

amnesty international

INDIA

REPORTS OF HUMAN RIGHTS VIOLATIONS IN BIHAR

NOVEMBER 1988

SUMMARY

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This report describes allegations of deliberate unlawful killings and ill-treatment, including rape, by police and others acting with their assistance in the state of Bihar. Some people have died in police custody, apparently as a result of torture.

Although they are given special protection in the Constitution, many members of the Scheduled Castes and Scheduled Tribes are among the victims. They include landless labourers campaigning for land reform and for minimum wages. Some have been assisted by left-wing groups, including groups which have used violence. On the other hand, landlords assisted by private armies or criminal gangs, resisting labourers' demands, have also resorted to violence.

On 20 September, Amnesty International wrote to the Chief Minister of Bihar asking that investigations be carried out into these reports and asking for the government's comments. As of 1 November, it had not received a reply.

Among the cases Amnesty International asked the Bihar Government to investigate is an incident on 1 June 1988 in Banduwar village, Palamu district, in which three people were killed by the police. At least one of the victims was apparently shot in cold blood. In several other cases the police were said to have acted in conjunction with, or with the assistance of, local landlords or their private armies, whose growth was apparently encouraged by the police in the late 1970s. In other cases, such as the most recent incidents in Jehanabad district in June and August this year, the police appeared not to have intervened to halt or prevent attacks even though they knew about them in advance or had police stations or outposts stationed within a kilometre of the places where they occurred.

Amnesty International acknowledges that the Bihar police face a difficult situation in which political violence and counter-violence is a common occurrence. But no effective action appears to have been taken impartially to investigate abuses or to halt or prevent their occurrence. Although some police officers have been suspended, charged or briefly imprisoned, convictions of police officers are extremely rare and in most cases those responsible have not been identified or brought to justice.

Amnesty International is calling for prompt, impartial and independent inquiries into specific cases described in this document. It has asked the Chief Minister whether the Bihar Government has plans to implement recommendations in the National Police Commission report and to restructure the Bihar police to enable them to protect the human rights of the underprivileged groups more effectively.

Amnesty International has also proposed to send a delegation to Bihar to discuss its concerns with the authorities but has not received a reply.

This summarizes a 11-page document, India: Reports of Human Rights Violations in Bihar (AI Index: ASA 20/12/88), issued by Amnesty International in November 1988. Anyone wanting further details or to take action on this issue should consult the full document.

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INDIA:

REPORTS OF HUMAN RIGHTS VIOLATIONS IN BIHAR

On 20 September 1988, Amnesty International wrote to the Chief Minister of Bihar asking for his comments on reports of human rights violations, of which it gave specific examples, described in this document. It had earlier raised some of these concerns with previous government officials in Bihar. It also proposed to the Chief Minister that an Amnesty International delegation visit Bihar to discuss its concerns, but, as of 1 November, had not received a response.

Amnesty International's concerns in Bihar fall into three areas:

- reports of ill-treatment and torture by the police, both inside and outside police stations. Most common are allegations of beatings; other reports allege rape of village women and girls. In several cases, people belonging to Scheduled Castes and Scheduled Tribes or backward castes have died in police custody, apparently as a result of torture.
- reports of deliberate and unlawful police killings of unarmed individuals, many of them belonging to the Scheduled Castes and Scheduled Tribes.

In a number of cases, the police are reported to have acted together with, or with the assistance of, local landlords or their private armies or senas. Police are said to have encouraged the growth of these armed groups since they were formed in the state in the late 1970s. For example, according to an unpublished report by the Director General of Police, written in 1986, extracts of which have been published in the press, "...there was a tendency among police functionaries to encourage defence groups to organize themselves in order to fight it out with the Naxalites. This was the very negation of police role performance which actually resulted in the rise of different caste senas in Bihar". There is evidence to show that in a number of cases local policemen cooperated or even participated in attacks by senas on landless people, many of whom belonged to the Scheduled Castes. The then Home Minister of Bihar, Binay Singh, confirmed that there was some sort of link between the police and landlords committing acts of criminal violence of this kind when he told a correspondent of the British newspaper, The Economist: "Our police are in the pockets of the landlords. When some atrocity is committed against untouchables, they do not take action against those

who did it" (The Economist, 13 December 1986).

- the apparent lack of effective action to halt or prevent such abuses. As the case histories attached illustrate, there have been some cases that have resulted in the suspension, bringing of charges against or imprisonment of police officials. But in the majority of cases no action appears to have been taken against police officers and others acting with their connivance who are alleged to have been responsible for such abuses. In some cases, it seems, charges have been brought only to be dropped at a later stage of the proceedings. In others, suspects have been arrested and detained, but then later released from jail without having been brought to trial. Convictions of policemen for committing abuses have been extremely rare. As indicated above, there have also been a number of reports of police failing to intervene to halt or prevent attacks on members of underprivileged groups even when they appear to have had prior knowledge of such attacks, or when such attacks have taken place close to local police stations or police outposts. Police have also been accused of failing to register First Information Reports when victims have complained of ill-treatment, or claim to have witnessed deliberate and unprovoked firings by the police or others acting in collusion with them.

Although they are given special protection in the Indian Constitution, many members of the Scheduled Castes and Scheduled Tribes are believed to be among the victims of such abuses. Many of them are reported to be landless labourers campaigning for land reform and minimum wages, some of them apparently assisted by left wing groups, among them groups using violent methods. Landlords, too, are said to have resorted to violence, usually with the assistance of criminal gangs or private armies, some of which apparently continue to operate even though four of these private armies were banned in July 1986.

Amnesty International is aware that the authorities face difficulties in seeking to maintain law and order in Bihar, with the police having to deal with frequent acts of violence and counter-violence. It has welcomed the concern the Chief Minister expressed since assuming office in February 1988 about the law and order situation in Bihar, and about the need for fairness by police and officials. It was encouraged, for instance, by a report in the Times of India on 22 February, that the Chief Minister had stated that "atrocities on Harijans, backward communities and minorities would not be tolerated any more". Moreover, it is encouraged by reports that in a number of recent cases in which policemen were accused of raping and beating villagers, inquiries have been instituted, although the outcome has so far not been made public.

Amnesty International has pressed the Bihar government to institute impartial judicial inquiries rather than inquiries held by government officials as have been occasionally held in the past. Often such inquiries have been subjected to long delays and their findings have not been disclosed. This was the case, for example, in April 1986 when despite widespread demands for a judicial investigation the state

government ordered a member of the Board of Revenue for Bihar to investigate the incident at Arwal in April 1986 in which police were accused of the unprovoked killing of at least 23 villagers (See pages 7-8 of this document). The results of this investigation were never disclosed to the public. The Prime Minister also ordered an investigation into the same incident by the Commissioner for Scheduled Castes and Tribes. Again, the results of this investigation were not made public. But the press reported that the Commissioner had found the police action in firing upon civilians had not been "fully justified".

Amnesty International is urging the Bihar government to arrange for prompt, impartial and independent inquiries to be undertaken into all cases of alleged human rights violations, in particular into those listed in this document. It recommends that the results of these inquiries should be published in full, and that anyone found responsible for human rights violations as a result of these inquiries will be brought to justice.

Amnesty International notes the recommendations in the Third Report of the National Police Commission that the composition of the staff in the police system should adequately reflect "the general mix of communities as exist in society and thereby command[s] the confidence of the different sections of society". It recommends that the Bihar government consider a review of the composition, structure and training methods of the police and hopes that increased powers will be given to the Harijan-Adivasi cell of the Bihar police, to enable the cell to act more effectively to protect the rights of members of underprivileged groups. (*)

(*) The Harijan-Adivasi cell has as its main function the investigation of crimes against members of the Scheduled Castes and Scheduled Tribes. As of 1987, there were 11 Harijan-Adivasi police stations to cover the 39 districts of Bihar. According to S K Sinha, the officer in charge of the cell, it is understaffed and the number of police stations is inadequate to deal with the scope of the problem (Indian Express, 3 April 1987). Although the cell can recommend that proceedings be initiated against police officers against whom there is prima facie evidence of involvement in abuses against members of the Scheduled Castes and Scheduled Tribes, members of the cell have repeatedly alleged that their recommendations for these and other prosecutions have not been implemented, apparently because the policemen involved were protected by local officials.

SOME EXAMPLES OF AMNESTY INTERNATIONAL'S CONCERNS IN THE STATE OF BIHAR

1. Reports of torture by police and deaths in custody resulting from torture by police

1.1. Alleged rape by police in Pararia village, Deoghar district

Five women allege they were raped on the night of 18 - 19 February 1988 by policemen carrying out a raid in Pararia village, under Jasidih police station, of Deoghar district. Other villagers say they were beaten by the police. The police apparently raided the village in retaliation for a dispute between one policeman and a villager on 12 February 1988. The raid lasted between two and three hours and, upon leaving, the police took away 14 men. Four of them were released the next day and the remaining 10 on 25 February.

The alleged victims are 25-year-old Dariya Devi, 20-year-old Bhagwati Devi, 22-year-old Suma Devi, 21-year-old Bina Devi and 30-year-old Radhiya Devi. The first four women were all apparently admitted to Sadai Hospital, Deoghar, after the alleged rapes took place.

In addition to the allegations of these five women, Radhiya Devi's father, Jairam Mahto, around 70 years old, says he was beaten with sticks and that a stick was inserted into his anus. Fifteen other women also claim to have been raped by the police the same night.

After the incident, the Chief Minister ordered an investigation by the Criminal Investigation Department (C.I.D.) and 14 policemen were suspended from duty. The C.I.D. completed its investigations by mid-March 1988, reportedly finding prima facie evidence to charge certain police officers with "outraging the modesty of women", "criminally assaulting the victims" and theft. On 15 March all the 17 accused, including one sub-inspector of police, two assistant sub-inspectors and four constables were reported to have gone missing. But on 1 April the Chief Minister was reported as saying that all but four of the policemen accused of involvement in the incident had been arrested. He said that the police had raided the village without the knowledge of the Superintendent of Police, and that he had requested the Patna High Court to establish a special court to try the accused policemen expeditiously. At the time of writing, Amnesty International does not know whether the trial has taken place.

1.2. Alleged rape by police in Ghatiyari, Godda district

Six tribal women of Ghatiyari village, Godda district, claim that they were raped by police of the Sundar Pahadi police station on 12 April 1988. The alleged victims include Talamay Soren, 17 years old, Talamayee Soren, 25 years old, Hopenmayee Soren, 21 years old, Demach Soren, 17 years old and Demara Soren, 27 years old. Villagers allege that men were also forcibly taken out of their houses by police and beaten. Before these alleged incidents, there had apparently been

tension between the police and the villagers, who opposed a plan by the mahajan to take over land belonging to one of the villagers. The villagers claim that the mahajan asked the police to take action against them by framing false charges. The Superintendent of Police, Godda, claims that policemen were attacked by villagers when they came to make arrests and has denied that any rapes took place.

According to reports in the local press, none of the women claiming to have been raped had been medically examined ten days after the incident reportedly occurred. According to these same reports, the Sub-Divisional Officer and the Deputy Superintendent of Police had failed to register the women's complaints. However, two weeks after the alleged rapes, on 27 April, it was reported that the officer in charge of the Sunder Pahari police station and two constables had been suspended for their alleged involvement in the incident. The Director-General of Police in the state, M.J. Qureshi, was quoted as saying that although preliminary investigations did not show that the officer in charge and the two constables were guilty of rape, they "did misbehave with women". It is not known whether any further investigation has since been instituted into the allegations, or whether any further action has been taken against the policemen alleged to have been involved.

1.3. The alleged refusal of local policemen to file charges of rape against local landlords

In this case, Amnesty International is concerned about the apparent refusal by police to bring charges against local landlords because of their close relations with the landlords responsible.

In January 1986 Kaushalya Devi, 50 years old, and her daughter, both of Tarwadih village in Palamu district, were allegedly raped by local Rajput landlords. Mrs Devi is the wife of a local schoolteacher, Jiteswar Mahato, who had apparently been in conflict with the landlords after refusing them free use of his bullocks.

In January 1987, one year after the reported rape of Kaushalya Devi, the press reported that the police had still not filed charges against the landlords, despite the fact that the man who had been Superintendent of police at the time of the alleged incident had recommended that action be taken against the policemen believed responsible. The Superintendent had apparently suspended some policemen of the Panki police station for refusing to register a First Information Report against the landlords concerned, and for not taking the bleeding rape victims to hospital. The Superintendent also told an Indian press reporter that he had taken steps to cancel the gun licences of the landlords responsible and had asked the court that they should not be granted bail. But the Superintendent was reportedly transferred on the day that he had spoken to the press about the incident, and his successors reportedly refused to take action against the men believed responsible for the rape. After that, the victim and journalists acting on her behalf approached the then Chief Minister in October 1986 and January 1987 respectively but, to Amnesty International's knowledge, no criminal proceedings have yet been instituted, nor has there been an official inquiry into the incident.

1.4. Alleged torture and death in custody of the Kajria police

Rajendra Musahar, a member of the Scheduled Castes, was allegedly beaten to death by the police at Kajria village, Rajpur police station, Bhojpur district on 3 July 1985. Rajendra and his brother Laxman Musahar, both agricultural labourers, had worked on a daily basis for a local landlord. Later they reportedly refused to continue working in his employment as they considered the wages he paid to be too low. The police are reported to have described Rajendra Musahar as a Naxalite, and to have arrested him and his brother on 2 July 1985. During the two days after their arrest both men were alleged to have been beaten by the police. In the morning of 3 July 1985 the police reportedly hung Rajendra Musahar upside down from a tree outside the landlord's house, and beat him while he was hanging there. On the following day, 4 July, the police pronounced him dead, saying it was a case of "accidental death".

The body was sent for a post mortem examination to the local government hospital at Kajria. According to reports in the Calcutta press, police told the doctors there to produce a report which confirmed the police version of the incident, but one of the doctors refused. Section 176 of the Code of Criminal Procedure Act requires that a magisterial inquiry be carried out in any case where a person has died in the custody of the police, but it is not known whether such an inquiry has taken place.

1.5. Alleged torture and death in custody of the Sonari police

Nakul Bagti, of Khutadih, Sonari, about 14 years old, died late on 23 December 1985 at the Medical College Government Hospital in Sakchi, soon after he had been brought there from Sakchi jail. According to press reports, Nakul had complained to the jail doctor that he had been "mercilessly" beaten by police at Sonari police station.

According to the police at Sonari, Nakul (whom the police claim was 22 years old and whom the examining doctor has said could not be more than 17 years old) was arrested early in the morning of 23 December near Maila Tanki. The police say he was arrested with one Shankar Ram on suspicion of planning to commit robbery. According to the police, the two men were arrested as they were running away after the police had asked for their names. But according to Nakul's mother and local residents, the police arrested Nakul from his house in Sonari early in the morning of 20 December, and beat him and members of his family when they tried to question them about the reason for his arrest. Nakul's mother says that she visited him in Sonari police station on 21 and 22 December, and that he complained to her of severe and frequent beatings by the police. These allegations have been confirmed by two fellow-detainees. Shankar Ram, who says that he was himself beaten so badly that he had to be hospitalised, claims he saw Nakul being beaten while both of them were detained at the Sonari police station. Shankar Ram also claims that he saw Nakul vomiting blood when he and Nakul were taken before the magistrate on 23 December. A 12-year-old boy named Buddu, who says that he was detained

together with Nakul and Shankar Ram, claims that all three of them were beaten on both 21 and 22 December at Sonari police station.

At around midday on 23 December Nakul and Shankar Ram were brought before the local magistrate. The magistrate ordered that Nakul be transferred to Sakchi jail, where he was immediately admitted into the hospital ward. According to the press, he arrived at the jail hospital ward "in a serious condition", and complained to the hospital doctor, Dr. N.K. Prasad, of "severe body ache". At 10.30 the same evening, Dr. Prasad apparently found him unconscious. He was then taken to a nearby government hospital, where he was declared dead at 11 pm.

It seems that a post mortem report was submitted to the magistrate on 25 December and listed marks caused by extensive beatings. Both hands were found to be twisted, and there were signs of internal haemorrhaging and of brain injuries. Blood clots were found in the nose and mouth. The doctor who conducted the post mortem examination apparently reported that the nature of the injuries found indicated that they were the result of beatings by fists and lathis. Death was reportedly caused by multiple contusions and extensive bruises.

On 25 December, the Patna High Court ordered a senior magistrate, J.N. Singh, to hold an inquiry into Nakul Bagti's death, and the Superintendent of Police was the same day quoted as saying that the guilty officials would be punished. The officer in charge of the Sonari police station, Dinesh Singh, was suspended pending the inquiry. The outcome of the inquiry is not known. To Amnesty International's knowledge, the police personnel allegedly responsible for Nakul's death have not been brought to justice.

2. Reports of extrajudicial killings

2.1. Police killings at Arwal, Gaya district

At about 4 pm on 19 April 1986 police opened fire on a crowd meeting in the enclosed forecourt of the Gandhi Memorial Library near the thana (police station) at Arwal, Gaya district, causing at least 23 deaths, 11 on the spot and 12 afterwards. The meeting was organized by members of the left-wing Mazdoor Kisan Sangram Samiti (MKSS) to support claims to a piece of land by nine villagers, led by one Bharat Sao, who were contesting the claims of a landowner to the plot.

According to the Bihar Home Commissioner, Mr B.K. Singh, quoted in The Telegraph of 22 April 1986, the police were forced to open fire because the thana was attacked by the villagers with lethal weapons. The police claim that the villagers were "extremists". In an interview with the Illustrated Weekly of India of 22 June 1986, C.R. Kaswan, the Superintendent of Police, says that he went to Arwal after hearing that the meeting, which had gathered in violation of a ban on meetings imposed under section 144 of the Code of Criminal Procedure, had refused to disperse. He claims that he was attacked while in his jeep by a member of the crowd and said that the order for firing came from

the Sub-Divisional Officer, Mr Ojha. However, according to eye-witnesses, the crowd had assembled peacefully in front of the library and the police fired on them without warning. Eye-witnesses also claim that the police were joined in the firing by local landlords and others. On reaching Arwal on the evening of 19 April 1986, the Gaya District Magistrate Ashok Kumar Singh is reported to have counted 11 dead bodies, and to have sent a message to superiors in Patna the next day describing the firing as "unwarranted, unorganized and uncontrolled".

According to a press report of 30 April 1986, the wife of Bharat Sao, who was among those killed on 19 April, said that she and her husband were on the verandah of the library when the firing started. She said they tried to escape but were caught by the police, who took Bharat Sao to the police station. One hour later she was told by other villagers that Bharat Sao and others held at the police station had been told by the police to run away and had been shot dead as they did so. For their part, the police were quoted as saying that Bharat Sao was indeed arrested, but was "rescued by the mob" and had died in the subsequent firing.

Following this incident, there were widespread demands for a judicial inquiry. Rather than set up a judicial inquiry, however, the Bihar Government instituted a one-man inquiry by a Member of the Board of Revenue, Mr Vinod Kumar. A separate inquiry was conducted by Mr B D Sharma, Special Commissioner for Scheduled Castes and Tribes acting for the Government of India, who prepared a report in May 1986.

In November 1986, during the hearing of a petition on the killings in Arwal, the Supreme Court asked for copies of both reports. The reports were handed over to the court, but have so far not been made public. Some press reports have however made reference to the findings of the two reports. For instance, the Indian Express of 9 October 1986 said that the Kumar report "blamed the police for using more force than the situation required". The Telegraph of 12 June 1986 stated that although it had not been made public, it was believed that the Sharma report had concluded that about 75 people had lost their lives in the firing. India Today of 31 May 1986 reported that Mr Sharma was "convinced that landless peasants were being done away with under the pretext of crushing Naxalites". To Amnesty International's knowledge no disciplinary or judicial action was taken against any policeman involved in the incident as a result of these two inquiries.

The Bihar government initially announced that the families of Scheduled Caste victims would receive 10,000 Rupees compensation each. But in November 1986 the Supreme Court ordered that all the families of the dead should receive 25,000 Rupees each, and all the families of the injured 5,000 Rupees each. However, Amnesty International has not seen any reports so far that compensation has been paid.

2.2. Police killings at Banduwar, Palamu district

Various Indian newspapers have carried reports about an incident on 1 June 1988 in Banduwar village, Palamu district. According to these reports police fired on villagers, causing the deaths of Rambali Singh

and Dr Birendra Singh, who died on the spot, and Krishna Singh, who was wounded and died in hospital the next day. The incident was investigated three days later by a team of lawyers, journalists, politicians and a member of a civil liberties group.

According to the press reports, about a hundred local policemen, among them policemen of the Leshiganj, Manatu and Panki police stations as well as members of the Bihar Military Police, went to the village around 1 pm on 1 June 1988 to arrest 42-year-old Madhu Singh. Police apparently suspected him of involvement in the capture of three rifles from the police on 3 April. Madhu Singh is reported to be the president of an organization called Jan Mukti Parishad, which tries to promote the economic interests of poor villagers.

Not finding Madhu Singh at home, the police reportedly forcibly removed property from the house of his father, Aditya Singh. After that, they are reported to have arrested Yadunath Singh, a employee of the Forest Development Corporation, and two of his colleagues, Amarjeet Singh and Niranjan Singh. The three men were in the process of distributing wages to women labourers, who protested against their arrest, arguing that the men should be allowed to finish paying them. In their efforts to stop the arrests, the women apparently squatted on the road. The police are then reported to have taken action against the villagers, firing on them and causing three deaths as described.

The police have given a different version of the events. According to them, Madhu Singh's nephew, Dr Birendra Singh collected together 1,000 villagers, whom the police described as "extremists". The police say that they were surrounded by these villagers, who were armed with rifles and other firearms, and fired in self defence, killing Dr Birendra Singh and Rambali Singh. The police say that they were attacked by the villagers and that ten policemen were injured with burns and cuts as a result.

Eighteen villagers, including nine women and two small children, were reported to have been arrested on charges of being "Naxalite" extremists. It is not known what the outcome of their arrests was.

According to press reports, the police beat the villagers with lathis and then fired indiscriminately into them. An investigative team that visited the scene of the incident on 4 June 1988 apparently found that the firing had been "unprovoked". Indeed, one villager was quoted as saying that one of those killed, Dr Birendra Singh, was deliberately shot in cold blood some time after the confrontation between the villagers and the police had taken place. According to this account, Dr Singh, a medical doctor with a clinic in the village, was not part of the gathering on which the police opened fire. He was in Konwai village, one kilometre away, at the time of the firing and only returned to the village after the police had left. According to this account, Dr Singh was in the process of giving first aid to one of the villagers wounded as a result of the police firing. A police party reappeared, broke open the door of the house he was in, dragged him 50 metres from the house and shot him dead in front of his 75-year-old grandfather.

To Amnesty International's knowledge, no official inquiry has been conducted into this incident to date.

2.3. The killing of two leaders of sharecroppers' families by police allegedly with the participation of landlords in Sehri, Patna district

On 9 April 1986 two men who had led campaigns against local landlords in Sehri village, Patna district, were shot dead by police. The two men, Ramcharitra Mahto and Janardhan Mahto, had led families of sharecroppers who had taken legal action against local landlords owning more than 1000 acres of land, in excess of the maximum allowed by law. The aim of the legal action had been to force the landlords to distribute land officially designated as surplus land to the landless. The police say they tried to arrest Ramcharitra Mahto and Janardhan Mahto on suspicion of harbouring a criminal, and when doing so were attacked with firearms. They then shot Ramcharitra Mahto and Janardhan Mahto in self-defence. However, according to a report by the People's Union for Civil Liberties, the police went to Sehri village accompanied by local landlords, who pointed out Ramcharitra Mahto and Janardhan Mahto to them, after which the police shot them at point blank range and without provocation.

2.4. Alleged negligence of police in failing to intervene to halt killings of Scheduled Caste labourers in Kirichatra village

In this case, Amnesty International is concerned that the police apparently failed to intervene to halt killings ordered by the local landlord, despite being in a position to do so.

Seven Scheduled Caste labourers, five men and two women, were shot dead in the evening of 26 September 1987 at Kirichatra village, under Makdumpur police station of Jehanabad district, by an estimated one hundred armed men. According to reports, the police suspected that these armed men had been engaged by the local landowner, Indradeo Yadav. According to one report Yadav himself led the attack. The seven victims, who had apparently refused to work on Yadav's farm, reportedly belonged to the banned Mazdoor Kisan Sangram Samiti (MKSS), a left wing organization campaigning in the area for minimum wages. The MKSS had faced strong opposition from local landlords belonging to the Bhumihar and Yadav castes, notably Indradeo Yadav himself, who had been accused of earlier killings of political activists.

A police outpost at Paibigha village was only about one kilometre away from Kirichatra village, yet the police did not go to the village until the following morning, 27 September 1987, 12 hours after the attack took place. That day, the then Chief Minister announced a payment of 10,000 Rupees to each of the families of those killed. At least ten policemen were suspended for failing to intervene to halt the killings. Although some arrests were made, it is not known whether the culprits have been brought to justice. Nor is it known whether an official investigation has been held to investigate the killings and why the police failed to act to stop them.

2.5. Alleged negligence of police in failing to intervene to halt killings of Scheduled Caste people in Jehanabad district

In this case, Amnesty International is concerned that the police have apparently failed to intervene to halt criminal killings of 29 members of the Scheduled Castes despite being in a position to do so.

On 16 June 18 Scheduled Caste people were killed in Nonahi and Nagwa villages of Jehanabad district, and on 11 August 11 such people, including five children, were killed in the nearby villages of Dhamuha and Khagar. According to press reports, the leaders of the Hare Ram Yadav group of criminals were responsible for these killings, which the government initially blamed on Naxalites. The Hare Ram Yadav group is reportedly linked with the outlawed Lorik Sena of the Yadav landlords, but is also said to operate with the support of one of the Naxalite groups active in the area.

According to the Bihar Chief Minister, 17 members of the Hare Ram Yadav group were arrested after the first incident, the arrests apparently not including the leaders of the group. But as of late August 1988, none of the estimated 50 men participating in the second killings were known to have been arrested. Villagers claim to know the identity of those responsible for the killings in Dhamuha and Khagar and say that three of them, whom they name as Rajdeo Yadav, Ramashish Yadav and Surèsh Paswan, also participated in the first incident. Villagers also say that after the second incident those responsible for the killings were seen moving around in the neighbouring Kako Khalispur, Tikulia and Gajraj villages without being arrested. Villagers say that the police did not intervene to halt the killings in either incident, although there were police outposts around one kilometre away from the two villages under attack. An official inquiry is not known to have been instituted.