

Uttar Pradesh

# Peace Of The Graveyard

*I know no one can do me no harm  
because happiness is a warm gun.  
Yes it is.*

—John Lennon, 1968

**V**ISHWANATH Pratap Singh had cause to be happy on December 30. The prime minister herself had come down to Lucknow to pat him on his back and give his ministry a clean chit. Singh had, to all intents, successfully carried out his terrible vow of ridding Uttar Pradesh of its dacoit menace within a month. The peculiar thing, however, was that Singh swore to do so on November 23, five days after the Dehuli massacre. But the vast state he ruled had begun to throb with warm guns from November 18, the day of the massacre, when 12 people were killed all over Uttar Pradesh. In the 41 days that ensued, Singh's

suddenly galvanised policemen hunted out and killed no less than 299 men who were alleged to be dreaded dacoits.

But Singh's gods had it in for him. About the time Mrs Gandhi was winging her way back to Delhi, 10 more defenceless Jatav Harijans were shot and killed in cold blood by a mysterious trio of assassins. Five of the victims were women, four children. This time the massacre occurred at Sadhupur, a village 25 km from Dehuli as the crow flies and in the same district: Mainpuri. When the news broke the following morning, it seemed as though a thunderbolt had hit India's very heart.

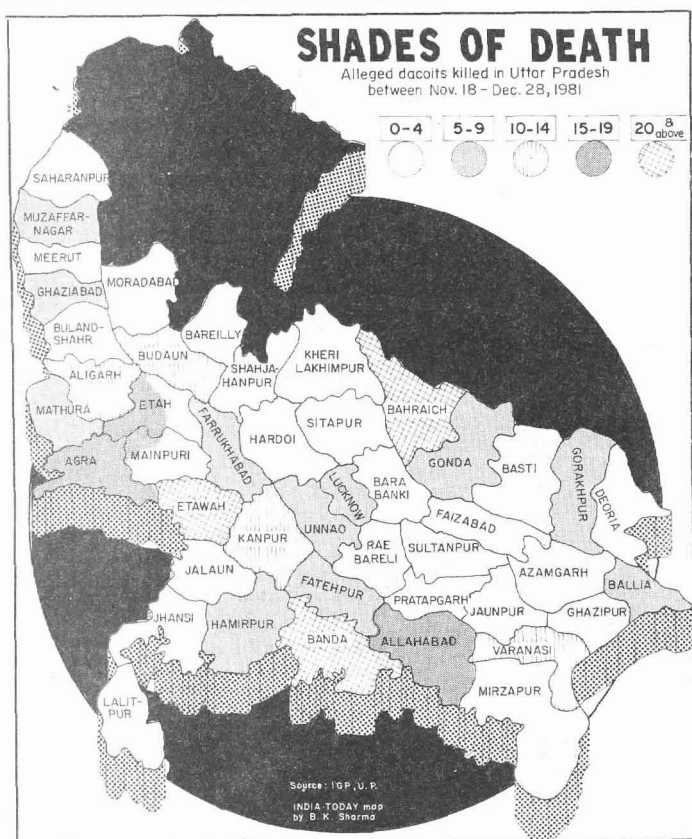
**Arguments:** Sadhupur couldn't have come at a more embarrassing moment for the state Government. After all, hadn't it been announcing gleefully that the dacoit menace had been wiped out? Immediately,

the official machinery swung into action to find excuses and scapegoats for the New Year's Eve massacre. Over the following week, in Sadhupur, in Mainpuri, the district headquarters, and in Lucknow, every bureaucrat, police official and ruling-party politician echoed one another as the theories piled up. INDIA TODAY reached Sadhupur within 12 hours of the massacre, and when state Home Minister Swarup Kumari Bakshi and her deputy Rajendra Tripathi reached the village at 1 p.m. on December 31, they set to work at once to build up their arguments.

"It's a political conspiracy," said Bakshi, "and it was done deliberately on the very day Mrs Gandhi came to Lucknow." Tripathi agreed with her, and hinted darkly at nefarious opposition plots. "We will kill every man who perpetrated this crime," said



A policeman turns over the body of a 'dacoit' shoot first, question later



Bakshi, and when Tripathi tried to caution her, said that Sadhupur was "the last flicker of a dying flame".

Riding the bumpy trail back to Shikohabad circuit house in a jeep, Bakshi and Tripathi continued with their allegations. "None of the 299 men killed by police during the last month was innocent, they were all dacoits," insisted Tripathi. "And our campaign will continue. It did not end on December 24." As if to prove Tripathi right, the toll rose to 325 by January 6.

The facts, however, seemed to show up Tripathi's ministry. The chief minister's *Bhishma pratigya*, as it was dubbed, had resulted in orders from the top to every state policeman to embark on a manhunt. And the police had cooperated enthusiastically. As the body-count rose steadily (out of 1,480 alleged dacoits killed during 1981, 310 died in the last 44 days), the sprawling state was gripped by a terror that had been experienced only at the height of the Emergency sterilisation drive.

**Over-zealous:** From the mass of evidence it became apparent that the police had, just as during the Emergency, become over-zealous about their task. There were only a handful of big dacoits carrying rewards on their heads in the list of those killed. More significantly, there had been no police casualties at all, and this was suspicious because in an encounter with a dacoit gang, the police have almost always suffered casualties. Well-

armed and equipped with sophisticated communication equipment, the big dacoit gangs in any case have proved too elusive for the police.

Who then were the men killed during the 41-day war of attrition? The truth began to dawn on January 6 in Lucknow, when Tripathi gave INDIA TODAY detailed lists of the 28 major dacoit gangs in the 12 districts (Etah, Etawah, Mainpuri, Farrukhabad, Jalaun, Jhansi, Agra, Hamirpur, Lalitpur, Kanpur (rural), Banda and Badaun). Out of 619 officially listed dacoits, only 293 had either been killed in encounters, or captured. Of the five biggest gangs (led by Malkhan Singh, Chhabiram Yadav, Pothi, Mahabira and Anar Singh) only 132 men out of a total listed strength of 256 had been killed or captured. "It is true we have not been able to smash the bigger gangs altogether," admitted Tripathi.

Gradually, as the evidence accumulated, it became clear that the police had been put under immense pressure to deliver their quotas of heads. In every town and village in the four districts most affected by the dacoit menace—Etawah, Mainpuri, Etah and Farrukhabad—people repeatedly said that the police had been told that the bigger their body-count was, the better would be their rewards. Each district's superintendent of police (SP) had reportedly ordered every police station under his jurisdiction to step up the manhunt as the chief minister's month-long vow began to near its end.

**Casualty Figures:** The official list of 'encounters' during the blood-spattered 41 days from November 18 to December 28 seemed to corroborate this. Out of 299 alleged dacoits killed during this period, the maximum—193—had been killed between December 7 and December 24, when V.P. Singh triumphantly completed his probationary period. The casualty figures had leapt dramatically into double digits during these days.

What was most shocking about this merciless period was the fact that the police had killed people in 44 of the state's 57 districts, in a swathe of blood that cut across from east to west and north to south. Only 119 'dacoits' had been killed in the 12 core districts, and the remaining 180 had been killed in other far-flung corners of the state.

The state opposition parties exhibited their helplessness by not providing figures of this massacre, a massacre that had been punctuated by Dehuli and Sadhupur. But they charged the Government with the killings of hundreds of innocent people. The Lok Dal, which is the second-biggest party in the state legislature, alleged that 90 per cent of those killed were innocent. The Government hotly contested this, and Tripathi said only four cases of false encounters had been detected during 1981, in Varanasi, Etawah, Gorakhpur, and Meerut, that the guilty policemen had been charged with murder under Section 302 of the Indian Penal Code (IPC), and that there had been

no false encounters during December.

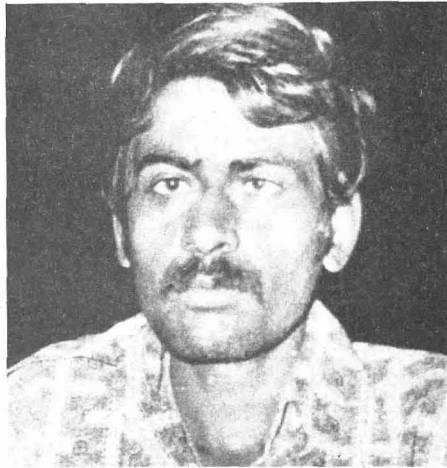
**W**HAT does happen if a policeman is found guilty of falsely killing an alleged dacoit? Nahar Singh of village Gattapura in the Fatehabad police station area in Agra district was called to police station Pinahat for interrogation on June 18, 1980. At 5 p.m. that day, he was shot dead by the police in an 'encounter' in the Pura Karkauli ravines closeby. The police are alleged to have removed Rs 3,000 from his person before killing Singh.

When an uproar ensued, Agra's then district magistrate Saibal Kumar Mukherjee investigated the case and charged the Pinahat station officer and four other policemen with murder under Sections 302 of the IPC. Nahar's widow was granted Rs 1,000 from the chief minister's relief fund—but only in November 1981. As for the guilty policemen, a CID enquiry is going on into the incident, but there is reportedly immense pressure to hush up the case.

Meanwhile, the Government was obviously determined to plug its conspiracy theory, and it stepped up the campaign. The Sadhupur killings were attributed to Anar Singh, a notorious dacoit, and Tripathi implied he was backed by certain Lok Dal politicians. The Deputy Inspector General of Police (Agra Range) Satish Kumar Mukherjee first said there could have been two warring groups in the village, and then said that Anar Singh could have been retaliating because of the police dragnet.

**Important Letter:** Behind this argument was a letter purportedly written by Anar Singh and left behind at Sadhupur, in which he swore continuing revenge. Tripathi had the letter in his Lucknow office on January 6, but was dissuaded from parting with a photostat copy by the state's Inspector-General of Police (IGP) Naresh Kumar Verma who said its authenticity was still being verified. Obviously, then, the state Government had no incontrovertible evidence for Anar Singh's involvement in Sadhupur. And opposition leaders had all along been charging that the letter was fake.

But Tripathi nevertheless distributed mint-condition photographs of the dacoit, and that very day the chief minister told a press conference that the district magistrate of Deoria and the DIG of police, Varanasi, had detected a conspiracy to massacre Harijans in eastern Uttar Pradesh. Political circles in Lucknow were buzzing with rumours that evening about an impending crackdown by the state Government on opposition politicians. Two weapons were at the Government's disposal: the National Security Act (NSA) and the anti-dacoity ordinance issued after the Dehuli massacre, which provided for detention of up to six months of dacoits and their harbourers without bail.



**Anar Singh: culprit or scapegoat?**

What was intriguing was the fact that the state Government had chosen not to use this ordinance during its month of death. Tripathi, who observers say is more powerful than Bakshi, let slip that the ordinance had not been used because the Opposition would then have attacked its use. But there seemed to be another explanation: use of the ordinance would mean physical detention of the suspects, and the state's ministers had consistently attacked the judiciary for granting too much bail. The ordinance would not have permitted the police to eliminate so many 'dacoits'.

**Innocent Deaths:** When INDIA TODAY travelled through the dacoit-infested areas, it quickly became clear that there could have been many innocent deaths in fake encounters (see page 27). The police mostly seemed to have grabbed small-time offenders and petty crooks and then to have shot them in cold blood. Most of the reported encounters were in the night, but it is well known that the police rarely go out after

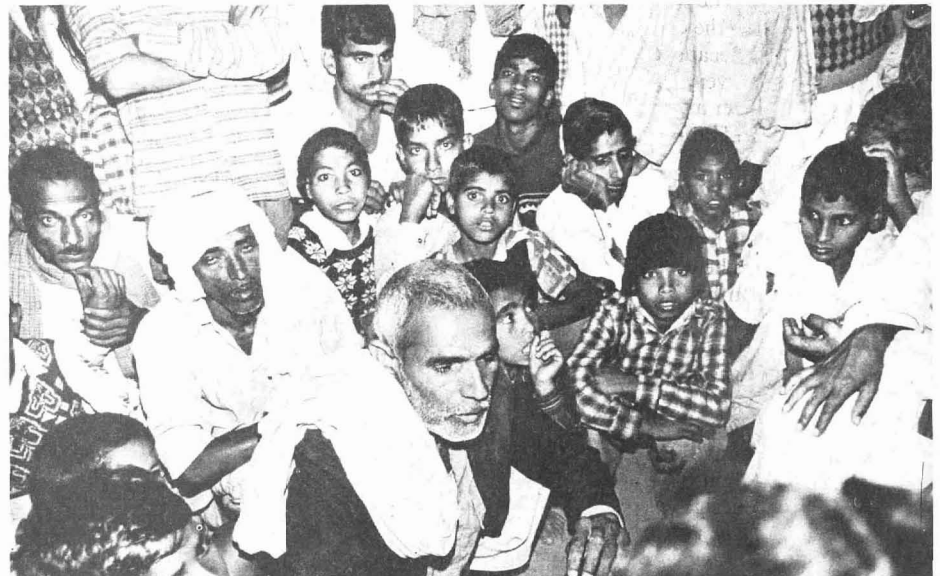
dacoits after dark: experience has taught them that tracking down dacoits and keeping in touch with each other in the dark is suicidal.

It is not difficult to come across dozens of people who have first-hand experiences to relate about the local police's threats to even some score by staging an encounter. There was Nand Singh, for instance, who came up in an inky-black Etawah town street clutching a sheet of paper. It was a petition, and Nand Singh was quaking with terror. The local police, he said, had falsely charged him with murder, and when he was acquitted for lack of evidence, had beaten up his father and brother; Singh had therefore filed a case against three policemen. Now, said Singh, the sub-inspector in charge of a police station had threatened to kill him.

Nand Singh is most certainly not a dacoit. But he is not entirely innocent either. He is alleged to be a pimp, and a small-time crook. But the fact that the police want to kill him shows how far the law is prepared to go. Local sources say that the sub-inspector is out for his blood because Nand Singh refused to increase his regular bribe to him.

**Constant Terror:** Subjected to frequent and arbitrary raids, the villages in the region live in constant terror, a terror that is heightened by not knowing who is the real foe, because even dacoits dress up in police uniforms. The Auraiya police station in Etawah district best illustrates this state of affairs. Two of the five fake encounters investigated by INDIA TODAY were staged by the Auraiya police, led by their officer-in-charge Balvir Singh Tyagi. How Tyagi and his men terrorised Tilakpur, a village in the area, makes for an ominous tale.

The darkness around Tilakpur seems to conceal armies of gunmen. Silently, Tilakpur's residents gathered around a bon-



**Tilakpur's Mohar Singh (centre) describing his experience: a random spree of cruelty**



V.P. Singh

## Monitoring Death

**V**ISHWANATH Pratap Singh 50, has encountered rough weather ever since he took over the Uttar Pradesh chief ministership in June 1980. Moradabad, Aligarh, Behmai and Dehuli are names that will always blot his copy-book. But the killing of 10 Jatav Harijans in Sadhupur on December 30 seemed to come at a particularly inauspicious time for Singh. That very day Mrs Gandhi had, in Lucknow, given Singh's administration a clean chit and a pat on the back for "successfully" carrying out the vow Singh took on November 24 to resign within a month if the law and order situation did not improve. It was in these circumstances that Singh agreed to meet INDIA TODAY for an exclusive interview on January 3—four days after the Sadhupur massacre.

The interview began in Singh's Lucknow residence late at night after a Cabinet meeting, and ended nearly two hours later when Singh remembered that two ministers were waiting in the ante-room to see him. Seemingly indefatigable, ("I always go to bed and get up on the same day") very frank and outgoing, and obviously a man who does his homework and prepares his arguments in advance, Singh chose to speak at length with Correspondent CHAITANYA KALBAG initially off the record before getting down to specific questions. Excerpts:

**Q. What would you like to say about the Sadhupur massacre?**

A. It is clear there was no old enmity in Sadhupur, no loot, nor any sexual molestation. There was obviously some other motive. The killers wanted to hit something else: the Government, and the Congress(I). Because our anti-dacoity drive had been very effective. The killers wanted to shatter my government's credibility and wean Harijan voters away from the Congress(I).

**Q. Who do you feel is responsible for the massacre?**

A. My own feeling is that it was Anar Singh; perhaps he was retaliating against the pressure on his gang. We had information about his presence in the area.

**Q. Then you do not subscribe to the Opposition's conspiracy theory?**

A. How can I say? I have heard that Anar Singh is close to certain opposition leaders. But even if it is a conspiracy then we have to fight it, not fall into the conspirators' design.

**Q. Are you considering any major cabinet or bureaucratic changes after Sadhupur?**

A. No major changes. We may suspend one or two thana in charges. After all, *bhai*, I had given this very machine a certificate only one week earlier!

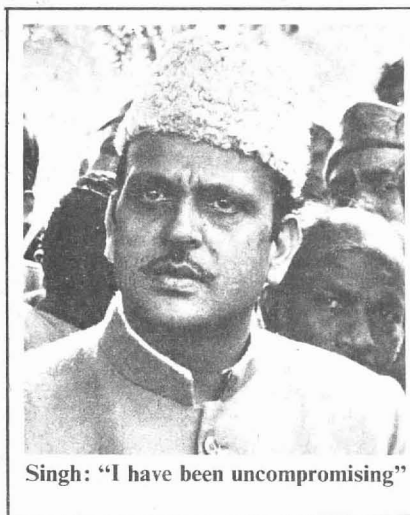
**Q. Are you giving yourself any more deadlines?**

A. No, but within a month you will see results.

**Q. Your critics say that you have offered to resign too often.**

A. That is nonsense. The press has multiplied things. I offered to resign only twice: once after Moradabad, once after Dehuli, and the latter was conditional. I did not want the party's interests damaged, I wanted its option to choose another leader to remain open.

**Q. Almost every politician, either ruling party or opposition, seems to be linked to some dacoit gang or the other.**



Singh: "I have been uncompromising"

A. Only in the major dacoit-infested areas, and that too much more in the case of the Opposition. I think politicians resort to dacoits because they can ensure delivery of votes in a particular area. I think this linkage is not unlike the politician-Mafia links in urban USA.

**Q. There are allegations that many Congress(I) ministers and legislators have criminal histories. There is one hijacker...**

A. If the Janata regime could have a man who had derailed 53 trains as a Central minister, what is odd about a hijacker becoming a legislator?

**Q. Considering the large number of people killed in encounters with police, particularly during the last month, don't you think there would be many fake dacoit encounters?**

A. Only three or four false encounters have been detected and the concerned policemen are being prosecuted for murder. I am fully aware that this machine can run amuck and am constantly monitoring every encounter death.

**Q. The consensus seems to be that your home minister is singularly incompetent and that her only credential is being a relative of the prime minister.**

A. How can she be incompetent? The maximum number of dacoits eliminated has been during her tenure.

**Q. The police seem to prefer killing dacoits to arresting them.**

A. That is not true. The police always kill in self-defence. But there is something insufficient in our laws. Out of 38,000 pending cases over 34,000 criminals have been granted bail. Our legal system allows easy bail. For the social structure in the dacoit areas there have to be special laws.

**Q. But wouldn't special laws amount to a licence to kill?**

A. Society has to make its choices. Even our fundamental rights have flaws. We have to pay a price.

**Q. What about the group within your party that is trying to topple you?**

A. There is no such dissident group. My tenure has been heavenly compared to the warlord situation in the past.

**Q. Everybody says law and order is deteriorating, but your statistics say it is improving.**

A. It is bad only in Mainpuri, Etawah, Etah and Farrukhabad districts. But these are only four out of 57 districts. What are four districts for me are a state for you. Abstractions like this play havoc.

**Q. The fake encounters allegation seems to gain weight from the fact that there have been no police casualties during the last month.**

A. If there are casualties then the people say the police are incompetent. There have been many police casualties during 1981.

**Q. No major dacoit gangs have been affected by your month-long drive.**

A. No major dacoit leaders have been killed or captured, but they have all lost men, and their strength depends on their numbers. Out of 19 major gangs 10 have been wiped out during 1981.

**Q. The common opinion about you seems to be that you are a good man, but too good to be a good chief minister.**

A. I may project a good image to the public, but the executive knows it cannot get away with nonsense. I have always been uncompromising, I am not beholden to any businessman.

I do not entertain any *sifarish* in vigilance cases. In December 1980, I blocked all transfers. Nobody can approach me and commit hanky-panky. I cut off electricity to Hindalco and Modi. A softy can't do all these things. And tell me, which recent chief minister has dropped four ministers?

fire and pushed an old man forward. His name was Mohar Singh, and he was once *mukhia* (headman) of the village. Tyagi and his policemen apparently believed that Tilakpur's people were aiding a local dacoit, Chandra Prakash. They descended on Mohar's house at 6 p.m. on December 24 and roughly asked Mohar's nephew Rajendra to summon his father Suvaran and uncle Sarnam. When they could not be located, Tyagi summoned Tilakpur's *mukhia* Jitwar Singh and told him that the police would wipe out the village and re-settle it with Thakurs if he did not cooperate.

At 3.30 a.m. that night, the police returned to Mohar's house, got the door opened, and proceeded to ransack the place, looting everything in sight. They departed with three people in custody: Suvaran, his son Rajendra, and Vijay Bahadur, a Harijan.

**Desperate Petition:** The next morning an angry crowd of citizens besieged the Auraiya police station and secured Rajendra's release. Mohar alleges that Tyagi had wanted to kill Rajendra, and then stage an encounter with Suvaran near Khanpur, a village just outside Auraiya. Their lives were saved because Mohar desperately petitioned all the district officials, and the SP then sent a motorcycle courier to order Tyagi not to kill them.

Catching the scent of a prowling journalist in his area, Balvir Singh Tyagi chose to avoid a meeting fixed on January 5 at the police station by disappearing to Etawah, ostensibly to meet the SP. He took all important station documents with him. It was left to his deputy, Sub-inspector Ram Niwas Tyagi, who began by pleading that he was "the wrong Tyagi", to answer questions.

The only records available were lists of cases pending against encounter victims, all written out on a scrap of paper, and Balvir Singh's encounter reports, written in purple prose. Every time there was a 'dacoit' death, Tyagi and his men claimed to have crept upon the fugitives in the dark and heard incriminating snatches of conversation. In none of the encounters had there been a police casualty, but Balvir Singh described them all as ferocious.

Ram Niwas Tyagi could not furnish details of when the dead dacoits had turned absconders, of post-mortem reports, or of the authenticity of the cases listed against the dead men. The sub-inspector said that Suvaran Singh and Vijay Bahadur were members of the Chandra Prakash gang and had been charged with "assembling to commit dacoity".

**Harsh Punishment:** In a region trapped in the dacoit-police pincer, villagers plead that they cannot refuse if a dacoit were to land up and demand to be fed and entertained. Yet, Section 8 of the anti-dacoity ordinance, which provides for harsh punishment for "harbourers" of dacoits, has been

used freely and ruthlessly throughout the 12 districts, whereas the ordinance as a whole has not been used to arrest listed dacoits. Said Tilakpur's Mohar Singh: "No young person dares to venture outdoors after dusk here, because the police say that they want young and healthy victims." Every knock on the door seems to herald a gun-toting policeman. And, as villager Jabbar Singh put it: "There is no government in my region, and the local SP is the local dacoit chief."

But there has been very little organised protest against the fake encounters, outside of Lok Dal activism. Most of the state's opposition parties have no records of encounters and have not attempted to investigate them. The situation was summed up by four *mukhias* from Jalaun district in early 1981, in a petition to the chief minister. "We give you land revenue and irrigation tax, but you cannot protect us," they wrote. "Please therefore transfer us to the jurisdiction of dacoit queen Phoolan Devi. She is any day better."

**A**GRA, Mainpuri and Etawah form three points of a triangle. Somewhere within it is the confluence of five rivers, the *pachnada*: the Yamuna, the Chambal, the Kunwari, the Pahuj, and the Sindh. This is where the legendary ravines begin and continue southwards, a forbidding and yet romantic landscape of ridges and dips, ideal territory for the hundreds of bands of dacoits that roam its pockets. Dacoity has been an ancient phenomenon in this region, and from the 14th century onwards it has been an honoured custom to avenge wrong by taking a life and then becoming a fugitive. But the dacoits are not considered criminals by the



Mulayam and (right) Balram: bitter feud

local population. They are called *baghis*, or rebels, a term that has a ring of legitimacy to it.

It is no wonder, then, that the bigger dacoit gangs exist because they enjoy considerable support from the people. But the factor that has really hamstrung the state Government is the shadowy connection between politicians and dacoits. These connections cut across caste and party lines. Nearly half of Uttar Pradesh's legislators have some kind of criminal case or the other pending against them. Out of 675 legislators, at least 300 have had to be provided with armed 'shadows' as bodyguards by the Government. Nearly every major politician in the 12 dacoit-infested districts is said to have overt or covert links with the dacoits. Political survival itself seems to depend on these links. But as far as the Congress(I) is concerned, its particular links with the dacoits have proved to be its undoing.

**Dacoit Power:** In the Lok Sabha elections in 1980, the Lok Dal lost some choice seats in this belt, where it had traditionally held sway. Yet, the party managed to retain its overall lead. From all accounts, the Congress(I) decided to do its utmost to crack the Lok Dal stranglehold when the Assembly elections came around in June 1980. The Lok Dal's Mahipal Singh Shastri, leader of the Opposition in the Vidhan Parishad, alleges that Sanjay Gandhi entrusted the task to K.D. Sharma, who was DIG in the Allahabad headquarters.

Believing that Yadav and Jat police officials would tend to support the Lok Dal, Sharma is alleged to have transferred 35 of 39 Yadav DSPs and 67 of 73 Jat DSPs out of Etah, Etawah, Mainpuri and Farrukhabad districts, and the police allegedly helped intimidate voters. Significantly, Sharma was promoted six days before he retired on November 30 last year to the rank of Additional IG, CID and since he couldn't be given an extension, has now been made chairman of the Uttar Pradesh Agro-Industrial Corporation.

But the maximum damage was wreaked because Congress(I) politicians openly enlisted dacoits' aid in booth-capturing, voter intimidation and caste mobilisation. In the five core Lok Sabha constituencies of



Sub-inspector Tyagi: side-stepping details

Farrukhabad, Etawah, Etah, Mainpuri and Firozabad, the Lok Dal had won three seats, the Congress(I) one, with the fifth going to an Independent. But in the 32 Assembly constituencies that comprise these areas, the Congress(I) won as many as 23 seats, and the Lok Dal only four. The police, and the dacoits, had obviously delivered the goods.

**Shady Contacts:** There are quite a few Congress(I) MLAs from the dacoit areas who are alleged to have strong links with dacoit gangs. But four state ministers—Jagdish Singh, Balram Singh Yadav, Gulab Sehra and Shiv Nath Kushwaha—in particular are alleged to be neck-deep in such shady contacts. Balram Singh Yadav has been waging a relentless battle against his Lok Dal opponent, Mulayam Singh Yadav. Mulayam Singh is the state Lok Dal president, and has for years won effortlessly from Jaswantnagar constituency in Etawah district.

In 1980, however, Balram Singh defeated him. Mulayam Singh alleges that his opponent was actively supported by the biggest dacoit chief of the area, Chhabiram Yadav, who roped in other Yadav dacoits and ensured his patron's victory. Balram Singh in turn accuses Mulayam Singh of harbouring Anar Singh, who is also a Yadav dacoit, and who is the alleged culprit at Sadhupur.

These underworld connections have now come home to roost, allege Opposition politicians, and that is why the Government has been unable to crack down on the bigger dacoits. Giving allowance for the fact that Opposition men enjoy dacoit links too, this allegation seems to be borne out by the evident failure of the Government in smashing the big gangs. And even V.P. Singh has admitted to dacoit-politician links (see interview page 25).

**No Tears:** "The sad thing is that the state's middle classes are no longer moved by anything," says Hiranmay Dhar of the Giri Institute of Development Studies in Lucknow. Says a senior government official: "What else can you expect when every good bureaucrat has been shunted off to Delhi?" And there are no tears being shed for the hundreds of men killed by the police. There is no acknowledgement of the fact that even dacoits are entitled to proper trials and constitutionally sanctioned punishment. Instead, blessed by the state Government, policemen have killed with abandon and legitimised state terror.

Once upon a time, Uttar Pradesh was described as India's heartland, and the state's Gangetic plain was looked upon as the crucible in which modern India would be shaped. Few of those admirers could have foreseen that Uttar Pradesh would one day be the crucifix on which every norm of civilisation was being nailed.

—CHAITANYA KALBAG

## Fake Encounters

# Five Brutal Tales

**T**HE Uttar Pradesh police killed 299 alleged dacoits and captured 1,228 between November 18 and December 28 last year after Chief Minister V.P. Singh vowed to rid his state of its dacoit menace within a month. The police, under pressure to raise the grisly body-count, ran amuck, and countless innocent people or small-time crooks were killed in cold blood. The Government admitted that some people could have been wrongly killed during the year, but said all deaths during the period of Singh's vow were of genuine dacoits. Correspondent CHAITANYA KALBAG investigated five typical cases in which alleged dacoits were found to have been killed by the police in fake encounters, and found that three of them occurred in December. His report:

Very close to Khanpur loom the Shergarh ravines, and a little way into them is situated the Mangla Kali temple. This temple has come to acquire a terrible symbolism for the people of the region, for it is a favourite 'encounter' spot of the police. On December 7 the ravines claimed the life of Sarnam Singh, 25, a Kori Harijan from Panhar village.

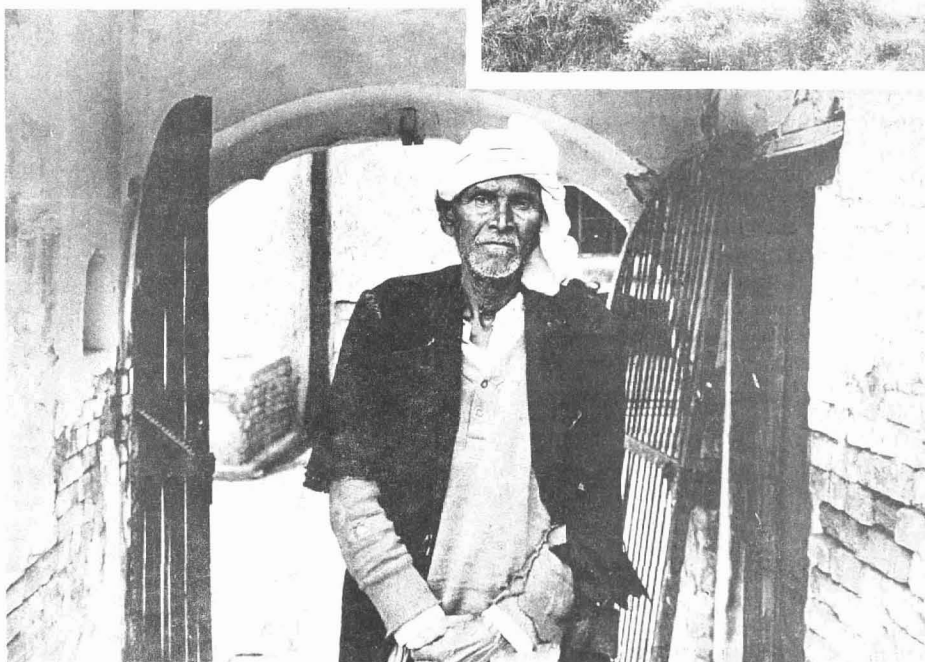
Sarnam's father Kashiram testified that his son had been picked up by the Auraiya police from the village square for questioning on the evening of December 7. Later, said other villagers, Sarnam had been made to drink a lot at the police station and then

taken to the Shergarh *behad* (ravines) and shot. His body was never found. The Auraiya police record showed Sarnam as a member of the Raghunath Mallah gang, and listed eight cases against him. Panhar's villagers had said that Sarnam, who worked as a labourer on a daily wage of Rs 5, did have a murder case against him, but that had an interesting story to it. Jagdish Pandit, ex-principal of the Juah Inter College, used to visit Panhar frequently. When his wife ran away with a Harijan, five years back, Pandit reportedly got her killed and then implicated Sarnam in the case. Pandit was a Yadav, a higher caste.

The Auraiya police also said that



Prashant Panhar



Kashiram and (top) the Mangla Kali temple near which Kashiram's son was killed



## Special Report

Inspector Balvir Singh Tyagi, along with seven sub-inspectors and nine constables, had come upon Sarnam and "some other dacoits" near the Mangla Kali temple after dusk on December 7. Significantly, the police said the dacoits were drinking and loudly discussing how they would kidnap a local contractor. The ensuing battle, said Balvir Singh Tyagi's encounter report, raged for five hours and ended at 1 a.m. The police had fired 123 rounds, a figure they had arrived at by counting the spent cartridges lying on the ground. How many rounds had the dacoits fired?

At this point, Balvir Singh's deputy, Ram Niwas Tyagi, said the dacoits were becoming very clever, and when escaping from an encounter, would take away all empty cartridges with them in order to prevent detection. "Criminals have become artistes," he said, "just as the police are artistes." Only one gun was recovered, said the police. There were no police casualties in this encounter too, although it seemed to have been ferocious. And as Ram Niwas spoke, he conjured up visions of bandoliered dacoits scooping up empty cartridges in the darkness and escaping with the 'evidence'. The police were indeed conjuring up 'artistic' explanations.

■ Munna, alias Muslim, son of Imami, resident of Khanpur village, just a few kilometres from Auraiya police station, was a construction worker. He had been employed as a daily-wage worker by two contractors, Kailash Chand and Anwar Ahmad, who were putting up an exhibition in Etawah town. And he had been away from home for six weeks. On the night of December 17 last year, while Muslim was returning from a film show with some friends, he was picked up by

a party of policemen that had come in from Auraiya: Inspector Balvir Singh Tyagi, six sub-inspectors, and 12 constables.

When he did not turn up the next morning, Kailash Chand lodged a FIR at the exhibition police outpost and sent telegrams to district authorities. But his efforts to trace him were futile. Muslim was shot dead by the Auraiya police near a brick kiln at Karampur, one kilometre from Auraiya. The police record of the 'encounter', which Balvir Singh Tyagi's deputy reluctantly read out, listed six cases against Muslim, named him as a member of the Mustaqueem gang, pointed out that he was in fact Mustaqueem's cousin, and said the action occurred between 10 p.m. and 1.30 a.m. Two 12-bore guns had been recovered from Muslim, said the police.

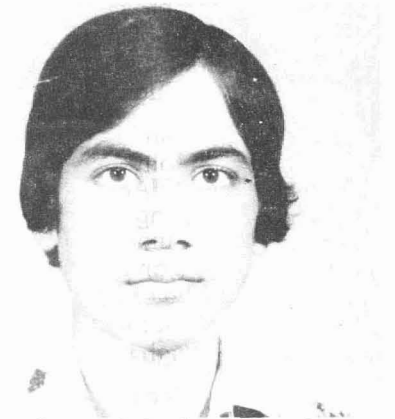
Muslim's family came to know about his end only when they read reports of the "dreaded dacoit's" death in a local newspaper. The family—wife Aneesa and Muslim's sister Noorjehan and five children—never saw Muslim's body. But some Khanpur boys were allowed by a doctor conducting the post-mortem to see the body. Three bullets had hit him at close range, in the palm, groin and right temple. The police suffered no casualties.

Muslim did have one old case pending against him, under the Arms Act, for possession of a pistol. If he really had been a member of the Mustaqueem gang, he would not have been working as a construction worker in Etawah. The police party that killed him got itself photographed with the body and made R.K. Studio in Auraiya hand over the negative of the picture. Every policeman in the station seemed to possess a copy of the photograph and one of them parted with a copy. Aneesa saw her

husband's body for the first time when the photograph was shown to her on January 5.

The sp. Etawah, had written to the sp. Jalaun, informing him of Muslim's death. But the sp. Jalaun, wrote back saying that Muslim was not a resident of his district. The Auraiya police obviously wanted to show that Muslim was indeed the person named in police lists of dacoit gangs, a person whose name appears right after Mustaqueem's. But that Muslim was listed as Mustaqueem's brother, and Mustaqueem was a Qureishi Mohammedan, whereas Khanpur's Muslim was a Kasai Mohammedan. Khanpur is a predominantly Muslim village, and none of its inhabitants said that Muslim had ever committed any crime. But as far as Inspector Tyagi was concerned, he had eliminated another dreaded dacoit.

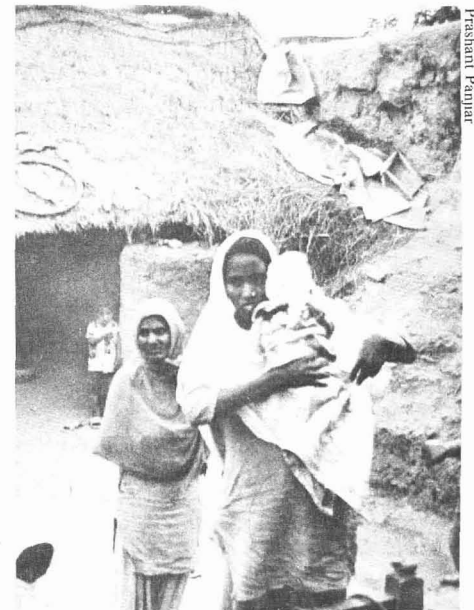
■ Even policemen's families are not exempt from Uttar Pradesh's trigger-happy police force. One such grieving member of the tribe is Ramashankar Pathak, a sub-



Ramakant: missing in police action



Police party poses with Muslim's corpse, shot by Balvir Singh Tyagi (circled), right, Muslim's wife and mother



Prashant Panjari

inspector posted in Motihari, Bihar. Pathak's wife Sushila and children Umakant, Ramakant, Sadhana and Kalpana lived in Mainpuri town's Soutiyana locality. At 5 p.m. on October 19 last year, Inspector Premendra Singh, officer-in-charge of the kotwali police station, along with Sub-inspectors Motilal Yadav, R.S. Swami, Virendra Singh Verma and Mahavir Singh and five constables came to Pathak's house and asked Ramakant Pathak to accompany him to the office of Sheel Bhadra Dwivedi, the town's Deputy Superintendent of Police (DSP). At 6.30 p.m., Ramakant's family tried to petition the District Magistrate Ajit Seth, and half an hour later when they reached the police station they found Ramakant sitting on a chair, surrounded by policemen. The family was assured that it was a routine interrogation.

At about 6.30 p.m. following evening Sushila was tipped off by somebody that Ramakant was going to be killed. She rushed to the police station with Patiram Sharma, an elderly neighbour, and found Ramakant being taken away in a jeep. DSP Dwivedi told her that the Superintendent of Police (SP) wanted to question Ramakant. Apprehending the worst, however, Sushila's elder son Umakant sent sos telegrams off to Lucknow. That night, too, Ramakant did not return.

Late on October 21, Sushila was told that Ramakant had been shot dead by the police near the Isan river bridge in the town, just off Devi Road near the exhibition grounds. Some passersby had witnessed the killing, which had occurred the previous night. There was no trace of Ramakant's body. Ramashankar Pathak could get leave and rush back only a week later. The following day, Umakant filed a First Information Report (FIR) charging the kotwali police station personnel with murder. Investigation was entrusted to DSP Shukra Pal Singh. No findings have emerged so far.

Ramakant Pathak was not a dacoit. He was not a fugitive, armed to his teeth, prowling the ravines and attacking villages. He was taken away from his home, in broad daylight, and he never returned alive. There had been only one case pending against him, under Section 307 of the Indian Penal Code (attempt to murder).

■ **Narendra Singh**, 22, had just stepped out of his house in Bakewar village to urinate on the night of December 17 when the police swooped down and carried him away to the Bharthana police station. Later that same night, the Bharthana police handed him over to the Ekdil police, and he was shot dead near the Dadora bridge near Ekdil in Etawah district. His body was never found. His family learnt from the newspapers that Narendra Singh had been a dacoit, and Inspector Hari Singh Yadav, officer-in-



**Narendra Singh (top) and Vimlesh Kumari with her child**

charge of the Ekdil station, had claimed credit for ridding the area of a menace.

Narendra Singh was a Thakur, and owned about 30 *bighas* of land. His wife Vimlesh Kumari, clutching her one-month-old son, broke into uncontrollable tears as she described her ordeal. Narendra Singh was not really a quiet farmer. He was a hot-headed young man, and eight months back he had had a case for rioting registered against him. But Narendra's fault seemed to be that he had been seen talking to the daughter of Munni Singh, a village tough, who along with Chhote Singh, Hom Singh and Vaikunth Singh had been making Bakewar's inhabitants' lives miserable. It so happened that Narendra was a Khushwaha Thakur, whereas Munni Singh was a Chauhan (and therefore a higher) Thakur. The insult Narendra had perpetrated on Munni's caste by accosting his daughter had to be avenged. And Vaikunth Singh, a Brahmin who is also an ex-wrestler and owns the Vaikunthnath Hotel in Bakewar, allegedly bribed the police to kill Narendra. And there was Narendra's name, in the

official encounters list given to INDIA TODAY by Uttar Pradesh's Inspector-General Naresh Kumar, in a column headed: 'Names of important dacoits killed'.

■ More poignant was a petition written in bad handwriting and signed with a smudgy thumb-print. It had been sent to the high and mighty of the land by Gaduri, a Harijan resident of village Sethakoli, police station Rauna Par, Azamgarh district. Gaduri and her three children were left destitute and grief-stricken, said the petition, because her husband Chandradev had been killed by the police.

Sunset seems to suit the police most when it comes to staging encounters, although they never stir out after dark to hunt for dacoits. Chandradev was working in the fields, where he was employed as a labourer, at sunset on August 2 last year when the officer-in-charge of the Rauna Par police station came with a party of constables and asked him to accompany them to the police station for questioning. The superintendent of police, Azamgarh, wanted to see him, they said.

There was no sign of Chandradev that night, however, and Gaduri spent most of the following day searching for her husband. She finally met a passerby who told her that he had heard about her husband being killed by the police early that morning. It transpired that Chandradev had been bound hand and foot and taken in a police jeep to the Karakhiya Inter College playground at dawn that morning where he had been riddled with bullets. There were eyewitnesses, but nobody was prepared to come



**Gaduri, her children and Chandradev's body**

forward and testify. Almost 100 residents of Sethakoli had added their signatures to Gaduri's petition. She did eventually get her husband's body—it had been left lying in the playground. And her husband had been relegated to a crime control statistic.