

Fact Finding Report on the Police firing on CMAS activists in Narayanpatna, Orissa



Democracy' at its worst !

(Fact Finding of Narayanpatna Firing on CMAS)

As this report gets written Singanna and Andru's bodies are being cremated at Podapadar village amidst a throng of police platoons waiting to arrest any member of Chasi Mulia Adivasi Sangha (CMAS) who exposes herself or himself to the police. Already 20 have been arrested and there is evident fear of many more hundreds being detained or arrested. The total clamp down on participation of the media, activists, leaders and any sympathizer of CMAS is not only condemnable but totally unjustified. The district has been turned into a hunting ground of tribals and there is fear written all over the faces of tribals in this remote block of Koraput district. A small team of three members made a two-day visit to Narayanpatna to ascertain the situation and understand the truth behind the firing incident which killed two tribals.



Blocked roads, long walks up and down winding hill paths and petrified tribals afraid to open their mouths to any unknown persons were the memories etched in the team members' minds. But what left the members shocked during their visit on 21st and 22nd November 2009 was that democracy had fallen to its worst during those three days after the firing and murder of two tribals.

There is much to be asked about the firing but the question foremost on our mind is – who ordered the firing ? did the police take the permission of a magistrate before setting off their guns ? and why was tear gas and other non-fatal measures not used to disperse a crowd which police thought might create a law and order situation ? the time gap between the protest gathering and the firing is just about 30 minutes ? but police say they requested and warned and then opened fire ? all these things happened in 30 minutes ? sounds a little preposterous and forces one to wonder whether it was cold blooded murder or a freak incident or a well-planned strategic elimination of a leader who held sway over a large number of fearless and empowered tribal cadres of CMAS.

As the days pass rising police brutalities destroy brick by brick the euphoric notions of 'democracy' so carefully packaged and sold to people of India by a political class sold out to corporate greed. Every night and every dawn brings shivers to the tribals as they await an assault on their hamlet, whether on the hill top or on the plains or deep in the jungles, by the marauding security forces. No one knows from which end and at what time under cover of darkness these cobras and scorpions will attack their village, break open their doors, kick them out of their homes and beat the blues out of them. The CMAS has been persistently branded a frontal organization of the CPI (Maoist) despite their vehement rebuttal and lack of any evidence to show their Maoist connections.

Facts and observations stated in this report are based on information and statements collected during interviews with Narayanpatna residents who were witness to the firing, local mediapersons and villagers of Kumbhari and Narayanpatna Panchayats.

The Facts of 20th November 2009

o About 200 CMAS members including 100 women came to Narayanpatna Police Station to protest against harassment of tribals in particular women during the previous days' combing operations by security forces. They reached the police station at around 2 pm and since the two gates of the police station were closed they called on the OIC to come out for a discussion. The police refused to let them in and began verbally abusing tribals who had assembled at the gate.

o When the police did not respond to their repeated requests to let a team of tribals into the police station for discussion on their complaints with the OIC, CMAS leader Kumudini Behera and CMAS President Kendruka Singanna broke open the lock of the small side gate of the police compound with an axe. As the gate opened 5-6 main leaders of CMAS including Singanna and Kumudini went to meet OIC Gouranga Charan Sahu. During a heated exchange between the OIC and Singanna, the OIC began to shout that he was being attacked by CMAS leaders and he ordered the IRB guards on the roof of the police station to open fire on the crowd gathered outside. The police fired three shots in air and then began to indiscriminately fire at the crowd standing outside the police compound. The firing was done by the IRB as well as CRPF and Cobra at 2.45 pm. The firing continued for half an hour and 300 bullets were fired at people.

o Hearing the sound of firing Singanna and others came out of the police station. Singanna was hit in the chest while he was walking out of the police compound. He received ten bullets in his chest and fell in front of the small police gate. Another CMAS member Andru Nachika of Bhaliaput village received bullet injuries and fell face down outside the police compound. Their

bodies were left there by CMAS members who ran helter-skelter as the police began firing at them. Around 300 bullets were fired at the people. In this firing, while two have died it is being estimated that around 60 more persons have been injured and some are in a serious condition.

o Singanna is survived by his wife who is also pregnant, three sons and a daughter. Andru is survived by his wife who is also pregnant and two children.

The Reason for CMAS Protest

o During a fact finding visit on 22nd November 2009, all CMAS members and villagers interviewed stated that they had gone to the Police Station to lodge their protest against police harassment of tribals and in particular women who were being harassed by the security forces.

o One of the main reasons for CMAS members' protest was that they wanted an answer from the OIC regarding violation of an assurance made to the tribals earlier. The CMAS members stated that about two months back they had held a protest rally regarding harassment of tribals in the name of combing and deployment of security forces in their villages. Following the rally, the OIC had given a written assurance to CMAS leaders that forces would not enter their villages and harass the tribals. They would conduct combing operations without harassing the locals. But the CMAS members stated that the police had violated this assurance and hence they came to ask the police the reason for this gross violation which was a serious breach of trust.

o Of particular importance is people's statement that the security forces categorically told them during combing operations on 18th and 19th November that they should leave their villages immediately or else they would have to face dire consequences. They even told them that the non-tribals whose lands CMAS had 'grabbed' (sic!) would come back soon to claim their lands !

o Combing operations and related harassment of 18th and 29th November was reported from Odiapentha, Dandabeda, Palaput, Dubaguda and Badhraguda villages.

o Apart from warning them, they did not allow the women and men to continue their harvesting work. Some said that they even took away their harvested paddy and *mandia* crops. The tribals explained to us that this season is the most important time for them because they are engaged in harvesting, husking and storing of their foodgrains. Hence such combing operations and threats to people would destroy their harvesting operations and affect their food security.

o When the tribals related this to their CMAS leaders, the latter decided to go to the police station to demand an explanation for this warning and also protest the harassment. The CMAS leaders sent cadres to different villages and assembled the members and took a decision to hold a peaceful march to the police station to make their protest and put their demands before police.

o About 50 tribals whom we interviewed and most of who had attended the march to the police station, categorically stated that they did not carry any firearms and that they carried a few axes and thick bamboo sticks. None carried any bow and arrow because they explained to us that on previous occasions their bows and arrows had led the media to brand them as Maoists. So they said that they had consciously not carried any bows and arrows or local swords.

Situation of 22nd November 2009

o As of today, it is difficult to ascertain the exact number of persons injured as CMAS members have returned to their villages and have not been able to meet or communicate with each other about the actual injuries to their members. Medical aid to these persons is not available as the injured are afraid to come to Narayanpatna Primary Health Centre (PHC) for medical treatment for fear of being arrested. They are taking treatment from their traditional tribal healers (*disaris*). Doctors are also reluctant to go to the villages for treating any patients for fear of abuse by the police and security forces. Local Anganwadis and ASHA workers are unable to treat the injured as they do not have the necessary medicines, spirit and cotton to clean and dress the wounds.

o Far flung villages and constant combing by the security forces is also making it difficult for the leaders to move to different villages to ascertain how many have been injured and what is their condition. Most leaders are in hiding as there is a reported shoot-at-sight order against them.

o On 22nd November early morning there was a combing operation by security forces and seven persons were arrested from their homes between 5 to 6 am. Apart from this, forces forcefully broke into homes and searched for 'red flags' (whatever that might signify as evidence !?). They abused people, in particular the women, kicked and beat young boys with thick bamboo sticks who did not answer questions. They seized axes, sickles, knives, bows and arrows and bamboo sticks from every house they entered and told the tribals that these are 'dangerous weapons of murder' and that they would be arrested if they were found in their homes next time. The tribals asked us, "these are our agricultural implements and daily household needs so how can we not keep them at home ? How will we get fuelwood, cut vegetables, harvest paddy and cut branches to feed our animals ? Where should we hide them and why should we do that when we never use these as weapons of murder as accused by the police ?" We had no answers

o Four CMAS members from Narayanpatna and three persons from Palaput, 1 km away from Narayanpatna.

The details of persons arrested are :

1. Raju Huika – Narayanpatna Kandha Sahi
2. Dora Nachika – Narayanpatna Kandha Sahi
3. Masi Sirka – Narayanpatna Kandha Sahi
4. Ramesh Khosla – Narayanpatna Ghasi Sahi
5. Kumudini Dora – Palaput Tala Sahi
6. Debendra Behera – Palaput Tala Sahi
7. Satyanarayan Bangu – Palaput Tala Sahi (his commander was seized)

o These seven persons have been taken into police custody on 22nd November and will have to be produced before Judicial Magistrate at Laxmipur within 24 hours. If this is not done then the police would be violating its own laws.

o Apart from this, the fact finding team also met three persons who have received bullet injuries. A boy of 18 years received two bullet injuries in his leg and in the same village another person has a bullet injury wherein the bullet is still lodged in his hip. Yet another person of that village

has a bullet wound which whisked past his left calf and has left a slit which needs immediate stitches. Another older man of another village has received a bullet injury in his left hand. This person was marketing dry fish near the police station when he was hit. He had no idea about the rally and the reasons for it. He is also partially hearing impaired. Apart from this, the people the fact finding team spoke to said that about 60 others have also received bullet injuries and are hiding in the villages. None of these persons are able to get medical help.

o As the fact finding team wanted to give some medicines to the injured patients and went into Narayanpatna town for purchasing these at around 3 pm on 22nd November they were stopped by DSP Jagannath Rao and Semiliguda IIC Sarat Sahu along with some armed constabulary. After initial questions on where the team had gone and why and checking of vehicle, they asked the team to leave the town immediately or else they would have to detain the members. This warning came despite knowing the fact that two of the fact finding members were journalists.

Impact of Firing on People

o All people whom the fact finding team met in the last two days are under tremendous fear that the police would kill every tribal they set their sight on including all members of CMAS. There is fear in their eyes as they spoke to the fact finding team members. They asked, “what should we do when the police comes to our village ?” When they were told not to run upon seeing the forces, they asked, “if we do not run then how can we save ourselves ? they will definitely kill us”. The women stated that they heard forces warning them in low breath that if the CMAS male members did not hand themselves over to the police then they would rape the all the women to ‘teach them a lesson’. One old woman asked us, “what wrong have we done ? We only asked for lands to cultivate and live a life of dignity and freedom from hunger ?”

o People are afraid to move out of villages due to fear of arrest and are constantly discussing about what will happen to them after this. Every village we went to we found women and men assembled in their village meeting place discussing the impending dangers. They are afraid to stay in the jungles as the forces are patrolling the jungles as well. They say that if they stay in the jungles they will be hunted and killed and if they live in their villages then they will be hunted out into the jungles and then also killed. “So either ways we die”, tell the women.

o The leaders of CMAs have several questions : why did the police not use tear gars to disperse the tribals if they thought there was going to be a law and order situation ? Why were rubber bullets not used ? The firing took place within half an hour of the protest rally so how did the police state that they gave the people adequate opportunities to break the rally and disperse ?

o The CMAS leaders also asked us, “when the police comes attacking us in our villages we do not retaliate and kill them ? In fact we allow them to search us, our homes and even beat us up mercilessly ? So why did police kill us when we came to their home to seek answers to simple questions ?” They told us, “even if we had snatched the weapons we could not have fired because we do not know how to use them ? So how did we become threats to the life of the OIC or the IRB guards standing on the rooftop ?”

o They asked us to reflect on why would they, the tribals, want to attack the police in their own compound ? And why would 200 tribals come to the police station to loot arms when the OIC did not even have a gun on him when they confronted him ? They explained to us that the IRB guards stationed on the roof, who fired at the crowd, were beyond the reach of tribals and hence it is impossible that they were trying to snatch their weapons at the roof.

o A very pertinent question was asked to us by a few tribal youths at a meeting in a village of Kumbhari Panchayat. They told us that the Government wants tribals to keep peace and help the Government and use democratic means to state their complaints. But the CMAS members asked us, “why should we help Government when it has not even given us our basic survival needs like PDS, NREGS, schools and health ? Government forced us to fight for our survival but killed us because we went to ask them a question ? Is that so undemocratic ? And what the police did to us, is that what you call democracy ?”

o The fact finding team also observed that the local mediapersons have not been reporting the truth behind several facts of the firing incident and are tracking movement of other reporters and fact finding teams visiting the area. They are conveying this information to the local police. The team felt very strongly that local mediapersons were doing this with malafide intentions.

Fact Finding Team Members

1. K Sudhakar Patnaik – Senior Journalist

2. Manoranjan Routray – Journalist

3. Sharanya – HumAnE, Koraput