

Situation of forced migrants from Chhattisgarh into Andhra Pradesh

(visit to Khammam district on 18th and 19th June, 2010)

SUMMARY OF FINDINGS

1. The large exodus of people fleeing Chhattisgarh has been especially from Konta and Sukma blocks of Dantewada district and Bhopalpatnam block of Bijapur district of the state. The forced migrants have built settlements in Bhadrachalam, Cherla, Burgampadu, Chintoor, Kothagudem, Paloncha, Venkatapuram and Wajedu Mandals (blocks) of Khammam district and Eturnagram Mandal of Warangal district.
2. It is to be noted here that neighboring border districts in AP, Orissa, Maharashtra and Chhattisgarh have been contiguous for trade and movement of labour for Koya tribes. The Murias and Dorlas of Chhattisgarh have been seasonal agricultural migrants to neighboring districts of Khammam and Warangal districts in Andhra Pradesh and Malkangiri district of Orissa. This is the regular pattern of seasonal migrants crossing AP and Orissa during agricultural season returning to their homes in Chhattisgarh once harvest is done. With contiguous thick forests in these regions, there has been migration between Andhra traders and Chhattisgarh gatherers and vice-a-versa, which again is customary.

But migration post 2005, i.e since inception of Salwa Judum, a different pattern emerged, where families refused to return back to their homes in Chhattisgarh refusing to be pawns in the hands of the CG government via SJ activists or be associated with the Maoists. They neither wanted to live in the camps, as insisted by the CG government, nor could they live in their villages as they desired, for fear of being caught in the cross-fire of Salwa Judum and Maoists. At that point of time, organizations working in those areas quoted that nearly 50,000 persons have stayed back in AP. However, an official survey conducted by an NGO and the Integrated Tribal Development Agency (ITDA) recorded that 16,000 persons have migrated into AP from Chhattisgarh (see report IDP Joint Survey Report, October 2009). Based on which job cards were issued to the families and bridge schools opened after much lobbying by the civil society groups in AP and subsequently recommendations from NCPCR (National Commission for the Protection of Child Rights) in 2007 (see report : Visit to Dantewada (Chhattisgarh) & Khammam(Andhra Pradesh) to Investigate Status of Health and Education of Children affected by Civil Unrest, 17th to 19th December 2007). Currently four bridge schools are running in Khammam districts and more than 400 children of internally displaced persons (IDP) are studying in these schools. Very recently, about 111 children have been admitted into the regular Ashram schools run by ITDA.

Before the forest department, tribal department, the educational department of the AP government and the civil society groups could grapple with this new situation, announcement of Operation Green Hunt by the governments resulted in another set of exodus from CG (see newspaper clips). The post Salwa Judum migrants continue to cope with their share of horrifying miseries ¹– forest department officials of AP

¹ Having faced repeated acts of violence, harassment, arson and pillage the only option for these people was to run away from their villages and seek refuge in another state. This movement often involved walking for three days through the jungle, to avoid detection by the Naxalites and Salwa Judum. The accounts described how often the old and infirm had to be left behind because they could not undertake this journey, and there are many such separated families where some family members are hiding in the

consistently and repeatedly burnt down whatever semblance of house they would put up exposing them to excessive heat during summers, rain and wildlife dangers such as snake bites, Salwa Judum activists would come chasing the migrants threatening them to return to the camps, between the borders malnourishment amidst children flourished leaving children with pot bellies and dry scraggy hair, listlessly sitting in corners waiting to be dragged by their guardians from one place to another.

Current situation of new migrants post operation greenhunt: For those migrated post Operation Greenhunt, miseries were greater. No official survey exists to record the exact number of families fleeing once again from CG. An NGO survey in Khammam district alone records **352 families** as the new set of immigrants post October 2009. This figure once again may not be exact as the movement of people between the borders is becoming more and more invisible, risky and fraught with danger. Movement of people into Warangal district is reported, but no figures are currently available, nor is their situation known.

During our visit on 18th and 19th June alongwith members of Human Rights Forum, we managed to visit seven villages in five Mandals – Wajedu, Bhadrachalam, Venkitapuram, Paloncha, Cherla and Bogumpad. – of Khammam district. A detailed account of the visit is enclosed (see *Village visit diary*). Summary of the overall finding is recorded below:

1. In the prevailing threat atmosphere the new migrants, who usually do not speak Telugu, are **extremely reluctant to enter into any conversation**. Most queries related to their move into the village are met with nods and shakes fearing what to reveal and what not.
2. New settlements of the migrants (i.e post 2009) have merged with the old settlements – no new settlements have been allowed. The moment the forest department gets to know of any forest clearance for new settlement, they **pull down the houses and chase the families out**. It was shared that in the recent police atrocities, torching down houses are fewer – they are mostly pulled down and destroyed, unlike what the post 2005 migrants faced of repeated torching of their homes. (civil societies then had raised a hue and cry over forest personnel torching house and property of an already impoverished and petrified community.
3. It is mostly the youth that cross over the border, the old stay back. **Migrating couples do not at any cost leave the adolescents back** as the adolescents and the young adults face extreme pressure of arrest and detention.
4. Almost all the villages we visited acknowledged possession of **job cards**. But job cards do not result in jobs and even where jobs were made available, MREGS workers were awaiting their payments for the last two months.
5. Some of the recent trends in the new migration patterns revealed a lot of **young being taken away to other states and cities of south India** by contractors to work as unskilled labour in small factories. This has also put the Salwa Judum activists on vigil as they hang around bus stations in Bhadrachalam to whisk them away to camps.
6. An observation by one of the workers of an NGO was that **in comparison to Dorlas, Murias migrate more**. Migrating Dorlas also merge with the local Dorlas easily as they have relatives this end, Murias faced the maximum difficulty.
7. Migrating populace from CG are **paid close to 50% less agricultural labour than the locals**. Given their dire situation, they accept it.

forests of Chhattisgarh. Leaving behind their land and livestock they have arrived in Andhra Pradesh in a state of penury and distress. (*NCPCR Report – Visit to Dantewada and Khammam, 17th – 18th December 2008*).

8. Migrating families from the camps have shared with volunteers that it was impossible to stay in the camps as the **conditions in the camps are atrocious**. Regular food is a distant dream, sanitation conditions are unspeakable. No member in the camp is allowed to visit nature's call once it is dark, forcing them to defecate in their residential area. Thus leaving an unbearable stench and an inhuman living condition; they prefer risking trekking down three days in the forest to cross over and live in the forests. One of the volunteers with the NGO mentioned that many families of Salwa Judum members have also run away from camps as their ration has been withdrawn by the government.
9. With the ongoing method of criminalizing the migrants, there is news of **eruption of social conflict** in these areas between the Koyas (of Andhra) and Gutti Koyas (or Murias of Chhattisgarh). The tribal families of Andhra that has always been welcoming the tribal labour from Chhattisgarh and also shared family ties across the borders seem to be edging on intolerance.
10. It was narrated by an NGO that a meeting called forth by Principal Chief Conservator in May 2010, it was shared that the Forest Department has a five pronged strategy – no forest clearance, move them to roadside, give them job cards, give them MREGS work, if they can't send them back to Chhattisgarh.
11. The Murias being largely forest dependent communities whose way of life is living in the forest find it extremely difficult to live in towns and villages and therefore return to the forest to eke out a living. Their return to the forest is misconstrued by the forest department as providing support to the Maoists and therefore resort to razing down their shacks and chasing them out of the forest.
12. **Terrorised and criminalized** : Village after village we visited, we were confronted with fearful faces on our identity. Once they established trust with the HRF members who regularly kept in touch with them through their local members, a few ventured to talk.....
 - a. The police and administration have been categorical in sending across the message that **new migrants if identified will be forcibly sent back to CG** (see news report of Saakshi). This has sent a fear among both the new and old migrants in disclosing their identity.
 - b. Salwa Judum members have been holding meetings in village bazaars **threatening local residents from offering any kind of support** of shelter and protection to the new migrants (see paper clipping)
 - c. In the last one-and-half years several '**bind-over**'² **cases slapped** on the new migrants, old migrants and local Koya inhabitants. Almost all the villages we visited had at least one member in the family with 'bind over' charges. There is at the moment no record on the number of 'bind over' cases in the district, but Human Rights Forum estimates it should run into hundreds. We gathered that only men are issued these charges. Despite the fact that such bind over charges are executed by the order of the Mandal Revenue Officer (MRO) who is required to first investigate the evidences against the person and once convinced can have the person 'bound over' ,but the current usual practice is getting the person into the thana and have his thumb impression forcibly taken on a statements that ranges from having offered protection or food to the Maoists or actively supporting the Maoists. Bound over people are then expected to report in the thana once a week narrating their whereabouts or having seen anyone suspicious etc. They are also made to go around early in the mornings in an auto to gather any posters or parchas left by the Maoists and report anything suspicious.
 - d. Families that have migrated to AP are taken to the local thana where the **photographs of men, women and children are taken to keep a record**. These methods are used to "restrict influx".

² Binding over is a precautionary measure, adopted when there is reasonable ground to anticipate some present or future danger. It is not a conviction or a punishment. It is not considered to be an alternative measure in those cases where the prosecution has insufficient evidence to substantiate a charge. Magistrates can bind over any person to be of good behaviour or to keep the peace, This may happen where the case involves violence or the threat of it. Sometimes the prosecution will drop such a charge if the defendant agrees to be bound over in this way. No conviction is recorded if the matter is dealt with like this because such an order is regarded as a civil matter

Random checks are later made in the house if new migrants have arrived. In one village, we were informed how a couple that reached a week back were left at the border by the police.

- e. In some of the villages we met members of CPIML (New Democracy) and members of CPM who have supported the villagers by filing for job cards, filing applications under Forest Rights Act, and actively intervening in cases of illegal detention. Such **support from political parties** have been observed to be of great relief to the migrant population in this alien, threatening world that has converted them into fugitives on the run.

Conclusion:

1. We concluded the visit with a joint press-conference along with HRF where the message was to **stop criminalizing the tribal communities**.
2. A formal meeting between PUCL, CG and HRF was held where it was shared that coordinated efforts between the two needs to be established.
 - a. The two day visit, it was felt by both the groups was inadequate, but did give a cursory glance on the situation of forced migrants from Chhattisgarh.
 - b. HRF did consider taking on the issue of bind over cases on a large scale after much thought is given into the issue.
 - c. It was firstly important to gather information on bind over cases, thus an RTI application will be filed for this purpose by some of the Solidarity Group members.
 - d. A more active role of PUCL CG into the Solidary Group was discussed so as to keep in the loop of the events in AP with regards to tribals from CG.
3. Our meeting with an NGO Agriculture and Social Development Society (ASDS) revealed to us the difficulties faced by NGOs in undertaking work with the Internally Displaced People (IDPs) from Chhattisgarh. They were under constant surveillance. Volunteers and staff working with the organization face the pressure of being forced as police informers, which we felt was a dangerous trap.
4. ASDS has been successful in bringing the plight of the IDPs to various departments of the government and are currently running two bridge schools for the IDP children. They conducted a joint survey along with the Integrated Tribal Development Agency (ITDA) of the IDPs in AP in October 2009. They have reached out to 143 remote settlements in the forests with food for the families, supporting them in illegal detention, preparing for public hearings called forth by NCPCR and NHRC, getting job cards made for them.