

HEIGHTENED TENSIONS IN POSCO PROJECT AREA



**FACT FINDING REPORT ON THE SITUATION
IN THE WAKE OF BOMB BLAST IN
JAGATSINGHPUR DISTRICT, ODISHA**

April, 2013

EXECUTIVE SUMMARY

On March 9, 2013, a 12 member team consisting of human rights activists, journalists, academicians, democratic rights and civil liberty activists, conducted a fact finding visit to Patana and Gobindapur villages of Dhinkia Panchayat in Jagatsinghpur District of Odisha. On March 2, 2013, a bomb blast took place in the Patana village and three people were killed on the spot. One seriously injured person was admitted in a hospital at Cuttack. The police only arrived after 15 hours to Patana village and took the first assessment of the incident. However, the district administration within a couple of hours of the blast issued the statement that the deceased were involved in the illegal act of bomb making. The villagers and families of the deceased are claiming that the administration wanted to hasten the process of land grab for the POSCO (Pohang Steel Company of Korea) steel plant project and they fear for their lives for opposing the project.

The fact finding team comprised of Prof Meher Engineer (Former Director, Bose Institute, Kolkata), Mr Sumit Chakravartty (Editor, Mainstream, Delhi), Dr Manoranjan Mohanty (Retd Professor, Delhi University), Ms Pramodini Pradhan (PUCL Odisha), Mr Saroj Mohanty (PUCL, Odisha), Ms Ranjana Padhi (PUDR, Delhi), Dr Kamal Chaubey (PUDR, Delhi), Mr Sanjeev Kumar (Delhi Forum, Delhi), Mr Mathew Jacob (HRLN, Delhi), Ms Samantha (Sanhati), Dr Partho Roy (Sanhati) and Dr Gyan Ranjan Swain (Ravenshaw University)

The objective of the visit was to assess the situation in the wake of escalated violence caused by the land acquisition process which had resumed in the area on February 4, 2013. During the visit, the team had a detailed discussion with the leader of POSCO Pratirodh Sangram Samiti (PPSS) Abhay Sahu and other members of the PPSS, the personnel of the Odisha State Armed Police and the State Police stationed at Gobindapur, leader of the pro-POSCO group at Gobindapur, Ranjan Bardhan, dalit landless labourers of Gobindapur, a group of people in Nuagaon led by Mr Tamil Pradhan (husband of the local sarpanch) and the local youth. The following day, on the March 10, 2013, the team also visited Laxman Pramanik, who was severely injured in the bomb blast and was admitted to the SCB Medical College Hospital in Cuttack. The team duly informed the District Collector and Superintendent of Police about its visit and sought appointments but they were not available for meeting the team stating that they would be out of the area at that time.

The following report has been jointly prepared by the members of the fact finding team.

BRIEF HISTORY OF THE PROJECT AND PEOPLE'S STRUGGLES

The Government of Odisha and POSCO from the Republic of Korea signed a Memorandum of Understanding (MOU) on June 22, 2005 for setting up an Integrated Steel Plant of a total capacity of 12 million tons per annum in Odisha, in Jagatsinghpur district involving an investment of Rs 52,000 crores or US\$ 12 billion., supposedly the highest ever foreign direct investment in India. The integrated steel plant is to include a captive power plant and a captive port to be located on the northwestern mouth of the Jatadhari river creek, 12 km south of the Paradeep Port. The project stipulates acquisition of a total of 4004 acres of land covering eight villages of three Gram Panchayats of Kujang Tahsil, i.e.

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

Dhinkia, Gadakujanga and Nuagaon. The Dhinkia Gram Panchayat consists of three villages, namely, Dhinkia, Gobindapur, and Patana that would be directly affected by the proposed steel plant.

The land acquisition process was initiated to acquire land from the villagers and transfer it to POSCO. The villagers are opposed to it and have been continuously resisting it since 2005. A broad-based movement has developed in the process under the leadership of the PPSS. In response to the local resistance, the state government has used several tactics to curb the movement and carry forward land acquisition. One of the tactics used was to file numerous false cases against a large number of persons resisting the project. The villagers and members of the PPSS constantly face threat of arrest and prosecution. There have been several incidents of violence including bomb blasts in the past. But the latest bomb explosion that caused three deaths and seriously injuring one has resulted in heightened tensions in the area.

Land acquisition had been suspended for some time because several critical issues questioning the rationale behind the project and its environmental and other legal aspects had raised by the resistance movement leading to investigations by statutory committees and judicial organs. Land acquisition was resumed by the

District administration in Gobindapur village on February 3, 2013 and several betel vines were destroyed. This was done despite the fact that there was a stay on the environmental clearance and the Green Tribunal was still seized of the matter. The State Government's decision on the mining of Khandadhar iron ore mines had been declared illegal by the Odisha High Court and the appeal of the Government is still pending with the Supreme Court. The Collector and SP of Jagatsinghpur were personally supervising the operation and asserting before TV cameras daily that they were only acting on the request of the willing betel-vine-owners and were paying compensation on the spot. This evident haste was surprising in view of the fact that the Union Government was engaged in finalising the Land Acquisition Bill to be introduced in Parliament at the earliest. The hurry to acquire land before the new Act - which would require the consent of 80% of affected population - came into force was indeed a matter of concern.

There were clear indications of the combined pressure of the Prime Minister's Office and the POSCO being brought to bear on the Odisha Government (which itself was extremely keen to go ahead with the project) to accelerate the process. The recent India-Korea meeting, the Indian Commerce Minister's assurance to the Korean Trade Minister about the early implementation of the project, the Indian PM's impending meeting with the new Korean President and the announcement by the South Korean Ambassador in Bhubaneswar in early March in the presence of the Odisha Chief Minister that he looked forward to the laying of the foundation stone by the new South Korean President Ms Park Geun Hye together with Mr Naveen Patnaik showed how the pressures were being built up to forcibly occupy land and go ahead with the project.

The location of the Odisha Armed Police camp in Gobindapur village since February 3, 2013 had totally changed the environment and disturbed the peace of the area. The police march past and constant search and comb operations to arrest the PPSS activists had terrorised the people. Many adult members of the village had left the village and are hiding in Dhinkia and elsewhere. There were increasing reports of goonda elements being deployed by the administration and the company to force villagers to hand over land, stop outside visitors to the area, harass them and commit illegal acts with impunity.

A peaceful movement that had relied on mass protest, litigation, publicity and demonstration for over

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSingHPUR DISTRICT, ODISHA

seven years and had earned support and appreciation from democratic forces from all parts of the country and abroad was now being subjected to violent attacks and terrorisation. The bomb incident of June 20, 2008 killed Tapan Mandal of the PPSS. On December 14, 2011 a pro-POSCO person Duryodhan Swain was killed also in a bomb incident. Now three PPSS activists have been killed (and they tragically included Tapan's brother, Tarun Mandal; the other two being Narahari Sahu and Manas Jena). And this is in addition to several other incidents of violence.

BOMB BLAST INCIDENT AND ROLE OF THE ADMINISTRATION

Discussions with members of the PPSS and families of the deceased revealed the following: Four people, namely, Tarun Mandal (30), Narahari Sahu (52), Manas Jena (32) and Laxman Pramanik (46), were sitting at their usual meeting place after leaving a nearby betel vine in Patana village in the evening. Suddenly a powerful blast occurred killing three people and leaving Laxman Pramanik severely injured. Another person, Ramesh Raut, had left the spot just a minute before to buy a *paan*.



The national television carried the news the same night that three activists of the PPSS were killed in bomb explosions in Patana village of Dhinkia Panchayat on March 2, 2013 and one was critically injured. The PPSS described it as a brutal attack by the company and its supporters to demoralize the movement resisting the forcible land acquisition. On the other hand, in the same telecast, the SP of Jagatsinghpur, Mr Satyabrata Bhoi, announced that it was an accidental explosion which took place as those people were engaged in making bombs. What was significant was that the SP had announced

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

this even before any police personnel had reached the spot. The police actually reached the site only the following day even though they had been informed by the PPSS soon after the incident.

We noticed that neither was an enquiry ordered by the government after this serious incident nor was there any effort on the part of the administration to reach out to the family members of the deceased and injured and offer any compensation or legal aid. This was despite the fact that several political party representatives and civil society workers had attended the funeral of the three deceased on March 5, 2013. It is noteworthy that more betel vines were demolished and land occupation was resumed in the adjoining Gobindapur village the very next day after the bombing incident. The police, which was stationed within a kilometer distance from the spot of the incident, arrived only the next day, and that too after the demolition of the betel vines had started. It took more than 15 hours for the local police to respond to a situation which involved deaths and severe injuries caused by a bomb blast. This was a clear case of dereliction of duty.

Laxman Pramanik, who was injured and admitted to the Cuttack hospital, told the team members that one or more bombs were thrown at them. He strongly refuted the accusation by the police that they were making bombs, adding “What will I gain by lying when I am on the verge of death?” It was reported to be a powerful blast as its impact was felt and heard by most of the villagers as they recalled in their discussions with the team.



The PPSS informed the police immediately after the incident but the police neither reached the area nor sent any help for taking Laxman Pramanik immediately to the hospital. Families of the two deceased stated that the police arrived on the midnight of the 3rd of March, and asked them to sign a written statement stating that the victims died in the process of making bomb which they refused to do. When Kusumbati Sahu, sister-in-law of the deceased Narahari Sahu, went to register an FIR

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

at the Abhaychandrapur police station on the evening of March 3, the police refused to accept the FIR, scolded her saying that she had been sent by Abhay Sahu. She had to leave without registering the FIR. However, it should be noted that the only FIR on this incident that was accepted by the Abhaychandrapur police station was on the 4th of March 2013. It was filed by Mr Ranjan Bardhan against the three deceased, the injured Laxman Pramanik, Abhay Sahu, Surendra Das and five others of the PPSS. Mr Ranjan Bardhan is a noted leader of the pro-POSCO group and has the reputation of being a company sponsored strongman.

In the current phase of conflict in the Dhinkia panchayat area, it is quite evident that the role of the police has not been impartial. Since the early morning of February 3, 2013 when 12 platoons of police force descended upon Gobindapur village to acquire betel vines, people opposing the POSCO project have been subjected to police atrocities and threats from groups supporting the POSCO project. The district administration has been carrying out land acquisition with the support of these 12 platoons of police. There have been several instances of lathicharge by the police on the anti-POSCO protesters, particularly on women. Moreover, the role of one Odisha Industrial Infrastructure Development Corporation (IDCO) official, Sri Sangram Mohapatra, who was caught on camera chasing and beating anti-POSCO protesters in the presence of police and the District Collector, speaks volumes about the role of the police.



The role of police and the district administration in the entire incident comes under suspicion not only because of their failure to perform their duties but also because of being biased in their approach. While they forced the family members of the deceased to sign the false written statements and did not register the FIR, they readily accepted the FIR submitted by Ranjan Bardhan who is not a party in this case. He is a local activist supporting the company and operates with the backing of the police.

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

This can be established by the fact that when the team went to meet the police in the police camp at Gobindapur village, where the armed forces are camping, it was found that the camp is located right next to the Maa Mangala Youth Club of which Ranjan Bardhan is the head. When the team members wanted to know from the camp-in-charge, Mr. Dilip Das, about the situation in the area and previous week's police actions, Mr Das wanted the team to talk to Mr Ranjan Bardhan saying he was the right person to speak to. It seemed as if Mr Ranjan Bardhan is the spokesperson for the police and the administration. Mr Das immediately sent people to fetch Mr Ranjan Bardhan so that he could explain the situation to the team.

Mr Ranjan Bardhan, while speaking to the team, mentioned that there was a divide among the villagers with regard to POSCO. When asked about the resolution passed by the gram sabha of the village panchayat which opposed land acquisition, he stated that it was mostly attended by the villagers from Dhinkia. The entire proceedings were video recorded in the presence of the government officials. He asked for a fresh meeting of the Gram Sabha to take up another resolution on the same issue. He said he wanted peace in the area and hence supported POSCO. In the entire discussion, it was clear that he was anti-PPSS and using his pro-POSCO stand in his own interest. He however admitted that five years down the line, no amount of compensation could be adequate for the loss of land and livelihood generated from the betel-vines.

Many villagers expressed their concerns about the presence of the police camp in Gobindapur village. People opposed to the POSCO project complained that police was constantly threatening them and emboldened by police presence in the village some pro-POSCO leaders are also frequently harassing them. People from the dalit hamlet told the team that the flag-march of armed police inside the village had created such a fear among the people that even though they were not willing to hand over their betel vines, now they felt that they would eventually be left with no choice.

The lathicharge by the police on the protestors, mostly women, on March 7, 2013 demanding withdrawal of the police camp from Gobindapur, left as many as 41 villagers, including 35 women and children, injured. Since the setting up of the armed police camp in Gobindapur, a number of anti-POSCO activists from this village are spending the nights in Dhinkia village, fearing arrests. Due to sustained resistance by the Dhinkia villagers, police is not able to enter the village.

THE DECEASED AND THEIR STORIES

The fact finding team visited the families of the deceased. In the bomb blast three people had lost their lives. All of them were anti-POSCO villagers. It was important to meet the families and get their testimonies to help understand the nature of the blast, the role of the police and the subsequent events.

What came out evidently while talking to all the three families was that the deceased had gone to their usual meeting place around 4 PM and it was then and there that the blast suddenly took place. The police came only after 15 hours. To strengthen their version of what had happened, they came with draft of letters to be signed by the family members stating that the deceased were making bombs and died due to unexpected blasts in that process. However, the family members flatly refused to sign those letters. No compensation has been provided to the families except that some political parties donated token amounts for the funeral. It is striking that not only the police and administration but even the

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

State Human Rights Commission has been silent in the matter. Below are the testimonies provided by the family members of the deceased.

NARAHARI SAHU

Narahari Sahu was a school teacher and the main bread winner of the family. He was an activist of the PPSS in Gobindapur village.

According to Jharana (daughter of Narahari Sahu), while Narahari was returning from the betel vine after work, a man named Poba stopped him on the way and handed over a bag to him. Narahari took the bag and went to the backyard of Suresh Das's house which was his usual meeting place with his friends. Ramesh Raut from Gobindapur was also there along with Manas and Tarun. Ramesh had gone to buy paan at the time of the blast. Poba was previously working with the anti-POSCO movement but there were rumours lately to the effect that he had switched sides. Jharana also said that she feared that besides Poba there could be more conspirators behind this blast.

She said that the incident happened around 5-6 pm and the police came to the spot only at 10:30 AM the following day. She also said: "In the middle of the night, two policemen came to our home and asked us to sign some papers, which contained a statement that the men died while making bomb. We refused to sign the statement. Yet the false news travelled very fast that the men were making bomb. The dead body was brought back to us only on the March 4, 2013, when the police authorised one of our uncles to go and receive it."

Kusumbati Sahu, sister-in-law of Narahari Sahu mentioned that she went to Abhaychandpur Police Station to file the FIR, but was rebuked by the police there. She was told by them: "Your people were making bombs, it's your fault." She was further told by the police that Abhay Sahu had sent them. The daughter of Laxshman Pramanik, who was injured, also accompanied her. However the police refused to accept the FIR.

Narahari's neighbours told the team that the impact of the bomb blast was so immense that it couldn't have been an ordinary country made bomb that went off.

MANAS JENA

Father-in-law of Manas Jena said that Manas was at home until 4 PM doing various household chores, like boiling paddy for rice processing. At that time he got a call on his phone and left for somewhere. About an hour later they felt a big vibration caused by the blast. Later they came to know that Manas was also one of the deceased.

The police came in the middle of the night a day after and insisted that the family members sign a statement. He told the police that he didn't want to sign anything in the middle of the night. The next morning the police came again, and when read it he realized that the statement written on the paper said that his son and others got killed because they were making bombs. They refused to sign the letter.

TARUN MANDAL

Tarun's father lamented that this was his second son whom he had lost to violent attacks on the anti-

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

POSCO movement. Tapan Mondal was killed earlier in June 2008. He stated that the family after the loss of two children generally stays away from the village. They had come only to talk to the fact finding team when informed by other people. It is difficult for them to talk to anyone or raise the matter with any concerned official as no one will listen and they fear more harassment. He stated that even though sixty years have passed since independence, the Indian state was behaving like the colonial British Government. Just as Subhash Chandra Bose and Khudiram Bose fought against the British colonial rule, his sons too fought against the corporate and militarised Indian state and were martyred while doing so.

STATUS OF WOMEN

It is well known by now how women are most active in the many protests in the region. Women's participation in the vigils at the entry point and directly facing the wrath of police repression took another turn this year when the land acquisition process was resumed. Abhay Sahu shared with the team how they had got to hear that the land acquisition process would resume again and that this time the pro-POSCO people from the transit camp would also enter the area with police. In response, the PPSS planned a demonstration to be held on March 7 & 8, 2013 in the context of the International Women's Day. The demonstration took place and the police repression was brutal.



Over 35 women and three minor children were among those injured in the lathicharge on March 7, 2013. The fact finding team met a young dalit woman from the fishing community who said how she was beaten up in the two recent incidents of police repression on the early morning of February 2, 2013 when the administration came to start the land acquisition process and recently again on March 7, 2013. She asked the team, "How much more beating can we take, you tell us? We are landless. But

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

we depend on our work here for our livelihood. Each time we protest against POSCO, the government only uses the lathi. My mind is not working anymore ... what can I say? I can only show the marks on my body since we heard you all have come to meet us.” Her hands and shoulders were still red and swollen from the beating. This had happened on March 7, 2013 when a large demonstration took place in which a few women staged a seminude protest.



Just two days' prior to the visit of the team, the PPSS had issued a warning to the administration that the women would protest naked. This was reported in the local press too and read, "If the police forces are not withdrawn they will protest naked in front of the police". The desperate plea went unheeded. As usual women were at the forefront of the demonstration demanding the withdrawal of the police from the area. The police were not withdrawn; instead, there was a lathicharge on the participants of the demonstration. The fact finding team got to know later in Bhubaneswar that the call for a nude protest was withdrawn by the organisation the previous day as many supporters too prevailed upon the PPSS to call it off. Despite that, three women flung off their clothes in protest. There was a bit of controversy here as the team spoke to different people. It is necessary to reflect on how the leadership of a movement can give such a call based on women's active participation with the objective of garnering media publicity to take the cause forward. At the same time, it is also too clear that the desperate call for the nude protest was aimed at putting the state and the administration on the defensive. Of course, women's autonomy in taking such decisions can be an issue by itself. This could have been explored if the team members had more time to interact with the community.

But what came as a shock to the team was booking of these three women under the Indecent

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

Representation (Prohibition) of Women Act. There was an FIR filed against Abhay Sahu too by a pro-POSCO villager under the same Act. The women of Jagatsinghpur are thus being criminalised on the basis of the very same Act that is aimed at preventing the sexist depiction of woman as a commodity by exercising coercion and other means.

In critiquing the action of the Odisha government in booking charges against the women, WSS sent an Open Letter to the Odisha CM: “The women reached this decision because you as the Chief Minister have abandoned them for POSCO, the multinational company and as its lackey have been violating all rights of the residents with impunity. Anti-POSCO people have reached the decision after getting many of their near and dear ones killed by the hired goons of the company. They have reached the decision for the state government repeatedly sending in an armed-to-teeth police force for cracking down on the peaceful protesters and forcibly acquiring the lands even when the environmental clearance that is mandatory for such projects stand cancelled by the statutory authorities and the MoU with POSCO is defunct. You have destroyed their betel leave vines. You threaten to arrest them if they step out of the village and for years they have lived without even the minimal health services.”

On one hand, women’s participation in the struggle does not get its due recognition through inclusion in the decision -making processes. On the other, women’s struggle against POSCO faces several obstacles as women’s access to health services and wage work is severely jeopardised. Their lack of mobility to step out of the villages affects their mobility in all matters big and small, joyous and critical. Stepping outside the village area means getting arrested for them. For example, in mid-October 2011, a 45 year old woman was arrested near Kujang when she was going for some treatment for asthma and persistent coughing. There were pending charges of arson and theft. She was detained for 7 days in Kujang jail and came out on bail. She was overpowered by four police personnel. It was not easy for her to break from their grip. But she resisted to the end and got beaten severely. A simple visit to a doctor in medical emergency can mean an arrest because the police have foisted false cases randomly on the people of the villages opposing POSCO. Prolonged illnesses, neglected gynecological disorders and denial of health care are the reality of those opposed to land acquisition by the Odisha government for POSCO.

STATUS OF DALITS

The dalits in the proposed project area who were not active until recently in the anti-POSCO movement have now come out in the open to register their specific problems arising out of forcible land acquisition. The situation of dalit landless labourers is very grave. Over 150 families depend on betel vines located on approximately 1 acre of land. They were quite clear that the plant was most undesirable since it would destroy the betel vines, the only source of heir livelihood.

Team members met the dalits of Gobindapur village and heard their grievances. Most of them were either landless or had only small pieces of betel-vines. Their vines numbering about one hundred were so small that together constituted less than one acre. Their main source of income was from wage work in the other people’s betel vines. Now that the vines were being destroyed they faced total loss of livelihood. Their daily wage ranged from Rs. 300 to Rs. 350 which they would be deprived of in the absence of the vines. Moreover they would not be eligible for any compensation because most of them do not own the vines. The provision that the compensation for the owners would include a

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

proportion for the wage labourer has not been implemented even in a single case. Furthermore they pointed out that in the rehabilitation package there was no mention of any employment guarantee for the affected dalits.

The dalits of Gobindapur also informed the team about how they too were being harassed by the police since they were agitating against the POSCO project.



OBSERVATIONS OF TEAM

The already existing tensions in the villages have been greatly escalated after March 2nd bomb blast. The villagers are unable to move freely and are in constant fear of harassment and arrest by the police. Since February 4, 2013 when the land acquisition process was resumed accompanied by a severe police lathicharge on the villagers, incidents of violence have become more frequent. In Gobindapur village, 12 platoons of police have been deployed, and their presence has greatly contributed to the escalation tension in the area. At least 105 betel vines have been destroyed in Gobindapur village in the course of land acquisition. We were also told that nearly half of these were fake betel vines, put up the previous night, only to be destroyed the following day in front of the media to establish the point that the vine owners were voluntarily handing over the vines and taking compensation. This process was being accompanied by coercive measures. As mentioned earlier, there was a *lathicharge* on March 7, 2013 on the villagers demanding the removal of the police camp, in which 41 villagers including 35 women and children were injured.

This situation has gravely affected the lives and livelihoods of the villagers. Two persons shared how

HEIGHTENED TENSIONS IN POSCO PROJECT AREA

FACT FINDING REPORT ON THE SITUATION IN THE WAKE OF BOMB BLAST IN JAGATSINGHPUR DISTRICT, ODISHA

they had got no compensation after sale of land. Most others said how there are no provisions for compensations for the landless in the acquisition process. In fact, Laxman Pramanik, who has been gravely injured in the bomb blast is also a landless labourer, the sole breadwinner of a family of eight persons. In short, the livelihood activities and mobility of the entire community are endangered. Any access to health care or medical treatment, however critical, is difficult to obtain as most of the community is under the threat of arrest or intimidation.

Power vested in the government and its officials has been used to ruin the citizens of the area. The activism displayed by the state officials and agencies in aggressively going ahead with the project is dangerous for the democratic setup of the country. It should be noted that the POSCO project is yet to get the environmental clearance and the Gram Sabha consent required by law. However, for the Governments both at the Centre and in the State the commitment to the foreign investors has become more important than the interests of the citizens of our own country. The money power of the foreign agencies has been used as a bait to trap some of the Indians including a few villagers. It is this money which is playing havoc with the lives of the people of the villages who are peacefully fighting for their legitimate constitutional rights. The villagers don't want any money but wish to keep the land they own. Due to money power their very existence is at stake today leading to a climate of heightened tensions.

DEMANDS FROM THE GOVERNMENT

In view of our discussions with all the affected persons, and the clear attempt of the police to blame the deceased and injured persons in a premeditated manner, the fact finding team demands:

1. Immediate withdrawal of the police camp from Gobindapur village as it is contributing to escalating tensions in the area.
2. High level judicial enquiry into the bomb blast incident resulting in the death of three persons in order to ascertain the truth.
3. Cessation of the land acquisition process forthwith in the Dthinkia panchayat area including Gobindapur village.
4. Compensation on humanitarian grounds to the families of the deceased who were killed in the bomb blast and proper medical help for the injured person.
5. Withdrawal of all false falsely filed against the villagers opposing the project



THE FACT FINDING TEAM MEMBERS

- Prof Meher Engineer (Former Director, Bose Institute, Kolkata)
- Mr Sumit Chakravartty (Editor, Mainstream, Delhi)
- Dr Manoranjan Mohanty (Retd Professor, Delhi University)
- Ms Pramodini Pradhan (PUCL Odisha)
- Mr Saroj Mohanty (PUCL, Odisha)
- Ms Ranjana Padhi (PUDR, Delhi)
- Dr Kamal Chaubey (PUDR, Delhi)
- Mr Sanjeev Kumar (Delhi Forum, Delhi)
- Mr Mathew Jacob (HRLN, Delhi)
- Ms Samantha (Sanhati), Dr Partho Roy (Sanhati)
- Dr Gyan Ranjan Swain (Ravenshaw University)

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Contact for more copies

F-10/12 (Basement), Malviya Nagar, New Delhi - 110017
For more informatio contact +91-11-26680883/26680914
delhiforum@delhiforum.net, campaigns@delhiforum.net