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Exclusive: 'Maharashtra police has no understanding of Naxalism'

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A rare interview with Vernon Gonsalves, who was jailed for six years on the charge of being a Naxalite.

On August 19, 2007, **Vernon Gonsalves** was picked up by the Maharashtra Anti-Terror Squad from Mumbai's Andheri East suburb on charges of being a top-level Naxalite leader with a sinister plan and for possessing explosives.

Almost six years after being jailed and despite the stiff defence put forth by his advocate wife Susan Abraham, Gonsalves was convicted under various sections of Unlawful Activities (Prevention) Act and Arms Act in 2007 by District and Additional Sessions Judge P M Dunedar. But since he had already undergone incarceration for the period that he was sentenced, he was released immediately.

Going by his educational qualifications, professional record, no one would believe that Gonsalves -- a trade unionist, a strong believer for justice, writer and social activist -- could be spearheading the outlawed group.

In an exclusive interview with [Rediff.com](#), Gonsalves recounts in detail to **Neeta Kolhatkar** his arrest, the case against him and his future plans

Can you recall the day you were picked up?

I did not expect this sort of incident. I was put up in a totally fabricated and false case. The kind of sections that were slapped on me (*laughs while narrating this*), Arms and Explosives Act, attempt to murder....

I would have expected Unlawful Activities (Prevention) Act, but not these sections. When one is in the social sector organising people and writing about it, there is a lurking feeling at the back of one's mind, of one being arrested.

I should not have been so naive to believe that the State could go to such levels to arrest a person.

Can you please recount the day when you were first picked up? One day before your official arrest as has been shown?

It was a Sunday and I had gone up our lane to drop my son Sagar. Susan was out on some work; she had given me a list of chores to finish.

My first stop was the chemist shop across the road and there was no indication of any police cars or vans. As I was about to cross, I felt a car coming close to me.

The door opened immediately and another screeched to a halt. Two men came and forced me to sit inside the vehicle. I felt like I was being abducted.

Although it was a Sunday, there were a few people. So I screamed for help and some came forward. Immediately, the police shouted, '*Hum police hai* (we are the police),' and the bystanders backed off.

My shirt was torn, my spectacles fell down and broke, and immediately I was covered with a black veil.

At the outset two officers began questioning me in Telugu. Even then I was convinced it was some sort of mistaken identity. That gave me an indication that the manager of this operation was from Andhra Pradesh.

I blurted out in Marathi, 'My name is Vernon Gonsalves.' I asked them to take me home. I realised they had been probably fed some information and I was whisked off to some place.

It was a little later that I understood that it was the ATS (*Anti-Terrorist Squad*) lock-up at Kala Chowky (*in south-central Mumbai*).

I kept asking them who were they (they were all in plainclothes) and that if they were the police I insisted they took me to court.

Once I was taken to the lock-up I was thrown in a cell and the veil was removed.

How did they treat you, question you? You had complained they used force. Did the ATS torture you?

There were no indications of a normal prison there. I was seated on the floor, which had chains and I was handcuffed. In fact, I told them that the way I was picked up, brought and treated, 'I fear you will finish me in a fake encounter.'

It was pointless talking to them. When they asked me for information, I told the police that it was pointless talking to them if they thought of killing me.

The Andhra Pradesh officers got a whiff that I had no connections, that is when they began roughing me up. They hit me behind the neck.

They stood behind me, asked questions and kept hitting me. I insisted that they did not look like police when they asked me some names; we had reached a stalemate.

That is when ATS officer Parambir Singh came in. He promised me that they had no intention of killing me in an encounter, especially anyone with Naxal links.

I then reminded him that there could always be a first killing of sorts. That's when the police started on a new line. They blindfolded me, put me in a vehicle and took me around the city.

Were you aware of your surroundings, as to where you were being taken? How did you remain alert?

I kept my cool and did not react. When such things have already happened to you, a certain kind of coolness overcomes you.

I realised that the police were putting up this drama to give me the feeling of an encounter. So I began to concentrate on the sounds outside.

All the while I knew they were taking me away to some suburb. I knew they never took me into the heart of the city. After a while, they realised it was taking them nowhere and brought me back.

At night they shifted me to the MIDC police station (*in north-west Mumbai*). When I was taken there I didn't know the location, but while taking me out of the station they had not covered my face and eyes tightly and I realised I was somewhere near my house.

At 12.30 am, they brought me home. Till then, I was persuading them take me to the court or my house where we can talk. I need to know what all this was about. So this was a relief... at least there won't be any encounter.

What transpired at your house? How did the ATS find the so-called explosives they accused you of harbouring?

Susan was at home when they brought me. Sagar was studying; he too was awake. At least they were seeing me. They kept me in a separate room and began searching the house. They picked up CDs -- they even took Sagar's game CDs -- and went through our computer.

Susan had case files regarding Dr Binayak Sen, the doctor who was detained in Raipur in Chhattisgarh on charges of sedition -- those were taken. They took books, even those that they did not understand. They just took them (*laughs heartily*). This went on till 6.30 am.

The first indication of my arrest in a case they had made up came when they gave a letter to Susan. Susan showed it to me. I expected to be arrested under UAPA, because it has a broad spectrum. But instead they booked me under the Arms Act, accused me of harbouring explosives like gelatine and detonators.

I am aware of the law. It was evident that the police had some other agenda. They said, 'There can be others too. So this is the broad case with various sections.'

It was only the next day in court that I saw Sridhar Srinivasan for the first time. He too was arrested on the same charges.

Did the case stand in court at the outset? Did the court believe the fabricated sections?

Moreover, how did the court and later the police react when you raised the issue of physical abuse in custody?

I was picked up 1.30 pm on Sunday, but in court they showed it as 4.30 pm and that too from Govandi (*in north-east Mumbai*) (*laughs aloud*). As for witnesses, they did not even get any real neighbour from our area.

In typical police style, two *panchas* (law respectable witnesses) stood witness. One of them, in fact, had a criminal record. He was arrested for pirating CDs, yet he went along with the lies of the ATS.

The police explained to the magistrate that we (I and Srinivasan) were sitting with revolvers tucked in our belts. They put up a dramatic story to show how their procedure was fair. It is amusing that they informed the court that we ourselves offered to be searched by the police!

Now, before we were produced in court, we were taken to the KEM hospital (*in south-central Mumbai*). By then, my injuries were hurting. So I told the doctor examining to note it, but instead of doing his duty, he actually told me I must have done something to be beaten by the cops.

That was the first time I lost my cool. The young doctor realised I am no pushover.

We told the court at the outset that we were tortured. The court too realised the charges were not genuine; we were sent to only for two-day custody. At that time when our lawyers raised concerns about our safety and prevention from torture, we got the benefit of [Arun Ferreira's](#) case.

There was a campaign outside, a forum formed against torture, and after the first remand we were not beaten.

They tried other tricks of trying to soften us by keeping us awake for nearly 22 hours. They even tried to get us to sign some declarations, but we refused.

The other good part was that in the first hearing itself our lawyers asked to meet us on daily basis, which was granted by the magistrate. So we had daily interactions.

The main accusation against you is that you harboured explosives. Did the police find anything at all?

The police framed us under such charges, but the important point is how they described it them their chargesheet. (*Gonsalves sat in a small room, with a computer, trolley, a desk, book shelf and a small wooden bed on four legs. Storage capacity is evident at one glimpse around the room*).

They accused us of having made explosives with gelatine sticks, detonators and we had guns. They went on to say we stored these in a hollow storage in the bed (*points to the bed on four legs with two mattresses and no sign of any space for storage*).

The falsehood was evident even to the magistrate. During the trial, the explosive expert was called to give his assessment. He said with the kind of explosives mentioned, it could blast a whole station and I was supposed to have stored it here?

It is absurd for such things to be stored in a match-box-size house of sorts that we live in. The expert did mention the unlikelihood. It was all absurd.

Which jails were you kept in? Are the lock-ups for political prisoners different? How did the other criminals behave with you?

In 2007, we were kept in the Anda cell of the Arthur Road jail (*in central Mumbai*) for a while. There are five yards -- one for Dawood Ibrahim's gangsters, one for Chhota Rajan's gangsters and three for the other prisoners, including one only for Muslim prisoners.

I was there for nearly seven months. These cells are yards; they open into a space where we can speak to others. These are very small cells and due to over-crowding initially there were three of us in one cell. They were particularly strict with the blast case prisoners.

The Indian authorities follow the British policy for political prisoners. They follow what is called the septic tank principle. There is, in fact, a July 2007 circular by the Inspector General of

Prisons regarding political prisoners and especially those arrested for Naxal operations.

That circular specifies we should be quarantined and jails should keep a strict, beginning with their own staff so that we do not influence them. They have instructed how we should not be 'influencing' others about our ideology.

They supervise our interviews during personal visits by family members and lawyers. We had to fight for getting books to read or even writing letters. And while we fought, all sorts of other illegal activities were being permitted in the jails.

Booze, drugs, good home-cooked food and everything else is traded here. I had never tasted the kind of food that some of them eat in jail, say like a Lebanese roll.

Our approach was simple, we had to maintain our sanity for which we kept reading and writing. Yes, other prisoners realised we are well-educated, speak good English, can write well. So they would consult us on legal matters, seek our help under which sections they could plead for bail, other such issues.

We weren't of any threat to the other prisoners. So we would be left alone. Interestingly, the lower-rung encounter cops who were in jail also sought legal advice from us for bail and other matters.

The whole approach of the authorities and structure of the establishment is to humiliate a person in jail. They stomp upon you. We re-learnt our laws and used it to make it clear they could not touch us.

During our stay in Gadchiroli jail (*in north-central Maharashtra*), officials feared we would be poisoned. So they had to taste our food. Once my blood pressure went up, they would make me eat more (*laughs*).

Through your various interactions with the police, the ATS and other security agencies, do you think the establishment is confused about Naxalism in Maharashtra? Do they know what exactly are the problems and is there a clear policy?

It is obvious that mostly the police has no understanding of Naxalism. The political class has no stakes in Gadchiroli, Gondia, Chandrapur (*Naxal hot-beds in Maharashtra*). They get into action only when something happens, or out of fear that something may happen.

The very cases they filed against Naxal activists reflects the government mindset. It finally settles down to individuals. So if there is an effective superintendent of police, then there will be one sort of action; another SP wanting to show his diligence would trigger a sudden spurt in action.

In Andhra Pradesh, the Naxal movement has gone down to a very large extent. There are many positive reasons for it. It is not due to the 'Greyhound' (*anti-Naxal police teams*) approach, but because of the implementation of many irrigation projects. People got water, employment, jobs and got economically empowered.

The main reason is economic development has taken place in many places. But there is no holistic policy as such.

During our jail term, many policemen wanted to talk to us. They wanted us to educate their 'boys.' as some would tell us, about our work and the activists in such regions.

In fact, the lack of understanding was evident at every step. The Gujarat police filed a UAPA case against me and 20 others, including [Kobad Ghandy](#) in Surat. We had never even gone to Surat. But they anticipated we could go to Gujarat and anticipated that Maoists could go to work there. There too they had no clue what Naxalism meant, the work that is involved.

Now that you are out of jail, what do you plan to do?

I am interested in criminal law. I have been reading and studying. My experience has taught me a lot regarding the kind of knowledge the authorities don't have about political prisoners. I have picked up a lot of legal knowledge and now I am working on the death penalty -- I am against it.

The levels of fabrication that the authorities indulge in... I want to work on it.

Illustration: Uttam Ghosh/[Rediff.com](http://www.rediff.com)