

## Press Release

7<sup>th</sup> May 2018

### **Massacres Masked as Encounters: The New State Policy for Development in Gadchiroli**

In the morning of 22<sup>nd</sup> April 2018, an alleged encounter took place in Boriya-Kasnasur of Bhamragarh tehsil of Gadchiroli district, Maharashtra. In the day that followed, the police issued a list of 16 people with a press note saying that Naxalites were killed. On 24<sup>th</sup> April the police claimed that 15 more bodies were found in the Indravati River. Since then the count of the deceased has gone up to 40. A fact finding team comprising of 44 persons from across 12 states belonging to three major human rights networks and organisations – Co-ordination of Democratic Rights Organisations (CDRO) , Indian Association People's Lawyers (IAPL) and Women against State Repression and Sexual Violence (WSS) visited the sites of the alleged encounters in the district of Gadchiroli. We also visited all the sites of police violence and encounters in the region in the recent past. This three day fact-finding was from 5<sup>th</sup> to 7<sup>th</sup> of May, 2018 and this team was assisted by local representatives of Communist Party India (CPI), local elected representatives, Gram Sabha members, lawyers and journalists. **Our findings show that while the term encounter is being used for all of these instances, they are in fact fake.**

As per the entire fact finding over the incident we draw that the C-60 police and CRPF surrounded the Maoists on all sides and opened fire indiscriminately by using sophisticated weapons like Under Barrel Grenade Launchers (UBGL) with an intention to kill them. **As such it is a cold blooded mass murder.**

The fact finding team questions the version of the police with regards to the alleged encounter. Keeping in mind the final number of the dead, the C-60 force did not recover the bodies immediately. Important evidence of the alleged encounter, including letters, photographs, and identity cards, appear to have been left lying around for days after the encounter. No photographs of the original site or that of the bodies had been made available during the press release by the police on the 22<sup>nd</sup> April 2018. Only selective journalists were given initial access to the site and their reports seem based entirely on police narratives. It also seems suspicious that 15 bodies were found on 24<sup>th</sup> April, two days after the said encounter, and all at the same spot. This is suspicious as people, those injured, are bound to disperse over a wide area. In the entire operation, it is interesting to note that the C-60 team did not face any serious injuries, let alone casualties. The team is heard to be currently on foreign tour and inaccessible for communication. When we reached Boria, there was a huge presence of security forces in the village. The deployment of police forces appears to be to dissuade people from speaking to the fact finding team. The police brought people from Aheri to Kasnasur to protest against the presence of the fact finding team.

The fact finding team visited Gattepalli at night and found an unusually heavy presence of security forces. The village was in darkness due to a power cut for the last three days. Villagers informed us that they had been deployed that very day and people seemed scared to speak around them. The visiting team was also followed around by the forces which made any conversation difficult. Incidentally Gatepalli is the village from which 8 young persons have been reported missing since the 22<sup>nd</sup> of April. They left the village for a wedding. None of the missing minors have been identified except one Rasu Chako Madavi. The villagers identified her body among those the police claimed were killed in the Boria-Kasnasur encounter site. The police version continued to shift in the subsequent days. When the families of the missing approached the police, the police tried to establish that they were new recruits of the Maoist party. When questions were raised as to why the bodies were in uniform, the police version changed to how they had been recruited a month earlier. It is also unjustified that Aadhaar cards of the missing persons have been confiscated and not been returned till date.

In Rajaram Khandla, the police has contradictory versions of what happened on the night of April 23<sup>rd</sup>. According to their statements from Jimalgatta Police Station on 24<sup>th</sup> that the incident happened in Rajaram Khandla. On the 25<sup>th</sup> while handing over Nandu's body to the family, the SP issued a letter saying that they were killed in the Kopevancha-Koutaram forest. Out of those killed, four were women. The fact finding team visited the encounter site in Rajaram Khandla and also met with Nandu's family. On the 23<sup>rd</sup> morning,

Nandu's family and people of his village received word from the local police that Nandu along with others had been picked up from the Boriya-Kasnasur the night before. The family went to police camps and stations looking for those detained but couldn't find them. On the next day they were informed that Nandu and the rest were killed in an encounter on the 23<sup>rd</sup> evening in the Nainar forest. The fact finding team located this alleged encounter site in the Nainar forest. There were bloodstains on the ground, an open packet of rubber gloves, bullet marks at the base of tree trunks and two empty containers. It appears that the police tortured Nandu and then killed them in cold blood. Some of the other things that concerned our team was that no post mortem report was given to the family. When the father received the body on the 25<sup>th</sup> of April, it was rotting but there was an injury mark that seems to have been made with an axe on his right shoulder. Bullet marks were not visible on his body. People in the neighbouring settlements did not hear the sound of gunfire as is normally the case during encounters but did hear a few isolated gun shots that night. The family feared that all six of them were detained and tortured in police custody before being killed. The team wonders why Nandu and the others picked up were not arrested and produced in court and why is the police claiming this to be an encounter death when all evidence and testimonies point towards custodial violence and killings. We noted that the security forces and local police is continuing to harass and threaten the family and neighbours in Korapalli village.

These killings don't seem like isolated sporadic events but seem to be part of a larger trend of police atrocities in the area. There seem to be a large number of police camps and security forces creating an environment of fear for those living in the region. This is seen clearly in the earlier cases of police violence and encounters since the beginning of this year. For instance, on the 5<sup>th</sup> of February, two young men Ramkumar and Premlal of Koyanvarsha village, who had gone hunting for birds were picked up by the security forces. They were separated, interrogated and repeatedly forced to accept that they were Maoists. When the men resisted these claims, they were held back forcefully. But luckily, one of them, Premlal, managed to escape and shared the whole story with the visiting team. On the 6<sup>th</sup>, the villagers went back to the place where the men had been picked up. There they found bloodstains, burnt remains of Ramkumar's voter ID card and remains of the bird they had hunted. This led them to suspect that Ramkumar had been killed. Once they reached the Gadchiroli Police station, they found Ramkumar's body there. Villagers of Koyanvarsha claimed that this was the first time that such a thing had happened in their village and that there was pressure from the police to not press charges. Bribes have been offered to villagers by the police to keep quiet. The thumb impressions of the family were taken on a letter claiming that the men had links with the Maoists at the Hedari police camp where they went to register a complaint. A magisterial enquiry is on but they seem to know nothing of the status as of now.

In the same Surjagarh area, where the Lloyd Mining Corporation has set up a base in 2016. The opposition of the people to the setting up of mines in the area began immediately after Lloyd was given the lease. The police violence on the people stepped up consequently and resulted in harassment, violence and arrest of people from the villages around Dhamkundvani and Surjagarh mines. This is clearly visible in Mohundi and Gudanjur where two men were first picked up, followed by 5 more men of the villages picked up by the Gatta police. When the people of the village opposed this they were brutally beaten by the police to the extent where many of those beaten still bear signs of violence, the mother of one of those taken by the police had her hand broken and still has difficulty using her hands. Once these 8 men were picked up, 7 of them are in judicial custody, two of whom are juvenile, and there is no news of one of them. The police claims that this last, Dinesh, escaped but the family fears that he might have been killed by the police.

March 29<sup>th</sup> 2018, a young man from Rekanar village, Sansu Mircha Usendi, had set up a trap for animals. 30<sup>th</sup> he went to check his trap and was attacked by the CRPF from behind. He was beaten, dragged and then eventually killed by the forces. On the 1<sup>st</sup> of April, his family started searching for him and went to the police station. They weren't informed that he was killed. On April 3<sup>rd</sup>, after going around police stations trying to locate him, the police revealed that he had been killed in an alleged encounter. The family and the villagers protested this killing in front of the SP office on the 6<sup>th</sup> of April.

Dhamkundvani and Surjagarh mining projects appear to be at the centre of the rising police violence in the area. In 2006-7, when the mines were initially proposed, protests by the local communities put a stop to that. Now, once again, the increased number of police and paramilitary camps and the harassment of the villagers around the area. Women are afraid to go to the forests for fear of police violence as there have been instances in the past where young women have been harassed and kept overnight by the forces. The men have stopped going to the bazaar for fear of being picked up by the police. The contractors who purchase tendu patta and bamboo have stopped coming as there is pressure on them by the corporations and the police. The detention and killing of villagers and the lack of judicial action or response on these issues is building a sense of fear and anger among the people. The Dhamkundvahi hill is a sacred site for adivasis in the state of Maharashtra, Chhattisgarh and Jharkhand and the mines affect their social, economic and cultural life in violent ways.

The fact-finding team has spent three days visiting several villagers and met several hundred people to try and understand the situation in Gadchiroli district. It is clear to us that the narrative of development used by this government refuses to take the will of the people into account. The people have stood steadfastly against the violent takeover of their lands and livelihoods and as a consequence have faced brutal state repression that includes the loss of life of their people. The fact-finding team condemns this state policy of encounter killings and demands

1. Judicial enquiry into the fake encounters at Boria-Kasansur, Rajaram Khandla, Koyenvarshe, and Rekhanar.
2. Withdrawal of all false cases against civil society members who speak up against police atrocities
3. Cases be registered on persons responsible for indiscriminate use of force and orchestration of false encounters
4. Removal of police and paramilitary from the area
5. No mining in area without gram sabha consent
6. Withdrawal of amendment to PESA act that does away with the need for gram sabha consent
7. Forest should be preserved for undisturbed collection of tendu patta and bamboo and guarantee of fair price and sale to the government.

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