

Struggles in India

# Murder of NREG Activists in Jharkhand

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On 14 May, a young activist Lalit Mehta, who had been active in the right to food campaign and had the previous day initiated a social audit to expose corruption in implementation of National Rural Employment Guarantee (NREG) in Palamu District, was killed on 14 May while on his way from Daltonganj to Chatarpur. The social audit threatened to expose corruption in high places. His murder was met with outraged protests all over the country, and eventually, after much delay, the demand for a Central Bureau of Investigation (CBI) enquiry into the murder was accepted by the State Government.

Lalit Mehta's killing was no exception. On 7 June, Kameshwar Yadav, of Khatauri village of Deori Block (Giridih District Jharkhand); a Block Committee member of CPI (ML) in Giridih; also an activist on NREG-related issues, was shot dead as he was returning home from Kisgo on a motorcycle in the evening. He is survived by his wife Babita Devi, two sons and a daughter.

The suicide of adivasi Turia Munda, due to failure to get his due wages under NREG act, exposed the sorry state of implementation of NREG scheme in Jharkhand. The murders of Lalit and Kameshwar are part of a spate of such killings and harassment of activists exposing rural corruption. There have been several recent murders of rural activists in Giridih itself. Last month, Rajinder Das, a dalit activist of CPI (ML) at Rajdhanwar, Giridih, who had been at the forefront of the struggle against grabbing of land allocated to dalits by local land mafia, was killed. Two months back, another dalit CPI (ML) activist Munshi Tori had been killed. In these two cases, the perpetrators of the murder – leaders of the Jharkhand Vikas Morcha (Babulal Marandi's party) – have been named in the first information report (FIR), yet they are yet to be arrested. Deuri Block is the same area where CPI (ML) waged a powerful struggle against public distribution system (PDS) black-marketeering, and a key leader of this movement, Comrade Osman Ansari is in jail since May 2007.

The CPI (ML) conducted a campaign for justice for Kameshwar from 16-25 June culminating in a Giridih March on 25 June. In Delhi, party mass organisations participated in a protest at the Jharkhand Bhawan along with other groups. Following this, a delegation comprising Central Employment Guarantee Council member Annie Raja, Kiran Shaheen and CPI (ML) CCM Kavita Krishnan met with Rural Development Minister Raghuvansh Prasad Singh to apprise him of the situation in Jharkhand. The Minister claimed that Jharkhand was one of the few states where corruption was least because all wage payments were being done through bank or post office (PO) accounts. This rosy picture was challenged by the delegation, and a comptroller and auditor general (CAG) enquiry, especially for NREG in Jharkhand was demanded.

*\* From Liberation, July, 2008, and ML International Newsletter, July-August 2008.*

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## **Protest in Delhi Against NREG Activists' Murders**

In Delhi, party mass organisations participated in a protest at the Jharkhand Bhawan along with other groups. Among those who joined the protest were AISA National General Secretary Ravi Rai, JNUSU President Sandeep Singh and General Secretary Pallavi Deka, CPI(ML) CCM Kavita Krishnan, Annie Raja (NFIW), Kudeep Nayyar and others. Following this, a delegation including Central Employment Guarantee Council member Annie Raja and CPI(ML) CCM Kavita Krishnan met with Rural Development Minister Raghuvansh Prasad Singh to apprise him of the situation in Jharkhand. The Minister claimed that Jharkhand was one of the few states where corruption was least because all wage payments were being done through bank or P.O accounts. This rosy picture was challenged by the delegation, and a CAG enquiry specially for NREG in Jharkhand was demanded. Several activists and intellectuals submitted a letter to the Prime Minister, Rural Development Minister and Jharkhand Governor, excerpts of which are below:

"We the undersigned would like to bring to your notice the serious problems in the functioning of NREGA in Jharkhand. These also include the murders of prominent activists like Lalit Mehta and a general atmosphere of terror against those who expose corruption in NREGA...."The announcement of a request for a CBI enquiry into Lalit Mehta's murder by the Jharkhand government is a welcome development but insufficient. However the extent of terror and corruption in Palamu and adjoining districts is very high. A CBI enquiry into Lalit Mehta's murder is not sufficient. There should be a high level enquiry by the CAG's office into the corruption in the NREGA scheme in Palamu and elsewhere. A special CBI task force should also investigate the murders of other social activists in Jharkhand like Kameshwar Yadav (CPI(ML)) and Jawahar Singh (PUCL) and the general atmosphere of terror unleashed against activists and labourers who expose corruption and stand up for their rights.

Regarding NREGA and the safety of activists we have the following demands:

- 1] The safety of activists and others monitoring NREGA should be ensured, especially in districts like Palamu, Koderma and Singhbhum.
- 2] A political intervention be made to remove all hindrances to establish the panchayati raj institutions in Jharkhand at the earliest.
- 3] The Central Employment Guarantee Council should meet in Palamu and suggest measures to the Central Government regarding the eradication of corruption and the security of activists. It should also do an overview of the functioning of NREGA in Jharkhand and the weakness thereof. In particular it should ensure that social audits are conducted regularly and reports be made public.
- 4] Within 30 days necessary action be taken against NREGA irregularities, brought out during the investigations and on the registered complaints."

*The letter was signed by Aruna Roy, Arundhati Roy, Nikhil Dey, Swami Agnivesh, Subhashini Ali, Kuldeep Nayar, Annie Raja, Medha Patkar, Prof. Kamal Chenoy, Dunu Roy, Babu Mathew, Kavita Krishnan, and others.*

### **Report on Kameshwar's Involvement in NREGA**

The account below is an excerpt from a report of a visit by Jean Dreze (a member of the Central Employment Guarantee Council) and Reetika Khera to Kameshwar's village Khatauri and nearby villages on 16 June 2008. They met with members of Kameshwar's family; Kameshwar's comrades in CPI(ML); local residents of Khatauri, Kisgo and Kariliti; and Vinod Singh (CPI(ML) MLA from Bagodar).

"...Around 5 pm, Nageshwar Yadav s/o Baldev Yadav insisted on Kameshwar accompanying him to the market. Nageshwar returned soon after dark with his chacha (Ram Naresh Yadav), but Kameshwar was not with them... Kameshwar's body was found on the road from Kisgo to Khatauri, with bullet wounds, stab wounds and evidence of fighting. Nageshwar and Ram Naresh have been absconding ever since.

### **Kameshwar's work on NREGA**

Kameshwar was a member of the Block Committee of CPI-ML(Liberation). NREGA is one of the main issues that have been taken up by Liberation in the area during the last few years. Among other NREGA-related activities conducted in the area by Liberation are: awareness generation, work applications, demands for unemployment allowance, opposing the use of machine, opposing fake Muster Rolls, preventing the "hoarding" of Job Cards by contractors, etc. This work also involved applications for documents under the Right to Information Act. (Some documentation of these activities was provided to us by the Block Committee.)

According to Birju Sahu, Mahender Yadav, Vinay Santhalia and others, the following are some of the recent NREGA-related incidents in which Kameshwar had been involved:

(1) Talab work in Kariliti (Khatauri GP): The contractor was Mahadev Rai. He was using a JCB machine at the worksite, and collected people's Job Cards (presumably to prepare fake Muster Rolls), telling them that he would use the cards to get them remuneration for their bamboo work. Kameshwar and Birju challenged him and got the Job Cards returned to the cardholders. There was some hathapai (scuffle), and Rai told Kameshwar not to interfere or face the consequences. This happened about three months ago.

(2) Talab work in Kisgo (Jamkhokharo GP): The contractor was Kedar Modi. When labourers asked for an abhikarta to be selected, Modi started using machines to finish the work. Kameshwar opposed this. This happened about 6 months ago.

(3) Checkdam in Kisgo: The contractor there was also Kedar Modi. He shooed away local labourers to use machines and outside labourers. Kameshwar helped the labourers to oppose this. This happened last year. According to women in Kisgo, Modi actually turned away 20-25 women labourers who belonged to Liberation, saying that they wouldn't work properly, and employed other local labour as well as machines. The machines were used at night, for 4-5 nights. At one point, Kedar Modi and Kishor Gupta beat up these women, even using implements or stones. When this happened, the women were accompanied by Birju, Dhiraj, Bashir and Rupesh Singh, all Liberation workers. (Based on testimonies from Khemia, Punia, Kaushaliya, Dukha, Rita, Shanti, Chameli and Pramila in Kisgo.)

(4) Road construction at Kari village, Khatauri GP: The contractors are Mahadev Rai and Naika Manjhi. They also sidelined local labourers and started employing outside labourers and machines. They tried to collect people's Job Cards and prepare fake Muster Rolls. Kameshwar and his comrades intervened. This happened last year.

(5) Checkdam in Khatauri GP: The contractors were Ram Naresh Yadav and Baldev Yadav. They

started using JCB machines. Kameshwar opposed this. There was a dispute, and possibly a scuffle. This happened last year. Related activities

Kameshwar and his comrades were also involved in related issues, such as the Public Distribution System (PDS). He had caught Ram Naresh Yadav and Baldev Yadav, the local PDS dealers, selling iodised salt (and possibly also kerosene) in the black market, and alerted the media. This happened about three months ago.

### **Assessment**

Even from this brief visit, it was clear that a sinister nexus of corruption and violence had grown around NREGA in the area, much as we had also found in Palamau and Koderma. If the local reports of widespread use of labour-displacing machines at NREGA worksites are correct (we were unable to verify them, for lack of time), this would be one of the worst violations of the Act we have come across so far. It is also clear that Kameshwar Yadav and his comrades have courageously opposed these and other violations of people's rights under the Act, and that they often antagonised this criminal lobby in the process. Even if the murder is also related to an earlier dispute with Ram Naresh Yadav and Baldev Yadav, Kameshwar's work on NREGA certainly appears to have escalated this dispute and played a major part in its tragic outcome. Given these indications of a close connection between Kameshwar's murder and his courageous work on NREGA, there is every reason to treat this incident with the same seriousness as Lalit Mehta's murder in Palamau."

*\* From ML Update, a CPI(ML) Weekly News Magazine Vol. 11 No. 26 24-30 JUNE 2008.*

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## **Letter to PM from Activists and Intellectuals**

***Activists and intellectuals submitted a letter to the Prime Minister, Rural Development Minister and Jharkhand Governor, excerpts of which are below:***

We the undersigned would like to bring to your notice the serious problems in the functioning of NREG act in Jharkhand. These also include the murders of prominent activists like Lalit Mehta and a general atmosphere of terror against those who expose corruption in NREGA.

The announcement of a request for a CBI enquiry into Lalit Mehta's murder by the Jharkhand government is a welcome development but insufficient. However the extent of terror and corruption in Palamu and adjoining districts is very high. A CBI enquiry into Lalit Mehta's murder is not sufficient. There should be a high level enquiry by the CAG's office into the corruption in the NREGA scheme in Palamu and elsewhere. A special CBI task force should also investigate the murders of other social activists in Jharkhand like Kameshwar Yadav [CPI (ML)] and Jawahar Singh (People's Union of Civil Liberties) and the general atmosphere of terror unleashed against activists and labourers who expose corruption and stand up for their rights.

Regarding NREG Act (NREGA) and the safety of activists we have the following demands:

1] The safety of activists and others monitoring NREGA should be ensured, especially in districts like Palamu, Koderma and Singhbhum.

2] A political intervention be made to remove all hindrances to establish the panchayati raj institutions in Jharkhand at the earliest.

3] The Central Employment Guarantee Council should meet in Palamu and suggest measures to the Central Government regarding the eradication of corruption and the security of activists. It should also do an overview of the functioning of NREGA in Jharkhand and the weakness thereof. In particular it should ensure that social audits are conducted regularly and reports be made public.

4] Within 30 days necessary action be taken against NREGA irregularities, brought out during the investigations and on the registered complaints.

***Signed by***

Aruna Roy, Arundhati Roy, Nikhil Dey, Swami Agnivesh, Subhashini Ali, Kuldip Nayar, Annie Raja, Medha Patkar, Prof. Kamal Chenoy, Dunu Roy, Babu Mathew, Kavita Krishnan, and others.