

Find us a house, we are also victims of war: Hounded Bastar lawyers

Paramita Ghosh, Hindustan Times, New Delhi | Updated: Mar 12, 2016 18:58 IST

Chhattisgarh was nobody's business till 2011 when Soni Sori, a young adivasi schoolteacher, had stones inserted in her vagina and rectum by cops during custodial interrogation on the charge of being a Maoist. News of fake encounters and dissenters being trapped in endless trials for 6-7 years had just also started trickling in, so the human rights fraternity decided to send a group to Bastar to study the situation.

In 2013, Shalini Gera, 46, and Isha Khandelwal, 26, fresh law graduates from Delhi (Gera, a ph.D in neuroscience, came to law late) started the Jagdalpur Legal Aid Group (JagLAG) in a sparsely furnished two-room to, at first, take up the task of documentation and file RTIs. They also began to assist local lawyers to bring their cases to a conclusion. JagLAG became a mobile hub for public-spirited legal interns from all over the country wanting to understand the law's working in mofussil towns. Sori's case, which they represented, gave the team credibility. Sori was arrested on October 5, 2011, in Delhi in the Essar case, where it was alleged that she and her nephew Linga Ram Kodopi were acting as go-betweens and helping Essar company pay off the Maoists. Currently, Linga and Soni are out on bail in this case.

“After she was arrested for the Essar case, it came to light that she was also shown as a “fugitive” in 6 other cases of Dantewada district. This, despite the fact that all the time she was working in a government position as a hostel warden for a government-run school for tribal children. Currently, she has been acquitted in all these 6 cases,” says Gera.

The case of Soni Sori

When Soni was first arrested in Delhi, Gera was working with Human Rights Law Network and helped out in that case (the Essar case), and also in drafting the petition outlining her torture in the Supreme Court as an intern. “After JagLAG came into existence (and we all got our lawyer credentials), we are the lawyers for Soni and Linga in the Essar case in the district courts, and also helped the SC lawyers in their bail application,” she adds. Gera and Khandelwal – advocate Devesh Agnihotri, 31, joined the group in 2016 – dug in their heels for the long haul. Undertrials released with their efforts brought them more referrals. By mid-2015, they had begun representing people directly in various courts of the Bastar Division.



In 2011, Soni Sori, an adivasi teacher was produced at Saket Court, New Delhi, on the charge of being a Maoist. In February, 2016, an acid-like substance was thrown at her. The JagLAG team represents her. (Vipin Kumar/HT Photo)

Peoples' lawyers

What was their criteria for taking up cases free of cost? "Economic standing," says Gera. That is, only the poor came to them. Or, the politically hounded -- as was the case with journalists Somaru Nag and Santosh Yadav arrested in September 2015. Nag, a freelancer, reported on human rights abuse by state cops. Yadav has been charged with banditry and criminal conspiracy under the penal code as well as the Arms Act. Gera and Khandelwal have been paying the price for representing Chhattisgarh's 'unruly bunch' -- sarpanches who refuse to be police spies, villagers who are neither with the Maoists or the security apparatus, journalists who report what they see.

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"Once we started documenting certain cases of police atrocities against adivasis, including extra-judicial killings, and illegal detentions, situations common in Bastar as they are in conflict zones throughout the world, we came under the police radar," says Khandelwal. "Instead of cooperating and working with us to improve police procedures or appreciate that all we were trying to do is uphold the rule of law, the attempt began to deflect attention from their atrocities by calling us "Naxalite sympathisers," adds Gera. Taking up cases pro bono seemed to confirm that suspicion.

In August 2015, Gera, on her way back to Jagdalpur after attending a case hearing in the Sukma court, was flagged down from the bus by cops who claimed that they had received some information about "a suspicious person with a bob cut" travelling in the bus. "This is the same police-station against which at that point we had lodged several complaints for abuse of power -- i.e. illegal detention, beating of women in villages," says Gera. Last month, the group were forced out of Jagdalpur under pressure from the Samajik Ekta Manch, a vigilante group that maintains close links with the police, and the local Bar association calling the trio "outsiders" and hence unsuitable for legal practice.

The threat of "untoward incidents" and that the group was their "next target" have also been aired at press-cons organised by the Manch. The group has compiled a dossier on the nature of persecution by the local police, local Bar Association and the Samajik Ekta Manch.

Fighting back

According to a dossier prepared by the group listing their harassment by the local police, the IG of Bastar Range, SRP Kalluri told reporters that an "army of lawyers from outside" were coming to Bastar, to represent Naxalites in their trials. Specifically with regard to JagLAG, he said that the local lawyers were angry with the group and that the lawyers of the group were in danger of a physical attack. The team has decided to turn the tables on the administration for their eviction whose covert support for their eviction, they say, led to the escalation of tension around them and their support base. They are now stationed in Bhilaspur.

"They relocate victims of conflict, don't they?" asks Gera with a laugh. "Our transfer to the State Bar Council of Chhattisgarh will be complete soon. It is our constitutional right to practise our profession. Find us a house in Jagdalpur. We are also victims of war."

<http://www.hindustantimes.com/india/find-us-a-house-we-are-also-victims-of-war-say-hounded-bastar-lawyers/story-VW8TEaSS1AyBXiGto2WvuO.html>