

PEOPLE'S UNION FOR CIVIL LIBERTIES

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Press Release

PUCL FACT FINDING TEAM ASSERTS:

- ***State Repression in M.P. is Politically Motivated***
 - *PUCL plans to challenge the vires of the MP Rajya Suraksha Adhiniyam 1990 in the High Court*

Bhopal, 5th October, 2007 (Friday)

The systematic and planned repressive measures by the District Administration have been targetting the following political parties, people's organisations & social action groups, including their leaders/workers: a) Samajwadi Party; b) Madhya Pradesh Kisan Sangharsh Samiti; c) Samajwadi Jan Parishad; d) Shramik Adivasi Sangathan; e) Kisan Adivasi Sangathan.

The initiation of proceedings under the Madhya Pradesh Rajya Suraksha Adhiniyam 1990 (especially the externment proceedings) against the targetted parties and activists is purely politically motivated, and prima facie appears to be baseless.

At a press conference today, the 3-member FF Team presented the Preliminary Report and asserted that the obvious objective of taking such repressive measures against these political parties, people's organisations, social action groups, leaders and workers was to contain their growing political influence and/or increasing mass appeal due to their focussed democratic action and rights-based approach in dealing with the people's basic problems like food, forest, land, work, shelter, etc.

The FF Team has recommended that the Madhya Pradesh Rajya Suraksha Adhiniyam 1990 must be repealed forthwith, and all proceedings initiated under this draconian law must be dropped against all citizens. It has further recommended that the PUCL must challenge the vires of the Black Law in the High Court of Madhya Pradesh. The PUCL would also submit its Final Report to the State Human Rights Commission (SHRC).

The PUCL Fact-Finding Team has also demanded that the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Froest Rights) Act 2006 must be implemented in "letter and spirit" without any futher delay. The Central Government must issue notification and prepare the rules and regulations under the Act. The role and place of the established democratic institutions like the Gram Sabhas, Gram Panchayats, etc., must be recognized in resolving the issues related to land, etc.

The Team discovered that the government officials were resorting to undemocratic and illegal means to detain even the elected representatives like the Janpad Panchayat and Gram Panchayat office-bearers in order to forcefully stop them from making a representation to the Chief Minister and High Officials against the corrupt and undemocratic functioning of these officials. The case of Kesala on 28th September 2007 was investigated where more than 6 elected representatives and 200 tribals, farmers, women and children were forcefully detained by the officials during the inauguration of State Government Scheme called SHAKTIMAAN. One of the woman representative, Tara Barkhadhe was kept for almost 10 hours under house arrest and debarred from meeting the CM, although she had received formal invitation for the programme.

The FF Team found out that the District Administration, especially the police administration, had demonstrated utter contempt for the guidelines provided by the Supreme Court in Justice DK Basu case. According to it, many government/police officials even do not have any knowledge about the DK Basu Guidelines, although it is mandatory to display these prominently at each Police Station, according to the judgement of the Supreme Court of India.

Looking at the brutal nature of state repression, the Team has also demanded that an impartial enquiry be conducted by a Former Judge of the High Court into the systematic state repression and forest/police atrocities on the citizens of Betul, Harda and Hoshangabad. Till such time, all criminal cases and arrests against the political and social activists must be stayed. (It may be noted that the High Court of MP at Jabalpur has already done so in some of the cases.)

It may be mentioned here that the National PUCL constituted a Fact-Finding Team (FF Team) to look into the complaints/grievances received from the victims, which included: Mr. Chittaranjan Singh, Organising Secretary, National PUCL & Vice-President, UP PUCL (Ballia, UP); Mr. Shyam Bahadur "Namra", Poet, Educationist & Social Activist working in Tribal Areas, Founder Member, PUCL (Anooppur, MP), and Adv Rajendra K Sail, President, Chhattisgarh PUCL (Mahasamund, CG).

The FF Team visited the region (Betul, Harda & Hoshangabad) from 1st to 4th of October, 2007, and has prepared its Preliminary Report. The Final Report will be prepared and submitted to the General Secretary, National PUCL, New Delhi within a fortnight from now.

The FF Team visited the affected villages, met a cross-section of people, including the victims, government officials, representatives of the press, political parties, lawyers, social organisations, NGOs, intellectuals, etc. The Team also studied and inspected various documents related to the incidents.

During its visit, the FF Team was also approached by various individuals and organisations about cases of human rights violations ranging from attack on minority rights, women's rights, children's rights, right to food, right to work, right to housing, and police atrocities, etc. Although, such cases were not directly falling within the Terms of Reference (ToR), the FF Team looked into these with utmost care and consideration it required. However, FF Team is of the opinion that these complaints of human rights violations in these three districts must be looked into separately.

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