

Saffron On The Rampage

Gujarat's Muslims pay for Lashkar's Deeds

A collective investigation into the Aug 3-10, 2000 post bandh violence all over Gujarat state tracks the most recent evidence of how the state's minorities — Muslims and Christians — live in a state of terror, ghettoised, with their patriotism forever under question.

Gujarat 1998 - 2000 is live testimony to the utter contempt that the Indian Constitution and the rule of law have been reduced to, by BJP elected representatives and VHP-BD and RSS hit squads

When will the rest of India wake up to the mockery of the Constitution taking place in the laboratory of Hindu Rashtra?



This report on the violence has been collectively published by various organisations that include the Quami Ektra Trust, Communalism Combat, Dakshin Gujarat Adivasi Sangh, Vikas Adhyan Kendra, SAMVAD, INSAF, IFIE, SAHRWARU, VOTE and the People's Union for Human Rights.

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Introduction

The dreaded finally happened. The cynically targetted bullets of Pakistan's mercenaries that claimed the life of 30 Hindu pilgrims headed for the Amarnath *yatra* (the final toll was 100, the rest dying in the cross-fire between the Indian paramilitary and militants) caused a direct resonance in far-flung Gujarat.

In Ahmedabad, Surat, Sabarkantha (Lambadiya, Khed Brahma and Modasa villages) and Pahlampur and Rajkot, Muslim business establishments –powerlooms, granaries, printing presses, shops and godowns – were cold-bloodedly targetted by indigenous terrorist squads led by elected representatives belonging to the Bharatiya Janata Party (BJP), the Vishwa Hindu Parishad (VHP) and the Bajrang Dal (BD). In Surat alone, a senior correspondent of the Financial Express has estimated the total damage by the selective destruction through full-fledged arson of only Muslim-owned powerlooms (4 looms belonging to Muslims were completely gutted) at Rs. 10 crores totally. In the Modasa village of Sabarkantha district, of the 63 business establishments charred to nothingness, 51 belonged to Muslims, 12 to Hindus totaling to a loss of not less than Rs. 1.5 crores.

On August 1, 2000, the news of the massacre of Amarnath *yatris* was received throughout India with horror, the numbing stupor caused by this pre-mediated carnage only pierced by many concerned protests by Muslim organisations and rights' groups all over India, fearful of the consequences of this carnage on the fragile internal peace within India.

These anxieties were well justified. Within hours of the massacre on our northern borders, the self-styled leaders of Hindu extremist outfits expressed outrage and thereafter systematically geared up for their brand of retaliation.

In Mumbai, the recently humiliated chief of the Shiv Sena (SS) Bal Thackeray's Hindi evening *Dopahar ka Saamna* flashed a headline, "*Hindu ilakon mein shokh, Muslim mohallon mein jashan*" (Grief in Hindu areas, celebration in Muslim areas), a blatant falsehood that was allowed to pass uncontested by the city's police, never particularly concerned by the brewing of communal sentiments and the latent dangers to law and order in resultant situations.

In Gujarat, the intentions were far more ruthless and sinister. International general secretary of the VHP, Praveen Togadia, announced at a press conference in Ahmedabad on August 2, 2000 that the VHP was declaring a state-wide bandh to protests the massacres. The Gujarat government, ruled by the BJP, formally declared its support to the bandh. Within hours, all-Gujarat-based textile manufacturing associations and the Surat Textiles Federation and Diamond Merchants had also extended support.

If Gujarat is *Hindutva's* laboratory, as the proud proponents of this political ideology have so often declared, what took place in Gujarat on the day of the bandh on August 3, and for a week thereafter, should, be viewed as one more test case of *Hindutva* in action.

Despite the fact that many sections closed down business and shops on that fateful day, in support of the outrage against the Amarnath *yatris*, for the squads of Hindu rashtra, this was just not enough. Publicly, office bearers of the VHP and BD, and in many cases helped by elected representatives of the BJP, bayed for more blood in revenge for the

Amarnath *yatris*, and got it with the help of the government and the police : destruction worth crores and all in the form of property and businesses owned by Muslims in the state.

The most noticeable trend in this round of minority targetting that has, since 1998, especially taken on a blatant and public form, was that the post-bandh violent incidents in different parts of Gujarat were motivated by a systematic aim to economically cripple the minority community. The total number of lives lost were 5 from Surat and 2 *adivasis* who were part of a violent mob and died due to police firing in Lamabdia village of Sabarkantha.

But it was the scale and venom of the destruction that has resulted in mass-scale evacuation and resultant ghettoisation already being enforced by the hit squads of the VHP-Bajrang Dal and the BJP in urban areas of Gujarat that is noteworthy. This time the squads successfully moved to *adivasi*-dominated tribal areas. The venom behind the hurling of rocks in the Lambadiya village over two days, August 4 and 5 rocks systematically at Muslim shops and even some homes destroyed a harmony existing between *adivasis* and the minorities for centuries and which, in turn, has led to mass-scale evacuation from the villages by resident Muslims in impoverished conditions.

Two years ago, in August 1998, when pre-mediated violence broke out in Randhikpur and Sanjeli in Gujarat, a series of investigations by civil liberties groups had resulted (see backgrounder at the back of this report). Then too, the destruction had been pre-planned to enable take over by the local transport business then in the hands of Muslims once they were cleansed through terror out of the area.

These attacks had been accompanied by a spate of violent attacks against the state's Christian minorities between 1998 and 2000 -- schools being attacked by violent mobs, even the Bible being desecrated in a 150 year old educational institution in Rajkot. This culminated in the vicious attack on Christian tribals in the Dangs district of south Gujarat in December 1998 that had also resulted in a detailed citizens' investigation. In many of these attacks the senior functionaries of the BJP-VHP and BD were directly named by the police but no action was taken thanks to blatant pressure by a partisan executive. These steps have also been accompanied by administrative measures that are prejudicial and biased, some of which have been challenged (though not all reversed) in the state's Courts.

Similarly in the recent bout of post-bandh violence, both the administration and the police were either browbeaten into paralysis or actually assisting the zealots. When a 1000-strong mob stormed, broke into and destroyed the Famous Boot House in Saraspur, Ahmedabad, where were the cops? The assault of an elderly Muslim couple with a man with a *trishul* just outside the Navapura chowky in Surat (see photo) only proves the point. State-wide offences also record details of criminal and provocative actions in which VHP and Bajrang Dal activists have been named. If the past record

Recommendations

1. An independent Judicial Enquiry into the detailed causes and consequences of the State-wide violence between Aug 2-10, 2000

2. A Detailed Judicial Investigation into the spate of anti-Constitutional and anti-Minority acts in State of Gujarat between 1998 - 2000

3. Payment of compensation commensurate to the damage to individual victims of systematic destruction in the Aug 2-10.2000 bandh-related violence; the payment of compensation to be recovered from the VHP-BD-BJP who gave and supported the bandh call

4. Prompt criminal prosecution of all guilty politicians named in FIRS through the state

5. Prompt criminal prosecution of police officers guilty of inaction or complicity in the violence as is evident from the investigations from Ahmedabad, Modasa and Lambadiya especially

6. Prompt action against inflammatory media reports and their publications aimed at promoting enmity and violence between communities

is anything to go by, no arrests are unfortunately expected to follow. Surat has proved an exception with some follow-up action being initiated by the city police.

In other parts of Gujarat on bandh day, squads of the Hindu extremist groups had a field day on the streets; like never before the bandh related violence exposed the lawlessness of not merely the VHP-BD squads but the BJP's elected representatives when they destroyed a *dargah* in Ahmedabad, stoned the collectorate in Rajkot, destroyed 40 buses of the Gujarat State Road Transport Corporation (the tyres of 283 buses were deflated to establish a point); attacked the Birla Secondary High School in Porbunder, attacked the St Xaviers Society schools in Meghraj and Billimoria; it was well-planned anarchy to paralyse, threaten and browbeat even the law and order machinery.

The response of Muslims had been predictably varied. Some of them have left their homes out of fear of repercussions, some have stayed on where they have been living for years now, and some have sought refuge in Public Places like the railway station, for want of other accommodation.

From the power looms in Surat, to the local granaries/godowns of grain merchants of Sabarkantha to shops and printing presses elsewhere, the dominant and focussed method in this round of destruction was also this : destruction of businesses and economic crippling of Muslims.

Gujarat state, the laboratory for *Hindutva*, has been mute witness to a qualifiedly different kind of violence unleashed on both Muslims and Christians since the BJP take-over in February 1998. While innocent Christians and Christian missionaries have been made targets of a venomous and unsubstantiated propaganda driven of the 'conversion motive' of their institutions (even as the same Hindu political elite patronises convent schools (!), the sub-text behind the attacks on Muslims has off late been dominated by the 'ultra nationalist' venom and discourse. In July 1999 as a world cup cricket contest in which Pakistan and India also played each other deteriorated into a full-fledged conflict in Kargil, the streets of Ahmedabad sprouted barely-veiled threats in graffiti that came up in Muslim dominated areas overnight. Under the banner of the BJP's Yuva Morcha, they hurled threats at Indian Muslims while abusing Pakistanis and Nawaz Sharif. On July 21-22 this heightened atmosphere had a communal spill out, again the Bajrang Dal used this chance to attack Muslim shops and establishments.

It is the responsibility of the state to compensate the damages suffered by the persons/institutions/government, on the persons calling for bandh. Since the Gujarat state government had openly announced its support to the *bandh* should it not be directly culpable for the loss of property deliberately destroyed in the violence?

The responsibility for the loss of innocent citizens' lives and property and caused due to the violent activities followed the bandh call must rest with the VHP, Bajrang Dal and BJP workers in general and their organisations even if the police does not pin point the specific offenders.

It should be incumbent on the state govt. to recover the entire loss in monetary terms caused to private and public property by violent and coercive activities during the bandh from the organizations which had announced the bandh. Under section 7(a) of the Criminal Law Amendent Act, violent and coercive actions are culpable in law.

Will the Gujarat Govt. following a recent judgment of the Supreme Court (Bharat Kumar v/s Kerala state, 1997, confirmed by SC in 1998) recover the loss suffered by the govt., the people and the minorities from the VHP, the Bajrang Dal along with the BJP who announced, sponsored and supported the bandh?

Why should Gujarat's minorities pay for terrorist acts in Kashmir?

The blatant communalisation of the debate around terrorism in Kashmir has dangerous repercussions all over India but particularly in Gujarat. Time and time again, Indian Muslims are being pushed to the wall and in crude political discourse dubbed anti-national and pro-Pakistani sympathisers. The state instead of playing it's role in a non-partisan way is aiding and abetting this blatant communalisation of the discourse.

Silent protests to express sorrow for the violent death of Amarnath *yatris* are in order. Terrorism should be countered and combatted by all citizens of the country coming together but most of all by winning back the confidence of the Kashmiris who have been abandoned and violently treated by first the Indian state and now even the militants who are supposed to espouse their cause.

But why do these communal forces, our home grown terrorist squads not question the central govt. for the violent attacks on Amarnath pilgrims? It was indirectly

admitted by Pramod Mahajan that union home minister, Advani had expressed his desire to resign by accepting moral responsibility for the tragedy. Even senior functionaries of the parent *Hindutva* outfit, the RSS have held the police department and our security forces responsible for the breakdown of law in Kashmir.

Dilemma of citizens of Kashmir

What is at the root of the Kashmir problem? The utter failure of anything remotely called judicious governance, combined with a brutal violation of human rights by security forces on locals has thoroughly alienated the local people. Repeated opportunities to build bridges with the locals by offering them choice of their own governance has been arrogantly rebuffed by government after government in the state. Today there are 30,000 orphans in that battered state, children without either parent. Even the militants supposedly espousing the Kashmiti cause have long since turned against the locals.

Moral Ineptitude of the Opposition Congress

Under these circumstances, when the Gujarati Muslim minority was being paid to pay for the sins committed by Lashkar's-e-Toyba's bullets, the party that dons its secular mantle was expected once more to respond and not shun its basic responsibility.

But no Congress leader was to be seen at the time. Many of the team members who visited the Limbayat Area and Ved Road Areas in Surat found this despair voiced by Congress workers themselves.

It was not merely the goon squads of the VHP and the BD but senior functionaries and elected representatives of the BJP, the ruling party in the state who were spear-heading mobs and committing crimes. In Surat, three municipal councillors belonging to the BJP were actually arrested by the police for hoarding weapons.

Both the VHP and Bajrang Dal have openly targeted minorities. No citizen has remained untouched by the damages caused by the bandh. A Hindu youth in Surat when he replied in Urdu to a question posed by rioters was attacked violently. They assumed that he was a Muslim. He died. Other Hindu citizens who were hesitant to observed the bandh were also attacked. It is a mockery of the Indian Constitution if in the full light of day, citizens are targeted because of their faith by communal outfits. Such happenings have been on the increase all over the country but are particularly sharply visible in the state of Gujarat where a blatantly partisan party rules.

The bandh related crimes were also a systematic precursor to the municipal elections and zilla parishad and panchayat polls due in the following month (September 2000). Results of these have however belied what communal organisations believed to be their winning card (see post-script on elections). The tragic massacre of Amarnath *yatris* is being viewed by political observers as preparation for the polls; the 'success' of the bandh-driven violence evaluated as pre-poll success for the BJP.

The immediate and total payment of compensation, systematic punishment of the guilty named in the statewide FIRs and a judicial inquiry into the post-bandh violence, is what local and national rights' groups have been demanding, given the serious questions about the conduct of the executive, administration and the machinery. Though compensation has been announced by the state in Surat at least, the amounts being dished out do not in any way reflect the damage.

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Ahmedabad

Since the morning of August 3, 2000 VHP and Bajarang Dal activists in the city were moving around coercing hospitals and any other business establishments that had remained open to close down. The areas, normally sensitive during communal riots, were quiet. A new area of concentrated activities for the VHP- BD and SS combine are, the municipal quarters at Naroda Road where the violence first started.

Their first target was Bombay Bakery, where the owner with 15 workers was present, inside his closed shop. He witnessed a crowd of about

2000 persons passing by and heard noises of heavy stone throwing during which they damaged the sign board of the bakery heavily. According to the owners and the staff of the Bakery, their bakery was looted last year too, during

the incited violence during the Kargil War, as well as before that, in 1985 and 1992.

On this road there are about 15 bakeries owned by Muslims. When the investigation team visited and had lengthy discussions with various bakery owners who gave the team details of the economic background and sustained efforts to 'get the Muslim bakeries out of Naroda road.' Competition between the bakeries owned by Muslims that were situated on the main road and others who had started later but were located on inner lanes was another factor mentioned. A section of merchants are interested in buying off the Muslims establishments if the traders were to sell

their shops. They are being consistently harassed to sell off and go. Barely a few days ago, a person from the Asarva Ward had lodged a false complaint alleging that the bakery owners have illegal water connections and drain out the entire force of the water. An inquiry began on the third day after it was lodged and resulted in the local inspector of police making threats to the bakery owners.

Communal elements are sustaining communal tensions in their overt bid to win more votes to the BJP. The wooing of Dalits by communal

outfits and deliberate attempts to fuel a Dalits versus Muslim atmosphere was a part of this strategy. Locals interviewed by the investigating team informed the team that just before the bandh day there had been a local skirmish, on the issue of parking space for a rickshaw, between a Hindu and a Muslim. This quarrel was



solved due to the initiative taken by community elders of either side. On the morning of the next day after this incident, a young woman, the sister belonging to one of the involved parties in the earlier incident committed suicide.

According to some locals, who happened to be Muslim, she was beaten by her brother and father the same morning and accused of "maintaining contacts with Muslim boys". Other locals told this team that she did not commit suicide but was burnt alive by her own family members. Others however insisted that it was a clear case of suicide. After the woman died however, members of both communities living in the quar-

ters, (including Muslims) participated in the funeral. The *shoksabha* was attended by everybody the following day.

Thereafter police inquiries began. On the fourth day after the suicide, the VHP and the Bajrang Dal circulated pamphlets, with headings that read " Muslims raped and killed a girl ". They collected a mob of 1000 and had another *shoksabha*.(condolence meeting) A meeting was called by the local BJP MLA in the chawl of Shanti Niwas that inflamed passions and incited people. The police cordoned off the meeting as soon as they were informed.

During this time certain families vacated their buildings and left, out of which, two were looted. A large number of Muslims have left their houses since then due to the atmosphere of fear. In the above incident, Bajrang Dal leaders went with 50 workers and threatened Muslims. They spoke with the local police inspector, Shukla in a threatening language. The police expressed an inability to act against the offenders, and, in fact, advised Muslims to leave the place. At 1 a.m. in the dark of the night, these people had to leave their homes and take shelter at the railway station. Since then until today the VHP, Bajrang Dal and Shiv Sena keep holding intermittent meetings in the area.

When the team visited Naroda road in connection with the *bandh* the place near Asarva Hindi School no. 1 where about 10 Muslim families live, they informed the team that they have only returned to their homes two days before. They expressed the feeling that the behaviour of their neighbours has also changed over the few days they were away.. A police *naka* has been established at the Patravali Masjid, as there were rumours of these forces breaking it down. One Mr. Sirajbhai whose rickshaw was heavily damaged and who stays here also informed the team that the Bajrang Dal people come here and conduct meetings but if Muslims attended these meetings, they made them go away.

Thereafter the team visited the *dargah* of Hajarat Sayeed Masoom Ali beneath the bridge of Amdupura, which is 200 years old. A temple of Chamunda *mata* is nearby and therefore non-vegetarian eating items are not allowed here. People belonging to all communities visit the *dargah*. A flowerseller, who sits near the *dargah* informed the team that a mob of around 500 persons came from the direction of Vijay Mill with swords and sticks shouting slogans like *Sri Ram Jai Ram* at 10 a.m. on the morning of August 3, 2000 and started breaking the outer wall of the *dargah*. They then took kerosene from the tea stall and burned the *dargah*. During this time

the mob beat the *Mujavar* of the *dargah* with sticks. This bout of violence lasted for 30 minutes during which three children were injured. During the entire episode not a single policeman or SRP turned from the police station located just opposite the scene of crime bothered to intervene..

A shop named Famous Boot House in Saraspur belonging to a person of the Dawoodi Bohra community was also looted. This shop has been here for 40 years. It has been looted during every riot. According to the owner of the shop interviewed by the team, he has an insurance of 2 lakhs, but after the last riots in July 1999 he has been refused his insurance renewal despite repeated visits to the insurance company over 6-7 months. This shop is rented and the original owner is Hindu. This time it was not only looted but also ransacked, all the furniture and cupboards were taken out and burned.

These incidents indicate clearly that when a government and ruling party of the state is itself a party to the *bandh*, it can and does be-

come coercive and it is criminals who prosper under such circumstances and create further instability. Who will protect the ordinary citizen against the violence committed with the cooperation of the state? What can be done about the clearcut design to destroy and economically ruin and cripple the minorities by attacking

According to the owner he has an insurance of 2 lakhs, but after the last riots in July 1999 he has been refused his insurance renewal despite repeated visits to the insurance company over 6-7 months

both their lives and their property? Can the order of the Supreme Court where the court had stated that all the damages or loss be recovered from the person or institution that gives the *bandh* call, be implemented in Gujarat?

Mute Witnesses to Destruction

Armed with information on the attack on a *dargah* near Naroda (at a place called Chamunda *char rasta*, Ahmedabad), the team spotted the *durgah* immediately and began our investigation there. Mehraj bibi took us to the house of her old relative living in that area for the last 31 years.

It was heartening to see that despite the fuelled tensions, both Muslims and Hindus continued to be living in a residential colony behind the demolished *dargah*, in peace and sharing cordial relations and understanding. A Muslim woman living in the colony narrated the incidents of the day as follows," We were inside the house unaware of anything happening outside. Suddenly, a group of more than 200 young men came charging towards the *dargah* and

broke it down. They also set fire to it. We were unable to do anything about it, but be mute witnesses to this upsetting and violent act. The young men did not look any different from other youth. Once they had completed their task of destruction, they got on to a moving truck and fled the scene.

There is a police chowki just opposite the site of the destruction, but no policemen came to stop the mob. It was only after the deed was done that some senior police officials came out of the chowki and shot still photographs and took video images of the remains of the *dargah*" she said.

Their Hindu neighbour said, "We have been close to each other, through thick and thin, for many years now, and we do not want them to leave us. The men shouted 'Bharat Mata ki Jai' as they attacked the Dargah.. No matter what happens, we are determined to live together as brethren" she added.

The old Muslim woman witness here then told us about the violent incidents that had taken place in the Municipal Labour Quarters near Vijay Mills, Naroda. The team left for the Quarters immediately.

Forced eviction from birthplace

The Municipal Quarters wore a deserted look when we reached, considering that even before the violent incidents of August 3 and thereafter, nearly 1/3rd of the population of the Municipal quarters, all Muslim families have vacated in the last few months; all victims of the enforced ghettoisation of Gujarat's major urban areas by the violent brigade of the Bajrang Dal, the VHP, politically inspired and supported by the BJP.

The three lanes inhabited by Muslims in the Municipal labor quarters wore a deserted look. The SRP constable who was there told the team that although there was no immediate problem, the people had left on their own volition fearing violence, fearing that something untoward may happen. He directed us to one house which was in the process of being evacuated.

It was the house of a 50 year old man who works in the ST workshop. He had paid Rs.1.50 lacs to his brother only last year to take full ownership of the property. Speaking on conditions of anonymity, the couple lamented their woes." We have known no other home for the last so many wears. The last one-year has been trouble for us. A Hindu girl committed suicide in these quarters and the blame was put squarely on the Muslim youth here. Ever since then, for the last 1 year, the Sena activists,(Shiv Sena)

who have even opened a branch here, have been harassing us to leave our home. All our neighbors have left and we have been clinging on tenaciously. On the eve of the Bandh, my sister-in-law warned us to leave. We packed our bags and left and looking back, I feel we did the right thing as no other family which lives here was attacked". The man of the house was not present when the team was visiting but the windows and doors had been broken down and the women were in a terrorized state. The woman being interviewed by the team continued, " I have three young daughters and cannot live with the constant agony of not knowing who will attack us next. Out of the 60 Muslim families in the colony of 200 families, there are only about 5-6 staying here now and the SRP men also seem to be in connivance with the Sena to evict us from our rightful homes. Our plight is pathetic".

In the same colony, we had heard of another women who had seen the entire event. We went to her house hoping for more information, but

found it locked. Another woman called us and we went there but she refused to give us the information fearing repercussions. "Nothing happens to better our lot anyway. We talk about what happened to us and then we are left to face the ire of the parties involved". She refused to acknowledge that there were problems in the locality, and said that on the eve of the bandh, she had to leave for a

function and did not see anything.

Shops Ransacked

A provision store owned by a Muslim on Naroda Raod, Ahmedabad was ransacked and looted, even when it was locked. The owner of the shop had not opened the shop, expecting trouble. He was informed of the fact that his shop had been broken into by the police, who could not stop the looters. The shutters of the shop were broken open, grams and oil spoiled gunny bags thrown out. I am leaving, closing shop. The owner said, " Last year has been terrible, and I do not see any improvement here " he said ."

Kalupur Railway Station

The team visited there, but heard that the people who had come to the station for their safety had left there too and their destination was not known.

Ahmedabad Police

In order to record the police version of the incidents that took place on August 3 and 4, 2000, the investigating team went to the Shaherkotda

The claim of the police officer that complaints of offences had not been registered are belied by the contents of the FIR obtained by some members of the investigating team that visited Gujarat

Police station, under which the Chamunda area, where a Dargah was broken down and burnt, falls and under whose jurisdiction, Muslims were attacked in the Municipal Labour Quarters, Naroda. On our first visit, the concerned Police were not available and we were asked to come back the next day.

Identifying themselves as part of a fact-finding mission, comprising of several organisations, the team spoke to the PI, S.D.Sharma on August 25, 2000. Mr.Sharma demanded from them an identification of the team on whose behalf they had come. Reiterating that they were part of a collaborative effort, the team evinced no reply from him except his explanation of difficulty in parting with information to one and all. He also wanted to know who was funding this mission, and if anybody was backing the team. Eventually he said that neither he nor the P.I. of the station were in town where these incidents had taken place. He however said that there was stone throwing in some houses in Anidupura (for which he that the victims had not even registered a complaint) and in a Shoe store (Famous Boot House). The claim of the police officer that complaints of offences had not been registered are belied by the contents of the FIR obtained by some members of the investigating team that visited Gujarat.

Knowing fully well that a number of other violent incidents had also taken place, the team went to visit one Noori *khalla* who lives in the Municipal labour Quarters, Naroda. She had been a witness to the violence, although she was not directly a victim, as one of her Hindu neighbours had saved her and her family by locking up their house from outside and taken all of them into their own home to help them escape. When the team visited her she was nevertheless packing her bags to leave the place forever.

Noori *khalla* traced the genesis of the current round of violence to an incident of September 1999. A Marathi Hindu girl Meena living in the quarters had had an affair and become pregnant. Her family suspected that she had had an affair with a Muslim boy named Abid living

there, although she swore that she was not involved with him. In September 1999, her family members tied her to the cot and burnt her alive after stuffing cloth in her mouth to stifle her cries. The post-mortem revealed that she had been gagged, but with the compliance of some policemen, the truth was withheld. Abid was arrested and was later bailed out by his family that has subsequently moved out. Meena's parents eventually found out that it was Meena's cousin who had fathered her child and now as they are on the verge of losing the

case against Abid's family, they are trying to work out some compromise. All this present communal tension according to this witness and another *Maulvi* who lives here (but was not present on the night of the violence) stemmed from this incident.

The pregnant wife of the *Maulvi* was alone at home that night when a mob entered the quarters. They stoned the house, entered the house forcibly by breaking up the door, broke the TV and damaged a nearly installed meter, all damages amounting to roughly Rs13,000. An FIR has been filed by the *Maulvi* but the damages the police have recorded



damages only of Rs. 3000/-.

All these incidents, the witnesses examined by the team said happened because of the open complicity and instigation of one Deva, a police constable who lives in the same quarters. He helps mobs identify Muslim homes, damages vehicles belonging to Muslims etc and threatens the Muslims living there with dire consequences if they continue to live there.

In fact, the *Maulvi's* house is worth about 3,00,000/- which he wants to sell so that he can relocate. But Deva and his gang make sure that prospective buyers do not quote more than 80,000/- for it. Due to this harassment, the *Maulvi* has even decided to leave the house at tremendous economic devastation for himself

and his family. The same is true for the other 60 odd Muslim families who live here out of the 200 houses. The whole of the last year they have been repeatedly harassed, and their houses severely damaged. The only reason why they were never burnt was because it would mean that a neighboring Hindu's house would also be damaged, the persons the team spoke to opined.

When the *Maulvi* contacted the Commissioner

of Police, Ahmedabad, he was told bluntly by the senior officer, "Why do you people continue to live here? It is best you move to safer places." In the absence of any support or understanding from the State machinery, the Muslim familiars are doing just that.

The investigating teams visited the affected areas of Saraspur, Naroda, Kalupur, Bapunagar in Ahmedabad.

Surat

August 2, 2000

The happenings in Surat epitomized what took place in all of Gujarat following the killings of Amarnath *yatris* near Pahalgam on August 1. Soon after the call for the bandh was given by the international general secretary of the Vishwa Hindu Parishad (VP), Praveen Togadia in a press conference at Amedabad at 3.30 p.m. on August 2, the rank and file of both the VHP and Bajrang Dal, ably supported by elected representatives of the BJP swung into action, and blatantly declared their intentions for the following day. Given their open declarations of intent, the failure of the police to take preventive action against them raises crucial questions of governance on a party and government being increasingly held to ransom by its own hit squads.

In a live interview to a local Surti channel, Eye-witness, at 11.30 a.m. the night before the bandh (August 2), Raju Desai, leader of the Bajrang Dal, when asked pointedly what his organisation planned to do the next day, had declared, "Tomorrow, we will create problems here, 100 people have been killed at the border."

August 3, 2000

At 9 a.m. at the Arya Samaj Hall at Varaccha Road at a meeting called by the activists of the Bajrang Dal, local journalists were eyewitnesses to the BD's plan of action for the day. Nikhil Shah, of *Pratinidhi*, a local newspaper, interviewed by the investigating team, revealed how a meeting of the Bajrang Dal held at Varaccha Road with

400 activists present, had a leader of the Bajrang Dal, instructing groups of 50 volunteers with the responsibility of a particular area, all of whom were given a specific brief, " *Dhamal karavi* (Create trouble). If shops are open, shut them down; where shops are already shut, destroy the Muslim-owned ones." The groups left after being armed with iron rods, lathis and other instruments.

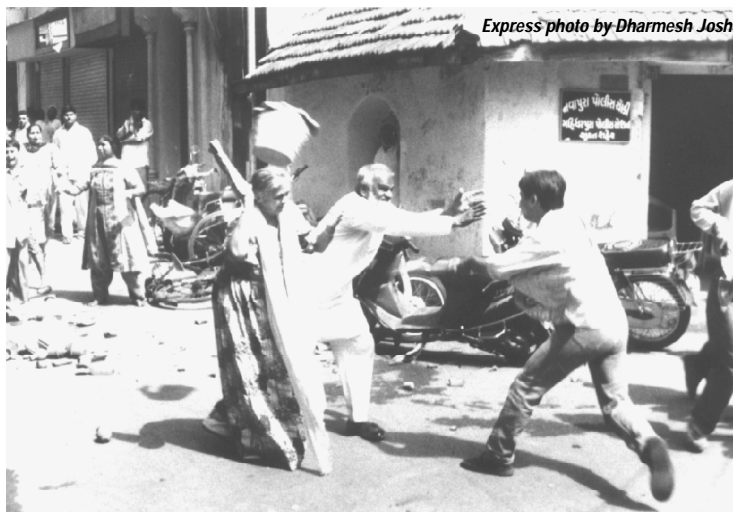
The investigating team interviewed Nayan Shah, chief reporter of Pratinidhi, Feroz Mallick,

Pragnesh and Nikhil Shah belonging to the same paper, Arif Mohammed belonging to Mid-day, and Mahesh Patel correspondent of the Financial Express.

All these mediapersons expressed concern at the growing role that sections of the Gujarati media were playing in fomenting communal passions in Surat, especially. The

names of publications of this kind mentioned included Dhapkar (the team later interviewed its editor, Mayur Phatak, who's brother, Dinesh Phatak and Rajul Risldar were both arrested only days before the bandh-related violence by the Surat police), Gujarat Samachar, Sandesh and even a publication like Gujarat Mitra that followed a mixed policy, rational at one level and partisan on other pages.

However, two letters to the editor authored by one R.K.Gandhi and Amit Gajjiwalla, powerloom owners belonging to the majority community and published by Gujarat Mitra were repeatedly mentioned by persons interviewed by the team. In these letters, the



An old man and his wife being threatened by a young man with a trishul in front of the Navapura police chowkey in Surat on Thursday, Aug 3

powerloom owners, who were witness to the systematic targeting of Muslim-owned looms the day of the bandh in Surat, testified to this and expressed shame and outrage against this gameplan of the VHP-BD-BJP.

The correspondent of the Financial Express interviewed by the team interpreted the current round of violence, once again as 'outsiders versus Surat inhabitants', a factor that had thereafter taken a distinctly communal turn. Diamond workers who hail from Saurashtra (and incidentally inhabit the Varaccha road area) are large in number (7 lakhs) and the union is controlled by the Bajrang Dal. These were the sections incited specifically by these organizations to launch fullscale attacks on the bandh day according to this version.

By 5 p.m. on the evening of August 2, the bandh had been officially ammounced, even in Surat. In the Bhagal area, around 5.30 p.m., a Maulvi riding on a scooter with a baby was passing by when a couple of activists belonging to the VHP-Bajrang Dal who had come right into this predominantly Muslim area to 'burn an effogy of Pervez Musharraf' were beaten up. The Maulvi was also beaten up in the skirmish while the baby was unhurt.

The bandh was total in areas like Limbayat, Bharanwat, Vishramnagar, Dawatsagar

Avdhoot housing society, Pakeezah Society, Pandol Industrial estate, Limbda chowk

Chautabazar (a readymade garment bazaar) in Surat. Yet, still the scouring mob attacked and burnt down two silver plazas and it has been officially announced that 30 large commercial establishments in these areas already shut down, were destroyed. The Jhanpa Bazar area, a predominantly Bohra area behind Bhagal remained largely peaceful. At Chautabazar among the larger shops burnt were Sonica, Sagar, Datar (Sonica is a shop owned by one Mr. Kazi; this and all other establishments forcibly destroyed in Surat on August 3, 2000 were shops owned by Muslims). By 11-11.30 a.m. on that day, all the shops had been looted and burnt.

A carefully planted rumour that the investigating team was informed of from a wide variety of persons interviewed by it was that Commissioner of Police (CP), Surat, Kuldip Sharma had given instructions to his force to 'disarm themselves' the day prior to the bandh. Not only did the Police Commissioner tell the team that this was an 'utter lie' but he even attributed motives behind such a rumour to his detractors.

The CP, Surat in fact enjoys a reputation of be-

ing a no-nonsense, tough officer completely uninfluenced by politicians.

His timely action in evacuating 2,000 residents of Vishramnagar to safety meant that lives could be saved even if homes and properties were destroyed. His stern steps at the height of the violence in arresting three elected representatives of the BJP, Prajapati and Varodia also sent down the requisite message.

However, reports collected by the investigating team that revealed careful and systematic planning of the violence at a meeting on Varaccha road (Arya Samaj road) were not traced by police intelligence.

Around 11.30 a.m. after 30 major commercial establishments in the Chautabazar area had been gutted completely, local journalists recorded the case of a Hindu boy being beaten up severely in the Saudagar area that is predominantly Muslim. This incident was blown out of all proportion by the media, especially *Gujarat Samachar* and *Dhaphkar*.

Apart from the systematic arson of commercial establishments belonging to one religious community in the commercial parts of Surat, there is no spot like Vishramnagar to illustrate the venom and destruction that the politics of identity can drive human beings too.

The team visited this area that, incidentally, had also been victim to brutal violence and arson

during the post-Babri Masjid demolition violence in December 1992. (The selective gang rape of Muslim women in this city by politicians belonging to the BJP had brought the nation shame).

Of the 25-30 homes-cum-businesses smashed and gutted on August 3, 2000, each one of these had also suffered a similar fate in 1992.

Local inhabitants of Vishramnagar from the majority community wholeheartedly defended and supported the victim-survivors. The marauders came from across the road.

The small pocket of Vishramnagar in this whole area is the only area that continues to house some Muslims; the rest have been forced, after 1992, to move to Muslim dominated areas. Enforced ghettoisation, a live sociological factor in most parts of Gujarat was markedly visible to the team from it's visit in Surat.

Ghulam Memon, a social worker from the area, individual survivors still shell shocked by the extent of the destruction, were the persons in-

In a live interview to a local Surti channel, Eyewitness, at 11.30 a.m. the night before the bandh (August 2), Raju Desai, leader of the Bajrang Dal, when asked pointedly what his organisation planned to do the next day, had declared, "Tomorrow, we will create problems here, 100 people have been killed at the border."

interviewed by the investigating team.

Ghulam Memon said that on August 3, the day of the bandh and the systematic arson that began in Vishramnagar around 3.30 p.m. and continued unabated for four hours (at least six inches deep of cement in the ceiling had been broken down, requiring 'hard' work of at least 3-4 hours). At the outset when the attack ensued, Memon himself contacted Commissioner of Police, Kuldip Sharma, the Gujarat state home minister, Haren Pandya and union home minister, L.K. Advani (Memon read out both Pandya's and Advani's mobile telephone numbers to illustrate that he had actually done that) to try and get immediate protection.

According to what Memon told the investigating team, the commissioner of police repeatedly assured residents of Vishramnagar that he was sending contingents for the help and protection of residents under attack but the approaching roads from the city to Vishramnagar had been entirely blocked by large barrels by the BD-VHP-BJP squads suggesting planning right down to the minutest detail by the assailants.

The investigating team also interviewed Ganesh Prajapati, former BJP municipal councilor who had been arrested by the Surat police for possession of weapons along with Suresh Varodia, another BJP councilor, on August 4.

The entire demeanor of this BJP politician was shamefaced and shattered as if he had been wrongly implicated for carrying of weapons of the police. He attributed all the violence to the rumours circulated that 'our people are killed at the border, and Muslims are responsible for this.' The police too provokes people, he said but asserted not once but again and again through the interview that 'what the Bajrang Dal is doing is wrong.'

When the team pointedly questioned him about the worldview of the RSS and other *sangh parivar* outfits on the Hindu-Muslim question, he says that 'it is possible that the *samaj drishti* of the RSS is wrong. Where after all will so many Muslims go?' He further added, 'There is our government in the Centre and our government in the state. Why then must we have enforced violence? This kind of politics is not going to work.'

The team also interviewed Mayur Pathak, editor of Dhapkar, accused of both communal writing and yellow journalism by many Surat residents. Mayur Dhapkar was arrested two weeks later by the Surat police.

In his own words, this is how he recounted the sequence of events.

On August 3, 2000, the day of the bandh, there was violence and stone throwing in Chautabazar where 2/3 Vohraji (Muslim) shops were broken down and goods destroyed. After that a 14 year old boy was stabbed to death in Saudagar. What follows was a spate of stabbings of 10 persons in one hour that followed.

On the night of August 3-4, 2000, in an entirely unconnected incident, due to internal infighting between warring factions of the ruling BJP, a BJP MLA, Sharda Srivastava's husband was killed (by a section of his own party). The same night the police arrested both Ganesh Prajapati and Suresh Varodia, local BJP corporators.

According to Pathak, there were 20 stabbings over two days leading to much anger in 'our people'. Mayur Pathak, the editor of a newspaper in Surat spoke clearly as a Hindu when he said that there was a great '*aakrosh*' in people, for the *yatris* going to 'our temple and who had been killed.'

'What kind of country do we live in that cannot protect its 'own' people?' About 5-7000 persons belonging to the Bajrang Dal epitomized this *aakrosh* and acted on it.

Mayur Pathak was very critical of the Surat police who according to him did not take preventive action in the suspect areas even though they had 17-18 hours prior notice of impending violence. Why did the police not man the Saudagar, the Ved road, Vishramnagar areas that had been affected in 1992. Why were these two areas left alone?

When the team directly questioned him about allegations of the media's partisan and provocative role by deliberately flashing selectively only photographs of the stabbings on the front page and not giving similar weightage to the destruction of property and businesses belonging to the minority community, Pathak said that the newspaper was only dealing with facts.

One particularly obnoxious report published by



Pathak in Dhapkar, soon after the killing of Amarnath yattris on August 1 ran like this, "The Government has become impotent. It is time for Hindus to rise..because we have a Hindu government that is not a Hindu government.' !

Role of Police.

To the credit of the CP, Surat, Sharma, Pathak was not only charged under section 153 a of the Indian Penal Code but actually arrested for the crime within ten days of the incident, an action that again goes directly to the credit of the police leadership. He was thereafter released on bail by the Court but the law and order machinery is now committed to pursuing action against him.

The action of charging and arresting an editor of a paper, Dhapkar, for inflammatory writing brought forward a mixed reaction from the Surat media that, instead of taking an ethical stand on the issue actually brought pressure to bear on the Surat Journalists Association to condemn the action as an attack on the freedom of expression! Is the freedom of expression, the basic right enjoyed by journalists and publications, not subject to basic provisions of Indian criminal law, in this case the sections meant to assure public decency and not inflame sections to commit violence against others ?

Within three days of Pathak's arrest, the SJA took a half-hearted rally against the police's firm action and even presented a memorandum to CP, Sharma on the matter.

The duplicity in the media's action was in fact summed up by a senior journalist to a member of the investigating team, quite succinctly, "As human beings we were very happy, but as journalists we protested the action that was against the freedom of expression!!"

Is being a journalist and a human being anathema, then?

CP, Surat, Kuldip Sharma is credited among others for his tough attitude on criminals that had made life miserable for ordinary people. The death of three criminals, Dilip Maratha, Arif Ahmedabadi and Farooq Munsif was mentioned by some persons; these encounter deaths (ironically!) had reduced crime rates in the city and made life easier for the ordinary person.

More than anything else, the politicisation of the Ganapati visarjan procession in Surat from the nineties has led to the contribution of an acutely communally tense situation at the time. A particular spot that the procession traverses at Limbayat is where the problems have always been provoked. In September 1999, Sharma's presence as CP saw his no-nonsense attitude extend to this issue also; he simply refused to allow the blatantly provocative behaviour of the processionists at Limbayat to continue; when

If the police wants to be neutral, it can be neutral.

Commissioner of Police, Surat,
Kuldip Sharma

Q. Your actions, arresting BJP corporators at the height of the violence has merited favourable comment. Will the required follow-up action be taken?

A. They will all be charge-sheeted.

Q. Is it difficult for the law and order machinery to function professionally in a situation where there are groups functioning out of the pale of the law and obviously enjoying the protection of the political leadership in the state?

A. If the police wants to be neutral, it can be neutral. If the police wants to cave in and come under pressure, it will come under pressure. For us it did not matter who and what the political bosses wanted, we are doing our job professionally, without fear or favour.

Q. There was a carefully planted rumour that you had issued orders to your force to disarm itself on the day of the bandh ?

A. This is absolutely false. How can a riot be controlled without arms? We brought the riot under control in record time, under 48 hours. If we were not armed could we have done that? Not only was it a rumour but a very silly rumour put out to discredit us.

Q. What could have been the motive behind spreading such a rumour?

A. I have several detractors. If someone is doing alright, pull him down; that is the unfortunate attitude. In 1992, 250 persons were massacred, may be they wanted a repeat of that sort of carnage? This time we brought things under control quickly. They could not repeat 1992 in Surat. (Interview given telephonically to the investigation team)

they refused to co-operate with the law and order machinery, firing was ordered that resulted in the unfortunate death of 7 processionists. This courageous and even 'audacious' action (described by ordinary residents of Surat) by the men in uniform had led to aggression and ire expressed by Hindu communal outfits who continued to put pressure on the existing leadership to effect 'revenge' on the CP.

If at all the actions of the Surat police could be faulted on August 3-6, 2000 it was in the

realm of collecting adequate intelligence of systematic planning of attacks by BD-VHP-BJP leaders from the evening before. Firm action against many perpetrators of the violence was initiated thereafter, however.

Surat Media

The acute sensationalism and even, criminalisation of the mainstream media in Surat came up for sharp mention in a variety of persons interviewed by the team. The media war that scales sensational-cum-communal heights hinges as senior journalist, Naeem Kadri (editor of Newscart) and President of the Surat Journalists' Association puts it, on vying for the 7 lakh readership (out of Surat's population of 30 lakhs) living at Varaccha Road. All these readers are workers in the diamond cutting industry and hail from Saurashtra (and were incidentally held largely responsible for the communal violence of December 1992).

The Sandesh newspaper claims a readership of 1,26,000, the Gujarat Samachar of 1,20,000 with the Gujarat Mitra (the second oldest newspaper in the country after the Mumbai Samachar) having a readership of 60,000. Other publications like Dhapkar, Navgujarat Times, Loktej and Pratinidhi enjoy a readership of about 3,000 each.

The powerful claims of the readership located at Varaccha Road were aptly illustrated through this example by Naeem Kadri. In January 2000, the collapse of an illegal building under construction that led to nine persons being killed brought a prompt response from the chief minister, Keshubhai Patel. Within hours of the tragedy,

the CM announced a compensation of Rs 2 lakhs each for the victims' families.

However an equally or more tragic incident, the burning alive of 21 persons (20 of them women and children at a *Vastrupoojan* in August 2000 brought forward not even a rupee promised in compensation ! The reason, according to Kadri was the fact that the victims were poor, Maharashtrians living in the Rander area (obviously no political capital for the powers that be). When a senior journalist, Sanjay Shah, correspondent of the Abhiyaan weekly rang up his colleagues in the larger, Gujarati dailies to urge that they raise this unfair issue through their columns, their response was "You have gone mad!" This purely commercial and unprincipled attitude of the media has coloured reportage and comment of major dailies in the city.

To the credit of the CP, Surat, Sharma, Pathak was not only charged under section 153 a of the Indian Penal Code but actually arrested for the crime within ten days of the incident

Politics of Violence

More than one person interviewed by the investigating team quoted the words of Suryakant Acharya, a BJP ideologue who referred to the

bandh-related violence as *chutni nu kaam* (election related job!) The zilla Parishad and municipal corporation elections due in September 2000 were seen to be the major impetus behind the VHP-BD-BJP's strident and violent politics in early August. The fact that the election results belied the certainty that communal polarization would mean a resounding victory for the BJP is clear from the poll results (see annexure on election results). However it does not take away from the cynical politics played by politicians in power –using communalism and narrow identity-driven politics merely and only for power.

Lambadia

Located 32 kms from Khedbrahma of Sabarkantha district and about 7 kms from Kheroj, on the banks of Sabarmati surrounded by beautiful hillocks this village shares its *gram panchayat* with five villages and has eleven members in the *panchayat*. The position of the *sarpanch* is reserved for *adivasis*. The village has a total population of about 2000 out of which there are 512 Muslim voters. This village is also the main market for the surrounding 45 villages. The population ratio in the village between Hindu and Muslim is 60:40. About 70% of the business is controlled by the Muslims while 30% is controlled by Hindus. It is pertinent to note that the attacks on Muslims were carried out by *adivasis* but no *adivasis* reside in the village.

On August 3, 2000 the day of the Gujarat bandh, a person belonging to Bajrang Dal working as a clerk in the Khedbrahma college along with his accomplices and some students of college looted the shops belonging to Muslims

after provoking the local people. Thereafter they forcibly took away two buses, and brought in *adivasis* from nearby villages into Lambadia.

According to the version elicited by the investigating team from local witnesses and victims of the violence, many *adivasis* from nearby villages had been incited and provoked by caste Hindus over the past year, rupturing a long-lasting amicable relationship between tribals and Muslims. When the *adivasis* were brought into Lambadia village on August 3, 2000 there was much slogan shouting and noise. In meetings outside the village proper, provocative words were uttered and their 'operation' explained to the *adivasis*. " Muslims are Pakistanis, they have killed your brothers and they amassed wealth by improper means and therefore you

should rob them. Police will not do anything, we did the same at Idar where the police will use teargas shells, but you should throw them in the water."

Following this incitement and systematic design, on August 3, 4 and 5, ten Muslim shops and six residences were ransacked and looted, three trucks and two jeeps were burnt, and another two jeeps were damaged. A local *idgah* was also damaged and in the nearby villages of Ganva, Malvas and Bhuridharpad also, Muslim homes were looted. The investigating team met residents of the village belonging to both communities who reiterated that there was no enmity between

them. Systematic incitement by leaders who wish to politicize identity and capture seats is the main motive behind the bandh-related violence.

This excessive politicization of identity and religion has dramatically impinged on cultural events with festivals

acquiring a military and violent imagery: the last Dassera saw members of the Bajrang Dal, the VHP and the BJP marching in a public rally with swords, trishul and hockey sticks. In short, there have been systematic attempts to keep the local atmosphere threatening and tense, accompanied by a desire to fester animosity between *adivasis* and Muslims.

According to the information made available to the team all the faiths have been allotted land for setting up their religious places within Lambadia. The rate for this land is Rs. 200/- per sq. ft. Survey no. 66 which is about 1 km. away from the village a land classified for *Gauchar* (for grass eating animals) was allotted to Muslims by then *sarpanch*, Nathabhai Prajapati 18 years ago, in 1981 after a resolu-



tion was passed backing his decision in the *panchayat*. The Bajrang Dal and VHP volunteers attacked and ransacked this *idgah* last year. During this attack on a minority place of worship, they placed an idol of Hanuman inside it, and local Muslims were suddenly told that since this land was disputed, they should give up their right and except new land.

Following this controversy, Muslims have now been allotted land being survey no. 34, which is quite far from the village. Presently, legal papers are being prepared for allotting the same in the name of Lambadia Tahardi Memon Jamat. According to the information with members of this *jamat*, whereas land was previously released to members of different faiths free, now the department has assessed its value at Rs. 2 Lakh. This new *Idgah* was also damaged in the violent attacks of August 3, and since last year could pray only with police protection.

The VHP and the Bajrang Dal have been successful in their plan to exploit economic competition between caste Hindus and use this factor to force the latter to evacuate the village. The local police with help from the SRP finally controlled the explosive situation only after three days. A strong resentment against police inaction was expressed by Muslim leaders. The constant refrain was that the Memon Jamat (mainly traders) and *Adivasis* have been trading and enjoying a cordial and harmonious relationship that can be traced back 100 years. It was some politically and economically motivated persons who began the Khedbramha Kharid-Vechan Sangh aimed at crippling Muslims financially.

The effort received poor response and had to be closed thrice, as the village shops owned by Muslim traders sold goods at a cheaper rate, then the Sangh.

In response to the acute drought, the Memon Samaj passed a resolution to sell corn (*makai*) on a no-profit no-loss basis. In pursuance of this principle, corn available at the wholesale *mandis* in Ahmedabad at Rs. 216 per five kilograms was made available by the local Muslim traders at just Rs. 220 for the same amount whereas the Sangh was selling the same at Rs. 240. It was natural that villagers would prefer to buy from the traditional village shops. Many locals interviewed by this team also opined that the only reason why *adivasis* were tempted to loot from their homes and shops, to such a large extent,

was because the BJP-run state government had stopped all drought relief work after July 31 (estimated to cause a loss of Rs. 40 lakhs for all the persons who may have benefited from it). "It is not surprising that a hungry man would do anything," Muslim leaders remarked. According to an *Adivasi* leader also interviewed by this team, they are repenting after the attacks, because they have realized that the Muslim Memons who have been the local traders for centuries have left. Will they ever return?

Role of Government

Muslim leaders interviewed by the team recounted the despair and betrayal they experienced due to the callous and insensitive attitude of the authorities. On August 3 and 4 2000, they repeatedly approached the local police, requesting for protection for fear of their lives and belongings. Already the atmosphere was threatening and the terrible attacks had begun. But the police and even the administration did not take the request seriously.

The police were themselves attacked by a violent mob on August 5 at which point an officer gave the order to fire following which two *Adivasis* were killed. On August 4 itself, community leaders from the village went and met high-ranking officers to inform them that they are willing to migrate as the government has failed in protecting the lives and belongings!

At that time they saw that the main accused Jagdish Taral, local Bajrang Dal president was sitting with the IG Gahlot and other high-ranking officers and chatting, along with 10-15 other accomplices. (In spite of the fact that FIR no. 42/2000 dated 3/8/2000 mentions, Jagdish Taral, president Bajrang Dal as the main accused along with 400 workers of Bajarang Dal), just a day later he is found sitting in close camaraderie with IG Gahlot and other senior officers! What were the victim survivors to make of this open complicity? They couldn't understand whether police was hand in glove with them or were unable to do anything.

Four complaints have been filed in the police station at Poshi and one at Khedbramha police station due to this. Muslims experience deep insecurity due to the irresponsible behavior and inaction on the part police. When the team visited the village 80% Muslims had left the village and the rest were thinking of migrating on a permanent basis, never to return to their birthplace.

According to the version elicited by the investigating team from local witnesses and victims of the violence, many *adivasis* from nearby villages had been incited and provoked by caste Hindus over the past year, rupturing a long-lasting amicable relationship between tribals and Muslims.

Modasa

Modasa town, in Sabarkantha District has had an unfortunate history of several incidents of communal riots over the past 30 years. The town has a sizable percentage of Muslims (46 %), the rest being Hindus. Many of the Muslims are engaged in trade and have prospered over the years in the transport business.

Riots broke out in Modasa town on the evening of the August 3, 2000, the day the *bandh* call was given by the international secretary of the Vishwa Hindu Parishad and supported by the ruling party, the BJP, in the State. The team's investigation found that elements owing allegiance to either the VHP, the BJP or the RSS, or all three who were moving around the town threatening shopkeepers to down shutters had expressed anger about several Muslim traders who refused to heed the call. Further, traveling news of attacks on Muslim establishments and even homes in other parts of Sabarkantha (particularly Lambadiya) seem to have fuelled the urge of volunteers coercively supporting the bandh call, especially those belonging to the Bajrang Dal, for action, in a bid to use the occasion 'to teach a lesson to the minority communities.'

In the backdrop of this tense and atmosphere laced with communal discourse and its hidden undertones, actual riots or violence broke out after a routine scuffle between youth in the Modasa College on August 3. Mr. Sanjay Patel (Bhuriya), president of local Bajrang Dal had a scuffle with Muslim youth near the college. Sanjay is known among the students as a handsome, good-looking guy out flirting with girls in the college campus. He was rusticated in 1988 with several other students of SYBA after being found to be involved in an organised copy-

ing racket in the school. Though not a regular, full-time student, but one who's partial examinations are still due, he is regularly to be found on the college campus along with other lumpen elements teasing girls and according to some personal testimonies, singling out Muslim boys for his ire. From the accounts that this team was able to collect, it would appear that he is politically ambitious, having chosen to climb the political ladder with the help of *Hindutva*-driven politics. He is well off economically and is, presently, a distributor of AMWAY home-products (a direct home-marketing US-based, multinational company).



As everywhere else, the politics of the Modasa College has its own political situation and atmosphere, which on this occasion spilled out of the campus, causing riots. Sanjay Patel and his gang of Hindu boys appear by many accounts to enjoy the protection and direct support of many of the professors

on the campus who happen also to belong to majority community. The principal, witnesses we spoke to tell us, is too weak to enforce discipline in the campus. Within this already polarized atmosphere, Muslim boys also have their own group to protect their interests. They feel, distinctly that they are discriminated against by the staff and the gang of Sanjay Patel and vocally resent it. It was within this overall communally volatile and polarized atmosphere, acutely accentuated by the bandh call given by the VHP and supported by the ruling BJP that the violent incidents of August 3 must be situated and located.

On the afternoon of August 3, there was a violent scuffle and Sanjay was attacked with knives and sticks, allegedly by a Muslim youth. His

friends from the college rescued him. After being taken to the local police station, the police was registering a simple case while he insisted and thereafter pressurized them to invoke section 307 of the Indian Penal Code (attempt to murder). It was when the local police refused that the quarrel ensued.

During this scuffle, more than 200 persons —leaders and supporters – of groups like the VHP, BD and BJP (*sangh parivar*), also including the local BJP MLA and a few corporators, gathered near the police station and fuelled the tension. A few policemen present in the police station could have at this stage easily managed to disperse the crowd, Choosing not to do so however, police inaction at this stage got compounded with this incident pertaining to a young Muslim, Farukh Sheth driving past the police station on his motorcycle. He was caught by the crowd. Abandoning his motorcycle, he rushed into the police station even as the crowd had become busy setting the motorcycle on fire. When he began complaining to the surrounding police, he was told to shut up by them and thank them, instead for saving his life.

During this period, rumours of impending riots and violence spread like wildfire in this small town and all shopkeepers shut down their shops and moved into their homes. It was then that the crowd assembled at the Modasa police station, led also by a BJP MLA and corporators moved away from the police station and began systematically looting and attacking Muslim shops. Five shops were badly destroyed. The assaulters even had tractors with them to facilitate the take away of truck-loads of loot: refrigerators, TVs, electronic items, etc. They were also well-equipped with kerosene/petrol cans and highly inflammable chemicals to enable them to burn the shops down after the loot.

The shops so destroyed in Modasa were:

1. Mayur Novelty
2. Mayur footwear
3. Tip Top Tailors
4. M G Cutpieces clothshop
5. Patiwalla Electronics and a roadside *galla*.

Mr. A H Patiwalla, owner of the largest electronic shop in Modasa was interviewed by the team. He told us that, prior to August 3, he had stocked a large number expensive electronics items as they were into sale-by-installment schemes. On that fateful day, however, everything was looted and his shop was completely burnt down.. It has been so badly destroyed that he will have to even re-do the wall plasters and flooring.

It was then that the crowd assembled at the Modasa police station, led also by a BJP MLA and corporators moved away from the police station and began systematically looting and attacking Muslim shops

The rampaging crowd, led by a BJP MLA and corporators belonging to the same party, even burnt a *galla* opposite the Patiwalla electronics shop, the Sargam bangles' shop owned by a Muslim. However in the arson, six other *galas* lined close to this one and that happened to belong to Hindus —with their owners involved in tailoring, shoemaking etc.— also got burnt in the same incident. All these *gallas* were located on a hawking plot handed over to these poor artisans by the government only recently, despite pressures to the contrary from a Departmental store behind it (called Hiralal Bhavan).

Interestingly, the owners of Hiralal Bhavan owners have obtained a stay on the re-building of any of these *gallas* after the riots. As one local person quipped to the investigating team, "This quick stay order by the Jain owners, the burning of cabins of Hindus and Muslims what does it indicate? Are the ruling party fellows in VHP & Bajrang Dal instigated and funded by big merchants to drive away poor hawkers?"

Soon after this first incident on August 3 at Modasa, a mob attacked shops situated near Kalupur Tower. A huge saw mill, printing press, cement & steel shop and many shops were looted and burnt. The mob again had, once again, come prepared with sufficient weaponry consisting of both inflammables to burn and tractors to loot thereafter.

A total of ten shops and eight houses faced the wrath of the aggressors obviously armed with a systematic plan.

The well-stocked Vasant Saw Mill lost over Rs. 25 lakh worth of precious wood in raw material and finished good. Most of the wood was burnt to cinders. Two Hindu shop-keepers (tenants) also lost everything, as they were located in-between in the rows of shops that were targeted, on property owned by Mr. Mohammed Amin Sheth & Bros.

The mob looted the Modasa Steel & Cement Depot of Mr. Suleman Puskiwala, which was stocked with large quantities of foodgrains used to supply these goods to other shops in the town.

Terrified by the suddenness and brutality of the attack, his family living upstairs above the depot, had to use dupattas to climb down 1-2 floors from behind. The families of his three sons, all with small kids had to similarly escape, climbing down dangerously. Young Habib who was one of those who jumped landed with a fractured leg.

The entire extended Puskiwala family fled with others who had been targeted, leaving

Modasa on that day itself.

They tried and tried on that day to summon help from firebrigades from the nearby towns of Ahmedabad, Mehsana, and other nearby cities. In each case the firebrigade stations and vans reported that they were physically supported by mobs (allegedly mobilised by the same *sangh parivar* groups) in Dahansura, a town close by, pointing to depth of planning laced with venom that was behind this communal attack.

Sanjay Patel, is the key actor in this town re-couping from a fractured leg in the government hospital when he met the team. He told the team that a part of Modasa was a mini-Pakistan. He said in this interview that there were several ISI agents, who received training from Pakistan, but added that he had no solid proof to substantiate his allegations to his friends in the government. He was visited in the hospital by many leading people from the town and state, including a Minister and the vice-president of VHP (Gujarat). They all pledged support for his cause to exterminate Muslims.

He also said that he was grateful to all his friends and supporters from the Hindu community who expressed solidarity with him and rioted on August 3. However he also added that he believed that not all Muslims are bad, at least 5 % of them are good and are his friends. When the team sarcastically observed that, going by his deeds and the current happenings in the town, he would soon become and MLA of BJP, he and all his family beamed with happiness. He replied, however, that he had lot more to do before he could achieve that position and stature!

The Muslim traders who had been targeted and lost everything told us that all this was a feud by the BJP to capture both the MP and MLA seats held by the Congress. The Congress was too weak and fractured to even respond to the riots and the challenges posed by such destructive force like the VHP, BD and BJP. They felt strongly that the Congress leadership was misled by the communal elements, within the Congress. The local Congress strongman Mr. Amarsingh Chaudhary (leader of Opposition in the state's Vidhan Sabha) had visited the area, but had failed until then to even make even a representation to the government.

The survivors felt that he is too politically scared to make an issue lest he loses his tribal base (which he has anyway lost after the recent communal mobilisation).

Further, most of the targeted businessmen

whom this team interviewed repeatedly pointed to the systematic prior planning that was behind each criminal incident. How else could all the stocks of inflammables and tractors arrive bang on time?

The Muslims were acutely disappointed with the response of the Congress party. Nishaben, their local MP has not turned up to visit and console them. Another Congressman, and a Muslim, Irzad Mirza has not yet shown his face. In this situation, during the elections, the Muslims said that they may abstain from voting.

However it was felt that a large section of the Hindus would vote on communal lines for the *sangh parivar* candidate. Hence persons felt that the election resulted could already be predicted and this was exactly what the saffron brigade wants.

All in all, 63 persons and their families were victims of the systematic arson and rioting, losing their property in shops or houses, looted and burnt in Modasa alone. Over Rs. 1.5 crore worth property was looted or destroyed. Only 20% of this was insured. Of the total of 63 properties, only 12 belonged Hindus, of which six were directly targets of the raging fire lit to destroy neighbouring Muslim shops, while the rest, about six, were those destroyed in retaliation by some enraged Muslims.

The role of the police in the whole affair in Modasa is questionable. They watched in silent compliance as the assaulters carried out their calculated tasks, thereafter attempting some feeble patwork measures. All of these actions indicate that the local police is under the complete sway of the current political dispensation, compromising its professional image.

Due to mounting pressures from influential BJP, they were forced to register a section 307 case several hours later against Sanjay Patel's assaulters. Although in his interview, he told us that he did not recognise anyone who hit him and the police did not conduct any witness parade, the police notwithstanding, had arrested five Muslim youth (thereafter released on bail by the courts).

The police also later arrested several Hindus, involved in rioting including a local corporator and a director of a co-operative Bank. It is reported that police parties have been combing the surrounding areas for the stolen goods. The villagers when cornered by the police have been throwing things like fridges, TV sets etc., in the wells.

However at the time of the committal of the crimes, the police were mute spectators to the looting and burning of shops, all of which took

Sanjay Patel, was visited in the hospital by many leading people from the town and state, including a Minister and the vice-president of VHP (Gujarat). They all pledged support for his cause to exterminate Muslims

place just a stone's throw away from the main police station. The confidence and assurance with which the offenders have acted indicates clearly that they had received a silent license from the local policemen who appear to have informed the professional robbers that they can loot the shops and get away with it.

There is fear still among the minorities that they are not safe to live among the majority community, especially in the villages (Lambadiya, Meghraj villages, where their shops have been looted and houses have been burned down and the Bajrang Dal activists are after their blood). Who will protect their lives and ensure their livelihood?



Apart from demanding compensation for the victims of the riots for their losses, we need to demand that the local policemen who were present on the day of riots (about 30 of them) who have supported the communal elements, should be suspended and punished.

Only such a firm act will send a message down the line that unprofessional conduct by men in uniform abuses the mantle and role of the police who's primary duty is equal protection of the life and property of each and every Indian citizen, irrespective of caste, community and gender, an immutable foundation of the secular Indian Constitution.

GUJARAT 2000 - Challenge to Police neutrality

As many as 85 criminal incidents have been recorded from all over the state in connection with the Gujarat Bandh related violence that began on August 3, 2000 (the day of the bandh) and continued until August 9, 2000.

An FIR lodged in Rajkot city at 3.30 p.m. on August 2, 2000 under 153a of the IPC (about the time that international general secretary of the VHP was giving his bandh call in Ahmedabad) is against an accused 'who "tried to create tension with (by) giving a speech in a newspaper to damage and destroyed the Muslim religious places."

Another two FIRs lodged at Ahmedabad led by Kamlesh Bhavarilal and the mob he led concerns the destruction of a dargah and the looting and destruction of the Famous Shoe Shop on August 3, 2000

FIRs lodged in the Kheda Brahma village accuse Bajrang Dal president Jagdish Taral of assaulting Muslim establishments and home with sharp weapons, an attack during which a police constable was also injured (on August 3, 2000).

In yet another FIR filed at Mahuva on August 6, 2000, a violent mob led by Shailesh Barot assaulted the complainant who is a constable and another SRP Constable who were injured by pelting stones when they stopped a violent Mob heading ominously towards the local Masjid.

In Ahmedabad, Modasa and Sabarkantha senior police officials were acting in a partisan manner, directly siding with communal criminals.

In Surat city, two BJP corporators, Ganesh Prajapati and Suresh Varodia have been accused of forming unlawful assemblies and carrying lethal weapons in their vehicles. The CP, Surat has stated in an interview to members of the investigating team that all those accused in FIRS during the bandh-related violence will be charge-sheeted.

The editor of *Dhapkar*, Mayur Pathak was arrested by the Surat police under section 153 a of the IPC for fomenting violence between communities in the second week of August 2000. He was thereafter released by the Court.

Will all the guilty be punished?

Serious dilemma

Gujarat 1998-2000 presents a genuine conflict between the rule of law as enshrined in the egalitarian principles enshrined in the Indian Constitution and the existence of a political dispensation, the BJP, backed by its hit squads like the VHP, the Bajrang Dal, the Hindu Jagram Manch and now even the Shiv Sena (September

2000 took the Mumbai-based Shiv Sena to Ahmedabad for the first time!) who's worldview and functioning are partisan and inequalitarian.

(see background document)

In the present round of violence, related to the Gujarat bandh, as also in communal riots that have broken out in the state during the Kargil conflict last year and on Bakri Id day this year, a clear pattern is visible.

Leaders of the BJP-BD-VHP are the agent provocateurs, violating the law and inciting criminal actions against minorities. The names of senior and middle level leaders of these outfits are even named by the police in their first information reports that detail the crimes.

The pattern shows that they firstly try to keep the names out of the FIRs by bringing political pressure to bear; if however thanks to a by and large neutral police machinery, their names do figure in the FIRs, pressure is brought to bear on the police to drop all action against them !

This section contains names of many such leaders. Others have been named too. The real question is whether the state government will ever allow action against them?

Chief Minister Keshubhai Patel and State Home Minister Haren Pandya owe a real and moral responsibility in each of these cases to answer to the people of Gujarat and India, especially the minorities. The present dispensation has invited strong strictures from the National Minorities Commission (in August 1998 and now again in September 2000).

However the state level political leadership functions outside the pale of the Indian Constitution, violating the rule of law directly or supporting their allied groups who thrive on criminal actions and lawlessness. In fact the state home minister, Haren Pandya is oft-accused of allowing all the hit squads easy access to his hot line to prevent timely police and administrative action against any leading BJP-VHP-RSS-BD activists.

The collective report by this investigating team, consisting of several groups from Gujarat and outside is an attempt to alert the nation to the extent of the state of lawlessness prevalent in the state of Gujarat. It is a lawlessness of the kind that is pushing the minorities to the wall, ghettoising lives and livelihoods.

It is about time that the story of Gujarat, a story of lived facism in the laboratory of Hindu rashtra becomes an issue of national outcry and concern. The publication of this report is an effort in this direction.

No.	City/Districts	No. of Offences Regd.	Cost of Property loss	No of persons Died	No of persons injured	No of persons arrested	Remarks
			Hindu	Muslim	Hindu	Muslim	
1	2	3	4	5	6	7	8
1	Surat City	54	387000 (P.P. 603000)	4252500	3	8	12
2	A'bad City	12	10000 (P.P. 5100)	33800	0	4	0
3	Rajkot City	1	0	0	0	0	0
4	A'bad Rural	1	0	0	1	0	0
5	Vadodara City	4	(P.P. 17510)	0	0	0	0
6	B. K.	1	(P.P. 19100) 0	0	0	0	0
7	Bharuch	1	(P.P. 650)	0	0	0	0
8	S. K.	6	0	994850	0	0	0
9	Junagadh	2	0	0	2	0	10
10	Surat Rural	3	0	45000	0	0	0
11	Navsari	3	0	5000	0	0	0
12	Porbandar	1	0	0	0	1	9
	Total	89	397000	5331150	5	7	26
	Total of P. P.		651500				
	P. P - Public Property (S. T. etc.)						

INCIDENT OF HINDU MUSLIM CONFLICT DURING GUJARAT BANDH ON 3.8.2000.

Sr. No.	P. STN. Cr. No. and Section	Date of Incident	Place of Incident	Brief detail of incident	Cost of nature of damage	Religions institution	Individual	No. of Persons Injured	No. of Persons arrested	Died
1	2	3	4	5	6	7	8	9	10	11
1	Pradyumnagar P. Stn. I 478/2000 U/s 153 (A) of IPC.	2/8/2000 1530 Hrs.	Rajkot City	The accused tried to creat tension with giving a speech in news paper to damage and destroyed the Muslim religious places.	-	-	-	-	-	-
2	Sanand Town I 217/2000 U/s 326 of IPC.	3.8.2000 0830 to 1415 Hrs.	Virochannagar Village	The accused injured with knife to the complainant (H) over an unknown issue. (The accused is mentally upset)	-	-	-	H/I	-	-
3	Ellisbridge P. Stn. I 490/2000 U/s 341, 143,147, 332 etc. of IPC	3.8.2000 0745 to 0845 Hrs.	Paldi Bhatla Char Rasta A'bad City	The accused 8 to 10 had beaten up the S. T. driver and S. T. Bus tire's air was leaked.	100	-	S. T.	H/I	-	-
4	Ghatlodiya P. Stn. I 184/ 2000 U/s 147, 148, 149, 504, 114 of IPC and 135 of B.P. Act	3.8.2000 0930 Hrs.	Ambika nagar Society. A'bad City	The Complainant (H) was beaten with hockey stick by the accused (?) on closing the shop issue at time of Guj. Bandh	-	-	-	H/I	-	-
5	Sota P. Stn. I 150/2000 U/s 143, 144, 148, 452, 427 of IPC and 135 of BPA.	3.8.2000 0930 Hrs.	Chandlodiya Jagatpur Road A'bad City	The Complainant (H) was beaten with hockey stick by the accused (?) on closing the shop issue at time of Guj. Bandh.	10000/H	-	yes	-	-	-
6	Shaherkotda P. Stn.	3.8.2000	Opp. To	The accused tried to ransack the Dargah	16700/M	yes	yes	-	-	-

28	IPC Palsana P. Stn. II 195/2000 U/s 504, 506(2) of IPC and 25 (U), 1-B, 25 (1) of Arms Act.	3.8.2000 1330 to 1430 Hrs.	Palsana Surat Rural	The accused Mumablati fired from his revolver. 32, 8 round over an altercation over closing of mill.	-	-	-	-	P. I.	-	-
29	Mahuva P. Stn. I 57/2000 U/s. 436 of IPC	4.8.2000 2330hrs.	Nurani Masjid, Surat Rural	A mob of Hindus assaulted on the complainant's (M) son in law's shop of cold drink and put fire to it, thus four other cabins also were damaged due to this fire.	405000-M	-	-	-	-	-	-
30	Mahuva P. Stn. I 58/2000 U/s 143,145, 147, 149, 504, 506(2), 332, 336, 337, 323, 353 of IPC.	6.8.2000 0015	Vidheshwar Mandir to Juni Masjid on Road Mahuva Town Surat Rural.	The accused one Shailesh Barot + 4 & other mob of 100 persons allegedly assaulted on the complainant (Const.) & the other S.R.P. Const. & Injured with pelted stones when the accused were stopped going towards Masjid.	-	-	-	Pe2	-	-	-
31	Navsari P. Stn. I 91/200 U/s 143, 147, 337, 427 of IPC and 135 of B.P. Act.	3.8.2000 1000 to 1100 Hrs.	Navsari Town	The accused allegedly pelted stones on S.T. Bus and Choli Sadi center and damaged it.	6500 P.P.	-	-	-	S.T. Public	-	P.I.
32	Navsari P. Stn. 92/2000 U/s 147, 337, 427 of IPC and 135 of B.P.	3.8.2000 1045 Hrd.	Navsari Town	The accused pelted stones on the shops and damaged to the complainant (M) shops.	5000/M	-	-	-	Yes	-	P.I.
33	Jalapur P. Stn. I 88/2000 U/s 143, 147, 149, 435, 427 of IPC and 135 of B.P. Act	3.8.2000 1230 Hrs.	Navsari Indira Nagar	The accused allegedly ransacked Fakir Gulam's Koba Chikan shop and damaged it.	-	-	-	-	-	-	P.I.
34	Kamala Baug P. Stn. I 180/2000 U/s 323, 452, 143, 427, of IPC	3.8.2000 0830 Hrs.	Birfa Higher Secondary School Porbandar	The accused (15) allegedly entered into the principal's Chamber of the School and beaten up the complainant and ransacked the glass of the table.	-	-	-	-	-	-	P.I.
35	Una P. Stn. I 227/2000 U/s 143, 336, 427 of IPC.	3.8.2000 1330 Hrs.	S.T. Stand Una Junagadhi	The accused (50) allegedly pelted stones (V.H.P., B.J.P., B.D.'s activists) on the office of one Pujablati.	-	-	-	-	-	-	P.I.
36	Ahwa lines P.Stn 1149/2000 U/s 143, 147, 149, 436, 427, 454, 380 of IPC.	3.8.2000 1330 Hrs.	Chauta Bazar Surat City	The accused (200-300) allegedly ransacked the lock of Monika Textile and theft 40 Lack amount's saries and put fire to the complainant's (M) textile.	40 Lacks/M	-	-	-	Yes	-	P.I.
37	Ahwa lines P. Stn. 1150/2000 U/s 143, 147, 148, 436 of IPC	3.8.2000 1400 to 1500 Hrs.	Nanpura Timbaliya vad standard Auto garge Surat City	The accused allegedly put fire to Motor Garage, Maruti fanti - 2, Van - 1 and garage of the complainant (M).	60000/M	-	-	-	Yes	-	P.I.
38	Ahwalines P. Stn. 1151/2000 U/s 143, 147, 148, 454, 380 of IPC	3.8.2000 1700 Hrs.	Soni Faliya Arya Samaj Surat City	The accused allegedly formed an unlawful assembly and ransacked the shater if the shop and theft the things from the shop of the complainant (M)	10000/M	-	-	-	Yes	-	P.I.
39	Ahwalines P. Stn. 1152/2000 U/s. 143, 147, 148, 149, 153 (A), 324 of	3.8.2000 1600 hrs.	Near Sagar Hotel Soni Faliya Surat City	The accused formed an unlawful assembly and injured the complainant (M) with sword on right hand and one other was injured on secret part of the	-	-	-	M-2	-	-	P.I.

40	IPC & 135 of BPA Adhwalnes P. Stn. I 153/2000 U/s. 324, 114 of IPC & 135 of BPA	3.8.2000 1500 to 1530 hrs.	Nanpura Surat City	body. Four unknown persons stopped the complainant (M) and injured him with Cupit on several parts of the body.	-	-	-	M-1	-	-	-	PL	-	-	-
41	Adhwalnes P. Stn. I 154/2000 U/s. 337, 143, 147, 148, 142 of IPC	3.8.2000 2145 hrs.	Kotasfi Road Surat City	When complainant was on duty on requisite mobilevan the accused pelted bottles on him and mobilevan and injured him.	-	-	-	II-1	-	-	-	PL	-	-	-
42	Katar gam P. Stn. I 214/2000 U/s. 147, 148, 149, 151, 436, 452, 337 of IPC & 135 of BPA	3.8.2000 1400 to 2200 hrs.	From Katangam to Anant Ashram Surat City	The accused (35) allegedly formed an unlawful assembly with sharp weapons and assaulted on Nurbhai's Mutton shop and Bekry and ransacked it. Police lobsted 15 tear gas shells and 4- rounds from the service revolver to control the mob.	-	-	-	-	-	H-35	-	PL	-	-	-
43	Chawh Bazar P. Stn. I 142/2000 U/s. 324, 307, 114 of IPC	3.8.2000	Behind SSC Office Surar City	The accused (3) formed an unlawful assembly and injured one Kiran with sword and was died due to injury.	-	-	-	-	H-1	M-1	-	PL	-	-	-
44	Chawh Bazar P. Stn. I 143/2000 U/s. 143, 147, 148, 149, 436, 337, 427, 436 of IPC	3.8.2000 1030 to 1130 hrs.	Near Bhagal Char Rasta Surat City	The accuse (500) formed an unknown assembly and pelted stones on masjid and ransacked the stationary shop and put fire to it.	-	-	-	-	-	H-15	-	PL	-	-	-
45	Chowh Bazar P. Stn. I 144/2000 U/s. 336, 437, 114 of IPC	3.8.2000 1410 hrs.	Ved Road Surat City	The accused ransacked the glass of maruti car of the complainant (H) and damaged it	500/H	-	-	-	-	-	-	PL	-	-	-
46	Chowh Bazar P. Stn. I 145/2000 U/s 336, 323, 114 of IPC	3.8.2000 1420 hrs.	Fatakda Vadi Surat City	An unknown persons stones on the complainant (M) and injured him.	-	-	-	M-2	-	-	-	PL	-	-	-
47	Chowh Bazar P. Stn. I 147/2000 143, 147, 148, 149, 436 of IPC	3.8.2000 1230 hrs.	Variyali Bazar Chakla Bazar Nr. Ghodagadi	A mob of 200-250 persons formed an unlawful as assembly and injured the complainant and one another put fire to five two wheeler vehicles	-	-	-	H-2	-	-	-	PL	-	-	-
48	Chowh Bazar P. Stn. I 148/2000 U/s. 143, 147, 148, 337, 427, 435, 436, 407, 188, 395 of IPC & 135 of IPC	3.8.2000 1645 hrs.	Ved Darwaja to Randol Surat City	One Rajesh Babulal and other 14 accused and other mob of Hindu-Muslim formed an unlawful assembly with sharp weapons and looted the shops and put fire to the shops	-	-	-	-	-	-	-	PL	-	-	-
49	Chowh Bazar P. Stn. I 149/2000 U/s 143, 147, 148, 149, 337, 427, 435, 436, 395, 188 of IPC & 135 of BPA	3.8.2000 1710 hrs.	Vishram Nagar Soc. Dabanshamag ar Zupadpatti Surat City	One Gullu Pradhan Banusuni + 9 and other mob of 20-25 thousand assaulted on Muslims and ransacked the shops and cabins.	-	-	-	-	-	-	-	PL	-	-	-
50	Chowh Bazar P. Stn. I 150/2000 U/s 143, 147, 148, 149, 336, 427, 436 of IPC	3.8.2000 to 1530 hrs.	Opp. to Rampura Petrol pump Surat City	A mob of 500 Hindus and Muslims pelted stones on each other and ransacked shops and fire to it.	-	-	-	-	-	-	-	PL	-	-	-
51	Varachha P. Stn. I 284/2000 U/s 143, 1045 Hrs.	3.8.2000	Varachha Road Surat	About 30 to 40 unknown persons in whom: one Shallesh Dhanjibhai Patel Put	600000 S.T. Bus	-	-	-	-	H/30	-	PL	-	-	PJ

	147, 149, 435, 337 of IPC 3 of P. Property Act. And 135 of B.P. Act.	City	fire to one S.T. Bus and damaged worth Rs. 6 lakhs and also damaged the coming trucks etc.						
52	Udhna P. Stn. I 72/2000 U/s 143, 147, 149, 323, 325 of IPC and 135 of B.P. Act.	Udhna's corner of Ambar colony Surat City	Some unknown five persons injured on head of the complainant and ran away.	-	-	-	-	P.I.	-
53	Udhan P. Stn. I 73/2000 U/s 143, 147, 148, 188, 395, 427, 456, 452 of IPC and 135 of B.P. Act	Udhan Road No. 6 Super Bakery Surat City	Nana Rajaram Mahajan and four others and a mob of 1850 persons formed an unlawful assembly loaded with sharp weapons and ransacked the vehicles and shops and put fire to it.	-	-	-	H/30	P.I.	-
54	Mahidharpara P. Stn. I 120/2000 U/s 143, 146, 147, 149, 336, 427 of IPC	Opp. to Maskati Hospital Tower tran Rasta S. City	A mob of 50-70 persons formed an unlawful assembly and pelted stones each other.	-	-	-	-	P.I.	-
55	Mahidharpara P. Stn. I 121/2000 U/s 143, 147, 149, 341, 336, 455, 427, 188 of IPC	Rughnathpur a Main Road Surat City	A mob of 150 to 200 persons formed an unlawful assembly and pelted stones on Police and other persons and ransacked the shop and put fire to a Auto Rickshaw and caused a damaged police lobsted 22 tear gas shells to disperse the mob.	-	Yes	-	-	P.I.	-
56	Mahidharpara P. Stn. I 122/2000 U/s 143, 147, 149, 336, 427 of IPC.	Rughnathpur a Hira Bazar Surat City	A mob of 150 to 200 persons formed into a riotous mob and ransacked the laries and Gallas, Police lobsted 3 teargas shells to disperse the mob. -	-	-	-	-	P.I.	-
57	Unara P. Stn. II 619/2000 U/s 323, 506(2), 427, 188, 114 of IPC and 135 of B.P. Act	Majura Gate and Near Vanita Vishram Surat City	One Pappu prakash Patil and three others ransacked the Auto Rickshaw and beaten up the complainant (H)	-	Yes	-	H/2	P.I.	-
58	Salabatpura P. Stn. I 183/2000 U/s 147, 148, 427, 323 of IPC and 135 of B.P. Act.	Sardar Market Main Road Surat City	A mob of about 50 persons formed an unlawful assembly and ransacked the vehicles and beaten up the complainant (M).	-	-	N/1	-	P.I.	-
59	Salabatpura P. Stn. II 3366/2000 U/s 135 of B.P. Act.	Puna kambla riya Road Sardar Market Surat City	One Rajesh Sharif Prasad R/o Puna Gam and one other were forming an unlawful assembly with the wooden sticks.	-	-	-	-	P.I.	-
60	Limbayat P. Stn. II 255/2000 U/s 188 of IPC, 135 of B.P. Act.	Shankar nagar Road Surat City.	One Karilash Suresh Gurjar was arrested with sharp weapon (Lars).	-	-	-	H-1	P.I.	-
61	B.P.A. Salabatpura P. Stn. I 186/2000 U/s 324, 504, 114 of IPC and 135 of B.P. Act.	Inter City Kumbhariya Road Surat City	When the complainant (M) was going on bicycle an unknown person stopped him and injured him with knife on his stomach.	-	-	M/1	-	P.I.	-
62	Mahidharpara P. Stn. I 124/2000 U/s 2020	Raghunath-pura	The accused formed an unlawful assembly and pelted stones on Police and	-	-	-	-	-	-

73	436, 336 of IPC & 135 of BPA Rander P. Stn. I 182/2000 U/s 143, 147, 427, 436 of IPC and 135 of B.P. Act.	4/5 8.2000 at Mid Night	gar area Zaveri Sems Shop No. 10 Silver Plaza Complex Surat City	An unknown mob of antisocial elements ransacked the complainant's (Abdul Kadir Alimhamad Zaveri R/o Avdhut Soc. Rander) shop and damaged it. And also put fire to mattresses and furniture of other shops. One Narotatam Manj. Patel and other accused allegedly entered into the Muslims shop and Bismilla Jewellery shop and theft, the ornaments from the shop. Accused No. 1 was arrested on the spot.	M/s Lacks	-	-	-	-	-	-
74	Mahidharpara P. Stn. I 125/2000 U/s 143, 147, 149, 457, 380, 188 of IPC	4.8.2000 2200 to 2400 Hrs	Ruvala's Tekra near Tapan Restourent Surat City	One Narotatam Manj. Patel and other accused allegedly entered into the Muslims shop and Bismilla Jewellery shop and theft, the ornaments from the shop. Accused No. 1 was arrested on the spot.	-	-	-	-	H/1	-	-
75	Varachha P. Stn. I 288/2000 U/s 143, 147, 148, 435, 427 of IPC	3.8.2000	Cutside Sahara Darwaja S. City New Fruit Market.	50 to 100 persons allegedly formed an unlawful assembly & put fire to the complainant's Bhikubhai Darbar's cabin named Suryaraj & damaged worth Rs. 5000.	5000	-	-	-	-	-	-
76	Athwalines P. Stn. II 271/2000 U/s 427, 188, 144 of IPC	4.8.2000 11:30 to 1200	Nampura Ashanand Society Surat City	50/100 persons formed an unlawful assembly & put fire to Suryaraj cabin of the complainant: Rajubhai Latifbhai Mehta & Nur-E-Rashan Apartment S city & damaged worth Rs. 5000/-	5000	-	-	-	-	-	-
77	Chawki Bazar P. Stn. I 151/2000 U/s 307, 325, 143, 147, 148, 149, 332, 427, 336 of IPC	3.8.2000 20-20	Rani Talav Police Chowky to Parsi Sheri Surat City.	One Abdul Razak Abdul Kadar and a mob of 2000 to 2500 Muslims formed an unlawful assembly with sharp weapons and pelted Bottles on Police and Public and allegedly entered into the Police Chowky and ransacked furnicher and telephone and tried to put fire to it. Damage Rs. 5000 and also injured two persons with the lethal weapons. Due to this injury one vishvanath Madanlal Mandir died later at night.	5000	-	H/1	-	-	P.L.	-
78	Chawki Bazar P. Stn. I 157/2000 U/s 143, 147, 148, 149, 427 of IPC & 135 of BP Act.	4/5 8.2000 2300 to 0015	Rahemat Nagar Surat City	One Ganesha shankar Lal Prajapati & other 500 Hindus formed an unlawful assembly & Pelted stones & three persons were arrested with lethal weapons in Maruti Franti Car No. GJ-5, PV-8215.	-	-	-	-	H/3	-	-
79	Katargam P. Stn. I 215/2000 U/s 147, 148, 149, 452, 436, 427 of Ipe & 135 of BP Act	4.8.2000 01:30 to 0200	Katargam old GIDC Surat City.	The accused (15-20) formed an unlawful assembly with lethal weapons & ransacked the shops & put fire to it.	-	-	-	-	-	-	-
80	Limbayat P. Stn. I 79/2000 U/s 146, 147, 149, 426, 395, 336, 188 of IPC & 135 of BP Act	5.8.2000	Chhatrapati Shivaji Nagar Surat City	One Suresh Sakharan +4 & other mob of 100 accused ransacked the Bakery of the complainant: (M) & looted it.	-	-	-	-	-	-	-
81	Limbayat P. Stn. I 80/200 U/s 148, 149, 323, 504, 506(2), 188 of PC	6.8.2000 0300 hrs.	Ramnagar Limbayat Surat City.	One Iqbalbhai + 6 allegedly abused the complainant (H) & beaten him injured him with sword a minor injury.	-	-	-	H/1	-	-	-

Poll Politics

Municipal elections this year saw a new twist to electoral politics in the city - the entry of Shiv Sena. Even though the city has already ghettoised on communal lines since the 1969 riots and the Babri Masjid demolition program of the Sangh Parivar, the BJP is now being challenged as a mild communal force (pseudo Hindutva) by the Shiv Sena.

The city, already rocked by election riots, is poised for greater tensions as Shiv Sena moves in to cash on the communal sentiments built by the Sangh Parivar after decades, while the BJP uses the police force to consolidate its gains.

SAMVAD, an NGO working with the urban poor of Ahmedabad for their rights to housing and communal harmony for the past 10 years solicited pre-election views from the slum leaders to know what is happening at the grassroots. Slum leaders from over 25 slums on the Sabarmati riverbanks in both Eastern and Western Ahmedabad were contacted during 10-17th September. Most of them are either party workers (BJP and Congress) or active campaigners of local candidates. Majority of them lamented the lack of serious politicking in the present elections. The manifestos or sankalp patras of the major parties were not only re-hashed from earlier elections but had mere hoodwinking slogans (*hatheli maa chaand*). All the candidates and parties liberally promised housing rights, water and gutters to all slum dwellers. But going by past history of several elections, nobody really believes them.

Most of our respondents told us that even though political parties promised them the moon, they were sure that after the elections, they would be moving ahead with the Sabarmati Riverfront Project and oust over 10,000 families living in over 50 slums on the riverfront. Even though most of them were actively campaigning for their party candidates or their political patrons now, they were ready to be at log-

gerheads with them on the riverfront project issue and would see that no slum dweller is displaced. They are all part of the city level slum organisation "Nadikantha Jhupdavasi Sanghatan (Riverfront Slum Dwellers Organisation)", a federation of over 70 slum committees on the riverfront. The federation has been organising slum dwellers on the riverfront for the past 3 years to oppose the anti-poor riverfront project, which seeks to privatise public space to further consumerism and profits for the rich. Several blamed both the BJP and Congress for ignoring active workers and giving away tickets to useless people.

The leadership feud in the Congress also meant that many good workers were denied opportunity because they belonged to either Solanki or Vaghela groups. Raneshbhai of Azadnagar (Dudheshwar), an active RSS worker cursed both the BJP and Congress for not helping them during demolitions. Badruben of Barfiwala bhawan slums (Shahpur) condemned the Congress for not

giving her a ticket despite years of political hardships. She blamed the poor people for forgetting their civic issues and running after parties who gave them some money or free liquor. However the wife of Prahladbhai (Shanker bhuvan) was happy that her husband was too busy in election campaigns and she had no family disputes as he was away most of the time. Raziaben of Baba Lublabi slum (Behrampura) was angry at the way BJP was communalising their slum of 300 households. BJP people sponsored the 12th Temple in the area, which has 2 Masjids also. For the first time this year, BJP people supplied huge stock of raw food for *prasad* during Ganesh Chaturthi. Manjuben of Kablr Tekri (Vadaj) expressed disgust at the ways another local slum leader (a temple *pujari*) minted money from both the BJP and the Congress and also lured the people with liquor.

Raziaben of Baba Lublabi slum (Behrampura) was angry at the way BJP was communalising their slum of 300 households

She was sad that the people are axing their own feet by casting votes for such corrupt people. Rameshbhai of Ram Rahim Nagar was also angry with the political parties as they had merely paid lipservice to the compensation demands of several slum families whose houses were demolished by the recent floods.

However, as any concrete help is yet to come after months, they have to contend with empty assurances and oral support from the candidates. Similarly, Samshubhai of Santosh Nagar (Behrampura) is also angry with the parties that they are served with eviction notices (for 40 houses) during election campaigning and the political leaders cannot do anything about it, apart from hollow sympathies. Even though a BJP candidate called up some AMC official in

their presence, nothing happened and the people feel that it was mere electoral stunt! The sincere effort by BJP to capture the votes of Muslims as well as anti-communal Hindus by putting up many Muslim candidates (a la Laxman rekha) has really disturbed several RSS activists, grown up on years of anti-Muslim rhetoric. Several local leaders with the saffron brigade feel that rebellion by Yatin Oza and the entry of Shiv Sena is already sending jitters into the hardliners camp who feel that it will be ideologically difficult to counter them as they are logically sound on the Hindutva communal ground prepared by the RSS and VHP after years of solid work. The BJP will only use force to silence dissent and opposition, more and more to its disadvantage.

Explosion in the 'laboratory'

Results from zilla and taluka panchayat elections in Gujarat, considered *Hindutva's* laboratory show a clear-cut rejection by the people of the communal experiment

ONE state where the successful functioning of the panchayati raj system has been visible is in the state of Gujarat. High levels of people's participation in the panchayati raj institutions (PRIs) in the normal course and during the election process have ensured the vitality of this institution, at present just five-years-old. For this reason, PRI election results have always been analysed as indicative of future political fortunes by *pundits* who even use the zilla and taluka panchayat poll results to predict the colour and hue of the ruling and opposition benches in the next state assembly.

The year 1995 was the first election ever of PRIs in the state of Gujarat. The BJP captured the zilla and taluka panchayats and ruled the PRIs for five years. Following this trend, two years later, in 1997, the BJP won the assembly elections and established its rule over Gujarat. For the first time in the state of Gujarat, both the panchayats and the state assembly were in the control of the BJP.

In 1995, the BJP had won 18 of the 19 zilla panchayats and 154 of the 183 taluka panchayats. The success of the *Hindutva* wave throughout the state, coupled with the dysfunctional state of the Congress — the traditional ruling party in the state — were the major factors behind this result.

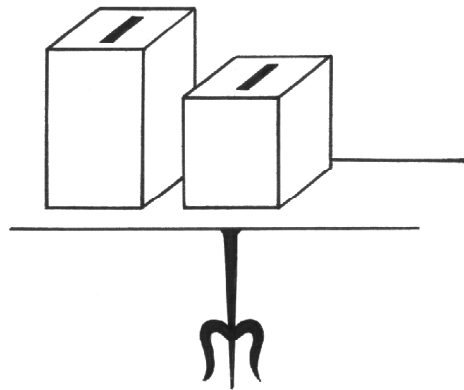
The BJP came to power through a clever mobilization of rural voters on a full-scale *Hindutva* agenda, laden with false promises. After coming to power in the panchayats, however, the ruling BJP simply failed to fulfill even the barest minimum of its electoral promises — of generating employment and eradicating poverty.

Greater attention and time was concentrated on a divisive agenda, provoking people's sentiments on religious lines, the important cases here being the violent communal riots in Dangs and other tribal areas of Gujarat during 1998 fomented between Christian and non-Christian tribals.

Similarly the cases of intra-religious marriages between Muslim boys and Hindu girls in rural Gujarat were converted by the agents of *Hindutva* into a communal issue. The BJP and other segments of the *sangh parivar*, like the VHP, BD and the RSS, took a highly communal and provocative stand that succeeded in terrorising the rural poor.

Simultaneously, in rural areas of the state, between 1995 and 2000, BJP's elected representatives to the panchayats did not pay any attention to basic problems like poverty alleviation, creation of employment, providing basic drinking water and other facilities.

There were even cases at the *gram panchayat* level where Dalit women were elected as *sarpanch* under the new panchayati raj amendment, but not given power in any real sense. One of the Dalit *sarpanchs* of Matvad — a BJP ruled gram panchayat — in Navsari district of south Gujarat was not allowed to work. Besides, false cases were made against her as the land owning community was opposed to her pro-poor approach. Instead of favouring her, the state level leadership sided with the landlords. Such anti-poor stance of the BJP leadership became more and more visible over the past five years.



All the tribal areas of Gujarat, notified as a Scheduled Areas under the Fifth Schedule to the Constitution of India by the Scheduled Area Act, 1977, are spread over nine districts and 38 talukas and are home to 14 per cent of the state's tribal population. The provision of the Panchayats (Extension to the Scheduled Area) Act, 1996 is applicable to the tribal areas of Gujarat too. In consonance with this Act, the Gujarat government passed the bill in December 1997 that applies to all tribal areas of the state. Under the provision of this Act, the local *gram sabha* needed to be consulted before acquiring land in any of the Scheduled Area for development projects.

Under this Act, it is also mandatory for the *gram sabha* to approve all plans, programmes and projects for social and economic development before they are taken up for implementation. The above procedure is to be followed even if the urgency clause is evoked. This bill was passed by the Gujarat assembly during the tenure of the Sankarsingh Waghela ministry. (Waghela had revolted and toppled the then Keshubhai Patel ministry and formed his government in 1996).

After the BJP returned to power in 1998, it did not take any interest in implementing this law. There were repeated demands from tribal leaders to implement it but the BJP high command never took them seriously. Where the gram sabhas managed to have their way, they restricted the operation of the *sangh parivar* and its cadres in completing their 'unfinished business' in tribal areas since a majority of the cadres belong to the urban areas.

It is a well-established fact that under the BJP-ruled regime in Gujarat, it is the RSS, the VHP and the Bajrang Dal who have been calling the shots, controlling both the panchayats and departments of the state government. It is functionaries of the RSS who dictate terms to elected representatives, so much so that without a go-ahead from the RSS, elected representatives have even been restrained from taking any decisions.

A widely known fact, oft-quoted in newspaper articles, was that ministers and presidents of taluka or zilla panchayats who did not belong to the RSS were under constant surveillance, watched and monitored by RSS men. Panchayat presidents and even ministers just could not take any decisions on their own. This caused acute dissatisfaction and anger, often displayed by the non-RSS BJP politician in public.

A glaring example was Babubhai Halpati, a tribal taluka panchayat president from the

Umbergaon taluka of Valsad district in South Gujarat. Babubhai had been with the BJP since the 1980s and had worked painstakingly for the party, eventually succeeding in capturing the Umbergaon taluka panchayat in 1995. After coming to power, Babubhai tried working independently but the RSS and its workers interfered at every juncture. Babubhai, agitated with such an undemocratic style of RSS, reacted. However, the interference from RSS workers persisted and increased leading to his decision to quit the BJP. In the just-concluded election, he worked for Congress. There are many such examples in Gujarat.

The friction between the BJP and the RSS touched an all-time high leading to BJP cadres making open allegations against the state BJP president, Rajendrasingh Rana, state vice-presidents Suresh Gandhi and Amit Shah and party general secretary, Jayantibhai Kevat stating that they were hard-core RSS workers. The party brought over another staunch RSS leader, Sanjay Joshi, from Nagpur known for his unflinching pro-RSS views. Another important office bearer of the party, Gorthandas Zadafia, is an active member of the VHP.

These factors help to explain significantly the reasons behind the debacle of the BJP in the recent panchayat elections. Out of 23 district

Those ministers and presidents of taluka or zilla panchayats who did not belong to the RSS were under constant surveillance, watched and monitored by RSS men

panchayats, which went to the polls in September, Congress captured 22 district panchayats. Out of a total of 735 district panchayat seats for which elections were held

Congress bagged 519 seats while BJP managed to secured only 207 seats; 14 went to other parties. Similarly in the taluka panchayats, out of 210 taluka panchayats, Congress captured 160 taluka panchayats in the state.

There were a total of 3,848 seats out of which the Congress bagged 2,299 while BJP secured only 1,248. It was thus that the BJP was routed in the panchayat polls in the state.

Ironically, the Congress won by a thumping majority not due to its performance but due to the strong negative swing against the BJP. The rural voters of Gujarat are the major contributors to the BJP defeat. But, Congress is a divided house and intense factionalism still prevails.

As we go to press, the BJP leadership is busy analysing its debacle and has constituted a committee to look into the matter. Apart from the super-imposition of the RSS-VHP cadres in panchayat affairs, widespread corruption and uncontrollable price hike are also considered to be important reasons behind debacle.

The rural poor are unable to cope with the

price hike of grains and other essential commodities. Grain prices at the ration shop are at par with the free market, hence it is difficult for rural poor to survive. Corruption by party members is also a key reason for defeat. State jail and rural housing minister, Jaspal Singh has blamed corruption in high places as the main reason for the BJP's debacle. Many panchayati raj functionaries are also openly saying this. A district panchayat account officer told this writer on condition of anonymity: "Corruption existed during Congress rule, too. But the level and manner in which the BJP leaders were involved in corruption is utterly mind-boggling. Even grass root level BJP workers had to bribe the higher level BJP leaders in order to get things done. The RSS-VHP cadres are extorting money from poor people. I have not seen this scale of corruption in

thirty years of service in panchayat."

An optimistic reading of the voting trends and the results suggest that the BJP's tactics of capturing power through communal politics has been understood, and even rejected, by rural voters. This combined with a rejection of the superimposition of RSS-VHP-Bajrang Dal cadres on the more liberal sections within the BJP has sent a clear message to the ruling BJP.

While the primary aim of the panchayati raj institution is to delegate more power to local people, under the BJP-ruled panchayats the power remained in the hands of the dominating few. The victory of Congress is not the victory of party but it is a victory of inherent secular-democratic fabric of Indians. ■

(Article published in Communalism Combat , October 2000)

No action on BJP attack on Shaikh's family home

(The Asian Age, October 11, 2000, news report)
By Kumuda Dorai

Mumbai October 10: Actor Farooq Shaikh is wondering whom to turn to for justice in India. Shaikh's ancestral home in Amroli village, Vadodra taluka, in Gujarat was attacked by a mob of BJP workers on September 24. His 102-year-old grandmother, uncle and two aunts were seriously injured in the attack.

The actor rushed to New Delhi immediately after the incident to meet Union home minister L. K. Advani and senior BJP leader Sushma Swaraj. He was assured of immediate action.

Now, more than 10 days after the incident, Shaikh and his family are still waiting for justice. Speaking to the *Asian Age*, Shaikh said, "The incident took place on September 24, which was a polling day for the local zilla Parishad elections. A BJP leader from the adjoining village, a Mr K T Bhil, was campaigning for the local party candidate, who lost to his opponent from the Congress. In fact, the BJP fared badly in the polls and lost seven seats in the taluka.

According to Shaikh, the same night at around 9 pm a mob of around 70-80 people in trucks and jeeps, led by the same Mr Bhil, arrived in Amroli brandishing swords and knives and lathi's. "They had a tractor filled with rocks and stones", the actor added. The mob was shouting anti-Muslim slogans and chose to attack only the homes and shops of the village's Muslims. "Initially everyone thought that they were dacoits since the area has never witnessed communal tension before. All traders shut shop and fled the scene. But this Mr Bhil started exhort-

ing his men to drag out and beat up the women instead.

Shaikh says the mob then made way to his ancestral home, which is among the largest and oldest homes in the area. "My relatives have lived in that house for five generations. I was born in that house, even though I grew up in Mumbai," said Shaikh. "Even this Mr Bhil is known to three generations of our family. He and his sons — Chetan and Laxman — were in the forefront of the mob, shouting slogans, bringing them up to a frenzy and exhorting them to attack members of the Muslim community.

Hearing the commotion, those present in the house — the actor's 102-year-old grandmother, a 77-year-old aunt who had come down from the US, an uncle, 77, and his wife, 75, and Shaikh's cousin's wife. 35 immediately locked and bolted all the doors. "They shone the lights on the house and started pelting stones and rocks. Luckily, the door is ancient and solid and managed to withstand the attack. However the windows broke. The rocks hit my family, most of them above the age of 70. They were shouting things like, 'lets finish them all of them,' and trying to break into the house with the help of axes and stones," he added. The attack lasted 20-25 minutes. Since the door still withstood the assault, the men announced that they would be back with reinforcements.

In the meantime Shaikh's cousin who, was not present in the house during the attack, called up the police. Some policemen "strolled" in a little while later saying they were following up a complaint that a BJP worker was kidnapped by people in the house. "How can some seventy

years old and a woman over 100 kidnap a youth?" asks Shaikh.

The actor's grandmother and other members of the family were seriously injured in the attack. "At that time even if u jostle them a bit they get hurt. They were pelted with rocks," he says.

The actor's cousin brought the local Congress worker to the house the next day and together they made a video of the entire scene, as well as the injuries suffered by the family. "We gave it with the panchnama at the police station along with a sword and scooter that the miscreants had left behind.

As soon as he came to know of the attack, Farooq Sheikh left for Delhi to meet L K Advani and Ms Sushma Swaraj. "I met the home minister Mr. Advani and Ms Sushma Swaraj. They were gracious enough grant me an appointment. Mr Advani immediately called up Gujarat home minister of Gujarat Mr Haren Pandya and even sent him a letter, a copy of which he gave me. "Since then I have heard nothing to suggest that action has been taken or even an indication that it will be taken.

In fact, an atrocity case has been registered

against my family, which in Gujarat means that an act has taken place against a member of the scheduled caste or tribe.

How can that be in the case of my aged relatives?" he questions. Shaikh feels the police is not acting out of political pressure from within the Gujarat government. "How else can u justify that even Mr Advani's orders have not been adhered to? If he does not have the power to get action done to set things right, then tell me, who in India has.

"This is just an example of the malaise in India at the moment. On one hand you have BJP president Bangaru Laxman exhorting communities in India to come together and on the other hand you have a group of brigands who can run affairs," he adds. The actor now plans to file a case in court.

To date no action has been taken in this incident as in many others. If a citizen of the stature of Farooq Shaikh, given direct access to the country's home minister does not get redressal what can be expected of dozens of other communal crimes in the state?

Dateline Gujarat **Hindutva's Laboratory in Operation**

The following brutal and violent actions on the ground, backed by state level policy decisions reveal how in fact the current political dispensation has been running in direct violation of the equity principals enshrined in the Indian Constitution and in fact like the laboratory of *Hindutva*. It proves the anti-democratic thrust of the project of *Hindutva*.

November 13, 1997 – August 16, 1998

There were over 40 recorded incidents of assaults on prayer halls and Churches belonging to Christians in the State (the worst incidents were of the attacks on century old educational institutions in Naroda and Rajkot (the St. Mary's and IP Mission School during which copies of the Bible were also burnt) and violent attacks against religious assembly as well as four major incidents against Muslims of Randikpur and Sanjeli that even involved Muslims forcibly evacuated from their villages and their transport businesses usurped by sections of the assailants

One of the worst incidents included the forcible exhuming of the body of Samuel Christian, a Methodist Christian by the VHP (ably assisted by the BJP corporators – *Indian Express* dated July 27, 1998) simply because he was buried in a burial ground over which the VHP-BJP local leadership had only recently began creating a dispute.

April –July 1998

The state of Gujarat witnesses a spate of pam-

phlets authored by the **VHP, Gujarat, Hindu Jagran Manch, Gujarat or simply anonymously** that systematically justify and provoke inflammatory feelings and violence against Christians and Muslims. One such, headed 'Baroda: Strong protests and agitation by Hindu youth against 'Christianisation and Blind Faith' appeared in the Vishwa Hindu Parishad News, April 1998 in Gujarati published from Baroda; 'Onwards Sanjeli –Let's unite to put an end to

these unholy incidents of Hindu women being sold in Muslim countries-Let's respond to bricks with stones' dated July 7, 1998 published by **VHP-Bajrang Dal, Sanjeli** (*Communalism Combat*, October 1998, Welcome to Hindu Rashtra).

Keshubhai Patel's stint in power has been marked by a plethora of such pamphlets often reproduced *in full* by mainstream Gujarati papers. Neither the publishers of these incendiary pamphlets nor Gujarati papers have attracted section 153a and 153b of the Indian Penal

Code, a section of law meant to guard against provoking of violence against members of a particular community.

July 1998

The Gujarat government ruled by the BJP set up a Police Cell for Monitoring Inter-Religious Marriages, another step that is clearly violative of the Indian Constitution. An announcement



to this end was made by the minister of state for home, Haren Pandya in the state assembly and also justified on the grounds that such marriages were not made of free choice but were forced on Hindu women out of ulterior motives.

July-August 1998

The same state government disbanded another police cell set up by a previous government to investigate atrocities against women.

December 1998

Dangs district in southern Gujarat saw Christmas time being reduced to fear for the minority Christian community that was systematically terrorised by the BJP-VHP hit squads. On December 25, 1998 Churches and prayer halls were attacked at Gadvi village, Nadagkhadi village, Jamlapada village, Padalkhadi village, Dewan Tembrun village.

The next day attacks continued at Karadiamba village and Vaki village. On December 27, 1998, prayer halls and Churches were destroyed at Bordel village, Bhondvahir village, Saverpada village, Gougen village, Mulchond village, Lahankhadmal village, Bharipada village, Raochand village, Pipaldhad village and Karenjpada village. Undeterred by the law and order machinery attacks continued into the fourth, fifth and sixth days on December 29, 30 and January 3, 1999 respectively when prayer halls and churches at Mathalbari village, Jhalsod village and Kasadbari and Natyanuvat village were destroyed by goon squads led by Janubhai Pawar of the VHP. (*Comunalism Combat*, Conversions!, January 1999)

Incidentally, due to the public outcry prime minister Atal Behari Vajpayee had visited Dangs after which instead of commenting on the failure of the rule of law, called for a national debate on conversions!

February 2, 1999

The following circular was sent out by the Director General of Police(Intelligence) Gujarat state showing a blatantly partisan attitude of the state. The United Christian Forum for Human Rights took strong objection to this census circular, directed all Christians and Institutions *not* to reply to it, stating clearly that it was violation of Article 15(1) enshrined in the Indian Constitution which states that no citizen can be segregated on grounds of religion.

(ENGLISH TRANSLATION OF A GUJARATI CIRCULAR SENT BY THE DIRECTOR OF POLICE (Intelligence), GUJARAT STATE FAX MESSAGE

To : All DSPs and Police Commissioners of Gujarat State Police, For Information : Police Ahmedabad; IGPs of all Ranges

(Thru:DS.Pol.Control) From Director of Police (Intelligence), Gujarat State, Ahmedabad Ref : No. :D.2 : Hindu - Christi/83/99 Date 02.02.1999 (1058)

DETAILS :

Presently, the incidents of class-conflicts between Hindus and Christians are increasing very much. It is very necessary to stop these activities.

In your District :

- 1) What is the total population of Christians ?
- 2) Which all places do they live in ?
- 3) At which places are their missionaries located ? (Alongwith the number and name)
- 4) They are encouraged by which foreign countries ?
- 5) From which foreign countries and how much amount of grant do they get ? How do they make use of it ?
- 6) Population of Christians in your district, taluka-wise and village-wise. You are requested to give information about the name, address and telephone numbers of their main leaders.
- 7) In the last five years, how many cases of class-wars between Hindus and Christians have been registered in your district ? What was their result in the court ?
- 8) How many Christians are involved and in which all offences ? You are requested to certainly send the name, address and the case registration number of the offender along with their dossiers.
- 9) In your districts, what type of trickery is being used by the Christian Missionaries for their defilement activities ? How are they increasing it ?
- 10) How many and what types of vehicles do they possess ? You are requested to inform the number of vehicles.
- 11) Amongst them, how many have got what all type of licenses for keeping weapons ? When were these licenses issued to them ?
- 12) What all arrangements have been made by you for their security ? You are requested to inform the number and the approximate amount of expenses incurred after their security.
- 13) You are requested to send the dossiers of all such Christians who are involved in criminal activities and having criminal attitude.

NOTE : You are kindly requested to send the above information after completing the necessary procedures before 15.02.99.

Signed/
P.B. Upadhyaya

February 16, 1999

Within days of the first circular, another (D:2/ 2: Com/Muslim Activity/84/99 dated 1/2-02-99) was also circulated, containing similarly offen-

sive questions about the Muslim minority community that was also violative of the Indian Constitution.

Organisations immediately approached the Gujarat High Court following which the circular was withdrawn from circulation. However it has still not yet been cancelled.

July 1999

On July 21-22, there was an outburst of communal frenzy provoked by a blatant communalisation of the Kargil conflict. For two week previously, July 7 and 11, 1999 the war at the border was cynically used by state and central BJP functionaries who needed to win an election the next month in the state (the death in Kargil of an army man, Mukesh Rathod from Meghaninagar was used by the BJP MLA from the city Harin Pathak and union minister L.K.Advani to lead rallies through the city accompanied by Rathod's body) to generate anti-Muslim venom on the ground. Slogans like *Ab to nagara baj chukka hai sarhad pe shaitan ka, Nakshe par se nam mita do, papi Pakistan ka*; another one read *Khoon se tilak karo, goliyon se aarti; Pukarti hai yeh zameen, pukarti Ma Bharati* proudly wall-written by BJP's Yuva Morcha contributed their mite to the already tense situation.

Two Bajrang Dal activists on July 21-22, 1999, Harshad Gillatwalla one of them earlier accused for the murder of a Muslim boy one year before (1998) took the lead in the provocations by setting fire to the Muslim owned Bhagyodaya restaurant in the Hindu dominated Memnagar area..

The flare-up, literally begging to happen, finally took place on July 20, 1999. Muslims constantly abused for weeks were agitated by the teasing of a mentally challenged boy by Hindus and demanded an FIR be lodged by the police. Instead of leaving the matter to be settled between the police and Muslims, the BJP-VHP brought in their own mob that led to a full-fledged riot at Dariapur, Dabgarwad, Vadigam, Kallapur etc.

The second phase of this violence began on July 22, with a Muslim boy being stabbed and

more stabbings of minority community members by leaders of the BJP and VHP near Dariapur gate, Gheekanta and Gomtipur areas. Names of senior functionaries of the BJP and VHP (city convenor of the BJP, Parabatbhai) have their names lodged as accused in the FIRs of the time.

(*Communalism Combat*, April 2000, Face to Face with Fascism)

December 1999-January 2000

A bill against religious conversions, directly counter to Article 25 of the Indian Constitution sought to be moved in the Gujarat state assembly was moved, and thereafter put on hold after it generated a nationwide controversy. The Bill is termed "Gujarat Freedom of Religion Bill."

January 1 -July 2000

A spate of six more attacks on Christian schools all over Gujarat, individual prayer meetings of Christians disrupted. Most Christians now aver that there prayers in churches in towns like Ahmedabad, Baroda Rajkot and Surat have to be conducted with closed doors and windows, so as not to 'upset and provoke Hindu organisations!'

January 3, 2000

The Gujarat CM lifted the ban on government servants joining the RSS – a decision he was compelled

to revoke a month later after the hue and cry that it generated.

February 2000

The RSS held it's massive *sankalp shibir* on the outskirts of Ahmedabad at thich 30,000 persons participated. Patel was flanked by union home minister L.K.Advani on the occasion, eight state cabinet ministers participated. The 5-acre plot was provided free with water and electricity costs on the house (!) for the occasion.

February 2000

Secret Hindutva Document:

Communalism Combat accessed this secret document from Gujarat that is a step by step guide for *sanghis* on how and why to break the law. It has been translated from Gujarati

Aum



'Now that we have our own government we (should take the proper advantage of it) and should get our work done by it'

●

'We should arrange to have our men as witnesses. Many times real witness also may give answers anyhow when cross-examined and as a result, the reliability of the witness suffers. So when we give the name of the witness in the court first we have to make sure whether he will remain firm in the court and also whether he is reliable otherwise.'

●

'A recent state home ministry circular directs the executive magistrate(mamlatdar) to register a crime if the police is not ready to do so; we believe that such complaints can be made to the sub-divisional magistrate (deputy collector) and district magistrate(collector) also'

●

'The main attack on Hindu Samaj is that our sisters of tender age are being abducted through offering them inducements and allurements and then they are made to sign on the marriage register after getting converted by force. Hundreds of Hindu girls are being (converted to Islam) made Muslims like this in Gujarat State.'

●

'It is not wrong if we can lift the woman and keep her under our custody. But girl's people should take the initiative.'

●

Many times the girl does not agree and if habeas corpus petition is filed in the court, and there if the girl changes her mind, we will be let down. As I mentioned earlier, these problems are not going to be solved by Law under the protection of the Police or the Court. The Hindu Samaj needs to resort to social opposition to find a solution to this and even resort to violent attacks if necessary.

February 5, 2000

Recent bomb attacks on homes of Muslim

families in the Paldi area of Ahmedabad, led by BJP corporators, led by BJP coporators and motivated by the singular idea not to allow Muslims to move into the Paldi area took place at the recently constructed Tulsi Apartments within the Vishwakunj Society. A writ petition filed by Haroobhai Mehta on behalf of the PUCL, sought the intervention of the Court in protecting the fundamental rights of the individual Indian citizen that include the right to settle and reside anywhere in India (Article 19(1)(d) was unfortunately not entertained by the Court. Naved Siddique, the builder involved in partnership in the transaction is being threatened to evacuate and sell off those and remaining flats at a loss of a huge Rs. 50 lakhs. Needless to say, no protection from the police or no redressal from the state government has been provided.

(*Asian Age*, Feb 16, 2000)

February 19, 2000

Thirty hit-men of the Vishwa Hindu Parishad vandalised the office of the mayor of the Ahmedabad Municipal corporation, a BJP corporator, Mlini Atit demanding the immediate reconstruction of a temple near Uttamnagar garden that had been demolished by the AMC. Despite the fact that public property had been destroyed, the Mayor refused to lodge a complaint saying "This was our internal matter, we do not need the police."

(*Indian Express*, February 20, 2000)

March 17, 2000

Bakri Idd. The occasion was used this year as in years previously by the BJP-RSS-VHP combine to provoke the Muslim minority by deliberate emphasis on the Cow Protection Act. Both the municipal commissioner and the police commissioner issued an appeal to citizens to be mindful of the act and members of the VHP and Bajrang Dal decided, suo moto to act as informants of the police despite repeated announcements that matters of law should be left to the police. Violence and tension resulted, an unnecessary death of a young Muslim.

