



# MIL Update

A CPI(ML) Weekly News Magazine

Vol. 6 No. 48 26 Nov - 2 Dec 2003

Re. 1

## Politics of Divide-and-Rule, Economics of Destroy-and-Loot

As we go to press, more than 50 Hindi-speaking people, almost all of them from poor and migrant Bihari labourer families, have been killed in Assam. In spite of curfew, the death toll continues to rise. The feeling of insecurity now runs deep among the Hindi-speaking people in the North-East, especially Biharis in Assam. After years and decades of hard toil, in the course of which many had virtually made Assam their home, the threat of forcible eviction now suddenly stares them in the face. Fear has become their constant companion.

Regional or ethnic violence has become a recurrent feature of politics in Assam. In the late 1970s and 1980s, deportation of 'foreigners' was the central demand of the Assam movement. Ironically, in the name of deporting illegal Bangladeshi immigrants important ULFA leaders themselves took refuge in Bangladesh. Now Biharis find themselves at the receiving end of this parochial 'xenophobic' frenzy. Earlier, one could also see a powerful anti-Centre trend in the Assam movement. But the present spate of ULFA-sponsored violence is directed against the most vulnerable sections of any society, migrant labourers.

One can sympathise with the widespread feelings of frustration among the unemployed Assamese youth, but such feelings are patently being manipulated to criminal reactionary ends by self-styled forces of Assamese nationalism. This anti-worker anti-people violence can only weaken Assam in every possible way. The forces of democracy and development in Assam must therefore categorically condemn and reject this parochial politics. The social texture of Assam is particularly delicate, and the state has historically been one of the worst victims of the colonial politics of divide-and-rule. It is therefore essential that the Assamese working class and new generation youth, who have much closer interaction with the rest of the country than previous generations, nip this nefarious design in the bud.

It is of course not sufficient to blame the ULFA alone. Almost all the parochial regional forces in the North-East are now playing into the hands of the BJP. In Assam, the BJP now takes the lead in spearheading the anti-minority campaign. In Bihar, the same BJP was busy instigating anti-social and lumpen elements into attacking passengers from the North-East and molesting women. In Maharashtra, the Shiv Sena orchestrates a violent campaign

against migrant labourers from Bihar and Uttar Pradesh. The same Shiv Sena has also been spotted leading the mob violence in Bihar.

Divide in the name of region and religion, and then rule in the name of the 'nation'. The hypocrisy of the BJP-Shiv Sena variety of nationalism has been thoroughly exposed by the turn of events in Assam, Bihar and Maharashtra. And the RSS wants to hide this monumental mischief by raising accusing fingers at all our neighbouring countries. According to RSS propagandists, the anti-Bihari violence in Assam is a sinister admixture of three foreign components – infiltration from Bangladesh, training from Pakistan and arms from China. While the Centre turned a Nelson's eye to the deteriorating situation in Assam, the Union Minister in charge of the North-East Mr. CP Thakur went to Assam only to discover the alleged hand of Bangladesh behind the killing spree in Assam.

It has taken the railways minister Nitish Kumar such enormous amount of bloodshed to announce that examinations for Group D recruitments in the railways would be held at divisional level and local applicants would be given preference. As railway minister for the last four years, he has acquired enough experience in 'managing' accidents that kill a few hundred passengers every few months. One cannot perhaps expect any greater sensitivity from a seasoned manager of human calamity. But he still wants to keep our attention away from the real source of trouble.

No matter where the examinations are held and what kind of preference system is introduced, the proportion between vacancies and applicants is 1:370 (74 lakh applicants for 20,000 posts). And for every new recruitment, the railway ministry is abolishing several jobs. The workforce in this biggest service industry has been curtailed drastically over the last two decades and the government is desperate to reduce it by another 25% over the next few years, pruning it down from 1.6 million to 1.2 million. The fascist politics of 'burn, kill and rule' is a concentrated expression of the anti-people economics of 'downsize, destroy and loot'.

Reinforcing the solidarity of the people and redirecting the entire resentment against this nexus of fascist politics and anti-people economics is the need of the hour.

### **Statewide Protests by AIPWA in Bihar**

AIPWA organised week-long protest programmes against the murder of Party's leader in Jehanabad and AIPWA district President, Comrade Manju, by the Ranvir Sena. A large number of women came to streets to protest this killing and held road-blockades and dharnas at many places in Bihar. Pledge-taking meetings to avenge this killing and to pay tributes were also organised throughout the state.

A march and road blockade was held in Patna on Nov 17 and a memorandum was submitted to the Chief Minister Rabri Devi to press upon the demand to arrest the killers of comrade Manju. Large number of women participated in a dharna in Bhagalpur on Nov 20. While a pledge-taking meeting was held on the same day in Darbhanga and a dharna was also held in Samastipur. A dharna was held in Gaya on Nov 15.

### **Jharkhand Employees' Conference**

The second conference of Jharkhand Non-Gazetted Employees' Cofederation was held on November 22-23 at Ranchi. The Conference called upon the workers and employees in Jharkhand to forge a militant unity with the struggling forces in the state to defeat the BJP-led government's offensive against the people in the state. It also resolved to prepare for a day-long nationwide strike, as proposed by the Central Trade Union Centres, against the Supreme Court judgement against strikes, continued attacks on Pensions, Provident Fund, jobs and livelihood of employees and workers.

The Conference was inaugurated by AICCTU General Secretary Swapan Mukherjee while CPI(ML) MLA in Jharkhand Mahendra Singh was the Chief Guest. Jharkhand State Secretary of CITU, Mihir Chaudhary, and other TU leaders also greeted the conference.

### **Agri. Labourers Protest in Rohtas**

A large number of agriculture labourers and poor peasants held a protest dharna in front of Dehri block office to demand BPL cards, occupation over the land allotted to them and to stop the anomalies and corruption in the matters of maintaining land-records. It was also demanded to open an agriculture development centre in the area. The dharna was held on Nov 24. Bihar Pradesh Khet Mazdoor Sabha and CPI(ML) units of Rohtas have already complained of the corruption prevalent in the Dehri block office holding BDO responsible who acts only on behalf of and in favour of the powerful kulak lobby subjugating the basic rights of the poor peasantry. The BPKMS unit in Dehri block has warned of massive mass action and indefinite gherao if their demands were not fulfilled. The dharna was led by Dehri block secretary of CPI(ML), Ashok.

### **Bourgeois Limitations of the Judiciary**

The judicial activism of the Supreme Court reached its Waterloo at Jayalalitha's doorsteps. According to Jayalalitha, "It's entirely God's will". While the Hon'ble judges could emphatically pronounce the judgement that government employees had no right to strike, implying that strikes do infringe the law of our democratic republic; in TANSI scam, however, they couldn't but exonerate Jayalalitha, because they found no violation of the law of the land on her part in the deal. Yet in the same vein they also held her an offender of 'moral code of conduct'. According to the verdict, her conduct was "opposed to the spirit of the Code of Conduct if not its letter." But that statement is toothless. According to the law of the land, moral codes are not penal codes, not enforceable by law. "In law, there must be a specific provision prohibiting an act to make it illegal," they said. Thus a prime minister, chief minister, home minister or any other "public servant" can, at the same time, be legally innocent and morally criminal.

In October 2000, a special court in Chennai had convicted Jayalalitha and others in two cases related to the land of Tamil Nadu Small Industries Corporation (TANSI) Foundry and the TANSI Enamel Wire unit, which was bought in 1992 by Jaya Publications and Sasi Enterprises, two firms held by Jayalalitha and her close associate Sasikala. Jayalalitha was found guilty of criminal conspiracy under section 120-B of the IPC and sentenced for 3 years and 2 years rigorous imprisonment in two cases.

It was because of this verdict that even after being sworn in, she had to resign from the post of chief minister. Then, the grapevine has it that she cast a net of her unfathomable treasure wide, and got a judge of her own choice appointed as the chief justice of Tamil Nadu High Court, where her appeal against the above conviction was pending to be decided. The legal machine worked assiduously and the High Court acquitted her of the charges, making it possible for her to assume the chair of chief minister once again. The present case in the Supreme Court was challenging that judgement.

Remember, it is the same Supreme Court which has transferred the trial of another case, that of possession of wealth disproportionate to her income, to Karnataka, only because her administration was coming in the way of fair trial within Tamil Nadu. But why were its hands so bound in this case?

Because, the Court says, the sale of TANSI land was in the public interest, and therefore, purchasing it not below the market value could only be in public interest! The accused did not act dishonestly, because there was no wrongful gain or wrongful loss. Bourgeois transactions are really strange. Sale and purchase of public property are undertaken in "public" interest. And neither the buyer nor the seller can be called gainer or loser. This is the touchstone of equality in capitalism.

The court has also held that land belonging to a company held by the government (such as TANSI) is not a government property "though the government may have control over the corporation". Therefore, Section 169 of the IPC, which barred public servants from bidding for Government properties, is not applicable here. Above all, even if the TANSI land is taken to be government property, the apex court held that Jayalalitha did not commit any illegality because the code of conduct is not enforceable.

However, still somewhere there is a moral crime! Now the only way left before the mighty Supreme Court was to appeal to Jayalalitha's conscience: "She must atone for the same by answering her conscience in the light of what we have stated not only by returning the property to TANSI unconditionally but also ponder over whether she had done the right thing in breaching the spirit of the Code of Conduct and giving rise to suspicion that rules and procedures were bent to acquire the property for personal benefit."

Bourgeois judicial system is not only meant to protect bourgeois property, it is also meant to protect the bourgeois market. Because Market is the God of capitalism. Wherever Market doesn't reach, people remain pagan or infidel. However mighty our Supreme Court may be, could it defy the law of Market?

## Stop This Fratricidal Violence

Even as the regional violence in Assam and Bihar has been fanned up into an anti-Bihari pogrom, the RSS-BJP are blaming it on the "foreign hand" of "anti-national" infiltrators. But they stand exposed by the fact that their own NDA ally, Shiv Sena is assaulting job-seekers from Bihar and UP in Mumbai! CPI(ML) held protests at various places in the country against failure of the governments in centre and in both the states to contain violence and expressed shock and concern at the tragic trail of anti-Bihari violence in Assam and accused the BJP-Samata and the ULFA-Shiv Sena of stoking the fire of this ugly regionalism and sectarian violence.

Party has called upon the students and unemployed youth of Assam and Bihar to stop fratricidal violence and direct their anger and agitation against the NDA govt. at the centre and the state govt. of Assam and Bihar for their policies causing unemployment.

Meanwhile, a campaign was conducted by the All India Students' Association in Delhi and a memorandum is sent to the Prime Minister with around five hundred signatures of students from Jawaharlal Nehru University, Delhi University and Jamia Millia University, including those from the North-Eastern states studying in Delhi, on Nov 22. Memorandum demands that the NDA govt. put an end to the policies that cause unemployment, a major cause of despair among youth. It demands that the Union Home Ministry must take immediate steps to punish the perpetrators of regional violence and ensure the safety of both Bihari migrants and job-seekers as well as the people from the North-East. "Why is the Central govt. and Union Home Ministry not taking any steps to ensure the security and safety of Bihari people and passengers from the north-east, as terrorist outfits like ULFA, Shiv Sena and Ranvir Sena whip up regional hatred and violence?" asks the memorandum.

"NDA govt.'s policies of liberalisation have created alarmingly high unemployment. When a few thousand jobs, opened up after three years, are held out to appease the desperate young people, it creates an explosive situation. We ask you (Prime Minister) - why have you broken your promise of generating one crore jobs a year? Instead, your government prefers to allow terrorist outfits to use unemployed youth as fodder for regional, ethnic and

communal violence. In cities like Delhi, your own party, the BJP, spearheads the hatred for migrant workers from Bihar and Bengal, with your demand for I-cards for Delhi residents", says the memorandum and further states that, "Students and youth of Bihar and the North-Eastern states have a glorious history of democratic struggle against repression and authoritarianism. We are confident they will unite to isolate the hate-mongers, end the madness of regional violence and join hands to struggle against unemployment."

In Bihar, CPI(ML) and AISA-RYA held several demonstrations on Nov 20 at District Headquarters in all parts of the state, organised protest meetings and burnt the effigy of the Union Home Minister L K Advani for his failure to contain regional violence and demanded his resignation. Hundreds of students and youth came out on the streets in cities including Patna, Jehanabad, Ara, Arwal, Mujaffarpur and Bhagalpur in these protests.

Rejecting such chauvinism and resisting all expressions of sectarian violence and defending the basic democratic rights of the people of Assam and Bihar, citizens rallied in Guwahati for unity and peace. Left and Democratic parties namely CPI(ML), CPI, CPI(M), SUCI, RSP, JD(S) and Samajwadi Party brought out a peace march in Guwahati on 21 November opposing violence and appealing to the people to maintain the time-tested peace and harmony in Assam. Coming as a reaction of the attack on passengers of Assam and other north-eastern states at some railway stations of Bihar, the violence on the people migrated from Bihar has taken an ugly turn and so-called militant outfits have become involved in the name of avenging Assamese. The violence is continuing in different places of the state, which has aggravated the situation and curfew was imposed in a number of towns particularly in Upper Assam. People led by various left and democratic parties gathered at Judges Field, Guwahati and started a Peace and Amity March, passing through main areas of the city including Panbazar, Fanchy bazaar and Paltanbazar and ended at Judges Field. The marchers shouted slogans to maintain peace and amity, to come out to resist violence, to maintain unity among Assamese and Biharis. While the Govt. has failed to control the situation, cross-sections of the people in different towns are taking peace initiatives on their own part.

## Mahadharna by Left Parties in Ranchi

A Mahadharna was held jointly by left parties namely CPI(ML), CPI(M), CPI and MCC led by A.K.Roy on Nov 15 at Birsa Chowk in Ranchi. Thousands participated in that Mahadharna, which was organised as a parallel event against the govt. sponsored State Foundation Day ceremony and, simultaneously, to protest the state govt.'s policies which undermine people's rights particularly in the scheduled areas of Jharkhand. It may be recalled that the tribal population of Jharkhand is becoming restive against the Jharkhand Panchayati Raj Act passed by the state assembly. This Act encroaches the traditional rights of tribals and gives a provision for governance on the lines of Gramsabhas as in "Panchayat Raj" system which is totally incomprehensible in scheduled areas. The Jharkhand govt. is also trying to amend the Chhotanagpur Tenancy Act (CNT Act) and Santhal-Pargana Tenancy Act (SPT Act) to eliminate the protection given by these Acts to the tribal population vis-à-vis transferability of tribal land.

The dharna also raised the demand of immediate relief to starving people of Lesliganj in Palamu, Katkamsandi in Hazaribagh and Nala in Jamtara district and opposed the continuous police repression over democratic movements and their activists in the state.

A rally was taken out from Ranchi Railway Station to Birsa Chowk before the Dharna. The leaders of participating parties paid homage to Birsa Munda by garlanding his statue, as the day was birth anniversary of this legendary hero. Homage was also paid to Com. Ranen Sen, one of the founder members of CPI, who departed recently.

The Dharana was conducted by A P Gupta, state committee member of CPI(ML). Mahendra Singh, J.P.Minz and Tridib Ghosh of CPI(ML), Nali Soren and S K Baxi of CPI(M), Mithilesh and Deochand Mahto of MCC, Mustaq Ansari and Amitabh Chatterjee of CPI addressed the dharna.

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R.N.I. No. 69161/98, D.L. No. 11411/2003-04-2005

Posting at NDPSO

**ML Update**, Vol. VI, No. 48; 26 Nov-2 Dec 2003

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### **An Outburst of Mass Anger against Dowry Killing in Giridih**

In Jharkhand, where incidents of violence against women in various forms ranging from dowry to witchcraft to rapes are not very uncommon, an incident of outburst of mass anger against a dowry death combined with police inaction and administrative callousness has reflected how deep are the feelings of aversion and resentment over such incidents among people, particularly women. People threw one of the dowry-seeker killers and burnt him alive over the pyre of the woman who lost her life at the alter of the dowry-demon.

Saraswati Devi was murdered mercilessly in Chitkharo village of Birni block in Giridih by her husband and his family when she was not able to satisfy dowry demands of her in-laws. It happened in spite of a public panchayat where her husband and his family promised not to harass her for dowry. The panchayat was held at Padarmania, maternal village of Saraswati, where she came to evade torture by her in-laws. But the next day, on Nov 6, proved to be her last day. When the news reached to her parental home, an FIR was registered and her postmortem was carried out. But police remained passive despite repeated persuasions and did not arrest the killers. Then the villagers held a meeting in Padarmania and collectively decided to punish the killers themselves. Enraged villagers went to Chitkhora and caught Jago Mandal, father-in-law of the deceased, from a hiding and brought him along and threw over the flaming funeral pyre of Saraswati. He too died. This was unprecedented and spontaneous. Two days later, police tried to arrest two persons, but had to flee the spot as nearly two hundred women in the village surrounded the police party and freed the arrested people. Agitated women in Padarmania felt a sense of strength and confidence.

Later, on Nov 12, CPI(ML) held a mass meeting in the village and advised the police not to take any action against any individual as it was an outburst of mass anger against social evil of dowry and ineffectiveness of law and order machinery. Party also condemned the role of the police for not arresting the greedy killers immediately. Whatever be the legal outcome, this incident was a vivid reflection of a new awakening against rotten social values, anti-women attitude and systemic inefficiency. And when saffron proponents of feudal values and degenerated culture are ruling the country, recurrence of such outbursts is bound to be more frequent. Such mass anger must be shaped into the collective political strength of the people to dethrone the protectors of medieval values in order to shape a new society.

### **OBITUARY**

**COMRADE RAM NAYAN UPADHYAYA**, veteran Party leader and freedom fighter breathed his last at PGI Hospital, Lucknow on 18 November 2003. He was 83.

Comrade Ram Nayan started his political journey joining independence struggle in 1938, at the age of 18, when he joined Hindustan Socialist Republican Army established by Shaheed-e-Azam Bhagat Singh, Chandrashekhar Azad and others. In 1940 he joined RSP. In August 1942 he took active part in Quit India movement. After three years of underground life he was arrested by the British police and was released in 1946.

In 1952 he joined CPI and with the division in 1964, sided with CPI(M). Following Naxalbari he came out of CPI(M) and was a delegate from U.P. to the first Party Congress held in Calcutta in 1970. He played a leading role in organising the first state conference of CPI(ML) in U.P. at Muzaffarnagar, which was attended by the then General Secretary Comrade Charu Mazumdar.

Comrade Ram Nayan led a workers' strike in a multinational cigarette company in Saharanpur in 1973, after which he was arrested and kept behind the bars under the charge of instigating armed rebellion against the government. After 6 months he was released in want of proof. He was closely attached to the trade union in Mansurpur Sugar Factory. Following the disintegration in the movement in the 70s, Comrade Ram Nayan joined CPI and visited Soviet Union and China. In 1997, he came back to CPI(ML) and attended as a delegate the 7th and 8th Party Congresses held at Varanasi and Patna respectively. He was president of the U.P. unit of AICCTU. Very recently, on 16 October, he presided over the state level Jan Adhikar Rally held at Lucknow.

**DR. BD PRASAD**, a senior physician of Patna and human right activist breathed his last on 14 November in a nursing home. Dr. BD Prasad was a close sympathiser of Party for the past 15 years and contributed in all the major Party programmes and took active interest in the formation of Inquilabi Muslim Conference. His house was a centre of democratic and left intellectual circle in Patna and he himself was active in PUCL. With his demise Party has lost a friend and well wisher.

Veteran communist leader of CPI **COMRADE RANEN SEN** passed away on 13 November in Kolkata. He was 94. He was president of the AITUC and also an MP. Comrade Ranen Sen was a veteran freedom fighter and an ardent protagonist of communist unity. His demise is a great loss to entire left and democratic people throughout the country.