

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:5628

ANSWERED ON:28.04.2015

KILLING OF WOODCUTTERS

Chandrakasi Shri M.;Chinnaraj Shri Gopalakrishnan;Pandey Shri Ravindra Kumar;Raajhaa Shri Anwhar

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that twenty woodcutters from Tamil Nadu were killed by Andhra Pradesh's red sanders anti-smuggling taskforce recently and if so, the details thereof along with the reasons therefor;
- (b) whether the Union Government has received any report from the State Governments of Andhra Pradesh and Tamil Nadu in this regard and if so, the details thereof along with the reaction of the Union Government thereto;
- (c) whether the National Human Rights Commission has sent any notice to the higher officials of Andhra Pradesh in this regard and if so, the details and the outcome thereof;
- (d) whether the Government has any proposal to involve the National Investigation Agency in such inter-state law and order problems;
- (e) if so, the details thereof and the steps taken to promote and safeguard harmony among different States/UTs; and
- (f) the steps taken by the Union Government and Andhra Pradesh Government to provide financial assistance to the deceased family members along with the other corrective steps taken to check such cases in future?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a) & (b): As informed by the office of the Director General of Police, Telangana, on 7th April 2015, 20 alleged red sanders smugglers were killed in two encounters between Andhra Pradesh Police (Red Sanders Anti-Smuggling Task Force/RSASTF) and two groups of alleged red sanders smugglers in Seshachalam forest area of Tirupati under Chandragiri Mandal/Police Station in Chittoor district of Andhra Pradesh. No report was received from the Government of Tamil Nadu in this regard.

According to the Andhra Pradesh Police, Red Sanders Anti-Smuggling Task Force (RSASTF) dispatched two task force parties on the night of April 06, 2015 to Seshachalam forest area on receiving credible information regarding presence of alleged red sanders smugglers there. In both the incidents, the RSASTF team were reportedly attacked by the alleged red sanders smugglers who were about 100 in numbers at both the places individually with stone pelting and deadly weapons. In exercise of right of private defence the task force team reportedly opened fire towards the smugglers to disperse them. In the first incident, 9 alleged smugglers were dead and in the second incident, 11 alleged smugglers were dead. Fire arms, empty cartridges, axes, knife, stones and red sanders logs were found at the scene of offence. Two separate cases were registered in this connection.

As informed by the Police Department, Government of Andhra Pradesh, Hyderabad, it would not be appropriate to send the detailed report in this matter because the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh has issued an order dated 13.04.2015 on PIL 91 of 2015 filed by Chilka Chandra Shekar & others against the State of Andhra Pradesh & Ors. relating to the incident which occurred on 07.04.2015 at Seshachalam hill ranges near Tirupathi, Chittoor District which directed that "Learned Additional Advocate General assures this court that no officer (be it police department or otherwise) of any level will divulge the result of investigation of the cases involving death of the persons in question to anyone else except before the appropriate court or appropriate official under law confidentially. According to us, this assurance is very timely and effective for the court also and we feel at this stage maintaining silence and non-disclosure of result of investigation except in competent court of law and the superior authority would be great help for fair and independent investigation, which will create confidence in the minds of people because all agencies owe a duty to the society to discharge in a fair and objective manner".

(c): The National Human Rights Commission issued notices to the Chief Secretary and the Director General of Police, Andhra Pradesh calling for their response on the matter and also called for various reports including post-mortem reports, and magisterial enquiry report in respect of the incident.

(d) & (e): No, Madam

(f): The NHRC has issued guidelines/procedures to be followed in cases of death caused in police action. As per Section 18(a) (i) of Protection of Human Rights Act, 1993, after completion of the inquiry under the Act, in case where the inquiry discloses the commission of violation of human rights or negligence in the prevention of violation of human rights or abetment thereof by a public

servant, the National Human Rights Commission may recommend to concerned Government or authority to make payment of compensation or damages of complainant or to the victim or the members of his family. The same provision exists for the State Human Rights Commission under the Section 29 of the said Act.