

Sterlite police firing: TN activists demand full report of inquiry commission

THOOTHUKUDI VIOLENCE THURSDAY, AUGUST 25, 2022 - 08:14

The 100-day-old civil protest ended in unprecedented violence and led to open firing by police which resulted in the death of 14 people in total, including 17-year-old Snowlyn Jackson.

A partial leak of a Commission of Inquiry report looking into the brutal violence unleashed by the police at Thoothukudi in 2018, has revealed that the Commission has held several police personnel responsible for the violence. The firing was "unprovoked", says the report submitted by Justice Aruna Jagadeesan's Commission of Inquiry to the Chief Minister of Tamil Nadu MK Stalin on May 18, 2022. The report names 17 police officers responsible for firing on unarmed protesters near in Thoothukudi, which resulted in the death of 14 people.

In 2018, local people had gathered together peacefully to shut down the Sterlite Copper, a copper smelting plant based in Thoothukudi, due to the ecological impact it created. The 100-day-old civil protest ended in unprecedented violence and led to open firing by the police which resulted in the death of 14 people in total, including 17-year-old Snowlin Jackson. The police fired on the protesters on two successive days on May 22 and 23, 2018, to disperse them. On May 22, eleven of the protesters died at the site of the protests, while 22-year-old Kaliyappan died the next day, when the police fired yet again. One more person succumbed to his injuries in October 2018, after going through prolonged treatment for his bullet injuries. More than 100 people were injured in the firing over the two days.

According to a report in Frontline, the Inquiry Commission listed the following police officials as being involved in open firing against the people who were staging a peaceful protest in front of the Thoothukudi Collectorate: Inspector General of Police (South Zone) Shailesh Kumar Yadav (now ADGP, Police Welfare); Deputy Inspector General of Police (Tirunelveli Range) Kapil Kumar C Saratkar (now an Additional Commissioner of Police Traffic, Chennai city); Superintendent of Police (Thoothukudi) P Mahendran (now Deputy Commissioner, Adyar, Chennai; and Deputy SP (Thoothukudi) Lingathirumaran. Three Inspectors, two Sub-Inspectors, one head constable and seven constables have also been named in the report.

Human rights activists in the state welcomed the findings of the Commission that were leaked. Henri Tiphagne, Executive Director of People's Watch, said on Twitter, "Justice Aruna Jagadeesan Commission of Inquiry report is welcomed by People's Watch. The findings of the Commission published in Frontline this evening indicted 17 named police officers & IAS officers." TNM spoke to activists who have continuously raised their voices for justice for the victims and survivors of the police shooting, and people who were affected by the pollution from the Sterlite Copper plant.

The CBI had taken over the investigation into the Thoothukudi firing incident from CB-CID, following an order from the Madras High Court in August 2018. The CBI filed three chargesheets, where it named 101 protestors and only one police officer in the rank of an inspector. The CBI chargesheet stated that glaring lapses were found on the part of several police officers and some revenue department officials, but did not hold them directly responsible for the police firing and only recommended departmental action against them.

S Vanchinathan, a practising advocate at the Madurai bench of the Madras High Court and associated with the anti-Sterlite movement, told TNM that the CBI did not conduct a proper inquiry and that the government should transfer the case to the CB-CID. He also said that the CBI didn't take his statement, even though he was an eyewitness and was present in Thoothukudi when the police firing took place. "This report from Aruna Jagadeesan highlighted the inefficiency of the CBI investigation," Vanchinathan said.

He said that the former Chief Minister Edappadi K Palaniswami who also held the Home Department portfolio, ex-DGP TK Rajendran, and former Chief Secretary Girija Vaidyanathan, should also be investigated. "When MK Stalin was Opposition leader, he sought the investigation and arrest of the then DGP. Now Stalin is the CM, he should suspend all 17 police officials whose names have been mentioned in the report. The government should table the report along with the Action Taken Report," he said. Vanchinathan also said that since the report had already been leaked, the government should make the report public for debate and also remove the Sterlite copper plant from Thoothukudi once the Supreme Court ruled on the matter. "Even after all the violence and deaths, Sterlite is still standing there like a threat to the people. This is Tamil Nadu's shame," he added. CBI, which investigated the incident, filed a chargesheet against only one inspector and 101 protestors in connection with the anti-Sterlite agitation. The CBI submitted its third chargesheet to the court of Chief Judicial Magistrate in December 2020 in which it mentioned Thirumalai, the then inspector of the Pudukottai station. He was suspected of illegally detaining youth and torturing them. Thirumalai is now the Additional SP of Ramanathapuram district.

"The criminal investigation will detail the roles of all the officials in these planned murders and where they were when the shootings happened. It will also establish why the police decided to shoot at unarmed people on the second day of the incident," he added further. He objected to the fact that the accused police officials are now in senior positions and they continue to live freely even after killing unarmed people. "How can the same agency conduct a fair investigation, where the police officials who are accused in this matter are still working in the department? Won't their influence impact the investigation?" he questioned. Vanchinathan said if the government did not table the report in the upcoming Assembly session, the Anti-Sterlite People's Movement would conduct indefinite protests.

"These killings were planned," said Marx, president of the National Confederation of Human Rights Organisations (NCHRO). Marx chaired a 12-member fact-finding team of human rights activists from Tamil Nadu and Kerala. The team had met with the protestors who were hospitalised, interacted with family members of those who died and also reached out to the officers, a few days after the shootings took place. Their report pointed out that the police had admitted that they had given permission to the protestors to stage a peaceful protest on May 22. "It was not necessary to use firearms. The police fired at the protestors and they did not stop even after the protestors dispersed from the place. The police officials hunted them down in the neighbouring villages," he added. The fact-finding report

pointed out that many protesters were held in prison illegally and they have faced custodial violence. "It shows how they chased down everyone and made sure no such protests would ever happen again in this region, against Sterlite," he said. It was this violent and aggressive behaviour of the police officials that made them suspect a possible connection between the police and Vedanta group, he told TNM.

Marx said that they have been waiting for the last three months for the DMK government to take action against the officials named in the report. "The police department has the confidence that it will be backed by the government, regardless of the party in power. This is why police atrocities continue and the judicial inquiry commissions appointed by the government have been against the victims," he said, referring to the [Paramakudi firing incident](#), where the Justice Sampath Commission cleared the police officers who had killed six Dalits who had gathered to pay homage to freedom fighter Immanuel Sekaran.

Dr V Suresh, president of the People's Union for Civil Liberties, called for an unabridged version of the report to be made available to the public, and for the Commission's report to be tabled along with the Action Taken Report. Only this would earn the people's trust, he said. "Based on the report, the FIR should be filed against the 17 police officials and the government should constitute a Special Investigation Team (SIT) to probe the matter further. The government's role does not end here. They should ensure that all the victims and family members of the persons the police killed get proper medical, financial, and livelihood aid," he said.

"Justice Aruna Jagadeesan's report fixes responsibility for the events that took place in Thoothukudi," advocate Jimraj Milton told TNM. He said that the report points to the lack of coordination among police officials, and that the government should consider the recommendations of the report and table it in the Assembly along with the Action Taken Report. "The CBI investigation findings were not satisfactory, whereas the Commission report highlighted the role of senior police officers. We demand an SIT investigation," he further added.

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