

POLICE REPRESSION IN JAHANABAD

A JOINT REPORT

BY

ASSOCIATION FOR PROTECTION OF  
DEMOCRATIC RIGHTS, CALCUTTA

AND

PEOPLE'S UNION FOR DEMOCRATIC RIGHTS, DELHI.

PEOPLE'S UNION FOR DEMOCRATIC RIGHTS  
DELHI

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I.

## INTRODUCTION

Jahanabad is a sub-division of Gaya District in Bihar State. Since the middle of last year (1932), Police, State administration and landlords with its own armed forces have started a series of onslaughts on mass movements organised by the peasants of that area. The basic demands of the movement is implementation of various laws promulgated by the government such as minimum wages etc. Members of the Peasant Organisation have been killed, arrested, harrassed and even the right of holding public meeting has been curtailed.

In this context, two democratic rights organisations, Association for protection of Democratic Rights(APDR), Calcutta and People's Union for Democratic Rights(PUDR) Delhi, undertook an investigation in that area to bring out the facts. A five member team consisting D. Bhattacharya, B.Roy, P. Saha, Malaya Ghosh(all APDR) and R. Mohan (PUDR) visited the area during first week of February '33, and interviewed a cross-section of the society including peasants, agricultural labourers, landlords, police, officials of State Govt. journalists, etc. Next follows a detailed report of the recent situation in Jahanabad.

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II. ECONOMIC BACKGROUND : Jahanbad is a 100- Year old Sub-division in the Gaya Distt. of Bihar State. It is situated 50 kms. equidistant between the Patna and Gaya. The sub-division has an area of 1572 sq.kms. It is divided into seven development blocks and each has a police station.

Bihar is one of the most backward states in the country and Gaya district is the most backward district in Bihar. According to 1981 preliminary census report - "If we take into account the growth rate difference between 1961-71 and 1971-81, we find that among the agricultural districts Gaya have shown only a marginal increase of 0.44 per cent. On the other hand, Champaran, Samastipur, Sitamarhi, Nalanda and Purbi had shown a growth rate above 5 per cent.

According to 1971 census, out of 114 villages in Jahanabad Development Block only 48 villages have electricity supply.

Though exact statistics are not available, a sample survey conducted by our team reveals the high figures of unemployment and under-employment. On an average, every residential household has two unemployed and one underemployed (usually a female).

According to 1971 census -

Sl.	Village	Total population	Total Residential House-holds	Total Workers	Non Workers
a)	Sikariya	1346	211	931	765
b)	Mother	2558	360	1738	1820
c)	Gonsa	551	30	169	332
d)	Jamuk	1639	224	361	1278
e)	Benichak	65	10	23	42
f)	Bhagwanpur	143	19	41	102
g)	Surangapur	1096	177	261	835

Note:- Non-workers include children and the aged.

The land reforms are totally non-existent in these villages. Rather, it would be proper to say that they are on paper, but never implemented. Again, based on our survey less than 2 per cent of total number of households own 80 or more Bhigas of land. Nearly 10 per cent of households own between 8 to 20 bhiga of land. Rest of the 75 per cent of households are landless agricultural labourers.

According to a Senior Official, "Gaya District faces severe drought almost every alternate year".

According to official figure, if rainfall is normal then only 12% of land is irrigated. A Mazdoor Kisan Sangram Samity activist told this team that "we are demanding since a long time for the construction of a permanent dam across the river Poon Poon. The administration never conceded".

A startling fact, and an evidence of the existing feudal system is that in all of these villages, wages are paid in the form of grain. There are two types of agricultural labourers in this area, viz. Banihars and Choota Mazdoor.

The banihars are the yearly contract labourers and it is a blend of tenancy and labour. This is so formulated that it does not come under the purview of tenancy act. Nearly 80% of agricultural labourers are banihars. Earlier, that is, prior to Sangram Samity's struggle, the banihars used to get the following :

1. At the time of agreement 10 kottas (plotal of land for private cultivation and a loan of Rs. 50/- to Rs. 500/-, without interest.
2. During the sowing season 1 seer of pucca rice and one seer of khesadi satto ( which is harmful to health).
3. During the harvest 1 bundle out of every 16 bundles of grain reaped.

The landlord supplies the seeds and other necessary things for the cultivation of the tenancy land. On harvest, apart from taking back the seed he provides, he also takes other byproducts like hay. The banihar is entitled to mere grain.

On the event of breach of contract, the exploitation enhances manifold. From the day of breach an exorbitant rate of interest is charged on loan given and rent for tenancy land.

The working conditions of the banihar is worse. He has to work round the year, around 12 hours a day. He should attend to the work, even if he is sick, otherwise, he is beaten up and harassed by the landlord for 'evading' work under the 'false pretext' of sickness.

The noncontracted or the casual labourer used to get a mere 2 seer pucca grain for a full day's work. This is, however, much less than the minimum wage stipulated by the Government. As the mukhia of Muther village says "there is a law, we know, but, there is not any administrative machinery to enforce it."

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### III. SOCIAL BACKGROUND

The literary percentage of Gaya district, according to 1981 preliminary census report is 29.02 per cent. (In 1971 it was 22.19 per cent). But the average literacy percentage of Jahanabad villages ranges from 10 to 20 percent and in no single case is reached the level of districts literacy percentage.

Various villages with considerable population, does not have any schools. A cluster of five to eight villages have a primary or middle school. At many villages we found out that only small peasants and landlords children attend the school.

As a Harijan Landless labourer put it "despite the fact that primary education is free we cannot afford to send our children to the school."

The presence of the Caste System and its influence on socio-political relations is very much apparent.

In most of the cases, the land owning class belongs to the upper castes. They are literate, urbanised, economically powerful and wield the political power too.

The lower castes are mostly landless labourers, illiterate, economically backward and politically insignificant. But, they are the majority voters.

Incidentally, our team found out that, booth-capturing is a common phenomenon and poor villagers were never allowed to cast their vote in the past 30 years.

One villager said angrily "The police never helped us in exercising our franchise. We, under the banner of Sangram Samithi for the first time resisted booth capturing and cast our vote."

During the 'Peace' times the entire administrative machinery ignored these villages. Neither the sub-divisional Officer nor the Block Development Officer ever paid a visit to these villages. If at all they visit, they are the guests of landlords.

Now because of "disturbance" officials started visiting frequently. They come in jeeps, with the armed police escort to the village at odd hours. At Sikariya village the police camp is present since 19 May 1981.

Not only the administration failed to fulfil the needs of the people and execute the policies of the government, it is very much corrupt.

Many instances of maladministration and corruption in the police force is reported in the provincial newspapers - both English and Hindi. For example, on 22.8.72 the Circle Inspector of Ghosi block was suspended by anti-corruption authorities.

On 30.7.72, Mr. N.S. Sinha, Officer-in-Charge was suspended for irregularities in Malkhana register.

According to authentic sources, Mr. Ashok Kumar, a Daroga at Jahanabad, shot at the team of vigilance officials who came to investigate. He was suspended. But later, because of his alleged political influence, he is at present a Daroga at one of the Dev. blocks of Jahanabad.

Incidentally, when our team was visiting the Jahanabad town we heard from reliable sources the suspension of another senior Daroga (Sub-Inspect) of Karpi block. His character and integrity was found suspicious - says the suspension notice.

Various welfare schemes under 20-point programme and others like NREP an irrigation-oriented scheme, housing facilities etc. never reach the deserved public. In 1982-83, in the state budget there is an allocation of Rs. 1.8 crores for Harijan development. We, however, failed to investigate and find out how it is utilised.

#### IV. LAW & ORDER SITUATION

Jahanabad is a crime prone sub-division. A glimpse at the crime record maintained by police or the press clippings of past 10 years provide enough evidence to conclude that "it is a crime-infested town".

Though the licensing policy under the Arms Act is very liberal in this area many landlords possess illegal lethal weapons. On 12 August 1979 a biggest gun factory was unearthed in the village Titaiithiga.

From petty crimes like stealing and theft in trains, goonda menace etc. to major crimes like murder, rape, dacoity etc. are very common.

A landlord narrated an interesting anecdote to this team. "On the occasion of the marriage of my daughter, the bridegroom suddenly refused to tie 'Mangalsutra' unless he is given a sten Machine gun. Of course, I could get one".

BHOOMI SENA : During our investigations, we also found the presence of a parallel armed mercenary force organised and maintained by the landlords, called as Bhoomi Sena. It has a gr flag on ~~the~~ its 'Official' flag.

Earlier, each landlord had half a dozen of armed body guards. Later to resist the growth and spread of the peasant movements they came under this banner. Apart from this, their secondary activities are loot and dacoity for which they earned a notoriety.

It is alleged that they operate hand in glove with the police.

#### V. MAZDOOR KISAN SANGRAM SAMITHI

Under the aegis of Jayaprakash Narayan there was an awakening of democratic consciousness of people in the pre and post emergency days. It started in Patna and Jahanad being a contagious zone rightly responded to the movement.

Later on, the peasants of Jahanad, with this new democratic consciousness, got politically educated. Consequently they organised themselves under the banner of Mazdoor Kisan Sangram Samithi to assert not only their democratic rights but also for demanding better wages and conditions of work.

This was a 'disturbing' development to the landlords and the police. Their interests are affected, for the peasant resisted the oppression and questioned the exploitation.

Moreover, the Superintendent of police alleged that "Mazdoor Kisan Sangram Samithi is a nexalite organisation, operating secretly, preaching and practising the cult of violence."

After the investigation, we are of the opinion that, it is a mass organisation functioning democratically and struggling for legitimate demands.

#### VI VIOLATION OF DEMOCRATIC RIGHTS

The Indian Constitution guarantees under Article 19, a fundamental right to form association, propagation of ideas etc. without honouring the Constitution and other laws of the land, the police, in connivance with and under the directions of the landlords are violently suppressing the legitimate democratic struggles of the peasants.

The police, either actually joins the side of Bhoomi Seva in acts of violence or remarks a silent spectator.

(A) On August 10, 1982 Uneshwar Singh of the leader of Bhumiseva received information about the arrival of Lakhman Manji, a sangram Samity activist on the occasion of a festival. He immediately gathered sum 25-30 armed goondas of Bhoomiseva and led them to surround the harijantola of Bhagwanpore village



They caught Lakshman Manji, Swadesh Manji who accompanied him and another sangra samity activist named Balkeshwar Manji. According to eyewitness accounts they were dragged on the ground and simultaneously beaten-up. They were then illegally detained at another landlord's house named Bindeshwar.

The news of illegal detention spread like a wild fire to the neighbouring villages. Villagers poured into Bhagawanpur to rescue their co-activists. One of the villagers who went to Bhagawanpore told this team that the Bhoomiseva people hurled bombs and fired shots at the villagers. Another villager said that "We could however resist the onslaught."

It is learnt that the tussel went on for four hours or so, Umeshwar Singh and some villagers too were hurt.

A Samity activist told that "in the meantime, the three activists who were illegally detained in the room found some hidden lethal weapons.

By then it was dark - the landlord's realised their mistakes, so could not dare to open the doors. The landlords opened the ceiling of the room and shot dead all the three young harijan landless labourers, aged around 20 years.

The villagers alleged that the police arrived late in the night and took the crosses to the nearby field and burnt. It is however to be noted that Bhagwanpore is connected by metal roads to Tehanabad police station and is situated at a short distance of 78 kms.

(B) Another series of instances of violation of democratic rights is that other the police or the landlord's disturbing the meetings organised of Mazdoor Kisan Sangram Samithi. The Sangram Samithi informed the police in advance about the proposed meetings to seek permission.

Among the proposed seven meetings to be organised at various villages of Tehanabad Sub-Division, the first meeting at Gulabganj village, under Karpi Thana was held successfully.

However the eviraged landlords, the following day i.e. 1 July 1982 Set fire to the harijan juggis to "teach them a lesson".

On 2 July, the second meeting was to be held at Janwic village on the banks of rivolet Mohar. As the villagers arrived in a procession to the venue, on expectedly the armed police surrounded the venue and without giving notice or prior warning started lathi charge. Taking advantage of the situation the bhoomiseva started firing at the fleeing villagers. The police remained as silent spectators.

One Mrs. Indra Sania Devi, widow of Sudeshivar Manji told this learn "My late husband found that over 7 year old daughter was missing among the fleeing villagers. So he went back to fetch her. I dont know what happened later, except that his corpsen was found in the nearby field".

After the police landlord attack, two other bodies were found. One of them was identified as Shiv Pujan Paswan, village Chowkidar and a resident of Sultanpur. Another beheaded Corpse was so mutilated, that it could not be identified.

In this connexion five persons were arrested, severely beaten and realeased three weeks later. They were : 1) Chandra Dev Manji (2) Ram Saran Manji (3) Udhag Thakur (4) Chandra Sekhar Paswan and (5) Bijoy Pathak.

Apparently there was not any change against them except being involved with Sangram Samithi. The villagers told this team that this Seldom happening.

Though the atmosphere was following changed with police landlord terroism, the villagers did not lose their hearts. On 3 July, 1983 they went to attend the third meeting to be held at Bhagwangonj, under Masoudi District & Patna District.

As the villagers approached the venue, they found the green flag of Bhoomiseva hoisted to a flag post. The armed goondas had taken position in ditches and started firing at villagers.

The unarmed villagers had no other option not to take shelter in a nearby village. According to an eye witness account, a person under the influence of some super natural spirit was wandering in the area became victim of the Bhoomi Seva's bollet.

Nearly 1000 women went to attend this meeting. One Kunti Devi of Sukurgonj was manhandled by landlords for attending the meeting.

The organisers, could not held the fourth meeting, and thus cancelled the other three meetings too.

c. In June last year, a landlord was murdered by some unknown persons at Chanachorojha village. The victims family and relatives did not give any names of suspected persons. Despite this, the police arrested 5 Sangram Samithi activists of Sikariyan village. They were (1) Aibyendu Singh (2) Chote Singh (3) Jitender Singh (4) Dinesh Singh (5) Nirpendra Ginn.

Five of them, except Aibyendu Singh, who is still in jail, were released after 16 day of "untentionation". A senior police official said "Sikariyan is the bleeding ground of naxalites. The Sangram Samithi activists told "whatever happens in 20 km radius of Sikariyan, without any investigation the police accoses the Sangram Samithi activists of Sikaniyan".

They further alleged "the police have connecting with dacoits and whatever crime, the dacoits commit they accuse and apprehend us. We are falsely implicated in cases for crimes done by others".

#### Crime Control order :-

The notorious crime control order is being used illegally against the political activists, in many cases without any past criminal record. The police is using it very much discriminately. This act facilitates them to abuse the vast powers vested in the arbitrating.

We learnt that at least five Sangram Samithi activists are behind the bars under this act and the police is further apprehending the other important leaders of Sangram Samithi.

The instances cited above are only the tip of an iceberg which we could investigate. It is learnt that there are scores of such instances which became a part of peasants life in Jaharabad.

As a correspondent of a provincial newspaper 'Wearily' said "I am fed up with reporting these instances of 'encounters' police excesses, allegation, dacoities etc. they are So many that they lost the news value.

#### VII. CONCLUSION AND SUGGESTIONS

On a careful and incisive analysis of the situation, we are of the opinion that the administration has totally failed to implement the minimum wages, land reforms and other welfare schemes.

Consequently, the socio-politically aware peasants were forced to organise themselves at the face of severe oppression of landlords and struggle democratically for the implementation of the same.

The role of the police is deplorable. The police in these areas no longer remains a neutral force to preserve law and order. We found out that -

- a). They have strong connections with anti social elements. Complaining against the demeanour of 'naxalites', an armed constable, who refused to be identified said "the naxalites, unlike the dacoits and others, do not seek our cooperation in their operations".
- b) The actions of the police are becoming politically motivated, which is unhealthy as well as a dangerous development. This is clearly seen at their discriminate use of crime control order. The Superintendent of Gaya District felt "There is a need of political ideology to combat the naxalite menace."

We, based on our findings, in the interests of civil and democratic rights appeal to the concerned authorities to take active measures to restore a democratic atmosphere.

Following are our suggestions :-

- a) Lifting the 144 Section and allow the people to struggle democratically through peaceful processions and holding meetings.
- b) To relieve the terror-charged atmosphere, remove the police camps in and near the villages.
- c) Release unconditionally the persons detained under the 'crime control order'.
- d) Take proper measures to de-politicalise the police force. Set up an inquiry committee to weed out corrupt officials.
- e) Bhoomi Seva, the parallel armed mercenary force should be arrested and brought to back and properly presecuted.
- f) Provisions of Arms Act be made stringent for issue of licenses.
- g) Seizure and confiscation of illegal weapons present with landlords.
- h) Finally -

Instead of terming the movements as "extremist" one, the administration should take proper steps towards execution of Minimum Wages Act and land reforms. The problems need to be tackled at their roots.

Incidentally, when our team visited Patna, President Giani Zail Singh too was in Patna. Opening the new building of C.N. Mishra Institute of Economic Development and Social Change, Mr. Zail Singh urged the state Govt. 'to launch an unrelenting campaign to ensure the payment of minimum wages to landless agricultural labourers and take other effective measures to pull them out of the morass of poverty'. Here we see eye to eye with Mr. President and fully agree with his contention.