

## **APPEAL FOR TALKS**

In the light of the recent demands raised by sections of the intelligentsia urging the government to heed the CPI (Maoist) “offer of talks”, we insist that “civil society” should rather, put pressure on the government to initiate talks with representatives of all struggling popular and adivasi organizations. The CPI (Maoist) cannot be treated as the sole spokesperson of all the people in the forest and mineral belt, convenient though this may be for the state and for that party. Does the government believe that violent insurgents are the only deserving interlocutors?

There is a common pattern to the emergence of Maoist violence in many areas. First, a non-violent mass organisation like the PCAPA in West Bengal or Chasi Muliya Adivasi Sangh (CMAS) in Orissa arises in response to marginalisation, displacement or violence against tribals by the police and paramilitaries. Then the Maoists step in, attempting to take over the movement and giving it a violent turn. The state responds with even more violence, which is directed not only against the Maoists but also against unaffiliated adivasis. At this point, some adivasis join the Maoists in self-defence, their leaders like Chhatradhar Mahato, Lalmohan Tudu, Singanna are either arrested or gunned down in fake encounters and large numbers of unaffiliated adivasis are branded Maoists or Maoist sympathisers and arrested, killed or terrorised by the state. Clearly, Maoist violence in these cases obtains legitimacy because of the unbridled use of force by security forces and violations of the fundamental rights of the local people. On the other hand, the unilateral and doctrinal use of the language of warfare by one armed group obscures the political agency of the ordinary people who have had no say in this declaration. It also tramples on the human rights of the often desperately poor people who are obliged to seek a livelihood in organisations of the state. Furthermore, it is not clear that the CPI (Maoist) actually shares the rejection of this kind of “development” by the people of the area, or whether it only wants to wrest control of this process from the Indian state.

The counter-insurgency operations mounted by the central government in these areas has led to unprecedented bloodshed, massacres of civilian populations and rampant violations of constitutional rights in the area. The central government insists on treating the affected areas as a “war zone”, and has shown little inclination towards tackling the huge backlog of tribal oppression that has created fertile ground for such violence. It is also true that whenever the government has conceded space, the conditions for this have been created by mass movements, not by the military actions of the CPI (Maoist). For example, the decision by the Ministry of Environment and Forests to put on hold the agreements with Vedanta and Posco in Orissa because of non-compliance with legal requirements for obtaining the consent of local adivasis, comes in the wake of sustained joint struggles by a range of political groupings.

We therefore urge all democratic sections to put pressure on the government to ensure that:

(1) Regardless of whether talks with the Maoists materialise, talks should immediately be initiated with those adivasis who are losing their land; and with representatives of the various mass-based organisations/mass movements, if necessary by securing their release from prison.

(2) round-the-clock security from attacks by both Maoists and state-sponsored groups and security personnel, is provided to these representatives and their families, as well as to witnesses in cases like the Gompad massacre and their families;

(3) the grievances voiced by these representatives be treated with the utmost seriousness and addressed as soon as possible.

Maoist violence flourishes in the foetid atmosphere provided by the destruction of the rule of law and rampant human rights abuses by the state. It is the task of the government to ensure that the rule of law is respected by all sides in the mineral and forest belt. If the rights of the adivasis to freedom of association and of expression, including the right to oppose current “development” policies, are respected, and crucially, if this dissent is taken into account by the government, Maoists will lose credibility. The party’s violent methods, often designed to cause collateral damage, will lose the support it currently obtains among sections of the disaffected population in these areas.

**Aditya Nigam, Dilip Simeon, Jairus Banaji, Nivedita Menon, Rohini Hensman, Satya Sivaraman, Sumit Sarkar, Tanika Sarkar**

## **MAOIST OFFER**

We, the concerned citizens welcome the announcement by the CPI (Maoist) to observe a ceasefire and enter into talks with the Government of India. Given the government’s expressed willingness to engage in talks, we hope that this offer will be reciprocated. This necessarily requires a halt to all paramilitary armed offensive operations (commonly known as Operation Green Hunt) immediately. It is also imperative that there should be complete cessation of all hostilities by both sides during the currency of the talks.

We are of the view that the Central Government, and not the State Governments, should be the authority to conduct talks as the problem covers various states.

Additionally, the Central Government should ensure that, while the talks are being held, all MOUs, if entered into, should be frozen and not implemented; no compulsory acquisition of tribal lands and habitats be undertaken; and tribals should not be displaced. This is because the Central Government is bound under law to strictly comply with the Fifth Schedule of the Constitution that, among others, safeguards manifold rights of the tribals including their ownership over land and resources.

We further urge that during the period of the ceasefire and the course of talks, independent teams of observers and human rights groups should not be prevented, by either side, from going to the affected areas.

**Justice Rajindar Sachar, Randhir Singh, BD Sharma, Arundhati Roy, Amit Bhaduri, Manoranjan Mohanty, Prashant Bhushan, Sumit Chakravartty, GN Saibaba, SAR Geelani, Madhu Bhaduri, Karen Gabriel, PK Vijayan, Saroj Giri, Rona Wilson, Anirban Kar**

### **TALIBANI BARBARISM**

There are reports (February 23) in Indian media that two Sikhs were killed by Pakistan based Taliban militants in Khyber and Orakzi areas near Peshawar. These Sikhs were part of a group of many Sikhs who had been kidnapped by the Taliban over a month ago. The Taliban had demanded Rs 30 million as ransom for the release of this group and killed two of them after the expiry of the deadline for the payment of the ransom, Jizya. Some reports suggest that these Sikhs were killed after their refusal to convert to Islam. Indian Government has reacted strongly to this mindless act by Taliban. Many an Indian political groups and a group of Muslim intellectual activists have also condemned this barbaric act in no uncertain terms. Jizya is not a relevant concept today and killing of innocents is against the basic tenets of Islam. The act of Taliban is highly condemnable.

**Ram Puniyani  
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### **ENCOUNTER**

Ramayampuram Venkatesh and Putti Nagabushanam were shot dead by the police on the outskirts of Nirmal Town in Adilabad District, Andhra Pradesh on the 18th October, 2003. The police claimed that both were robbers and they were moving around in suspicious circumstances with their associates. When accosted by the police, they started pelting stones and tried to escape. The police was compelled to open fire in self defence. Disagreeing with the police version, the National Human Rights Commission (NHRC) observed that mere pelting of stones could not be a justification for opening fire at them. In response to a show-cause notice of the Commission, the Andhra Pradesh Government decided to pay an ex-gratia of rupees one lakh each to the next of kin of both the deceased. However, considering this amount grossly inadequate for the loss of human life, the Commission recommended that State government pay Rupees five lakh each to the next of kin of both the deceased.

**NHRC, New Delhi**