Dakya for a while and let him free.

In the evening around 5p.m. the villagers heard firing sound but they never suspected that it was Dakya being killed. The next day his brother and another person went to kamareddy police station to enquire about Dakya. The policemen in charge of the station said he was unaware as he was on leave the previous day.

Then they approached an advocate in the town and explained the matter. He helped them to meet a reporter of 'Udayam' daily. The advocate asked him to show the photograph of 'unidentified extremist' killed in 'encounter' on 10th June while he was allegedly attempting to blast the Railway line.

His brother identified the 'extremist' to be Dakya. The dead body was not given to the family. In fact they were not aware of the killing till they were shown the photograph. The police still claim he is 'unidentified naxalite.'

MOSRA

Yadagiri a peasant and Balanna a former activist were killed in an 'encounter' on 29th December 1990. They were residents of Kothapeta near Mosra.

On some information more than 10 policemen entered the fields of the village in the early hours of 30th December at 2.00 a.m. They caught hold of one Badru Naik a farmer of that village in his field and asked him to show the place where Balanna was sleeping.

He led the way for some distance he was severely coughing and but could not walk further. Leaving him behind, the police proceeded towards Balanna's field where he was sleeping on a scaffold with his neighbour Yadagiri who never had any connection with the movement. Balanna was an activist till he was expelled from the movement 3 months previously.

The next morning the villagers went to supply milk to Mosra. While returning back to the village a police van and a large number of police were seen and they were told an 'encounter' had taken place, near Mosra. They were not allowed to go near the bodies. As they peeped from the road and identified them to be Balanna and another person, they

came and informed the villagers about the 'encounter'. At the time the villagers were also searching for Balanna and Yadagiri from the morning as they were missing from their fields. Later the villagers went to the spot with the sarpanch and received the dead bodies.

The police story was that they were hiding behind a rock near the road and fired at the police van when it passed by. Police stopped and returned fire and killed them.

NAGARAM

On July 25th in Nizamabad town one medical compounder and a field assistant were taken from their house and police reported that they were killed in an 'encounter' in the outskirts of Nizamabad, a village called Nagaram.

Both Lolapu Narasaiyya, the compounder and sheik Mahmood, field Assistant belonged to the same village Suddalam. When Mahmood came to Nizamabad town in search of a house for rent he met his old friend and stayed in his room that night.

The owner of the house saw the police picking up the youths at 4 a.m. At 9 a.m. the school going boys saw large number of police gathered in the hilly place in the entrance of Nagaram village.

The police cooked up the usual story that the youth fired from the hilly place on the police van which was patrolling in that area. And they died in the 'encounter'. Two days later their parents came to Nizamabad after seeing the news in a Telugu daily. They could find nothing but their belongings. Police reported that it was Kiran Kumar Radical youth league organiser and later they changed the name to Mahmood.

The parents of Mahmood and Narasaiyya did not even go to police for any enquiry for the fear of being harrassed in future. They were neither informed nor given the dead bodies of their sons.

KARIMNAGAR DISTRICT MALKAPUR

Two underground activists Sanjeev and Venkatesh were killed in an 'encounter' on 26th May. They came to the village on 26th morning for settling a family dispute between two persons. The dispute was between the father of Lakshmi, a

beedi worker and activist of Progressive organisation for Women, and her uncle that is her father's brother.

Since the police vigil was high on the previous day they postponed the panchayat to some other day. When they were set to go away two policemen in uniform came very near to them. There are 3 eye-witnesses, Lakshmi, her father and her uncle. While last two ran towards the village, the two activists and Lakshmi ran towards the forest.

But a large number of police closed in and chased them and Lakshmi was made to halt at gun point. Venkatesh was shot from the back; the bullet went through his head and he died on the spot.

Sanjeev who pleaded surrender with his arms up was also shot on his chest from a point blank range.

Lakshmi was charged under TADA and attempt to murder the police. When the fact finding team met her she had been released on bail just 4 days before. As she was an eyewitness to the encounter she was tortured with electric shocks.

It is a clear case where the victims never opened fire even for self defence. The fact is quite contrary to the police 'encounter' story.

LAKSHMIPURAM

Again two underground activists Nazeer and Mallesham were arrested and killed in 'encounter' on 18th March.

Lakshnipuram is a hamlet very near a hill in which only 5 families consisting of not more than 25 persons are living.

Mr. Parasuram a resident of the hamlet remembers the time exactly as 3.00 p.m. when the CRPF men came to him and caught him by his hair and asked for the naxalites. He showed one of the 5 houses and they went and arrested Nazeer and Mallesham. They were kept there and all the people of the hamlet were arrested and taken to Sircilla. 21 persons were thus arrested.

All the persons ranging from 2 year old child to 60 year old man were among the 21 arrested. They were beaten and kept in custody for more than 4 days in Sircilla police station. The children and women folk were let free on the 5th day.

Parasuram and some others were kept in police custody for 11 days. There he came to know about the 'encounter' on the second day of his arrest from a discussion among the policemen of the police station.

In this case the whole village witnessed the arrest of Naseer and Mallesham. But the police claimed that they were killed in 'encounter'.

WARANGAL DISTRICT NASHKAL

Setty Beeranna a 26 year old youth was an agricultural labourer. He was forcibly taken away from the house and severely beaten before he was killed in 'encounter' on 31st July.

Setty Beeranna was released on condition bail 3 weeks previously and was regularly appearing before the S.I. Ghanpur to report his presence. On 30th July when he went to sign he was not allowed. The S.I. asked him to come after some time and meet him. He went to buy some fertiliser with his uncle and later went to police station at 8 p.m. Since the S.I. was not there he waited for some time and signed the register and came home.

At 2.00 a.m. in the early hours of 31st July four men with their faces covered and weapons in their hands came to his house. When the old mother saw them entering she woke up Setty Beeranna's wife, brother and aunt.

The men surrounded his cot and started beating him with rifle butts and barehands. When he shouted for help the child sleeping with him started crying. The neighbours from both the sides and his uncle from the next house tried to come in. But they were threatened and stopped. The members of the family were locked up in a room.

He was taken out from the house. An old lady in the main road saw him vomiting blood.

The next day the sarpanch of Chagallu went to Ghanpur police station to enquire about the arrest. The police replied that he had died in 'encounter' when the radicals attempted to remove rail tracks.

CHALWAI

This is the most recent encounter that took place when the team was on tour. Item Devanna former activist and a beloved character in the whole village, was going on bicycle from Chalwai to Machapur on 14th October afternoon. On his way to Machapur, the peasants in adjoining lands saw the police taking Devanna forcibly. He was hurled into the van. The bicycle used by him was thrown in a small pond by the side of the road.

Next day the farmers of neighbouring Bussapur were called by the police to identify the person killed in 'encounter' near that village. They informed the people of Chalwai. It was later confirmed to be Devanna by the villagers of Chalwai.

The two youth (one relative to Devanna) who were present during the time of inquest, insisted that the M.R.O. should record the injuries that was seen on the face and other portions of the body of Devanna.

It was not recorded but the rope marks on his hands and legs made because of tying were recorded, which is a clear evidence for his arrest, torture etc.

When we met D.S.P. Mulug he explained the story according to which the D.S.P. requested the armed squad to surrender. The squad, turning a deaf ear to his request, opened fire on his party; so return fire was opened by police for self-defence which killed 'Devanna'.

He obviously denies the arrest, torture etc., and also claims it to be a real 'encounter' where the cross fire lasted 30 minutes.

KHAMMAM DISTRICT KACHENAPALLI

This was an 'encounter' where 5 persons were killed in one single incident. One squad member, two legal activists of Rytu coolie sangam and two elected people's representatives were killed.

As per an eye-witness one of the squad members was killed while they were running in the edge of forest to make their escape. It was at 6.30 a.m. on 29th May. The place was a couple of kms. from Kachenapalli. The other four were taken into custody at Kachenapalli, brought to the same place

and killed at about 11.30 am.

Kottanna a squad member, Namburi Seetha ramarao, district joint Secretary of Rytu coolie sangam, Susena Kumari leader of progressive organisation for women, Chintalakshmi, vice-President of Mandal Prajaparishad Tekulapalli Mandal, Nomula Parasuramulu Tekulapalli village are the victims. Except Kottanna all others were legal activists.

The four legal activists went to the village Kachenapalli on the previous day. There was search in everyhouse of the village that night so they thought of leaving the place and made their way to the road in early hours of 29th May. They left the village by 4.00 a.m. as the police was making search in other parts of the village. They were arrested on the road. A lady belonging to the Kachinapalli village saw the four being taken towards the forest at 8.30 a.m. She thought it to be a usual scene of arrest since that was election time.

The villagers heard gun shots at 11.30 a.m. but the people knew of the 'encounter' killing of these four persons only through newspapers the next day.

The M.R.O. was not able to identify the dead-bodies of even the elected representatives who were well known to him because their faces were disfigured and facial and limb bones were broken.

The reporter of 'Udayam' daily noticed that intestines had come out of Susena Kumari's body. There was no blood around the bodies of these four. Severe torture resulted in injuries and disfiguration of the face and body. Even the post mortem was done after 3 days to ensure the marks of torture injuries etc., not recorded.

The people of the village say some acid was poured on their faces as black lump of flesh alone was seen instead of their faces.

The photographs taken on the 3rd day ensure, the above said facts.

As usual the police cooked up a story of 'encounter' and alleged these four were sitting with the squad when they opened fire in the early morning. And police had no way to ensure security for these four alone, and so they also died in cross fire.

ANNEXURE B

THE PAGIDERU, MOHANAPURAM AND MASJIDPADU 'ENCOUNTERS'

We give below the details of these three 'encounters', because they are significant for different reasons. The Pagideru incident, in which 13 persons were killed, is the biggest 'encounter' in terms of casualties in the history of encounter killings in this State. In the Mohanapuram incident, two tribal school children, a girl aged 6 and a boy aged 10 were killed along with a naxalite activist. And in the Masjidpadu incident, one of the two victims was a journalist.

PAGIDERU

Pagideru is a small hamlet well inside the forest near Manuguru in Khammam district. The hamlet has a long association with naxalite politics. For this reason the police seem to have thought that if an 'encounter' is announced to have taken place at Pagideru, the veracity of the claim will not be doubted. However, what happened on 6 January 1992 was neither an 'encounter' nor did it take place at Pagideru.

The 13 persons who were killed were coming in a Mitsubishi van from Jangaon in Warangal towards Bhadrachalam in Khammam district. They had started on the 5th January. On the way the police caught them. They had with them in the van some bundles of leaflets, posters and newly stitched uniforms of the sort worn by the armed squads of the people's War group. All of them were rural youth, 11 from Warangal district, one (a girl) from Nalgonda and one from Nizamabad. The police took them in the same van to a spot about a kilometre and a half to the left of the Manugur Eturnagaram road. This spot is within the village limits of Ramanjaram. Pagideru is merely one of the hamlets of Ramanjaram. And the spot where they were taken is closer to Ramanjaram than to Pagideru. At about 5-15 pm on the evening of 6th January, the police gunned down all the 13 of them at this spot. They forced them to put on the newly stitched uniforms they were carrying and killed them, to make it seem like an 'encounter' with an armed squad. Then a story was concocted. At about 7-00 in the evening the police blew up a bit of the road inside the forest near the place of the killing. They then fired intermittently till about 11-00

pm into the air. The next day they gave a statement that an armed squad of the naxalites had attempted to blow up a police jeep in the forest the previous evening and the police had opened fire in the end of which 13 naxalites lay dead. No policeman was injured. Their story did not account for the fact that firing started nearly two hours prior to the 'blast', both of which were heard by the people of Ramanjaram and its hamlets.

The driver of the van was kept in police custody for three days and later taken to Tulasipaka beyond Bhadrachalam, done to death, and pushed onto the roadside along with the van. Having done that the police 'discovered' the van and driver on the 10th January and announced that somebody had met with a fatal accident. But the telltale bundles of leaflets and posters were still in the van.

MOHANAPURAM

Mohanapuram is a small tribal village of 150 households deep inside the forest in Gangavaram mandal, adjoining Addateegala, in East Godavari district. There is a residential school here which accommodates about 150 boarders, all primary and upper primary school students, run by the Integrated Tribal Development Agency (ITDA) and meant for tribals. On the evening of 7 Sept. 1991, well after sunset, as the boarders were immersed in the obligatory post-dinner 'studies', five members of an armed squad of the PW group entered the school compound from behind and came onto the rear verandah. They had received a complaint from the father of a boarder that his boy was unwell and was not getting proper medical care. The naxalites asked for the teachers and the boys fetched them from their homes in the villages. The naxalites made enquiries about the boy who was unwell and one of the teachers was sent away to fetch some medicine. He brought it and administered it to the boy and later the teachers and the naxalites spent some time chatting on the rear verandah. It must be mentioned that the doors of the study rooms open into the rear verandah and not the front. One of the naxalites, a woman, went into the study room on the right of the verandah and started talking to the children.

Suddenly there was gunfire from near a tamarind tree behind the school. The police had apparently come to know of the presence of the naxalites in the school and came from behind and started firing at them directly, unmindful of the fact that the bullets would enter the study rooms and injure the children. That is what happened. The bullets killed one of the naxalites standing outside. They also rained into the two study rooms. The woman naxalite who was talking to the children was severely injured. Her comrades outside dragged her away and escaped from one side of the rear compound without firing back at the police. But the hail of police bullets injured 15 children sitting in the study rooms. One of them, a 10 year old boy, died immediately. A six year old girl was severely injured and bled to death in the early hours of the next day. The other 13 were hospitalised. One of them is yet to be discharged, fully five months after the incident.

MASJIDPADU

Ghulam Rasool, reporter of the Telugu daily Udayam and a friend of his by name Vijayaprasada Rao were killed in early hours of 28 December 1991 at Masjidpadu on the out skirts of Hyderabad, in Rangareddy district. The police described them as 'unidentified naxalities'.

Ghulam Rasool came from a poor family of dyers in Sharajupet, Nalgonda district. As a journalist he was deeply concerned about social injustice and filed many reports exposing such incidents. He did not hesitate to confront powerful politicians and corrupt policemen who shielded landgrabbers and other influential criminals. At the time of his killing he was involved in digging out details about landgrabbing activity in Hyderabad city, and it is undeniable that his killing was linked to it.

On the evening of 27 December Rasool left his Office. He borrowed the scooter of another reporter, saying that he would soon be back. He seems to have picked up Vijayaprasad rao, an

unemployed post-graduate who was a friend of his. On the way to Uppal in the north-eastern corner of the city, the two were waylaid and taken into custody by the police. There is no question of any mistaken identity since Rasool was well known to the police and in any case he would have immediately told them who he was. The two were taken to Masjidpadu, ten kms out of the city from Uppal and shot dead near a disused building. The police then gave a statement that there had been an 'encounter' with an armed squad of naxalites near the disused building, and two unidentified naxalites died. This is how the Press, including Rasool's own paper, carried the news on the 29th. Photographs of the slain bodies were published, but they were taken at such an angle that identification was difficult. It was the sister of Vijaya Prasad Rao who identified one of the dead men as her brother. Having come to know that he had gone out with Rasool the previous evening she came to the office of 'Udayam' and asked for Rasool. By that time Rasool's colleagues were wondering what had happened to him. They then put two and two together and realised what had happened. An enlargement of the photograph of the dead bodies made identification possible. They then went to the mortuary at Mahatma Gandhi hospital, Secunderabad, thinking that since the police had claimed that the dead men were unidentifiable they would have preserved the bodies. But the bodies had vanished. The police said that the relatives of the dead men had taken the bodies, unmindful of the fact that the relatives were just then realising what had happened.

In spite of widespread agitation the government has refused to keep under suspension the S.P. of Ranga Reddy district and the D.S.P. Saroornagar subdivision who were directly responsible for getting Rasool and his friend killed and had invented the lie that Rasool was a central organiser of the PW group working in the garb of a journalist.

ANNEXURE C

TABLE OF 'ENCOUNTERS' IN THE GOVERNMENT OF N. JANARDHAN REDDY

Place & date	Number of victims	How they were killed	who were they
1. Mosra (Nizamabad) 29-12-90	2	Taken into Custory & shot dead	Both Poor peasants one c them a former activist.
2. Pittampalli (Nalgonda) 4-1-91	2	Taken into custody & Shot dead	Both organisers
3. Andugulapalli (Karimnagar) 27-1-91	1	Arrested in Maharastra &brought here&killed	Mine worker
4. Husainabad (Nalgonda) 28.1.91	1	Chased&shot dead	organiser
5. Bhoopalapatnam (Adilabad) 30-1-91	1	Beaten to death by ITBP in the presence of villagers	Rural youth
6. Battupalli (Karimnagar) 31-1-91	1	Taken into custody & shot dead	Former Activist
7. Devapur (Adilabad) 8-2-91	1	Police shot him while he was sitting near a stream	unemployed youth
8. Mancheryal (Adilabad) 11-2-91	1	Taken into Custody & Killed	Organiser
9. Ahmadipur (Medak) 22-2-91	5	Taken into Custody & shot dead	Three organisers & two landless share croppers
10. Battonipalli (Warangal) 2-3-91	1	Taken into Custody & shot dead	Sentry of Armed Squad
11. Narasimhasagar (Warangal) 16-3-91.	1	Police approached the squad who were talking to villagers & directly opened fire	Sentry of Armed sqyad
12. Laxmipuram (Karimnagar) 18-3-91	2	Taken into Custody & shot dead	Both legal activists
13. Aggimalla (Karimnagar) 28-3-91	1	Taken into custody at Kammarapalle in Nizamabad dt& killed here	Organiser
14. Boorugupalli (Medak) 9-4-91	2	Taken into Custody & killed	Two Pan vendors with criminal record.
15. Venkatapur (Adilabad) 11-4-91	3	Taken into Custody & shot dead	Three legal activists

16.	Mallampalli (Warangal) 20-4-91	1	Police approached him by the side of the road & shot him dead	Tribal youth (High way Robber)
17.	Tangellapalli (Karimnagar) 21-4-91	1	Taken into Custody & shot dead	Organiser
18.	Padira (Karimnagar) 29-4-91	1	Taken into Custody in the fields & shot dead	Peasant
19.	Krishnasagar (Khammari) 21-5-91	1	Police opened fire on an armed squad who were talking to villagers killing one villager	Young girl (College student)
20.	Malkapuram (Karimnagar) 26-5-91	2	Chased & shot dead	Organisers
21.	Kachinapalli (Khammam) 29-5-91	5	One person killed in firing on an armed squad & the rest taken into custody & shot dead	One squad member; two elected representatives & two legal activists
22.	Gokulatanda (Nizamabad) 10-6-91	1	Taken into Custody & shot dead	Tribal youth
23.	Ramakrishnapuram (Adilabad) 20-6-91	1	Taken into custody & killed when he resisted & injured a constable	Organiser
24.	Gorregundam (Karimnagar) 23-6-91	2	Taken into Custody in Jagityal & shot dead here	Two rural youth with criminal record
25.	Yellareddypalli (Nizamabad) 5-7-91	3	Taken into Custody & shot dead	Three rural youth
26.	Godavarikhani (Karimnagar) 14-7-91	1	Taken into Custody & shot dead	Organiser
27.	Nagaram (Nizamabad) 20-7-91	2	Picked up from their room & shot dead	One Medical compounder & one field assistant
28.	Nashkal (Warangal) 23-7-91	1	Taken into Custody at chagallu & killed here	Rural Youth
29.	Botlavanaparathi (karimnagar) 28-7-91	1	Taken into Custody & shot dead	Youth of landless family
30.	Gopalraopet (Khammam) 2-8-91	1	Taken into Custody & shot dead	Organiser
31.	Madaram (Adilabad) 15-8-91	1	Taken into custody & shot dead	Organiser

32.	Pilli Budarsinghi (Srikakulam) 23-8-91	1	Chased & shot dead	Tribal Peasant
33.	Ghanpur (Warangal) 23-8-91	1	Chased & Shot dead	Rural youth
34.	kanagal (Medak) 30-8-91	1	Taken into Custody & killed	Rural youth
35.	Sivampeta (Medak) 1-9-91	2	Taken into Custody & killed	One organiser & One peasant
36.	Mohanapuram (East Godavari) 7-9-91	3	When an armed squad was visiting the school police came and directly opened fire killing all the three	Two tribal school children & one organiser
37.	Habsipur (Karimnagar) 10-9-91	1	One constable died in an encounter between police & naxalites. In retaliation police killed a youth who was already in their custody	Rural youth
38.	Singotam (Mahbubnagar) 13-9-91	1	Taken into Custody & killed	Former Activist
39.	Parsanambala (Adilabad) 17-9-91	1	Taken into Custody & Killed	Rural youth
40.	Manchippa (Nizamabad) 23-9-91	1	Chased & shot dead	Rural youth
41.	Thallapeta (Adilabad) 8-10-91	3	After they threw their weapons & surrendered police shot them dead	Organisers
42.	Bussapuram (Warangal) 15-10-91	1	Taken into Custody & killed	Former Activist
43.	Kothularam (Nalgonda) 18-10-91	1	One constable died in an encounter between Police & naxalites. In retaliation Police killed a member of the armed squad who was lying in an injured condition.	Organiser
44.	Uppumadugu (Karimnagar) 16-11-91	1	Taken into Custody & shot dead	Clerk
45.	Maddunuru (Karimnagar) 18-11-91	1	Taken into Custody & killed	Rural Youth

46.	Maredupalli (Karimnagar) 18-11-91	1	Taken into Custody & killed	Peasant
47.	Chandapalli (Karimnagar) 20-11-91	1	Taken into Custody & killed	Organiser
48.	Dandulakshmipuram (Srikakulam) 2-12-91	1	Taken into custody & shot dead	Tribal youth
49.	Tulasipeta (Adilabad) 4-12-91	5	Chased & killed	Three organisers & two tribal youth
50.	Godavarikhani (Karimnagar) 8-12-91	1	Taken into custody & killed	Organiser
51.	Bommakur (Warangal) 9-12-91	4	Taken into custody & killed	one organiser & three rural youth
52.	Jagityal (Karimnagar) 14-12-91	2	Taken into custody & killed	Rural youth
53.	Achampet (Mahbubnagar) 14-12-91	2	Taken into custody in an injured condition & then killed	organisers
54.	Godavarikhani (Karimnagar) 15-12-91	1	Not known	Organiser
55.	Makhdumpuram (Warangal) 18-12-91	4	Taken into custody & killed	Rural youth
56.	Pandilla (Karimnagar) 20-12-91	2	Taken into custody & killed	Rural youth
57.	Katnipalli (Karimnagar) 21-12-91	1	Not known	Not known
58.	Oorugonda (Warangal) 24-12-91	3	Taken into custody & killed	Rural youth
59.	Masjidpadu (Rangareddy Dt.) 28-12-91	2	Taken into custody & killed	one journalist & one unemployed youth
60.	Julapalli (Karimnagar) 28-12-91	1	Not known	Rural youth
61.	Muthojipeta (Warangal) 29-12-91	3	Taken into custody & killed	one organiser & two rural youth
62.	Julapalli (Warangal) 30-12-91	1	Not known	Rural youth
63.	Machupeta (Karimnagar) 30-12-91	1	Taken into custody & killed	Rural youth

64.	Thurpugudem (Khammam) 31-12-91	1	Taken into custody & killed	Former activist
65.	Chapagadda (Visakhapatnam) 3-1-92	1	Taken into custody & killed	Tribal youth
66.	Pagideru (Khammam) 6-1-92	14	13 persons taken into custody from a Van & shot dead. Van driver was later killed in a fake accident	13 Rural youth & one van driver
67.	Sabbampeta (Khammam) 17-1-92	1	Arrested elsewhere and killed here	still unidentified
68.	Rangaraopet (karimnagar) 18-1-92	1	Not known	Not known
69.	Battupalli (Warangal) 20-1-92	1	Not known	Not known
70.	Potlapadu (Prakasam) 21-1-92	2	Taken into custody & shot dead	Rural youth
71.	Thummenala (Karimnagar) 24-1-92	1	Not known	Not known
72.	Katapuram (Warangal) 25-1-92	3	Not known	Not known
73.	Bellampalli (Adilabad) 26-1-92	1	Not known	Not known
74.	Chittapur (Karimnagar) 27-1-92	1	Taken into custody & killed	Rural youth
75.	Pasara (Warangal) 28-1-92	1	Not known	Not known

Total

133 (in 13 months time)

Not known : Fact finding teams have yet to visit these places. Hence details are not available.

* The fourth column needs some explanation. We use the expression 'organiser' to refer to underground activists of the CPI-ML groups. Activists of their mass fronts (students, workers, peasants, women's organisations) are referred to as 'legal activists'. However in the case of the People's war group, which has no openly functioning mass front organisations in many parts of the State, there are a large number of rural youth, referred to by that group as its 'militants' who function openly in villages. Most of the 'rural youth' mentioned in the last column are persons of this category. We have deliberately avoided using the expression 'militants' because in the Punjab and Kashmir context that term has come to denote the armed underground cadre of the groups.

We, as civil liberties and democratic rights organisations, have for nearly two decades been opposing this policy of wanton brutality. We have been pleading that the government should stop treating the naxalite movement as mere criminality and should recognise it as a political movement with roots in the oppressed classes and evolve democratic methods of dealing with it. It is true that the naxalites have chosen the path of armed struggle, and indulge in acts of violence frequently. We have never condoned or supported such acts of violence, and have explicitly condemned it when it has taken arbitrary forms injuring innocent people, but we have consistently pointed out that their violence has its roots in social oppression, economic deprivation and political failure, leading to the search for a political alternative. Quite simply, the rural poor support the naxalite movement and join it, notwithstanding its violence, because they have benefited immensely from it. They have obtained land, increased wages and freedom from landlords' oppression. To ignore this social reality and to indulge in a policy of brutal suppression is totally unsupportable in a democracy whose Constitution commits it to 'justice, social economic and political'. If a political movement is not dealt with politically but is treated as an outburst of criminality and handed over to the police and the paramilitary, and if further the police are given the license to indulge in unlawful and brutal acts to suppress the movement, the inevitable consequence is immense injury to the social base of the movement, which in the case of the naxalite movement is the class of rural and tribal poor. Not only the supporters and sympathisers, but almost the entire cadre come from this class.