

Activities of Sri Lankan Tamil Militant Groups

"On 30.12.1985, cries of 'Expel Sri Lankan Tamils' reverberated across Vedaranyam when a 1200 - strong procession was taken out protesting against a road accident in which 16 schoolgirls were injured as a jeep driven by a Sri Lankan Tamil went berserk. The processionists stoned a lodge where some Sri Lankan Tamils were living and later the Police Station also faced the wrath of the mob when the Sri Lankans were rescued and taken to the Station. The climax was reached when members of a militant group Tamil Eelam Army (TEA) opened fire to drive away a crowd that mobbed the building where they were living."

2. "This sequence of events symbolises a change in the attitude of the public to the Sri Lankan Tamils who have taken shelter in Tamil Nadu. The ethnic conflict in Sri Lanka has driven hordes of Tamils into India especially after the carnage in July 1983. Apart from the thousands of refugees housed in the camps set up by the Government, a substantial proportion of these migrant Sri Lankan Tamils have settled in different parts of Tamil Nadu on their own. These include leaders and members of the various liberation groups. By and large, the local population in Tamil Nadu has been sympathetic to the cause of these Sri Lankan Tamils who have suffered untold misery in their island. However, time and again some unscrupulous Sri Lankan Tamils have got themselves embroiled in violence or illegal activities in the form of kidnap, assault, torture, blackmail, smuggling, murder or illicit use of fire-arms and explosives. While these incidents mostly stem from inter-group rivalry or intra-group conflict, their impact has often spilled over outside the Sri Lankan Tamil Community. It is this scenario which has created an impression that the hospitality of the local public is being abused by elements who consider themselves to be beyond the pale of the law."

3. "Inter group rivalry has been a chief reason for the use of violence by the Sri Lankan Tamils. While four major groups have patched up their differences and come together to form the Eelam National Liberation Front [ENLF], there are still a number of other groups operating independently and often at cross purposes to each other. Even within ENLF, all is not well as illustrated by the shooting down of a leader of EPRLF [Eelam People's Revolutionary Liberation Front] by LTTE (Liberation Tigers of Tamil Eelam) at Vavuniya in Sri Lanka in the middle of November 1985. This kind of group conflict in Sri Lanka does not fail to have its echo in Tamil Nadu."

4. "Inter-group enmity is best exemplified by the relationship between the LTTE and the Peoples Liberation Organisation for Tamil Eelam (PLOT). Their top leaders PRABHAKARAN and MUKUNDAN hit the headlines when they were involved in a shoot-out at Pondy Bazaar in Madras in 1982. They continue to remain sworn enemies and this constitutes the reason why a major organisation like PLOT should stay outside ENLF and take an independent line even during the negotiations with the Sri Lankan Government. the members of the two groups have been involved in a number of other confrontations.

(i) On 25.2.85, one GUNAM (LTTE) was abducted by PLOT members from a bus near Orthanadu and later set free near Vedaranyam (Orthanadu PS Cr. No. 121/85 u/s 341, 323, 365 IPC)

(ii) On 5.3.85, Pottu and Thavarajah (LTTE) were abducted by PLOT at Muthupettai and in the melee, Pottu fired a round from a pistol. The two LTTE members were later got released by Police (Orthanadu PS Cr. no. 89/85 u/s 353 IPC r/w 25 Indian Arms Act).

(iii) In apparent retaliation, SHANKAR and 4 others of LTTE stormed into the Tamil Information Centre building at Madras on 7.3.85 and took away JOTHEESWARAN @ KANNAN and RAVI of PLOT after using firearms (CB CID Cr. No. 3/85 u/s 147, 148, 324, 506(II) IPC r/w 25 Indian Arms Act)."

5. "Similar incidents have been reported among other groups. For instance, on 26.7.85 one RAJAJI (TEA) was abducted by TELO (Guindy PS Cr. No. 596/85 u/s 363 IPC). In May 1985, PLOT members were alleged to have raided the ERCP (Eelam Revolutionary Communist Party) settlement at Karayampatty taking away tents, cooking utensils, uniforms etc. The two groups came to a clash on 31.5.85 at Samayanallur leading to the arrest of 5 persons and recovery of air-guns and shotguns (Samayanallur PS Cr. Nos. 301 and 302/85 u/s 307 IPC)."

6. "Power struggle within the groups has often resulted in members turning against one another. Personality cult being a dominant theme, the youthful leaders strive to gather around them a band of people personally loyal to them. Dissidence is ruthlessly put down and `traitors' are shown no mercy. Several instances of abduction of dissidents have come to Police notice. In September '84, two important TELO dissidents SUDHA and RAMESH were kept under house arrest at Saligramam by the TELO leadership. About 35 sympathisers went on a hunger strike in front of the Gandhi statue at Marina demanding their release. On the intervention of the Police, the two were set free. However, within 3 months, RAMESH was again kidnapped and his whereabouts are not known."

7. "The vertical split of Tamil Eelam Liberation Army (TELA) occasioned a bitter fight. The group split into two factions, one led by RAJAN and the other by KANTHAN. Towards the end of March 1985, one LION of TELA-RAJAN group fired a round from a revolver in a confrontation with SUSILAN and two others who had left TELA to throw in their lot with PLOT (Pattukottai PS. Cr. no. 509/85 u/s 147, 148, 341, 365 r/w 25 Indian Arms Act)."

8. "In Eelam Revolutionary Organisation (EROS) one DAVASEELAN @ MONTFORD who deserted a camp was taken captive by 3 members and kept under wrongful confinement in June 1985 until Mandapam Police intervened."

9. "S.A. DAVID of `Gandhiyam' movement who had left PLOT quite some time back was abducted on 3.8.85 at Anna Nagar but later let off when it was realised that he was not the wanted person. The real target VASANTHAN, another defector from PLOT, is missing since 18.9.85 and it has been alleged that PLOT had abducted him. (Thirumangalam PS Cr. no. 384/85 u/s 365 IPC). On 30.5.85, the same group had abducted one Anandamurugan and one Kumareswara Raja and released them later. (Thiruvannamiyur PS Cr. No. 758/85 u/s 353 IPC)."

10. "Innocent people unconnected with Sri Lankan affairs have at times fallen victims to similar high handed activities. In Pannavayal, one DAKSHINAMOORTHY sustained a bullet injury and died on 1.5.84 when PLOT members opened fire while pursuing two defectors who had been taking shelter in his rice-mill (Pattukottai PS Cr. No. 714/84 u/s 147, 148, 302 IPC r/w 25 Indian Arms Act). One PUSHPADEVI d/o APPADURAI, an officer in the Sri Lankan Deputy High Commissioner's office, was allegedly kidnapped by PLOT (Chetput PS Cr. No. 1537/84 u/s 365 IPC). The victim girl later surfaced in a PLOT camp and announced that she had joined the militant organisation. An altercation between a cycle-shop owner and a member of TEA led to a riotous situation at Vedaranyam on 17.6.85 and was brought under control only on the intervention of Police and Revenue authorities (Vedaranyam PS. Cr. No. u/s 147, 427, 448, 506(II) IPC). On 18.12.85, SURESH and 11 others of PLOT went to the refugees camp at Alanganallur and took one VASANTHAKUMAR, assaulted him and detained him in their custody for 2 days (Samayanallur PS Cr. No. 614/85 u/s 147, 342, 323, 324 IPC)."

11. "A daring incident of abduction and blackmail was reported from Madurai on 9.11.85 involving one NARESH, son of a Government coroner in Sri Lanka. This youth was abducted by some members of the TELA (RAJAN) group and kept captive near Sirumalai. Not content with taking away 25 sovereigns of gold jewellery in his possession, his abductors also sent ransom notes demanding one lakh rupees for his release. Police swooped on their camp and secured his release and also arrested 17 persons."

12. "Use of explosives and guns is becoming increasingly common among Sri Lankan Tamils. Many of the members brazenly carry lethal weapons or hand-grenades ostensibly for self protection and they do not hesitate to put them to use, as seen from a number of the incidents enumerated above. Accidental explosion of bombs resulting in loss of lives have been reported at regular intervals. A sample study of such instances where explosives and fire-arms have come to public knowledge will include the following :

(i) One UDAYAKUMAR of ECRP sustained injuries when a hand grenade exploded at Saranangudi (Alanganallur PS Cr. No. 29/85 u/s 337 IPC)

(ii) An Indian Coast Guard Ship intercepted a boat carrying EPRLF cadres on 26.3.85 and seized a sub-machine gun, 4 mortars, 2 boxes of dynamite, etc.

(iii) Two innocent persons lost their lives at Madurai bus stand on 21.5.85 when a hand grenade exploded. A handbag containing the explosive had been deposited in a petty shop apparently by a TELA member.

(iv) MOHAN and SUREN of NLFT were arrested on 30.3.85 for possession of two hand grenades (Chitlapakkam PS Cr. No. 145/85 u/s 7(A) of Indian Explosives Act.)

(v) On 14.8.85 two members of NLFT were found transporting gelatine sticks and empty hand grenade shells in a bus to Vedaranyam (Vikramandi PS Cr. No. 303/85)

(vi) Two members of TEA were arrested on 23.3.85 for possession of country made revolver (Pollachi Town PS Cr. No. 138/85 u/s 25 Indian Arms Act).

(vii) An accidental firing of a revolver at Tamil International, Madras, resulted in injuries to one ANANDAMURUGAN on 21.5.85.

(viii) A TELA member JEYA was fatally injured on 23.6.85 at Kuzhipirai when he was handling a grenade (Pattukottai PS Cr. No. 518/85 u/s 174 Cr.Pc.).

(ix) An explosion on 8.10.85 at a house in Anna Nagar, Madurai, resulted in the death of a TEA activist KAMAL (Karuppa urani PS Cr. No. 532/85 u/s 286, 304(A) IPC).

(x) On 9.12.85 DEVAN and BALAN (PLOT) sustained injuries at Kuzhipirai when a grenade exploded (Panayapatti PS Cr. No. 144/85 u/s 286 IPC).

(xi) On 23.12.85 a massive explosion left a gaping hole on the terrace of the residence of BALASINGHAM (LTTE) at Besant Nagar, Madras. The violent shockwave of the explosion shattered glass panes in neighbouring houses.

(xii) A bomb blast at Meenambakkam Airport in August 1984 left 30 people dead and 37 others injured. THAMBAPILLAI MAHESWARAN of TEA group was responsible for the bomb in this case.

These incidents have shaken the confidence of the public to such an extent that they dread having Sri Lankans as neighbours fearing a possible explosion at any time."

13. "Smuggling of contraband is another area in which Sri Lankan Tamils are gaining notoriety.

(i) On 27.2.84, BOBBY and three other TELO members were found in possession of 11.774 Kgs of gold suspected to have been looted from the Peoples Bank at Jaffna.

(ii) On 18.5.85, 19 Sri Lankan Tamil youths were arrested by Customs officers near Madurai when they were transporting 21.22 Kgs. of gold from Nagercoil to Madurai.

(iii) The Customs authorities are reported to have detected a number of smuggling cases at Vedaranyam involving Sri Lankans. There was even an instance in which Sri Lankan Tamils involved in smuggling opened fire at a Customs party on 24.10.85 near Theevukkadu (Vedaranyam)."

14. "Sri Lankans have also come to adverse notice frequently for offences involving drug trafficking. They are concerned in at least .. cases of opium or heroin transport detected by Narcotics Intelligence Bureau during this year. Specific mention may be made of NIB Cr. No. 7/85 u/s 9(a) of Opium Act in which GNANAM and DURAISINGHAM, both of Valvettithurai, Sri Lanka, were arrested on 23.1.85 for possession of 46.200 Kgs. of opium worth Rs. 92,400/-. They were convicted to 6 months R.I. In another case in NIB Cr. No. 98/85 u/s 21 of Narcotics and Psychotropic Substances Act 1985, one RAJALINGAM of Paruthithurai of Jaffna was arrested on 18.12.85 at Saidapet for possession of heroin worth Rs. 64,000/-. It is also learnt that Customs authorities have recently arrested two Sri Lankans DURAIKUTTY and JEEVAGAN in Madras and seized 5 Kgs of heroin. There are also reports that Sri Lankan Tamils who have fled to many Western countries have been actively involved in drug trafficking. These facts are a matter of serious concern as drug abuse in schools and colleges in Tamil Nadu is assuming serious proportions."

15. "In the light of reports that AIDS (Acquired Immuno Deficiency Syndrome) has been detected in Sri Lanka, there are fears that unrestricted flow of people from Sri Lanka may introduce this dreaded disease into Tamil Nadu too."

16. "The common thread running through the episodes narrated above is use of fire-arms and explosives and resort to violence and smuggling which are becoming more and more prominent with passage of time and turning public opinion against the Sri Lankan Tamils."

TESO Conference at Madurai

22 The continuing internecine rivalries between the Sri Lankan Tamil militant groups were perceived by the Indian sympathisers of the Sri Lankan Tamil cause as a stumbling block towards a solution. M. Karunanidhi, the DMK leader, convened a Conference at Madurai where an organisation called "Tamil Eelam Supporters Organisation (TESO) came into existence. The conference was attended by several political leaders of national level. However, efforts made in this conference to bring about a rapprochement amongst the warring factions of Sri Lankan Tamil militants did not succeed, apparently due to the absence of a positive response from the LTTE. Shri M. Karunanidhi, in his deposition before

the Commission on November 22, 1996, has spoken about this event. Relevant extracts are reproduced below :-

"There was a conference of Tamil Eelam Supporters Organisation on 4.5.86 at Madurai which I organised and participated. This was the first time a conference was convened for the support of the Tamils of Sri Lanka (Tamil Eelam) to take it at the all India level. It came into existence. The other leaders who participated in that conference were Sh N.T.Rama Rao, Shri. A.B.Vajpayee, Dr. Subaramaniam Swamy, Shri Ramoowaalia, Shri Bahuguna, Shri Unnikrishnan , Shri Upendra and others. We were able to see in that Conference that there was no unity among the militant groups., EPRLF, EROS, TELO and PLOTE. All of us urged these militant groups to unite.....But on the next day, namely, 5.5.86 the TELO leader Sabarnam was murdered by the LTTE, in Sri Lanka. After the murder of Sabarnam, I gave a press statement that the DMK leader, convener of TESO, that is myself has vowed to remain silent on the Sri Lankan ethnic issue, till the Tamil leaders buried the hatchet and took up a united stand. My statement was reported in the Indian Express dated may be 23.5.86.....There was a meeting at Madras condemning the murder of Sabarnam and I have spoken in that meeting. It is my practice that on my birthday I used to collect money for public utility /use and distribute the same for philanthropic purposes. But in the year 1986 I made an announcement that the money that I would be collecting will be given to the five militant groups. For that purpose I had collected about two and a half lakh rupees on 3rd June 1986. I made an announcement that I will give Rs 50000 to each Tamil militant groups. Apart from this, I made another announcement that I will give Rs 25000/- to the bereaved family of Sabarnam. All the groups accepted the money and LTTE did not receive the money inspite of our reminders, the LTTE did not even contact us."

22.1 According to Shri Karunanidhi, soon after this, efforts were made by the Central Government as well to bring to an end the factionalism between the rival Sri Lankan Tamil groups, but in vain. In his affidavit no. 187/94-JCI filed before this Commission, he states :-

"The Government of India endeavoured to iron out the enmity among the Tamil Groups. On 21.08.1986 Thiru Sivasankaran the then External Affairs Minister, Thiru. Bhuta Singh the Home Minister and Thiru. P.Chidambaram, the Deputy Minister, Home, along with the then Chief Minister of Tamil Nadu Thiru M.G.Ramachandran held talks with the Sri Lankan militants including Thiru Prabhakaran."

Shoot-out at Choolaimedu, Madras

23 In his affidavit no. 64/92--JCI, Shri K. Mohandas describes the violent incidents which took place at Choolaimedu, Madras in 1.11.1986 as follows :-

PARA 33. "What happened on November 1, 1986-- Deepavali day--at Choolaimedu right in the heart of Madras city in broad daylight, stunned and shocked the State. Following a petty dispute about the hiring of an auto rickshaw, a member of the EPRLF sprayed 60 bullets on unarmed citizens of Madras, killing a young Dalit lawyer and injuring many others. The perpetrators of the crime, though armed with sophisticated weapons, were quickly disarmed and taken into custody by the Commissioner of Police Walter Devaram. I immediately conveyed to MGR the information about the firing on innocent civilians by EPRLF. I repeated my concern about the activities of the militants of all hues and the effect it was having on the Law & Order situation in the State. I told him that it was high time that a fully coordinated and firm action was taken to keep them under control or else the lives of innocent citizens of the State would be in peril. I also telephoned Mr.M.K.Narayanan, Additional Director, IB at New Delhi and repeated what I told MGR. I added that it was a matter serious enough to be taken to the notice of the Prime Minister."

23.1 This incident is also narrated by him in his book "MGR: The Man and the Myth" at page 140 as follows :-

"While there had been till then reports of their (Tamil militants stationed on TN) internecine killings, carrying and possession of lethal arms with impunity and high handed behaviour by their cadres to Tamil Nadu citizens, no one was prepared for what happened on Nov. 1st, 1986 - Deepavali Day - at Choolaimedu right in the heart of Madras city in broad day light. Following of a pretty dispute of the hiring of an autorickshaw, a member of the EPRLF sprayed bullets on unarmed citizens of Madras, killing a young lawyer and injuring many others. The whole State was shocked. The perpetrators of the crime, thought armed with sophisticated arms were immediately disarmed and taken into custody.."

SAARC Conference at Bangalore and `Operation Tiger'

24 The SAARC Conference was held at Bangalore during 15th - 17th November 1986. The President of Sri Lankan Shri J.R. Jayawardhene was also present in the Conference. During this Conference, efforts were made afresh by the Government of India to arrive at an amicable solution to the Sri Lankan crisis. In view of the presence of Sri Lankan militant groups in Tamil Nadu, the Central Government alerted the State Government through the following message:-

(Affidavit of K. Mohandas no. 64/92-JCI Annexure I)

Enclosure to Letter No. SR II/2881/86 dt. 6.11.86..lm 15

"Copy of telex from Home, New Delhi addressed to the ChiefSec. Tamil Nadu, Madras - No. VI- 23014/ 29/86 .GPA III Dated 4.11.86

From V.K. Jain to Shri A. Padmanabhan (.) There are reports that militant Tamil groups and individuals based in Tamil Nadu propose to indulge into violent activities and might even attempt to cause physical harm to the security of Shri Jayawardhene, President of Sri Lanka during his forthcoming visit to Bangalore from 15th to 17th November, 1986, in connection with the SAARC Summit (.) It is requested that suitable instructions should be issued to the Police and security authorities to ensure very stringent security arrangements for the Conference particularly for the protection of the President of Sri Lanka (.) Watch should also be kept on the likely movements of Sri Lankan Tamil militants and their sympathisers towards Bangalore from now onwards till the end of the Summit (.) The Intelligence Bureau is being requested to furnish details of Tamil militants and other extremist groups to Director General of Police (.)"

The events in Tamil Nadu which unfolded during the period are best narrated by Shri K. Mohandas in his affidavit as follows :-

PARA 34. :- "On 4th November, 1986, a message (copy appended herewith as Annexure I) was received by the Chief Secretary to the Govt. of Tamil Nadu from the Union Home Ministry in New Delhi asking the police and security authorities in Tamil Nadu to ensure very stringent security arrangements for the SAARC (South Asian Association for Regional Cooperation) summit scheduled to be held in Bangalore from November 15 to 17, as President Jayewardene would be participating in the Conference. The message particularly stated that a watch should be kept on likely movements of Sri Lankan Tamil militants towards Bangalore as they might even attempt to cause physical harm to President Jayewardene. The message further stated that the IB was being requested to furnish details of the Tamil militants and other extremist groups to DGP, thereby revealing that this information was till then not conveyed to the State Intelligence. The next day, MGR summoned me and straightaway asked me to disarm the Sri Lankan militants based in Tamil Nadu. He added that this action had to be taken under instructions from the Prime Minister, in view of the SAARC summit scheduled to be held shortly in Bangalore which was being attended by President Jayewardene and also because of unlawful activities indulged in by the militants in Tamil Nadu inspite of attempts to control them. I told the Chief Minister that this was an almost impossible task in view of the sophisticated weapons known to be in possession of the militants and that this was a matter which should be more appropriately handled by the Army or Para-military forces. I also told him that it was politically unwise for the Tamil Nadu Government to take such an action as the matter involved a foreign country and therefore it fell under the Centre's Jurisdiction. MGR told me that the Prime Minister was reluctant to use the army or confrontation, there would be international ramifications. MGR further told me that I should "somehow" disarm the militants, as he had given his word to the Prime Minister that the Tamil Nadu Government would undertake the task. When I told MGR that I had to think about it and formulate a plan which would be least risky to the police officers and men to be involved in the disarming exercise, he informed me that the Central agencies like the RAW and the IB should not be

informed about the operation and that even the State's top officials like the Chief Secretary and the Home Secretary should be kept in the dark about the details of my plan, as it involved a great risk, and any leak, intentional or otherwise, might cost the lives of thousands of men. I agreed with him that the exercise had necessarily to be a Top Secret one and that I would not be in a position to inform even MGR as to when and how I proposed to strike. He agreed with his usual thumbs-up sigh, but instructed that it should be carried out with expedition--at any rate before the SAARC summit in Bangalore.

PARA 35. :- I had a sleepless night turning over in my mind various methods by which the suicidal task could be carried out with minimum damage. Finally I hit upon a plan, with a large dose of psychological input, which I thought might work, given a good amount of luck. The operation was slated for the early hours of November 8, 1986.

PARA 36. - The plan worked, resulting in the seizure of large quantities of sophisticated armaments and ammunition worth about Rs.40 crores(approximately Rs.120 crores in today's international market) from militant groups spread over Madras city and 10 districts. (The list of seized items is appended herewith marked as Annexure II). This was done without firing a single shot or spilling a drop of blood. Taken by surprise, the militants including the LTTE supremo Velupillai Prabhakaran appeared at the respective police stations, mostly of their own accord. They were photographed and, in some cases, videographed so that we could have a head-count and identification for the C.I.D. files. As the orders were only for disarming them, they were not arrested, but let off after questioning. The whole operation code named 'Operation Tiger' lasted only 4 hours i.e. from 6 a.m. to 10 a.m. on 8th Nov, 1986.

PARA 41. :- When I met MGR at his residence on his return from Delhi, he instructed me to make available LTTE supremo Prabhakaran for consultations over the phone, and that he (MGR) would be proceeding to Bangalore. He vaguely hinted that there might be some talks there.

PARA 42. :- That night, I got a call from Bangalore from a senior IB official (Dr.K.V.H.Padmanabhan, Joint Director, IB stationed in Madras) stating that MGR desired that Prabhakaran and his political advisor Anton Balasingham should be flown immediately to Bangalore by a special I.A.F.aircraft which was waiting for them at the Air Force Station, Tambaram. I crosschecked with MGR who confirmed what the IB official had conveyed. The Union Minister of State for Home Affairs, Mr.P.Chidambaram, was also learnt to be present in Bangalore. I did what I was asked to do, after taking the precaution of frisking the LTTE supremo and his advisor and sending two CID officers as security guards in the flight.

PARA 43. :- Apparently angry at the outcome of the Bangalore talks, MGR asked me to seize the wireless sets which the militants were clandestinely using for

communication with Sri Lanka and between certain points in Tamil Nadu, I told him that this was not advisable, because the Intelligence agencies were monitoring the traffic over the wireless. If the wireless sets were to be seized and put out of action the intelligence agencies would be deprived of a reliable source that would furnish information about the intentions and the activities of the militants. But MGR was insistent and the sets were seized without any resistance. An annoyed Prabhakaran went on a fast in protest against the seizure of the wireless sets. Added to this was a public statement issued by Union Minister for Home Affairs, Mr.P.Chidambaram, that the Centre was not consulted or informed of the seizure of the wireless sets. MGR instructed me to return not only the wireless sets but also the arms and ammunition seized during "Operation Tiger" to the militants, I felt that matters had come to a head and refused to be a party to this dangerous enterprise."

24.1 P. Nedumaran, in his affidavit no. 87/93-JCI has stated that :-

(Para 17)

"I wish to state that the Indian Government recognised that the LTTE was the only movement that has the full support of the Eelam Tamils. When the SAARC Conference was held at Bangalore on November 1986, the then Prime Minister Mr.Rajiv Gandhi took a initiative to talk with the Sri Lankan President Mr.Jayewardene in respect of the Sri Lankan Tamils problems. The LTTE Supremo Mr.Prabhakaran was the only person invited by the Prime Minister to participate in these talks. He was taken to Bangalore by the then Tamil nadu Chief Minister Mr.M.G.R. Though the talks failed, it portrayed that Mr.Prabhakaran was accepted and recognised as the sole representative of Eelam Tamils by both the Indian and Sri Lankan Governments."

24.2 However, the version of Shri M. Karunanidhi with regard to 'Operation Tiger' is slightly different. In his affidavit no. 187/94-JCI, he states :-

PARA 6 :-

"On 01.11.1986 the militants belonging to EPRLF opened fire at Choolaimedu, Madras killing two civilians and severely injuring several others. This was reported in all local newspapers on 03.11.1986. On 01.11.1986 itself there was another shoot out by the Srilankan Tamil militants group called PLOT due to some misunderstanding in Orathanadu Village of Thanjavur District of Tamilnadu. This was also reported in the local newspapers on 03.11.1986. There was public criticisms over these two shooting incidents by the militants in Tamilnadu. Therefore the State Police conducted an early morning swoop on Tamil militants through out the state of Tamil Nadu on 08.11.1986. The Tamil Nadu Police arrested 1005 of the Sri Lankan militants in the Madras city of 15 camps all over the State of Tamilnadu and seized a large quantity of lethal arms including anti-air-craft missiles. The Police also seized surface-air- missile (SAM), mortars,

rocket launchers in transit to Sri Lanka in Thanjavur District. The whole operation was reportedly called as Operation Tigers'. Reports about the Police Operation appeared in all the newspapers on 09.11.1986. On 11.11.1986 Thiru V.Prabhakaran the Chief of LTTE and his adviser Thiru Balasingam met the Chief Minister of Tamilnadu Thiru M.G.Ramachandran. The Hindu newspaper on 12.11.1986 published a news item in this regard. Both Tvl. Prabhakaran & Balasingam were taken by Police and were later released. This news item was also published in the Hindu on 12.11.1986. I submit that at this point of time a nonailable warrant was pending against Thiru Prabhakaran before the VIII Additional Sessions Court. Madras in S.C.No.81/82 in Cr.No.1174/82 of R-1 Mambalam Police Station, Madras. I understand that the Inspector of Police CBCID Madras filed memos before the VIII Additional Sessions Court Madras on 14.10.1986 and 15.12.1986 stating that the nonailable warrant could not be executed as the whereabouts of Thiru Prabhakaran was not known."

24.3 Shri P. Chidambaram, in his deposition before the Commission dated November 6, 1996, has made a passing reference to this event. Relevant extracts are reproduced below :-

"I was present at the time of SAARC Summit in Bangalore in my capacity as Minister in charge of Internal Security. There was a bilateral talk between Rajiv Gandhi and Jayawardhene and MEA must have prepared papers for that. I was aware that Prabhakaran was present in India at the time of SAARC Summit at Bangalore. "

"Having known the attitude of the LTTE towards Rajiv Gandhi in December 1986, action was taken to seize some equipments and arms. The State Government had made some seizures of communication equipments and some groups represented to Rajiv Gandhi. I think Prabhakaran went on fast.Then we asked the State Government to restore some equipment. I am not in a position to say whether the State Government restored communication equipments but also arms."

25 This episode portrays the situation prevailing in the state of Tamil Nadu during the end of 1986. A fallout of this has been described by Anita Prat

Organisation).

Para 7 -

"...members of all ap in her deposition dated August 6, 1996, as follows :-

"Prabhakaran's view was that Rajiv Gandhi was not having the true picture of the Tamil problems and, therefore, he was swayed by the officers. A little before November, 1986, I met Prabhakaran at Madras. I also met Prabhakaran in early December, 1986, after he returned from the SAARC meeting. I met him at

Madras. He said that MGR was furious that he did not sign the Accord with Jayawardhene at Bangalore. MGR summoned Prabhakaran and gave him a tongue lashing. Prabhakaran gave his reasons for not doing this. MGR said at that time, 'If you are operating in Tamil Nadu, I have allowed you to operate in Tamil Nadu. But you have to play by our rules.' But Prabhakaran said that 'I can't surrender my cause'. At which point, MGR apparently told him 'You fight for it in your country'. Prabhakaran is a man of tremendous pride and he walked out of that meeting and has apparently never returned to Tamil Nadu."

(Deposition dt. August 17,1996)

"Prabhakaran was in Madras during 1985-86 and he left in January 1987 for Jaffna."

Shri R. Nagarajan, former Home Secretary, Tamil Nadu, in his affidavit no. 85/93 - JCI, has also narrated the events of this period. He submitted :-

(AFFIDAVIT 85/93-JCI, ANNEXURE II (a))

2. "Following the failure of the Thimpu talks, in 1985 September, the various militant groups like the LTTE, TELO, EROS, EPRLF, PLOTE have started functioning independently. There were intergroup clashes among them in Sri Lanka and also in Tamilnadu. During 1986 November the EPRLF Militants clashes with the public in Choolaimedu in Madras City resulting in opening of fire by the militants killing a member of the public. The people in the State started resenting the activities of this group. In 1986 November, the SAARC Conference took place in Bangalore in which Sri Lankan President Jayawardane participated. The late Chief Minister Thiru M.G. Ramachandran arranged the LTTE leaders Prabhakaran and Balasingham to go to Bangalore for talks and nothing tangible came-forth. On 7.11.86, the police undertook a special operation and seized the arms from Sri Lankan Tamil Militant groups. Since then the LTTE had shifted its Headquarters to Jaffna but a small office was also functioning in Madras."

26 By the end of 1986 and the beginning of 1987, the situation in Sri Lanka deteriorated despite several efforts taken by the Government of India to find a peaceful solution to the problem. The scenario has been summed up in the Annual Report of Ministry of External Affairs, Government of India, 1986-87, as follows :-

"The continuing ethnic crisis in Sri Lanka remained a source of concern to the Government. The number of refugees from Sri Lanka continues to grow with the total reaching 130,000 by the end of 1986.

Further efforts to overcome this hurdle were made at meetings between the Prime Minister and President Jayewardene during the SAARC Summit in Bangalore in November 1986 and subsequent visits by Minister of State for

External Affairs, Shri K.Natwar Singh and Minister of State for Home Affairs, Shri P.Chidambaram, to Colombo in November and December 1986. As a result of discussions between the two Ministers of State and President Jayewardene in Colombo during the last visit, new proposals emerged for resolving the issue of the status of the Eastern province, especially the question of linkage. Immediately, after the Minister's return from Colombo, however, the Sri Lankan authorities sent word that they would not find it possible to proceed with the proposals agreed to by them in Colombo.

Thereafter the situation took a turn for the worse, with the Tamil groups announcing their own administrative arrangements in certain fields in Jaffna area and the Sri Lanka Government imposing an economic blockade of the Jaffna peninsula and launching military attacks against the Tamil militants. These measures have resulted in great suffering and hardship for the civilians in Jaffna."

Emergence of Gun and Bomb Culture in Tamil Nadu

27 By the end of 1986, there were 1 lakh 30,000 Sri Lankan refugees who had sought sanctuary in Tamil Nadu, as per official estimates. But, this figure is misleading. The 1000 kms long Eastern coast of Tamil Nadu was open; there was no check on clandestine arrivals and departures and boats carrying refugees and militants were freely traversing the Palk Straits every day from Sri Lanka to Tamil Nadu. Not all refugees who had arrived in Tamil Nadu had registered themselves with the State authorities. The actual number of Sri Lankan Tamils who had arrived in the State of Tamil Nadu could well have been double the official estimates.

27.1 Sri Lankan Tamil militant groups, whose leaders and cadres had initially entered the State disguised as refugees, had, by the end of 1986, established themselves in Tamil Nadu openly and were running their offices and training camps equipped with sophisticated weapons and wireless communication network.

27.2 Incontrovertible evidence of possession of sophisticated weapons and explosives by various militants Sri Lanka Tamil Groups based in Tamil Nadu has come to the notice of the Commission by way of a detailed list of weaponry, ammunition and explosives seized in a statewide operation codenamed "Operation Tiger" carried out by Tamil Nadu Police on 8th November, 1986. As per the estimate given by Shri K.Mohandas, the then Director-General of Police(Intelligence), who had planned and supervised the operation, the raids in Madras city and 10 districts of Tamil Nadu yielded armaments and ammunition worth Rs.40 crores. The list of weapons seized reveals their deadly nature. The raids were conducted in Madras, Chengalpattu (East), Anna district, Madurai City and Rural district, Pudukottai district, Salem district, South Arcot district,

Thanjavur (East) and (West) districts, Tiruchirapalli district and several towns and villages in and around Rameswaram. Amongst the items seized were :-

- i. Surface-to-Air Missiles (SAMs) :- Seized from the house of LTTE chief V. Prabhakaran at Madras.
- ii. AK-47 Rifles, G-3 & A3 rifles, M-16 rifles:- Seized from Madras bases of LTTE as well as other groups; AK-47 rifles were also seized in raids conducted in the districts of Anna, Madurai, Rameswaram,
- iii. Sub Machine guns and Sten gun carbines, Light Armoury Weapon (Launcher type) seized from various locations,
- iv. Sophisticated pistols and revolvers seized from several locations belonging to various militant groups.
- v. Mortar shells, grenades and mortal launching stands; Rocket propelled Grenades (RPGs) seized from various locations,
- vi. Explosives including TNT, gelatine, gelignite, plastic explosive RDX (C-4), gun powder and explosive substances; detonators etc. seized from various locations,
- vii. Hand grenades including HE 36 and TNT 36 seized from various locations;

One weapons workshop of the LTTE at Kodiakkarai, Thanjavur (East) district, was also found running and were raided;

Those raids, conducted in 42 premises spread over the state of Tamil Nadu, give a comprehensive picture of the extent to which various Sri Lankan Tamil Militant Groups were armed.

27.3 An indication of existence of an organized racket of import and smuggling of arms by Sri Lankan Tamil Militant Groups through the state of Tamil Nadu is found in descriptions of seizure of a large cache of arms by Indian Customs by on April 2, 1985 at Madras Harbour. In a book "Tigers of Lanka" the author M.R.Narayanswamy has claimed that the seizure consisted of at least 1,400 rifles and 300 sten guns which were meant for the Peoples Liberation Organisation for Tamil Eelam(PLOTE). The value of the consignment has been stated to be US\$ 3 lakhs. However, in the evidence placed before the Commission by the Union Government or the Government of Tamil Nadu, there is no mention of this large seizure.

27.4 In the information furnished to the Commission by Central and State Government Agencies and Officers, there are several instances of seizures of weapons being smuggled by Sri Lankan militant outfits. In one instance, the Coast Guard, on 2-6 March, 1985 seized a cache of arms etc. near the coast of

Rameswaram which consisted of a machine gun, mortars, dynamite detonators etc. reportedly belonging to EPRLF.

In another instance, the Indian Customs, on 20th April, 1986 seized pistol, revolver, ammunition and other items worth Rs.14 lakhs at Tindivanam being smuggled by the LTTE.

27.5 The above instances, which have been culled out of the material placed before the Commission, appear to be mere representative indicators of the entire gamut of smuggling operations rather than a comprehensive picture. The dimensions of the arms smuggling by the various Sri Lankan Tamil Militant outfits based in Tamil Nadu were obviously, much larger as is evidenced by the gigantic stockpile of weaponry seized during "Operation Tiger".

27.6 During this period, although several Sri Lankan Tamil Militant outfits were based in Tamil Nadu and were operating from there, available material categorically points out the fact that among all these, the Liberation Tigers of Tamil Eelam(LTTE) were the most organised and were, in fact, regarded as the most potent group to be reckoned with. In the evidence, which has come on record, it appears that during this period, whenever negotiations were attempted to be conducted under the auspices of Government of India, the LTTE was invariably kept in the picture. On two occasions - Thimpu Talks in Bhutan and their follow up at New Delhi in July - August 1985 and at the efforts made at Bangalore in November 1986 during the SAARC Summit, LTTE was involved actively, and, as a matter of fact, if the negotiations could not succeed, it was largely owing to the inflexible stand taken by the LTTE on these occasions. Shri Rajiv Gandhi had met the LTTE leader V. Prabhakaran on each of these occasions personally. In fact, during the SAARC Conference, V. Prabhakaran was flown into Bangalore in an Indian Air Force plane from Madras where the then Chief Minister of Tamil Nadu had also been called specifically to facilitate the peace process. It appears that on this occasion, as earlier, the LTTE was not willing to compromise its demand for Eelam which was not acceptable to Shri Rajiv Gandhi who wanted a solution to the problem within the constitutional framework of Sri Lanka.

27.7 On both the occasions, though a sympathetic ear was given to the Sri Lankan Tamil militants, including the LTTE, their failure to agree to the conditions laid down led to acrimonious situations. After the failure of the Thimpu Talks, the Government of India ordered the deportation of three Sri Lankan Tamil leaders - Anton Balasingham (LTTE), S.C. Chandrachud (TULF) and Satyendra, a lawyer, - who were perceived to be obstacles in the way of a peaceful solution. Similarly, after the failure of talks held during the SAARC Summit at Bangalore, in November, 1986, M. G. Ramachandran, the then Chief Minister of Tamil Nadu ordered seizure of wireless sets of the LTTE which led to a hunger strike by V. Prabhakaran. His severe reprimand to V. Prabhakaran in which M.G. Ramachandran reportedly told him that Prabhakaran should carry on his struggle

from his own country if he was not willing 'to play by our rules', was a serious jolt to the LTTE. Although the equipment seized was subsequently returned to the LTTE at the instance of the Central Government, it becomes clear that V. Prabhakaran, at this stage, realised that India was not willing to heed to his persistent demand of 'Eelam' and felt insecure. Soon after this incident, in January, 1987, he clandestinely left India and fled to Jaffna.

27.8 Prabhakaran's departure from India in January, 1987, appears to be significant. Sequence of events which preceded his departure indicates that while the Central Government as well as the State Government of Tamil Nadu was fully sympathetic to the legitimate grievances of the Sri Lankan Tamils and recognised their anxieties and insecurities and extended support - both morally and materially - to help alleviate them, the increasing unlawfulness of the militant cadres in India and their persistence in sticking to the demand of Tamil Eelam, finally, became an issue where the lines had been drawn.

27.9 Prabhakaran's refusal to heed to the proposals put forward by the Government of India and his clandestine departure to Jaffna indicate that, at this stage, he had started distrusting India. So far, the approach of the Government of India and State Government of Tamil Nadu vis-a-vis the Sri Lankan Tamil militant groups appears to have been based on the 'Carrot and Stick' policy.

27.10 In Tamil Nadu, the Sri Lankan Tamil militants were openly carrying out propaganda, publicity and even training of their cadres with the knowledge of the Central and State Government authorities. All this was being done in a highly organised manner. The LTTE offices in Madras, for instance, had various departments working under one roof - some looking after propaganda and publicity, others handling wireless communications and some others supervising clandestine activities including procurement of armaments and smuggling activities. There is no denying the fact that these militants enjoyed considerable support from all political parties and were indulged by the Government as well. Their various militant activities in Tamil Nadu indicate that these groups of militants had become a trigger happy lot. They used to openly flaunt their weapons in public and did not hesitate to use them at the slightest pretext. Their violent acts on Indian soil, whether directed against each other or against the local population, should have been a cause for alarm. Shocking instances of senseless violence including abduction, cold blooded shooting at a mass scale, indiscriminate firing in public and careless handling of explosives with scant regard to life and property of innocent local population appear to suggest that these militants were indeed given a long rope.

27.11 It appears that the attitude of the authorities towards these militants and their activities was moulded, to a large extent, by public opinion. All the political parties - both National and regional - buried their differences when it came to supporting the Tamil cause. During 1981 and 1983, there is evidence to show that both the Central Government as well as the State Government were acting

in their own ways in championing the cause of the Sri Lankan Tamils. Bandhs were sponsored in the State of Tamil Nadu to commiserate with the plight of the Sri Lankan Tamils both by the ruling party as well as the opposition parties. Demonstrations were carried out throughout the state by all the parties including the AIDMK, DMK and Congress (I) after the July 1983 riots.

27.12 Even after the criminalisation of the cadres of various militant groups as seen by their activities in Tamil Nadu, this trend continued. The continuing moral support to the Sri Lankan Tamil militants by several parties is evidenced by the efforts taken to establish "Tamil Eelam Supporters Organisation" (TESO) which was inaugurated on 4.5.86 at Madurai and was organised by Shri M. Karunanidhi - leader of the DMK.

As the name of this organisation suggests, its organisers and participants appear to have supported the concept of Tamil Eelam. Efforts were made in this Conference to bring to an end the differences among various Sri Lankan Tamil militant groups and to join them together to work for a common cause which is Tamil Eelam. The political nature of this Conference is clear from the composition of its participants. The notable participants in this Conference were Sh N.T.Rama Rao, Shri. A.B.Vajpayee, Dr. Subramaniam Swamy, S/ Shri Ramoowalia, H.N. Bahuguna, K.P. Unnikrishnan, P. Upendra and others.

27.13 Given these circumstances, it can safely be said that the Government of India, at that time was caught up in a situation where the continual influx of the Sri Lankan Tamil refugees, growing violence in Sri Lanka the tendency of the Sri Lankan Government to seek help from foreign countries compelled it to intervene in the crisis.

27.14 The character of the Sri Lankan Tamil movement underwent a visible metamorphosis which was felt, more markedly, after the riots of July 1983 in Sri Lanka. The Tamil militancy tended to gain legitimacy in the face of apathetic and blatantly racist stance of the Government of Sri Lanka. The moderate elements among the movement gradually lost support and, in the State of Tamil Nadu, each news of fresh atrocities on Tamils in Sri Lanka led to strident demands on the Government of India for a military intervention in Sri Lanka.

27.15 The increasing criminalisation of the Sri Lankan Tamil militants in Tamil Nadu and their acts of violence hitherto unheard of in Tamil Nadu, failed to evoke any serious public response. It is surprising that acts of violence such as Meenambakkam Airport bomb blast of 1984 and indiscriminate opening of fire by militants at Choolaimedu, Madras in November 1986, failed to evoke any serious public outcry. On the other hand, after the shoot-out at Pondy Bazaar, Madras, in May 1982, organised groups of Indian sympathisers of Sri Lankan Tamils went about zealously to prevent the extradition of V. Prabhakaran and other accused in this case. This shows that while public reactions to acts of violence by Sri Lankan Tamil militants on Indian soil were muted, sporadic and lukewarm, any

attempt by the Government to rein in the militants was met with organised protests from their Indian supporters.

27.16 Another factor which appears to have influenced the course of events of this period appears to be that the Government of India and the public in Tamil Nadu appeared to be far more distrustful of the intentions of the Sri Lankan Government on this issue, whereas the Tamil militants were looked upon more as defenders of the Tamil rights than criminalised terrorists.

27.17 It appears that during this period, while the Government of India and the State Government of Tamil Nadu continued to grapple with the complexity of the situation, the militant groups, notably the LTTE, steadfastly exploited the situation to their advantage, gained favours from both the Central and State Government and managed to marginalise and sideline the moderate elements such as the Tamil United Liberation Front (TULF).

27.18 Whatever be the compulsions of the authorities in soft peddling the issue, the deteriorating law and order situation certainly made the law enforcement machinery of the State to sit up. The letter of the Director General of Police (Intel.), Tamil Nadu, Shri K. Mohandas to the Chief Secretary of Tamil Nadu written on February 8, 1986, reflects the anxiety of the State law enforcement machinery and graphically portrays the criminalisation of Sri Lankan Tamil militants in Tamil Nadu.

27.19 Despite this concern, which has been conveyed through the above letter, it is seen that, in some serious instances of Tamil militancy in the State, action taken by the the law enforcing machinery was insufficient; in several instances, it appears that requisite follow up action was also not taken. It has been pointed out by Shri M. Karunanidhi that when V. Prabhakaran was arrested during the 'Operation Tiger' in November 1986, a non bailable warrant was pending against him before the VIII Additional Sessions Court, Madras, in S.C.No.81/82 in Cr.No.1174/82 of R-1 Mambalam Police Station, Madras (Pondy Bazaar shootout case). It has been alleged by him that the Crime Branch CID, Madras, who were investigating the case had filed written submissions before the Court on 14.10.1986 and 15.12.1986 stating that the non bailable warrant could not be executed as the whereabouts of V. Prabhakaran were not known.

Similarly, in respect of four accused chargesheeted in the ghastly Meenambakkam Airport blast of 1984, who were absconding, chargesheet was split. There are indications that there exists information regarding their whereabouts; however, no efforts appear to have been taken to apprehend them till now. Allegations which are being raised today by some political parties regarding these cases do not appear to have been raised at that relevant point of time.

It also appears that the Sri Lankan militants, during this period, were not perceived by the Government as indulging in anti national activities. This is inferred from the fact that there is no information before the Commission to indicate whether any Sri Lankan Tamil militant was detained under the relevant provisions of preventive detention Acts such as the National Security Act (NSA).

27.20 The period 1981 to 1986 is significant from the sequence of events since this period traces the growth of Sri Lankan militant movement in India, its effect on law and order and the familiarisation of the Sri Lankan militant cadres with Indian people and politicians. During this period, the militants operated very closely with local people and political parties and obtained an opportunity to appraise the potential of India which could be exploited by them later. They developed fresh contacts and opened up channels with public figures as well as underworld smugglers and anti-social elements.

It is not denied that during this period, there were several important strategic imperatives which shaped the reaction of the Government of India with regard to the complex crisis of suppression of Sri Lankan Tamil minorities in the neighbouring country of Sri Lanka and its spillover effect in India; Nevertheless, neither the Central Government of that time, nor the State Government, can escape the blame for allowing leeway for Sri Lankan Tamil militants while they operated in Tamil Nadu. This attitude emboldened them to continue their illegal activities on Indian soil with a fair amount of impunity which paved the way for a gradual introduction of 'Gun and Bomb' culture in the otherwise peaceful State of Tamil Nadu.