Between the 5th and the 7th of May, 2016, a team of members from Women Against Sexual Violence and State Repression (WSS) and independent activists and reporters visited villages in Bijapur following a series of recent reports of mass sexual violence and assault on adivasi women by security forces and police in the area. The team visited a few villages in the Gangalur thana area, following reports of violence during a search and combing operation carried out by police and security forces. Villagers reported several instances of loot, plunder, arrests and violence over the last couple of years. In one such recent operation in November 2015, a young man was shot dead and then falsely declared a Naxalite; two young women were stripped, abducted and held in captivity in the forest for two days and were sexually assaulted. In another operation in January 2016, three young girls were sexually assaulted, and a young mother was brutally gangraped.

Since we were unable to meet with several villagers to corroborate information regarding incidents around korcholi, a smaller WSS team visited the area between the 30th of May and the 2nd of June 2016.

This report details the findings over two visits.of the teams during the two trips.

No Strangers to Violence: Where the only visible face of the State is the police and security forces

The village of Korcholi lies nestled in the hills that surround Gangalur. Some 15km off the motorable road, getting to Korcholi would either mean an arduous trek for a few hours, or a couple of hours by tractor over hilly terrain. Korcholi is a small village comprising of less than a 100 households. It has no electricity. People survive on subsistence farming and also breed livestock, selling chickens and goats in the weekly market. Between February and March each year, much of the village temporarily migrates to chilly farms in Telangana and Andhra Pradesh where they work as seasonal migrants plucking chilly. They return in time to pluck the mahua flower – which they sell at the local market in Gangalur. In the summer, they are busy plucking tendu leaves which are then packed and taken by migrant labour who have been brought to the village by contractors. Cherpal and Gangalur serve as the nearest places for a primary health centre, a public distribution shop and a primary school. Both are at least a 10km walk from Korcholi. Even further away from Korcholi lies the village of Itavar and across the hill lies Edesmetta, where 8 villagers were gunned down by security forces in 2013, including four minors, while the village was celebrating Beej Pondam. The people of these villages are no strangers to State violence.
Korcholi and Itavar, among other villages in the area, share a history of violence, loot and plunder meted out by the police and security forces. In the summer of 2013, police and security forces shot and killed the cattle of several people in Korcholi. They looted their rations, blankets and clothes. They took their money – amounts ranging from 150 from some to just over 3000 from another. They took away their knives and axes, bows and arrows, and torches. They even took away the anklets and clothes that adorned their Gods. They beat up old people with sticks. In 2014, again, people suffered similar losses. More people were beaten – women in particular. Sukki Pottam, Sannu Mangli, Gayta Budhri among others. An older woman Ayti Pottam was hit in the stomach by the butt of a rifle and hot cooked food was thrown on her when she protested against the troops taking her utensils. Her daughter-in-law who argued with them was threatened with the words – “When we bring a military camp here, where will you go?” Some troops entered their home and called her in. Afraid that she would be raped, she stopped arguing and stayed outside. They burnt one person’s stock of paddy. In neighbouring Duval Nendra, the list of loot and physical violence is similar. That same year in Itavar, they even burnt down the house of Poonem Raju.

In the recent past however, between the end of 2015 and early 2016, the violence seems to have taken on a more vicious form. This report details incidents from two large scale search and combing operations carried out in the area – one in November 2015, a month after the operation in and around Peddagellur, and another in January 2016, around the same time of the operation in Bellam Nendra, both of which involved several cases of sexual violence and rape.

**November 2015**

**Abduction and sexual assault:** In late November 2015, a large search and combing operation was carried out in the area. A few hundred troops entered village Itavar from the surrounding hills where they camped at the house of Sukku Kunjam. They took the fish and chickens and 1 quintal of rice stored at the house and started cooking there. On the 23rd of November the forces while leaving tried to abduct Jogi Pottam, accused her of being a Naxal when she resisted, and dragged her away. Her sister Mangi followed to save her, and was taken by the forces as well. The women were dragged into the surrounding forests - they were stripped on their way and beaten. When women from the village followed them to rescue the two girls, they were threatened with rape and chased off. For two days, Jogi and Mangi were kept in the jungle and later dropped off at the neighbouring village of Duval Nendra. The women from Korcholi who narrated the incident said that while they had not witnessed it they were told that the girls had been raped.

When the team was able to reach Itavar and meet the two women in the subsequent trip, the two sisters were uncomfortable talking about what they had been through; they told the team that they were beaten up and pulled by their hair but were not raped. Several other women said that, on hearing their calls, they had gone to save the two women but were chased off by the troops. They seemed to believe that the two women had in fact been sexually assaulted, gauging from their cries for help. Further, when forces came back on another operation some four months later, a security personnel from Basaguda showed a young man from the village a video of these women while they were being stripped, and had asked about their whereabouts. While it is possible that there was no sexual violence in this incident, it was also apparent that it is not easy for women to speak up about the possible violence. The two women shared that they had been beaten up during the day in the jungle, and later that night, were kept tied up with three other men in neighbouring village of Nendra. The police and security forces kept them tied up in between all of them. They were finally released on the afternoon of the third day (November 25), when the forces began to head back.

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2 Names of both women have been changed
**Fake encounter:** The team also met Sukku Kunjam’s wife in Itavar. She shared that her husband was working in the fields with his brother when the forces arrived. Their whole family had gone to the fields he earlier that morning, but while the rest of them returned for lunch, Sukku and his brother stayed back to finish some post-harvest work. Fearing being shot or arrested, they ran from the fields into the forest. They made their way to the neighbouring village of Nendra. When the troops reached Nendra and began firing, they split ways. Sukku made his way to Korcholi. Forces had by then encircled the village. He was first at the home of Pottam Pandey, but once he left the house, he was with Dula Pottam and Sannu Pottam. The three of them were spotted by forces later in the day. On seeing them, troops opened fire. Sukku was shot in his chest and died on the spot. Dula was shot on his leg, but managed to escape. This firing took place right outside the house of Peedo Pottam, who has testified to have heard the gunshots. Later she also saw that Sukku was dead. Sukku was unarmed. He didn’t even have a bow or arrow on him.

His body was wrapped and taken to Bijapur Thana where he was falsely declared as a Naxal who had been killed in an encounter. Women of Itaavar traveled to Bijapur to recover his body. They were accompanied by Sukku’s 13-year old nephew Lakku Kunjam who was beaten badly at the thana when they demanded Sukku’s body. Sukku’s body was finally released and his funeral was held on the 27th of November, 2015.

Pottam Dula, who was shot at the back of the knee while running away, could not walk for a month after this.

While in Korcholi, some of the troops tried to seize Mangli Pottam of Gaytapara while she was coming down the hill. Other women from the village intervened till they had to let her go.

**January 2016**

**Sexual Assault and Rape:** In January 2016, another search and combing operation was carried out in the area. The same young girl, Mangli Pottam, who was out grazing cattle with her sister and friend, was attacked once again. Mangli and Somli are orphans. Mangli’s clothes were torn and they threatened to kill her. Tulsi, who was in school uniform was asked by the troops why she was wearing the uniform when she doesn't go to school. They then began to hit her and threatened to kill her. Mangli’s sister, Somli was hit on the stomach with a rifle butt. They tore her blouse, then dragged her by the hair and flung her to the ground. While they were dragging her away, an older woman confronted the troops. She asked them “Is this what you come here to do? To harass and assault young girls?” The men told her to keep quiet and threatened to hit her as well. But she persisted until the three young girls were able to free themselves.

During the same operation, the troops also attacked a young mother from Korcholi while she was on her way to fetch fire wood. They dragged her into a forested patch and hurled her to the ground. She repeatedly asked them to let go of her since her young child was crying. Instead, one member of the police and security forces dragged her. There were two others who held her down. Two of them then took turns to rape her. The rape was witnessed by two women from the village, who reported it when they returned. Each time a team has visited the area in the last few months, new instances of sexual violence have come to light. Since such fact-finding visits do not cover extensive areas, we are led to believe that there are many other instances of sexual violence that get buried in silence.

**Rampant Looting and Extensive Physical Violence:** Apart from these incidents, there was much looting and plunder - rations, poultry, money were taken. New clothes were torn and burnt, property such as vessels were broken and destroyed. Anything that resembled a weapon – axes, sickles, knives – all necessary for forest life, were also taken. A repeated complaint was that the copies and
schoolbooks of those who studied in the hostel at Gangalur were taken and burnt. While the extent of damage was severe, below is only a fraction of this list:

1. Mangli Pottam w/o Sannu Pottam (35): Mangli was repeatedly beaten with a stick on her leg while the other uniformed men looked on and shouted “Hit her! Hit her harder!”
2. Lakki Pottam w/o Lakku Pottam: Her child was being dragged away and while she shouted in protest, she was hit on her back. They took a blanket and two lungis from her home.
3. Mangi Pottam w/o Budhru Pottam (40): Their 7-year-old child was slapped. Troops took away the chicken from their house and ate the gourds they had grown.
4. Poonem Modhi s/o Poonem Bheema (65): Poonem was beaten on the leg with a stick. An axe and plastic sheet worth Rs. 500 was taken.
5. Bojja Kunjam s/o Pandu Kunjam (65) was hit on the legs and back with a sickle that was then taken away.
6. Madva Guttu w/o Pandu Madvi (55): Madvi, who is from the neighbouring village of Saonar was beaten on the legs with a stick. His sister Bujji Madvi (66) was pulled by the hair and beaten severely. She was unable to walk for two days after this. The troops stole a knife, three trunks, a blanket and clothes from their home.
7. Sukhnath Pottam (5) s/o Pandu Pottam: This young boy was slapped and a torch, two bottles of liquor and knives were taken from his house.

This list is a minute fraction of the extent of physical violence and material damage that was caused in these villages. Since the fact-finding team was unable to travel to Itavar, Edesmetta and other villages in the area, it appears that many other incidents remain undocumented.

**A Refusal to Remain Silent: Villagers travel to Bijapur**

On the 7th of May, 2016, over a hundred villagers from Korcholi, Duval Nendra and Saonar set out at dawn from their villages to share their testimonies of repeatedly being subjected to the terror unleashed by the police and security forces. While some had to return, around 70 villagers made their way to the district headquarters of Bijapur. They testified in front of a three-member team comprising Mr. Ram Mohan, former D.G, Border Security Force (BSF), Dr. Virginius Xaxa, Director of Tata Institute of Social Sciences (TISS), Guwahati, and Sunil Kuksal of HRD Alerts. They held a press conference where they spoke out strongly against the practices of the police and security forces. The victims also repeatedly expressed their desire to register a complaint and demanded that the State keep their forces in check. “We work so hard to feed ourselves, and then the forces come and loot what we have. When we protest, they beat us up. How can they do this?” they demanded.

**Another Refusal: Authorities refuse to file an FIR in blatant violation of the law**

Determined to register a complaint, villagers then went to Kotwali thana, Bijapur to register an FIR. The three-member team accompanied them to the thana and were assured that an FIR would be registered. However, despite this assurance, after a complaint was drafted, Mr. Nitin Upadhyay, station-in-charge at Kotwali thana, Bijapur, finally refused to lodge an FIR, saying that since the incidents were from November 2015 and January 2016, the matter seemed suspect and they would
therefore need to investigate the claims before registering an FIR. Section 154 of the CrPC, however, makes it mandatory for a police officer to file an FIR on receipt of any information of a cognizable offense such as rape, molestation, or disrobing. Further, no preliminary inquiry is permissible in such a case. By refusing to file an FIR, any public servant, is himself culpable under the IPC.

Despite citing the law to the police, an FIR was not registered. Mr. Upadhyay finally admitted that he himself was in a difficult position as the order to refuse an FIR had come from his superiors. Finally, a complaint letter was submitted which was accepted as received by the police, but there was no FIR.

The farce of sincerely working on a complaint

On the basis of the complaint submitted to the Bijapur Kotwali thana on May 7, an investigation team went to Korcholi. The investigating officers went in plain clothes, but with an entire posse of security forces. As per the villagers’ memory, they came on May 12th and then a week later on May 19th.

The villagers felt threatened by the presence of security forces, which included surrendered Naxalites, some of whom were present at the time of the earlier operation. They were also perturbed by the fact that the police and security forces badly beat up five men (of Maharashtra) who were in the village to bundle the tendu leaf as contract labour. Another villager, who was collecting sulfi from a tree was also beaten up. His house was raided and dried pork was stolen. On the other hand, while this was going on, the investigation team, apparently unaware of the actions of the accompanying troops, claimed to be journalists, perhaps in an effort to win people’s trust. However, some of the locals who had earlier traveled to Bijaour to register their complaint recognised some of them. Given their understandable discomfort with the officers, people did not give their testimonies at this time.

Some women said that they had been forced to put their thumb imprints on a paper that was not explained or read out to them.

The police served a notice to come to the villagers to come to Gangalur Thana by the 21st of May to testify, failing which, the case would be closed with the understanding that the villagers did not want to follow up on their complaint. Though the rape survivor and other victims of sexual assault were afraid to go to the thana that day, they did in fact go about a week or ten days later. But the Station Officer at Gangalur said that since the file had been sent back to Bijapur, he was unable to do anything. However, despite being bound by law, irrespective of whether or not the file was present, an FIR was not filed when a rape survivor approached the police to do so.

This is not the first time that the authorities in Bijapur have refused to lodge an FIR. Even the women from Bellam Nendra who traveled to Bijapur in January 2016 were turned away. At that time, the Superintendent of Police (SP) himself had blatantly refused to lodge an FIR, citing the same reasons – he had received orders from his seniors. However, in the case of Nendra, a three-member team from the National Commission of Women (NCW) happened to be visiting Bijapur around the same time. In addition, citizens and activists from around the country had flooded the Bijapur police and authorities with emails, calls and texts, building enough pressure for them to finally register an FIR.

Beyond Reports and Testimonies: The need for justice to be served

Apart from the fact that incidents from other villages that were affected by both search and combing operations need to be documented, the villagers from Korcholi and Duval Nendra have expressed a
strong desire to fight for justice. The young rape survivor, who made her way to Cherpal, but couldn't make it to Bijapur, is also determined to fight for justice. Pressure needs to be put on the police and the authorities to use the complaint letter to lodge an FIR – something they are in fact required to do by law. But as we witness each time in South Chhattisgarh, the law holds no meaning. In its 15-page report, even the National Commission for Scheduled Tribes (NCST) has taken “serious” note of the delay in lodging of an FIR in similar previous cases. They have also clearly stated that the progress made by the police in their investigations of these cases so far are “unsatisfactory”.

At this time of the year, villagers in South Chhattisgarh, in and around Korcholi in particular are busy harvesting the tendu leaf. There is a clear division of labour between picking, bundling, packing, rolling. Contractors have brought in migrant labour from neighbouring states such as Maharashtra to do the packing. In the village of Thodka, the fact-finding team met with some of these migrant workers. They spend a month in the village, having brought their own rations and traveled for days in pick-up trucks. These workers are sent to a new place each year – Jharkhand, Orissa, Telangana, Andhra etc – and have seen much of Central and South India's countryside. “But we've never been to a place like this one” they say. “तहहरहThere is nothing here. Even food is difficult to come by. We can't fathom what the people here eat, when they eat.” they said, shaking their heads in scornful wonder. The contractors, we were told, have an understanding with the police and security forces – ensuring beforehand that during the tendu leaf plucking season combing operations don't affect the villages in which their work is being carried out. A convenient set-up that offers temporary respite to villagers. But listening to the migrant workers and their wonder – one can't help but think – it is in these very parts, where “there is nothing”, where people are the most vulnerable, living on the extreme margins of society, that the State rears its most murderous head. To loot things like lungis and torches, to burn blankets and shoot cattle, to burn schoolbooks – not once on a maverick spree – but time and again, operation after operation. To rape and threaten with rape, to disrobe and hit – again and again. By which law book and in whose conscience can any of this be justified in the name of national security?

In an interim report released earlier this year, Women Against Sexual Violence and State Repression (WSS) documented incidents of mass sexual violence, loot and plunder unleashed by police and security forces in the village of Bellam Nendra, Basaguda thana, Bijapur, Chhattisgarh. The report was called The Power of Recurrent Nightmares. It detailed incidents that took place on a search and combing operation carried out by the police and security forces in January 2016, and spoke of the startling similarity in the nature of violence with what had occurred in October 2015 in Peddagellur and surrounding villages. Experiences shared by the people of Nendra made it seem as though a bad dream was repeating itself. This time, when in May 2016, another team of WSS members and independent activists revisited Bijapur – Korcholi and surrounding villages – what we heard and saw made it certainly seem like a recurrent nightmare. Not just for those who are witnesses to this war being waged by the State on its people – but worse, for the people themselves who are being repeatedly subjected to these forms of extreme violence.

The power of these nightmares however, does not lie in their ability to frighten into silence those who have lived through them. On the contrary – as the villagers from Korcholi and around demonstrated by coming out in such large numbers – the real power of these nightmares lies with the people themselves, who despite brutal State repression, refuse to be silenced, and are determined to fight for justice. It is time the State not only pays heed to the laws it is bound to follow, but also to the voices that challenge its impunity.

We demand:
1. That the letter of complaint submitted to the police be used to immediately register an FIR

http://ncst.nic.in/sites/default/files/219scan0030.pdf
2. A swift and independent inquiry into the rape of the young woman at Korcholi with stringent action to be taken immediately.

3. That villagers from Korcholi, Itaavar, Duval Nendra and surrounding villages be adequately compensated for the loss they suffered by the loot and plunder carried out by the police and security forces.

4. An independent inquiry into the fake encounter of Sukku Kunjam, the shooting of Pottam Dula, and the beating of Lakku Kunjam.

5. An independent inquiry into the abduction and sexual assault of the two young girls from Itavar.

6. Swift and immediate action on members of the police and security forces in all such cases that have been reported and filed before this—including the case of Peddagellur and surrounding villages and Bellam Nendra.