CRIME AGAINST HUMANITY

VOLUME I

An inquiry into the carnage in Gujarat

List of Incidents and Evidence

CONCERNED CITIZENS TRIBUNAL - GUJARAT 2002

Recommended contribution: **Rs. 200**
(Towards expenses incurred on the Tribunal's work)

Published by **Anil Dharkar**
for **Citizens for Justice and Peace**
P.O. Box 28253, Juhu Post Office,
Mumbai 400 049. India.
E-mail : cjp02in@yahoo.com

and Printed at:
Siddhi Offset Pvt. Ltd.
5-12, Kamat Industrial Estate,
396,Veer Savarkar Marg,
Prabhadevi, Mumbai - 25

Photographs Courtesy:
AFP, *AP*, *Communalism Combat*,
Reuters (Arko Datta), *Sandesh*,
The Indian Express, *The Tribune*

CONTENTS

Foreward 5
Introduction 9
History of Communal Violence in Gujarat 12
Political Backdrop to the Carnage 17
Mapping the violence 19
Godhra 23

Incidents of Post-Godhra Violence
Ahmedabad
Chamanpura 26
Naroda Gaon and Naroda Patiya 37
Rest of Ahmedabad 43
Ahmedabad Rural 61
Panchmahal 65
Anand 87
Mehsana 90
Dahod 95
Sabarkantha 114
Banaskantha 130
Patan 131
Vadodara 133
Vadodara Rural 154
Vadodara Tribal Belt 162
Bharuch 170
Kheda 184
Bhavnagar 189
Rajkot 190
Attack on Christians 191
List of statements placed before the Tribunal 192
Continuing Violence 193
Expert Witnesses 207
List of Annexures 237
Annexures 238

FOREWARD

What a shock and shame that India's fair secular name should suffer dastardly disgrace through the recent government-abetted Gujarat communal rage, compounded by grisly genocidal carnage and savage arsonous pillage, victimising people of Muslim vintage—and 'unkindest cut of all'— allegedly executed with the monstrous abetment of chief minister Modi, his colleagues and party goons. The gravamen of this pogrom-like operation was that the administration reversed its constitutional role and, by omission and commission, engineered the loot, ravishment and murder which was methodically perpetrated through planned process by chauvinist VHP elements, goaded by terrorist appetite. What ensued was a ghastly sight the like of which, since bleeding partition days, no Indian eye had seen, no Indian heart had conceived and of which no Indian tongue could adequately tell. *Hindutva* barbarians came out on the streets in different parts of Gujarat and, in all flaming fury, targeted innocent and helpless Muslims who had nothing to do with the antecedent Godhra event. They were brutalised by miscreants uninhibited by the police; their women were unblushingly molested; and Muslim men, women and children, in a travesty of justice, were burnt alive. The chief minister, oath-bound to defend law and order, vicariously connived at the inhuman violence and some of his ministers even commanded the macabre acts of horror.

There was none to question the malevolent managers of communal massacre. The criminal outrage, there was none in uniform to resist, not even to record information of the felonies. Nor was there any impartial official to render succour or assure civilised peace. When government failed and the local media distorted the truth, the fascist trend flourished and the barbaric, fanatic, rapist human animals remained unchecked.

Awakened by this sinister scenario, people of conscience, all over the country, felt the gory, catastrophe merited investigation. Thus was set up a committee of enquiry formally headed by me, but actively and functionally managed by a great young lady—Teesta Setalvad. She organised the services of eminent judges whose retirement would not inhibit them from throwing all their energy to the enquiry process—a signal public service. A great team, valiant paradigm, joined them. They collected

evidence of the gruesome events, lethal incidents, vicious environs and the complicity of people in authority who were vicariously guilty of the indescribable offenses. Those who sat on the committee—they were superannuated judges, a militant marvel of an advocate and four other noble public figures—made great sacrifice and rendered free service. They were experienced as judges and seasoned social activists, and knew what a judicial enquiry called for—an objective, yet sensitive examination of the overall holocaust. They pooled testimonies sought from official and non-official sources, and pooled all probative material. People came and gave evidence, some officials showed up to unfold what they knew had happened. The Tribunal toured, restlessly strove to get at the traumatic truth and were guided by the necessity of hearing both parties. Grievances poured in. Tears and fears were placed before the Tribunal. I was there only for a day and, therefore, cannot claim to have participated substantially in the enquiry. But my colleagues have done an anguished job, looking into tons of material, sifting and sorting and producing a brave, massive report. I commend their task to the Indian People. I cannot but condemn the culpable delinquency of those in power in Gandhinagar nor, indeed, is it possible to absolve the Central rulers in Delhi who failed to act and, perhaps, connived by omission, the harrying operation in Gandhi Country; I mean Gujarat, where the greatest man of our time was born, with the noblest example of secular symphony of religions. Yet, action has to be taken against heinous culprits since justice shall be done under the Indian Constitution. Be you ever so high, the law is above you.

My message and my mission is the presentation of an exhaustive report, which does credit to those (other than me) who prepared, sedulously and feelingly, findings which they were commissioned to do by their conscience and the nation.

There are tragic, traumatic conclusions and creative, corrective recommendations. There are measures, punitive and rehabilitative, for victimological constitutional action. My task is to place the report before the people. Know ye the Truth and the Truth shall make you Free—provided We, the people of India, act promptly and fearlessly.

The melody of communal unity, the beauty of religious amity and the secularity of Indian humanity—these glorious values are the mission and message to the nation. Let us struggle to sustain this supreme value, lest we, as a people, perish by divisive ideology. The Gujarat episode is an evil event and disastrous portent. Let us battle for the success of our pluralist culture, secular heritage and social-justice-illumined democracy. India must win! The integrity of our fraternity shall never surrender to berserk, blood-thirsty political bestiality.

October 24, 2002 **Justice VR Krishna Iyer**

Concerned Citizens Tribunal - Gujarat 2002

An Inquiry into the Carnage in Gujarat

Report of the Tribunal

Justice VR Krishna Iyer
Retd Judge, Supreme Court

Justice PB Sawant
Retd Judge, Supreme Court

Justice Hosbet Suresh
Retd Judge, Mumbai High Court

Adv KG Kannabiran
President, PUCL

Ms. Aruna Roy
Mazdoor Kisan Shakti Sanghatan

Dr. KS Subramanian
Retd IPS, Former DGP, Tripura

Prof. Ghanshyam Shah
Professor of Social Sciences in
Community Health, JNU

Prof. Tanika Sarkar
Professor of History, JNU

Dated this 21st day of November 2002

Introduction

The Concerned Citizens Tribunal – Gujarat 2002, was conceived as a response to the carnage that rocked the state of Gujarat following the Godhra tragedy on February 27, 2002. The eight-member Tribunal was constituted in consultation with a large number of groups from within Gujarat and the rest of the country. A copy of its terms of reference and a list of the groups urging that such a People's Inquiry be launched is annexed hereto and marked as Annexure 1.

The Tribunal collected 2,094 oral and written testimonies, both individual and collective, from victim-survivors and also independent human rights groups, women's groups, NGOs and academics. The documentation work done by relief camp managers and community leaders, from lists of persons killed or 'missing', to the meticulous tabulation of economic loss and religious desecration, is unprecedented and immense. The Tribunal has benefited greatly from these and they are being published in a separate volume of annexures to our report. In addition, over one dozen detailed fact-finding reports and inquiries were placed before the Tribunal and we have benefited greatly from a close scrutiny of these. We have also collected photographs, copies of FIRs, audio- and video-tapes, as evidence. The sheer volume of the evidence on record took an enormous amount of time and human resources to sift through and evaluate. Yet, as in all human endeavours, there may be deficiencies in the report. For these, we plead extenuation and understanding as unlike in case of official inquiries, it has been voluntary commitment from a whole team that has enabled the completion of this report.

The Tribunal pays tribute to the victim-survivors, individually and collectively, who deposed before us at great risk to their person in the simple hope that one day justice will be done and the guilty be punished. Even as the Tribunal sat in Ahmedabad, there were threats and premises like the circuit house at Shahibaug were denied us due to the omnipresence of prowling mobs. We acknowledge our great debt to the activists on the ground who worked day and night to bring the victims and reliable eyewitnesses to us.

After recording evidence, visiting sites, placing on record statements and collecting other relevant material, the Tribunal arrived at some *prima facie* conclusions. These

were forwarded along with our recommendations to both the central and state governments and their views were awaited. However, the Tribunal regrets that neither the state government nor the central government, or individual ministers to whom request letters were sent, responded. Though we are entitled to draw adverse conclusions from this lack of response, because that they did not respond to the interim findings, we do not propose to do so.

However, many senior government officials and police officers did agree to meet the Tribunal, responded to our queries, shared insightful observations and presented some valuable evidence to us. One minister also appeared and deposed before us. The Tribunal had assured this witness (minister) and other officials that their anonymity would be protected. Hence, while their valuable evidence is reflected in the *Findings* of the report, they have not been identified. Anonymity was urged especially because of the fear of reprisal from political bosses if names became known.

The Tribunal has independently accessed volumes of material that helped us arrive at our final *Findings and Recommendations*. The *Interim findings and Recommendations* are annexed as *Annexure 6, Volume 1*.

In a democracy, the people's right to information should be paramount. Any government wedded to this basic right should have eagerly cooperated in the effort of a citizen's tribunal to inquire and let the people know what happened in Gujarat, who engineered the carnage, and who the guilty are.

The Tribunal undertook this huge task as part of the exercise of this fundamental human freedom. The health of any society lies not in denials and half-truths when grave injustices have occurred, but in courageously admitting to them, righting those wrongs with justice and then reconciliation. That both the government of Gujarat and the government of India did not participate in the inquiry reveals their utter disregard for the people's basic democratic right to know.

Having completed its task, it is with humility that the Tribunal presents this report to the country and the world. Even as we complete our task, we know and recognise that our country's record in the matter of punishment of the guilty in cases of mass crimes, against the minorities, against Dalits, and against the poor has been pathetic. Yet, with hope that is eternal to the human condition, we do present this report in the belief that, this time, knowing the truth will help us chalk a future that is radically different.

The sorry state of the rule of law in the country is closely connected to the functioning and accountability of our courts, and the criminal justice system is crying out for radical reform. We hope that with justice to the victim-survivors, these reforms will become a matter of urgent political debate.

The Tribunal would like to express its gratitude to justice GG Loney (retd) who participated in some sittings of the Tribunal. The panel also benefited from the insights provided by justice PD Desai (former CJ Mumbai, Kolkata and Himachal Pradesh High Court) who met us in Ahmedabad, and over lengthy discussions, enhanced our understanding and grasp of the situation.

The setting up and the functioning of the Tribunal was made possible due to the Citizens for Justice and Peace, an association of committed citizens from all walks of life, from Mumbai and Ahmedabad, who came together to garner support for the fight for justice, post-carnage. The Tribunal acknowledges its huge debt to this group that felt duty and conscience bound to support and make possible such a Citizen's Inquiry.

The committed team from Sabrang Communications and Publishing, Mumbai, ably handled the secretariat of the Tribunal. Dr Uma Sheth and Rashmi contributed of their time generously. Their responsibilities included coordinating the schedules of the Tribunal in Ahmeabad and from it's districts-- its sittings, recording of evidence, translating and transcribing the evidence and handling voluminous material. Then came the task of deliberations on the evidence by the panel which constituted the Tribunal and finalising this report.

During the Tribunal hearings, the India Centre for Human Rights and Law, Mumbai, Prashant, Ahmedabad, and PUCL-Shanti Abhiyan, Vadodara, provided able support for the Tribunal's hearings.

The panel that constituted the Tribunal pays a humble tribute to all the hapless and innocent victims of the ghastly Gujarat carnage. We dedicate this report to them and to their surviving relatives. And also to each one of those women and men who, at great risk to their person, provided succour and helped expose the truth.

VR Krishna Iyer
Hosbet Suresh
Aruna Roy
Ghanshyam Shah
PB Sawant
KG Kannabiran
KS Subramanian
Tanika Sarkar

History of Communal Violence in Gujarat

"There are many religions as there are individuals; but those who are conscious of the spirit of nationality do not interfere with one another's religion. If Hindus believe that India should be peopled only by Hindus, they are living in a dreamland. The Hindus, the Mahomedans, the Parsees and the Christians who have made their country are fellow countrymen and they will have to live in unity if only for their own interest. In no part of the world are one nationality and one religion synonymous terms; nor has it ever been so in India."

— Mahatma Gandhi, quoted by Jagmohan Reddy and Nusserwanji Vakil in the Judicial Commission Report on the Ahmedabad Riots, 1969.

To no state of the country could these warning words apply better than to Gujarat, the birthplace of the Mahatma, where the misuse of religion for political ends resulted in the worst carnage against a religious minority post-Independence.

Between 1961-71, 16 districts in Gujarat were rocked by communal violence, recording some 685 incidents in urban and 114 in rural areas. Of the 685 incidents in urban Gujarat recorded for the decade, 578 occurred in 1969 alone, during the worst riots in that ten year period. Starting with Ahmedabad, the worst affected city, violence spread to several other places including Vadodara. The description of one instance of rioting in Ahmedabad, as recounted before the Tribunal by a prominent human rights activist from Gujarat who was an eyewitness at the time, epitomises the malaise of inter-community relationships in the region:

"A gruesome episode in the afternoon (September 20, 1969) brings out the depth of animosity against the Muslims. A young Muslim, enraged by the destruction of his property said he would take revenge. Upon this the crowd seized him, showered blows on him, and tried to force him to shout *'Jai Jagannath'*. Staying firm, the youth refused even if that meant death. To this, someone in the crowd responded that he might indeed be done away with. Wood from broken shops was collected, a pyre prepared in the middle of the road, petrol sprinkled on the pyre as well as on the youth, and he was set alight with ruthless efficiency. What is remarkable is that there was no resistance from any Hindu. The wails of the Muslim inhabitants of the area were drowned in the celebration of the incident by the Hindus."

This was Gujarat's first major bout of communal violence involving massacre, arson and looting on a large-scale. The violence took over 1,100 lives and property worth several crore rupees was destroyed. (Vengeful slogans on the streets shouted by *Jansanghis* – the BJP in its former incarnation — basically called the violence a reprisal or revenge for 1946. (Before Partition and Independence, the Muslim League had a significant presence in the Ahmedabad Municipal Corporation). *Planned riots* took place for the first time in Vadodara in 1969. Shops of Muslims, marked out in advance for easy identification were systematically destroyed, suggesting pre-planning and organisation.

In the period, 1974-1980, other issues preoccupied Gujarati society. The 1981 anti-reservation agitation, a reaction to the KHAM policy adopted by the ruling Congress at the time, was re-channelised into a major communal conflagration, in a shrewd bid to check the sharp polarisation taking place among Hindus along caste lines. Conceived as a vote bloc of some OBCs, Dalits, Adivasis and Muslims, KHAM, (K as in Kshatriya – not to be confused with the upper caste Kshatriyas —, H as in Harijan, A as in Adivasis and M as in Muslims), the logic of numbers rendered KHAM unmatchable in terms of electoral arithmetic.

This fetched the Congress huge electoral dividends; defying the anti-incumbency factor, the party swept the polls in the 1985 polls, winning many more seats in the Assembly than it had in 1980. But apart from the upper castes, KHAM outraged Patels, the intermediate caste with real economic muscle and immense political clout. As the Patidars (Patels) took upon themselves the task of dismantling KHAM, the Congress leadership, which had discovered the magic electoral formula was either unwilling or unable to evolve a political programme to sustain the onslaught. And Muslims, the last link in the chain, proved to be the weakest link.

The issue of reservation quotas for backward castes and communities became the focal point for the hostile political mobilisation of the upper castes, which turned violent. Communal riots between Hindus and Muslims now began to follow on the heels of caste violence as the former served the cynical purpose of diverting attention away from the growing cleavage within caste-Hindu society. Fortuitously for the caste-Hindus, the caste struggle in Gujarat coincided with the establishment of the VHP and soon thereafter, the Bajrang Dal in the state. These RSS outfits were conceived with a specific agenda – wooing of the 'lower' castes with a programme of 'Hindu unity'.

People in affected areas of Ahmedabad (which led the way for Vadodara and other cities) firmly denied any build up of hostilities prior to the riots. More telling was the way in which the burning of shops was balanced out, arithmetically as it were, between the Hindus and Muslims in the initial stages. It took some time before rioting gathered momentum on its own. Retaliation and counter-retaliation sent waves of violence across cities, its virulence manifest in the fact that for the first time stones and crowbars were giving way to guns, petrol bombs, and other explosives. This was 'progress' of a nasty kind. The caste war had dovetailed into a communal conflagration.

A striking new feature of the 1985 anti-reservation stir was the mobilisation of upper caste women in support of their men folk. They stood like a buffer between the

agitating mob and the police. Facing insults and brickbats, the police was effectively prevented by these women from taking any strong action against the mob. In April 1985, the police revolted and participated in the violence. They burnt down the office of *Gujarat Samachar* in Ahmedabad. In the course of the communal riot engineered to quell the caste war, it was under police supervision that 400 Muslim houses were set ablaze and reduced to ashes all over the state.

To bring the difficult situation under control the army had to be called in. It soon found itself in the midst of extremely trying circumstances. The VHP, hardly a force so far, launched a vicious campaign charging the army with pro-Muslim bias. The reason: its commanding officer happened to be a Muslim. The Muslims, on the other hand, complained of a pro-Hindu bias. In order to win civic confidence the army even had to undertake a poster campaign.

Unlike 1981-82, by 1985 the lower castes were better organised, often with aggression. The last phase of the agitation saw an Adivasi backlash. Huge rallies were organised in tribal areas sending warning signals to the upper castes. In Bhiloda, a tribal pocket in Sabarkantha district, armed young tribals went on the rampage. Patels living in the neighbouring village of Takatunka were attacked and robbed. Within a few minutes, 26 shops were devastated.

The nexus between anti-social elements (of both communities) and politicians, which was started in 1969, when Hitendra Desai was chief minister, and encouraged under Chimanbhai Patel's rule from 1969-1970, got a further boost in the '80s when Madhavsinh Solanki was chief minister. The patronising of liquor mafia dons belonging to rival communities, Hindu and Muslim, by different factions of the Congress in Ahmedabad and Vadodara led to the criminal-politician nexus behind communal violence surfacing with a vengeance.

In 1982, in Vadodara, there were riots around a *Ganesh Chaturthi* procession. In 1983, there was the first political mobilisation by the *Sangh Parivar* around the '*Ganga Jal*' ('Holy water from the Ganges') and the '*Bharat Ekta Yatra*' symbols. In 1985, it started with anti-reservation riots again, the issue being a hike in quota for OBCs by the Congress government. Communal riots were then engineered by the party in power to defuse the explosive caste conflict.

Between 1987 and 1991, 106 communal incidents took place in Gujarat. Political rivalry and conflicts during elections were responsible for triggering around 40 percent of these riots. Tensions related to 'religious processions' were responsible for another 22 percent of these clashes.

It was from Gujarat, in September 1990, that LK Advani launched his Somnath to Ayodhya *rath yatra* leaving a nationwide trail of violence in its wake. In 1990 itself, there was major violence in Gujarat because of Advani's *rath yatra*. Starting from Somnath, the *yatra* traversed through the heart of Gujarat. The chief architect of that *yatra* was Narendra Modi. During the years of communal violence in 1986, 1987, 1989 and 1990, Modi was general secretary of the BJP. That is when the *Ramjanmabhoomi* campaign became a central issue in Gujarat. Men, women and youngsters from Gujarat,

constituting possibly the largest contingent from anywhere in the country, participated in the demolition of the Babri Masjid on December 6, 1992. Surat, a town with an unblemished record of communal harmony, joined other centres in Gujarat which had a more fractured history of inter-community relations. Violence spread to rural areas that had hitherto been largely unaffected.

In September 1990, on the occasion of *Ganesh Visarjan*, Vadodara saw the worst-ever riots in the walled city. Shops belonging to Muslims in the walled city and Raopura were broken open with the aid of gas cutters, looted and burnt. During the *Ganesh Visarjan* procession, the destruction took place in broad daylight, in the presence of the police. Elected leaders of the BJP directed well-planned attacks on the property of Muslims on the main road. The Jumma Masjid near Mandvi was also attacked. It was soon after this riot in Vadodara that Advani's *rath yatra* began. Stray incidents of violence continued for months after this incident.

Sustained and systematic efforts were made by organisations like the BJP and its *Sangh Parivar* affiliates to communalise Gujarati society, through large-scale distribution of hate literature and other means. Hinduism was given more and more aggressive interpretations with a conscious design to promote a feeling among Hindus that they, the majority community, were being treated unjustly through 'appeasement' of Muslims by various 'vested interests'. The view that Muslims were fundamentalist, anti-national, and pro-Pakistan was systematically promoted. In some cases, Hindus were even exhorted to take up arms to defend their interests.

After 1992, there was a relative lull punctuated by stray incidents of violence against Muslims. From 1997 to 1999, especially in south Gujarat, a new trend was visible. The *Sangh Parivar* managed to create a divide, turning Hindu tribals against Christian tribals. In '98 and '99, Christian institutions – churches, schools, hospitals were systematically targeted particularly in Dang, Surat and Valsad districts. This divided the tribal community into two camps — Hindu and Christian.

The BJP first came to power in Gujarat in the mid-nineties. But, since 1998, with the coming of the Keshubhai Patel government, and more so with Narendra Modi taking over as CM in September 2001, public space and atmosphere has been completely vitiated within the state. In recent years, the unending barrage of hate literature helped create a state of mind, even as persistent communal tension contributed to the perpetuation of violence as a way of life. Steady state support was extended to the activities of organisations such as the RSS, VHP, Bajrang Dal and the organisations it spawned. Anti-Christian propaganda and violence were initiated. Posts within the bureaucracy at various levels, police and Home Guards and educational institutions have been steadily filled with persons wedded to a communal worldview.

Sustained efforts have been made to penetrate the tribal belt, where the influence of the BJP was earlier limited. *Trishuls,* swords and other weapons have been distributed during ceremonial and religious functions. Training campaigns were organised to spread hate-ideology.

Contrived 'aggressions' by the Muslim community ('abduction' and 'forced marriage' with Hindu girls), and Christians ('forced conversions') have been used to whip

up local sentiments to a fever pitch. The utter failure of the law and order machinery and other wings of the state to check such blatantly unconstitutional behaviour are truly worrying for the future of secularism and democracy.

In the past four years alone, an atmosphere of threat and intimidation has deeply affected the social fabric of Gujarati society. In 1999, during the Kargil war, violence erupted in Ahmedabad city when Gujarat's Muslims were subtly and not-so subtly projected as being pro-Pakistan and anti-India. In 2000, Muslim property running into crores of rupees was looted or destroyed all over the state in 'retaliation' to the killing of Amarnath *yatris* by terrorists in the Kashmir valley. The activities of organisations like the VHP, RSS and BD have become more and more brazen as they defy the law, confident that with 'our government' (BJP) in power, they need have no fear of any censure or penal action.

It is under this political dispensation that the ground for the present carnage was carefully laid and at any appropriate moment, ruthlessly implemented. If the letter and spirit of the Indian Constitution are to be redeemed and reaffirmed, that exercise must begin with Gujarat - the land of the Mahatma. Let every man or woman guilty of base crimes, however highly placed they be and irrespective of the short-term political consequences, be tried speedily and punished. India and its Constitution are crying out for redressal. As are the souls of the victims massacred in gruesome fashion. And the plaints of the traumatised survivors of the Gujarat carnage.

Judicial Commissions on Communal Violence in Gujarat

The Jagmohan Reddy and Nusserwanji Vakil Commission of Inquiry was instituted in 1969 in the wake of the violence that claimed 1,100 lives. Unfortunately, irrespective of their political affiliation, successive governments in power have shown no interest in punishing the guilty, or in initiating the systemic changes recommended to check the recurrence of unbridled violence.

In 1986, the Dave Commission was appointed, but the Congress(I) government under Chimanbhai Patel found its recommendations politically inexpedient. Hence, it simply did not accept the findings that were made. In between, the Kotwal commission also investigated bouts of communal violence in Ahmedabad city. Again the report was not implemented.

The Chauhan Commission was set up after the brutal violence in Surat in 1992, in the course of which, too, women were gang raped. This commission had completed its report and needed barely a 15-day extension for finalisation of the document, when the Congress-supported Vaghela government disbanded it. As a result, the findings of this commission could not even be made public, let alone the issue of its recommendations being acted upon.

Political Backdrop to the Carnage

The political backdrop of the Gujarat carnage is not insignificant given the cynical use of communal violence by political parties of all hues in the past. Having assumed power in Gujarat in 1998 after winning by an overwhelming two-thirds majority, the BJP has since been suffering defeat in local elections for reasons that need not be gone into here.

In the *panchayat*, *taluka* and district elections that took place in 2000, two-thirds of the areas were won by Congress. That was the first major defeat BJP suffered after coming to power. In the elections to six municipal corporations, to 25 district *panchayats* and to the closer-to-the-ground *taluka* elections held simultaneously in December 2000, the BJP lost heavily. It lost control in almost all the district *panchayats*. It retained four of the six municipalities but its two losses were in the most prestigious municipalities of Ahmedabad and Rajkot, where the *Sangh Parivar* had its strongest foothold. The BJP had held the Ahmedabad corporation for the last 15 years and Rajkot for the last 25 years. The Congress party was the biggest beneficiary of the BJP's electoral reversals.

In September 2001, the BJP lost to the Congress in the by-elections for two assembly seats that were held. Shortly after that debacle, chief minister Keshubhai Patel was replaced by Narendra Modi in a bid to arrest the party's dwindling fortunes in a state that the *Sangh Parivar* considers to be the 'Laboratory of *Hindutva*'. However, in by-elections held on February 24, 2002, for three assembly seats, all of which were held previously by the BJP, it lost two of them by heavy margins to the Congress. Modi was elected from Rajkot, the third constituency, but by a much-reduced margin as compared to the previous poll.

Given the continuous downslide of the BJP in the state since '98, the question has been raised by many as to whether there were any electoral-political calculations and machinations behind what subsequently happened in the state from February 28 onwards. While this remains in the realm of speculation, the fact is that the Modi government prematurely dissolved the state assembly and pushed very hard for early elections even though the situation in the state was far from normal. For this he was widely criticised and the BJP was charged for trying to cash in on the carnage. The impression certainly gained ground that with the BJP consistently losing at the grass-root level and with assembly elections in the offing, Modi cynically tried to use the politics of division and violence to gain a fresh mandate from the people. That his plan was frustrated because of the assessment of the Chief Election Commissioner, JM Lyngdoh that in the prevailing circumstances, a free and fair poll was not possible in Gujarat reaffirms the common citizens' faith in constitutionalism and the rule of law.

Gujarat

Dhanera
Palanpur
BANASKANTHA
Deesa
Vadgam
KUTCH
PATAN
Chanasma
Unjha
Sidhpur
MEHSANA
Visnagar
Himatnagar
Prantij
Modasa
SABARKANTHA
Bhuj
Anjar
Kadi
Kalol
GANDHINAGAR
NAGAR
Lunawada
Devaliya
Odhav
Ghodasar
Mehmadabad
Panchar-wada
PANCH-MAHAL
DAHOD
AHMEDABAD
SURENDRANAGAR
Gomtipur
Dhansar-pura
KHEDA
Nadiad
Godhra
Dalol
Kalol
Limkheda
RAJKOT
Dholka
Dholera
Sanand
Bavla
Sakhda
Abasana
JAMNAGAR
Gondal
VADODARA
Tagadh
Tarsal
Karjan
Veraval
PORBANDAR
BHARUCH
Jhagadia
Ankleshwar
NARMADA
AMRELI
BHAVNAGAR
JUNAGADH
SURAT
AHWA-DANGS
NAVSARI
VALSAD

Mapping the violence

Sixteen of Gujarat's 24 districts were engulfed in the most organised armed mob attacks on Muslims between February 28 and March 2, 2002, when most of the attacks were concentrated. Rampaging mobs were at it until mid-March. In some parts of Ahmedabad and Mehsana they are still on the loose.(Another three districts had sporadic bouts of organised violence.) Nowhere were the mobs less that 2-3,000, most often they were more than 5-10,000 strong. This and the fact that they were armed with swords, *trishuls* and agricultural instruments that could kill; the fact that the manner of arson, hacking and killing was chillingly similar; all suggest a carefully laid out plan behind the attacks. It is only trained cadres who can spill out in such an organised fashion, in thousands across the state of Gujarat, within the '72 hours' it took Chief Minister Modi to 'bring things to normal.'

February 27, 2002

*** Godhra:** 58 persons torched alive in bogie of Sabarmati express.

(Stray stabbings at Ahmedabad and Anand).

Stabbing at Varodara of a Muslim vendor as *Kar sevaks* returned

Rajpardi village, Bharuch

65 persons travelling in a tempo from Kidiad to Modasa in Sabarkantha burnt alive at Babaliya, Khanpur *chowki* Panchmahal.

February 28, 2002

*** Ahmedabad:** Civil Hospital, Sola. Bodies are brought, angry slogans raised

*** Gulberg Society, Chamanpura:** Armed mob of 20-22,000 holds the whole of Gulberg society to ransom for over seven hours. Seventy persons hacked and burnt alive. (10-12 women and girls were raped). Commissioner Pandey failed to save the victims.

*** Naroda Gaon-Naroda Patiya:** Armed mobs of 15,000 attack and kill women, children and men – over 200 lives lost; Ample evidence of private firing with rifles by the mobs also armed with *trishuls*, *dharias*, spears and other weapons. (Police watched).

*** Naroda Fruit Market:** Armed mobs of 10,000 attack Muslim wholesalers selectively.

*** Odhav, Gomtipur and Amraiwadi.** Mobs attack.

*** Paldi:** attacked by huge mob. Judges/Police Quarters attacked

*** Kabadi Market:** attacked by mob of 7-10,000; destruction carries on for four days.

*** Vatwa:** attacked by mob of 10-20,000.

Restaurants and housing societies within minority areas are selectively targeted.

1,100 hotels in Ahmedabad, Baroda and on the Highways torched with special chemical between February 28 and March 1.

A mob first ransacked a Honda City car showroom on the Sarkhej-Gandhinagar Highway

*** Vadodara:** At least 7 persons killed and 30 injured in mob attacks on the localities of Fatehpura, Chhipwad and Makarpura.

*** Vadodara Rural:** Savli, Chhotaudaipur, Desar, Sokhda, Laxmipura , Padra, Vadu, Karjan, Vaghodiya, Udalpur, Tarsali. Kisanwadi, Sama Society, Madhavnagar, Ashabi Chawl were attacked. In rural parts, Sokhada and Chappad were targeted**.**

*** Gandhinagar:** A mob enters the Old Secretariat building in the high-security zone and burns down the offices of the Wakf Board and the state Minority Finance Corporation.

*** Sabarkantha:**

*** Near Prantij:** Three British Nationals travelling in a local taxi are attacked; one survives; the driver is killed, two are still missing.

Villages/towns across this district are brutally targeted for four-five days: Meghraj, Bayad, Dhansura, Vadali, Prantij, Vijaynagar, Dolapur, Fazalpur, Madhavkampa, Talod, Modasa, Malpur, Sardoi, Himmatnagar, Idar, Khhedbrahma, Bhiloda, Tintoi, Gajra, Jadar, Zaledar, Faredi, Pandharwada, Kavath, Unjha, Dailol, Meghdharol, Sathamba, Shamlaji, Demai, Limkheda, Halol. The Highway through Sabarkantha was targeted by rampaging mobs.

Mobs in the above-mentioned areas led by local leaders of the VHP and BD encircled and cordoned of the roads and stopped all vehicles carrying milk, vegetables and other basic food items.

***Himmatnagar:** One young Muslim boy was allegedly shot to death at point blank range by the Superintendent of Police in Himmatnagar.

*** Ahmedabad Rural:** Dholka, Jetalpur, Ramol, Mandal targeted by mobs of not less that 3,000, armed with *trishuls*, swords and agricultural implements.

***Bharuch city**

***Ankleshwar GIDC area**

March 1, 2002

***Panchmahal:**

***Pandharwada:** 70 people burnt alive Pandharwada village in Khanpur *taluka* of Panchmahal.

Six persons burnt alive by large mobs near Dailol railway station located between Kalol and Halol, about 50 km from Godhra; The victims were walking on the Highway when a mob of more than 200 people caught up with them, doused them in kerosene and burnt them alive. Of the victims, four were women.

Other towns and villages brutally attacked:Godhra, Kadadara, Anjanva, Santrampur, affected: Limkheda, Dailol, Mora.

***Mehsana:** Sardarpura village:8 farm labourers belonging to the minority community burnt alive.

Other towns and villages brutally attacked: Pansar, Visnagar, Unjha, Umta, Becharaji.

***Kheda:** Villages/towns badly affected: Mehmdavad, Jinger, Ghodasar, Kheda, Nadiad, Rural: Ode, Vasad, Petlad, Khambhat, Sojitra, Dharmaj, Borsad, Mehmdavad, Kathlal, Virsad, Balasinor, Pij, Sarsa, Chikhodara, Dakor, Nilampura, Pahad, Thasara, Sevaliya, Ratanpur, Haldasvar, Timba, Khalsar, Chaklasi, Peej, Piplak, Dumral.

***Ahmedabad:** Gomtipur, Vatwa: large *bastis* gutted and property looted

***Gandhinagar:** Curfew in Gandhinagar for the first time in 30 yrs on March 1. Mobs moved freely in the capital targeting specific residences and establishments belonging to Muslims. Super-

intendent of police E Radhakrishna said that the curfew had been imposed as a precautionary measure. The incidents took place in Sector 21, Gha-2 , Gha-6, Sector 25, Sector 26 and Sector 27. Houses were set on fire in Sector 27 while commercial establishments were vandalised in the other areas. Residents of Sector 29, which has a sizeable number of minority members, including businessmen and government servants, said that the violence was unthinkable and they were afraid for the first time.

***Junagadh:** This haven of communal harmony saw some tension errupt with a stabbing on March 1 but matters were handled swiftly by the local police.

***Banaskantha:** Mankdi, Thalwad, Jitpur in Danta *taluka*:entire villages have been burnt.(Four Bohra Muslims burnt alive).Villages badly affected: Deesa, Sesanava, Danta, Dhanera, Thara, Tharad, Bhildi, Sihori, Bhabhar, Hadad, Mankdi, Panthawada, Malotra, Palanpur, Vijaynagar, Vadgam, Lakhani.

***Patan:** Violence in Chanasma.

In Radhanpur village three persons travelling in a jeep attacked, two killed; one survives.

***Varodara-**BEST Bakery, Hanuman Tekri, Vadi Panigate, Raghovpura, Machchipith

*Varodara Rural-Rahovpura, Tulsiwadi, Bhayli. Laxmipura, Bajwa, Maretha, Tejgadh and Kanwat in tribal parts of rural Varodara are targeted

***Anand:** Villages badly targeted: Mogar, Sarsa, Chikodra, Bedwa, Samarkha and Odh, Vasad.

*** Bharuch:** Rajpardi, Rajpipla, Devaliya.

March 2, 2002

***Bharuch:** Bharuch city, Ankleshwar

Rural: Bhimpura, Amod, Valiya, Netrang, Jambusar, Nandod, Jhagadiya, Andada, Diva.

***Halol:** Factories, trucks set on fire ; 5 units in Halol Industrial Belt set on fire; 9 trucks carrying 63 Opel astras from the General Motors factory in Halol are burnt. Lucky Studio, owned by film producer Sajid Nadiadwala, was also gutted.

The 5 units that were set on fire included four plastic factories and one engineering unit. The industrial town of Halol remained tense as only 17 policemen were on duty in the town limits and they are unable to stop the rampaging the mobs from targeting the factories.

***Rajkot:** Rajkot (never experienced communal violence before this) saw violence spread in the industrial areas of Ajit, Shapar-Veraval and GIDC estate. 25 small and medium industrial units were set ablaze in the Ajit industrial area alone. In the Shapar- Veraval area, units like Suraj Industrial, Nazeen Industries, Polymer Packaging and Antech Television were damaged by the mobs.

Rajkot city, and village Gondal. Are targeted

***Latipot:** About 15 units with stocks of wooden logs, were set on fire, causing a loss of about Rs. 5 crore. In the Kevdawadi and Gundawadi areas, units like Bazuki Industries and Kirti packaging which had large stocks of packaging material and cardboard , were torched. Eyewitnesses say that the police deployment was inadequate in these areas.

Violence erupts in Mehsana, Godhra, Surat, Vadodara and Anand. Even as chief minister Modi boasted about how "peace had returned" and made tall claims of "90 per cent violence ebbing down," as many as 29 Muslims were torched to death at Sardarpara village in Mehsana and over 39 people were killed in separate incidents in Surat, Bhavnagar, Sabarkantha and Vadodara.

March 2, 2002

Families from far-flung areas in districts of of Sabarkantha, Mehsana, Banaskantha, Panchmahal, Ahmedabad, Kheda, Baroda, Broach, Surat and Bhavnagar fled to safer places as their houses and business centres had been destroyed in violence by unruly mobs since February 28.The worst hit districts were Ahmedabad, Mehsana, Sabarkantha and Panchmahal where a large number of houses and shops belonging to minority community were set afire after ransacking and looting of houses and shops, and family members being killed during the orgy of violence in the past five days.

March 3, 2002

***Gandhinagar:** A large number of shops, showrooms, *larri-gallas* and even houses belonging to Muslims were set on fire in all parts of the city on Feb 28, March 1 and 2.

March 4, 2002

*Surat, Bhavnagar, Ahmedabad, Morbi in Rajkot district. Violence spreads to the streets in several areas, including Surat, Bhavnagar and Ahmedabad on March 3. Police opened fire on mobs setting fire to property and looting goods in Bhavnagar and Surat. Morbi in Rajkot district is also engulfed in violence.

March 4, 2002

Police firing on rioting mobs claimed 2 lives in Sabarkantha and one in Kheda, while 6 people were killed in other incidents of violence in Vadodara, Mehsana and Dahod.

***Vadodara Rural:** Savli, Chhotaudaipur, Desar, Sokhda (Vadodara), Laxmipura village, Padra, Vadu, Karjan, Vaghodiya, Udalpur; (Violence in Chotaudaipur continued until March 12).

March 6, 2002

Mass burials sans relatives for Naroda, Gulberg victims.

As many as 96 bodies of victims of the post-Godhra carnage were buried in a mass grave in the Dudheshwar graveyard this evening; another mass grave for about 200 victims was being readied in Sarkhej, on the outskirts of the city, for a burial tomorrow.

A big grave was dug and the bodies, brought from the Civil Hospital morgue, lowered into it one by one. They were victims of the Naroda Patiya and the Gulberg Society carnages. Among them were 5 children, including a 6-month-old baby; 46 women, including one who was pregnant, and a handicapped man whose crutches lay by the side. 500 persons silently watched and prayed. CM Narendra Modi, driving less than a kilometre away, did not visit the graveyard.

Godhra

The Sabarmati Express train started from Ahmedabad for Ayodhya on February 22, 2002, with *kar sevaks* on board. It appears that on its onward journey to Ayodhya, there was an incident at Dahod railway station where the *kar sevaks* indulged in vandalism and terrorising of Muslim vendors at the station. According to another version, the Dahod incident took place on the return journey. There is no clear evidence of the date of the incident but it is clear that it took place.

There was another incident between Rudauli and Daryabad stations (closer to Faizabad) wherein the *kar sevaks* attacked Muslim passengers, including innocent women and children. When some young man protested against this, he was thrown off the train between Patranga and Rojagaon stations. Several women, badly wounded and covered in blood, jumped off the train at Rudauli station. The *kar sevaks* got off and started attacking those whom they identified as Muslim from among those present at the platform.

At Rudauli station, other similar incidents occurred, such as forcing the Muslims to shout, *'Jai Shri Ram!',* pulling the beards of some of them, including stabbing with *trishul*. Despite the severity of these incidents, there was no prompt action taken either by the railway authorities or the police; nor were those seriously injured rushed to hospital. It appears that both local Hindus and Muslims condemned the attack and that Muslim religious leaders appealed for peace and urged that there should be no retaliation. *(Report in* Jan Morcha*, published from Faizabad on February 25, 2002, two days before the Godhra incident on the return journey of the same Sabarmati Express– see Annexure 7 Volume 1.)*

As the train travelled back from Ayodhya on its return journey to Ahmedabad, *kar sevak* girls and boys armed with *trishuls* and lathis, were getting down at every station and shouting slogans like, *"Mandir Vahin Banayenge!", "Jai Shriram!", "Muslim Bharat Chodo, Pakistan Jao" ("Muslims, Quit India! Go to Pakistan"), "Dudh mango tho kheer denge, Kashmir mango tho cheer denge" ("Ask for milk and we'll give you kheer (pudding), But ask for Kashmir and we'll cut you up")*. Many passengers felt harassed by this behaviour but were

constrained to silence because the *kar sevaks* had captured all the reserved seats and the train was jam-packed.

The train reached Godhra station at 7.30 a.m. (three hours late), on February 27, 2002. There were certain incidents on the platform. There were some reports to the effect that a Muslim girl was molested by the *kar sevaks* who attempted to pull her into the train. The attempt to take her into the train was averted due to the intervention by Muslim vendors at the Godhra railway station.

In a separate incident, a Muslim tea vendor had boarded coach S-6 with an aluminum tea *kitli* and plastic cups to sell tea. Passengers started to buy tea from him but he was insulted by some of the *kar sevaks* and sent out of the coach. It appears that some *kar sevaks*, identified by their saffron head bands and *trishuls,* had climbed onto the roofs of coaches of the Sabarmati Express as it stopped at the Godhra railway station, stripped themselves and made obscene gestures at Muslim women residing just opposite the station, who had come out to perform their morning chores. There was also some stone throwing, both from within and from outside the compartments.

As the train left the platform, at 7.48 a.m., it was immediately stopped by someone pulling the chain. The obvious reason for this was to enable some of the *kar sevaks* who were still left behind on the platform to enter the train. The train proceeded for about a kilometre. At Singal Falia the train stopped. Whether this was on account of someone pulling the chain or otherwise is not clear. The engine driver, at that point of time, had only seen someone from outside pelting stones at the train though not at coach S-6. Soon thereafter, coach S-6 was on fire. The question is, how did the fire occur?

The version of the government appears to be that the Ghanchi Muslims residing near the railway station, who had gathered in large numbers, threw fireballs into the train and that resulted in the fire. The government version also has it that these Ghanchi Muslims wanted to attack the *kar sevaks*, and that there were about 2,000 Muslims who were bent on attacking the train.

It may be stated at this stage that the full capacity of the train is 1,100. But, in fact, the train at that time had about 2,000 passengers, of which about 1,700 were *kar sevaks*. As far as coach S-6 of the Sabarmati Express is concerned, the reservation capacity is 72. However, it was jam-packed on that day. Only one coach was burned and even in that coach one is not sure how many passengers were *kar sevaks*. The train had 11 coaches with vestibule connection and the *kar sevaks* were spread all over the train. So why did anyone target coach S-6? If 2,000 Muslims had gathered there, could they not have attacked the other coaches? Again, did anyone try to come out from the other coaches? If it is reasonably presumed that some of the passengers, including *kar sevaks,* rushed out, did anyone attack them? On all these questions there is no satisfactory answer.

In all, 58 bodies were found in coach S-6, out of which 26 were of women, 12 were of children and 20 were of men. It appears that 43 persons sustained injuries, of

whom only 5 were admitted to the hospital. The rest were treated for minor injuries like bruises, and were allowed to go. Out of the five admitted to hospital, one died, and the rest were discharged after 3 or 4 days.

Since the bodies were charred beyond recognition, it was not possible to identify anyone on the basis of physical features. The collector of Godhra told the Tribunal that only five bodies could be identified on the basis of articles or things which were on their person. One was the local station master's wife who had boarded the train at Godhra to go to Vadodara. She had a metal tiffin box in her hand and she was thus identified. Thus, no one could say with certainty that the dead bodies were all of *kar sevaks*.

Incidents of Post-Godhra Violence

Ahmedabad

GULBERG SOCIETY, CHAMANPURA

This is probably the first carnage to have been unleashed after the Godhra tragedy, after the corpses of the burnt bodies had been taken from Godhra to the Sola Civil Hospital in Ahmedabad. The attack on Gulberg society, which was home to Ahsan Jafri, former trade unionist and MP of the Congress party, was launched with military precision from 7.30 a.m. to 4.30 p.m. on Thursday, February 28. A 20-25,000 strong mob surrounded the Chamanpura area in the heart of Ahmedabad city. The FIR lodged by KG Erda of the Meghani Nagar police station itself gives a detailed account of the utter failure of the police to put off the assailants or protect the trapped residents. The FIR admits that the arson and destruction began from that morning itself. The Tribunal recorded detailed testimonies of *all* the eye-witnesses to the Gulberg society carnage, including a Parsi, who was with Ahsan Jafri until the end, when, at around 2.30 p.m., he surrendered himself to the mob in a desperate attempt to save the persons who had sought shelter in his home from nearby *chawls*. One of the most shocking aspects of the Gulberg society carnage, to which two eyewitnesses and two others testified, is the fact that the commissioner of police, Ahmedabad, PC Pandey, visited Ahsan Jafri at 10.30 a.m. that day, and assured him of police reinforcements. The CP stands directly indicted because he did not keep his promise of sending police help. The few men who were deputed from the Meghani Nagar *chowki,* merely watched as 70 persons were butchered and burnt in a macabre dance of death. The 10-12 women among the victims were brutally gang raped.

The centre of an Indian commercial city saw a medieval and macabre dance of death, humiliation and revenge heaped on women, children and men. Ten to twelve gas cylinders were exploded that day and used as arsenal in the attack. Members of the Tribunal visited the site on May 3, 2002. We found hundreds of little glass bottles containing a whitish powder scattered all round. This was used to heighten the impact and intensity of the fire and ensured that the bodies were burnt to ashes.

According to eyewitness accounts as well as the full list of dead and missing persons attached to the FIR, about 70 persons have died — 49 from the society, and 18-20 from outside, who had come to seek shelter at Jafri's home. This is not the figure mentioned officially. (The official figure released is 59.) Evidence of one Manoj Kumar, a Hindu neighbour, has also been placed before the Tribunal. He testified to the fact that the attackers pulled the babies out with the men, then poured petrol over them and burnt them. The police merely stood back and watched. When questioned about this gross dereliction of duty, commissioner PC Pandey shrugged and said: "We were outnumbered."(*The Times of India,* March 2, 2002.)

At about 10.30 a.m., police commissioner Pandey, with Ambalal Nadia, the Congress *mahamantri*, Ward No. 19, and Kannulal Solanki from Ward No. 20, visited Jafri and gave him a personal assurance that they would send reinforcements and that he would be fully protected. Within five minutes of the CP's departure, at 10.35 a.m., the Zahir Bakery and an autorickshaw just outside Gulberg society were burnt. The stoning of Gulberg society began around 11.15-11.30 a.m. Forty-five minutes later, at about 12.15-12.30 p.m., stones, acid bulbs, bottles and petrol bombs were thrown at Gulberg society from the rear side of the complex of buildings and bungalows. From the terrace of an adjacent bungalow belonging to a non-Muslim, between 12.30 and 12.45 p.m., there was heavy stone throwing, including big boulders. This caused the biggest damage, because, without this frontal attack using premises from within the residential colony itself, the residents might have been able to protect themselves. The volley of huge stones, along with acid bulbs and burning cloth balls, continued until 1-1.15 p.m. Around 1 p.m., one Yusuf, a resident of the society, was caught, cut up and torched. Fear amongst the residents had mounted. By this time there were nearly 80 persons in Jafri's house. Amid shouts of "*Ghusijao*" ("Get in!"), between 2.30-2.45 p.m., suddenly the gate at the rear end of the Society, near the railway tracks, was broken down. Between 2.30-2.45 p.m., Ahsan Jafri, who was clearly a specific target, allowed himself to be dragged out of his own house. There, just outside the home that he had so painfully created, for 45 minutes, he was brutally dismembered and then finally decapitated. He was stripped, paraded naked, and asked to say, "*Vande Mataram!*" and "*Jai Shri Ram!*" He refused. His fingers were chopped off and he was paraded around in the locality, badly injured. Next, his hands and feet were chopped off. He was then dragged, a fork-like instrument clutching his neck, down the road, before being thrown into the fire. A man who had devoted his life to public service, had met a brutal end. In this attack, Jafri was killed along with his three brothers and two nephews.

At this time, 2.45 p.m., Anwar, another resident, was also killed. The main accused (whose names appear later) brought in logs from the nearby Sansar Bakery and began, ominously, to prepare four funeral pyres. Anwar was killed and then cut up into pieces and burnt. There was a relentless barrage of stoning, throwing of fireballs and frontal attacks on Jafri's house in particular. This was confirmed by many eyewitnesses to the tragic carnage, all of whom deposed before the Tribunal.

After this, Shafi Mohammed Munawar Sheikh was also cut into three pieces, and burnt alive. It was between 3.30-4.30 p.m. that 10-12 women were first raped, then cut into pieces with *guptis*, and then thrown into the fire. The police finally arrived between 4.30-5.00 p.m. At 5.20 p.m., the police party which was trying to rescue the people, was stoned. Finally, at around 7 p.m., the survivors were taken out of the area under police escort.

One of the eyewitnesses who was with Jafri until the end, a Parsi woman whose 12-year-old son is one of those who has been missing since that day, gave the Tribunal an elaborate testimony. This witness contacted an influential relative, a legal luminary, for help and the latter rushed to meet the police commissioner in person. The CP the telephoned the witness. He asked her, "How many from your family are trapped there?" "Three, Sir," she replied, implying that there were only three Parsis trapped there – she, her daughter and son - since her husband was at the Meghani Nagar police station. She then saw the other victims around her, quickly recovered herself and said, "No there are 40 persons here." He then took the address but the help, when it came, was too late.

This witness was in her verandah, in the same building as Jafri, when about 6-7 persons came to the neighbourhood to close down everything because of the *bandh*. A boy who was standing opposite had closed his shop, but they ran to beat him up. He was shouting for help, and there were 6-7 policemen also standing there, who were watching, but did not help. When his brother came to help him, they started beating him up as well. Then the first boy ran inside, to be followed by a boy with a knife. She could see them because they were in the society, but she could not see what happened to the other boy.

This witness saw Jafri go out to meet CP Pandey at 10.30 a.m. Jafri returned after a few minutes, apparently reassured that forces would be sent soon. He told others that he had told the CP that if they could not send forces they should escort the Gulberg society residents out. Children from the different homes in Gulberg society were taking their morning tuition classes when, in panic, parents had to summon them back home. The attackers first torched all the vehicles outside.

The mobs were shouting "*Jai Sri Ram!*" and "Kill! Slaughter! This is what they did to us in Godhra. We will do the same to them here!" Eyewitnesses who deposed before the Tribunal saw that they used gas cylinders from the abandoned homes as ammunition for the attacks. Chemicals were sprayed into the room, then gas cylinders thrown in after removing the seals. With fireballs providing the spark, the gas cylinders exploded like bombs. The blast was so powerful that it made the plaster peel off walls, so much so that the structural steel rods were exposed. The attackers were pulling out the girls and killing anyone who came out of Jafri's home, either with swords or by pouring kerosene over them and torching them.

By 11 a.m., women had collected in Jafri's flat, bringing their valuables, fearing the worst. Witnesses also saw the mob throwing something that would fall near their houses and then burst into flames.

Despite the CP's visit to Gulberg society, the police did not come. Jafri kept looking outside with apprehension while he made calls to all the influential people listed in his diary. He made numerous calls including calls to Congressman Amarsingh Chaudhry, the commissioner, and the local police station.

By then, the mob had started breaking windows. They threw burning tyres inside and the women inside would catch them and throw them out. In fact the witness' hands were singed. There was no water in the house because it had all been consumed and the water from the tanks below had been leaked out by the mob. Inside, the people did all they could to save themselves in those terrible two hours. They ripped off carpets so that they did not catch fire.

At about 2-2.30 p.m., the phone was disconnected. By then Jafri had begun pleading with the mob for forgiveness—he was speaking in Gujarati—and telling them to let them go. He said that all the residents of Gulberg would leave without any belongings, only their lives. They said, "You burnt our parents, our sisters, so we will not spare you." The Parsi lady even said, "I am a Parsi – we are neither Hindus nor Muslims," to which they replied, "We know no Parsis or anything else." They were in such a murderous mood at the time. They had been burning the kitchens in all the houses first. At about 3 p.m., they even poured petrol over this witness and her 11-year-old daughter. They had brought petrol in plastic bags and they threw the bags at them so they were soaked with petrol. By this time only one room of Jafri's home was not on fire but the rest were full of smoke. Many persons collapsed due to asphyxiation. There were bodies of women and children everywhere. Many died choking from the smoke. Only the strong and the lucky could survive. The police arrived at about 4.30 p.m. When the victim-survivors were escorted out by the police, the mob stoned the van. That is when PI Pathan gave orders to shoot into the crowd rather than in the air. If he had not fired, and dispersed the crowd somewhat, even the rest would have died. Even when they got into the van, the victim-survivors had only the driver with them; there were no other policemen.

There are 21 eyewitnesses to the entire case who have been consistent in their depositions before other human rights and fact-finding teams. Each of these have lost from 1-7 family members in the brutal violence. The Tribunal benefited from the detailed records of this incident, the FIRs etc., published in *Communalism Combat*'s 'Genocide – Gujarat 2002' issue. The accused, who have been identified by eyewitnesses to have launched the first attack, are: Girish Prabhudaas Sharma, Bharat Rajput, Kapilkumar Munna. Bharat Rajput stabbed Ayyub.

Several eyewitnesses saw the CP arriving and talking to Jafri. "He said to Jafri, 'We are making all arrangements for you and sending additional police force – you don't worry." Jafri *sa'ab* told Pandey *sa'ab,* 'If you cannot make arrangements for us and if you don't have enough men, then arrange for us to go away from here – just let us know.'"

Within minutes of the commissioner's car leaving from one side, a mob appeared from the other and started throwing stones. From the Asarwa side, the ex-corporator and BJP worker, Chunilal Prajapati, was leading the mob, swearing at Muslims and

shouting, "Kill! Slaughter! See what they did in Godhra. They killed our Hindus so now kill them all, destroy their society." From the Om Nagar side, ex-Congress municipal councillor, Meghsingh Dubsingh, was leading the mob, which also started throwing stones. Jafri had opposed Dubsingh's receiving a ticket in the last elections. Muslims from the surrounding *chawls* also came into the society for protection. There is a railway line behind Gulberg society, and from that side, where there are servants' quarters, a mob of about 5-6,000 came. They were led by Jagrup Singh Rajput, who was deputy mayor of Ahmedabad when the BJP held a majority in the municipality. Stone throwing started from the back as well. Thus, from all four sides of Gulberg society, stone throwing was going on.

In his desperation, Jafri made over 200 calls that day. He called PC Pandey, Amarsingh Chaudhry in Gandhinagar, Naresh Rawal, and even the chief minister and the home minister. According to a witness, "At about 2:30 p.m., Jafri *sa'ab*, who was standing at his door with folded hands, was pulled out by four men. The four who pulled him out were: Narayan Kabra, a cable operator in Chamanpura, Ramesh Choti, a 'Bhaiyaji', Manish Jain, son of the owner of Rajasthan grocery store, and Krishna, son of Champaben. (Eyewitnesses have also recorded these names in the statements made during police investigations.) As they were pulling him out, they were slashing him with a sword and they cut him up into three pieces. After burning Jafri *sa'ab*, the people who had come in started burning tyres, etc. They broke all the doors of Jafri *sa'ab*'s house and torched it from all sides. There were 35 children and everyone was begging with folded hands but they could not go out. By about 3.15 p.m., Jafri's house had filled with smoke and all persons trapped inside for their safety were finding it difficult to breathe."

Some women from inside were lured out on the pretext that they would be kept safe. Eyewitnesses who testified before the Tribunal saw Dinesh Prabhudas Sharma, who was carrying a sword, killing Yusuf. It was Lathia who tore the clothes off the niece of one eyewitness, raped her and then killed her. Lala Mohansingh Darbar, who was also involved in the incidents of torching earlier, killed another woman.

At around 4:45 p.m., an eyewitness who had hidden himself in a cabin at the back of the small garden, heard shouts of "Run, run!" and guessed that the police had come. This eyewitness asked ACP Tandon to rescue some of the persons suffering from asphyxiation who were trapped inside Jafri's home, but he was reluctant to do anything. The attack had been planned with such meticulousness that even the water from the tanks in Jafri's house and garden as well as those in neighbouring houses had been emptied so that the fires could not be put out. Despite the fact that the fire was spreading, the ACP did not intervene to save lives. It was half an hour after the police arrived, at about 5:15 p.m., when the gas cylinders inside Jafri's house burst. Those who remained trapped and could not escape, died. There were 30-35 women and children who were thus burnt to ashes. The blatant complicity of the Gujarat state and its police in the Gulberg society carnage cannot be understated. The CM, the home minister, the CP, were all called by Jafri himself. The attack lasted for seven

hours before Jafri gave himself up to the killers. For five hours it was brutal and intense. Gulberg society, Chamanpura, is in the heart of Ahmedabad city, not in a far-flung area of the state. The extent of the macabre delight that perpetrators took in the crimes committed was evident in what some residents saw on the evening of February 28. When some witnesses returned to the area later that evening, they saw neighbourhood goons 'playing cricket' with the skulls of the dead. That such a massacre could take place in broad daylight, and lasting several hours, after innumerable attempts and pleas, desperate pleas, for help had been made, is a pathetic and chilling reflection on the quality of governance in Gujarat under CM Modi. A strong case of personal vendetta by Modi, against Jafri was made out by these witnesses, while CP Pandey stands individually indicted because he failed to send in reinforcements, either of his own choice or on orders from above, although he knew how bad the situation was when he visited Gulberg society at 10.30 a.m. that day.

The first house in Gulberg society compound belongs to Dayaram Mochi . Two of his sons are in the police force and one is a teacher. He used to have a single-storey house, but over the past 7 years, after his sons joined the police, he added two more floors. From his terrace, one has a view of the entire society. When the stones were being thrown, he informed the mob that there were only a few people in the society, so they shouldn't be afraid and just rush in. It was from his house that people were pelting stones. The victim-survivors felt that it was because access to this house was allowed that the attack became easy and possible.

The Tribunal met Dayaram Mochi and his wife, who claimed that their house was also looted – and that all the looting was done by people whose only work is looting, and who know no religion. This witness and his wife said that they had good relations with other residents of Gulberg society over the last 12 years. The mob came around 9 a.m. and surrounded the whole society. Since they were also scared they went to the nearby school and sat down quietly. They said that after that they didn't know what happened. These witnesses said that the mob knew that the Mochis were Hindus and so, although their house was looted, they were not physically assaulted. Mochi said that once the huge mob had breached the wall, that there was no way that they could have stopped the mob from going up to their terrace. They saw that the building was deserted so they rushed in. He said that if he had tried to stop them, he too would have been beaten up. The Mochis did not recognise anyone. Two of the Mochi sons who are in the police were both on duty at the time, one in Daryapur and the other in Shahibag. One is a driver and the other a constable. The third one had gone out to give tuitions.

Mochi's wife said that only the couple and their three daughters-in-law were at home. Their grandchildren were taking tuitions at the home of a Gulberg resident (who also deposed before the Tribunal), and they ran to get the children back when the mob arrived since they were among the first to see them. The police took chairs from the Mochis' house. There were only 4-5 policemen although the mob was huge. The police mobile vans came much later. The whole thing started around 9:30 a.m., but it became really bad after 12 o'clock. The Mochis fled to the school across the

road at 9.30 a.m. Thereafter, they saw only smoke and nothing else. It seems clear that they were allowed to escape with their lives because they were not Muslim.

Another eyewitness who is a close associate of Jafri denied the story widely-circulated by the CM and the police: that Jafri had fired at the crowd. This witness was clear that in this attack, Gulberg society was the singular target. He said that in earlier riots (1969), too, Gulberg society had been attacked but then there was trouble elsewhere in Chamanpura, neighbouring Asarva and Chakla. This time they came directly to Gulberg and zeroed in on this society. It appears clear that Gulberg was the focus of a pre-meditated plan and attack. Some eyewitnesses also spoke of a clear personal vendetta that CM Modi had against Jafri, which is why Jafri was specifically targeted and his death, the manner of killing, etc., was carefully planned and carried out. The witness had accompanied Jafri to Rajkot, where the CM was contesting a by-election, only a few days before the Godhra tragedy. This witness clearly felt that the CM's personal revenge and vendetta against Jafri found expression in the gruesome carnage that devastated all of Gulberg society. Jafri campaigned against Modi. In a public meeting in Rajkot, he had urged people not to vote for him because he was an RSS man, and to vote for the Congress instead. The election took place on February 23, 2002.

On February 28, just five days after the election, when the premeditated attack was launched, Jafri made as many as 200 calls to various people, desperately seeking help. Among others, he also called the CM Modi, home minister Gordhan Zadaphiya and union home minister LK Advani, the witness said. Jafri had even sent a fax to Sonia Gandhi in Delhi. In Ahmedabad, he called the mayor Himmatsinh Patel, and Badruddin Shaikh (chairman, standing committee of the Ahmedabad Municipal Corporation). When Jafri called CM Modi, he received a callous response. It was after the chilling nonchalance of Modi's response to his plea for help that Jafri lost all hope and gave himself up to be killed, the witness added.

The Tribunal also recorded testimonies of victim-survivors from Dhoopsinh ni Chali, Janakbehn ni Chali, Chandulal Chali and Santookbehn ni Chali. These are lower middle class tenements, from where 70 residents had fled to Gulberg society, to Jafri's home for support, thinking that they would be safe there as they had been in the past. During earlier bouts of violence in Ahmedabad, Jafri was able to protect them. But not this time. When the Tribunal recorded their testimonies, these persons were living in various camps in Ahmedabad. It is shocking that months after the tragedy there are still so many persons missing, and that there has been no proper computation of the dead by the state. It reflects the attitude of the Gujarat government to the tremendous loss of life, faith and dignity that was the Gujarat carnage.

On the day of the Tribunal's site visit to Gulberg society, May 3, the entire society was still in a terrible condition. Homes had been completely destroyed, the beams and iron rods and fans in houses were twisted, bent out of shape. Though there are Hindus who live in the Bhagwatinagar society opposite, these persons were not involved in the attack.

In the same attack, shops and showrooms on one side of the society, opening onto the road, were also looted and destroyed. A printing press and a small factory nearby, belonging to Muslims, met the same fate.

The first FIR filed by KG Erda, senior inspector of the Meghani Nagar police station, names 10 persons and a mob of 20-25,000 as the accused. On February 28, the violence continued from 10.30 a.m.- 6 p.m. A complaint was filed at 8.45 p.m. on the same day. The sections applied in the FIR are: sections 143, 141, 148, 149, 302, 332, 323, 336, 337, 435, 436, 427, 186, 188, 120(b) of the IPC, section 1 of the Bombay Police Act and sections 25(1) (a) and (b) of the Arms Act. All relevant sections have been applied, except section 376 (rape). Eighteen persons from the vilolent mob were injured in police firing. However, this has not been recorded by the police. On March 2, a new section was added. In the first FIR (number 61/2002) that was filed, crimes under sections 395, 396, 397 (loot) of the IPC were also added. Then, on March 12, some more sections were added: 398, 295(a), 153(a)(1), 153(a)(2)(b), and 188 of the IPC and section 37(1) of the Bombay Police Act.

The first FIR filed by KG Erda, senior inspector, police station no. 4/5/200 reads, "On the day VHP had organised a Gujarat *bandh* eyewitnesses saw Girish, Ramesh Dhulchand (fake jewellery), Mangalal Dhulchand Jain (Adinath Kirana Store), Asish Chunawala's son, Ramesh (Sadhna Store), Mukesh Mochi, Gabbar, Alpesh, a man with *ghungroowala* (curly) hair who has a *daroo dhanda*, Deepak alias Pradeep (BJP worker)... Accused of unlawful armed assembly, the *maal-milkat* (property and earnings) of Muslims was burnt with kerosene, 18 Muslims were cut up in pieces and burnt, 24 were burnt alive. Both the police and Muslims were attacked with stones, petrol bombs, acid bombs and vehicles were burnt by the mob. "

In his second FIR the officer says: "Under Meghani Nagar, there is an inspector in charge, two police inspectors, two sub-inspectors, 42 head constables and 80 police constables and 3 women police constables. On that day, there were two police inspectors, six sub-inspectors, 55 head constables, 62 police constables; as for women police, there was one police inspector, one sub-inspector, six head constables, six and three police constables were on duty. On the patrol there was one police inspector, 5 head constables, 34 police constables and one woman constable.

"On February 27, when VHP *kar sevaks* were martyred, the whole state was tense and since then special bandobast was undertaken at different points in the city. At 7 a.m. on February 28, the Meghani police station got an order from the CP for all of us "to stand to". We organised bandobast in the Meghani area: Chamanpura, Chakla, Gulberg society, Dhupsingh Chali, Ratnanagar Char Rasta, Ramannagar New Crossing, Meghani Nagar bus stand, New Menta Bari, Meena Bazaar and Rashmi Nagar society.

"On duty were mobile police sub-inspector, BC Dabhi, Ramesh Bhai, head constable, Nathabhai, police constable Sureshbhai and Narjibhai, head constables Bhupendra and Shailesh Singh. The police contingent was as needed and armed with tear gas shells. There was enough bandobast at Meghani Nagar. "At 7 a.m. on February 28, the mob started attacking the mattress shop, the bakery and the cycle shop. They were breaking all the shops and destroying things and burning them. At this stage, police dispersed the crowd.

"The patrolling was carrying on when at 13.30 p.m. a huge crowd came from all directions – Om Nagar, Chakla Road and Meghani Nagar. I called the police on the mobile. The mob had *talwars*, *lakdis*, pipes and kerosene and they were shouting, '*Jai Shri Ram!'* The mob was 20-25,000 strong. We policemen were shouting, trying to disperse the mob. We were using the public announcement system and saying that 'you are an unlawful assembly.' The mob paid no attention to the warnings. They turned more violent by this time. The bakeries, the cycle shop, the electric shops, the mattress shops, the furniture shops and vehicles were completely destroyed. The mobs had put obstruction on the roads and were looting the shops. We let off tear gas and issued warnings, we even *lathi*-charged but the crowd was "possessed" and shouting, '*Jai Shri Ram!*' At this stage, four tear gas shells were let off. The mob turned even more violent and started throwing stones on the police. The police took all lawful steps. I fired one round with my revolver. I tried to take effective steps.

"But the crowd did not disperse. It became violent. Around this time, the Gulberg society, which has mainly Muslims living there, was attacked by a mob from behind where the railway station was. There was stone throwing and burning and the huge mob even uprooted the railway tracks. I could hear shouts of "*Ghusijao*". And from the direction of Om Nagar and Chakla road, the mob tore down the gates, started burning property and people and throwing stones.

"At this stage there was private firing by Muslims. The DCP Zone 4 and additional CP sector two were there. One person, Dinesh, died as a result of police firing. By this time women and men from the Gulberg society were lying dead. Gulberg society contains 19 blocks and 8 buildings. Women and children were hiding themselves on the loftsto save their lives. From all four sides they were attacked by mobs: 'Finish off all Muslims; our people were not spared by them, don't have mercy'. These were the shouts. We kept issuing warnings to disperse the mob, we even opened fire. Shravanji Lathoji Vanjara and one more was injured in private firing."

In one of its most controversial decisions, the Modi government handed over investigation to PN Barot, assistant police commissioner, a man with connections to the VHP. It later transferred the case to someone else. In the chargesheet filed, the names of the main accused have not been mentioned.

List of accused:

1) Girish Prabhudas Sharma (26): In the truck body business: Patni society, Chamanpura. *Supplied 5 litre kerosene drums for arson.*

2) Dinesh Prabhudas Sharma (23): Patni society, Chamanpura. *Supplied 5 litre kerosene drums for arson; supplied petrol drums for burning people.*

3) Ramesh Choti (30): Son of Panditji: Bangle-seller with a shop next to Asha Trading, Patni Nagar society, Chamanpura.

4) Kapil (22): Son of Ram Narain (Munna), works in a petrol pump near Swami Narayan Mandir; Babusingh Madhesinh society, opp. Gulberg society, Chamanpura. Belongs to the Bajrang Dal.*Supplied trishuls and petrol.*

5) Suresh Alias Kali Dhobi (22): He is a washerman; Babusingh Madhesinh society, Opp. Gulberg society, Chamanpura.

6) Narayan Tonk alias 'Kabra Channelwala' (40): Gheewali Chali, Chamanpura. *Stone throwing and stabbing.*

7) Bharat Lakshman Rajput: He works behind Dr. Sultan's Dispensary, Chamanpura and lives behind Ramji Mandir.

8) Surendra (22): Son of Champabehn. His father-in-law owns Asha Trading Company, his mother works in Shevan Clinic as a compounder; Dr. Gandhi Chawl, Chamanpura.

9) Krishna: son of Champabehn: Dr. Gandhi Chali, Chamanpura.

10) Lala Mohanji Darbar: Involved in illegal liquor business. Dr. Gandhi Chali, Chamanpura. *He has been seen by eyewitnesses actually committing rape.*

11) Sushil Brij Mohan Sharma (26): Works in the Home Guards; Ramchandra colony, Takri, Chamanpura.

12) Poona Sinh Rajput (40-42): works in Arvind Mills: Opp. Gheewali Chawl, above Ramlal Uttamchand, Chamanpura. A Congress (I) activist. *He was seen with a knife in hand.*

13) Manish Prabhudas Jain (25): Owner Raja Kirana Store, Dr. Gandhi Chali, Chamanpura.

14) Dharmesh (20): Son of Ram Achal Pathak, involved in illegal liquor business, Chandulal Chali, Chamanpura.

15) Gabbar: Son of Mandan Jhingar (Thin and short, he has an uncle, in the police whose name is Ashok Jhingar); Makes chappals; Babusingh Madhesinh Chali, Opp. Gulberg society, Chamanpura. *He was in Bungalow No. 1 leading the assault on Gulberg society.*

16) Chunnilal Prajapati (55): Ex-municipal corporator, from BJP, Mohanlal Wadi, Chamanpura. *Was seen inciting the mob.*

17) Mehsingh Dudhsinh Chaudhary (45): Advocate and ex-municipal corporator, Congress: (*Jafri, a senior member of the party, had chosen not to give him a ticket in the recent elections)*; Chamanpura.

18) Jagrup Sinh Rajput (48); Advocate and ex-deputy mayor of Ahmedabad: Navi Chali, Om Nagar Road, Chamanpura.

19) Dayaram Mochi and Ashok alias Jhingar: Bungalow No. 1, Gulberg society, Chamanpura. *Mochi allowed his home to be used as a place of attack.*

20) Mangelal Jain (32): Owner, Adhinath Kirana Store, Opposite Chamanpura Pumping Station. *He led the attack on Jafri's house.*

21) Dilip Suraj Bali: Ramchandra colony, Near Water Tanker, Chamanpura.

22) Naresh Krishnadas Brahmania: In the illegal liquor business; Talati Nagar, Near Rohidas Bus Station, Block No. 32, Talati Nagar.

23) Lakhia (27): (He is 5 feet 5 inches tall. Has long hair which is red in colour.); Block 55, Talati Nagar.

He was responsible for the rapes.

24) Girish Alias Kalia (25); Lives near Rohidas bus stop.

25) Dhobi Kailash: Living at Gopal Nagar (They said he is dark complexioned, was carrying a mobile phone, was wearing an earring). *He was seen by many persons with a talwar.*

(Madan Mochi's son, Gabbar was also seen.)

* Reproduced from *Communalism Combat* Genocide Gujarat 2002, March-April 2002.

NARODA GAON AND NARODA PATIYA

About 15 kms from Ahmedabad city, Naroda Gaon and Naroda Patiya have been home to around 1,000 daily wage earning Muslims. Many of the residents here are migrants from Karnataka and Maharashtra. The area lies on a stretch of the outer city, situated along a deserted highway road. The Gopinath and Gangotri housing societies situated nearby are home, the survivors allege, to many of the attackers. The government's ST warehouse is located across the wide road.

Naroda Patiya and Naroda Gaon have a long history of VHP provocation. Police sources revealed to expert witnesses who deposed before the Tribunal, that in 1999 a *dargah* was broken down and an idol installed in its place. At the time, the local police repaired the *dargah* and arrested 10-15 persons, including Dr. Jaideep Patel, Maya Kotdani and Amrish Pandey. Pressure was mounted on the police by the then home minister, Haren Pandya, but the police stood their ground and the law-breakers were forced to back down.

However, things were different this time round in Naroda. In fact, the attack by rioters on Naroda Patiya, and thereafter on Naroda gaon nearby--a settlement of about 1,000 Muslims--left the entire area completely destroyed and devastated.

According to several dozen survivor witnesses, who until August 23, 2002 were living in many different relief camps across Ahmedabad city, the first attack on Naroda Patiya and Naroda Gaon began at 9 a.m. on the morning of February 28, the day the Gujarat *bandh* had been declared by the VHP and Bajrang Dal, supported by the government in power. That morning, a large mob of 5,000 to 10,000 people dressed in half-pants (khaki *chaddies*) and saffron vests (*banians*)_with black bandannas tied around their heads, set upon the hapless minority residents of the area. They were armed with spears, swords, acid bombs and petrol bombs. They used gas cylinders for their work. The assaulters were mixing petrol with some solvent. According to the evidence gathered, diesel and petrol used was from the ST warehouse, too.

They first attacked the Noorani Masjid in the area and began to burn it with the help of LPG cylinders, tyres, petrol and kerosene. In self-defence, Naroda residents resorted to stone throwing. The police then fired at the community under attack. Four persons were killed and two injured in the police firing. It was around 10-10.30 a.m. that the minaret of the Noorani Masjid was destroyed. During the first attack, the family of Shabir Ahmed Khushid Ahmed and Mehmood Ahmed Khushid Ahmed were burnt alive. The mobs were attacking Hussain Nagar and Jawaharlal Nagar in Naroda.

One of the elderly witnesses who deposed before the Tribunal testified that after the first attack on the Mosque, when the persons attacked were running towards safety into their homes, the assailants overtook them and burnt 2-3 people. One of the first to be so burnt was a physically handicapped youth. He was a Madrasi Muslim lad from Hajira, about 20-25 years old. They put him in a small *paan*-kiosk/shop [*paan ka galla*] put petrol on him and burnt him. The victim-survivors ran into their homes and remained_there till around 3 p.m. By this time the attack had intensified and, instead of using a single bullet at the leaders of the assault at Naroda, the police was

firing at the victims. It was between 5 and 6 p.m., when the mob was at the height of its frenzy, that many women and girls of Naroda Gaon and Patiya were first raped and then doused in kerosene and petrol and burnt.

Survivors of the attack recall that the local police sided totally with the riotous mob. Residents in the camps deposed that the Special Reserve Police (SRP) force present refused to provide them sanctuary and forced them towards the waiting rioters. Once resistance was broken with the help of the police, the rioters stormed inside the settlement, burning and looting at will.

Witness after witness testified to the brazen refusal of the police and even the SRP personnel to do their bounden duty and protect those under attack. ("*Nahi, aaj to upar se order aaya ke aaj tumhari jaan bachane ki nahi hai.*" ("No, today we have orders from above that you are not to be saved") one witness testified that a policeman, KK Mysorewala, clearly told her.)

Commissioner of police, PC Pandey was aware of the attack on this lone Muslim settlement on the outskirts of Ahmedabad from the morning of Feb 28 itself, when over two dozen calls made to his mobile phone were desperate cries for help from residents in the area. But no help was forthcoming. His team and the local police station with PI, KK Mysorewala, have been directly indicted by the evidence recorded by the Tribunal.

Witnesses alleged that the leaders of the riotous mobs were waving copies of the *Sandesh* newspaper, saying see what you Muslims have done to us Hindus at Godhra as they attacked the area. The men in the mob that attacked Naroda Gaon and Patiya were described by witnesses as wearing khaki shorts, caps and had saffron bands [*kesri patta*] tied around them. Many witnesses testified that when out of distress they screamed, "Allah! Allah!" they were taunted by the attackers, who said, "No, say Jai Sri Ram!"

Mohammed Hussain_was one of the people who were shot dead by the police in this area. His wife testified before the Tribunal. He was on the other side of the road when the attack began in the morning with a six-month-old daughter in his arms. Across the road, his wife had their other two children with her. He was trying to cross over to where his family was when he was hit. The bullet hit him in the head; it blasted in from one side of his head out through the other. He fell down right there. Though his wife screamed to the police for help, there was none forthcoming. As she was trying to reach him, the police beat her up severely and then they hit the children. They were hitting them with the butts of their rifles, preventing the wife from reaching her injured husband. Some Muslim youth tried to pull the witness' husband out of the way. He was bleeding profusely so they tried to move him to the side. They had moved him just a little way when a Hindu mob came and poured kerosene on him, put cycle tyres on him and set fire to him there and then. The wife was witness to this. She was screaming for help, trying to get them to stop, but the police could do nothing. Then as the mob came towards them she had to run with her three children towards Gopinath society where her brother lived. When she met the Tribunal she was

traumatised by the events of that day. The assailants had burnt her husband so badly, his face, everything was burnt. Their 4-year-old son was an eyewitness to everything that happened and the child was still ill in May 02, still distraught at having lost his father. He saw his father's body, he saw him bleeding. He was witness to his father's killing. The third child, a girl, is 2 ½ years old. The six-month-old, injured by a brutal rod is recovering. This woman also saw many young girls running naked in front of her eyes. According to her testimony, they caught hold of innocent children and sliced them up. They were pulled out of their mothers' arms. Her aunt (her mother's brother's wife), has returned to her parents' village in Gulbarga now, after her two children, Nilofer and Sohail, were burnt alive.

This witness, when trying to escape asked some Hindu women from the locality for a drink of water. They refused. She then went to the SRP post. She asked a man in uniform there to allow her to go to the big water tank where she could get some water but he refused. He said the orders were that she was not to be allowed further. He added laughing, "*Yeh tumhara akhri din hai, vaise bhi tum marne wale ho*" ("This is the last day of your life, you're going to die anyway"). It was a police officer in uniform, who said this to the witness.

This witness and many others testified to the taunting demeanour of the SRP men who did not help them at all. In fact, many were whistling at the victims from their location up there, jeering and laughing. They were also playing religious songs (*mandir ke gaane, bhajans*) on the tape recorder, blasting them at full volume. They also assaulted young Muslim boys, grabbing hold of them, pulling them by their hair, shoving them around saying, "*Hato, hato*!" ("Move, Clear off!") The police have not recorded the statements of this witness and she had not received compensation either. She expressed the wish to use the compensation money for rehabilitation but not at Naroda where all was lost for her and many others.

After the first attack on the morning of February 28, the second assault began around 2.30 p.m. when the mobs gathered on all sides of the *basti*. There was ample time between the first round of attacks and the second for the police to have galvanised enough forces. This time, according to witnesses, many from the attackers were carrying jerry-cans (*kerba*) filled with kerosene, diesel [*kaala tel*] and black oil from the ST workshop. They first poured this on some of the victims nearest at hand. The workers present at the ST workshop were observed supplying them with black oil (diesel?) which they then used in the arson. The aggressors were lighting balls of cloth and throwing them on the victims. They were throwing fuel and fire-balls at the residents from the rooftops of nearby buildings as well. Many of those who were trying to come out of the area were pushed back, prodded with long sticks. Over four dozen witnesses from Naroda, living at in different camps in Ahmedabad city during the visit by members of the Tribunal, narrated the fact that more than 150 calls for help had been made to the commissioner of police PC Pandey on his mobile phone. Initially, they received terse responses, after which, witnesses averred, the mobile was simply switched off.

The falsity of the official figures, which suggested only around 70 deaths in the Naroda Patiya incident, was evident from the testimonies of so many survivors who

have listed in detail the missing persons from that area and who named their kith and kin, whom they had seen dying in front of their eyes. The actual death toll has to be much higher. Many also narrated how SRP men misguided a large group of people who were trying to escape into a trap, where the mob killed them and threw the bodies into a well. Most of the dead bodies were charred or mutilated beyond recognition and an overwhelming majority of the survivors did not manage to have access to the bodies of their relatives in order to perform the last rites in a dignified manner.

Dozens of eyewitnesses who deposed before the Tribunal described gory incidents where children were burnt alive and women were raped. One woman, Kauser Bano, who was nine-months' pregnant, had her belly cut open and her foetus wrenched out, then swung on the edge of a sword before being dashed to the ground and flung into the fire. According to eyewitness accounts, at least two more women were subjected to a similar fate. The enormity and ferocity of the attack forced all the surviving residents of the settlement to run away. Every house was looted and some burnt. The entire settlement was completely devastated.

The Tribunal also recorded the testimony of an eyewitness to the rape of Khairunissa, daughter of Marukh Bano. An animal-like mob of 11 gang raped her. Soon after the brutal act, they burnt the family alive one by one. The mother's head was cut off. Those bodies of this family that could be found were in a horrifying brutalised condition.

The violence at Naroda Gaon and Patiya was marked, as in other areas of Gujarat, by pre-meditated and sinister levels of violence and, at the time of the Tribunal's visit, arson burn among was a recurrent factor. Sexual crimes against women and girls, including rape, were determinedly used.

An eyewitness to the murder of 6-year-old Imran also deposed before the Tribunal. The witness described how petrol instead of water was poured into the mouth of 6-year-old Imran. A lit matchstick was then thrown into his mouth and the child just blasted apart.

The 76-year-old father of Kauser Bano, who lost seven family members including his pregnant daughter, has survived along with his nephew, Javed Ismail, a 14-year-old who was working. This witness testified before the Tribunal. His parents were burnt in front of his eyes. He heard the mob, who attacked with iron rods and lathis before using arson, shouting, "You have burnt our train, we will not let you go!" Javed was badly hurt himself. He was hit on the head with a metal rod/pipe and fell unconscious. Before he was attacked he saw the assailants hitting a young girl from the neighbourhood on the groin (*pisaab ki jagah*) with metal rods/pipes and then killing her. He was then assaulted by a man who hit him on the eye and he fell down unconscious.

Young Javed's father, Ismailbhai, a tailor, and two other family members, his mother and sister, were also killed. Only his uncle, Kauser Bano's father is alive. None of the dead in this family could be identified.

Kauser Bano's father told the Tribunal that he now had little with which to live. The gold ring that he wore would be used for the costs of his funeral.

Many victim-survivors from Naroda Patiya had to be hospitalised and were admit-

ted to VS hospital or LG hospital for several days. Many were re-united with their families after a week or ten days. The severity of burn injuries on the victims could be observed by the Tribunal, especially among those living at the Sundaramnagar relief camp. There has been no aid or relief for victims of burn injuries though arson was a technique of violence that was used relentlessly in the post-Godhra carnage.

According to the testimonies of witnesses as recorded by the Tribunal, at least 80 people were burnt alive and thrown into the well, Tisra kua, behind Gangotri and Gopi Park, behind the ST workshop. A 70-year-old woman, Tarkas bibi Abdul Ghani, was burnt alive. The police was completely inactive and this provided inspiration to the mob. The message was, "*Muslim ko zinda jalao*" ("Burn the Muslims alive"). The shocking thing was that the SRP also supported the mob. Tear gas was being flung at the Muslim *mohalla* (neighbourhood), which was, in fact, being targeted by the mobs.

As one witness maintained: "… I saw them do this. We ran on ahead and by the time I reached our *mohalla* it must have been about 3 p.m. By this time we were really worried. The mob had started burning houses, looting, throwing petrol and setting fire to buildings. Since ours were *kaccha* houses (crude/impermanent structures), we climbed on to the roofs of *pucca* RCC buildings nearby. There were many of us, including women and children at Gopinath, Gangotrinagar. This was at about 3-4 o'clock in the afternoon.

Between 5 and 6 p.m., when the mob was at the height of its frenzy, many of our women were first raped and then doused in kerosene and petrol and burnt… I saw them doing this"

Fathers testified with pain and humiliation about the rape of their daughters. One Sufiya Bano, aged 22 years, was raped and burnt in front of her father. The Civil Hospital, where she was admitted and later died, confirmed the attack on her.

When her father, a witness who deposed before the Tribunal, tried to save his daughter, he was brutally caught hold off and his beard cut off. Seven members from this family were killed — three sons — Mehmood (18), Ayub (14) and Hussain, (7), three daughters — Sufiyabano (22), Afrinbano and Shahinbano (4), and his wife, Lalibibi (40).

Naroda Gaon and Patiya possibly witnessed the worst intensity of violence as also the most planning. Close to 150 persons are estimated to have been burnt alive after being hacked, cut, gang raped. It is shocking that months after such gruesome carnage the state has made no attempts to compute exact figures of loss of life. Bodies were thrown into a well. Women have been killed in very large numbers. At the mass grave that was dug on March 6, to provide burial to 96 bodies from Naroda Patiya, 46 women were buried.

Victim-survivors of Naroda Patiya do not have any papers to show proof of existence or residence. There are no death certificates since no remains were found as bodies were burnt to ashes. The government has done nothing to address this problem. A majority of families from here have migrated back to Karnataka, Maharashtra, Bihar, Rajasthan.

The scale and brutality of the violence needs not only to be recorded in detail but dealt with firmly. Swords, iron rods and *trishuls* were used in the attacks. Limbs of

victims were severed off, before many were just quartered; while girls and women were stripped and paraded naked, before being raped and burnt. Most bodies were not recovered. How could they be?

Apart from the police, including PI, KK Mysorewala, who told victims who begged for help, that "today there are no orders to save you", witnesses also testified that some SRP police also supported the miscreants. Some of the SRP personnel reportedly told the victims that "*Tumko aaj andar nahi lenge, tumko aaj marneka hai*" ("We won't allow you in (to shelter in the SRP post) today, today you have to die"). Many workers from the ST Workshop, government employees, were also involved. They were shouting *"Jai Shri Ram!"* and they threw stones at the victims and also supplied the fuel/diesel (*kaala paani*) for burning. Neither the SRP nor workers from the ST Workshop came to the aid of those being attacked.

The scale and the brutality of the attack suggest obvious pre-planning and training – especially considering that the attack on this neighbourhood went on for no less than seventeen and a half hours. Finally, it was under police escort provided by additional CP Tandon at 2.30 a.m. that Sharif Khan of Shah-e-Alam Camp rescued victims of Naroda Gaon and Patiya on the morning of February 29.

One of the significant testimonies recorded by the Tribunal was of young men from the area of Naroda Gaon and Patiya who had attended Bajrang Dal Camps at Sardarnagar and Dwarkanagar on a weekly basis. These camps had started since August-September 2001. Some of these meetings were secret, only meant for trusted *mantris*. Swords and *trishuls* were distributed at these camps. Youth were galvanised to be in a constant state of military preparation for a 'war' about to take place. The regular indoctrination at these camps, as recorded by those who had attended them, and who divulged details about the same to the Tribunal, was that the main 'target of hatred' was Muslims. Members who attended and were being trained were also assured of protection from the police and from the organisation if anything were to happen to them. Many persons who deposed about the camps expressed the opinion that the training made ordinary young men become terrorists.

At Naroda, 1,100 homes belonging to Muslims were first looted and then 25 per cent of these were burnt. Witnesses spoke about a particular substance – a packet of whitish powder, which when thrown on a person's skin made the skin peel off. Once the flesh was bared, people were burnt to death. Many witnesses saw the attackers throw this whitish substance. They used their hands to throw it but witnesses could not say whether the attackers used something to protect themselves when they threw it. In Naroda, Shahin Bano (22), spoke of one Hindu family living there who, she thought, must have heard that something was going to happen because they ran away the night before the attacks began.

Several witnesses who deposed before the Tribunal were eyewitnesses to Dr. Jaideep Patel (VHP) and Maya Kotdani (BJP MLA) actually leading the mobs. They were also instrumental in encouraging other accused to commit violent sexual crimes. Other accused among politicians were Ashok (MLC) and Vallabh(MLC) named directly by eyewitnesses.

One of the main accused, Bhavani Singh Chhara was identified by many witnesses as intimidating and threatening residents before the attack. He was involved in the most loathsome crimes. He has another name but people called him Bhavani. He is a driver working for AMTS, has a son who is a lawyer practising at Bhadra Court, and lived in the *mohalla*/area. Witnesses said that he has a big moustache and is a Chhara (Tribal), a Rathod. He was responsible for stripping girls and women, parading them and then raping them. Young boys of eight have witnessed crimes of this nature against women who were their sisters and mothers. Limbs of women were dismembered, a variety of objects were thrust into women's bodies. Apart from Bhavani Chhara, Suraj Chhara and many Chharas from Chharanagar were in the mob, especially initiating the crimes against women. Guddu Chhara son of Mukesh Jiwanlal Banya (local level BJP/VHP worker), one of the accused, was absconding from the neighbourhood when the Tribunal recorded evidence.

Jaideep Patel (second in rank to Praveen Togadia of the VHP) was the leader of the mob. A doctor by profession, Jaideep Patel was one of those who travelled in the motor cavalcade from Godhra to Ahmedabad and incited persons along the way. Guddu Chhara, son of Mukesh Jiwanlal Banya; Ratilal son of Bhavani Singh; AMTS driver, Mungna Chhara; the Owner of Manoj Video Pvt. Firm; Murli Naran Sindhi; Satish Mahadik; Bipin Panchal (a dangerous person who is said to have a lethal gun, he is the owner of Uday Gas Agency), are the main accused.

Ratilal, AMTS driver Mungna Chhara and the owner of Manoj Video were the rapists. Bipin Panchal, also known as Bipin Sindhi, (a local level BJP/VHP worker), is believed to have 400-500 gas cylinders in stock. Many of them were used to explode homes and other buildings. It is believed that trucks from Shola Satellite area were commissioned to enable the huge mob to move freely.

Indicted:
Naroda violence
Vasant Rathod,
Solanki,
Ashok (BJP MLC),
Vallabh (BJP MLC),
Mayabehn Kotdani (BJP MLA),
Dr Jaideep Patel (second in rank to Praveen Togadia of the VHP),
for leading the mob.
Guddu Chhara, son of Mukesh Jiwanlal Banya (local level BJP/VHP worker)
Ratilal, son of Bhavani Singh
AMTS driver, Mungna Chhara
Owner of Manoj Video Pvt. Firm
Murli Naran Sindhi
Satish Mahadik
Bipin Panchal Sindhi, owner, Uday Gas Agency (local level BJP/VHP worker)

Jai Bhagwan (Gangotri apartments); (local level BJP/VHP worker)
Naresh and Chotta, (local level BJP/VHP worker)
Praveen Modi,
Langda Chhara,
Natarajwala Sindhi,
Sangeet Furniturewala Sindhi.
Accused of Rape: Ratilal, AMTS driver Mungna Chhara and owner of Manoj Video
Accused (assailants): Bajrang Dal/VHP activists
Accused (police): the IGP, commissioner of police, PC Pandey,
and PI, KK Mysorewala

REST OF AHMEDABAD

On February 28, 2002 various areas of Ahmedabad city and it's environs were systematically targeted by mobs. While the treacherous attack on Gulberg society began in the early morning itself, by about 9 a.m., simultaneous attacks had been launched at Naroda Fruit market, Vatwa, Gomtipur and Sundaramnagar among others.

Of the 200 wholesale fruit businesses with *galas* in Naroda Fruit Market, all 17 owned by the Memon community were selectively and completely gutted after money from the safes was stolen and all business records destroyed. Agricultural produce committee chairman, Laxman D. told witnesses that despite repeated calls, the police had not responded. These 17 wholesale businesses were destroyed in broad daylight on February 28, even as the attack on the lives and dignity of the residents of Naroda Patiya was in full swing. Witness Ramanlal, Naroda Fruit Market, Swami Narayan Road, Naroda, testified to the targeted attack on his business, which was, in fact, a three-generations-old story of Hindu-Muslim partnership. Ibrahim Ramanlal is a fruit commission agent located on the Swami Narayan Chawl Road. This traditional intra-community partnership was not spared by mobs, people who had obviously done their research well. Losses incurred by Ibrahim Ramanlal amount to Rs. 2.5 lakh.

Behind the fruit market, the Babanshah Mosque at Swami Narayan Chawl was also reduced to rubble. Pages of the Koran were torn and strewn all over the floor; the vandals had even had time to defecate on it. A framed photograph of a Hindu idol was placed at the very spot where the *imam* stands to lead *namaaz*. Telltale signs of a *puja* having been performed here, and the slogan "*Jai Shri Ram*" scrawled in red on the walls, were clear evidence of what exactly the hate-mongers had in mind when they held a whole population to ransom.

The New Gujarat (National) Kabadi Market Corporation, near Bhulabhai Park, Behrampura, was attacked, vandalised for three full days from February 28-March 2. The two watchmen on duty were maimed and butchered before being torched. The Kagdapeth police station located nearby just allowed this to happen. The Mohamadiya

Ahle-Hadis Masjid and 225 shops in the Kabadi Market (160 inside and 65 outside) were completely destroyed on February 28 itself. The attack lasted for three whole days, to make sure that the destruction was total.

Two watchmen, Ahmed Mohammed Arab and Yusuf Abdul Gafur Sheikh, were found dead — cut up and charred — just outside the shop of one Harun Yusuf. Two other watchmen who survived and are eyewitnesses are Gani Bhai Jamal Bhai and Abdul Shakur Abdul Jabbar. They have named Ashok Bhai Sindhi as one of the main accused in leading the attack. The policemen at the Kagdapeth police station, under which the Kabadi Market falls, were blind to the systematic damage for three days. Dozens of calls were made to the police to ask for their assistance. The total loss to materials is about Rs. 4 crore while the loss to buildings, amounts to Rs 1.5 crore. As the violence began in Ahmedabad on February 28, the troublemakers broke down the gates of Kabadi Market, looted and burnt down all the shops, and destroyed the Kabadi Market completely.

A witness from Jamalpur told the Tribunal how the 100-year-old *dargah* opposite the Jagannath Mandir had been broken down and for days, *Ram Dhun* was heard playing there every night. On the night of February 27-28, the elephants that are kept inside the temple premises were made to drink liquor. The sounds and trumpeting that followed caused terror in the entire locality. During the last election, former minister Haren Pandya, who won from the Paldi area, had openly proclaimed during his campaign, "*Baandyo nahin bachwo joyiye*" ("Not a single *baandyo,* abusive term for a Muslim/circumcised person must be spared.") Near the Kanch ki Masjid, there is the shop of one Syed Paanwala, Bashir Bhai. He feeds *masala paan* to the police because he has no choice. On February 28, his *paan ka gala* was destroyed. PSI Yadav who stood near the destroyed *gala* the whole day, asked Bashir Bhai to come to the Haveli police station to register his case. But once at the police station, he was thrashed by PSI Yadav and PSI Chavda. Both used to eat free *paan* from him.

Three eyewitnesses, who deposed before the Tribunal, saw former revenue minister Haren Pandya opposite the VS Hospital, setting fire to the Apna Bazaar Medical. "*Aa Miyaone aag lagadiye*" ("Let us burn these Muslims"), he was shouting, after he had burnt it down himself. The Ellis Bridge police station is close by but they did nothing. The fire brigade was called and they tried desperately to put out the fire. But Pandya, leading the mob, prevented them. An FIR has been launched against him and BJP MLA Ashok Bhatt. Just outside the Ellis Bridge police station, Haren Pandya was overheard telling the PI, even as Hotel Ellis was aflame, "*Aah samaj kayi nathi kartoo*" ("This community does nothing".) The PI concerned had a special room permanently booked for him at Hotel Ellis.

VATWA

Vatwa, an area located on the southern outskirts of Ahmedabad, saw repeated and prolonged bouts of violence, first on February 28, then on March 20 and again on April 5, the day after the PM's visit. These attacks were led by large mobs comprising several residents of nearby housing colonies like Murlidhar society, Mani society, Asapalav society, Picnic Park and Manav Nagar. The attacks were allegedly led by a resident of Vatwa, who is also a Bajrang Dal leader – Haresh Patel. Patel was ably supported by the police. The total population of Vatwa is 1,21,716. Out of these, 65,928 are male and 55,788 female. Thirty per cent of the total population of Vatwa is Muslim. During the violence in Vatwa, 5 persons died in the Roshni Park area, 4 persons died in Syedwadi, and 4 persons died in the Nawapura area. In all, 60 people were severely injured. Out of them, 8 were injured in police firing while the rest, 52 in all, were injured in private firing, burning, stone throwing or bomb blasts.

At Nawapura-Kabrastan, a *basti* of 300 houses was completely gutted by mobs that attacked all day and through the night on February 28. The attacks were launched by the residents of Asapalav, Picnic Park, and Manav Nagar housing colonies. There were many persons from the Waghari community involved in the attacks.

In the following localities, all the Muslim homes were burnt down: Bachubhai Kua (70-80 houses); Bismillah Nagar (60 houses); Darbar Khetar (70-80 houses); Syedwadi (150 houses); Azim Park (100 houses); Muchadipir (9 houses); Roshni Raos (105 houses); Burhani Society (72 houses); Vanderval Talav (110 houses); Jahedshah Pirni Dargah (15 houses); (8) Janiya Pirno Tekro(10 houses).

Witnesses like Anwar Jaffri, Munawwarbhai Pathan and Rizwana Shaikh, an advocate, told the Tribunal that Bachubhai Kua, Bismillah Nagar and Nawapura were burnt on February 28 while Roshni Raos and others were burnt down the next day. The crowds that attacked here were huge—witnesses described how they saw heads, heads and more heads (*'mundi, mundi, mundi'*). Mahesh Patel of the Bajrang Dal, Girish Pandya and Amita Patel (municipal councillors belonging to the BJP) were leading the crowd. They were even arrested on March 3, but by that evening they had been released on bail. PI Singh and PI Damod were openly helping them. Every nook and cranny in Murlidhar society and Manav Nagar is filled with VHP and Bajrang Dal supporters. The crowd was carrying swords, *pawda*, *chara* (agricultural implements); some even had guns. They were wearing saffron headbands and shouting "Send Muslims to Pakistan." Apart from torching all the homes, 7-8 persons were killed in firing and another 7-8 persons are missing. The residents of Nawapura were mainly involved in the *bhangar* (recycling) business. On February 28, when Syedwadi and Nawapura were being gutted by mobs from the 'border' areas, the SP KC Patel, was himself standing there. He was also spotted at Waghnivas Kabrastan, standing and enjoying the destruction. The entire police department watched as large parts of Vatwa were destroyed.

One Vilayat Hussain whose farmhouse was burnt down, suffered a loss of Rs. 3-4 lakh because even the wheat crop was burnt and the bore-well destroyed. A com-

plaint was filed on March 1. The assailants identified by eyewitnesses are Mahesh Patel (Bajrang Dal), Girish Pandya and Amita Patel (BJP corporators). The policemen indicted for dereliction of duty are superintendent of police, PI Singh, PI Damod.

Women victim-survivors from Vatwa spoke of the particularly objectionable behaviour of the PI Damod from Vatwa police station. He openly threatened people saying that if anyone complained, "We will take away Muslim children and women." Many of the residents of Nawapura are in the *bhangar ka dhanda,* (scrap business) and all the residents of these *bastis* are daily wage earners. For weeks after the first assault, the victim-survivors continued to be terrorised as, every night, a cassette was played on the loud speakers with voices shouting, "*Kato! Maro!*" ("Chop! Kill!"). They wanted victims to come out of their homes in panic so that they could attack them again. When women went to the other side of the 'border' to buy vegetables, vendors were threatened: "Do not sell vegetables to Muslim women, nor milk for Muslim children." Witness Abeida cried uncontrollably as she narrated her story. Hers was the first house at Nawapura and it suffered the worst destruction. "I recall the men who entered my house. One wore jeans and had specs on. They kept on shouting some Bajrang Dal slogans; they destroyed everything." All the belongings painstakingly saved by the witness for years, including her own wedding jewels, were looted. Dowries collected for her three daughters were all gone. With particular poignancy she said that what she had collected over 30 years was destroyed in as many hours.

Ahmedabad city was the scene of brutal violence, typified by the Gulberg society carnage and the Naroda massacre. But stray and sinister instances took place everywhere else as well. At the CTM Char Rasta, Salim Khan, a Muslim driver, was burnt alive after a message was passed on the police wireless that a Muslim driver was coming that way. On the night of February 28, when people were attacked in Vatwa, all they could see was heads and more heads. Swords were being waved in the air, shots were fired by privately owned guns. *"Tab hame malum pada ki hamara Allah ke seva koi nahin"* ("Then we realised that none but Allah is on our side"), one witness said. The crowd had only one intention: "*Musalmanon ko khatam karo!"* ("Finish off the Muslims!") And throughout, innocent people were killed. Out of sheer fright, the residents of Roshni Park, Raunak Park, Tufel Park, Siraj Park, Nawapura, Vandervad Talao, Jasodanagar Pate, Burhani society and Bismillah Nagar moved into the relief camps.

The behaviour of PI Damod was nothing short of criminal. When some persons spoke to him near Taslim society about the scale of violence, these were his words: "*Jo hua kam hua; itna maar khaya kam hai ki aur mar khana hai?"* ("What happened is not enough. Are you satisfied with the beating that you have received, or do you want more?")

In Vatwa, otherwise a locality of poor Muslims, there is also the 65-bungalow Burhani society, consisting of sturdy bungalows that were destroyed by huge mobs on February 28. They used acid and explosive chemicals while setting fire to homes. A timer device, black in colour, was attached to the mains and some solvent poured into it, enabling a quick short-circuit, in seconds. Samples of the chemicals that they used to ensure that the fire raged on for hours, were produced before the Tribunal. Chemicals

were also recovered from four other locations within Ahmedabad. As elsewhere, in Vatwa, too, gas cylinders had been used to explode homes, a school and a mosque. Rasool Khan, the principal of the government-recognised Asmi High School, where 500 students used to study, deposed before the Tribunal. This school admitted students from KG to the 10th standard. His wife is the principal of another school, the Friends High School, which had almost 1,000 students. Asmi High School was completely burnt down and so was their bungalow, situated just behind the school. The worst part of this offence was the fact that the witness said that, leading the attackers, he saw a fellow educationist, Navneet Patel, the principal of two municipal schools situated in the Hindu-dominated side of the area who is also the owner of Patel Pan House, apart from being principal of Tajgi School. Along with Keshubhai Sabziwala and Babulal Patel, Navneet Patel led the three-sided attack on this school and the whole of Burhani society. Nothing can be more painful for a teacher and a principal than to see his school being burnt, all the records torn and destroyed and even the children's work and charts defecated upon. But, when the attack is led by an educationist, a human being who is supposed to impart values and a sense of purpose to the young, despair fills the heart. There appears a clear target in the overall destruction — lives maimed and brutally snuffed out, the community crippled economically, religious and cultural symbols debased, and all signs of modernity and growth erased.

After the first attacks, the second bout was on March 20, when, at about 5.00 p.m., a crowd came from the Asapalav society and Nilgiri society, both of which are occupied by Hindus, and set fire to the godown in Nawapura. Since the fire and smoke were visible from Syedwadi, a group of people gathered outside Syedwadi, to see what was happening. In the meantime, senior police officers such as SP KC Patel and ACP BS Jebaliya as well as local PIs arrived and soon after that, the policemen in about 3 police vehicles jumped out of their vehicles and started firing at the crowd in Syedwadi. As a result, 2 persons died on the spot and several were injured in the police firing.

On April 5, the day after Prime Minister Atal Behari Vajpayee's visit to Gujarat, at about 10.00 p.m., the residents of Karmabhumi society, occupied by Hindus, suddenly started throwing bombs on the mosque situated close to Makdumnagar society. There is only a wall between the Karmabhumi and Makdumnagar societies. Immediately after the attack, 6-7 van loads of policemen, believed to be a combing squad from Gaekwad Haveli, came around with *lathis* and guns and raided the mosque where mainly small children and women had gathered. When a policeman walked into the holy place with his shoes on, a young boy requested him to remove his shoes before entering the mosque. The policemen took offence at this request and started beating the boy and everyone else who was there, including the women inside and outside the mosque. Many women who were in their houses came out to see the cause and nature of the commotion. In the darkness, they could not see the policemen, and before they realised what was happening, they were being severally beaten up by the police who used *lathis*, kicks and rifle butts. Several women were injured and many youngsters including minors were arrested.

The accused here are Navneet Patel (school principal), Keshubhai Sabziwala, Babulal Patel, Mahesh Patel (Bajrang Dal), Girish Pandya (BJP corporator), Amita Patel (BJP corporator). The policemen indicted are SP KC Patel, PI CJ Singh, PI DD Damod (Vatwa police station), PSI Yadav, PSI Chavda, PI Jadeja (Ellis Bridge) and BM Chauhan and BS Ninama (GIDC police station, Vatwa.)

The main incidents in Vatwa took place on February 28-March 1, March 20 and April 5. The houses and shops in this area were either totally destroyed or substantially damaged and therefore people were unable to return to them.

Apart from the shops and houses, even the places of worship belonging to the minority community were not spared. Four mosques and 9 *dargahs* in the Vatwa area were damaged. In the GIDC area of Vatwa, about 15 houses were destroyed while 15 shops in the surrounding areas of Vatwa were destroyed.

PALDI

Eleven witnesses from Paldi deposed before the Tribunal. The attack on this area took place on February 28, 2002. Paldi is a posh locality in Ahmedabad, where, over the past two decades, affluent Muslims have moved in. There are many Jains living in the locality. In the past, there have been attempts, even violent ones, to terrorise Muslims into not entering Paldi. *(See section on Build-Up in Gujarat, Volume II).*

There were attacks on 6 housing societies in Paldi, where about 1,000 Muslims live. In all, there are about 5-6,000 Hindus living in this area. Kazmi Apartments, Elite, Delite, Corner 2, Tarana Apartments and Bungalows No. 16 and 24 in Paldi, occupied by the owners of Motimahal, were completely burnt. Eyewitnesses testified to seeing the then Gujarat revenue minister, Haren Pandya, leading mobs who then committed arson.

While there was no violence here in 1969, in 1990 there was a significant incident, in which one member from a family living in Delite Apartments was burnt alive. "*Wahi log aaj bhi kam kar rahe hain*" ("The same people are up to similar deeds now"), an eyewitness told the Tribunal. Pandya was elected from this constituency (Ellis Bridge). During his campaign for the last elections, he openly said, "*Paldi se musalman ka naam aur nishan mita denge*" ("We'll wipe out any trace of Muslim presence from the Paldi area"). Among the witnesses from Paldi who deposed before the Tribunal, were Aftab and Ghizala Kadri (the latter works at the Oriental Insurance near Lal Darwaza, Ahmedabad) and Ayaz and Wasim Aslam (the latter is employed by the Ahmedabad Municipal Transport Service). Both couples were residents of Kazmi Apartments, Paldi, Flat No. 3 and 4 respectively but have shifted location subsequently. Justice AN Divecha (retired judge of the Gujarat High Court) lived in Flat 1 and 2 of the same building and is a neighbour. Besides being victims themselves, they are eyewitnesses to what happened to Justice Divecha. These affected victim-survivors have since relocated, because, even six months down, the situation in their former building has not improved.

On the night of February 28, some 25-30 petrol bombs were thrown inside their flats from outside. When they looked out to see who the assailants were, witnesses recognised VHP people from the area. Efforts to call 100 (Police Control) resulted in their urging DCP Parghi to send protection. Parghi sent a PI and PSI to check on the damage. The reason why the victim-survivors asked for protection was that, although the bombs had damaged only the walls of their homes, the intention of the attackers was clear.

However, PSI Birja, who came and inspected the damage, said it was not enough to warrant any police protection. The next morning, at about 11.30 a.m., a mob of 50-60 persons hurled stones and broke the windowpanes of Flat no. 3. Witnesses/victim-survivors called Police Control again. In the mob, they could spot some known faces that they had seen the day before. Even now, they were reluctant to leave their homes.

In Kazmi Apartments, there are 12 flats, all belonging to Muslims. By the morning of February 28, only 10-12 residents remained in the building. The witnesses and others had sent their families off elsewhere. One of the witnesses, advocate Aftab Kadri, spent the whole day, February 28, watching a 2,500-3,000 strong mob wreak havoc in the area.

The mob first attacked Tarana Apartments. They were armed with baseball bats, hockey sticks and cricket bats. They used the combined force of 3,000 persons to break down a strong gate. They were riding in Sumo vans. They broke the locks of 12 flats at Tarana Apartments, looted and burnt them. The second building to be attacked was Delite Apartments. They used Pepsi bottles to create the impact of home bombs. They used chemical solvents to ensure that once a fire started it did not stop.

The third building to be attacked was Elite Apartments, most of whose occupants are advocates. The fourth building to be attacked was Kazmi Apartments, the building where the witnesses lived. Justice AN Divecha left here in the dead of night, at 12 p.m. on February 28. This retired judge, too, has still not returned home. He has been provided accommodation in the Judges' Bungalows area. Former CJ Rajasthan, Justice AP Ravani, who deposed before the Tribunal, *(See section on Witnesses, Volume I)* said that from about 3 p.m. on February 28, he started receiving phone calls about the violence that had erupted in the city. Some advocates phoned him to say that in front of the High Court, trucks were burnt and judges had left the premises. He said that he was shocked to hear this, particularly because he knew of the presence of a police company within the High Court premises, which should have ensured prevention of violence. The witness then telephoned some of his friends belonging to the minority community. Justice Ravani contacted Justice MH Kadri at about 4 p.m. Justice Kadri told the witness that the situation around his bungalow was very tense. Incidents of looting and arson had started taking place. He told Justice Ravani that two ill-equipped police constables were posted there. Then Justice Ravani contacted a retired DSP, and requested him to speak to someone in Ellis Bridge police station and ask the police to visit Justice Kadri's residence. One PI (PI Vachhani) visited Justice Kadri's house. He told Justice Kadri that he had no extra police force but he himself would be

making rounds and keeping watch. After an hour or so, Justice Ravani again contacted Justice Kadri, who informed the witness that in nearby Dhuliakot area (where the High Court Judges' bungalows are located) further incidents of looting and arson had taken place. Even near Gujarat College and near Nagari Hospital, garages belonging to the minority community were damaged or burnt. Thereupon, Justice Ravani asked a friend staying in Muslim Society, opposite Navrangpura police station, for advice. At this stage, the grave doubt that occupied the minds of the witness and his friend was whether the crowd would give Justice Kadri enough time to phone for help. The witness remained in constant touch with Justice Kadri until about 10.30 - 11.00 p.m. that night.

The next day, i.e. March 1, at around 8.30 a.m., Justice Ravani tried to contact Justice Kadri, but there was no response on the telephone. This worried him, so he contacted the protocol officer of the Gujarat High Court. The protocol officer told him that late the previous night, Justice Kadri, along with his family members, had shifted to the nearby bungalow of Justice Vaghela. Justice Ravani requested the protocol officer to convey to Justice Kadri that he was worried, and to request Justice Kadri to contact him as soon as possible. At about 11.30 a.m., Justice Kadri telephoned Justice Ravani and told him that pursuant to the suggestion of the Chief Justice and other judges, he, along with his family members, had shifted to the bungalow of Justice Vaghela. He further told Justice Ravani that he was being asked to shift to the Judges' Bungalows in Vastrapur.

At that point, Justice Ravani expressed shock at the prevalent state of affairs. Justice Ravani said that for a sitting judge to be asked to shift from his official residence because he was not given full protection amounted to an insult to the independence of the judiciary and also an insult to the secular philosophy of the Constitution. In response, Justice Kadri requested the witness to come to his home. Before going to Justice Kadri's place, Justice Ravani tried to contact Justice RA Mehta, director, Judicial Academy. Justice Mehta was not available at home but, from his residence, Justice Ravani discovered that Justice Divecha, retired High Court Judge and former chairman MRTP, was forced to shift out of his residence and that his house had been ransacked. The witness also contacted Justice Divecha at a friend's house. At about 1.15-1.30 p.m., the witness reached Justice Kadri's house. He was soon joined by Justice Mehta, who also arrived there. From the subsequent talk that they had with Justice Kadri, Justice Ravani gathered that:

- Chief Justice Dharmadhikari was worried about the safety of Justice Kadri and his family members and was requesting him to shift to Judges' Bungalows in Vastrapur, or to the CJ's own residence which is near Judges' Bungalows.
- Military intelligence people had told Justice Kadri that it would be advisable to shift out of his bungalow because the police force posted at his residence was not sufficient protection against mob violence and that he should not rely on the local police for his safety. The military people had offered him accommodation in the military guesthouse in the cantonment area, where they could ensure his safety.

Justice Kadri asked his two brother judges for their opinion and, at that point, Justice Mehta received a call on his mobile phone, from the registrar of the High Court, who was speaking from the residence of the Chief Justice. The registrar informed him that two bungalows, i.e. Bungalow No. 14 and Bungalow No. 26, were ready and either could be occupied by Justice Kadri.

Justice Mehta handed over the phone to Justice Kadri. After his talk with the registrar, Justice Kadri asked his two colleagues what they felt he should do now.

At this stage, Justice Ravani said, "Brother, I am withdrawing my philosophical assertions on telephone. The ground reality is that the Constitutional philosophy remains now in the book only. We may be courageous but we are not soldiers fighting on the border where to move backward even an inch would be an act of cowardice. In the situation in which you are now placed, it would be unwise not to shift to a safer place." He further advised him that he should not go anywhere else except in areas close to his kith and kin. With an ailing mother, aged about 85 and suffering from cardiac disease, and two college going girls, his wife and himself in a family with no other male member, the trauma that the family was experiencing required the warmth and support of their kith and kin. Military people may have protected him physically but they would not have been able to offer him warmth and psychological support. Justice Mehta was of the same opinion.

During their talk with Justice Kadri, the witness and his colleague also realised that he (Justice Kadri) had not eaten since the night before. It was at around 2.30 p.m. that they made him consume a meagre meal. After he finished his lunch, Justice Kadri received a phone call from military people or someone connected with the military. In the presence of witnesses, he said that he was ready to shift to his sister-in-law's flat, situated behind VS Hospital, near Tagore Hall. At about 5.00 p.m., Justice Ravani contacted Justice Kadri and learnt that at about 4.00 p.m., under military escort, Justice Kadri and his family members had shifted to his sister-in-law's house and that his mother's health was quite stable.

Justice Ravani also received panic-stricken calls from advocates who hailed from the minority community, desperately asking him to use his influence and get them police protection. The witness, a judge from Gujarat and former Chief Justice, expressed utter helplessness at the state of affairs, because he found that even his influence was limited. This witness had also submitted a detailed memorandum to the NHRC.

Businessman, Uvez Sareshwala, a resident of Paldi area, also testified before the Tribunal regarding the attack on this area. He said that residents of Paldi began to feel insecure from February 27 itself when marked tension was prevalent all over Ahmedabad. He said that in Paldi, it was not just Muslims who were a target, but also Hindus like Dr. Vyas, Dr. Pragnesh Shah and Dr. Ramesh Parikh, who are professionals and who maintain cordial relations with Muslims. A prestigious polyclinic of doctors, who happen to be Hindus, on the first and second floors of Shalimar building, was also burnt down, using gas cylinders, because the building is Muslim pre-dominant. The attacks in Paldi took place from 11 a.m. to 6 p.m. and some stray incidents took place on the morning of the next day.

In Bungalows No. 16 and 24, elderly family members, Zafar Sheikh, Abdullah Motimahalwala, Nizamuddin Memon and Iqbal Hasmani were badly bruised and injured when assailants from the mob attacked them with *dharias* (sickles), swords and *guptis* before some people rescued them.

A family from Tarana Apartments paid Rs. 50,000 to the police for protection, which they did not receive! In one of the incidents in Paldi, when the mob was storming into the home of Dr. Bhavnagari, he and his son fired a shot in self defence *(see section on Criminal Justice system, Volume II)* only to protect lives. For this they were harassed by the police and authorities and even jailed.

In Ahmedabad, the Disturbed Areas Act applies, as a result of which, Muslims and Hindus cannot buy property from each other. In Tulsi Apartments, many Muslims who had bought flats earlier cannot now sell to Hindus, and relocate to safer areas; so they feel cornered from all sides. "We have paid the price for living decently," is the refrain that could be heard from many of the Muslim residents of Paldi.

GOMTIPUR/SUNDARAMNAGAR

This area of Ahmedabad city is traditionally a communally sensitive spot. Here, violence raged from February 28, 2002 onwards when persons living at Barasaanche Ni Chawl, Nagori Chawl, Pannalal Chawl and Sone Ki Chawl, among others, were shot dead.*(See Annexure 8-9, Police Statistics, Volume I).* Victims from these areas suffered terrible injuries. In Bapunagar, Mariambi Ki Chawl and in Sone Ki Chawl, women members of the targeted Muslim community defended themselves bravely for over 6 hours, pelting stones. Young men drove trucks into the murderous mobs to disperse them. The Tribunal met 53 victims at relief camps all over the city and also at the Karnavati Club where the hearings for these areas were conducted. Two and a half months after the violence raged, there were still over 2,000 persons in the Sundaramnagar Camp, simply because insecurity prevailed. The Tribunal visited the Sundaramnagar Camp on May 4, 2002.(On February 28, of the 40 persons shot dead by the Ahmedabad police, 36 were Muslims).

Even on August 12, the day when President APJ Abdul Kalam visited victim-survivors at the Haj House Camps, victims from Gomtipur, Bapunagar and Naroda were vocal in their rage and alienation against the CM, Narendra Modi. If proper security, i.e., a military point, had been provided, then the people from the vicinity, from Gayatrinagar, Sundaramnagar, Azadnagar, Islamnagar would have gone back to their homes, they said.

Several mobs of about 10,000 persons each, amounting to a total of 3–4 lakh persons launched simultaneous attacks on these areas of Ahmedabad. While the attack in Gulberg society went on for 9 hours before rescue of the traumatised victim-survivors was possible, residents of Naroda Gaon and Patiya suffered from 9 a.m. to 2 a.m. – a staggering 17 hours – before rescue was effected. However, in these parts of Ahmedabad, known to be minority strongholds or ghettos, sustained attacks continued unabated for a period of 36 hours.

The attackers functioned in relay batches of about 5,000 persons each, after attacks by one group the next batch would take over. The mobs pelted stones, set fire to buildings and properties and homes including the *madrassa* at Sundaramnagar, blasted gas cylinders, used a chemical as catalyst in fires etc.

In Sundaramnagar, the police openly supported the miscreants and deliberately opened fire against Muslims, killing and injuring several people in the area. More than the BJP, the Bajrang Dal and the Vishwa Hindu Parishad, it was the police who were particularly active that day. They even led the mobs into attacks. Women victim-survivors named PSI Modi of the Gomtipur police station, who subjected them to verbal sexual abuse.

The well-organised attacking mobs used blasts and explosions with gas cylinders to ensure comprehensive damage. The blasts and explosions in different locations in this area continued for 36 hours. The attackers used to light the fires first and then the gas cylinders in so that the subsequent explosion would rip homes apart. The explosions were unpredictable, they could follow about 15-20 minutes later, there was no saying when they would blow. There were many such blasts in several buildings. About 8-10 such cylinders were used to blast the *madrassa* in Sundaramnagar. Extensive damage was done here, which has been repaired subsequently. The attackers had loaded cars with these cylinders and were moving around. Witnesses showed shards of one of the gas cylinders, of Deep Indian Agency, Distributors, that had been used as such an explosive device. Eyewitnesses saw a car carrying gas cylinders going around from this agency, carrying cylinders from the godown of Deep Indian Agency, Distributors. Following this car was a petrol tanker, and then a white Tata Sumo carrying more gas cylinders, following behind. They also used a particular chemical, contained in small vials that were thrown into the fire as a catalyst to the explosion, to ensure that the fire spread quickly. The Tribunal also saw a few hundred of these vials at Gulberg society, during their field visit there. At Sundaramnagar, the mobs had surrounded the entire area, from the agricultural field (*khetar*) to CTM (where a Muslim driver was burnt alive), and Sone Ki Chawl. The areas around the *madrassa* are home to working class Muslims, the poorest sections, daily wage earners. This *madrassa* (which subsequently became the relief camp) became a defence fortress for the people in the neighbourhood. Repeated messages were sent to the *madrassa* from the attackers, to find out how many of the poor victims were still alive.

Witness after witness who deposed before us, testified as to how the police abetted in mob violence in these areas of Ahmedabad city. It was the police in front, leading the attackers, while Hindu mobs followed. The police opened fire on poor, unsuspecting Muslim victims who were being made the target, to allow the mobs to proceed further. A vehicle of the 'Uttam Doodh' company was used to reverse into and break down the *madrassa* compound wall. Leaders of the mob even entered the building, sat there, drank alcohol in the *madrassa*, scrawled graffiti on the walls and set fire to it. "Long Live Narendra Modi!" ("*Narendra Modi Zindabad*"), "The inside story is, The police are with us in this" ("*Yeh andar ki baat hai, Police humare saath hai*"), "Long

Live the RSS!" "Long Live Praveen Togadia!" "Long Live Gordhan Zadaphiya!" etc. were some of the slogans that were written on the walls in the *madrassa* at Sundaramnagar. The manager of the relief camp, Farukh Azam, testified to this. This witness was also an eyewitness to the conduct of none less than the Gujarat home minister, Gordhan Zadaphiya who passed this way. His car went past this area and then drove back again, on National Highway No. 8 just outside the *madrassa*.

This witness testified that it was when the attacks were at their height, when he saw Gordhan Zadaphiya driving past, openly encouraging the mobs, with his fingers raised in a "V-sign", cheering the mobs along the way. At least 10 witnesses testified to seeing this with their own eyes. This was Gordhan Zadaphiya, the home minister of Gujarat. His car was escorted by 2 police cars, one in the front and one at the rear. The witness said that he was willing to swear to this testimony as an eyewitness in court. He has already testified before Justice Verma and members of the NHRC at the Circuit House annexe, mentioning names, as he did before the Tribunal.

Witnesses from this area expressed anguish at what they saw as a design of the political dispensation, headed by the ruling BJP government, to wipe out the Muslim community in Gujarat. Witnesses said that part of this strategy included the eradication of all trace of Muslim presence on the Highway — no Muslims, no Muslim shops or establishments should be visible on the Highway. (The *masjid* opposite the police station at Bapunagar nearby was destroyed in full view of the police, and a *mandir* was built in its place. Similarly, a *dargah* opposite the Bapunagar *masjid* was also broken. Another *masjid* near the stadium was also broken. Several *masjids* were deliberately broken or trashed and in some cases like the Madina Masjid nearby, 'Long Live Lord Ram!' (*'Jai Siyaram'*) etc. was scrawled across their walls.)

Many witnesses stated that over those three desperate days, they had called the top echelons of the police with no result. From the constable right up to the CP, no help was forthcoming. Either they would not answer their telephones or they would hang up on them.

Much later, camp managers requested the police to allow camp inhabitants the use of a road, a relatively safe passage between Satyamnagar and Gayatrinagar (which are predominated by Hindus and Muslims respectively), so that people who needed to visit their homes, which were looted etc. could get their safely. But the police simply refused to co-operate. Witnesses who deposed before the Tribunal stated that the police used the names of the areas to deliberately mislead people by saying that since Gayatrinagar and Sundaramnagar are populated by Hindus (which is untrue) and therefore not safe. Whenever victim-survivors called for help, the police responded by saying that no Muslims lived in Gayatrinagar and Sundaramnagar anyway. Two-and-a-half months down the line, victim-survivors had still not been given a safe passage to their homes. The Tribunal paid a field visit to the areas. Their homes had been burnt or destroyed and the little there was left had been looted.

A victim-survivor from Barasaanche Ki Chawl, identified as Gulam Rasool Qureshi, named Dilip, paan shopowner, who lives in the police lines and has a paan shop next

to MRG Mills and Raju 'chanawala' as leaders from the 10-15,000 strong mob. A man in the mob caught hold of this witness' son, after which a policeman fired at his chest. He was 22 years old. The police report mentions that he died in the rioting but it does not mention how he died — that he was shot at.

Eyewitness Farid Khan Abdul Wahid Khan saw a 15-16-year-old boy being shot in the chest after his arm had been cut off brutally. This took place on February 28. He said that when he went to Civil Hospital, Sola, there were mobs of Bajrang Dal and RSS people. This was at 3.30 a.m. on March 1. This witness stated that he saw 400-500 corpses including a 13-month-old baby and they had been very badly burnt. He stated that there were about 100 innocent children amongst them.

Pathetic tales of brutal victimisation were detailed here. A witness, Fakir Ahmed, and his sister Jannatben, the latter unmarried and both handicapped used to run a business in the area. Both were victims of indiscriminate firing, after which the mob burnt his sister alive in Chartoda Kabrastan. She was about 42 years old. The post-mortem report of this victim said, "shock due to burns". The witness was saved because someone picked him up and ran. Their home was destroyed.

Mohammed Abdul Qureshi, who testified before the Tribunal, lost his 23-year-old brother, Mohammed Ishaq, who was shot at close range. This happened on March 1. Mohammed Ishaq was standing when the mob came; the police were with them. The police point that was there for their protection was used, instead, to fire at them. Mohammed Ishaq's post-mortem report said, "injury in right lung." The witness managed to run away and thus escaped with his life intact. They were residents of Pannalal Chawl, Rm. 42.

When the Tribunal met them in May, victim-survivors from the area were afraid to go back to their homes, because when they did, they were still repeatedly pelted with stones and threatened. Many homes have been completely destroyed. When one boy tried to go back, he was hit on the head with a big stone. Residents did try to go back 5-6 times, but later abandoned all thoughts about returning to their homes. Even the women refused to return. The police version was that the people of the *chawl* had attacked, whereas actually the mob came with swords and bombs to the *chawl* and attacked the residents.

Witness Hanifa Bano from Nagori Chawl (20 years) was enraged and agitated when she deposed before the Tribunal because her family's home had been destroyed completely and a temple had been built in its place. They cannot go back now. Ironically, their home was opposite the police station. Hanifa identified assailants from the area such as Manoj, Suresh Pithawala and his two brothers, Manoj and Duriya—their shop was right opposite the witness'. Hanifa's family has the only Muslim shop in the area. She stated that when they were caught by the rampaging mobs, they threatened that they would kill them. Verbal abuse was used to terrorise the victims.

In her deposition, Alifa Bano, wife of Mohammed Sultan, told the Tribunal that two mobs came and attacked them where they lived, just opposite the Gomtipur police station. One man had a band tied to his forehead and he stabbed the witness

with a knife from the back. They raped the witness' daughter and used such foul language that was "difficult for decent people to repeat." They torched the witness' house in front of her eyes. The police van was standing there but when they called for help, the police just drove away. And they lived just opposite Gomtipur police station. The fire brigade was also there, but they, too, did not help the victim-survivors, who had been living there for 8 years. The witness stated that this was the first time that their neighbours had behaved badly with them, they had never behaved like this before. Two temples have since been built where the witness' house-cum-shop stood.

Several witnessess from Rajpur Toll Naka, Gomtipur, including Sabbirbhai Allarakha and Rashidabehn Gulam Nabi, complained bitterly of the behaviour of the RAF (Rapid Action Force) and PSI Modi, who used abusive terms towards the Muslim residents of Gomtipur. Rashidabehn said that even in mid-May when they tried to go back to their homes, they were threatened by knife-wielding youths. They had written such foul things about her on the doors of their homes, and on the walls, that the witness found it difficult to repeat the abuse. In this area, vile sexual abuse was evident all through. Rashidabehn's house was looted and burnt on February 28. Mobs have completely destroyed all 70 houses in Parmanand Chawl.

Naseembano Munnabhai Sheradi, aged 35, was widowed when she lost her husband in the police firing on February 28. She has 6 children, of whom the eldest, a daughter, is 14 years old. Her husband heard the mob, so he went to look for the children. Both the gates of the graveyard (Chartoda Kabrastan) were closed at the time. The police came in and started firing. The witness has lost her means of support. Her house is still standing. She showed the Tribunal, the notes from her husband's pocket along with his diary, which were torn and blood-soaked. The police pumped three bullets into him.

Irfan Sultanbhai, a victim-survivor living at Maniarwada Toll Naka, stated that on April 21, he was attacked by a mob from three sides. The police helped the mob by breaking down the gates, by ramming their jeep into them. They came into the house and broke the TV and other things and pulled out one of his sons, took him to the terrace and shot him. This witness could identify one Navnit, who is a constable, who was with them but he could not say exactly who had shot at his son. It was the army who pointed out to the family, that there was a dead man on the terrace. The police did not make a *panchnama*, nor did they write a report, they just took him away. The victim's name was Mehboobbhai Sultanbhai and he was 23 years old. He was shot right in the centre of the head. The plight of the victim's family and the terror generated by the mobs and the police can be gauged by the witness' response to police orders that he should accompany his son's dead body to the Civil Hospital at Sola. The witness, father of the dead youth, said it was too dangerous for him to go there, and that Vadilal Hospital was better. The callous police insisted that the father accompany them to Sola. The witness said that at the hospital he was surrounded by a rampaging mob but fortunately he escaped. *(See sub-section in Consequences — Communalisation of Public Space, Volume II.)*

Similarly, the Tribunal recorded the testimonies of 25 witnesses whose close family members had been shot dead by the police. *(See Annexures 8-9, Police Statistics–Volume I.)* At least 12 persons who deposed before the Tribunal were eyewitnesses to the atrocious and clearly illegal behaviour of the Gomtipur police. There were testimonies that stated again and again that about 12 policemen, all in blue clothes (the RAF uniform) and four 'D' staff (constables), with PSI Modi, were the main assailants. In Gomtipur the first brutal assaults took place on February 28, after which there were fresh attacks on April 5 and April 21.

One witness, Sirajkhan Babukhan Pathan from the Barasaanche Chawl, Gomtipur, was witness to point blank shooting by the police that killed many innocent Muslims on March 1.

On that day, as he ran to save his life when the attacks occurred, he saw the prone body of a man, Mohammed Alibhai. Thinking he was dead, the witness picked up the body and brought him to the *madrassa*, when he noticed that the man was still alive. He had been shot in the head. A bit further, he saw Shariefbhai, a young boy, who had a bullet-hole in his stomach. When the police saw him trying to help the injured boy, they started abusing him saying, "*Miyan*, where are you going?" Then a person from the crowd insisted that he say, "*Jai Siyaram*." The witness said that this person was not a policeman, he was an RSS man, with a *tilak* and big moustache. He beat the witness up for three hours, then after swearing at him told him to go.

Witnesses stated clearly that while some of the deaths caused by shooting were from bullets fired by the police, there were equal or more instances of persons being shot dead in private firings. One policeman from the Ajit Mill *chowki*, Gayatrinagar, under Bapunagar police station, who was involved in firing, had removed his name tag (*billa*), and his belt. Otherwise, he was in uniform. Many were wearing helmets so that their faces were covered and could not be easily identified by the victim-survivors. However, witnesses were clear that they could identify some of these people if given the chance. A point worthy of mention is that policemen from the Bapunagar station, which covers this area, didn't do anything here. Witnesses stated that the personnel of different police stations *stepped outside their jurisdictions and committed atrocities*. The Bapunagar police went to Amraiwadi and the Amraiwadi police came to Bapunagar. Amraiwadi police went to commit atrocities in Khanwadi in the Vatwa area, which should actually have had policemen from Ramol (GIDC). It was a deliberate attempt to ensure that people would not be able to recognise them as local policemen. The witnesses here asserted this trend with confidence, saying that the policemen from Bapunagar, whom they were familiar with — Barot *sa'ab*, Patel *sa'ab*, Ashok*ji* etc.— they could have named and identified. This appears to have been a strategy of the policemen here.

In Ramol, a railway employee called Rafiqbhai Mohammed Hanif — a relative of one of the witnesses — was stopped by the police on his way back from duty. He showed them his identification and told them that he was returning home from work but they shot him. It was the Amraiwadi police who shot him, when, in fact, the area is under Vatwa jurisdiction; the PI there is PI Chauhan. It was the Amraiwadi police who were covering that area at that time.

It was the same story when there was a bomb-blast in this locality just four days before the Tribunal visited the area. Witnesses saw that, while some armed policemen were patrolling the area, some miscreants rode up on a Yamaha motorcycle, threw the bomb and drove off. When residents tried to draw the police's attention to this, the officer at the police station told them that he had seen the sparks (*chingari*) coming from their side, that they had themselves set it off. Witnesses also testified that following this, policemen from the Odhav division entered the *masjid* in Bapunagar with their shoes on, arrested some of the people and went off. These were policemen from Odhav division, when this area falls within the jurisdiction of Bapunagar police station.

The number of illegal detentions from this area of Ahmedabad alone, warrant special investigation. The thrust of the evidence collected from many victim-survivors indicated that, before the massacre at Godhra took place, there was nothing wrong with the atmosphere in the area. It was after the Godhra massacre and the subsequent call for a *Bandh* that the trouble started. People felt that though there may have been planning for the attacks in advance, no discernible signs to disrupt peace were visible. It was after the Godhra massacre that the attackers chalked out a plan, and then started attacking Muslims. The call for the *Bandh* was supported by the government, which itself is against the law. They felt that newspapers like *Gujarat Samachar* and *Sandesh* too played a vital role in the violence. Their reportage, the photographs and articles they carried, were extremely inflammatory and incited people to violence. And the news coverage in *Sandesh* continued to be very inflammatory right up to the day of the Tribunal's visit. Victim-survivors felt that this was not a communal riot, it was a massacre of Muslims. A communal riot implied that there were attacks on people from both communities. If it had been a communal riot, they said, the properties of both Hindus and Muslims would have been attacked but the Hindu properties were not touched —Muslims did not attack them, yet they kept on saying that Godhra was part of a planned massacre by Muslims.

As one witness said, "Even today, leaders from the VHP go on saying that people from the Muslim community in our area are terrorists. It is they who are not allowing peace to return. They keep referring to Muslims as terrorists or Pakistanis. They are the ones who kill Muslims, who attack Muslims and then they demonise Muslims."

One of the most disturbing aspects of the violence on victims in Sundarammagar and Gomtipur were the severity of burn injuries on their person. One victim-survivor who deposed before the Tribunal, Shaikh Ismail Dosumiya, was in a pitiable situation, with 38 per cent burn injuries. He said that on March 1, there was rioting and stone-throwing in Gayattinagar. The mobs were throwing stones and in defence, residents of Gayattinagar were throwing stones back at them. During this, the mob also threw acid bottles and gas bottles at them and 7 persons, including the witness, were burnt. In that terribly burnt condition, he then walked from Gayattinagar to the Maidan nearby. This was at 11.30 a.m. on March 1. The police was nowhere to be seen. The attackers carried many weapons, *dharias* (sickles), *gupti*s and private (privately owned) guns. There was a lot of firing in which many youths were hit by bullets.

After having retired from the Indian army, this witness had a job in the security services department of Indian Airlines, but had not been to work since this brutal burning two months earlier. He was in VS Hospital for 45 days. At the hospital, there were some initial problems regarding payment of the deposit amount of Rs. 2,000 and procurement of medicines but they were sorted out. Besides that, there was no trouble with his treatment there. A police case was registered at the VS Hospital itself. Though the police had recorded his statement, he had not received a copy of his FIR. This witness said he could not identify anyone in the mob. He said however that the mob was huge, there were a lot of people, about 10,000 stretching from the Maidan to CTM. He lived at the Sundaramnagar Maidan, opposite the camp. There are about 3,000-3,500 Muslim houses with about 10,000 residents in the area. Of these, about 400-500 houses have been burnt although no survey has been done so far.

The plight of this victim, who could barely stand before the Tribunal because of his wounds, was tragic. He was clad in thin underpants due to the severe burns on his skin. He was in severe discomfort. He could not walk in the sun for if he did, he felt dizzy and his body burnt. He had received no compensation. This witness was one of those who met President Abdul Kalam when he visited Ahmedabad at the Haj House Camp. Cringing at his plight, the President had assured him enough funds for his complete treatment in the presence of CM Modi.

Another tragic case was that of Shaikh Guddu Shamsuddin (23) who had lost his voice due to a wound from a bullet fired into his throat/neck in the course of police firing on March 1. He had had extensive surgery and a plastic tube had been inserted into his neck. As a result of the injury, he also lost his ability to speak and even after medical treatment, his voice was practically a whisper. The witness spoke to the Tribunal with great difficulty, describing the events of March 1 in detail. He is a machine painter and between 9.30-10 a.m. that morning, he was walking towards Gayatrinagar when he saw 4 policemen standing there with their rifles cocked. Behind the policemen, was a car, a Tata car (No. 407) and crouched behind the car, was a mob. Frightened, he turned away and started shouting for help and that was when the police shot him. They looked like local police. They shot him with a "long rifle", a .303. He didn't recognise anyone in the mob because they were behind the car. The witness said that he had been lucky to escape from the mob. He said that the police, who were facing him when they fired, had fired at him so that he would not call to other Muslims for help. They deliberately targeted his throat so that he could not shout for help. They shot him through the neck and his windpipe (*nalli*) was ruptured, as a result of which he lost a lot of blood. He managed to take a few steps and then collapsed. It was then that some Muslims from nearby came and picked him up and took him to safety. By that time, he was unconscious.

He said that since it was not safe to go to VS Hospital at the time, he was first taken to Al Amin Hospital and then later moved to VS Hospital. On the way to Al Amin, too, there were attempts to stop the vehicle, a tent had been put up to barricade the road and miscreants were throwing stones. Here, too, the police opened fire, and

injured 2 youths. The Al Amin ambulance driver was also hurt. In the hospital, the surgeons did a graft using flesh from the chest. A hole was made in the neck so that he could speak in a whisper and that was how members of the Tribunal could hear him. The victim had no complaint about his treatment at the hospital.

The Tribunal met several victims of burns and bullet injuries who had barely escaped with their lives and for whom no provisions have been made for payment of compensation. One Mohammed Naim sustained a bullet wound through the side (in the waist), in police firing on March 1. He was fired at by policemen who drove up, and trained their rifles on the Muslims of Gayatrinagar (stationing themselves at what witnesses described as the 'border' near the Industrial estate), while the Hindu mob continued their attack relentlessly. It was as if the policemen were the rear and front guards of the mobs, making it possible for the targets to be found.

That morning (March 1), 6 people were injured in police firing. Witnesses said that they did nothing to warrant the police firing. They recognised one of the policemen, Bhupendran Gadvi, D Staff, No. 2022, Rakhial Police Station, and another who was also a Gadvi, but whose full name they didn't know.

Mohammed Yasin Ansari, a burn victim with 57 per cent burns, also from acid thrown, told the Tribunal that for the first 3 days at VS Hospital, he was not given any treatment. No one from his family could come to the hospital because of the prevailing situation. After 13 days in VS hospital, of the 20-22 burn victims admitted to their ward, this witness said that only 3 remained alive. This was an example of the callous treatment that the VS hospital was giving Muslim patients. This witness said that he was afraid that he would meet with the same fate and came home. He insisted that, at the VS Hospital, treatment was being given, but those patients who were given blood, died. He said that even when he was given the first bottle of blood, his condition worsened, he was unable to move his arms and legs and stopped speaking, so he decided to leave the hospital. He was in severe discomfort when the Tribunal recorded evidence in the scorching heat of May. Though his doctor had advised that he should be readmitted to the hospital, this witness was reluctant to do so, terrified at the treatment he might receive there.

Ghulamhussain Ali Hussain was another burn injuries victim-survivor who had suffered 25 per cent burns, had been in hospital for one and a half months and who, together with his entire family, had been without work or earning for that period.

Many witnesses made strong statements about the lack of payment of compensation for injured persons, saying that they should get at least 40 per cent of the amount given for loss of life. They said that the government had not provided for compensation, either for the disabled or the injured, and had not responded to injuries and disability caused in this carnage. They said that after the earthquake in 2001, the same Gujarat government had announced that persons with up to 40 per cent disability would receive Rs. 50,000 but for the carnage no such compensation had been given to the victims.

Witness Fakruddin Imamuddin Ansari (23) was shot point blank in his ribs and was rendered without livelihood for 2 months thereafter. He had received nothing from

the government. He was a daily wage earner who did machine embroidery, and also had a family grocery shop, which was also burnt. Women from Sone Ki Chawl suffered severe injuries in the stone throwing.

The Tribunal recorded with interest the eyewitness testimony of Mohan Bundela of Jan Sangharsh Manch, which has been lodged as an FIR with the Gomtipur Police.

"Salatnagar in Gomtipur had approximately 260 hutments, in which about 1,500 inhabitants resided. On March 1, about 2,000 miscreants came and reduced these hutments, together with the household belongings, to ash. The leaders of this crowd wore saffron headbands and saffron belts with *trishuls* tucked in them. Many among them wielded swords. This mob was assisted by the PSI of 'D' staff of Gomtipur, Modi, in setting fire to the hutments. Modi arrived in his own jeep (registration number GJ-1-AR-5342) and stopped opposite Ambika Mill No.1 at about 12 o'clock in the afternoon...." *(See Annexure FIR Against Police -- Detailed Annexures Volume 3.)*

Witness Shaikh Mohd Salim said that on April 21, just 10 days before the Tribunal visited, in Maniarwada, fearing assault and detention when the attack came, the men ran away and only women remained there. The police pulled out a boy from one house and shot him dead. They had a lot of trouble breaking down the witness' main gate and they broke it by ramming into it with a jeep. This was done by men wearing blue clothes and 'D' staff. Acid bombs were thrown at the Muslims.

The same day, opposite Amrapalli, in another part of Gomtipur, a police constable was killed. In an obvious retaliation, the police, taking advantage of the curfew in Maniarwada, shot dead Mehboobbhai Ibrahim who was the father of four small children. An innocent man was killed for nothing. He had stepped out for some relaxation and was taken upstairs and shot. Maniarwada had been unaffected before this.

AHMEDABAD RURAL

Abasna

There was a ghastly incident in Abasna village, Detaroj *taluka*, of Ahmedabad district on the night of April 1 and 2, (i.e., on the eve of Prime Minister Vajpayee's visit to Gujarat) when 5 family members of the Ghanchi family living there were brutally hacked to death in their sleep. Ibrahim Ismailbhai Ghanchi (38), who lost his father, Ismailbhai (56), his brother Karim (22), his uncle, Dawoodbhai (53) and his cousins, Noor Jahan (22) and Deen Mohammed (17), deposed before the Tribunal on May 4. Another uncle who was injured was admitted to the hospital but he died the day before the witness' deposition. Ibrahim Ghanchi lost six family members in one brutal attack. The witness, who lived at Kalol, and was an employee of the ONGC, had served in the Indian army for 17 years. His family had lived in the village of Abasna for generations, and owned 45 acres of land there. This was the lone extended Muslim family in the village (three nuclear families and one joint family) — living among Patels, Rajputs, Darbars and Brahmins.

Soon after the Godhra incident, fearing trouble, the family had shifted to Kalol for a whole month. At that time, the same people who later killed members of his family had come and persuaded his father to return to the village. The family returned to Abasna on March 31, and they were attacked at midnight on April 2-3. A group of villagers led by Metaji Diwanji Darbar, first slaughtered the unsuspecting victims and then burnt them as well as the house. His mother and his aunt sustained injuries but managed to escape through the back door. The *sarpanch* called the police at Sarkhej, Ahmedabad and DSP Rai, DySP Ravi Patel, inspector Rajni Patel and PI Chauhan took the injured to hospital.

The witness' mother had a deep gash on her forehead and had also got a fracture. His uncle, who later succumbed to his injuries, had a cut on his head, a fractured skull and arm, as well as a sword wound on the neck. The witness was informed of the ghastly incident while on duty at Kalol. He went to the police station in Kalol, and took police protection to go to Abasna. There, he saw his father's corpse lying at the entrance to their home. A post-mortem examination had already been done right there. Then the police took him to the house, which was burnt, and he saw the other corpses. The witness took the corpses to the cemetery on the highway and buried them according to Muslim custom.

The next day he went to the Civil Hospital in Ahmedabad where he met his aunt. On the fourth day, he returned to Abasna, collected what was left of their possessions and returned to Ahmedabad.

The witness said that *Sandesh* carried a story after the ghastly massacre, saying that Ismail and Dawood — the witness' father and uncle — were killed because they had been harassing girls. The witness was outraged at such irresponsible reporting, which tried blatantly to suggest that this was a case of personal vendetta and had nothing to do with communalism. The witness was angry that his father and uncle, who had been killed, were being maligned thus. He said that they were a well-respected family. They had lived in the village for 250 years. The witness' mother was a member of the local *panchayat*. The witness asked, pertinently, whether the villagers would have allowed them, the only Muslim family, to stay in Abasna for so long, whether his mother would have been allowed to continue as a member of the *panchayat,* if family members had behaved as suggested in *Sandesh*?

The witness stated that his plight was pitiful, that at present he could not even vote since all his papers had been destroyed in the fire. He had no proof that he had served in the army. He said that, in future, he might even be accused of being a terrorist since he had virtually no proof of prior existence. He had retired from the army and he feared that if he applied for a new job, he might be told that he could not get one because he was a Muslim.

The witness told the Tribunal that the journal *Communalism Combat* had arranged to take him to Delhi, where he had met the President of India on April 27. He had spoken to the President about his 17-year-service in the army, of which 13 had been spent in the field. He said that he had asked for President's rule to be imposed in Gujarat. He said that 45 acres of family property in Abasna was at stake and that his children's schooling was now

endangered since the same forces of venom were targeting schools as well and that it was not safe for him to return to his village, where the family home had been burnt. The police arrested about 25 persons — the main culprit being Metaji Diwanji Darbar, who had led people into several criminal actions in the past. Other villagers had also filed FIRs detailing the facts about this incident and naming the accused.

Kuha

The first instance of communal attack on the 50-odd Muslims in Kuha village, Daskroi *taluka*, had occurred in 1992. They were pelted with stones and they had been forced to leave the village. The 300 families of Patels were in the forefront of that attack. At the time, most of the Muslims in Kuha worked as labourers while about 4-5 families owned a small patch of land. But over the years, some of them have set up small kiosks and others earn a living as drivers.

Around 1 p.m. on February 28, , a mob led by the husband of the *sarpanch*, a Patel, attacked the Muslim houses. There are 2 major castes in the village, Patels and Thakors, but Thakors did not participate in the attack. As the attack started, most Muslims fled to the fields, while some others took refuge in the house of a *panchayat* member, Laxmiben Dabhi. Ahmed Husain Sayyed was unable to flee in time, and he hid in his house. He was thus witness to all that happened in Kuha, where 19 Muslim houses were burnt and belongings looted from the rest.

The Muslims stayed in the fields for 9 days, and through all these days, Laxmiben Dabhi organised food for them. Once it was safe to move, the people organised two vehicles and reached the relief camp at Bapunagar in Ahmedabad city. A complaint was given to the police but a copy, acknowledging receipt, was not provided to the complainants. Nor was a copy of the *panchnama* provided. Ahmed Hussain and his two brothers used the visit of the NHRC team as an opportunity to get their complaint filed.

On 13 April, Laxmiben came to the Bapunagar relief camp as an emissary of the Hindus of the village, to make a deal with the Muslim families: They should withdraw the complaint in which they had named the assailants and only then were they welcome to come back to reside in the village. The three brothers, who had officially complained, were not to be permitted into the village. Ahmed Hussain stated that although he wished to bring the guilty to justice, if other Muslim were to tell him to withdraw the complaint due to pressure from the villagers, he would do so.

Por

Por village, Gandhinagar *taluka,* Gandhinagar district, has about 70 Muslim families and about 500-600 families of Thakors, Patels, Harijans, Bagris, Ravals and Chamars. The deputy *sarpanch* of the village was a Muslim. Muslims had supported Thakors in the last *panchayat* election.

On February 28, the *sarpanch* told the Muslims of the village that they need not worry, nothing would happen to Muslims in this village. On March 1, at about 2.15

p.m., just after the afternoon prayers, a large mob from at least 9 neighbouring villages and led by Patels from Por, attacked the Muslims. They were armed with kerosene, diesel and gas cylinders. They destroyed and burnt Muslim houses, a mosque as well as the *dargah*. A bore-well, which was the only source of water for Muslim houses and fields, was completely destroyed. The mob also attacked and injured a number of persons, including Shakinaben, Hanifbhai and Fatimabibi. Village shopkeepers provided kersosene to the attackers and the Patels of the village, including women, pelted stones on the fleeing Muslims. The attackers caught hold of the *maulana* and beat him up. The police inspector from Adalaj police station, PI Jhala reached the village shortly after the mob arrived, but instead of helping the local Muslims, he ordered them to leave immediately.

The collector IS Haider, and the DDO Brahmbhatt, reached the village while the attack was still in progress. They offered the Muslims protection, and helped them escape by getting onto the 3 tempos owned by the Muslim villagers themselves. However, the third tempo did not start. In panic, people got down from that tempo and clambered onto the other 2 tempos. Three women, who had already sustained injuries during the attack, and 3 children died due to suffocation. They were dead by the time the tempos reached Adalaj police station.

Only one FIR was lodged in the Por village incident (no. 44/2002 in Adalaj PS u/s 147/148/149/436/395/135 Bombay Police Act). The same PI Jhala, who had done nothing to prevent the attack, lodged this FIR. Since he was also the investigating officer into the incident, the victims had little hope of an unbiased investigation. The FIR did not contain the names of the attackers.

Later, the witnesses named 95 Patels in the 4 complaints that they gave to the PS and other authorities. In spite of this, not a single Patel had been arrested until mid-April. There had been at least 23 arrests in the case but all of people belonging to lower caste Thakkars, Vaghris, and Rawals, who were involved in the looting after the Muslims had fled but were not the actual attackers. The villagers had also sent complaints and appealed to numerous higher authorities but had not received any response. The displaced victims were living in the Mandali relief camp, or with relatives at various other places.

PI Jhala was directly indicted for conniving with the attackers, by not taking any action at the time of attack, by leaving out the attackers' names in the FIR and later, for joining the attackers in pressurising the victims to withdraw their complaint.

Panchmahal

In terms of intensity and scale of violence, this district, along with Dahod and Mehsana, apart from Ahmedabad city, experienced the most systematic and gruesome attacks. Atleast 400 of the 1200 villages in this district were brutally targeted. It seemed that the design was to choose those villages where Muslims were in a relatively small percentage, isolate them and attack them. The killings were of a gruesome nature.The Tribunal recorded detailed evidence from this district.

DAILOL

A total of 368 Muslims were residents of Dailol village, in Panchmahal district, which had about 60 Muslim households and about 500- 600 Hindu households. Dailol village is located at a distance of about 5 km from Kalol *taluka* town. On March 1, Muslims who were escaping from Dailol and surrounding villages, were attacked by a 5-6,000 strong mob. (The assaults had started a day earlier.) A total of 38 persons were burnt alive. The testimony of a *maulana* who witnessed the slaughter as he hid in the nearby jungle, has been put on the records of the Tribunal. There is no Muslim living in the village now, so it is very difficult to get full details on this incident.

Innocent and terrorised members of a family were trying to escape on foot when they were attacked at Dailol station. An elderly survivor of the family recounted the sorry tale in his testimony, which was placed before the Tribunal. At about 10 a.m. on February 28, 2002, a crowd of about 2,000-3,000, most of them outsiders, attacked, looted, burnt and destroyed the *masjid*, shops and establishments belonging to Dailol Muslims, and left at 4 p.m. Later, that night, one Ismailbhai was dragged out of his house by a crowd that included people from his own village, paraded through the village twice, wearing a garland of shoes and asked to say *'Jai Shri Ram'*. When he refused, he was doused with kerosene and burnt to death in the early hours of the morning. The Gujarat state cabinet minister and BJP MLA, Prabhatsingh Chauhan was involved in the attack. At 10 a.m. on March 1, a large mob of about 3000-4000 again came to the village shouting, "Today is Bharat *Bandh* – drive the Muslims out, hack them, kill them!"

Seventeen Muslim labourers fleeing from Limkheda, took the train to Pandu, a town near Dailol station, in Kalol *taluka*, on March 1. At Dailol station, a murderous crowd came towards them and one of the labourers, Anwar Khan Walimohammed Khan Pathan (50), was caught, sprayed with kerosene and burnt alive. In the *basti* just outside the town proper, near the homes of the Harijans, victim-survivors saw a crowd bearing swords, bamboos, daggers, sticks and sharp instruments and carrying petrol and diesel-kerosene tins, rushing towards them. They started beating and herding them towards the canal. Brutal acts of sexual violence were committed on the women in the group, before they were killed, by cutting them up in pieces. Boys, aged 7 to 12, escaped from the mob's clutches and hid in the maize farms of the Kanatias, near the canal. Bhalabhai, who heard the cries of the victim-survivors, sheltered them in his house for six days. On March 7, Bhalabhai brought police inspector Kotwal to his house and handed over the six children whom he had sheltered. The PI then took the children safely to their relative, Ganimiyan Ibrahim Mithi Malek. The boys who were saved by Bhalabhai narrated these facts to Ganimiyan, who recorded them with the Tribunal. The testimony details that he was at the rail *phatak* (rail crossing), when he heard the screams. "*Malik uparwala janata hai ki hamare pariwar ke char chote, chote bacchiyon ke sath kya suluk kiya*." ("God knows the treatment they subjected four small girl children from my family to.") The testimony records that this victim-survivor stayed in Dahod for a whole week. Of a family of 20, including himself, 6 other family members have been killed. Details of this and another massacre, which took place here, were placed before the Tribunal. Journalist Teesta Setalvad, who has extensively documented the violence all over Gujarat in her report *'Genocide Gujarat 2002'*, was the first to reach this district on March 7. Many of the testimonials have been placed on record from the data collected then.

The names of the children who were abused but who survived:

1. Mohsin Khan Majid Khan Pathan (10)
2. Shahrukh Yasin Khan Pathan (7)
3. Ayyub Khan Yasin Khan Pathan (12)
4. Farzana bibi Yasin Khan Pathan (11)
5. Mustafa Khan Yusuf Khan Pathan (12)
6. Siraj Khan Hussein Khan Pathan (8)

In the late afternoon, a group of about 50 – 60 Muslims who had taken shelter with the Hindus in the village were chased by a large group of attackers to the main road and from there to the fields. That night, a crowd of 500 to 700 people surrounded those victim-survivors who had escaped from Dailol as well as surrounding villages. First, they told the petrified Muslims that they would not kill them and gave them water to drink. Then they asked them to leave. Just as they started to leave, the crowd attacked them from behind and hacked and burnt 10 people. Thirteen-year-old Yasmeen, the daughter of Mohd. Ibrahim, was gang raped before being killed. The dead were piled up and set on fire. Ten and twelve-year-old Hameed and Aijaz, the sons of Kulsum Ayyub (who was also killed), were made to go around the pyre and shout '*Jai Shri Ram!*' They were then shoved into the fire. The victim-survivors had

filed complaints with the Kalol PS on March 16 and 18. They said they will return to the village only if action is taken against the guilty. There is fear in the village still.

PANDHARWADA

Nearly 70 Muslims were butchered on March 1, after a mob of 2-2,500 local Patels, Panchals and Harijans and some 3-4,000 tribal '*bhai bandh*' attacked this village. Fourteen members of one family were killed. In a serious act of betrayal, one Jaswant Patels had actually told the terrified Muslims to go to his farm where, he promised, they would be safe, and, where they were then attacked. This was after electricity in the village had been cut off and telephone lines snapped. In fact, telephone wires were cut a day earlier, on February 28, indicating levels of careful preparation and planning. In nearby Mora village also, the lights were put out at 9 p.m. The previous day, some persons had warned villagers that 'electricity will go and phones will be cut, so beware.' This is certain indication that the attacks must have been planned.

Once the Muslims took shelter on Jaswant Patel's farm, he got people to attack them from all sides. One victim-survivor lost 8 of his children who were trapped there. The *sarpanch,* Anil Modi, was with the mob. They beat the victims, chased them, threw acid on them and burnt them.

Another Patel, Mahindra Vakil, also betrayed the victims by taking them to his house where an attack was then launched. When the attacks on the villagers were imminent, he told them, "Come to my house, I will save you. My house has a 10 foot high boundary wall and you will be safe." So, 60-70 Muslims, especially women and children, went there. The moment they got inside, he locked them in from outside and blocked the entrance door with timber logs. After some time the victims heard shouts and screams and the attacks began. About 30-40 lives were lost here. A two-year-old girl was burnt alive. If some Muslim youths had not toiled to get the victims out of the trap, there would have been an even bigger tragedy.

Witnesses trapped inside Mahendra Vakil's house saw him calling a mob of 25-30 persons to attack them with acid. One woman victim, who was hiding in the bathroom, managed to survive but her sister Zora was burnt with the acid that was thrown. For three days no policemen came. The mobs targeted young girls, young men and children. Those accused are Mahendra Vakil and Jaswant Patel.

Another witness who lost his father in the incident at Pandharwada where nearly 30-40 persons were killed inside Mahendra Vakil's house and another 20 in the fields, testified that swords were used to slash him on the head. Around 12 noon, when 200 persons had taken shelter inside Mahendra Vakil's house, broken glass, acid, kerosene was flung at the victims before setting them on fire. The assault went on for 3-4 hours. The plight of the victim-survivors was devastating. One family had 11 members missing. The dead bodies of cruelly slain people were left to lie around in a mutilated condition. The *taluka panchayat pramukh* of Khanpur, Jaswant Manilal Patel (BJP), took away some corpses and burnt them. At least 25 corpses were burnt in this way.

The testimony of a twelve-year-old witness, Noorunissa, recorded previously, was put on the records of the Tribunal (She had seen her uncle being killed in front of her

eyes. She is now unable to speak of the incident.) "We were in the farm when lots of people came shouting and started attacking us. My *chacha* (uncle) fell down and some men placed a sword on my father's neck. We were trying to run up the hill to save our lives. Allah saved us. I remember seeing a woman crying because her baby was thirsty. I did not see them after that. My mother was with me and so was my *khala* (aunt). My father is alive but my uncle was killed in front of us. I was begging everybody, 'Please don't kill my father, please don't kill my mother!' One Fakirbhai, who is a flourmill worker had his head chopped off. I almost fainted out of exhaustion when one Bhil told me to run away fast. Two Adivasis took me into their house. They changed my dress and made me put on a *lengha* (long skirt). The crowd came and started shouting, "*Nikalo, nikalo!*" But they said that there is no Muslim in the house. Then the police arrived and I got saved."

In another incident that took place at Pandharwada, at the farm of Jaswant Patel (BJP), brutal killings of Muslim labourers were carried out after they were inside, surrounded from all sides. Yasinbhai, the husband of a witness, Akeela, was killed. They sliced his head off with a sword. He was a daily wage earner. She has two small daughters and one son – Anisa (7), Nilofer (6) and Waris (5). After killing her husband, they tried to rape her. They threw her on top of her dead husband while her three children were flung in the gutter. This witness managed to run up the hill with her three children and then on to the Godhra relief camp. Witnesses identified the main accused in the mass murders at the farm as, Pramilal, Jaswant Manilal Patel, Arvind Patel, Mansukh Bhai Chamunda and Sanjay, the VHP district president. Their betrayal of the Muslim villagers had put the victim-survivors in a state of shock. They called them to the farm, promised to save them and then organised the attack. The husband of one of the victim-survivors had been employed as a domestic help at Mansukh Chamunda's house in Rajkot for the last 15 years, but was not paid for his work at all. Apart from this witness, the other eyewitnesses to the massacre in the farmland are: Yakubbhai Gulambhai Saiyed, Yusufbhai Abdulbhai Saiyed and Sheikh Faiz Mohammedbhai Ahmedbhai. Sheikh Faiz Mohammedbhai Ahmedbhai saw his uncle and aunt, Sheikh Habibbhai Ashrafbhai Bismillah Habibbhai and Dulanbibi Ashrafbhai, chopped to pieces and then burnt. They were surrounded by a gang of 5-7,000 people who killed mercilessly; even their animals were not spared in their homes.

Akeela was in the farm when men carrying *dharias* (sickles) and swords attacked Jabbirbhai Ghanibhai, father of 5 children. There is a police outpost at Pandharwada, with two policemen, who did nothing. Akeela said, "When I went to the Khanpur police station, I was simply told, "*Tum tumhari jaan bachhao*" ("You save your own skin.") Witness Sheikh Faiz Mohammedbhai Ahmedbhai has testified that his wife was burnt with a solvent. Jabbir Kalos, a one-and-a-half-month old baby, was also thrown into the fire but she was pulled out and handed her back to her mother, Madina. Another small girl, Nafisa, was also thrown into the fire but saved by the witness in time.

Witnesses testified that Sanjay, the VHP district president, who hails from Bakor, 3 km from Pandharwada and currently resides in Godhra, was responsible for much of the havoc caused in the villages.

Other villages that have experienced similar massacres are Vispur, Umet, Modasa, Lunavada, Kapadwanj, Malpur and Khanpur. The Godhra-Modasa highway, which branches off into two roads that lead to Rajasthan (at Balaliya and Ratanpur), saw complete destruction, as mobs targeted trucks. Other transport vehicles were also targeted and burnt, with their Muslim drivers inside them. There is heavy traffic on this road, and the destruction of life, goods and vehicles was massive.

ERAL

On March 1, 2002, brutal killings also took place in Eral village, of Kalol *taluka*. The Tribunal has on its records the testimony of a witness, Mustafa Ismailbhai. Seven members of Mustafa Ismailbhai's family were killed while two of his family members, including his daughter, were raped before being killed. Mustafa Ismailbhai's wife and two of his sons survived. The witness is a driver by profession and was out when the incident happened. The murdered members of the family are Shabana, Ismail Master, Uribibi, Rukaiya Adambhai (the witness' sister), Adambhai Ibrahimbhai (his brother-in-law), Tajoobibi and Suhanabibi. The finger of Tajoobibi's 4-year-old son was cut off. Ismailbhai's wife is an eyewitness to the rape and killings.

One of the most tragic aspects of this attack was that the attackers took protection money from the victim villagers before betraying their word and setting upon them. When the mobs began to attack Muslims in Eral and surrounding villages on February 28 and people started to flee their villages, Ismailbhai's family hid in the fields and temporary huts that farmers use to keep watch on their crops. The mob found them on March 1 and about 150 people surrounded their group of 12. The attackers who included some persons from their own village, were carrying swords, *guptis* etc. The family gave the attackers all the money they had – about Rs. 10,000 and begged them not to kill them. The mob took the money, then proceeded to launch their attack.

Ismailbhai's wife, Madina survived because she managed to hide in the fields of standing maize. She saw them kill 7 people in front of her and also chop off 4-year-old Taufiq's thumb. From where she hid, she also saw them rape her own daughter, 18-year-old Shabana, and cut off her breast before killing her. She heard her family's desperate cries for mercy. The whole attack took half an hour. After raping and killing, the attackers set fire to the bodies. Madina hid in the fields for one hour after the attackers had left. Child witnesses, Taufiq (4), Khushboo (3) and Heena (7) have also indicated that one other woman, Rukaiya (Madina's sister-in-law) was also raped.

The police arrived 1½ hours after the incident. Doctors from Malav Primary Health Centre conducted post-mortem examinations on the spot. Madina has named several accused in the FIR (FIR no.41/2002) lodged on the basis of her complaint in Kalol PS. Charges of rape have not been included in the complaint. Some arrests have taken place. So far, they have been given Rs. 1200 odd as compensation for household goods.

Madina has named the following persons as accused: Rajubhai Vithalbhai Talati, Purshottambhai Gordhanbhai Parmar, Ganabhai Chandubhai Parmar, Bhailalbhai Maganbhai and Narendra Singh Chandulal.

MORA

Mora village, has an overall population of about 6,000–7,000 of which the Muslim population consist of about 450 persons, owning 115 houses. Mora and Suliath are two villages in Morvad (Hadap) *taluka*, a kilometre apart, commonly referred to as Mora- Suliath. The rest are owned by Rabaris, Sonis, Panchals, Harijans and Bhois. Sulaith consists entirely of Bhil Advasis. There are two *falias* in Mora where most Muslims lived: *masjid falia* and bus stand *falia*.

The attacks on this village started from the morning of March 1 and continued intermittently until the evening of March 2. People were saved because they gathered in the *masjid* and one big concrete house in the village until they were taken away to the Godhra camp. These buildings were also set on fire but the army arrived in time to save them so there was no loss of life in the village. Thus, the collector, Jayanthi Ravi, managed to save the *masjid* and a few houses after the first attacks took place. But it was later completely destroyed after the villagers were taken away to safety.

One witness has testified how, on February 28, people on motorcycles moved round the whole district with photocopies of the *Sandesh*'s banner headlines and stories provoking people because of the attack on the train. They were selling these copies for Rs. 2. In another village, where 117 houses were looted and then burnt, victims took shelter in the local *masjid*. They were also attacked but were somehow saved. The SRP and police, who have posts in every village, did nothing to protect them. The crowd of attackers came from outside but they were led by the *sarpanches* of five tribal villages: Veramya village *sarpanch* (Congress); Suliyat village *sarpanch* (Congress); the Mora village *sarpanch* (Independent); Deloch village *sarpanch* (BJP); and Rajaita village *sarpanch* (BJP).

Most of the houses, shops, animals and businesses have been completely looted or destroyed, as has the *masjid*. Some houses whose structures were intact were only looted of their belongings. Since April 14, all the residents have been shifted back to the village from Godhra. They have filed complaints naming the perpetrators but no action has been taken against anyone. In fact, even now, at intervals of a few days, the Hindus of the village distribute leaflets inciting violence against the Muslims. There is a deep sense of anger as well as insecurity amongst the Muslim villagers, but in the absence of any other recourse, the people are doing what they can. They willingly shared copies of their complaints with the Tribunal, as well as the names of the people involved in the attacks as also those involved in the printing and distribution of leaflets.

The villagers heard that two Sindhis from Godhra had come to Mora in jeeps on the night of February 28 and gave money and liquor to Adivasis to kill Muslims. They also held meetings in Methral and Suliath, to plan attacks. As a result of this planning, a mob of about 1,000-1,500 Adivasis from nearby villages Methral (10 km away from Mora), Vadodar (10 km), Dauli (6 km), Navagam (5 km), Sagwada (5 km), Bhata (4.5 km), Anjanwa (10 km), Godhar (15 km) – came to Mora village at around 2.00 p.m. on March 1. About a hundred Muslim men and boys confronted them with stones; there was stone throwing on both sides for a while. Then the Adivasis ran away. At

night, they went around in vans and tempos and collected Adivasis from surrounding villages. They surrounded Mora at around 9 p.m. and started burning outlying houses. This continued till 3-4 a.m.; 25-30 houses were burnt that night. The *masjid falia* people had gathered in the *masjid* by then, but the bus stand *falia* people were in their houses.

At 10 a.m. the next morning, on March 2, a much bigger crowd of 10-15,000 Adivasis and Hindus came and started burning and looting houses. The crowd surrounded the *masjid* with burning tyres and wood and set fire to it. There were 150 people trapped inside the *masjid* for hours. All the people from bus stand *falia* – about 150 – were gathered in the house of Haji Isak Abdul Majeed. This house was also surrounded and set on fire. The army, which came from Godhra, fired on the mob, which eventually dispersed and then rescued the trapped Muslims. Had the army arrived even half an hour later, the Muslims would have all died of asphyxiation. Because of the numbers of people involved, the army told them that they must choose between lives and valuables so people got into the trucks without anything at all. Inevitably, all the property was then looted.

The *masjid* has been badly desecrated and destroyed. The mob wrote "*Bhattiji Maharaj ki Jai!*" and "*Jai Shri Ram!*" on the walls, and initially hoisted a saffron flag on the mosque. Some other slogans scribbled on the walls were lines lifted from the film '*Maa Tujhe Salaam*' and scripted on the *masjid* walls: "*Dudh mango to kheer denge, Mora (Kashmir) mango to chir denge*" ("Ask for milk and we'll give you *kheer* (pudding), but ask for Kashmir and we'll cut you up.")

One eyewitness, Salauddin Gurji, whose testimony has been placed on the records of the Tribunal, personally saw Amrishbhai Panchal (BJP *mahamantri*), Bipinbhai Bhoi (BJP), Kantilal Rana (BJP), Vinod Ambalal Bhoi (Bajrang Dal, president) and Vikrambhai Dindod (BJP delegate from Rajasthan) in the mob. They were the main perpetrators of the violence. The witness later received information that, on the night of February 28, they had left Godhra with two jeep loads of people, carrying the *Sandesh* (Gujarati daily) article and pamphlets with them. PSI Mora and PSI Damod along with two constables, Nawat Singh and Mafatlal, were among their open supporters.

VEJALPUR

During the violence that engulfed Gujarat from February 27 onwards, Vejalpur village also suffered. In Vejalpur village, Kalol *taluka*, Panchmahal, Muslim families live and work in the area around the big *masjid*. On February 28, Hindu organisations had called a *bandh* to protest against the Sabarmati Express killings in Godhra. As mentioned in the FIR lodged by a witness, Haji Abdullah Bagli, an elderly trader from this village, on the afternoon of March 1, the below-mentioned accused, leading a violent crowd armed with lethal weapons, tins of petrol, diesel and kerosene, attacked his neighbourhood. They were screaming: "Kill Muslims, loot their property and burn it!"

The accused incited the crowd and they attacked the Muslim locality. As a result, a total of 80 buildings in Bagliwada *falia* and the *falia* near the big *masjid* were burnt down, causing over Rs. 1 crore worth of damage. There are several people who wit-

nessed the looting and burning including Ishaq Mohammed Badna, Iqbal master, Firojbhai Gada and M. Majid Ibrahim Padwa. The accused: 1) Vinu Budha Patel, next to Shreeji Tiles Factory, Vejalpur, *taluka* Kalol, *zilla panch*; 2) Amarsinh Budhabhai Patel, next to Shreeji Tiles Factory, Vejalpur, *taluka* Kalol, *zilla panch*; 3) Santosh Rama Vaghri, Vaghriwad, Tejalpur, *taluka* Kalol; 4) Anand Rama Vaaghri, Vaghriwad, Tejalpur, *taluka* Kalol; 5) Girish Varia Kanti Kantawala, Kheda *falia*, Vejalpur; *taluka* Kalol; 6) Dharmendra Jadav, Godhra Highway Road, Vejalpur, *taluka* Kalol; 7) Holo Barot (Garagewala); Bahar *faliyu*, Vejalpur, *taluka* Kalol.

KUJAVAR

A witness who had lodged an FIR testified that at about 9:30-10 p.m. on March 1, Muslim residents in Kujavar village, Morvad (Hadap) *taluka*, heard shouts from the road: "*Maro, kato, jalao, looto!*" When they rushed out of the house, they saw a big crowd charging towards their house. On seeing this, they were taken aback and hid near their house. From there, they saw people from their own village, whom they recognise well, looting their house. After that, they sprayed petrol, kerosene and similar substances all over the house and torched it.

The accused: 1) Saratsingh Daulat (Kuvajar); 2) Rana Balwant (Kuvajar); 3) Arjan Bharat (Kuvajar); 4) Jaswant Singh Ramsingh (Chaupur); 5) Shauka Hira Parmar (Chaupur); 6) Babu Bhavsingh Vanjara (Khudra); 7) Amarsingh Patel (Khudra).

In other incidents of loot and arson here, eyewitnesses Ilyas Yusuf Mansuri; Sikander Ismail Mansuri; Maulvi Abdul Rehman; A. Majid A. Gani Mansuri; Farukh A. Majid Khadkhad have filed FIRs with the Kalol *taluka* PSI, police station, recording a loss of Rs. 35 lakh and naming accused: Mukesh Devidas Jaswani, aka Gungo, Sindhi Bazar (Vejalpur); 2) Rajeshbhai Vensimal Jaswani, aka Sindhi, Sindhi Bazar (Vejalpur); 3) Rajesh Ballu Jaswani, aka Sindhi, Sindhi Bazar (Vejalpur); 4) Rakesh Nagindas Soni, aka Sindhi, Sindhi Bazar (Vejalpur); 5) Bharat Vensimal Jaswani, aka Sindhi, Sindhi Bazar (Vejalpur); 6) Prakash Urshandas Aswani; 7) Amit Sheth aka Rana, *panchayat* member.

BABALIYA

The witness, whose testimony has been placed before the Tribunal, is Jabbir Mohammed Abdul Razzak Shaikh, whose family has had a grain and grocery shop and a small transport business in Babaliya village for many years. His parents were slaughtered by the manic mob. He filed an FIR dated March 23 with the Khanpur police station. In this he stated that on March 1, his father Abdul Rajakbhai Shaikh, his mother Hajrabibi Rajakbhai Shaikh, his sister Jaybunnisa and he were sitting outside their shop, which was closed because of the 'Gujarat *Bandh*'. Meanwhile, a crowd led by the below-mentioned accused arrived there, shouting and threatening: "Kill the Muslims!" "Cut them up!" "Rape their women!" "Rob their property!" "Burn their property!" "Burn them!" The witness and his sister, Jaybunnisa ran

some distance away and hid behind a tree on a nearby hill. Some of those in the crowd began to beat his father and mother while others broke the door of the house, shop and flourmill and looted grain, grocery, TV set, gold ornaments and cash. They then blasted the entire structure using some inflammable liquid. The accused then left, going on the Naroda road, and dragging both the witnesses' parents with them. The leaders of the crowd killed his father and mother, Abdul Rajakbhai Shaikh and Hajrabibi Rajakbhai Shaikh, and destroyed their dead bodies. Another section of the crowd also took away the Suzuki motorcycle belonging to the family. In desperation and out of fear for their lives, the witness and his sister hid themselves in the farms and the forest for three days to save their lives. The witness' sister was pregnant and in precarious health. Somehow, fleeing and hiding they managed to find shelter for her in Bakor. The witness reached Lunavada, with great difficulty. Today he is mentally disturbed and broken. He has complained that despite repeated pleas to the Khanpur police station, *mamlatdar* Bakor, *mamlatdar* Lunavada, collector of Godhra and SP of Godhra, to take legal action against the culprits whom he has identified and named, no action has been taken.

The accused named by the witness in the FIR include: 1) Arvind Singh Ranjit Singh Thakore (owner, tempo no. KJ17 X 5838); 2) Mehta Hitesh Kumar Jayantilal (owner, Mehta photo studio at Bakor); 3) Jayantilal Parma Bhai Patel (Gangta); 4) Panchal Mohan Bhai Soma Bhai (Naroda, runs hotel); 5) Bharat Singh Ranjit Singh Thakore (Tarakdi, his tempo no. GJ17 T 7121); 6) Bhagvan Bhai Sabur Bhai (*sarpanch*, Koyla village); 7) Babubhai Patel (Yoka); 8) Nareshbhai Patel (His commander jeep no: GJ17R92); 9) Kanku Bahen Dalabhai (Gangta, runs hotel at bus stand); 10) Malivad Nanabhai Bhurabhai (runs hotel near Ganga petrol pump); 11) Patel Rameshbhai Bhaga Bhai (driver of private vehicle); and a crowd of 250 under the leadership of above-mentioned accused.

ANJANWA AND LUNAVADA

Five villages around Lunavada in Panchmahal district witnessed a series of attacks on the Muslims living there. The trouble started on March 1 and recurred on March 2, 3 and 5, 2002. In Anjanwa village, Santrampur *taluka*, two people were burnt to death. A total of 11 people were killed in Anjanwa village, including men, women and children. In all, there were about 39-40 Muslim families living there. Their houses were torched and the survivors all ran away. Here too, there was evidence of preplanning; the telephone wires had been cut off so that there was no communication for 10 days. There was no bus service, no newspapers, and even the police could not come to Anjanwa.

Anjanwa is a village with about 40 Muslim and 500 other families. All except three Muslim families have about 2 to 3 acres of land in the village. The Hindus (all backward caste, mostly Baria) and the Adivasis also have land. Muslims have lived in this village since Santrampur was a princely state. The settlement is scattered, with each family having a house on their own agricultural land. The Muslim houses are, in fact, 2 kilometres away from the main road. Vehicles can only go up to a point on the

undulating *kaccha* road in the village. The houses are only accessible on foot. The sprawling village is surrounded by hills on all sides.

With no communication facilities, Anjanwa had no news of the Godhra incident. On March 2, two Muslim shops belonging to Idris Abdul Sheikh and Burhan Abdul Sheikh were burnt. The owners used to commute from Lunavada so were not there at the time. On the morning of March 3, a mob of 500 men came from the east, armed with weapons and beating drums. They burnt the *masjid* and then the Muslim houses. They went off at 3 p.m., only to return at 6 p.m., accompanied by a frenetic beating of drums, and shouting "*Maaro! Kaapo! Baalo*!" (Kill! Hack! Burn!"). They stayed until the early hours of the next morning. According to the *sarpanch*, Jaisinghbhai Danabhai Ghori, one of the attackers was wearing a helmet, while some others had covered their faces. They were dressed in shirts, trousers, boots, socks; and one of them was carrying a camera bag.

The Muslims, who had been hiding in the hills during the attack, returned in the early hours of March 4, after the mob left. They approached the *sarpanch*, who called the Congress MLA (an Adivasi) of the area on morning of March 4, who in turn informed the police. The police said they would send a force. When it did not arrive, he tried the police again and was shuttled between the *mamlatdar* and the PSI, each of whom said it was the other person's responsibility. The police van finally did arrive at around 7.30-8.00 p.m. on March 4. However, some villagers told them that nothing was wrong, and, unable to see signs of the attack from the main road, the police returned to Santrampur. On the morning of March 5, the *sarpanch* once again made frantic phone calls to the Santrampur police station, and was told that a van would come to collect the villagers. He asked the Muslims to assemble in the village high school so that they could leave immediately after the police came.

In the evening, two sets of mobs came from opposite directions and attacked the waiting Muslims. As the Muslims ran in different directions to save themselves, sections of the mob followed them. Forty-two-year-old Rukaiya Gafur and her two daughters were not able to run fast enough. They were surrounded by the mob at one end of the village. Rukaiya was brutally hacked to death with swords. Her body was thrown into a dry well (known as Wazir Amdu's well). Her two daughters, aged 13 and 1½, were also attacked, but managed to survive. Two men, one over 75-years-old and moving slowly with difficulty, as well as another, too ill to run, were also caught by the mob. They were burnt alive in the fields. The bodies of Rukaiya and the two men were recovered on March 6, when the collector and SP visited the village.

Some women and small children who were unable to escape were *gheraoed* by a section of the mob near the *sarpanch*'s well. They were attacked with swords and *dharias* and 11 of them were thrown into the well. The women were gang raped before they were killed. Three women managed to survive in the crevices of the well and were pulled out later by the army, which arrived on the evening of March 5. Eight others, who had been hacked and thrown into the well, died. These included 4 children. Their bodies were pulled out on March 6.

The army took the survivors to Godhra and Lunavada camps on March 5. Some

people who had hidden in the fields and hills around Anjanwa were rescued on March 6. The victim-survivors have identified 27 men from Anjanwa and from surrounding villages as persons who led the mob. The Muslim fields are now deserted, their houses burnt. Those cattle which have not yet been taken away by other villagers, roam stray. With many of the killers at large, the victim-survivors, like those in Pandharwada, are unwilling to return to their homes. Two FIRs were lodged in the case and some arrests have been made on the basis of the names of accused given by the survivors.

Most of the victim-survivors from these villages lived in the camps in Lunavada. The problem faced by around 40 families who owned 200 acres of land and some small shops is acute. Locally, the VHP had openly told them that they should withdraw VHP names from FIRs. The VHP refused to attend the reconciliation meetings held by the collector. Here, the police recorded one FIR to cover 20-25 villages. Where there should be one complaint for every house burnt, there is not even one complaint for every village, instead, a single complaint for several villages.

The organiser of the Lunavada camp, Yakub Pashuk, deposed in depth before the Tribunal. He spoke about the meticulous pre-planning that went into the attacks. He said that the method the attackers used was that they cut up people, and threw some chemicals on them, which burnt the bodies in such a way that even bones were not found and there was no evidence. The police simply refused to record detailed complaints of the crime.

Munafbhai Akbarbhai Shaikh (43), from Anjanwa village, spoke of the violence on March 3, the day that they pulled down the *masjid* and looted and burnt all the homes. This witness's tractor and cow were burnt and he saw an armed mob of 5-600 persons looting and burning houses. They were shouting, "Kill! Chop!" This witness, along with others who had escaped, fled the village and, fearing for his life, stayed outside on March 4 and 5. They came back to the village at 8 o'clock in the night and gathered in the Gujarat high school. The *sarpanch* of the village, asked them to wait, and assured them that he had informed the police who had promised to come. But the police betrayed them and did not come. However, the *sarpanch*, a Hindu, saved them. With no police in sight, the mob returned. The witness said that there were 200 people who appeared from the east and they were shouting "*Ram Chandra ki Jai!*" Seeing them, Muslim men and women ran off into the forest. As they were going westward, the sounds of another mob shouting "*Ram Chandra ki Jai!*" could be heard from the west. Since the mob on the west was closer, the Muslims ran back and the women hid in the wheat fields surrounding the village. Some of the men in the mob chased them. The women who were caught were beaten up and thrown into the well. Some children who were crying were throttled and then thrown into the well. The witness said that both mobs consisted of 200 persons each and that, in all, 12 persons lost their lives. Men and women ran helter-skelter to save their lives. There was a third mob in the jungle and one old man, aged 60, was killed, then doused with kerosene and torched. Munafbhai's brother recognised those who assaulted this man as people from the village. This witness suffered damage amounting to Rs. 7 lakh but has received a cheque of Rs. 35,000.

Muslims witnesses from Anjanwa had not yet returned to the village when they met the Tribunal. The police *chowki* is located barely 15 km away from the village and if

they had performed their duty lives would not have been lost, women would not have been raped, homes would not have been burnt and the *masjid* would not have been destroyed. According to the *sarpanch*, he had informed the local MLA, and minister Prabhatsingh Chauhan, who said that he had informed the PSI. However, when the police reached the village, they said that the MLA had not given them any information telling them, instead, that the Muslims of Anjanwa were safe and so there was no need for them to go there. On March 6, the witness submitted a complaint of the crimes to the DSP, the collector and personally to the Santrampur police station.

In Anjanwa, there were a total of 5-600 homes, of which about 40 belong to Muslims with about 210 Muslim inhabitants. The persons killed, including 4 persons from Munafbhai Shaikh's family are: Saeeda Hanief, his cousin's wife, Tayyeba Shabbir, her son Mehfooza Shabbir and daughter Razia Shabbir; Zubeida Faroukh, her 2-year-old son Adnan Faroukh and Rukaiya Gafur. They were all thrown into the well after being killed. All the women who were killed were gang raped first.

The accused: One of the accused is in the army, Salam Hawa (who was arrested and then released); Kanu Dalpa; Rai Singh Mula; Balu Kalu (they are Barias, i.e., OBCs). Rupa Soma, one of the main accused, is an Adivasi.

It was only after all these people were murdered that the army arrived from Godhra on March 6 and it was only after that that the police came from Santrampur. They called out to all the people to come forward because the army had arrived. It took them as long as 1½ hours to round up all the people hiding in the jungle. Then the victim-survivors, including women and children, were put into cars and taken to the camp.

A major complaint of this witness as well as others from Panchmahal was that, the collector only visited when a big delegation came.

Hanifa, another eyewitness and survivor from Anjanwa, who deposed before the Tribunal, lost three brothers, Kalu Gulab, Abbas Gulab and Oomer Gulab, to the marauding mob which attacked them as they were going to pray at the *masjid* on Friday afternoon, March 1. She described how one of her brothers was cut into four pieces, the other into three, and the third was hit and killed with a sword. This witness, who was at the Godhra camp, relived the sheer terror of running in the jungle, without food or water for 4 whole days, while the mob tried to find them. She said that had the army and police not finally arrived on March 6, even she would have not survived.

ATHAWAWALA

Witnesses before the Tribunal said that in Athawawala village, Muslims were being openly told by prominent persons from the village if they wanted to return they must accept the Hindu religion. In this village the well-planned attack began from the February 28, when witnesses who deposed before the Tribunal saw that the aggressors leading the mobs were carrying a complete list detailing all the Muslim houses and where they were located. Witnesses also said that it was with the help of this list that the mob attacked Muslims homes and carried out arson with explosive materials. For example, one of the techniques used by the mob, as one eyewitness attested, was that

some people from the mob threw a burning tyre filled with fire-crackers so that they would burst and set the surroundings/persons on fire.

From the voluminous evidence collected by the Tribunal from this district, the Tribunal was learnt that 193 persons from the Panchmahal district were burnt in this gruesome fashion. However, out of this staggering number, compensation was received for only 75 who were identified. For the remaining dead there is no evidence, no bodies and no remains because of the technique of burning — the chemicals used and the intensity of the fire that followed. The Panchmahal police recorded no individual complaints, despite being duty-bound to do so. There was gross dereliction of duty on part of the Panchmahal district police. Later, victim-survivors and camp managers faxed, or sent by registered mail, any number of FIRs from individual victims regarding individual crimes such as killing, rape and arson. Despite proof of these complaints having been sent, and notwithstanding the fact that a Supreme Court judgement on the subject requires that such complaints be treated as FIRs of the crime, the law and order machinery simply refused to take cognisance of the magnitude of the crimes.

Many witnesses from these regions expressed pain and resentment at the low rate of compensation awarded for burnt and destroyed homes by the government. They asked the Tribunal a pertinent question: If a person who has lost human beings, his house, his business, his homeland, if, after losing all this, the compensation given to him is Rs. 5,000, can he ever rebuild his life?

Witnesses also expressed deep anxiety about their future safety and the law and order situation in Gujarat. Even in the camps, people experienced deep insecurity and terror, constantly fearing more attacks. Children, women and men suffered deep mental trauma. Economically, in just 2 or 3 villages in this district alone, Muslims have lost 200-300 acres of their land. They expressed fear that this land may never come back to them.

ATTACKS ON THE HIGHWAY FROM DAILOL TO KALOL

At about 4 p.m. on March 1, 2002, thirteen people were brutally killed and three women raped, when a tempo driven by Firoz Rasulbhai Shaikh, carrying 20 men, 11 women and 11 children, all Muslims from Dailol who were fleeing towards Kalol, was attacked by a large Hindu mob near Ambika Society, on the outskirts of Kalol. The mob had blocked the road using barrels, stones, heaps of sand and a car. In attempting to escape, the tempo skidded and overturned. As people fell out of the tempo, 13 of them (5 women and 8 men including the driver) were killed by the mob with swords and *dharias* amidst shouts of "*Maaro! Kaapo! Baalo!*" ("Kill! Hack! Burn!") The mob then burnt the dead bodies along with the tempo. The rest of the Muslim men in the tempo managed to escape. The children begged the mob to spare their lives by falling at their feet. The children and the surviving six women then ran on the road towards the Goma river, a part of the crowd chasing them. The fleeing women received severe sword injuries as the 15 odd attackers swung their swords at them. While the other women were able to run some distance further, the attackers caught

hold of a woman (name withheld) who was also carrying her 3-year-old son with her. Her son fell down and watched, crying loudly, while his mother was stripped and raped. The woman lost consciousness after she was raped and, chopped with a sword on her left leg. The men then left her for dead. The victim's aunt, Haleema Reshma Abdul, was hiding in the bushes nearby and is an eyewitness to these happenings. When the woman victim-survivor regained consciousness, she was left with only the top of her salwar-kurta. The two, the woman, her son and her aunt then moved towards Dailol. They went to a Hindu's (Baria) house where her husband had left their 11-month-old daughter earlier while fleeing. It was only here that she got dressed, and after which the two women and two children hid in the fields for two days. Then on Monday, March 4, they managed to reach the Kalol camp. No medical examination was possible in the circumstances, and none was conducted. Eyewitnesses state that Mumtaz, another woman from Dailol, who died in the attack, was killed as she was fleeing from the tempo. But she was not sexually abused.

Survivors recognised some of the attackers and have named them in their complaints, which were submitted to the Kalol PS. The manager of People's Bank, JP Shah, the owner of Vijay talkies, Jaggubhai, were amongst the attackers. This incident, of the burning of a tempo near Ambika society near Kalol, is part of a combined FIR in which three other incidents have been clubbed together. The FIR mentions only 10 killed while according to eyewitnesses at least 13 persons were killed and two were raped, with one rape victim surviving. No crime of rape is registered with the police despite written complaints, and it does not even find mention in the combined FIR. Two persons have been arrested in connection with the tempo attack. None of the main accused have been arrested.

BORU

Boru is a village in Kalol *taluka*, about five kilometres from Kalol. It has about 165 Sunni Muslim households and an equal number of Hindu households. It is the only village in its immediate neighbourhood with any Muslim presence. Among the Hindus, Barias are the largest in number with about 70 households, followed by Christian Vankars (50 households). There are also a sizeable number of Harijans, Banjaras, Bharwads, Naiks, and a few households of Brahmins, Sutars and Solankis. About one-fourth of the Muslims have some land, while another fourth are agricultural labourers. The rest run small shops or are engaged in trades like autorickshaw driving and masonry. Some of them have manual jobs in the Gujarat Industrial Development Corporation (GIDC). All the Hindus have agricultural lands.

One of the leaders of the attacking mob, Shankar Sinh Chandrasinh, has 40 acres, a tractor, tubewell etc. He lost the recent Panchayat elections to the Congress *sarpanch*. He announced a boycott of Muslims for supporting his opponent politically, and is said to have gone round villages mobilising people to attack in revenge.

On the night of February 27, 2002, a meeting was held at Chatra Singh Khatubhai's house to plan attacks on Muslims. The attack was launched at 9 p.m. on February 28, when people from neighbouring villages around Boru came and burnt a paan-beedi

cabin. They saw the Muslims patrolling the *masjid* so they went away. At about 6.30 p.m. on March 1, a mob of about 6,000-7,000 men from the neighbouring villages of Bhadruli Buzarak, Bakrol, Kalol, and Boru ki Muvadi came to Boru and were joined by residents of Boru village. The mob first looted and then burnt Muslim houses as well as the *masjid* and *madrassa*, shouting, "*Maaro, Kaapo, Baalo*!"("Kill, Hack, Burn!") all along. The Muslims fled to the fields, where they stayed all night and all day until the evening of March 2. Noor Mohammad managed to flee to Kalol with his family and informed the Kalol Muslim *Panch*. They in turn reported the happenings to the Kalol police station, after which they received help from the Kalol camp. A group of 40-45 people were left behind in the fields. At 10 a.m. on the next day, a few of them went to the *sarpanch*, Raju Baria's house to ask him to phone Halol. When they went back to the fields, they were followed by a group of 30-40 people. As they were running, Shamsuddin Majeed Bhai Balim fell down and was killed with swords and *dharias*. The others managed to run away, and reached Kalol through a circuitous route. The rest, who were hiding in the fields, were rescued by the army on March 3.

The local police refused to accept the common complaint that the Boru Muslims tried to file on March 5, 2002. The complaint was then sent by registered post. They have not got a copy of the FIR. The police at Kalol police station did not attempt to meet the victims, even though the station is just across the road from the refugee camp.

After the attack, the homes of the Muslim villagers were reduced to shells. The Kamal Baba Dargah, some distance away, was broken and the villagers say that a photo of Hanuman was initially installed there. That was later removed but the writing "*Jai Hanuman*" and "*Ram*" was still written across its walls. An annual *mela* is held at the Dargah, where both Muslims and Hindus from as far away as Bombay congregate. During this *mela*, traders (including Hindus) do business of approximately Rs.1 lakh every year. All this has also been affected by the violence.

MALVAN

In the case of this village, two points of special note are: the role of the police and the authorities at the time of the attacks and, later, at the time of achieving a "*compro*(mise)". By May, most of the residents had either moved back after compromising and signing affidavits or were in the process of doing so. Relations between Muslims and Hindus were cordial. There has been no history of any communal violence in Malvan in the past. This is the first time anything like this has ever happened in Malvan. But of late the village had a strong presence of the VHP, RSS and Bajrang Dal.

On February 28, 2002, a rally was organised by the Bajrang Dal and VHP at 4.30 p.m. The whole village had gathered there. After the rally, at 6:30 p.m., the first attacks started. The first structures to be attacked and destroyed were a concrete *chabutra* built to feed birds (a Jain traditional structure which had been rebuilt by the Muslim community) and then a *madrassa*. Three houses and shops near the bus stand were attacked after this, but no lives were lost.

By evening all the Muslims had left the village and gone into hiding in the nearby hills. Between Thursday (February 28) night and Friday (March 1) morning, they called every official they knew for help, and even met some high authorities of Panchmahal district. Then they came and lodged a complaint in the Santrampur police station. Police assured them of help and dropped them back to Malvan on Friday morning.

They also went to contacts in all political parties, who said, "If you have a problem, go to the police." When they went to the police station, they were told that they have to go to back to Santrampur. When the violence started, on March 1, they were told that there were not enough policemen to provide protection. The response they received from the police was "*orders agay se hai*"("there are orders from above"). By 3.00 p.m. on March 1, the crowds started gathering again so the Muslim residents left their homes and fled to the hills where they remained in hiding. 25 *pucca* houses and all *kaccha* houses belonging to Muslims were burnt down. The furniture and everything of value was looted first; the remaining consigned to flames. The damage is estimated at at least Rs. 2.5 crore. The major businesses belonging to Muslims have already been destroyed and some areas, where the Muslims had their shops/*galas* have been taken over by the Hindus in the village. There is no scope for any sort of recovery of this usurped space. On March 2, people gradually returned to the village. The same persons who were roaming the village with swords the previous night, offered them tea even as they were sitting in front of their burning houses. A retired CBI officer helped them and they escaped to the Santrampur camp on March 2.

An FIR filed by six persons from Malvan named 16 attackers. During the peace meetings which were conducted between the Hindu and Muslim communities and the state representative, a formula for compromise was put forth. It was agreed that the Muslim residents would prepare affidavits withdrawing the names of the culprits that they had included in the FIR and state that they had been misled and were wrong. The FIRs would stand against unidentified mobs from outside, and, in exchange, these people would be allowed to come back and not be attacked. These affidavits have already been filed and people have started moving back. The vulnerability of these people is perhaps epitomised by a news report published in *Sandesh* (May 9, 2002), which stated that the Muslims had wrongly named innocent Hindus and have now taken them back. The report goes on to name the Muslims who have taken back the names as well as the Hindus whose names have been taken back.

MOTA SARNAIYA

About 393 people from this village escaped with their lives on March 2, while all their belongings were looted. After hiding in the jungle for a whole day, they were taken by the army to the camp in Santrampur. They have lost all their belongings.

This village was in a somewhat unique position. These Muslims were not ready to return to their village. They said that they would rather die than go back to the village. All the residents were agreed on this and refused to go back at all despite the fact that there was tremendous pressure on them, as is on all other displaced people, to go

back. They requested that they be settled in Santrampur. The community is in dialogue with local administration on this issue however there is no result in sight.

Evidence collected through testimonies reveals that the women had their clothes torn apart. However, the residents of this village categorically refused to talk about sexual assaults on women. It appears clear that their experience of the mob attacks as well as the fear of assault on women are some of the reasons why these people did not want to go back to the village at all, even though they have been living in Mota Sarnaiya for 5-7 generations. There is a deep silence about the fears that make these people so adamant not to return. There is also a feeling of deep isolation from the other villagers. When the attack took place, the Muslim villagers ran to their Adivasi neighbours for shelter. They reported having had good relations with their neighbours before the attacks began, but who now said, "Who would protect people like you?" Now they have been told by the other residents of their village that if they want to come back, they must "live and behave like us," and not build any *masjid*s or *madrassas*.

Not everyone has received compensation for their destroyed houses so far and the amounts that have been received are highly inadequate. They have made a written complaint naming 10 perpetrators of violence in their village. Despite their initial reluctance to return, the Tribunal has been informed, that by May 21, the men had returned to clean up the houses and the families were also preparing to go back.

SANTRAMPUR

This small town and its surrounding villages are at the border of Panchmahal and Dahod districts. The team from the Forum against Oppression of Women and Awaaz-e-Niswan who visited Dahod, submitted testimonies about the camps in this town to the Tribunal.

Santrampur town has a mixed population, with 80% of the buildings belonging to members of the Muslim community. Hindus and Muslims stay in totally mixed areas. Muslims own most of the shops rented to Hindu shopkeepers, so those have not been damaged. There is no strong RSS or VHP presence in the villages. However, Muslims in the villages on all four sides of Santrampur were targeted for attack. The vast majority of physical attacks and destruction of property occurred within a 10 km radius of the town of Santrampur. Violence began in earnest on March 1 and lasted until March 3, 2002. The attacks lasted for roughly 20 days. An estimated 2000 people were affected in the Santrampur area. The relief camps in Santrampur housed about 2,000 people from March 1-17, a number that later reduced to 1300. As some people are in the process of moving to their villages, this number is also decreasing. Several hundred villagers from Vajiakhut (all 16 houses of Muslims were burnt): 78 people (23 men, 18 women, 37 children); Sant (old city of Santrampur): 326 (99 men, 83 women, 155 children); Navi Vasahat: 181 (46 men, 48 women, 87 children); Mota Sarnaiya, 18 km from Santrampur, toward Sukhsar: 393 (127 men, 108 women, 158 children) , Malvan: 167 (49 men, 45 women, 73 children); Jala Sag: 14 (4 men, 8 women, 7 children); Kadana: 346, had taken refuge in the camps.

By May 1, the central camp had been removed and some people had returned to their villages or to their relatives' homes. The remainder were housed in different structures within the village, i.e., a school, a cattle-auction market yard, and one or two rooms in buildings in the town. Living conditions were extremely poor, with no access to medical attention, no income to purchase basic necessities, and complete reliance on rations whose distribution was slow and quantity inadequate. There were three smaller camps in Santrampur, housing people from Navi Vasahat, Mota Sarnaiya, and Sant.

The camp in which the 400 people of Mota Sarnaiya village were staying until May 2002, is actually a market place, full of cow dung and flies. It was in a terrible state. They did not have tents, or any cloth/mattresses to spread on ground. There was also no electrical connection and thus no fans or light. They had been using some water from a bore-well since the water tankers came to this camp at an average interval of 15 days. They had started cooking their morning meal in the camp itself. The evening meal was taken along with everyone else in all the other camps. Many children and women looked extremely ill and weak. They also needed medical, especially gynaecological, services.

Sant village is actually the old city of Santrampur. There were around 326 people from Sant at the relief camp, who were housed in semi-constructed buildings in the town. They arrived here on March 1, and no one had gone back since. Most of their houses and shops, which were burnt and looted, were in front of the police *chowki*. The police helped the mob break open the locks of the shops and houses and actively encouraged the mob to carry out looting. Today, all the shops and houses belonging to the Muslim residents of Sant have been looted and burnt. The army only arrived on March 3, when all had been looted and everything had been reduced to ashes.

In those cases where they have received compensation, these people, too, received extremely inadequate amounts of compensation, and refuse to go back until the guilty are punished and some accommodation and security is provided to them. Some residents who have been injured, have filed complaints and have mentioned individual attackers by name but no action has been taken against anyone so far. The pressure on them, to arrive at a compromise and take back the names, is extreme.

On February 28, in **Diwada Colony**, 11 km from Santrampur, Masood Mohammad Hanif Sheikh, a handicapped boy, was killed by a mob. A number of the persons responsible were identified and FIRs lodged, but as of early May, only one had been arrested. In this incident a mob descended on the house and demanded that the women of the house be handed over to them. When the family refused to comply, they set fire to the house. People managed to run away from the house, which had been set on fire, but the boy who was trapped inside, was attacked and killed. Diwada Colony is close to **Mandi Mohri**, from where another death was reported.

PIPLOD

Piplod is a town in Baria *taluka*, with a large Muslim community. Among the non-Bohra Muslims, the number of total affected households here is 190. On being attacked, the people from here escaped in different directions. In early May, some of them were still at the Dahod camp while others were in Godhra and Baria. On February 28, 2002, several meetings of *Hindutvadis* took place in Piplod. They notified the *sarpanch* of the adjoining villages that all the Muslims of this village would be burnt alive and Piplod would be destroyed. When this news reached the Muslim community, they asked the *Hindutva* leaders to tell them the truth about their plans to kill Muslims. The leaders only told them that they would have to pay for what they did. The Muslims then repeatedly asked for police protection, but the police also said that Muslims would have to pay for what they did and left the area. On the evening of February 28, at around 4 p.m., some timber depots were burnt and when Muslims were trying to put out the flames, the leaders of the mob threatened to set them on fire. So the Muslim leaders went home. Ten to twelve depots were burnt by mobs led by Ketan Parikh, Prithvi Puwar (*sarpanch* of Guna village), Bhuderbhai Mulabhai (ex-*sarpanch*), Salia Manubhai Valabhai (*taluka pramukh*), Pradipbhai Manabhai, Sunil Rameshchandra Soni. Under the leadership of these people and other businessmen, the mob rushed forward to set the whole village on fire.

The mob burnt six buildings, several shops as well as cabins, belonging to Muslims on Randhikpur Road. When some Muslims tried to talk to the mob, they were also attacked with a round of rifle shooting. Meanwhile they approached the *mamlatdar* and the province officer of Devgarh Baria, who in turn announced a curfew. As the announcement was being made on a microphone, one of the local Hindu leaders, Sureshbhai Gangaram Darji broke the microphone and told the officers that there was no need to impose curfew in this village and that Muslims must pay for what they have done. Thereafter, both the *mamlatdar* and the province officer left for Baria.

At around 10:30 a.m. on March 1, Ketan Parikh assembled the Hindu leaders from surrounding villages in front of his house and stated, in public, that all the Muslims should be killed. He asked them to come around 10 p.m. that night, with people from their villages. He gave them arms, swords, *dharias*, bows and arrows, and some bottles of chemicals, and the mob left. At around 2 a.m. the mob started setting fire to the village chanting, "*Ketanbhai zindabad.*" By this time, other *Hindutvavadis* staying in the Muslim area, had, en masse, shifted elsewhere. The fierce mob started throwing stones and arrows at the Muslims to force them to leave the area. The Muslims pleaded with them to stop the assault and asked for police protection. The police turned them away, saying that they had received no order so far, and they asked the Muslims to leave the village lest the mob should kill them all. The Muslims feared that the police would also be joining hands with the mob.

Then the *sarpanch* of Panchela village, Ranchhodbhai Aahir, was informed about the attacks and told that Muslims had no protection, whereupon he offered them protection in his house. By that time, the mob had already started throwing stones

and burning houses and *masjid*s on Baria road which is the *basti* where a large number of Muslims stay. Muslims from other parts of the town had also gathered in the big *masjid* and in the houses there. They all decided to leave the village and go to Panchela, even though they could not get police protection for their journey. They were stoned on their way to Panchela, and were again stoned on their way to Dahod, despite having police protection for this leg of the journey. They received a few minor and a few major injuries on their journey. After that, no Muslims were allowed to enter the village. Ten days later, when Idrismian Kasammian Malek, went to check the condition of his house, he was burnt alive near the old bus stand, using petrol.

Two months prior to the violence, when the BJP lost in the local elections, Muslims were warned by some men, "Though you helped the Congress to win this time, our time will also come. And then we will loot you and play *khoon ki holi* (spray blood)." Their names are Vinod Khemchand Agarwal, Rashmikant Rasik Soni, Gopal Amrutlal Soni, Anilkumar Hashmukhlal Jayswal, Sureshbhai Gangaram Darji, Chandubhai Vishanudas Nathani, Sunil Rameshchandra Soni, Mukesh Manilal Darji, Ashok kumar Kantilal Solanki, Sunilkumar Govindlal Shah.

Although complaints have been registered with the DSP and the collector, Muslims were being told that if they wanted to live in their village they should not list any names or else the attackers would kill some more of them. They got similar answers at the police station. They were also told that if they identified their looted property as their own, they would not be allowed to stay in the village, or that they would be killed. They had registered 28 complaints with the police but no steps had been taken until May. The 44 families from Piplod who were staying at Dahod relief camp wanted to go back to their village. They had started cleaning up the houses and some, whose houses were liveable, were already staying there. In a number of places, where Muslims had their shops, Hindu shops had taken over. Getting them to move and reclaiming their space is another thing for which people from Piplod were fighting.

LIMKHEDA

Limkheda village in Limkheda *taluka*, has a majority Hindu population with approximately 50-55 Bohra and 20 other Muslim families. Bohras have textile and other shops and the other Muslims have small shops selling soaps, toothpaste, etc. Some of the Muslims are butchers by profession and many young men plied autorickshaws.

About 6-8 weeks before February 27, 2002, a list of all Muslim households and properties in the village was prepared by persons led by a local VHP leader, who is a development officer in LIC, Limkheda. He had been instigating people, saying things like, "These Muslims do not allow the *mandir* (in Ayodhya). They should be killed."

On February 27, trouble began in Limkheda. At about 3 p.m., a Muslim truck driver was beaten up and a motorcycle belonging to a person from Randhikpur, was burnt at the bus stop. Later that afternoon, Muslims were forced out of buses and beaten up. *Dupattas* of women were pulled as the mob was chanted obscene slogans. At about 7 p.m., protestors came out onto the streets and started urging shopkeepers to close their shops.

One Bohra man was murdered in Limkheda on February 28. Ten persons from Limkheda who were escaping to Pandu Gaon in Kalol *taluka* were killed as they were walking to Pandu village from Dailol station. Two children from this family were in the Godhra camp. *(see section on Dailol)* Everything in the houses was looted, including refrigerators, cots, fans, electrical fittings, grills, doors, and windows. Later, ceilings were damaged and houses burnt down. Most of the looted items are now in neighbouring houses and police stations. Complaints were filed but no action was taken against the culprits. Thereafter, the attackers put saffron flags in front of the houses, along with a board saying "*Jai Shri Ram!*." The *masjid* has also been destroyed and they have written "*Shri Ram!*" inside. Some people from the media had come to film all this, but the people in the village did not let them shoot. In Vakdi village, a church was also destroyed. The priest had been attacked about six months previously. In early March, only been looted. Then, around the March 8-10, the houses were also burnt and then destroyed. Though the walls are still standing, they are in a precarious condition and could collapse any time because building foundations have been fully destroyed. Some families suffered losses of at least Rs. 15-20 lakh. They were now staying with relatives in Dahod and had received only Rs. 12,000 as compensation and no cash dole (for immediate relief). In Limkheda, the HLL agency suffered a loss of Rs. 50-60 lakh. Though everyone had made compensation claims, few received any. The *taluka* officials were completely unresponsive. A meeting with the *mamlatdar* and others was held. They told the Muslims, "You have to live here so forget all that happened and don't register any complaints with names."

MOTI BANDIBAR

Incidents of violence in Moti Bandibar village in Limkheda *taluka*, were similar to what happened in the rest of Limkheda *taluka*. The population of the village is about 4,000, of which 260 are Muslims, including about 45 Bohras.

Violence started around 6 p.m. on February 28. The *sarpanch*, along with some other villagers came and told Muslims to leave their houses. They came to the *basti* near the police station. Here, the Muslim villagers were assured police protection. About 150 people shifted to one Hindu house that offered protection. The others ran away to the jungle.

The first thing they attacked was the *masjid*, at 6 p.m. All the fans, utensils etc. were looted. The minarets and the Koran were burnt. The *maulvi* was burnt alive. Then the *basti* near the police station was completely looted and two houses were burnt. After that, even the house of the Hindu who had offered them protection was burnt.

Police vehicles came to the village at about 4 a.m., picked up the 150 people who were hiding, and dropped them in Limkheda. By about 7 a.m. on March 1, they reached Dahod and stayed there, in the relief camp. The people who had run into the jungle also came to Dahod by about 3 p.m. that day. Of the people who ran to the jungle,

one was killed by a sword. FIRs had been registered in both cases of death. For both deaths, a cash compensation of Rs. 40,000 was received, but, the bonds for Rs. 60,000 had not been received till May.

The previous collector had the refugees moved back to Bandibar. There were around 25 to 30 Muslims living there in May. Others had not returned because they were scared. People who had land and houses in Bandibar wanted to go back, but those who worked as casual labour did not.

Anand

ODE

Twenty-six persons were burnt alive in Ode village in Anand district, which falls under the Khambolaj Police Station area on March 1, 2002. Violent incidents from this village, however, were reported from February 28 itself and these continued until March 2. Statements from two victim survivors placed before the Tribunal say that the authorities have admitted only six deaths since the remains of only six persons were found, while the rest were disposed of at unknown locations. Two FIRs have been lodged at the Khambolaj Police Station. The first is C.R.No.23/2002. U/s. 302, 148, 149 etc. and the name of the complainant is Rafiq Mohammed Abdulbhai Khalifa. The second complainant's name is Rehanaben Yusufbhai Vohra (C.R.No.27/2002). She was an eyewitness to the gruesome arson and killing. Twenty-two accused were arrested.

Ode village is called an NRI village. There are many rich traders here with tobacco businesses. Around 200 homes in this village, belonging to Muslims who worked mainly in the tobacco fields as agricultural labourers, were concentrated in four pockets — Sarewali Bhagol, Malao Bhagol, Pirawali Bhagol and Ode Nawabpura.

Witnesses explained that over the past five years, frequent attempts were made to pick fights with Muslims on any pretext to escalate tension between the two communities. Two months before the carnage, the RSS/VHP had called a meeting at the house of Haribhai Valabhbhai Patel, after which posters of the VHP and RSS were visible everywhere. Throughout this period the Hindus kept claiming that Muslim boys had been teasing and troubling Hindu women. Since then, Hindus had been meeting in the fields. When asked, they would reply the meetings were work related.

On February 28, following the Godhra incident, there was a lot of tension in the village. On March 1, people did not even go to the mosque for the morning *namaaz*. A little later, some people — Harishbhai Valabhbhai, Vasantbhai Poonambhai Patel, Natubhai Sanabhai Patel among them — went to a Muslim *mohalla* and told people there not to be overly worried by a rally that the Hindus were planning. Rally there was none. Instead, around 2.00 p.m., an over 3,000 strong mob armed with petrol bottles, stones and petrol bombs came screaming, "*Maro! Kapo!*" They hurled abuses,

calling the Muslims '*bandiyao*' (a derogatory term used to address Muslims), urging people to kill them and burn their houses.

The frightened Muslims, many of whom had locked themselves inside their homes, were warned not to come out. Most Muslims fled their houses and ran out. But 30 persons who stayed paralysed in their houses were locked in by the mob from outside. The houses were then set on fire with petrol and kerosene. Two men managed to run away albeit with serious burns, leaving behind 28 people — 7 were young girls, two elderly women and the rest men.

Rehana Yusufbhai Vohra's family had keys to the house of a Hindu friend. They ran and hid there for three days without food or water. Escaping from there subsequently, they walked to Sureli camp, which was quite far for shelter. From her hiding place, Rehana had witnessed these 28 people being burnt alive.

The four Muslim *mohallas* were simultaneously torched. The two mosques and five *dargahs* in the village were all burnt and destroyed using LPG cylinders and bombs. By the night of March 2, after the four Muslim *mohallas* with their 200 houses, shops, *dargahs* and mosques had been burnt to the ground, a bulldozer was used to level the land. What were once bustling Muslim *mohallas* now looked like open grounds.

As the attacks continued, in desperation, some people from the village contacted Farid, a Congress worker from Sureli, to come and rescue them from the village. Farid enlisted the help of the police. Along with PI Bowa, he took a tempo and transported the first batch of Muslims to the safety of Sureli. On the way, some miscreants riding on motorbikes tried to chase them and set fire to the tempo. But the tempo managed to speed away. After dropping the first batch of people at Sureli, Farid tried to return to Ode to get more people out. However, the approach road had been blocked with a tree, so he had to return to Sureli. Fortunately, the remaining people did manage to escape, except for a little boy and his old grandfather, Sayed Ghulam Husain, who could not walk properly. The boy managed to hide, while his grandfather was burnt.

Those involved in the violence in Ode village have been identified and named. According to the statements of the witnesses, leading the mob were Dilipbhai Valabhbhai Patel, Chotubhai Ranabhai Patel, Prakashbhai Jamnadas Patel and Hemand Kumar Rathod. Harish Vallabhbhai carried a petrol can, Nantubhai Sana carried a long stick (*bhala*) and Basant Poonambhai had a can of kerosene and a *kankda* (fireball), Lalabhai Bakoorbhai carried *dharias* (sickles). Also in the mob were Ghanshyambhai Ambala, Devendrabhai Harshadbhai Patel, Prakashbhai Jashbhai Patel, Dilipbhai Sanabhai Patel and Girishbhai Somabhai Patel.

The victim-survivors have also named those involved in obstructing the safe passage of affected people to Sureli. They state that the mobs arrived in the vehicles of Haribhai Valabhbhai Patel, Ganesh Panwala Odhi (ex-*sarpanch*) and Ashabhai Patel (ex-*sarpanch*). People who were leading the mob were Godabbhai Patel, Arvindbhai Patel, Anil Kumar, Niranjan Kumar (Bobo), Arvind Ramabhai, Raoji Satarbhai, Rajubhai Samabhai and Chotabhai Ramabhai Patel, the last two from Dakoravad and Das Bungla. Chotabhai Ramabhai Patel was the one who set Sayed Ghulam Hussain on fire.

The local police did help some of the people escape to Sureli. Their help was organised

by Farid, a Congress worker from Sureli. After the incidents the police arrested 23 Hindus. Sixteen of them were eventually released and the remaining seven were sent to jail. From the statements presented before the Tribunal and local reports, it is clear that local Hindus were heavily involved in the rioting, burning, looting and killing.

A BJP ex-minister, Dilipbhai Mani, and his personal secretary Maheshbhai Raojbhai Patel had taken on the responsibility of assisting with the legal defense of the accused. Two bail applications were filed on behalf of the accused before the sessions court. The judicial magistrate, first class, Umreth, rejected the remand application even though the crime has been classified as not just grave but heinous. A revision for remand had been made by the police before the sessions court, Anand.

During the pendency of the remand revision application, 18 of the accused were released on interim-bail for eight days, to celebrate the Shivratri festival! Later, 16 of the accused who were part of the unlawful assembly that committed the heinous crime of burning alive 28 persons were released on regular bail by the sessions court, Anand. That this action of the lower judiciary had generated a sense of injustice and outrage among the victim-survivors and other Muslims was communicated to the Tribunal.

The refugees from Ode village were staying in the Sureli camp. Some time after that, they moved to other areas. There is, however, no question of their returning to the their own village.

Mehsana

The Tribunal recorded 64 oral and written statements from Mehsana. This district, too, saw two brutal massacres in the first bout of post-Godhra violence. One of them was at Sardarpura village, in *taluka* Vijaypur, where, in a single attack, 33 Muslims were electrocuted to death, 29 of them from one family. In the other case, 11 Muslims were hacked and burnt to death in Visnagar town, a *taluka* headquarter.

VISNAGAR

On February 28, 2002,11 family members of two Khan brothers were hacked and some burnt thereafter, in one of the Hindu-predominant localities, Deepda Darwaza, in Visnagar town, Mehsana district, leaving just three survivors – Yusufbhai Khan, his nephew, Pathan Arif Khan Yakub Khan (13) and his niece, Noorjahan Yakub Khan (11). Those killed included five women, one man, and five children. One child was only 6-months-old. The two surviving children saw their family members being hacked and burnt with their own eyes.

With a deep sense of hurt and pain, Yusufbhai tells everyone that even till the last minute he had believed that the attackers were all neighbours and would not kill his family members. Engaged in wage labour or petty shop-keeping, the Khans lived in a small cluster of huts in Hindu-predominant Deepda Darwaza.

Witness Morad Khan (45), a trader from Deepda Darwaza said that in his *mohalla* there are over 800 Patel (Patidar) houses and some 20-25 Muslim houses. On February 28, at about 5-6 p.m. about 200 Patels of the *mohalla* got together. Their leaders were Lalitbhai Ladhabhai, Dahyabhai Madhabhai, Babubhai Purshottam Patel. Under their leadership, all the Muslim houses in the *mohalla* were looted and torched. What was far worse, 11 members of the witness' family were cut up and some were burnt thereafter. At the peace meeting held three days later, he pleaded for the remains of his deceased family members but they refused.

The attackers cut the dead bodies of some victims to pieces and stuffed them in gunny sacks that were dumped in the pond on Kada Road. The police later recovered the bodies. The attack started at around 2.30 p.m.; the police, who were called repeat-

edly, finally arrived only at 5 p.m. The trapped Muslim residents were rescued only after that. *The Times of India* reported on March 12 that with the retrieval of two bags filled with bones, a few skulls and remains from Malap Pond, where the sewage from Visnagar gets collected, the district police had traced the remains of all 11 persons reported missing from this area.

The witness had named 65 persons in his complaint but not one of them had been arrested till May. Later, eighteen persons were arrested and then released. "All of them are from my locality, not just from the village." Moreover, according to Yusufbhai, they were arrested in connection with smaller offences committed earlier. SP A Gehlot (now transferred) had sent the victims' remains for examination to the Central Forensic Science Laboratory. The accused include Daya Purushottam, Babubhai Purshottam Patel, Ramesh Daya Madhabar; the person accused of supplying arms to the killers is the BJP MLA, Prahladbhai Mohan Lal Patel Ghosa.

There were about 100 Muslim families living in all of Visnagar constituting a tiny percentage of the town's total population. Apart from the massacre of the11 family members, elsewhere in the town, too, Muslims suffered substantial devastation and casualties. A violent Hindu mob of about 10-12,000 people attacked the various Muslim clusters on the afternoon of February 28. The attackers were armed with swords, *dharias* (sickles), sticks, acid, petrol, lighters and country-made bombs.

In another part of Visnagar town, Kaziwada, one Ashrafbhai was attacked with a sword. His sister Zainabbibi and neighbours Hanifbhai and Yunusbhai Mansuri took him in a handcart to the civil hospital. Thereafter, Yunusbhai disappeared and has not been seen since. Zainabbibi, Hanifbhai and Ashrafbhai were taken to the third floor of the hospital and thrown down from there. While Hanifbhai and Ashrafbhai died, Zainabbibi, who was alive, was dragged up the stairs and thrown down again. Acid was then poured on the bodies, and they were also slashed with swords. Noor Jehan, a witness, was in the hospital when this happened. According to her, all the attackers were outsiders; there were 50-60 attackers who had entered the hospital and killed the three persons.

In another locality, Khada Darwaza, about 15-20 Muslim men and children were injured in an attack. As the mob approached this locality, about 100 women hid in a house, while the men tried to resist the attack by hurling back stones. The confrontation continued for about 2-3 hours.

According to the survivors, the local MLA, Prahladbhai Mohan Lal Patel Ghosa was the main instigator. He had organised several meetings in the town and had been heard announcing a reward of Rs. 5 lakh for every Muslim killed and guaranteeing that there would be no case or imprisonment.

Witness Imran Haniefbhai Behlim, a vegetable vendor in Visnagar, lost his father in the violence. Some persons from a mob killed his father, Haniefbhai Dawoodbhai Behlim, with a sword on February 28. "There were 15-20,000 people in the mob but I do not remember anyone's names." His father, who was taking someone for medical treatment, was killed just outside the hospital. The police did not give him any protection but fired at the family when they were taking the deceased for burial.

Several hundred Muslims from Visnagar who have fled to Sawala were too scared to go back. The 84 autorickshaws that they plied for a living are now idle as it is dangerous for the drivers to ply them. Students who attempted to go to school continued to be threatened by groups of 10-15 people. As late as early May, sporadic incidents of attacks on Muslims continued to take place. They recognise some of the attackers, all Patels. According to them, even Patel women participated in the attack, throwing stones on Muslims from the roof tops.

SARDARPURA

Muslims constituted about 10 per cent of the total population of Sardarpura, in Mehsana district, which included about 25 families of Pathans, 20 of Sheikhs (Ghanchis) and about 20 families of Mansuri Muslims. On February 28, 2002, at about 9 p.m., several kiosks owned by Muslims, Harijans and Rawals were burnt in Sardarpura by a mob of local Hindus. The police were called but the attack continued even in their presence and even after they had left. Fearing further attack, the Muslims again called the police the following day. Led by two sub-inspectors the police arrived in two jeeps. The idea of forming a peace committee was mooted and names of people from various communities were short-listed. A meeting was fixed for 4 p.m. Apart from the *sarpanch* and an ex-*sarpanch* (both Patels), representatives from Harijans, Rawals, Prajapatis and Muslims reached the venue but the Patels stayed away. The *sarpanch*, too, left the venue shortly saying he would try to get the Patels. He did not return.

An electrician promptly repaired the streetlights of the village, which were not working for about a month prior to the incident, that evening. A halogen light was installed near the colony of the Sheikhs and a long wire was attached to the same point. By 9.30 p.m., a Hindu mob from 8-10 villages started collecting in Sardarpura. All the three Muslim localities (of Pathans, Sheikhs and Memons) were simultaneously attacked. While shops were being burnt in the localities of the Memons and the Sheikhs, houses of the Pathans were stoned.

The two sub-inspectors were still in the village when the attack started. Making excuses about going to the other end of the village to stop the attack on the Memon shops, they disappeared and gave inaccurate feedback to the SP that everything was all right in the village. In the Sheikh locality, a two-year-old girl child was flung and killed by the mob. Some of the Muslims ran to the Rawals' houses for shelter; together with the Rawals then ran away through the fields. One person saved himself by hiding in a grave.

Thirty-one people, mostly women and children, had taken shelter in a house in the Sheikh locality. The mob surrounded the house, locked them all in a room, and threw acid at them from outside. An iron rod, attached to the loose end of the live wire was then shoved inside the room packed with Muslims. This instantly electrocuted 29 persons to death. Two children who fell beneath the pile of bodies somehow survived the attack.

Finally, after receiving desperate pleas from trapped Muslims on phone, the SP, A Gehlot, reached the village with two vehicles at about 2.30 a.m. The Sardarpura sur-

vivors were rescued and taken to Sawala village. The police found that the roads out of Sardarpura were blocked at frequent intervals up to Ladol, 9 km away, to prevent the Muslims from escaping. An FIR was lodged and 28 persons named by survivors. One of the chief accused, Chandra Kant is a Bajrang Dal activist. As of early May, he had still not been arrested.

KADI

Kadi town is one of the *taluka* headquarters of Mehsana district, situated about 50 km from Ahmedabad. The town has approximately 35 per cent Muslims. February 28 witnessed mob attacks on different Muslim inhabited areas and Muslim commercial establishments in the town. In all, 56 shops were set afire, four *dargahs* damaged and one mosque was destroyed. The police registered 18 FIRs covering the different incidents in the town. In one of the FIRs, prominent persons of Kadi, including Ramesh Bachhubhai Patel, a municipal councillor, were named as accused. All the 13 accused were arrested on March 25. The very next day, the SP was transferred. It was alleged that the transfer was punitive since he had refused to toe the government line. The chief minister refuted these allegations and justified the transfer as a promotion. However, on the very day of the transfer, the 13 accused were released from custody. Gujarat cabinet minister Niteen Patel hails from here.

On March 28, there was re-escalation of tension in Kadi when the persons released led a victory procession *('shobha yatra')* through the town, accompanied by a frenetic beating of drums. The next evening, a small mob set fire to a kiosk owned by a Muslim and pelted stones at Muslim properties. By 10 p.m., a 500 strong mob started an attack near Kinara Talkies. Another mob attacked the shops owned by Bohra Muslims in Vorvad area. The Bohras repulsed the attack and stone pelting between the two sides continued for some time. A police party used tear gas to disperse the Bohras. Through the night, 45 Bohras and 25 Muslims from the Kasba area were arrested. Muslim women staged a demonstration outside the police station on the morning of March 30, demanding the release of those arrested. The women continued their protest despite *lathi*-charge and the use of tear gas by the police. Finally, the 70 arrested people were released.

Following the violent incidents of the previous night, a BSF party arrived at Kadi in the morning. Both the SP and the collector were present in the town when the mob attacks resumed at around 10.30 am. Until 1 p.m. different group of attackers targeted Muslims settlements. The major attack occurred at Kalalwas, a locality inhibited by 100 Ghanchi Muslim families and 300 Patel Hindu families. The mob came armed with firearms, explosives, swords, and *dharias*. A posse of 8 policemen posted at Kalawas remained mute spectators.

At 11 a.m., Razak Vazir Kalal, a fruit seller, received four gun shot wounds. Fortunately, he received medical help in time and survived. In his statement to the police, he identified one Amrit alias Dada as the one who opened fire as well as other leaders of the mob. All the Muslim residents of Kalawas tried to escape to other localities.

Mohammed Javed, who worked as a cleaner, was fleeing with others when stones were pelted at them. He was trying to avoid being hit when a bomb was hurled. He tried to stop it with his hand and it exploded. His hand was blown off at the wrist. The residents kept making desperate phone calls to the SP and the BSF commandant but to no avail.

Curfew was declared at 1 p.m. but by then 36 houses in Kalawas were destroyed by fire and the rest had been looted and damaged. Around 3 p.m. one house was set on fire in the Sahdwas locality. Two hours later, the house owner, Ismail Ghanchi (70), went to look at the damage. An eyewitness had accompanied Ismail and identified the attackers, who included the local president of the Bajrang Dal. The BSF, which was deployed by the district administration at 5 p.m., staged a flag march and violent incidents ceased.

In their complaints to the police, the victims had identified over 125 persons from the mob. Only one FIR was registered for the entire period, and covered all the different incidents listed above.

Dahod

Dahod is close to Panchmahal district where Godhra is located. Bifurcated from the Panchmahal district, and close to the Rajasthan border, this district experienced acute violence and killings during the post-Godhra carnage. The first attack began on February 28, 2002 itself, the day after the Godhra tragedy, suggesting levels of pre-planning before the attacks took place. The destruction of property was so focused that it leaves no ground but to conclude that this was a pre-planned and co-ordinated operation carried out with military precision.

In Dahod district, the affected villages are Sanjeli, Vansia, Mandli, Kakreli, Picchoda, Anika (Jhalod *taluka)* and Dungarpur (Limkheda *taluka*.) Every single household and business establishment belonging to the Muslim community was looted and burnt in villages such as Sanjeli, Sukhsar, Piplod and Fatehpura.

Sanjeli has the largest number of Muslim households, (there are 89 Bohra houses in Sanjeli alone), with 311 families occupying 400 houses. Amongst the Ghanchi community, there were 1,921 affected persons from Sanjeli alone.

On the first day, the attacks were aimed at Muslim properties located either in Hindu-dominated areas like the market places or on the village outskirts. This initial foray was a mere warning of things to come — a build-up to what was to follow. Not much damage was done that day, and the mobs were not large. The same day, Hindu houses in Muslim *bastis* were marked with saffron flags or pictures of Ram and Hanuman or with crosses. Significantly, some places reported that this marking was done a few days before February 27.

In most places, the attacks started in the afternoon of March 1, 2002. For three days, Muslims were forced to flee, leaving everything behind. In every village they first tried to take refuge in the *masjid* or the few concrete houses that belonged to Muslims, but in many places, these were attacked and set on fire. Most people managed to flee in vehicles or on foot but in every case they were chased and attacked. Trees were felled to obstruct those fleeing from the clutches of frenzied, armed mobs.

Although some managed to reach "safer places", many were caught by the mobs, and dismembered, murdered and burnt alive. Women were stripped, and physically

and sexually assaulted. Some of the dead bodies have not been found. Some people were killed or died while fleeing and were finally buried only when a "safe" place for the living, and the dead, was found.

RANDHIKPUR

In Randhikpur village, Singvad post, there were 71 houses belonging to the Muslim community, in addition to which there were 14 grocery shops, *paan* and various other Muslim owned businesses. There is a mosque and a *madrassa* in the village. On the night of February 28, 2002, at around 2 a.m., a mob of around 400-500 people, led by the below-mentioned accused, targeted this section with cans of petrol and diesel.

They first looted and then burnt four Muslim houses. The mob returned around 8 a.m. the next morning, with lethal weapons and material to carry on looting and burning. In addition, they also torched the mosque and the *madrassa*.

The crowd returned at about 10–11 a.m. on March 1, and looted and torched the remaining houses. In addition, a lot of livestock, about 200 cows, goats, bullocks etc. were stolen. These incidents were witnessed by the entire Muslim community from afar. The FIR was sent to the SP and collector by fax.

The mob was led by the following accused: Rameshkumar R. Chandana (*sarpanch*); Shailesh C. Bhatt; Mitish C. Bhatt; Pradip Ramanbhai Modhia; Naresh Ramanbhai Modhia; Govind Hukam Rawal; Jaswant Rawal; Gopaldas Babulal Shah; Shreepal Ajablal Jain; Vikas Subhash Jain; Gopal Dama Rawal; Govind Varsing Bilwad; Radheshyam B. Shah (lawyer); Ashish B. Shah; Bhagubhai Kuvar Shah; Kesar Khima Vahomia; Rajukant Modhia (came with jeep no. 3605); Mukesh Pawar Vanjara; Umeshkumar Shah (doctor); Maukabhai Mansingh Guniji; Raju Chhagan Harijan; Shankar Chhagan Harijan; Mafat Moghilal Prajapat; Harshad Kantilal Patanwadia; Natu Dala Parmar; Bharat Raval; Dave Raju Magan Maharaj; Khicha Vahomia; Pankajkumar Naran Luhar; Ashok Naran Luhar; Raju Karan Vanjhara; Mangalbhai Mogilal Prajapati; Pradyumbhai Majisaivik (came in car no. GJ-17-7-5728); Gopal Prakash Modhia; Jignesh Prakash Modhia; Dilip Manalal Darji; Vijaykumar Ramanlal Modhia; Harish B. Shah; Manish B. Shah; Kambhai Lalit Bairyawala (tailor); Dilip K. Chandana; Kanti Kadakia Shilot; Lakshman Bhabor (Dasana); Natu Dhirsingh Sangada; Bharat Dhirsingh Sangada; Kambhai Master (Dasa); Padamsingh Labana Bandibarwala; Kamleshkumar Manharlal Dave; Pramukhkumar Bhagabhai Dabgar; Rajubhai Babulal Soni; Mahesh Suvalal Shah; Budhabhai Shamabahi Bilwad; Umeshkumar Gopikrishan Shah; Nileshkumar Anadilal Shah (teacher); Rajeshkumar Anandilal Shah.— all named in the FIR, are residents of Randhikpur. From outside Randhikpur there were: Jaswantbhai Patel (Chhapan Road, Limkheda *taluka*) came in his car; Mahendra (driver, Chhaparwad) came in car No. GJ-17-C-2853; Narsingh, *sarpanch* Dhamanbhai (from outside).

Witnesses from Randhikpur who deposed before the Tribunal said that until the evening of February 28, there was no apparent tension in the village. One survivor, told the Tribunal that it was late in the evening of February 28 when the wife of

Mehmoodbhai Majod started shouting to alert other Muslims because she saw that fields had been set on fire. Muslims from the village ran to the mosque, which was being attacked. Although there is a police *chowki* in the village, where the victims did appeal for help, the police just did not come. With no help forthcoming, the Muslims from Randhikpur fled the village and escaped to a hillock close by. After hiding there for a few hours, they walked to Chunadi village nearby, where the Congress MLA, Bijalbhai Damor lives. After a drink of water here, they then left for Kujaval village, where they took refuge on the terrace of the local mosque.

For the next three nights and four days, the Muslims lived in abject terror. Each night they would hide in the hills, and during the day, they would go on foot to the next village, seeking water and shelter. Women and children went without water and food. Unable to take it any more, they returned to Kujaval village, where one pregnant woman whose baby was due, gave birth to her child. Seventeen persons stayed back at the village with her. The rest, about 150 persons, including children (but no men) left that night, to go to Chunadi village where the Congress MLA lived. They appealed to him to do something for them, saying that their children would die of thirst and hunger. They had gone without water and food for four days. He organised a vehicle for them at around 4 p.m. on March 3. They first went to Limkheda, and then, four days later, on to Godhra. The witnesses had been in the Godhra relief camps ever since.

They chose not to go via Baria because, that very day, four Muslims had been killed on the road to Baria. They were hung from a tree, doused with kerosene and burnt alive, screaming. The witness' nephew, (her brother-in-law's 18-year-old son), a father of five and two other young boys were the 4 who were killed on the road to Baria.

Another witness, who was part of another group of persons fleeing from Randhikpur village, testified about their escape. She said that a mob started pelting them with stones, after which they torched the houses with tyres. Though two companies of police, with guns, came from Limkheda, they did not fire on the attacking mob. The Limkheda police told the victims to flee if they wanted to stay alive. When the police said this, and seeing how the police were allowing their homes to be burnt before their eyes, this group of Randhikpur residents rented a tempo, and headed towards Baria. They went hungry and were without water for two days

On the way, at Hawanti, a crowd of 200 to 300 people stopped them. They were carrying weapons like sickles, axes, swords and sticks. They stopped the tempo and went after them. Half the persons in the crowd surrounded the witness' 25-year-old son, Kalu Razzak Ibrahim Shaikh, who had got separated from the others, and killed him as the rest of his group watched. After killing him they burnt him. The witness, a mother of two sons, lost one of them this way. She was then beaten up and her arm was broken. Her younger son was beaten unconscious and his backbone was broken. "I don't know which weapon I was beaten with but my whole body was bleeding. We were rescued later and given water to drink."

When the Tribunal recorded this witness' testimony, two months after the tragedy, her misery was palpable. A widow, she had been living at the Godhra camp with her

younger son, torn apart by the fact that her other son's body had not been found, for her to perform the last rites. She said many persons were killed in this attack but the exact number was difficult to state because everyone was running helter-skelter. She had lost consciousness. None of the witnesses from Randhikpur had dared return to the village until May. She had received no compensation until then.

The testimony of a 19-year-old woman, a victim of sexual assault and rape, along with that of her neighbour, was placed recorded by the Tribunal. Both residents of Randhikpur, they were interviewed at the Godhra relief camp on March 22. They were set upon by a mob just outside the village, on the highway going towards Baria, as they were fleeing on February 28. Fourteen persons from the witness' natal and marital family were butchered and killed — 7 from her father's family and 7 from her in-laws' side. Women and young girls were raped before being killed. The witness' 3½-year-old daughter was brutally killed after being swung on a sword. This witness was also a victim of gang rape. She survived because she was mistaken as dead, on a heap of other dead bodies. The victim was five months pregnant when she was so criminally assaulted. The family had stayed behind in Randhikpur because of the impending delivery of her cousin.

This victim has filed an FIR: "On February 23, it being Id, I had gone to my mother's home with my little girl. On February 27, because of the incident at Godhra railway station, there was tension and violence in the surrounding villages. In order to save our lives, at about 10 o'clock on the morning of February 28, a total of 16 people from our house — I, my two sisters and two brothers, our mother, my little girl, my maternal uncle, my paternal aunt and her husband and their daughters — left Randhikpur for Baria on foot. When we found out that there was violence everywhere, we stopped at Bijal Damor in Chuddi village. Around midnight, we went and hid in the Kujaval mosque.

"The daughter of my paternal aunt who was pregnant, gave birth to a girl there. Around 10 o'clock the next morning, we went to Khudra and stayed with Adivasis for two days. Two days later, early in the morning, we came to Chhaparwad. We were walking down a *kaccha* road to save our lives. While passing between two hills, two vehicles came in the direction of Chhaparwad and Randhikpur with 30 to 40 people in them. This included Shailesh Bhatt, Raju Soni, Lala doctor, Govind Nana, Jaswant Navi, Lalo Vakil, who is the son of Bhagu Kuverji and Kesar Khima, Baka Khima Vasava. All of them are from Randhikpur so we recognised them. The others were from Chhaparwad, whose names we did not know, but whom I would recognise if I see them.

"All had lethal weapons in their hands — swords, spears, scythes, sticks, daggers, bows and arrows. They started screaming, 'Kill them, Cut them up!' They raped my two sisters and me and behaved in an inhuman way with my uncle and aunt's daughters. They tore our clothes and raped 8 of us. Before my very eyes they killed my 3½-year-old daughter.

"The people who raped me are Shailesh Bhatt, Lala doctor, Lalo Vakil and Govind Nana, all of whom I know very well. After raping me, they beat me up. Having been injured in the head, I fainted. They left, assuming I was dead.

"After two to three hours, when I regained consciousness, on seeing the corpses of my family members, I was terrified. I climbed a hill and stayed there all night.

In the morning, when the police came to know about this attack, they came to take the corpses and found me alive. My clothes were torn so they brought me some clothes from the house of an Adivasi staying at the foot of the hill. Then they brought me to Limkheda and from there I was brought to the relief camp at Godhra.

"The above-mentioned people raped my deceased sisters and me, as well as the daughters of my maternal uncle and my paternal aunt. They killed all the people except myself. For all these reasons I say that legal action should be taken against the above-mentioned people."

The accused are Shailesh Bhatt, Raju Soni, Lala doctor, Govind Nana, Jaswant Navi, Lalo Vakil, who is the son of Bhagu Kuverji and Kesar Khima, Baka Khima Vasava (all from Randhikpur).

SANJELI

Sanjeli in Jhalod *taluka*, has a population of around 550 Hindus and about the same number of Muslim families. For two full days on March 1 and 2, 2002, a 10-12,000 strong mob armed with swords and guns wreaked havoc in the village. Thirteen to fourteen people were butchered. The local police did nothing. 550 Muslim families from Sanjeli shifted to Dahod camp for shelter. Sanjeli was cordoned off for two whole days. It was the Dahod DSP who took the survivors to the camp in his car. In the villages of Dahod, 2,500-3,000 strong mobs went on the rampage.

On February 28, there was no trouble in the village. The next day, on March 1, after the afternoon *namaaz*, the mob came and started throwing stones. They also attacked the houses on the outskirts of the village and burnt some of them. All through the night they created trouble outside the village.

The next day, on March 2, a large crowd, maybe 15-20,000 people, entered the village. They set fire to shops, houses and vehicles and attacked the Muslims. They carried guns, bows and arrows, *dharias* (sickles), swords, *trishuls*, and they were shouting slogans and hurling all kinds of abuses. The sort of slogans they shouted were, "Musalmans go to Pakistan, Hindustan is ours."

The police did not do anything to stop the mobs. At that time, one person died in private firing by the mob. All over the village, the mobs had set things on fire. Then the SDM came and ordered a curfew in the village and talked to the villagers. The Muslims were told to go inside their houses and, because shoot at sight orders had been given, they went inside. The curfew, however, was not implemented and the mob kept up the attack in the presence of the local police and Home Guards. The mobs were not dispersed or asked to leave.

Much later, the SP came and spoke to the Muslims, and said that if they wanted to be safe, they should move to Dahod. He personally escorted them out of the village to Dahod. Even when the Muslims were fleeing the village in vehicles, there was stone throwing and private firing all along the way. While taking them to Dahod, the

SP put his own life at risk, too. On the way, one of the vehicles had a punctured tyre near Rayaniya village. Four people were burnt alive here. Two of these were women, who were raped and then burnt. Due to the stone throwing and the suffocation, many people lost their lives while fleeing.

Even after all the Muslims had left for Dahod, the destruction continued. They removed all the windows and doors from Muslim houses and destroyed the houses completely. The Hindu houses were saved because they had been marked with a cross or saffron flags that were put on them previously. To date, the local police have not taken any action against those responsible.

After the people left the village, every house and shop was burnt and looted. All the religious books were burnt. The *masjid* and *madrassa* were also completely destroyed. There are obscenities scratched on the walls. Inside the *masjid* it was written, "Hindustan is for Hindus and Muslim should go to Pakistan." On the walls, the names of Hindu Gods were written. The *masjid* was dug up inside, all the *minaras* (minarets) of the *masjid* were broken and it had saffron flags mounted on it. There is one church in Sanjeli, which was also destroyed in the same manner. It is now completely bare and a saffron flag has been mounted on top. All the surrounding trees were cut and the garden was completely destroyed.

The VHP, Bajrang Dal and the RSS have been running membership drives in these areas. They have opened and have been running new *shakhas* (cells) since 1995. Before this too, in 1998, there was violence against Muslims in the villages of Sanjeli and Randhikpur. In 1998, on August 14-15, Muslims from Randhikpur and Sanjeli were threatened, traumatised and boycotted. They had to live outside their villages for 2-3 months. A leaflet distributed at the time propagated the relentlessly divisive strategy of these groups. *(See Annexure 11 Hate Writing, Volume I).* Fact-finding teams from the PUCL and other local groups, who visited the area had also published a report of the same. There had been an incident where two Adivasi women, one of whom was married, had eloped with two Muslim men from Sanjeli and Randhikpur. The VHP and the Bajrang Dal used this incident to incite the local Adivasi community in these villages against the Muslim community. At that time, four years ago, the villagers had finally returned to their houses, which were not looted or damaged in the manner that they were this year. The eloped couples were found, a police case filed and settled later.

In Sanjeli there are still some Dalit and Adivasi women who have married Muslim men and live with their husbands. This has always angered the RSS and Bajrang Dal. This time round too, the VHP has been demanding that any Adivasi women married to Muslims should be handed back to their organisations. They are also demanding that the children of the Dalit women who are married to Muslims should be handed over to them.

Evidence placed before the Tribunal records statements of Muslim residents of Sanjeli that this kind of mobilisation had been consistently going on in the village before the attacks. Just three months prior to the recent attacks, for example, there

were huge meetings in which the VHP and Bajrang Dal had announced that "Sanjeli will Burn." And burn it did.

Three months later, this town looked like some ghostly archaeological sight. In lane after lane, all one could see were rows of houses that had been completely devastated. There were no roofs and no walls; everything had been burnt, with not a shred of anyone's belongings being visible. Every house had been stripped to the ground.

In one lane in the midst of these ruins, there were two Hindu houses, which had saffron flags fluttering and Ram and Hanuman written on them. These houses were intact, undamaged. Even the paint on the outer walls looked untouched by the destruction all around. If one raised one's head to look beyond these lanes, then one saw life going on uninterrupted in other houses.

Many women and men recounted that when they were fleeing the mobs in tempos and trucks, many people were gathered alongside the road with stones and threw them on the people in the trucks, tempos and jeeps from the surrounding hillsides. Almost all had some sort of injury, several were severely injured in these attacks and many died in this nightmarish escape. They also recounted how not all people could escape in vehicles so many escaped into the jungle and walked to Dahod for three days without food and water, several with young children.

There was extensive sexual abuse of women. However, there was a great reluctance to talk about these incidents on the part of women victim-survivors. It was only alluded to in the case of women who had been killed. "Only we know and our Allah knows what we have lived through." However, they did recount, repeatedly, how the two women who had been pulled out from the tempo while fleeing were raped and then burnt.

Among the accused identified by the villagers, there are many who were also responsible for the brutal attacks against Christians in 1998. The accused named here are Dalsukhdas Maharaj, Mukesh Nandkishor Purohit, Jagdish Premchand Jain, Dimple Occhavlal Desai, Vijaysinh Dalpatsinh Raolji, Prakash Jagannath Dhobi, Ramchandra Ghanshyam Agrawal, Digvijaysinh M. Chauhan, Vaktabhai Salabhai Khant, Chandubhai Prajapati, Ramesh Maharaj (Nenki *sarpanch*), Shankar Kotha Prajapati, Bhopat Luna Prajapati, Chadiya Ghala Harijan, Prakash Shomabhai Raval, Popat Somabhai Raval (driver), Mansingh Ravat (Picchhoda), Shashikant Mahida, Pardhibhai Kamabhai Marel, Dalsingh Bhagabhai Marel, Tajsingh Bhundabhai Marel, Ashok Bhoi.

The residents of Sanjeli have made a consolidated written complaint and also attempted to file individual FIRs with the police. The police made a general FIR for the village and did not include any of the names of the accused in it. They did not register any individual FIRs and no action was taken against anybody. The police also added something in the FIR against the Muslim community, which was not there in the complaint submitted by the residents. The police record said that some Muslim people attacked a few Adivasis whereupon the crowd got out of control and attacked the village. No such incident had taken place and this was a complete fabrication. The Muslims made an affidavit correcting this in court. All these documents were submitted to the Tribunal.

In **Vasia** village, there are only 12 Muslim homes amidst 200-300 homes belonging to Adivasis. On March 2, between 8 a.m. and 10 a.m., a crowd of 3,000-5,000 attacked the Muslims and started looting but the 12 Muslim families somehow managed to escape. The Dahod police station has not registered an FIR.

FATEHPURA

Fatehpura and Karodia in Fatehpura *taluka*, are not two separate towns - they are almost like one settlement. Together, these towns have a total population of about 6,000. The Muslims in these areas did not have a separate locality as such. Their houses were scattered all over the town, on different roads like Ballaiya Road (also known as Karodia), Ukhreli Road, Ghooghas Road, Jhalod Road, Main Bazaar, Palod Falia, Naik Wad, and Talav Falia. In all, there were about 200-250 affected Muslim families from Fatehpura. When the Tribunal visited the place, some of the families were staying with relatives in an adjacent district of Rajasthan.

About 200 Bohra persons were also staying in separate localities in Dahod and Lunavada. The total affected population from Fatehpura and Karodia, was1,920 people, including around 200 Bohra Muslims.

The violence here took place from February 28 to March 4, 2002. Four people were killed. A 65-year-old man who was mentally ill (Mohammad Ishabhai) was burnt alive and two others (Yusuf Mohammad and Ahmad Karim) were stabbed to death when they tried to intervene and prevent aggressive violence on women. The fourth death was that of a 3-year-old child who fell and died while people were being taken away in an over-crowded vehicle.

At around 8.30 p.m. on February 28, a mob of Hindus from the village came to the main bazaar area near the mosque and shouted slogans and threw stones at the mosque and at the people. Threatening slogans were also shouted.

On the evening of March 1, one house was looted and burnt and more than two vehicles were burnt and destroyed on Ukhreli Road (which is about 2 km from the main village, on the outskirts of Fatehpura). There was verbal abuse and physical harassment of women. In Fatehpura proper, a mob from the village came and shouted and made a lot of noise, threatened people and then went away. The identification of Hindu homes, by putting some Hanuman/Ram photographs and posters on them, took place at that time.

At 9 a.m. on March 2, curfew was clamped in the town. Witnesses say that a police patrol car with two policemen in it drove up and asked people to go into their houses. At this point the mob was still some distance away. After this round by the police patrol, a large mob approached. When the mob entered the village, the police was nowhere to be seen. People's perceptions of the size of the mob varied from 8,000 to 20,000, but it was clear that the mob was large and the attackers were both from the town and from outside.

The mob surrounded the whole town and started looting and destruction from one end of the village. Since the houses were scattered, people ran out from there, to-

wards the bigger, concrete houses. About 500 people took refuge in one such house in the main bazaar. Similarly, about 100 people hid in a house on another road. Some people hid in the mosque until the mobs reached there and then fled to the police station. One or two families were also sheltered for a day by an Adivasi family near the town. In the night they were then sent to the police station, since the family who had sheltered them were also in danger.

The 100 people who had taken refuge in one of the houses, hid there from 9 a.m. to about 3.30 p.m. This house was set on fire and people managed to escape only after they broke through the roof and came out on the roofs of neighbouring houses. As the women came out, many of them were stripped and harassed. It is certain that one woman was raped. It is probable that there were more instances of rape as well but the victims and others are reluctant to be identified or talk about it. Finally, the people who got out of that house then managed to reach the police station, where they all took refuge, on the evening of March 2.

On the same day, in another part of Fatehpura, people from around 15 households took refuge in a concrete house. At about 12 noon, a mob attacked them. They were surrounded from all sides and then the mobs entered the house. They snatched away all the money and the jewellery, and kept up a constant spate of verbal and physical assaults on the women, saying, "Give us all your young women and girls. We will take them." There were about 30 women and 10 children, and several men as well - they kept pleading, "Please take away our money, our jewellery, our houses, but leave the women alone."

About two hours later, the women were dragged out of the house and their clothes were stripped. The children were snatched from their hands and flung aside, as a result of which, some of them were also injured. Then, in front of the house, and in full view of the others in the area, these women were sexually assaulted by the mob. The three men who came out to protest and intervene were killed. The other men were also warned and told not to intervene, and were hit. This went on for 3 hours, until 6 in the evening.

Meanwhile the concrete house, which was supposed to be safe, was also set on fire from the front and the back. Petrol was poured on the house and on the people inside as well. People escaped by walking over burning doors as they collapsed. All of them had severe burn injuries. The women who had been abused were left to flee, violated, hurt, bruised and naked, and doused with petrol. There were several thousands of people around. These women had been repeatedly raped and assaulted in full view of their children, men, the neighbours, and the mob on the road. The police station, where all the Muslims had fled for refuge, is almost a kilometre away from this location. These women had to walk all this distance, naked and brutalised, and no one, not even the women who were very much a part of the watching crowd, gave them anything with which to cover themselves. Trying to cover themselves with rags (*chindis*), some leaves on the road, whatever was available, they managed to flee to the police station.

The police station was filled to overflowing, with almost 2,000 people, and there wasn't even enough room to sit. So most of them just stood there from the evening of

March 2, to early morning on March 4. During that time, some water was given to the children once, but otherwise everyone just stood there without anything to eat or drink. There were 4 or 6 policemen at the station. The police did not allow them to go out and did not try to help them in any way at all. In fact, the police said that if people did go out, then they would not be able to stop the mob from killing them. In silence, pain and terror, these people waited, standing for two days, until help arrived. The inhuman treatment suffered by the residents of Fatehpura, and the sheer inaction and indifference of the local Fatehpura police station, amounts to nothing short of criminal negligence of duty for which immediate action needs to be taken.

In the time that these victim-survivors were at the police station, the mob continued looting and burning and destroying all the property belonging to these people. This continued for over two days and it was early on Monday (March 4) morning that the police escorted most of the people out of Fatehpura, crammed together in police and other vehicles. The vehicles were overcrowded and there was barely place to stand. It was during this journey that a mother lost her grip on her 3-year-old, and the child fell down and died.

The people were then taken to the Rajasthan border, where they were handed over to the Rajasthan police. The child who had died was buried in Rajasthan; no post-mortem examination was done, so no compensation was paid for the death of this child. Some of the fleeing people also had relatives in Rajasthan. It was only after they reached Rajasthan that they were given some food and water, and also received some care and attention from other people. After being deprived of it since Saturday morning, they got their first taste of food and water at around 3 a.m. on Monday morning.

The behaviour of the Rajasthan police contrasted sharply with the treatment meted out within Gujarat. The victim-survivors stayed in Rajasthan for ten days, until March 13. The areas in Rajasthan where they were kept were: Galia Court, Gadhi, Pratapgarh, Shergah, Sajjangarh, Kalinjra, Kasarwadi, mostly in the Banswada district. They were helped by the Rajasthan government as well as its people.

On March 13, the collector from Fatehpura came to take the victim-survivors back. The women did not want to go back to Fatehpura at all. The men agreed to go because they were told that they would lose out on their land and property compensation claims if they did not return. The collector also assured the people total safety. He and police officials said that they took full responsibility for their safety and that no harm would come to them. The women were told that they were being taken to Jhalod, but were then tricked and brought to the camp at Fatehpura.

Months later, there was still a huge schism between the non-Muslims and Muslims at Fatehpura. According to evidence before the Tribunal, the women who were abused were being specifically targeted and were being mocked by all the others. They were also being threatened, that the same thing would be done to them all over again if they tried to go back to their houses. They did not at all feel confident about going back to their homes. They had not been able to go back to their *mohalla* at all as tension still prevails.

SUKHSAR

The majority of Muslims in Sukhsar, Fatehpura *taluka* belong to the Ghanchi community. Prior to the beginning of this round of anti-Muslim attacks, there were 605 people belonging to the Ghanchi community living in Sukhsar, with a total of 110 buildings, and 70 people belonging to the Dawoodi Bohra community, with a total of 14 buildings. Sukhsar had sawmills and brick making *bhattis* owned by Muslim people.

No communal incidents had ever occurred in Sukhsar prior to February 28, 2002. People also reported living without discrimination before. However, statements of witnesses did mention specifically that from 1992 onwards, the VHP and Bajrang Dal had been distributing saffron flags at various meetings and been distributing provocative (anti-Muslim) literature to surrounding areas. This affected business and the general attitude of Dalits, tribals and other working class people toward Muslims.

One month before the Godhra incident, efforts were visibly underway to instigate tribals against the 'Muslim exploiters' (most traders in the area were Muslims) and also to create a fear psychosis, warning them about an impending communal attack by Muslims. Under the pretext of the Godhra massacre on February 27, witnesses stated that the Durgavahini, Bajrang Dal and VHP had gathered Dalits and tribals at around 5 pm on February 28. They started breaking and looting shops, buildings, vehicles and then set them on fire in the bus stand area. Muslims in the area feared attack at night.

Between February 28 and March 1, Muslim leaders made at least 300 phone calls to the district collector, CD Rathod and the SP, Jadeja, to ask for protection. On March 1, people went and personally met the *mamlatdar* and the police inspector. The PSI had recently been transferred to the area. One witness claimed that this was significant, as the previous PSI would have been opposed to these attacks, and would have done more to protect the Muslim community in the town.

On March 1, at 12.30 in the afternoon, around 5000-6000 Dalits and tribals who were instigated against Muslims surrounded the Muslim *basti*, which has mostly properly built cement houses and saw mills, and three entry points. The residents of the *basti* were frightened by this sudden attack and asked for police protection. The police claimed that violence was happening all over Gujarat, "so how can we give you protection?" And "We have orders from the Gujarat government not to give any kind of protection to Muslims."

Muslim community members pleaded for the second time for help but local police refused to give protection. On further persuasion, the police came to the *basti* and aimed their guns at the people inside. People in the *basti* were told to keep quiet and let the mob do what they wanted, as they were given orders not to take any steps against the *Sangh Parivar*. They were also ordered by the government to shoot those Muslims who take any action, they added. On continuation of the attack by the mob, identified as having been mobilized by the VHP, residents of the *basti* became frightened and ran for shelter to the concrete buildings in the area.

All three entry points to the *basti* were blocked off by the mobs. They had come in trucks and tempos. They were shouting "Kill the Muslims" (*"Muslim ko maro!"*) and

other slogans. Around 1.00 p.m., the mob first burnt Neel Kamal Saw Mill, and then Haruni Saw Mill. The Masjid was also destroyed. Police were present during these incidents; they watched the violence but did not intervene. The mob seemed to have a very clear division of labour. There were around 40 people who were continuously firing. When a gun would run out of ammunition, it would be passed to someone in a waiting truck whose job was only to reload used weapons and hand newly loaded weapons to people who were firing. People had both machine manufactured revolvers and '*katta*' rifles.

Another group in the mob was mainly involved in looting and setting structures on fire. They had pouches of chemicals, which they would throw to start the fires. One jeep contained all the material for setting fires. Evidence of these chemicals could be seen in burnt buildings more than a month later, as white powdery residue in pools of black oily liquid on the cement and stone floors. People were seen in the mobs carrying mobile telephones, and were observed coordinating their activities. People from Muslim households kept running from the mob and gathering in various houses for safety. By 2.30 p.m. it was very clear that the Muslims being attacked would have to leave the village. By then, police were openly encouraging the crowd to attack by shouting "*Muslim ko maro, kato!*"

By 4.00 p.m., everyone in the Muslim *basti* gathered in one household. There were approximately 600 non-Bohra Muslims and 35 Bohras present there. The burning and looting continued around them, forcing them to leave this house as well. At night, the mob tried to break open shops and buildings, looted, and set fire to this house in an attempt to kill people. The *sarpanch*, who is a tribal, tried helping the Muslims. He called a member of Parliament, and described the situation. The MP told the *sarpanch* to send all the Muslims of Sukhsar to the nearby village of Kundala.

At midnight, they left for Kundala in two cars provided by the *sarpanch*, and two cars belonging to Muslim community which had survived the carnage. These four cars were used to make many trips to Kundala, where they were hidden for three days. People kept hiding at various places, as the journey to Kundala was full of hazards. On March 2, the entire *basti* of Sukhsar reached Kundala by 10 a.m. In order to save their lives, people left behind all their property, jewelry and cash. Two women were injured and died in the process.

The looting and burning continued on March 2, 3 and 4. On March 5, the BSF arrived and did a flag march, and shifted all the people to the Jhalod relief camp under police escort. The Jhalod camp was opened on March 6. Many people were reunited with their family members in the camp. The two women who died enroute to Kundala were also carried to Jhalod relief camp and buried there. People from Sukhsar stayed in the Jhalod camp for almost one month.

It was reported that 5 to 7 women were sexually assaulted, but no one in the community was willing to talk about it openly. Usually the report was given in such a way as to convey that, yes, sexual assaults did take place, but the assaults happened in other places, not in Sukhsar itself.

On March 10, an official from Sukhsar and circle inspector of Fatehpura came to Jhalod to inform people that their buildings and property had been totally destroyed in this

violence. Everything had been looted and burnt. The official of Sukhsar and circle inspector of Fatehpura noted down information from people living in the Jhalod camp, acquired the judgment of arbitrators, gathered separate facts of the damage, and made a list.

The total damage calculated was around Rs.6.5 crore. Over 80 permanent structures had been destroyedReligious places like *masjids* and *madrassas* were also damaged and there were anti-Muslim graffiti and orange flags on the buildings. People report having spent one month living in fear in the Jhalod camp. Out of 178 cases, 110 were given anything between Rs.1,000-1,250 for *'ghar vakhri'* (household belongings). The rest have not been paid anything.

People claim that, when they applied for compensation for destroyed, stolen and damaged property, the government did an unjust survey of the buildings. As they were living in Jhalod camp, they received Rs. 10,000 - 15000. In a few cases, they were paid between Rs. 25,000-40,000. Only in 2 cases, people were paid Rs. 50,000. Against 84 buildings destroyed, people were given compensation for only 50 buildings. As with the general pattern of compensation for these attacks, people were generally compensated far below what the replacement costs will be for all property damaged or destroyed in these attacks.

Muslims in the area owned roughly 72 shops, and have submitted evidences about them, but were facing discrimination in receiving full remuneration. Small businesses have not been listed, even though there were repeated attempts to have them listed. People felt discriminated against by the Hindu surveyors because of instances such as this. Though the damage suffered is in the region of lakhs, in the case of many families, the government had paid only up to Rs. 50,000. A government officer told members of this community that even if a person owned any number of houses or property on record, the government had declared only Rs. 50,000 as compensation. According to Hindu law, if a father is alive and he is very aged and his inheritors are staying with him and the property is in one name then government will give remuneration as if losses were incurred by only one person, they said.

Muslims said: "We would like to demand adequate compensation for all those who lost their property in burning or looting. Even in May, anti-social elements from the Durgavahini, VHP and Bajrang Dal were instigating tribals to damage Muslim property and to kill them. Police also knows about it but government is not taking any steps," the complainants said.

The witnessess, all of whom requested anonymity, were bitter at the fact that their stolen goods were still lying in the homes of neighbours and perpetrators.

JHALOD

In Jhalod, Jhalod *taluka*, Muslim families are primarily engaged in the agriculture and transport business. There is also a section of poorer daily wage Muslim labourers. The violence targeted all sections of the Muslim community in this town. In Jhalod, all the Hindu houses were marked with saffron flags several days before February 27, 2002.

This was done the day before Id, i.e. on February 22, and people said that this had surprised them, since there was no Hindu festival at that time. In addition, there was a rally of around 100-150 people at 4 p.m. on February 22, after which they held meetings all over the area.

The following BJP leaders from Jhalod were named by the local people as being involved in these meetings: Bhagwan Panchal, Agnesh Panchal, Bhavesh Babubhai Katar (son of the MP), Subhash Agrawal, Sunil Agrawal, Kaloobhai Sangada, Chhagan Bhunatar (ex-corporator), Narainbhai (from Limli), Mukesh Karnawat, Dalsukh Maharaj, Mukeshkumar Nandkishor Purohit, Shankar Labana, Maheshbhai Bhuria, Suresh Charal, Ramanbhai Admat Khutawala (*sarpanch*) and others.

On February 28, during the Gujarat *Bandh* nothing happened in Jhalod itself. However, there was a spurt in the sale of petrol from the petrol pumps and acid from the chemical companies. All night, vehicles belonging to Babubhai Katara (MP) ran back and forth from his house and the houses of others and the surrounding villages. Later, it was realised that this was done to get all the weapons together and to collect people in preparation for the violence that was to follow.

At about 8-8.30 a.m. on March 1, two motorcycles and one Bohra-owned TVS showroom were burnt in Mowada. After this, at about 9.30 a.m., at the bus stand in the Nagar Palika Bureau, first a gift shop and then other Muslim-owned shops were looted. At the same time, a shoot at sight order was in force in the Muslim area of the village. Whilst people were at home, working, in the morning, a large mob entered the village, beat up the men and women and looted their homes. The attacking mob was equipped with guns, swords, revolvers, mobile telephones, petrol, truckloads of packaged chemicals, and drill machines. Starting at the *taluka panchayat* office, they started looting all the Muslim establishments on the Highway - Banswara road. Muslim homes and establishments faced extensive destruction and burning, particularly along the Highway. Fires gutted shops, godowns and businesses as well as houses owned by Muslims along the road.

Muslims in Jhalod also suffered terrible abuse, including severe physical attacks. Those who survived the attacks were often covered in burns and serious wounds, many of which required but did not receive surgical attention. The people said that even if 4 policemen had patrolled the area, the carnage and destruction could have been avoided.

One of the first persons to be stabbed was Bibiben, who was stabbed by the mob inside her house and who died on the spot. Her daughter, Safiya, who tried to save her, was also attacked and was seriously injured. Safiya's niece, who is 12 years old, was also stabbed and injured. Safiya was shifted to a hospital in Dahod after a few days and remained in a serious condition. At the time, people could not get to hospital easily because the situation in Dahod was also quite bad. For a long time, she could not be shifted to Vadodara or Ahmedabad due to the continuing violence in these cities. It was only after May 1 that she was shifted to Ahmedabad, but by then it was too late; Safiya finally succumbed to her injuries on May 6, in Ahmedabad's Al Amin Hospital.

During this first bout of attacks, Yusufbhai Kaira was also hit on both hands, with a sword, as he was sitting at home. After this, people came out of their houses and started running to save their lives. Yunus Yusuf Patel was shot by Bhavesh Katara (the MP's son) and then Nanda Bagabhai Dindor's son stoned him to death. All the houses here were looted and burnt. Here the mob was about 500 strong. From here they moved towards Koliwada, destroying everything on the way, and then, in Koliwada, Ishaq Abdul Karim Kooka was shot at in private firing.

Some residents reported that the following people were seen carrying guns: Subhash Makhanlal Agrawal, Bhavesh Babulal Katara, Gopal Makhanlal Agrawal, Kirit Makhanlal Agrawal, Mukesh Makhanlal Agrawal, Suresh Charel, Balji Patel and Rajni Patel. The mobs continued these acts of violence all through the day and finally, in the evening, they went to a large timber mill and burnt that to the ground.

Then they proceeded to make a big disturbance all night, firing shots, bursting crackers, hooting, keeping everyone in tension and fear. The entire Muslim community had gathered together in the Mandli Falia main bazaar. They said that they managed to protect themselves through the night because all of them had gathered in one "safe" area of the town; they were also defending themselves in any way they could.

On March 2, around 15-20,000 people blocked and surrounded the whole town from all sides. They were trying to enter it but could not. Although the Muslim community was trying to defend themselves, they were finding it very difficult to do so. In that situation, at about 3 p.m., some of them agreed to attend a peace committee meeting, which was held with Congress leaders, BJP leaders and Muslim leaders. They had a lot of discussions but could not arrive at any 'solution' so they decided to meet again the next day. Even as the meeting was in progress, houses belonging to a community of Fakirs next to Loharwada, were burnt. The settlement, Bapunagar, where the Fakir community lived, was completely destroyed; the roofs and walls of about 10 houses had been brought down. Bapunagar faces a huge open space, and residents could see large mobs of people approaching, shouting loudly as they advanced towards them. The mob consisted of Adivasis from the Kaljiki Saraswani, Velpura and Lakhanpur communities. At that stage, all the people from the settlement fled towards the main village. The mobs then proceeded to loot and burn the *basti* as well as the graveyard nearby; they even dug up the graves. The destruction included breaking down all the rooms, the water pumps, the tanks and even the pipes. All the trees, including fruit-bearing trees, were cut down and all the stored grain was burnt. The Fakirs have since requested that they be given some land in the middle of the village in exchange for their land.

On March 3, the peace committee meeting was again held at around 12 noon. Amongst those who attended this meeting were the deputy collector Pagi, the *mamlatdar* Pateliya *sa'ab*, the BJP MP Babubhai Katara, and VHP leaders Bhagwanbhai Panchal, Agneshbhai Panchal, Subhash Agrawal, Bharat Patel. At this meeting, the BJP leaders put some conditions before the Muslim community in exchange for being spared any further violence. The conditions were as follows:

1. No Muslim boy should come out of the house after 10 p.m.
2. No *azaan* on the mike in the *masjid*.
3. Close Muslim students' hostels.
4. Close slaughter-houses on the Highway.
5. Whenever our (Hindu) band crosses the *masjid* we will not stop playing.
6. No Muslim children should even stand and watch a Hindu *Baraat*.

At the time, the community *panch* agreed to these conditions because they were all under tremendous pressure. As one of the persons who submitted his written testimony to the Tribunal said, "Our condition was very bad. We were moving around with three dead bodies from March 1. They had not been buried, as we could not go to the graveyard. All the Muslims from the town were in this Mandli Falia, main bazaar, and were surrounded from all sides by this large, violent mob. Finally we buried the three bodies in our bazaar, in our *jamaatkhana*, the place where we eat. *Jo zinda thhe unki to halat kharab thi hi, jo mar gaye thhe unki bhi kahin jagah nahin thi.* (Those who were alive were of course in a desperate situation, but even the dead had no place for a decent burial.) At that time we had no choice but to accept the conditions."

Until about March 13, people stayed inside their houses, in their *mohallas* in Mandli Falia, not coming out at all. From March 4, people from the villages around Jhalod also started coming there and then, on March 14, the camp here started and all the people from Jhalod whose houses had also been destroyed, went and started staying there.

Modus Operandi

Evidence recorded by the Tribunal from Dahod district indicates that the mobs arrived in vehicles such as trucks, tempos, jeeps, Marutis. The attacking mobs were led and directed by local Hindu community leaders belonging to the *Sangh Parivar*. These leaders were using mobile phones, while the attacks were being carried on. These were the people that were identified by Muslim survivors and who have been named in the complaints sent or the FIRs recorded.

The second group had all the weapons, guns, *trishuls* and swords, and the arsenals, petrol, diesel, kerosene and chemicals to start the fires. They had vehicles loaded with chemicals and weapons. This was the group that was primarily responsible for the brutal burning, the deaths, the sexual assaults and other abuse. In more than one village, Muslim survivors described how these men carried identical backpacks from which they took out pouches of chemicals. The planning was so thorough that there was a select group, which only performed the task of loading guns.

The third group was mainly involved in looting property from the houses and shops. In many cases, this group consisted of Adivasis. The mobs were very large in number, in thousands, and not always recognisable. There were some known faces in the crowd but many seemed to be outsiders. In some villages people said that not all of those who were part of the mobs spoke Gujarati. Some of them were also speaking in Marathi and Hindi.

All the *masjid*s, *dargahs*, *madrassa*s and, in some places, churches, were completely damaged, burnt. Obscenities and statements like, "Hindustan is for Hindus, Muslims should go to Pakistan," as well as names like "Ram" and "Hanuman" were written on whatever walls remained, and saffron flags were hoisted on them. All the property around, including gardens and wells, was damaged.

Once the Muslim residents of the villages fled to safer spaces, the mobs looted and then burnt the houses and shops at leisure. In many villages it has been reported that houses were being burnt until as late as March 10, and in some instances, even later. There was no damage whatsoever to the marked Hindu houses. In Sanjeli the saffron flags were still there, as late as May. What was also quite evident was that the attacks and destruction was effected in such a manner that the Hindu houses were not damaged. In one village, the adjoining Hindu houses were first sawed away from the Muslim houses and then the latter were set on fire.

In every structure in Sanjeli, be it a house or a shop - every door, window, window frame, grills, electric wiring, water pipes, taps, switch boards, electric meters, every piece of movable property, even the roof, was missing. There were traces of the chemical powders that were used. Every area had been burnt completely. In many places there are burnt, bare walls remaining, while in some places, even walls have been broken down. The areas look as though they have been bombed. Even bore-wells have been damaged/blocked. Every single big tree, including all fruit bearing trees, were cut down. The mobs made sure that there were no signs of life left anywhere.

In most places, the looting and the destruction of property went on for days after the Muslim residents ran away from the villages. People claimed that many of their goods could still be found in the Hindu households in their villages, but the government has made no attempt to look for them so far.

Violence against Women

Along with Ahmedabad (Naroda and Chamanpura) and Mehsana district, the districts of Panchmahal and Dahod experienced some of the most brutal acts of sexual violence against women during the Gujarat carnage. The attackers used verbal and physical abuse on them in full public view. The clear desire to attack the very dignity of the Muslim community through violent acts against women and young children was a pattern in the violence. The tragedy of women from the villages having to go back to the intimacy of a rural atmosphere – where all families are known to each other — and continue to live with the perpetrators of such crimes on their person cannot be imagined. That many of the leaders of these crimes are prominent leaders of the RSS/BJP/VHP/BD, carrying wealth and influence, makes the situation even more shocking. The threat of sexual assault was openly voiced all through the attacks. When the mobs came into the villages, one of the things that they kept saying was, "Give us your women and girls. We shall look after them." Similar things were also written on the walls of the houses that had been damaged.

In most cases where people were able to escape, women did not have to go through actual physical sexual assault. But in all places where the crowd managed to catch hold of them, there was all manner of sexual violence and abuse, such as stripping them, pawing them, making them run naked on the streets of the village and even gang rapes. Two women, among a group of three dozen people fleeing in tempos from Sanjeli, were caught by the mobs and later found dead. Tied to trees, their torsos were burnt above the waist, suggesting gruesome violence.

After the bitter realities faced on their return to life in the village in question, over-exposure in group and media testimonies, and pressure from the community, the initial testimonies of women have now dwindled into stony silences. Knowing how difficult it is for women to come to terms with such violence, and also knowing the pressures that act on the women from outside and within the community, these gender crimes require urgent attention from the jurist and activist community.

Many women also hinted at sexual abuse, but no one actually acknowledged the prevalence of rape during the attacks, other than the rapes of women who died. But most women expressed a strong sense of insecurity and sorrow for those who had to run across the land and make their way, on foot, to Dahod. "Our feet were full of thorns which we did not pull out till we reached Dahod." "Only we know and our Allah knows what we have lived through."

Dalsukh Maharaj: A Study of 'Vanvasi' mobilisation

The Tribunal has recorded evidence about Dalsukh Maharaj and his ashram in Sanjeli. Dalsukh is an ayurvedic *vaidya* (doctor), who runs a hostel for school children and is a member of the Akhil Bharatiya Sant Samiti as well as the VHP Margdarshak Mandal. A Bhil tribal himself, Dalsukh Maharaj is a tribal who is of the view that 'Bhils are Hindus from the beginning.' He asserted that the attack by the Bhils/Vanvasis on Sanjeli was "*swaymbhu*" ('spontaneous') as they had been oppressed for ages and have now risen.

This Maharaj mobilised Bhil tribals by spreading his message through the spoken and written word, through pamphlets, some of which have been documented in the PUDR report on the Gujarat violence.

"Muslim behaviour on 'our' (Adivasi) women;" "At least 100 Bhil women have been violated in Sanjeli alone;" Muslims consider 'our' widows to be everyone's property;" "In Godhra Urdu School, they sent the Muslim teachers and students away and killed two Hindu women teachers and put iron rods in their vaginas"

The Maharaj also spouted axioms about the character of Islam and Muslims: "In the Koran, it is written, Work for four months and cut up *kafirs* for eight months in a year." He also stated that Rs. 80,000 had been collected from Sanjeli alone to plan for the train attack at Godhra and claimed that there are receipts.

While being the agent of such venom, the Maharaj could not provide the name of even one of the 100 women supposed to have been violated in Sanjeli, nor could he

produce any receipts for the Rs. 80,000 that was supposedly collected for the Godhra train attack. Even the alleged killing of two Hindu women teachers could not be detailed with any facts or proof.

(*The continuing reign of terror and the resulting insecurity in Dahod district, nearly nine months after the orgy of violence, can be gauged from the fact that as this report was about to go to press, a few witnesses from Dahod district telephonically contacted a member of the Tribunal team, expressly requesting that the names of the witnesses (16 oral and 29 written testimonies) who had deposed before the Tribunal in May be withheld. It is in deference to that request that no witness has been named in this section.*)

Sabarkantha

The entire district of Sabarkantha and its *talukas* namely Himmatnagar, Khedbrahma, Vijyanagar, Bhiloda, Modasa town, Modasa village, Prantij, Talod, Vadali are among the most severely affected areas of Gujarat state. In Sabarkantha district alone, 55 mosques, 40 tombs and 50 *madrassas* were completely demolished. This is one district where there were clear cases of attacks being launched on the night of February 27 itself.

The most ghastly incident took place near Kidiad village on March 2, when 74 persons escaping in two tempos were burnt alive and killed. Elsewhere, two persons were killed in Idar *taluka*, 9 stabbed to death in Khedbrahma, and 4 died in police firing in Modasa, 5 drivers killed on the Modasa-Godhra highway, 4 persons killed just outside Prantij, 3 burnt alive in Salal village. Two more persons were killed in the second bout of violence on March 19. Previously, Sabarkantha and Banaskantha were targeted with violence for 8 days in August 2000, after blatant incitement by VHP international general secretary, Praveen Togadia. *(See Build-Up in Gujarat, Volume II.)*

KIDIAD

The Tribunal collected 7 written statements about the ghastly incident that befell residents of Kidiad village, Modasa *taluka*, on March 2. Muslims from Kidiad village were fleeing in two tempos after their neighbours created a severely threatening atmosphere in the night. They were intercepted and a total of 67 persons were killed, most of them burnt alive. Arzooben, the eyewitness who was living at the Modasa camp, made a complaint to the police in which she stated all the facts. Victim-survivors, whose written statements were placed before the Tribunal, claim that out of thoise trying to escape in one of these tempos, in all 67 persons were killed. But offcial record admits of only 8 deaths as only those many bodies were recovered. A complaint for the deaths of 8 persons travelling in only one of the tempos was recorded. The police did not record any further evidence. Arzooben could identify the culprits. One is the *taluka panchayat pramukh*, Kalubhai Malwad, who belongs to the BJP. He was arrested.

Kidiad village has about 45 households of Muslims and 200 of Harijans, Bharwads and Thakors. On February 28 and March 1, reports about burning of houses in

neighbouring villages like Haloder had started pouring in and tension kept mounting. When residents asked for police protection, PSI Mukesh Patel of Malpur PS sent only one policeman to supposedly provide effective police protection. On March 2, the mobile police armed with .303 rifles came to the village at about 3 p.m. and told the Muslims to run to save their lives, as they would not be able to protect them. The *sarpanch* requested the police to escort them up to Malpur but the police flatly refused.

The frightened Muslims then started trying to cross the rivers Eru and Vatrak across the dryer parts of the riverbed. After trying for almost an hour, they returned to the village by 3.45 p.m. or so, where they were confronted by a mob of about 400-500 people from their own village and outside, shouting, "Kill them! Hack them! Don't let them go!" The mob was carrying *dharias* (sickles), swords and *trishuls*. There were 224 Muslims in the village at the time, as well as 20 guests from outside. Desperate to flee, 118 of these boarded two tempos and set off. Those who could not do so, hid in the fields around the village.

About 34 people boarded the first tempo (GJ 17 T 9283), which left at about 4 p.m. to try to make its way towards Modasa. Zakirbhai Shamsuddin Sindhi was driving this tempo. The *sarpanch* of Kidiad, Saleembhai Jamubhai Sindhi was also travelling on this tempo. When they reached the Godhra – Modasa highway they found their road blocked at Malpur with stones and about a 1,000 people all around, who stoned the tempo, breaking windows and injuring the people inside. However, the tempo managed to turn towards Lunawada, and crossed Limbadiya *chowki* in Panchmahal district. On the way, from Naroda village near Limbadiya, a jeep and a motorcycle (with 3 riders) started following them. One of them was carrying a *dharia*. The road was blocked at various twists and turns. As they passed through villages, the tempo was stoned sporadically. Finally, between Sanparia and Badesara villages, the motorcycle overtook the tempo and forced it to stop. As the people in the tempo tried to jump off and escape, they were attacked by the men on the motorcycle. When the driver, Zakirbhai Shamsuddin Sindhi was attacked, his 4-month-old son Mohsin fell from his hands and died. He picked up his dead child and ran. The people ran towards Karanta village across the Bhadrod river nearby, hoping to take shelter in the *dargah* there. The Patels of Sanparia, however, came out in support of the attackers and killed **6** people. One woman, Sarabibi, who is an eyewitness to the murders, was able to hide beneath a tarpaulin sheet in a shed behind a Patel house. In fact, the Patel's wife took her to the Modasa relief camp 2 days later. Other survivors somehow managed to reach the security of the Karanta *dargah*. The driver, Zakir Mian, finally buried his dead child there. The survivors complained to the police when they reached the relief camp at Modasa 10 days later.

The second tempo (no. GJ 9T 6439) left Kidiad for Modasa at about 4.15 p.m. over seventy people, including a large number of women and 32 children, were packed tightly into the cramped tempo. Heavy stone pelting started from village Punjarani Muvadi. When the tempo reached Choriwad crossing, a crowd of about 1,000 was standing there. All other roads were blocked. In desperation, Ayub Mian, the driver, turned the tempo towards Lunawada, Panchmahal district. From Babaliya, four motor-

cycles, a jeep, a truck and a tempo (No. GJ 7 Y 2131) started chasing the tempo. On one of the four motorcycles was Naresh Bhai, a resident of Gogawada. As soon the tempo reached Limbadiya *chowki*, about 15 km from Lunawada, the motorcyclists overtook the tempo and fired at the front tyre, which burst, bringing the tempo to a standstill.

A large armed crowd of 1,000-2,000 people, which had been alerted by the passing of the first tempo a little while earlier, surrounded the tempo along with the pursuers. The attackers were wielding *dharias*, *trishuls*, swords and guns. About 16 people, including the driver of the tempo, managed to run away. These were mainly men, with the exception of one woman and two small children. They hid in the fields and saw what followed. After hacking those who remained on the tempo with swords, the attackers threw tyres on them, poured petrol and set the tempo on fire. Eight people who tried to jump off were fired at and then hacked to death. One woman, Arzoo Bibi Ayub Mian Sindhi, sitting in the driver's cabin was also attacked when she jumped off but she survived, albeit with severe injures, by pretending to be dead. They ran until the mobs caught up with them, beat them mercilessly and killed them. Those inside the tempo were burnt to ashes, as the fire raged for over 2 hours.

According to the SP Panchmahal, Raju Bhargava, only 8 deaths have been registered in the case as only the bodies of those killed while trying to jump off have been found in a half-burnt condition. In fact, Arzoo Bibi was told to identify these bodies but she could only identify 1 of the 8 bodies, as that of 80-year-old Pirzada Gulabuddin Imam Mian, a resident of Karanta, who had come to Kidiad on February 27 to offer Friday prayers. The other 7 bodies were charred beyond recognition. Yet, there are eyewitnesses who state categorically that **59** other people were charred to death, bringing the total to 67. The dead included 37 women and 30 men, of whom 15 were boys under 12 years. Four infants who were less than a year old, also perished in the attack. The eyewitnesses have also identified the accused.

Complaints have been given to all the authorities by the survivors and also to the Khanpur PS investigating the case. The driver of the tempo, Ayubbhai Subha Mian Sindhi, is the main complainant. In the absence of any concerted effort to collect evidence and locate bone fragments if any, the huge disparity between eyewitness accounts and the official story remained.

This was one of the most horrendous incidents to have happened in Gujarat. The *deceased:* 67 persons from Kidiad village were burnt alive. *The accused:* Kalubhai Malwad (BJP), *taluka panchayat pramukh*, and Naresh Bhai, resident of Gogawada.

Yusufbhai Bakrawala from Motiraanth, along with two boys from Lunavada, was trying to escape from the mobs when they were attacked. The army found 2 of the 3 bodies, when the fisherfolk handed them over ten days later. There was no trace of Yusufbhai's body – only bones were found.

On the highway, there were Tata Sumos moving around tracking persons who were trying to flee. Refugees from other villages of Gujarat, bordering Rajasthan, had crossed over and were in the Pithgaon camp. On March 7, in the same area, one Muslim, Arab Saiyedbhai, was killed in police firing. The police never killed anyone from the mobs.

PRANTIJ

Four persons were killed brutally on the highway near Prantij town, near Himmatnagar, on February 28. Two were declared dead and 2 were 'missing'. The testimony of a witness, the relative of the deceased victim, was placed before the Tribunal. The witness, Bilal Dawood, brother of Saeed Dawood and cousin of Shakeel Dawood, UK, had been earlier interviewed by journalist Teesta Setalvad. This witness detailed the circumstances that led to the brutal killings of three persons, including his brother, on the highway that leads from Ahmedabad to Himmatnagar, on February 28. Two of the 3 killed were British nationals.

On February 21, the mother of victim, Saeed Dawood, his cousin, Shakeel Dawood and two others arrived in Mumbai from Australia. Bilal Dawood, brother of the victim Saeed Dawood, who gave this testimony, reached the next day. On February 24, the witness' brother Saeed Dawood, his cousin Shakeel Dawood, his friend from the UK, Mohammed Aswat, his nephew Imran Dawood and Yusuf, a driver from their village Lajpur, took a jeep tour to Jaipur. After visiting Jaipur, they were returning to Ahmedabad via Himmatnagar on February 28.

At Prantij, they were stopped by a mob of 15-20 persons. In no time, another mob of 40-100 arrived, circled the jeep and demanded of the occupants, "Are you Muslim or Hindu?" The answer, that they were British citizens, was not enough for the mob. "What about the driver?" they asked. Without waiting for an answer, Yusuf was dragged out and the moment they had established his religious identity, he was attacked with sticks and *dharias* and killed on the spot.

Imran Dawood, Mohammed Aswat, Saeed Dawood and Shakeel Dawood, who ran towards a farmhouse to save their lives, were chased by the mob. Around 6.30 p.m. that evening, a police team found Mohammed Aswat, who was near dead, and Imran Dawood, who was unconscious, on a dirt track that runs along the canal. At the Prantij clinic, to which the police took them, Dr. Dongri pronounced Mohammed Aswat dead while Imran Dawood was in such a state of shock that, even after regaining consciousness, he could not speak.

Bilal's brothers, Saeed and Shakeel were last seen by the woman owner of the farmhouse, running to save their lives. Since then, there has been no trace of them. The British Consul General, Ian Reeds, and Bilal Dawood visited the site of the killings, along with the Gujarat DGP and the Ahmedabad CP, on March 8. The lady at the farmhouse, obviously afraid for her own life, was not very cooperative but Dr. Dongri was very forthcoming.

During their visit, they found a totally burnt down factory about 100-200 yards away from where Mohammed Aswat and Imran Dawood had been picked up by the police. Behind the factory structure, they came across a spot where it looked as if a fire had been built, possibly to burn the dead bodies. A little distance away, they found some teeth and bones, which were then sent for DNA sampling.

The police gave the complainants a copy of the FIR lodged by them, and said that they had arrested 17 people. Bilal's nephew, Imran, the only one to have miraculously

escaped, had returned to their native village. He seemed to recall that, while they were being set upon, a police jeep was driving past but did not stop to help. The case was referred to the MEA (Ministry of External Affairs, India) and the FCO was also following it up with the MEA. With regard to the murder investigations, Salman Kazi (related to Mohammed Aswat) had written a note to the home department in Britain and the family was actively pursuing the case to find out what exactly happened in Mohammed Aswat's and Yususf's case. As for Bilal Dawood's brother Saeed Dawood and cousin Shakeel Dawood, they were put in the 'missing' category. The family had obtained the FIRs and the post-mortem reports. The entire sordid saga was reported on *BBC*, *Star News* and even the Gujarati papers. James Watt, from the chamber of FCO, met Salman Kazi, Ahmed Aswat and Salim Dawood in the UK. The family had also taken a delegation to the Indian High Commissioner in the UK, PC Haldar.

MADHOPUR KAMPA

Five drivers were killed on the Godhra-Modasa Highway on February 28. Three of them from Modasa were killed at Madhopur Kampa in Bayad *taluka*. Their names are Kasimbhai, Anwar and Gaina. Of the 2 other drivers killed, one belonged to Rajasthan and the other to Mewat, Haryana.

On 28 February, at about 9.30 a.m., several trucks were stopped on the Godhra-Modasa highway by a mob of 2,000-3,000 people at Madhopur Kampa near Bayad *taluka* town in Sabarkantha. The Gujarat *bandh* was observed on this stretch of the highway by burning 5 truck-drivers alive and setting 20 trucks on fire. Kasimbhai, the driver of one of the trucks (GJ 9 V 1654) owned by GA Suthar of Modasa, was first badly beaten by the mob as he got down from the truck. He managed to escape and dragged himself behind the wall of a nearby petrol pump. He was injured and lay down in a daze.

The Hindus from nearby Sadgal village, who came to loot the trucks, happened to know him and helped to revive him. He came to the petrol pump and saw the burning vehicles. Unthinkingly, he shouted out to the mob to let his truck be. The mob then dragged him out and threw him into the blazing truck. The driver's helper, Hanif, and another person travelling in the truck when it was attacked, managed to escape. Both of them were helped by the Sadgal villagers, who also dropped them to the relief camp at Modasa. The Bayad PS refused to lodge an FIR on the incident, despite Hanif's statement naming some members of the mob whom he was able to identify with the assistance of the Sadgal villagers.

TALOD

Talod is a *taluka* in Sabarkantha district. On February 28, a crowd of about 150-200 persons took out a rally in the town, which terminated at the temple. Then, on March 1, at 12.30 p.m., a mob of 4,000-5,000 people gathered in the town and started attacking the 80-odd Muslim households, scattered in different *mohallas* all over Talod town. The Muslims took shelter in the houses of their Darbar neighbours.

When they, too, were threatened by the mobs, some of the Muslims, whose houses were still intact, went back to their homes. On March 2, a mob of 500 people came again to destroy the remaining Muslim houses. The mob looted the houses and the Muslims managed to escape through the fields. They were trying to reach Harsol, a neighbouring village with a large Muslim population. After walking for about 7 kms, they reached a place near Salatpur, where this group of about 50 fleeing Muslims (including several old people and 20 children) was surrounded and attacked by a mob of about 150 people carrying arms and kerosene. An old woman, Bashiran Shamsuben Lohar, was injured on her head and arm with a *dharia*. The attackers then piled up dried thorn bushes around the group of Muslims, shouting that they would light a '*Holi*' (bonfire) around the Muslims. They had just sprinkled kerosene on the dried thorn scrub and lit it, and had started stripping the women, when a group of 20-25 Rabaris from nearby Khokhra Kesarpur ran to the defence of the Muslims.

It was because of their intervention that the Talod Muslims were able to escape. After going back to Talod, staying in hiding that night and facing one more attack, they finally took refuge in the police station. The police then dropped them to Harsol, where they stayed for 10 days, after which they went to the Panpur relief camp just outside Himmatnagar. Bashiran Shamsuben was refused treatment at Talod civil hospital, and had to be taken to a hospital in Modasa for treatment. This group of Muslims from Talod were unable to recognise the attackers. They did not complain to the police. They had not gone back to Talod since the attack.

HIMMATNAGAR

The Tribunal recorded 31 testimonies and statements from witnesess residing in Himmatnagar, the district headquarters. The Godhra incident occurred on February 27. By 9 a.m. on the morning of February 28, VHP/BJP leaders with lists of Muslim-owned establishments had arrived all the way from Bhavnagar, a 6-hour journey from Himmatnagar. A large mob was organised, which systematically went about looting and burning Muslim shops, factories and showrooms, all of which were closed for the *bandh*. In all, 232 establishments were burnt in Himmatnagar town. Eyewitnesses state that most of the main perpetrators of the arson were outsiders, though local VHP members did participate in the attacks. The shops burnt included the grand showroom of Harsoliya Motors owned by Bohras, who have been in Himmatnagar for 9 generations. This is the first time that they have faced such an attack.

The attackers were intent on following, quite literally, the directions that they had been given. For instance, Raj Auto Traders on Dahod Road, owned by a Hindu from Godhra, was set on fire since a Muslim partner was mentioned in the list. They did not listen to onlookers, who pleaded that it was indeed Hindu-owned. Similarly, a soft drink factory, earlier owned by a Muslim, Saleembhai, but recently bought by a Kutchi Patel, was burnt down, despite the owner's pleas, since the factory was marked as Muslim-owned. Some of the Muslim shop owners and factory owners who suffered losses have gone to court to get their own complaints filed as FIRs. The police have not yet complied with the court directions to do so.

By mid-March, just as communal tension was beginning to ebb, an incident led to escalation of tension in the entire region. On March 19, Kamlesh Patel, a local youth, parked his scooter outside a Bohra shop, went to the market, and then simply disappeared. His body was found on March 21, a short distance away from Himmatnagar. The Bohra shop owner was picked up for questioning and wild rumours that Muslims had killed Kamlesh Patel started circulating. The VHP made this into a big issue, held many meetings, and fanned communal tension. Several prominent Muslims in the town wanted a thorough investigation to get to the root of the matter. This was, however, not done and rumours and communal tensions continue to fester. There was a surfeit of circulars distributed in Himmatnagar, advocating the boycott of Muslims. On March 20, a *dargah* near the Markaz was set ablaze and a mob gathered there shouting '*Jai Ram!*'. At 11.45 p.m. a caller informed people that the SP had reached the sight and was able to bring the situation under control. *Maulvi* Yusuf Islampuri and *Mufti* Ghulam Mohammad Patel of Himmatnagar presented their fervent appeal for aid and assistance, describing in detail and quantifying the unprecedented losses suffered by the Muslim population of Sabarkantha district.

SALAL

Witness Mohammed Hanief (45) from Salal village, Prantij *taluka*, is the owner of a grocery store. This is a small village of 8,000-10,000, with 20 Muslim families. On February 28, Muslim shops were closed but at about 10 a.m., a mob of about 500-700 came and they first torched a hotel on the highway, Sarvoday Hotel.

The witness and his family were in their houses. There are two parts to the village, the market area and the general area. Muslims live in the market area and when Sarvoday Hotel was attacked, they called 5-7 people from the village. The villagers assured them that they would have no problems as the villagers would protect them. Hence, they were not worried.

Then, at 6 p.m., the brother of the witness, Valibhai Ibrahimbhai Memon, was attacked. His wife was burnt alive. Valibhai's was the first house to be attacked. The attackers wanted him to say *'Jai Ram'*. Then, they started beating up Valibhai. His two sons tried to save him and they beat them up also. They told them that if they wanted to live, they should run away from there. The whole family ran towards the witness' house, which is a little further away, and took refuge in a mosque, which is next to the witness' house.

From there, Valibhai called the witness to say that the situation was serious. He described how they were beaten up and mentioned that his wife was missing. It was then that 15 Muslim families got together and ran towards the village. At about 7.30 p.m., they took shelter in a Rajput house, that of Prahlad Parmar. They stayed there the whole night. Parmar protected them and gave them food.

On the morning of March 1, their relatives in Himmatnagar informed the police station and the police took them to Himmatnagar. The nephews of the witness have identified the assailants and have named them in the FIR. Among the assailants, there

were many from the village and a few from another village. Many of them were from the Patel community.

In Himmatnagar, the people with whom the witness and his family stayed owned two trucks. The witness' brother kept calling the drivers on March 1 and 2, to find out about his wife. The family thought that she might have been hiding in the village. On March 3, the family registered a complaint with the police. On March 6, the police informed the family that they had found a dead body in the house of the witness. The police van came to pick them up in Himmatnagar, where there had been indefinite curfew since March 1, and hence, it had not been possible for the family to go to the village. The witness' cousin recognised the dead woman from the *'payal'* (anklets) on her feet. Her name was Jubeidaben. She had been burnt alive. In addition, two others were burnt alive from this village.

The ironical thing about the testimony of this witness is that he said that he was the leader of the minority cell of the BJP. On the night of February 27, at 11 p.m., the BJP's vice-chief of the *taluka*, Rajubhai Patel, who lives in the village and is a member of the district *panchayat*, woke the witness up and told him that he had been informed by higher ups in the state cabinet, that there was going to be a lot of trouble the next day, and he, therefore, advised the witness to run away during the night.

The witness asked him how he could just run away like that when he had lived there for 50 years and had property there? Rajubhai told the witness that he would not be able to do anything for him. The witness' younger brother owns a TV and electronic repair shop and Rajubhai had called him over on February 27, at 5 p.m., for repair of his TV. While the witness' brother was there, Rajubhai was talking about all this on the telephone. He said that a call for a Gujarat *bandh* the next day had been given by BJP and they would torch all the Muslim shops in the village and that if there were anyone left alive, he too would be torched.

The witness and his family had been living in a relief camp in Himmatnagar, and until May 5, when they deposed before the Tribunal, although two months had passed since the incident, they had not been able to go back to the village because they had been threatened. Once or twice, they had tried to go and see their homes and properties but they had received threats. Some BJP Hindus had even put up cabins in front of their property. All the Muslim families have been out of the village and they felt strongly that the Hindus were trying to take possession of Muslim property.

BHILODA

Rafikbhai Janmohammed Memon is the witness from Bhiloda *taluka* town, who deposed before the Tribunal. On February 28, at 10 a.m., the witness' neighbour, Arjunbhai Panjabi, came and informed him that shops were being looted in the market. When they called the police, they were told, "Well, this is bound to happen". After about an hour, all the Muslim shops had been looted. All day there were shouts of "Kill, slaughter."The BJP, RSS, Bajrang Dal and police (Jhala was the PSI, Chawda was the CPI - circle police inspector) and *mamlatdar* Waghela, all of them were in it together.

Many victim-survivors who deposed before the Tribunal described how they made desperate calls to everyone in the police station. In response, inspector Chawda said that it was the Muslims' turn next! This was at about 7 p.m. Then, the witness called the SP of Sabarkantha, Nitiraj Solanki on 4733 and on his mobile phone. He said, "You must protect yourself, we cannot do anything, we have no police." At 8 p.m., they called the SP again saying, "The Bajrang Dal and the VHP have been pelting us with stones for the past hour." The witness also stated that a meeting of about 500-700 persons was held at a school opposite the witness' house. There are 7 Muslim houses in their area. At about 8.30 p.m., the mob came and threw stones at them. There was a policeman standing there. The witness and his family locked themselves in their house. But the mob broke down their iron grill with steel angles. About 12 to 13 persons entered the house and started vandalising everything.

The witness came out from a side door and found CPI Chawda standing near a van. He started running but Chawda saw the witness and started shouting, "Catch him, don't let him escape, he is to be burnt alive." After breaking everything, they sprinkled petrol in the house. Some people ran after the witness, but he went to their *jamaat khana* — community hall — while his children and wife ran towards their locality in the village, where there were 20-30 Muslim houses.

The other 6 families also went to the *jamaatkhana* with the witness and waited there with him. CPI Chawda was waiting there with his jeep and a constable, Divaji, was also there. Petrol and kerosene cans had been readied. There were 11 other persons, including Gunvantbhai Bhagwandas Trivedi, a BJP member. They were saying, "He is to be burnt alive". The witness named *sarpanch* Rupesh Trivedi, RSS *pracharak* (propagator/worker), Prabhudas Lalabhai Patel and 8 other people. Prabhudas Patel is the joint secretary of the RSS for Banaskantha and Sabarkantha.

The witness and others heard CPI Chawda saying some Muslims were hiding upstairs. They came up to the second floor carrying a gas cylinder, which they had brought along in a van and which they set on fire. CPI Chawda also said that not a single house should be spared.

Subsequently, the witness' family ran to their relatives, who live in the village, and immediately thereafter, went to the police station to meet the PSI. He bluntly said, "We have received orders from above and we cannot take your complaint." The witness warned that he would go to the SP and the PSI replied, 'You can go wherever you want to.' The witness took a deputation from the village to SP Nitiraj Solanki and told him everything. Solanki himself said, "I am VHP and not SP". The witness warned of complaining to higher ups and he was once again told, "Go wherever you want to." The witness repeatedly told him that he was siding with the VHP and the Bajrang Dal — and pleaded with him to at least record his FIR. He said, "You can go wherever you want to but I will not take your FIR." The FIR had not been registered until as late as May, when the witness made his deposition. Copies of the witness' complaint had been sent to the President of India, the National Human Rights Commission, the SP, collector, *mamlatdar* and the *taluka* PSI. However, no arrests had been made until May, nor was there any response to his complaints.

The witness was staying in a relief camp in Himmatnagar with his family all in a state of terror. They did not go anywhere out of fear for their lives. They could not go back to the village because their house had been destroyed and they believed that, with the trust broken, the police was set to kill them.

Witness Makrana Asiyaben Shaikh Mohammed, who deposed before the Tribunal is from Kisangadh village in Bhiloda *taluka*. She said that there are 15 Muslim houses in Kisangadh and that Muslims had been living there for the last 60-70 years. On March 1, at about 8 p.m., 3,000- 4,000 persons came in vehicles, with swords and other things. Some were from the village and the others were outsiders. They were shouting, "Kill, slaughter!" and were set on looting. They had swords, sickles, chemicals and kerosene cans with them. They started throwing chemicals whereupon the walls of the buildings became black and then started burning.

They pelted Muslims with stones. Two-three Muslims were killed and the witness was hurt in one or two places. They ran to the house of the *Darbar*, Vikramsingh Thakore, who sheltered Muslims. But someone told the crowd that Muslims were hiding there and then the crowd harassed them the whole night. Thakore tried to save Muslims but he had nothing with which to fight back.

He called Bhiloda village and informed them that 72 Muslims were trapped in Kisangadh and that they should come and take them away. As the people from Bhiloda, including the witness' brother, tried to make their way to Kisangadh, the road was blocked so they could not reach the village. At 5 p.m., the mob went away and the victims then walked to Bhiloda. They were barefoot and they had to cover their children's mouths so that they would not cry. Finally, they reached Bhiloda police station and there, they were told that unless they left quickly, they would be attacked again.

They pleaded with the police to do their job and protect them and asked the police to escort them to Idar. They were told, however, that they must leave. The police officers, Jhala and Chawda said that they had received orders from above three days ago, so the Muslims must just go away.

So the victims carried on walking and reached Bhilodi. Here the Patels spread rumours that they had come to attack the village. They were driven out, and walked through the night without any food until they finally reached Idar, where they were given shelter in the camp. All their belongings and property were destroyed, including the graveyard where the mob had set fire inside the graves as well. As late as May, when she deposed before the Tribunal, the witness had not received any compensation.

There are 15 Mansoori houses, in another village of Idar *taluka*. The village had 10 shops and one mosque. The village has a population of 2,000 Hindus in the village. Mansoori Rasoolbhai Rehmanbhai, a resident of the village, deposed before the Tribunal. He stated that on February 28, at 6:30 a.m., he opened his shop. Suddenly, a mob came to his shop, which is the first in the row of shops, and one of them caught the witness by the collar and threw him down. He tried to stand up. They told him to close his shop and go to the bus stand. He agreed and closed his shop, but went home over the hill instead of going to the bus stand. That night passed off peacefully.

On March 1, at 8 p.m. a mob of about 500-700 came to the village. The witness and his family was just sitting down to dinner. They torched his house and shop and then they torched all the other shops in the village as well as the 15 other houses. The witness and his family escaped narrowly and went up the hill and hid — men, women and children. The mob came looking for them twice but they could not find them. After the mob went away, they walked to the nearby Adivasi settlement, which they reached at 3 a.m.

They spent the night there and at 8 a.m. the next morning, they started walking towards Sabri relief camp, which they reached at 2 p.m., having gone without food or water for all this time. When they tried to go back, they were told not to return. They saw that their houses had been completely burnt down — nothing was left. All 15 houses and 10 shops had been burnt to the ground. All the goods in the shops and the household goods had been looted.

The witness sent a written complaint to the police by registered AD, mentioning the names of the people involved in the attack. He was given a compensation of Rs. 25,000 for his house. Depending on the extent of damage to houses, people received varying amounts of compensation, ranging from Rs. 5,000 to Rs. 50,000, though he estimated his loss due to the damage to his shop and home at approximately Rs. 12 lakh. The witness had no idea where he would go when the camp closed down. He had been threatened with his life if he returned to his village. The aggressors also said that he would not be allowed to do any (work) business there. His poignant question to the Tribunal was, 'then what should I do?'

VIJAYNAGAR

The Tribunal recorded the testimony of the *imam* of the local mosque in a village in Vijaynagar. On February 27, at 10 p.m., the uncle and son of the witness were in their shop — they have about 4-5 shops in the village. They called him to say that they had been surrounded by an unruly mob, which was shouting, "Kill, slaughter!" When the witness asked who they were, he was told that they were all Bajrang Dal people and many of them were their regular customers. His uncle and cousin recognised about 15-17 people in the crowd and named them. The father and son did not know what to do. At this point, they broke contact with the witness. The next morning the witness found out that the shop had been burnt, with both father and son inside it.

When the witness and others went there the next morning, they saw the two corpses lying in the burnt shop. At first, no one came out from the village. Then, the witness, along with others, went to Vijaynagar and brought the police with them. They were recording the *panchnama* when a crowd gathered and started throwing stones at them. They were threatening to kill them too, and said that they would not allow them to take the corpses away from there. However, they somehow managed to escape and take the corpses to Vijaynagar for post-mortem examinations and for the *panchnama* to be recorded.

PSI PT Panchal told them that this was the last statement he would record. While the witness and others were trying to flee with the corpses, they were stopped in several places

and had to take diversions. After meeting the SP, the witness gave the police his statement, mentioning several names, but no arrests were made. Some 30-35 people were arrested, but when he called the police to inquire if any of the people named by him were amongst them, he was told that he had no right to ask such questions.

He said that those arrested were treated like VIPs and felicitated. Air-coolers were sent to the jail in Himmatnagar. All those he had named in the FIR were still moving around with naked swords as late as May. Muslims from Vijaynagar could not even go and check out their shops, which had all been burnt. The FIR was filed under section 395 for looting, but Panchal cancelled it and made it sections 433 and 436 (destruction of public property) so no arrests were made. The compensation this witness received amounted to a few hundred rupees whereas his losses amounted to a few lakh rupees.

ASAD

The owner of Hotel Asopalav, on the Sabarmati highway in Asad village, *Viroda taluka*, also deposed before the Tribunal. At about 11 p.m. on the night of February 27, a local doctor came to the witness' house and asked him if his hotel was safe. When the witness replied in the affirmative, the doctor wondered aloud how his hotel remained untouched when so many others had been burnt. Then, he went away only to return to the witness' hotel with some men in his jeep. He then told the witness' assistant that he was going to set fire to the hotel.

The assistant and the other people staying there realised that their lives were in danger so they ran to a factory opposite the hotel. They called their employer, who then called the SP. The SP advised him to call Shamlaji police station. When he called there, it was about midnight. There was a constable there, who told the witness that he was alone, and could not do anything. He advised him to call the collector. The witness then called the collector who told the witness that he would keep calling the police station and that he should also keep doing the same till such time as help arrived. They did not get any help at night. The next morning, he got a call to say that both the STD booth and the hotel had been looted but no major damage had been done.

Then, on March 1, after the Friday prayers, he got a call from a family member informing that a mob of 400 to 500 persons had collected at the hotel. He immediately called the collector but the collector wasn't there. Then, he called the police control room. The CRP force was there but they did not help at all. The mob looted and then burnt the hotel. The witness had opened the hotel just 8-9 months previously, it had cost him Rs. 70 lakh to set up and he was astounded. It had yet to start making profits.

His men were trapped near the hotel, in the nearby jungle, so he called the collector and asked him to provide protection so as to enable him to rescue his men. His men remained in hiding for 3 days, and only then, with the help of the highway police they managed to come out. Two months later, they had still not received any police protection. In Sabarkantha, all the Chillia hotels — the Chillia group had a reputation in the

area for running good hotels — were burnt and looted. Many of the business partners had sold their farmland and invested in these hotels.

The collector called the witness and told him that he could get another loan to rebuild the hotel. The witness replied that he had already taken a loan on which he was paying an interest of about Rs. 30,000 per month. How could he pay interest on a new loan? His urgent plea to the Tribunal was that all such affected persons be given long-term loans with no interest.

Another problem they faced was that they had been unable to return. Where could they rebuild their lives? When the victims had gone to register an FIR on March 8, a general FIR had already been made out. The victims told the police that their FIR listed names — they had recognised people and there were eyewitnesses to the crimes. They were told that the two FIRs would be combined and the persons named arrested. In May, when the Tribunal sat, these arrests had still not been made. The witness strongly felt that the only reason groups like the RSS/BJP/VHP and BD could be so brazen about their crimes was because they were sure of police support in subverting the process of justice. When the witness said as much to the SP, the SP told him that he was wrongly accusing him. The witness replied that the situation in Gujarat was such that people felt that they could kill whomsoever they wanted because the police was not going to do anything to them; if you wanted to burn a shop, burn it, the police was not going to do anything to anyone. It was because there was no fear of punitive action that they were blatantly doing what they were doing.

MUJETHI

Deposing before the Tribunal, witness Nasreenbano Raiskhan Pathan from Mujethi village, said that on March 1, the deputy *sarpanch* of Mujethi village, Idar *taluka*, gathered Muslims together and assured them that they were safe and that no harm would come to them. But at about 7.20 p.m., they were suddenly told by a mob that they should run away or they would be killed. The crowd included Adivasis and villagers as well as the deputy *sarpanch*, who had come with them. The deputy *sarpanch* gave the Adivasis liquor and they attacked Muslims.

They chased Muslims out who went and hid in the school where the villagers cooked for them, but they were chased away from there as well. They went to the *sarpanch* and asked him to help but he refused and told them to flee. They did that, going to the house of a Darbar elder (*Bade Darbar*), who helped them. However, he was also threatened for helping them, so he used his influence to get the victims a police van and a tempo, and all 120 Muslims got into the vehicles and escaped. The mob threw some chemicals on their houses and burnt them. The government has given residents amounts varying from Rs. 800-1500 as compensation for what they have lost. The witness said that when Muslims went back to their village, the villagers told them to go away. They also spread rumours that Muslims were going there to poison the wells. When some Muslims returned, two Adivasis told them that the whole thing had been done by the deputy *sarpanch* and the villagers, not Adivasis.

Witness Sadikbhai Rahimbhai Mansoori (40) is from another village in Idar *taluka*. He said that he was asleep at home at 11 a.m. on February 28, when the peon from the *panchayat* came and told him that the *sarpanch* had sent for him. So he went to the *panchayat*. The *sarpanch*, Dhanjibhai Patel and a few others were sitting there. All of them were armed and as soon as the witness entered, the peon pushed him and the witness fell down. The *sarpanch* started abusing him, saying that he had told the witness not to build his house in the village and yet he had built one. The witness explained how with great difficulty he had got a loan and then built his house. They started beating him but the witness managed to break away and ran home. The name of the *sarpanch* is Kantibhai Hiralal Patel and the other men present with him were: Jayantibhai Patel, Nalinbhai Bhogilal Mehta, Devarkumar Chandrakant Tulsi and Saratkumar Kantilal Doshi.

The witness locked himself inside his house. In the afternoon a mob of several hundreds came. They broke down the door and he ran to his brother's house across the road. From there, he watched as that they took out all the things from his house. They threw some things in the well and they took away the rest in an HMT tractor (the number plates had been removed). The witness said that the things were still lying in the well, two months later, and that the police refused to take a complaint. The surveyor said that he had not seen the house, so what would he survey? The police refused to take an FIR and had told him to effect a compromise. They even threatened the witness with his life. The police tore up the witness' report. He was not allowed to enter his house and the attempt seemed to be to falsify the surveyor's report and snatch his legitimate property from him.

Another witness from the same village, Iqbalbhai Rahim Mansoori, described how on February 28, at 5 p.m., members of the *gram panchayat* along with the *sarpanch*, Kantibhai Patel, came to their house with a mob. They carried swords, knives and rifles. They told them to leave the village and chased the witness and others from the village. Then they came from the other side with a tractor with one Jayantibhai and another person in it. At first, when the witness heard the sound of the tractor, he thought it was someone passing by, but as they got off the tractor, he realised that they had come to kill the Muslims. The witness put his mother over his shoulder and fled from there with the others. They hid in the nearby wheat field for 5 hours. The mob came looking for the victim-survivors, and even made barking sounds, and fired their guns. Two young daughters of the witness had to have their mouths held shut so that they would not give their hiding place away. They were thus kept quiet until 11 p.m. The witness' children had been without water or food since 5 p.m. when they had left their homes to flee. If they asked for water, their father would slap them. Then, at 1.30 p.m. he put his mother over his shoulder again and left with his two girls, until he reached the refugee camp.

This witness said that Suryakant Joshi, the BJP *taluka* leader, refused to listen to the complaints and said, "Don't go to the police station, because if you do you will be killed." The witness was unable to visit his sister, who lived near the police station.

He has not been able to visit her at all. The villagers have told him that if he wants to come back to the village, he must remove the names of key leaders mentioned in his complaints. They threatened to sell off his land and destroy his well if he did not comply. They had already cut the wheat belonging to the witness and sold it off.

The Tribunal recorded the testimony of Kaderbhai Memon, a social worker, who also ran the refugee camp at Himmatnagar. This witness complained bitterly of the treatment of camps and camp leaders by the government. *(See Annexure on Status of Relief Camps, Detailed Annexures, Volume III).*

A hotel in Himmatnagar, called Bombay Hotel, was attacked by a mob of 3,000. The owner begged them to go away, pleading for his life. He said, "Why are you doing this to me, I have always helped you in so many ways." They did not listen to him and started pelting him with stones and damaged the hotel. So the owner started firing at them in self-defence. In the firing some minor injuries occurred and he was arrested under section 307. After his arrest, his hotel was torched. Two months later, he had not been granted bail even by the High Court. He had a licence for the gun. Eight people from the mob had tried to torch his hotel and he had fired at them. This is one more example of the obvious discriminatory treatment meted out to Muslims in Gujarat.

Some people's showrooms were being robbed and the witness and the others in the camp called the SP. He was on the highway near Motipura, where a shop was being looted. The kingpins behind the attacks in this district could be easily identified from the complaints filed by victims. Though inspector Chauhan first arrested 5 persons who were named, they were released because they were not charged with any serious offence.

As communities, Adivasis and Harijans are very poor so some of them are tempted towards theft. But many members from the 2 communities as well as the Rajputs, saved thousands of Muslims — they gave them shelter in their homes for as long as 10 days and fed them.

Jagdish Taral, a VHP leader from Khhedbrahma personally intervened and stopped reconciliatory measures launched by the collector in Sabarkantha. This happened in the presence of Ranajit Sinh Naharsingh Chawda, elected MLA from Himmatnagar and minister of state for cottage industries in the Gujarat government. When attempts were being made to take victim-survivors back to the villages, some of the young men there, said, "We do not want any Muslims in the village." In the presence of minister Chawda, the collector and the SP, Taral said, "In 1947, Muslims killed so many Hindus, now the Muslims have to pay for it. If they want to return, it is at their own risk but we will not allow Vohras to come, only the Mansooris can come." And so they were trying to create divisions amongst the Muslims.

The witness stated that the ongoing law and order situation in the district was very bad. The collector and the SP of the district had not controlled the situation anywhere and should be asked if they had managed to save even one Muslim establishment in Himmatnagar. There were Muslim shops at the crossroads only 100 meters

away from where the collector and SP live, in an area, which they pass frequently. Forty-eight Muslim shops were burnt there, not even a *bidi* shop was spared, but they did not try to put out the fires anywhere.

There isn't a single instance where they called the mobile (van) so that the fires may be put out. The only recourse that Muslims have is the law. But even there one has seen the few culprits who were arrested go scot-free. Members of the VHP and the Bajrang Dal used to move around with the police in their vans. Shops would be burning for as long as 4 days and the SP would be do nothing.

State minister from Himmatnagar, Ranajitsingh Chawda, aided by Jagdish Taral, the vitriolic VHP leader from Khhedbrahma, who was named for mass-scale destruction in August 2000, were directly involved in the violence this time round as well. Witness Kaderbhai Memon, who deposed before the Tribunal, stated that both Chawda and Taral would sit in the premises of the Bombay Hotel, which was ultimately destroyed at their behest, and conduct operations from there. Chawda would point at a shop or house on the map and ask why it had been spared and why their people were not doing anything about it.

After the first bout of violence that started on February 27, on the night of March 9, Modasa town witnessed the worst ever arson and plunder of the Muslim community. On the morning of March 19, three young Muslim girls, who were returning from a school examination, were molested. They were asked why they had not applied *teeka* (vermilion) on their foreheads. As punishment, they were stabbed. When the Tribunal sat in May, they were still under treatment at the local hospital. Two persons, Abdul Rahman and Nizam Husain Imam were burnt alive here. Kirat Shah Ballabhbhai and Jagdeesh Gandhi, chairman, Modasa Nagrik Co-op. Bank, are reported to have attacked children. Khhedbrahma village had to be vacated by its Muslim inhabitants under coercion. A board renaming it, '*Hindu Nagri*' ('Hindu Town') was fixed on its bus stand declaring the village out of bounds for Muslims.

Banaskantha

The Tribunal recorded evidence from 6 witnesses and collected 10 written statements from Banaskantha. Violence in this district broke out on March 1, 2002 and engulfed Dhanera, Pantwada, Palanpur, Vadga, Sihori and Gazipur.

Muslims living in Gazipur started receiving threatening calls from 9.30 a.m. on that day. One of those who testified, Memon Janmohammed Ibrahimbhai (53) is a local trader who had been living in Gazipur for the past 15 years. He is a trader dealing in grains, cloth and provisions. From 9.30 a.m. on March 1, the witness started receiving telephone calls repeatedly advising him to leave immediately because the mob was approaching Gazipur. Brahmin Thakar, Rajendra Prasad and Vasudev were with the mob. The person who called to tell him this, is a big trader (name withheld) from whom the witness bought goods. The people in the village told him to leave, as he was a threat to all of them. The witness said that since this was the opinion of the whole village, he took his joint family of 22 members and went to the hilly forest area nearby. He left his house with nothing and fled. His children did not have water or food and his family faced a lot of hardship that night. They spent the whole night in the jungle. The next morning, they started walking towards the next village, Kasampura. On the way, a mob approached and surrounded them. The mob was set on robbing them but since they had nothing valuable with them, they were let off. However, due to this encounter, they decided not to go on to Kasampura and spent the next night in the jungle as well, without food and water. Then, some Adivasis gave them fresh clothes to wear and they managed to reach Daroi, from where they called the witness' brother-in-law. PSI Bharwad then came and took them to another village. The witness and his family reached the camp at Idar on the third day after fleeing Gazipur. When he went back on March 4, to check on their house, not a thing was found in it. The witness was chased away by the police when he went to file a complaint. He had received no compensation. The witness also said that people had been trying to chase him out of the village for the past 2 years.

Patan

Three witnesses who are residents of Ghasiawas in Radhanpur, Patan, deposed before the Tribunal. In the FIRs they filed on the violence in their village, the first accused named is the BJP MLA from the Santalpur division of Radhanpur. Accused no. 2 is the chief of the BJP unit in Radhanpur *taluka*. Accused no. 3 and others are members of the Bajrang Dal, RSS and VHP.

Nanabhai Pyarmohammed G Sheikh, one of the witnesses, testified that the accused arrived in tractors to spread terror in Radhanpur on March 1. They started looting and burning shops using petrol and diesel which they had brought in cans. From Lalbaug to Patni Gate, they targeted only those shops which belonged to the minority community. After this, they set fire to a Muslim religious place known as Gol Otla.

Ghulam Jelani Ghulam Rasul Shaikh, the nephew of the witness and other boys from the locality were standing at Patni Gate watching the frenzied mob on a rampage. Without any provocation, accused no. 1, Shankarbhai Lakhdhirbhai Chaudhri, shot the witness' nephew and another boy Ghulam Nabi Kalubhai Shaikh point blank. As the bullets hit both in the chest, they collapsed on the spot. The other people from the locality who were also standing there tried taking the injured boys in a jeep to the Referal Hospital. The driver of the jeep was Yakubbhai Nabibhai Chauhan.

As the jeep left Patni Gate and passed Gol Otla, the mob standing there tried to stop the vehicle. The driver went faster. When they reached Lohanawadi, they saw an electric pole blocking the road. The driver was forced to stop the jeep. The mob that was standing around started throwing stones at the driver who was injured; frightened, he ran to the police station to save his life. Meanwhile, the wounded Ghulam Nabi Kalubhai Shaikh, who stumbled out of the stationary vehicle, was attacked on the head with scythes so the police took him to hospital. Ghulam Jelani Ghulam Rasul Shaikh, the wounded nephew of the witness was the only one left in the jeep. The jeep was torched by the mob and he was burnt alive.

Although the families of the victims were desperate to reach the police, they were unable to do so because of the mob. Subsequently, they called the police station

several times but no one paid any attention to what they said. As curfew was later clamped on the town, there was further delay in lodging the complaint. Another complaint was sent by registered post to the local police station. The main accused who have been named are: Shankarbhai Lakdhirbhai Chaudhri (MLA Santalpur, Radhanpur), Pravinbhai Thakkar Mahalakshmi, (Radhanpur, chief of the Radhanpur *taluka* BJP), Prakash Keshavlal Thakkar (known as Prakash Dakshini), Doctor Rawal (runs a hospital in Lalbaug), Kanubhai Deri, Vinod Kumar Goklani, Satishbhai Thakkar (sells dish antennae), Thakore Ajmalbhai Abhabhai (Chalwada, *taluka* Radhanpur), Bharatkumar Kalyanji Thakkar (Ambika Electronics, Lalbaug, Radhanpur), Ratilal Vyas (vice-chief, Santalpur *taluka panchayat,* Varahi). Also included in the list of accused are other residents of Radhanpur town, and *taluka*, a mob of more than 700 VHP, Bajrang Dal and RSS workers. The Ghasiawas police post, Radhanpur *taluka* has been indicted for non-action.

The second witness, Ibrahim Miyabhai Shaikh, a driver from Patan, who was on the spot when the two boys were shot, also filed a separate complaint.

Vadodara

The Tribunal visited Vadodara and its surroundings between May 8-13, 2002 and recorded detailed evidence of the violence in these places. During the same period, the Tribunal also paid a field visit to Ankleshwar and Bharuch and conducted detailed investigations there. Vadodara is barely two hours from Godhra, where 58 persons had been killed in the torching of coach S-6 of the Sabarmati Express on February 27.

The violence in Vadodara city occurred in three distinct phases. The first phase, which started on February 27 itself, lasted until March 2, with the worst incident having taken place on March 1, when 14 persons were burnt alive at the Best Bakery in Hanuman Tekri. Thereafter, there was violence between March 15-20 and, following this, between April 25-May 2, with some incidents taking place in the intervening period, on March 25.

In terms of loss of life, the incidents in Vadodara do not compare with Ahmedabad. However, assaults on Muslims living in different pockets of the city, especially those inflicted by the police of Vadodara, were widespread. The most shocking aspect was the violence and sexual misconduct of the Vadodara police directed at Muslims in several places, particularly in the two latter phases of the violence. Sexual abuse and threats were a common feature of police behaviour. Numerous witnesses, who were victims of the most unspeakable brutalities by policemen from different police stations in Vadodara, deposed before the Tribunal. Many had serious injuries on their person, inflicted by drunken policemen who beat them mercilessly. From the accounts of the numerous witnesses who appeared before the Tribunal, the police emerge as the worst perpetrators of atrocities against Muslims, in general, and Muslim women, in particular, as far as Vadodara city is concerned.

Soon after February 28, a *patrika* (pamphlet) was widely circulated among Vadodara's Hindus, exhorting them to an economic boycott of Muslims: "Don't give them work, don't sit in their autos and don't buy anything from their shops." The anonymous pamphlet appeared to have had its effect on the ground. When the situation improved and Muslims started returning to work, their employers told them not to come to

work any more. Many of those who deposed before the Tribunal said Muslim employees were dismissed from service after being told by their bosses, "If we employ you, it causes problems for us; so you can't work here." Those who thus lost their jobs were schoolteachers, as well as women working in nursing homes, shops, hardware stores, etc. A lady teacher employed by Navratan School was told she couldn't keep her job on any longer, "You are a Muslim, so don't come back here." In another case, the doctors in charge of a nursing home informed the parents of an employee that they should not send her to work any longer.

PHASE I: Feb 27-March 2

Tension built up from February 27 itself, when a Muslim bystander was stabbed in the presence of the police after the return of the *kar sevaks* in the Sabarmati Express. By the evening of February 28, vulnerable Muslim pockets in different parts of the city were targeted for attack.

KISANWADI

Around 120 Muslim homes were destroyed at Kisanwadi after residents' belongings were looted. There was no loss of life here, thanks largely to the efforts of Ramdas Pillai, who kept them safe through the night, and at great risk to himself, reached them to the Quraish Jamaat Khana the next day. *(See section on Evidence—Witnesses, Volume I).* About 500 Muslims took shelter with the Pillais that night. A builder by profession, Pillai and his wife Lakshmiben, his brother and a friend named Kanubhai opened their doors to the Muslims of Kisanwadi. Together they, along with an autorickshaw driver and a tractor owner, Mohanbhai Savalia, helped to whisk the Muslim residents of Kisanwadi away to safety. Were it not for their timely removal from Kisanwadi, the murderous mob may well have burnt them alive in the very tractors that were used to whisk them away.

The attacks started on the evening of February 28, when a mob shouting, "Destroy their shops! Kill them!" pounced on Muslim homes, shops and vehicles. Several witnesses from the area who deposed before the Tribunal said that about 100-150 people who appeared, armed with swords, sickles, etc. could be easily recognised as workers of the Bajrang Dal, whose office was located nearby. The mobs made repeated trips to Muslim houses, looting or destroying whatever they could lay their hands on: vessels, clothes, tape recorders, TVs, refrigerators.

A young witness from Kisanwadi, whose home and family belongings were looted, told the Tribunal that her mother had been assaulted and was badly injured. The mother was in no condition to go to work any more, her brother and father had both lost their jobs, at Kirit Hotel and Gurukul Vidyalaya respectively, and the entire burden of the family had fallen on her. She herself had not returned to work at the clinic where she was employed out of fear, since residents of Kisanwadi were still being threatened with dire consequences; young women, in particular, were threatened with rape.

In his testimony before the Tribunal, Pillai said that even two months after Kisanwadi's Muslims were forced to flee their homes, the situation continued to be grim. The local goons were still stealing whatever little was left of Muslim homes — doors, tin roofs, etc. There was no safety for the Muslims who might want to come back. The terror-stricken Muslims themselves told the Tribunal they needed land in some other place to rebuild their lives. No political representative of any party had visited the victims, not even the local Muslim councillor.

And the police was of little help. Following some token arrests, the accused, along with the local police, had been pressurising the Muslims to withdraw their complaints. According to Pillai's testimony, on April 4, PI Kanani picked up his brother, Krishnamurthy Swaminathan, on a false pretext, and subsequently arrested him on charges of attempt to murder (section 307). While Muslim complainants insisted that Swaminathan was, in fact, one of those who had saved them, police officer JD Rana was pressurising them to name Swaminathan as an accused!

The Ajwa area, close to Kisanwadi, was also severely affected in the post-Godhra violence.

SAMA AREA

The Sama area of Vadodara is a relatively new part of the city with a predominantly Hindu population. This area had not experienced disturbances in earlier communal riots in the city. During the Gujarat carnage, however, there were a series of incidents where Muslim homes, businesses were looted and torched.

It is in this area that on the morning of February 28, a mob of around 20 people attacked the residence of Prof. JS Bandukwala, a well-known and respected figure in Vadodara and an active member of the PUCL, who has consistently opposed both Hindu and Muslim religious fanaticism over the years. Prof. Bandukwala and his daughter managed to take shelter in the house of their Hindu neighbours. But one car in his compound was completely burnt and the other damaged by the mob. The attackers fled after about 10 minutes, when people from the neighbourhood came out onto the road. However, on the following day, March 1, a bigger mob armed with gas cylinders among other weaponry, launched a second assault and succeeded in torching Bandukwala's house. When the fire brigade arrived to put out the fire, they were prevented from doing so by the mob. The Hindu neighbours of Prof. Bandukwala, who had sheltered the people trapped in his house, went into hiding for three or four days, fearing an attack for having sheltered their Muslim neighbour. After their return home, they were "interrogated" about why they had been so helpful to Muslims.

On the evening of February 28, a few persons living in Sama went to meet the BJP's local municipal councillor, Pradip Joshi, to appeal to him for peace in the area. Joshi raved and ranted about the "unpatriotic" and "criminal nature" of the Muslim community, "their habit of abducting Hindu girls", and dwelt on the desirability of Muslims going and living in "their own areas". He also produced a list, to show how in the recent Assembly by-election, Muslim localities had voted against the BJP. Joshi

spent some time describing how he had earlier dealt with Muslim "anti-socials" from Navayard. (Navayard saw serious attacks on Muslims in the days to follow.) On being repeatedly asked whether he could assure residents that there would be no further violence in the area, he replied that he could not do so. One of his associates explained that what had happened that day (February 28) was "only a sample", and that it was better to be prepared for what would follow the next day.

Madhavnagar II

March 1 saw more intense rioting activity, with larger, well-prepared mobs roaming the streets, looting and burning Muslim shops and houses. In Madhavnagar II, near Abhilasha Chowki, though a Hindu friend of the Safree family helped them escape, the mob attacked their house, taking everything they could carry, including cash, jewellery, clothes and electrical gadgets, before setting the house on fire. Later the same day, Amin Transport, the business owned by Abdulrrehman Safree, at Maruti Complex, was also broken into, looted and burnt. The house was left to smoulder for three days. When the family visited their house many days later, they found their neighbours and friends of many years distant, unresponsive, and inclined to disassociate from them and all that had transpired. The Safrees have since been seriously thinking of relocating to a Muslim neighbourhood.

Ashabibi Ni Chawl

A large mob shouting *"Maaro Mian ko!"* ("Kill the Muslims!") attacked the Ashabibi Ni Chawl, a mixed locality of *pardesis* (outsiders, Hindus and Muslims from UP). Despite frantic calls, the police failed to arrive. But residents of the *chawl*, both Hindu and Muslim, repulsed the attack. Witnesses deposing before the Tribunal named BJP councillor Joshi as the main instigator of the attack. Around 25 men from Ashabibi Ni Chawl suffered injuries; two with head injuries were admitted to Narhari Hospital in Fatehgunj, where they were treated and discharged. The 300 or so Muslim residents (40-odd families) fled the area and took shelter in the Kamatipura area of Fatehgunj. At Ashabibi Ni Chawl, the police, when they did arrive, fired two shots at the residents who were under attack, rather than at the mobs. Mobs were allowed to disperse without any attempt to arrest any of the attackers.

Sama area remained free from major incidents during the latter phase of violence. However, a certain level of tension was maintained for several weeks through the continuous circulation of rumours that armed Muslims were about to attack. In none of the incidents of violence did the police intervene in time. Calls to the police station went unanswered, or callers were told that the police was unable to attend to them, or, in one case, even that they must "reap the rewards of Godhra." Where help was promised, it arrived late. The police were also seen hobnobbing with mob leaders such as the BJP's Pradip Joshi.

MAKARPURA AREA

The Bajrang Dal and the VHP set up an office in Indira Nagar, a mixed settlement in the Makarpura area, on the evening of February 27. In the attacks launched on Muslims the following night, Hindu neighbours actively participated and the large-scale destruction of homes and properties was systematic and thorough. Attacks in Makarpura area continued for three days but the police did not respond to repeated and frantic calls from the trapped Muslims. On the contrary, six Muslims were killed in police firing.

Later, when Muslims went to the Makarpura Teenlata police station to complain, they were told point blank that no complaints from Muslims would be entertained, nor any police protection be provided.

The following night, even as a local social worker (who deposed before the Tribunal requesting anonymity) was escorting Muslims out of Indira Nagar, one Farroukhbhai Samoosawala was killed by the mob. On March 2, the Hindu residents of Vanejagaon (where many Muslim residents of Makarpura had been moved) took the help of Hindus from the neighbouring localities to loot and then burn down all 150 Muslim houses there.

Muslims fleeing Vanejagaon were walking along the Highway when they were set upon by a mob in a nearby village. Those caught were killed and then thrown into raging flames to be burnt. According to the social worker, Bipin Patel, a resident of the village and a local Bajrang Dal/VHP leader, was instigating the 500-600 strong mob. "If an investigation is carried out even now, the remains of Muslim victims will be found strewn in the fields even now," he told the Tribunal in the second week of May. In addition to the lives lost, about 500 Muslim houses were looted and subsequently destroyed in the Makarpura area. Among those affected were several Muslim families, each of whom had lost properties worth several lakh rupees.

The social worker, who deposed before the Tribunal, said that when he went to the police station to lodge a complaint on February 28, he found two local BJP leaders, Lakhawala and Brahmbhatt, already sitting there. He was told in front of the policemen that the BJP did not want any Muslims in Vanejagaon and that they could forget about police protection.

Whenever the social worker took the Muslims to the police station to lodge FIRs, the police would say, "Why are you leading them, you just mind your own business." When the Muslims go to lodge FIRs, they would be told that complaints would be lodged only if no names of the accused were mentioned. Muslims were also told that they would get no help in this connection, even if they went right up to Delhi. Finally, they registered some complaints, keeping out all the names of the accused. An assistant commissioner of police was named by the social worker for acting as an informant of Hindu aggressors and also getting innocent Muslims arrested.

Audhootnagar

The victims of Audhootnagar, Makarpura who had taken refuge in a relief camp went to check out the state of their houses under the protection of PSI Varecha, two junior officers and four constables on March 17. They were in their homes, trying to retrieve some of their belongings, when a mob of 5-6,000 set upon them. Witnesses told the Tribunal, "The police just sat there instead of defending us… PSI Varecha actually said to the mob, '*Dus minute mein sab patado*' ('You have 10 minutes to do your job'). He did not use any tear gas or fire to disperse the mob. The mob attacked us with pipes, swords and *dharias* (sickles) but we received no protection from the police. Munna Bhai (25-year-old) and Mushtaq Ahmed Nisar Ahmed (45-year-old) were killed." Niraj Jain (VHP *mahamantri*), Kaushik Shah, Shailesh Mehta (deputy mayor), Jatin Vyas (Bajrang Dal), Nagarjuna (from Ajwa Road), Jayesh Bhatt, Ajay Dave, Raju were identified as leading the assailants while PSI Varecha, two junior officers and four constables were blamed for their culpable negligence.

TARSALI AREA

Raghovpura

Raghovpura is a village of about 100 families, Hindu and Muslim in almost equal number, about 12 kms from Tarsali, off the Vadodara-Mumbai Highway (NH 8). Out of a total of 41 houses belonging to Muslims, 36 houses and the *masjid,* along with two buildings belonging to the *masjid*, were burnt down by a 500 strong, armed mob late night on March 1. The families targeted were well-off agriculturists who collectively lost property estimated at Rs. 80 lakh.

The Tribunal recorded detailed evidence about this incident. In the afternoon of March 1, Subhashbhai Mafatbhai Chota, a local Bajrang Dal leader held a meeting in his village, Patarveni, adjacent to Raghovpura. A large number of villagers attended the meeting, including many from Raghovpura, Two of them, Hindu friends of Muslim boys from their village, returned to Raghovpura and warned Mubarak Bhai that plans were being made to burn Muslim houses. When informed, PSI Vadalia from Varnama who was posted in the village along with two police constables since that morning, told the Muslims, "Don't worry, we are here."

But when a mob numbering 400-500 launched an assault later that night, Vadalia and the two constables acted as their accomplices. Shouting slogans like "*Miya ne kapo!*" ("Kill the Muslims!"; "*Miya ne jalao*" ("Torch the Muslims!"); "*Unki auraton ki ijjat luto"* ("Rape their women!"), the mob ransacked the mosque, made a pile of all they could find, copies of the Koran included, poured kerosene and chemicals over it and set it on fire. The mosque was destroyed along with two adjacent Muslim houses. It then looted the remaining Muslim homes after which they too were torched.

Anticipating trouble, all the women and children were shifted from Raghovpura to Dhaniyari village on February 27 itself. About 15-20 men, who had stayed behind, also fled to Dhaniyari when the attack was launched, except for Mubarak Bhai, who stayed behind and witnessed the destruction, loot and burning.

The fire brigade, which arrived several hours later, refused to help in putting out the fire, according to Mubarak Bhai. The PSI told him that if his people hadn't burnt the train, this would not have happened.

The victims named the following: Bajrang Dal leader, Subhashbhai Mafatbhai Chota; Rabhipura village *sarpanch,* Deepabhai Patel; Raghovpura *sarpanch,* Shantilal Patel; Natwarbhai Naranbhai Patel, Mahendrabhai Patel, Bipinbhai Bhailalbhai Patel, Amitbhai Jashbhai Patel, Motibhai Gordhanbhai Patel, *sarpanch* of Megakui, Satishbhai Thakor, his brother Chandresh Thakor, and many others. PSI Vadalia, who said he would register FIRs and complaints only if no names were mentioned and the two policemen on duty were also indicted for their non-action.

Noor Park

The Tarsali area, in the south-eastern part of Vadodara city, has several pockets of Muslim population: Noor Park, Vishal Nagar, Govind Nagar, Sharad Nagar, Moti Nagar, Rajiv Nagar, Indira Nagar and Danteswar. Many of the people from Noor Park are vegetable and fruit sellers at the Tarsali market. The Tribunal has evidence to show that a meeting was held by the VHP around the end of January 2002, at the ITI grounds. Praveen Togadia addressed the meeting and the cable operator telecast this on a local channel. Shamshersinh, one of the residents of Dadu Nagar in Tarsali area, reported that in this meeting Togadia incited Hindus to an economic boycott of Muslims, telling them not to even offer the latter any water if they came to Hindu homes.

Gotri village

The various segments of Tarsali faced a similar pattern of attack. On March 1, Nasir Hussain Liaqat Hussain and his son were stoned, trapped in tyres and then burnt alive. The accused in the murders are Narendrasinh Solanki (BJP, *taluka* panchayat member), Sunil Patel (BJP), along with Sunil Bhoieto, Ajit Kalia (of Vishal Nagar), Sudhir Meldi, Pradip aka Padiyo, Kallo Jaiswal, Bhupendra, Ravi, Dharmendra, Kanchia, Manish Gurkha (all of Vishal Nagar). Jagdishbhai Shah, well-known Gandhian and resident of the Vinoba Ashram, testified before the Tribunal, giving details of the burning of the local mosque and other Muslim property in Gotri village and on Gotri Road. The property destroyed included three tempos, a car and a three-wheeler that its Muslim owners had parked inside the Ashram compound for safety.

The 10 Muslim families from Ramdev Nagar, Ghanchi Falia, Gotri Road, were given shelter by their Hindu neighbours for a while. But later, fearing imminent attack, they fled wearing the saris lent to them by their Hindu neighbours to disguise their identity. Rampaging mobs later looted and burnt all their homes.

On March 28, villagers of Gotri apparently attacked Muslim houses in nearby Umetha and burnt down 35 houses, 25 cabins and the standing crops on many fields. They also burnt the *masjid.* One of the local leaders telephoned the Tandalja relief camp. A truck came to Umetha with a police escort in the evening and Dilawarbhai and his family shifted to the camp in Amir Complex, Tandalja. Many others went to Anklav under police protection.

In Gorwa village, in the north-eastern part of Vadodara, where there are many public sector companies, Muslim slum dwellers were attacked on February 28 and their houses burnt down.

KARELIBAGH

Many houses in Karelibagh and surrounding areas were burnt and looted. Immediately after the violence started, for about 10-15 days, many people from other areas sought shelter in the Kasamala Kabrastan area of Karelibagh. Ghaghretia, a small village near Dabhoi Chowkdi, had many Muslim houses of which several were burnt. The remaining were looted. Some of the affected families from Ghaghretia, who had acquaintances in Kasamala, were sheltered by local people in their own homes. Some people fled to other parts of the country after the incidents.

Evidence recorded by the Tribunal showed an inspiring example of Hindu-Muslim solidarity in Kasamala. One of the Hindu families in Kasamala was dependent on daily wages. The Muslim households gave them food, as they could not go out to work during curfew. They would also tell them that they would protect them at night; because of these assurances, the Hindu families in the area said they could sleep without anxiety. Because of the assurance of safety, the Hindu families did not migrate from the area. A house belonging to a Hindu boy named Raju was burnt down in the disturbances. His Muslim neighbours gave him food and shelter.

There are more Muslims in Kasamala than Hindus, while Ramdev Pir, an area nearby, has more Hindus than Muslims. This entire part of Vadaodara has had a history of peace and harmony. After the attacks, they resolved to be united and defend themselves together from an outside attack, whichever religion or caste the attackers might belong to. Because of this understanding between the two communities, the people could move around freely during the curfew with an assurance of safety.

BEST BAKERY, HANUMAN TEKRI

The most ghastly incident from Vadodara district was the one that took place at Best Bakery where fourteen persons were attacked with swords, *trishuls*, *lathis* and other weapons before being burnt alive. The Tribunal recorded the testimony of Shaikh Zahida Habibullah one of the victims whose family members were killed. The witness told the Tribunal that Jayanti Batija 'Chaiwala', Mahesh Munna 'Painter', and Sanjay and Santosh Thakkar, led a mob of about 500-700 people that attacked the bakery at around 8 p.m. on March 1. "They were flinging petrol bombs on us and were shouting that they will loot and burn us. Our three trucks full of timber were burnt and destroyed." The family made repeated calls to the police control room and also the policemen at Panigate police station. The police kept saying, "*Hum aa rahe hain*" ("We are coming.") An hour and a half later, around 9.30 p.m., a police vehicle drove by the bakery, stopped briefly and then drove away without doing anything to stop the mob.

The most shocking aspect of this incident is that it was after the police had come and gone away without any preventive stop that the mob started the loot and arson

and subsequent massacre. There were shouts, filthy abuse and threats of rape, etc. from the crowd. The entire mob had surrounded the bakery, a multiple-floor structure. They first looted and torched the ground floor storeroom and workers' room.

(Hanuman Tekri is located on Dabhoi Road, on the outskirts of Vadodara. It is a lower middle-class and poor neighbourhood. Most of the residents are Hindus; very few Muslim families live there. The Muslim family owning the bakery had shifted to this area only six months prior to this incident. All other Muslims staying in the area had already left their houses on February 27. Only this family stayed on because Jayanti 'Chaiwala', who is an influential person in the area, assured them safety).

Twenty members of the Shaikh family, including an aging mother, remained trapped and terrified on the terrace, as the murderous mob burnt eight people to death on the ground floor. Thereafter, the mob went after the people trapped on the terrace. The witness' mother kept appealing to the better sense of the killers saying that she had no support except for her sons. However, two of the witness' brothers were burnt alive. Two other brothers who received severe injuries were in hospital until early May. Other family members who were seriously injured included the mother of the witness and one sister. The uncle of the witness, her sister, Shabira and her maternal uncle's (*mama*'s) children, Zainab and Shabnam (twins) were burnt alive along with the workers in the bakery. The stomachs of the three Hindu employees at the bakery were slit open before they were thrown into the fire. In all, 14 persons were killed and burnt in this incident of carnage.

Even the domestic animals, like goats, were not spared. All the attackers were from the *mohalla*. This included four children and three women. The remains of two of the victims could not be found. Jayanti Batija 'Chaiwala' is the main culprit. He first reassured them of their safety and then led the attack at night. The assault went on for a staggering 14 hours and yet there was no help from the police. A Hindu, who owns the Phoolchand bakery, was also among the attackers and he took away the ample stock of flour, ghee and other things. A copy of the complaint of the accused has been submitted to the National Human Rights Commission and other human rights organisations, besides the collector and police commissioner, Vadodara. The accused here are Jayanti 'Chaiwala' and his sons, Mafat, Mahesh Munna 'Painter', Sanjay Thakkar, Santosh Thakkar, Jagdish Rattiwala, and Dinesh Bakerywala. The policemen indicted are the Panigate police station

HAJIMIYAN KI SARA, BARANPURA

Located in the south-eastern part of Vadodara city, the Baranpura locality had around 15 per cent Muslim households, flanked by Gujarati and Marathi-speaking Hindus. There were two police points in the area, possibly because the locality has seen communal riots in 1969 as well as in 1992. But residents say that the violence then was not as severe as this time.

Between February 28 and March 1, an entire Muslim *mohalla in* Baranpura was looted and burnt. A few houses escaped damage, probably because of their location

next to Hindu properties. In Baranpura, a total of around 700 persons have been rendered homeless. On March 8, when some victims went back to check their homes, they found them still burning. This is a shocking comment on the conduct of the Vadodara police. When victim-survivors from 8-10 families went back a second time, on March 22, to record their *panchnamas*, they were attacked by a 500 strong mob and forced to flee. The mob set fire to the scooters on which they had come. Though the police were present they could not or did not do anything.

Among the Muslim homes destroyed at Baranpura was that of Gaman, an internationally renowned epigraphist who was formerly with the Archaeological Survey of India. His collections of more than 200 rare manuscripts and hundreds of ancient coins were lost in the fire. Ganam's wife (aged 75) shifted Ganam, who was 90-years-old and paralysed, to a safer house, which was also later attacked. Ganam died in late April.

In all, 39 homes were looted and burnt. Three houses in the *mohalla* where there were to be weddings had gold, expensive clothes and grain, which were all looted. One such family alone lost goods worth Rs 12-13 lakh. Besides homes, 19 shops, a bakery and a coal depot were looted and burnt while the local *dargah* was damaged.

According to statements before the Tribunal, the persons who came to attack on March 2, were from the neighbouring *falia,* several of whom the Muslims recognised. Those named are: Bhaya (Machi), Bhuriyo (Soni), Mochi, Ramesh, Dr. Thakor's son, Hardik and Vimal, and Maniyo (son of Ranjeet from Chobdar *mohalla).*

ROSHAN NAGAR, TULSIWADI

Tulsiwadi is the name for the whole complex of slums, including Sanjay Nagar, Roshan Nagar and others. The Tulsiwadi area is a mixed area, with almost equal population of Hindus and Muslims. However, Roshan Nagar is mostly a Muslim majority area. The Tribunal recorded testimonies from here too. There were intermittent attacks in the area between February 28 and March 31. Some major incidents are given below.

On February 28, Tulsiwadi main bazaar was the scene of stone pelting and attacks. Witnesses said a mob led by Umakant Joshi (BJP's ex-mayor), Kanubhai Panwala, Narendra Pandya s/o Parvati, Rajubhai Kuberbhai and Suresh Sharma STD *walla* of Tulsiwadi, burnt houses in Sanjay Nagar shopping centre. Hillayyabe, an ex-corporator was also active in these attacks. Victims told the Tribunal that the police joined in the attacking mob and broke up houses. In their combing operations they even took away the rods of a baby's cradle saying that these were weapons. They made abusive and sexually threatening statements like, "*Tumhaare yaar ayenge, woh tumhe zinda maarenge"* ("When your 'lovers' arrive, they skin you alive"), "We enjoy thrashing you Muslim women", "We can rape you", "Run away to Pakistan". "*Gandi gaali bolte the*"("They used filthy language") was a widespread complaint.

In Sanjay Nagar, on March 1 and 2, what remained of the mutton shops that were set on fire on the night of February 27, was cleared out and a temple constructed on the

same spot, blocking the lane leading to the Sanjay Nagar slum. On the evening of March 2, *prasad* was distributed here and *bhajans* blared over a loudspeaker from the temple.

From the testimonies recorded by the Tribunal and other evidence collected, it is clear that the police did not limit itself to offensive language. Among those who were injured by the police were:

- A pregnant woman injured by two bullets, who had to be admitted to SSG Hospital.
- Rubina, a 6-year-old girl, whose hand was injured and contused.
- Mumtaz Bano, who received a black eye in the beatings.
- A 9-month-old baby whose eyes were affected by a tear gas shell that burst at the feet of the woman holding her.

The women victims, whose testimonies were recorded by the Tribunal, were extremely agitated and upset at this role of the police. They complained bitterly that the police, who were supposed to protect them, had instead used abusive language and trampled on their sense of dignity. The women stated how, with their menfolk behind bars, the family members had been starving for days.

From the evidence recorded by the Tribunal, it is clear that many Muslims were illegally arrested and detained by the Vadodara police. Eyewitnesses testified saying that the police came at the same time as the mobs. One such witness described how they pulled her out of the house, dragged her in the mud, beating her all the while. When asked whether she had lodged a police complaint with the commissioner of police about the atrocities, her angry response was: "What is the point of complaining to him when his men did all this to us? We need to complain to the chief minister or the Prime Minister." This witness has submitted her testimony to the NHRC.

Mansuri Kabrastan was another area in this locality where women and young men were brutally assaulted by the Karelibagh police on March 1. Many victims, agitated at the illegal arrests of many boys, had registered a complaint that they were being brutally beaten by the police.

WADI, PANIGATE

On March 1, 2002 a big mob entered the Madarmohalla *basti* in Wadi, near Panigate in the old city area of Vadodara and burnt down five Muslim houses. Residents told the Tribunal that there were Bajrang Dal people in the mob. But instead of going after the culprits, the police, too, turned on the Muslims, most of them daily wage earners. The Tribunal found that this was a clear and sinister pattern to the violence in Vadodara, where poor and vulnerable Muslims were first attacked by mobs and then set upon by the police.

They systematically dragged out men from their houses while families were sitting down to dinner or watching television. Forcible arrests were then made from different areas beginning with Wadi, Panigate. Seventeen-year-old Deewan, trying to flee from the police, was badly injured on her earlobe by shrapnel from a shell, causing her to faint. She was hospitalised for 13 days, had been vomiting blood, and was still on medication three weeks later.

Other people related how the police went on the rampage, breaking down houses and everything that came in their way. Children were terrified and hid in all kinds of places, but the police pulled them out while terrorising all the residents. Forty-two *basti* dwellers were arrested that night, taken to the Panigate police station and detained for 13 days. The police continued to visit the area for days after the incident, threatening and intimidating the people further. Victims of Panigate had severe injuries inflicted on them by the assault. There were burn scars, multiple fractures etc. Almost all those affected were daily wage earners.

When the Bade Masdada Ki Chaali was attacked on the night of February 28 by a large mob, there were police jeeps accompanying the mob. The attackers came armed with swords and other weapons. When approached for protection, the police said, "Save yourselves, we cannot save you." The people fled, leaving behind everything they owned. Their property was first looted and then their houses were burnt to the ground. The police not only refused to protect them but also joined the mob in beating them up. Some sustained injuries, including two with serious head injuries and had to be hospitalised. The brutal police did not spare even the elderly. Young Muslims were chased and beaten by the police during curfew while Hindu boys moved around freely on scooters.

The hapless Muslims took shelter in a nearby *dargah,* helpless witnesses to the night long burning of their houses and belongings. The worst part was the sense of betrayal by neighbours: they were being attacked by Hindus with whom they had shared meals, they had visited each others' homes for 40 years. Ganibhai Qureshi said, "*Hamare saath salon se khane waale bhi hamen bhagaye us din. Aaj hamara kisi par bharosa nahin. Saara bharosa toot gaya hai.*" ("People we shared meals with for years chased us off that day. Today, we trust no one. All trust has been broken for good.")

Phase II: March 15-20

MACHCHIPITH

The significance of the Machchipith violence in the second round of violence lies in the fact that by March 14, Vadodara was getting back to normal. There were many areas where no untoward incident had taken place till then. The event at Machchipith was used and reported by the media as an attack by Muslims on peacefully passing '*rambhakts*', an echo of the Godhra event. This was used to trigger the second round of violence in Vadodara, which then spread to many areas.

Machchipith, in the old city area, is inhabited by middle and lower middle-class Hindus and Muslims. Many of them run businesses and some are in the service sector. About 40 Hindu families and 400 Muslim families reside in the area. In the aftermath of Godhra, harmony had prevailed in Machchipith, despite instances of violence in the immediate vicinity — Tulsibhai Ki Chawl, Salatwada, Haribhakti Ki Chawl — in which Muslim homes, shops, *madrassas* and mosques were looted or burnt.

On March 15, The VHP and Bajrang Dal had given a call to Hindus to organise '*Ram dhun'* meetings all over India. In view of the prevailing tension, Tuteja, Vadodara's

police commissioner imposed section 144 in the city. In contravention of the above order, a 500 strong rally, all outsiders, reached Machchipith *naka* at around 3.10 p.m. About 6-7 police personnel also accompanied the rally on foot, with a police van bringing up the rear. The rally was quite unruly, with many Muslim-owned shops (including Indian Boot House and Tower Shoes) *en route* being looted and burnt.

The moot question is: Why was a procession allowed in open defiance of curfew orders? What was the police doing when Muslim shops were being looted and burnt by the processionists? However, these questions did not seem to trouble the police then or later. The processionists reached Machchipith, raised provocative slogans, like "*Bandiao (*abusive word to refer to Muslims), go away to Pakistan," "*Babar ki aulado, Hindustan chhod do,*" ("Babur's sons, Quit India!") and resorted to lewd behaviour, provoking the Muslims to respond with stone throwing. It is only then that the police intervened and only Muslims were the focus of their wrath.

Apart from the municipal councillors and other local leaders involved, various police personnel were explicitly named. They are 1) MS Patel of Raopura police station; 2) Bhagirathsinh Jadeja, PI of Goonda squad; 3) PI Rao of Karelibaug police station; 4) Kanu Patel of Karelibaug police station; and 5) Fatehsinh Patel of Karelibaug police station. No action has been taken against them.

TAIWADA

Taiwada, a prominent but communally sensitive area of the walled city which has a majority of Muslim households, but also quite a few Hindu families, was among the targets in the second round of violence that began on March 15. There were no serious problems between the two communities during the worst phase of violence between February and March 1. But the area was affected in the second phase and badly so in the third bouts of violence. It was the police that was the source of the greatest harassment for Muslim residents.

On April 20, the police killed two residents when they were on a night vigil outside one of the houses in the area. The police tried to justify the firing by manufacturing a scene of rioting. Women were subject to physical assault by the police under the pretext of 'combing'.

On March 15, the date on which the '*Shiladaan*' *puja* was scheduled at Ayodhya, there was a lot of tension in the area. The Muslims were repeatedly warned by the police to stay indoors, but Hindu boys were allowed to roam around freely. The *arti* in the temple that day was very aggressive and provocative. Slogans were shouted and threats issued but the police took no action. In the evening, the house of one Kalubhai, situated right next to the Gajrawadi Police Chowk, was set on fire. The police posted there said that they could not do anything and the residents themselves doused the fire. A little later, Saiyyad Photo Studio was completely burnt. The owner, Saiyyad Masood, who lived in the vicinity, had no option but to watch his investment of around Rs.1.5 lakh go up in flames. "The police point was right next to the studio, and so was a temple. If they had wanted to, they could have prevented it… If we had stepped out, we would have been killed that night," Masood told the Tribunal.

At night, ostensibly in response to stone throwing by members of the minority community, the police, led by police inspector PP Kanani of the DCB, entered the area for a combing operation. They broke open doors of Muslim homes, beat up men and misbehaved with the women. Deposing before the Tribunal, one resident of Taiwada said, "We were sleeping. They broke open our door, beat us and dragged us out. They used filthy language and openly leered at our women (*'buri nazar')*. I told them that we were businessmen, not trouble makers but they wouldn't listen. They damaged the furniture in our house. They took all three of us brothers and thrashed us. A police officer leered at my wife. God forbid, even if he'd done something to her, I was in no position to do anything to protect her. I urged him to let at least one of us brothers go. He replied, 'No, we'll burn you all alive.' In the lock-up, too, the police said the same thing: 'We will burn you Muslims alive.' We were given neither food nor water in the lock-up. I heard them talking of slapping a murder case on us even when no murder had taken place and no weapons had been found on us."

The conduct of the Vadodara police during combing operations needs special investigation. These operations were arbitrary and brutal, with women being subjected to highly abusive treatment. The Tribunal recorded the testimony of several witnesses who had suffered in the police action.

Hamida Banu, (40) was arrested by around 15 policemen led by PI Kanani, on the night of March 15, when she stepped out to go to the toilet just behind her house. She was so badly beaten that she had four fractures on her right hand, for which she underwent four operations at SSG Hospital. She told the Tribunal, "The police have no right to lift a hand on women. They should not be allowed to get away with this. Whatever happened to me happened, but other women should never have to suffer this." A police case was registered in SSG Hospital against the erring policemen, but no action was taken.

Apart from Hamida Banu, 13 other women were similarly injured in police attacks that night in the Taiwada area, all requiring medical attention. One young woman had a baby born hardly a month earlier. The police smashed open the entrance door, which fell on her back. They smashed her foot with the butt of a gun. This witness has three small children. She pleaded with the police not to take away her husband. They hit her on the back. They took away her husband after beating him up. Another Muslim woman, who lives opposite the *mandir*, said, "They beat my son-in-law a lot, upturned all the grain containers (*atta* and rice) in the house, did a lot of *nuksaan* (damage). One of them stepped on a 6-month-old baby who was crying a lot and said, 'Let them all die'."

Another victim lives in Raffai *mohalla*. She is a social worker who works with widows and helps poor people get loans. "I tried to stop the police. Afterwards, they hit me, too, and used filthy language. I told them that I would register a case against them. We filed a report at Jamnabai hospital. But no enquiry has been held. Yesterday (the day before she testified before the Tribunal) I was at Bavamanpura. A kite landed at my feet. On it was written, 'We will burn you, we will burn your houses and your children. We will play *Holi-Dhuleti* with your blood.' I showed it to the police commissioner. His response was, 'This will go on. Do we focus on you people or focus on

these people?' I told him that we had no choice but to defend ourselves with stones when they attack us with swords and the police does nothing. To this, the commissioner himself said, '*Aap aamne saamne ladh lo*' ('Fight it out among yourselves')."

Incidentally, women from Taiwada had played an active role in maintaining calm in the area by forming peace committees (Shanti Abhiyan) and trying to dissipate tension soon after Godhra. Even after the combing operations began, they continued to be vigilant. Sherbano from the Shanti Abhiyan, an initiative to promote peace in the area, told the Tribunal, "The whole area was under curfew and it was these women who were more alert in preventing untoward incidents instead of the police." Women kept vigil on terraces, balconies and verandahs to prevent trouble by the police. "We had to keep the men inside because they get beaten more easily. If we women do not do it, who will?" asked one of the women. But trying to keep the situation from going out of control was not easy. The area had continuously been under curfew and everyone was tense with lack of sleep.

BAHAR COLONY

Witnesses from Bahar Colony on Ajwa Road testified at length about police brutality during the second round of violence beginning March 15. There were continued attacks on the Bahar Colony for 72 hours. Large mobs would attack the locality even while police patrolling was on. On March 17, around 50 women from the Bahar Colony rushed out when there was an explosion from a hut that had been torched. They tried to stop a police van that was driving past. The police van drove a little distance, suddenly started reversing, and police started firing. One man was killed on the spot and another was injured. The FIR registered for this incident distorts the whole picture, the police claiming that they were confronted by a mob of 1,500-2,000 when, in fact, there were only 50 women.

The witness to this incident who deposed before the Tribunal, told inspector VM Chauhan that if guns were targeted at the attackers, things would not be so bad: "The inspector replied, 'No, only you will be shot at. Bullets will be directed only at you.' He ended with an order to the policemen, 'Beat them with *lathis*, shoot them."' The witnesses have submitted full details of all the police atrocities – photographs, FIRs, etc — to the police commissioner and the collector. On March 18, a meeting was held with the ACP in charge, Piyush Patel, at Farookbhai Boxwala's house. They complained bitterly about the mistreatment of women but despite the promise, no action was taken.

On the night of May 2, for no apparent reason, the police entered people's homes and beat up women. So drunk that they could hardly walk straight, they entered homes forcibly and mercilessly beat up women. Those named in this criminal action by the Vadodara police were PSI Parmar of Panigate (in civilian dress) along with about 40 constables in civvies and another 15-20 in uniform.

BAWANPURA

Bawanpura in the old city of Vadodara, inhabited mostly by daily vegetable vendors and daily wage earners from both communities, was targeted on March 25 (Muharram day) and again on March 28. The following account is based on testimonies gathered from women of the area:

Kagda Chaal in the old city of Vadodara is a predominantly Muslim area, with a few Hindu households and two temples amidst them, flanked by Hindu shops and households on two sides. Hindu residents said that they had faced no problems here and that they felt totally safe in the area. People from both communities said that they had no problem with each other, the only problem being police atrocities against Muslims.

Even a 3-year-old boy, Arbaz, was beaten by the police. There were instances of pregnant women being beaten on their stomachs. Most of the injuries were in the lower parts of the body, below the waist. A few women showed bruises in the groin area. A woman, 9-months pregnant, told the Tribunal, "I told them that I was pregnant ('*pet-se*'). They said that they would beat me nonetheless. My mother-in-law pleaded that I was pregnant. They said, 'We have to kill it before it is born'." Unwell and elderly women were not spared either.

Many witnesses said the police had not beaten and misbehaved with women in earlier riots. However, this time, women were being very badly treated, badly thrashed for no reason. A 60-year-old victim was hit so hard on the stomach that the scars from an old caesarian operation almost split open. Others were dragged by their hair and beaten. Another woman who had recently had a tumour operation was beaten on the back and legs. The policemen were all drunk. In many of these cases, FIRs have been filed but no action had been taken. Many women victims were refused treatment at Jamnabai hospital where they were told that they had deliberately injured themselves.

Although the people of the area had not suffered major losses and destruction in mob attacks, when the Tribunal recorded detailed testimonies, they were in a constant state of fear and apprehension and were bitter about the injury, abuse and humiliating treatment that they had to endure at the hands of the police.

But it was the attack on April 19 that proved most brutal. A PUCL-Shanti Abhiyan team submitted a report on police atrocities committed on March 25 and April 5 to the National Commission for Women. They also appealed to the police commissioner to take strict action against these policemen for committing such atrocities. At that time, the commissioner gave an assurance that such incidents would not recur. Despite this, the police set upon the Muslims of Kagda Chawl on April 19.

On the night of April 19, sensing fresh trouble from the Panigate police station, the men folk of Kagda Chawl had left the area; only women and children were there when approximately 30 policemen, in both civilian clothes and uniform, forcibly entered the Kagda Chawl area from three sides. They said that they were PI Parmar's staff; the women easily recognised police constables Deepak and Mahesh Rabari in the group.

The policemen, who were very drunk and armed with thick, metal-capped wooden *lathis* went on the rampage, attacking property and people for about one hour. They broke open the doors of the houses, smashed TV sets and furniture, scattered food items and other household effects. They beat up nearly 20 women, their *lathis* aiming particularly at their breasts, thighs, hips and arms. They also beat up children and household animals and caused extensive damage.

Some women attempted to bar their doors from the inside, but the police broke down the doors and started a *lathi*-charge. In one house, where there was only one woman with her 8-month-old baby, the police beat the woman and flung the baby across the room. Fortunately, the baby fell on a mattress. Filthy language accompanied the beating. "*Itni gandi gali dete the police wale, ki hum aap ko bata bhi nahin sakte*" ("They used such filthy language that we cannot repeat them before you") the traumatised women said. "If this is how the police are going to behave, where are we to go?" Medical examinations were conducted on the women at Jamnabai hospital. The women lodged an FIR at Panigate police station on the same night.

The residents of Kagda Chawl submitted a written memorandum to the police commissioner on April 20, a copy of which was submitted to the Tribunal. Subsequently, a Muslim police officer called the women from Kagda Chawl and pressurised them to withdraw their complaint. The local media only helped fan the flames by misreporting the incident.

FATEHGUNJ

Muslims from this area felt deeply betrayed by the police. Despite all their efforts to maintain peace notwithstanding repeated provocations, it was Muslim houses that were combed, and Muslims who were arrested and falsely charged under section 307 (attempt to murder). Speaking before the Tribunal, Mustuffa Sheikh said that they were the ones whose houses were combed, they were the ones whose shops were looted and then they were the ones who were charged under sections 151 and 307. What were they to do? Who could they turn to for help with even the police conspiring against them? Their people were living in inhuman conditions with nothing to eat. They had left their homes with only the clothes on their backs. They were being intimidated constantly.

The police atrocities followed reports in *The Times of India* and *Sandesh* that a handicapped Hindu boy had been stabbed in the area. It was later discovered that he had sustained a self-inflicted scratch in a minor accident.

Phase III: April 26-May 2

TAIWADA

On the night of April 30, around 1.30 a.m., two men, Abid Ibrahimbhai Delawala (26) and Noorbhai Yaroobhai Karvania (40), were killed in police firing. The police claimed that they were shot when police fired to disperse a mob which had attacked a temple, tried to burn a SRP tent, and was indulging in throwing stones, bottles, acid bulbs, etc. Two Gujarati newspapers, *Sandesh* and *Gujarat Samachar* carried this story in their morning issue. While correspondents of national newspapers who rushed to the area after receiving phone calls from the locality were not allowed to enter the area, the local VNM and DEEP networks worked under police protection to trot out the police version.

But according to the widows of the two victims who, along with other eyewitnesses, had made a written complaint to the police commissioner and who also de-

posed before the Tribunal, the police shot the two victims in cold-blood, without any provocation. Both were shot in the head, indicating that the police were shooting to kill. They have named PI Parmar and five other policemen as those responsible for this. Family members were not allowed near the victims, who were dying and crying out for water. The police burst tear gas shells near the two bodies. The police said '*pati gayu'* ("its all over") and began dragging away the bodies as if they were dead dogs. Nobody was allowed to accompany the bodies. The bodies were returned after the post-mortem examination, but none of the personal effects were handed over to relatives.

Earlier, around midnight on April 26, the police forcibly entered Muslim homes, where only women and children were asleep since the men stayed elsewhere for their own safety. The policemen abused them in filthy language, "Where are your *bhadwas*?" "Where are your *hijdas*?" and threatened to sexually molest them. A woman who deposed before the Tribunal said that the police beat her as well as her 30-year-old sister. Her sister, who is partially disabled and was recovering from a recent appendix operation, was beaten on her stomach, thighs and private parts. In all, the Tribunal has details of 13 women who were assaulted by the police at Taiwada as well as a 5-year-old child who was hit on her back with a baton. Women from Taiwada who were brutally assaulted by the Vadodara police, led by PI Kanani, have had to undergo prolonged sessions of physiotherapy.

RAJA RANI TALAV

Raja Rani Talav a Muslim-predominant *basti* just behind the Panigate police station was completely peaceful all through the two months since the Godhra incident. But on April 27, a mob numbering several thousand people from Bhoiwada attacked the *basti*. All the homes were looted while 35 houses were subsequently burnt. Two *dargahs* were also burnt down and the *madrassa*, too, was destroyed. (Around 520 Muslims from over 100 families took shelter in Doodhwala Hall in Moghalwada from April 28 to May 5. A Hindu family, Dilipbhai Patel, his wife Kokila and their children also took shelter along with their Muslim neighbours.)

Even as they were under attack from mobs, the police unleashed terror on the victims in the name of combing operations – hitting people, especially women, with *lathis* and rifle butts and smashing electric meters. Many women from the area, whose testimonies have been collected, were assaulted and abused by the police. The pattern of brute violence against Muslim women by the police here is chillingly similar to other areas of Vadodara. It is clear that this was a strategy adopted by sections of the police to assault, abuse and terrorise the Muslim minority in this manner. Several women have complained about police victimisation, harassment and violence. At least 25 women were assaulted by the police.

SULEIMANI CHAAL

Suleimani Chaal is a slum settlement at Ajwa Road that was apparently targeted by the hired hoodlums of Shailesh Mehta, the deputy mayor of Vadodara who is also a builder, keen on extending his neighbouring plot of land.

Apart from the looting and damaging of Muslim property, *by the police*, on the night of April 30-May 1, the Tribunal recorded gross cases of violence against women. Pregnant women were threatened with rape. Thirteen women were physically beaten on all parts of their body, including private parts, and verbally abused in the filthiest fashion. All the policemen were drunk. Young children were also badly assaulted.

TANDALJA : HOPE SURVIVES

An area in Vadodara that was in the news throughout the post-Godhra violence was Tandalja. Even in places as far as 10 km away, like Gorwa, Manjalpur, Nizampura and Sama, rumours were kept afloat by the VHP/ Bajrang Dal since March 1 about impending attacks by Tandalja's Muslims. The local press reinforced the baseless rumours. The Muslim-predominant village was painted as a hotbed of weapon-wielding criminals. A term widely used by outsiders to describe this area is 'Mini Pakistan', simply because it is a Muslim majority area. Systematic attempts were made to vilify this area and thereby also further stereotype Muslims as bloodthirsty marauders. The Tribunal is happy to record its deep appreciation of the tireless work of people from both communities in Tandalja and its neighbourhood, to maintain peace, frustrating the designs of the mischief-makers.

Situated on the western border of Vadodara city, Tandalja is an area with about 40,000 people, spread over some 50 housing colonies and slums. The Muslim population is about 80 per cent and Hindus constitute about 20 per cent. Besides Gujaratis, the Hindu population includes people from the Sikar district of Rajasthan and Agarwals from UP. Tandalja also has a small Christian population.

The slums and some of the housing colonies in the area have a mixed population. After the 1969 riots, the area provided shelter to Muslim and Hindu refugees from Vadodara as also from villages like Jambusar. In the early 1980s, middle-class and upper middle-class housing societies came up in the area. Many of these societies were developed through partnerships of Hindu and Muslim builders, partnerships that continue even today.

There are a number of temples and mosques in the area. Ibrahimbhai, a Muslim, built one of the temples, Shankar Ka Mandir; which shares a wall with a *masjid*. Another *mandir*, the Raneshwar Mandir, has been there for much longer. New temples have come up near Muktinagar, Gautam Sarabhai housing colony and Mahabalipuram, predominantly Hindu residential colonies. There are ten mosques in the area. After the1982 riots in Vadodara, the *Dar-ul-Uloom* was shifted from Mandvi, in the walled city, to Tandalja.

While Tandalja village has substantial mixed areas of Hindu and Muslim houses, in some of the newly developed parts, Hindu and Muslim areas are clearly demarcated. However, there is plenty of social interaction between Hindus and Muslims; they visit each other, are invited to each other's weddings, and also eat together. Hindus and Muslims give gifts and sometimes perform '*kanyadaan*' at each other's weddings. Muslim- and Hindu-owned shops are intermingled; not one of these was touched throughout the carnage.

Until 1994-5, corporators from the area were always from the Congress. The presence of the BJP in local politics is a post-Advani *rath yatra* (1989-90) phenomenon. It was only after the *rath yatra* that the BJP was able to win three out of four seats (the electoral ward includes many surrounding Hindu societies as well). The BJP has also won a few supporters amongst the Muslims.

As soon as violence erupted in other parts of the city, residents of the area got together and formed peace committees. Muslims as well as Hindus reached out to as many adjacent societies as possible to build an atmosphere of mutual trust. Thanks to this, there was no incident of communal violence, burning or looting in the area in the two months following the Godhra incident, despite the violence raging in other parts of Vadodara and the influx of thousands of refugees from affected areas.

Often round-the-clock vigils were maintained. The strategy of the BJP-VHP was to create insecurity in the minds of Hindus warning them that the other side would attack if they were not vigilant. While vigils help maintain peace, youth organised for 'self-defence' can easily be given a different turn, with rumours flowing thick and fast. It is especially creditworthy that in this delicate atmosphere the residents of Tandalja kept in constant touch with each other and thus frustrated the designs of the motivated rumour-mongers.

During the first two days of violence, two *laaris* (handcarts) belonging to Muslims were burnt in the adjoining Hindu area, allegedly by 'outsiders'. Yet the Muslims remained calm and did not allow their locality to be held to ransom. On the other hand, some representatives from surrounding Hindu societies visiting Tandalja were so moved by the condition of the refugees that they decided to contribute food grains to the relief camp. With this gesture, mutual trust became even stronger.

Some ground rules were set. If anybody had any suspicion about movements from the other side or any rumours were spread, they must immediately contact responsible persons from the other side and verify the facts. In this way, an active system of communication was developed between the 50 housing settlements so that, within a matter of minutes, rumours were quashed. On at least two occasions, rumours were dispelled thanks to the swift system of communication that was evolved.

On one occasion, a Bajrang Dal-VHP mob of about 500-600 people from outside got as far as Ashwamegh society, a Hindu residential area adjacent to Tandalja. The mob had come to attack Tandalja. Ashwamegh was part of the peace committee. Local leaders from Ashwamegh stood between the mob and Tandalja. They did not allow the mob to cross the road. The masterminds of the mob later sent bangles to the residents of Ashwamegh, to suggest that they were cowards for not supporting the attack on Muslims for the cause of '*Hindutva*'. But the people of Ashwamegh said that their understanding of Hinduism was different.

Other efforts were also made to generate fear and tension here. On March 19, at around 1.30 a.m., Hindus from a small settlement of about 25 huts fled on being fed the information that there was a plan to burn the huts at night. Witnesses who deposed before the Tribunal said that they had learnt of a sinister plan to burn these

huts at night with the connivance of the police and later blame it on the residents of Tandalja. A spotlight was quickly organised by the peace committees to generate security among the slum dwellers. For three days and nights the entire neighbourhood protected the empty huts so that no outsider could come and burn them. After a few days the people of the slum returned to their huts.

Early in the morning of April 19, one Chandrakant Patel, who managed a milk distribution centre on the main road outside Tandalja, was murdered by two unknown persons. According to police reports, two motorcyclists came from the direction of Atladra and shot him at point-blank range, killing him on the spot. Patel was politically connected with the BJP. Tension developed in Tandalja following the incident. Both Hindu and Muslim community leaders expressed their grief over the death. They condemned the attack and observed a spontaneous *bandh* for the same. According to preliminary police investigations, the assault may have been a case of personal rivalry.

Both these incidents had the potential for sparking trouble in the area. But the peacemakers from both sides were vigilant and could check such elements from within as well as outside the area. The role of the police, particularly in the second incident, was positive and contributed to the peacekeeping efforts. The fact that this was a neighbourhood where communities were mixed, could interact and thereby develop faith in each other and maintain peace, only emphasises why the *Sangh Parivar* finds it critical to discourage social intercourse across religious communities and enforce ghettoisation.

The first batch of victims of violence from elsewhere in Vadodara arrived here on the evening of February 28. Thereafter, a continuous stream of refugees poured into the area. Some came on their own because they had relatives here, others because they were aware that they could get support from their community members and still more were brought by police under police protection. Formal relief camps were functioning at four places in the area from March 1 and at one point as many as 5,000 refugees were being provided shelter. To protest against the government and the police's failure to protect Muslims elsewhere in Vadodara, those in-charge of the relief centres in Tandalja refused to accept relief material from the government when this was offered at a later date. That Tandalja both opened its heart to the victims of violence from other parts of Vadodara and simultaneously participated in keeping peace in its own area makes their effort even more commendable.

VADODARA–RURAL

Several villages around Vadodara city were targeted on March 1, 2002. The Tribunal received statements and testimonies from 66 victims living in relief camps who are originally from these villages.

ATLADRA

A mob of between 500 and 1000 people attacked Muslim villagers in Atladra on March 1, 2002, after which 60-65 people took shelter at Saudagar Park (Tandalja).

According to testimonies received by the Tribunal, the mob came at around 11.30 a.m. and, after looting the shops near the bus stand, set them on fire. The mob then began looting the utensils, grain and provision stores owned by Muslims. They even carted away the windows and doors before setting the structures on fire. Sulemanbhai of Patel *Falia* said that the shops were looted but the houses were not, because there are Hindu-owned houses in the locality as well.

According to Rehmanbhai, the aim of the mob was to cause economic damage exclusively to the Muslim community. So, for example, Sulemanbhai's *paan* shop was moved a small distance to save a neighbour's shop, and then burnt using kerosene torches. About five shops and one house were burnt, after which the mob went towards the post office and burnt Moosabhai Mohammad's flourmill, two-wheeler and cycles.

That night the rampaging mob went to Kalali crossing. Ibrahimmiya of Kalali crossing said that by this time, it was 1,000-1,500 strong. Ibrahimmiya fled the scene, after which his house was looted by the mob. Victim-survivors say that Arunaben Pandya, the former BJP corporator, helped the mob identify Muslim houses. Yogesh Patel of the village, Hari Krishan Patel and Nikeshbhai G Patel were also responsible for inciting the mobs. The victim-survivors also stated that when the police came to the area to investigate, the very people who had abetted the violence plied the policemen with food and drinks. They also said that when victims went to register an FIR, the police refused to cooperate.

BAJWA

Bajwa village was targeted between March 1-3, 2002. Bajwa or Bajuwa is an old village which is gradually being absorbed by Vadodara's petrochemical complex. It also has a few small industries. Rajasthan colony on Karachiya road comprises 150 to 200 housing units, of which 12 to 15 belong to Muslims.

According to a witness whose statement was placed before the Tribunal, the attack in this village took place on the afternoon of March 1. The mobs started attacking Muslim shops and houses, and then setting them on fire. They reached Karachiya around 2.30 p.m., Dhankuva at around 4 p.m., and finally, Rajasthan colony at around 7 p.m. Sajjak Ali's house was the first one to be looted, even the ornaments for his daughter's wedding were robbed and then the house was set on fire with petrol. After that Saiyyad Sikandar's house was burnt. A scrap dealer's house was razed to the ground and a Hanuman temple was built in its place.

At around 8 p.m., 35 Muslim men and women from Karachiya village finally approached the army unit near Gujarat Refinery for shelter. By the afternoon of March 2, the numbers had increased to 200, with other refugees having arrived from Dhankuva. All of them were fed, sheltered, given blankets, tarpaulin and utensils by the army for two or three days. On March 2 and 3, Jagdish Patel, Dhirubhai Patel and about 10 others came and told the army men to expel the refugees from the camp and even some police officials, including PSI Sarvaiya, asked the army to hand them over. But the army—including a commander called Jasvinder Singh, V.S. Reddy and Cdr. Javed—remained supportive.

On March 2, the victim-survivors were informed that the mobs had looted their belongings and set fire to their homes. They repeatedly contacted the police commissioner through some prominent people from Maheshwari Society, but received no help. They requested police protection but the police bluntly told them, "If you are brave, leave, since we do not have the manpower to provide you protection." After three days, the refugees were finally sent to Chistiya Masjid in Tandalja under military escort, and on March 4 they left Bajwa for Vadodara.

When the victims later contacted their neighbours, they were told that those involved in the violence were still going around saying that no Muslims should be allowed back into the village. The mobs were led, among others, by Jagdish Armanbhai Patel and Arun Patel of Karachiya village, and Sampat Vadhri of Rajasthan colony. Mukesh Patel was also a part of the mob. The victims stated that Jayaben Thakkar, BJP MP, incited the mob which included a number of women. A lot of the attackers belonged to the Bajrang Dal unit of Chhani village. Others belonged to Karachiya village. At Bajwa, PSI Sarvaiya had apparently told the Bajrang Dal volunteers and Jayaben Thakkar that they should move on to other places and could do what they liked over there.

Bhayli

Bhayli is a village on the outskirts of Vadodara on the Vadodara-Padra Road, which was attacked on February 28 and March 1, 2002. The people here make, among other things, mattresses for a living. On February 28, a mob of around 100 people came to the village. About eight quintals of cotton belonging to one Muslim family were burnt, as was the mattress-making machine. The mob returned on the evening of March 1, took out all the family's belongings from the house and burnt everything. According to the family, the house itself was spared because it is adjacent to a Hindu house.

In Bhayli, the Masjidwala *Falia* was not damaged. There is a police *chowki* there with four policemen. When the trouble started, there were two policemen present. The mob attacks took place in the presence of the police, who remained silent spectators. The victims suspected that the police had been bribed. Some of them complained, "If we go to tell the police they abuse us. 'We'll fire on you,' is what they say."

The victims had to make arrangements for food, tea etc. for these policemen. Every day, IR Vohra had to give them grain, milk and cash. The police warned that unless they were taken care of, they would no longer protect the victims and their

property. So the terrorised Muslims took turns to get food on credit and give it to the policemen.

The victims said that they were looted by people from the neighbourhood. They said they were ready to identify their belongings and take them back if the police provided protection. The victims who came from Bhayli to the Saudagar Park Camp in Tandalja said all their businesses had been destroyed. About 25 out of 70 houses were damaged, four flourmills, two tailoring shops, and a flour-shop were broken. Of about 50 *neem* trees, half were cut down. The room attached to the cemetery was broken as well.

SAMIALA, LAXMIPURA

In Samiala, two houses, one shop and one tempo were burnt on March 1,2002. Although the driver of the tempo was a Hindu, the vehicle was burnt because it belonged to a Muslim. The Muslim families staying in the village were not willing to give further details. The *sarpanch*, Bachhubhai Vaidya, said that all details regarding the incident had been collated and were available with the *talati*. He also said that the people there lived peacefully and that there was a police point in the village.

Laxmipura is a village near Samiala. On March 1, 2002, at about 10.30 p.m., a mob started burning the houses of Muslims in the village. PI PRGehlot of the Vadodara Rural police was present during the attacks. All 38 Muslim houses in the village were destroyed over several days, and the attackers, Hindus, told Muslim villagers not to return to the village. On March 1, all the Muslim residents had to flee Laxmipura with nothing but the clothes on their backs. They left for Padra, Samiala and other areas, but the looting and burning continued well into May.

An FIR was filed by PI Gehlot himself; victims said it was highly misleading. Around mid-March, *panchnamas* were made, but the attacks continued. The victims made several representations to the collector and DSP, but nothing had come of them,even two months later, and the attacks on the remains of the Muslim dwellings continued.

The following is a list of those named by witnesses as persons responsible for the attacks. The victims had been demanding that these names be included in the FIR, which had not been done. None of these people had been arrested; on the contrary, some innocent Hindus from the area were arrested by the police. The names of the accused from Samiala are: Narendrabhai Gordhanbhai Vaid (*sarpanch*), Kamlesh Gordhanbhai Patel (dy *sarpanch*), Bhogilal Mohanbhai Patel, Mahendrabhai Harmanbhai Patel, Kishorebhai Laljibhai Baria, Natubhai Dayabhai Patel, Jagdishbhai Dayabhai Patel, Hiteshbhai Bacchubhai Patel. The names of the accused from Laxmipura are: Bhagatsinh Gaikwad (*panchayat* member), Labhubhai (*gramsewak*), Bharatbhai (Doctor), Rameshbhai Bakorbhai Solanki, Chiragbhai Maganbhai Panchal, Narendrabhai Raojibhai Patel, Lakshmansinh Bodana, Poonambhai Solanki, Ranjitsinh Chatrasinh Gohil, Umeshbhai Natubhai Rawal, Kantilal Bhatt, Shantilal Shanabhai Vaghri, Rameshbhai Chimanbhai Padiyar, Punitbhai Solanki, Sukhabhai Vaghri, Dilipsinh Gaikwad, Sureshbhai Rajput, Chandrasinh Maganbhai Rajput, Dilipbhai Shantilal Valand.

MARETHA

Maretha village was attacked between February 28 and March 2, 2002.This village is on the outskirts of Vadodara city, near Maneja. Out of a total of 400 houses in Maretha, 73 belong to Muslims and the rest to Hindus.

According to residents, arguments between the two communities started on the morning of February 28, but were immediately resolved through talks. The shops were kept closed on February 28 as well as on March 1. Threats to the Muslim community started on February 28, and on the next day, 73 Muslim families left their homes and hid in different places. Only one family stayed back**.** Shops, *dargahs* and mosques were looted, and then the shops were burnt. Twelve shops and five flourmills were destroyed. On March 2, at noon, some more shops were burnt. That night, all the remaining Muslim properties in Maretha were burnt. Most of the fields had vegetable crops. These were destroyed; the Hindu villagers let loose their animals in the fields. It was harvesting time, which meant a complete loss of income. Water pumps and diesel sets were stolen.

Victims said that the main person behind the violence was Sanabhai Ishwarbhai Thakur, who called people from the neighbouring villages of Maneja, Tarsali and Chappad to attack Muslim houses in Maretha. The mobs that attacked Maretha were led by Bipinbhai Patel of Alamgar, Sukhdeo Thakur, the *sarpanch* of Talsat, Pramodbhai of Chappad, and some others.

MANEJA

On March 2, 2002, at about 2 p.m., Maneja village was attacked. Nearly 100 houses were completely destroyed and 6 people were grievously injured. All the Muslims ran for their lives. Between March 2 and March 12, the mobs looted all the Muslim homes in the village.

On March 2, the mob started looting houses and shops. A police van finally arrived, but only after the houses and shops had been burnt. The police personnel said that their numbers were too few and they could do nothing. They refused to provide Muslim villagers any protection. After three hours, at 4.30 p.m., five police vans arrived. The police then told the victims that they had no vehicles and that they should arrange for their own transport out of Maneja. With great difficulty, a family managed to contact acquaintances in Gorwa. The people in Gorwa were ready to come there with a tempo, but said they would wait for the Maneja victims at a certain point since they could not move around easily because of the curfew. The tempo was made to wait at that point for two hours, and the police even stalled all efforts to take a dead body to Gorwa.

The mobs in Maneja village were led by Sanjay Chiman Thakur, Mahendra Magan Thakur and Vishnu Raisingh Bhuria (all residents of Bhathuji *falia*), Sana Thakur (a resident of Santoshi Nagar) and Prakash Mulchand Wagh (a resident of Magan Park). All these are well-known members of the VHP and Bajrang Dal. *Sarpanch* Kantaben Sanabhai Vasava was also one of the leaders of the mob, which comprised of people from the backward castes and Thakurs. Nilesh Bhogilal Patel, Mahesh Haribhai Rabari and Raghubahi Bharwad, all Bajrang Dal leaders, also led the mob. In addition,

Veenabhai Chagganbhai Patel, a former BJP leader, Govindbhai Ramsibhai Rabari, Haribhai Ichhabhai Rabari and Narayanbhai Chottabhai Thakur were also named.

ANKODIA, KOYALI, SEVASI

In Koyali village next to the Vadodara refinery, two *laari*s (handcarts) and one shop were burnt near the *masjid*. According to newspapers (*The Times of India/The Indian Express*), on March 3, 2002, two nitroglycerine sticks were found by the police in the Koyali mosque. A man had also received burns in a godown there in the first few days of violence. In Sevasi village, one Muslim house with a shop attached to it was burnt. In Ashapuri, a hamlet in Sevasi, a shop belonging to a Muslim was burnt.

SOKHADA

Sokhada village is situated 3 to 4 kms from the Gujarat State Fertilisers Corporation (GSFC) plant near Vadodara on the Vadodara-Ahmedabad Highway. It is a prosperous village, known as the headquarters of one of the Swaminarayan sects. Attacks on Muslim homes and properties took place between February 28 and March 5, 2002. The refugees then shifted to Tundav.

According to victims, they were aware that the Bajrang Dal had been holding meetings in Sokhada, but they had not viewed these as communal at the time. They also reported that they had heard that *sadhus* from the Hari Prasad Swaminarayan Mandir had been using slogans to 'awaken Hindus', saying that the country belonged to Hindus not Muslims, that the Ram Temple had to be built, and so forth.

Fifteen days before the incident on February 28, one Hashubhai Patel, alias Tikka, had said that the Hindus would destroy the mosque.

There was tension on the evening and night of February 27, and there was a meeting of a few Hindus at the local Gujarati school. The trouble started on February 28 at around 8 p.m. when a mob of between 500 and 700 people, all from Sokhada itself, gathered and started breaking the cabins and shops of Muslims. According to women victims in Tundav, at 8 p.m. the *sarpanch* had come and told all of them to have their dinner. But then, a mob from the village (led by the *sarpanch,* Mahendrasinh Patel) attacked the *dargah*, *masjid* and then the shops through the night. The people watched from their terraces and shouted '*Har har Mahadev*', '*Have Miyanbhai Ungo Tame'* ('Now you Muslims will sleep.') The crowd carried iron rods, *dharias* (sickles) and axes.

About eight or nine shops were burnt that night. Later, another 19 shops were burnt and the Muslims were threatened and told to leave their houses, or they would be killed. After the shops were burnt that night, the *sarpanch* told the Muslim villagers that they could return to their houses as nothing further would happen. Nevertheless, the people could hear things being broken and see houses being attacked around them. They could not sleep that night.

Those with children fled the village on the night of February 28. On March 1, the mob attacked again between 8-9 p.m. Most of the 100-odd houses were destroyed and more people started fleeing the village. They hid in the nearby fields and watched as the mobs looted and burnt their homes, workplaces and places of worship.

The *masjid* in the central part of the village, which shares a wall with a temple, was completely damaged (including the first floor and roof of the semi-basement/ground floor) over the nights of February 28 and March 1, 2002. The *dargah* and shrines were all destroyed. It appeared that the *masjid* had been destroyed with the intention of creating a second entrance/pathway to the adjoining temple.

Almost all the 100-odd houses belonging to Muslims were looted, destroyed and burnt – in that order. According to eyewitnesses, the mobs broke down doors, took away all the vessels and other belongings in tempos. In most cases, the land was levelled after ransacking and burning the houses. There were about 15 Muslim-owned big and small shops, all of which were looted and burnt.

This continued for five days. There were, at most, a couple of cases where Hindus helped the victims, but these were in the poorest sections. The plight of the Muslim poor was pathetic, with all their carefully accumulated possessions destroyed beyond use.

For a few days, the Muslims of Sokhada hid in the fields around the village and sought shelter in nearby villages. According to Feroz Mohammed Malik, the Hindus had warned that they would be killed if they returned. Nathhubhai Chhottubhai and Salim Ashraf tried returning to Sokhada but were threatened by Jagdish Tailor ('*Mian ke body ko kaat dalo' - 'Cut the Mians up'*).

In Sokhada, many women were brutally abused – both sexually and verbally. One woman victim was sexually assaulted by 10 Hindu men, another was taken away and physically abused. The women found it difficult to describe the brutality and viciousness of the attacks. Many witnesses, Mehmooda, Bismalla (who had a baby with her), Mahmuda Badran, Madina, Mumtaz and Sabeera (also with babies), and Amina Badshah shared details of this.

One witness, Roshanben, said that what they most needed at that point was some assurance of physical security. They also needed material to set up their homes again. "My two sons are in Shivam High School in Sokhada. We rang up the teacher (Sir). He told us to send the certificate (An application stating that they cannot do the exam, on the basis of which they would be promoted to the next class). They cannot do the exams. We have wasted one year's fees. He says they will consider promoting them if we send the certificate."

The brutal displacement of Muslims from Sokhada had an eerie postscript — the reported change of the village name to Hari Dham Sokhada. Apart from having lost their property and livelihood, those displaced were afraid to return to an environment of terror and insecurity. As one woman told the team, "We don't want to go back, suppose they do this again. We heard the crowd say '*Miyabhai ni chhokri ni izzat looto'* ('Rape the daughters of Muslims.') If there is *bandobast* (police protection), we will go back. If someone takes the responsibility (*jawaabdari*), we will go." Ameena, an elderly woman, agreed, "They will burn us while we're asleep. It is not worth going back… the *sarpanch* came and told us don't leave your homes, don't go anywhere. But that night itself they burnt our houses…" The Sokhada women said that the *sarpanch* and the Patels of the village had said that if they came back, "we will *looto* their *izzat* (rape them); we will force them to flee without their clothes."

The Sokahada *sarpanch* has held office for nine years and the people cannot get over what he did. "We've lived here for generations, never before has something like this happened."

According to victims, a mob of 500 from Patelgaon caused most of the damage. Motiya Pura, Lalji Pura and Vashna have also been named – they apparently distributed alcohol to the villagers who went on looting and burning sprees after drinking. One Madhusudhanbhai Muljibhai Amerikawala from the USA, who was present during the initial days of the looting/burning, reportedly encouraged and urged the mob to go ahead and make a good job of it. One of the victims, Nizambhai Abbasbhai, saw and heard Amerikawala saying that he was prepared to spend about Rs. 1 crore for this. Other prime instigators were the *sarpanch,* Mahendrabhai Ramanbhai Patel and Jagdishbhai Mohanbhai Tailor who, the people say, was drunk most of the time. According to eyewitnesses, those actively involved in the destruction of the mosque were Hiteshbhai Purushottam (STD *Pangallawalla*), Manojbhai Thakorebhai Patel (newspaper dealer) and Sanjaybhai Thakorebhai. Hydermiya Chandmian testified that he had given 12 names to the police, but FIRs had been lodged against only 6 of them. The victims also said that they had repeatedly tried to contact the police (562600). Each time they were told by one Leelaben that the police van would be sent, but the police never arrived.

One woman victim told the team, "Three policemen came, roamed around and went away. On the afternoon of February 28, the police was there, they were there at night. We couldn't see them around – they ran away. With a mob of 1000-2000, who would remain present?"

FIRs were filed at Badarpur, but the police did not come to take statements. Copies of the FIRs were also submitted to the Tribunal.

TUNDAV

Tundav has a population of 800 (50 per cent Muslims and 50 per cent Hindus). Almost 90 households of refugees came here from Sokhada village to stay with relatives and friends. But in May there were only around 50 people from Sokhada still living there – half the original inmates had moved to Gothada, and some others to Savli and Bena.

The Tundav population, both Hindus and Muslims, hosted a kitchen run on local donations for about 300 persons every day. The women told the team, "We live in harmony, our village is our family. No one from outside can come and take us away from here. If anyone dares to come, they won't be able to go back." The *sarpanch* of Tundav village is Pratapsingh Bharatsinh Rathore. The ex-*sarpanch* is Chhatrasinh.

ASOJ

The population of Asoj is 5500. There are about 120 Patel and 30 Muslim families in this village. A *Shanti Sabha* (Peace Forum) was formed in Asoj and there was no problem there.

MANJUSAR

The population of Manjusar village is around 5000, with about 400 Muslims. Manjusar was affected in the violence and about 20 cabins belonging to Muslims were burnt. The 40-50 Muslim households were generally undisturbed, except for the house of Syed Hussain Mian Bapu Mian (loss of Rs 1-1.5 lakh), who did farming.

Asraf Malik, Mir Sahab Goram Khan Pathan and their two brothers, all long-term employees of Vadodara Tiles, were dismissed by their boss on March 3, 2002, because he did not dare face the wrath of the mob because of their presence. Vadodara Tiles is jointly owned by Maheshbhai Govindbhai Patel (from Morbi) and Dineshbhai Patel. Sadduben Ashrafbhai worked as a plasterer for nine years in Vadodara Tiles, before being fired on February 28, 2002. Ten other workers of the company were also dismissed on February 28. Some then went to Khamba, Khanpur and elsewhere.

Rabiaben Mirsab Pathan, 35, has a 10-year-old daughter, Shabana. She and her husband both worked for Vadodara Tiles and they lived on the factory premises. Her daughter studied in Class 4 in a school in Manjusar. Her brother Zakir Hussain worked in the neighbouring company (Jagadamba Tiles). He also fled the village after violence broke out. Rabiaben said, "They (people from the village) came to hit us on February 28, 2002. The *Seth* (boss) told us to leave...We didn't recognise the people in the mob because we are *pardesi* (from another area). When the mob came, the *Seth* threw us out in half an hour. We couldn't even collect our things. We walked all the way here, eight of us, we left at 2 p.m. on March 1. We reached here (Tundav) around 4-5 p.m. We stayed in a school in Tundav for 15 days, and have now shifted to a rented house in the village (Tundav). We have not found any work as yet. They took away our four goats…" The family hailed from Kanba in Borsad *taluka*. They could not go to Kanba because Muslims had fled from there too. They did not know where to go. They could not even phone and find out where the Muslim villagers from Kanba were.

CHAPPAD

There are 200 Patel families in Chappad, which is close to Bhayli village. Yakubbhai Rehmanbhai Mustafa, grain *kirana* (provisions) shopkeeper, was the only resident of Chappad whose house was burnt, along with his shop on February 28, 2002. His mother, Doriben Rehmanbhai, 60, was widowed ten years ago. She has two sons, Yakubbhai (30 years), who is an epileptic, and Mafatbhai (40 years).

At 9 p.m. on February 28, the dairy horn/whistle was blown as a signal for the Patels to gather. The mob surrounded the Muslims. There were 60 persons, all from the village. They shouted, "Kill the men, leave the women."

Doriben said that they hid for a couple of hours in their Waghri neighbour's house before going into the fields. They then phoned her son-in-law, who came and took them away. They walked 15 kms to Sarsavni and spent two nights there. The mob looted Doriben's house and then burnt it. They took away her goats and chickens.

They suffered losses amounting to around Rs. 1-1.5 lakh. While the mob burnt down Doriben's house, they managed to save the Waghri neighbours' house from burning down. The family had been told not to return to Chappad.

The perpetrators of the looting and arson were: The *sarpanch*, Pramodbhai Shankarbhai Patel, Rajubhai Shankarbhai Patel, the *sarpanch's* daughter-in-law(who was seen sitting behind him on the scooter when the mob came), Pradipbhai Tarjabhai Patel, Manojbhai Laljibhai Patel, Somabhai Himmatbhai Patanwala, Pramod Thakkar, Pradip Patel, Jyotishbhai Vasava and Kanu Ratilal Vasava.

RANOLI

Ranoli is located next to the Gujarat Refinery. Many of the residents are lower-level employees of the Refinery and of other petrochemical industries in the area. There are mixed *basti*s of migrant workers around Ranoli. Refugees from Ranoli were present at a relief camp in Tandalja, Vadodara.

There are 25 Muslim families living in Ranoli, which is around 17-18 kms from Vadodara. The other residents are all Hindus, numbering 5000 or so. Some of these Muslims had small shops, while others worked as daily wage earners or in the local cinema hall, Dawal Cinema. Stoning began on March 1, 2002, and the Muslims were told by local people to leave the area. The local *sarpanch,* Chandrakant Patel, was the main instigator. The Muslims ran and hid in the fields "like animals, without anything to eat for 2-3 days." One of them had a mobile phone and kept calling the police, although they were scared to tell the police where they were hiding. But the control room repeatedly told them that there was no help for them. They made their way to Vadodara, having lost everything.

The mob comprised about 100 people and included the *sarpanch* of Ranoli and his sons (Kirti and another one). Kaushik Patel, an employee of GACL, also took part in the looting.

Usmanbhai, an employee of Gujarat Dyestuff lived in Ishwarbhai Ni Chaali in Ranoli. On March 1, at around 3.00 p.m., when mobs advanced towards his home, he fled with his family to Pharma SMX, Gujarat Dyestuff. Later, he found out that his house had been completely looted. The victim said the house had not been set on fire because it belongs to a Hindu. The family went to the Jawahar Nagar police in Ranoli at around 10 p.m. on March 3, 2002. The police then escorted them to Musra Park and sheltered them in a building under construction. By March 14, there were already about 40 people staying there and the kitchen fed about 180 people.

VADODARA—TRIBAL BELT

The Tribunal recorded the testimonies of 18 witnesses from the Chhotaudaipur tribal belt in Vadodara district and received statements from another 17. This area saw unfortunate attacks by the instigated Adivasi section of the population, which has been influenced by the BJP and VHP systematically over the past years. Kanwat, Tejgadh, Panwad and other villages in this region have been virtually wiped clean of any Muslim population. Shops and homes have been looted, destroyed and then burnt, often in the presence of the police. The VHP had been having late-night meetings with Adivasis for two months before the Godhra incident. Chhotaudaipur is located close to the Madhya Pradesh border where on January 17, the RSS had held a massive two-day meet of tribals.

TEJGADH

The violence in Tejgadh took place from March 2 onwards, though tension had been brewing since the day of the Godhra incident. Witness Khatri Abdulkader Nishar Ahmed who has lodged FIRs against both the SP Keshav Kumar and the collector, …… has detailed the cynical manipulation of the Adivasi population against Muslims. The other complainants are Khatri Usmangani Daudji, Khatri Daudji, Massombhai V, Khatri Mahmedji Umerji, Khatri MY, Khatri Ahmed Ahmedji, Fakirmohammed, Khatri Yusuf Umerji, Kureshi Amjadali, Khatri Abdul Majid A Kadar, Khatri Shabbirbhai M, Khatri Abdul Kader Mahmoodji, Syyed Mahboobali Husseinmiya, Khatri Suleimanji Usmanji, Khatri Abdul Karim Usmanji and Khatri Ahmedji Usmanji.

These witnesses have stated that on February 27, the day of the Godhra train killings, there was complete peace in their village. The next day, the traders of the majority community, including the *sarpanch* and the deputy *sarpanch*, had requested Bohra Muslims to shut their shops in response to the call of Gujarat *bandh*. To show their opposition to the inhuman killings on the train, the Muslims had closed their shops all over. The next day, on hearing about Bharat *bandh*, the minorities again kept their shops closed to show their opposition to the train killings. On the third day, all the shops in the village had opened as usual.

There was, however, an uneasy feeling prevalent in the village. On March 2, the village *sarpanch* came to the area. While he was there, a person from the minority community, Khatri Yusufji Daudji, suggested to him that in order to maintain peace in the village, they should call a meeting of the Peace Committee so that through an exchange of confidence in each other, peace could be maintained. The *sarpanch* informed them that there was no need to call a meeting of the Peace Committee and no reason to be worried.

But Muslims began to suspect that some scheme was being hatched in the village, and 4 families of the minority community living in the mixed locality of Limdi market came to live in Tejgadh on March 1. On March 3, around 10 o'clock at night, the

sarpanch came to this area and told Muslims that they should not sit around in groups but stay in their houses, otherwise he would invoke section 144 and arrest them under it. Muslims, however, replied that they needed to be awake and in groups to protect their properties, as one *jamadar* and three police constables at the village outpost were not enough to protect the village property. In this way, the night of March 3 passed in uneasy peace.

On March 4, through an inhabitant of the village, Abdul Latif Rehmanji Khatri, Muslims informed the leader of the BJP, Ashwinbhai Rawal (village Chichod), that as the atmosphere of the village was not good, he should use his position to contact the *zilla* police chief and get more policemen. To this Rawal replied that he was going to Chhotaudaipur right then to make appropriate arrangements.

But up to the evening of March 4, no additional police force was seen. At about 11.05 that night, a Muslim farmer, Yakubji Daudji's shop was set on fire. Fifteen minutes later, the shops and buildings of the minority community situated in Limdi market were also set on fire, even as 8 persons of the minority community were present at the spot. They saw with their own eyes that a crowd of 150 to 200 people was screaming and howling, spreading fear through the village.

The Muslims who were present told the *jamadar* on duty to stop the crowd from indulging in arson. He replied that as the place had already been set on fire, he was going to the police station to call the fire brigade on the wireless. Saying this, he left the place with his staff. But on the spot was Home Guard commandant, Arvindbhai Desaibhai Patel, who was performing his duty.

Meanwhile, on noticing the Muslims standing there, the crowd rushed towards them. The Muslims ran into their area to save their lives. Just then, the telephone and electricity connections in the Muslims area went off. Half an hour later, the water tanker of the fire brigade arrived but the unruly crowd did not allow the brigade to do its job because of which the fire continued raging.

In the meantime, more police arrived from Chhotaudaipur and started firing tear gas shells. As this seemed to have no effect, they started firing in the air. When even that was not effective, they thought it their duty to fire into the crowd. Meanwhile, the Muslim houses and shops in Limdi market continued to burn. Then, from a rear approach road to the market, on Kikawala Road, another mob arrived, screaming and howling, to set fire to the Muslim houses. They were also shooting arrows.

In Limdi market, PSI Pandya, who was performing his duty, started firing tear gas shells. This had no effect on the crowd, and a cabin near the bus stand was set on fire. As the violence continued, the police had no alternative but to start firing in which, as per the witness' knowledge, 4 to 5 persons were injured. The crowd took the injured people and ran away with them.

At that time, the *mamlatdar* of Chhotaudaipur and the SP arrived on the spot. The whole night was spent in great anxiety. In the morning, members of the minority community went to meet the PSI on duty, Pandya. The PSI informed them that the previous night, he was given orders to fire on the crowd but now he had instructions

from above not to fire and so would act accordingly. He added that one person had been injured in the firing the previous night and his condition was serious. If he died, the police was apprehensive that the Adivasis of the surrounding villages would attack Muslims during the funeral procession. He, therefore, advised the minority community to leave the village in order to save their lives.

In view of this, 210 people left Tejgadh village for Bodeli, where they took shelter with their relatives and acquaintances. The report of these 210 people was given to the Bodeli police station. More than two months later, they were still sheltered in Bodeli. From the time they moved out up to mid-May, when they deposed before the tribunal, Muslim shops and houses were continuously being first looted and then set on fire. This went on for weeks but the police took no appropriate action. In the above-mentioned incidents, at least 65 properties (40 houses and 25 shops) were looted and burnt down. The damage is estimated at about Rs. 1.5 crore. Refugees took shelter in Bodeli and were living there under terrible conditions with no basic amenities.

PANWAD

On March 10, in village Panwad, 12 km from Kanwat, tempos and trucks, houses, shops and cabins of Muslims were looted and set on fire by mobs from the surrounding villages. The incident took place on the very day on which the SRP and the BSF forces were withdrawn from Panwad.

Panwad is located within a largely Adivasi area. There are over 600 houses in Panwad, of which 200 belonged to Muslims. Muslims have been living in Panwad for seven generations, during which time there have been no incidents of communal violence. They say that Muslims and Adivasis used to attend each other's functions and were on cordial terms. Banias and Dalits also live in the same village. Most of the Muslims who have had to leave Panwad were petty traders with *paan-beedi* shops and other small businesses, or worked in other shops, dealt in forest produce, or took on small contracts for construction material. None of them own much land or have any money in the bank. Most trading activities were carried on with Chhotaudaipur and Kanwat.

According to victim–survivors from Panwad, over the past two months nightly meetings were held among the Adivasis. "We never bothered about them. People from the VHP, Bajrang Dal and RSS would address these meetings. However, they were being organised and instigated against us without our even being aware of it. Rumours are rife that the Adivasis were paid a lot of cash and were given alcohol too. But we cannot verify this." A report in *The Hindu* states that refugees from Panwad staying in the Chhotaudaipur camp named three non-Adivasi Hindus who, they said, had directed the violence.

There was continuous violence in the surrounding areas right from March 1. Individual houses had been burnt in around 60 to 70 villages. Many people from these areas came to Panwad. On March 8, the people were threatened that their village

would be burnt on March 10. According to the victim-survivors, the police was present when the threats were made.

The trouble in Panwad began at 2.30 p.m. on March 10. Around 5,000 to 7,000 people surrounded the village. They used everything to intimidate the people — arrows, stones, *dharias*, weapons, private firing, etc. In the melee, two Adivasis were killed in police firing. Muslims from Panwad said, "We were stoning, too, but were very soon outnumbered and realised we could no longer resist them. Fifty to sixty SRP police standing there ordered us to go inside instead of stopping the mob. This continued till 1 a.m. We were terrified. Most of the women were asked to hide in one *pucca* house while most of the children were in another 2-3 *pucca* houses. There were 400 to 500 men standing out all night with no hope, no weapons and no police support."

There was firing in the air, and tear gas was used to disperse the people instead of the mob. They were also severely beaten by the police. "The mob was not warned even once. In fact at one point the police went up to them and came back, and the mob got even more violent and active. It was clear what was happening. They were Adivasis from nearby villages: Panibar, Bhindol, Jhaab, Sadli, Kawra, Chimli etc."

According to the witnesses, "They told us we would be lynched because two Adivasis had been killed. We appealed to the SP. We told him that we wanted to shift to Chhotaudaipur and he should help us shift. They asked us to wait till 8 a.m. and said that nothing could be done before that. We could not hold out any longer and 1,000 to 1,500 of us left at around 5 a.m. with nothing on us but the clothes we were wearing."

At 8 a.m., the Adivasis entered the village, looted all the houses and burnt them systematically. Around 1,000 people were still in the camps in Chhotaudaipur (Nazar Bagh) in mid-May. Most of the people left their daughters and other young women in the camp there for safety. There were around 500 Panwad residents in Vadodara. According to one victim, "People from our community are helping us with whatever they can. One of them is Judge Sadiqbhai. But how long can they help us?

"It is evident that they do not want us in Panwad or even any trace of us. They looted all we had and saw to it that we left empty-handed. Some of us barely managed daily wages. A small contractor dealing with bricks has lost around Rs 1.5 lakh while another contractor has lost property worth Rs 8 lakh." Otherwise, most of the Muslim residents in Panwad had a meagre income. Women used to carry loads for Rs 40-50 per day.

The people are further disappointed in their Congress leaders who they feel were of no help. The local MLA is Sukhrambhai Rathwa, while the MP of the area is Ramsingh Rathwa. Most of the people had all their cash in their houses and have lost all their belongings. They continue to maintain that they faced no problems from the local Hindus in the village. They say that it was the Adivasis instigated by the VHP, Bajrang Dal and RSS who were responsible.

KANWAT

Rajesh Mishra of Arch Vahini filed an FIR as an eyewitness to the violence that took place in his native village, Kanwat, between March 10 and March 18, 2002. On March 12 and 13, in Kanwat, more than 250 houses and shop/establishments of Muslims, were looted and then set on fire by tribal mobs from the surrounding villages. Most of the houses belonging to Muslims were totally destroyed and their businesses ruined. There were 185 Muslim and 52 Bohra Muslim households living and conducting their business in Kanwat. It was so far back that even elders cannot recall when and from where the Muslims came and settled in this interior village of Kanwat. *(See FIR by Activist, Detailed Annexures, Volume III).*

All 185 Muslim households lost all of their belongings. Their houses and business premises were looted, burnt and destroyed. Out of 185 households, 38 had *pucca* RCC structures and the rest were *kuccha* structures. They lost property worth approximately Rs 3.50 crore, invested in their shops, garages, cabins, handcarts and vehicles. They were homeless and had become paupers, taking shelter in Vadodara and Chhotaudaipur with relatives and Muslim *jamaat khanas*.

The 52 Bohra Muslim community households were well-to-do traders in Kanwat. Bohras had lived in Kanwat for over generations and had developed business in varied spheres and on a large scale. Going by even by a very conservative estimate, the Bohras lost property worth Rs. 7 to 8 crore.

From March 1 onwards, Muslims in Kanwat had been receiving threats and threatening calls from various sources, which made them tense and anxious. They had repeatedly asked the local administration, the *mamlatdar* and the police for protection. As the tension mounted, they also demanded deployment of the Border Security Force (BSF), Rapid Action Force (RAF) or State Reserve Police (SRP) in adequate numbers. But no protection was forthcoming.

The fears were not unfounded, especially when it became known that the *sarpanch* and other village leaders had cancelled the traditional weekly market (*haat*) scheduled for March 4 and March 11. Cancelling the *haat* was an extraordinary decision because *haats* are almost never cancelled. This indicated the gravity of the situation and the danger that loomed large over the law-and-order situation. Later it became clear that the target was obviously the Muslim community.

As reports of incidents in Panwad reached Kanwat on March 10, panicky Muslims desperately urged the local administration to provide them security. They knew it was their turn next, for stories had been pouring in over the past ten days, that the mobs would first target Panwad, and then Kanwat. The local BJP leader, who was trying to keep peace in Kanwat, had also sensed impending trouble. He repeatedly implored the district collector and the police authorities to provide adequate police and BSF protection to Kanwat to avoid the great tragedy that could overtake the village.

According to victim-survivors in Qureshi Jamaatkhana Camp, Vadodara, a great deal of tension was created among Muslims from February 24 by tribals from the surrounding area, who were traumatising the Muslims by asserting that they should all

be thrown out of the village. There was increased tension in the area since March 1. The local people, including the local MLA, repeatedly appealed to the administration for deployment of SRP and BSF forces, but this was not done.

On March 10, after the withdrawal of SRP and BSF forces, violence broke out in Panwad village, 12 km from Kanwat. The local people in Kanwat had been warned that their village would be attacked next. After repeated pleas made over several days, an army unit finally arrived on the night of March 11. In the early morning of March 12, the army shifted the 185 Muslim families. That afternoon, Bohra Muslim families, took shelter in the Kanwat police station. Later on in the night, these families, too, were shifted out under police protection from Kanwat to Dahod town. They left their houses and property exposed.

When the attacks started on March 12, even simple measures like tear gas or firing in the air were not resorted to by the police, to prevent the mob from looting and setting fire to Muslim and Bohra property. On March 13, the looting and burning spree started from early morning and went on till late afternoon. Suddenly at about 3.15 p.m., the police imposed curfew and within minutes it drove away the looting mobs.

According to Meherunissa Fakir Mohammed, a resident of Kanwat staying in a camp in Tandalja, "A mob of around 4,000 Adivasis had come. Initially they pelted stones but later they started shooting with arrows that burnt because they had tips wrapped in cloth and soaked in kerosene. We then went and asked the police for protection to take us to a safe place. They gave us a vehicle (M 7-8) that had about 5-6 policemen. We ourselves arranged 5-6 jeeps and followed the police van. When we reached Bodeli, there was curfew in the area. Some Hindus refused to shelter us in Bodeli, citing the curfew as an excuse, but their reluctance was probably more because they didn't want to shelter Muslims coming from outside. The DDO asked us to make our own arrangements and leave the place in two hours. We finally landed up in the Tandalja Camp. Here they give us meals in the daytime and in the evening. But, how long this will continue? Now we don't want to go back to the same place."

During the burning and looting, the police did not take any action. According to Mishra of Arch Vahini, the mob consisted largely of women and children who were not heavily armed, and the incident could have been quickly brought under control, had the police taken some action even by firing in the air or tear-gassing the mob. But this was not done. The police imposed curfew only on the afternoon of March 13, and the mob dispersed.

As one victim-survivor, Jaitunbibi, said, "In my whole life, we have never had trouble or conflict with the Adivasis. This is not their work, some people from outside have provoked them and local Adivasis have looted and burnt shops using petrol bombs. Because of this incident, the children are frightened, their education has been affected and their future is uncertain."

According to Mehrunissa Mohammed, some Hindus in the area had paid around Rs.1,000 to 1,200 to the Adivasis to get their houses burnt. Muslims targeted in the

attacks generally seemed to feel that the Adivasis could not have participated in the loot and arson without instigation and direction by non-Adivasis. An Adivasi schoolteacher in Joj, quoted in the *Hindu* report, expressed a similar opinion, stating that Adivasis had been used. The schoolteacher said that Adivasis who had taken part in the violence told him that they were given liquor and money and forced to participate in the arson, and that many of the Adivasi women had wept while watching the destruction. Victims of the violence too believed that Adivasis had been threatened and coerced into participation by VHP activists, with active police support.

An important respect in which the attacks by the Adivasis differed from much of the general pattern of violence was that they were restricted to destruction and looting of property. While the Muslim victims were driven from their homes, there were no killings, and women were not sexually assaulted or abused by the Adivasi attackers.

At **Pipalda** village near Kanwat, some properties of Muslims were destroyed. There are clear indications that the attacks had been planned well before the incidents. The attackers had noted and knew exactly the location of Muslim houses and shops — how many and in which lanes — and the attacks on these places were well timed. In all places, petrol bombs and gas cylinders were used. Threats had been issued to non-Muslim residents not to support the Muslims, and in some places, local people supported the attackers. There seems to have been pressure from above on the police and fire brigade to not help. Some witnesses complained that the police and fire brigade arrived late on the scene. In many cases, the police were in the front helping the rioters in the attacks.

The violence that took place in the Chhotaudaipur belt, where Adivasis looted and burnt the houses and establishments of Muslims was unprecedented in the history of the area. Mishra, an activist for twenty years, born, brought up and working in the Kanwat region, asserts positively that Muslims and Adivasis have co-existed in harmony till recent times. It is widely being claimed that the Adivasis attacked Muslims as a reaction to exploitation by Muslim moneylenders. However, it should be noted that the logic of Adivasis being mobilised against the exploitation of Muslim moneylenders does not hold in this area. In Kanwat, Banias are involved in money lending, but Adivasis did not attack them. This indicates that Hindu communal organisations explicitly mobilised Adivasis against Muslims.

Bharuch

BHARUCH CITY

The Tribunal recorded the evidence of 53 witnesses from Bharuch district of which 18 pertained to Bharuch city. The written statements of 29 other witnesses were also placed before the Tribunal. Violence erupted in Bharuch city from the morning of February 28, 2002. The Tribunal recorded testimonies from many of the victim-survivors on May 13 at Ankleshwar. The attacks within Bharuch city were characterised by massive destruction of Muslim properties and businesses, targeting of Muslim homes, terrorising Muslim populations into fleeing and a clear and close nexus between the police and the criminals belonging to the VHP/RSS/BD/BJP. The nexus was apparent in the open sloganeering of the VHP's Bharuch president, Viral Desai, which was telecast on the local *Narmada* channel on February 28: "*Yeh andar ki baat hai, Police hamare saath hai"* ("The inside story is, The police are with us in this"). The local police did not seem to think a denial or contradiction was in order. Desai was named by many witnesses as leading the mobs that indulged in loot and arson, in many cases during curfew hours. The blatantly communal behaviour of the Home Guards, who accompanied the local police and shot dead local Muslims, was also part of the pattern noted in the district.

At 8 a.m. on February 28, Sayeed Ahmed Mohammed Pathan, a businessman from Bharuch who deposed before the Tribunal, was informed by one of his employees that his fancy garments' showroom was being set on fire. The latter rushed to ask for police assistance. When he spoke to PI Buch of the 'B' Division, the reply he got shocked him: "We cannot help you. If you need help take some Muslim people with you and save your shops. We don't have policemen for your protection." This despite the fact that, at the time, there were 400-500 policemen present. The witness thereafter contacted the DSP, Manoj Antani, who was reasonably prompt. However, Pathan's shop was not saved; the estimated damage being Rs. 22 lakh. The shop was burnt and destroyed by a mob led by Desai of the VHP and another Bajrang Dal leader.

The mob broke open the showroom, trashed the place, and sprinkled some chemicals before torching the place. Some of the arson was shown on TV. The mobs who were attacking shops belonging to prosperous Muslims carried a detailed list with them. The Keo Fashion shop was the next to be targeted by the mob. Thereafter, other Muslim-owned shops were also selectively burnt: China Saree, Labella Emporium, Golden Shoes, Peter England, etc. In all, about 40-45 Muslim-owned shops and showrooms all over Bharuch were destroyed in such a manner — even the RCC slabs had cracked — that it could take up to six months to rebuild. With no help from the state government or from financial institutions – banks, insurance companies – the affected businessmen were completely helpless.

Many witnesses who deposed before the Tribunal, showed the panel remnants of a chemical powder that was used to ignite their establishments. Besides being armed with *trishuls* and swords, some in the mob also carried big cans of petrol, kerosene, packets of the powder and implements to force open closed premises.

The witnesses, testifying two months after the violence, said that the atmosphere in Bharuch was still vitiated. A prominent businessman, who requested anonymity, said he was in no position to resume his business. There had been no compensation from the government; and no insurance claims had been passed; so no repairs had been carried out. This witness lost Rs. 15 lakh worth of stock and Rs. 6 lakh worth of furniture; miscellaneous damages added up to another Rs. 1 lakh. His showroom, opened only two-and-a-half years ago, was inaugurated with much fanfare and publicity. Though his total losses amounted to Rs. 22 lakh, because of the high premium, insurance was only for Rs. 9.5 lakh. Investigations relating to his insurance claims were on when the Tribunal recorded this witnesses' evidence. He complained bitterly of the offensive attitude of the Oriental Insurance Company. Though a police complaint was filed, no action had been taken against the marauders.

Witnesses from different parts of Bharuch city named the VHP's Viral Desai as one of the main instigators of the mobs. Many people had watched him on TV on the night of February 28, publicly declaring his intention to defy the law, and openly challenging the police. He said they (VHP) had warned the police that if they tried to stop them, "We would reply with bricks and stones." Peace-loving citizens of Bharuch were aghast, watching Desai shouting slogans and challenging the police in front of TV cameras, while a whole bunch of policemen standing around him said or did nothing. What's more, Desai and his supporters brandished unsheathed swords at the time. This episode, telecast by local TV channels, was seen on *Citi Channel*, by a witness who deposed before the Tribunal. Despite Desai's incitement of, and direct involvement in, serious crimes, the police FIR did not list him among the accused. *Panchnamas* were prepared by the police on their own without calling the witnesses.

On March 1, soon after the afternoon *namaaz*, stone throwing started in another part of Bharuch, Barelikho. Witnesses from this area who deposed before the Tribunal said that throughout March, they received phone calls every night, telling Muslims that their locality would be burnt down. Because of the terror so created, 80 per cent

of the 150 Muslim families living there and another 90 families living in an adjacent area fled to safety. Even as late as May, just two days prior to the Tribunal's visit to Bharuch, threats had been issued to residents of Barelikho to vacate the locality.

(Several witnesses pointed to the close nexus between the police and the local cable TV channels. Whenever the police were called to an area where trouble broke out, the TV crew would be there even before the police arrived. This was especially true of another local channel, the *Narmada* channel.)

The area was attacked on four different occasions, always at night, while curfew was in force. How the police allowed huge mobs to assemble, defying curfew, is a moot question. On the last occasion, the locality was targeted in the presence of the police. The gang leaders of the mob belonged to the VHP/BD, which have their *shakhas* (cells) in nearby areas and operate without any hindrance.

Most Muslims from Barelikho and the neighbourhood had run away fearing further attacks, harassment and arrests by the police. Despite written complaints, police took no action. On the other hand, the Tribunal noted the illegal detention of 14 Muslims by the police and their violent and offensive behaviour with Muslim women.

One witness, Irfan Lakdawala from the Barelikho area of Bharuch, gave a searing testimony concerning the violence on February 28, when shops were looted, broken and burnt at Panch Batti. He said that he saw Muslim shops being broken into, literally in front of the eyes of the collector, Anju Sharma and the DSP Bharuch, Manoj Antani. They sat there without a care in the world, eating cashews and almonds from a dry-fruit store that was being looted and destroyed along with about 25 other shops. He said that the incident was telecast live on the local *Narmada* channel. Lakdawala made a fervent plea before the Tribunal regarding the location of the collector's office and the *mamlatdar*'s office, both of which had been deliberately moved to a Hindu-predominant part of the city a few months earlier, to deny Muslims easy access to these government functionaries. He applauded the conduct of PI Ajit Shinde, who was punitively moved out of this locality for his impartial behaviour. Another witness, Munir Ahmed Pathan, complained about PI GM Chawda, who repeatedly told Muslims that they did not have the right to live in 'Hindustan'.

The testimony of a vegetable vendor from Bahar Ki Undai detailed the blatantly partisan role of the Home Guards. At about 1 p.m. on March 19, 2002, a mob of over 5,000 descended on the area. They had come with policemen and Home Guards, and the latter opened fire on the Muslims in the locality. A bullet fired by Home Guard Bharat Sunderlal Bhatia killed a Muslim youth, Syed Sirajuddin Jibbo. Another witness present at the hearing of the Tribunal lost his wife, Najma in the firing. She was killed by a bullet fired by another Home Guard, Deepak Samardas Rana. Shabbir Khan, who was injured in the same firing, also appeared before the Tribunal. The killers were part of a small contingent of Home Guards, who advanced towards the Muslims living in Undai from the direction of Dandiya Bazaar. The advancing mob was literally provided cover by these guardians of the law.

Rana, who was posted at a police point in Gaulipur, resides in Dandiya Bazaar, a little distance away from Undai. He was stationed at a police point about 200 metres away from Undai. He left his point to lead the mobs against Muslims in Undai. While Rana fired at the Muslims, the mob following him pelted stones. No one from the mob was injured.

This witness (the vegetable vendor) testified to the shocking behaviour of the DSP. He said that Antani ordered the breaking down of doors of Muslim homes and picked up 16 youth from the area. The arrested youths, who were still under detention when the Tribunal visited Bharuch, were regularly beaten, the witnesses complained. While hiding from the rampaging police, the witness heard DSP Antani say, "*Yeh sab kshan Muslim hain, unko jala do aur khakh kar do*!" ("These Muslims are filthy people, burn them to ashes").

The second round of violence took place in Bharuch on March 18-19, 2002. (The city had not returned to normal even when the Tribunal visited it in May). One witness who deposed before the Tribunal gave details of how on the morning of March 18, a crowd of about 50-70 people assembled at Bhupendra Manilal Gandhi's house in Chhipad Galli. Fifteen minutes later, the armed mob emerged from his house and attacked the Taiba mosque, about 100 metres away.

Another witness, Muzzamil Khan Pathan, (62), a businessman from Haji Khana Bazaar, also testified before the Tribunal. According to him, in the second round of violence, on March 19, a mob of 4-5,000 came to the Haji Khana mosque at 1 p.m. in the afternoon and started heavy stone pelting. The mob included Viral Desai, one Darbar and his wife. Darbar, who carried a revolver and a sword, was shouting, "*Musalman ko maro, kato, sab ke ghar jala do*!" ("Kill the Muslims! Cut them up! Burn all their homes!"). From here the mob proceeded to Undai, accompanied by the police (led by PI Chawda), whom they had brought with them. They went to the house of the trustee of the mosque and demanded that the Muslim boys be handed over. When he denied that there were any boys in his house, they pulled his beard and Desai threatened to rip it off. The same mob then went to the Hindu-predominant Bahar ki Undai locality and attacked Muslims living there.

"Even though our locality (Haji Khana Bazaar) was peaceful at the time, the DySP Harikrishna Patel, who arrived later, abused us a lot, ordered the breaking down of doors to our houses and took away our boys. He locked us inside our houses and went away." The seven Muslim youths who were arrested that day were still under detention two months later, when the Tribunal visited the city. They have been charged under section 307 (attempt to murder) even though in this Muslim-predominant area, no Hindu shop was looted or burnt, no one was injured. When witness Imtiaz Pathan went to get them released, he was told that the youths were being charged under sec. 144. The VHP leader, Desai, who was there with magistrate Trivedi, threatened Pathan for trying to get the boys released. Pathan believes that Desai influenced the police and the magistracy into altering the charge against the detained youths, from the relatively harmless sec. 144 (unlawful assembly) to sec. 307.

Several applications were filed for the release of the boys, including one in the Gujarat High Court but, because they were booked under sec. 307, even the High Court had refused to order their release. The charges have been slapped on 23 Muslims in all — 16 from Bahar Ki Undai and 7 from Haji Khana Bazaar. Youths from the two different localities were clubbed together and named in the same FIR even though there is a sizeable distance between the two localities – you have to pass through areas/localities to get from one to the other. DSP Antani, DySP Harikrishna Patel and PI Chawda were all subsequently transferred.

Other witnesses from different areas in Bharuch, who deposed before the Tribunal, spoke of Muslims being terrorised by the *Sangh Parivar* cadre in their respective localities. One such witness spoke of Muslims from Kharvawad being targeted for six weeks by corporators and other members of the BJP/RSS/VHP/BD. Muslim homes were stoned every night to simply not let the minority areas be in peace. Ranjan Mistry, Champak Mistry, and Satish Mistry (a corporator and a Bajrang Dal/RSS man) were identified as the main culprits.

Many areas of Bharuch were traumatised in this fashion for weeks after the Godhra tragedy.A recurring complaint from many victims from Bharuch who deposed before the Tribunal was the misconduct of the Home Guards. One witness said that on the one hand 'RSS people' had joined the police service, including at the lowest level of Home Guards, with a definite intent. On the other hand, sure of police complicity, while attacking Muslims, even those not in service had simply donned the uniform of police constables or Home Guards. The witnesses detailed how at the RSS and Bajrang Dal *shakhas* in the neighbourhood, secret meetings were held daily and training given in the use of *lathis*. Following this, its members took out processions, brandishing arms and shouting slogans like, "Finish off the descendants of Babar, send them to Pakistan or *Kabrastan* (graveyard)!"

All this terrifies the minority community and heightens their feeling of insecurity. One witness said, "We have been hearing things like this for years now, especially on Vijayalakshmi Divas, when the RSS takes out processions, openly carries weapons and raises anti-Muslim slogans. The number of members at their *shakhas* is increasing. They have started inciting Harijans, Adivasis and OBCs also. Should not the police be doing something about this?"

ANKLESHWAR

Immediately after the Godhra tragedy, there were several peace committee meetings and *Sadbhavna* (communal harmony) meetings in different parts of the town, to pre-empt any violence in Ankleshwar town. Some BJP leaders also attended these meetings. However, every evening there would be an attack on some Muslim shop or establishment. A consistent complaint of the witnesses before the Tribunal was that the police did not register complaints, and on occasions even alleged that Muslims had done this themselves.

Between March 1 and April 4, 2002, about 45 Muslim-owned shops and homes or properties, including handcarts and cabins, were targeted in this manner. They were

first looted, then burnt. Unlike elsewhere in Gujarat, most incidents of violence in Ankleshwar town did not involve mobs. At work, instead, was a small group of 5-7 men who moved around on two-wheelers carrying petrol, fireballs (*kankda*) and water-pistols (*pichkaris,* for spraying kerosene). Their targets were Muslim-owned shops in Hindu-predominant areas.

Witnesses who deposed before the Tribunal named 5-6 BJP men who seemed to be well-trained for their task: Pintu, Janak Shah, Jeetu Patel, Ganesh Agrawal, Pravin Master, Harendra Solanki, Dinesh Solanki. The police refused to take down any details of the complaints or note the names of those accused for the crimes. They simply wrote that a mob came and set such-and-such place on fire. In view of this, written complaints were also addressed to the DSP, naming the main offenders and asking for action against them.

On March 27, eight men entered homes in Vohrawad, a locality of Dawoodi Bohras, and harassed their women. They also threatened to burn them alive if they did not vacate their homes. Responding to complaints, the police arrived but refused to arrest the accused that were named. On the morning of April 1, 2002, some people from the adjacent Hindu-predominant locality started pelting stones on Vohrawad. The police was called and DySP Shastri reached Vohrawad with a posse of policemen, but the stone throwing continued. Repeated pleas, that instead of standing around in Vohrawad, which was being targeted, the police should go and restrain those indulging in violence met with no response. While the DySP was in the area, nine houses were burnt in Tekra *Falia* in the Surti Bhagal area. When the fire brigade arrived, the mob prevented it from reaching the burning houses, and these were totally gutted as a result.

At 11.30 p.m. the same night (April 1), the house of municipal councillor Najmaben Ghulam Mulla in Ganga Jamuna Society was attacked by a mob. And in Goya Bazaar, a number of Muslim shops were looted and burnt. Mulla, who belongs to the Congress party, deposed before the Tribunal along with others from her locality. Her house directly faces an Adivasi settlement. While the mob continued stoning her home, a small group armed with swords entered the house. She and her family members escaped by hiding in a neighbour's house, but not before her son's head was split and she herself was injured on the leg in the volley of stones. The stoning started at around 11.15 p.m.; later, her home was broken into, looted and ransacked. But the police arrived only four hours later, around 3.30 a.m. And its action was limited to the arrest of her two sons and four supporters. DySP Shastri charged that shots were fired from her house. (Mulla emphatically denied the charge while testifying before the Tribunal.) She finally returned to her house at 5 a.m. to find that every bit of property had either been looted or destroyed.

When some Hindu-owned shops at Mulla Bazaar (Mullawad) were burnt down on April 4, Mulla and another councillor, also a Muslim, were named in the FIR by one of the affected shop-owners as the instigators of looting and arson. Witnesses told the Tribunal that she had been falsely implicated; that it was inconceivable that, with

curfew in force, any group of Muslims would dare break into and loot Hindu shops over a period of two hours (as claimed in the FIR), in a Hindu-predominant locality barely 50 metres away from a police station and finally burn them; that, following investigations, the police itself had ruled out any looting and concluded that the fire started from inside one of the shops. However, in view of the prevailing anti-Muslim climate and the attitude of the police, Mulla said she had chosen to stay in hiding while her application for bail was pending in court. According to these witnesses, the Congress party has a majority in the Corporation and the BJP is using its power at Gandhinagar to settle political scores against elected representatives of the Congress party.

On May 2, Ganesh Agrawal, a prominent businessman and a BJP representative, was shot at, as a result of which the city came to a standstill. In the afternoon, some sword-wielding persons in Chauta Bazaar attacked Amjad Khan, the nephew of one of the witnesses; his bike was smashed and burnt down. No one, including the police, knows who was behind the unsuccessful attempt to kill Agarwal, whose activities are such that he is involved in dealings with hoodlums (*taporis*) from both communities. Leaders from the minority community had demanded a CBI investigation of the case.

GIDC area

Alam Khan, the treasurer of a trust that runs a college with 2,500 students in the GIDC area of Ankleshwar, where 2,500 youngsters study deposed before the Tribunal. It appears that rivals of Khan in the faction-ridden trust saw, in the prevailing atmosphere, a good opportunity to settle scores with Khan and attacked him on March 1, 2002, the lone Muslim with a bungalow on the campus. The witness told the Tribunal that with the gun he owned, he fired four bullets, "purely in self-defence as otherwise, my entire family, including children, would have been burnt alive".

The witness testified that when the police arrived on the scene, he heard DySP Shastri addressing the group outside his bungalow, "Now I've come and these people haven't been burnt or killed as yet. So I have no choice but to take them away from here, alive. After I've taken them away, you can loot their house, burn it, do whatever you want. I give you time until 5 p.m. to do what you like." *This was a deputy superintendent of police speaking!*

So the police took the witness and his family away from there and dropped them at the house of relatives who live in the village nearby. Some 10-15 minutes later, he got a call on his mobile phone, informing him that the bungalow was being looted; about an hour later, he was informed his house was up in flames. A bungalow of 4,500 square feet, they sprinkled petrol and set fire to every room in his house. Khan's was the only house on the college campus that was attacked.

The list of the properties, shops, businesses destroyed in the GIDC area reads as follows: Master Hardware, Atik Food Products, Jaanu Plastic, Priti Ice, Mayur Marble, Mahadevia Brooms, Art Gallery and a footwear shop in Sardar Park. All these eight establishments were destroyed on February 28 and March 1, 2002. Several Muslim–

owned bungalows or flats in the GIDC area were also robbed, looted and destroyed. These include the bungalows of Shamim Ahmed Siddiqui (Atik Food Products), Bashir Malik and Fakhre Alam, and flats belonging to Salimbhai (United Glass) and Adambhai Mansuri (government official).

Another witness, KH Siddiqui, who is in the hotel business and is also coordinator of the Congress party, deposed before the Tribunal. On the morning of February 28, one of his tempos was set on fire. By noon, the bakery he owned was also torched. His repeated calls to DySP Shastri elicited the promise of police help every time but none was, in fact, forthcoming. For Siddiqui, the burning down of the bakery alone meant a loss of over Rs. 12 lakh. In the complaint lodged with the police, the prime accused were identified and named. But the local police would not give him a duly signed copy of his complaint with all the details therein. Hence, the witness also submitted a copy of the original complaint to every official concerned — the chief secretary, IG police, DSP Bharuch and the DM Bharuch, wherein the accused were named. The witness has since taken the matter to Court.

RAJPARDI

Abdul Ismail Khatri, (46), the owner of a hotel and a rice shop at Rajpardi village in Bharuch district, deposed before the Tribunal. The total population of Rajpardi village is 12,000, of which around 10 per cent are Muslims. On February 27, 2002, Rajpardi village observed a local *bandh* to protest the slaughter of a cow in Tankariya village. Coinciding, as this did, with the reprehensible Godhra incident the same day, and with the VHP/BD having declared a state and all-India *bandh* for the next two days, the Muslims of Rajpardi were terrified that something or the other would happen.

Late on the night of February 27, advocate Rohit D Shah, who belongs to the BJP and the VHP, and others, paid a visit to the witness and other Muslims from the village, all of whom had stayed awake, to assure them that there was nothing to worry about. In less than half an hour after the promise of peace, the gong rang out from the local school building, announcing that it was midnight. It turned out to be a signal for an all-out attack on local Muslims. In the first act of violence, a Muslim house on the eastern edge of the village, adjoining the hotel owned by the witness, was bolted from outside and set on fire. Had the head of the household not run out of the backdoor and raised an alarm which had other Muslims running out to help, the nine persons trapped in the house would have been roasted alive.

Almost simultaneous to the torching of the house, another group of assailants, comprising of local Hindus and others from the neighbouring Avidha village, launched an assault on the mosque that is to the west of the village. Meanwhile, in the village bazaar in the north of the village, 7-8 Muslim-owned shops were set on fire. And to the south, a poultry farm belonging to a Muslim was set aflame. In what could only have been the result of pre-planning, groups numbering 300-400 men had launched simultaneous attacks on the Muslims of Rajpardi from all four directions.

Two of the miscreants, who had put the shops in the bazaar on fire, were nabbed by the Muslims and handed over to the police. Both were Patels from Avidha village. When they made inquiries two hours later, it was found that PI Ninama of Jhagadiya Police Station had already released the culprits. Meanwhile, the attacking mobs had also broken down the house of Dawoodbhai Memon situated near the mosque, but that was the last act of violence that night.

Having unitedly warded off the late night attacks, in the course of the next day about 20 per cent of the Muslims moved out of the village. With continuing instances of mounting violence, the situation in the area became progressively worse. Aware that there were at least 40 unlicensed revolvers with the Patels of Rajpardi village, Muslims felt increasingly insecure. Women and children started fleeing the village, moving to Bhalod Tarsali village, 7 km away, which has a higher Muslim population.

By the night of March 3, most of the Muslim population had fled because of the repeated threats that all Muslim homes would be burnt down. That very night, all 18 Muslim homes in Bakkanagar colony and the *kaccha* houses in Diwan *Falia* locality of Rajpardi village were all burnt. A few cabins at Char Rasta and a few shops near the railway crossing were also burnt. Through that night, the police arrested 8 men, 7 of them from the BJP plus a Congressman — the former village *sarpanch* and *taluka pramukh*, Bhupatsinh Kesrola. But the rest was to follow the next day.

In the morning, Yogesh Kanti Patel contacted the Muslims who had stayed behind and threatened that if they failed to procure the release of those arrested (the previous night) by 11 a.m., every Muslim home in the village would be burnt down. Panic-stricken Muslims made desperate appeals to the police; even the state's home minister, Gordhan Zadaphiya, was contacted on his mobile phone, from the residence of advocate Ranjitsinh Parmar. The chairman of the Police Aavasth Nigam, Bharatsinh Parmar also spoke to Gordhan Zadaphiya from the Jhagadiya police station in the presence of the witness. But even Zadaphiya, a BJP minister and a VHP leader, said that since the FIR had already been filed, those arrested could only be released after a bail application was heard in the sessions court.

As the Muslims came out of the police station and faced the assembled mob, Sunil Patel, a friend of the witness, took him and three others to his car, telling the crowd that he was taking them to Rajpardi to bring back the 200-300 Muslims who were still there for a *satyagraha* outside the police station, to press for release of those detained. Once in the car, he informed the witness that messages had already been sent out to villages as far as 60 km away and the threatened attack was imminent.

And at 11 a.m. sharp, the attack was launched, starting with the hotel owned by the witness, Abdul Ismail Khatri. They first looted goods from *all* Muslim business establishments and homes. Tempos, trucks and jeeps were piled up with the loot; the rest was then consigned to flames. The loot and arson continued until the evening but there was no sign of the DM, the SP, the DySP or the policemen lower down the hierarchy.

It was all carefully planned. They had allotted 10-15 minutes per structure. Each group of marauders, about 500 strong, would loot and destroy some 20 homes in one

area and then, after about 30 minutes, move to the next block. In this manner, divided into four squads of around 500 each, the assailants set upon the village from different directions simultaneously. In a matter of approximately five hours, they had wiped out the entire Muslim locality in the village. It was all a matter of precise planning – loot all you can, burn what remains. A small group in each case was assigned the task of breaking the locks; the looters followed; and then came the arsonists for the final act. The attackers were armed with 3-litre petrol pouches. Specially crafted nozzles were fitted to spray gas from cooking gas cylinders at high pressure, then petrol pouches and fireballs (*kankdas*) were flung from a distance to ignite the place. Some chemical powder was also used to intensify burning.

Though no remnants of chemicals were retrieved, the special fireballs (*kankdas*) that had been used to burn down the mosque were. One man from the village led each mob, acting as a guide to point out which was a Hindu-owned structure and which one was Muslim-owned. In some places, Muslim structures had been marked with chalk. By evening, the Muslim localities in the village were completely looted and burnt. The cumulative loss of Muslim property in Rajpardi village alone was estimated at Rs. 5-6 crore. The destruction was so thorough that they didn't leave so much as a glass for drinking water or a pair of slippers intact.

The witness saw the identity markings on the structures when he came to the village the next day under police protection. All the Hindu buildings were untouched while the Muslim ones were finished. The attackers, many of them outsiders, may have had a list ready earlier, because even during the attacks on previous days they knew exactly which shops and structures were Muslim-owned.

Gas cylinders had been used to blast 10-15 of the buildings, including the mosque. They also used the gelatine sticks that are normally used for blasting in stone quarries. The witness could recognise the gelatine sticks because he has run a quarry for 13 years. Yogesh Patel, the mastermind, is a quarry owner himself. The 3-litre petrol pouches were prepared in the home of cobbler Nilesh Chiman Solanki. And the fireballs (*kankdas*) were readied at the Mani Nageshwar temple, by the river in Ekant village, about 3-4 km away.

When Khatri and other residents phoned DySP Shastri on March 4, he said, "It is out of our hands. Whatever Narendra Modi says will happen; you phone Narendra Modi." When the witness phoned PI Ninama, he replied, "Let whoever's property is burning burn. What can you or I do?" ("*Jiska jalta hai usko jalne do. Tu aur main kya karenge*?")

The police arrived only at about 6 p.m. that evening, after all the damage had been done. Though frantic calls were made repeatedly to the DySP through the day, he neither came himself, nor did he send any police, although there were about 50 policemen at the Jhagadiya Police Station at the time. When they finally arrived, curfew was imposed on the village. For nearly two hours, the mobs prevented fire engines from reaching Rajpardi.

The witness and other local Muslims were aware that the VHP/BD had held a few meetings, either in one of their homes or in the high school, in the recent past. But

they had not noticed any difference in people's attitude towards them, no souring of relations until D-day. However, they now recall an incident that took place about 8 months prior to the attacks, when there was trouble after a Muslim boy had a love marriage with a Bania's daughter. At that time, some 4-5 handcarts were burnt and the VHP-BD people had threatened that, one day, Muslim presence would be wiped out from the village. The couple, who got a court ruling in their favour, live in Bharuch.

Rohit Shah, an advocate, called another *bandh* in Rajpardi on April 19, after rumours about an impending attack on him were circulated. At a peace committee meeting thereafter, he directed Muslims to stop all prayers (*namaaz*) in the mosque constructed in Bakkanagar about two years ago, and where regular prayers had been held ever since. At no point were loudspeakers ever used in the mosque, but that in itself was no longer enough. On the few occasions when the local Muslims assembled there for prayers, about 100-150 youth would surround the mosque. So, as demanded by Shah, from April 22, Muslims stopped holding prayers at the mosque constructed on a plot of land commercially purchased and about which there was no dispute.

Thereafter, Muslims were also pressurised to relocate the handcarts that they used for petty business, but this was being resisted. Shockingly, the police and administration did not intervene despite 14 appeals and fax messages. The victims from this village had bitter complaints about inadequate compensation for property loss, including many complaints about discriminatory compensation. Though it is Muslims who suffered the most damage, they received much less from the government than the few Hindus whose business establishments or homes were affected because of their proximity to targeted Muslim properties.

ANDADA

The total population of Andada village, situated just outside Ankleshwar, is about 15,000, of which about 450 are Muslims. There is no police station in the village; it is under the jurisdiction of the police station at GIDC Ankleshwar, around 6 km away. Mehmoodbhai Mossabhai Multani, a primary school teacher from the village, who testified before the Tribunal, spoke of the age-old communal amity that had existed in this region of Gujarat.

The witness averred that violence first erupted in his village on March 1, 2002. At about 11 p.m. that night, some 15-20 men attacked his house, smashed some of his belongings and then ran away. Soon thereafter, he and others discovered that his was not a solitary case; several other houses had also been similarly attacked. The terrified Muslims stayed awake the whole night. From the accounts of other residents of the village, it is clear that the attacks first began on the houses near the cemetery (*kabrastan*), where five Muslim families lived. After some persons were injured in the heavy stone throwing, they had to run away from there, leaving their homes. After that, the house, vehicles, flourmill and milk shop of Nasrullahbhai Abdullahbhai Multani, situated near Andada bus stand, were completely burnt. The family ran out of the backdoor and took shelter in the house of their neighbour, Bhogilal Shivlal Modi. Modi was threatened by the mob and told that if he did not get rid of his Muslim neighbours, he

too would suffer. When he refused to oblige, the 3-wheeler tempos and motorbike that belonged to Modi were also destroyed.

Early the next morning, a mob of about 400-500 entered the mosque. The mob first started destroying the mosque property – even the Koran was not spared — and later set the entire place on fire. By 5.30 a.m., the house of the witness was destroyed. The grain shop owned by his parents was torched but, fortunately, the fire was quickly contained. Despite phone calls to the police soon after the first incidents, the mobs were on the rampage throughout the night, and the police were nowhere in sight. By morning, as many as 74 of the 110 Muslim homes in the village were completely damaged. The next night, women were sent away while the men stayed with Hindu neighbours who gave them shelter. Again, all through the night, the same atmosphere prevailed as on the previous night. Mobs numbering 100 and more entered Muslim houses, destroying whatever they pleased. The attackers belonged to the same village, but they were residents of a newly developed locality.

One of the culprits identified by the witness was Naresh Nagji Patel, who works in the postal department. The other accused identified by witnesses are: Prakashbhai Rameshbhai Patel, Anilbhai Ramanbhai Patel and Dineshbhai Bhikabhai Patel. Despite repeated complaints, not a single person was arrested throughout March. On the night of April 1-2, 2002, a luxury bus belonging to Jamada Transport was burnt in the village. It was only when the proprietors of the transport company started putting pressure that the police made inquiries and arrested 12 persons. Though many of those arrested for the luxury bus arson were also involved in the attacks in the village a month earlier, the charge against them was limited to the latest incident, and those detained were released a day or two later.

Out of fear, the villagers had not named any one of the accused in their first FIR, but they went back to the police station later to name the accused. Though a policeman registered a fresh complaint including names of the accused, the complainants subsequently found the names missing. Thereafter, the police simply refused to entertain any further statements from the victims. However, many appeals recording this fact were sent by registered (A/D) to the DSP. Yet, until early May, no investigations had been started by the police, nor had any arrests been made.

About 250-300 Muslims from Andada had initially sought refuge in relief camps but later they moved to Ankleshwar and villages like Kosamdi, Kosamba, Panoli, Jitali, Bharuch, Segva. As of early May, only 3-4 families had returned to their village. Witnesses from Andada highlighted the plight of Andada's Muslims, who had, per force, got scattered all over while their means of livelihood remained rooted in their native village. The survivors who deposed before the Tribunal said that they were tired of refugee life but that conditions were still not conducive for their return.

One of the motives for the attacks was political. Prakashbhai Rameshbhai Patel of the BJP, who had lost in the local elections, was upset that Muslims had not voted for him. His wife is currently the village *sarpanch*. That is why he and his outfit specifically targeted Congress leaders like Yunus Ismail and Khalid Mohammed.

One Muslim woman witness spoke of the cordial relations that existed between the communities in the village until very recently. In January 2002, when both her son and daughter got married, special arrangements were made for the nearly 3,000 Hindu guests. She said she was on excellent terms with the Hindu residents in the society where she lived. When a temple was to be built a few years ago, in the interests of amity, Muslims had contributed more generously than the Hindus. Muslims, she said, also made contributions towards Ganpati and Navratri celebrations, even though the Hindus from the village did not contribute towards Muslim celebrations and festivals.

But focussing on their present plight, another woman witness from the village spoke of the abusive threats being received by mothers about the fate of their daughters and young women if they dared return to the village. The threat of sexual violence was being used as a special weapon to dissuade Muslims from returning to Andada.

MANDWA

In their all-consuming hatred of Muslims, the leaders and cadres of the *Sangh Parivar* did not make any exception, even in case of landless agricultural labourers, dependent entirely on the landed for their humble existence. Agricultural labourers from Mandwa, deposing before the Tribunal, said the attack in Mandwa village near Ankleshwar, took place on the night of March 2, 2002. One witness, Salimbhai Kaderbhai Mughal, (30), said that in the mob of about 200-250 that targeted them, he recognised Hindus from his own village who owed allegiance to the Bajrang Dal. He said the leaders of the mob were Mahesh Shankar, Bipinbhai Gunwantbhai Pandya, Mahesh Dalpat Parmar, Khushal Chiman Machhi Patel, Thakore Jina, Chandubhai Bhikhabhai Machhi Patel, Bhikha Sardar, all belonging to the Bajrang Dal.

This witness was badly injured in the attack and underwent treatment at the Patel Welfare Hospital for four days. His house was also burnt down. In Mandwa village, there are 65 Muslim houses in a total population of around 20,000. It was Mahesh Shankar Patel of the BD who had first threatened Muslim villagers the previous day, telling them to run away or else the Bajrang Dal would gun for them.

The witnesses were saddened by the fact that the same Jaikantbhai, who had been helpful to them earlier, was also the one who got the accused, who had been arrested, released on bail. And now these very persons were threatening the villagers yet again, saying things like, "Last time, it was houses that we burnt, but now, we will kill you."

Witnesses said they were physically attacked and their homes looted and burnt on March 2, in the presence of police who did nothing to protect them. When a water tanker was brought to the village, it was not used by the police to save Muslim homes from the raging flames; instead, the water was selectively used to put out the fire in the few neighbouring Hindu homes which had caught fire due to their proximity to Muslim ones.

Despite their pleas for security to enable their return to the village, the police refused to oblige. Nonetheless, economic compulsions had forced a few of them to return to their villages a few days before the Tribunal heard them (May 9), only to be

told by their earlier tormentors that if they did return, they would be killed. The witnesses had not been rehabilitated in the least, when the Tribunal recorded their evidence. On May 8, Dilawarbhai went back to his village. But he fled again the same night, with his small children, because his house was stoned. Despite it being a large village and despite the recent incidents of violence, no police point has been situated at Mandwa.

In the *panchayat* elections held on May 7, all the Muslims voted en masse for an Adivasi candidate. Even then, the VHP-BD followers had threatened them – "If you don't vote for us, we'll burn the rest of your houses and won't let you come back to the village."

The badly-off labourers have received a mere pittance in compensation. Salimbhai Mughal received Rs. 2,000 while Dilawarbhai Ahmedbhai Mughal got only Rs.1,250; some others have only received Rs. 500.

Kheda

MEHMDAVAD

The attacks that took place in this part of Gujarat on March 1, 2002, were widespread and organised. The statements of villagers from Mehmdavad and Jinger Kheda district, said the crowds were 5-7,000 strong and attacked from three sides. Three-four leaders who were using mobile phones, hordes of people wearing saffron headbands and the resounding echo of abusive slogans were the lasting impressions the attacks made on a shattered rural and small-town community.

Karim Bhai Mallick, a witness from Mehmdavad whose statement was placed before the Tribunal, stated that on March 1, Mehmdavad, which is a small town with a history of communal harmony, saw violence and hatred for the first time. A Muslim majority township, Mehmdavad held out bravely under prolonged attacks that carried on through the day. However, Sarvar Khan, a *karigar* (craftsman) who carved *mandirs* (temples) from wood, was brutally slaughtered by a mob, which also tried to attack the witness.

Nearby villages like Ghodasar and Jinger, which have 50-100 Muslim houses, saw brutal murders and arson. In Ghodasar, 14 persons were hacked to death and there was nobody left to pick up the corpses. Witness S. Mansoori from Mehmdavad stated that the Darbar *sarpanch* of Ghodasar, Gansham Singh, saved the lives of 13-14 Muslims who were in danger. The maimed and gorged bodies, of persons found in the fields outside Jinger, were made public only on March 5. These 14 persons were buried in nearby Jinger. In Jinger, which has a population of around 1,500 Muslims, 80 per cent of whom fled the village for months. Large mobs of about 5,000 surrounded the village and attacked the Muslims relentlessly. In Ghotas village, Hindus and Muslims are together even today. Haldasvar village, which had around 100 Muslim homes, faced a violent attack from the Bajrang Dal and the VHP. The Muslims managed to save Mehmdavad *kasba* (small town) but the farms on the outskirts were vulnerable and three persons were killed in their homes. Two were Sayeds from the Bori Roji Vista and one other. The deceased are Sarvar Khan, killed in Mehmdavad; 14 hacked to death in Ghodasar and 3 killed in Mehmdavad *kasba*.

Statements from residents of Mehmdavad were also placed before the Tribunal. Shafi Bhai Mansuri, ex-president of the local municipal corporation, described how Mehmdavad faced an attack from three sides. The villagers were completely taken aback. The mobs carried weapons like swords, *trishuls* and *guptis*. Twenty shops were looted and destroyed, including that of the witness. There are 9 villages in the Mehmdavad area, where unfortunately, all the Muslim homes and shops were attacked. The shops and businesses belonging to Muslims in Ghotas village and Khatrad *chowki* were destroyed completely, reducing people to abject poverty.

The terrorist violence that the Bajrang Dal and the VHP unleashed left the ordinary person terrified. Their attack was both physical and mental. It was meant to crush the victims. The statement of another witness, S. Mansoori, describes how there was complete peace in Mehmdavad after the Godhra incident. Residents even had a meeting of the *Shanti Samiti* (peace committee) on March 1. And then, as if from nowhere, they were suddenly attacked by a mob of 7-8,000. There are a total of 40 policemen available for Mehmdavad range and they were not enough to control the mobs, whose leaders were consulting people on mobile phones. The idea behind the attack was clear: destroy businesses, burn the shops and wherever there were Muslim peasants, kill them. This witness stated that, while 14 bodies had been found and buried in Jinger, there were 15 to 20 persons still missing. He stated that, tremendous pressure was put on the police and the revenue department to let the mobs do their work unhampered. But he and others were full of praise for DIG Kuldip Sharma, who resisted the pressure.

Statements of witnesses have raised serious questions on the issue of rehabilitation. When villages were being wiped out and entire businesses targeted, how are Muslims supposed to handle the issue? In Kani village, even the fields and crops belonging to Muslims had been burnt. Mansoori also gave the Tribunal details of his son's plight in Vasad village in Anand district. The village is dominated by Patels and the 50 businesses belonging to Muslims there were targeted. Dinshabhai Patel, the *sarpanch*, was leading the attack. The witness' son Mehmood, his wife and four children, were attacked by a mob carrying revolvers. They managed to escape because the mob was more interested in looting. The mob took away 15-20 *tolas* of gold. The *masjid* and *dargah* in Vasad were destroyed using a bulldozer.

The statement of this witness records his anger at the calculated misreporting by newspapers like *Sandesh*. On March 9, *Sandesh* published a story saying that arms were found inside the Mehmdavad *masjid*. It also reported that in Daudpura area, externee criminals were to be found. This, the witness stated, was a blatant lie. Residents of Mehmdavad themselves got the police to check the *masjid*, who found the story to be false. The police said that they knew such news was being used to generate more hatred and violence. There are Hindus living all round them in Mehmdavad – Lohars, Thakurs and Parmars. The Muslim residents of Mehmdavad, a Muslim-majority village, were proud that they did not allow anything to happen to them.

The statement of Amar Singh Parmar of Mehmdavad was also placed before the Tribunal. A Hindu, he said that he was awake along with everyone else, battling the mobs that were trying to attack the villagers. He also asserted that there was never any disharmony in the city. The statement of Yusuf Sheikh, film distributor, living in Mumbai, was also placed before the Tribunal. Asha Cinema in Mehmdavad, which he owns, was completely destroyed, causing him a loss of around Rs. 20 lakh. It was thoroughly burnt from inside and the equipment and machinery totally destroyed.

In Kheda town, Yusuf Sheikh was witness to the destruction of shops and businesses. What was most disappointing was the utter lack of response from the police to their pleas.

KHEDA TOWN

The Tribunal recorded statements of Yasin Bhai Mohammed Bhai Vora, ex-president, Kheda municipal corporation, who said that prior to this, Kheda town in Kheda district, had not seen violence in the past 60 years. At 12.30 p.m. on March 1, 2002, shops in the bazaar near the Jama Masjid were destroyed and a rickshaw was burnt. A rice mill, two *kirana* (provision) shops (Lucky Trading and Ismail and Co.) belonging to Mehta Bhai Gafur Bhai were burnt. One bakery (Gujarat Bakery), two shops belonging to Noor Mohammed and five cars belonging to Zubeidaben were also destroyed. About 150 local Hindus, from the Hanuman Mandir, Balapir and Baghod areas, were the ones who led the attack.

In Kheda town, the *dargahs* of Baban Shah Pir, Dawood Shah, Shikaru Pir and Utavla Pir were destroyed. The witnesses blamed the *sarpanch* and inspector of police for inaction. The Kheda Relief Camp had about 2,000 people who had taken shelter from the villages and towns around.

Of a total population of 32,000, the Muslims in Kheda number 10,000. However, it is the Muslims who dominated business activity in the town and the total damage they suffered as a result of the attacks amounted to Rs. 70-80 lakh. For the past two years, the RSS, VHP and the Bajrang Dal had repeatedly sought to provoke the population. Sentiments were kept on the boil. At least 3-4 times a year, provocative pamphlets were circulated. In fact, the last such pamphlet had been circulated a month before the Godhra incident. The purpose was to create hatred against Muslims. Published anonymously, the pamphlets asked every Hindu who received it to make at least 10 copies so as to keep the circulation chain expanding.

NADIAD

In Nadiad city, in Kheda district, where two people died in police firing, there was not a single Muslim shop left. Fifteen or twenty shops selling TVs and other electronic goods, watch shops, a bakery, a kerosene dealer and timber mart right next to the police station and the bus stand, were destroyed on February 28, 2002. At the

same time, the 25 shops selling vegetables in Santram market, belonging to Hindus, were left untouched.

The two persons who died were a *maulvi*, Hafiz Zuber Memon, (25) and Yakub Bhai Indori (22). Pankaj Bhai Vinod Bhai Patel (known as Gotya and belonging to the BJP) accompanied the police as they fired.

Those accused of mob violence in Nadiad are: The RSS, the VHP, Bajrang Dal, Pankaj Bhai Vinod Bhai Patel (BJP), *sarpanch* of Kheda town. The policeman indicted in Nadiad: IP of Kheda town, for acting at the behest of the BJP's Pankaj Bhai Vinod Bhai Patel.

KANIJ

Kanij is a 500-year-old village in Kheda district, with a population of about 10,000 including 125 Muslim families. The Muslims belong mainly to the Malik and Pathan castes. Amongst the Hindus, the main castes are the Patels, Rabaris, Darbars, Harijans and Thakurs.

On March 1, 2002, at around 7.00 p.m., as the Muslims were getting ready for dinner, they were attacked by a 2,000–3,000 strong mob. All the Muslims fled to the fields of Nainpur village situated 3-4 km away. They hid in the fields until the morning of March 3, and got food from neighbouring villagers and passers-by. When they returned, on March 3, they found 106 houses completely burnt and completely looted. The remaining 19 houses, built adjacent to Hindu houses, had been looted but spared from arson. These were mainly some *kaccha jhuggis* (crude huts) of the poor, and one three-storey house. The losses included household goods, agricultural implements and cattle.

An hour after they had returned, a mob collected and launched another attack on the Muslims. Zakir Mian Rasul Mian Khokar (22) fell into the hands of the mob and was killed, while others ran to save their lives. Once again they ran towards Nainpur and decided to proceed from there to Mehlaj. After a 6-7 km walk, they were again attacked by a mob near Shahdara village. Sakir Mian Rasool Mian Sheikh (18) and Shafi Mian Mirsab Mian Shiekh (20) were surrounded by the mob and killed and their bodies burnt. The rest found shelter in relief camps at Mehmdavad and Mehlaj.

On March 19, Vikram Singh Darbar, a rich landowner of Kanij, sent tractors to bring the Muslims back to the village. Most families came back, and Vikram Singh provided them with food for over two weeks.

Who were the attackers? The victims denied recognising any of them, maintaining they had come from other villages though independent sources have indicated to the Tribunal that the mob was mainly composed of people from Kanij itself. The reason for the Muslims' silence is that most Muslims are landowners and their livelihood is tied to the village. They also have little faith that the state will apprehend and punish those responsible for the killings and destruction. Therefore, the FIRs filed did not include the names of the attackers. Up to mid-April, no arrests had been made.

The same Darbar community, which was being praised later for their help had led the earlier attacks. The deal that victims made with the attackers included non-identification of the accused. After speaking to the victims, the Tribunal formed the definite impression that the new equilibrium was far from stable. How could they ever feel safe or think of living with the people who had destroyed them completely? The Tribunal also gathered that the larger communally surcharged atmosphere was actually used to settle village level scores. It seems that the Darbars (Rajputs) had dominated the village *panchayat* for the last 4-5 decades but in the recent *panchayat* elections, a Patel become a *sarpanch* due to support from the Muslims, while a Muslim became the deputy *sarpanch*. The attack was aimed at teaching the Muslims a lesson.

Bhavnagar

Bhavnagar in Saurashtra, central Gujarat had never experienced a communal riot in the past. This time, large properties belonging to Muslims were targeted and destroyed.

The attack in Bhavnagar was launched on March 1, 2002. Vile and unsubstantiated reports published in local newspapers about the local *madrassa*, Darul Uloom Kakor Nagar led a manic mob to blockade it They were threatening to burn alive 455 innocent Muslim children boarding there who were trapped inside.

The role of the SP Bhavnagar, Rahul Sharma, is indeed worthy of note. Sharma fired on a mob that was trying to set the *madrassa* on fire, and put all its leaders behind bars. By his prompt arrival, leading his men and firm action, 400-odd young lives were saved.

The surrounding area was engulfed by fire from all four sides. The road outside was piled with burning tyres, 2 ft. high, making escape impossible. The entrapped children described their brush with death thus: "We had lost all hope and thought our last moment had arrived. In anticipation of death we started reciting the *Kalimah* (Word of God). In the meanwhile we saw SP Rahul Sharma drive through the fire, and approach our building, calling us out to get into the truck. We promptly obeyed and he drove us through 2 ft. high flames of burning tyres, saving all 455 of us. He did not appear to care for his own life then. We were later transferred to Ibrahim Masjid."

On the evening of March 1, when mobs were prowling the streets, the Bhavnagar police, who had never faced a riot before, seemed, momentarily, to lose confidence. "Sensing that my men were hesitating, I got out and fired the first round and they immediately joined me. We managed to disperse the mob and did not allow them to regroup," Sharma told the media at the time. For this, Sharma had to face the heat from political 'bosses.'

On March 1, SP Rahul Sharma broke up a rally led by a Shiv Sena leader and VHP activists. When leaders in the rally including SS leader, Kishore Bhatt and 21 VHP activists raised inflammatory slogans, the SP issued instructions for their immediate arrest. This brought the situation under immediate control. The BJP MLA, Sunil Oza, called up Sharma, accusing him of stirring up trouble by arresting Sena and VHP

leaders. The MLA, in fact, threatened the police saying that if they were not released, it would cause a serious law and order problem. But the policeman refused to give in. For several days, he resisted pressure from BJP MLAs, minister of state for home, Gordhan Zadaphiya and others. Oza then reportedly exerted pressure on the DGP's office, but after considering the case, the DGP's office chose not to pressurise Sharma. Then they tried to instigate riots to get Sharma into trouble. Suddenly 22 incidents were reported from his district. That is when the police decided to use force. The Bhavnagar police were on their toes, opening fire wherever and whenever necessary. By March 2, the number of incidents had trickled down and by March 3, there was nothing to report. When the Army eventually reached Bhavnagar, it had little to do. But the interference did not stop here. Zadaphiya called up the Bhavnagar city police and told them not to register cases against those injured in police firing. The police refused to oblige. Sharma paid the price for his uprightness. The officer was transferred as DCP (Control Room).

In Bhavnagar town, an ice cream factory belonging to Ibrahim Bhai was reduced to ashes, causing losses of about Rs. 1.25 crore. The bone factory belonging to Abbu Bhai was also burnt. Hotel Polo and White Rose where 18 foreigners were lodged, and were evacuated by the police well in time, were completely destroyed. The loss of business and properties in Bhavnagar was estimated at Rs. 3 crore. Many wealthy Muslims of Bhavnagar have been reduced to a state of penury.

Rajkot

Three men were brutally killed in Rajkot, another prominent town in western Gujarat that has been historically free of communal violence. However, over the past four years a series of incidents have taken place.

At Rajkot, the Sunni Masjid Yateem Khana was completely gutted. Wakaner Morji Madrassa was demolished and a statue was built in its place, atop which a flag continued to fly for several months. The Tribunal received unconfirmed reports of the gang rape of three Muslim girls.

Chief Minister Narendra Modi was elected from Rajkot, through a by-election held in February 2002, barely a week before the Godhra incident. Statements of witnesses placed before the Tribunal stated that during his election campaign the community of Dawoodi Vohras had contributed generously, in lakh of rupees, to his election fund. The Bohra community had felicitated him and wished his political career well. Young Muslim girls had fed him ice cream. These gestures were only repaid by the targeting and burning down of all the major Bohra owned factories in Rajkot, amounting to a staggering Rs. 300 crore.

Attack on Christians

During the Gujarat carnage it was not only Muslims who were attacked but also Christians. Christians were the target of BJP, VHP, BD, RSS goon squads right from '98 until '99. *(See section on Build-Up in Gujarat, Volume II)* On March 2, 2002, a mission being run at Sanjeli by the Divine Word society was ransacked and burnt by RSS and VHP activists. Father Chachkochan and his companion brother Gnanarul were attacked with stones by a mob at around 2 p.m. The attackers returned at 6 p.m, broke open the house, looted and set fire to the building. The two victims managed to reach the Jhalod Mission by walking a few kilometres and then getting a lift. Then, the Indian missionary society compound at Dhudia (which is close to the Limkheda *taluka* headquarters near Godhra) was ransacked. Sixty children were chased out and property looted, also on March 2. On the day of the Bharat *bandh* on March 2, the Mahatma Gandhi school run by the Catholic Mission at Rajkot began its day not knowing about the *bandh*. RSS and VHP activists reached there and terrorised the school into closing down.

List of statements placed before the Tribunal

Totally 2094 statements, written and oral were processed by the Tribunal.
Naroda: 49 testimonies and 73 written statements
Gulberg Society, Chamanpura: 23 testimonies and 7 written statements
Rest of Ahmedabad: 51 oral testimonies and 603 written statements

Kheda and Nadiad: 43 testimonies and written statements
Banaskantha: 6 testimonies and 20 written statements
Sabarkantha: 29 testimonies and 52 written statements
Mehsana: 9 testimonies and 10 written statements
Godhra: 20 testimonies

Panchmahal District: 63 testimonies and 34 written statements
Bharuch: 53 statements
Bharuch city: 18 testimonies and 78 written statements
Ankleshwar: 19 testimonies and 20 written statements
Rajpardi: 7 testimonies and 11 written statements

Vadodara written: Vadodara 68 testimonies and 79 written statements
Vadodara tribal: 5 testimonies and 19 written statements
Vadodara rural: 13 written statements

Dahod: 13 testimonies and 29 written statements
This totals 1547. Another 187 copies of FIRs, *panchnamas*, post-morten reports were put on record and 313 detailed collective statements of damages. This totals 2094.

Continuing Violence

Even as the Tribunal was finalising its report, violence broke out in Mehsana district and fear and insecurity was again experienced by small clusters of the Muslim minority. Protection from the police had to be sought and the assailants were again mobs actively led by men who hold positions of power. During the *gaurav yatra* that CM Modi insisted on holding on July 12, 2002 despite advise to the contrary, terrified Muslims fled back to the then-functioning relief camps, scared of a repeat of the carnage. Violence and threats of violence have been a constant feature of Gujarat even after the carnage. What is truly shocking is the violence caused by calculated hate speech that leaders of these groups have been indulging in.

The period between mid-March and mid-May saw continued violence in Ahmedabad and other parts of Gujarat. More and more instances of indiscriminate police firing were reported, where victims were mainly the Muslim minority. It is imperative that the Gujarat police regularly make statistics available to members of the public. This is one way there will be accountability.

Phases of Violence

In the first phase of violence, from February 28 to around March 5, systematic, intensive and organised violence was directed against Muslims and their property. This phase was marked by the presence of large roving mobs, armed with swords, raising slogans like *Jai Sri Ram* and *Jai Hanuman*, and attacking Muslim houses and shops. Killing and maiming was brutal, burning of the dead left few remains. Sexual violence was calculatedly used.

The second phase of violence began on March 15, the day that the *Shiladaan* was held in Ayodhya. In Ahmedabad and Vadodara, Bharuch, Bhavnagar and Rajkot, processions and *ramdhuns* were organised on that day, violating prohibitory orders and leading to fresh escalation of violence. From our evidence recorded, in Vadodara, the violence first erupted in Machchipith, when the *shobha yatra* turned aggressive and violent, leading to stone throwing on both sides. It is significant that areas where residents had actively prevented violence in the first phase (such as Fatehgunj) were targeted in this phase.

Towards the end of April (April 26-around May 5), Ahmedabad and Vadodara, including rural Vadodara, were affected by a third round of violence. From around the third week of April, there were rumours in the city that there would be violence after the Gujarat State Board Examinations. These rumours led to the build-up of considerable tension. While the 'big attack' that was being anticipated did not happen, the tension that had built up manifested itself in a further round of violence, which began on April 27, in Vadodara. The later phases of violence, though less intensive than the first phase, were akin to a steady war of attrition.

During this period, in contrast to the first week of violence, Hindus in sensitive areas were 'prepared' for 'retaliation' by Muslims (aided, according to reports, by local *Hindutva* organisations, which distributed swords, *guptis*, etc.). This time, Muslims in some localities attempted to defend themselves, leading, with the prevailing build-up of tension, to street-level confrontations (stone throwing, etc.) in some areas.

Evidence recorded by the Tribunal shows, that when Muslims, who had been denied police protection during the most vicious attacks on their lives and property, came out to defend themselves, they were picked up by the police and charged with a range of offences, including section 307 (attempt to murder). Over 500 innocent Muslim youth, our evidence shows, still languish in Gujarat's lock-ups and jails and there have been no attempts by the state, through its public prosecutors, to get them released.

Gujarat Police has finally admitted that it killed more Muslims than Hindus in its ostensible attempts to stop what was clearly targeted Hindu violence against Muslims. Of the 184 people who died in police firing during the post-Godhra violence, 104 were Muslims, says a report drafted by Gujarat Police. This statistic substantiates the allegation of riot victims from virtually every part of the state that not only did the local police not do anything to stop the Hindu mobs; they actually turned their guns on the helpless Muslim victims.

At some places in the state though, this trend - of more Muslims falling to police bullets than Hindus - was reversed. In both Bhavnagar and Banaskantha districts, five Hindus died in police firing on rioters. No Muslim was killed in Banaskantha, only one died in Bhavnagar. Superintendents of police of both districts were removed from their posts.

The numbers of Muslim and Hindu deaths in police firing, despite having been computed by the Gujarat government, have so far not been released. Coming out with the truth would only inflame the situation, it was feared.

As many as 218 persons died, more than 1,000 were injured and property valued at about Rs. 417 crore destroyed between April-June this year, in the sporadic incidents of communal violence in Gujarat which followed the Godhra train carnage, according to a reported statement made by union minister of state for home, ID Swami, in Parliament.

November 11/12, Mehsana, Kheda, Ahmedabad: At least six people were killed and several injured when violence broke out in Dasaj, Mehsana. A man was killed when a mob attacked the bus in which he was travelling on Mahudha-Dakod Road.

Earlier in the day, two persons were stabbed to death at Mahudha village in Kheda district of central Gujarat.

Late into the night of November 12, Dasaj and surrounding villages of Mehrwada, Jaska and Kohda, which have barely 20-22 Muslim families each living within them after the carnage, were held to ransom by rampaging mobs egged on by minister for transport, Narayan Laloo Patel. Later, two people were killed after wild rumours were spread about a "Muslim" attack on revellers at Gogh Maharaj temple in Dasaj. Collector Amrut S Patel of Mehsana is a close relative of the aforementioned minister. Maharaj Amardas Bapu of Virpur *Math*, Palanpur, was heard making provocative speeches to incite the mobs to violence.

A crude bomb explosion claimed the life of a shopkeeper in Danilimda area of Ahmedabad.

November 8, Ahmedabad: Tension reigned in the Gomtipur, Shahpur and Damilimda areas of Ahmedabad after 16 persons were injured in Jamalpur. The police arrested a significant number of persons from both the Hindu and Muslim communities. The fragile state of affairs was evident in the atmosphere prevalent in the town when an altercation began over a food bill at a roadside, eating joint in the Raikhad area and blew out of proportion to reach Jamalpur. In the ensuing violence, six people were seriously injured and five shops ransacked and set ablaze near Jamalpur Darwaza before additional police and paramilitary forces brought the situation under control. Just the day before (November 7), a private bus ran over 14-year-old Pankaj Ambalal Dabhi in Shahpur. Public outrage against the bus driver transformed into communal violence in different parts of the city, police said.

November 5, Ahmedabad: Police had to lob tear gas shells to quell stone pelting mobs as members of both communities fought a pitched battle after a quarrel. At least three persons were injured and half-a-dozen two-wheelers and three-wheelers were set on fire by the mob at Gomtipur near Sarangpur bridge in the western part of the city. Trouble erupted when a local Hindu youth, who was apparently drunk, went to the Muslim owner of a cycle-repair shop to rent a cycle. Since the youth owed the cycle-shop owner some money, the owner refused and asked him to first repay the debt. A heated argument ensued and both came to blows. The Hindu youth suffered a minor injury on his elbow, police said.

The youth's family, who lived nearby, raised an alarm. Within minutes, people from both communities began pelting stones at each other. Three persons were injured in the 25-minute exchange. Once they reached the spot, police failed to control the mob frenzy. The rioting continued and people set fire to five two-wheelers and three-wheelers and a bakery in the presence of the police, a local youth, Anwarbhai Ansari, said. Finally, police brought the situation under control after lobbing 24 tear gas shells. More than 10 persons from both communities were rounded up.

October 21, Dangs, South Gujarat: Five tribal children, boarders at a school run by the Navjyot Social Service Society, were threatened and told "to decide whether they want to live as Hindus or die as Christians." A senior BJP minister in the Narendra Modi government, Karsan Patel, warned Christians in the sensitive Dangs area "to

behave with restraint." The minister was camping in Dangs to ensure that the *Ram Katha* in his constituency was a success and "wants Christians to cooperate or face the consequences." Patel is, ironically, the state minister handling the welfare of the socially and economically backward classes. Christian priests and nuns claimed that "tension was in the air" and that the minister had behaved extremely rudely at the end of the meeting. "He told us, 'You tried to rake up Dangs and got international attention. Did Godhra ever happen in Dangs? Has a single Christian died? Why do you people make a mountain of a molehill? And don't dare talk to the English media,'" the priests and nuns said. The minister, however, denied this.

October 9, Chuda, Surendranagar: Around 30 people were injured in a group clash between Harijan and Satwara communities at Chuda in Surendranagar district. The groups attacked each other with sharp weapons and resorted to stone throwing and ransacking of shops. According to DSP, R Jotangiya, the trouble started over a petty fight between children of the two communities, which later intensified with the elders joining in. According to sources, about 14 people were detained for interrogation and most of them belonged to the Harijan community.

September 20, Vadodara, Ahmedabad: The death toll in two days' violence in Vadodara rose to four with one more person succumbing to stab injuries in hospital. Of the four killed, two persons died in police firing. One person was stabbed to death and another stoned. Trouble started during the Ganesh *Visarjan* ceremony and clashes were reported from Fatehpura, Yuktepura, Machchipith and Raopura. Violence continued throughout the night.

Meanwhile, in Ahmedabad, 13 persons, including 11 policemen, were injured after clashes between Shiv Sena and Congress workers on September 19, over the desecration of a Ganesh idol. Shiv Sena and Congress workers hurled stones and soda bottles at each other and Ganesh processions were held up for more than three hours, DSP Natha Ghule said. Balu Borate, a Congress leader, has lodged a complaint lodged at Topkhana police station against Shiv Sena MLA Anil Rathod and seven others. Borate alleged that the clashes started after Sena cadres threw stones and damaged the Ganesh statue at Neelkamal Mandal. Police registered a case of rioting against Rathod. Shiv Sena MLAs alleged that police had a nexus with the Congress and said his party workers were incapable of desecrating the statue, as they were "real Hindus".

July 19, Viramgam, Ahmedabad: At least one person was killed and 12 injured when police opened fire to control communal violence at Viramgam town, in Ahmedabad rural district. At least eight of the injured sustained bullet wounds. Curfew was imposed in Viramgam, near Ahmedabad, when police fired bullets to disperse clashing groups after lobbing of tear gas shells failed to bring the situation under control.

July 18, Panchmahal: Two explosions, believed to have been caused by crude devices, rocked the rural areas of Panchmahal district, leaving two persons dead and at least a dozen injured, some of whom lost their eyes. According to superintendent of police Narsinh Komar, the first explosion occurred in Mehlol village, 15 km from

Godhra town, at around 12.15 p.m., when a scooter parked in the village exploded and went up in flames. There were, however, no casualties.

The second explosion took place in the Suthar *Falia* of Dailol town, in which two people were killed. The dead were identified as Hiren Suthar and Jagdish Rathod.

July 16, Ahmedabad: The arrest of the '*mahant*' of the Saryudasji temple, Shivramdasji Ramanandi, here on the eve of the Jagannath *rath yatra*, for allegedly possessing nine country-made pistols was described by a section of the *sadhus* and *sants* as a "conspiracy". They threatened to "take to the streets" if suitable action was not taken against the police officials responsible.

Taking up cudgels on behalf of the '*mahant*' was his '*guru*' and president of the Ramjanmabhoomi Nyas, Ramchandra Paramhans, who rushed here from Ayodhya. He presided over a meeting attended by 500 *sadhus* and *sants* from all over the state. The meeting adopted a resolution to launch an agitation if the government failed to do "justice" to the '*mahant*'. The agitation would be extended all over the country in support of the demand for suspension of the two police officials, who they said, were responsible for hatching a "conspiracy" against the '*mahant*'.

June 10, Ahmedabad: Violence that began in Juhapura area on the afternoon of June 9 (after the arrest of two alleged bootleggers involved in the recent riots), continued, leaving two dead and five injured. A 75-year-old autorickshaw driver was attacked by unidentified men with sharp-edged weapons, near Guptanagar. He died in hospital later. A 15-year-old boy, who lived in the Sama Park society in Juhapura, also died in police firing. A 26-year-old youth was also injured in police firing.

At about 11 a.m., mobs set on fire 12 houses and two shops in the Aravali society and Al Hamza society near Guptanagar slum colony that borders Juhapura. There was heavy brick-batting in the area and the mobs targeted police. Three persons, including one inspector, were injured. Vejalpur police arrested 17 persons in connection with the violence.

June 7, Valol: Residents of this village were shocked when they woke up to the sight of a burning Tata Indica car with two persons inside. Villagers first spotted the burning white car at around 3.15 a.m. and one of them immediately called the police and fire brigade. Police reached the spot 15 minutes later and found two charred bodies inside the car. Police had still to identify the two persons and find out if the victims were burnt along with the car or their bodies were burnt after they were killed. Nothing was left of the car except for its soot-covered seat frames. The bodies were found on the rear seats, their trunk and lower limbs reduced to ashes and the upper part charred beyond recognition.

June 3, Bhavnagar: Police fired at least ten rounds and burst tear gas shells to disperse mobs indulging in arson and stone pelting in the Prabhutalav area of Bhavnagar city. However, no one was injured in the police action. Mobs belonging to two communities began pelting stones following a power failure in the area and also set a house on fire.

June 1, Vadodara: A *Maulvi* was stabbed in the city of Vadodara.

May 30, Kadi, Mehsana: At least two persons were killed and another injured as fresh violence erupted in Kadi *taluka* town of Mehsana district, prompting the authorities to impose indefinite curfew in the area. A person who was eating by a wayside kiosk on the outskirts of Kadi town was killed and the owner of the kiosk injured in a bomb explosion. In a related incident, a bus conductor was burnt alive. Two unidentified persons, who had covered their faces with turbans, came to the kiosk to buy food, when they hurled the bomb before escaping with the food. The customer, belonging to the majority community, died on the spot, while the kiosk owner, from a minority community, was injured.

As tension mounted in the town, a mob gathered at Kundal village between Kadi and Chhatral Road and intercepted a state transport bus. The irate mob then pulled out the conductor, a Muslim, from the bus, and burnt him alive.

May 29, Ahmedabad: Panic gripped Ahmedabad following a series of bomb blasts aboard three buses. Two live bombs were also found in two other buses and were defused. Eleven persons, seven of them women, were injured in the three explosions that went off almost simultaneously on three routes between 10 and 10.15 a.m., the peak traffic hour. Three of the injured, including the driver of one of the buses, received critical injuries. Two bomb disposal squad men were injured when one of the bombs went off while being defused. The explosions ripped open the sides of two buses and the roof of another was blown off and found 500 metres away. Two bombs exploded in the posh Gurukul and Vasna localities while one went off near the bus depot on the Geeta Mandir Road in the old city.

May 15, Rajkot: The city police arrested two persons, including a Junagadh-based Bajrang Dal activist, carrying 99 swords and 200 other sharp weapons, including knives and daggers, in a jeep. The jeep was detained for checking at Green Land Chowkdi — the junction of roads connecting Rajkot with Ahmedabad, Morbi and Junagadh. Those arrested were identified as Mansukh Kanji Patel, a Junagadh-based Bajrang Dal activist, and jeep driver Dinesh Hasmukh Vekaria, a resident of Rajkot. Police said that a case of violating the notification prohibiting carrying of weapons was registered against them.

Police commissioner Upendra Singh said that Patel was a Bajrang Dal '*Sangathan Mantri*' of the Joshipura area in Junagadh with 2,000 Bajrang Dal workers under him. Patel worked in the diamond polishing business in Junagadh.

CP Singh said that Patel told police he was taking the weapons to Junagadh for distribution because they "feared retaliation" and that the Junagadh police had been alerted. President of the Junagadh unit of Bajrang Dal, Lalit Suvagiya, who is also joint secretary of the Gujarat Pradesh Bajrang Dal, disowned Patel, saying that he was not a member of the Bajrang Dal. But the Bajrang Dal's Rajkot city unit chief, Chamanbhai Sindhav, admitted that Mansukh was a Bajrang Dal activist. Sindhav said that Mansukh had bought the weapons for self-protection.

Rajkot police also raided a yard near the Chotila bus stand and seized another cache of swords, knives, and *guptis* packed in gunny-sacks. Police said 170 swords, 470 knives, and 457 *guptis* — worth some Rs 1.87 lakh — were found in the yard of the Chauhan brothers. Mansukh Patel, who was arrested in connection with the seizure from the jeep, said he had procured the swords from the Chauhans. Two persons were arrested in connection with the Chotila seizure. Police said that Prabhubhai and Channabhai Chauhan had been dealing in swords for the last five years, and would sell them to any buyer. Meanwhile, first class judicial magistrate SM Soni rejected the five-day police remand plea for Mansukh Patel, Bajrang Dal member, arrested by Rajkot police for violating the public notification banning carrying of arms.

May 12, Ahmedabad, Vadodara: In the 75 days post-Godhra, Gomtipur, in Ahmedabad, was under day curfew for almost 43 days while night curfew was in force for almost 60 days. In Vadodara, the situation was only slightly better, with areas like Wadi being under night curfew for 24 days and day curfew for 44 days. The curfew threw up other challenges for people — how to reach office or an examination centre and how to get the daily supplies of milk and vegetables. "While the affluent ones have stored goods in bulk, the poorer sections are in big trouble," said Ashraaf Khan Pathan of Juni Bapunagar.

May 7, Ahmedabad: The army was called out in Ahmedabad after a fresh outbreak of communal violence left twelve persons dead. A youth was stabbed right inside the VS Hospital, run by the Congress-controlled Ahmedabad Municipal Corporation, in the presence of police. The youth was stabbed when he alighted from an ambulance carrying a patient who had been stabbed in Juhapura locality, when some *Sangh Parivar* volunteers were demonstrating against the alleged "partisan attitude" of the hospital authorities against Hindu patients.

While three persons each were killed in Kalupur and Vejalpur localities, two were killed in Juhapura and one each in Jamalpur and Danilimda areas. Perhaps for the first time since the violence began, the night remained largely peaceful and most of the violent incidents took place in broad daylight.

The day began with a stabbing incident in Majoorgam under Kalupur police station and soon the violence spread to the outskirts of the city. A college instructor was stabbed to death and then his body set afire in Sarkhej locality.

This incident had its repercussions in the neighbouring Juhapura and Vejalpur localities, where violent mobs came out on the streets and indulged in stone throwing and attacked passers-by. At least three trucks in Sarkhej and Juhapura localities were set ablaze after their drivers fled.

◆ A camel cart owner was stabbed to death in Vejalpur, where two others were killed when police opened fire to disperse the violent mobs. The Juhapura and Vejalpur incidents spread tension in the city with one person was stoned to death near Revdi Bazar in Kalupur. At least seven persons, including three policemen, were injured in a bomb blast near the Kalupur police station. One of the injured later died in hospital. The charred body of a middle-aged person, believed to have been stabbed to death and later set afire, was recovered from Jamalpur.

◆ A lecturer of IIT, Sarkhej, was intercepted by four people while on his way to work and burnt alive. MA Kothawala, (35) was going to work on his two-wheeler. It was his beard that gave him away. As he slowed down his scooter, he was stopped by four people who stabbed him and them burnt him alive.

◆ A truck driver, unaware of the trouble in Sarkhej, drove straight into a mob lying in wait near Juhapura. He was also burnt alive.

◆ Two daily-wagers cycling to work from Dhor Bazaar were pelted with stones and then bludgeoned to death.

◆ Two residents of Parikshitalal Nagar, Behrampura, on their way home were burnt alive by a mob on May 5.

While mobs attacking entire neighbourhoods was part of the pattern during the first phase of violence in Ahmedabad, a new pattern emerged in the incidents that took place round early May: that of mobs targeting unsuspecting individuals. Police said this could be because of the long spell of violence that had deepened the divide. In the incidents of early May, innocent citizens, educated people, were waylaid by mobs and done to death. Ironically, most of these people were either on their way to work or were hurriedly returning home on hearing reports of violence in the city.

May 7, Bhavnagar: Tension gripped Bhavnagar city when groups of people from both the Hindu and Muslim communities were involved in stone throwing. However, timely action by the police prevented the situation from escalating further. According to police control room, it all started when a youth, who was drunk, came out on the streets in the Karchaliya Para area in Bhavnagar with a sword. Police said that this created tension as people from both the communities came out on the streets with swords in their hands. On May 6, a group of people had set a medical shop located in the Khumbhariya Wada area on fire.

May 7, Vadodara: The JP Road police recovered a crude "bomb" from a footpath on the Old Padra Road. The bomb made from urea, a gelatine stick and detonator seemed to have been left at the spot to create panic in the area. According to the city police, the bomb was recovered following a tip-off. "A parcel with a wick was lying deserted on the footpath. As a precautionary measure, the bomb squad was called to tackle it," an officer said. Officials at the J P Road police station said the bomb must have been placed by some mischief-monger to create panic in the area. "The so-called bomb was otherwise harmless. It did not contain nails or similar articles to injure a person," said JP Road police inspector Kiritsinh Jhala.

May 7, Panchmahal: Shops were set on fire and members of two communities clashed at Lunavada town in Panchmahal district, prompting the imposition of indefinite curfew in the area. Following the bomb explosion in a bus which injured 10 people on May 6, incidents of stone throwing and arson were reported during the day. Indefinite curfew was clamped on the town.

May 6, Panchmahal: As many as ten people were injured, including three women and an infant, were injured, five of them seriously, when a country-made bomb ex-

ploded in a Gujarat State Road Transport Corporation bus at Lunavada bus stand, nearly 40 km from Godhra. The incident took place at 1200 hrs when the bus, scheduled for Malvan, was parked at the stand for the 30-odd passengers to board. Five of the injured, including the conductor Hirabhai Vanand, were in serious condition and were shifted to the civil hospital. The incident has spread panic and tension in Lunavada and surrounding areas. Witnesses stated that the explosion could have occurred in the abandoned baggage of a passenger.

May 6, Ahmedabad: Two youths were stoned to death in the Kagdapith area of Ahmedabad. "The youths were stopped by an armed mob and lynched," a senior police officer said. They were two factory workers, who were proceeding to their workplace on cycles, and then lynched as sporadic incidents of violence continued unabated in the state. With this the death toll in two days of violence has gone up to ten. The incident took place around 10 a.m. in the Kagdapith police station area. As the victims were leaving their houses on cycle, they were surrounded by an irate mob, which resorted to heavy stone pelting. "They bled to death on the spot," the police said.

Police burst several tear gas shells to disperse a crowd near a mosque in Mirzapur area where two crude bombs exploded while a prayer session was on, setting off tension in the locality. The bombs exploded on the road outside the mosque. No one was injured in the blast. Indefinite curfew, meanwhile, remained in force at Danilimda and Shahpur, two of the worst affected localities of Ahmedabad.

May 5, Ahmedabad: After three days of calm, tension gripped the city of Ahmedabad when rioters went on the rampage in Shahpur, Madhavpura and Danilimda areas, forcing the police to open fire. Seven people were killed.

According to police, the body of a person with stab wounds was dumped outside the RSS headquarters by miscreants who came in a Maruti car around midnight.

May 3, Jamnagar: Tension mounted in Varvala village of Dwarka *taluka*, Jamnagar district, after miscreants desecrated temples in the village. Heavy police deployment was made in the area soon after that, to prevent any untoward incident as villagers observed a *bandh* to voice their protest.

May 2, Bharuch: Tension mounted in Bharuch district after some assailants riding a motorcycle shot at a BJP worker in Ankleshwar town. Sources in the Ankleshwar city police said that the victim, Ganesh Agrawal, who was an active worker of the BJP and owns a provision store, was shot at by unidentified assailants. Sources said that Agrawal had earlier been named as an accused in two cases of rioting in the aftermath of the Godhra carnage.

April 16, Ahmedabad: Even 48 hours after communal incidents began, large parts of Ahmedabad still remained under curfew.

April 15, Ahmedabad: Two persons were shot dead by the police at Dariapur. The police of the Dariapur police station assisted a mob pelting stones at minority pockets in the area. A local resident, Ayub Khan Pathan, had his head blown off when he simply stepped out to

take a snapshot and get photographic evidence of police misdemeanours. The violence continued between Delhi Darwaza and Shahibag (where incidentally the commissioner of police's headquarters are located) and the targets were – Kanikhad Muslim Mohalla (where 80 households live) and Sajjan Jamadar Mohalla (where 200-250 families live).

There were two terror attacks, by mobs of 15-20 and 100-200 respectively, Std. VIII and IX students belonging to the minority community, who were giving examinations in two separate examination centres at Delhi Darwaza.

April 5, Vadodara: In a shocking example of violence by armed mobs roaming the streets of Gujarat, a convoy of five vehicles carrying families from Chhotaudaipur to Vadodara under police escort was attacked by a mob en route, which set all the vehicles on fire. At least three persons suffered serious burn injuries and a policeman, who was attacked with sharp weapons, was also grievously hurt. The families, who had been stuck in an unsafe area for six days, were being shifted to Vadodara by the police in three trucks, a tempo and a rickshaw.

April 4, Umreth, Anand district, Kutch: Two persons were killed and two injured in police firing in Umreth town of Anand district, where rioting mobs burnt down about 10 shops. Police fired 20 rounds and imposed indefinite curfew in the afternoon.

◆ Kutch, which had been peaceful so far, also witnessed violence. Indefinite curfew was clamped in Anjar after mobs damaged three places of worship.

April 3, Ahmedabad: Police, under PI SD Sharma, in the presence of Mr. Parmar of the Ahmedabad collectorate, led a violent attack on the 750 refugees of the Suleiman Roza Relief Camp (behind Nutan Mills), Saraspur and actually shot two persons, Pirujbhai Mohammad Sheikh (30) and Khatoonbi Sharfuddin Saiyed (45). The camp, which had been home to 750 displaced persons over the past 40 days, was thus forcibly wound up.

29 innocents were shot at by the RAF and SRP forces. Advocate Nizam was shot dead by the police inside his home and Dr. Ishaq Sheikh, vice-president of the Al Ameen Garib Niwas Hospital, was pulled out of his ambulance by the Ahmedabad police, SRP and RAF personnel and brutally beaten up. Police inspectors Modi and Parmar were present while this happened and did nothing to stop the assault. Another person shot dead in police firing, Mohammad Yunus Akbarbhai, hailed from Sakhar Ghanchi Ki Chawl. The policemen named by eyewitnesses are NA Modi (PSI D Staff), NR Jadhav, senior police inspector and DCP Sawani.

April 3, Abasna, **Ahmedabad rural:** Five members of a Muslim family were burnt to death late at night in Abasna village. Three houses were burnt down and five members of the same family, including a baby girl, were hacked to death and then set ablaze by an unruly mob of around 15-20 persons at about 12.30 am. The Kadi police reached the spot at 2.30 a.m.

In another incident of violence in Ahmedabad, in broad daylight and in the heart of this city, 34-year-old Muhammad Riyaz Qureshi was hacked to death near the Shahpur police post, apparently because he was married to a Hindu. There was heavy police

deployment in the area but the policemen saw nothing, heard nothing and did nothing.

April 2, Ahmedabad: In the course of the past week, mobs set fire to over 50 Ahmedabad houses whose residents wait in relief camps. The police in the city of Ahmedabad just did not stop them. They said that fire spreads too fast and that they were short of staff. Fifty houses were set on fire at Behrampura in the Danilimda area; they had been vacated by fleeing residents on February 28. About 500 yards away are the Behrampura police outpost and an additional police picket but that didn't help much when the mob got to work. Homes in Rajpur, Gomtipur, Ramol, Syedwadi, Vatwa and Madhavpura were gutted. A mob of not less than 10-15,000 attacked homes at Vejalpur and Juhapura.

April 2, Cambay, Petlad, Kadi, Mehsana: Three persons were killed in police firing all over Gujarat. At least one person was killed in Cambay and Petlad towns in Kaira area in police firing and one was stabbed to death in Kadi town in Mehsana district, as violence re-erupted in the curfew-bound towns late at night. At least three persons were killed in Cambay and Petlad in police firing earlier in the day to control mob violence. A mob set on fire at least eight houses at Adundara village near Kadi in Mehsana district even as curfew continued in Kadi town.

◆ Disturbances spread to newer areas such as Narsanda, Boriyavi, Chaklasi and other small towns and villages in central and north Gujarat where mobs set fire to houses and shops belonging to a minority community and tried to damage some places of worship.

March 31, Ahmedabad: About 60 houses in two chawls on Danilimda Road in Behrampura were gutted following arson resorted to by residents of Pathani Ni Chali and Ghasiram Chali after a minor incident of stone throwing between two groups. Police fired about 31 rounds and 156 tear gas shells in the area to control the situation.

March 30, Ahmedabad: A 25,000 strong mob gathered at CTM Amraiwadi, at the junction of Vatwa and Jantanagar Ramol and Ansaribagh and tried to attack Gomtipur, Jhumli Chawl, Najor Road, Vora Chal and Sukhram Road. For residents, the terror continued late into the night.

March 29, Ahmedabad: Two Kashmiris were allegedly burnt alive by rioters during communal clashes in Ahmedabad. They were identified as Sareer Ahmad of Gohan-Kokernag and Isfaq Ahmad of Vesu-Qazigund. Reports said the former was a truck driver while the latter a cleaner. They were on their way from Kashmir to Ahmedabad in their vehicle, loaded with Kashmiri apples. As the truck entered Ahmedabad, a mob stopped it. When the miscreants discovered that the driver and the cleaner were Kashmiris, they severely thrashed the duo. Their truck was set ablaze and subsequently the two were burnt alive.

March 29, Kadi, Mehsana: The 200 residents at the Kadi Relief camp near Kalol were attacked by a large mob at midnight.

March 26, Godhra: A month after the Godhra tragedy, things had still not returned to normal in Godhra city. Every day, violence breaks out in new areas. There

was trouble in Khadia and Ramol areas and two incidents of stabbing were reported from Ranip and Shaherkotda areas.

March 24, Rajkot: An 18-year-old student, who was on his way to write his HSC examination, was stabbed by two unidentified assailants, leading to tension in the communally sensitive Dhoraji area. The student, Ashok Lakhabhai Ahir, was first taken to Junagadh and later shifted to Rajkot. Doctors said his condition was serious.

March 24, Ahmedabad: A 30-year-old woman was stripped in public and stabbed to death in the Vejalpur area of Ahmedabad as violence continued unabated in Gujarat. Mumtazbano, whose maiden name was Geeta, before she married a Muslim, was stopped by miscreants at Vejalpur when she was going out with her husband on a scooter. She was stripped and stabbed to death. Her husband was admitted to the VS Hospital with serious knife injuries.

March 24, Ahmedabad: The Revdi Bazaar in Panchkuva area of Ahmedabad was transformed into a raging inferno when manic rioters set shops afire. The marketplace, which houses wholesale cloth shops, erupted into flames which took the Ahmedabad Fire Brigade more than five hours to control. Though no casualties were reported, local shopkeepers said the damage could well cross Rs. 15 crore.

◆ Fresh violence erupted in Bhavnagar, Jambusar (Bharuch district) and Prantij (Sabarkantha district) towns and indefinite curfew was imposed there.

March 22, Vadodara, Ahmedabad: Curfew was again imposed in six police station areas of Vadodara as three people were killed when violence flared up in the city. A 35-year-old man, reportedly a tailor, was found with his throat slit near the Lal Akhada in the Fatehpura area of Vadodara. The second case of stabbing was reported in the Dandia Bazar area of the city. The person, who ran an English class at Apsara Apartments, was attacked at his office in the afternoon.

◆ In Ahmedabad, one person was killed and three others injured in stabbing incidents in the Kagdapith and Gomtipur areas. In Ahmedabad, Ghanibhai, who cooked food for the 7,000 residents of the Shah-e-Alam Relief Camp, was brutally killed by youths from just outside the ghetto area, where he had gone to buy a basket used to clean rice.

Incidents of violence and arson were reported from some areas of north Gujarat.

March 21, Ahmedabad, Himmatnagar: Six persons were killed in renewed violence in Ahmedabad. Five persons were killed in police firing at Kalupur, (Usman Ghani Memon, Arif Mansoori, Fakir Aakha Ali Shaikh, Mohammad Aslam, Mani), while one person was stabbed to death in sporadic incidents of violence in the Dariapur, Karanj and Shahpur areas. Vatwa continued to remain under the grip of tension after the arson at Nava Chunaravas on March 20, when two persons were killed in police firing.

◆ In Himmatnagar town, one shop was set ablaze in the Motipura area when curfew was relaxed for women and children between noon and 6 p.m.

March 20, Ahmedabad, Himmatnagar: At least two people were killed in police firing in the Vatwa area of Ahmedabad and indefinite curfew was clamped in Himmatnagar town in Sabarkantha district.

Mobs went on the rampage in Vatwa, torching several hutments and cabins by firing petrol bombs before the police moved in and restored order.

- Violence spread in Himmatnagar town in Sabarkantha district, after the disappearance of a boy, sparked violence.

March 18, Bharuch: Four persons, including two belonging to the minority community, were killed when police opened fire to disperse mobs in Bharuch and Sabarkantha districts as fresh bouts of communal violence hit parts of Gujarat. Two persons were killed and as many seriously injured when police fired on a stone pelting mob in the sensitive Undai-Haji Khana locality of Bharuch, which was rocked by a fresh spell of violence since March 17, when two persons were stabbed to death. With this, the death toll in the latest spell of violence in the town went up to four.

March 17, Ahmedabad: Even 17 days after the Godhra carnage, Ahmedabad had not calmed down. Incidents of arson, rioting and loot were reported from the Danilimda and Dudheshwar areas. One person died in police firing while three others, including a Home Guard of state civil defence, sustained serious stab wounds in Danilimda. Around 2 p.m., a 1,000 strong mob went on the rampage and set fire to two textile-dye manufacturing units in Danilimda. Prior to this, the mob also damaged three shops and set fire to four vehicles.

Expert Witnesses

Expert Witnesses

Justice AP Ravani *(Former Chief Justice Rajasthan)*

This witness deposed before the Tribunal on May 2. He is a retired judge and a senior citizen of eminence in the city of Ahmedabad. He spoke of the acute insecurity experienced by judges belonging to the minority community, who were not safe after February 27. Justice MH Kadri had to take shelter on the previous night (i.e., on Feb. 27) at the home of Justice Waghle. Justice AN Divecha's home was ransacked after being attacked on February 28. Justice Ravani was in close communication with his brother judges during those days regarding their safety. On March 1, while he and Justice RA Mehta were at the place of Justice Kadri at around 1.30 p.m., the latter received a call from the registrar of the High Court, informing him that Chief Justice Dharamdhikari had made available two bungalows in Vastrapur, for the use of the two judges from the minority community. In case they did not want to shift there, they could move to the Chief Justice's home itself. The military intelligence had also advised Justice Kadri that he should shift, because the police posted at his residence were not sufficient to protect him, and also that he should not rely for his safety on the local police. The military intelligence had offered him their guesthouse in the cantonment area. Despite these offers, Justice Ravani regretfully advised Justice Kadri against accepting them, due to the acute and unusual circumstances of violence this time when, despite the presence of a police *chowki* just in front of the judges' bungalow area, Tasty Restaurant and another restaurant, both belonging to Muslims, were burnt. Justice Ravani felt that these unprecedented circumstances strongly suggested that the alternative accommodation arranged by the Chief Justice might not be safe for the judges from the minority community. Moreover, he felt that though the military cantonment may provide physical protection, it would lack psychological warmth and support. Therefore, much as the advice went against the spirit of the Indian Constitution, the ground reality was that, to ensure his safety, he should move to one of his relative's place in an area dominated by the minority community. It was after these consultations that Justice Kadri shifted to Riviera Apartments, behind VS Hospital.

Justice Divecha, a retired high court judge living in a building in the Paldi area of Ahmedabad, had been receiving threats over the phone from February 27 onwards. Although some of his neighbours asked him to continue staying there and also offered to protect him, he was forced to leave the house the next day, i.e., on February 28. One Sanjay Shah, a chartered account and son-in-law of Justice Desai, urged him to leave and helped him do it. Within an hour of his leaving his house, it was completely ransacked and then burnt. Justice Divecha currently holds the post of chairperson of a state government-appointed commission and has the use of a government car. This car, which had an official red light on it, was also damaged by the mobs. Formerly, he was the chairperson of MRTP Commission.

This witness also spoke of the victimisation and the insecurity experienced, during the post- Godhra violence, by advocates belonging to the Muslim community. An advocate, IM Shaikh (junior of the late Ahsan Jafri), whose office was situated outside the Delhi Darwaza area on the first floor of a building is one example. He had just set up his practice but everything in his office was destroyed and burnt on February 28. He lost all his papers and books. When he went to lodge a complaint, the police asked him to state that "a mob of unidentified persons had come and they burnt this". For another three weeks after this incident, no *panchnamas* were recorded by the police. Justice Ravani, had visited the place after the incident. The ground floor, occupied by a Hindu-owned shop, was totally safe. The first floor premises of Shaikh, which measured about 2,200 sq. ft., were totally destroyed. The damage included the aircoditioner, his computer and his books. Three persons were later identified by the police as responsible for the incident; one of them was arrested and refused bail. PI PN Falia, with the satellite police station, completed the investigations. He was transferred soon after and another police officer Barot, whose proximity to Dr. Praveen Togadia of the VHP is well-known, was put in charge of the investigation.

This witness spoke at length about the stifling of criminal law the moment Godhra occurred on February 27 and the VHP and the BJP announced a *bandh* on the next day. The witness observed that it was a deliberate conspiracy to stifle criminal law. From the first day onwards, the instructions to the police, coming from different rungs of the government, were that no force was to be used and no arrests were to be made.

This conspiracy to stifle criminal law was hatched at least one month before the incident. The witness quoted from the commissioner of police, PC Pandey's interview, given to *The Times of India* on March 15, to substantiate this claim. In his interview, the commissioner had stated that in his view,

(i) Dead bodies should not have been brought from Godhra to Ahmedabad. The CP had expressed his disagreement over the government's decision, yet he was overruled. Who overruled him: the CM or the home minister?

(ii) *Bandh* calls and *bandh* politics were not new for the state of Gujarat, but "this time the call for a *bandh* was given by the party in power". (This meant that even a CP felt that a ruling party supporting a *bandh* was out of the ordinary).

(iii) One month before the Godhra incident, all sub-inspectors in Ahmedabad were transferred and the CP had no say in these mass transfers.

This witness had some conclusions to draw about the systematic and deliberate targeting of Muslims establishments. He said that though some arson was excepted post-Godhra, no one in their wildest dreams expected this systematic and wide-scale targeting of Muslim lives and property. If the *bandh* had not been declared or supported by the government, the situation would not have been so grave.

Gujarat VHP President, KK Shastri gave a widely publicised interview to rediff.com in which he stated that on the morning of February 28 itself, his organisation had prepared a list of the names of establishments and residences of Muslims of Gujarat, ready to be used in the violence.

Justice Ravani drew the attention of the Tribunal to the state of the country, in terms of the law and order situation, in the month of February 2002. In preparation for the *yagna* planned by the *sangh parivar* organisations, including the BJP, on March 15 at Ayodhya on the site of the demolished Babri Masjid, the country was in a state of high alert. 50 per cent of the *kar sevaks* who have assembled at Ayodhya, be it in 1992 or in 2002, were from Gujarat. 50 per cent of the membership of the VHP hails from Gujarat. So, whatever the facts and the motives behind the Godhra tragedy might be, there was heightened preparation for aggression and intimidation by the forces supporting the Ram temple at Ayodhya and the police and other law and order machinery all over the country was tense and on alert. Therefore, something around March 15, the date for the *yagna,* was planned by these forces in Gujarat. The witness also quoted Pandey's public response to whether or not the Godhra mass arson was pre-planned. "I don't think the Godhra incident was planned. It appears to be quite spontaneous. Those travelling on the train have stated that the *kar sevaks* were quite boisterous. The situation must have gone out of control". This witness drew the attention of the Tribunal to the fact that the Sabarmati Express was over-crowded with *kar sevaks* and that, in the past, the administration had handled law and order situations at Godhra with more promptness and responsibility. He also raised serious questions about the union railway minister, Nitish Kumar's apathy towards the Godhra incident. He drew the attention of the Tribunal to an interview of retired major general, Eustace D'souza, published in the *'Genocide - Gujarat 2002'* report *of Communalism Combat,* where he had revealed how he had led four columns of army into Godhra three times, in 1948, 1955 and 1983. Shri D'souza was surprised at the absence of army columns as in the past, either in Ahmedabad or in Vadodara, given the tension the country was going through. It was a Member of Parliament belonging to the ruling BJP who had requested for two coaches on the Sabarmati Express to be reserved for the *kar sevaks*.

The conduct of the police, in persistently refusing to record the FIRs, was a further reflection of the collapse of the criminal justice system in Gujarat. The fact that cases concerning serious points of law, dating from 1985 or 1990, are still pending, is a telling commentary on the non-functional state of the courts. The former judge commented on how lawyers belonging to the Muslim community, who were the only ones fighting for victims of illegal arrest, had to stay away from the High Court because of

curfew. Due to this, people accused of the petty offence of breach of curfew were sent to jail. The bar room of the old High Court, which currently houses the Ahmedabad rural courts, has 10-15 tables allotted to lawyers belonging to the minority community. These were removed and destroyed and obscene slogans written there. This is a shocking state of affairs in Gujarat, where the rule of law is absent.

Articles 14, 15 and 21 of the Constitution have been paralysed, according to the witness. When cabinet ministers sit in control rooms and command operations, we must conclude that there is an active desire on the part of the political establishment to deny protection to those being targeted by well-guided mobs. Once the tragic violence had taken place, the State compounded its non-Constitutional functioning by actively preventing the confidence building measures required for proper rehabilitation. Besides, when people have tried to return to their original houses, filthy slogans have been used to terrorize them and prevent them from doing so.

The victims were not being treated like human beings, but like animals. The senior jurist expressed deep concern that such injustice could breed terrorism or could contribute to the growth of the Mafia. He also drew the attention of the Tribunal to the use of threats and terror tactics by the goons of the VHP and the Bajrang Dal against ordinary, right thinking Hindus who were helping the refugees. One doctor from the Shahi Baug area, who had tired to help the refugees and had conducted free deliveries of 17-20 women living in the camps, was threatened in person by the VHP international general secretary, Dr. Praveen Togadia himself. He was told that either he should stop the medical aid or consequences would follow. The witness expressed deep concern about the active attempts by members of the RSS, VHP and Bajrang Dal, supported actively by the BJP, to communalise and divide both the legal and the medical community in Gujarat, especially in Gandhinagar and Ahmedabad. This had largely prevented more arrangement of medical and legal aid across communities after the violence had taken place.

Iqbal Hawa *(Senior solicitor in Gujarat)*

A senior advocate of the Gujarat High court, originally from Mumbai, he appeared before the Tribunal on May 2. He referred to *The Times of India* press clippings suggesting that a Hindu doctor trying to provide medical aid in a minority dominated area was threatened. He said that the man who attacked the doctor belonged to the majority Hindu community, but the report had been coloured to indicate that he was a Muslim. Many prominent and responsible Muslim citizens tried to give a clarification to the newspaper but this was not published. Doctors of the majority community still treat patients in minority-dominated ghettos. This witness spoke, with acute distress, of communalisation of the Gujarat bar at all levels. The bar association (rural district court) had passed an oral resolution that no advocate should take a brief from a Muslim client. The witness also referred to the two-year-old controversy over the appointment of PN Oza, the Gujarat state prosecutor. The appointment was made out of order of seniority simply because he was, and continues to be, a member of the

RSS. Without getting into specifics, as it would involve the question of contempt of court, this witness referred to the fact that in Gujarat state, since 1998, even judges were appointed because of their political affiliations to the ideology of the ruling party.

The witness spoke with distress about the misuse of the funds collected in the name of religion and charity from abroad, which have been used to generate and sustain militant cadres and their activities. This witness and many others referred to the discredited activities of *Bochasanvasi Pramukh Swami*, resident of Bochasan village in Kheda district. Other *sadhus*, like Shri Murari Babu and others, also get a lot of money from the Patels and Shahs living abroad.

This witness spoke poignantly of the abject terror experienced by Muslims in the city of Ahmedabad because the attacking mobs, led by prominent leaders, came along with the police, used police points for their assault and threw stones, rags and bombs at minority residences. Many people watched without intervening and the terror continued to spread. The witness had seen this in areas like Vejalpur and Kalupur.

This witness made a representation before the Tribunal in the matter of 295 mosques and 205 *dargahs* that were damaged and destroyed in the post-Godhra carnage. This has also been represented to the National Minorities Commission to urge urgent repairs. He expressed anguish at the absence of concern and compassion from the Gujarat government, the Indian government and other authorities, at the blatant stifling of religious and cultural freedom. He gave the example of one mosque in the Paldi area of Ahmedabad, which was razed and destroyed despite a High Court injunction against any attempts to touch it. He said that unless re-construction work was taken up in all these shrines on a priority basis, restoration of peace and harmony was impossible. He also said that as a lawyer, he felt helpless about the judicial process. "If we go to the Supreme Court", he said, "the petition would be admitted but would lie unheard for years."

Achyut Yagnik *(Senior academic)*

A senior academic and associated with work among the marginalised communities in north and south Gujarat, the witness had started the Ahmedabad Ekta Manch in 1985 and was also the general secretary of PUCL.

An expert on tribal affairs, he pointed out that the *Bhil* belt extends from Sabarkantha upto Narmada and it was this *Bhil* belt to which the violence was restricted to (*Bhils* are tribals who find a mention in the *Ramayan*). The witness drew attention to the fact that about 3-months-ago (on January 17, 2002), there was a congregation of tribals in Jhabua in Madhya Pradesh, an areas bordering Gujarat and Rajasthan. Over 1.5 lakh tribals participated in this meet which was specifically organized by the RSS and the VHP. Tribals who participated were drawn from all the 3 states of Gujarat, Madhya Pradesh and Rajasthan. The meeting was about the issue of conversion and the RSS chief, K Sudershan addressed the tribals. In the history of communal violence in Gujarat, the first time ever that tribals attacked Muslims was in 1987. In 1990 again, tribals attacked Muslim shopkeepers. The witness made a perceptive analysis of the

mobilisation of Dalits by outfits like the RSS, VHP, Bajrang Dal and the BJP. Urban Dalits have connived with the politics of these outfits, and this time they actively participated in the violence. In the case of the massacre at Gulberg Society, where Ahsan Jafri was killed, it was the case of a Muslim-predominant residential colony surrounded by three communities –Waghris, who are a denotified tribe, Marwadi migrants and Dalits, living behind the society and across the railway line.

In Gomtipur, an industrial area, which showcases the history of the textile industry of Ahmedabad (where the workers were equally divided among the Dalit, Muslim and OBC communities), housing colonies around the mills belong to Dalits and Muslims. The clash in Gomtipur in April 2002 was between Dalits and Muslims. Saraspur, Gomtipur and Babu Nagar also have the two communities living together. Many villages around Ahmedabad, which later developed into industrial suburbs, also had Dalit and Muslim neighbourhoods. These factors, along with a shared tradition of non-vegetarian food habits, have led to these communities living together.

Among the rural Dalits of Gujarat, the situation is different. For example, in Sardarpura in Mehsana district in north Gujarat, where 31 Muslims were burnt alive (it is one of the four incidents of mass burning), Someshwar Pandya, a Dalit belonging to the Congress and a lower functionary of the *panchayat*, not only protected Muslims but also identified the accused responsible for the crime and filed an FIR which was registered. He was beaten up for this and was hospitalised. In north Gujarat, especially in the Patan area, Rajputs protected Muslims and in many other parts of rural Gujarat, the Rabaris and Bhuvas protected Muslims in large numbers.

This expert witness gave a detailed analysis of the history of communal violence in Gujarat. In 1981, the anti-reservation agitation started from Ahmedabad and spread all over Gujarat. These were the first caste-based riots and Dalit homes were attacked and burnt. The agitation was against reservation of post-graduate seats in medical colleges. In 1982-83, during the Vadodara riots at the time of the *Ganesh Chaturthi* procession, and during the RSS/VHP *Bharat Ekta Yatra* in 1983, there was violence. The anti-reservation riots in 1985 began over the issue of a quota of reservations for OBCs being enforced by the Congress government. The Congress government of the time experimented with the KHAM formula (K=kshatriyas, H=harijans, A=adivasis, M=muslims). The second anti-reservation agitation turned into communal riots and this altered the nature of communal riots in Gujarat. In 1981, BJP workers including Ashok Bhatt (now a minister) were openly anti-reservation. In 1981, even ABVP, the students' wing of the BJP, was against reservations. It was in 1985 that their stance changed and they started speaking in favour of reservations. This reflects the countrywide shift in focus of the RSS, which resulted in their actively wooing Dalits and tribals through the VHP. The two RSS persons responsible for co-opting Dalits and OBCs (especially the Patels) into the RSS/BJP camp between 1985-1990 are Narendra Modi (presently chief minister of Gujarat) and Shankarsingh Waghela (now leader of the Gujarat Congress, who was then the president of the Gujarat BJP, with Modi under him).

Communal violence in Gujarat in 1986, 1987 and 1989 was due to the many symbolic *yatras* taken out by the RSS and VHP at that time. Different sections of the society were mobilized for the different *yatras* and the ruling Congress at the time was responsible for allowing this aggressive communalisation to take place. The nexus between anti-social elements (of both communities) and politcians increased after 1980. It started in 1969, when Hitendra Desai was the chief minister and increased under Chimanbhai Patel's rule later. It continued up to the '80s Madhavsinh Solanki was the chief minister. From 1989 onwards, there have been been major bouts of communal violence in Gujarat. These began and spread along with the route of LK Advani's *rath yatra* that started from Somnath and went through the heart of South Gujarat in 1990. The chief architect of this *yatra* was Narendra Modi, then the general secretary of the BJP and also an RSS *pracharak,* who had been asked to work for the expansion of BJP. The witness averred that at the time of the *Nav Nirman* movement in 1974, Modi was nowhere in the picture.

Surat was drawn into the abyss of communal violence for the first time in 1992, and there were cases of mass burning of people and gang rapes of Muslim women. After 1992, there was a lull, except for stray incidents against Muslims. From 1997-99, the RSS and VHP began mobilizing the tribals against Christians working in the areas of education and health in Dang, Surat and Valsa districts. Their aim was to expand the political base of the RSS and the VHP in these areas. The two parliamentary constituencies of Mandvi and Valsad-Dang have always been a Congress stronghold and the motive was to dislodge the Congress here. Congress remains powerful in many places in Gujarat. Madhusudan Mistry, an independent supported by the Congress, won from Sabarkantha in a by-election. In the year 2000, when the *panchayat, taluka* and district elections took place, two-thirds of the area came under Congress control. Modi was brought in in September 2001 to aggressively win back Gujarat, even if it meant engineering violence.

DN Pathak *(Present PUCL, Gujarat)*

This senior citizen, academic and human rights activist expressed anguish at the fact that Gandhism is not being practiced in Gujarat today. He said that while there are many Gandhians, who have raised their voice against what is happening, these people have lost touch with politics and with ordinary people, the silent majority, people moving on the street, the poor. How else can we explain how and why all Gandhians in Gujarat are old and have white hair? The Gandhians have lost touch with the youth of Gujarat, they have stayed away from the political process and thereby allowed it to go astray.

He gave a lucid presentation on Gujarat and its people. Gujarat is a state that has one-third of India's coastline, about 1,600 kilometres of it, which is the longest that any state has in this country. As a consequence, Gujaratis are a trading community. With commerce as their main profession, they have spread to every village and district and, in fact, all over the world. Gujaratis make good traders but they do not like

to serve, nor do they like to be employed in service. The business of Gujarat is business, they are good in business. If not business, they would rather be professionals - doctors, engineers chartered accounts or lawyers but not in service.

An interesting anecdote about Gujarat, and the attitude of the Gujaratis towards state reorganization, was recounted by the witness. In 1956, when a countrywide debate on the issue was taking place and many states were agitating for separate statehood, prominent Gujaratis did not want Gujarat. One reason was that they did not want to lose Bombay. The second was that for them Gujarat is spread all over India, Gujarat is India.

In addition to the largely apolitical leanings of a business and trading community and high levels of urbanization, a powerful and assertive middle class has emerged over the last 35-40 years. These *nouveau riche* Gujaratis do not have the cultural background that earlier commerce-minded Gujaratis had. Their commitment to politics is such as to aggressively demand non-interference from the government. These new middle class Gujaratis do not love religion but they love religiosity - for demonstration. Inspite of being brought up in Ahmedabad all his life, this witness expressed amazement at the dozens of *yatras* that take place every year in that city. He recalled that in his youth, the traditional *Jagannath Puri Rath Yatra* was an important event but today there is continuous religious celebration. As a result, one, people are getting mobilized and, two, the new middle class is justifying its wealth - 'though we are rich, we are religious'. This new religious showmanship includes building of temples, constant ceremonies etc. This scenario is being exploited by the VHP and the RSS and enjoyed by the BJP. The witness expressed anguish at the arming of civil society through *trishul* distribution and the brutal scale of violence during the carnage - the rape of Muslim girls and women, destruction of Muslim homes and establishments, *dargahs* and shrines. He expressed concern at the lack of remorse in the Gujarati society about the violence that had taken place.

There has been no widespread leftist movement in Gujarat. The Swatantra party, more conservative than the Congress, used to be the main opposition. The only leftist, who won an election in Gujarat, is Batukbhai Vokra, who won an election many years ago.

The Rajkot municipality has been under the control of the BJP for the last 30 years. In the last elections, the Congress won. The spread of the BJP in Gujarat began after they captured the municipal bodies and the local bodies. However, all political indicators show that their performance in power has been poor, they have not delivered and hence, they are determined to use a last-ditch communal card, and violence, to polarise people and remain in power. What is worrying about today's Gujarat is the deep polarization, even if electoral fortunes of the BJP fall.

Hanif Lakdawala *(Doctor, social activist)*

A doctor and a senior social activist working as director, *Sanchetna* in Ahmedabad since 1977, this witness is also vice-president, PUHR (People's Union for Human Rights). His visible trauma and anguish was apparent to all the Tribunal members as

he painfully recounted the impact of the carnage in his testimony of May 4. His testimony brought home to the Tribunal the tragic impact that the Gujarat carnage has had on fine activists who happened to be Muslim. They are, at once, both victimised, because of the community they had been born into, and paralyzed, in the work they are unable to do.

He said that the kind of politics that the BJP/RSS/VHP indulge in renders meaningless the constructive work that NGOs try to do. Ten years ago, in 1992, when his organization tried to expand its work in community health to some Dalit slums, it was told that Muslims could not come there. Interestingly, *Sanchetna* has never been projected as a Muslim organization; it is only that its founder happens to be a Muslim. Similarly, during the latest carnage, when his organization was trying to do some relief work by distributing grains among the Vaghri and the Kahar fishing communities, the volunteers were forced to hear very hurtful comments. Persons from these communities made comments like, "We should continue to stab Muslims so that they can give us grains."

This witness recounted a frightening experience that he underwent on April 20. That evening, he, Fr. Cedric Prakash and Swarupben Dhuruv had gone to the Taj Mahal Hotel to meet some visitors. While having dinner, Fr. Cedric got a call saying that in Gomtipur, a 5,000 strong mob had attacked refugees seeking shelter in Mother's Home. He, therefore, had to leave and Dr. Lakdawala, Darshini Mahadevi and Swarupben Dhuruv took a cab back. Dr. Lakdawala was sitting in front, next to the driver, and all three of them were discussing the Gujarat carnage. Suddenly, the driver, a six-foot-tall, well-built man with a moustache said, "*Char ko maine mar diya*" ("I killed four of them"). They could not understand what he was talking about so they asked him, "Where did you kill four people?" "I killed them in Naroda Patiya. Bajrang Dal had come and given us swords. I cut four of them up. I did not allow them to be buried. I threw them in a fire and burnt them". They, then, asked him how many persons were killed in Naroda. The man replied that "many hundreds of people had been killed. Much more than the 150 that had been mentioned."

The terror and fear experienced by Dr. Lakdawala was tangible to the Tribunal. Through the 18 km drive, with this driver, who had murdered four people simply because they were Muslims, by his side, Dr. Lakdawala's terror cannot be imagined. It was 11.30 p.m. and the roads were deserted, as though under curfew. All the three passengers were terror-stricken and did not use Dr. Lakdawala's name, Hanif, knowing that it would be dangerous. They kept referring to him as Dr. Saab.

Dr. Lakdawala and his wife Sheba live in Vastrapur area and had to leave their house twice during earlier incidents of communal violence. Even during the recent carnage, they left their flat for four days. In 1992, they had left their house along with their daugther, who was then 3-years-old. In 1990, after Advani was arrested during his *rath yatra* and violence broke out in Ahmedabad, a group of 30 persons had come to attack Dr. Lakdawala and his family. Somehow, they were saved by their neighbours, but the next day they left as a precaution and returned only after the neighbourhood

was safe. For a fortnight, they had to move from one home to another, from one friend or relative to another.

The witness spoke with distress about the impact of the hate speech and communal polarisation among the young. His 14-year-old daughter, who is being brought up as a secularist, with no particular religion, has also felt the impact of the Gujarat carnage. Young children in relief camps have been brutally impacted by the violence and even the game of marbles has been changed to a game of green marbles and saffron marbles, the first representing Muslims and the latter, Hindus.

The witness also spoke about the deep polarisation on school campuses in Ahmedabad. In an elite school like Mount Carmine, Hindu girls have been heard making disparaging remarks against Muslim girls who are identified by their dress; comments like, "These girls' community has been attacking Hindus in Kashmir and attacking our temples". This is a very elite school and yet the principal cannot do anything about it. In a mixed school, where there are Hindu and Muslim boys, Muslim boys have been heard making comments like, "We will burn everything just as the Hindus have burnt". There is seething anger and a deep resentment. Some schools have even told their Muslim students (found talking in such manner) not to attend school from the next day.

Ghettoisation and polarisation were an unfortunate part of Ahmedabad's life since 1999 but have become more acute now. Dr. Lakdawala, whose roots are in Gujarat, having been brought up in Surat before moving to Ahmedabad, spoke of an experience he had regarding the admission of his elder daughter even earlier, in 1987-88, in CN School, a Gujarati medium school. His daughter had got 93 per cent marks in IV Std. But when Dr. Lakdawala went to the principal for her admission, the principal just threw her certificate after seeing her name and said, "Just forget about it, forget admission in this school." Dr. Lakdawala said he was in a mood to fight it out. He met the collector and the district education officer and saw to it that she got admission. But if the same thing was to happen now, he felt that he would not be in a position to fight it out. This is a loss of ground that has taken place in Gujarat. Prominent social activists and human rights activists who have worked on the ground are finding themselves squeezed out of the public space and becoming victims because they are Muslims or Christians.

Dr. Lakdawala grew up in a village in Surat district. He stayed in the hostel of a medical college in a mixed community. He has lived in Vadaj and Vasara. Wherever he has lived, there has been a majority of Hindus around him. He has never lived in a Muslim community. Today, people have started saying that he and his family should move to a Muslim dominated area. He and his family live in a cosmopolitan atmosphere - his daughter had grown up and started wearing jeans and sleeveless dresses. The enforced ghettoisation, that such violence may result in, has got unspeakable consequences for a person like Dr. Lakdawala and his family.

The loss of identity and deliberate obfuscation of it is apparent in small but important gestures like greetings. Earlier, it was natural for persons who rang up to greet

him with a '*Namaste*' or a '*Salaam Alaiqum'*. Today, Dr. Lakdawala says that in the area where he lives, he cannot use the latter form of greeting, since people stare and look at him.

Dr. Lakdawala passed his MBBS in 1976 and soon after, his brother's daughter, who is settled in the US, started urging him to come and settle there, saying that there are poor people in US, too. Dr Lakdawala would say, "The poor in my country are different, I want to stay here". After the Gujarat carnage 25 years later, she asks him, "Was your decision right?" Dr. Lakdawala does not have an answer.

Sheba George *(Feminist activist)*

This activist, who is one of the authors of the *Survivors Speak* report on sexual violence against Muslim women during the carnage, spoke at length about the gender crimes that were committed against women. Right from the first day, the most frightening and the most horrific aspect of the violence was the brutal gender crimes that were committed. The manner in which this violence against women formed a part of the overall killings of Muslims was recounted in detail. Women have testified that they were tied and raped, young girls were stripped, chased and paraded around and burnt. Naked girls and women were carried by men and danced around with in the whole locality. It was a bizarre and macabre kind of gender crime, one that was made a spectacle of. There was a lot of sleaze and it demonstrated what *Hindutva* was all about.

The sexual abuse was almost pornographic in detail. Young girls and women were raped by 6-10 men. All kind of objects were inserted in women's vaginas. Others were found dead, with even cricket balls stuck in their vaginas. An example is Najmunissa Zarina, who had an iron rod stuck in her arm. The other kind of sexual violence involved police officers abusing Muslim women. One PSI Modi from Gomtipur area has been abusing women sexually for the past three months. Hundreds of women could testify to this. Even in 1992, one PI Jhala attacked and molested women from Muslim communities in the Shah Alam quarters like Millat Nagar.

The witness submitted 4,500 signatures from different camps — Shah Alam, Bapunagar, Gomtipur, Vatva, Naroda and other parts of Ahmedabad — from victims and survivors testifying to the fact that sexual violence took place, rape took place. She spoke with anguish about the pyromaniac tendencies of the attackers, who burnt everything — the victims, their homes and their possessions. She also spoke about the women from the majority community, who helped in the preparations for the attacks, supplying kerosene and other materials. She also gave details of how, about 8-10 months ago, in the office of the Hindu Mahasabha, a Hindu girl was burnt dead in the presence of her parents and the secretary of Hindu Mahasabha. She was burnt because she married a Muslim. One ACP Dave was handling the case.

This witness spoke about the urgent need for catharsis and reflection among the majority Hindu community, which was a silent accomplice in this acute level of societal sickness and mental crime, and which could condone such heinous crimes in its midst. In the absence of such an urgent catharsis, the future of Gujarat looked bleak.

Piyush Occhavlal Desai (*Chairman, Gujarat Tea Processors and Packers Limited)*

This witness, a prominent figure from the business world in Gujarat, deposed before the Tribunal on May 5. His company produces the *'Wagh Bakri'* brand of tea. His family's association with tea goes back 110 years. The witness' grandfather started this business in South Africa, where they have had tea plantations since 1885. The witness is also chairman, Federation of All India Tea Traders' Association (FAIITA). He is also associated with some charitable trusts, which did charity work after the tragic earthquake in Gujarat, and also following the recent carnage.

The day he deposed before the Tribunal, the witness had arranged for a get-together at Manek Chowk in Ahmedabad, near the vegetable market, which 500 Hindu and Muslim traders attended. The idea was to alleviate the mistrust, fear and suspicion, rebuild relations and start anew. The effort was successful and an attempt was made but some persons belonging to the VHP and BD threatened the witness because of the efforts at interaction and normalisation that he was actively promoting.

The witness spoke with concern and distress of the active spread of messages like economic non- cooperation with Muslims etc., which are being propagated by rabid outfits through their pamphlets etc. As a result, some Hindu traders were not prepared to supply materials to Muslim traders, nor were they willing to extend the normal, 1-2 months' credit, insisting on immediate payment of cash instead. This was resulting in enforced cash stringency, which was not healthy for business, he said. The witness said he and another group of committed businessmen, wedded to the principle of fair play in business, would soon form a body and put into place a marketing system, so that Muslim traders could get a free flow of materials without any hinderance. He testified before the Tribunal that he was involved, through the citizens' body that he helped set up and other efforts, in working towards the active rehabilitation of Muslim businessmen who had lost their properties, hotels, restaurants and shops. Through this businessmen, they would be providing much needed loans to Muslim businessmen who's enterprises have been destroyed by the riots.

Through his chairmanship of the All India Tea Federation, and also his association with the commerce ministry through the Tea Board of India, the witness has proposed that one-third of the Board's promotion budget of Rs. 15 crore be used for giving a brand identity to the restaurants of the rehabilitated Muslims. He has suggested that, through an emblem recognised by the Tea Board or the Federation, they could help in the economic rehabilitation of the affected Muslims. He spoke of the urgent need to put into place a co-operative banking and financing system, run by independent businessmen, which could, then, come to the aid of Muslim businessmen who have been adversely affected in substantial measure.

The witness spoke at length, and with pain, of the deep and enduring inter-linkages between different communities in Gujarat and the deep schisms caused by the divisive politics of hate practiced by politically powerful groups in Gujarat. At a personal level, he spoke about how his company always employed members of all communities in responsible positions and how the *Wagh Bakri* brand was started 110 years ago

with the help of a Muslim, who lent his grandfather Rs. 10,000. How can we ever repay this debt, he asked?

He spoke with distress of the deep-rooted communal polarisation, through hate propaganda, in the minds of the young, especially in Gujarat. As a step towards a solution, he recommended strongly that no political parties and no leaders, who inject hatred and communalism (manipulation of religion for political ends) should cross the electoral threshold. Through the Asha Kiran Trust, this witness had rebuilt about 100 homes in the Juhapura area of Ahmedabad, and is continuing with many efforts on different fronts.

This witness was a fresh and welcome ray of hope for the Tribunal. From the mainstream world of business, he contributed generously from his coffers, both at the time of the earthquake and now. A circular was sent to all his agents in Gujarat (there are about 210 agents) that free tea should be sent to all the refugee relief camps and the agents should send him the debit note immediately. His company had thus supplied Rs 4 lakh' worth of tea to the camps, along with paper cups that are hygenic. This witness represents the true spirit of Gujarati philanthropy.

Ashok Relia *(Businessman)*

This witness is the secretary and vice-president of Western Tea Dealers' Association, and is located at Madhavpura in Ahmedabad. He spoke about the joint dealings of Hindus and Muslims in Gujarat for centuries. He said that personally, he had been doing business jointly with Hindus and Muslims right from Valsad to Himmatnagar and Saurashtra. Until now, this witness said, no discrepancy or discrimination was ever allowed between communities. He strongly averred, however, that due to the hate speech and hate writing unleashed during the Gujarat carnage, he feared discrimination in the world of finance and business. Though attempts were being made to set up independent co-operative finance, the problem was just too huge, and he feared that such efforts may not serve the purpose and deliver to all those who have been affected.

Uves Sareshwala *(Stock broker)*

A stock broker who is a member of the National Stock Exchange, in fact a rare Muslim involved in this business, the witness resides at Paldi, with his office on the 4th floor of the Shahpur Complex that has, on the first floor, shops belonging to both Muslims and non-Muslims. On February 28, Sareshwala was an eye witness to the selective destruction of Muslim shops there. He observed a common pattern of burning down these establishments so thoroughly that the plaster was also burnt and everything reduced to ashes. Sareshwala's outfit was also targeted but, luckily, it escaped without any damage. A car A/C repairing shop on the ground floor, which contained a gas cylinder, exploded once the fire spread. The impact of this explosion was so great that the mob ran away fearing for its own lives. When the mob returned with its murderous motives, it was warned off by a gynaecologist doctor on the 2nd floor. There are doctors on the first and second floors of the building, belonging to both the

communities. The gynaecologist, a Muslim, warned the mob that there were 4 or 5 gas cylinders on his premises and that he would not be responsible for the consequences, if they continued with their deliberate arson.

The witness spoke of the kind of loss suffered by him, since he loses clients when he is not working. The other kind of loss was that experienced on February 28, when he had to escape to safety and whatever stocks were sold on the exchange that day had to be honoured, or else it was auctioned. Clients are not ready to accept losses, whatever the circumstances. The witness stated that hence he and his establishment had been unable to estimate the extent of his losses completely.

The witness deposed before the Tribunal that since the carnage he had not been able to open his office, since a large number among his staff are Muslims living in Juhapura and Kalupur. This made the witness think of even shifting location to Mumbai.

The witness explained that, in economic terms, there are two kinds of losses that Muslims have suffered due to the Gujarat carnage. One is the physical loss by properties or establishments/assets destroyed in the riots, and the other is the impact loss. There can be no comprehension or calculation of the entire extent of this loss because there can be no calculation of how many months will go by before some semblance of normalcy, in a business or economic sense, returns.

The witness also owns and runs a travel agency — the first in Ahmedabad to get IATA approval. His agency is run by non-Muslims. He said that he was thankful to his staff who had been running it efficiently. However, this successful businessman was running into severe problems because of IATA rules, which say that if a payment is not made when it is due, IATA status can be taken away. Ahmedabad was not 'normal' for weeks. Banks were closed for long periods during the first three months. There was curfew and fear. Despite this, it was unfortunate, the witness said, that there was no relaxation of the normal rules of trade or business.

One of the biggest problems faced by Muslim businessmen and traders was free movement and mobility in a city like Ahmedabad, where the law and order machinery had broken down and where goons controlled the roads. There were three points, at Vasna, Paldi and Guptanagar, which were decidedly 'unsafe' for Muslims to pass through. There was no way, then, for Muslims to reach the city, the place for business. This was a crippling problem. Many areas were made out of bounds for Muslims by the goon squads of the VHP/BD, which were allowed to move with complete impunity on the streets of Ahmedabad and, to some extent, Vadodara.

Worse than the plight of Muslim businessmen is the plight of the daily wage earner, pushed to penury after the impact of three months loss of livelihood following the carnage and constant curfews. Also, mid-level traders in Dhalgarwad, owning shops that cost Rs. 16-17 lakh, are facing a situation of no income for the last three months. Where do they go?

Sareshwala recounted horrid levels of discrimination that have crept into the world of business and industry after Sept 11, 2001, and especially since the carnage. One

example was, when a trading order had come to the Sareshwala's from Iraq. However, a UN resolution was passed and as a fallout, the party in Iraq wanted a bank guarantee, that the material would leave the shores of India, and a performance guarantee, that it would be of original teakwood and worth the amount, ie, Rs. 18 crore. Despite the fact that such an order was prestigious for the country, Sareshwala had to face the humiliation of being told, off the record, by the bank manager, "Mr. Sareshwala, you are a Muslim, Iraq is a Muslim country and your financier is a Muslim, so you better understand." Finally, he received the bank guarantee (from Canara bank) on the day that the deal was going to expire, so it was of no use. As a result, they have been black listed internationally.

This witness spoke tellingly of the discrimination experienced even by affluent Muslims in Gujarat, where this dangerous communal poison has been spread for over a decade at least. He says that he is the only stockbroker with no banking facility. Other brokers receive credit worth crores of rupees and the lack of access to such collateral cripples the business.

This witness owns a house in the posh Paldi area, and despite his affluence, finds it difficult to raise collateral on his property. He also testified how wealthy Muslims were specifically targeted this time. The society that he lives in, Delight Apartments, was attacked but saved because one of the residents, Dr. Bhavnagari who possessed small fire-arms (he is a rifling champion) and could ward off the attackers. In the concerted attack, which lasted for over five hours, Dr. Bhavnagari shot in self-defence at the last minute, to save himself and his family members and relatives, but he was jailed. The father and son, who fired in self-defence, were accused of unlawful assembly but the 2,000-strong mob, which attacked the apartments, did not suffer. Even their bail was rejected. One of the two notorious gangsters killed in this firing was responsible for the burning alive of a Muslim, Mohammed Oomer in 1991.

Prakash Shah *(Movement for Secular Democracy)*

The Movement for Secular Democracy (MSD) was formed in 1992, soon after the demolition of Babri Masjid, and since then, it has been regularly involved in work for secularism and against communalism. The witness reiterated what was stated by Teesta Setalvad and others, namely, that all the activists working in this area at the grassroot level in Gujarat had feared long before the Godhra arson, that something like this carnage would happen. The witness pointed out that the most immediate motive of the BJP and its affiliates, known as the *sangh parivar,* was their rejection in every election for the past 15 months. The BJP has been losing all the *zilla panchayat* elections. Narendra Modi was brought in as a change of guard in Sept 01, to end the lack of governance by the former Gujarat CM, Keshubhai Patel. This was despite the fact that he had no specific organisational talent and was only well-known for organising the *rath yatra* of Advani in 1990. Though the ushering in of Modi definitely made the scene look more ominous, the witness said that the events of March 2002 had vindicated the worst fears of everybody.

The witness said that the pattern of violence, the systematic and large-scale use of the method of burning for destruction, was itself a testimony to the fact that there was previous homework and planning. The identification of Muslim shops and establishments, the preparation of target lists and finally the conversion of gas cylinders into some sort of bombs for ignition — all pointed to this. Ample amounts of materials had also been collected in advance. *Trishul* and sword distribution by Bajrang Dal squads also meant advance preparation. The witness felt that the impunity and brazenness with which the Gujarat VHP, through its 97-year old president, Shri KK Shastri, told Sheila Bhatt of *rediff.com* on March 12, that "on the morning of February 28, we sat together and went through the whole list of Muslim establishments that was prepared, for the places to be attacked" was shocking. Without any shame, he went on record to tell the journalist that he was all praise for the boys. Thereafter, the VHP said that it had already appointed a panel of 50 lawyers to fight the cases related to the carnage, filed against its functionaries. These are lawyers committed to the RSS worldview. Thereafter, the witness pointed out, the same Shastri said on March 29, "We have asked our cadres to slacken". This statement was made to *The Indian Express*. Despite all this being on record, they are allowed to go scot-free. The witness was amazed at their impunity and found it utterly shocking.

The witness stated that quite apart from the threats and the audacity, these forces had brazenly threatened and terrorised any attempt at peace, at reason or at protest. Any group of citizens, which had challenged this straitjacketing of citizens as 'Hindus' and 'Muslims', and tried to speak out as human beings, had been attacked and attempts were made to terrorise and silence them it. The April 7meeting at Sabarmati Ashram was attacked on grounds that Medha Patkar was attending and that hers is a sensitive name in Gujarat. The witness asserted that, Medhabehn or no Medhabehn, the meeting would have been attacked. It was the first attempt to draw people from all communities together and, therefore, a threat to the divisive politics that the BJP, RSS and VHP represent.

The witness spoke of the irony of the fact that, thereafter, the CM, Modi tried to appropriate the 'peace bandwagon' and organised peace committee meetings and marches through the business community etc. The witness was of the opinion that at the next hustings, the BJP would face a resounding defeat. However, the communal poison that was spread, and is being spread, in Gujarat, which has seeped into the body politic, would not disappear. The question of rehabilitation and the lack of response from the public sector was also commented upon by the witness. Gujarat was built up by Mahatma Gandhi, Sardar Patel, the late Lok Sabha speaker Mawlankar and Abbas Tyabji, the Vadodara magistrate. The witness felt that that spirit of Gujarat was missing today, nor was it not forthcoming in rehabilitation and succour.

He was also strongly critical of the Congress and its lack of genuine secular credentials. The character of the political workers had deteriorated, leading to a situation where two cabinet ministers were actively leading the mobs. The witness held the BJP and Congress workers responsible for this state of affairs. BJP's elected representa-

tives have led attacks, as have the earlier Congress representatives like Mohammad Hussein Barejya.

In August 2000, a BD worker Harshad Gilletwala had 7 FIRs filed against him for burning a Muslim restaurant called *Bhagyodaya,* in Ahmedabad. At the time, the media had widely reported the fact that Gilletwala, while undergoing treatment for burns sustained during the arson, had threatened the owner of *Bhagyodaya*. He had said that today the Muslim Chillia community has hotels all over Gujarat but within a year or two they will see to it that all the hotels were grounded. During the carnage, this is what happened. Over 300 major hotels and 1,100 big and small ones were gutted and destroyed, from Banaskantha to Mount Abu. All in the 72 hours within which Modi claimed to have controlled the violence.

The witness also referred to the Editors' Guild report that mentioned the sacking of a sub-editor at the head of the news desk of *Sandesh* newspaper. He was instructed to publish a blatantly false lead as headline in the newspaper in April, indicating that the *Jagannath Mandir*, a revered place, was under attack. A man of conscience, he decided to make inquiries before carrying out his assigned task, found out from the temple trustee and the police that the story was unfounded and refused to publish it. For this, he was sacked the next day. A reporter of *The Indian Express* and his family were threatened because of their fair reporting. Ashok Bhatt, Haren Pathak, Gordhan Zadaphiya and Haren Pandya have been indicted by eyewitnesses for leading mobs. Shah also spoke of the discrimination practised actively by the Ahmedabad police when, repeatedly, Hindu mobs, which assemble for attack and aggression are first asked to disperse, but Muslim groups or mobs are simply fired upon at point blank range.

Dilip Chandulal, Dwarkanath Rath, J Minakshi and Damin Shah *(Movement for Social Democracy)*

Chandulal is a former deputy secretary of the government of Gujarat and he joined MSD after retirement. He spoke of how, ever since the BJP came to power they have transferred all sensitive persons and appointed ideologically favourable people to sensitive posts. Within four days of Modi coming to power, police officials from all over the state were transferred. One year ago, the *trishul* distribution programmes were started in Gujarat. Details of Muslim establishments were carefully collected.

Rath, from Orissa, spoke about the *modus operandi* of the violence, the terror generated and the ghettoisation of Muslims in Ahmedabad. He spoke with pain and anguish about the 'hate Muslims' message that had reached MP and Maharashtra. Much of this hatred had been generated from Gujarat, he said, and stressed upon the urgent need to politically remove the ruling dispensation. The level of mistrust in localities, even two months after the violence, had reached such acute levels that people were shining floodlights at night to keep a watch on the comings and goings. The mobilisation of Dalits and tribals in some parts of the state, for the aggression against Muslims, was favourably commented upon by VHP leader KK Shatsri, this witness said. He said that the comment made was that the Vaghri community had kept the prestige of

the Hindu community alive. The Vaghris and the Charas are the most militant. Rioters were paid by the day. He also spoke about the active distribution of swords and *trishuls*, saying that swords were distributed to ordinary people for Rs 30 each. The witness also spoke of how the builder mafia was taking advantage of the violence and was trying to 'clear' areas like the slums around Cama Hotel in Ahmedabad.

The witness said that the trade union movement had concentrated almost exclusively on economic issues. With the collapse of the textile industry, the situation of the working classes has worsened. Among the unorganised workers, like diamond workers, there is minimal political organisation.

Rath spoke poignantly of the soft Gujarati mind, typified by Umashankar Joshi and Shukla who represented the real Gujarati culture, which was opposed to lumpenism and savagery. The future lay in appealing to the real Gujarati mind that he believed incapable of stomaching such brutalised violence. He also made an earnest plea to the leadership of the central trade unions, AIBA, LIC etc., to take up the issue of violence in Gujarat and agitate against it. A massive demonstration from the public sector working class was necessary, he added.

J. Meenakshi spoke of the deep polarisation among middle and upper class Hindu women. This has led them to provide help in the attacks on Muslim communities and to encourage their men to attack and burn. What was really worrisome was the talk of killing by Hindu women as if it was all a game; that ostensibly, "Because Muslims were doing it elsewhere, we are doing it here". She found it all chilling and frightening. The impact of the hate campaign by the Hindu fanatic groups has been so widespread that even an average Hindu woman in Ahmedabad, who has not attended a *Durga Vahini* training camp, was talking and thinking like this.

Damini Shah, another woman activist of the MSD, spoke with anguish about the utter lack of remorse among ordinary, middle class Hindus in Gujarat. She spoke of the feeling of utter helplessness, as an activist, when the violence raged and she was confronted with the changed mind-set among ordinary people and in neighbourhoods. The divisiveness among groups, too – the failure to come together on a single platform — was another reason for the lack of a united response to the violence.

Sharief Khan Pathan (*Nobel Ambulance Society)*

This witness who runs the Nobel Ambulance Society and the Citizens Relief Committee stated how their ambulance was obstructed at several points on February 28 and March 1 and 2, at different points in Ahmedabad city by the police to prevent succour reaching victims. At Ellis Bride, near Paldi and other areas, police actually blocked the passage of ambulances. Dr Ishaq Shaikh of Al Ameen Garib Niwas Hospital too, experienced this. A doctor who runs a hospital he was also brutally bashed up by the police. *(See section on Communalisation of Public Space — Hospitals, volume II).*

Digant Oza, Batuk Vora and Indukumar Jani *(Senior journalists)*

All three witnesses are senior journalists from Gujarat and they deposed before the Tribunal on May 2. Batuk Vora is the only CPI member to have won an election from

Gujarat in the past. He spoke of the motivated role played by mainstream Gujarati papers like *Sandesh* and *Gujarat Samachar*. They actually incited persons to violence. The consequences of large groups of Gujaratis being brought up and fed with a vision that is motivated for a long period of time has resulted in the state of affairs that we see now in Gujarat.

Digant Oza, the editor of *Jansatta* in December 1992 said that it was the lack of courage and morals that was leading these two largest papers to perform as agents of the party in power. He questioned seriously their claim that their circulation had spiralled as a result of this pro-VHP/BJP policy. He said that circulation figures could be doctored as much as other 'facts' could. He spoke of the need to counter such carnage before it happens and bemoaned the fact that the signals emanating from Gujarat had not been picked up before. It took the loss of innocent lives in the most brutal fashion for the rest of India to become alive to the reality of Gujarat.

Indukumar Jani, editor of *Nayamarg,* and a senior civil and political activist, spoke of the dire plight of the refugees living in refugee camps. He was involved heavily in relief and rehabilitation work especially in rural areas. His journal published regularly from Ahmedabad has been a consistent critique of facist politics/

Teesta Setalvad *(Senior journalist and rights' activist)*

This witness is a senior journalist and rights' activist. She is author of *'Genocide -- Gujarat 2002'* published as a special report of the monthly magazine of which she is co-editor, *Communalism Combat*. (March-April 2002). From this extensive report that has been submitted as evidence before the Tribunal, detailed, factual data of the vast extent of damage to lives and property from Ahmedabad itself, Vadodara, districts like Kheda, Nadiad, Panchmahal, Sabarkantha has been placed before the Tribunal.

Even before she reached the state on March 4, while in Mumbai she was in telephonic contact with people in different parts of Gujarat for hours on the night of February 28, March 1 and 2. This is due to the network that the journal has in the state. She was phoning and receiving calls in her home in Mumbai from Ahmedabad, Vadodara, Chhotaudaipur, Sabarkantha, Banaskantha and Godhra, too. The maximum panic calls were from Ahmedabad and on four occasions she was able, through continuous calls made to the additional CP Tandon and others, including CP Pandeyt, to get some police help reach areas in Shah-e-Alam and Vatwa. One specific instance was when a senior journalist of *Gujarat Today* was trapped inside his press and a mob was approaching and had surrounded it. The other time was during a fanatic attack at Vatwa which was finally averted because of the arrival of the army.

During this experience, she had to contact army personnel repeatedly since the police behaviour was criminal. The information that the witness was able to give the army contradicted the messages that the police was feeding them. When this happened with the same army officer twice and on two separate occasions, he questioned, "How come this discrepancy between your information and the police's?" Within moments it transpired that the information received from the witness which

merely reflected the anguished cries for help from the Muslim community in different parts, was accurate. "You may draw your own conclusions, sir," she told the army officer concerned.

The fact that no back up of army platoons had been stationed here and near Ahmedabad, regular peace stations given the clearly provocative behaviour of the *kar sevaks*, also suggests a level of sinister planning. The witness referred to the testimony of retired major general Eustace De'souza recorded by her for her report. This officer of the Indian army had been deputed to Godhra three times during his military career to quell bouts of communal violence.

The witness gave detailed translated FIRs and charge-sheets of the major crimes during the carnage. She is also part of the effort of many groups to collect data from the victims. This was also presented to the Tribunal – data collected through 3, 200 forms.

It was clear that the government was involved in not simply allowing the carnage but in state cabinet ministers actually planning for it to take place simultaneously in over two dozen locations all over the state. The manner of killing was brutal and chilling; the intention to destroy the bodies/remains and burning them, denying even burial rights to the Muslim minority. Girls and women had been the victims of the grossest sexual crimes and this was clearly a part of the planned strategy. As many as 150-200 girls and women had suffered this fate; most were dead but some were still alive. This witness believed a trained and armed militia — nurtured on hatred against Muslims, trained to kill and between 20,000-25,000 strong — had been assiduously built-up in Gujarat and which was put to work during the recent carnage. A careful part of the strategy was to economically cripple the Muslim community. There had also been widespread desecration of religious and cultural monuments in the first 72 hours of the carnage. Reparation, not compensation, from the State was the need of the hour, she said.

The bringing in of Narendra Modi, in September 2001, signalled a return to hardline politics by the state BJP said the witness. BJP had been losing local elections all over the state and therefore, bringing in Modi, the architect of deputy prime minister-led *rath yatra* in 1990 to the helm of political affairs was significant. His callous handling of the carnage, especially Ahsan Jafri's slaughter, and his subsequent abusive treatment of refugees in relief camps was not behaviour befitting a chief minister in any democracy.

The complete abdication of responsibility of the government in looking after refugees in camps reflected a complete disregard for the basic rights of Muslims, by the BJP in Gujarat. In April 2002, there were 1,500 women awaiting delivery in Ahmedabad camps; there were 37,000 young children who are victim-survivors of the violence. All these point to a humanitarian crisis on a huge scale which was not being recognised or addressed.

The pre-planning of the violence in terms of the hate speech, hate propaganda and actual training by the Bajrang Dal and VHP has been tracked by this witness for the

journal since 1998. These have been placed on the records of the Tribunal.The witness placed on record, the originals and translations of filthy hate propaganda indulged in especially by outfits like the VHP and Bajrang Dal through the publication of pamphlets that were then circulated in hundreds of thousands.

In January 2001, the BJP government's circular directing schools to subscribe to *Sadhana*, a weekly published by the RSS, a selective census of Muslims and Christians (April 1999) were placed on the records of the Tribunal by this witness. Details of criminal records of influential members of the politically influential outfits have also been placed on record.

Deep schisms have been caused in some areas of Gujarat by this systematic politics of division perpetrated by the RSS/VHP/Bajrang Dal combine and this has been legitimised by BJP rule in the state, stated this witness. The fact that many state cabinet ministers and MLAs of the BJP government are frontranking leaders of the VHP, and the fact that the VHP is a self-professed extension of the RSS was also detailed before the Tribunal by this witness.

The mindset of prejudice is even reflected in the Gujarat state's social studies textbooks that contain phrases like 'Muslims, Christians and Parsis are foreigners', 'Caste system is the best gift to mankind' and glorification of Mussolini and Hitler have been generated to create a whole generation of Indians who are fed on distorted visions of the past. These have been studied by the witness. In 1999, this led to a Partliamentary Committee directing the Gujarat state board to delete these portions. This has not yet been done.

The seriousness of the Gujarat carnage, said this witness, was evident from the shocking efforts to communalise public space especially hospitals, schools and courts. Among the leaders in violence are VHP members who are doctors like Togadia and Jaideep Patel. Muslim students found it difficult to get admission in some schools and even courts in Gujarat were not free of hate politics.

This had grown especially in the past four years with the impunity shown to perpetrators of communal crimes, said the witness. Ever since the BJP came to power, state cabinet ministers used pressure on the police to prevent the observance of the rule of law. Former revenue minister Haren Pandya, home minister Gordhan Zadaphiya, ministers Naran Laloo Patel, Niteen Patel, had been indicted for crimes. VHP leaders like Jagdish Taral (from Khhedbrahma, Sabarkantha) and H.Gilletwala (Ahmedabad) had several FIRs against them and yet they were scot free.

In August 2000, after Hindu pilgrims were killed allegedly by Lashkar-e-Toyba militants in Kashmir and 100 died in cross fire, the international general secretary of the VHP who hails from Gujarat — Dr Praveen Togadia — held a press conference and declared, *"Wahan ka jawaab yahan denge"* (we will reply to this here)

Innocent Muslims of Rajkot, Khhedbrahma, Surat, Lambadiya, Modasa, Ahmedabad were made to pay for this vengeful medieval politics. At the time this witness' group had, along with other groups brought out a report *Saffron on the Rampage*. No compensation was paid for the damage. Statewide Muslims suffered a damage of Rs 15 crore.

Pradeep Jain and Bhupendra Joshi *(Vishwa Samvad Kendra)*

Pradeep Jain belongs to the Vishwa Samvad Kendra affiliated to the RSS/VHP. He spoke of how the television media, which does not even have a representative in each district, misrepresented the violence in Gujarat, suggesting that the whole state had been affected when only a few areas were affected. He also pointed out misreporting by the English media, when they reported on a police firing about a fortnight before the sittings of the Tribunal began, in which 6 people (Muslims) were killed. In fact, the firing had taken place after a police constable had been stabbed in a nearby locality. The Tribunal questioned the witness closely on whether he was making these statements based on his personal knowledge or on what he read in the vernacular papers. He replied that it was on the basis of his personal knowledge.

He also stated that on 5-6 occasions, persons living in refugee camps had started riots. When questioned about the details, he said that it was in the Dudheshwar and Millat Nagar camps that this had happened. He also stated that about a week prior to the day he deposed before the Tribual, such persons had burnt shops just outside the commisisoner of police's office at Shahi Baugh. He said that in another instance, in Gomtipur area, a policeman was killed. An employee from the sale tax officer, Dev Anand Solanki was also cut up and killed. When asked whether this information was based on his personal knowledge or otherwise, he stated that it was partly personal knowledge and partly based on police statements. This witness and his colleague, Bupendra Modi, gave two booklets published by their group to the Tribunal. These books are entitled, *'Godhra and Its Aftermath'* and *'Terrorism Unmasked'*. In these booklets, the theory that Godhra was a pre-planned, premeditated act in which local Muslims of Godhra were involved has been reiterated. Photographs of the burning train and the copses are widely used. There is no mention of the behaviour of the *kar sevaks,* who are called 'Ram *sevaks'* here. When the Tribunal questioned them about their knowledge of the behaviour of the *kar sevaks*, they were evasive. When asked about the participation of groups like RSS, they said that RSS had participated in two peace marches. Both these witnesses kept emphasising the 'irrational and reactive behaviour' of Muslims from Daryapur, Kalupur and Jamalpur. They kept asking that when Pakistan wins a cricket match, why should riots start in Daryapur, Kalupur and Jamalpur?

However, these witnesses, who claim to have personal knowledge of incidents at Gomtipur and other places, where completely blank and evasive about the violent incidents at Naroda, Chamanpura, Kadih, Vishnagar, Panchmahal etc.

KB Pandey *(Advocate)*

This witness, an advocate in the Gujarat High Court, deposed before the Tribunal at the Vadodara 'Open Forum' on May 10. He said that he had not been adversely affected by the riots, but he was a keen observer. He said that the only reason for violence continuing for so long was that people wanted to claim false compensation. He said that the Congress party was responsible for the violence. He quoted extensively from the *Manu Smriti*, which, according to him, says that the existence of a

traitor for even a second is not desirable. He should be killed and killed immediately. Thereafter, this witness spoke about the "latest example" of treacherous behaviour – the attack on the World Trade Centre in New York. He said that the American reaction — when troops moved thousands of kilometres to invade Afghanistan, and killed mercilessly with no regard for human rights — was the necessary and right reaction. "They who have attacked our Parliament, all traitors, must be identified and killed".

When the Tribunal questioned this witness in detail about whether all Muslims were traitors, he said he did not believe that: Whosoever shouts, *'Pakistan zindabad'* is a traitor. Apart from this, the witness laced his testimony with a lot of examples of areas where weapons had been seized, like Yakubpura, in Vadodara. However, whenever the source of this information was sought, he quoted from *Gujarat Samachar* or *Sandesh*.

Bhanu Parmar

This witness, from Fatepura in Vadodara, spoke with anguish and pain of the trauma and alienation caused by the brutality of police behaviour in Vadodara. He said that his area was one where riots often started. However, this time, the extent and the depth of the terror was unimaginable. Ordinary people like him, he said, were afraid to speak. The police had spread so much terror that when children saw a police car, they would start crying. He said, "Although Gujarat is a prohibition state, the police come here completely drunk". He felt that Hindus had nothing to fear from Muslims, it is the police that they were really afraid of. They had no complaints against the Muslims in their area. Although the Hindus and the Muslims of the area have worked side by side in the past, he felt that things have reached such a state that they no longer speak to each other. There was a time when they ate and chatted together, but now, they do not talk to each other. He felt that he could not even cross 'the border' and go and ask them how they were, how many of them were hurt and how they were managing to survive. The fear was very widespread. He stated that it was the police, which objected and beat them up if they ever tried to interact with their Muslim neighbours. The area falls under the Garnala police *chowky*. Although 4 policemen are stationed there, they would do nothing if a mob of 500 came there. The witness testified that a day before the deposition, i.e., on May 9, 12 policemen came and took away 20 people from the area, beating them relentlessly.

Jagdishbhai Shah *(Vinoba Ashram, Gotri)*

This witness is a renowned Gandhian from Gujarat, who runs this *ashram* on a 3-acre farm belonging to the Vadodara Zilla Sarvodya Mandal. He said that on the day of the Godhra incident, Dr. Jussar Bandukwala, Manubhai and himself — all members of Shanti Abhiyan — were together and they immediately issued statements condemning the incident. This witness commented that it was unfortunate that newspapers like *Sandesh* and *Gujarat Samachar* did not choose to print items dealing with harmony and peace. They preferred to publish unsubstantiated stories, like rumours, as news items.

This witness said that he had experienced a horrible example of this with Dr. Jussar

Bandukwala, an eminent citizen. On February 28 itself, Dr. Bandukwala informed him that his daughter's car, parked just outside his house, had been burnt. By the evening of February 28, there was widespread terror and people were asking him (i.e., Dr. Bandukwalla) to leave the area since his house could be attack that night. Jadgishbhai went there and stayed with Dr. Bandukwala. Dr. Bandukwala's daughter, another couple and his daughter's fiance, Maulin, all of them stayed there that night. Until 6 a.m. next morning, nothing happened. Police and home guards were contacted continuously and a request for armed police protection was made. Around 2 p.m. on March 1, a mob came looking for Dr. Bandukwala, shouting, "Where is Bandukwala? We have to kill him". They looted his house and then set it on fire.

Muslims living in the neighbourhood had left their vehicles (one 4- wheeler and a 2-wheeler) inside Jadgishbhai's *ashram* premises, fearing that they would be burnt. A mob of 150 youth came from a neighbouring village and set fire to two of the vehicles in the premises. Jadgishbhai tried to reason with them, but to no avail. One of the boys who used to transport goods for the *ashram*, Karim, a Bohra, had his 3-wheeler and Jadgishbhai tried to save it. However, the attackers got wind of this, dragged it out of the house and destroyed it.

There were rumours that the mob was trying to burn alive a *maulvi,* who lived near a d*argah* next to a pond nearby. It was Jadgishbhai, who informed the police, and 15 minutes later, the police arrived. The police videotaped the confrontation with the attackers and this tape could be easily used to identify the accused. Karim and 25 other Muslims, who lived close to the *ashram*, have had their homes destroyed. Jagdishbhai stated that, ever since the incident, these Muslims had been receiving constant threats about their safety. The fears arising from these threats had prevented these victims from taking shelter in the *ashram*.

All over Vadodara, and in other parts of Gujarat, the Tribunal recorded testimony after testimony that revealed the utter brazenness with which the accused criminals — often influential politicians and leaders — were roaming free.

This witness and many others in Vadodara spoke of the highly questionable role of the Vadodara police. The section on incidents of violence gives details of the terrible conduct of the Vadodara police. Often, the policemen were aggressive, drunk, abusive towards Muslim women. The attacking mobs roamed the streets with impunity, fearing no detention by the police whereas, whether here or in Ahmedabad, peace makers, i.e., brave women and men who stood up to the violence, were refused curfew passes. This witness and others observed that the combing operations were more relentless and sustained in Muslim areas than in Hindu localities. Despite the fact that Hindu leaders and mobs stood in their neighbourhoods, carrying weapons, spears, big iron pipes and swords, police cars on patrol passed them by, without even looking their way.

Johannes Manjrekar *(Concerned citizen)*

The Manjrekars live very close to Dr. Bandukwala's house. Shri Johannes Manjrekar and his wife stayed back with Dr. Bandukwala during the attack. They kept calling up

the police – they called the the Fatehgunj police station under which their area falls and also the central police control room. They spoke to the collector personally, who said that he would send somebody but did not do so on time. The police commissioner's mobile was off throughout. The collector sent some policemen 45 minutes after he had been contacted but by then, Dr. Bandukwala's house had already been attacked.

A mob of about 250-300 people attacked the house that was being protected by two armed police guards. They held off the mob for at least half-an-hour. Finally, the mob came from the other side. The attackers were armed with sticks and *guptis*, swords and stones. They had also brought along in a rickshaw two gas cylinders, which were kept in readiness. These were not used finally, but they had been brought along. Once the mob came from the other side, Prof. Bandukwala and all the persons with him fled from the house and went to a neighbour's house. The neighbour's house continued to be stoned for about half-an-hour, when a police van and a police jeep arrived. That was when the mob started dispersing, but the police made no attempt whatsoever to arrest anyone or to chase anybody. Prof. Bandukwala and his daughter were taken away under police escort. Despite repeated requests made by the witness and others for calling a fire engine, since a portion of Dr. Bandukwala's house had caught fire, they were told that the fire brigade was busy elsewhere and would come later. They learnt later that the mob had recollected after the police left, and had physically prevented the fire engine from putting out the fire, resulting in the total destruction of Prof. Bandukwala's house, his books and belongings.

The witness testified to the fact that on the previous evening, after the first attack on February 28, on Prof. Bandukwala's vehicle, he and others had gone to the residence of Pradeep Joshi, the area councillor of the BJP, who is also a VHP leader. They went as citizens of the area to tell him that they were concerned over the violence on February 28, and that as their representative, they would like him to try and ensure peace in their area. What this elected representative told the delegation was shocking. He was very clear that he would not be able to ensure peace because, he said, these were all uneducated mobs and he and his party had no control over them. One of the members of the delegation said that he would not like his children to experience this kind of violence. Joshi was completely dismissive, saying that they (the children) also have to see the facts of life. He also asked why 'they' (referring to Prof. Bandukwala) were living in 'mixed' areas, that 'they' should move to 'their own' areas. While talking to the delegation, he also produced a list, which, according to him, showed the booth-wise break-up of a recent election where automatic voting machines had been used. He said that it is clear from that list who voted for whom, and besides, it clearly showed that Muslims had been voting for the Congress. So, in the end, the only assurance the delegation got from their elected representative was that there would be more violence. A local grocer sitting there said this in so many words. The day after Prof. Bandukwala's house was burnt, that is on March 2, all mutton shops owned by Muslims in an area called Sanjaynagar were completely demolished, except for one shop, which was converted to a Hanuman temple.

Dr. Deepa Achar *(Professor)*

This witness, a professor of English at the MS University of Vadodara, was part of the active citizenry that monitored violence, intervened and put constant pressure on the Vadodara police. She spoke in detail about the fact-finding team's visit to Roshannagar, Nava Yard, an area basically comprising the poorer UP migrant labour. Many of their houses and business establishments were burnt during the violence of March 1. Subsequently, around the middle of March, almost all the 75 families sent all their girls back to their villages in UP. Many of these girls were studying in Vadodara but now that they were back in a village situation, having experienced brutal violence, their parents felt that the opportunity to get an education was lost to them forever.

This witness spoke at length about the impact of the violence on children's education. Young children and older students from the victim Muslim community could not attend school in the non- curfew areas. For many months, a large number of children where in relief camps, which has also negatively impacted on their education. This witness pointed out the discriminate treatment of the state in shifting the examination centres of Hindu students to Hindu-predominant areas. This facility was not extended to the Muslims students, who were forced to go into majority-predominant areas for taking their exams, where goon squads of the RSS/VHP/BD/BJP moved around creating terror. Even the graduation and post-graduation examinations were not postponed.

A pertinent observation made by this witness, who has been teaching on the MS University campus for many years, related to the state of mind of Muslim women students on the campus. Their community had just emerged from a brutal round of violence. Children and women were especially targeted by the mobs. In the many years that she has been teaching at the university, she had never come across a *burqa* on the campus. However, since mid-March, she had seen 3 women wearing full *burqas*. This was a particularly sad development, given the fact that Vadodara is generally a very safe place for women. Complete ghettoisation of Vadodara city in the future, especially within academic institutions, may actually deny Muslim children admission into some schools.

Ramdas Pillai *(Builder)*

This witness is a resident of Kisanwadi in Vadodara. He hails from Kerala and handles construction jobs. He spoke of the atmosphere of fear that prevailed in this locality of Vadodara since February 27. He said that the Muslims of Kisanwadi are poor and simple people, generally engaged in selling vegetables, handling small masonry jobs or selling cut pieces and dresses etc. They are god-fearing people, who never ever talk loudly or fight.

On February 28, one Nizambhai from the area came and met this witness and his wife and told them that the atmosphere was very tense. There are strong rumours that they (Muslims) would be attacked. Immediately, this witness went, along with Muslims from the area, to find out what was happening. He spoke to the CP of Vadodara and told

him that the situation was deteriorating. At about 7.20 p.m., the witness, along with the others, heard shouts of 'Kill, slaughter!' and immediately went in the direction of the *madrassa*. A mob of about 500 people was coming to attack the *madrasa* and had already started breaking down some Muslim huts on the way. Pillai spoke to the leaders of the mob and managed to defuse the situation temporarily. He recognised some of them. However, after moving away from the mosque, the mob started attacking Muslim homes. Pillai and his brothers did a heroic and humane thing. On the night of February 28, they sheltered as many as 500 Muslims in their house.

That same night, since Muslim residents had run away from their homes to save their lives, the attackers returned and looted all the belongings, destroyed homes, broke TV sets, burnt clothes and stole whatever cash was there in the cupboards. These attackers stole and destroyed the carefully collected belongings and jewellery of poor daily wage earners. Much of this had been collected for their children's weddings.

The next day, on March 1, Pillai and his family gave the refugees tea and arranged for lunch. He tried to contact the police control room once more, and a woman officer answered the call. He told her that the situation in Kisanwadi was bad, that, as a woman, she should sympathise, that there were Muslim women there who were vulnerable. This woman police officer responded and informed the police station. PSI Baria, PSI Solanki, Shri Damor and 'D' Staff PSI Parmar came to Pillai's house. But they refused to provide any vehicles and Pillai had to request the local councillor, Mohanbhai Savalia for two tractors to transport the refugees to relief camps. The councillor warned him that if the tractors were damaged, it would be Pillai's responsibility. Finally, Pillai took the Muslims to Qureshi Jama'atkhana. For some of the remaining people, he arranged a bus. Despite the presence of some policemen on the bus, it was stoned and attacked and one Rasoolbhai was hit on his head by a stone. A mob of 2,000 surrounded the bus and began pelting it with stones. The bus driver was smart; he kept on driving and managed to save the lives of the passengers. Otherwise, they would have been burnt along with the bus.

Pillai painted an accurate picture of the situation when he deposed before the Tribunal on May 11. Even then, the steady loot of doorframes and windows of Muslim homes had continued. The looters sold the material as scrap, while the police refused to intervene. The Muslims of Kisanwadi had no protector, they were like orphans. Pillai expressed great dissatisfaction at the conduct of the Vadodara police under CP Tuteja, who refused to intervene promptly. He said that religion has its place but humility should come first. There had been a lot of pressure on the police from BJP and VHP members. They had put pressure for the removal of names from FIRs and had targeted Pillai because of his humane behaviour. DCP Pritam Singh Thakore, PI Kanani and sub-inspector Rana had launched a harassment campaign against the Pillai family. They arrested one of the Pillai brothers under section 307 (attempt to murder). He was thereafter released on bail. It is clear that the police that wants to implicate them because of their empathetic behaviour.

Chinu Srinivasan *(PUCL)*

This witness is a representative of PUCL Vadodara. He explained that the violence in Vadodara began on February 27itself, when the Sabarmati Express came from Godhra. There was a huge 'reception' for the *kar sevaks* at the station. One Muslim was stabbed in the presence of many policemen. The violence spread in the next few days when a lot of looting and arson took place. Kisanwadi is a residential pocket of Muslims and all such existing pockets in Vadodara had been torched. Pushcarts of Muslim vendors had been burnt all over the city, especially in Kisanwadi. From March 3 there was some sort of respite but the violence resumed on March 15 — the day of the Ayodhya *'shila daan'*. On March 20, another round of violence started, and the latest round of violence in Vadodara took place on April 26-27. This witness spoke about the thoroughness and depth of the destruction, which had completely destroyed the lives of the survivors. Muslim women were subjected to filthy verbal abuse in public and openly threatened with sexual violence.

Rajesh Mishra *(Social activist)*

This witness is associated with a group called Arch Vahini, which has been working with the affected people of Narmada dam. His family migrated here from Uttar Pradesh in 1935, and he has been brought up in Kawat village in Chhotaudaipur (Vadodara rural). He explained how the incidents in this south-eastern tribal area of Vadodara district, which started from March 4 onwards had been carefully engineered, as there had been no history of communal tension between Muslims and Hindus or Muslims and the tribals prior to this.

Rohit Prajapati and Trupti Shah *(PUCL)*

Both witnesses are activists with the PUCL, Vadodara and Shanti Abhiyan. They deposed before the Tribunal and submitted a huge volume of data for it's scrutiny. They stated that during the violence in Gujarat, Narendra Modi and his government in collaboration with the state machinery surpassed Hitler's methods adopting a strategy which was directly and indirectly supported by the BJP-led central government. Based on personal experience during their peace missions and fact-findings they had concluded that the communalisation of the state machinery had reached an unprecedented scale and depth. The state machinery not only supported the violence but it was proactive in organising the violence during the carnage. The government supported the *bandh* called by the VHP.

From day one, the government and the state machinery came out with a number of justifications for the carnage. In the name of "spontaneous reaction", the government justified the violence and the state machinery in many places gave assurances to the mob that no action will be taken against them. The open vocal support of the government and state machinery brought huge mobs on the streets that was observed for the first time in Gujarat's history of violence. Not only were houses and shops of Muslims burnt, even industries were put to fire to economically paralyse the community.

In many instances across the state, policemen were openly instigating the mobs, giving them a time deadline within which they were free to attack the Muslims. In the second phase of violence after March 15, wherever the mobs lead by the Hindutava forces were not able to attack the Muslims, because of their location, the police took on this role, particularly in Vadodara, in the name of 'combing operations'. Due to this complicity of the government, policemen were bold enough to ignore most of the complains made by the victims and even human right's activists and their organisations. This witness and their groups had documented several complaints about police brutality during arbitrary combing operations in minority areas. Women were abused, pulled, dragged, and beaten mercilessly. Pregnant women were particularly attacked in several areas. In spite of their oral and written complains, supported by human rights organisation's investigative report, even FIRs were not registered against the accused.

The role of some of the language press was not only communal but also provocative and instigated the violence. Some of the minority-predominant areas were specifically targeted by spreading rumours about them, precipitating some incidents in the area to justify the violence on Muslims in other areas.

The present status of almost all FIRs and charge sheets reflect the state machinery's bias against the minority community. People from minority community were charged with tough and non-bailable sections of IPC while where there were actual instances of looting, burning and deaths, people from the majority community were charged with milder sections of the IPC.

The government did not open relief camps for the victims of the violence. Instead, it played a proactive role to forcefully close the relief camps organised by the community. In the name of negotiation for rehabilitation, arranged by the state machinery, victims were forced to withdraw their complaints and accept a life at the mercy of the perpetrators of violence.

*(The Tribunal had sent out letters of intimation followed by a written request to the chief minister, cabinet ministers, IAS officials, IPS officials for a meeting with the panel members of the Tribunal in connection with its proposed inquiry. (See Annexure 17, volume I)***.** *In response to this, the collectors of Godhra, Vadodara and Bharuch did meet the Tribunal, as did the DySP of Panchmahal district (Godhra comes under this district). A minister of the state cabinet also met the Tribunal and so did senior police officials including the commissioner of police, Vadodara. These testimonies contributed substantially to the Tribunal's understanding and had a bearing on the findings. The names of some of these witnesses, however, are being witheld on request).*

Annexures

List of Annexures

Annexure 1	**Concerned Citizens Tribunal - Gujarat 2002 Terms of Reference**	238
Annexure 2	**Schedule of Sittings of the Tribunal**	240
Annexure 3	**Procedure**	242
Annexure 4	**Methodology**	243
Annexure 5	**Sample and Spread/Nos. of Statements**	245
Annexure 6	**Interim Findings and Recommendations of the Tribunal**	248
Annexure 7	**Janmorcha Report**	253
Annexure 8	**Statistics on Police Behaviour**	254
Annexure 9	**Police: Dereliction of Duty**	255
Annexure 10	**Hate Speech**	258
Annexure 11	**Hate Writing**	271
Annexure 12	**Deputy Prime Minister LK Advani on Gujarat**	285
Annexure 13	**VHP Proud of Targeted Violence**	288
Annexure 14	**Report of Forensic Science Laboratory, State of Gujarat**	289
Annexure 15	**UN Convention on Genocide**	292
Annexure 16	**UN Declaration on Religious Minorities**	294
Annexure 17	**List of Politicians/Officials/Policemen approached by the Tribunal for Deposition**	298
Annexure-18	**Prime Minister, Atal Behari Vajpayee on Gujarat**	299

Annexure 1
Concerned Citizens Tribunal - Gujarat 2002

Terms of Reference

1. Investigation into the fallout of the Ramjanmabhoomi Movement that includes the demolition of the Babri Masjid and atmosphere and incidents in Gujarat thereafter.

2. Investigation into the political policies followed by the BJP government since it assumed power in Gujarat in February 1998, a period that in which it instituted political, social and economic measures/steps/policies in respect of religious minorities.

3. Investigation into the facts of the incidents and circumstances behind the Godhra massacre on February 27, 2002 and whether or not the Godhra incident was pre-planned and guided by a foreign hand

4. Investigation into the cause of violence from February 27, 2002 in Gujarat including

a) a detailed investigation through examination of evidence of some of the worst massacres that took place in Gujarat in 2002;

b) the role played by media in either stoking or controlling violence and feeling of ill-will amongst communities, violating both the Indian Constitution and penal law;

c) the pattern of mobilisation and arms training by groups;

d) the role of the state executive, government, administration in following the law of the land including Indian Constitution and Indian Penal Code;

e) the role of the Law and Order Machinery - the state police – in pre-empting, containing and controlling damage to life and property and ensuring the maintenance of law and order;

f) the extent of damage to lives and dignity of persons, along with a detailed examination of property loss and damage linked critically to the issue of reparation;

g) the extent of destruction of cultural symbols and places of worship.

4.1 The investigation must examine the use of sexual violence(gang rape and torture) against minors, young and older women across Gujarat after February 27, 2002

4.2 An examination and analysis of the pattern, expanse, intent and planning behind the carnage that was perpetrated and whether it fits into the normal defintions of communal violence as per Indian criminal law; the pattern of pogroms that many previous bouts of communal violence have deteriorated into; and whether or not the killings fall under the category of Genocide or Crimes Against Humanity as per the UN Dec, 1948 and International Covenants and Treaties and Conventions.

5. The investigation must probe the adequacy of the relief and rehabilitation measures taken by the state government consequent upon the loss of life and property from February 27, 2002 onwards.

6. The investigation into the probity with which the state government controlled the violence and protected the life of citizens; took measures —preventive and otherwise, once the violence was unleashed— and investigated the cases of crime and launched steps for the punishment of the guilty.

6.1 The investigation must probe whether the events after February 27, 2002 to date are evidence of a grave and complete breakdown in Constitutional machinery

7. The investigation into the existence of groups and organisations, their mission statements, constitutions and modus operandi (detailed activities) that may be, in effect un-Constitutional, who openly espouse the cult of violence and who are alleged to be in the forefront of verbal provocation and exoneration of acts of violence.

8. Suggestion of concrete and comprehensive measures related to institutions (state government, judiciary and law and order machinery), media and others that should be taken to prevent outbreaks of such violence in future.

Annexure 2
Schedule of Sittings of the Tribunal

Tribunal Dates: May 2—May 13, 2002

May 2

Morning session	10am – 1 pm
10 - 10:45am	Justice Ravani and Other Expert Witnesses
10:45 - 11am	Expert Evidence/Historical
11 - 11:45	Expert Evidence/Background of Present Carnage
11:45 - 12:30	Overview of Gujarat and Its Politics
Afternoon session	
4 - 5 pm	Overview of Media and its Role
5:30 - 7pm	Brief analysis of Legal Situation and Consequences Status of Criminal Investigations

May 3

8am	Depositions Gulberg Victims,Chamanpura at Karnavati Club
9:30	Field visit to Chamanpura
11 – 1pm	Field Visit to Gomtipur
Afternoon session	2:30 – 6pm
Visits to Camps	
4:30 p.m.	Disruption of Health Services
6 – 7pm	Evidence on Police firings Death and Combing Operation/

May 4

Morning Session	8am – 12pm
8am – 12 noon	Visit to Camps:Shah-e-Alam, Dariakhan Ghumbat
1:30 – 3:30	Sundaram Nagar, Gomtipur
4pm	Anand flats, Vejalpur/Johapura

5pm	Testimonies Testimonies of Eyewitness who have named Ministers/MLAs/Corporators and Policemen
Late Evening	Marginalisation of the Muslim Community in Gujarat Brief overview of sexual violence Meeting with police officials
May 5	
Morning Session	8am – 11:30am Witnesses from Vatwa/Paldi at Karnavati Statistics of Violence Corporate and Business Community Suffers
Afternoon session	2pm – 8pm Testimonies of Survivors from Himmatnagar (Sabarkantha), Mehsana, Kheda, Patan Witnesses at Karnavati Club, Ahmedabad
Late Evening	Economic Decimation of Commercial Establishments
May 6	
11-1 p.m.	Media Cell: Vishwa Samvad Kendra; Police Officials Depose
May 7	
	Godhra Field visit to Godhra Station; Inspection of Coach S-8 Visit to the Collector's Office Visit to the Godhra Relief Camp
May 8	Depositions of five major cases in Baroda/testimonies
May 9	Site Visit to Ankleshwar-Bharuch Testimonies of Panchmahal, Bharuch, Ankleshwar evidence
May 10	Meeting with Vadodara officials/Tstimonies Tandalja
May 11	More Testimonies in Vadodara-- Dahod/Panchmahal
May 13	Meeting with official witnesses/
	Press Conference

Annexure 3
Procedure

The Tribunal adopted a simple, people-friendly procedure. The press release of the constitution of the Tribunal and its schedule of hearings was publicised well in advance. A schedule was worked out and affected areas, relief camps and localities informed of the sittings. Wherever we had our hearings, at pre-determined destinations or in relief camps where the affected persons had sought refuge, victims came in overwhelmingly large numbers and volunteered to give their statements. It was not possible to examine each and every witness and place them on record. Therefore we heard whom we could and took the rest of the accounts as written statements on record that were recorded by a posse of activists who helped the Tribunal.

Members of the Tribunal put several questions to elicit correct answers . Though witnesses were not cross-examined, the Tribunal's sittings were open to the public and all those interested in presenting their point of view, were welcome. Simply because the evidence has not been challenged does not mean that it is not reliable. Some police officers have deposed but local police officers within affected areas did not. We would have been happy for the police to attend our sittings.

Most victim survivors have lost near and dear ones in the most brutal fashion, suffered serious injuries, and lost everything, their homes, and their livelihood and have been evicted from their roots. No justice has yet been done. In many cases their earlier statements, records of FIRs and post mortem reports have been tendered as evidence. This is part of the voluminous evidence that the Tribunal had on record.

Even as the Tribunal sat, threats and fears intimidated ordinary people and the panel too had to function amidst tight security. But the atmosphere within the Tribunal was open and people-friendly. Ours is a people's inquiry and the victims could, without fear of reprisal, give vent to their feelings, of the injustices they had suffered. In this sense, such a Tribunal has, compared to an official commission, greater chances of arriving at the truth. Before us, victim survivors named the perpetrators of heinous crimes and except in exceptional cases, did not fear from disclosing their identities. Other reports were also placed before us and have assisted the Tribunal in arriving at it's conclusions.

The groups who invited the Tribunal to undertake this task were PUCL Vadodara, *Communalism Combat,* Shanti Abhiyan, PUHR, Jan Sangharsh Manch, Council for Social Justice, Prashant, India Centre for Human Rights and Law,St Xaviers Social Service Society, Behavioural Science Centre, Sanchetana, Sahrwaru.

Annexure 4
Methodology

The Tribunal recorded 2,094 oral and written statements in the fortnight-long sittings. While major issues that arose out of the data contained in the data have reflected in the analysis, it is possible that some disparities show up since the teams that gathered and processed the data were not professionals.

Data Collection

Areas most acutely affected by the violence were identified and sittings then scheduled. Public announcements of the sittings were made in advance. At least two Judges were present from the eight member Tribunal when the most critical areas and sites were visited.

Statements were taken voluntarily. In many cases, Hindu representation from affected areas was sought by members of the Tribunal. The witnesses deposed as direct depositions before members of the Tribunal and the convenors and volunteers recorded written statements. The testimonies were not time bound, as a result of which the spontaneity has been preserved. While 94.5 per cent of the testimonies were from Muslim survivor victims, 5.5 per cent were from Hindus from the same affected areas or from neighbouring localities.

A broadly similar format was used though this was not rigid to affect uniformity. *(see Form, Detailed Annexures, Volume III)*

Cause of Riots

This was ascertained from the data collected in the forms through multiple codes. The idea was to ascertain what different kinds of causes, or what sort of similarity existed. Hence *details of slogans raised by the mob during assaul*t *and* any other details about the persons shouting slogans were a category. To emerge at an understanding of whether or not there was a conspiracy or not, details were sought about whether to not *any group meeting had taken place before the attack*. Thereafter to ascertain more details a question was also raised *about why addressed the group, the venue for the meeting, the spread of a rumour before the attack, the geographical area from where the rumour spread, the precautions had taken after rumours spread etc.*

Effect of the Violence

Loss to person

To arrive at some understanding of the extent of losses suffered, extensive details on this were sought from the data fields on the form. Here *details of attack on the place of dwelling* (Residence) in terms of the date, time and place were sought apart from the details of the attack itself. Details were sought also on damages to other residences and properties in the locality that the deponent had knowledge of.

Details regarding dead persons: apart from the name and age and details of the accused *the Cause of death* was sought to be ascertained *(1) Due to sharp cutting weapon, (2) By burning, (3) Private Firing, (4) Any other reasons*. The details from the evidence regarding the *post-mortem report,* FIR—whether it had been filed or not; the, the names of witnesses were also sought.

Details of gender crimes were sought as also the police response to each one of these in respect of response at the time of the crime itself, registration of offences, naming complainants and arresting the guilty.

Loss of Life, Threat to Life, Damage to property.

Details of the kind of destruction were also solicited.

Loss to family/known

Known applies to known accused from the area. *Livelihood lost, education disrupted, Physical and mental trauma, earning member dislocated, migration* were some of the field in which information was sought.

The kind and extent of damage to the community details were sought as also details of the attack if there was more than one.

Patterns of Violence

This was a valid determinant and visible patterns emerged. The data collection revolved around *how many people* were involved, whether they carried weapons, were they local people or outsiders. The materials that they carried for attack were also detailed in fields for the respondent like kerosene, petrol, and gas cylinders, any other.

The Guilty

Specific data was sought on whether or not any political person is involved in the attack and other details of other attackers were sought too.

Law and Order

Police —*a) whether police was present at the time of offence, b) inaction;* Details of information if given to the police regarding the attack; *c) police responsibility:* After how much time of giving information police reached the place and What steps were taken by the police?

Fire Brigade*: a) whether fire brigade was informed;* b) *After how much time of informing fire brigade arrived.*

Administration: a) Details of help if sought from any Govt. officer

Medical Aid: did this arrive in time and was it adequate?

Relief/ Rehabilitation

Details of compensation received were also sought from the deponents compared to their loss of damage.

The Tribunal collected it's own data on these lines. In addition, other detailed statistical analyses of over 4,000 forms published was carried out. This analysis has been carried out by Citizens for Justice and Peace, Citizens Initiative and Federation for Civil Liberties

Annexure 5
Sample and Spread/ Nos of Statements

Totally 2094 statements, written and oral were processed by the Tribunal.
Naroda: 49 testimonies and 73 written statements
Gulberg Society, Chamanpura: 23 testimonies and 7 written statements
Rest of Ahmedabad: 51 oral testimonies and 603 written statements

Kheda and Nadiad: 43 testimonies and written statements
Banaskantha: 6 testimonies and 20 written statements
Sabarkantha: 29 testimonies and 52 written statements
Mehsana: 9 testimonies and 10 written statements
Godhra: 20 testimonies

Panchmahal District: 63 testimonies and 34 written statements
Bharuch: 53 statements
Bharuch city: 18 testimonies and 78 written statements
Ankleshwar: 19 testimonies and 20 written statements
Rajpardi: 7 testimonies and 11 written statements

Vadodara 68 testimonies and 79 written statements
Vadodara tribal: 5 testimonies and 19 written statements
Vadodara rural: 13 written statements

Dahod: 13 testimonies and 29 written statements

This totals 1547. Another 187 copies of FIRs, panchnamas, post mortem reports were put on record and 313 detailed collective statements of damages. This totals 2094.

This sample gave us a good spread of the carnage across the state of Gujarat. Age of the witnesses also varied between 25-60 years of age. This shows a representative sample that is reasonably representative of the ground level. Over 50 per cent of the witnesses were self-employed, either skilled workers or small traders, small businessmen while at least 40 per cent were agriculturists, small and large families and landless labourers.

Migrations

The data analysed deals with the issue of migrations caused by the riots. Movements of victims and survivors were analysed and an average of over 78 per cent of people affected by

the violence had shifted residence as a result of the fear and terror generated by the violence at least for the first few months (at least three months). This indicates the scale of violence that was unleashed.

The scenes of the worst massacres have seen migrations that have been detailed in the *Incidents of Violence—Volume I* have also resulted in near-permanent migrations and shifts of population. In these locations only a bare 20 per cent of the original population has returned to their original homes. This is true of Mehsana district, Panchmahal, Anand, Dahod, Gulberg society and Naroda gaon and Patiya. The fear and terror experienced until we go to press by victim survivors of Dahod, Mehsana and Panchmahal is significant. The fact that the government has determinedly turned it's back on rehabilitation and the fact that the perpetrators of the crimes have been named as powerful politicians still in power has contributed to the insecurity and fear experienced.

Spread of Violence

The evidence before the Tribunal speaks eloquently of the vast spread of the violence in the first 72 hours just after Godhra, that is between February 28-March 3, 02. Trends are discernible too in various districts of the pre-planning and preparations made even before the Godhra incident. The worst incidents of gruesome massacre were effected with precision in those dates though the violence simmered on for months and is continuing still.

Significant data also points to the second bout of violence between March 12-15,02 [the date of the *Shlila poojan* planned by the VHP at Ayodhya; then again at the end of March—April 3, 02 on the eve of the PM's visit to the relief camps. May 02 also saw many bouts of violence in at least eight locations in Gujarat. On May 7, 2002 there were brutal killings of stray Muslims in Ahmedabad city. This was while the Tribunal hearings were on.

Causes

An analysis of the data before us clearly shows that the construct around the Godhra violence was consciously and deliberately used at the town, city and district levels to foment anger, hatred and a sense of revenge among the mobs that struck. Zerox copies of the photos of the burning coach were distributed widely. The slogans shouted by the violent mobs clearly showed that they had been deliberately instigated using Godhra as the reason and excuse.

Loss to Life

Our data shows details of the sheer brutality in the manner of killing. The computation of this data also shows that it is the manner of the killing that has made the loss to life shattering. Detailed evidence of the manner of killing and destruction of the bodies of loved ones makes the crimes even more difficult to bear. In many cases there are no traces of the dead. The Tribunal has collected data about the lists of missing persons and annexed these in *Volume III*. The state government has not computed any official data on the violence.

Damage to property

A detailed analysis of 2094 strong evidence points to economic destruction as emerging as a major motive in the violence. Where the mobs did not kill or maim, they had a clear-cut motive, of destruction of homes and properties. Independent computation of losses puts this at a primary loss of Rs 3,800 crores to the Muslim community of Gujarat.

Law and Order

Throughout the data analysis what emerged was either a) absence of the police from the scene of mass crime when they ought to have been present; b) actual connivance and participation in the destruction of properties and the arson. It would be safe to conclude from this data analysis that a committed and hard core of about 30 per cent police personnel in Gujarat are committed soldiers to the agents of the crime. Many of the balance are terrified and just a handful rises above these considerations and function as is required of them under the Constitution.

Over 50 per cent of the victims who's data was processed spoke of repeated pleas for help to the police being turned down. Another 30 per cent spoke of first hand knowledge of the police telling the victim community to protect itself and not expect anything from the police. The few instances of shining valour from the police stand out but offer little hope in terms of scope and percentage.

Relief Operations

Relief operations were almost entirely manned by community leaders who organised relief camps. It was weeks before the state government began their supply. A fair amount of aid from other groups and individuals and the rest of the country came in but the state government unabashedly not only assumed no responsibility for the relief and rehabilitation, but also gave it grudgingly while heaping abuse on camps and the refugees staying there. The data analysed shows that in 60 per cent of the cases victims have stayed in camps for over two months, that mental and physical state of the survivors is fragile. With no genuine efforts are rehabilitation, despair and hopelessness was reflected in the responses of over 85 per cent of the deponents.

NGOs

Social groups, and other non governmental organisations have been involved in some relief measures. However over 70 per cent of the deponents spoke of the need for more sustained need-based support

that centres around building up of livelihoods, rehabilitating communities and families in a fashion that caters to their trauma, loss and yet enables them to draw out of it. Women and children victim survivors especially expressed the need for more sustained and creative support in over 70 per cent of the statements recorded by us.

Annexure 6
Interim Findings and Recommendations of the Tribunal

This was sent to the Gujarat Government and the Indian government for their reactions

Concerned Citizens Tribunal Gujarat 2002:
Tentative Conclusions and Observations

Having considered all the material that are placed before us, and having visited and seen several places that were the scene of violent incidents, and the relief camps where the affected lived, and having heard a large number of victims, officials and other concerned people, we have arrived at the following tentative conclusions.

I. Godhra

1. We visited Godhra and inspected the S-6 coach of the Sabarmati Express, met the collector and the deputy superintendent of police. We have also taken into account the report of the Forensic Science Laboratory of Ahmedabad. In the incident of burning of the coach S-6, 58 persons lost their lives, of which 26 were women, 12 were children and 20 men. The evidence placed before us shows that the bodies were charred beyond recognition. Only five bodies were identified, not on the basis of their physical features, but on the basis of the things on their person. There was no conclusive evidence of who the passengers were. We also found that about 43 persons were injured, but most of them had minor injuries. About 5 or 6 persons were hospitalised for a short period. One of them died and the rest were discharged.

2. Having examined the evidence, the Godhra incident of February 27, 2002 does not appear to be a pre-planned or a premeditated one. Our examination of coach S-6, which was burnt, showed that the fire had occurred from within and not from outside. There is no reliable material to say as to who had set fire to the coach.

3. Yet, it appears that the state government rushed to the conclusion that it was a deliberate and a pre-planned attack on the *kar sevaks* by a particular group of Muslims. This is one of the reasons for the spread of violence in the state.

4. There appears to be a failure of intelligence on the part of the state law and order machinery, as is evident from an absence of anticipation of trouble, despite the communal history of Godhra town, and despite what had happened earlier on the Railway Station, where the Sabarmati Express had halted on its onward journey to Faizabad/Ayodhya.

II. Post-Godhra

5. The evidence discloses that the decision to take the bodies from Godhra to Ahmedabad was taken by the chief minister, Mr. Narendra Modi. At the outset, the bodies were taken in a

parade from Godhra to Ahmedabad in a motor cavalcade, inciting people along the way. Dr. Jaideep Patel, one of the main accused in the Naroda incidents, was also traveling along with the bodies.

6. The chief minister after visiting Godhra, by the evening of February 27, 2002 declared that a foreign hand was behind Godhra and the state party chief of the BLP supported the VHP called *bandh* the next day. This announcement of the chief minister also appears to have contributed to the spread of violence to all of Gujarat.

7. Witnesses deposing before us testified to the fact that the chief minister called a meeting of senior police and other officers on that very night of February 27, 2002. At this meeting specific instructions were given by him in the presence of state home minister on how the police should deal with the situation on the *bandh* day. We were informed that instructions were given in this meeting by the chief minister specifically not to take action against any Hindu reaction to Godhra. Earlier in the evening, his two cabinet colleagues, Ashok Bhatt and Pratap Singh Chauhan, had met at Lunavada in Panchmahal District and in this meeting, the manner and methods of unleashing violence on the Muslims were planned in detail.

It appears from what happened in Ahmedabad and its environs on February 28 and all over the state on March 1, 2 and 3 and thereafter, was with the deliberate connivance and support of the Government.

III. Official Response

8. A large number of witnesses testified that the next day, i.e. on the day of the *bandh,* there was absolutely no police *bandobast*. The Gandhinagar state and Ahmedabad control rooms were taken over by two ministers i.e. Mr. Ashok Bhatt and Mr. Jadeja. Repeated pleas for help from people were blatantly turned down. The police commissioner of Ahmedabad, Mr. P.C. Pandey was specifically mentioned in this connection.

9. The organised, violent incidents by large mobs, whether they took place at Naroda, Gulberg Society, Chamanpura, Gomtipur, Sundaramnagar, Vatwa in Ahmedabad on February 28 or in Vadodara and other places thereafter, reveal a similar feature viz., the abdication of responsibility by the police and the administration. The government failed to control the violence and safeguard the lives and liberties of a large number of people, particularly those belonging to the minority Muslim community. In several districts, similarly, huge "*tolas*" (mobs) attacked the Muslim community. Most of the victims were butchered and then burnt. The women were disrobed and raped in public, and then slaughtered and burnt.

10. The typical incident in this connection, which is now well known, is that of Mr. Ahsan Jafri, who was trying to protect the lives of about 150 Muslims gathered in the compound of the Gulberg society. The late Mr. Jafri, a former member of parliament, tried several times to contact the chief minister Mr. Modi and the commissioner of police, Mr. Pandey to deploy force immediately, to counter the 1,000-strong mob that had gathered outside the compound of the Gulberg society. But his pleas were not responded to. All the houses in the society were attacked excepting a bungalow belonging to a Hindu. A few weeks prior to the incident, Mr. Jaffri had actively campaigned against Mr. Modi in the bye-election from the Rajkot constituency. This was held against Mr. Jafri and he was brutally done to death and all those who had come to him to seek his protection were also slaughtered and burnt.

IV. Pre-Planned Organised Violence

11. The scrutiny of the evidence, which came before us, also reveals that there was systematic preparation for unleashing the violence all over the State. The attackers had with them the

lists of persons and properties of the victims. The lists could not have been prepared without an access to government records and agencies like the state intelligence, the sales tax department, the revenue department and the state electoral rolls. The Muslim localities were identified before hand, as also the property and business houses belonging to the Muslim community.

12. Apart from carrying petrol and kerosene and using gas cylinders, the members of the mob used chemicals. The chemicals had the capacity of destroying the identity of the persons burnt by burning at high temperature and for a long period of time. There was also evidence of the use of gelatin sticks. The inflammable materials were used on a large-scale. All these things were not possible unless there was a good deal of preparation much in advance, and to the knowledge of the Government machinery.

V. The Failure of Government to Control Violence

13. While the Tribunal was examining witnesses during the first fortnight of May 02, almost two months after the first incidents in the State, the violence was still continuing in Ahmedabad and at other places. We could feel the impact of violence in as much as we also had to seek protection. This shows that the violence was not only on a large scale, but also lasted for a long time. This was another indication of the Government's failure to control violence and its incapacity to restore peace and normalcy for a long time.

VI. Lack of Prompt Relief and Rehabilitation Programmes by Government

14. We visited several relief camps in Ahmedabad, Godhra, Vadodara, Bharuch, and Ankleshwar and recorded the testimony of over 1,500 victims. Over 1,50,000 persons were given shelter and protection by relief camps, organised not by the State, but by private groups all over the state. Even after the violence, the chief minister and the Government of Gujarat showed a callous disregard towards relief and rehabilitation of the victims. It was through court orders on petitions filed by the citizens that adequate water, grain and medicines were made available by the authorities. Despite assurances to the contrary in Court, the Government of Gujarat continued, and continues, to coerce the relief camps to close down without adequate rehabilitation.

15. Even medical facilities were denied to the victims and to persons who had taken shelter in the relief camps. The armed workers of the Hindu communal organisations were preventing the Muslim victims from getting access to many government, semi-government hospitals and private clinics. This also indicates the failure of the government machinery.

16. The State government's initial announcement with regard to compensation to the victims of the violence showed palpable discrimination between Hindu and Muslim victims. This was withdrawn only after a hue and cry of the people all over the country. This indicates the communal bias of the state government.

17. The state of Gujarat has done nothing till date even to compute the damage to life and property. On the other hand, the chief minister made public statements that the government will not buy land and rebuild houses for the victims, nor will it rebuild religious shrines. It is shocking that even six months after the violence, no official lists of dead or missing persons have been compiled, no detailed rehabilitation package (like at the time of the earthquake) made public, and pathetic amounts of compensation have been doled out. There are also no principles and guidelines laid down to compute compensation, nor has a comprehensive rehabilitation package been declared.

VII. Failure of the Criminal Justice System

18. The evidence shows that the investigation process was totally inactive, in that,

(i) There was no recording of complaints made by affected persons, even while the incidents were taking place;

(ii) FIRs were recorded after several days;

(iii) Even the recorded FIRs contained incorrect versions and not the versions as reported by the complainants;

(iv) The names of the culprits, even when disclosed, were not recorded;

(v) In fact, the complainants were told not to name the accused, otherwise the complaints would not be recorded;

(vi) The FIRs of individual victims were not recorded and omnibus complaints containing several incidents were recorded, which would deny proper investigation and stall the delivery of criminal justice;

(vii) In many cases, the *panchnamas* of the scenes of offence have not been made. The forensic evidence has not been collected;

(viii) The leaders of the mob violence have not yet been arrested;

(ix) The police participated in the violence and, in spite of clear and well-documented evidence against the police, no policeman has been prosecuted or proceeded against otherwise;

(x) Search and seizure of weapons and looted material have not been effected at all, despite direct evidence of armed mobs committing the crimes;

(xi) Most of the prosecutors who are in charge of these cases owe allegiance to the organisations perpetrating the crimes, with the result the victims have no confidence in the due process of law;

From the evidence recorded, many persons, politicians and officials among others, have been repeatedly mentioned by witnesses, as directly taking part and inflicting violence on innocent victims and also leading the mobs. A list of the names of some of these persons is annexed.

VIII. The Role of the Ruling Party and Its Affiliates

19. People in a significant number of testimonies have stated that the Bharatiya Janata Party, the Rashtriya Swayamsevak Sangh, the Vishwa Hindu Parishad and the Bajrang Dal and its affiliates, which are linked with each other, have been responsible for the violence. A systematic effort at communalising sections of the Hindu community was on since 1986. In this process, organisations like the RSS, VHP, Bajrang Dal with an anti-Constitutional public posturing, loaded with threats, intimidation and violence, had been polarizing the society, communally. This has resulted in creating a communal divide and hatred. By the time the tragic Godhra incident took place, these organisations had assumed a militant character, especially in Gujarat. These organisations had been doing and continue to do, till date, with impunity, the recruiting of members and conducting of training camps. *Trishuls* and swords were and are being distributed among the persons who are enlisted as members in these organisations. These organizations, for recruiting their members, even issued advertisements in local newspapers, distributed leaflets and other literature mainly with a view to provoke hatred against Muslims.

IX. Role of the Central Government

20. The Central government has failed in discharging its Constitutional responsibility. In the face of the incident that had taken place in Godhra on the morning of February 27, 2002, and

in view of the fact that both Godhra and parts of Gujarat were communally sensitive places, the state government was expected to be more alert, more dexterous and more duty conscious in maintaining law and order. Instead, the state government had decided to abdicate its Constitutional duties and functions by declaring a *bandh*. No authority with even a modicum of a sense of responsibility to the lives, liberty and property of the people would have, in such a situation, abdicated its function. On the other hand, the state government directly provoked communal violence by making such an irresponsible declaration. That was a prima facie declaration of the intention of the state government not to govern and abide by the provisions of the Constitution. This itself was sufficient for the central government to immediately take steps to intervene, and save the people of the state from the violence, which was bound to follow. There is no evidence, that the central government, after learning of what the state government had decided to do, had taken any steps to restrain the state government from adopting the suicidal step, nor of any positive steps taken by it, to save the people from the aftermath of the Godhra incident. The people who testified before us, while indicting the state government also questioned, with anguish, the dubious role that the central government had played during the crucial period.

On the other hand, when the nation and the world was condemning the violence in Gujarat, senior members of the central cabinet made public statements defending and justifying the role of the state government. They also gave a certificate of good conduct to the chief minister of the state.

A final report will be prepared in due course after getting the response from the governments, if any.

(Signed by Members of the Concerned Citizens Tribunal)
Dated this day, 25th of August 2002

Concerned Citizens Tribunal –Gujarat 2002; c/o Sabrang; "Nirant" Juhu Tara Rd; Mumbai 400049 Phones: Convenor, Teesta Setalvad 022-6602288/6603927
Email: sabrang@bom2.vsnl.com

Annexure 7
Janmorcha Report

*(*Jan Morcha*, edited by Sheetla Prasad, is a Hindi daily published from Ayodhya. The paper carried the following story on 25 Feb. 2002).*

Bhelsar (Faizabad), 24 February: *Trishuldhari* Bajrang Dal workers, travelling to Ayodhya on board the Sabarmati Express this morning, let loose a reign of terror upon dozens of helpless Muslim passengers, *burqa* clad women and innocent children. They also targeted the people waiting at the platform, forcing them to shout the slogan, '*Jai Shree Ram!'* A few even declared themselves to be Hindus in order to escape their wrath.

According to eyewitnesses, close to 2,000 *trishul* carrying Bajrang Dal workers on board the Sabarmati Express coming from the direction of Lucknow began indulging in these activities from the Daryabad Station. Anyone identified as a Muslim on the train was mercilessly attacked with *trishuls* and beaten with iron rods. Even women and innocent children were not spared. *Burqas* were pulled off, women were beaten with iron rods and dragged, people waiting at the platform were also similarly targeted.

This continued between the Daryabad and Rudauli stations. According to an eyewitness, a youth who protested against this barbarism was thrown off the train between the Patranga and Rojagaon stations. Several women, badly wounded and covered in blood, jumped off the train as it pulled into Rudauli around 8 a.m. The Bajrang Dal activists also got off the train and started attacking those whom they identified as Muslims from among those present on the platform.

Ata Mohammad, from Takia Khairanpur, waiting to catch a train to Allahabad, was badly beaten; some others were forced to shout, *'Jai Shree Ram!'* Some escaped by declaring that they were Hindus. 50-year-old Mohd. Absar who lives near the station was grabbed as he stepped out of his house. His long beard was rudely pulled before he was repeatedly stabbed with *trishuls*. Another man from the Rudauli police station area who happened to be at the station was badly beaten with iron rods. Local residents rang up the police.

By the time the police *chowki*-in-charge, Bhelsar, arrived at the station, the train had left and the injured were being rushed to the hospital. No report was registered at the police station since the officer-in-charge was unavailable. The injured have no idea why they were attacked. Rumours are rife. The people are petrified; respected Hindus and Muslims of the area have condemned the shameful attack, Muslim religious leaders have appealed for peace and requested that there be no retaliation.

Annexure 8
Statistics on Police Behaviour

These statistics were placed on the record of the Tribunal.

List of persons killed in police firing on February 28 and March 1, 2002.

1) Akbarkhan Makrani, 2) Zahiruddin Nasiruddin Ansari 3) Mohammed Idrio Mohd. Ismail 4) Tohkir Ahmed Munir Ahmed 5) Jamilmiya Kifayatumiya Mistri 6) Kadri Karnaluddin Ahmed Ali 7) Noorbanu Mohd Hakim Ansari 8) Abdul Rehman Abdul Razak Sheikh 9) Hamidbhai s/o Gulam Rasul Abdulbhai 10) Ansari Mohiuddin Jamadar 11) Sultanbhai Azizbhai Malek 12) Ansari Iliyasbhai Jumerati 13) Sabirhussain Fatehsad 14) Hanifbhai Ali Baks Railwaywala 15) Mohd Hussain Allahrakha Sheikh 16) Abdul Karim Mehboobmiya Pathan 17) Zakirhussain Mehmoodhussain Arian 18) Ilias Ahmed Jumroti 19) Mohd. Ishak Abdul Aziz 20) Mohd. Mubin Ali 21) Samir Ahmed Iqbal Ahmed Arian 22) Jummadin M. Zakira 23) Mahmud Hanif Mahmud Sheikh 24) Gulam Rasool Gulamnabi (Age 22; 408 Noor Nagar, Rakhial; shot in the head.) 25) Trohadali Haiderali 26) Gabbarbhai (Wahid) (Age 25; private security guard; living in Mandu, Masterni Chali in Bapunagar; shot between the eyes on February 28.) 27) Istiyak Khan Nizamuddin Khan (Age 24; Morarji Chowk, Bapunagar; shot in the head.) 28) Parwezbhai Gulamdastagir (Age 26; Residence on General Hospital Road, Bapunagar; shot on the nose.) 29) Samir Iqbalbhai Mansuri 30) Kausharbhai Sobrati Ali 31) Nasirkhan Kayamkhan 32) Zakirbhai (Mahagujarat Bakery) 33) Samirbhai (Mahagujarat Bakery) 34) Azharuddin Sirajuddin 35) Ismailbhai Frywale 36) Anwar Hussain 37) Nasirbhai Rajput 38) Akhtarbhai 39) Mohammed Naim Nasrullah 40) Mohammed Azim 41) Nisarahmed A. Hamid 42) Aslambhai 43) Imtiazkhan Nizamuddin Pathan, (Age 21; a resident of Morarji chowk; shot in the head. "I could not recognise my own son, part of his head was blown off," his mother, Ammiben, said.)

(Source: Al Ameen Garib Niwas Hospital)

This is an additional list of persons shot dead by the police thereafter.

5.3.02	Gullubhai Karimbhai Sheikh (42); Jamalpur
26.3.02	Sarfroz Takubbhai Baggiwala (23); Jamalpur
15.3.02	Mohd. Irfan Abdul Jabbar Ansari; Dodheshwar Masjid (2 bullets in the chest)
15.3.02	Sikandar Khan Pathan (22); Vatwa (Siddique bhai Shaikh-Peace Corps)
15.3.02	Syed Farzana Bukhari (30); Vatwa
3.4.02	Advocate Nizaam (shot dead)

Preventive Arrests on February 27 after the Godhra incident in Ahmedabad

Police Station	Arrests	Police Station	Arrests
Naroda	0	Vejalpur	0

Gomtipur	0	Kalupur	0
Shaherkotda	0	Gaekwad Haveli	0
Ellis Bridge	0	Navrangpura	0
Naranpura	0	Ghatlodia	0
Astodia	2		

AL-AMIN GARIBNAWAZ HOSPITAL (INJURED, POLICE FIRING)

Who fired at these minors?

1) Mohammed Hussain 2) Irshad Mirza 3) Aiyub Khan Yakub Khan 4) Iqbal Mirza Mohd. Khan 5) Hanif Mirza Rashid Mirza 6) Akbar Khan Afsar Khan 7) Saiyed Javed 8) Mushir Ahmed 9) Nizamuddin 10) Firoz Faqir.

Annexure 9
Police: Dereliction of Duty

Testimonies from the numerous survivors of the genocide in Gujarat, provide abundant evidence of dereliction of duty and in many cases even complicity of sections of the police force in the ethnic cleansing of Muslims.

Numerous reports published in the national dailies since March 1, too, record several instances of brazen anti-Muslim bias, evident in the acts of commission and omission by policemen - from constables to top officials - SRP jawans and even Fire Brigade personnel. We reproduce below excerpts from some of them:

Minors shot by police

Vadodara: An 11-year-old girl in Dudhia village was hit on the head by a bullet in police firing and is now recuperating at the SSG hospital, Vadodara. A 14-year-old was killed in police firing at Kisanwadi. The bullet went through his chest. In Halol, a bullet ricocheted from a wall on a veranda of a one-storied-house, injuring a two-and-a-half-year old. At a time when the state police are accused of "inaction" as mobs went around looting and killing during the recent riots, records at the SSG Hospital here, which is treating numerous riot victims, are pointing at another "folly" – police forgot the rule book during the riots and shot many above the waist while controlling the mobs.

—*The Times of India, March 1, 2002*

Police chief vanishes as Rajkot burns

Rajkot: While Rajkot burnt on Thursday, its police commissioner did a vanishing act. As mobs rampaged through the city and curfew had to be clamped after a gap of 17 years, Upendra Singh switched his mobile phone off and was nowhere to be found. And, with their chief not in sight, the inefficiency of the local police came to the fore as mobs attacked marked targets at will.

—*The Times of India, March 1, 2002*

"The Police watched as we were attacked"

Vadodara: "We were surrounded on all sides by police vans but had to contend with stones from the mob. The police did nothing to stop the attack. On the contrary, an ex-corporator instructed them on how they should ensure that we have no way to escape," said a resident of Memon colony. "The police looked on as mob attacked and destroyed homes of an ex-judge and retired army colonel," said Iqbal Memon, who also added to the complaints of police inaction.

—*The Times of India, March 2, 2002*

RAF accused of atrocities in Surat

Surat: Rapid Action Force (RAF) *jawans* are alleged to have beaten up and misbehaved with Muslim women and an elderly *maulvi* in Surat. The *jawans* reportedly went on the rampage on March 3, a day after residents of the predominantly Muslim suburb of Rander faxed a message to President KR Narayanan and Congress chief Sonia Gandhi, seeking protection from Hindu mobs. They now plan to move court and complain to the human rights commission against the RAF and police.

—*The Hindustan Times, March 5, 2002*

6 deaths after mob attack, police call it 'asphyxiation'

Por (Gandhinagar dist.): … Police say all *mohalla* residents were evacuated; the villagers say some had already been killed before the evacuation began. Irfan Ali Shaikh, a survivor who lost his wife, says women and children were soft targets for the mob. "They killed them pressing their fingers on their throats and police also forced us to bury the bodies in a hurry to kill any proof of murder."

—*The Indian Express, March 5, 2002*

Police fails to provide security to activist

Ahmedabad: Well-known social activist and state vice-president of the People's Union for Civil Liberties, JS Bandukwala, a personal friend of defence minister George Fernandes, has been forced to go into hiding following an attack on his residence at Sama, Baroda. The police has failed to provide adequate security to him despite several requests. This is not the first time that the Bandukwalas have been targeted during communal riots.

—*The Asian Age, March 6, 2002*

Failing the people

Sabarkantha: 137 petitioners from the district have moved the Gujarat High Court to have their voices heard. They claimed that the police had not recorded their individual FIRs. The role of the police in Sabarkantha district, as a case in point, has only recently become the subject of debate, from the Lok Sabha to the Police Bhavan in Gandhinagar. The main allegation against the Sabarkantha police is that they did not do enough to protect the innocent and were now preventing the registration of FIRs against the individuals who led the mobs.

—*The Indian Express, March 13, 2002*

"We were just watching, why did they fire at us?"

Ahmedabad: "All the women had gathered for *majlis* - a ceremony before Muharram

which is attended by women only. We were returning home when we saw smoke around Navapura area... the women came outside to check what was happening when suddenly, police personnel barged inside our homes and started firing directly at the women," alleges Mumtaz. (The 18-year-old Mumtaz Bano Darbar, a physically challenged girl, escaped death, though she was hurt by a police bullet)...

"They didn't even throw tear-gas shells or *lathi* charge first," claims Sherbano Abbas Bukhari, an 18-year-old girl who was shot in the chest. "The policewala was only five metres away when he fired directly at me," sobs Sherbano, who is in a very critical condition.

—*The Indian Express, March 22, 2002*

FIR says Muslim MLA led riot mob

Ahmedabad: In a glaring example of what appears to be police connivance with the ruling BJP government in Gujarat, the Ahmedabad police put the name of a Muslim MLA in a FIR for instigating mobs to burn Hindu establishments when he was actually in the Gujarat Assembly attending the session discussing the law and order situation in the state.

—*The Asian Age, March 23, 2002*

Annexure 10
Hate Speech

The carnage in Gujarat was marked by unprecedented levels of hate speech and hate propaganda. Some examples:

Chief Minister Narendra Modi

Terming the (Godhra) attack as 'pre-planned, violent act of terrorism', Mr Modi said that state government was viewing this attack seriously.
— *The Times of India, Feb 28, 2002.*

"With the entire population of Gujarat very angry at what happened in Godhra much worse was expected".
— *Narendra Modi, at a Press Conference in Gujarat, Feb 28, 2002.*

Modi said he was 'absolutely satisfied' with the way in which the police and State Government handled the backlash from Godhra incident and 'happy' that violence was largely contained… "We should be happy that curfew has been imposed only at 26 places while there is anger and people are burning with revenge. Thanks to security arrangements we brought things under control".When asked that not a policeman was visible in most areas where shops were looted and set on fire, he said he hadn't received any complaint.
— *The Indian Express, March 1, 2002.*

"Investigations have revealed that the firing by the Congressman played a pivotal role in inciting the mob." — CM Narendra Modi on Chamanpura incident where former MP Ahsan Jaffri was burned alive with 19 of his relatives. On being asked what could have lead to the Ex-MP opening fire it was 'probably in his nature' to do so.
— *The Hindustan Times, March 2, 2002.*

Gujarat Chief Minister Narendra Modi on Friday termed 'barbaric' the murder of former Congress MP Ehsan Jafri along with 19 of his family members, but said there was firing from inside the house.
— *The Indian Express, March 2, 2002*

Asked about the violence, Modi quoted Newton's third law – 'every action has an equal and opposite reaction' - to virtually justify what is happening.
— *The Times of India*, *March 3, 2002.*

Chief Minister Narendra Modi said on March 4: "The situation is totally under control. There is no threat to any life. Everything is functioning normally. That is all I can say. I will meet people and give them confidence".

— *The Indian Express, March 5, 2002.*

"It is unfortunate that along with the communal violence that is dangerous for any country, a non-violent secular violence also gets unleashed in the country at the same time by the media."

— *CM Shri Narendra Modi, at a press conference in Gandhinagar on March 5, 2002.*

Mr Modi said the Godhra incident was not a communal riot. Godhra was a 'mass murder, a terrorist act aimed at long-term damage'.

— *The Times of India, March 7, 2002, quoting from Shri Modi's address to the Chamber of Commerce and Industry, Gujarat.*

"I am determined to take out the *yatra* and tell the world the *Gaurav Gatha* [Story of Pride] of five crore people of the state. It is not the story of Godhra, Naroda Patia or Gulmarg. Gujarat was not a state of murderers, rapists as the pseudo-secularists, fanatic and power hungry Congress leaders are attempting to project," Modi said.

– *Shri Narendra Modi Aug 28, 2002*

Last week, in Banaskantha, Narendra Modi told a public meeting how "five crore people of Gujarat have voted me the best chief minister of the country but the jealous Congress is trying to malign me."

– *The Asian Age, Aug 28, 2002*

"Relief camps are actually child-making factories. Those who keep on multiplying the population should be taught a lesson.

—*Shri Narendra Modi, addressing a rally in Mehsana district during his gaurav yatra, quoted in The Hindu, Sept 10, 2002.*

TV tapes prove Modi attacked Muslims

In the excerpts of the audiotape, a voice — reportedly that of Mr Modi — is heard making inflammatory speeches in Gujarati. The English translation is as follows: "I told them that I got water from Narmada in the month of *Shravan*. If they had it their way, they would have got it in Ramzan.…What should we do? Run relief camps for them? Do we want to open baby-producing centres? We are five and we will have 25 offspring. Gujarat has not been able to control its growing population and poor people have not been able to get money."

—*The Asian Age, Sept 15, 2002*

Former Commissioner of Police, Ahmedabad , Shri P.C. Pande
(he was CP when the carnage took place)

Nothing illustrates police role better than police commissioner P.C. Pande's statement that, "Police were not insulated from the general social milieu… (When) there's a change in the perception of society, the police are part of it and there's bound to be some contagion effect".

— *The Telegraph, March 2, 2002*

BJP leaders

"For the first time in years, we have had an upsurge of popular sentiment that brought together Dalits, tribals and middle-class Hindus on the same platform," he said.

— *The Telegraph, March 6, 2002, from a Delhi dateline report filed by the daily's special correspondent, quoting a BJP minister in the central government, without identifying the person quoted.*

"He (Narendra Modi) has salvaged the party's credibility and honour in a way no one has done after we came to power in the Centre."

— *A Union minister from the BJP, not identified by name, quoted in The Telegraph, March 6, 2002.*

"Modi was the only one who had the guts to defend what happened in his state without batting an eyelid or being red-faced. He did not say one thing one day and another the next day."

— *'BJP sources', not identified by name, quoted in The Telegraph, March 6, 2002.*

"After the post-Godhra spontaneous Hindu upsurge, the party will have to consider the people's strong feelings on *Hindutva* and nationalism".

– *Bharat Pandya, BJP MLA, quoted in India Today, March 18, 2002. The report added that at a closed-door meeting with party president, Shri Jana Krishnamurthy in Ahmedabad, MLA after MLA of the BJP talked of reverting to the Hindutva track.*

"The charge that Muslims did not take much interest in the national movement is correct. They don't consider India their home."

—*Vinay Katiyar, BJP's UP president, purportedly quoting Mahatma Gandhi and Shri Ambedkar, in his first address to the UP state council of the BJP as its president, quoted in The Statesman, Aug 6, 2002,.*

RSS leaders

"Let Muslims look upon Ram as their hero and the communal problems will all be over".

— *RSS mouthpiece, Organiser, June 20, 1971.*

"Let Muslims understand that their real safety lies in the goodwill of the majority".

— *RSS resolution at its Bangalore meet, March 18, 2002.*

VHP Leaders

"Now, it is the end of tolerance. If the Muslims do not learn, it will be very harmful for them."

— *Harish Bhai Bhatt, VHP leader, quoted in Mid-Day from a New York Times report, March 6, 2002*

"It had to be done", VHP leader says of riots. In a startling revelation, Professor Keshavram Kashiram Shastri, 96-year-old chairman of the Gujarat unit of the Vishwa Hindu Parishad, told *rediff.com* that the list of shops owned by Muslims in Ahmedabad was prepared on the morning of February 28 itself.

— *http://www.rediff.com/news/2002/mar/12train.htm*

Barely three months after the Gujarat Carnage, the VHP announced its intentions to test war on *jihad* in UP. The Vishwa Hindu Parishad plans to turn Uttar Pradesh into a laboratory for

carrying out experiments aimed at promoting the feeling of *Hindutva* among Hindus and starting a campaign against "the Muslim mentality of *jihad*." The firebrand VHP leader, Singhal, was quoted as having said that "*Ab jahan jahan Godhra hoga wahan wahan Gujarat bhi hoga* (wherever there is Godhra there will be Gujarat)." He said that Muslims "who nursed the *jihadi* mentality" would be taught a lesson. "In Gujarat, for the time there has been a Hindu awakening and Muslims have been turned into refugees. This is welcome sign and Gujarat has shown the way to the country. Politics in India will now be based on the Hindu community – *Jo Hindu hit ki baat karega woh Bharat pe raaj karega* "(A Hindu who talks about his rights, will rule India)," he said.

—*The Asian Age, June 6, 2002*

Modi is He-Man, Lyngdoh has religious bias: VHP

"Both the CEC and the Congress president, Sonia Gandhi, are Christians and both wanted to postpone elections. Post-Dangs, Lyngdoh had shown his bias [against Hindus] in a lecture delivered at the IAS academy in Mussoorie," VHP international general secretary Praveen Togadia said in New Delhi.

–*rediff on net, Aug 25, 2002*

"We'll repeat our Gujarat experiment"

Vishwa Hindu Parishad international working president Ashok Singhal today termed Gujarat as a 'successful experiment'—and warned that it would be repeated all over India. Singhal, in Amritsar to inaugurate a physiotherapy centre at the Shivala Bhaian temple, said, "Godhra happened on February 27 and the next day, 50 lakh Hindus were on the streets. We were successful in our experiment of raising Hindu consciousness, which will be repeated all over the country now."

—*The Indian Express, Sept 4 2002*

"Godhra happened and the next day, 50 lakh Hindus were on the streets. We were successful in our experiment of raising Hindu consciousness, which will be repeated all over the country now…"

— *Ashok Singhal, speaking in glowing terms of the fact that whole villages had been "emptied of Islam. People say I praise Gujarat. Yes, I do", inaugurating a physiotherapy center in Amritsar quoted in The Asian Age, September 4, 02*

Gujarat to decide country's politics: Togadia

VHP International general secretary Praveen Bhai Togadia warned that "*Godhra ka uttar aaj Gandhinagar, kal Dilli aur parson Pakistan mein diya jayega*" (the reply to Godhra will be given today in Gandhinagar, tomorrow in Delhi and the day after in Pakistan).

— *Praveen Togadia, international general secretary of the Vishwa Hindu Parishad in The Times of India, Sept 15, 2002*

TV *(Star News)* tapes prove Modi attacked Muslims

- By Sanjay Basak

New Delhi, Sept. 15: Brushing aside the evidence produced by a television channel on Gujarat chief minister Narendra Modi's derogatory remarks on Muslims, and ignoring Prime

Minister Atal Behari Vajpayee's censure of the state administration following the Gujarat carnage, deputy prime minister L.K. Advani on Sunday stood firmly behind Mr Modi and said his "*Gaurav Yatra*" was an example to be followed by the BJP.

The VHP, meanwhile, has decided to bring out another "*yatra*" in support of Mr Modi in Gujarat. The BJP president, Mr M. Venkaiah Naidu, who only a few days back was reported to have pulled up the Gujarat chief minister for his remarks against the minority community, on Sunday appeared to retract his censure, and clarified that he had merely "cautioned" Mr Modi "since there was a scope of misinterpretation." He added that the "matter ended after Modi claimed he never made anti-minority comments."

However, Mr Modi's assertion and Mr Naidu's claim that no anti-Muslim statements were made during the *Gaurav Yatra* was challenged by *Star News*, which produced tapes with Mr Modi's recorded voice, taking a snipe at and ridiculing the minority community in Gujarat. The state intelligence department had also cautioned the additional chief secretary (home) in a letter (J/2/BJP/Yatra/525/02 dated September 9) that such a speech could cause communal tension in the state.

The tape, broadcast by the television channel, gives a new twist to the controversy in the light of the Gujarat government's denial of the existence of any tapes and the text of Mr Modi's speech during the rally at Besraji village in Mehsana district on September 9. The National Commission on Minorities has asked for a copy of the tape following a furore over Mr Modi's remarks.

That Mr Modi, who lacked any caste-based support in Gujarat and was still regarded as an "outsider" by the locals, was trying to cash in on a communal divide, becomes somewhat evident following the airing of the tapes by the TV channel. In the excerpts of the audiotape, a voice — reportedly that of Mr Modi — is heard making inflammatory speeches in Gujarati. The English translation is as follows:

"I told them that I got water from Narmada in the month of *Shravan*. If they had it their way, they would have got it in Ramzan...

"What should we do? Run relief camps for them? Do we want to open baby-producing centres? We are five and we will have 25 offspring. Gujarat has not been able to control its growing population and poor people have not been able to get money."

The tapes clearly demonstrate how Mr Modi, in search of the "Hindu vote," tried to play to the gallery. He went on with his tirade against Muslims thus: "There is a long queue for children who fix tyre punctures. In order to progress, every child in Gujarat needs education, good manners and employment. That is the economy we need."

Once again targeting Muslims, he ended with what appeared to be a warning: "For this we have to teach a lesson to those who are increasing population at an alarming rate."

While the BJP president refused to answer any question on Mr Modi, claiming that this would only "create further tension," the chief minister's principal mentor in the party, Mr Advani, virtually gave him a pat on the back and praised his *Gaurav Yatra*, saying it was an example for the BJP to follow. "The massive turnout at the Gujarat *Gaurav Yatra* is a source of nervousness for the opposition.

"When the opposition denigrates Gujarat as 'Godse's Gujarat' the need for restoring Gujarat's *gaurav* is more," Mr Advani told BJP leaders who had assembled for the party office-bearers' meeting on Sunday.

The deputy prime minister went on: "Just as the *yatra* is a highly-successful programme, we

must now work with devotion to make the *Gaon Chalo Abhiyan* and the proposed December rally a success."

—*http://www.asianage.com/main.asp?layout=2&cat1=1&cat2=22&newsid=19834*

'5 crore Gujaratis will chop off Miya Musharraf's hands' — Modi

Ahmedabad, Sept. 15: Gujarat chief minister Narendra Modi stooped down to a deplorable new low in political rhetoric on Sunday while warning "*Miya* Musharraf" that if he does not stop pointing his "dirty finger towards Gujarat, five crore people of Gujarat will not hesitate to chop off his hand and teach him a lesson."

Besides this, the chief minister has got advertisements published in newspapers asking the public to decide between "Modi and Musharraf."

Mr Modi, who called Gen. Musharraf "*Miya*" at least eight times, made the distasteful remark of Gujarat chopping off his hand at a thinly-attended public meeting at Visaavadar in Saurashtra where he ridiculed the Pakistan President for "daring" to point his "dirty finger" at Gujarat. Visaavadar is the constituency of former chief minister Keshubhai Patel, who was conspicuous by his absence on Sunday.

Mr Modi, who has been strictly warned by New Delhi not to make offensive and abusive remarks, was reportedly annoyed at thin attendance at Visaavadar and lost his cool when groups of people shouted slogans hailing former chief minister Keshubhai Patel, thereby interrupting his speech.

Mr Modi had mellowed down and refrained himself from making personal remarks on any leaders till Saturday evening, after he was reprimanded, for describing the Muslim philosophy of life as "*hum paanch hamare pacchis*" and stressed that he will not allow relief camps to facilitate unending production of children last week. He, however, regained his old self and indulged in heavy Musharraf and Congress bashing in Saurashtra on Sunday. It must be noted that the Saurashtra region had remained completely peaceful during the recent spate of communal riots and these provocative speeches by the chief minister has shocked the local population, who see a sinister design in dividing them on the basis of community.

Attacking "*Miya* Musharraf" for daring to raise Gujarat at the United Nations, Mr Modi said, "I am aware of what *Miya* Musharraf is doing in Pakistan." The Gujarat chief minister added, "A systematic cleansing of the Ahmediya Muslim community is going on in Pakistan. Muslims who are minorities are being harassed, but Indian leaders don't talk about it because it is an internal issue of Pakistan.

"And here we have a *Miya* who is pointing his dirty finger at Gujarat," he screamed, telling the crowds that it was a matter of *gaurav* (pride) for Gujarat not to let the '*Miya'* point his dirty finger towards Gujarat. "Stop doing this *Miya* Musharraf or five crore people of Gujarat will chop off the hand which has this dirty finger that you point towards Gujarat," he roared.

Instead of focusing on political rivals in Gujarat or the rest of the country, Mr Modi has now stooped to a level where he has asked people to choose between him and Gen. Musharraf. On Sunday, under the banner of the *Rashtriya Chetna Manch*, advertisements were issued asking the public to take a decision between "Musharraf and Modi." While the BJP claims that it has not issued these advertisements, party sources confirm that they have been issued under direct instructions from the chief minister.

The advertisements have mugshots of Mr Modi and Gen. Musharraf and asks people to choose between them. "Musharraf calls it Hindu Terrorism. This is Nationalism for Modi. One insults the country. The other maintains the country's self-respect."

Right below the mugshots (Musharraf's picture also has a Pakistan flag emblem), there is an exclamatory message which asks the readers: "*Faislo tamaro* (the decision is yours)!"

At a public meeting at Visaavadar and Lalpar, Mr Modi also lashed out at Mrs Sonia Gandhi's "sketchy knowledge". "Mrs Gandhi earlier thought that Jagannath is some politician like our deputy prime minister Advaniji, who is going to take out a *yatra*."

"She did not even know Lord Jagannath and yet she wants to rule our country," he thundered, adding that the Congress was largely responsible for spreading canards about Gujarat at the national and international level. "But the people of Gujarat will decide soon on whether they want Soniaji around or whether they want someone else," he said.

—http://www.asianage.com/main.asp?layout=2&cat1=1&cat2=22&newsid=19831

25 to 625: look Modi's counting

Today Narendra Modi moved from Hum paanch, hamare pachees to Paanch na pachees ane pachees na 625, which roughly translates into "from five to 25 and from 25 to 625."

-By Milind Ghatwai

Navsari, September 22: Gujarat Chief Minister Narendra Modi's concern over the country's exploding population has no communal angle. That it has become such a recurrent theme in his Gujarat *Gaurav Yatra* is nothing diabolic. Today he moved from *Hum paanch, hamare pachees* to *Paanch na pachees ane pachees na 625*, which roughly translates into "from five to 25 and from 25 to 625."

But, Modi clarified during the Chikhli leg of the *yatra* today, his newest remark wasn't directed at Muslims, rather, at those who "who didn't believe in family planning."

"There was a hue and cry over my statements at Becharaji but they still could not find the tapes," Modi taunted reporters sitting with the crowd. "Now, journalists, especially those with tape recorders, should listen and tape carefully." There was a long, theatrical pause, which was spoilt somewhat by a cow that ran in front of his *gaurav rath*. When Modi finally spoke, he said the population had to be kept in check to ensure that every child to get proper education, and that the Congress was "not taking any responsibility" because of "votebank politics."

"In 5,000 years until independence, we were only 30 crore. But during the Congress regime, the population shot up to 100 crore," he said. "There were no means of entertainment earlier, but why should the population rise today? When so many children are produced, they grow up to become cycle repairers or pick-pockets."

The only time Modi ever named any community directly was at Khergan, which he visited earlier in the day. There, he said Bohras had fewer education facilities and that their youth aspired at best to become bus conductors. "Why can't they think of becoming doctors or engineers?" he asked. And answered the question himself: "Because the Congress does not want them to come forward. When Ehsan Jafri called up Congressmen for help, none of them came forward."

At Chikhli, Modi repeated a point made earlier at Becharaji as well: "The BJP is not ruling in China but the country has introduced family planning. My utterances about family planning have been given a communal colour. If something is wrong, it is wrong. I don't know why the Congress is interested in increasing population. Probably to increase slums."

At his next stop at Bilimora, he targeted "*Godhrana papiyo*" and the Congress. "The train carnage accused are supplied chicken biryani and other delicacies in jail by people close to the Congress," he said.

At Gandevi, "*Miya* Musharraf" came under attack yet again.

"He called us Hindu extremists. If Hindus were extremists, Pakistan would have been wiped

out off the map," he said to thunderous applause. "India has one and a half times more Muslims than Pakistan. Unlike the minorities in Pakistan, they feel safe in India." And "*Itali na chasma*" became "*Itali ni goli*" as he wondered why the Congress did not criticise Musharraf for mentioning Gujarat to the United Nations General Assembly.

When reporters later questioned Modi on why he linked Abu Salem's arrest with Friday's violence in Vadodara, he said he had received intelligence reports that trouble began almost immediately after news of the gangster's detention in Lisbon trickled in.

—*http://www.indian-express.com/full_story.php?content_id=9999*

Gujarat govt links violence to Abu Salem's arrest; Modi's charge shocks Muslims

By Nandini Oza

DH News Service

Vadodara, Sept 22: Jehangir Pathan, the father of 16-year-old Altaf Pathan who died in police firing on Friday, is too shocked to speak. But more than what happened to him during the Lord Ganesha procession, his neighours and fellow Muslims are traumatized by caretaker chief minister Narendra Modi's statement and police commissioner D D Tuteja's assumption that don Abu Salem's arrest sparked off the violence.

As Altaf's family mourns his death on the third day, Muslims of the Machhipeeth area where he was shot angrily ask as to what connection they have with Salem.

Perturbed over what happened, the residents have shot off letters to the President and the police commissioner demanding action against a police constable, who they allege ordered the firing. Altaf had gone to buy grocery for his store. When contacted, Mr Tuteja said he has handed over the inquiry to a senior officer. Regarding the Salem connection, in a turnaround from Saturday's statement he said it was just a hunch.

On Saturday, soon after Mr Modi linked the Vadodara riots with Salem, Mr Tuteja too followed suit. On Sunday he said the violence may have something to do with a meeting on April 27 when 18 leaders came and reportedly gave instigating speeches.

The violence is believed to have been sparked off from near the same mosque. Had the police not exercised restraint, the situation would have worsened, he said, explaining that 12 policemen were injured. Demanding that even Dawood Ibrahim should be shot dead in public, 70-year-old Haji Sabir Patel, a local leader, wonders how Fatehpura can have a strong link with Salem.

If violence had to occur it would have occurred in Mumbai, the residents say. Violence started from Fatehpura. Expressing concern that the Quran was also damaged in one of the mosques in the city, another resident Arif Malek maintains that if Muslims had to indulge in violence they would have done so during the Jagannath *Yatra* earlier this year.

Malek, an eyewitness to the Machhipeeth incident alleges that Hindu youths, who were taking out the Ganesha procession, were shouting vulgar anti-Muslim slogans. Shops owned by Muslims were looted and within minutes stone throwing began followed by police shooting at Altaf and one Mustaf, who is undergoing treatment at SSG Hospital. Incidentally, the Muslims had observed a curfew on Friday.

Another Muslim student of Macchipeeth considers Mr Tuteja's statements as baseless and says the news of Salem trickled in around 5 pm and violence began in Fatehpura town immediately. The People's Union for Civil Liberties and *Shanti Abhiyan* have strongly condemned statements by Mr Modi and Mr Tuteja saying that it reflects their prejudiced understanding. Jagdish

Shah of the organisation alleged that such a statement clearly indicates Mr Modi's "fascist" leanings.

Meanwhile, the situation is peaceful in Borsad where police had to lob teargas shells to control the two communities who indulged in stone throwing late on Saturday night. This is one of the latest which has plagued Gujarat. Recently chief minister Narendra Modi alleged to have made damaging remarks against minorities.

—*http://www.deccanherald.com/deccanherald/sept23/n15.htm*

What Modi Said At Becharaji (Transcript of Narendra Modi's speech)

19 September : "Should we run relief camps? Open child producing centres?"

On September 9, the Gujarat *Gaurav Yatra* rolled into Becharaji, where chief minister Narendra Modi delivered his by now infamous *Hum paanch, hamare pachees* speech. This is the speech that the National Commission for Minorities (NCM) now wants a text of for its apparently inflammatory content. And this is the speech that the Gujarat Government claimed that it had been unable to trace a copy of—Modi's principal secretary P K Mishra had earlier told *The Indian Express*: "Since the government has neither any tapes nor a transcript of the CM's speech, it is not in a position to send the same to the NCM." Excerpts from a translation of an audio recording of the speech, courtesy *NDTV*:

"Power hungry people are out to defame Gujarat. At such a time, the five crore people of Gujarat will gain strength from the blessings of Becharaji to build tomorrow's glorious Gujarat.

"We are dubbed *Hinduwadi* because we have allocated Rs. eight crore towards the development of Becharaji. Is it our fault? Are we communal?

"The Congress also accuses me of bringing the Narmada waters to the Sabarmati river in the month of *Shravan*. But the dam has already been built... I want to ask the Congress, why do you object if people on the banks of the Sabarmati derive spiritual peace through the Narmada waters brought in the month of *Shravan*? When you come to power, you are free to bring water during Ramzan.

"When we allocate funds for Becharaji, they do not like it. And if we bring Narmada waters in the month of *Shravan*, then too they say they dislike it. So what should we do? Do we go and run relief camps? Should we open child producing centres?

"We want to firmly implement family planning. *Hum paanch, humare pachees* (We five, our 25) (laughs). Who will benefit from this development? Is family planning not necessary in Gujarat? Where does religion come in its way? Where does community come in its way?

"The population is rising in Gujarat, money isn't reaching the poor? What's the reason? They make a beeline, fix cycle punctures *(Audience laughs)*.

"If Gujarat is to be developed, then an economic system has to be developed where every child born in Gujarat gets education, manners and employment. And for this, those who are multiplying population at a rapid rate will need to learn a lesson. If we object to population growth, then too they dislike it. Will someone please tell me is there any (such) country in the world? Is there BJP rule in China? Yet, China has enacted laws to control population growth. *Arrey*, what does religion have to do with this?

"We talk of *madrasas*. *Madrasas* have flourished in Gujarat. A child has a right to primary education. But a child going to a *madrasa* is deprived of primary education. What will such a child do once he grows up?

"Those who have got no education, and got only religious education, would they not become a burden on Gujarat?

"We started thinking about *madrasas* in Gujarat. When we express concern over *madrasas*, they call us communal. Why? The Communist government in West Bengal applies laws in *madrasas*, curbs their activities, and it is still secular? And if we try to regulate *madrasas* in Gujarat, we are dubbed as communal? After all, any institution has to be regulated.

"If Gujarat needs peace, a long-term plan has to be drawn. The merchants of death will not be allowed to run their activities in Gujarat as they like.

"And as I sit here at this seat of strength, standing at the feet of mother Becharaji, I want to assure you that the high seat (of power) may go today or tomorrow, but I will not allow the merchants of death who want to destroy Gujarat and harass the innocents to settle here.

"Gujarat needs prosperity, it needs peace. Gujarat is forging ahead on the unity and strength of its five crore people. The days are gone when Dawood Ibrahim sitting in Karachi could instruct the merchants of death here and Gujarat could be set on fire. We will not allow this.

"What for? For power? Power may go today or tomorrow. We have not applied Fevicol on the chair. We are sitting at the feet of the people of Gujarat. If people feel we are performing, they will welcome us, otherwise they will throw us out.

"If the Congress is afraid of going to the people, then they should come out openly and say that since they are sure of their defeat, the election should be delayed. Indira Gandhi had done it too. You do it, who's stopping you?

"But no, they abuse Gujarat and Gujaratis instead. If you abuse Gujarat, that is not acceptable to us. Come out openly and give us a fight if you are strong enough. Why do you escape instead?

"It is I who has been defamed. Yet, I am ready to go to the people. You go straight to Italy, plead with the Election Commission to stop polls. But we are not like you, we are proud of approaching the people. We take pride in applying the dust from people's feet onto our foreheads.

"Italy's daughter has insulted Gujarat and its five crore people. The land of Sardar Patel is insulted. This has got to be explained. Sanjay (Gandhi) was only Maneka's husband. Yet, it is his *samadhi* that lies in Delhi, not that of Sardar Patel. The Congress is out to erase Sardar Patel's name, but beware."

—*http://www.indian-express.com/full_story.php?content_id=9714*

Seers' meet calls for protection of temples

Times News Network

Rajkot, Oct 18: A *Sants' Sammelan* organised here on Thursday by the Vishwa Hindu Parishad has called for serious action to protect temples all over the country. *Sants*, in some no-holds-barred speeches, called upon Hindus to unite and give a befitting reply to the attack on the temples in the country.

The *sammelan* also received political acceptance with the participation of senior BJP leaders, including Union minister of state for heavy industry Vallabh Kathiria, former minister Vajubhai Vala, senior leader Chiman Shukla, Vijay Rupani and a host of other BJP leaders.

The *sants'* meet also unanimously passed a seven-point resolution which included handing over of the Ram *Janmabhoomi* complex to the Hindus, curbing terrorist activities in Gujarat, saving Jammu and Kashmir from disintegration and creating awareness against *Jehadi* elements.

VHP international general secretary Pravin Togadia said "time was ripe for forming a separate army of Hindu youths who would protect the religion from attacks by the *Jehadis*."

VHP president Ashok Singhal, who also attended the *sammelan*, said: "Religion alone can unite Hindus, as no amount of political planning can bring Hindus under one umbrella."

— *http://timesofindia.indiatimes.com/cms.dll/articleshow?artid=25511906*

Thackeray for suicide squads of Hindus

Mumbai, Oct 15: Shiv Sena supremo Bal Thackeray favours the formation of suicide squads among Hindus to take on the menace of terrorism.

"If such suicide squads are formed only then can we take on perpetrators of mindless violence", Thackeray said in party mouthpiece *Saamna* here on Tuesday.

The Sena chief, in his Dussehra message, exhorted people to be bold as he lashed out at state and Central govenments for failing to effectively counter the scourge of terrorism.

Meanwhile, following intelligence reports that Jaish-e-Mohammed militants have sneaked into the metropolis, unprecedented security has been deployed at Shivaji Park in central Mumbai, where Thackeray is scheduled to address the annual Dussehra rally in the evening, according to highly placed police sources.

Rapid Action Force and State Reserve Police personnel would be deployed around the venue while armed policemen would be posted atop many of the buildings around the sprawling ground.

Similarly, the route from the Sena chief's residence in suburban Bandra to Shivaji Park will be heavily guarded, sources added.

—*http://timesofindia.indiatimes.com/cms.dll/articleshow?artid=25248436*

VHP decides to form suicide squads; Thackeray's call touches home base

By A Staff Reporter

Taking a direct cue from Shiv Sena chief, Mr. Bal Thackeray's Dassera exhortation, the Vishwa Hindu Parishad has decided to form Hindu 'suicide squads' in Mumbai and Navi Mumbai.

The Navi Mumbai unit of the VHP yesterday had a special meeting to discuss the matter and has decided to form such groups of 20-25 youth who will be responsible for working against the evil designs of terrorists.

Expressing solidarity with Mr. Thackeray's views, the VHP and Bajrang Dal have sworn their active support to the formation of such squads. Mr. Thackeray clarified that he had not expressed his ire against the minorities but was firm about taking on anti-national Muslims. The Hindu outfits declared their readiness to go ahead with any instructions coming from him.

Yesterday's meeting at Navi Mumbai was attended by VHP Navi Mumbai unit chief, Mr. Pravinbhai Jain, and other office bearers like Uddhavrao Kharade, Yashwantrao Jadhav, Ramesh Patil and Bajrang Dal leader Kiran Vyavahare.

Meanwhile, Shiv Sainiks disrupted a religious meet organised by Shankaracharya Swami Narendranand Saraswati at Wagle Estate, Thane, after he spoke derogatorily about Mr. Thackeray to journalists at a government guest house. The Shankaracharya had said that Mr. Thackeray did not have any genuine love for Hinduism and only indulged in publicity stunts. This hurt the sentiments of the Sainiks and they stormed the religious meet and forced its closure.

—*http://www.cybernoon.com/news/news1.htm*

The text of Dr. Togadia's speech

(This is the speech that VHP international general secretary Praveen Togadia made on Saturday at Lodia village—the epicentre of the earthquake in Gujarat's Bhuj district—in the presence of State Industry Minister Suresh Mehta and Animal Husbandry Minister Devanand Solanki. Excerpts from the speech, which was first reported by The Indian Express, as recorded on tape).

"When I came here, some friends told me that some organisations have requested that I should not say anything that will offend their feelings. Now they dictate to us what we should say. But my question is, don't you offend us?

"At Bhimasar police station, a complaint has been lodged. An 18-year-old boy was taken to Radhanpur six months ago and made a Muslim. If you do this, doesn't this offend us? We don't offend anybody's feelings. But here our feelings have been hurt. Have you agitated against this?

"When you attack our Akshardham, does not this offend our feelings? When you burnt people alive at Godhra station, does this not offend our feelings? When you destroy our Somnath temple, does not this offend our feelings?

"When the so-called Babri Masjid which was, in fact, a Hindu temple was destroyed, Muslims became unhappy. They (Muslims) clamoured that Hindus had destroyed the *masjid* which was a Hindu temple. Here, were your feelings not hurt? They were. When Babar destroyed our Ram temple 450 years ago, were we not hurt then? When you burnt people at Godhra station, we have to respect your feelings. When you create bloodshed at Akshardham we have to respect your feelings, but should you not respect our feelings in such incidents?

"This type of mindset has produced the offspring of Gazni in this country. We have always lived peacefully for ages. Do you find any clash between the Parsees and Hindus? Is there any conflict between Hindus and Jews? Is there any fight between Hindus and Buddhists? Do you find any clash between Hindus and Sikhs? Why then there is conflict with some Muslims?

"When a survey conducted by the *India Today* magazine asked Muslims whether Mohammad Gazni, Aurangzeb and Jinnah, who was unfortunately from Gujarat, were among their heroes, one-third of the 12 crore Muslims gave an affirmative answer. How we can have a rapport with you when you have this mentality? They certainly cannot be our heroes. If you still think that your feelings are hurt, then you should go to Pakistan. If you have to live in this country you have to respect the feelings of Hindus. We have never hurt your feelings, you have. You are still doing it.

"A well known Mumbai-based authority on Islam, Rafiq Zakaria, has written that only *jihadis* opposed Muslims. Of late, there is seen some protest against this mentality in some Muslims. Zakaria clearly says that Hindus are not at fault here as it is work of only *jihadi* Muslims.

"I will give you an example of a village near Viramgam where there was communal harmony between Muslims and Hindus who greet each other with '*Ram Ram*' and '*Salaam Valekum*' for ages. But then came a *maulvi* from Uttar Pradesh. One day, on a Friday, a Muslim did not greet Hindus. When the Hindu villagers asked the Muslim villagers for the reason behind this sudden change in behaviour, they were told that the *maulvi* had told them not to wish *kafirs* on Friday.

"When the Godhra incident took place, the so-called secularists of this country did not condemn it the same day. Those who disrupted Parliament for a whole month on the Ram *mandir* issue didn't raise this issue in Parliament. Then, the communal violence began from February 28. First, the puppies of Gujarat made noises and started barking. When it was felt that this noise would not do, dogs from all over the country started coming here. Some came

from Lucknow, some came from Kerala. Then we heard that a dog from Italy also made the rounds here.

"There has been browbeating in Gujarat to delay the elections so that Hindu votes get divided, so that people of Lohana community vote for their community candidates, so that the Darbars, Patels and Brahmins do the same. So that the supporters of *Miya* Musharraf could rule here. Should we permit companions of *Miya* Musharraf to rule here?

"Therefore, never vote on the basis of caste. Vote on the basis of religion. If you do not vote on the basis of religion, there cannot be unity among the people of Gujarat.

"You think that Hindus could be suppressed with bomb explosions or violence? We are five crore Hindus in Gujarat. If 50,000 Hindus get killed in a terrorist attack, the five crore figure will not get smaller. If you people who number 50,000 die, no one would be left here from you.

"Our Soniaben is imported from abroad. But Muslims of India are not imported. Indian Muslims are converted Muslims. Therefore, Soniaben is a foreigner to us but Muslims are not.

"Since the forefathers of Muslims are Hindus, how can the blood of Arabia flow in their blood? I advise all Muslims to get themselves tested for their Hindu origin. I request Indian Muslims to get their genetics tested. The blood flowing in their blood vessels will be found to be not of Prophet Mohammed but of Lord Rama and Lord Krishna. If it is proved that you have the blood of Rama and Krishna, then how can there be any dispute with you? It is you who are in conflict with us. If in the name of Prophet Mohammed, you pray in a mosque, we have no objection. But if you talk of *jihad*, it is not acceptable to us.

"Gujarat is not the right place for *jihad*. You cannot harm Hindu religion and culture by *jihad* because Hindus have the tradition of wearing a garland of flowers. But our Hindu deity wears a garland of human heads, we feel we wrongly adopted the tradition of wearing a garland of flowers."

Annexure 11
Hate Writing

C. G. ROAD SHOP OWNERS' ASSOCIATION

C. G. ROAD AHMEDABAD – 380009

This is to inform all the traders of the C.G. Road Shop Owners' Association that today, i.e., 4-4-2002 office bearers of the **Vishwa Hindu Parishad** and the office bearers of the **Bajrang Dal** Mr. Chinubhai Patel and Harishbhai Bhatt with their members met us personally. During the visit, the current Gujarat situation was discussed. Since the visit was unexpected, we listened patiently to the officers of the **Vishwa Hindu Parishad** and the **Bajrang Dal**. After the discussions and before taking any decisions, we planned to hold a meeting with you. The meeting will be attended by the important traders of C.G. Road and the officers of the Vishwa Hindu Parishad and the Bajrang Dal.

We hope that we will all combine our efforts and take an appropriate decision.

Place of meeting

Place : Hotel Nalanda, Mithakhali Chha (six) Roads

Time : 04.31 P.M. Date : 06-04-2002 (Saturday)

Your well-wishers,

For C.G. Road Shop Owners' Association,

Your life is in danger — you might be killed any time!

Lord Shree Krishna told Arjun: 'Lift your weapons and kill the non-religious.'

The lord wants to tell us something also....

Dearest soul brothers,

Namaste! I have come to meet you in solitude. I want to talk to you about something very important and serious. I expect that you will never forget this meeting. You are a very important and responsible person of this country and your life is valuable. There is a great danger to your life and that of your family. I have to come to warn you.

In the secure and safe Hindu localities in spite of security guards outside how safe are you in your bungalows? The traitorous, terrorist Muslims will come in truckloads, kill the guards and then enter the bungalows. They will kill you in your bedrooms and drawing rooms. Today lakhs of Hindus are afraid of this happening and those living in *mohallas* stay up all night in groups to guard us. How many people can the army and the police protect at a time?

I am not talking about thousands of years ago — just 53 years. In 1947, first in Sindh province, then in Punjab and Bengal, they attacked Hindu bungalows and killed about 15 lakh Hindus cruelly

and without any pity. This is a historic fact and it can be repeated today. Then, how safe are you and I in our own homes?

In 1947, the Muslims living in this country of Hindus said that Hindus and Muslims are different nationalities, different people. Their religions are different, their culture is different, they have different places of worship and pilgrimage, tradition, language, dress, festivals, diet, beliefs, etc. So we will not be able to live with you in one country, so cut up the country and give us Muslims a separate Islamic nation and we gave them a Muslim country, Pakistan.

In 1915, Mahatma Gandhi returned to India from South Africa. The whole country accepted his leadership. This man of international stature and the Congress tried very hard to unite the Hindus and the Muslims. What was the result of their efforts? Did the Hindus and Muslims unite? Certainly not! The Muslims responded by demanding a separate country and broke up India. Pakistan is a monster born out of the efforts of Gandhiji to unite Hindus and Muslims.

If a world leader like Gandhiji could not unite Hindus and Muslims, then what can today's politicians do? Those who talk about Hindu-Muslim unity are deceiving themselves and are misguiding crores of Hindus. There is no similarity between Hindus and Muslims and they do not think of India as their country. It is not possible to unite with those who call India a witch and oppose *Vande Matram*. Hindu-Muslim unity and brotherhood are deceptions, hallucinations and this can be proved by the Muslim history of the last 1,400 years.

In 1947, the Muslims snatched away all of Sindh and half of Bengal to create Pakistan, a Muslim country. 20% Muslims took away 30% of the land, and chased out of the country 2 crore Hindus, who owned about Rs. 80,000 crore of assets and business, empty-handed.

At the time of partition, in towns like Lahore, Islamabad, Dhaka, Peshawar, Hyderabad and Karachi, they went around shouting '*Allah-o-Akbar*!', '*Pakistan Zindabad!*' and 'Kill the non-believers!' while carrying sticks, swords, knives and lighted torches, raped lakhs of our Hindu mothers, sisters and daughters and then killed them. To preserve their virginity many women jumped into wells or into fires. About 15 lakh Hindus were killed cruelly and Hindus were wiped out in their own country. The land turned red with the blood of Hindus and rivers of blood were flowing.

How many Hindus know that one-third of our land was taken away to create Pakistan? How many know that 15 lakh of our predecessors were killed? If a nation forgets its history it is doomed to live it again. 'History repeats itself.'

After breaking up the nation and creating Pakistan, the Muslim population in the country has again reached 16 crore. They do not believe in family planning. They are permitted to have four wives by the Congress and the Constitution. Their population is exploding and this is their one-point program. The day their number reaches 25% to 30%, the condition of the Hindus is going to be very bad.

In Pakistan, the status of the Hindus is not just second class — they are slaves there and that is going to happen to the Hindus in India. They will use their numbers and their weapons to create several Pakistans in India, proclaim India as a Muslim nation and hoist the green flag of Islam on Red Fort.

Laden alone gave America a taste of terrorism killing almost 5,000 Americans. All the Americans as well as the opposition supported Bush, while the politicians in the opposition in India are opposing POTO in the hopes of Muslim votes. From a distance of 8,000 miles, America attacked Afghanistan and killed 10,000 Afghan Muslims while India is fighting Mus-

lim terrorism and harassment for the last 1,300 years.

America found Laden alone too much whereas we have in our lanes and by-lanes thousands of Ladens, Dawoods, Latifs, Imam Bukharis, Syed Shahabuddins and two lakh *mullah-maulvis* who poison one lakh *madrassas* and mosques day and night with terrorist activities. Organisations like SIMI, Lashkar-e-Toiba and ISI, with the support and help of Pakistan, are carrying on terrorist activities. They train lakhs of terrorists in thousands of institutions. They have formed an army of single, unemployed Muslim youth of India by paying high salaries.

The terrorist and traitorous Muslims of this country get weapons from more than 50 Muslim nations to carry out their religious wars. They are supplied with AK-56 and AK-47 rifles, automatic machine guns, small canons, rocket launchers and several kilos of RDX.

The entire country is sitting on a heap of weapons and heading towards civil war and internal strife. When Pakistan attacks India, the Muslims living here will revolt. In 1947, they only had sticks, swords and spears but now they have modern weapons. They are plotting to kill crores of Hindus and we will be fighting these traitorous Muslims in every lane and by-lane of the country. If the Parliament and the Kashmir assembly can be attacked then what safety is there for the citizens of the country?

When the National Human Rights Commission's chairman, Justice Mr. Verma saw the melted window bars of the coach in which the *kar sevaks* returning from Ayodhya were burnt alive, he wondered what the condition of the people inside must have been. The women and children clung to each other to save their lives and they must have cried piteously in the flaming coach. About 58 *kar sevaks* were burnt in this land of Hindus.

One can understand if Muslims oppose construction of temples in Pakistan but how can one tolerate their opposition to the construction of Ram temple in Ram's own country? Do Hindus have to live at the mercy of Muslims in India also? Are Hindus still slaves of Muslims?

The Godhra incident is just one symptom of the cancer in this country. This cancer of terrorism has spread to the entire country. Godhra is only the trailer — the entire film is still to be seen. There is a plan to have several Godhra incidents.

To understand Muslims one must understand Islam. You will not understand it with just one or two instances — you will have to go deeper, to the roots. You will have to understand their history of the last 1,400 years. After the birth of Islam, in the last 1,400 years, the bigoted Arabs descended with a sword in one hand and the Quran in the other. They had only one condition — either accept Islam or die! About 10 crore people who did not accept Islam were killed and the inherent culture of the country was wiped out. They were proclaimed Islamic countries and the flag of Islam was hoisted there.

In our country, Aurangzeb, Babar, Humayun, Akbar, Chengiz Khan, Mohammed Gazni, Mohammed Ghori, Shahjahan and other rabid, murderous and dictatorial Muslim invaders and emperors ruled over us and enslaved us. In the last 1,000 years of Muslim rule in India, 2 crore Hindus were murdered by the Muslims who fought 10,000 battles and caused communal riots against Hindus. They killed two lakh *sadhus* and *sants*. They pulled down 5 lakh Hindu temples like those of Shri Ramjanmabhoomi, Ayodhya, Shri Krishnajanmabhoomi, Mathura, ShriKashivishwanath, Benares and Shri Bhagwan Somnath, Gujarat, and built mosques in their place. Crores of cows were slaughtered and lakhs of Hindu mothers, daughters and sisters were abused and raped. If we forget all this, then even god will not be able to save us.

It is written in the holy book of Islam, the Quran, that those who are not Muslims, i.e., Parsis, Jews, Christians, Buddhists, Hindus and people of other religions of the world are

kafirs (non-believers). Those who accept Islam should not be harmed but those who do not should be killed and slaughtered. If you kill such people, you will get the title of *gazi* and if you die fighting them, you will be called *shaheed.* All *gazis* and *shaheeds* will be taken by God to the seventh heaven and will be supplied with alcohol and fairies. This is their idea of heaven: alcohol and perversions.

The Quran exhorts all Muslims that if they are living in non-Islamic countries (*Dar-ul-harab*), they should fight religious crusades and make them Islamic countries (*Dar-ul-Islam*). "Fight the non-believers till the last drop of your blood because religious crusades are a Muslim's duty and their dream should be to establish Islam as the only religion worldwide flying the flag of Islam in all countries."

In the 1,400-year history of Islam, the behavior, thinking and language of Muslims has shown to all the people of the world that they have blind faith and are backward, violent, vicious, atrocious, unforgiving, uncompromising (inflexible), bigoted, vindictive and filled with hate. This is the real and naked face of Islam and the Muslims have been fighting Jews, Hindus, Parsis and the English for years.

As long as there is Islam in this world, there will be crusades — which means wars and killings, atrocities and genocide. Islam is not a religion, culture, tradition or a spiritual movement. There is no truth, non-violence, humanity, pity or love in Islam. It only preaches violence and atrocities. It is the plot of Arab Muslims to force itself on all the peoples of the world. To think of or call Islam as a religion is folly, a denial of facts. If you want to live then you have to assess their acts during 1,400 years of their history.

Hindus have now woken up, they are now one big family of crores of Hindus. Crores of Hindu hands have risen to combat the atrocities that the Muslims have handed down to us. The Hindu is not to be pitied any more or to be beaten up. If even one Hindu is bullied, crores of Hindus will react. They will come out and demand an eye for an eye. If we are attacked we will attack right back. The Iron Man, Sardar Patel, removed the mosque and graves built by Mohammed Ghazni after demolishing the Somnath temple and built a grand temple, which does the nation proud. In spite of Congressman Nehru's opposition, the then President, Rajendrababu, attended the ceremony for the construction of Somnath temple and gave it his full support. If Sardar Patel were alive he would erase the signs of slavery and build grand temples in Ayodhya, Mathura and Kashi. We must resolve to build these grand temples to make the wishes of crores of Hindus come true.

Even animals live for their young ones — we are born in India and it is our duty and responsibility to defend the country and religion and repay our debts to our motherland. If you want to live in peace and honour, unite! Every Muslim, no matter how poor, gives 5% of his earnings to the mosque for his religion. Hindu businessmen (industrialists) are kidnapped by Muslims, who demand lakhs and crores of rupees and many of us pay up the ransom out of fear. This money is used to buy weapons with which to kill Hindus. Every year, several Hindu girls are kidnapped by Muslim hoodlums and are married to them forcibly.

To solve these Islamic problems, each Hindu family will have to make sacrifices. A fixed part of his income will have to be given to Hindu groups — not just within your means but much more than that. We will not be able to survive if we do not unite. Only talking or wishing well or blessing will not be enough. Join up and give monetary donations. To give monetary help to Hindu groups is not donation or pity — it is an investment for our safety and security. Think only of the country and not of political party philosophies or traditional beliefs. Hindus

will demand explanations from those who favour Muslims for political expediency. The Jaichands and Amichands will not be spared by Hindus.

Vishwa Hindu Parishad is the generally accepted powerful group of Hindus worldwide including those in our country. About 250 workers in Gujarat have left their jobs and businesses to work full time for it and it has a presence in 7,000 villages. They run 350 one-teacher schools in forest areas besides hospitals, dispensaries, refugee homes, *ashram* schools and thousands of centres for *satsang*. There are rifle-training camps and the Bajrang Dal workers are given *trishuls* and taught to use them.

The Vishwa Hindu Parishad is protecting and uniting the Hindus in an untiring effort to make the country strong and safe. We expect a lot of monetary support. After the Godhra killings, many young men who tried to protect Hindus were killed and others were jailed under clauses 302, 307 and the Riot Act, and this is still going on. Their number is in thousands and they will stay in jail for a long time to come. They had no personal enmity towards the Muslims — they have suffered for society, religion and the country and now that they are in prison, it is our (yours and mine) duty to feed their families.

It is not enough just to show lip sympathy — you will have to come forward to support them and do our duty otherwise our (yours and mine) conscience will not forgive us, nor will society. When Mohammed Ghazni attacked Somnath temple, the 10,000 Brahmins inside were saying their rosaries. Mohammed Ghazni slaughtered them and destroyed the idols — he did this 17 times and killed lakhs of Hindus. The Muslims could enslave us for 1,000 years because we were not united. In 1947, when the country was partitioned, Pakistan was formed and lakhs of Hindus were killed. In Kashmir, since the last 10 years, lakhs of Hindu *pandits* have been killed and forced to leave and if we still do not come to our senses, even god will not be able to save us. Hindus have no option but to unite—otherwise they will not survive and we will be killed in broad daylight.

I repeat my question — what sacrifice are you willing to make individually? Become a member of Vishwa Hindu Parishad and donate. Otherwise, for a small section of society, the people will be tired of making sacrifices. We require strong support from you. Write a check in the name of Vishwa Hindu Parishad Gujarat right now, otherwise it might be too late. The Parishad is registered with income tax and charity commissioners so you can get 50% deduction under 80G. Vishwa Hindu Parishad is the group of crores of Hindu families. It is the security force for our safety, protection and tradition. Only a united Hindu society can bring peace to the nation and the world. Hinduism is patriotism and Hinduism is universal brotherhood. Proclaim with pride, 'We are Hindus!'

Send this letter to your neighbors, relatives, friends and traders and become a member of the Vishwa Hindu Parishad. Come to the Parishad office and meet us personally. Please reply to this letter.

I am writing this historic letter to you. I am making you aware of what is happening in the country after analysing history and assessing historic truth as well as the current situation, and warning you. Every time you read this letter, you will discover something new — a new aspect. I have come to make you sleepless. I hope that your mind, senses and conscience will accept this truth. The country that learns its lessons from history and plans its future accordingly always survives, while others are destroyed — etch this truth in your heart.

The life subscription for the Parishad is Rs. 2,000. The life subscription for Vishwa Hindu Samachar is Rs. 600. Donate Rs. 15,000 (rupees fifteen thousand) for each family of those arrested.

Give the traitorous Muslims a taste of patriotism by boycotting them socially and economically.

The Hindu who sees god in every particle worships truth, non-violence, love and peace. Without complete peace, the economic, social and spiritual progress of the country will end, people will fall prey to mental illnesses and the entire country will be pushed towards death.

Peace cannot be attained by begging: crores of united and powerful Hindus will be able to establish peace and security in the country.

Yours truly,
Your well-wisher
Chinubhai N. Patel
Vishwa Hindu Parishad state leader
Vishwa Hindu Parishad Office
Vanikar Smarak Bhavan, 11, Mahalakshmi Society
Mahalakshmi Cross Roads, Paldi, Karnavati.
Tel. 6604015, 6631365 Tel. (res.) 7454699

AWAKE, HINDU BROTHERS!

The time has come for the Hindu religion, which has been enslaved in spite of living in Hindustan. To date, all the governments have been supporting Muslims. These Muslims do not know that Hindu society has woken up and is in the process of sending all Muslims to Pakistan. Those Muslims who are against Hindus are all terrorists. Their chief bootlegger is Delhi's Shahi Imam Bukhari who is the main terrorist. Those Muslims who think VHP and Bajrang Dal are like mushrooms (cat's cap) should know that your Bukhari or Dawood Ibrahim or the Muslims of Pakistan or *Bharat* could never compare with Pravin Togadia or Bal Thackeray. All of you are like ants and insects in front of these two. The violence that erupted after the killings in Godhra is a warning to you Muslims that there is still time for you to go to Pakistan if you want to.

We do not want to leave a single Muslim alive in Gujarat. The people of villages as well as cities have now woken up and they are ready to take an eye for an eye {respond to stones with bricks}. To avenge murder {revenge for blood with blood} we will kill Muslims wherever we see them. Annihilate Muslims from *Bharat*. Muslims do not know that they are not fanatical Muslims. When there were kings, the Muslim kings forced our Hindu brethren to convert and then committed atrocities against them.

And this will continue to happen till Muslims are not exterminated. Therefore, it is necessary for our Hindu brethren to come forward. After the Godhra killings, only 10 per cent of Hindus have been enraged. Muslims should realise that only 10 per cent of Hindus have called for their annihilation. If the remaining 90 per cent also call for their annihilation then the name Muslim will not survive in Gujarat and the time has come to call for the annihilation of all Muslims. In many villages, this has already been done. Now the Hindus of the villages should join the Hindus of the cities and complete the work of annihilation of Muslims. The Muslims who consider the architect of *Bharat*, Baba Ambedkar, to be an untouchable, do not know that they are not even fit to be his footwear.

If Sardar Vallabhbhai Patel had been the Prime Minister of India, then not a single Muslim would have been in India. So, let all Hindu brethren know that the time has come to eradicate

the Muslim word from Gujarat. All Hindu brethren are requested to be ready to destroy Muslims without being afraid of any politician. Temples are searched to catch *kar sevaks* then why cannot the *madrassas* and mosques be searched for the arms of Muslims? People of villages and cities get ready and celebrate next Holi with the corpses of Muslims.

Let the supreme court say what it wants to
The temple will be constructed at that spot
Long live Hindu nation!

— Hindu *Sevak*

THE ONLY SOLUTION IS FINANCIAL BOYCOTT

Anti-national elements that are using the money they earn with our cooperation to weaken us. They buy arms and molest our sisters and daughters. The answer to these elements lies in

Financial Non-Cooperation Movement

Come! Let us resolve:

(1) I will not buy any thing from any Muslim shopkeeper.

(2) I will not sell my goods to these elements.

(3) Neither use these traitors' hotels or their garages.

(4) I will give my car to Hindus' garages only. From a needle to gold, do not buy anything made by a Muslim nor sell anything made by us to them.

(5) Boycott movies casting Muslim heroes-heroines. Banish films of traitorous producers.

(6) Never work in Muslims' offices and do not employ Muslims.

Such a stringent economic boycott will suffocate those elements and break their backs. Then it will be difficult for them to live in any corner of the country. Friends, start this boycott from today so that no Muslim will have the guts to lift his head before us and live. Have you read this newsletter? Then make 10 copies and distribute it amongst our brethren. He who does not follow this newsletter and does not distribute it to others—may he be cursed by Hanuman and Ramchandra. *Jai Shri Ram*!

— A true Hindu patriot.

Service Security Culture

Specially for Hindu Youth

Let Bajrang Dal ready its crossbow War is the only Salvation

50 years after independence it appears that Hindus are second citizens of this country. Religious conversions, infiltration, terrorism and bomb blasts have surrounded Hindustan. On the ostentatious stage of democracy, in films and in TV serials, Hindu philosophy and Hindu gods and goddesses are continuously being insulted. Not only in Kashmir, but all over Hindustan, it appears as if the Hindu is an outsider.

At present Hindustan is caught....

◆ 1 lakh Christian missionaries bring in crores of rupees from abroad and carry out conversions.

◆ The forefathers of 95% Christians and 90% Muslims were Hindus... because of conversions the Hindus are decreasing in number.

◆ Because of conversions the Hindus of the border *zillas* are becoming minorities.

◆ Instead of 3,000 there are 35,000 slaughter houses in India. More than 50,000 cattle are being slaughtered every day.

◆ From the country of Buddha and Mahavir, flesh is being exported instead of non-violence.

All over the country, you see anarchy and aimlessness because Hindu, Hindu culture, Hinduism and Hindu religion are being continuously eroded.

Islamic *jehad*, of which the world is fed up, has also targetted Hindustan.

◆ Whenever Pakistan has lost a war it has started a proxy war with **ISI** (its secret agency).

◆ "*Jehad*" is being carried out in order to establish an Islamic state in Hindustan.

◆ Fanatic organisations like Jamaat-e-islam, Tabligh movement, Student Islamic Movement of India (SIMI), and Ahl-e-hadis under the guidance of I.S.I., are carrying out anti-Hindu, anti-national activities on a war footing.

◆ Because of Islamic *jehad*, there isn't a single Hindu surviving in Kashmir.

◆ Because of the ISI, during the last several years....

29151 citizens have been killed
5101 security officers have been killed
61900 automatics have been found
51810 kgs. of explosives have been found

◆ There is a scheme of getting Hindu youth of Hindustan habituated to addictive substances.

◆ Counterfeit currency notes of Rs. 100 and Rs. 500 are brought into the country to destroy the economy of Hindustan.

◆ There is a scheme, openly carried out, to trap thousands of Hindu girls and put them in harems.

◆ Fanatical communal training is being given in nearly 80,000 *madrassas* against Hindus.

◆ Graves and *dargahs* are mushrooming on stations, dams, bridges and government land as well as in all important places.

◆ Nearly 300 Hindu temples have been pulled down even after independence.

◆ Most of the *zillas* near the border are without Hindus

Islamic *jehad* means annihilation of all Hindus
Islamic *jehad* means pulling down all Hindu temples
Islamic *jehad* means destroying Hindu religion
Islamic *jehad* means dividing Hindustan
Islamic *jehad* means destroying Hindu culture

Every young man must join Bajrang Dal today because....

◆ In Hindu Hindustan, the largest group of Hindu youth with lakhs of members is Bajrang Dal.

◆ It is Bajrang Dal's aim that Hinduism, Hindu religion and Hindustan can be victorious in protecting itself by fighting till mother *Bharat* is pleased.

◆ Bajrang Dal is the strength of the Hindus today. Since 1984, Bajrang Dal has been fighting on various fronts.

◆ Bajrang Dal saved more than one and a half lakh cows from the slaughter houses by celebrating cow protection year.

◆ Over the short period of eight months, Bajrang Dal has courageously saved more than 100 Hindu girls from the irreligious.

◆ In Gujarat's 3321 villages, Bajrang Dal is busily carrying on the good work of service, protection and unity.

- Make an army of 20 young persons in every village.
- Give physical training to the youth for self protection and protection of Hindus.
- Run playgrounds, gyms. or exercise schools.
- Once a week, either on Tuesdays or Saturdays, arrange (offerings) to Hanuman or group worship.
- Hanuman Jayanti Ø Valmiki Jayanti
- Martyr's Day on 2 November
- 14 August All India Memorial Day
- 6th December National Glory Day

Hindu youth....

Reply in the same language that is used for *jehad*.

— the arms that have risen for *jehad* should become servile

— do unto others as they do unto you....Hindus should become one.

Reply to *jehad* with **"crusades"**. For this, the young of every village will have to join Bajrang Dal. Arrange to donate *trishuls* in every village. Arrange seminars and public meetings explaining the terror of *jehad*.

Bajrang Dal is Hindu strength

Every youth should join Bajrang Dal immediately

Carry the *trishul*.

'*JEHAD*"

The people of Baroda and Ahmedabad have gone berserk
Narendra Modi you have fucked the mother of *miyas*
The volcano which was inactive for years has erupted
It has burnt the arse of *miyas* and made them dance nude
We have untied the penises which were tied till now
Without castor oil in the arse we have made them cry
Those who call religious war, violence, are all fuckers
We have widened the tight vaginas of the "*bibis*"
Now even the adivasis have realised what Hinduism is
They have shot their arrow in the arse of *mullahs*
Wake up Hindus there are still *miyas* left alive around you
Learn from Panvad village where their mother was fucked
She was fucked standing while she kept shouting
She enjoyed the uncircumcised penis
With a Hindu government the Hindus have the power to annihilate *miyas*
Kick them in the arse to drive them out of not only villages and
cities but also the country
Let the fuckers know that
The fucking of fuckers will not work.

INSTRUCTIONS FROM LOCAL LEADERS TO RSS MEMBERS

(1) Go to the temple twice a day in the morning and evening.

(2) Keep yourself ready to respond to your leader when he needs your help.

(3) When the army marches past, set off fire crackers.
(4) Dress in khaki pant, white shirt and cap and tie a string on your hand(wrist?).
(5) During meetings and various assemblies, move around to help each other.
(6) If they dare, get ready and shout.
(7) After every meeting, shout *shlokas* at least three times.
(8) Hold one meeting per week.
(9) When fighting the Muslims change the appearance of your neighbourhood so you are not recognised.
(10) Don't mount a frontal attack—attack from the back.
(11) Fight more at night-time.
(12) Try to live close to Muslims.
(13) Don't give the police a chance to catch you with weapons.
(14) When you work for the Muslims, don't accept labour compensation.
(15) If it is time for wages, then collect people around you on the pretext of searching.
(16) If you purchase anything from a Muslim shop pay only the cost price, not the profit.
(17) Don't give correct testimony to the police.
(18) Guard your temple.
(19) If you get any information, let your leader know in writing immediately.
(20) Every member should be trained to fight against ten people at a time.
(21) During a battle use any weapon to fight.
(22) When you do — (?) in Muslim houses have irregular relations with Muslim women so that you have the opportunity to increase Hindu population.
(23) Deform new-born babies of Muslims.

This was the nation of heroes, now it is filled with frightened people.
They escape from our control and the poor innocent is sacrificed.
If the Hindu youth is angered there will be a rain of shoes on their heads.
Hindu wake up now and chase away the Muslims.
Do you know that.....?

◆ The terrorist activities all over India are conducted from a *madrassa* in Akwada, Bhavnagar called Dar-ul-ulum, from where recently 12 truckloads of weapons have been found and the CBI has come from Delhi to investigate this.

◆ All No. 2 business such as spare parts, oil, grease, bogus billing, scrap, money laundering, smuggling, kidnapping etc. is done only by Muslims. They do not pay any taxes and live at our expense in our country and with our money in style and arrogance.

◆ They who used to buy goods from Hindus now prefer to buy from other Muslims even if it is expensive while the Hindu customer will buy from a Muslim for a small advantage.

◆ At the time of independence, the population of Hindus was 30% which has now gone down to 9% while the Muslim population has increased from 7 crore to 30 crore (an increase from 7% to 32%).

◆ From small villages to big cities, all the mosques have been painted at the cost of several crore of rupees.

◆ In all the *madrassas* the children are taught to be fanatical Muslims.

◆ Most of the politicians in the country are not concerned with the welfare of the Hindus. They are only interested in corruption and robbing the nation to fill their pockets; and play the politics of vote banks by favouring Muslims at the expense of Hindus.

◆ Each Haj traveller is given Rs. 22,500 to go for Haj while Hindus get nothing

The best solution to the burning questions above is this–

◆ Attack the Dar-ul-ulum *madrassa* in Akwada and destroy it.

◆ If you have any information about the No. 2 activities, immediately inform the sales tax, income tax, custom excise or collector's office or the nearest police station and get the goods confiscated.

◆ Deal only with Hindus whether it is a little cheaper or more expensive. Support only the Hindus in business and boycott the Muslims economically.

◆ Tell the children about the great people of our culture and create in them a sense of courage, heroism and enthusiasm; teach him to be a fanatical Hindu from childhood.

◆ Oppose the subsidy given to Haj pilgrims and demand that it be stopped.

Ask all politicians only what they are doing for Hindus. If he associates with Muslims, boycott him and teach him a lesson. Explain calmly to those Hindu traders who maintain close relationships with Muslims in the hope of cheap goods that this is wrong—then warn them and if they still don't listen, cause them as much economic damage as possible

MAKE AT LEAST TEN COPIES AND DISTRIBUTE THEM

On March 28, 2002 this group sent this alert along with the translated pamphlet to the President of India

Shri KR Narayanan, Hon President of India

March 28, 2002

We appeal that

◆ The President makes a call for restraint or a stop to Holi (*dhuleti*) celebrations in Gujarat;

◆ The President as Commander of the Armed Forces calls the Army to be on a red alert and be present at all sensitive locations tomorrow March 29, 02 in the state of Gujarat especially Ahmedabad;

◆ The President directs and ensure the preventive arrest of all those lumpen leaders (many of whom, unfortunately are elected representatives of the ruling BJP) who have been witnessed as leading the violence in Gujarat in the past month;.

◆ The President directs the removal of chief minister Narendra Modi and his cabinet who have failed in their basic constitutional obligations.

Teesta Setalvad **Javed Anand**

An extremely disturbing, inflammatory and seditious pamphlet (text included) is being distributed in hundreds of thousands in Ahmedabad city for the past 48 hours. It is calling upon the trained and armed cadres of the RSS, VHP, BD and BJP to indulge in more violence tomorrow, the day of the festival of Holi—March 29, 02.

It uses filth and abuse that reveals the mindset of the perpetrators of violence; it is anonymous so that authorship and responsibility cannot be pinned down in law and action not taken; moreover, past outbursts of systematic violence in Gujarat reveal that such pamphlets have worked their intent in furthering murder and destruction on the streets.

"From Vatva to Naroda, Bapunagar to Kalupur,

On 29th March there will be a call, take Ram's name and attack,

We will kill Muslims the way we destroyed Babri,
We will burn Jamalpur and empty Dariyapur,
Whether it is an old chawl or *miya's*, we will not leave you,
We *Hindustanis* swear we will seek you out and kill you,
This is the tradition of *Raghukul* and we never foreswear,
Let Sonia have dogs like Farroukh Shaikh or Haji Bilal,
We will treat them like Ahsan Jaffery,
Muslims have darkened the skies with the smoke from burnt shops,
We will cut them and their blood will flow like rivers."

(From the text of the pamphlet received by us enclosed as an annexure)

The record of the present government in provoking cadres for the first two days by calling the reaction to Godhra *swabhavik pratikriya* (understandable/natural reaction)and worst still, marginalising those IAS/IPS officers who have resisted political influences and performed their duties as enshrined in the Indian Constitution leaves little or no room for doubt that the **grim intent to further perpetuate annihilation and violence against the minority community** as enunciated in the pamphlet need not be an empty threat.

The President of India and the Chief Justice are called upon to respond to this state of affairs which is like nothing experienced by the Indian union before. In a desperate hope, the Prime Minister of India, Atal Behari Vajpayee and Home Minister L.K.Advani are also being appealed to— to honour their Constitutional Duty if not their Ideological Affiliations.

Instead of responding after death and mulilation have taken place, the Indian State — that still remains wedded to the Indian Constitution — must call for a restraint or stoppage to Holi (*dhuleti*) celebrations, call for the President as Commander of the Armed Forces to call the Army directly to red alert and be present at all sensitive locations and finally to ensure the preventive arrest of all those lumpen leaders (many of whom, unfortunately are elected representatives of the ruling BJP) witnessed as leading the violence.

Finally the occasion calls for the immediate removal of the chief minister of Gujarat, Narendra Modi and his cabinet and the handling of law and order by a machinery, unhindered by political affiliations.

The occasion demands an intervention by the President of India Shri K.R. Narayanan. The occasion also behoves interventions by the Chief Justice of the Supreme Court._

Teesta Setalvad **Javed Anand**

Text of Pamphlet

Wake up…. Get up…. Be united...
{Reply to bricks with stones}

Today the minority community is trying to crush the majority community. The Muslims should be ashamed that even after 50 years of independence they have not become *Hindustani*s, but they have no idea of the strength of the majority community.Muslims are traitors as compared to Hindus—the Godhra killings and the razing of the Sindhi market have proved this. Till now, Muslims were showing their treachery only in Kashmir, then they extended their activities to the Parliament in Delhi and now they have made a great blunder by challenging

Gujarat. Now the Muslims cannot be protected from the Hindus by either the police or the army—or the vote-seekers or the political parties who pamper them.

When India got her independence, there were 3 crore (30 million) Muslims in India. Now on the 50th anniversary, there are 35 crore (350 million). Understand…be warned…, in five to ten years they will be as many as us. Nobody is preparing a cricket team that (?army)…..that is being prepared by Pakistan.

Police and army, you also beware, you are also Hindus. You can also be attacked. You should also support Hindus. We Hindus support the police and the army fully.

My Hindu brethren, unite and form a Free Indian Army just like the one during the struggle for independence. Annihilate the enemy and lighten the burden of sin, which the country is carrying.

From Vatva to Naroda, Bapunagar to Kalupur,
On 29th March there will be a call, take Ram's name and attack,
We will kill Muslims the way we destroyed Babri,
We will burn Jamalpur and empty Dariyapur,
Whether it is an old chawl or *miya's*, we will not leave you,
We *Hindustanis* swear we will seek you out and kill you,
This is the tradition of *Raghukul* and we never foreswear,
Let Sonia have dogs like Farroukh Shaikh or Haji Bilal,
We will treat them like Ahsan Jaffery,
Muslims have darkened the skies with the smoke from burnt shops,
We will cut them and their blood will flow like rivers.
Free Indian Army is the union of Hinduism. Thousands of our brethren have joined it.
You also join and give your support to save Hindustan.
Thanks to Narendra Mody, we salute you, after Sardar Vallabhbhai Patel, a hero is born
Gujarat is proud and the glory of India is in your hands.

Every Hindu is requested not to stone the police or army. They are our brothers.

Reproduced here is the English translation of a pamphlet in Gujarati, which was widely circulated in Sanjeli town and its neighbourhood a fill month before the attack on the Muslims on August 12 and 15, 1998).

ONWARDS TO SANJELI!

Let's unite - to stop young, tribal women from being lured and kid napped. Let us unite to put an end to these unholy incidents of Hindu women being sold in Muslim countries - Let's respond to bricks with stones.

Onwards to Sanjeli! Public meeting Onwards to Sanjeli!
Date: July 7, 1998, Sunday afternoon, 3 p.m.
At Rein Bassera, Sanjeli
Leaders of the Vishwa Hindu Parishad and Bajrang Dal to address the meeting

A young, 18-year-old woman, Kanta, of Randhikpur, and another married Adivasi woman were seduced and kidnapped to some unknown destination by Muslim youths. We have no trace of them. This is not the first incident in our area. Whether it is Vandana from Bandibaar, or Ami and Surekha from Jhalod, or Varsha from Godhra. There have been innumerable such

incidents of kidnappings and disappearances. For months and years, our sisters and daughters cannot be traced. Apart from that, tragic incidents like the suicides of several elders like Magabhai Ninama keep happening in our society.

- **Hindu young women are kidnapped and Hindu elders commit suicide.**
- **Hindu population on the decline Produce more children by kidnapping young women.**
- **Add to Muslim population A widespread conspiracy to add to the numbers of anti-Hindu, anti-national elements is at work throughout the country.**

For the establishment of *Ram Rajya*, it was the people alone who came forward to help *Bhagwan* Ram. Now too, Adivasi brethren will have to come forward and unite to destroy this conspiracy.

When there is a weekly village market what do these Muslim loafers do? How do these Muslim loafers behave with Adivasi women going to the river for river sand? Pretending to help, do you know how these loafers tempt and lure young Adivasi women and their elders?

Without expecting anything from the police, the government, or any of the politicians who are only interested in securing our votes - come - let us save our sisters and daughters from the clutches of these yavanas (demons) who sell them to the Arabs.

Vishwa Hindu Parishad - Bajrang Dal - Sanjeli.

(Reproduced above are English translations of the pamphlets in Gujarati that have been widely circulated in Gujarat in the last few years. The Tribunal has on its record orginal copies of these pamplets in the Gujarati. What has been reproduced here are English translations of the same and published by Communalism Combat).

Annexure 12
Deputy Prime Minister LK Advani on Gujarat

ADVANI GIVES "BEST CM" CERTIFICATE TO MODI

From Jal Khambata

New Delhi, 24 July 2002: Going a step further from previous night's snub to the Opposition in the Lok Sabha that Chief Minister Narendra Modi needs not their "certificate" but that of the people of Gujarat, Deputy Prime Minister Lal Krishna Advani on Wednesday told the Rajya Sabha that Modi has turned out to be "the best Chief Minister in the last half century."

His certificate of the "best Chief Minister" was based on his contention that Modi had "sternly" dealt with the communal violence with a firm hand, proving himself to do the best possible under the given conditions.

Advani was replying to a short-duration debate on the Gujarat situation that had begun Tuesday noon and continued for most part of the day even as the Lok Sabha was adjourned for the day in memory of Congress member Atmaram Patel from Gujarat who died on Tuesday.

The Opposition staged a walk-out protesting that they did not want Advani's certificate for Modi but they had expected his response to the debate issue as to what steps had been taken by the Government in pursuance of the motion adopted by the Rajya Sabha on May 6 to intervene in Gujarat under Article 355 of the Constitution of India.

Braving repeated interruptions and noisy scenes, Advani asserted that the conditions in Gujarat were quite conducive for holding elections and there was no reason for the Centre to intervene any further under Article 355 or Article 356.

He also sought to allay the Opposition's fears that the minority frightened by the communal violence may not be able to exercise their franchise if the polls were held soon before the situation normalises. He said the Centre stands committed to ensure free and fair elections in the state. The Opposition was, however, unimpressed as members interrupted to accuse the Government trying to capitalise on the communal violence in Gujarat.

Meanwhile, the Congress criticised Advani for "continuing to glorify his protege hardcore Modi and his discredited regime." His "certificate" of the best CM bestowed on Modi was "shocking" as it was based on an absurd claim, party spokesman Anand Sharma affirmed at the daily Press briefing.

As the country's Home Minister, Advani was supposed to have a balanced view but he seems to have lost his balance "by treating his disciple (Modi) even above the Constitution," Anand said, adding that it was true that there had been no Chief Minister in the past 50 years

who had presided over a regime with perceived complicity in the communal carnage.

Anand Sharma said the same Advani had said just two weeks ago in Ahmedabad that the situation was not normal and the fear and insecurity among the people persists on account of the communal violence that rocked Gujarat. His new stand that the situation was conducive for the polls, Sharma added.

Advani praises Modi's Gujarat Gaurav Yatra

15 & 16 September, 2002: Deputy Prime Minister Lal Kischenchand Advani on Sunday gave Gujarat Chief Minister Narendra Modi a 'pat on the back', while praising his much-criticised Gujarat *Gaurav Yatra* saying it was the 'need of the hour', and the popular response to it was unnerving the opposition.

"When the opposition parties denigrate Gujarat as 'Godse's Gujarat', the need for restoring Gujarat's *gaurav* [honour] is all the more important," he said addressing office bearers in a meeting of the party in New Delhi.

Describing the *yatra* as a 'highly successful programme', Advani said the party must now work to ensure that its *Gaon Chalo Abhiyan* [Go to the village campaign] and the proposed December rally in the capital also turns out equally successful.

Referring to the criticism of Modi within the party, he cautioned the members to be careful and maintain unity. "As a ruling party, we are under the microscope. Therefore, our political behaviour must strive for idealism," he said.

The criticism surfaced when Gujarat revenue minister Haren Pandya had resigned from the state Cabinet following differences with Modi, which was later sorted out with central intervention, even as Modi's predecessor and poll campaign in-charge Keshubhai Patel had recently stated that elected legislatures would chose their leader as against the projection of Modi as a chief ministerial candidate.

Advani has been taking active interest in party affairs of late, following the BJP's debacle in Uttar Pradesh, Uttaranchal and other places and made changes in the party, including the change of leadership and rejuvenation of the organisation at the state level.

The deputy prime minister said that in the last three months, a new sense of confidence has grown in the party. "The party's activities, its zonal conferences, the political programmes, have made the opposition jittery. The hostility of the opposition is the result of the successful programme of the BJP," he said.

— *http://www.rediff.com/news/2002/sep/15adv.htm*

Gujarat a blot, admits Advani (*excerpts*)

London, Aug. 22: ...Mr Advani, who is on his trip abroad after being elevated to the post the deputy prime minister, also said, "If all the countries in Europe can put aside their differences and come together, then why can't Indian Pakistan and Bangladesh do the same."

The deputy prime minister described the Gujarat violence as an indefensible issue. "Gujarat is a blot on the government. It is something indefensible. I just cannot defend it. We (Prime Minister Atal Behari Vajpayee and Mr Advani) were outraged and shocked by the violence."

... The deputy prime minister unveiled a bust of India's Iron Man, Sardar Vallabhbhai Patel, at the Indian high commission on Wednesday. Speaking in chaste Hindi, he described how Sardar Patel integrated the 500-odd princely states into India after Partition.

In the background, meanwhile, a group that had gathered outside the Indian high commis-

sion building in central London held placards and shouted slogans against the deputy prime minister, blaming him and the BJP for the recent riots in Gujarat. The protesters were from organisations such as South Asia Solidarity, India Muslim Council UK and South Asia Watch.

Inside, Mr Advani dismissed reports that Sardar Patel was anti-Muslim, and quoted scholar Rafiq Zakaria and Jai Prakash Narayan to illustrate. The bust was donated by the Sardar Patel Memorial Society in London.

Later, addressing a select group of guests at the high commissioner's residence here, Mr Advani praised NRIs for their contributions in their adopted countries. He used his skill as a good storyteller to show how Indians abroad excelled in their professions. Mr Advani also reflected on how cynicism hampered progress in India and urged people to be positive in their attitude.

— *http://www.asianage.com/main.asp?layout=2&cat1=1&cat2=22&newsid=16438*

BJP can no longer claim providing riot-free Govt: Advani

Press Trust of India

Bhopal, September 04: Deputy Prime Minister LK Advani on Wednesday said because of the violence in Gujarat after the Godhra incident, the BJP can now no longer claim that it always provided riot-free Governments.

Advani said before the Gujarat incidents, he had claimed both in Parliament and outside that no violence ever took place in states, ruled by BJP.

"But all this has now changed because of Gujarat," Advani said in his address on the opening day of the two-day meeting of BJP MLAs and office-bearers from Madhya Pradesh, Chhattisgarh, Maharashtra and Goa.

He said the Vajpayee Government at the Centre had done excellent work since 1998 and urged party workers to tell people all over the country about its achievements in various fields.

— *http://www.hindustantimes.com/news/181_58871,00080004.htm*

Annexure 13
VHP 'Proud' of Targeted Violence

(This interview appeared on March 12, 2002)

It had to be done, VHP leader says of riots

Sheela Bhatt in Ahmedabad

In a startling revelation, Professor Keshavram Kashiram Shastri, 96-year-old chairman of the Gujarat unit of the Vishwa Hindu Parishad, told *rediff.com* that the list of shops owned by Muslims in Ahmedabad was prepared on the morning of February 28 itself.

Shastri was replying to an allegation that shops in Ahmedabad were looted on the basis of a list prepared by the VHP in advance and that the violence was not a spontaneous outburst against the carnage in Godhra.

A scholar of the Mahabharat and a highly respected literary figure of Gujarat, Shastri said in a tape-recorded interview, "In the morning we sat down and prepared the list. We were not prepared in advance."

Asked why they did it, he responded, "*Karvun j pade, karvun j pade* (it had to be done, it had to be done). We don't like it, but we were terribly angry. Lust and anger are blind." He said the rioters were "*kelvayela Hindu chokra*" (well-bred Hindu boys).

He said there were two reasons for the inactivity of the Ahmedabad police during the rioting. "They feared death," he said simply. "And some of them were Hindus who thought, let the mob do whatever it wants."

He agreed that the atmosphere in the city now is so charged that if he were to go to the Muslim-dominated Kalupur area of Ahmedabad, he would not come back alive.

He admitted that people had been burnt, mosques razed, and shops looted, but argued that all that had been done in a "frenzy".

Shastri agreed that violence was not the answer to violence, but remarked, "These things [*non-violence*] look good in the *shastras*. Our boys were charged because in Godhra women and children were burnt alive. The crowd was spontaneous. All of them were not VHP people. The Waghri community (a scheduled caste) didn't even know the victims of Godhra, but they have done an amazing job! They are not our members. In villages all these people who were angry are not our people. They are angry because *Hindutva* was attacked. This is an outburst, a tremendous outburst that will be difficult to roll back."

He said the situation could get aggravated and bigger riots were possible. "There will be a war," he said. "So much poison has spread that it's difficult o contain it now."

Asked how he, a scholar and a litterateur, could condone innocents being burnt alive, he remarked, "The youngsters have done even those things which we don't like. We don't support

it. But we can't condemn it because they are our boys. If my daughter does something, will I condemn it?

"We don't believe that the boys have done something wrong, because this was the result of an outburst. But we do feel that they should not have gone so far. But that's an afterthought. We needed to do something. It's said that snakes that are not poisonous should keep the enemy away by hissing once in a while."

He agreed that in Hindu philosophy, such actions are sinful, "but it's done! Now we should work for peace. Because India can't afford such disturbances."

The Ahmedabad police have so far arrested 977 persons on charges of rioting, looting, burning and killing people in response to first information reports filed by the victims and relatives of the dead.

According to the police, the search for looted goods has been quite successful. In many colonies and slums, looted stuff has been found abandoned on the roads by rioters fearful of being caught.

According to a police source, a legislator in Ahmedabad has sought police protection because the relatives of those arrested have been nagging him day and night to get them out.

A senior police officer told *rediff.com* that the arrested boys are now blaming local leaders and saffron activists. "Our boys did it because the mobs and leaders supported it. Now how can you arrest them?" say the relatives of the rioters.

According to Shastri , "The VHP has formed a panel of 50 lawyers to help release the arrested people accused of rioting and looting. None of the lawyers will charge any fees because they believe in the RSS ideology."

— *http://www.rediff.com/news/2002/mar/12train.htm*

Annexure 14

Forensic Science Laboratory, State of Gujarat

New Mental Corner, Ahmedabad -- 16.

Spot investigation report No.2 regarding CR No. 9/2002. Godhra Railway Police Station

A team of forensic experts had visited the place of offence on 3/5/2002 in which along with the under signed, Shri AN Joshi, Scientific Officer, Ahmedabad was included. In order to recreate the real picture of how the offence was committed on the day of incident, one coach of the train was kept on the same spot. With the help of different types of containers experimental demonstrations were also carried out by using liquids inside the said coach. On the basis of which the following conclusions were made.

1. It was found that the height of the window of the coach was around 7 ft. from the ground at the place. Under this circumstance, it was not possible to throw any inflammable fluid inside from outside the coach from any bucket or carboy, because by doing this, most of

the fluid was getting thrown outside. At the place of the incidents there was one heap of grit of three feet height at a distance of around 14-ft. in the southern side of the coach. Water was thrown on the windows of the coach with the help of bucket standing on the top of the said heap, in that case only about 10 to 15% of the water went inside and the rest of the quantity was spilled outside itself. Thus if the inflammable fluid is thrown from outside then major part of it would fall around the track outside and catch fire and cause damage to the outer part of bottom side of the coach. But after examination of the coach and the track, no effect was found of the fire on bottom side below the windows of the coach. By taking in to consideration this fact and also the burning pattern of the outer side of the coach, a conclusion can be drawn that no inflammable fluid had been thrown inside from outside of the coach.

2. There also appears to be no possibility that any inflammable liquid was thrown through the door of the bogie.

3. By standing in the passage between the compartment of the bogey and the northern side door of the eastern side of the bogie, water was poured towards the western side from a container with a wide mouth like a bucket; in that case most part of the bogie was covered with 60 liters of water. By pouring the water in this manner, the water went only towards the West and no part of it came out of the door nor did it go towards the latrine side.

4. On the basis of the above experimental demonstration such a conclusion can be drawn that 60 liters of inflammable liquid was poured towards the western side by using a wide mouthed container by standing on the passage between the northern side door of the eastern side of the S-6 coach and the compartment of seat No. 72 and coach was set on fire immediately thereafter. If the period after the train had started from Godhra Railway Station, intensity of fire, the degree of burn of the objects that were inside the bogie etc. are taken into account, it can also be concluded that a large quantity (around 60 liters) of highly inflammable fluid was used to set the aforesaid fire and that the fire had spread very rapidly.

Sd/-

Dr. M S Dahiya
Assistant Director
(Seal)

Spot investigation report No. 1 regarding CR No. 9/2/2002.
Godhra Railway Police Station

The forensic experts had visited the place of offence on 1/5/2002. In the team of the experts along with the undersigned, the other experts were Shri AR Vaghela, Scientific Officer, Vadodara, Shri Yogesh Patel, Scientific Officer (Mobile), Panchmahal and Shri SI Desai, Photographer, Surat. The experts have made detailed investigation of the burnt down S-6 coach of the Sabarmati Express train. The said coach was kept in the yard of Godhra railway station. The observations made on the basis of the informations learnt by the detailed examination of the coach are as under.

1. A large number of hit marks were observed on the outer part of the southern side of the burnt out S-6 coach which were due to stones. Apart from this a large number of stones were found scattered inside the coach and similarly glass pieces were also seen. It was found that the said glass pieces were of the windows. From these observations it is possible to say that there

was large scale stone pelting on the coach from outside and the glasses of the southern side was primarily broken due to stone throwing and the glass of the northern side were broken due to the heat of the fire.

2. From the condition of the colour on the door of the coach, the burning pattern, condition of the hand lock, the marks of the melting Aluminum strips of the frame of the window etc. it can be established that both the east-west doors of the northern side of the coach and similarly the eastern door of the southern side, thus a total of three doors were opened at the time of the incident of fire and the door in the west direction of the southern side was closed.

3. Out of the windows in the southern side, one rod of one of the windows was found to be broken due to heat. As the height of the lower part of the window was at the height of more than 7 ft. from the ground, it negates the possibility of force on the rod from window side. Further it was not found that any instrument was used to bend the rod. Thus, it becomes clear that the rod was attempted to be broken by the use of force from inside. It appears that the other rods had become loose due to the melting of joints due to heat.

4. By observing the burning pattern inside the coach, its degree, the depth and the eligatering pattern on the floor, it appears that the fire has spread inside the coach very rapidly. Further, by observing the intensity of the eligatering pattern on the floor, it appears that the fire has started from the eastern side of the coach and thereafter spread towards western side rapidly. Further, it appears that the intensity and proportion of the burning of the objects inside the coach was very high, up to around 80% part of the east to west side whereas in the 20% part, the intensity of burning was less in comparison with 80% part.

5. No sign was observed of the use of any corrosive fluid like acid in the said fire.

6. By observing the condition of the frames of the windows of the coach it appears that all the windows of the coach were closed during the time of the fire.

Dr. M.S. Dahiya
Assistant Director
(Seal)

Annexure 15
UN Convention on Genocide

UN convention on genocide

Convention on the Prevention and Punishment of the Crime of Genocide: Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948 entry into force 12 January 1951, in accordance with article XIII

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law, which they undertake to prevent and to punish.

Article 2

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

Article 3

The following acts shall be punishable:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.

Article 4

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

Article 6

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article 9

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Annexure 16
UN Declaration on Religious Minorities

December 18, 1992

47/135. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Reaffirming that one of the main purpose of the United Nations, as proclaimed in the Charter of the United Nations, is to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Noting the importance of the even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Welcoming the increased attention given by human rights treaty bodies to the non-discrimination and protection of minorities,

Aware of the provisions of article 27 of the International Covenant on Civil and Political Rights 144 concerning the rights of persons belonging to ethnic, religious of linguistic minorities,

Considering that the United Nations has an increasingly important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular through the relevant mechanisms of the Commission on Human Rights and the Sub-commission on Prevention of Discrimination and Protection of Minorities, in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the important achievements in this regard in regional, sub-regional and bilateral frameworks, which can provide a useful source of inspiration for future United Nations activities,

Stressing the need to ensure for all, without discrimination of any kind, full enjoyment and exercise of human rights and fundamental freedoms, and emphasizing the importance of the draft Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in that regard,

Recalling its resolution 46/115 of 17 December 1991 and taking note of Commission on Human Rights resolution 1992/16 of 21 February 1992, by which the Commission approved the text of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities, and Economic and Social Council resolution 1992/

4 of 20 July 1992, in which the Council recommended it to the General Assembly for adoption and further action.

Having considered the note by the Secretary-General,

1. Adopts the Declaration on the Rights of Persons Belonging to National or Ethnic, religious and Linguistic Minorities, the text of which is annexed to the present resolution;

2. Requests the Secretary-General to ensure the distribution of the Declaration as widely as possible and to include the text of the Declaration in the next edition of Human Rights: A Compilation of International Instruments;

3. Invites United Nations agencies and organizations and intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on the Declaration and to promoting understanding thereof;

4. Invites the relevant organs and bodies of the United Nations, including treaty bodies, as well as representatives of the Commission on Human Rights and the Sub-commission Prevention of Discrimination and Protection of Minorities, to give due regard to the Declaration within their mandates;

5. Requests the Secretary-General to consider appropriate ways for the effective promotion of the Declaration and to make proposals thereon;

6. Also request sthe Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution under the item entitled "Human rights questions".

92nd plenary meeting
18 December 1992

Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the prevention and punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination , the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national, ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among people and States.

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Sub-commission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights 16 and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

2. States shall adopt appreciate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious, linguistic minorities (hereinafter refer to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practice their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in culture, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequences of the exercise or non-exercise of the rights set forth in the present Declaration.

Article 4

1. States shall take measures when required to ensure that Persons belonging to minorities may exercise fully and effectively all their human rights and fundamental

freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favorable conditions to enable Persons belonging to minorities to express their characteristics and to develop their culture, language, tradition, and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that where possible, Persons belonging to minorities may have educated opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in field of education, in order to encourage knowledge of the history, traditions, language, and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that Persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of Persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of Persons belonging to minorities.

Article 6

States should cooperate on questions relating to Persons belonging to minorities, inter alia, exchanging information and experience, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

Article 8

1. Nothing in the present Declaration shall prevent the fulfillment of international obligations of States in relation to Persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purpose and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the right and principles set forth in the present Declaration, within their respective fields of competence.

Annexure 17

List of Politicians/Officials/ Policemen approached by the Tribunal for Deposition

Shri Narendra Modi (Chief Minister),

Shri Gordhan Zadaphai (Home Minister)

Shri Ashok Bhatt, (Health Minister)

Shri Nitin Patel (Minister of finance)

Shri Naranbai Laloodas Patel (Minister of Transportation)

Shri RM Patel IAS, Secretary, (Social Justice & Empowerment)

Shri G Subha Rao IAS (Chief Secretary)

Shri K Nityandam (IPS), Chief Secretary,(Home)

Shri Ashok Narayan, IAS, Additional Chief Secretary (Home)

Shri Himmatsingh Patel, Mayor, Ahmedabad Munucipal Corporation,

Shri P Paneervel IAS, Municipal Commissioner

Shri. K. Srinivas, Collector. Ahmedabad

Shri KK Shastri, VHP office

Shri PC Pandey, Commissioner of Police

Shri K Chakravarty, DG & IGP Police Commissionerate

Shri Rahul Sharma, Deputy Commissioner of Police

Shri Vivek Srivastava, Deputy Commissioner of Police (Prohibition & Excise)

Shri Vinod Mall, Additional Commissioner of Police,

*The designations are as of the date that the letters were sent

Annexure-18
Prime Minister, Atal Behari Vajpayee on Gujarat

"From Godhra to Ahmedabad, in so many places, there are so many incidents of people being burnt alive, including helpless women and children. This is a blot on nation's forehead and has grievously harmed India's image in the eyes of the world".

—*Shri Atal Bihari Vajpayee, Prime Minister of India's statement on March 3, 2002, from the PMO's website*

"I do not know what face I will show them (the world) now after the shameful events in Gujarat."

—*Shri Atal Behari Vajpayee, during his visit to Ahmedabad on April 4, 200, quoted in The Hindustan Times.*

"My one message to the chief minister is that he should follow *raj dharma*. A ruler should not make any discrimination between his subjects on the basis of caste, creed and religion."

— *Atal Behari Vajpayee, during his visit to Ahmedabad on April 4, 2002, quoted in The Hindustan Times.*

Indian Express (24 April 2002)

'Who are these people accusing us, India was secular even before Muslims and Christians'

(Reprinted here is the English text of the speech, delivered in Hindi, by Prime Minister Atal Bihari Vajpayee at a public meeting in Goa on April 12).

I was in Cambodia just recently. It is the Kamboj state of the past, where magnificent temples that kissed the sky were built in the 10th and the 11th centuries. It had Hindu states ruled by Hindu kings. There were others too among the citizens, but there was justice towards all. Sometimes the kings also used to fight among themselves. The wheel of victory and defeat rolled on. But during their centuries' long history there isn't a single instance of a Hindu king destroying temples or breaking idols when he attacked another Hindu king. The kings who were victorious used to build a new temple. If Vishnu was being worshipped there earlier, later Shiva began to be worshipped. If Shiva was being worshipped at one time, then other deities began to be worshipped later. Nevertheless, no king destroyed a temple or damaged the deities' idols at the time of attacking another king.

This is our culture. This is our outlook, which treats all faiths equally. Yet, accusations are being hurled today that secularism is under threat. Who are these people accusing us? What is the meaning of secularism for these people? India was secular even when Muslims hadn't come here and Christians hadn't set foot on this soil. It is not as if India became secular after

they came. They came with their own modes of worship and they too were given a place of honor and respect. They had the freedom to worship God as per their wish and inclination. No one thought of converting them with force, because this is not practised in our religion; and in our culture, there is no use for it.

Today the 100 crore people of India are engaged in creating their future on the basis of their own culture. Sometimes, minor incidents do take place here and there; sometimes these take the form of major incidents. But if you go to the root of these incidents, you will find intolerance, you'll find them to be a manifestation of growing intolerance.

What happened in Gujarat? If a conspiracy had not been hatched to burn alive the innocent passengers of the Sabarmati Express, then the subsequent tragedy in Gujarat could have been averted. But this did not happen. People were torched alive. Who were those culprits? The Government is investigating into this. Intelligence agencies are collecting all the information. But we should not forget how the tragedy of Gujarat started. The subsequent developments were no doubt condemnable, but who lit the fire? How did the fire spread? Ours is a multi-religious country, a multi-lingual country, we have many different modes of worship. We believe in peaceful and harmonious co-existence. We believe in equal respect for all faiths. Let no one challenge India's secularism. I have read somewhere in newspapers that the Congress Party has decided not to try to topple my Government. Shall I thank them for this? Or shall I say that the "Grapes are sour"? How will the Government fall? Once they did topple it, but they couldn't form one themselves. Then a fresh mandate from the people was called for, and the people once again gave us an opportunity to serve them.

For us, the soil of India from Goa to Guwahati is the same, all the people living on this land are the same. We do not believe in religious extremism. Today the threat to our nation comes from terrorism. Wherever I went around the world, the heads of state or of elected governments complained to me that militant Islam is sowing thorns along their paths. Islam has two facets. One is that which tolerates others, which teaches its adherents to follow the path of truth, which preaches compassion and sensitivity. But these days, militancy in the name of Islam leaves no room for tolerance. It has raised the slogan of Jehad. It is dreaming of recasting the entire world in its mould.

You will be surprised to hear this — indeed, I too was surprised — that some terrorists belonging to Al-Qaeda were arrested in Singapore. The rulers of Singapore couldn't even have imagined that Al-Qaeda would be active in their country, too; that Al-Qaeda would hatch a conspiracy in Singapore too. Some 15 or 16 persons were arrested; an investigation is underway, which will reveal the truth. The same is happening in Indonesia. The same is happening in Malaysia. Wherever such Muslims live, they tend not to live in co-existence with others, not to mingle with others; and instead of propagating their ideas in a peaceful manner, they want to spread their faith by resorting to terror and threats. The world has become alert to this danger.

As far as we are concerned, we have been fighting against terrorism for the past 20 years. Terrorists have tried to grab Jammu and Kashmir through violence, but we have countered them. Jammu and Kashmir is an integral part of India, and will forever remain so. No other country's dream will ever come true. Now other nations in the world have started to realize what a great mistake they did by neglecting terrorism. Now they are

waking up, and are organising themselves. They are putting together an international consensus against terrorism.

We tell them through our own example that a large number of non-Hindus live in our country, but there has never ever been religious persecution here. We have never discriminated between "our people" and "aliens". The modes of worship may differ, but God is one. Only the paths to reach Him and realize Him can be different. It is for this reason that India's prestige is growing, India's reputation is rising. I have also had an occasion to visit many other countries. Everywhere Muslims live in large numbers. And the rulers in those countries are worried lest those Muslims embrace extremism. We told them that they should educate people on the true tenets of Islam, that they should teach science in madrasas, and that they should also teach other subjects in madrasas. Islam too should be taught, but emphasize that people should live together and that that it is necessary to accept that faith cannot be propagated on the strength of the sword.

Our Government has completed two-and-a-half years. We have tried to change the face of our country. In a country, which once had a scarcity of foodgrains, which used to import foodgrains to feed its people, in that very same country we have created a situation wherein, thanks to our toiling kisans, a day has come when we export foodgrains to other countries and feed the stomachs of their citizens.

We have large foreign exchange reserves. We are progressing in science and technology. Our young men and women are excelling in global competition. Even in the midst of an economic recession, India is progressing, India is marching ahead. When taxes are imposed in the budget, it is bound to create some difficulties, but in turn, we are fulfilling many needs of our people. We have taken up such works and projects that were never touched in the past. We want to create world-class national highways of four lanes that link the North to the South and the East to the West, and on which there can be obstruction-free traffic. Work has already begun on this massive National Highway Development Project covering 13,000 kilometers. We will spend 60,000 crore rupees on this project. We want to build a network of good roads all over the country.

We have also prepared programmes and projects for the development of Goa. There is a proposal to link Goa to the Goden Quadrilateral part of the National Highway Development Project. I wish to assure you that we shall do everything possible to implement this proposal. For this, the National Highway No. 17 will be widened to four lanes. We shall see to it that this proposal goes ahead.

When I had come here last time, I had spoken about improving the sewerage system along the coastal belt of Goa. Beach tourism is adversely affected by this. It is very necessary that the sewerage system is improved along the coastal belt if we want that tourists come here. Nature has made Goa very beautiful. It has a sea coast. Goa is an enchanting place. Tourists wish to come here in large numbers. However, we need to create better facilities for them. The State Government is making efforts in this direction. I wish to assure the State Government that wherever Central assistance is needed, we shall provide such assistance in required quantity.

Goa is also paying attention to the development of roads. We are trying to build roads to connect all the unconnected villages. Goa does not have unconnected villages and hilly

regions, but it has a large, well-spread out area. It is necessary to link it with good roads and to make communication smooth. The problem of water is growing in North Goa. Pollution too is becoming a serious problem. If any project to tackle these problems comes before the Government, we shall provide assistance to them and contribute to their completion. Goa will once again pass through a trial. The Goa Government acted on its own to dissolve itself. This showed that those who were running the Government in Goa had no lust for power. When they realized that the atmosphere had got polluted, that party-hopping had started, and that they were not in a position to serve the people, then our friends dissolved the Legislative Assembly in Goa.

Now a new Assembly will be elected. It will be elected with your votes. It will be elected with your choice. You elect such a new Government that will be stable, that will be free of corruption, and that will open up new avenues for Goa's progress. The forthcoming election will give you an opportunity to do so. If necessary, we in Delhi shall mobilize resources for your development. At the very least, we shall certainly send you our best wishes.