

July 26, 2024

To,
Shri Sanjay Saxena
Additional Director General of Police (Law and Order)
Maharashtra
adg.lo@mahapolice.gov.in

Subject- Failed attempt of a citizens' delegation to seek adequate justice on Vishalgarh/Gajapur dist. Kolhapur Violence Incidents

Relevant References (Has been attached as Annexure A to the memorandum):

1. Crime Reg.No.221/2024
2. Crime Reg.No.222/2024
3. Crime Reg. No. 223/2024
4. Crime Reg.No.224/2024
5. Crime Reg.No.225/2024

Respected Sir,

We, a citizens' delegation comprising of concerned citizens, activists and human rights defenders had expressed our wish to meet you, the Additional Director General, Law and Order, on July 25, 2024. Our objective behind requesting for the meeting was to apprise you of the on-ground situation in Gajapur village, Vishalgad area of Kolhapur, Maharashtra. For the same, an official email was sent to your office from the official email id of Citizens for Justice and Peace on July 24, 2024. Multiple calls were also made to your office to ensure that the email is taken note of and a time for the appointment is granted. We were then asked to send an email. Even after numerous calls to follow up on the email, made at a gap of every one hour,

1

no decision regarding the appointment was given on July 23-July 24. It is crucial to highlight that at 6.30 pm on July 24, when the last call was made to your office by the CJP team, the personnel present at the office of ADG had stated that an email regarding the confirmation of the appointment will be sent back to us by late evening, however no such email was sent. On the morning of July 25, when the CJP team made another call to the ADG office, it was stated that no appointment has been given. While it can be understood that this particular date might have been difficult to have granted an appointment for a busy senior police official, the office also refused to grant another date for any other day or the next week. Sir, we were also informed that the application requesting the appointment was seen by you, but no reason was provided from your side regarding the refusal to meet the delegation. No suggestion for alternate slots was given from your office, even when asked. This has confused us and led us to despatch this memorandum, by registered post, in writing.

This is highly disappointing and troublesome as we, as a citizens' delegation, wished to meet a senior police officer, a representative of Maharashtra's police force, to express our grievances and provide the authorities with on-ground details on an issue as serious as communal violence that had taken place on July 14 in Kolhapur as well as point to the grave mistakes made by the authorities which aided the anti-social elements to target Muslim houses, Mosques and a Dargah.

Background of Recent Incidents (from ground reports)

At the outset, we would like to emphasise that the riots that took place at Vishalgarh/Gajapur and the issue of "encroachment on Vishalgarh Fort" are two separate issues. The delegation at present wanted to focus on the targeted violence that took place. Through this memorandum, we have provided you a timeline of the incidents that took place in Vishalgad on that fateful day as well as the role that certain anti-social element played in the eruption of violence. We urge you to take action against those involved in the violence as well as those who conspired to create disharmony and public disorder in the area.

As per the above-mentioned reference-3 of the FIR filed, on July 14, at exactly 8.14 am in the morning, a group in thousands led by Ravindra Padwal, Chairman Samast Hindu Brothers Social Organization, Pune and Sambhaji alias Banda Salokhe, Seva Vrit Pratishthan, Kolhapur violated section 144 of the CrPC that was imposed by the government in Vishalgad area. Seniors police officers and police constables were attacked and injured, and also vandalized police vehicles.

Under reference 2, between the period of 9.45 am to 11 am, Ravindra Padwal and Sambhaji alias Banda Salokhe along with a large mob entered the fort shouting slogans such as "Bhavani Shakti De – Free Vishalgad". Post this, an attack was made targeting the shops and houses of Muslims, and also at the Pir Malik Rehan Baba Dargah with the intention of damaging the Dargah. The attack by the mob went on for about one to one and a half hour. The police thereafter reportedly reached the spot of the incident and took the help of locals to disperse the violent mob.

According to references 1 and 5, which provides for the violent incidents that took place at Gajapur village at 12.30 pm, Ravindra Padwal and a crowd of 100 to 200 people reached the Muslim wadi in Gajapur, three kilometres away from Vishalgad, where only Muslims live, with the intention of causing harm to the Muslims living there and demolishing the mosque. A violent mob broke into the mosque and set it on fire the mosque was heavily damaged. The entire area came under the attacks by the mob, particularly the Muslim houses in the neighbourhood. Gas cylinders were exploded with the intention of destroying the houses and valuable items were looted by the mob.

Sir, the said incidents of inter-connected violence went on for almost two to three hours, but no arrests were made by the police officers who were reportedly present on the spot. According to reference no. 4, it was Sambhaji Raje Chhatrapati, who came to the foothills of Vishalgad at 1:30 PM, and it was reportedly he who had incited the mob by giving a provocative speech and shouting slogans. It was the said mob that then had then ransacked and looted the shops at the foothill. Four-wheeler and two-wheeler motorcycle standing there were vandalized and thrown into the valley *in the presence of an inactive police*.

Out of the total 5 FIRs that we have highlighted above, 3 FIRs were filed by the police administration and 2 FIRs have been reportedly filed by the locals of Gajapur.

Sir, we want to seek accountability and justice over the said incident. The said Vishalgarh and Gajapur violence are the result of inexcusable lapses, even complicity by the police and revenue administration, and the investigation that has taken place till now is lax.

The following points will make the same clear:

- 1) In the name of “Vishalgarh Encroachment Hatao”, “Chalo Vishalgarh”, “Vishalgarh Mukti Sangram”, activists claiming to be wedded to a ‘hardline Hindutva politics’ have been broadcasting inflammatory reels on social media, to incite Hindu youth to gather at Vishalgarh on July 14 and create a law-and-order situation. This mis-use of social media ought to have been enough to alert the local and senior exhelons of the Maharashtra police. Surprisingly and shockingly, timely action by the police administration against those who had broadcasted such reels was absent, and even post violence and destruction, has been absent.
- 2) Ravindra Padwal started the journey in the name of “Vishalgarh Mukti Sangram”. Even in view of the criminal antecedents of Ravindra Padwal and his role in the eruption of the violence in Vishalgad, the police has reportedly not yet arrested him.
- 3) Even when Section 144 of the CrPC prohibiting public gathering was in force in Vishalgad and its neighbouring areas, a crowd of about 1,500 to 2,000 people had gathered (were allowed to gather) at Pandherpani on the night of July 13 itself. Even after the said information was supplied to the police, no preventive action was taken against the same.

- 4) On the morning of July 14, a crowd of 1500 to 2000 people had gathered at the foot of the Vishalgad Fort between 8-8.30 am, despite the imposition of Section 144. Barricades had also been put up to prohibit the locals from going to Vishalgarh. It is necessary to investigate how such a large crowd reached the base of the fort.
- 5) There is a strong possibility that hand-made bombs and other weapons were used in the mosque attacks in Gajapur, though this needs confirmation. However, the police hastily completed the panchnama without conducting the required investigation in what appears to be a bid to file an inadequate FIR with sketchy details. Rectification of the FIR, which is the criminal complaint, on the basis of which investigation, arrests and prosecutions are conducted, is immediately needed.
- 6) The entire area of Vishalgad was already experiencing social tensions when Sambhaji Raje Chhatrapati had made his inflammatory speech at one o'clock in the afternoon at Phandrepani. Later, the incited mob intensified the communal riot and attacked Gajapur village. The police authorities immediately need to investigate his presence in an area under police deployment and suspend the officials responsible for the same.

Sir, in addition to the above mentioned reported lapses, our major demand is that the Kolhapur District Police Chief was allegedly Mahendra Pandit suspected to be near the scene when the targeted violence was being perpetrated in Gajapur. Overall, the said bouts of violence reflect a total failure of the police administration and the district police chief is certainly cannot escape responsibility for the same. Hence, our main demand is that the district police chief Mahendra Pandit should be suspended immediately. Tehsildar and Police Inspector of Shahuwadi should also face a departmental inquiry.

Furthermore, it is crucial to point that the targeted violence in Gajapur was not caused by the spontaneous protestors but by 300 to 400 people trained by Sambhaji Bhide's Shiv Pratishtan. It is necessary to take immediate arrest action against all the concerned nuisance elements as only then will justice be ensured to the victims and any such future attempts to create disharmony will be deterred. It is also crucial that a full-fledged and independent investigation to the said Shiv Pratishtan is conducted, as it appears to have a precedent to target marginalised sections and affect social and communal harmony.

Sir, finally, the series of said incidents have created an atmosphere of fear and terror in the minority community and has created a feeling that they are not safe in their own countries, which is definitely harmful to a healthy democracy like India. Therefore, keeping in mind the seriousness of the incident, we would also request the top echelons of the Maharashtra police to set up a SIT within the jurisdiction of top police officers to ensure intrepid, autonomous and independent investigation and take strict action against the offenders, even if they are persons in uniform. We also urge that the Maharashtra police opens channels of communication with local leaders of the affected and other communities, facilitates dialogue and finds a lasting, lawful durable solution to such deliberately fomented conflicts that disturb social harmony.



Yours Sincerely,

Dolphy Dsouza (President - The Bombay Catholic Sabha)

Teesta Setalvad (Secretary, Citizens for Justice and Peace)

Dr. Frazer Mascarenhas S.J.

Shakir Tamboli (Activist and member of the Indian National Congress)

Annexure:

Annexure A- Details of the five FIRs filed by the Kolhapur Police in regards to the Kolhapur riots (Crime Reg.No.221/2024, Crime Reg.No.222/2024, Crime Reg. No. 223/2024, Crime Reg.No.224/2024, Crime Reg.No.225/2024)