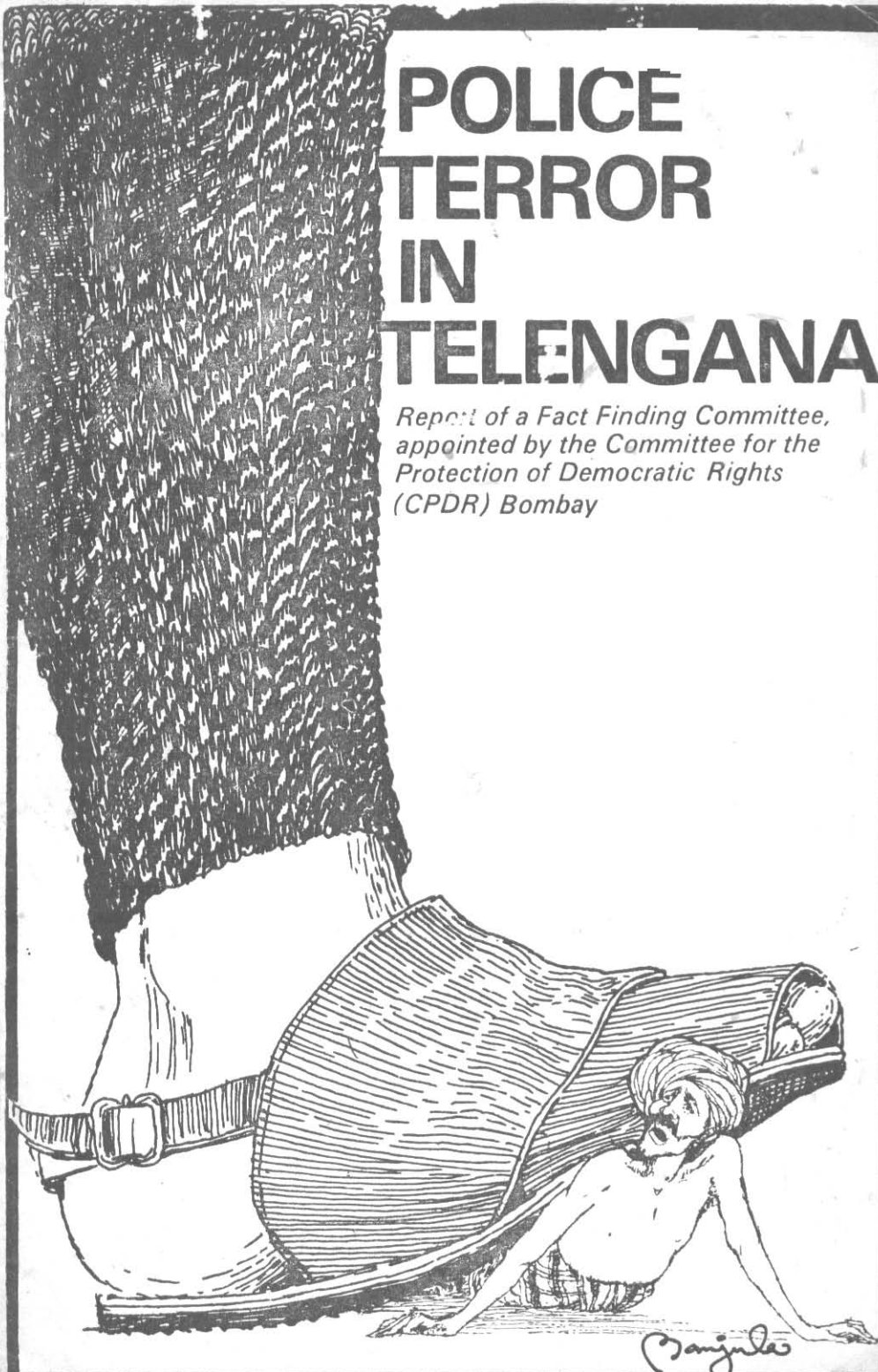


# POLICE TERROR IN TELENGANA

*Report of a Fact Finding Committee,  
appointed by the Committee for the  
Protection of Democratic Rights  
(CPDR) Bombay*



PEOPLE'S UNION FOR DEMOCRATIC RIGHTS

Dated: Jan.27, 1985

Savage Onslaught on Civil Liberties Activists in Andhra

The PUDR strongly protests against the arrest of Dr. Balagopal Gen. Secretary, APCLC (Andhra Pradesh Civil Liberties Committee), Dr. Varavara Rao, Dr. Ramanatham, Vice-President APCLC, and Mr. Sitarama Rao, Lecturer, by the Warangal police.

On Jan.18, a bandh was organised by the Radical Students Union protesting against the death of a student named Sudershan in police custody a few weeks earlier. On that morning, Dr. Varavara Rao, lecturer in Telugu literature and well-known poet, was taken into preventive custody. Dr. Ramanatham and Mr. Sita Ramarao were arrested in the S.P.'s office when they went to enquire about the grounds of arrest of Dr. Varavara Rao. They were arrested on the charge of distributing bombs to Radical students.

On Jan.21, another student, Sarangpani, died in police lock-up. Dr. Balagopal was enquiring into this death as well as the killing of an APCLC activist by the police in Vijayvada following a public meeting held there on Jan.22. Early morning on Jan.24, Dr. Balagopal was arrested. As of now, while Dr. Ramanatham and Mr. Sita Rama Rao have been released on bail, Dr. Balagopal is being kept in solitary confinement in Warangal Jail and Dr. Varavara Rao is detained at the Hyderabad Central Jail. It is feared that Dr. Varavara Rao may be shifted back to police custody for "interrogation" and subjected to torture.

P.T.O.

Several charges have been fabricated against the arrested activists, ranging from criminal conspiracy, criminal intimidation, carrying explosives, attempt to murder and rioting. Section 144 has also been imposed in Warangal city.

This itself has come in the wake of the gruesome murder of an APCLC lawyer, Mr. Gopi Rajanna (Vice-President, Jagtial taluk unit) who was shot dead outside his house on Jan.12 by armed goons. His wife was also seriously injured. No arrests have been made to date.

What is extremely ominous in the happenings between Jan.12-24 is that there appears to be a calculated offensive launched against the activists of the APCLC, which in the past few years has been consistently investigating and reporting on the violation of democratic rights in Andhra Pradesh. Dr. Balagopal himself is a petitioner on behalf of the APCLC in a case in the Supreme Court for the withdrawal of armed police camps from Kakatiya University (Warangal) and from panchayat and school premises in the Telengana region.

We demand i) the immediate release of Dr. Balagopal and Dr. Varavara Rao, ii) withdrawal of all false cases against the four arrested activists, and iii) lifting of section 144 from Warangal city.

Sd/-

(Gobinda Appababu)

# **Police Terror in Telengana**

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- (3) Radical Youth League.

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It also conveys thanks to the landlords, journalists, lawyers, writers, police and government officials and members of the Janata Party and CPI who were kind enough to speak to the committee.

The Committee also thanks the peasants of Karimnagar, Nalgonda and Adilabad who talked to us inspite of the risks involved. The committee is also thankful to sub-inspector Mr. Venkat Rao for enabling us to have a first hand experience of police highhandedness and providing us with corroboration of the allegations against the Andhra police that were reported to us!

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**REPORT OF A FACT-FINDING COMMITTEE, APPOINTED  
BY THE COMMITTEE FOR THE PROTECTION OF DEMO-  
CRATIC RIGHTS (C.P.D.R.) BOMBAY, ON "POLICE REPRES-  
SION IN TELENGANA" MARCH 1980**

*"I wander thro' each chartered street,*

*...*

*...*

*...*

*And mark in every face I meet*

*Marks of weakness, marks of woe."*

**—William Blake**

Emergency virtually continues in Telengana, where the peasantry are organizing themselves against the inhuman suffering and grinding poverty in which they have been seeped for centuries. This is what the C.P.D.R. team discovered while visiting Andhra, to find out the facts about the reported repression of the rural population in general and the peasants in particular. To live a decent life and stand up as self-respecting human beings is all that they appear to ask. The tales of woe that the Committee encountered were innumerable. The woe is a result of the weakness, socially and economically speaking, of the peasants and tillers. It was obvious to the team that this weakness is exploited by the vested interests in the countryside. Also, such exploitation is abetted by the authorities and the police.

This report is compiled with the realisation, that no report, however comprehensive can convey the plight of the oppressed and the pathos of the situation as one experiences it at first-hand. The report is only representative of the kind of repression that exists in a system ostentatiously committed to democratic values. The findings of the C.P.D.R. team which visited Karimnagar, Adilabad and Nalgonda districts (in Telengana) in November 1979 show once again, that all talk of democratic rights and the concern for weaker sections on the part of our politicians is a mere exercise in demagoguery.

The C.P.D.R. appointed Fact-Finding Team visited Andhra at the invitation of the Andhra Pradesh Civil Liberties Committee, particularly because of reports of continued police repression (which had earlier been exposed by the Tarkunde Report, and also by the Delhi PUCL (People's Union of Civil Liberties) appointed Fact-Finding Committee). The team was led by Shri Asghar Ali Engineer (leading journalist and writer), and consisted of Prof. Govind Shahani (Jai Hind College, Bombay), Shri Madhav Sathe (Journalist "Dinank"—Marathi Weekly), Shri Kobad Ghandy (Jt. Secretary, C.P.D.R.), Shri G. N. Rao (Teacher), and Shri H. P. Singh (Engineer). The team, interviewed among others, lawyers, teachers, landlords, peasants, police officials, youth and civil liberty activists, workers from a number of political parties and the Inspector General of Police. Also the team saw numerous documentary evidence, examined blood-stained clothes of victims as also torture marks on the persons involved.

The numerous cases of repression and brutality involving the police directly and indirectly reported to us in the form of illegal detention, rape, torture and the refusal to protect peasants from attacks by landlords shows that civil liberties are conspicuous only by their absence. Of course among the worst victims of this repression are the workers of the Ryotu Coolie Sanghams who have been fighting for the rights of peasants and who have been extending their concern for them beyond mere platitudes.

## II

### SOCIO-ECONOMIC BACKGROUND

Nalgonda, Karimnagar and Adilabad districts are in Telengana region, which was part of the Nizam of Hyderabad's kingdom. The whole region is known to be backward since the Nizam's times. The Nizam and other large landlords, each controlling thousands of acres of land intensively exploited the peasantry, not only through high rents and low wages, but also a variety of feudal social practices. The Telengana peasant movement of 1946 to 1951, against the Nizam and feudalism, swept through parts of the region, but the backwardness and feudal practices persist even today.

These three districts have been classified as economically backward by the Andhra Pradesh Government. Though they have rich mineral and forest resources, they have not been exploited systematically and there is little industrialization. In Adilabad, of a total of 11 blocks, 9 blocks have been classified as backward and 2 as tribal. In Karimnagar, 10 of the 14 blocks have been classified as backward and the remaining four as ordinary. Similarly, 11 of the 15 blocks in Nalgonda are backward and the other four ordinary.\*

The backwardness of the region is evident even from the level of literacy among the population in these districts.

#### Percentage of literacy among general population

	1961	1971
Adilabad	11.72	14.14
Karimnagar	12.90	15.34
Nalgonda	13.90	17.02
<hr/>		
All India	24.0	29.5
<hr/>		

The economic backwardness can partly be explained by the traditional method of agricultural production and lack of industries and is partly due to the distribution of land.

Though the massive Nagarjunasagar Dam irrigates part of Nalgonda district and the Rampada Sagar Project a few areas of Karimnagar, the amount of land irrigated in Telangana is much lower than the all-India percentage, which is itself not sufficient. In 1967-68, 18.3% of the net sown area in Telangana was irrigated while 20.2% at an all-India level was irrigated. In fact seven taluks in Nalgonda district have been classified as chronically drought-prone.

The extremely slow industrialization of the region has also led to an almost stagnant situation in the distribution of the population in rural and urban areas. Except for a few industries set up in Peddapalli taluka of Karimnagar district and some collieries in

\*Source—Perspective plan for Telangana.

Adilabad and elsewhere, these districts have seen no development in the industrial sector. Therefore a larger proportion of the urban population are involved in trade, education, etc. than manufacturing.

#### Proportion of rural population to total population

	1961	1971
Adilabad	84.51	84.05
Karimnagar	92.90	89.27
Nalgonda*	91.69	93.30

\*The increase in the percentage of rural population in Nalgonda is due to the completion of the Nagarjunasagar dam.

(Source: Census figures quoted in Perceptive Plan for Telengana. Resource Inventory — Planning and Co-operation Department, A.P. 1972)

An overwhelming proportion of the population are directly dependent on agriculture for their livelihood.

#### Proportion of workers in agriculture

	Workers as per- centage of total popu- lation	As percentage of total workers		
		Cultiva- tors	Agricultu- ral labou- rers	Others
Adilabad	42.63	38.67	32.75	28.58
Karimnagar	46.40	35.31	32.25	32.44
Nalgonda	45.76	36.14	36.36	27.50

(Source : Census figures from above-mentioned books).

Not only is too large a proportion of the population dependent on agriculture, but also the distribution of land is extremely uneven. As the table above shows, more than 30% of the working population are classified as agricultural labourers—which means they own

very little or no land and have to work on the land of others for their survival. The proportion of agricultural labourers is on the increase.

On the other hand, inspite of land reform laws, a small percentage of the population controls a large part of the land, and the small cultivators own and operate a small percentage of the land. This can be clearly seen when studying the distribution of land in specific villages. While the team itself was unable to get the entire distribution in any specific village, the example quoted in the PUCL (Delhi) Fact-Finding Team's report on two talukas in Karimnagar in November 1978 would generally be applicable even for the areas visited by us. The distribution of land in Lothunuru village, Jagityala taluk, Karimnagar:

Acres	No. of families
200-300	01
025-050	04
010-025	20
003-010	35
Less than three acres	60
Landless	30
	<hr/> 150 <hr/>

A study of Peddapalli taluk in Karimnagar conducted by the "District Weaker Section Association", a Congress-sponsored mass organisation, showed that loopholes in the land ceiling legislations enabled landlords to control hundreds of acres of land. The study listed the top 24 landlords in the taluk owning land from 75 to 400 acres, and also stated the process through which, '16,000 acres of land was transferred to various fictitious names overnight'. (Quoted by C. V. Subba Rao—Peasant Movement in Peddapalli—Economic & Political Weekly. Nov. 17, 1979)

In the various villages visited we also found that one or two landlord families dominated the village owning much more land than

others. For example, in Dattojipalli village, Malla Reddy owns about 100 acres we were informed. Similarly, we were told that in Nagala Mayala village, Karimnagar, the landlord Malla Reddy owns about 100 acres.

Most of these big landlords use their economic position to dominate the socio-political life of the villages. They are able to utilize their position to exploit the villagers in various ways. Wages paid to labourers, both casual and those on yearly contracts are very low, varying from Rs. 1.50 to Rs. 3 per day.

### **Bonded Labour**

In most parts, in the areas visited, the practise of *vetti-chakiri* is common. According to this traditional practice, one member of every family in the village, including the scheduled castes and service castes, must work for their landlord first, and only then do their own work. The poorer ones must also send a person to work in the landlord's house. Their goats and cattle must be available to sleep in the landlord's fields so that their droppings may fertilize the soil. On occasions, presents must be given. The *dora* or landlord takes a present for various occasions—the coming of age of a girl, the death of a family member, a cut on the buying and selling of animals or land, etc. *Vetti* is compulsory for the villagers.

Often the landlords have also taken upon themselves the role of arbiters. For settling disputes between villagers, they charge a fine, *panchayati mamul*. Some of them have collected thousands of rupees through the *mamul*. In Aler village, Nalgonda district, Palle Siddiah, the Sarpanch, we were informed, had collected over Rs. 50,000 as *mamul* over the years. In Ramapalli village, Karimnagar, the police patil, Raja Reddy, and Sarpanch Linga Reddy collected about Rs. 30,000 from the peasants as fines forced on them, because they joined Ryotu Coolie Sanghams.

The practice of bonded labour is also widespread in the Telengana region. This was mentioned as one of the worst-affected regions by the study conducted by the Gandhi Peace Foundation.

Now, the landlords have been evolving new methods of cheating and exploiting the peasantry. They have been occupying, cultiva-

ting and even selling government/waste/surplus lands. In Paltem village, Karimnagar, the landlord sold two acres of Government waste land. In Revojipet, Adilabad district, the landlords occupied about 300 acres belonging to the Girijan tribals.

The landlords in many cases have got control of, or influence in co-operatives and banks. Some of them have used credits supposedly given to the peasants. In Karimnagar district, according to a lawyer fighting such cases, in at least 100 villages such frauds have taken place. For example, in Nagala Mayala village we visited, a multipurpose co-operative society was formed, and the landlord Madhav Rao was its Director. He was also Director and executive member of the District Co-operative Society. A loan of Rs. 1.8 lakhs was taken by him from the society, in the names of some peasants by obtaining their thumb impressions. About one year back, the peasants received notices to pay back the loan they were supposed to have taken. Thus rural banks and co-operatives are being used to increase the exploitation of the poor peasants.

Apart from this economic exploitation of the peasants and labourers, the landlords who are generally of high and middle castes also exercise social oppression of the people. They see to it that untouchability is strictly practised. Lower castes cannot wear white clothes or wear chappals in the presence of the landlord. In the more backward areas, girls have to be sent to satisfy the sexual desires of the landlords.

It is to oppose this economic exploitation and social oppression faced by them, along with their growing alienation from the land, that the peasants have been organising themselves into the Ryotu Coolie Sanghams.

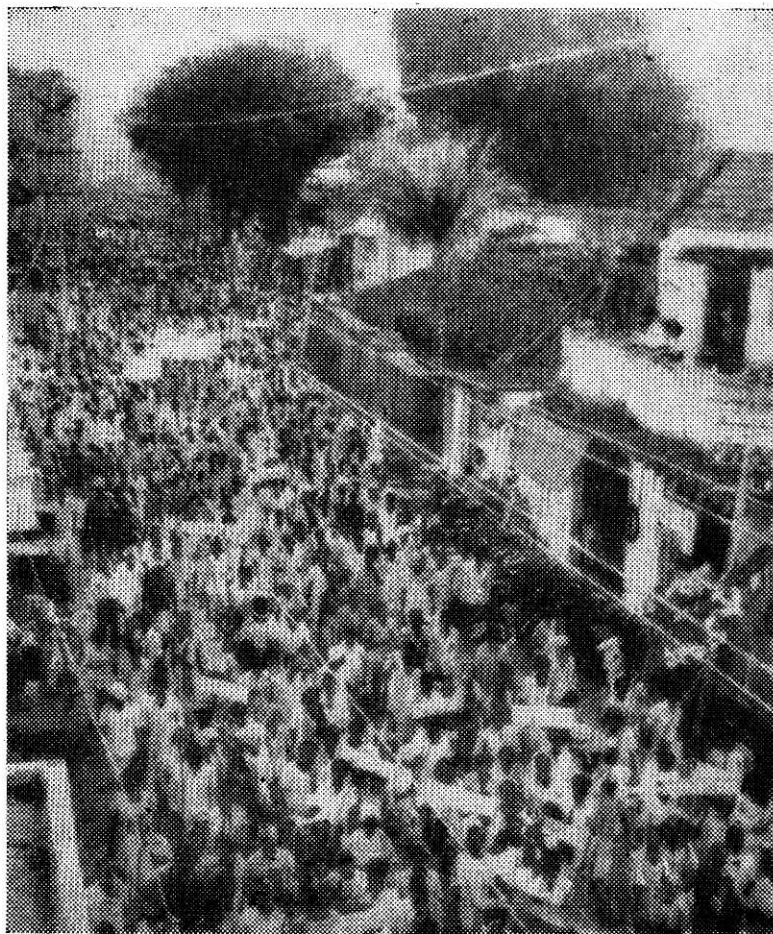
### III

#### THE RYOTU COOLIE SANGHAMS

The Telengana area of Andhra Pradesh has had a long history of peasant movements and struggles. Lately these have been re-activated. Over two years ago, students in various district towns began a "go to the villages" campaign. Here, students, during



sections and gained knowledge of their lives. There they conducted rural surveys and co-operated with two Marxist - Leninist groups operating in the area, in organising the peasantry into Ryotu Coolie Sanghams (R.C.S) and Radical Youth Leagues (RYL). These organisations command extensive influence in all the three districts visited.



*Procession of peasants in Jagityala.*

The main demands of the Sanghams have been :

- (a) to increase wages from Rs. 2 to Rs. 3 per day;
- (b) to end the *vetti chakiri* and *Panchayat Mamul* systems;
- (c) to return to the villagers land illegally occupied by the landlords.

The forms of struggle have been generally peaceful. As it is generally known that these Sanghams are being led by two Marxist groups, we repeatedly enquired whether the peasant organisations have been resorting to violence. The reply invariably was—"no". The activists themselves maintained that they have long since given up the "annihilation line". These facts were corroborated not only by political workers of various other parties but even by the police. We were informed that these organisations have basically utilised all legal forms of struggle, from petitioning to holding public meetings and organising processions. If these failed to give the results, they have resorted to the 'social boycott'. In a social boycott the entire village has refused to co-operate with the landlord whether in the fields or in the house. In such circumstances the landlords have become helpless and have fled the villages only to return once police camps have been set up in the vicinity. We were informed that wage rates invariably dropped once a police camp was set up. In this movement, therefore, there is no serious problem of law and order. Yet under these conditions a totally unjustified and brutal repression has been let loose in Telangana. We were surprised at the forbearance of the peasants in the face of such violence.

#### IV

#### FORMS OF REPRESSION

Through our tour our initial skepticism gave way as we heard similar accounts of repression in village after village. All the people could not have been lying or making up similar incidents. In fact a pattern appeared through our investigations and our impressions were confirmed by members of other political parties.

Wherever we went the story was the same—only the intensity of

the repression and inhumanity of the authorities varied. This is how it goes: The peasants start struggling for demands...Ryotu Coolies Sanghams are formed...landlord goondaism is initiated...the struggle intensifies...activists are beaten, arrested and tortured and released on conditional bail...leading activists are implicated in serious charges...struggle takes a new form. In some areas the 'Suppression of Disturbances Act' has been invoked. Though the team itself did not visit any 'disturbed areas', we found a situation similar to that reported by the Delhi PUCL appointed Fact-Finding Committee which toured Karimnagar district in November 1978. Everywhere the police have let loose repression in order to aid the landlords in their efforts to suppress the Sanghams' activities. At the same time, little or no action is taken against landlord violence.

#### (i) LANDLORD VIOLENCE—POLICE COLLABORATION

Whenever the peasants begin to organise themselves and struggle for their rights, the first onslaught that they have to face is invariably led by the local landlord and his toughs. In such instances the team noticed that the police were either silent observers or direct collaborators in the violence perpetrated by the landlords.

**In Bahadurpet village (Nalgonda district) :** There has arisen a dispute over 75 acres of dry land. In a report dated 4th July 1978, the Additional Revenue Officer had already stated that the land should be restored to the tenants under the "A.P. (Telengana Area) Tenancy and Agricultural Lands Act 1950 Section 38-E (1)". During the year Ryotu Coolies Sanghams had been formed which took up the fight for these tenants and also took up wage demands of the agricultural labourers. In the dispute the Sarpanch, Shri Palle Siddaiah, acted as arbitrator and refused to take cognisance of the report of the Additional Revenue Officer. This same gentleman is reported to have accumulated over Rs. 50,000 through fines, penalties, arbitration fees, etc. Tensions over the year mounted with the R.C.S. increasing their activity. The R.C.S. had been demanding that wages be raised from Rs. 2 to Rs. 3 per day. In pursuance of this demand they had organised a social boycott of the landlords which resulted in them achieving their demand for a wage increase. But within a fortnight four villagers were badly beaten at night while returning from the market. It was reported to us that on the

night of 19th June, 1979, forty goondas, led by the Sarpanch, and three landlords, Shri Palle Narasimha Reddi, Shri Palla Damodar Reddy and Shri Palle Janardhan Reddy, attacked R.C.S. activists involved in the tenancy dispute. They first caught hold of the president of the R.C.S. and badly beat him and then proceeded to the village where they went on a rampage. Two brothers, Sheikh Abdul Gaffoor and Sheikh Abdul Sadiq were specific targets of attack. They were caught, dragged into the fields, their hands and legs were chopped off with axes and were finally killed in the most gruesome manner. Further, one youth, who was having an affair with the daughter of the Upa-Sarpanch, was taken to the neighbouring village and killed. What is more, 17 R.C.S. activists have been charged with this murder and were locked up, for four months before being released on bail. On the other hand, landlords and goondas on whom cases were filed were released within a week. Police connivance does not seem merely limited to this. Shaikh Abdul Aziz, the injured brother of the deceased, reported that while he was at work in the neighbouring town, Aler, Sub-Inspector, Janraj and constable Prabhakar came to the tailoring shop at about 7.30 p.m. and insisted that he go home immediately. He reached the village at 8.30 p.m. and the landlords' rampage started at about 9.00 p.m.

**In Rangapur Village (Karimnagar District)** it was reported to us that the landlord, Ramna Reddy, put up a live wire around his field on 18th October 1979. On that same night, Ravalli Yalliah Erukalla, along with his brother and son-in-law were out catching wild pigs. The latter two touched the live wire and died instantaneously. Revalli ran away in fear and on returning the next morning with the villagers found that the bodies had disappeared, and the wire fencing removed. A day later, on the 15th, the two bodies were found floating in a nearby village pond. On the 16th the police had the two bodies buried, saying that they had died of drowning. On the 17th, members of the Radical Youth League heard of the incident and demanded that the landlord be arrested. On the 22nd, the bodies were exhumed and the postmortem established that they had died of electrocution. But till today no action has been taken against the landlord. The custodians of 'law and order' do not act with zeal when the culprits involved happen to be powerful people.

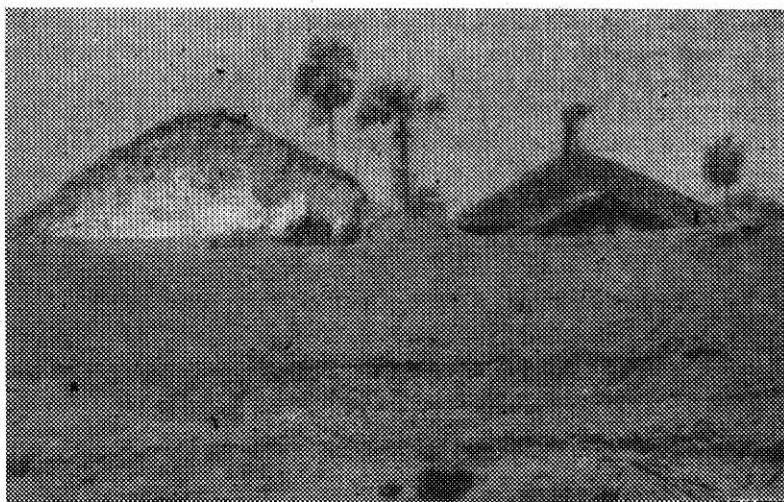


*Dead with livewire shock at Rangapur.*

**In Dattojipalli Village (Karimnagar District)** the R.C.S. was formed about a year and a half ago to defend their rights against landlord oppression in the area. -specifically against the police patil, Malla Reddy, who owns 100 acres and two other landlords, Rama Reddy and Pingally Raj Reddy. Their struggle was against the practice of "vetti" and the imposition of illegal fines by the landlords and police patil. This struggle culminated in a social boycott and on 22nd May, 1979 a procession, led by local R.C.S. activist, Bhoomi Reddy, was taken out. The team learnt that this procession was attacked by the landlords and police armed with lathis, spears and axes. Bhoomi Reddy was killed and one Vadla Veerayya and 24 others were seriously injured. Later, two students

who went to claim the body were arrested and are believed to have been tortured. Ten people have been arrested since. but the main culprits are free. Significantly, a police camp has been established in the village.

In Paltem village, Pedapally taluk, Karimnagar district, the landlord had illegally occupied "Banchorai" (grazing land) and "Porambok" (fallow land). The R.C.S. was formed in the village and demanded the distribution of the land amongst the landless labourers, who were mostly untouchables and for a rise in the wage rate and against "vetti". About 10 villages united in the R.C.S. and took out a procession against the sarpanch of Rangavelu village. The processionists caught hold of the Sarpanch and took him to Paltem village. The next day the A.S.P., R.D.O., etc, came to Paltem village to settle the dispute between the villagers and the landlord and asked that the Sarpanch be handed over to the police.



*Houses burnt at Paltem.*

The villagers put the condition of withdrawal of police from the villages as a pre-requisite for his release. The authorities refused and the next day the officials concerned are believed to have entered the village with police in 20 vans and mercilessly beat the people of 30 different villages and arrested over 150 villagers of 10 villages.



Police camps were set up in a number of villages and a case was registered against "Koteswara Rao and 800 others". Immediately the landlords dropped the wage rates. This case was evidently utilised to terrorise the villagers with threats of implicating them in the cases. It was learnt that people have been continuously subjected to beating and torture and 60 villagers were kept in jail for 3 months before being released on bail on sureties of Rs. 2,000 each.

Indeed, in all areas visited by the C.P.D.R. team it appears that landlords and police work in complete collusion against the peasantry, who not only have to face the goonda elements hired by the landlords but the organised force of the state.

**FALSE CHARGES :** This is a common means used for harassing peasant and youth activists.

**In the Fertilizer Corporation of India (FCI), Karimnagar district,** Shri B. Bhikshamayya was falsely implicated in an attempted murder case and suspended from service in the F.C.I. Shri Bhikshamayya was General Secretary of the workers union; an independent union within the FCI. The union had been consistently terrorised for the last two years, gate meetings were repeatedly broken up and its secretary was assaulted on no less than three occasions. Finally a false case has been foisted on the Union leader and he is made to report at the gate twice a day.

**In Lakshatipet taluk, Adilabad district,** the police and landlord have found a novel method of harassing R.C.S. and Radical Youth League activists. They concoct a theft case, implicate some activists, arrest, beat and torture them and finally release them with or without charges.

**In Jogiyyapet village,** a landlord filed a theft case against Pochana (20 years) who was taken to Lakshatipet taluk police station, where he was badly beaten and starved, for three days continuously. He finally died in the lock-up. Police claimed that death was due to suicide by strangulation. This story has been dismissed as absurd by his co-prisoners who maintained that he was badly beaten and any strangulation in full view of the guards was ridiculous. We visited the lockup and agreed with the view of the co-

prisoners. The local people seemed to be appalled by the unfertile imagination of the police! Further, the father of the dead boy was offered Rs. 500 by the Tahsildar and Revenue officer, while the sub-inspector of the police station, Shri Chittaranjan, was suspended for a few days and then transferred from the locality. Such measures do not indicate follow-up action to a suicide.

Similarly, in another incident, Shri Chandravira Muchchana, a 22 year old R. C. S. activist, was travelling in a bus from Kadim to Jamunaram. It is alleged that the bus was intercepted by a police jeep who dragged out Shri Muchchanna from the bus, put him in a jeep and took him to the local police station. It is further alleged that here he was beaten till unconscious. Chilli-powder was thrown into his eyes, and he was subjected to the "murga" (a form of torture). This carried on for a fortnight. Those who came to meet him were threatened, beaten and sent away. It was reported to the team that the D.S.P. and sub-inspector, Shri Nar-simha Reddy, who were both witnesses to the torture, offered him a good job plus money if he left the R.C.S. Finally, after 15 days he was released without any case being registered against him.

In another case, Hanumantha, President of the Madhavpur R.C.S. was arrested at midnight and tortured for 15 days. Finally he was released when his parents paid Rs. 500 to the police.

In all 80 activists from about 15 villages have been thus implicated on flimsy charges, beaten, tortured and then released on the payment of money. In Utkur village, the R.C.S. actually caught the thief and handed him over to the police. The police let him go while three R.C.S. activists were arrested, beaten badly and kept in custody for three days.

Not in all cases do the police need a pretext to arrest activists. Illegal detention in police custody for periods ranging from a week to six months is common. It is specifically in these periods when the inhuman tortures are said to be carried out.

## (ii) ILLEGAL DETENTION AND TORTURE

From reports received this appears to be the most common



method of harrassment of peasant activists. Here, the peasant and youth activists are arrested on some pretext or another and detained with the alleged purpose of extracting information, confessions and cowing them down into submission. The detention is illegal as the detenu is not produced in court within the stipulated 24 hours; and, has, very often, been held thus for months without being produced before any court of law.

**In Nalgonda**, the entire district has been terrorised because a toddy contractor from Kethapalli village happened to have been killed during a clash with peasants about nine months ago.

Since a year and a half students belonging to the Radical students Union of the district towns organised a "go to the villages" campaign. There they organised the peasants into Ryotu Coolie Sanghams and Radical Youth Leagues (RYL). In Indugulla village, visited by the team, the peasants were organised against a notorious landlord, Shri Katta Hanuman Reddy. After the incident at Kethapalli all activists in this village have been continuously harrassed, arrested and tortured; while, we were told, the RYL office was burnt down by the landlords. For example, an activist, Katha Krishna Reddy, was arrested on 20th July, '79, allegedly beaten, given only one meal a day detained for three months without being produced in court. In another incident, the police not finding the RYL activist, Nagayya, arrested his father Chintapalli Ramulu. Information received by the team indicates that they beat him so badly in the police camp that he died the same night. In all 36 activists have been arrested. Five of them face murder charges while the others were badly beaten and released without any charges being framed against them.

In Kethapalli village itself over half the village has been beaten or tortured in the police camp still stationed there or in nearby Nakrekal police station. Two women complained that they had been raped in the police camp. When the team visited those villages, it found the villagers terrified; this was partly due to the inhuman tortures some of the villagers were subjected to. Numerous activists explained to us details of torture that had taken place in Nakrekal police station and the victims still bear the marks of torture.

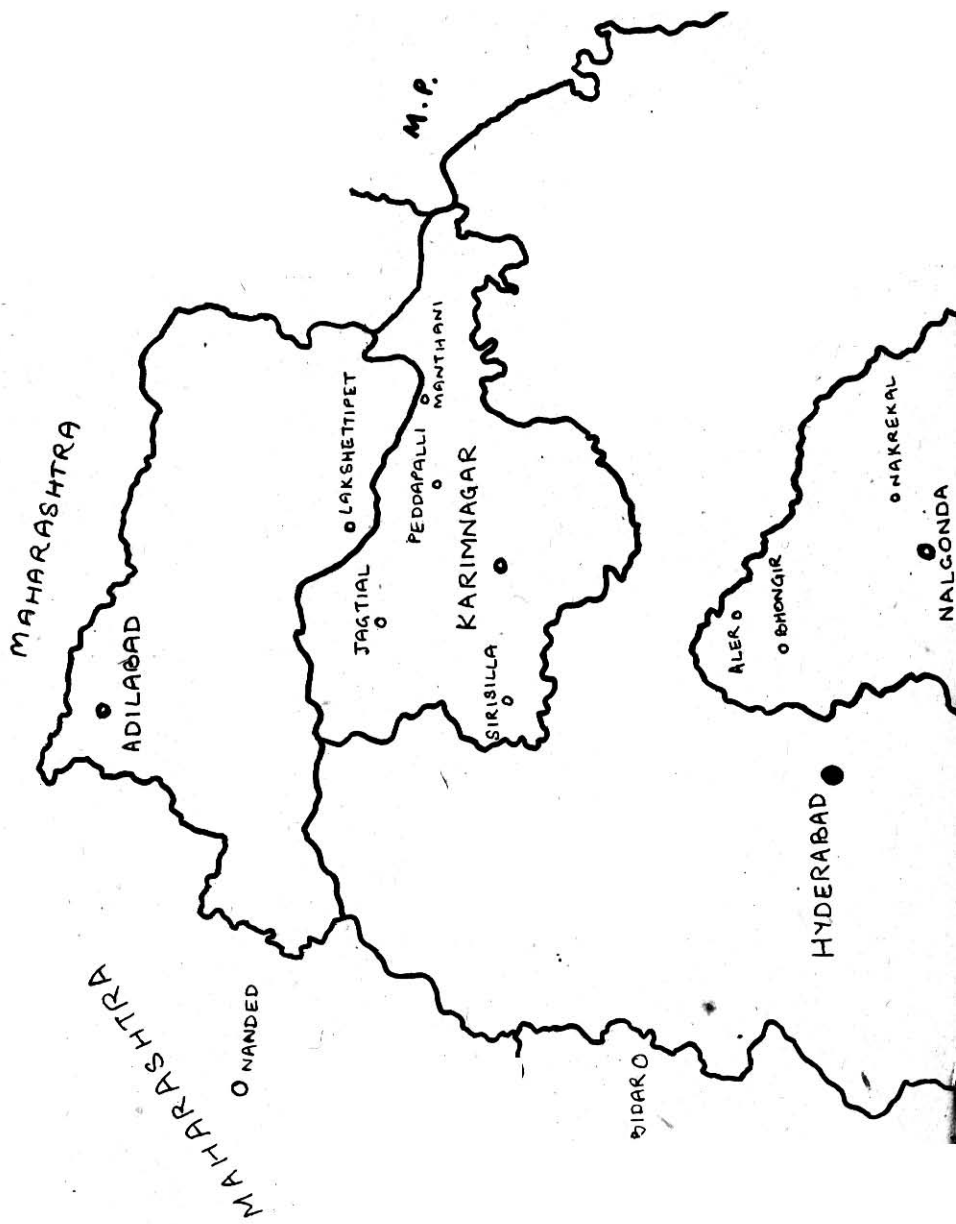
**In Peddapalli taluk, Karimnagar district**, a theft in the house of the Patwari, Laxmikant, in July, '79, was used as a pretext by the police to arrest R.C.S. and R.Y.L. activists. About 10 activists were illegally detained till 15th August, '79, before being released. On the 16th a school teacher, Sadashiv, and an activist of the R.C.S. was arrested along with two of his students. Initially, the police tried to persuade Sadashiv to leave the Sangham. It is learnt that, on his refusal they began beating his two students, Rajayya and Mallaya, in front of him. The teacher pleaded with the unheeding police; but they continued beating them and demanded that they confess to having committed the theft at the instigation of their teacher. The boys were burnt with cigarette butts and their fingers were pressed after putting small stones between them. Not having got confessions they were finally released without any charges having been framed against them.

Torture has become, it appears, common in the police stations of Telengana. The methods used are barbaric and cannot be imagined to be practised in a civilised society. Continuous electric shocks is one method reportedly utilised. In another, detenus are said to be hanged from the ankles or wrists with a rod between their arms and mercilessly beaten for hours. In yet another method, a rod is put under the knees and the victim is made to sit on his haunches with weight placed on his shoulders (murga). In another, pins are, apparently pushed inside the nails of a person.

India is a signatory to the **Universal Declaration of Human Rights, Article 5** of which specifically proclaims that **"no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"**. Yet the Government appears to be turning a blind eye to what is going on in the police stations of Telengana and elsewhere in the country.

### **(iii) RAPE**

Rape of women, not only by landlords, but also by the police, is common in rural Andhra. The extent to which it has reached is an indication of the powers that have been conferred on the police and the arrogance this has given them.



K A R N A T A

INDIA

NALGONDA

MIRIALGUDA

GUNTUR

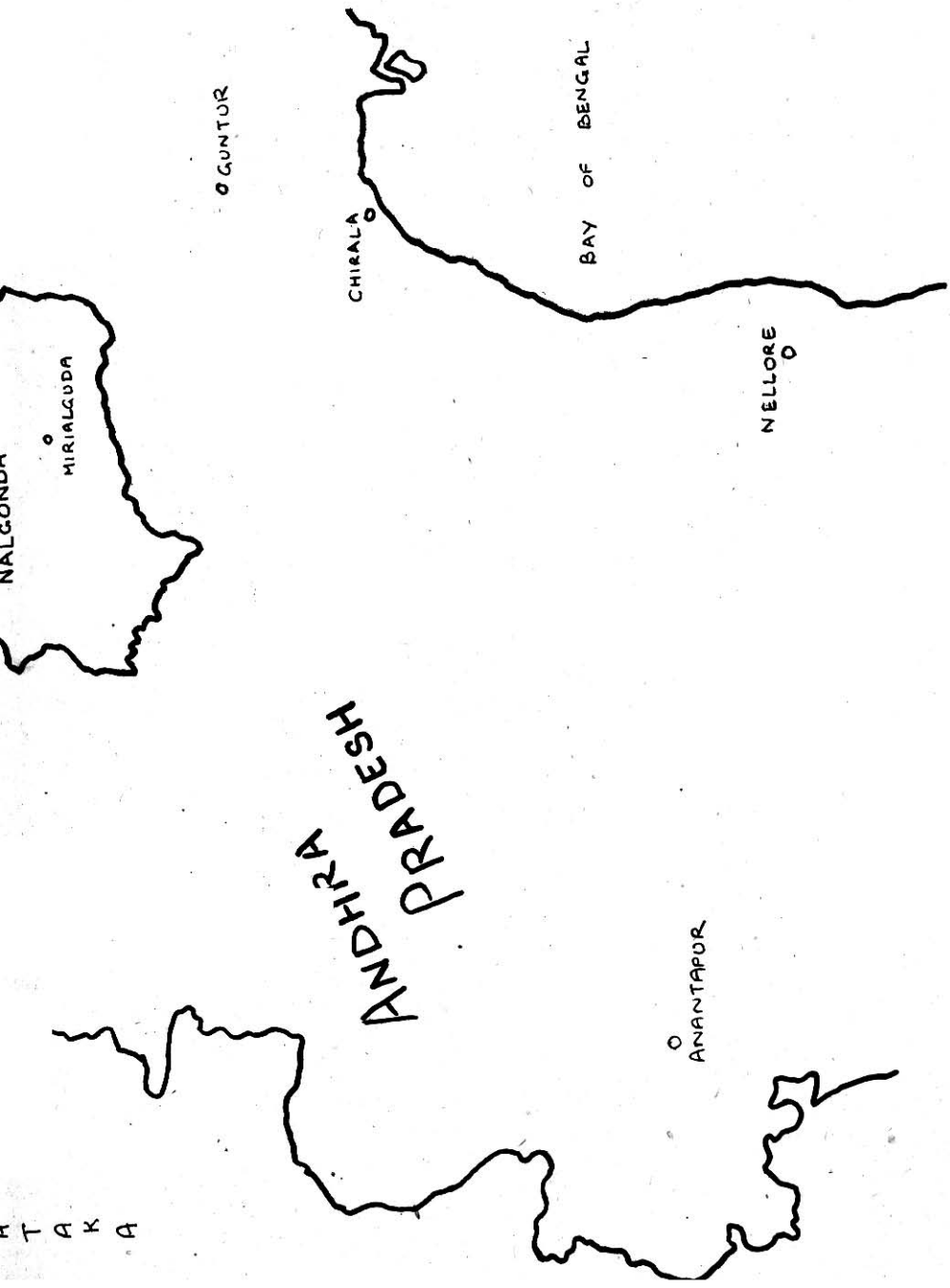
CHIRALA

BAY OF BENGAL

NELLORE

ANDHRA  
PRADESH

ANANTAPUR



Take the example of **Jizyabai from Peddapalli, Karimnagar district**. On 3rd September, 1979, along with her uncle, she was waiting at the Peddapalli station, having missed a train. Constable Qayyum, arrested them on some pretext. He took them in two rickshaws (for which Rs. 14 were paid from money snatched from the girl) supposedly to the police station. Enroute he stopped at the hospital and is believed to have raped the girl in the secluded post-mortem room. Further, he robbed her uncle of all his money. The next morning, the incident was discovered by R.S.U. students who organised a procession in the village. The whole incident was reported by the local correspondent of the Andhra Prabha, Shri M. A. Rahim. For this he was caught and badly beaten by the local sub-inspector and head-constable. The story of his beating was not published by his paper.

Or take the example of the rape of Odamma, the wife of Lingayya, leading IFTU trade unionist in the **Singaneri Collieries, Godavarikhani, Karimnagar district**. On 19th July, Odamma, while returning from Godavarikhani in the afternoon was raped by four members of a rival union, and was left unconscious, after inserting pebbles in her vagina. She was first taken to Manthani hospital 20 kms. away where she was refused admission saying that the rape had occurred in Godavarikhani area. She was finally admitted there at midnight on the condition that no complaint would be registered. But at 2 a.m. she was thrown out of the hospital at the instigation of the supporters of the rival union. Ultimately she was brought to the F.C.I. Hospital and admitted as a guest of some F.C.I. workers. But even here, the police made sure that all records were destroyed. No action has been taken against the culprits, though a case has been registered.

And then there is the famous case of **Shakeela Bee of Bhongir, Nalgonda district**, who died under extremely suspicious circumstances. Earlier, her husband, Henry, had been illegally detained for over three weeks, while Shakeela Bee was forced to stay in a nearby Dharmashala and spend the nights at the police station. On 15th October, Shakeela Bee fell seriously ill and was taken to Hyderabad by the police on the suggestion of Dr. Savitribai of Bhongir, where she died. Meanwhile, her husband, having suffered at the hands of the police was reportedly seriously ill in a Hyderabad hospital.

The police disallowed visitors and did not allow even his mother to see him.

(iv) TELENGANA—A POLICE STATE

With the police having been given a licence to do as they please, the entire population has to suffer their brutality. Therefore not only the peasant and youth organisations but also the ordinary people live in an atmosphere of fear created by the violence of the police. The day the a team landed in Hyderabad, a porter at the Hyderabad S.T. stand was beaten to death by the police, when they swooped on some petty roadside gamblers. The police claimed that he tripped while running, fell down and died. Not a single person we met believed the police version and, in reaction, an all Andhra Bandh was organised against police excesses.

The team came across many other cases of ordinary citizens who have suffered at the hands of the police. Besides the numerous rape cases already reported there was the case of Shri Suresh Ahuja a small trader, who had come to Bhongir to sell his wares. He was picked up by the police, robbed of his valuables, beaten, illegally detained for a few days and finally released without being charged. Ahuja reported having seen Henry, Shakeela Bee's husband illegally detained in the lock-up.

The C.P.D.R. team itself had a taste of the high handed behaviour of the Andhra police. At Kethapalli village, Nalgonda district, the local sub-inspector, Shri Venkata Rao, detained us for nearly four hours because we refused to give him the names of the villagers who had deposed before us. He even openly threatened us that he could torture the jeep driver if he wanted. The team was finally released at 11.30 at night on instructions from the D.S.P. If a team of our standing should be treated in such a shabby manner, we wondered what must be the plight of the ordinary villager, and specifically a peasant activist ?

## CONCLUSION AND RECOMMENDATIONS

In conclusion we wish to state that the impression gained by the C.P.D.R. Fact-Finding Committee was, that the districts visited were virtually one vast police camp. There exist little or no rights for legitimate trade union activities of the peasants and youth and police repression and high-handedness has reached enormous heights.

The Committee is of the view that there is no justification for the police actions in the areas visited. The peasants are organising themselves against age-old exploitation and poverty and have been functioning entirely within the framework of the law. Though little or no violence was witnessed on the part of the peasant and youth organisers, numerous instances of violence were reported to have occurred by the landlords and police. It is the landlords who have sought police help against the growing demands of the peasants. The police in turn have resorted to inhuman torture, illegal detentions and unabashed violence against the peasant organisations in an attempt to cow them down and protect the powerful vested interests of the area. This is done with the full knowledge of the State Government; in fact, it is from them that the police derive their tremendous powers.

The problem in the area cannot be viewed merely as a law and order issue to be resolved through force and repression. Its source lies in the socio-economic conditions prevalent there, in the extremely unequal distribution of land and wealth and in the tremendous poverty under which the mass of peasantry are crushed. The solution therefore lies in the strict implementation of the land-reform laws and a more equitable distribution of the wealth in the area. In order that this may occur the peasants of the area must be allowed the right guaranteed to them by the Constitution to organise themselves. In view of this the team recommends:

- (a) Civil Liberties, as guaranteed by the Constitution, be restored in the area.
- (b) Freedom to the peasants be granted to organise and struggle

for their demands. Towards this end immediate steps should be taken to:

- (i) withdraw all police camps from the area.
  - (ii) de notify all areas earmarked under the<sup>1</sup> Andhra Pradesh "Suppression of Disturbances Act".
  - (iii) withdraw all cases against the peasants and Sangham activists.
  - (iv) discontinue the practice of torture.
- (c) The Andhra Government must check the hands of the police and see that they function within the strict framework of the law and not be allowed to interfere with the legitimate trade-union activities of the peasants.

The lifting of the Emergency in March 1977 does not appear to have affected Andhra Pradesh. The indifference shown to the investigations of the Tarkunde Committee, the fate of the Bhargava Commission and the revelations of the Mukhtadar Commission clearly show that the unchecked powers of the police continue with government sanction. But, if they carry on in this way, the police instead of controlling violence, will ultimately invite it...as these oppressed sections will have no alternative left.

Submitted to  
the President of  
C. P. D. R. (Bombay)  
Shri Vijay Tendulkar  
on  
March 1, 1980

Sd/-  
Asghar Ali Engineer  
Govind Shahani  
Madhav Sathe  
Kobad Ghandy  
G. N. Rao  
H. P. Singh



## **REPORT OF THE FACT FINDING TEAM APPOINTED BY COMMITTEE FOR THE PROTECTION OF DEMOCRATIC RIGHTS (BOMBAY) AND ANDHRA PRADESH CIVIL LIBERTIES COMMITTEE ON POLICE FIRING IN CHIRALA (ANDHRA PRADESH) ON WORKERS OF CORAMONDAL AGRO PRODUCTS AND OILS LIMITED**

In Chirala town of Prakasam District in Andhra Pradesh, one worker died and a number of others were injured in firing on the striking workers of Coramondal Agro Products and Oils Limited (CAPOL) on 16th June, 1979. Deeply concerned about this and many other such incidents in Andhra Pradesh, the Committee for the Protection of Democratic Rights (CPDR), Bombay and Andhra Pradesh Civil Liberties Committee (APCL) Hyderabad, appointed a Fact Finding Team to investigate into the incident. The Team was mainly entrusted with the task of examining the factors that led to the firing and subsequent developments. The team consisted of: Sri Madhav Sathe (Journalist), Sri H. P. Singh (Engineer) Sri Kobad Ghandy (Joint Secretary, CPDR), Dr. K. Murali Manohar (Academician) Sri V. S. Prasad (Academician) and Sri M. Ranganatham (Convener, APCL). The Team reached Chirala on the night of 9th November and stayed there on 10th and 11th November. They held discussions with a large number of persons from all walks of life. i.e., workers, trade union leaders, management, police officials, a local M.L.A., and other political leaders, local journalists and a number of other informed persons. The team also visited the factory and the spot where the firing took place in the course of investigation.

## **II**

### **HISTORY**

Chirala, a medium sized town, with a population of 60,000, is in Prakasam District of Andhra Pradesh. The Coramondal Agro

Products and Oil Factory is situated in Jandrapet Village on the periphery of Chirala. The main product of the Factory is cotton seed oil which is used as edible oil. This factory was started in 1975 by Sri Jalagam Rama Rao (Retired Naval Captain) as Chief Promoter with the blessings and help of his cousin brother the then Chief Minister Jalagam Vengala Rao. The major portion of the share capital of this factory belongs to the Government i.e., Andhra Pradesh State Industrial Development Corporation, Life Insurance Corporation and Canara Bank. Inspite of this fact the Management is largely in the hands of Private persons. This is a clear case of public money being managed by private persons to further their interests.

#### WORKING CONDITIONS

The Factory employs nearly 500 workers. (No exact number of factory workers is available as the management is not in the habit of maintaining proper records of workers which provides wide scope to hire and fire workers at its sweet will). Of these 108 are piece rate workers, popularly called 'Mutha' workers, doing different types of work such as loading, unloading, feeding, shifting, bagging, weighting, delivery etc., on a piece rate basis. This is a collective effort and they share the emoluments equally among themselves. The other workers engaged in the factory are helpers, office staff, technicians and supervisors.

All the workers in the factory were employed on a temporary basis and no proper formal appointment orders were issued. We were informed that in the beginning workers used to work for 16 hours, which is a clear case of inhuman extraction of work by the Management, due to the unemployment situation prevailing in the area. They worked like that for years without complaining in the fond hope that they would get permanent employment and their conditions would improve in course of time. We were further informed that in 1977 the management itself floated an idea of starting a workers' union to fulfil certain legal obligations. Initially the union mostly consisted of persons nominated by the management. The Mutha' workers, dissatisfied with the working of the Union, started their own union, CAPOL Labour Union in 1978. The 'Mutha' workers had compete solidarity among them-

selves as their nature of work involved collective effort and they shared the returns equally. The management was afraid of their bargaining power. Therefore, it tried to stall the formation of a union for 'Mutha' workers, under the pretext of one union in one industry. The management thought that one union with overwhelming membership from the white collar employees could be 'managed'. The workers notwithstanding the objections of the management formed the union, and got it registered. The management was forced to recognise it as all the 108 'Mutha' workers were the members of the union.

### UNION FORMATION

Immediately after the formation of the union the 'Mutha' workers started agitating for the implementation of statutory benefits like over-time wages, lay off compensation, wages for paid holidays, leave with wages, weekly holiday, minimum wages etc., and could achieve most of their demands. In their struggle they followed the popular techniques of sit-in-strike and stoppage of work. The management resorted to threats of removal, and court cases. But because of the solidarity and determination of the group the management was forced to concede most of their demands. Because of their struggle each worker had benefitted to the tune of nearly Rs. 100 per month. Having witnessed the benefits that the 'Mutha' workers got, other workers started pressing their union to fight for their just demands as they were convinced that their demands can be achieved only through struggle. The management alarmed by the spread of the 'struggle attitude' (indiscipline in their words) even among the white collar workers started serious attempts to break the unity of the workers.

### MANAGEMENT HIGH-HANDEDNESS

In the beginning of 1979, the management gathered nearly 50 'goondas' from surrounding villages and engaged them in the factory under the guise of workers. To divide the 'Mutha' workers they tried to divide their work and entrust it to a 'pocket work-force' of the management. It is believed that a known goonda of the area was appointed as the leader of this team. Their job is only to support the management in case of any difference with the

workers. It is also learnt that some goondas also were appointed as security guards. This was strongly resisted by 'Mutha' workers which led to minor clashes between 'Mutha' workers and the 'Pocket work force' of the management. By the middle of June the workers' union also placed many of their demands for the consideration of the management and warned that they would go on strike if they are not conceded.

Mr. N. Laxminarayana, Secretary, CAPOL Labour Union and Mr. Rama Rao, President, CAPOL Workers Union led the struggles of labour and workers. (They are not rival unions. They are unions of workers doing different jobs.) The leaders became the main target of the management. On 13-6-1979 at 10.30 P.M., when both of them were returning from work, they were severely beaten up by goondas near the factory. We were informed that Mr. N. Subba Rao, Security Guard and other goondas who are in the guise of workers beat these two union leaders. Mr. Laxminarayana sustained severe injuries and had to be admitted to the hospital. Next day i.e., 14-6-1979, workers gathered in front of the factory gate and demanded an explanation from the management for the previous night's incident. To their shock none from the management was willing to talk with the workers. Mr. N. Subba Rao and others who were said to have been involved in beating the union leaders were inside the factory, and started threatening the workers standing outside the gate. This outraged the workers and they boycotted work on that day. On 15-6-1979 again workers assembled at the gate of the factory and demanded the withdrawal of goondas from the factory and an explanation from the management. The management instead of holding discussions with the workers tried to divide the workers, and made attempts to run the factory with rival workers. On the 15th, Section 144, was invoked near the factory area to disperse the workers. On 16-6-1979, Mr. P. Rama Rao, President, CAPOL Workers Union, started a fast unto death against employing the goondas by the management and attempts to run the factory with rival workers even on the 16th. But their attempts were not completely successful as a large majority of workers were on strike. The wives and children of many workers gathered in front of the factory gate. They all demanded the withdrawal of goondas and rival workers from the factory. On that day a big contingent of the

police was stationed at the factory.

At about 4 o'clock in the evening the Tahasildar and Taluq Magistrate visited the area and assessed the situation. Before leaving the place they assured the striking workers that no untoward incident would happen if the workers maintained peace and did not resort to violence. But after half an hour, (around 4-30 p.m.) contrary to the assurances of the Tahsildar, a police party headed by a circle inspector supported by a large contingency of police attempted to physically remove the workers. The workers refused to move away from that place with an argument that they are stationed in a private house to which section 144 would not apply. Workers also demanded permission to go inside the factory to dissuade the management from engaging goondas to do their work. The team was informed by eye-witnesses that at that point the police used teargas shells to disperse the workers. Even then workers refused to leave the place and lay flat on the road. When they saw police firing teargas shells, some people started pelting stones. We were informed that police then resorted to a lathi-charge and firing without any warning to the surprise of squatting workers. Some eye witnessess stated that they thought some altercation was going on between the workers and police and all of a sudden they heard shots.

The eye-witnesses (whose houses are near the factory) informed the Team that they could realise that it was firing only after they saw the injured fall to the ground and bleeding. As the workers were not armed and women and children were also participating in the sit-in-strike, the firing came as a surprise and shock to all those who were on the spot. In the firing one worker by name Asirvadam received serious injuries and died before he was taken to the hospital. Mr. P. Rama Rao, President, Workers Union and Mr. Mr. Nagarjuna, another worker also received injuries. Without bothering about the injured workers, the police chased the running workers and resorted to indiscriminate beating.

The injured were removed to Guntur General Hospital on 17-6-1979. X-ray photos of Mr. Rama Rao were taken by the hospital authorities, and those photos revealed the presence of more than 10 pellets in the body. In spite of the repeated requests of

Mr. Rama Rao, doctors in Guntur Hospital refused to remove the pellets from the body, and the Government authorities also did not initiate any steps to get them removed from the body. The police authorities' reluctance to use this valuable evidence to establish the truth raises doubts about their sincerity. Workers allege that the General Manager's sister, Dr. Uma Maheswari, a doctor in Guntur Hospital, used her influence to prevent the extrication of pellets from the body of Mr. Rama Rao. Besides police firing, it was alleged that there was private firing also. Local M.L.A.s (Congress-I) and other trade union leaders also told us that there was private firing. One eye-witness also gave evidence to this fact. And the presence of pellets in the body of the injured itself perhaps needs no other evidence.

#### POLICE ATTITUDE

It was alleged that the police who were always at the beck and call of the management ignored the requests of workers for protection against the rowdies of the management. On the 13th night, Mr. Rajeswar Rao, a correspondent of a Telugu daily came to know of the plan to beat workers. He informed some of the workers' leaders and they in turn informed the police. But they took no precautionary steps. On 14th and 15th June, without taking any action on the rowdies who had beaten the workers, they tried to disperse the striking workers from the factory gate on the plea of a law and order situation. It was alleged that on the 16th, after enjoying the hospitality of the management, they tried to provoke the peacefully agitating workers to remove them from the scene. Their provocations resulted in firing and the death of an innocent worker and they did not discharge their minimum duty of admitting the injured to the hospital. The injured workers were left to their own "fate". They were busy in chasing the workers to far away places. We were informed that on that night they raided the houses of many workers and their families and ransacked their belongings on the plea of searching for bombs. The police created a reign of terror and beat every person indiscriminately. We were informed that at about 8 o' clock on the night of 16th June, police raided the houses of workers near the factory gate and assaulted the inmates including a pregnant woman.

When the Committee visited the circle inspector and asked about the incident he said that he ordered firing in self protection as

workers were trying to kill the police. His arguments looked unconvincing. He denied that there was any private firing. But he admitted that only five bullets were fired. He had no explanation for the presence of pellets in the body of Mr. Rama Rao. Police filed a case under Sections 307, of IPC (attempt to murder) on 37 persons, including 7 women obviously to justify the firing. They included among the accused the important leaders and other active workers and their wives.

There is a strong feeling in the workers that the police were trying to protect the interests of the management. The then DIG of Guntur range was closely related to the Managing Director of the factory. Besides it was also alleged that there was a concerted effort by a section of politicians and bureaucracy to hush up the whole issue.

#### MANAGEMENT ATTITUDE

The management denies its involvement in the beating of workers and in the private firing. But it has no proper explanation for engaging goondas in the guise of workers. The management is also blaming the workers for indulging in indiscipline. It seems to have a notion that unconditional obedience to the orders of the management is 'discipline'. Workers who raise their just demands are branded as indisciplined and trouble-makers. The management is shedding crocodile tears over the hardships caused to workers by their strike, but at the same time is refusing to take back 50 workers who actively participated in the strike.

It appears that the labour department at the district level never took a serious note of the lapses of statutory obligations on the part of the management. Workers allege that the management used its political and administrative contacts with higher ups to silence the labour department authorities. Although the law is on their side, the law enforcing authorities are not.

### III

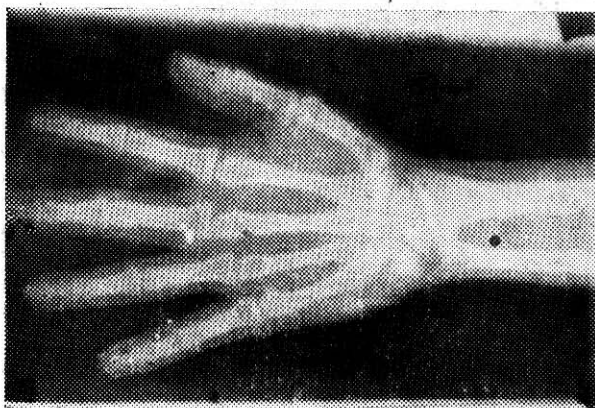
#### CONCLUSIONS AND RECOMMENDATIONS

It is evident that the management of the CAPOL factory with wide political and administrative contacts, in violation of statutory

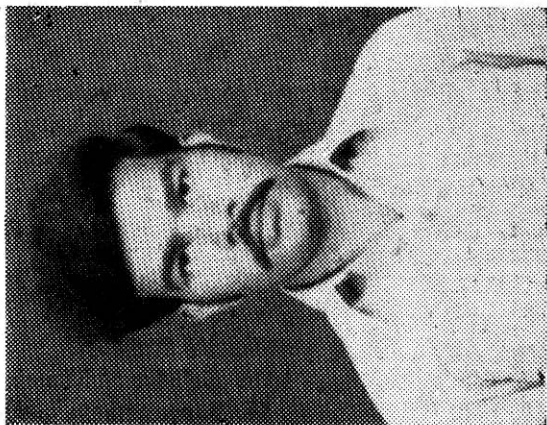




*Asirvadam*



*X Ray of-hand*



*P. Rama Rao*



provisions tried to extract as much work as possible from the workers illegally. When the workers resisted and started making demands for the implementation of labour laws the management used the popular techniques of dividing the workers, engaging goondas under the guise of workers and security guards; using violence to silence trade union leaders, implicating them in court cases to harrass them etc. The Labour Department, which is expected to protect the interests of labour was conspicuously silent for reasons better known to them. The police department in the name of maintaining law and order served the interests of the management, and provoked the workers, which resulted in firing. Unable to understand the manipulations of the management and because of socio-economic conditions, the poor workers of surrounding villages themselves became tools in the hands of the management to fight against their fellow workers. The net result was that one worker died in the firing, two were injured, 50 workers were removed from work, a large number of them were implicated in false cases, a reign of terror was let loose and the real culprits remained unpunished.

In view of the above incidents the Committee recommends.

1. A high-level judicial enquiry about the firing on 16-6-79, to bring out the truth about the private firing. The persons found guilty should be severely punished.
2. Immediate withdrawal of cases and re-instatement of all the workers.
3. Strict implementation of labour laws with regard to wages and other service conditions.

We appeal to all the democratic sections to educate the people and mobilise public opinion about the manipulative techniques of the management and helpless conditions of workers in view of the united efforts of the vested interests against the poor workers.

**Report submitted to the  
President. C.P.D. R.  
Shri Vijay Tendulkar  
and Convenor, APCL,  
on  
February 10, 1980.**

**Kobad Ghandy  
H. P. Singh  
V. S. Prasad  
Madhav Sathe  
Dr. K. Murali Manohar  
M. Ranganatham**

## APPENDIX I

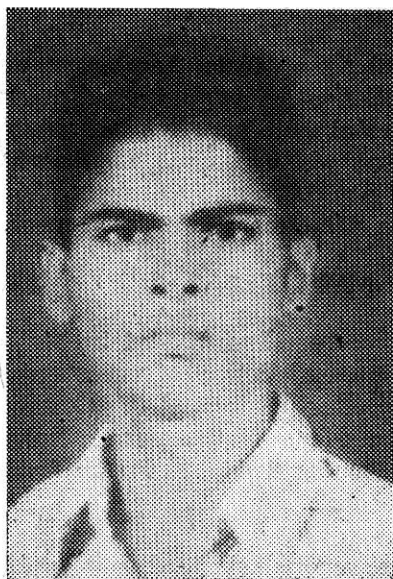
immediately after the Janata Government came to power in March 1977, revelations about 'encounter' deaths started coming out. It was revealed that during the Emergency, 77 people were killed in 'encounters' with the police. But these killings had started much earlier. From 1969 to 1977 about 286 'Naxalites' were killed in what the police reported as 'encounters'.

### TARKUNDE COMMITTEE

The Civil Rights Committee headed by Mr. V. M. Tarkunde started investigations into 33 cases of 'encounter' deaths during the Emergency. The other members of this Committee were, Naba-krishna Chowdhury, M. V. Ramamurti, Kaloji Narayan Rao, B. G. Verghese, Balwant Reddy, K. Pratap Reddy, K. G. Kannabiran and Arun Shourie.

In two separate reports submitted on May 12, 1977 and June 16, 1977, they proved that 19 men had been murdered by the police in cold blood and no encounters had taken place. These who were murdered were :

- |                                    |  |
|------------------------------------|--|
| (1) Janardhan Rao                  | } shot dead in Giraipally forest, Medak dist. on July 24-25th, 1975.               |
| (2) Murali Manohar Reddy           |  |
| (3) Sudhakar                       |  |
| (4) Ananda Rao                     |  |
| (5) P. Rama Narsaiah               | } shot dead in Chikalgutta forest, Narsampet taluk, Warangal, on Oct. 31 1976.     |
| (6) Janaki Rami Reddy              |  |
| (7) Narayana                       |  |
| (8) Srihari                        |  |
| (9) Neelam Ramchandriah<br>ex-MLC  | } killed in Yallandu Forest, 80 kms form Vijayawada (Krishna dist) on Nov. 5 1975. |
| (10) Jampala Chandrasekhara Prasad |  |
| (11) Mallikarjuna Rao              | } killed in June 1976 by Anantapur police.   |
| (12) B. Jaya Rao                   | } killed near Guntur in Sept '75   |
| (13) Kotaiah                       |  |



*Ananda Rao*

- |                                       |   |
|---------------------------------------|---|
| (14) Regulagadda Satyanandam          | killed by Bapatla town police in Jan. 1976 (Guntur dist).   |
| (15-19) Rathnam Surya<br>and 4 others | shot dead in a scrub jungle in Kandukur taluk in April '76. |

The findings of the Tarkunde Committee resulted in public pressure being put on the Central government to order a judicial inquiry into all 'encounter' deaths. But the Central government passed on the responsibility to the State government. The strange irony of asking the accused to appoint an inquiry against himself!

#### **BHARGAVA COMMISSION**

Due to pressure the Vengal Rao Government appointed the Bhargava Commission on June 17, 1977, to inquire into :

- (1) The situation created in Andhra Pradesh, or parts of the

State by the activities of Naxalites, steps taken and instructions given by the State government to deal with such activities and results.

- (2) Facts and circumstances in regard to each of the 'encounters' between the police and Naxalites during 1968-77.
- (3) Allegations of murder, torture and brutal treatment of Naxalite prisoners.
- (4) Administrative measures required to deal with this problem in the future.

These terms of reference provoked widespread criticism because they had shifted the focus from the 'encounter' murders to the political philosophy and activities of Naxalites in general. It did not also specify specific cases that should be taken up. Thus an administrative alibi for the killings was sought to be introduced into the terms of reference.

The Bhargava Commission started functioning in August 1977, and its term was extended in December 1977 for six months more. Complaints about intimidation of witnesses by the police had been made soon after the Commission started functioning. Some important documents were destroyed. The State government refused to produce relevant documents before the Commission. Finally in April 1978, the Andhra State government decided that the Commission's proceedings would be held in camera, "to ensure that the police department and administration is not discredited." This was the last straw. The Tarkunde Committee, the CPI and CPM which had been cooperating with the Commission withdrew their participation. In June 30, 1978, the Bhargava Commission's term expired and the State government did not bother to extend it. The Commission wound up without even submitting a preliminary report.

## **DELHI PUCL FACT-FINDING COMMITTEE**

Meanwhile, since the lifting of the Emergency, in parts of Telen-gana the peasants started organising themselves into Ryotu Coolie Sanghams. This led to a massive repression and on October 20, 1978, two taluks of Karimnagar dist. Jagityala and Sirisilla were declared as 'Disturbed' under the 'Andhra Pradesh Suppression of Disturbances Act, 1948'. In November 1978, the People's Union of

Civil Liberties (PUCL) Delhi sponsored a Fact—Finding Committee to investigate the factors leading to the tensions and unrest and the justification for declaring the two taluks as 'Disturbed'. The Committee, after its tour, reported that the police repression on the peasants was unjustified and designed to protect the landlords. It also found no objective basis for the notification of Jagityala and Sirisilla as disturbed. The Committee demanded immediate denotification of the two taluks, withdrawal of police camps etc. The notification in the two taluks still continues.

## APPENDIX II

### THE ANDHRA PRADESH SUPPRESSION OF DISTURBANCES ACT (ACT NO. III OF 1948)

An act to make better provision for the Suppression of disorder in the State of (Andhra Pradesh).

Whereas it is expedient to make better provision for the suppression of disorder in the State of Andhra Pradesh it is hereby enacted as follows :

1. Short title, extent and commencement :
  - (i) This act may be called the (Andhra Pradesh) Suppression of Disturbances Act, 1948.
  - (ii) It extends to the whole of the State of (Andhra Pradesh).

REGISTERED NO. MBE 46

( PRICE 0-20 Pcs )



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### THE ANDHRA PRADESH GAZETTE PART I—EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 175.]

HYDERABAD, WEDNESDAY, OCTOBER 4, 1978.

#### NOTIFICATIONS BY GOVERNMENT

##### GENERAL ADMINISTRATION DEPARTMENT

(GENERAL-A)

UNLAWFUL ACTIVITIES OF EXTREMISTS  
DECLARATION OF THE TALUKS OF SIRCILLA  
AND JAGTIAL AS 'DISTURBED AREAS' UNDER  
THE ANDHRA PRADESH SUPPRESSION OF  
DISTURBANCES ACT, 1948.

##### THE SCHEDULE.

S. No.	Taluk and District.	Area declared to be disturbed area.
(1)	(2)	(3)
1.	Sircilla, Karimnagar Dist.	The entire taluk of Sircilla.
2.	Jagtial, Karimnagar Dist.	The entire taluk of Jagtial

[G. O. Ms. No. 599, General Administration (General A.),  
4th October, 1978.]

In exercise of the powers conferred by clause (a) of section 3 of the Andhra Pradesh Suppression of Disturbances Act, 1948 (Act 3 of 1948), the Governor of Andhra Pradesh hereby declares that the areas specified in the Schedule hereto, are disturbed areas for the purposes of the said Act.

I. J. NAIDU.  
Chief Secretary to Government.

- (iii) It shall come into force at once.
2. Definitions : In this Act, 'Disturbed Area' means an area for the time being declared to be disturbed area by a notification under Section 3.
  3. Power to declare areas to be disturbed areas :  
The State Government, by notification in the official Gazette :
    - (a) declare that the whole of the State or any part thereof specified in the notification, is a disturbed area; and
    - (b) add to, amend, vary or rescind any such declaration.
  4. Certain offences to be punishable with death in disturbed areas :
    - (i) Whoever in a disturbed area commits any offence punishable under any of the following sections of the Indian Penal Code, namely, 307, 363, 364, 365, 366, 367, 368, 376, 392, 394, 395, 397, 398 and 436 may, in lieu of the punishment to which he is liable under that code, be punished with death.
    - (ii) Whoever in a disturbed area attempts to commit, or abets the commission of, any offence punishable under any section of the Indian Penal Code referred to in sub-section (i) may, notwithstanding anything contained in that Code, be punished with death or with the punishment provided in that section for the offence.
  5. Power to fire upon persons contravening certain orders in disturbed areas : Any Magistrate, any Police Officer not below the rank of Sub-Inspector, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as he may consider, necessary, fire upon, order to fire to be opened or otherwise use force, even to the causing of death, against any person who in a disturbed area is acting in contravention of any law or order for the time being in force, in such area, prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons.
  6. Protection of persons acting under section 5 : No prosecution suit or other legal proceeding shall be instituted, except with the previous sanction of the State Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by Section 5.

