

# Disturbing questions on demolitions law

**W**ith the notification of the Delhi Laws (Special Provisions) Bill, 2006, an immediate stop has been put to the vigorous and unprecedented court-ordered demolition and sealing drive in the Capital. Over the last six months, the Municipal Corporation of Delhi – which was acting on the orders of the Delhi High Court and the Supreme Court – had conducted a massive operation that involved demolishing unauthorised constructions and sealing shops functioning in strictly residential areas. The Bill, which was passed unanimously by Parliament, raises many disturbing questions. Why should those who violate the law be granted such a reprieve? What signal does it send out about the Government's commitment to stand up to the powerful commercial interests that routinely flout building norms? What purpose is served by maintaining the status quo for a year? There are no easy or convincing answers to these questions and it is no surprise that the legislation has been greeted with widespread public cynicism. Over the years, those responsible for planning in the country's urban areas have systematically allowed rules to be bent, turning a blind eye to building violations and encroachments of publicly owned land. The courts, which goaded the MCD into proceeding against over 18,000 buildings in the Capital that were listed for various irregularities, were keen on taking action – particularly against corrupt officials, deceitful builders, and influential people ("the big fish) who have "permitted or have indulged in unauthorised constructions."

But there was another dimension to the exercise. The demolition and sealing drive may have targeted the powerful but it also rendered many poor people homeless and out of work. In many cases, these people had been living or working out of the demolished or sealed buildings for decades – paying property taxes and that for water and sewerage. The Government's defence of the new law is hinged on the fact that illegal and unauthorised constructions have been around for decades and the problem is much too vast, complex, and sensitive to be dealt solely by demolition and sealing orders. It is said the one-year moratorium will be used to take stock of the situation, enumerate "pardonable" violations, and decide on the implementation of the Tejinder Khanna Committee report – which was set up to suggest a broad-based strategy to deal with the unauthorised construction issue. If the moratorium is used to chalk out a plan that is rational, comprehensive, humanitarian, and in consonance with the spirit of Delhi's master plan, then the Act would have served an extremely useful purpose. If it becomes a mere excuse to let the real estate dealers, the construction lobby, and the rich traders off the hook, then the worst fears about the extraordinary piece of legislation – passed in great haste and specifically to circumvent the court-ordered drive against illegal constructions – would have come true.

24 MAY 2006

# 'Anti-Naxal force spreading anarchy in Chhattisgarh'

## Outfit violating human rights, say intellectuals

HT Correspondent  
New Delhi, May 29

A TEAM of eminent citizens, who visited the Dantewada district of Chhattisgarh this month, has recommended that the Salva Judum (SJ) movement against the Naxalites be immediately withdrawn as it was fuelling anarchy in the region.

The team, comprising professors, journalists, sociologists and historians, said the conflict between the Naxals and the state government had intensified with introduction of the SJ in June last year. "The civil administration has collapsed and it seems that law and order has been outsourced to SJ members, who have been hired as special police officers (SPO) and armed by the government", historian and team member Ramachandra Guha said at a press conference on Monday.

The team, which included EAS Sarma, a former senior bureaucrat at the Centre, was attacked at least thrice by "SJ goondas". Guha claimed that cameras and discs were snatched from the team at knife-point while police and paramilitary personnel were watching.

Sociology professor at Delhi University, Nandini Sundar, said more than 46,000 tribals had to vacate their villages and forced to stay in government-run relief



A file photograph of an armed exercise by Maoists in a Chhattisgarh forest.

camps. "The SJ could have been a spontaneous movement initially, but now it has been taken over by the government forces and is being led by Congress MLA Mahendar Karma", Sundar said.

"Karma is not interested in the development of the tribals. The government would have to withdraw the movement, disband the armed SPOs and initiate confidence-building measures. An unconditional ceasefire with the Naxals could then be declared followed by a national dialogue and

collective initiative by all affected states", Sarma said.

Guha said the situation was unique as chief minister Raman Singh and Leader of Opposition Karma were collaborating on the issue. The state is complying with Karma in giving out only one side of the story — killings carried out by Maoists. The killings carried out by SJ were being quietly ignored, Guha said. Other members of the team were senior journalists, Harivansh and B.G. Verghese and social activist Farah Naqvi.

30 MAY 2006

THE HINDUSTAN TIMES

22 MAY 2006

MASSACRE TOLL TOUCHES 21 IN 15 DAYS

# Eight Dalits killed on Bihar rural poll eve

Indian News Service

Patna, May 21: Tension at Manipur village under Kasar police station of the Sheikhpura district, where eight persons were gunned down in fresh bout of caste violence late last night while the villagers were preparing for the third round of polling for the panchayat election now underway. This is the third massacre

in the past 15 days which claimed as many as 21 lives in Bihar and put a big interrogation mark over the NDA government's much-publicised claim to establish a "rule of law" in the state infamous for "lawlessness". All the victims in the caste violence belong to the backward caste.

Police said the villagers, most of them poor farmers, were sleeping when a

gang of criminals, reportedly hailing from the Ashok Mahato gang, swooped down at the village and resorted to indiscriminate firing, killing seven of them on the spot. Another victim died on way to hospital. According to police the incident appears to have been carried out in retaliation to the killing of four of Mahato's alleged supporters by his rival gang at the

same village on 5 May. Police believe the hands of either the Akhilesh Singh or Sonia Mukhia gang in the massacre causing panic in Sheikhpura and adjoining districts such as Nalanda and Nawada.

On 18 May, the criminals hailing from the Akhilesh Singh gang had shot dead nine villagers at Gowachak village under Sarmera police station of

Nalanda district, home district of chief minister Mr Nitish Kumar, hours after one of the gang member was allegedly killed by the Ashok Mahato gang. Soon after the massacre, the CM had rushed to the village and assured the masses to stern deal action against the criminal gangs. The ongoing rivalry between the gangs has claimed over 100 lives in the cen-

tral Bihar districts during the past few years.

"It's a transition period which we will overcome very soon," said a senior JD-U leader. The frequent targeting of the backward caste members who voted en bloc for the NDA, has put the the government in a difficult situation. They admit in private that it was not a healthy sign for the NDA that promised to establish "rule of law"

within 90 days of coming to power.

Incidentally, all the victims killed in some six massacres that rocked the state during the last six months under the NDA regime come either from the backward caste, Dalits or the minority community. Police have failed to deliver the results despite full freedom given to them by the Nitish Kumar government.

88 Bihar 5-5

THE STATESMAN

THE STATESMAN

# One-year moratorium on Delhi demolitions; Bill passed

Delhi Laws (Special Provisions) Bill introduced and passed in Lok Sabha in just an hour

Special Correspondent

**NEW DELHI:** The Lok Sabha on Friday unanimously passed the Delhi Laws (Special Provisions) Bill, 2006, which seeks to put a yearlong moratorium on the ongoing demolitions and sealing of illegal buildings in the capital. In a rare departure from procedure, which Speaker Somnath Chatterjee said should not be treated as a precedent, the Bill was introduced, considered and passed in just over an hour in view of the urgency of the matter. Lakhs of residents faced displacement following Supreme Court orders.

## Special provisions

Introducing the Bill, Urban Development Minister S. Jaipal Reddy said the Government needed at least a year to finalise the norms, policy guidelines and feasible strategies to deal with the problems of unauthorised development vis-à-vis mixed land use, construction beyond sanctioned plans, and encroachment by slum dwellers, hawkers



*Union Urban Development Minister S. Jaipal Reddy arrives at Parliament House on Friday to present the Bill.*

and street vendors. Hence the Government decided to make special provisions to maintain status quo as on January 1, 2006, for a year from the date of notification of the Bill to protect un-

- Government needs at least one year to finalise policy guidelines

- It will not stand judicial scrutiny: Vijay Kumar Malhotra

- Government seeks time to finalise norms, policy guidelines

authorised development from punitive action.

Later, responding to the short discussion, Mr. Reddy said the Government would earnestly work towards providing at least a lakh dwelling units over the next couple of years to ensure *in situ* location for at least some of the slum dwellers.

## “Criminal negligence”

Initiating the discussion, Vijay Kumar Malhotra (Bharatiya Janata Party) said the Bill was a case of “too little, too late.” Accusing the Government of criminal negligence, he said the Bill

would not stand judicial scrutiny. Instead, it should bring in an amnesty plan, on the lines of the Voluntary Disclosure of Income Scheme, to regularise illegal structures.

Sajjan Kumar (Congress) said the BJP had no right to accuse the Congress-led Government of delaying action as it had dragged its feet on the matter when it was in power. He, however, did concede that successive governments failed to meet the growing demand for space, resulting in the prevailing situation.

Others who spoke included Hannan Mollah (Communist Party of India-Marxist), Devenendra Prasad Yadav (Rashtriya Janata Dal), B.K. Tripathi (Biju Janata Dal) and Prabhunath Singh (Janata Dal-United). While making out a case for protecting the interests of slum-dwellers, they said the current stalemate was the result of lopsided development, which forced villagers to migrate to cities in search of greener pastures.

13 MAY 2006

THE HINDU

# More Delhi shops sealed amid traders' protests

Municipal squads stoned; buses damaged; protestors lathi-charged by police

Staff Reporter

**NEW DELHI:** Traders in the Capital's Rohini zone hurled stones at municipal squads and security personnel and damaged some city buses on Tuesday when the civic body's teams tried to seal illegal shops on the sixth day of the ongoing sealing exercise in Delhi's residential areas. Elsewhere in the city the drive was peaceful with the municipal squads sealing a total of 726 commercial establishments running illegally from residential premises.

As the sealing teams of the Municipal Corporation of Delhi accompanied by a large number of security personnel and paramilitary reinforcements descended on Rohini to begin the sealing exercise, traders led by the local Bharatiya Janata Party councillor Vijender Gupta tried to offer resistance. As soon as the sealing action began, the traders went about hurling

stones at the squad and damaged the windowpanes of at least four city buses and two MCD vans. They even tried to set vehicles on fire.

As all attempts to pacify the protestors proved futile, the security personnel chased the traders and resorted to lathi-charge to bring the situation under control. The police detained over two-dozen protestors, including Mr. Gupta. Later Mr. Gupta and some others were sent to judicial custody.

In the meantime, the MCD squads abandoned the sealing drive and moved to other places. However, when the situation improved, the MCD officials returned and began sealing the illegal shops.

Similarly, some traders protested on Jail Road in West Delhi and at Mukherjee Nagar shouting slogans against the Delhi Government and the MCD for having failed to safeguard their interests and rendering

them and their workers jobless. While Councillor Onkar Singh Thapar was arrested and sent to judicial custody for opposing the sealing exercise on Jail Road, the Leader of the Opposition in the Delhi Assembly, Jagdish Mukhi, and the Leader of the Opposition in the MCD, Subhash Arya, also courted arrest in protest against the drive.

During the daylong exercise, sealing was carried out in 11 civic zones. A total of 177 illegal shops were sealed in Rohini on Awantika Road (between Polestar School and Rajiv Gandhi Cancer Hospital in Sector-5), while 145 establishments were sealed on Arya Samaj Road and Patel Road in Karol Bagh Zone and 105 establishments at Kingsway Camp and G.T. Road in Civil Lines Zone.

Other places where the sealing exercise took place included Sadar Thana Road, Idgah Road, Lala Lajpat Rai Marg, Defence Colony, Rohtak Road, Peeragar-

hi to Tikri, Desh Bandhu Gupta Road, Wazirabad Road, Road No. 57 from Jagatpuri to Gagan Vihar, Hansraj Gupta Marg, Aurobindo Marg and Raja Garden (Ring Road).

Meanwhile, a huge rush of traders was seen at the Deputy Commissioners' offices in the 11 zones to deposit affidavits to avoid sealing. A day after the Supreme Court extended the date for filing affidavits to April 7, more than 4,000 traders submitted their pledges to shut their illegal shops by June 30.

However, traders at some places like Defence Colony and Greater Kailash alleged that the MCD officials sealed their establishments despite their having submitted affidavits. Traders also alleged shortage and black-marketing of stamp papers in different parts of the Capital, causing them a great deal of inconvenience as they were not able to file affidavits.

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THE HINDU

29 MAR 2006

THE HINDU

# Kalam's mission map for Bihar

## Emphasis on agriculture and agro food-processing sector

9.48 AM 29/3

K. Balchand

**PATNA:** President A.P.J. Abdul Kalam on Tuesday outlined 10 missions to make Bihar a developed State by 2015.

Addressing a joint session of the Legislature here, he presented his 70-page blueprint in the form of "Missions for Bihar's Prosperity".

It was more than an address. It was something of a crash course for the members. With visual depictions, he stressed that it was possible to put the State back on the rails and devel-

op it so that the nation achieved its mission 2020.

### Call to legislators

Quoting Maharshi Patanjali (500 BC), Mr. Kalam urged the members to ask themselves: "What will I be remembered for?" His answer was they should make themselves partners in making the State economically prosperous, happy and safe.

Mr. Kalam's thrust was on giving an impetus to agriculture and the agro food-processing sector. He lined up help from

South Korea and was confident that it would make Bihar the rice bowl of the country in the near future.

His objective was to raise the per capita income from Rs. 6,500 to Rs. 35,000 a year by 2010 and to Rs. 1 lakh by 2015 and to increase literacy from 45 to 75 per cent by the end of the decade and to 100 per cent in a decade. The emphasis should be on reducing the percentage of people below the poverty line from 42 to 20 by 2010 and to zero by 2015.

Mr. Kalam called upon the legislators to make the environ-

ment conducive to the implementation of his mission and contribute to the development of the State. Artificial barriers such as politics, religion, region and caste should not come in the way of the mission. Emphasising empowerment of women, a proper health care system and a flood control system, the President said the most important thing was to have a good management structure in place for planning and accomplishing all missions.

Chief Minister Nitish Kumar assured the President that all

parties were united on the issue of development and that the State would become developed at the end of 2015.

He also promised to maintain smooth relations with the Centre, acknowledging that without good working relations between the Centre and the State it would not be possible to implement the blueprint.

Governor Gopal Krishna Gandhi, Assembly Speaker Uday Narain Chaudhary, Legislative Council Chairman Jabir Husain and Leader of the Opposition Rabri Devi were present.

# Protests mark day in Bihar

*Demos outside Raj Bhavan despite prohibitory orders*

AGENCIES  
Patna, January 25

THE DEMAND for Buta Singh's ouster following the Governor's severe indictment by the Supreme Court gained momentum with a couple of Independent MLAs and their supporters, besides some advocates, staging a demonstration outside Raj Bhavan on Wednesday.

Nearly 100 people, led by Independent MLAs Kishore Kumar Munna and Haribhushan Thakur, as also a group of around 20 advocates collected outside Raj Bhavan in defiance of the prohibitory orders and chanted slogans demanding the immediate dismissal of the Governor.

Carrying placards that said: 'Buta samvidhan ka hatyara hai' (Buta is the murderer of the Constitution) and shouting slogans like: "Buta Singh wapas jao", the protesters demonstrated in front of the main entrance of Raj Bhavan in the presence of the police.

Speaking to reporters, Kishore Kumar Munna, MLA from Sonbarsa, who was one of the petitioners who challenged the dissolution of the state Assembly in the Supreme Court, said, "Buta Singh has murdered democracy and the Supreme Court verdict has proved it. Such a man can't be allowed to hoist the National Flag at the official Republic Day function".

Demanding dismissal of the Governor if he did not step down immediately, Munna said the Chief Justice of Patna

High Court should be made the acting Governor and could hoist the Tricolour at the official Republic Day ceremony at Gandhi Maidan on Thursday.

While refusing to resign following the Supreme Court indictment, Buta Singh had told reporters in Delhi on Tuesday that he would be taking the salute on Republic Day at Patna.

"Lakhs of patriots laid down their lives for the freedom of the country. A tainted man like Buta Singh, who has violated the Constitution, mustn't be allowed to hoist the National Flag", Munna said.

He asked the people to burn effigies of Buta Singh, Congress president Sonia Gandhi and Prime Minister Manmohan Singh across the state if the Governor was not dismissed and was allowed to hoist the Tricolour.

A group of lawyers, led by an advocate of Patna High Court, Ashutosh Ranjan Pandey, who were the first to arrive at the scene, said the Governor's continuance had become untenable after the apex court passed strictures against him.

**'Centre, Prez morally responsible'**

HOLDING THAT the majority judgement on the imposition of President's rule in Bihar is 'binding', noted constitutional lawyer Fali Nariman has said Governor Buta Singh "must go" and the government must "bear the responsibility". He criticised the majority of the Supreme Court for failing to hold either the council of ministers or the President morally responsible for the dissolution.



L.K. Advani speaks to mediapersons as other NDA leaders look outside Rastrapati Bhavan in New Delhi on Wednesday.

## CPI(M) demands Buta scalp

HT Correspondent  
New Delhi, January 25

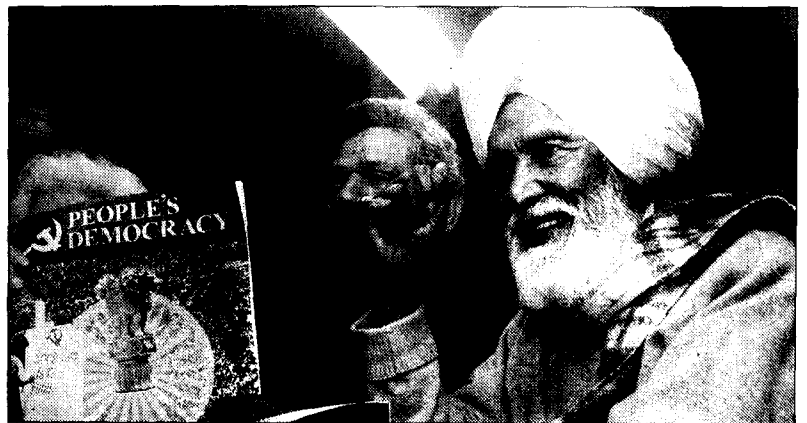
CPI(M) VETERAN Harkishen Singh Surjeet said on Wednesday that Bihar Governor Buta Singh should go for the "wrong" advice he gave the Centre for dissolution of the state Assembly.

Speaking after releasing the Republic Day issues of party organ's "People's Democracy" and "Lok Lahar", Surjeet said the Governor was claiming he had done "good work". But it was all exposed now.

CPI(M) politburo member and People's Democracy editor Sitaram Yechury said the Governor could not continue after the Supreme Court's comments on his work. "Morality demands he shouldn't stay", he said.

Asked about the responsibility of the Centre in the dissolution of the Assembly, Yechury said the government had taken the decision on the Governor's report. Even if it wanted the report to be verified, it could do it only through the Governor.

The CPI(M) leader said federalism was one of the pillars of India's secular democracy and the Bihar episode had shown how important it was to maintain the country's integrity.



Harkishen Singh Surjeet and Sitaram Yechury in New Delhi on Wednesday.

The judgment had raised the issues of the Governor's role and Centre-state relations. A mere rethink on appointing political personalities to Governors' posts would not resolve the problem, he said. There was a need to define the rules. Yechury said it was immaterial whether the Governor was a political appointee or not. "The issue that needs to be addressed is to what extent he can go. Where's the border, which he cannot cross?"

Several committee reports, including the Indrajit Gupta report, were available on the issue. Now, the situation warrants a general debate and enactment of a law in this regard.

Yechury said, other than federalism, secular democracy, economic independence and social justice were pillars of Indian democracy, too. Although the communal forces were out of power, the danger could not be ruled out, he said.

CENTRE STILL STUDYING JUDGMENT, DECISION BY FRIDAY: PATIL,

# Buta on his way out

Shahid Pervez in New Delhi

Jan. 25. — Mr Buta Singh is on his way out of Patna's Raj Bhavan, although the ruling Congress leadership has granted him a reprieve at least for tomorrow, Republic Day, to ensure an "honourable exit."

A day after the Supreme Court's criticism of Mr Buta Singh's "perverse" role in getting the previous Bihar assembly dissolved "unconstitutionally", senior Congress leaders conceded that his continuance as Bihar governor had become "totally untenable".

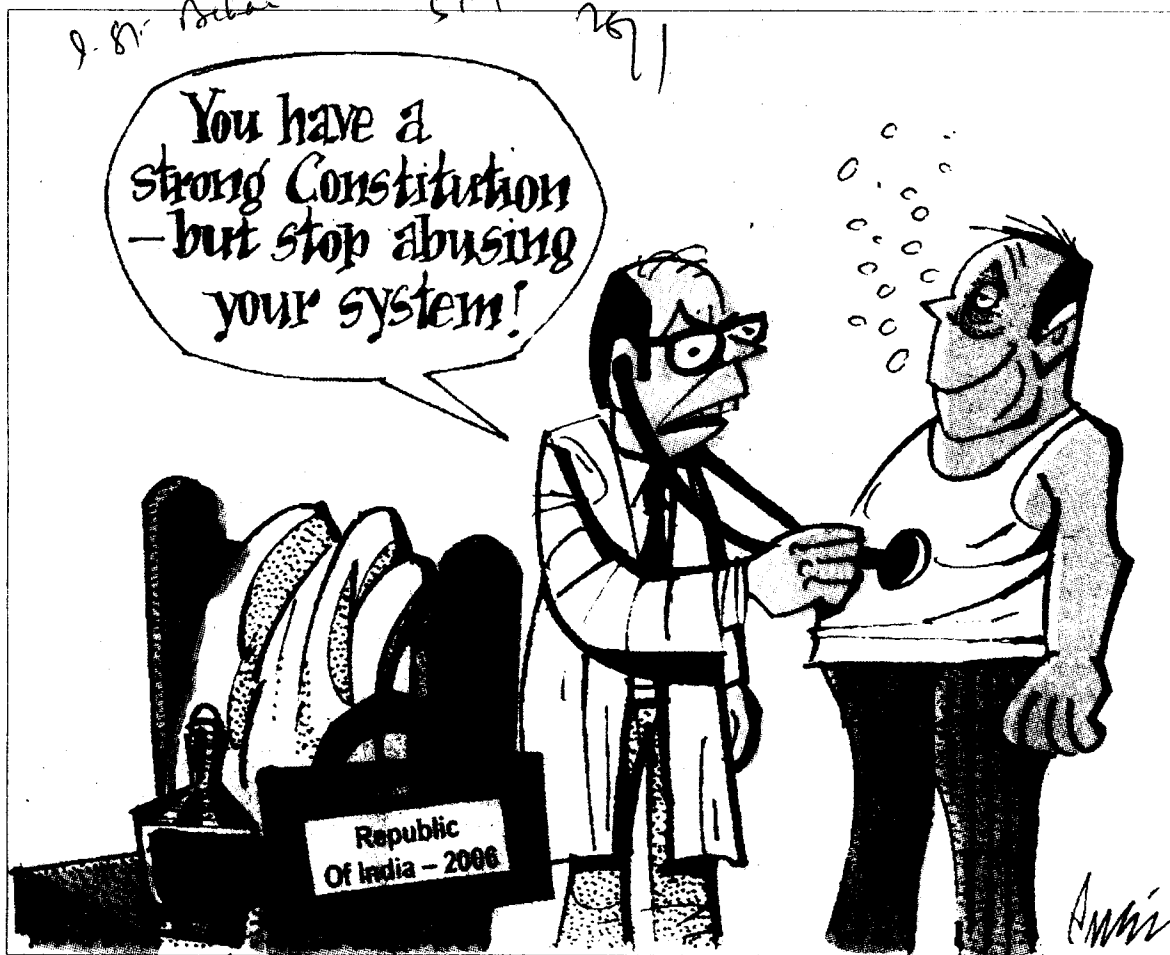
One of them told The Statesman that "Buta Singh will have to go," adding that his exit might take place on 27 January. "He will be allowed to unfurl the Tricolour tomorrow".

Mr Singh has now clearly become a "huge political liability." The apex court also censured the Dr Manmohan Singh-headed Union Cabinet for hurriedly taking Mr Buta Singh's "mala fide" recommendation as the "gospel truth" without ascertaining its veracity.

Acting on Mr Singh's report based on "fanciful assumptions", the Union Cabinet held a meeting in the dead of night in May last year and sent its recommendation for dissolution of the Bihar assembly to Moscow for the President, Dr A P J Abdul Kalam's assent.

Opposition parties have since trained their guns on the Prime Minister also, demanding his Cabinet's resignation.

It has, therefore, become imperative for the Congress leadership to get rid of Mr Buta Singh to take the sting out of the anti-PM campaign.



The Congress leadership, which has held a series of meetings on the matter, does not have any option other than asking Mr Buta Singh to step down on his own because even its major UPA allies, the Left parties, have been stridently demanding his resignation.

Displaying his reluctance, Mr Singh has already declared that he will take the Republic Day salute in Patna tomorrow.

"Even after that, if he remains unwilling, he will be categorically asked to put in his papers,"

said a senior AICC leader.

He said it was unlikely that Mr Singh would be given the option of a "transfer" to some other state, given the furore such a move might trigger. The Centre which had yesterday said it would spell out its stand in a day, deferred its decision by another two days.

The Union home minister, Mr Shivraj Patil, said the government was still studying the apex court's judgment and could arrive at a decision by Friday.

In Patna, NDA leaders sat on

a dharna outside Raj Bhavan demanding the Governor's resignation. The Forward Bloc has threatened to prevent Mr Buta Singh from unfurling the Tricolour tomorrow.

Accusing Prime Minister Dr Manmohan Singh of feigning ignorance, the Samajwadi Party today demanded his resignation in the wake of the court strictures against Mr Buta Singh.

More reports on page 5  
Editorial: Mysteries explained, page 8

THE STATESMAN

26 JAN 2006



# বিহার নিয়ে বিড়ম্বনায় মনমোহন



প্রকাশনা সাইট... রায় শোনার পরে দিল্লির বিহারনিবাসে বুটা সিংহ।— পিটিআই

## বিজেপির সঙ্গে বামেরাও চান বুটার বিদায়, সঙ্কটে কংগ্রেস

নিজস্ব সংবাদদাতা, নয়াদিল্লি, ২৪ জানুয়ারি: কনটিকের ধাক্কা সামলানোর আগেই বিহারের ভূত চেপে বসল মনমোহন সিংহ-সনিয়া গাঁধীর কাছে।

বিহার বিধানসভা ভেঙে দেওয়া যে 'অসাংবিধানিক কাজ', অন্তর্বর্তী রায়ে সুপ্রিম কোর্ট সে কথা আগেই বলেছিল। পরে বিস্তারিত রায়ে যে আর এক বার ধাক্কা আসবে, সেটা প্রত্যাশিতই ছিল। সেই রায়ে বুটা সিংহের কাজকর্ম সম্পর্কে এতটাই সমালোচনা করেছে সর্বোচ্চ আদালত যে, এর পর তাঁর পদ আঁকড়ে থাকটাই বিস্ময়কর। বিরোধীরা তো বটেই, সরকারের সমর্থক বাম শিবিরও এখন তাঁর পদত্যাগ চেয়ে সরব। কিন্তু বুটা থেকে যেতেই অনড়।

এখানেই যন্ত্রণার শেষ নয়। কারণ, ধাক্কাটা এ বার শুধু রাজ্যপালেই সীমিত থাকেনি যে, বুটা সিংহ পদত্যাগ করলেই সমস্যা মিটবে। রাজ্যপালের রিপোর্ট 'বেদবাক্য' হিসাবে মেনে নেওয়ার জন্য কেন্দ্রকে কটাক্ষ করেছে সর্বোচ্চ আদালত। প্রশ্ন তোলা হয়েছে, কেন্দ্রীয় মন্ত্রিসভাই বা কেন চোখ বুজে মেনে নিয়েছে রাজ্যপালের কথা? বলা হয়েছে, এখন রাজ্যপালের পদে নিয়োগ সংক্রান্ত নীতি-পদ্ধতি রচনার সময় এসে গিয়েছে। ফলে কেন্দ্রকে এখন সেই বিষয়টি নিয়েও মাথা ঘামাতে হবে।

এই অবস্থায় বিরোধীদের সুযোগ নেওয়া আটকাতেই তাঁর বাসভবনে এক অনুষ্ঠানে প্রধানমন্ত্রী মনমোহন সিংহ আজ বলেন, "সুপ্রিম কোর্টের নির্দেশ গোটা দেশ স্বীকার করতে বাধ্য।" কিন্তু বুটাকে সরানো নিয়ে সরাসরি কিছু বলেননি তিনি। তাঁর বাড়িতে বৈঠকের পরে শিবরাজ পাটিল এবং মন্ত্রিসভার বৈঠকের পরে প্রিয়রঞ্জন দাশমুণ্ডিও জানিয়েছেন, রায়টি খতিয়ে দেখতে এক দিন সময় নেনেন তাঁরা। তার পরে জানাবেন সিদ্ধান্ত। তবে এখনও পর্যন্ত যা ইঙ্গিত তাতে যতই অনড় মনোভাব দেখান বুটা, তাঁকে যেতে হচ্ছেই।

রায় বেরনোর পরেই শুরু হয়েছে বিরোধীদের সম্মিলিত আক্রমণ। লালকৃষ্ণ আডবাগী থেকে জর্জ ফার্নান্ডেজ, সকলেই বুটার পাশাপাশি নৈতিক দায়িত্ব নিয়ে প্রধানমন্ত্রী মনমোহন সিংহের পদত্যাগের দাবিও তুলেছেন। স্পষ্টতই তাঁদের উদ্দেশ্য, ভোলকার রিপোর্ট ও কুত্রোচ্চির ব্যাঙ্ক অ্যাকাউন্টের পর নতুন করে সরকারকে কোণঠাসা করা। সরকারের পক্ষে সব থেকে খারাপ খবর, এই বিপদে পাশে নেই বামেরাও। প্রকাশ কারাট-এ বি বর্ধনেরাও জানিয়ে দিয়েছেন, বুটাকে সরানো ছাড়া গতি নেই।

আজ বিস্তারিত রায়ে শীর্ষ আদালত বলেছে, রাজ্যপাল বুটা সিংহ কেন্দ্রকে

বিপথে চালিত করেছেন। পাঁচ সদস্যের ওই ডিভিশন বেঞ্চ আরও বলেছে, সমস্ত দলের কাছে গ্রহণযোগ্য সাধারণ নীতির ভিত্তিতে রাজ্যপাল নিয়োগ নিয়ে বিচার বিবেচনা করার সময় এসেছে। অ-রাজনৈতিক ব্যক্তিদের রাজ্যপাল নিয়োগের ব্যাপারে সরকারি ক্রমিকমিশনের সুপারিশ পর্যালোচনার করার পরামর্শও দেয় শীর্ষ আদালত।

রায় শোনার পরে কী ভাবে পরিস্থিতির মোকাবিলা করা হবে, তাই নিয়েই ব্যতিব্যস্ত ছিল কংগ্রেস। সনিয়ার সঙ্গে দেখা করেন প্রধানমন্ত্রী। স্বরাষ্ট্রমন্ত্রী

শিবরাজ পাটিল মুম্বই থেকে ফিরেই মন্ত্রকের অফিসারদের নিয়ে বৈঠকে বসেন। আলোচনার শেষে সোজা চলে যান মন্ত্রিসভার বৈঠকে। সেখানেও আলোচনার অন্যতম বিষয় ছিল বিহারই। বুটাকে পদত্যাগ করতে বলার পাশাপাশি রাজনৈতিক ভাবে আর কী কী করা যায়, তাও খতিয়ে দেখা হচ্ছে। কংগ্রেসের সামনে বড় সমস্যা হল, প্রধানমন্ত্রীর পদত্যাগ দাবি না করলেও বুটাকে পত্রপাঠ গদিচ্যুত করার দাবি তুলেছেন বামপন্থীরাও। সিপিআই অবশ্য আগেই বুটার বিরুদ্ধে সরব ছিল। কাজেই দলের সাধারণ সম্পাদক এ বি বর্ধনের দাবি ততটা বিস্ময়কর নয়। বরং সিপিএমের সাধারণ সম্পাদক প্রকাশ কারাটের মন্তব্য সরকারের কাছে অনেক বেশি বেসুরো ঠেকছে।

গত বছর খুব নাটকীয় ভাবে বিহারে বিধানসভা ভাঙা হয়। ত্রিশঙ্কু বিধানসভায় রামবিলাস পাসোসায়ানের দল ভেঙে বিজেপি যখন সরকার গড়ার দোরগোড়ায়, তখনই রাজ্যপাল বিধায়ক কেনাবেচার আশঙ্কা প্রকাশ করেন। ২৫ এপ্রিল তিনি রাষ্ট্রপতি এ পি জে আব্দুল কালামের কাছে প্রথমবার বিধানসভা ভাঙার সুপারিশ করেন। ২১ মে বুটা আরও একটি রিপোর্ট পাঠান। পর দিন রাতে দিল্লিতে দুটি সিনেমা হলে বিস্ফোরণ হয়। শিবরাজ পাটিল ঘটনাস্থল ঘুরে এলে বিষয়টি নিয়ে আলোচনা করতে প্রধানমন্ত্রী মন্ত্রিসভার বৈঠক ডাকেন। সেই বৈঠকেই রাজ্যপালের রিপোর্ট নিয়ে আলোচনা হয় ও ২০ মিনিটের মধ্যে বিহার বিধানসভা ভাঙার ব্যাপারে সিদ্ধান্ত নেওয়া হয়। রাষ্ট্রপতি তখন মন্তব্য। রাত দুটোতেই মন্তব্যে ফাস্ত করে রাষ্ট্রপতির সম্মতি আদায় করে কেন্দ্র।

আডবাগী আজ বলেন, বুটা যদি কেন্দ্রীয় মন্ত্রিসভাকে বিভ্রান্ত করেন, তা হলে ওই 'অসাংবিধানিক' কাজ করতে একই ভাবে প্রধানমন্ত্রীও রাষ্ট্রপতিকে বিভ্রান্ত করেছেন। মন্ত্রিসভার প্রধান হিসাবে প্রধানমন্ত্রী এই দায় এড়াতে পারেন না। তাই তাঁর পদত্যাগ করা উচিত। বিজেপি ইউপিএ চেয়ারপার্সন সনিয়া গাঁধীর বিরুদ্ধেও একই অভিযোগ এনে জাতীয় উপদেষ্টা পরিষদ থেকে তাঁর পদত্যাগ দাবি করেছে। ক্ষমতায় থাকাকালীন বুটার পক্ষে কথা বললেও লালুপ্রসাদ আজ সাফ জানিয়ে দেন, সুপ্রিম কোর্টের রায়ের পর কেন্দ্র যা ব্যবস্থা নেওয়ার নেবে। পাসোসায়ানও এই নিয়ে মুখে কুলুপ এঁটেছেন।

চার দিকের এই সাঁজাশি চাপের মধ্যেও পদ আঁকড়ে থাকা বুটা সিংহই মাথাব্যথা বাড়াচ্ছেন কংগ্রেস নেতৃত্বের।

● ফের ধাক্কা লালুকে...পৃঃ ৫

## ২৬ তারিখে অভিবাদন নিতে অনড়

নিজস্ব সংবাদদাতা, নয়াদিল্লি, ২৪ জানুয়ারি: রিমোট কন্ট্রোলে থাকে দিয়ে বিহারে রাষ্ট্রপতির শাসন পরিচালনা করবে ভেবেছিল কেন্দ্র, সেই বুটা সিংহকে নিয়েই এখন সমস্যা জটিল। সুপ্রিম কোর্টের রায়ের পর রাজ্যপালকে দ্রুত সরানো প্রয়োজন, তাতে দ্বিমত নেই। কিন্তু তাতে বাদ দেখেছেন বুটা নিজেই। পদত্যাগের প্রশ্ন নেই বলে জানিয়ে দিয়ে তিনি বলেছেন, প্রজাতন্ত্র দিবসের কুচকাওয়াজে তিনি হাজির থাকবেন!

বুটাকে নিয়ে এ বার রীতিমতো হিমশিম খাচ্ছেন কংগ্রেস শীর্ষ নেতৃত্বও। চকিষ ঘটনাও হয়নি হায়দরাবাদে দলের দুর্নীতি এবং দুর্গণ দুরীকরণ নিয়ে দীর্ঘ বক্তৃতা দিয়ে ফিরেছেন কংগ্রেস নেত্রী সনিয়া গাঁধী। দলের মনোবল উঁচু তাকে বেঁচে দেওয়ার কাজ সেরেছেন তিনি। এর পর সুপ্রিম কোর্টের রায়ের পরিপ্রেক্ষিতে বুটাকে বহাল তবিয়তে রাখা কংগ্রেসের পক্ষে কার্যত অসম্ভব। বুটাকে বিহার পাঠানোর সময় কংগ্রেস নেতৃত্ব বুঝতে পারেননি এমন ঘটতে পারে। বিহারে থাকে পাঠানো হয়েছিল সমস্যায় হাল ধরার জন্য, তিনি নিজেই এখন কংগ্রেসের কাঁটা হয়ে দাঁড়িয়েছেন।

সুপ্রিম কোর্টের এই নির্দেশের প্রেক্ষিতে তাঁর ইস্তফা দেওয়াটা বাধ্যতামূলক কি না, তা নিয়ে আইনগত জটিলতার দিক তৈরি হয়েছে। কিন্তু আইনগত দিক যাই

এর পর সাতের পাতায়

ANADAR...P...KA

# SC raps Buta on Bihar House dissolution

Says Centre Should Have Verified Report, Calls For Norms For Governors' Posting

**New Delhi:** In a severe indictment of Bihar governor Buta Singh, the supreme court on Tuesday held that he misled the Centre in recommending the dissolution of the state assembly and said the Union council of ministers should have verified before accepting it as gospel truth.

The supreme court, which in its October 7 interim order had opined that the dissolution was unconstitutional, said that the governor acted in "undue haste" in sending his report and his full motive was to prevent JD(U) from staking claim to form a government after a fractured assembly polls verdict.

Giving detailed reasons why the dissolution was unconstitutional, a five-judge bench in a 3-2 judgement, said the governor misled the council of ministers by sending a report containing "unascertained facts." The apex court in its interim order had opined that the dissolution was unconstitutional but the polls were unavoidable due to changed circumstances. The court verdict had come on a batch of petitions by a group of legislators of the dissolved assembly and a PIL by a supreme court advocate.

The bench said that the governor's report contained "fanciful assumptions," which could be destructive to democracy. Terming his action as "drastic and extreme," the bench said the court cannot be a silent spectator to such "subversion of the constitution."

It said that the time has come to consider a National Policy outlining common norms for appointment of governors which would be acceptable to all political parties. It held that the governor enjoyed complete immunity and is not answerable in exercise of constitutional power but Article 361 does not take away from the court the power to deal with the validity of his action. The majority judgement was passed by Chief Minister Y K Sabharwal, Justice B N Agarwal and Justice Ashok Bhan. The minority view was taken by Justice K G Balakrishnan and Justice Arijit Passayat.

The governor had recommended dissolution amid allegation that he prevented the National Democratic Alliance, which was on the verge of cobbling up a majority with breakaway

## We will abide by SC ruling, says PM

**New Delhi:** PM Manmohan Singh said the country has to accept what the supreme court has said on the imposition of the President's rule in Bihar but declined to comment on the continuance of governor Buta Singh indicted by the court.



"Whatever the supreme court says the country has to accept it," Singh told reporters at his Race Course Road residence on the sidelines of a function where he gave away the national awards for bravery to children. "The supreme court has got authority. We have to respect it," he said.

group of Loktantrik Janata Party of Ram Vilas Paswan and few independents from forming the government.

The court reiterated the recommendation of the Sarkaria Commission report regarding the appointment of governors according to which only an eminent person free from political affiliation should be appointed to the constitutional post.

The UPA government found itself on the defensive with both the opposition and its own Left allies demanding Buta Singh's resignation. Leader of opposition L K Advani charged PM with misleading the president on the state assembly dissolution and demanded his resignation along with that of Buta Singh.

Holding UPA chairperson Sonia Gandhi also "accountable" for the government's decision, he announced that an NDA delegation would meet President A P J Abdul Kalam and submit a memorandum to him. "In the light of this judgment, it will be appropriate for Buta Singh to step down from the post of governor," said CPM in a statement issued by the politburo. Agencies



DOWN BUT WON'T GO OL Buta Singh coming out of Bihar Niwas in New Delhi on Tuesday

## Defiant Buta says he will take R-Day salute

**New Delhi:** Adopting a defiant posture, Bihar governor Buta Singh on Tuesday virtually ruled out his resignation in the wake of the supreme court indictment of his role in last year's state assembly dissolution.

"Who told you that," Singh shot back at a press conference at Delhi's Bihar Niwas when asked whether he would quit his post over the court strictures against him. "I have not said anything on it. I am going to take salute in Patna on January 26 (Republic Day)," he asserted.

Refusing any further comment on the SC judgment, he claimed the Bihar ad-

ministration had "fully implemented" the October 7 verdict by conducting Bihar elections in a "remarkable" manner.

"But I am happy that elections were held in Bihar in a remarkable manner. Such elections were never held in any state. I am happy I have fully implemented the supreme court verdict."

On the charge that his recommendation to dissolve the Bihar assembly was aimed at favouring a particular political party, he declined to comment.

Singh abruptly ended his press conference, saying he would study the full judgment. Agencies

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THE TIMES OF INDIA

# After SC verdict, Left changes tune, joins BJP in seeking Buta ouster

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NEW DELHI/JAIPUR,  
JANUARY 24

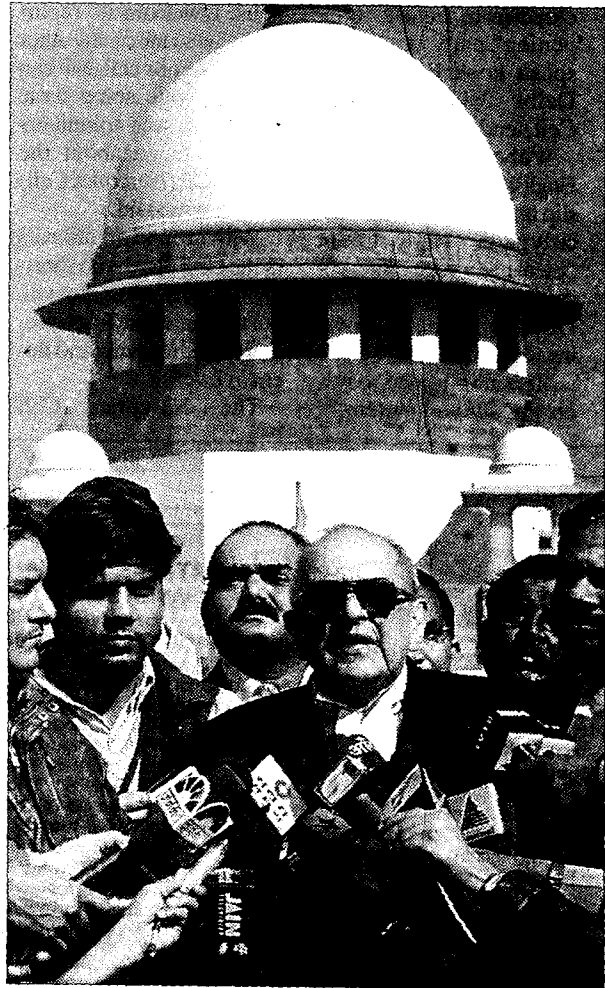
**A**LREADY on a high over the Quattrocchi and Karnataka developments, the BJP today seized on the Supreme Court verdict on the dissolution of the Bihar assembly to not just demand the resignation of Governor Buta Singh, but Prime Minister Manmohan Singh as well.

Addressing a Press conference at his residence this afternoon, Leader of Opposition LK Advani said if the SC verdict is read in its totality, it becomes clear that while the Governor misled the council of ministers, "the Prime Minister (as head of the Council of Ministers) misled the President to do an unconstitutional act." To uphold democracy, therefore, "both the Governor and Prime Minister should quit their office immediately."

Advani described the apex court's observation that "though the Governor is the main player, the Council of Ministers should have verified the report before accepting it as gospel truth" as "understandably polite." But this did not mean that the Centre could escape blame for the unconstitutional act of dissolving the assembly, he insisted.

If the Governor was motivated to prevent the JD(U)-led combine from forming the government in Bihar, the Prime Minister's action was equally motivated. "In a way, going through the language and phrases of the Supreme Court, the accusation seems harsher against Governor but the culpability of the Prime Minister is evidently greater," he added.

The Prime Minister had



Fail S Nariman talking to media after SC verdict on Tuesday.

convened a meeting of the cabinet "at the dead of the night" and he misled the President, who was in Moscow at the time. While speaking in Ranthambore around that time, the Prime Minister had also alleged that "horse-trading of the highest order" was taking place in Bihar — an allegation that the apex court did not accept.

Advani said he had already spoken to NDA convenor George Fernandes and on behalf of the NDA, he was seeking time from the President to present a memorandum on the issue. Advani's stand was upheld by the BJP leadership which is in Jaipur to attend a

two-day RSS-sponsored brainstorming session.

Speaking to the press, BJP spokesperson Arun Jaitley said the PM should immediately step down as the UPA Government had lost the moral authority to stay in power after the judgment. He also pressed for the immediate recall of Governor Buta Singh.

He said the Centre should have given its opinion to the President only after factually examining the Bihar Governors report.

Quoting examples of Goa, Jharkhand and Bihar, Jaitley argued that all the decisions taken by the Manmohan Singh Government were un-

EXPRESS NEWS SERVICE  
PATNA, JANUARY 24

## Should Buta step down? Bihar leaders keep mum

THE Supreme Court judgment indicting Bihar Governor Buta Singh for the dissolution of the state assembly has left all the three top Bihar leaders—Nitish Kumar, Laloo Prasad Yadav and Ram Vilas Paswan—at a loss. Each for various reason, shied away from reacting directly about it. Chief Minister Nitish Kumar took refuge in his position as the Chief Minister, saying it will not be proper to pass remarks against another constitutional post.

"Constitutional propriety does not permit me to react against another Constitutional post," he said. He, however, ventured to add that the stand his party had taken before the election had been vindicated by both the poll result and the Supreme Court judgment. His partymen, however, made up for the Chief Minister's reticence. Janata Dal (United) general secretary Upendra Kushwaha clearly said it was time for the Governor to step down.

The Rashtriya Janata Dal chief and railway minister Laloo Prasad Yadav, who was accused of coercing with the Governor and the Centre to dissolve the

ethical and unconstitutional. The UPA Government, he said, is a "moral historysheeter".

### The Buta Singh Regime In Bihar

- November 5, 2004: Buta Singh appointed Governor by the UPA government.
- February 27, 2005: Assembly poll throws up a hung house.
- March 7, 2005: President's Rule imposed in Bihar.
- May 21, 2005: LJP rebels congregate in Jharkhand in support of Nitish Kumar.
- May 23, 2005: Assembly is dissolved and President's Rule imposed in Bihar based on Governor Buta Singh's report.
- September 23, 2005: EC notifies Assembly polls.
- October 7, 2005: Supreme Court terms the dissolution as unconstitutional, but does not stop the poll process.
- November 22, 2005: NDA gets a thumping majority in the polls.
- November 24, 2005: Nitish sworn in as Chief Minister by Buta Singh.
- January 24, 2005: Supreme Court indicts Buta in detailed judgment.



assembly, also washed his hand off the judgment. "It is up to the Governor's conscience. How can I say whether he should resign or not?" was all Laloo said when pressed to comment. He said the apex court judgment should be acceptable to all and he had nothing more to add.

The Lok Janshakti Party chief Ramvilas Paswan, who had vehemently supported President's Rule in the state, said he would react only after reading the

full text of the judgment.

But apart from the Constitutional propriety cited by Nitish Kumar, the fact is that the NDA government has developed a good rapport with the Governor.

In the two months Kumar has been in office, there has never been a disagreement between the government and the Raj Bhavan. Neither JD(U) nor BJP have reiterated the demand for the Governor's resignation, which they made before the polls.

Launching a scathing attack on the Congress and its president Sonia Gandhi, Jaitley also exhorted its alliance part-

ners DMK and the Left parties to debate the misuse of Article 356 by the Manmohan Singh Government

25 JAN 2006

INDIAN EXPRESS

# নকশাল অধ্যুষিত এলাকার জন্য উন্নয়ন-কর্মসূচি ঘোষণা নীতীশের

পটনা, ১৫ জানুয়ারি: নকশাল অধ্যুষিত এলাকাগুলিতে উন্নয়নের জোয়ার বইয়ে দিতে চান নীতীশ কুমার। লক্ষ্য, উন্নয়নের হাত ধরে নকশালদের পালের বাতাস কেড়ে নেওয়া। বিহারের বেশির ভাগ জায়গাতেই 'উন্নয়ন' শব্দটা এক রকম অচেনা। সেই ছবি পাল্টে দেওয়ার লক্ষ্যেই এ বারে বেশ কিছু কর্মসূচি হাতে নিয়েছে নীতীশের সরকার। পুরো পরিকল্পনাটাকে এক কথায় বলা হচ্ছে, "সরকার আপনার দরজায়" (সরকার আপকে দুয়ার)।

রাজ্যের দরিদ্রতম অংশের উন্নয়নের দিকে তাকিয়েই এই কর্মসূচি নেওয়া হয়েছে বলে জানিয়েছেন সরকারি কর্তারা। লালু যাদবের দীর্ঘ ১৫ বছরের শাসনে, রাজ্যের দরিদ্র জনগোষ্ঠীর উন্নয়নের জন্য বারবার প্রতিশ্রুতি দেওয়া হলেও, কাজের কাজ কিছুই হয়নি। ফলে, সাধারণ মানুষের দুর্দশা বেড়েছে। আর সেই পরিস্থিতিতে কাজে লাগিয়েই বিহারে নকশালদের বাড়বাস্ত। নীতীশ সেই প্রবণতায় লাগাম দিতে চান। প্রাথমিক ভাবে স্থির হয়েছে, ২১ জানুয়ারি থেকে প্রকল্পের প্রথম পর্যায়ের কাজ শুরু হবে।

জহানাবাদ, অরওয়াল ও পটনায় প্রথম পর্যায়ে কিছু কাজ করা হবে। এর মধ্যে, জহানাবাদে একটি বাজার চত্বর, একটি কম্পিউটার সেন্টার ও একটি ক্ষুদ্র সেচ প্রকল্পের শিলান্যাস করবেন

নীতীশ। পরবর্তী পর্যায়ে জামুই, বাঁকা-সহ অন্য কয়েকটি অনুন্নত ও নকশাল অধ্যুষিত এলাকায় এই ধরনের বেশ কিছু কর্মসূচি নেওয়া হবে বলে সরকারি সূত্রে জানানো হয়েছে। এই কর্মসূচির প্রথম লক্ষ্য নকশাল অধ্যুষিত এলাকাগুলির উন্নয়ন। পরবর্তী পর্যায়ে গোটা রাজ্যেই এ ধরনের উন্নয়নমূলক কর্মসূচি নেওয়া হবে।

জামুই ও বাঁকা জেলায় এই প্রকল্পে সরকারি উদ্যোগে গড়ে উঠবে 'ডিজেল নগর', এবং 'জ্যাটোপা নগর'। সেখানে সরকারি উদ্যোগে ভ্যারেন্ডা চাষের বাণিজ্যিক উৎপাদনে উৎসাহ দেওয়া হবে। ভ্যারেন্ডা থেকেই তৈরি হয় বায়ো-ডিজেল।

ফলে, ভ্যারেন্ডা চাষের মাধ্যমে বহু লোকের কর্মসংস্থান সম্ভব হবে বলে মনে করছেন সরকারি কর্তারা। এই প্রকল্পে প্রত্যেক পরিবারকে ভ্যারেন্ডা চাষের জন্য গড়ে আড়াই থেকে পাঁচ একর পর্যন্ত জমি লিজ দেবে সরকার। এ ছাড়াও, সেচের সুবিধার জন্য ছোট ছোট বাঁধ গড়তে ৫ হাজার টাকা অনুদানও দেওয়া হবে। ফলে, সারা বছরই কাজের সুযোগ পাবেন গ্রামবাসীরা।

এ ছাড়াও, জাতীয় গ্রামীণ কর্মসংস্থান নিশ্চয়তা প্রকল্পের আওতায় বৃক্ষরোপণ, জলাভূমি উন্নয়ন, বাঁধ নির্মাণ কর্মসূচিও নেবে সরকার। এই পরিকল্পনাগুলি ফলপ্রসূ হলে, চাষের

সময় ছাড়া অন্য মরশুমে শ্রমিকদের দেশান্তরী হওয়ার প্রবণতাও ঠেকানো যাবে বলে জানানো হয়েছে।

লালু যাদবের হাত থেকে রাজ্যপাটের দখল নেওয়ার পরেই নীতীশ কুমার বৃদ্ধিতে পেরেছিলেন, রাজ্যের উন্নয়নের ছবিটা মোটেই সুবিধার নয়। তার উপর রয়েছে নকশাল সমস্যা। নীতীশের শপথের কয়েক দিনের মধ্যেই জহানাবাদ সাব-জেলে হানা দিয়ে নকশালরাও তাদের শক্তি বুঝিয়ে দেয়। নীতীশও তখন জানিয়ে দেন, উন্নয়নের হাত ধরেই নকশালদের মোকাবিলা করবেন তিনি। তারই ফলশ্রুতিতে উন্নয়নের জন্য এই ধরনের একাধিক কর্মসূচি নেওয়া হয়েছে। স্বরাষ্ট্র সচিব এইচ সি সিরোহি কিছু দিন আগেই জহানাবাদ সফরে যান। সেখানে তিনি সরকারের এই পরিকল্পনার কথা তুলে ধরেন এবং এ গুলি সফল করার জন্য আমলাদের উৎসাহিত করেন।

অবশ্য বিহারের আম জনতার কাছে এ ধরনের সরকারি পরিকল্পনা নতুন কিছু নয়। লালু জমানাতেও তাঁরা একাধিক বার উন্নয়নের প্রতিশ্রুতি পেয়েছেন, কিন্তু উন্নয়ন দেখেননি। সরকারি উদাসীনতা ছাড়াও প্রশাসনের একাংশের দুর্নীতি এর জন্য অনেকটাই দায়ী। নীতীশ পরিকল্পনা নিয়েছেন। কিন্তু তা কত দূর সফল হবে, তা নিয়ে এখনও ধন্দে সাধারণ মানুষ। -পিটিআই

16 JAN 2000

ANANDAPURAM, INDIA

# AP quota: SC for status quo on HC order

PRESS TRUST OF INDIA  
NEW DELHI, JANUARY 4

THE Supreme Court today ordered status quo on the Andhra Pradesh High Court's quashing of an ordinance providing 5 per cent reservation for Muslims in government jobs. Refusing a stay, the court referred the issue to a constitution bench.

"We are not inclined to stay the operation of the judgement and make it operational as it has invalidated the law," a bench comprising Chief Justice Y K

Sabharwal, Justice C K Thakker and Justice R V Raveendran said in an interim order.

However, the bench gave relief to those who have already availed of the quotas benefits by directing the authorities to maintain status quo on the issue.

"We are of the view that status quo should continue to the extent that such persons who have been granted admission in the educational institution would continue with the course and not be disturbed and that likewise if appointments to public service have been

made, the same should not be disturbed," the bench said.

Admitting a bunch of appeals, including from the Andhra Pradesh government, against the High Court judgement, the apex court referred the matter to the constitution bench.

Senior advocate Fali S Nariman, appearing for the state government sought a stay on the judgement which was opposed by senior advocate Harish Salve, who argued for the students on whose petition the high court had quashed the ordinance.

Declining to stay the verdict, the bench said that if the operation of the judgement was stayed, it would mean that a law held to be unconstitutional would continue to operate until the Supreme Court's decision.

The Andhra Pradesh government had contended that the high court did not consider Article 16(4) of the Constitution while invalidating the act but Salve drew the attention of the court to Clause 3 of the ordinance which refers to the social and educational backwardness of Muslims residing in the state.

0 5 JAN 2006

INDIAN EXPRESS

TUESDAY, JANUARY 3, 2006

## Killing with impunity

**N**o matter which party or coalition is in power in Bihar, the caste-based feudal hierarchy in the rural areas of the State is a constant. In a chilling reminder of the vulnerability of the oppressed sections, six members of the extremely backward Kahar caste in Rampur-Shyamchak village of Vaishali district were burnt to death in the early hours of the New Year for refusing to withdraw a complaint of theft against members of a dominant community. Although the massacre was not directly related to the caste-equations in the village, the perpetrators, all Yadavs, apparently thought their dominant status in the social hierarchy gave them immunity from the law. Without a long-established tradition of such an immunity, the attackers would not have dared to commit a mass murder over an issue as trivial as a complaint of theft of a buffalo. While Bijendra Mahto is still battling for life, his pregnant wife and five children died when their house was set on fire. The killers fired in the air pre-empting any rescue effort. Although the police station was only a couple of kilometres away, Mr. Mahto and his family got no help. Evidently, Mr. Mahto was being taught a lesson: to respect the feudal hierarchy, and to not complain against those higher up in the social order.

As the villagers pointed out to Chief Minister Nitish Kumar after the attack, the police appeared to be on the side of the dominant caste group. The Inspector-in-charge of the Raghapur police station, Noorudin Khan, was placed under suspension after the killing, but it will take much more on the part of the State Government to infuse in the villagers a confidence in the law enforcing machinery. The police are yet to apprehend the main suspect in the killing, Jagat Rai. Kahars, who are in a minority in the village, are helpless if the dominant caste group turns against them. According to Mr. Mahto, the police were informed about Mr. Rai issuing threats asking him to withdraw the complaint. Although the police had earlier arrested Mr. Rai, his son and his nephew on the basis of Mr. Mahto's complaint of theft, no action was taken following the threats. Mr. Rai and his supporters must have known that Mr. Mahto and his family could not count on police protection. The killing is certain to have a political fall-out. The village falls within the constituency of former Chief Minister Rabri Devi, whose party, the Rashtriya Janata Dal, counts Yadavs among its support base. Although RJD chief and Railway Minister Lalu Prasad was quick to condemn the killing, his detractors might sense an opportunity to put him on the defensive. But Mr. Nitish Kumar would do well not to politicise the killing. Ending lawlessness in Bihar is his responsibility. Aside from some brownie points, the Nitish Kumar Government will gain little by continuing to blame Mr. Prasad for all the ills of Bihar. The task before the State administration is to demonstrate to the traditionally oppressed sections that they will not be denied fairplay and justice.

# বিহার যখন বিহারেই ✓

নীতীশ কুমারের বিহার যে লালুপ্রসাদ যাদবের বিহার  
অপেক্ষা উৎকৃষ্ট কিছু নয়, অন্তত এখনও নয়, তাহা স্পষ্ট।

জাত-পাতের আধিপত্যই এখনও সেখানে সমাজজীবনের  
গতিপ্রকৃতি নির্ধারণ করে। আগে আধিপত্য ছিল কেবল উচ্চবর্ণীয়  
ব্রাহ্মণ-ভূমিহর-ঠাকুরদের। লালুপ্রসাদের বিগত পনেরো বছরের  
শাসনে অনগ্রসর যাদবরাও বিহারের নূতন প্রভুত্বকামী গোষ্ঠী।  
দরিদ্র নিম্নবর্ণীয়দের প্রতি তাহারা সেই আচরণই করিয়া থাকে, যাহা  
পূর্বে ব্রাহ্মণ-ভূমিহাররা তাহাদের প্রতি করিত। প্রায় একই ভাবে  
অন্ত্যজ কাহার সম্প্রদায়ের এক পরিবারকে উচিত শিক্ষা দিতে  
যাদবরা তাহার গর্ভবতী স্ত্রী ও আঠারো মাসের শিশু সহ ছয় জনকে  
জীবন্ত দগ্ধ করিয়াছে। কাহারদের অপরাধ, তাহাদের একটি  
গৃহপালিত মহিষ এবং ছয় কাঠা জমি গায়ের জোরে যাদবরা দখল  
করিলে কাহার গৃহস্থ খানায় অভিযোগ জানাইয়াছিল। বিহারে  
নিম্নশ্রেণির এ ধরনের স্পর্ধা বরদাস্ত করার রেওয়াজ নাই।  
লালুপ্রসাদের বিহারেও ছিল না, নীতীশ কুমারের বিহারেও নাই।

রাজনীতির মণ্ডলায়ন যে সর্বদা নিম্নবর্ণীয়ের ক্ষমতায়ন সূচিত  
করে নাই, বিহার তাহার জ্বলন্ত দৃষ্টান্ত। সত্য, ইহা পশ্চাৎপদ  
মানুষের একটা অংশকে আগের তুলনায় বেশি রাজনৈতিক ক্ষমতা  
দিয়াছে, দিয়াছে সংরক্ষণের মাধ্যমে অর্থাগমের সুযোগও। কিন্তু  
সেই ক্ষমতা ও সম্বলতা আত্মসাৎ করার পর অনগ্রসর শ্রেণিগুলি  
তাহাদের তুলনায় নিম্ন শ্রেণির মানুষের সঙ্গে আচরণে সেই অসাম্য,  
বৈষম্য, পীড়ন ও শোষণ অনুশীলন করিয়াছে, যাহা তাহাদের সহিত  
উচ্চবর্ণীয়রা বরাবর করিয়া আসিয়াছে। নব্য ক্ষমতায়িত এই  
অনগ্রসর শ্রেণি যে এই অনুচিত কর্মে আমলাতন্ত্র ও পুলিশ  
প্রশাসনেরও আনুকূল্য লাভ করিয়া থাকে, রঘোপুরের আলোচ্য  
ঘটনায় তাহাও অস্পষ্ট থাকে নাই। প্রতারণিত ও নিগূহীত কাহার  
গৃহস্থের অভিযোগ কানে তুলিবার পরিবর্তে পুলিশ তাহার কাছ  
হইতে বিনা পয়সায় দুধ লইয়াছে। আর অভিযুক্তকে গ্রেফতার না-  
করার বিনিময়ে যাদব অপহারকের কাছ হইতেও নজরানা আদায়  
করিয়াছে। মুখ্যমন্ত্রী নীতীশ কুমার ঘটনাস্থলে উপস্থিত হইলে  
গ্রামবাসীরা যাহাদের বিরুদ্ধে তীব্র ক্ষোভে ফাটিয়া পড়েন, ক্ষোভের  
তীব্রতা নাকি নীতীশ কুমারকে বিস্মিত করিয়াছে। হয়তো তিনি  
পাটলিপুত্রের রাজসিংহাসনকে কুসুমাস্তীর্ণ ভাবিয়াছিলেন।

নীতীশ কুমার সবেমাত্র শাসনভার পাইয়াছেন। বিহারের  
জাতপাতকণ্টকিত সমাজ ও রাজনীতির গোলযোগগুলি মেরামত  
করার জন্য তাঁহাকে আরও সময় দেওয়া দরকার, এমন কথা কেহ-  
কেহ বলিতেছেন। কিন্তু লালুপ্রসাদ ও নীতীশ কুমারের রাজনীতির  
মধ্যে মৌলিক কোনও প্রভেদ নাই। উভয়েই জয়প্রকাশ নারায়ণের  
মন্ত্রশিষ্য হইলেও নিজ-নিজ জাতের বা সহযোগী জাতগুলির  
উন্নয়নের বাহিরে তাঁহাদের দৃষ্টি প্রসারিত নয়। লালুপ্রসাদ যদি  
যাদবদের ক্ষমতায়নে মনোনিবেশ করিয়া থাকেন, নীতীশ কুমার  
তবে অন্য অনগ্রসর জাত কুর্মিদের। তফশিলি জাতি ও উপজাতির  
মানুষরা উভয় নেতার কাছেই ব্রাত্য। প্রশাসনের দায়ভার পাইয়াও  
তাঁহারা সমদর্শী হইবেন, সব শ্রেণি ও জাতের মানুষের উন্নয়নের  
জন্য পক্ষপাতমুক্ত কর্মসূচি রূপায়ণ করিবেন, এ ভরসা নাই। ফলে  
বিহারে হরিজন-অন্ত্যজদের জীবন্ত পুড়াইয়া মারা চলিতেই  
থাকিবে। সেই সঙ্গে এমন বর্বরতা ঘটা মাত্র প্রতিদ্বন্দ্বী রাজনৈতিক  
দলগুলির মধ্যে তাহার সুযোগ লইয়া নিজেকে অনগ্রসর-দলিতের  
মসিহা রূপে তুলিয়া ধরিবার প্রতিযোগিতায় নামিবে। এই মুহূর্তে  
যেমন নীতীশ কুমারের সঙ্গে লালুপ্রসাদের চলিতেছে।

POLICE DEAF TO VICTIM'S APPEAL

# Six of family burnt alive

**Manoj Chaurasia in Patna**

Jan. 1. — Bihar, seldom allowed a respite from convulsive bouts of blood-curdling violence, woke up on New Year's Day to hear of six members of a Yadav family having been burnt alive late last night in Rampur-Jamchand village, in Mrs Rabri Devi's Raghapur electoral constituency, in the latest twist to a chain of events following, apparently, as serious a matter as the theft of a buffalo.

The chief minister, Mr Nitish Kumar, who visited the place subsequently, ordered a high-level probe. The area is tense and, though three people have been arrested, the main culprit has so far proved elusive. The police said that a criminal gang had locked the mud house of Mr Bijendra Mahato on the outside while his family was asleep before sprinkling kerosene over the thatched roof and setting it on fire. Five children, aged between four and 12 years, and their mother were burnt to death in a petrifying incident few people would forget easily. The

marauders, probably feeling that their job was incomplete, threw Mr Mahato into the raging flames.

Afflicted with serious burns, Mr Mahato was later taken to Patna Medical College and Hospital, where his condition was stated to be critical.

Mr Mahato was said to have filed a case in September against some local people after one of his buffaloes had been stolen. Two people were jailed for this but, quite unsurprisingly, Mr Mahato, too, came to be threatened with retribution unless he stopped the legal proceedings. The police were told of it but they chose to be inactive.

The chief minister found himself forced to visit the village of the massacre as angry locals refused to allow the victims' bodies to be removed until he showed up and ordered an investigation.

He duly announced stern steps against the culprits. Former chief ministers Mrs Rabri Devi and Mr Lalu Prasad, too, were characteristically voluble in their condemnation of the incident.

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