

Fact Finding Report of Dalit Women Sarpanch- 'Physical Assault'

1. Date of Incident : 22 June, 2016
2. Place of Incident : Bankaranja, Block Kaij, District Beed
3. Police Station : Yousuf Wadgaon
4. Date of Fact finding : 14 July, 2016
5. Organizations :
 - i. Action Aid, Mumbai
 - ii. Dalit Adivasi Adhikar Andolan, Pune
 - iii. Students-TISS, Mumbai and ILS, Pune
6. Members of fact findings:
 - i. Prof. Anagha Tambe, Director, Women Studies, Savitribai Phuley Pune University
 - ii. Vinayak Pawar, Action Aid, Mumbai
 - iii. Srenik Mutha, Student – ILS, Pune
 - iv. Adv. Priyadarshi Telang, DA3 Pune
 - v. Ms. Manisha Tokale, DA3, Beed
 - vi. Ashok Tangade, DA3, Beed
 - vii. Adv. Siddharth Shinde, DA3, Beed
 - viii. Adv. Prabhakar Sonawane, DA3, Pune
 - ix. Tatvasheel Kamble, Beed
7. Mandate of fact finding :
 - a. To find out truth of incident
 - b. Find out present situation of the village and present status of case
 - c. To meet village panchayat members, investigation authorities
 - d. To make recommendations
8. Incident in Brief:

A meeting of Bankaranja Gram Panchayat was conducted to re-elect Sarpanch on 22nd June, 2016 at noontime in the presence of the Tehsildar, Police, Gramsevak and other members of panchayat and villagers. Aruna Dahire objected to the new nominee and re-election on the grounds that her case of No Confidence motion was still pending in court, the new nominee was employed on a government funded project at the time of re-election, and that the caste validity of the nominee was suspect. As Aruna was questioning the tehsildar and other authorities, one person called her Bai, and asked her to shut up. Aruna and her husband, Shrimant both objected the use of foul language. When Shrimant was manhandled for the same, Aruna abused those accosting her husband, in presence of the authorities and again questioned the caste validity of the new nominee.

This irritated many panchayat members and other dominant caste persons who were in a hurry to complete the process. Aruna kept disrupting the process by asking the concerned authorities to see the nominee's documents and refusing to give her resignation.

Enraged Sudhakar Lamb, Kamlakar Lamb, Madhukar Lamb and 9 others hurled casteist abuses against and beat up Aruna and her husband Shrimant Dahire in full view of the

deputy tehsildar, gram sevak, police patil and police constable in the premises of the Gram Panchayat office. They were beaten with wooden batons and hollow iron pipes (*gaavti tof*, avg. 1.5 feet length x 6 inches diameter). When the couple was going to hospital by foot after this incident, Sudhakar Lamb, Madhukar Lamb and 3 others followed them on motorcycles, tried to stop them and beat them again with wooden batons, fists and kicks. Aruna sustained injuries on her head, ears were bleeding profusely and was beaten all over her body. Shrimant Dahire sustained a fracture on his left hand and serious injury to the back of left knee and is unable to walk properly thenceforth. Both of them were admitted to the Civil Hospital, Beed between 22-30 June, 2016.

On 22 June, 2016, in anticipation of the Dahire couple filing atrocity case, the accused instigated Maya Dahire, the new SC woman Sarpanch to file a case of sexual harassment and physical violence against Shirmant Dahire (IPC 354) and a case of theft against Aruna Dahire whilst the Dahires were admitted in hospital. The police registered the complaint of Aruna and Shrimant Dahire on 24 June, 2016. Each of the other Mahar/Neo-Buddhist families in the village has been threatened against supporting the couple in any way.



Pic: Shrimant and Aruna Dahire at their home, Bankaranja

9. Case History

In 2012, Gram Panchayat elections were held across the state of Maharashtra. Bankaranja village in Kaij taluka of Beed district had a 9-member Panchayat. In the elections of 2012, the people voted in 8 members belonging to the major front (BJP) and 1 member (Aruna Dahire) from the opposing front (NCP). As the post of Sarpanch in 2012 was reserved for a woman of Scheduled Caste (SC), Aruna Dahire the only elected SC female member of Bankaranja Gram Panchayat, became the Sarpanch against the wishes of the winning group which had no SC woman elected member.

Following Aruna's election, on 16 January, 2013, Gram Sevak Balaji Rakh passed a proposal for approving the signature of Sarpanch Aruna Dahire for the Gram Panchayat's transactions. The rest of the members took objection to this and passed a resolution

rejecting the Sarpanch's signatory rights by majority vote. Aruna Dahire complained against the same to the BDO (Gatvikas Adhikari), Panchayat Samiti- Kaij, and in panchayat meeting of 16/01/2013 gramsevak mentioned its legally required sarpanch to authorize financial transactions (see Annexure 1).

On 26 January, 2013, after the Gram Sabha meeting ended, at the Gram Panchayat office, Sudhakar Lamb and 10 others hurled casteist abuses like "हे महारीन तू सरपंच इहाल्याने काय होते?" (Oh Maharin, so what if you've become Sarpanch) at Aruna and her husband Shrimant Dahire and roughed them up. The police did not register the Dahires' complaint for 7-8 days. Following which the couple approached local activists Ashok Tangde and Manisha Tokale of Dalit Adivasi Adhikar Abhiyan (DA3) who reside in Beed. The activists following a *dharna* and *morcha*, conducted a meeting with the Collector. On the Collector's intervention, an FIR was finally registered on 6 February, 2013 against 11 people including gram panchayat members under the Prevention of Atrocities Act (see Annexure 2).

Following this, a compromise was arrived at a village meeting, where Aruna and her husband were 'requested' to take back the FIR on the promise of the cooperation of other Gram Panchayat members to Aruna's leadership as Sarpanch. On 12 February, 2013, following the compromise, Shrimant Dahire signed a bond taking back his complaint, which was then forwarded to the Police. The police abandoned the investigation on Aruna's FIR on the basis of the affidavit by Aruna and her husband Shrimant.

Following the compromise, Aruna tried to initiate several development initiatives for the village (2 road construction projects, etc.) However, she was obstructed in one way or the other due to non-cooperation of other Panchayat Samiti members. Until date, the only work she has been able to complete, that too only due to her grit and courage has been a road built in the main village. Development works for the Dalit colony in the village were not even allowed to be spoken of in the Gram Panchayat meetings. Moreover, the Gram Sevak on more than one occasion got her to sign blank cheques. Everytime she protested they would intimidate her and ask her to remain within limits. Each time this occurred, Aruna has submitted written complaints to the BDO apprising him of the situation. The BDO never initiated any action against the accused; however, Aruna continued to register complaints to him (see Annexure 3).

Finally, seeing the insubordination of Aruna Dahire and assertion of her own power, the major front instigated the resignation of one of its own upper caste female members and got a Scheduled Caste woman, Maya Dahire, re-elected in the vacant place through by-elections. Following her election, the members of the Panchayat Samiti passed a no-confidence motion against Aruna Dahire seeking to elect Maya Dahire in her place, and during the meeting on 22 June, 2016, Aruna and her husband were beaten up by Madhukar Lamb and 9 others (see Annexure 4).

10. Victims, Witnesses and Accused

Sr. No	Relation with Case	Name	Age	Sex	Caste	Religion	Address
Victims							
1	Complainant	Aruna Dahire	40	F	Mahar	Hindu	Bankaranja, Kej, Beed
2	Victim	Shrimant Dahire	44	M	Mahar	Hindu	Bankaranja, Kej, Beed
Witnesses							
1	Witness 1	Shivaji Dahire	65	M	Mahar	Hindu	Bankaranja, Kej, Beed
2	Witness 2	Shripati Dahire	60	M	Mahar	Hindu	Bankaranja, Kej, Beed
3	Witness 3	Lambabai Dahire	70	F	Mahar	Hindu	Bankaranja, Kej, Beed
4	Witness 4	Kamalbai Dahire	55	F	Mahar	Hindu	Bankaranja, Kej, Beed
Accused							
1	Accused 1	Madhukar Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
2	Accused 2	Manik Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
3	Accused 3	Parmeshwar Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
4	Accused 4	Shivram Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
5	Accused 5	Datta Dikshit		M	Sonar	Hindu	Bankaranja, Kej, Beed
6	Accused 6	Balaji Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
7	Accused 7	Vikas Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed
8	Accused 8	Anna Pawar		M	Maratha	Hindu	Bankaranja, Kej, Beed

9	Accused 9	Satish Dikshit		M	Sonar	Hindu	Bankaranja, Kej, Beed
10	Accused 10	Sudhakar Lamb		M	Wanjara	Hindu	Bankaranja, Kej, Beed

11. Present Status (As on 20th July 2016)

- a. FIR is registered u/s 147, 148, 149, 323, 324, 325, 504 of IPC; 3 (1)(10) of PoA
- b. No arrests made as yet
- c. Statements of Shrimant Dahire recorded at Hospital, Beed
- d. No police protection extended
- e. No compensation
- f. No visit to victim's family by authorities

12. Recommendations

- a. Immediate arrest of all the accused, as both the victims and family members are under fear and threat by accused.
- b. Prompt investigation by State investigation agency should be done within stipulated period and chargesheet should be filed within 60 days (ie. 23 August, 2016)
- c. Effective protection to the family members should be provided immediately
- d. Immediate action by the Government under Section 4 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015, against the authorities present during the case for wilful negligence in preventing and providing protection to the victims
- e. Immediate compensation of Rupees 1 Lakh should be paid to the victims and all medical expenses.
- f. Appoint Adv. Siddharth Shende as Special Prosecutor for this case.
- g. Declare Beed as Atrocity Prone Area and established Exclusive Special Court at Beed

Place: Pune

Date: 20th July, 2016

List of Documents / Annexure

1. Bankaranja Gram Panchayat's meeting register to reinstate Sarpanch Aruna to sign financial transactions.
2. FIR filed under PoA Act on February 6, 2013
3. Letters to the BDO by Aruna Dahire complaining against the forcible signing of blank cheques.
4. FIR filed by Dahires under PoA Act dated 24 June, 2016

