

ACHR REVIEW

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Naxalism and civil wars of India

"The problem of Naxalism has to be addressed by ensuring effective and sustained police action against the Naxal violence and, at the same time, accelerating socio-economic development of the affected areas." – concluded the first meeting of the Standing Committee of Chief Ministers of the Naxalite affected States of India in New Delhi on 19 September 2005. The meeting chaired by Home Minister Shivraj Patil reportedly decided to make the Inter-State Joint Task Forces functional "very quickly" to facilitate coordinated anti-Naxalite operations. As the first step, the States will appoint nodal officers for coordination with each other as well as with the Centre.

Despite its rhetoric on socio-economic development, the Central government and the State governments once again have taken more of a militaristic approach to address the Naxalite problems. The total annual outlay committed from the Centre and States for modernisation of police, which basically means buying more arms or raising more forces for anti-Naxalite operations, is about Rs. 2,000 crores. In comparison, the central government decided to allocate meager Rs. 2 crores per annum per Naxal-affected district for development activities.

According to the 2004-2005 Annual Report of the Ministry of Home Affairs, "at present, 76 districts in 9 States of Andhra Pradesh, Bihar, Chhatisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Orissa, Uttar Pradesh and West Bengal are afflicted with Naxalism. CPML-PW and Maoist Communist Centre-India (MCC-I) have been trying to increase their influence and operations in some parts of three other States, namely, Tamil Nadu, Karnataka and Kerala and also in certain new areas in some of the already affected States".

i. Raging civil wars

Unfortunately, the Standing Committee of Chief Ministers of the Naxalite affected States of India failed to discuss the counter-Naxalite measures, which have been creating virtual civil wars amongst the people living in the Naxalite afflicted States.

Bihar has been infamous for the caste wars between the Maoists and the Ranvir Sena, a private army of the upper caste landlords. In the past 15 years, an estimated 1,000 people

have been killed by Ranvir Sena in 300 incidents. The Naxalites have, on their part, perpetrated equally chilling massacres. [1] The killings continue. However, unlike the Naxalites, the Ranvir Senas are not banned under the law.

The security forces of Jharkhand, which was part of erstwhile Bihar, soon emulated Bihar model for countering the Naxalites. The State police created Nagarik Suraksha Samiti (NSS), a counter insurgency group to confront the Peoples War Naxalites. The NSS have perpetrated a series of killings.

The People's Union for Civil Liberties in its inquiry report of May 2004 held the members of the NSS responsible for lynching to death of about 13 alleged members of the Peoples War Naxalites at Longo in Dumuria block in East Singhbhum district between 7 and 22 August 2003. Prominent NSS members, police officers and Central Reserve Police Force officers posted in the village allegedly masterminded the lynching. The victims were allegedly administered drugs in the food and water served to them that made them drowsy. Police officials, along with NSS members, and some local villagers overpowered them and tied up. The information was then transmitted to the district police headquarters, and after receiving approval of higher authorities, the alleged Naxalites were beaten to death between 5.30 am and 7 pm of 7 August 2003. A photographer, however, managed to take pictures of the victims with their hands and legs tied. The ropes used in tying up the slain youths were found to be the ones normally available with the police. The involvement of police became apparent as the district authorities immediately rushed to the village after the massacre to congratulate the villagers.

The conflict between the Naxalites and the counter-Naxalite groups recently led to the massacre of 15 civilians and injury of six others at Bhelbadari village under Giridih district of Jharkhand by the Naxalites. Over 100 armed Naxalites reportedly raided the village near Bhinwaghati under Deuri police station on 11 September 2005 and indiscriminately attacked the villagers. Those killed were alleged members of the Village Defence Committee, an anti-Naxalite front.

The armed clashes between the Naxalites and counter-Naxalites is no longer restricted to Bihar and Jharkhand. A large number of private armies under the guise of anti-Maoist groups have sprung up in Andhra Pradesh. Some of these vigilante groups are Fear Vikas, Green Tigers, Nalladandu, Red Tigers, Tirumala Tigers, Palnadu Tigers, Kakatiya Cobras, Narsa Cobras, Nallamalla Nallatrachu (Cobras) and Kranthi Sena.

The Nallamalla Black Cobras, formed after the Maoists shot dead Maktal Congress legislator Narsi Reddy in Mahbubnagar district on 15 August 2005, have been responsible for a series of killings of the alleged Maoist sympathisers. Nallamalla Black Cobras killed Dalit activist, Alladi Ravi in Prakasham district after he went missing on 17 September 2005. His body was found lying at a deserted place in Chimakurthy mandal of Prakasham district on the night of 18 September 2005.

¹The weekly commentary and analysis of the Asian Centre for Human Rights (ACHR) on human rights and governance issues

Earlier, an activist of the Andhra Pradesh Civil Liberties Committee, Kanakachary was killed in Mahbubnagar district on 24 August 2005. The president of Kula Nirmulana Committee of Prakasham district, Mannam Prasad was killed on 10 September 2005.

The Andhra Pradesh police, infamous for fake encounter killings, are reportedly backing the vigilante groups.

After the imposition of the ban of the Naxalites following the killing of Narsi Reddy, the Andhra Pradesh government went a step further and decided to raise a Girijan Battalion with a strength of 1,260 tribal people. The battalion would include 10 reserve inspectors, 30 sub-inspectors, 45 assistant sub-inspectors, 277 head constables and 820 constables. This will pit the tribals against the tribals.

In the Bastar region of Chattisgarh, the leader of the opposition in the State Assembly, Mahendra Karma has started “Salwa Judum”, a peace movement against the Naxalites by the tribals. The Maoists have retaliated with killings.

ii. Positive responsibility of the State

Undoubtedly, the violence by the Naxalites and counter-Naxalites violate the Common Article 3 of the Geneva Conventions and provisions of the Rome Statute on International Criminal Court. The government must take effective measures to bring the culprits to justice.

However, the government cannot also be oblivious to its positive obligation to protect civilians at risk of attacks from the Naxalites. Instead, the security forces have been encouraging formation of vigilante groups, which increases the risks of civilians being attacked by the Maoists. This is also creating civil wars. And all the districts afflicted by the Naxalite movement are inaccessible, poor and primarily inhabited by Adivasis and the Dalits.

While the call for accelerating socio-economic development of the Naxalite affected areas is welcome, it is difficult to comprehend as to how economic development will be undertaken in areas which do not have basic infrastructure. Naxalism finds acceptance in these areas because of extreme poverty, unemployment, the collapse of the edifice of the state structure in terms of providing access to basic human needs and atrocities by security forces and forest officials. Land reforms are indispensable to address the Naxalite problems but did not figure in the strategy of the governments to combat the Naxalites.

The government continues to treat Naxalism on adhoc basis – as mere law and order problem. The adhocism is clear from the failure to introduce the Draft Forest Rights Bill of 2005 because of the opposition from a few environmental extremists and the Ministry of Environment and Forest. Unless the government takes rights based approach, Naxalism will continue to survive.

Naxalism – the symptom of entrenched discrimination and failure of the State to make fruits of development reach those who need it most – cannot be resolved by military means or creating virtual civil wars. Had the Centre and State governments decided to spend Rs. 2,000 crores per annum for undertaking development programmes including land reforms in the Naxalite affected areas, Naxalism would have gradually vanished. The counter-insurgency operations, which are characterised by human rights violations, and tacit support to vigilantism, will only further intensify the conflict.