

Naxal Conflict in 2006



ASIAN CENTRE FOR HUMAN RIGHTS

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I. Preface

During 2006, from the peripheries of Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Orissa, Maharashtra, West Bengal etc, the Naxalite conflict came to be recognised as the “single biggest internal security challenge ever faced” by India. The increased striking capacity of the Naxalites, enormous loss of human lives in the Naxalite conflict, forcible displacement of at least 43,740 persons in the anti-Naxalite *Salwa Judum* campaign as of 31 December 2006 and serious violations of international human rights and humanitarian laws by the security forces, *Salwa Judum* cadres and the Naxalites mainstreamed the Naxalite conflict.

Throughout 2006, Asian Centre for Human Rights monitored the Naxalite conflict and published quarterly *Naxal Conflict Monitor*. It undertook three field visits to the Salwa Judum relief camps in Dantewada on 4-6 March 2006 following the Darbhaguda massacre and on 28-29 April 2006 following the Monikonta massacre by the Naxalites, and on 1-5 January 2007 to assess the situation of the internally displaced persons.

The Naxal Conflict in 2006 documents human rights violations, in particular, violations of the right to life, analyses the main trends of the conflict and examines the attempts (or lack thereof) to resolve the root causes of the Naxalite conflict during 2006.

Suhas Chakma
Director

II. From the periphery to mainstream: The Naxal conflict in 2006

According to the estimates of Asian Centre for Human Rights (ACHR), a total of 749 persons - 285 civilians, 135 security personnel and 329 alleged Naxalites - were killed in the Naxalite conflict in various Naxalite affected States of India during 2006. The highest number of killing was reported from Chhattisgarh (363), followed by Andhra Pradesh (135), Jharkhand (95), Maharashtra (60), Bihar (45), Orissa (25), West Bengal (22), Uttar Pradesh (2), Karnataka (1) and Madhya Pradesh (1). Chhattisgarh accounted for 48.5% of the total killings as a direct consequence of the anti-Naxalite *Salwa Judum* campaign.

Chart 1 : Killings in Naxalite conflict in 2006

States	Civilians	Security Forces	Alleged Naxalites	Total
Andhra Pradesh	20	7	108	135
Bihar	12	12	21	45
Chhattisgarh	200	57	106	363
Jharkhand	20	41	34*	95
Karnataka	0	0	1	1
Maharashtra	20	4	36	60
Madhya Pradesh	1	0	0	1
Orissa	4	4	17	25
Uttar Pradesh	0	0	2	2
West Bengal	8	10	4	22
Total	285	135	329	749

* Including 7 Naxals killed in internecine conflict in Jharkhand.

The killing of 749 persons in 2006 represents a decrease in the number of killings than in 2005 during which 892 persons were killed according to the 2005-2006 Annual Report of the Union Ministry of Home Affairs (MHA). The MHA report further stated that 653 persons were killed in Naxal violence in 2004, 731 persons in 2003 and 623 in 2002.

Despite decrease in the number of killings in 2006 in comparison to 2005, the Naxalite conflict came to centre-stage of the internal armed conflicts in India prompting Prime Minister Dr. Manmohan Singh to declare it as the “single biggest internal security challenge ever faced by our country” at the 2nd meeting of the Standing Committee of the Chief Ministers of the Naxalite affected States on 13 April 2006.¹

The following issues mainstreamed the Naxalite conflict in 2006:

First, with 48.5% of the total killings being reported from Chhattisgarh, the *Salwa Judum* campaign with its disastrous consequences such as the violations of the right to life by the Naxalites and the security forces and *Salwa Judum* cadres, forcible displacement of 43,740 persons as of 31 December 2006 and abdication of the law and order to the lawless and unaccountable *Salwa Judum* cadres brought national and international spotlight on the Naxalite conflict in India.

Second, the Naxalite conflict has spread to new areas in 2006. According to the 2005-2006 Annual Report of the Ministry of Home Affairs, Naxal violence in 2005 was reported from 509 police stations across 11 states. In 2006, Naxal violence has been reported from 1,427 police stations in 13 States.² Among the Naxalite affected States, Chhattisgarh, Andhra Pradesh and Jharkhand were most severely affected, followed by Maharashtra and Orissa.

Third, the attack on Jehanabad jail in Bihar on 13 November 2005 by the Naxalites was followed up by the simultaneous attacks on the State Armed Police camp, the local police station, sub-jail, treasury, tehsil office and a telecom tower in Udayagiri town of Gajapati district of Orissa on 24 March 2006 in which 40 prisoners were freed, three policeman were killed and arms were looted.³ Similarly, the killing of 13 Central Reserve Police Force personnel at Kanjkiro, 62 kilometers from Bokaro, Jharkhand on 2 December 2006⁴ was followed up with the detention of the Tata-Kharagpur passenger train near a deep forest between Gidni and Chakulia stations in Jharkhand on 10 December 2006.⁵ These incidents raised the spectre of the Maoists’ increased striking capability reminiscent in neighbouring Nepal.

Fourth, the easy access to small arms by the Naxalites, hitherto known only in the North East and Jammu and Kashmir, came to the fore. The recovery of 600 unloaded rockets, 275 unassembled rockets, 27 rocket launchers, 70 gelatine sticks and other explosive material from Mahbubnagar and Prakasam districts of Andhra Pradesh in September 2006⁶ was followed up by recovery of 543 landmines from an Indian army personnel at Tehala Shakuntla Park in South Kolkata, West Bengal in October 2006.⁷

Fifth, while the security forces continued to violate human rights, the chilling massacres of the unarmed civilians by the Naxalites in 2006 were unprecedented. The major killings of civilians by the Naxalites were Darbhaguda massacre of 28 February 2006 in which 27 persons were killed; Monikonta massacre of April 2006 in which 15 unarmed villagers were killed after abduction;

Errabore massacre of 17 July 2006 in which 31 persons were massacred; and Halewada massacre in which 12 persons, including two women and two teenaged girls of a marriage party were killed in a powerful bomb blast near Halewada village in Gadchiroli district of Maharashtra on 16 May 2006.⁸ In some of the massacres, many innocent victims were killed by the Naxalites in the most despicable manner including repeated stabbing and slitting of the victims' throats in front of other hostages or villagers after trial in so-called *Jana Adalats*, peoples courts.

Prime Minister Dr Manmohan Singh stressed on a two pronged strategy - effective policing and accelerated socio-economic development programmes - to address the Naxalite problem. However, at the state level, security considerations prevailed over. In 2006, the Central government provided 37,000 paramilitary personnel to Chhatisgarh⁹ and 30 companies of para-military forces to Jharkhand.¹⁰ In the beginning of 2006, Naxalite affected States demanded about 100 central paramilitary battalions (with over 1 lakh ready-to-fight personnel) to combat roughly 9,000-12,000 Naxalites.¹¹ Following the attacks on the security forces at Kanjkiro on 2 December 2006, Chief Minister of Jharkhand Mr Madhu Koda asserted that even with 50 companies of central security forces, he could not guarantee a complete security.¹²

Across the Naxalite affected areas, the edifice of the State structure remains weak and the State governments have virtually failed to deliver to the citizens even the basic amenities. Consequently, the law and order approach in the areas where there is neither law nor order remained dominant.¹³ The Naxalites while frowning at the lack of development systematically targeted all such governmental buildings that could provide shelter to security personnel and virtually blocked all development initiatives.

Increasing conflicts as a result of the acquisition of lands either for Special Economic Zones (SEZs) or development of industrial projects without free, prior and informed consent and without proper and appropriate relief/rehabilitation of the displaced persons in more ways than one mainstreamed the Naxalites' worldview as never before.

III. Salwa Judum campaign: A guide on how to mainstream peripheral armed conflicts

The real meaning of “Salwa Judum”, a language of Gondi Adivasis, is shrouded in controversy. The supporters of this campaign translate its meaning as “peace campaign”. The Naxalites on their part stated that *Salwa* means “group” and *Judum* means “hunting”; and therefore, they say, *Salwa Judum* is a group hunting of the innocent Adivasis supporting the “people’s movement”, the movement of the Naxalites.

Until the launch of *Salwa Judum* campaign in June 2005, the Naxalite problem was considered peripheral in Chhattisgarh. Andhra Pradesh and Bihar were considered the centres of Naxalite conflict. Prior to June 2005, there were very few reports of Naxal violence from Chhattisgarh. However, displacement of 43,740 persons as on 31st December 2006, involvement of the civilians in direct conflict with the Naxalites since June 2005, human rights violations committed by the security forces and the *Salwa Judum* cadres in the process of bringing the villages under the *Salwa Judum* fold and chilling massacre of the civilians participating in the *Salwa Judum* campaign by the Naxalites virtually ensured that the Naxalite conflict no longer remained a peripheral one.

The experiences of the *Salwa Judum* campaign came to mean how to mainstream peripheral armed conflict for effectively implementing some of the “Don’ts” in armed conflict situations.

1. Don’t violate the laws of war

In any armed conflict, international or internal, the Common Article 3 of the Geneva Conventions cannot be violated under any circumstances.

In addition, Article 4 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) which is applicable to armed conflicts such as the one with the Naxalites, provides for fundamental guarantees for “all persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted” “to respect for their person, honour and convictions and religious practices”. It further provides that the following acts against these persons are and shall remain prohibited at any time and in any place whatsoever:

- “(a) Violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;

- (b) Collective punishments;
 - (c) Taking of hostages;
 - (d) Acts of terrorism;
 - (e) Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;
 - (f) Slavery and the slave trade in all their forms;
 - (g) Pillage;
 - (h) Threats to commit any of the foregoing acts.
3. Children shall be provided with the care and aid they require, and in particular:
- (a) They shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care;
 - (b) All appropriate steps shall be taken to facilitate the reunion of families temporarily separated;
 - (c) Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities;
 - (d) The special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of sub-paragraph (c) and are captured;
 - (e) Measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

There have been consistent and blatant violations of the international humanitarian laws both by the security forces and the Naxalites. The security forces also abandoned the rule of law. *Salwa Judum* campaign clearly intensified the violations of international human rights and humanitarian laws.

2. Don't forcibly displace civilians

International humanitarian laws prohibit displacement of civilians for reasons related to the conflict unless “the security of the civilians involved or imperative military reasons so demand”.

Article 17 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) relating to prohibition of forced movement of civilians states:

- “1. The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.
2. Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.”

As of 31st December 2006, there were about 43,740 civilians displaced from their villages as a result of the *Salwa Judum* campaign in Chhattisgarh. A large number of displaced persons reportedly fled to neighbouring Andhra Pradesh and Orissa.

3. Don't make civilians objects of armed conflicts

Article 13(2) of the Optional Protocol II of the Geneva Conventions states that “The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited”.

The *Salwa Judum* campaign made the civilians objects of the armed conflicts. The civilians have been used in the campaign for bringing more villages under the *Salwa Judum* fold. It started a civil war in which the Adivasis are the perpetrators and the victims.

4. Don't endanger physical safety and security of civilians

The State has the primary responsibility to protect the right to life of persons living within its jurisdiction. However, by involving the civilians in the *Salwa Judum* campaign, the Chhattisgarh government has rather increased the risks of the civilians without any guarantees for safety and security of life.

Majority of the killings of civilians by the Naxalites in Chhattisgarh such as the killing of 27 villagers at Darbaguda under Konta Tehsil of Dantewada district on 28 February 2006¹⁴ and the killing of 31 inmates of *Salwa Judum* camp at Errabore village in Dantewada district on 27 July 2006¹⁵ were perpetrated for participating in the *Salwa Judum* campaign.

The State government of Chhattisgarh failed to provide security to the civilians both within and outside the relief camps.

5. Don't recruit child soldiers

There is absolute prohibition on the recruitment of child soldiers including under the Rome Statute of International Criminal Court.

During its field visit to Dantewada in March 2006, Asian Centre for Human Rights found instances of children being recruited as Special Police Officers (SPOs). Later, the Union Home Ministry reportedly issued directions not to recruit persons below 18 years as SPOs.

However, the recruitment of children as SPOs continued. This has been confirmed by the National Commission for Women (NCW) after its visit to Dantewada in December 2006. The NCW stated that many of the tribal boys and girls who have been recruited as Special Police Officers to fight Naxalites "appear to be minors".¹⁶

During its visit to the relief camps on 1-5 January 2007, ACHR found continued practice of recruitment of under-aged children as SPOs. ACHR was informed by the District Collector's office that a total of 4,048 persons including 3,749 male and 299 females have been recruited as Special Police Officers as of 31 December 2006.

6. Don't make living conditions of the civilians more deplorable

In March 2006, Asian Centre for Human Rights during its field visit found the camp conditions deplorable and sub-human. The displaced villagers have been living in makeshift camps, some of which were covered just with leaves of trees as roofs, and open from all sides. The inmates alleged that the so-called roofs could not prevent the water from pouring inside. There was inadequate supply of food which consisted of rice and *dal*. Medical facilities were non-existent. The conditions of the inmates in the camps were worse than the conditions in their original villages.

During another visit to the relief camps on 1-5 January 2007, ACHR team found that the camp conditions further deteriorated.

7. Don't target schools and other public facilities

The government must not spread the conflict nor measures be taken to disturb tranquility or access to public facilities. Many government schools including Government Higher Secondary School at Konta, Girls High School, Janpad Middle School, Girls Ashram and Boys Ashram at Dondra have been converted into relief camps. Students who were supposed to be appearing for the High School and Higher Secondary School Board examinations in March 2006 had been badly affected. During the field visit on 1-5 January 2007, ACHR was told that about 250 schools and *Ashrams*, tribal residents' hostels, were being used by the security forces in Dantewada district.

The Naxalites also targeted the schools. On 27 October 2006, Naxalites blew up three school buildings including a primary school, a middle school and an *Asbram* school at Koitpal village in Dantewada district in Chhattisgarh.¹⁷

8. Don't practice vigilante justice

The State government must not promote vigilante justice. It creates a vicious cycle where people take law into their own hands. In Chhattisgarh, the State government has abdicated its duty of maintenance of law and order to the *Salwa Judum* activists who are involved in illegal checking of all vehicles passing through their area and levying of illegal taxes just like the Naxalites. The *Salwa Judum* activists have also been responsible for torture, rape and extrajudicial killings.

Police do not register First Information Reports relating to such atrocities by the *Salwa Judum* activists, as they also take part in these illegal activities and crimes.

A tour in Dantewada where the *Salwa Judum* activists have unleashed a reign of lawlessness reminds one of the many failed States which require "United Nations Aid".

9. Don't destroy means of survival of the civilian population

Article 14 of the Protocol II to the Geneva Conventions provides that "Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works."

Yet, all those who have been displaced because of the *Salwa Judum* campaign were forced to leave behind their cultivable lands, crops, food stuff, live stocks etc. They have also lost access to minor forest produce.

Whenever the displaced persons went to their villages, they were prone to attacks by the Naxalites. On 25 April 2006, Naxalites kidnapped 52 tribals including 13 women from Manikonta village in Dantewada district of Chhattisgarh while they were returning to their relief camp at Dornapal after they had gone to Manikonta village to bring their personal belongings. The Naxalites killed 15 villagers in custody.¹⁸ The rest 37 persons were released on 29 April 2006 after warning not to join the *Salwa Judum* programme. Representatives of Asian Centre for Human Rights met some of the released hostages. They told ACHR representatives that their captors "selected" 13 hostages, tied their hands from behind and blindfolded them. Then, the rebels stabbed them repeatedly before slitting their throats before other hostages. The hostages were allegedly denied adequate food to eat and were forced to drink urine when they demanded water.

The IDPs have become completely dependent on the State as the villages being vacated because of the *Salwa Judum* campaign are virtually being controlled by the Naxalites and they could no longer access their villages.

10. Don't prolong the conflict

The State must make genuine endeavours towards early resolution of any conflict. No government should prolong and take measures which prolong any armed conflict.

The *Salwa Judum* campaign has not only accentuated the Naxalite conflict but has also made its resolution in Chhattisgarh extremely difficult, if not impossible. While the *Salwa Judum* camps must be dismantled, the fears that the Naxalites may attack those who have lived in the *Salwa Judum* camps, by their own volition or force, or participated in the *Salwa Judum* campaign cannot be overlooked. The cadre-based structure of the Naxalites and close social cohesion of the Adivasis exposed all the civilians who have been residing in *Salwa Judum* camps. Therefore, the resolution of the conflict without cease-fire and guarantees for safety and security of the internally displaced persons appears more difficult.

It is clear that without considering the implications of the *Salwa Judum* campaign, the Union Home Ministry extended support to the *Salwa Judum* type initiatives. The *Salwa Judum* campaign, if continues until the next State assembly elections, can at best influence the results of the Assembly constituencies in Dantewada district. The *Salwa Judum* campaign which has been extended to “six blocks” in one district i.e. Dantewada cannot resolve the Naxalite conflict which is spread over 170 districts in 13 States across the country.

IV. The Naxal conflict and its human rights implications

All the parties in the Naxalite conflict i.e. the security forces, the *Salwa Judum* activists and the Naxalites were responsible for serious violations of international human rights and humanitarian laws.

a. Human rights violations by the Security Forces

According to the estimates of Asian Centre for Human Rights, the security forces and the *Salwa Judum* cadres have killed 330 persons during 2006. Of them, 114 persons were killed in Chhattisgarh, 108 in Andhra Pradesh, 36 in Maharashtra, 27 in Jharkhand, 21 in Bihar, 17 in Orissa, 4 in West Bengal, 2 in Uttar Pradesh and 1 in Karnataka.

Chart 2: Killings by the security forces/Salwa Judum cadres in 2006

Sl No.	States	Alleged Naxalites	Civilians	Total
1	Andhra Pradesh	108	-	108
2	Bihar	21	-	21
3	Chhattisgarh	106	8	114
4	Jharkhand	27*	-	27
5	Karnataka	1	-	1
6	Maharashtra	36	-	36
7	Madhya Pradesh	0	-	0
8	Orissa	17	-	17
9	Uttar Pradesh	2	-	2
10	West Bengal	4	-	4
	Total	322	8	330

* Excluding 7 Naxals killed in internecine conflict in Jharkhand.

It is clear that the security forces dubbed all persons killed by them as “Naxalites”. However, these claims are far from the truth. An All India team of women activists, which visited Dantewada district of Chhattisgarh between 30 September to 2 October 2006, in its report alleged that four women (civilians) were killed by the security forces and the *Salwa Judum* activists in 2006.

On 22 December 2006, two civilians identified as Renu Oya and Subal (both aged about 20 years) of Mar Pakhanjur village in Kanker district of Chhattisgarh were allegedly killed by the Chhattisgarh and Maharashtra Police during a joint operation. When the two youths went missing on the morning of 22 December 2006, the villagers of Mar Pakhanjur went to Vande Police station under Kanker district to report their disappearance. In the police station, they came to know about the killing of three persons by the police who claimed they were Naxalites but the police allegedly refused to show the dead bodies to the villagers. Some of the villagers were beaten up when they demanded to know the identities of the dead. The police also reportedly refused to accept their First Information Report. On 25 December 2006, a group of villagers again reached the police station to inquire the identities of the deceased. They were shown the photographs of the two dead bodies. The villagers identified them as Renu Oya and Subal of their village. But the police allegedly forced the villagers to file a police report stating that Renu Oya and Subal were missing.¹⁹

Many of the encounter killings of “Naxalites” by the security forces were challenged.

Secretary of Communist Party of India, South Bastar, Manish Kunjam alleged that on 8 June 2006, several villagers were killed by the CRPF during a crossfire with the Naxalites following a raid by the security forces at Dewarpalli village in Dantewada district. The raid took place when the Naxalites were conducting a meeting where a large number of villagers were also present. Following the encounter, the police allegedly had cordoned off the village for two days and did not allow anyone to visit the area in order to cover up the number of civilians killed.²⁰ But Superintendent of Police of Dantewada, Pravir Das claimed that no civilian was killed in the encounter. He claimed that eight Naxalites were killed and five others, including two women, were arrested.²¹ The Naxalites also claimed that “police had killed innocent villagers of Dewarpalli”.²²

On 23 July 2006, 8 Maoist rebels, including Andhra Pradesh State Committee Secretary Madhav alias Gurra Chennaiah, were shot dead by Andhra Pradesh police in an alleged encounter in the Nallamala forests in Prakasam district.²³ Renowned left-wing poet, Gadar alleged that it was a fake encounter.²⁴ The Telugu Desam Party also sought an enquiry by a “competent agency”.²⁵ However, state Home Minister K. Jana Reddy rejected the demand for a judicial probe into the Nallamala encounter on the ground that a magisterial inquiry was already on.²⁶ Following a petition from the Andhra Pradesh Civil Liberties Committee, the Andhra Pradesh High Court asked the state government to conduct the post mortem of the deceased at Guntur Medical College under supervision of a team of forensic experts and to videograph the entire proceedings.²⁷

Some of the other alleged Naxalites killed in alleged encounters with the security forces in 2006 included alleged CPI (Maoists) commander of Atchampet local guerrilla squad, Outu Kurumaiah alias Murali near Rayavaram village in Mahabubnagar district on 3 July 2006,²⁸ CPI (Maoist)'s Nallamala Area Committee member Telugu Pochaiiah alias Venu at Nallakalva in Kurnool district on 15 July 2006,²⁹ six alleged Maoists including Karimnagar (East Division) secretary Madhu and District Committee member Cherukuri Rattaiah in two separate alleged encounters in Warangal and Nalgonda districts on 15 September 2006,³⁰ alleged Deputy Commander of Penna Ahobilam dalam of the CPI (Maoist) Venkatesh alias Babu near Korrakodu in Anantapur district on 18 September 2006,³¹ an alleged Maoist leader Samala Venkatesu alias Sudarshan or Satyam in the forest area of Nallamada in Anantapur district on 6 October 2006,³² an alleged Maoist leader Ramulu alias Ravi near Darlagondi village in Visakhapatnam district on 7 October 2006,³³ nine alleged Maoists including Obulesu, State Committee member and Rayalaseema divisional committee secretary in the Gopavaram reserve forests in Kadapa district on 10 November 2006,³⁴ Banda Reddy Subha Rao alias Gautham, alleged member of the CPI (Maoist) Andhra-Orissa border State zonal committee member at Chemagadda forest in East Godavari on 24 November 2006,³⁵ three alleged Maoists, including district secretary Subash alias Badida Rammurthy and Mankidi Lakshmaiah alias Nagulu near Kothagudem in Khammam district on 8 December 2006,³⁶ an alleged Maoist leader Chandramouli alias Devanna and his wife in Visakhapatnam district on 27 December 2006 in Andhra Pradesh,³⁷ alleged deputy commandant of the CPI (Maoist) in Chhattisgarh identified as Rainu alias Ketu near Karmari under Narayanpur police station on 1 August 2006,³⁸ three alleged Naxalites including a zonal commander Narayan Khairwar in Kharsota forests under Balrampur police district on 6 September 2006,³⁹ alleged range committee commander Lekam Manglu near Kotrapal village under Jangla police station in Bijapur police district on 19 September 2006,⁴⁰ an alleged woman Naxalite Santoshi near Antagarh in Kanker district on 2 November 2006,⁴¹ two alleged Naxalites near Basin village in Narayanpur police district on 5 December 2006 in Chhattisgarh;⁴² three alleged Naxalites, one of them identified as Kedar, in Sohgam forest in Etapalli taluka in Gadchiroli district on 12 August 2006,⁴³ three alleged Naxalites including Shamru Samru alias Chaitu in the Wangetura forest in Gadchiroli district on 22 December 2006 in Maharashtra;⁴⁴ and four alleged Naxalites near Raniguda village in Deogarh district in Orissa on 3 July 2006.⁴⁵

b. Violations by the vigilante groups

Across Dantewada district, the *Salwa Judum* activists have not only been given the responsibility for manning the camps but also the authority and duty for maintenance of law and order. They have also been given the impunity for carrying out atrocities like arbitrary killings, torture, rape etc especially while bringing the villages under the *Salwa Judum* campaign.

In a press release dated 21 December 2006, the West Bastar Divisional Committee of the Communist Party of India (Maoist) made the following allegations of human rights violations by the security forces and the *Salwa Judum* activists:

On 9 June 2006, police killed 20-years-old Teko Munno in a fake encounter at Devarpalli village.

On 13 July 2006, a joint operation team of Central Reserve Police Forces and Special Police Officers shot dead 22-year-old Hemla Pandey and Punem Gutto (45 years) of Puladi village while they were working at the fields. Hemla Pandey has been so badly riddled with bullets that her unborn baby slipped out of her womb through the bullet wounds.

On 11 August 2006, a combing operation team of CRPF and *Salwa Judum* activists tortured to death an eleven-year-old Aayom Bujjo of Bellamnenda village while she was herding cattle. The perpetrators allegedly cut the tongue of the victim.

On 28 August 2006, CRPF jawans shot dead a pregnant woman, Marvi Mondo (25 years) of Gornom village in a fake encounter. On the same day, another 25-year-old woman, Marvi Lakmi of the same village was killed in fake encounter.

On 30 November 2006, police gangraped Bhogami Radhe (30-years) of Dorum village and shot her dead in a fake encounter at Darepal village.

The Naxals also alleged that security forces and Salwa Judum activists forcibly took three girls – 22-year-old Kossha Munno, 16-year-old Kossha Lusko and 16-year-old Kalmu Jayu of Jangla village to the police station on 15 July 2006 and gang raped them.

However, these allegations could not be independently verified.

c. Violations of international humanitarian laws by the Naxalites

The Naxalites have been responsible for gross violations of international humanitarian laws including abduction, hostage taking, torture, hacking to death, shooting from point blank range, executions after trial by its so-called Peoples' Court, *Jana Adalat* etc.

The *Salwa Judum* activists, alleged police informers, alleged class enemies among the impoverished Adivasis and those who defy their diktat have been specific targets of the Naxalites.

The Naxalites have also reportedly been responsible for forcible recruitment of children.

The Communist Party of India (Maoists) allegedly continued the practice of forcible recruitment of at least one person from one family in the Naxalite controlled areas.

i. Indiscriminate killing of civilians

The Naxalites were responsible for the killing of 412 persons including 135 security personnel and 277 civilians. Seven Naxalites were also killed in internecine conflict in Jharkhand.

The maximum number of killing of civilians in 2006 has been reported from Chhattisgarh primarily due to the *Salwa Judum* campaign. The major incidents of killings of civilians were Darbhaguda massacre of 28 February 2006 in which 27 persons were killed, Monikonta massacre of April 2006 in which 15 unarmed villagers were killed, Errabore massacre of 17 July 2006 in which 31 persons were massacred, and Halewada massacre in which 12 persons, including two women and two teenaged girls of a marriage party, were killed in a powerful bomb blast planted by the Naxalites near Halewada village in Gadchiroli district of Maharashtra on 16 May 2006.⁴⁶ In some of the massacres, many of the victims were killed in the most despicable manner including through repeated stabbing and slitting of the victims' throats in front of other hostages.

Chart 3: Killings by the Naxalites in 2006

Sl No.	States	Security Forces	Civilians	Total
1	Andhra Pradesh	7	20	27
2	Bihar	12	12	24
3	Chhattisgarh	57	192	249
4	Jharkhand	41	20	61
5	Karnataka	0	0	0
6	Maharashtra	4	20	24
7	Madhya Pradesh	0	1	1
8	Orissa	4	4	8
9	Uttar Pradesh	0	0	0
10	West Bengal	10	8	18
	Total	135	277	412

On the morning of 28 February 2006, 27 villagers were killed and at least 32 others injured in a landmine blast and attack by the Naxalites at Darbhaguda village under Konta Tehsil of Dantewada district in Chhattisgarh. The villagers were returning to the Errabore relief camp after attending a *Salwa Judum* meeting at Dornapal relief camp. District Collector of Dantewada, Mr. K R Pisda told a fact-findig team from Asian Centre for Human Rights that some 150-200 Naxalites came out of

the forests from both sides of the road and clubbed or stabbed to death 17 of the injured after the explosion. This was corroborated by the family members of the deceased and survivors whom the ACHR representatives interviewed while undergoing treatment in the nearby hospital in Bhadrachalam district of Andhra Pradesh.⁴⁷

On 25 April 2006, Naxalites kidnapped 52 tribals including 13 women from Manikonta village in Dantewada district of Chhattisgarh while they were returning to the relief camp at Dornapal. The villagers were being sheltered at Dornapal relief camp and had gone to Manikonta village to bring their personal belongings. The Naxalites killed 15 villagers in custody and released the rest. While the bullet-ridden bodies of two abducted villagers were recovered on 28 April 2006, bodies of 13 other villagers were recovered from a deep forest with slit throats. The bodies also bore multiple wounds, meaning that they were brutally tortured before being killed.⁴⁸ The rest 37 persons were released on 29 April 2006 after warning that they would not join the *Salwa Judum* programme of the government. Representatives of Asian Centre for Human Rights met some of the released hostages. They told ACHR representatives that their captors “selected” 13 hostages, tied their hands from behind and blindfolded them. Then, the Naxalites allegedly stabbed them repeatedly before slitting their throats in front of other hostages. The hostages were allegedly denied adequate food and were forced to drink urine when they demanded water.⁴⁹

On 8 July 2006, Naxalites killed two villagers, one of whom was identified as Puppoo Penta, Secretary of Arganta Gram Panchayat, after abducting them along with seven others from near Birla village in Bijapur police district of Chhattisgarh. The four villagers who fled from the Naxalites’ captivity stated that the two victims were brutally axed to death in front of other villagers.⁵⁰

In a pre-dawn strike on 17 July 2006, about 1000 armed Naxalites swooped down the relief camp, the CRPF camp and the police station near Errobore village in Dantewada district of Chhattisgarh.⁵¹ The Naxalites killed 31 inmates on the spot, including an infant and a 6-year-old girl and injured 21 others.⁵² The Errobore relief camp that housed about 4,000 displaced tribals was burnt to ashes. Five tribal inmates perished in the fire while most of the other victims were hacked to death.⁵³ The Naxalites also abducted 41 tribals, including 32 women from the relief camp. On 18 July 2006, the Naxalites killed six of the abducted⁵⁴ while the rest were later released.

Some other cases of killings of civilians in Chhattisgarh documented by Asian Centre for Human Rights included killings of three alleged *Salwa Judum* activists including Toda and Krishna Rao at Kunnapara in Gangalur on 8 April 2006,⁵⁵ alleged *Salwa Judum* activist Chamruram Raiti, son of Sampatram Baiti, near Mirtur village in Bijapur police district on the night of 18 April 2006,⁵⁶ two alleged *Salwa Judum* activists including Telam Koaram, head of the Tumnar village in Bijapur on 14 June 2006,⁵⁷ Hirma Honga Muria near Dewarpalli in Dantewada district on 12 September 2006,⁵⁸ Ishwar Pudo from Patanbori village in Rajnandgaon district on 19 September 2006,⁵⁹ and

Podayami Bheema, an inmate of Dornapal relief camp in Dantewada district on 27 November 2006.⁶⁰

In addition, the Naxalites also killed three alleged members of the Village Protection Group identified as Sukara Munda, Guruchan Munda and Soharia Munda by slitting their throats at Hadian village under Gurabanda police station limits in East Singhbhum district of Jharkhand on 3 June 2006;⁶¹ Kartik Roy, village head at MV-66 village under the Kalimela police station in Malkangiri district of Orissa on 12 October 2006;⁶² Sunil Sitaram Karangami at Phulbodi village in Gadchiroli district of Maharashtra on 24 October 2006;⁶³ Bandhu Behera at Korkunda village in Malkangiri district of Orissa on 30 October 2006;⁶⁴ Ajay and Hemant at Richughuta village in Latehar district of Jharkhand on 26 November 2006;⁶⁵ and Etem Narayana, a farmer, at Nagaram village under Gundala mandal in Khammam district of Andhra Pradesh on 17 December 2006.⁶⁶

ii. Indiscriminate killing of civilians by using explosives

The Naxalites have been responsible for indiscriminate use of explosives including landmines to target both the security forces and the civilians.

In addition to the killing of 27 villagers and injuring of 32 others in a powerful landmine blast at Darbhaguda village under Konta Tehsil of Dantewada district in Chhattisgarh on 28 February 2006⁶⁷, the Naxalites killed at least 12 persons, including two women and two teenaged girls of a marriage party near Halewada village in Gadchiroli district of Maharashtra on 16 May 2006,⁶⁸ two persons in a powerful explosion in a Howrah-bound bus near Sulebatta ground on the Grand Trunk Road near Barachatti, about 50 km from Gaya, Bihar on 29 July 2006,⁶⁹ three villagers near Nakanpal village in Dantewada district of Chhattisgarh on the night of 1 October 2006,⁷⁰ and three civilians along with two security personnel at Polampalli in Dantewada district of Chhattisgarh on 21 December 2006⁷¹ by using various explosives. Most of the victims could not be identified.

iii. Killing of police informers

The Naxalites have been known for killing the alleged “police informers”. Surrendered Naxalites have been usually suspected and targeted as police informers. The largest number of such killings were reported from Andhra Pradesh.

Those killed on the charges of being “police informers” included Yashen Ansari at Barwatoli village under Chandwa police station in Latehar district of Jharkhand on the night of 3 June 2006,⁷² Alal Lagatu Kantigal, a tribal, near Savargaon in Gadchiroli district of Maharashtra on 16 June 2006,⁷³ Nimmala Durgaiyah, a surrendered Naxalite, at Kalvapalli village in Warangal district of Andhra Pradesh on 12 July 2006,⁷⁴ H. Laxmi Narsu at Patwaripally village in Warangal district of Andhra Pradesh on 26 August 2006,⁷⁵ Chimala Bakkaraju, a surrendered Naxalite, at Pagideru village in Khammam district of Andhra Pradesh on 2 September 2006,⁷⁶ Sunder Rao at Mummuru village in

Khammam district of Andhra Pradesh on 8 September 2006,⁷⁷ Chintaman Munda at Kanduadih village in Giridih district of Jharkhand on 8 September 2006,⁷⁸ Telamguta at Dharavaram village in Dantewada district of Chhattisgarh on 10 September 2006,⁷⁹ M. Venkanna, a former Naxalite at Rampur village in Warangal district of Andhra Pradesh on 17 September 2006,⁸⁰ Jaganmohan Reddy, a contractor, and Bolla Krishna, *upa sarpanch* (vice-village headman) of Anantaram in Khammam district of Andhra Pradesh on 12 October 2006,⁸¹ Subodh Ravidas and his wife at Vishnugarh in Hazaribagh district of Jharkhand on 22 October 2006,⁸² Sukku Ram near Nelawada village under Narayanpur police district of Chhattisgarh on 8 November 2006,⁸³ Chaitu Atram in Gadchiroli district of Maharashtra on 25 November 2006,⁸⁴ and Sibanand Jena in Kalimela area in Malkhangiri district of Orissa on 7 December 2006.⁸⁵

iv. Killing of political party activists

During 2006, political party activists were targeted by the Naxalites mainly in Andhra Pradesh, Chhattisgarh, Bihar and West Bengal. The Congress Party, Communist Party of India, Bharatiya Janata Party and Telegu Desam Party were specific targets.

Political activists killed by the Naxalites included former MLA Hari Prasad alias Ghamari in Bihar on 2 January 2006,⁸⁶ two Bharatiya Janata Party leaders - Ramchandra Sinha, spokesman of BJP's Dongergarh unit, and Babla in Rajnandgaon district of Chhattisgarh on 30 March 2006,⁸⁷ Janata Dal (United) leader Ashok Singh and six of his supporters in Aurangabad district of Bihar on 24 April 2006,⁸⁸ local leader of Telegu Desam Party T Nageswar Rao in Ongole in Prakasam district of Andhra Pradesh on 1 July 2006,⁸⁹ CPM local committee member Chhoti Mahato at Lalgah in West Midnapore district of West Bengal on 2 July 2006,⁹⁰ Congress activist Kotla Nageswar Reddy at Gangavaram village in Prakasam district of Andhra Pradesh on 10 July 2006,⁹¹ Telangana Rashtra Samithi district committee leader and advocate Rupu Reddy at Gandhamapalli village in Khammam district of Andhra Pradesh on 31 July 2006,⁹² Communist Party of India-Marxist leader Anil Mahato at Joypur in West Midnapore district of West Bengal on 19 September 2006,⁹³ Congress leader Santuram Usendi near Orcha under Narayanpur police district in Chattisgarh on 24 September 2006,⁹⁴ Congress leader Sreemanthula Seetarama Rao at Marrugudem village in Khammam district of Andhra Pradesh on 9 November 2006,⁹⁵ and Congress leader Tumma Rami Reddy at his residence in Guntur in Andhra Pradesh on 24 November 2006.⁹⁶

Even the kin of the political leaders were targeted. On 21 October 2006, Naxalites gunned down elder brother of Congress MLA Vamshikrishna, Chikkudu Lakshmaiah at Elmapalli village under Amrabad mandal in Mahbubnagar district of Andhra Pradesh.⁹⁷

v. Trials in Jana Adalats

In their strongholds, the Naxalites ran parallel justice system. The Naxalites continued to deliver *kangaroo* justice through so-called *Jana Adalats*, Peoples' Courts.

On the night of 13 June 2006, the Naxalites allegedly beat to death Samaru Ram, the Sarpanch of Edka village under Narayanpur police station area in Chhattisgarh after he was sentenced to death in a “*Jana Adalat*” for allegedly demanding a police station in the village. He was beaten in full public view and left to die without access to any medical help.⁹⁸

On 17 June 2006, a villager identified as Shyam Sundar Singh was allegedly killed after being tried in *Jana Adalat* in the forests of Banehesla in Lohardaga district of Jharkhand. He was accused of being a “police informer”.⁹⁹

On 3 July 2006, Naxalites reportedly shot dead Congress leader Chhannu Ram Bhatti, who was also a member of the Salwa Judum campaign, in the presence of more than 500 tribals following a trial at *Jana Adalat* at Nilwaya village under Kante Kalyan police station in Dantewara district of Chhattisgarh. The *Jana Adalat* found him guilty of working against the Naxalites and pronounced the death sentence.¹⁰⁰

d. Status of the Internally Displaced Persons

In Chhattisgarh, thousands have fled their villages and abandoned their paddy fields fearing attacks either by the Naxalites for opposing them or by the *Salwa Judum* activists and the security forces, for allegedly supporting the Naxalites.

Dantewada is the largest district in the Bastar region of Chhattisgarh having 1354 villages in 11 Development Blocks. In March 2006, there were a total of 45,958 Adivasi villagers from 644 villages in 6 blocks of Dantewada district who have been living in relief camps. The villages where IDP camps have been established were Bhairamgarh, Geedom, Bodli, Bangapal, Matwara, Jangla, Naimed, Kutru, Pharsegarh, Talnar, Gangalur, Nelsanar, Pinkonda, Kodoli, Karkeni, Bedare, Etamkudum, Cherpai, Bijapur, Murdandha, Aachapalli, Gangakud, Usur, Pharaspal, Konta, Arrabore, Dornapal, and Dantewada.

ACHR team visited Bangapal IDP camp, Geedam IDP camp, Konta IDP camp and Errabore IDP camp in March 2006. The camp conditions were deplorable and they have been turned into detention centres of the surrendered Naxalites as well as counter-insurgency training centres.

The State government officials claimed that they were providing free housing, free fooding, clothes, medical facilities, children’s education, Anganwadi centres for pre-primary education, adult education, business education and employment. It was as if the IDP camps had been turned into heaven for the impoverished Adivasis.

The ACHR representatives however found the camp conditions deplorable and sub-human. The displaced persons were living in makeshift camps, some of which were covered just with leaves of trees as roofs, and open from all sides. The camp inmates alleged that during the rainy season, the

socalled roofs could not prevent the water from pouring inside. Only those who came to the relief camps earlier were lucky enough to get tarpaulin roofing.

ACHR's representatives visited the IDP camps again on 1-5 Janaury 2007 and were informed that there were 43,740 internally displaced persons in 20 relief camps as given below:

List of inmates in Salwa Judum Camps

Sl No.	Name of the Development Block	Name of Relief Camp	No. of IDPs
1	Bijapur	Bijapur	5204
2		Cherpal	746
3		Gangalur	1456
4	Usur	Awapalli	196
5		Basagura	870
6		Usur	943
7	Geedam	Bangapal	480
8		Kasoli	280
9	Bhairamgarh	Bhairamgarh	2979
10		Pharsegarh	390
11		Maatwara	1314
12		Nelsanar (Newly established)	827
13		Jangla	1362
14		Kutroo	1312
15		Mirtur	763
16		Vedare	364
17	Konta	Dornapal	13692
18		Erabore	4425
19		Injaram	3116
20		Konta	3021
Total			43740

On 1-5 January 2007, ACHR team visited Kasoli and Nelsanar camps and interviewed the inmates. ACHR team was told that camp conditions remained deplorable and sub-human throughout 2006. The displaced persons were provided just a square meal of rice and dal. Medical and educational facilities remained non-existent.

The IDPs remained extremely insecure with little or no access to their villages and means of survival.

Prolong stay in the camps without any solution in sight has been taking toll on the mental health of the internally displaced persons.

V. Addressing the Naxal Conflict: An analysis

Apart from the Prime Minister, many organs of the government of India have gradually started recognising the fact that Naxalism is not merely a law and order problem but has its roots to socio-economic deprivation and backwardness of the dispossessed – the tribals and the Dalits.

The Planning Commission of India in its Draft Approach Paper on the 11th Five Year Plan titled “Towards Faster and More Inclusive Growth” of June 2006 stated, “Backward districts of otherwise well performing states, present a dismal picture of intra-state imbalance and neglect. The Centre and the States together must deal with this problem on a priority basis. We cannot let large parts of the country be trapped in a prison of discontent, injustice and frustration that will only breed extremism. The spread of Naxalism in more than 100 districts in the country is a warning sign.” The Draft Approach Paper suggested that – “Special efforts must be made to remove the discontent, dispense justice, instil a sense of fairness among the people and give them dignity and hope”.¹⁰¹

In July 2006, the Planning Commission set up a 16-member expert group headed by D. Bandhopadhyay, Chairman of Council for Social Development, to study the causes of Naxalism and suggest remedial measures. The committee was mandated to look into issues like widespread displacement, insecure tenancies and other forms of exploitation like usury and land alienation and suggest measures to improve the “abysmally low” social and human development indicators, an appropriate strategy for ensuring peace and “life with dignity”, upgradation of the levels of governance and strengthen public delivery system, health and food security vis-a-vis the existing Central and state legislations and steps to ensure efficient implementation of panchayats in scheduled areas.¹⁰²

The Ministry of Tribal Affairs in its revised draft National Tribal Policy released on 21 July 2006 stated -“The Scheduled Tribes, over a period of several years, have begun to feel a deep sense of exclusion and alienation, which has been manifesting itself in the form of tribal unrest in various tribal pockets. The increasing violence is due to a variety of reasons - social, political and economic, which combined together have created a sense of severe dissatisfaction, a feeling of having been neglected and deprived of what is rightfully theirs. The factors leading to the spread of the violent movements include the existence of acute poverty, severe disparities in living standards, lack of economic and livelihood opportunities and being treated as offenders and even criminals when they exercise their traditional rights.” The draft Tribal Policy suggested that “The solution lies in giving rights to the ST communities over natural and financial resources and addressing the issue of economic deprivation in a prompt and time bound manner.”

a. States' response: Over emphasis on "law and order" approach

In his remarks at the 2nd meeting of Standing Committee of Chief Ministers on Naxalism on 13 April 2006, Prime Minister Dr Manmohan Singh suggested two-pronged strategy of effective police response and socio-economic development of the Naxal- affected areas.¹⁰³

Many State governments have announced measures for socio-economic development. The state government of West Bengal announced Rs 50-crore special allocation for underdeveloped rural areas of the state in June 2006, but it remains to be seen whether the programmes actually reach the targeted beneficiaries. The West Bengal government also earmarked Rs 5 crore for Paschimanchal (western zone) comprising 74 blocks of Bankura, Purulia, West Midnapore, Burdwan and Birbhum districts. A separate department for Paschimanchal development was created to expedite the implementation of poverty alleviation programme, but it was not given its own budget.¹⁰⁴

The Karnataka government announced allocation of special funds for developing Naxal-affected villages in Karnataka over the next two years. Each Grama panchayat would be given Rs 10 lakh a year for two years for developing Naxal affected villages in their jurisdiction. As many as 315 villages under 152 grama panchayats in 11 districts were identified as Naxal-affected. The grama panchayats were directed to prepare a comprehensive development plan as per the guidelines of the Kugrama Suvarna Scheme. The government also directed use of other grants from the government, zilla and taluk panchayats for developing these villages on priority.¹⁰⁵

The socio-economic programmes did not have any visible impact. Some of the responses of the State governments to address the Naxalite conflict were comical. The Ministry of Home Affairs reportedly allocated an annual budget of Rs 23,000 crores to address the Naxal conflict. The state government of Bihar alone submitted a proposal of Rs 21,000 crores.¹⁰⁶

Overall, the responses of the Naxalite affected States have been more towards strengthening the security apparatus.

i. Demand for more security forces

At the beginning of 2006, the Naxalite affected states demanded about 100 central paramilitary battalions (with over 1 lakh ready-to-fight personnel) to go after the roughly 9,000 to 12,000 Naxalites.¹⁰⁷ The Central government has been raising a special combat force comprising of 14,000 personnel from the Central paramilitary, State police and ex-servicemen from the Naxalite-affected states to counter the Naxalites.¹⁰⁸

In 2006, the Central government deployed about 37,000 central security forces in Chhattisgarh¹⁰⁹ and 30 companies in Jharkhand.¹¹⁰ Following the attacks on the security forces in Bokaro on 2 December 2006, Chief Minister of Jharkhand Madhu Koda asserted that even with 50 companies

of Central security forces, he could not guarantee complete security.¹¹¹ The demand for more security forces was a common refrain.

On 30 August 2006, the Centre announced that it would provide air support to 13 Naxal-hit states for transporting security forces and allow use of Unmanned Aerial Vehicle (UAV) in Chhattisgarh for collecting intelligence inputs. Union Home Secretary V K Duggal clarified that the aerial support would be used for transporting security forces, evacuation and airdropping of food and medicine and not meant for anti-Naxal operational purposes.¹¹²

Majority of the Naxal-affected State governments have been raising special anti-Naxalite forces from the Naxalite affected areas. The state government of Andhra Pradesh has been training one special police force drawn from the Naxal affected tribal areas.¹¹³ Apart from recruiting the Special Police Officers, with a view to recruit more Adivasis, the Chhattisgarh Government relaxed parameters of recruitment by reducing the required height of 158 cm to 153 cm for candidates.¹¹⁴ The State government of Uttar Pradesh has also been raising a special battalion of the Provincial Armed Constabulary, comprising of the local youth of the Naxalite-affected districts of Sonbhadra, Chandauli and Mirzapur.¹¹⁵ About 80% of the Special Action Group of 300 specially trained armed police personnel in Maharashtra have been drawn from two Naxalite affected districts of Gadchiroli and Gondia.¹¹⁶

ii. Insurance and insurgency

Some of the Naxal affected state governments have been providing incentives such as life insurance cover to the security forces, hitherto not practiced in the insurgency afflicted North East India and Jammu and Kashmir.

In April 2006, the Jharkhand government increased the insurance to dependants of jawans killed in operations against Naxalites in the state to Rs 21.5 lakh from Rs 10 lakh. The State government paid annual premium amount of Rs 2,47,50,000 for 2006.¹¹⁷

On 24 July 2006, Chhattisgarh Chief Minister Dr Raman Singh announced that the government would provide house worth Rs 1 lakh and employment to each family of those killed in the Maoist violence since the formation of Chhattisgarh.¹¹⁸ However, those killed by the security forces or the *Salwa Judum* activists do not receive any such assistance.

iii. Surrender policy

Most of the Naxal affected states have adopted surrender policies.

The Jharkhand government announced Rs 50,000 reward in cash to each surrendered Naxalite and other benefits including a monthly allowance of Rs 2,000. These were in addition to cash equivalent

to the price of the weapon surrendered, a life insurance cover worth Rs 10 lakhs, vocational training for two years, one acre of agricultural land, health and educational facility for their children. The Naxalites would also be entitled to a lawyer to fight their cases in the court. In case, the surrendered Naxalites want different lawyer, the government would bear all the expenses.¹¹⁹

In addition to the price declared on their respective heads of the Naxalites, the Chhattisgarh government offered Rs 3 lakh for a light machine gun, Rs 2 lakh for an AK-47, Rs 1 lakh for an SLR and Rs 50,000 for a 303 rifle to the surrendered Naxalites.¹²⁰

The Orissa government offered to pay Rs 10,000 on acceptance of surrender, payment up to Rs 20,000 for surrendering arms and ammunition, allotment of homestead land, house building grant up to Rs 25,000, Rs 15,000 for marriage, loan assistance up to Rs 2 lakhs from banks on which there would be no interest for two years, subsidy up to Rs 50,000 after repayment of 75 per cent of the loan, free medical treatment in government hospitals within the state and cost of fees and textbooks for study up to high school. The government also offered to withdraw cases involving minor offences against surrendered extremists.¹²¹

In Jharkhand, the villages, whose residents help in mass surrender of Naxalites, were offered Rs 25 lakhs as bonus for development of their area. In Maharashtra, such a plan failed as the State government offered to pay Rs 2 to 3 lakhs in two instalments and some of the second instalments were never paid.¹²²

There was no visible impact of the surrender policies on the Naxalites. Across the North East, such surrendered policies have often been used for rehabilitation of the political party activists.

b. Naxals' obstacles to development

While the Naxalites frown the lack of development, they too have been creating obstacles in the way of development, particularly in the remote rural areas under their control. The destruction of public properties and services were widespread. In an interview with a journalist in 2005, "Commander" Kosa, the secretary for the Naxalites in Chhattisgarh, reportedly asked the journalist, "You have so many roads in your Delhi then why do you have so many poor there? Do roads help the poor?" "We will also make roads but after we win the war."¹²³

In Jharkhand, the Naxalites had been reportedly destroying all such buildings that could provide shelter to security personnel whether these were school buildings, panchayat bhavans, community centres and any house big enough to shelter a police picket.¹²⁴

The individuals and companies responsible for construction of roads and communications were specifically targeted. On the night of 14 January 2006, Naxalites attacked a Border Roads Organisation (BRO) camp and killed a BRO engineer identified as M Ganeshan at Etapalli village

in Gadchiroli district of Maharashtra. The Naxalites also set ablaze four trucks belonging to the BRO.¹²⁵ Suspected Naxalites set ablaze a machine and two motorcycles of a construction company, Classic Company, in Gola near Ramgarh in Hazaribagh district of Jharkhand. Classic Company was involved in renovation of the Rajrappa-Gola Road at Jobia village, 75 km from Hazaribagh on the night of 18 April 2006. The Naxalites left behind pamphlet, which warned middlemen and informers to face the wrath of the Naxalites and demanded 90 per cent participation of lower class in every project.¹²⁶

The vast railway network of the country has been the worst victim of Naxalites' rampage against development. On 25 April 2006, Naxalites attacked the Narganjo railway station on the Jhajha-Asansol railway line in Bihar and blew up a railway cabin and railway tracks after tying up the staff of the railway station.¹²⁷ On 15 October 2006, the Maoists blew up a portion of the railway track at Chengdo halt station in Jharkhand's Giridih district and set ablaze three engines of a goods train at Topadihi railway station in Orissa's Sundargarh district.¹²⁸ On 30 October 2006, the Maoists blew up a 100-metre stretch of railway track between Narkatiyaganj and Harinagar stations under Samastipur division of East Central Railway.¹²⁹

Government-owned National Mineral Development Corporation (NMDC) also came under the Naxalites' attack several times in 2006. On the night of 9 February 2006, Maoists attacked NMDC depot at Hiroli in Chhattisgarh's Dantewada district, and looted 50 tonnes of explosives and 17 rifles. Eight CISF personnel were killed in the attack.¹³⁰ The National Mineral Development Corporation was attacked again on the night of 21 March 2006,¹³¹ on 20 May 2006¹³² and on 30 October 2006.¹³³

On 20 May 2006, the Naxalites also attacked important installations in Dantewada district of Chhattisgarh, including that of Railways, and private steel company ESSAR.¹³⁴

The Naxalites have also targeted schools and school teachers. On 13 May 2006, Naxalites attacked the house of a school teacher identified as Bhoja Shetty and damaged a television set at Nadapal under the Hebri police station limits in Udupi district of Karnataka.¹³⁵ The Naxalites reportedly destroyed four government buildings, including two schools, in Kanker district in Chhattisgarh on 18 October 2006.¹³⁶ On the night of 2 November 2006, Maoists blew up Herhanj primary school under Balumath police station area in Latehar district of Jharkhand. This was reportedly the third attack by the Maoists on the school.¹³⁷

Some of the other attacks on government properties included bombing of building of Panchayat Raj Divisional Engineer office at Eturunagaram agency mandal in Warangal district of Andhra Pradesh on the night of 29 March 2006,¹³⁸ bombing of a rest house at Bhim Bandh, a tourist spot in Munger district of Bihar on 25 May 2006,¹³⁹ and bombing of a telephone exchange at Satyanarayanapuram in Charla mandal in Kammam district of Andhra Pradesh on 1 June 2006.¹⁴⁰

VI. Recommendations

The creation of a division within the Ministry of Home Affairs is absolutely inadequate to respond to the Naxalite problem. This implies continuation of the same “law and order” approach while Prime Minister Dr Manmohan Singh and Home Minister Shivraj Patil expressly recognised the need to address socio-economic dimensions of the Naxalite conflict.

Asian Centre for Human Rights makes the following recommendations to the parties of the Naxalite conflict:

To the Central government of India:

- Create a separate Ministry for the development of the Naxalite affected States in line with Ministry of Development of North Eastern Region (DoNER) in order to oversee speedy development of the Naxalite affected areas;
- Intervene with the State governments not to adopt policies and practices which prolong and accentuate the Naxalite conflict;
- Intervene with the State government of Chhattisgarh to stop the *Salwa Judum* campaign and ensure that civilians are not involved in the conflict with the Naxalites and that no counter-insurgency or security measure be taken which directly or indirectly increases the risks of the civilians; and
- Take initiatives for holding dialogues between the State governments and the Communist Party of India (Maoists).

To the State government of Chhattisgarh:

- Declare cease-fire with the Naxalites to facilitate holding of peace talks and dismantle all the temporary relief camps and to ensure the return of the camp inmates to their respective villages with full safety and security;
- Provide relief to both the victims of Naxalite violence and violence by the security forces and the *Salwa Judum* activists;
- Immediately vacate about 250 schools and *Ashrams* which are being used by the security forces and the *Salwa Judum* campaign;
- Conduct an inquiry into the recruitment of child soldiers among the SPOs and stop recruitment of children;

- Put an immediate end to all kinds of human rights violations by the security forces and the *Salwa Judum* activists;
- Register the crimes perpetrated by the security forces, the *Salwa Judum* cadres and the Maoists and bring the culprits to justice; and
- Ensure respect for human rights and fundamental freedoms.

To other Naxalite affected State governments:

- Declare cease-fire to facilitate holding of talks with the Naxalites;
- Put an immediate end to human rights violations by the security forces; and
- Order inquiries to establish accountability for human rights violations.

To the Communist Party of India (Maoists):

- Declare cease-fire with the concerned State Governments for holding talks for peaceful resolutions of the conflicts and facilitate dismantling of all the *Salwa Judum* relief camps and return of the camp inmates to their respective villages with full safety and security;
- Provide guarantees that no person, who has lived in the temporary camps, by own volition or force, or participated in the *Salwa Judum* campaign shall be harmed and that safety and security of those returning to their villages from the temporary relief camps be fully ensured;
- Stop targeting of the civilians and unarmed persons and use of explosives and land mines;
- Stop taking of hostages and immediately release those being held as hostages;
- Ensure full respect for the Geneva Conventions Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) and make a public statement committing to ensure respect for the same; and
- Stop the use and recruitment of children in hostilities and immediately ban Bal Mandal (Children's Division).

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