

SNO 347

Orissa Police
District Headquarters, Nayag

No. 809 /DHRPC.
To

Dt. 22.06.2006

694/E-Atrocity
30/6/2006

Sri Tripurari Rai,
Assistant Director,
National Commission for Scheduled Tribes,
Govt. of India, New Delhi.

Ref:

Your office letter No. Orissa/ST-4/2006-Atrocity. Dt. 09.06.2006 in connection with petition of Sri Gopinath Majhi, Convenor, National Campaign for survival and dignity, Orissa chapter regarding arrest of Adivasis at Champagarh, P.S.-Ranpur, Dist:- Nayagarh.

Sub:

Action taken Report.

Sir,

In connection with petition cited under reference above, the petitioner has claimed that cases have been filed against the Adivasis population of village Champagarh, P.S.-Ranpur, both for allegedly stealing cashew nuts as well as for being involved in the killing of one Sabarna caste person of village Champagarh. (1) It is alleged that while 51 tribals have been arrested on the charge of stealing cashew nuts, out of these 51, 10 have been arrested for murder. (2) It is also alleged that no action has been taken by the local police in the FIR filed by one Shri Charan Naik s/o. Nabina Naik, an Adivasi of village Champagarh.

(1) In the said context, herein it to say that Ranpur P.S. Case No. 81dt. 10.04.2006 u/s.379/294/34 IPC was registered by OIC Ranpur P.S. on the complaint of one Sri Sankar Dash s/o. Udayanath Dash of village Champagarh, who in his written report alleged that Sri Charan Naik s/o. Nabina Naik along with others of village Champagarh had forcibly entered in the cashew nut plantation which, the complainant has taken on lease from the District Revenue Authorities and removed cashew nuts from the standing cashew trees worth Rs.20, 000/- to Rs.30, 000/- approximately. The complainant also alleged that when he objected to the same he was abused in obscene language by the gathered Adivasis who also threatened him with dire consequences if attempted to prevent them from taking away the cashew nuts.

The said case, after due supervision, has been found to be a true case u/s.147/148/294/379/506/117/149 IPC against 56 individuals of whom, 51 Adibasi persons (including 33 males and 18 females) of village Champagarh P.S. Ranpur

have been arrested and forwarded to judicial custody. During course of investigation 26 and 73 kilograms of cashew fruit has been seized from the possession of one Sri Biswanath Naik and Sri Charan Naik respectively by the I.O. of the case and left in the zima of the complainant. All the 51 persons arrested and forwarded to judicial custody have, in the mean time, obtained bail from the court of ADJ, Nayagarh on the condition that they shall not enter those cashew plantations which have been leased out by the district revenue administration in village Champagarh and that all the arrested male persons shall appear once a week each Sunday before OIC, Ranpur P.S.

The claim of the petitioner about 10 of these 51 tribals having been arrested on charges of murder is absolutely false and baseless.

In respect of the above, he is referring to Ranpur P.S. Case No. 84/06 dtd. 17.04.2006 u/s. 147/148/323/324/325/307/302/149 IPC/9 (1)(b) I.E. Act which has been registered on the complaint of one Sri Kuber Parida s/o. Late Lochan Parida of Sabarna Sahi, village:- Champagarh, P.S.- Ranpur, dist:- Nayagarh. The complt. of this case has alleged that on 16.04.2006 evening at about 5 P.M. Sri Gokula Parida along with Sri Sankar Dash and 50 others were proceeding to take possession of the plantation, when a bomb exploded on NH-5 in on the way in between Royal Dhaba and village Champagarh as a result of which, Sri Gokula Parida, Sri Halu Parida and Sri Rasananda Parida sustained severe injuries on their persons. It is alleged that while undergoing treatment of Tangi hospital Sri Gokula Parida succumbed to his injuries while Sri Halu Parida and Sri Rasananda Parida were shifted to S.C.B. Medical College & Hospital, Cuttack for treatment.

During investigation and supervision it is found that deceased Gokul Parida was bearing the bomb which exploded in his right palm while he along with fellow villagers of Sabarnsahi, village Chamapagarh were proceeding towards the Adivasi hutments and the leased out cashew plantation of village Champagarh. But OIC, Ranpur and staff stopped them near Royal Dhaba on the road N.H.-5 this preventing a clash between the Sabarna & Adivasi population of village Champagarh blocked the road by burning tyres from 6 P.M. to 11 P.M. After due supervision, this case has been found to be a true case u/s. 286/304-A IPC/9(b) I.E. Act against accused Gokul Parida (deceased). The allegation made by complt. against the FIR named accused persons (Adivasis people) appear to be false as there is no evidence u/s. 147/148/323/324/325/307/302/149 IPC/9(1)(b) I.E. Act against them. Herein it is to mentioned that in the said case no Adivasis have been arrested by the local police.

(2) On 22.04.2006 OIC, Ranpur P.S. received a complaint petition of one Sri Charan Naik of village Champagarh, P.S.- Ranpur (T) JMFC, Ranpur in which the complainant alleged that 200 people of Sabarna sahi of village Champagarh, P.S.- Ranpur armed with lethal weapons attacked him on 16.04.2006 P.M. when he was returning back to his native village of Champagarh from village

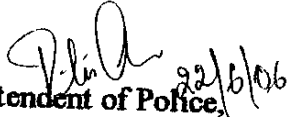
Nuasahi. The complainant further alleged that amongst the accused persons one Sri Halu Parida took out a bomb from his bag and exploded the same, which created the impression that, the same had been thrown by the Adivasis population of village Champagarh. Ranpur P.S. Case No.89 DT. 22.04.06 u/s. 147/ 148/ 294/ 341/ 323/ 324/ 506/ 149 IPC/ 25/ 27 Arms Act./9(b) I.E.Act/3 (i) (x) (xi) SC/ST (PA) Act has been registered against 26 FIR. Named persons & others of Sabarna Sahi, village Champagarh P.S. Ranpur in the context. Shri M.Behera, OPS, DSP, IIdqrs, Nayagarh is the I.O. of the case. After due supervision, the said case has been found to be a true case u/s.147/148/283/149/9 (i) (b) I.E.Act. In the said case 5 accused persons namely (1) Rasananda Parida S/o Surendra Parida, (2) Kubera Parida S/o Late Lochan Parida, (3) Ananda Ch. Das S/o Late Rama Ch. Das, (4) Halu Parida S/o Late Narottam Parida and (5) Rushikanta Bhol S/o Bansi Bhol all of village Champagarh, P.S.Ranpur, District Nayagarh have been arrested on 14.05.2006 and forwarded to the judicial custody on the sameday.

The allegation that no action has been taken by the local police against Sabarna Sahi members of village Champagarh, P.S.- Ranpur P.S. is thus false and baseless.

Certain other allegations have been made by the petitioner, which relate to the status of land in village Champagarh, denial of encroachment by the Adivais families of the said village, faulty auction process undertaken by Tahasildar, Ranpur etc, which relate to the district revenue authority. Copy of this petition has accordingly been forwarded by the undersigned to Collector & D.M., Nayagarh vide this office letter No. 615 /Con. Dt.23.05.2006 to examine these issues and take action as deemed fit at his end in view of the implications of the same on the law & order situation in the area as well as the possibility of it becoming a fertile ground for the Left wing ultras to expand their base by enlisting of the support of the Adivasis in the near future.

This is for favour of your information.

Yours faithfully,


22/6/06
Superintendent of Police,
Nayagarh.