

The Killing of Tribal Youth Bramhadev Singh of Garu (Latehar, Jharkhand) by the Security Forces

A Fact Finding Report

On June 12, 2021, it was reported on many online news websites that there was an exchange of fire between security forces and Maoists in Kuku-Piri forest under Garu police station of Latehar (Jharkhand), in which one Naxal was killed and many guns were recovered. This happened in the joint action of 03 Cobra, 214 Battalion CRPF and Jharkhand Jaguar. Sources in the security forces were cited in the news. The next day (13 June 2021) it was reported in many local newspapers that among the tribal youths of Piri village who went out to hunt in the forest before the Sarhul festival, 24-year-old Bramhadev Singh was shot dead by security forces in retaliatory firing.

This matter was investigated by a fact-finding team consisting of representatives of various organizations, journalists, lawyers and activists; on behalf of Jharkhand Janadhikar Mahasabha. The group formed by the Mahasabha included the following social and media organizations – Adivasi Adhikar Manch, Adivasi Women's Network, Human Rights Law Network, The Gram Sabha. The team had the following members – Alok Kujur, Alka Aind, Akash Kujur, Elina Horo, Manoj Dutt Dev, Praful Linda, Sunita Munda, Siraj Dutta and Sonal Tiwari.

The objective of the fact-finding was to investigate the violence in the village and assess the government's response to the violence. The team visited the village on June 17 and met the victims. Between 13th to 17th June, independent journalist Manoj Dutt Dev made several visits to the village. The team also analysed the response of the local administration and police and reports made by the local media.

Facts found in the investigation

The Village

This incident took place in is Ganaikhad hamlet of Piri revenue village (Ghasitola Panchayat, Garu block), about 35 km from Latehar and 140 km from Ranchi. There are six camps and pickets of police and paramilitary forces between Latehar and Piri. The village is situated amidst the Kuku-Piri forest. Ganaikhad Toli is about three and a half kilometres from Piri village in the forest. The villagers have settled on forest pattas. There is no means of transport; there is no road. Vehicles can only reach till the primary school of Chipru village. After that one has to go on foot. Many rivers and streams have to be crossed to reach Ganaikhad. The people of the village are mainly dependent on agriculture and forest. Since centuries, they have been dependent on forest produce. They hunt small animals like rabbits, pigs etc on special occasions. Many youth migrate for employment. There are about 100 families in the village and around 10-12 families live in Ganaikhad. There is neither electricity nor mobile network in the village. Most belong to Kherwar tribal community.

The slain victim - Bramhadev Singh used to drive a vehicle (tempo) for hire. His tempo stood in front of his uncle's house (near Chipru school) in the village since the lockdown. Another victim Raghunath Singh works as a labourer in a forest department project in Lohardaga. He reached his village on foot after the lockdown (distance around 100 km). Dinenath Singh migrates to Kerala for employment. He works there in a banana plantation and came back a few weeks before the incident. Similarly, other affected youth also migrate for employment.

Bramhadev Singh was married two years ago. He is survived by his wife Jiramani Devi and one-year-old child Prince. The distance of the forest from the houses of Bramhadev Singh and Rajeshwar Singh is about 300 feet. A river flows along the edge of the forest. There is a field between the village and the river which has some old trees.

Description of violence

Sarhul Puja was scheduled for 13 June in Piri village. On June 12, 10-11 tribal men of the village gathered in front of Rajeshwar Singh's house in the morning (around 8 o'clock) to go hunting to prepare for celebrating 'Nem Sarhul'. They hoped to hunt small animals from the forest – rabbits, boars etc. –to feed the guests. The adivasis of this village traditionally go out for hunting every year before Sarhul Puja. For hunting, they use a '*bhartua gun*'. This is a locally made gun. It is filled with gunpowder before firing and only a single shot can be fired. It is used to hunt small animals and to scare animals to save the crop. Villagers said that this gun was used in their family since generations.

For this type of hunting, villagers go in groups consisting of 5-6 people each. On June 12, 6 people in a group of 10-11 people – Bramhadev Singh (24 years), Raghunath Singh (40 years), Rajeshwar Singh (52 years), Dinenath Singh, (25 years), Sukuldev Singh (45 years) and Gobind Singh (35 years) came out first. Among them Bramhadev and Dinenath were ahead, four people a little behind and the rest were further behind. Bramhadev was wearing a green T-shirt and cargo pants (pant of three-fourth length with several pockets). The other five were in vest/T-shirt and half pants.

As the first group moved about 50 feet towards the forest, then Dinenath saw security force personnel at the edge of the forest. He took two steps back and asked his other friends to go back. The people who were behind him started running. At that moment, the security force started firing from the other side. Raghunath, Rajeshwar, Sukuldev and Gobind took cover near a Mahua tree. Bramhadev, Dinenath and all four raised their hands by placing the gun on the ground and shouted that they were common people, not a Maoist (party), and requested not to shoot. Bramhadev and Dinenath also raised their hands and shouted. Bramhadev removed his t-shirt and pants, raised his hands and pleaded. According to Dinenath, Bramhadev did this to prove that he was completely innocent. But the firing continued. According to the victims and villagers "the firing was continuous".

First Dinenath Singh was hit by a bullet in the hand and then Bramhadev Singh was hit. Bramhadev fell as soon as he was shot. The firing continued for about half an hour. Fearing being shot at, the five men - Raghunath Singh, Rajeshwar Singh, Dinenath Singh, Sukuldev

Singh and Gobind Singh - fled and entered Rajeshwar Singh's house nearby. After a while the firing stopped. When Bramhadev's aunt reached the spot to see Bramhadev, she was chased away and verbally abused by the security forces.

During this period, some villagers saw that the security force personnel came from the forest towards the village and lifted Bramhadev Singh, holding one leg and one hand, and carried him across the river. According to the villagers, Bramhadev was alive by then because his hands and feet were trembling. The security forces placed Bramhadev on the ground across the river and again shot him thrice. According to the villagers accusations, the security forces changed his clothes after this. Bramhadev is seen wearing a pair of blue jeans and yellow tee-shirt in the photo of his body at the incident site (published in local newspapers).

According to the victims and other villagers, 60-100 security force personnel were at the edge of the forest. They were dressed in black and army-prints. During the firing, upon hearing the sound of bullets, other villagers also came out of their houses and went near the field. Rajeshwar Singh's wife Panpatiya Devi (Bramhadev Singh's aunt) and the victims said, "golibari mein pura jagah dhuan-dhuan ho gaya tha" (the entire area was smoke-filled due to the fired bullets). The marks of the bullets can still be seen on the trees in the field. Dinenath, Rajeshwar, Raghunath and Sukuldev clearly stated that they and Bramhadev had not fired a single shot from their *Bhartua gun*. As the security forces opened fire, they had put their guns on the ground and raised their hands. Raghunath, Rajeshwar and Dinenath told the fact-finding team that when they went on the hunt, they did not initially see the security forces (from their home) stationed at the edge of the forest; if they had, they would not have left their houses.

The security forces surrounded Rajeshwar Singh's house and threatened that if the people did not come out, the house would be burnt. The security force personnel were threatening that they would beat up people and kill everyone. The villagers did not want to leave the house because they were afraid that they too would be killed. Panpatiya Devi asked the security forces why they would come out when the security forces did not know how to differentiate between Maoists and common people. The women present in the house suggested that villagers present in the house show their Aadhaar. Panpatiya Devi showed her Aadhaar. Rajeshwar Singh also showed his Aadhaar and said that he is one of the people of this village. Then the security force personnel asked the five persons to come out after undressing themselves. Under pressure, all five undressed themselves and came out in their vest / underwear. They were made to sit outside the house. The women were sent to the other side. The security forces were asking the five men about why they ran away. Then the men said shots were being fired upon them, in such a situation, what would they have done if not run away? They were also being asked where the Naxalites were, where the Naxalites were kept hidden. The security force asked the victims and other villagers several times whether Maoists come to the village or not.

Security force personnel entered Rajeshwar Singh's house for search. Accidently, a jawan fired on his leg with his gun / *bhartua* taken from the victims. After searching inside, the security

force took the five victims to the river bank and forced them to fire their '*bhartua gun*' in the air till they were empty. After this the security forces took the five in the forest and made them sit there for several hours. Meanwhile, they were repeatedly asked what they were doing in the forest and why they ran away.

The fact finding team asked the villagers whether Maoists come to the village or not. All the villagers that were interviewed said that till a few years back, the Maoists used to visit the village but there is no movement for many years now. Everyone also said that all the six victims have no links with Maoist organization.

A few hours after the incident, the Garu police came to the village. Then the police and security forces together took Bramhadev's body to the primary school in Chipru. The villagers, mainly women, were constantly opposing them. During the protest, Phulwa Devi Singh (Bramhdev's aunt) was beaten twice by stick by the police. In the afternoon, the police went to Latehar with the body. The five victims were first taken to Saryu camp in a Bolero and then from there to the Latehar police station. The police got Dinenath's hand bandaged in the local hospital. At the police station, the victims were made to sign or put their thumbprint on many papers (some plain and some written). But no one was informed or told what was written in the papers.

After the post-mortem, the next day on June 13 at around 2 o'clock, the body of Bramhadev Singh, which was brought in an ambulance of Birla Company; was handed over to his family members. The police ordered the family members to burn the body as soon as possible and specifically asked them not to bury the body. When the family members and villagers did not perform the last rites of Bramhadev's body till late in the evening, the police officer of Chipru police picket established near Piri village inquired about it. The villagers and the victim's family clearly told the police officer that they would not perform the last rites until the other five detainees were released. After this, the other five detainees were released from the Latehar police station. Late in the night the five victims returned to their villages. Since it was raining and there was no availability of kerosene oil, the villagers buried Bramhadev in nearby *Masna*.

Bramhadev's wife and elder brother said that after the incident the police (possibly Bada Babu of Garu police station or the SP) gave them around Rs 30,000-35,000 in cash. They were also promised a job by the local administration. The police told the family members that the police had made a mistake and requested them to take the money and forgive them.

Villagers said that the whole village was in mourning after the incident. Instead of the happiness of Sarhul festival, there was mourning. Right now the villagers are not even going to the forest for their livelihood.

The victims and their family members were repeating the same thing over and over again, "Why did the security forces make us take off our clothes? This means that they were also planning to kill us and fabricate a story, if the people of the village had not protested". Everyone is also asking how the security force personnel did not see the clothes, guns and mannerisms of the victims from a distance of 150-200 feet and do they not know the

difference between Maoists and general public. Many people said, "the administration should not fire bullets blindly".

People also said that they go for traditional hunting every year. But such an incident has never happened. They have not been harassed in this way by the security forces before. Even hunting in the forest has not been stopped. The victims also said that they were not aware that a case had been registered against them by the police.

The statement given by the victims and villagers to the fact finding team is attached in Annexure 1.

Response of Administration and police

On June 12 morning, a message was sent to the local media by the police/security forces, in which it was told that an exchange of fire had taken place with the Maoist squad of security forces and Regional Committee member Chhotu Singh Kherwar in Kuru-Piri forest, in which a member of the Maoist squad had been killed. And four weapons had been recovered. It was also said that a joint operation was being conducted in this area by two teams of 203 Cobras, Jharkhand Jaguar (02 AG) and a company of 214 Bn. Within no time, the same news became available on the websites of many local and national media. According to media reports, this matter has now been handed over to the CID.

There is a contradiction between the FIR lodged by the police (Garu P.S. Case No. 24/2021 dated 13/06/21) and the statement given by the villagers to the fact finding team. Many things recorded in the FIR are contrary to the truth. According to the FIR, several companies of Cobra and Jharkhand Jaguar and AG had gone to Kuru-Piri forest to take action on CPI-Maoist Chhotu Kharwar and 15-20 other armed squads. While coming down from the forest, the police party saw 10-12 armed men and asked them to surrender. They did not surrender and opened fire. After this the police retaliated.

But all the victims and villagers clearly told the fact finding team that on seeing the security forces they raised their hands and started shouting that they were common people. No bullet was fired by them. It has been recorded in the FIR that during the search the police party found the body of Bramhadev near the foot of the hill. But all the villagers clearly say that Bramhadev first got shot by the police (about 50-100 feet from Rajeshwar's house) and then after some time the police picked him up, took him to the other side of the river, placed him at the edge of the hill and shot him again.

Also, the police have registered a case against six Adivasis including Bramhadev under various sections including Arms Act. According to media reports, the Superintendent of Police has said that Bramhadev was shot in retaliatory firing from the police, and then died. But a fabricated story is recorded in the FIR. This completely exposes the intention of the police.

Conclusion

It is clear that the incident of 12 June was not an “exchange of fire”. Innocent villagers were fired upon by the security forces. The six Adivasi men, including Bramhadev, had started from their home for their traditional hunting for the nem sarhul festival. They carried Bhartua guns that have been used in their family since generations to hunt small animals such as rabbits, boars etc and to protect the crop from animals. Only one shot can be fired from the gun. The villagers had not fired at the police. As they saw the security forces, they raised their hands and shouted that they were common people. But there was continuous firing by the police in which Dinenath got shot in the hand and Bramhadev in the body. After this, Bramhadev was taken to the forest’s edge and shot again to ensure his death.

It is clear from the action of the security force and the message sent to the local media on June 12 that the security forces and the police wanted to make this incident look like an exchange of fire with Maoists. They wanted to portray Bramhadev Singh as a Maoist being killed in a Maoist encounter. After local journalists and villagers brought out the truth, the police were unable to go ahead with their plan. But it is clear from the FIR lodged by the police that there is a difference between their verbal commitments and assurances and their action.

The FIR does not mention the killing of Bramhadev from shots fired by the police. This action has been called an “exchange of fire” and it has been written that the first firing was done by armed men and some of them fled into the forest. Also, according to the FIR, the dead body of Bramhadev was found at the edge of the forest. Using this FIR, the police, if they want, can turn the whole matter into an encounter with the Maoists. The filing of cases against six Adivasis including Bramhadev under various sections including Arms Act also exposes the intention of the police. They want to intimidate the villagers so that the villagers do not question the killing and firing by the police. the victims were made to sign or put their thumbprint on many papers (some plain and some written). But no one was informed or told what was written in the papers.

This case has again exposed the police repression, the hollowness of the promises of development and the exploitation of Adivasis in the name of curbing Maoism. Meanwhile, it is possible that this case, like other police repression and fake Maoist encounter cases, will remain just a matter of political accusation and counter-accusation.

On behalf of Jharkhand Janadhikar Mahasabha and the fact finding team, we demand the following:

- Government should formally make the truth public – this was not an exchange of fire with the Maoists. Nor was it a retaliatory action by the security forces. The Adivasis were going for their traditional hunting festival and did not fire at the security forces. The security forces fired at innocent Adivasis and shot dead Bramhadev. Then an attempt was made to cover up the matter.

- A judicial commission should be constituted to ensure an independent investigation into the actions of the security forces. An FIR should be lodged against the security force personnel and officials responsible for the killing of Bramhadev and firing on the villagers. The FIR registered by the police on six Adivasis including Bramhadev should be quashed. Administrative action should be taken against the local police and senior officials for filing wrong statements and FIRs.
- All the statements, affidavits etc. taken by the police from the victims and their family members till now should be made null and void because the victims were forced to sign / put their thumbprints on these papers without even being informed of the content. Testimonies of victims should be taken only in the presence of their lawyers.
- Wife of Bramhadev Singh should be given a compensation of at least ten lakh rupees. The government should take full responsibility of their son's upbringing, education and employment. Also, the remaining five victims should be compensated for harassment by the police.
- Give clear instructions to the local administration and security forces not to exploit people, especially Adivasis, in any way. People should not be harassed by security forces under the guise of anti-Naxal operations.
- Before running a search operation in a village area in fifth schedule areas, the consent of Gram Sabha and traditional village heads should be taken; in other areas, the consent of Panchayat representatives should be taken. Fifth Schedule provisions and PESA should be fully implemented.
- Local administration and security forces should be trained and sensitised about Adivasi language, customs, culture and their world view.

Download the documents, photos etc. related to the case from this link –

<https://drive.google.com/drive/folders/1IVrDMZLqwjVN2svyH9-F2zJg08Lfxjvn?usp=sharing>

Some video testimonies can be seen on Mahasabha's twitter account - <https://twitter.com/JharkhandJanad1> . Video statements related to this matter can also be seen on the following YouTube channel of Manoj Dutt Dev - <https://www.youtube.com/playlist?list=PLVPmJvG6vOFI9Ag8LVXzWYfgS5y7uwZwZ> . For more details contact - Aloka Kujur (9934120747), Alka Aind (82104 08369), Elina Horo (9939559039), Praful Linda (7763074746), Siraj Dutta (9939819763) or Sonal Tiwari (9538161195).

Annex 1 - Statement of Victims and Villagers

Dinenath Singh (victim) - On the day of the incident, 10-12 people assembled near Rajeshwar Singh's house and after consulting one another, split into two groups to before going for hunting. As the first group moved towards the forest, it saw a contingent of soldiers. On seeing the squad, some of the people started running here and there in fear and only 4-5 people were left from the first group. Firing started from the front, due to which the first bullet hit one of my fingers of my hand and another bullet hit Bramhadev Singh. After Bramhadev Singh was shot, the police removed his clothes and carried him to the other side of the river. The remaining five people went to Rajeshwar Singh's house out of fear and later we were directed by the police to come out of the house and off our clothes. We were also instructed to fire and empty our *Bhartua gun*. The CRPF took all five of us to the mountain for questioning. My treatment was done in the hospital there. After being taken to Latehar police station, the five of us were made to sign several sheets of paper. There is no information about the FIR registered by the police.

Jiramani Devi (Bramhadev Singh's wife) - As soon as Bramhadev Singh left the house on a hunt for the Nem Sarhul, firing started from the other side at some distance. Bramhadev Singh came forward and told the police that he was a common man, but by then he was shot. Some members of the family came forward for the rescue, but they were also driven away by the police with death threats. After Bramhadev Singh was shot, the police took him to the other side of the river. Till then, he was alive. After taking him across the river, the police shot him three more times and took off his clothes. It also tried to put on other clothes on Bramhadev's body, which it had brought with it. The police surrounded Rajeshwar Singh's house and everyone was instructed to come out of the house with threats of burning down the house. During the search in the house, a policeman accidentally shot himself with a *Bhartua*. The Garu police station in-charge gave thirty thousand rupees and also promised to give a job. No one has spoken yet about giving compensation. Also, I have a one-year-old son.

Shukladev Singh (victim) - On the day of Nem Sarhul, when at least eight people along with Bramhadev Singh went on a hunt, the CRPF police team started firing at us. Along with Bramhadev Singh, everyone told the police personnel that they were residents of the village people and asked the police to not shoot at them. But indiscriminate firing from the other side did not stop. We all ran towards Rajeshwar Singh's house. Out of fear, we did not carry the *Bhartua* and left it there. To take possession of the *Bhartua*, the police later surrounded Rajeshwar Singh's house. *Bhartua* is a traditional weapon, which has been used by our ancestors as well to hunt and save our crops from wild animals. The tradition of going hunting in Nem Sarhul has been going on for years. Such an incident has never happened before. The police used to visit the village. After killing Bramhadev, the police took his body across the river and took everyone else to the forest for interrogation. In the evening, we were first taken to then Sarju police station, then Latehar, where we were made to sign on 9-10 sheets of written and plain paper. After keeping us in the police station overnight, everyone was released at 4 pm the next day.

Panpatia Devi (Aunt of Bramhadev Singh and wife of Rajeshwar Singh) - All the boys left the house after consulting to hunt for Sarhul. As soon as they reached a distance of 100 feet from the house, the firing started. On hearing the sound of the firing, I came out of the house and saw that everyone except Bramhadev and Dinenath started running towards the house. On being shot, Bramhadev fell towards the east and Dinenath fell towards the west. The firing lasted for half an hour. Everyone was asked to get inside the house and shut the door. I suggested showing them my Aadhaar card to prove that I am a common person. Along with the five persons, everyone was asked to come out. All the five boys were made to take off their clothes and sit on one side and the women were told to sit on the other side. The house was also searched, during which a policeman accidentally shot himself in the leg. Bramhadev was later shot again three times and along with his dead body, the five boys were taken towards the mountain. The police were tried to dress Bramhadev's body in clothes which they had brought with them. They stopped only after the three journalists who had come from Sarju and the villagers protested.

Raghunath Singh (victim) - On 12th around 8-8:30, 8-10 people gathered to hunt a boar. We were not aware of the administration's presence in the forest. When the firing started from the other side, everyone indicated and said that they were common people, but the firing did not stop. In this sequence, Bramhadev was shot. The police started the firing. The police were at least 150-200 feet away. Neither Bramhadev nor any family in the village has any connection with the party people. Bramhadev had his own vehicle. I used to go to Kerala to earn. Such an incident had never happened in the village before.

Rajeshwar Singh (victim) - 10-11 people went out on a hunt for Sarhul. I was in the front team along with the other five persons. Both Bramhadev and Dinenath were raising their hands and appealing to the police that they are common people. The police did not understand them and started firing. As Bramhadev was shot, I reached near my house in fear. After Bramhadev was shot, the force took him to the other side and shot him again. The force surrounded my house and instructed everyone to come out of the house. Out of fear, everyone showed their identity card to the force. After instructing the five of us to undress, we were taken to the forest. After keeping us in the forest the whole day, the police took us to Latehar at four o'clock. During the interrogation the police asked us why we were going out with guns. They said they thought that we were coming to kill them. When the shots were fired, all five of us threw away our guns. In the police station, the five of us were made to sign on plain and written sheets of paper without being informed about the contents of the papers.