

FEATURE

# Remembering Kalinganagar, Nandigram — and Singur Land Grab

Friday 8 February 2008, by [CPI \(ML\) Liberation](#), [DAS Mona](#), [KRISHNAN Kavita](#), [RAY Sankar](#), [Sethi Manisha](#) (Date first published: 24 January 2008).

**As we observe the anniversary of the Kalinganagar firing and the Nandigram crackdown, *Liberation* takes stock of the struggles against corporate land grab: the successes, such as the scrapping of SEZs in Goa; the setbacks such the Singur HC verdict. We also review a new publication - a Report of a Tribunal on Nandigram. And interspersed with these are reports from the field of an ongoing struggle against an SEZ at Kakinada and news clippings which are an ironic counterpoint to the propaganda surrounding Singur and the Nano. - Ed [*Liberation*]**

## Contents

- [New Land Acquisition and \(...\)](#)
- [‘People’s Car’ at People’s](#)
- [Kolkata HC Verdict: Singur](#)
- [“Public Purpose” and “Developm](#)
- [What Really Happened at \(...\)](#)
- [CPI\(ML\) Activists Arrested in](#)

## **New Land Acquisition and Rehabilitation Bills: Ample Leeway for Corporate Land Grab**

This January marked two years of the Kaliganagar massacre and one year of the first assaults on the peasants of Nandigram. In the ensuing period, Kalinganagars and Nandigrams have multiplied, even as ruling parties of all hues are united in their policy of SEZs, corporate land grab and state repression on movements, and the people and peasantry are united in their determination to intensify their resistance. In the first week of January this year, Congress’ Digambar Kamat Government in Goa was forced to bow to overwhelming public opinion and people’s movements and scrap all SEZs in Goa; Congress in fact has blamed the SEZ lobby for trying to destabilise its Goa Government! In the same week, Union minister for Commerce Kamal Nath sent a detailed report to the PM, extolling the success stories of the SEZ policy which is set to complete two years of its enactment soon.

As life and death battles being waged across the length and breadth of the nation on the issue of land acquisition, and as the policies of corporate land grab stand thoroughly exposed and discredited, governments seem to be following the classic ‘carrot and stick policy’ whereby resistance movements have been brutally dealt through police firings in Nandigram, Singur, Dadri and innumerable other places and simultaneously attempts are made to contain the anger by

offering a new Land Acquisition Amendment Bill and the National Rehabilitation and Resettlement Bill, to be introduced in the winter session of the Parliament. The stated objectives of these bills are to “strike a balance between the need for land for development and other public purposes and protecting interests of the persons whose lands are statutorily acquired.” However, on a close examination of the provisions of the proposed amendments one realises that the balance is heavily tilted against the “affected persons”.

The Land Acquisition Bill 2007, in the statement of objects and purposes, admits that ‘public purpose’ for which land is to be acquired has to be defined. However, it very categorically enlarges the scope of ‘public purpose’ clause to include a huge swathe of public facilities, from electricity, communication and water supply to mining. The admission of mining as a category in infrastructure projects for public purpose is particularly dangerous given the fact that mining-related projects in the last decade have proved to be crystal clear examples of corporate loot. Mining projects include captive mines of private steel/power companies and 100% export mines and mining SEZs, the latest case in point being the POSCO project in Jagatsinghpur in Orissa. On the second anniversary of Kalinganagar massacre, which serves as a ‘warning’ to tribal poor of the consequence of resisting land grab in Orissa, it is nothing but an irony of sorts that mining projects have been included in the public purpose clause.

The public purpose infrastructure clause goes on to include “Any other public facility as may be notified by the Central Govt” which leaves ample scope for land acquisition for any purpose which may or may not be in public interest.

The 1894 Act had a provision for the state acquiring land for private companies. The 2007 amendment bill in its statement of objects mentions that “it is desirable to omit the (this) provision of the act” in the interest of a “fair arrangement of willing buyer willing seller” though the “willing seller willing buyer” arrangement might not always be “fair” given the muscle power private companies wield. However, the new bill talks of state intervention for land acquisition for private companies to a “limited” extent of up to 30 per cent. At present, the bill, and the policy on land acquisition announced by the Union Government earlier, state that the state governments can acquire up to 30 percent of the “total area required” for reasons of contiguity. For this, in practice, letters of intents from neighbouring landowners are to be produced for the state to start notifying acquisition of land from unwilling landowners identified by the private company. This is an obnoxious practice as moneybags can easily obtain fake LoIs to get the state acquire any amount of land they require from unwilling landowners. Moreover, private land mafia and goons and powerful politicians are being deployed by them in numerous instances to coerce the landowners to sell their land under force, for instance in cases like Kakinada SEZ and in for SEZs in Sriperumpudur, at Pallikaranai near Chennai IT Corridor and in Anantapur in AP or Nandagudi near Bangalore. Very clearly the state would intervene not to protect the vulnerable land losers but state power would be used to force unwilling landowners to surrender their land. This 30 per cent leeway given to government to acquire land has come as a sigh of relief for private investors and promoters as there has been land acquisition by the state has been forced on the back foot since April last year following violent protests by farmers.

In the ‘Notes on Clauses’ in the Land Acquisition (Amendment) Bill 2007, it is mentioned that “Clause 4 seeks to insert new section 1A to provide for application of provisions of Rehabilitation and Resettlement Bill 2007 for land acquisition under this act”. Interestingly, the Rehabilitation and Resettlement Bill 2007 – which has been made applicable for cases of land acquisition under this proposed act for land acquisition – defines the party for which the land is being acquired thus: ““requiring body” means a company, a body corporate, an institution, or any other organisation for whom land is to be acquired by the appropriate Government, and includes the appropriate Government, if the acquisition of land is for such Government either for its own use or for

subsequent transfer of such land in public interest to a company, body corporate, an institution, or any other organisation, as the case may be, under lease, licence or through any other mode of transfer of land' [3 (t)].

If both the bills are to be applicable simultaneously for all projects then it is quite evident that land would be acquired by the state for a government body/quasi government body/joint sector promoters and can be handed over on sale or lease to private companies given the fact that Build-Operate-Transfer (BOT) is the new mantra for "development" today. The "restriction" on private companies would hold no meaning in such cases.

Infrastructure and amenities to be provided in the resettlement sites have not been specified in the Bill. Only some unspecified amount of profit of the requiring body is to be spent on vague developmental activities in the resettlement area which is left to the discretion of the Government. Experiences of the oustees of almost all development projects in the last fifty years are a pointer to the dismal record of government in providing even minimal facilities like drinking water, schools, proper housing facilities etc. One has to only to take a round of 'vasavats' in Narmada Valley or resettlement sites of Hirakud project affected people to see this; the story of denial of rehabilitation is same everywhere.

The Rehabilitation Bill does not provide any guaranteed land-for-land compensation which has been one of the major demands of all movements against land acquisition all over the country and was also admitted by the Apex court in case of Narmada Bachao Andolan as "the principle" of compensation.

Employment to one person of each displaced "may be" given, provided he/she meets necessary skills etc. It is not obligatory on the part of land grabbers. It is evident that farmers who stand to lose their only source of livelihood in the form of their land do not possess necessary skills to be employed either as automobile engineers in Ratan Tata's car factory or chemical engineers Reliance's petro-chemical project. This vague clause absolves corporates of any responsibility to provide any alternate source of livelihood to the oustees. Any claim for employment can be turned down using the skills shield.

There is no explicit provision in the Bill to give it retrospective to make it applicable to all cases of land acquisition of the past. Though the UPA leaders including the Prime Minister and all other concerned ministers have gone on record that this bill was being brought in because of the resistance to SEZs, there is no clear-cut and categorical provision that this Bill, when enacted, would be applicable in all cases of SEZs even if their approval and notification had preceded the passage of this Bill.

The UPA Government's proposed amendments to the Land Acquisition Act of 1894 and its proposed R&R Bill are likely to be welcomed by the CPI(M) which has been demanding such enactments for long; but it is clear that these pieces of legislation are intended to smooth the way for land grab by giving it a veneer of respectability and restraint - rather than to protect the peasant from land grab. For the people's movements waging struggle armed with the legacy of Kalinganagar and Nandigram, the UPA Government's New Year gifts are a mockery. Nothing short of scrapping of the Land Acquisition Act 1894 and SEZ Act 2005 can be acceptable to the peasants resisting land grab.

**Mona Das**

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**Shylock Can Never Return the Pound of Flesh...**

*Even where SEZs are defeated, it seems that land acquired for SEZs can't be returned! See the press clipping below:*

### **Goa SEZ issue referred to law ministry**

*Business Standard, New Delhi January 22, 2008*

The commerce ministry has asked the law ministry to give its views on the request by the Goa government to de-notify three special economic zones (SEZs) in the state.

"We have asked the law ministry for their views on the matter. Subsequently, the Board will take a final decision in a meeting in February," said Commerce Secretary G KPillai on the sidelines of the India-UK CEO roundtable.

According to Pillai, even if the SEZs were stripped of the notified status, the infrastructure that has been constructed will remain and will continue to function as an industrial unit.

The SEZ Act, 2005, does not have provisions for de-notifying a zone. "The issue is complex. The central government will need a special ordinance, which will give the Board of Approval the power to de-notify a zone," said Hitender Mehta, head of the Gurgaon office of legal firm, Vaish Associates.

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### **'People's Car' at People's Cost**

THE Indian media is full of celebratory paeans of praise for Tata's 'revolutionary' new 'People's Car' - Nano, which costs a mere Rs. 1 lakh and is all set to replace two-wheelers as India's small-budget vehicle of choice. A typical sample is the editorial in the *Hindu* which hailed Ratan Tata as a 'visionary' who turned the 'utopian' dream of a low-cost car into a reality, and branded protests against the car as 'murmurs of doubt and jealousy'. This editorial echoed Ratan Tata's own claim of how he was motivated by the social responsibility of providing a family car for people who use scooters.

Ratan Tata has also claimed that he decided to locate his factory in W Bengal as a favour to the state, as a "leap of faith", "so that more investment could flow to the region". With the Tata's car plant at Singur, what is the truth? Has Tata's investment flowed to Bengal, or have Bengal's taxpayers' money flowed to subsidise Tata? Is the 'world's cheapest car' a generous gift of the 'visionary' Ratan Tata to India and the world? Or does its affordability come at a heavy cost of the land, lives and livelihood of the people of Singur?

A year ago, the CPI(M)'s West Bengal Government had claimed that land acquired for the Tata factory at Singur was single-cropped and not fertile, and moreover was acquired with the farmers' 'consent'. Both claims have by now been proved false - and it is not just CPI(M)'s opponents in W Bengal who recognise this but even their Left Front ally, the Forward Bloc. The Forward Bloc holds that the land is highly fertile; that the Chief Minister's assurance to the Left Front that the land was infertile was a lie; and is demanding a relocation of the Tata plant away from Singur. The West Bengal Government itself has accepted in Court that out of the 997.11 acres acquired for the Tata car plant, owners of just 287.5 acres gave consent; the clear implication is that the bulk of the land has been grabbed by force.

The sops that subsidised the 'people's car' and allowed Tata to offer it at such a low cost are not minor. Economist and former West Bengal Finance Minister Ashok Mitra estimates that the sops given to the Tatas by the West Bengal Government were to the tune of 850 crore rupees. The Tatas were required to pay the West Bengal state government a fraction of the Rs 150 crore spent by the latter to acquire the land; and also received a Rs. 200 crore loan carrying a nominal interest of 1%. Further, the lease agreement provides that the entire proceeds for the first ten years of the value-added tax on the sale of the Nano in West Bengal are to be handed back to the Tatas, also at the nominal interest of only 1%.

Ratan Tata claimed that he located the car plant at Singur to "definitely improve the quality of life in the entire Hooghly district". The facts, however, show that since Tata came to Singur, the reasonably well-off community of Singur has been brought to the brink of starvation and suicide. As for the myth of jobs, this has fast come undone. The casual workers working as watch-men or security guards at the car plant are already in protest, because it is clear that they will lose their jobs as soon as the construction is complete.

Environmental wisdom (which urgently calls for a reduction in burning of fossil fuels) and people-friendly public policy the world over requires that public transport be encouraged, subsidised and given priority in city planning guidelines. In contrast, Indian governments tax public transport highly and subsidise the super-rich Tatas! In a situation where public transport is increasingly being privatised, is unsafe, uncomfortable and irregular, the middle class naturally prefers private transport, and welcome the idea of an affordable car. It is another matter that no number of cheap cars can make travel comfortable for Indians; rather, this can only contribute to further congestion and pollution in the already crowded cities and towns. Any number of 'visionary' Nanos are no substitute for a properly planned and affordable public transport network that alone can make travel more bearable for India's public.

**Kavita Krishnan**

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### **If You're Ratan Tata...**

#### **You get to pose as 'public purpose' even as you swindle public money!**

The lease amount to be paid by Tatas for: Rs.1000 crore for nearly 1000 acres, to be paid over a period of 45 years - is nothing but a swindle; and in effect this downright loot of land is what allows Tata to boast of 'people's car' and 'public purpose'!

#### **Tatas to pay Rs 1,000 cr for Singur land lease**

*Business Line* August 23 2007

Kolkata, Aug. 22 Tata Motors today informed the Calcutta High Court that it would pay West Bengal Industrial Development Corporation (WBIDC) an amount in the region of Rs 1,000 crore in a phased manner for the Singur land lease of 90 years for its small car project.

Stating that the land in Singur for the project was not gifted to the Tatas, WBIDC counsel, Mr S. Pal, produced before the court the deed of lease executed between WBIDC and Tata Motors Ltd, indicating the premium and rent that Tata motors would have to pay on different slabs of increase. For the first five years, Tata Motors would have to pay Rs 1 crore per annum while in the next 10

years, it would pay Rs 10 crore per annum. In the next 30 years, it would pay Rs 20 crore per annum.

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## **Kolkata HC Verdict: Singur Land Grab for 'Public Purpose'?**

*"Laws grind the poor, and rich men rule the law"* - Oliver Goldsmith

MUCH before Marx's inference that in a class-based society justice can only be in the interests of the class in power, Oliver Goldsmith wrote in the 18<sup>th</sup> Century that law was a shot in the arm of the rich to 'grind' the poor. Little wonder, Reuters wired a story gleefully, featured in the Guardian of London, stating that an Indian court "threw out a slew of complaints against a factory to build the world's cheapest car, saying there was no anomaly in the acquisition of land for the project by Tata Motors." The division bench of the High Court of Calcutta comprising Chief Justice S.S. Nijjar and Justice Pinaki Chandra Ghosh said the acquisition of 997.11 acres of land at Singur was made following all proper methodology and the process was quite legal. In other words, the 217-page judgment held the acquisition was in 'public purpose', according to Section 3 of the Land Acquisition Act, 1894, thus rejecting about half a dozen of public interest litigations which challenged the acquisition as improper.

The perception that \$2500 Tata Nano cars, scheduled to roll out from the Singur plant, is for public purpose is questionable. The 1985 Amendment to the 1894 Act, defining "Public Purpose" for land acquisition, lists inter alia educational institutions or schemes such as housing, health or slum clearance, apart from the projects for rural planning or formation of sites. Furthermore, the term, 'appropriate Government', here means the Central Government if the purpose for acquisition is for the Union Government requirement and for other purposes it is the State Government. Local authorities, societies registered under the Societies Registration Act, 1860 and co-operative societies established under the Co-operative Societies Act can also acquire the land for developmental activities through the government, as per Gazette subsequent notifications extending the Act to other categories. Acquisition by the West Bengal Industrial Development Corporation Ltd, a state government undertaking, was in order, according to the Act, but how transfer of the same to a private corporate entity serves public interest or purpose, especially on moral or ethical grounds, remains questionable.

Former Chief Justice of Bombay High Court, Chittatosh Mookerjee, at a seminar in early 2007, pointed out another flaw in the acquisition. The authority, he said, did not implement the provision that after receiving the objections, the authority will have to hold an enquiry into the actual extent of land proposed to be acquired and the value of the land, nor did it make any assessment before acquisition, under Sections, 8, 9 and 11 of the Act. This was essential as over two-thirds of land acquired in the early 1950s for the Hindustan Motors at Konnagar were left unused for about five decades. The Left Front Government amended laws to enable the Birlas to sell the land on the plea of meeting workers' dues.

It seems the judges of Calcutta HC given the Singur plant the "public purpose" certificate on the pretext that it would generate "employment and development" in the whole area. This is a travesty of reality, about the automobile industry and Tata Motors in general and the Singur factory in particular.

At Singur, the Tatas were gifted 997.11 acres of land; for a similar factory at the SIDCUL industrial estate at Rudrapur, Uttarakhand, the Tatas have acquired another 100 acres, also reportedly for the manufacture of the Nano. Leave aside the propriety of terming the Nano 'public purpose'; let us ask, why does such a small car require such huge tracts of land - nearly 2000 acres? The Premier Automobiles/Fiat used to have its car plant at Kurla on just 53 acres. The erstwhile Standard Motors unit in Maraimalai Nagar/Vandalur in Chennai was located in just 58 acres. Ford Motors (India) has now purchased that plant and is producing cars like Ikon and Fiesta on just a part of that 58 acre plot. The original Gurgaon plant of Maruti-Suzuki was on 282.56 acres while its new Manesar facility acquired by the Suzuki is on 560 acres. The Gurgaon plant produces 3.5 lakh cars per annum but Manesar with double the land size is expected to produce only 1 lakh cars, and the ultimate installed capacity of both these Maruti-Suzuki plants is 9.5 lakh cars. Tata Motors would be producing 1 lakh cars initially and the proposed installed capacity of both the Singur and Rudrapur plants is just 3.5 lakh cars; with about one-third of Maruti-Suzuki's capacity, why does Tata need three times as much land? Exactly what is the noble 'public purpose' to which Tata will put this fertile land?

The answer is fairly predictable. The Tatas are into real estate in a big way through Tata Realty with about Rs. 4000 crore capital fund, apart from Telcon, manufacturing construction machinery and equipment in collaboration with the Japanese Hitachi and Tata Construction and Projects, which is mainly involved in the construction of industrial and infrastructural projects. All these apart, Tata Housing Development Company is developing IT Parks in Bangalore and in the IT Corridor in Chennai also it is expected to promote a massive township around a new complex for TCS. The size of land acquired at Singur, larger than that of any car plant, makes sense only in this backdrop. In what way can such elite real estate 'development' be in 'public purpose', especially when it is replacing fertile land that was producing three crops and sustaining the livelihood of some 10, 000 people?

And what about the claim of providing 'employment'? While uprooting thousands, the Tata Motors factory is not expected to generate direct employment for even 1000. Even Maruti-Suzuki with three times the ultimate production target of Tata Motors, has employed just around 3500 contract labourers in addition to 1500 total permanent staff, including regular workers and management staff. Ford Motors in Chennai has just 360 permanent workers on its rolls. No modern car production unit can have employment in thousands, thanks to the modern automated technology, and this is the source of crisis for all global auto majors.

Tata has claimed to have provided 'training' for 6-9 months to some 400-odd local youth of Singur at some ITIs. We all know it takes at least 2 years' training to pass as a skilled machinist/welder/auto worker; clearly, these youth would end up as unskilled or semi-skilled helpers. Further, there is no assurance that Tata will actually employ them in its car plant.

Bhumibarta, mouthpiece of the West Bengal Land and Land Reforms Officers' Association, carried an article by Amar Chattopadhyay, an expert on matters pertaining to land and land laws, last year. He referred to Para 23 of a circular (1701-LA, dated 6 June 2006) by the Land & Land Revenue Department captioned 'Possession only after payment' - "Along with and as soon as award money is paid in connection with any land acquired, the possession of such land shall be immediately handed over to the requiring body and the possession of the acquired land to the requiring body shall be a continuous process and completed within 15 days after payment of award money". Even today, compensation has not been received for over 300 acres of land, acquired for the Tatas.

Let us not speculate about the fate of appeal which is likely to be lodged with the Supreme Court. The Earl of Chatham, William Pitt, a contemporary of Goldsmith, in his speech on the Wilkes case, quipped: "Where laws end, tyranny begins".

## **“Public Purpose” and “Development”?!**

### **CPM leader made ‘personal gains’ from Singur land: CBI**

(20 Sep 2007, PTI)

NEW DELHI: Senior CPM leader Suhrid Baran Dutta, chargesheeted in the Tapsi Malik murder at Singur, was allegedly involved in infrastructure development work of the Tata Motors’ small car project in West Bengal for “personal gains”, a CBI probe has found.

“There is evidence to indicate that accused Suhrid Baran Dutta was involved in the infrastructural development work including selection of contractors for personal gain,” the 17-page chargesheet filed by CBI in the court of Additional Chief Judicial Magistrate of Chandannagar in West Bengal alleged.

Dutta, along with another co-accused Debu Malik, have been chargesheeted by CBI for allegedly entering into a criminal conspiracy and murdering Tapsi, who was leading the Trinamool Congress-led agitation against acquisition of land in Singur by the state government for setting up the Tata car project.

The CBI quoted two employees of Kalimata Electric, which was given the task of installation of electric lines in the acquired land, saying they had paid Rs 1.58 lakh to Dutta in cash, who had promised them that the money would be used for purchasing electric poles.

“But investigations has disclosed that the electric poles were supplied by another contractor Ashim Barik” who had made the payment, the CBI alleged and claimed that there was a vested interest of Dutta, at present in judicial custody, in selecting contractors for Singur.

### **“Jobs for Locals”!**

### **Govt breaks job pledge, gets HC rap**

**4 Aug 2007, TNN**

KOLKATA: Land-losers in the state have the judiciary on their side. Calcutta High Court made it clear on Friday that it wouldn’t allow the government to break its promise to those from which it took land for industrial purposes.

The HC issued a criminal contempt notice against the Birbhum district magistrate and West Bengal Power Development Corporation managing director for not giving jobs as promised to land-loser families who gave up land for the Bakre-swar Thermal Power Plant. This, despite the court’s directive to guarantee their employment in the plant.

The court passed the order on a contempt application by Sanjoy Mitre and 51 others whose land was acquired about two decades ago. The compensation package then offered included jobs at the plant.

The petitioners moved the court in 2003 against the state’s failure to keep its promise. On March 17,



2005, Justice Asim Banerjee directed district magistrate Khalil Ahmed and PDCL managing director S Mahapatra to absorb them under the exempted category. The court also directed the employment exchange to send the names on the basis of seniority. PDCL was asked to follow the list and was restrained from taking unskilled labour from outside.

The petitioners waited for three years for the authorities to execute the court order. They filed the contempt application only in January 2006. The court then gave the authorities another chance to carry out its order. But, more than a year later, the petitioner's counsel, Kalyan Bandyopadhyay, wanted the court to clarify whether it held the alleged contemnors guilty.

Bandyopadhyay pointed out that the authorities had not as yet provided jobs to the land-losers and did not seem inclined to abide by the court order. Justice Banerjee accepted the petitioners' plea and issued contempt notices against those concerned. The contemnors have to reply to the notice by next month.

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## **What Really Happened at Nandigram**

### ***Nandigram: What Really Happened***

Based on the Report of the People's Tribunal on Nandigram (26-28 May 2007)

Foreword by Lalita Ramdas

Daanish Books, Delhi, 2008

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WRITING in defence of the West Bengal government, 'Intellectual' apologists of the CPI (M) have decried the persistence of the militant peasants' movement in Nandigram as an illegitimate 'struggle' once the Chief Minister had asked the people of Nandigram to tear up the notification announcing the acquisition of land in the area. Why indeed should the people of Nandigram have continued on the warpath even after this supposedly benevolent assurance from the CM himself? Why should they have dug up trenches and cordoned off the area in the manner of a "liberated" zone? Why did they refuse to display grace, and by extension, also implicit faith in the government once "all the demands of the original struggle were met"? Why did they continue to sulk and behave badly?

Those still ignorant would do well to turn to Nandigram: What Really Happened, the report of an independent Peoples' Tribunal held at Gokulnagar and Sonachura in Nandigram and at Kolkata towards the end of May last year. Remember, this is months before the early November Operation 'Nandigrab', an utterly bloody and violent programme executed by the CPI (M) goons to reclaim the so-called 'liberated zones'. The Report covers the ground from May to November 2007 through a chapter at the end, which unlike the rest of the report, is based, not on the testimonies and depositions, but largely pieced together on the strength of extensive media reportage.

The Tribunal's jury consisted of a retired high court chief justice, a senior columnist, social activists and a psychiatrist. It recorded a total of 194 testimonies, including 39 oral and 135 written depositions at Nandigram, and 20 in Kolkata. Given the atmosphere of terror prevailing in the district, the courage of those who testified must be saluted; the District Magistrate (East Medinipur) on the other hand responded to the invitation to depose before the Tribunal through a letter requiring the organizers to intimate the said DM as to the provisions of law by which he was required to appear before the Tribunal.

The report of the Tribunal provides the background to the violence in Nandigram, delineates the chronology of events, focusing in particular on the manner in which the massacre was planned and orchestrated by the CPI (M) in collusion with a servile or helpless administration, attempts to provide comprehensive lists of the dead, missing and injured, besides citing at length various other fact-finding reports and newspaper coverage of the sequence of events that unfolded in the area.

The chapter, "Chronology of Events" chronicles the climate of apprehension and anxiety that gripped Nandigram following the agitation in Singur, and the formal notification (and not mere "rumours" as some JNU professors would have it) about the acquisition of agricultural land for a petrochemical hub in November-December 2006. Local intelligence reports cited here speak of a widespread discontent against the proposed move - a discontent that cut across party lines - and which resulted first in spontaneous meetings and mobilizations, and then gradually into the formation of BUPC. Even prior to the climactic violence of March 14, anti-land acquisition activists were arrested, fired upon and even bombs were hurled at them. Meanwhile contradictory signals kept emanating from the ruling party: there wouldn't be a hub if people didn't want it, there would be industrialization at all costs; peace should be restored, agitators should be taught a lesson, so on and so forth. But it emerges quite clearly from the dateline of events that the administration completely abdicated its responsibility towards protecting the life and limb of ordinary people. Economic blockades were imposed on the people resulting in loss of livelihood: it was alleged at the Tribunal that Lakshman Seth, MP and his wife Tamalika Panda-Seth, Chairperson, Haldia Municipality, imposed an economic blockade on Nandigram by suspending the ferry services to Haldia, where on an average 10,000 people from Nandigram go daily to sell fish, vegetables and milk products.

What the CPI (M) spin-doctors would like to obfuscate is the large-scale violence, including horrendous sexual violence targeted at women, which preceded, and indeed continued well after the famous "tear the notification" declaration. Several women came forward at the Tribunal to speak of the gross sexual violation they suffered at the hands of khaki-clad, masked men in chappals. Dr. Debapriya Mallick deposed that in the medical camps in the Nandigram area he found women victims with injuries in the pelvic region, the back, the breasts and the vaginal region. Apart from rape there was sadistic sexual assault. Rods/lathis/gunbarrels were inserted into the sex organs of women. Undressing, molestation, assault on their bodies, indecent exposure and filthy abuse was rampant. "Tell your women we are coming," was the ominous threat issued by the party goons.

A written deposition submitted to the Tribunal says:

*"One of the policemen twisted my left breast with all force. Another one came and forced a rod into my vagina and started twisting."*

45-year-old Angurbala Das of Adhikaripara, Gokulnagar narrated a tale of similar bestiality:

*"On 15 March around 1/1:30 p.m. about 10/12 men in plain dress came to our house and started beating me and my eldest son severely. They turned a deaf ear to all our entreaties. I still have pain in my chest and abdomen and carry nail marks on my breasts. I turned unconscious. They then*

*dragged Kabita Das (age 20) and Ganga Das (age 12) to the cowshed, beating and torturing them all the time. Kabita was raped by two cadres and Ganga was raped by one. Kabita has a daughter of 8 months whom she cannot breastfeed even now. Ganga was held forcibly by the throat during the rape. As a result she still has pain in the throat. Kabita has identified some of the miscreants who were her acquaintance; among them she identified Badal Garu and his son Khokan Garu, Sudarshan Garu (elder brother of Badal) and his son Kalipada Garu. Also Gopal Garu, Raju Garu, Dulal Garu, Ratan Garu, Sunil Bar, Rabin Das, Anukul Sheet. Kabita was raped by Anukul Sheet and Sunil Bar while Ganga was raped by Anukul. The daughter's arm was broken and has still not healed."*

While several independent citizens' reports have established the culpability of party cadres (masquerading as police, and identified as such by the slippers they were wearing as against the shoes of the regulars), the Tribunal's Report is valuable for the painstaking documentation of the post-violence cover up engaged in by the administration in order to minimize the scale of real physical and sexual violence, and to protect the guilty, even when they were clearly identified and named as such. In complete violation of all accepted legal and medical protocol, post-mortem (P/M) reports of the deceased showed glaring discrepancies amounting to tampering and improper reporting, dates of discharge were overwritten and changed in most discharge certificates; there was a refusal to undertake medical examinations of women who had alleged rape, and in other instances, attending physicians failed to record the cause and nature of injury when the dead and the injured were taken to the hospital. In fact the official response of the local medical authorities has been that there had been no reported cases of rape.

The Tribunal's conclusions are unequivocal: "The actions of 14 March 2007 by the West Bengal government, particularly the District Administration, which engaged police forces along with armed ruling party hooligans against a peaceful, religious and lawful gathering of mostly women and children from Nandigram, can be described only as a state-sponsored massacre." It was driven by the wish to "teach a lesson' to those opposing the proposed SEZ project and to terrorize them into submission.

From March to November, the victims of this violence were offered or promised no compensation from the government, and in fact the Left Front government cried foul when directed to do so by the High Court, choosing to appeal against it in the Supreme Court. Given the impunity afforded by the State government to the perpetrators of the violence of 14 March, the callous disregard for its own citizens (even the Party's own voters till the last elections), and given the rhetoric of dum dum dawai and venomous snakes in the grass, is it any surprise that Nandigram witnessed a repeat of the violence, with an even greater ferocity in November 2007, with grave upon grave being unearthed everyday?

If Nandigram has emerged today as the shining example of peoples' resistance, it is also a chilling intimation of how the State will respond to these struggles. If activists will seek lessons and inspiration from the brave fight of the people of Nandigram, so too will it serve as a model of the emerging police-state in India where political parties, big money, state machinery and criminals will collude to put its citizens down, penalize and brutalize them for speaking out against their agenda of 'loot and grab' development.

**Manisha Sethi**

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## **CPI(ML) Activists Arrested in Anti-SEZ Agitation at Kakinada**

THE Kakinada Special Economic Zone (KSEZ) is one among the first three in the country which got permission two and a half years back. KSEZ is the promoting agency started acquiring lands long back at cheaper rates. The government has not acquired the land directly through the Andhra Pradesh Industrial Infrastructure Corporation but allowed private organizations to do the same. The Government declared that export-oriented large and medium industries will be promoted in this region, by which large scale employment will be generated. Initially central and state governments propagated that a refinery with a capacity of seven and a half million tonnes will be started by ONGC and many subsidiaries will be floated. They estimated that 8500 acres land is necessary. Later ONGC dropped its proposal in the name of non-feasibility of the project with less capacity. Due to pressure from local level lobbies, the Central Government made ONGC start its project with a 15 million tonnes capacity. In the meantime KSEZ promoters developed an understanding with Reliance to start a refinery here. Any way, it is not yet clear what industries will be promoted here. But so far, 6000 acres of land have already been acquired by KSEZ with the help of ruling machinery. Revenue officials, including the Collector, toured the villages coming under the SEZ and tried to influence the people with false promises, and even threatened many of them. Firstly, they acquired the lands of absentee landlords and big farmers, then middle and small peasants were compelled to sell their lands.

Right from the beginning of KSEZ, we started a campaign in different villages and conducted conventions and meetings. Peasants voluntarily mobilized to oppose SEZ and a collectorate gherao was conducted in which ten thousands of people took part cutting across the party lines. Then, the Collector assured that the fertile lands will not be acquired and the SEZ will be shifted to the area where land is barren. But then the KSEZ started acquiring land silently.

Now KSEZ started the fencing work for the acquired lands and in view of resistance from the people they mobilised the government machinery. Police started arresting farmers as well as leaders who are active in the movement. On 17 January in the early hours they searched for CPI(ML) leaders in this area. They also came to our district party office around 3 am and picked up local activists and then raided AP State Committee Member Comrade Viplav Kumar's house in Kakinada and arrested him. They searched for the AIPWA leader K Ratna Kumari but failed to find her. They went around in villages and arrested peasants who were active in the movement. On the same day Ratna Kumari, State Committee Member of CPI(ML), along with 300 people went to resist at the fencing, and she was arrested there. Protesting these arrests and demanding the release of all arrested leaders comrades gheraoed the Gollapradu Mandal Revenue Officer; a number of people took part in this protest. Police arrested 18 comrades including Party District Committee member Ganga Balu.

On 21 January AIALA and AP Kisan Sabha jointly held a Convention on the theme 'Scrap Special Economic Zone' in Kakinada. The convention was presided over by Party CCM and Orissa State Secretary Kshitish Biswal, and conducted by Party CCM Bangar Rao. It was addressed by AIALA National President Comrade Rameshwar Prasad, AIALA General Secretary Dharendra Jha, Party Poliburo members DP Buxi and N Murthy (also AP State Secretary), CCMs M Malleshwar Rao, Bahadur Oraon, as well as D Harinath. AIPWA District leader Appala Raju, who is directly leading anti-SEZ struggle, narrated the police atrocities and harassment going on in villages.

The Convention passed several resolutions including the demand to immediately release the arrested leaders, to intensify campaign against land acquisition and SEZ, to press for the demand to scrap the SEZ Act 2005, and condemned the YSR GOVT. for working for the interests of the big capital by making thousands of peasants and rural poor homeless and without any means of livelihood.

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**P.S.**

\* From "Liberation" (CPIML), February 2008.