Stalled Salwa Judum Judgement

What is the issue?

- The Salwa Judum judgement was delivered 10 years ago in 2011.
- But nothing has been done so far to implement it.

What is the Salwa Judum judgement?

- Salwa Judum is a vigilante movement started in 2005.
- It was sponsored by the Chhattisgarh and Central government, to fight against the Maoists.
- On July 5, 2011, Justices B. Sudershan Reddy and S.S. Nijjar, in a historic judgment, banned Salwa Judum.
- The surrendered Maoists and untrained villagers were used in frontline counter-insurgency operations as Special Police Officers (SPOs).
- The Court ruled this practice as unconstitutional.
- It directed that the existing SPOs be redeployed in traffic management or other such safe duties.
- Other matters were left pending.
- These included prosecution of security forces and others involved in human rights violations, and rehabilitation of villagers who had suffered violence.
- The State had been asked to submit comprehensive plans for these.

How was the State's response?

- Ten years on, nothing has been done to implement the judgment.
- Instead, the State government has merely renamed the SPOs.
- They are now known working as the District Reserve Guard (DRG).
- Most of the DRG members are captured or surrendered Maoists.
- They are given automatic weaponry as soon as they join the police force.
- Some of them get one-three months of training, and some not even that.
- They commit the most excesses against their former fellow villagers.
- They suffer the most casualties in any operation.
- But, they are paid much less than the regular constabulary.
- These were all the reasons the judges had outlawed their use, but all of them continues.
- A contempt petition filed in 2012 in this regard is still awaiting hearing.

What are the excesses committed over the years?

- At its peak between 2005 and 2007, the Judum involved forcing villagers into government-controlled camps.
- Those who refused were punished by having their villages burnt.
- Hundreds of people were killed, and their deaths were not even recorded as ‘encounters’.
- Villagers fled to neighbouring States or into the forests around their villages.
- Sangham members were either jailed or compelled to join the security forces as SPOs.
- [Sangham members are the active but unarmed Maoist sympathisers.]
- Thousands of innocent villagers were arrested en masse by the police as suspected Maoists.
- They spend long years in jail before being acquitted.
- For such villagers, meeting their families is difficult and hiring lawyers drains their meagre resources.
- Even as a few dedicated human rights lawyers have tried to help, the scale of arrests is massive.
- Deaths in encounters between jawans and Maoists periodically hit the national headlines.
- But extrajudicial killings of villagers and Maoists and killings of suspected informers by Maoists continue at a steady pace without much notice.

What is the present condition?

- Today, the Judum camps are virtually empty.
- Only the former SPOs and their families are remaining, in now permanent houses.
- Villagers split between those who went to the camp and those who went to the forest are now reconciled.
- People have come back and started cultivation.
- An entire generation has grown up and have embarked on new struggles.
- Across the region, villagers are demanding schools and health centres.
- Instead, what they have got in abundance are CRPF camps at intervals of less than 5 km.
- Roads are being bulldozed through what were once dense forests.
- The government and security forces have been indicted in some cases by independent inquiries.
- But no steps have been taken to prosecute those responsible.
- Moving forward, both sides should get serious about peace talks.

Source: The Hindu

