

16.33 hrs.

Title: Statement regarding police firing on Adivasis in Kerala.

THE DEPUTY PRIME MINISTER AND IN CHARGE OF THE MINISTRY OF HOME AFFAIRS AND MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI L.K. ADVANI): Hon. Speaker, Sir, you will recall that on the 24th of February, Shri Suresh Kurup and other hon. Members of Parliament had raised the issue of police firing on Adivasis in Kerala. I had given an assurance that I would find out facts from the State Government and inform the House.

I have been informed by the State Government that on the 5th of January, 2003, around 500 activists of Adivasi Gothra Sabha encroached into Amboothi and Thakarappadi areas of Muthunga Wildlife Sanctuary, Wayanad district. On the 15th of January, around 800 activists of an organisation called Adivasi Kshema Samithy encroached at around 15 places in Wayanad South and North Divisions. The district administration along with the Forest Department officers initiated discussions with the leaders of the tribal groups to contain the encroachment and to get the encroached forest land vacated peacefully. These efforts did not succeed.

The Member Secretary of the Central Empowered Committee constituted by the Supreme Court in Writ Petition No. 202/1995 had written to the Chief Secretary on the 29th January, drawing attention to the complaint filed before the Committee by the Executive Director, Wildlife Trust of India and requiring details of action taken to remove the encroachment. The Chief Secretary had replied to the Committee that all steps for a peaceful settlement of the issue were being taken. As the sanctuary forms part of a highly sensitive elephant habitat falling within the Nilgiri Biosphere, the removal of encroachment was necessary.

On 17th February, 2003, the Adivasi Gothra Maha Sabha (AGMS) detained three forest officers, ten watchers, and a few others as hostages. Immediately on getting information, senior forest officers along with the DIG of Police (Northern Region) Kozhikode, SP Wayanad, and the District Collector, Wayanad reached the site and the District Collector, Wayanad started negotiations with the AGMS leaders for the safe release of hostages. By around 2 p.m. on 18th February, 2003, the hostages were released by the AGMS.

After the release of hostages, it was decided to evict the encroachers on 19th February, 2003, with sufficient police force. On the morning of 19th February, 2003, the eviction procedure was started under the supervision of the DIG of Police (Northern Region) and SP Wayanad with the help of around 350 police personnel including women police constables. The field operation was entrusted to the Deputy Superintendent of Police, Kalpatta and two other Deputy Superintendents of Police with around 250 police personnel, forest officials and four Executive Magistrates.

The police and forest forces proceeded to Thakarappady (Kakkapadam) area. The Check Post erected by AGMS was demolished and the police entered the encroached area and made announcements in vernacular language through public address system requesting the encroachers to leave the area peacefully taking their belongings with them. After repeated announcements and appeal to AGMS, the police party proceeded forward as there was no response. The road was found blocked by cutting down trees and bamboo clumps. The obstacles were cleared by the forest party and the vacant huts demolished. When the police and forest forces moved further, the AGMS members took position with swords, bows and arrows, axes, knives, sickles, catapults, etc. They started attacking the eviction party. The police used teargas to disperse the crowd and AGMS members used bows and arrows, axes, knives and swords for attacking the police. In the process two policemen were seriously injured. Many encroachers with knives, axes and other weapons were taken into custody by the police. It was found that one policeman was seriously wounded by the tribals and two persons (one, a forester and other a policeman) were tied in the shed and were surrounded by the tribals who were threatening to kill them, if the police party advanced any further. During the rescue operation tribals attacked the hostages brutally and one of the hostages, a police constable succumbed to his injuries and the condition of the forester is very serious. One police constable was severely injured in the process. One tribal encroacher died and four other tribals were injured in the police firing that ensued.

It is reported that forty tribals and twenty policemen were also injured in the clashes. Besides them, eighteen persons that include Forest Guards and Watchers, etc., who were taken hostage by the encroachers on 17th and released the next day after torture, are receiving treatment for their injuries.

All the encroachments in the area have been evicted. The State Government is watching the situation closely.

The allegations that there have been more casualties than reported have been enquired into by the State Government but they have not come across any evidence of additional casualties. The Adivasi Resistance Movement had filed a petition before the National Human Rights Commission. The National Human Rights Commission had asked the State Government for a report. The State Government have submitted a report on the 10th of March and are awaiting further directions from the NHRC. The State Government have also informed that the hon. Chairman, National Commission for Scheduled Castes and Scheduled Tribes has visited the area.

The State Government have not initiated any magisterial or judicial inquiry. The State Government have informed that further course of action will be decided on receipt of directions/instructions from the NHRC on the report submitted by them.

SHRI SURESH KURUP (KOTTAYAM): Did the Central Government make an enquiry?...*(Interruptions)*

MR. SPEAKER: I will not allow anybody to ask questions on this.

...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Mr. Speaker, Sir, you may recall that when Advaniji was listening to the requests of the hon. Members from Kerala the other day, I had also got up and mentioned about the incidents of rape of women in West Bengal. ...*(Interruptions)* I drew his attention to enquire and give a statement. Just now, he has made a statement on the incident that happened in Kerala. But he did not make any statement on the incidents that took place at Dhantala where women were gang-raped. ...*(Interruptions)*

MR. SPEAKER: Please sit down.

...*(Interruptions)*

MR. SPEAKER: Kunwar Akhilesh Singh, you can go ahead with your speech.

...*(Interruptions)*

MR. SPEAKER: No debate is allowed after the hon. Minister has made his statement.

...*(Interruptions)*

MR. SPEAKER: Shri Radhakrishnanji, please sit down.

...*(Interruptions)*

SHRI KODIKUNNIL SURESH (ADOOR): Sir, everyday, these people are creating problems...*(Interruptions)*

MR. SPEAKER: Hon. Members, please sit down.

On the request of the hon. Members, the hon. Home Minister has made a statement. He has made his position clear.

...*(Interruptions)*

MR. SPEAKER: Shri Radhakrishnan, please listen to me.

Let there be a discipline in the House. Please sit down.

...*(Interruptions)*

MR. SPEAKER: The position has been made clear by the hon. Minister and under the rules, after the statement by the hon. Minister, no questions are allowed in our House. So, I am unable to allow you to ask for any clarification on this issue.

The statement has become a part of the proceedings. If you want to raise the discussion under any device, you can do that when the Session starts again. I will not allow you to put questions to the hon. Minister.

...*(Interruptions)*

MR. SPEAKER: Kunwar Akhilesh, you can speak now.

...*(Interruptions)*

SHRI KODIKUNNIL SURESH : Sir, they want political mileage...*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I may be permitted to speak...*(Interruptions)*

MR. SPEAKER: Shri Radhakrishnan, you are taking the time of the hon. Member, Kunwar Akhilesh Singh, who wants to speak on the discussion under Rule 193. Please sit down.

...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : Sir, the women who were coming from a marriage party were gang-raped...*(Interruptions)* But there is no statement...*(Interruptions)*

MR. SPEAKER: Hon. Members, please take your seats.

...*(Interruptions)*

MR. SPEAKER: You are taking the time of the other hon. Members.

SHRI VARKALA RADHAKRISHNAN : Sir, I may be permitted to speak...*(Interruptions)*

MR. SPEAKER: You know the rules very well. I am not going to permit you to ask questions to the hon. Minister. The political issues cannot be settled in this House. Please sit down.

...(Interruptions)

MR. SPEAKER: The hon. Home Minister has made a statement.

...(Interruptions)

MR. SPEAKER: Now, nothing will go on record except the speech of Kunwar Akhilesh Singh.

(Interruptions) *â€

SHRI PRIYA RANJAN DASMUNSI : I have got no reply.

MR. SPEAKER: Shri Dasmunsi, your question is altogether a different question.

They are asking for clarifications.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Two submissions had been made. One was from an hon. Member from Kerala and the other one was from myself, from West Bengal. One report has come from the hon. Home Minister, but the other report about the incident in West Bengal has not come. That is my worry.â€ (Interruptions)

SHRI VARKALA RADHAKRISHNAN : Sir, I may also be given a chance to speak.

MR. SPEAKER: I have not permitted any Member to speak.

SHRI VARKALA RADHAKRISHNAN : Sir, you have permitted him to speak. I may also be permitted....(Interruptions)

MR. SPEAKER: Mr. Minister, would you want to say something?

...(Interruptions)

SHRI VARKALA RADHAKRISHNAN : Sir, I want a clarification....(Interruptions)

SHRI KODIKUNNIL SURESH : What clarification? What do you want?...(Interruptions)â€!Every time you are disturbing...(Interruptions)

MR. SPEAKER: Let the hon. Minister speak. Please sit down.

...(Interruptions)

MR. SPEAKER: Shri Varkala Radhakrishnan, please take your seat. I have not given you the permission to speak. The hon. Home Minister is here to reply. Let us hear him. He is on his legs.

...(Interruptions)

* Not Recorded

SHRI L.K. ADVANI: Hon. Speaker, Sir, I would only respond to the issue just raised by Shri Priya Ranjan Dasmunsi. It is in two cases where matters relating to States are there. On that, statements are made in the House, and if need be, allowed by the Speaker, even discussions are held. When the Speaker directs the Government or when the Government itself assures the House, the statement is made. In this particular case, I had myself assured the House that I would come back after making enquiries from the State Government. When this morning, you reminded me and the hon. Members reminded me, I said that before the House adjourns in the evening, I will come back. Therefore, I had made this statement now. In the case of other matters, I am aware that many hon. Members are agitated. If the House wants, I can get the information from them; and in that case, neither had I assured the House nor had I been instructed by the hon. Speaker; and so, there is no question of having two standards. I have the same standard for all, and that standard is this. In these matters, all that I can do is this. ...(Interruptions) Please listen to me.

In these matters, all that can be done is to get the information from the State Government and convey what the State Government has informed me. I cannot give all the details. We have a rule in this House which says that when a statement is made by a Minister, questions are not allowed. That is a technical part of it and on the basis of that, Mr. Speaker, Sir, you have asked them not to put questions.

Even in this particular case, on the substantive part of it also, I would not be able to give anything more than what I have given. Thank you. ...(Interruptions)

MR. SPEAKER: Now, Kunwar Akhilesh Singh can start his speech.

...(Interruptions)

MR. SPEAKER: Now, it is more than enough. The hon. Minister has made his position clear. Whatever information he was able to get from the State Government, he has already given. He said that he would not be in a position to give anything more than that. So, please sit down.

...(Interruptions)

MR. SPEAKER: Friends, today is the last day of the first part of the Budget Session.

...(Interruptions)

MR. SPEAKER: Shri Radhakrishnan, please sit down.

...(Interruptions)

MR. SPEAKER: Shri Adhir Chowdhary, do you want the Speaker to sit down? Please sit down.

...(Interruptions)

MR. SPEAKER: Whatever allegation you want to make against the Government, you can make. But here, I have to conduct the business of the House properly. So, please sit down.

...(Interruptions)

MR. SPEAKER: Hon. Members, though there was very short time, the Minister had collected the information and had given it to the House. The information has come to us. Thereafter, the Minister made it clear that it would not be possible for him to give any more information to the House because he cannot now contact the State Government and get the information.

...(Interruptions)

MR. SPEAKER: Please sit down.

...(Interruptions)

MR. SPEAKER: Shri Radhakrishnan, I have not permitted you to speak. Please sit down.

...(Interruptions)

MR. SPEAKER: To my mind, the issue is totally over; and I am not going to permit any hon. Member to ask any questions on this issue. I will permit only Kunwar Akhilesh Singh to make his speech on the issue of farmers. Only his speech will go on record and nothing else will go on record.

(Interruptions) ❌*

MR. SPEAKER: Please cooperate with the Chair. Today is the last day of the first part of the Budget Session and farmers' issue which is an important one is being discussed. I do not think that you are interested in discussing the farmers' issue. Please sit down.

...(Interruptions)

MR. SPEAKER: Mr. Minister, if you have to go to Rajya Sabha, you may please go now.

...(Interruptions)

MR. SPEAKER: Kunwar Akhilesh Singh, you can start your speech on farmers' issue now.

...(Interruptions)

MR. SPEAKER: Please sit down. Nothing is going on record. Please do not waste your time and the time of the House. Please sit down.

*(Interruptions) â€¹**

* Not Recorded