

The Genocidal Pogrom in Gujarat: Anatomy of Indian Fascism

Baroda – Report by PUCL and Shanti Abhiyan

The following document is a report by PUCL Vadodara and Shanti Abhiyan, a network of groups fighting the pogroms and seeking to bring relief and rehabilitation for the victims and punishment for the guilty. On behalf of them, Kirit Bhatt, Rohit Prajapati, Manzur Saleri, Renu Khanna, Trupti Shah, Jagdish Shah, Deeptha Achar, Chinu Srinivasan, Johannes Manjrekar, Raj Kumar Hans, Iftikhar Ahmad wrote a letter to The Chairperson & Members of the National Human Rights Commission when they went to Gujarat, appending a detailed report.

The letter itself stated their findings briefly, and urged the Commission to take firm steps. We have omitted the letter and have reproduced the documents appended to the letter. These enclosures were the following:

a) An Overview of the Situation in and Around Baroda with the following Annexures:

- 1) Post Godhra Events at Roshannagar-Ashapuri, Navayard, Vadodara
- 2) Area Reports of Sama, Vadodara
- 3) Details of Inflammatory Pamphlets

b) Post Godhra Carnage in Baroda City - Some Quantitative Data

An Interim Report of the Situation in and Around Vadodara

Sequence of Events and Pattern of Violence in Baroda

Baroda was amongst the first, and worst, victims of the violence that hit the state of Gujarat since February 27, 2002.

After Godhra, the situation in Baroda became tense. There was one death on the afternoon of February 27 in the presence of police on the railway station. This was a signal to Hindu extremist forces for free for all mayhem. During the day and the night of February 28, 2002, tension and violence escalated in the city. The Gujarat Bandh, supported by State Government, gave a clear license to anti-social elements to come out on the streets.

Stoning, Stabbing and Sword Wielding: Reports started coming from various Muslim localities of stoning, threatening, stabbing, and sword wielding by intimidating Hindu extremist elements. Swords were a prominent tool used by Hindu middle class and lumpen gangs to intimidate the Muslim minority. Mobs organised, attacked Muslim localities, destroyed places of worship, all the time shouting war cries of 'Jai Sri Ram'. Throughout the night of February 28, Muslims were terrorised. Many hid in their homes, sheltered by Hindu, Sindhi, neighbours.

Use of Gas Cylinders, Kerosene and Petrol Bombs to Destroy Mosques and Houses: Through the night of Feb. 28 and the day of March 1 (All India Bandh) first houses were looted, and then houses were burnt. Use of gas cylinders, petrol and kerosene bombs to blow up houses and places of worship (Noor Park and Kisanwadi) and burn them thereafter was a distinct characteristic of destruction. Even goats belonging to Muslims in the Gotri area of the city had acid poured on them and thereafter killed. By March 1, people started leaving their locality and moving into Jamaat Khaanas or with relatives to "safer" areas. Mobs went back repeatedly to the abandoned houses to loot and wreak further damage (for instance in Atladara, Noor Park, Kisanwadi). Shops have been also set on fire by drilling holes and pouring inflammable liquid and then setting it on fire to smoulder and burst into flames. The Islamic Study Center at Ajwa road was destroyed, Dr. Bandukwala's house was attacked and Mangal Bazar, a bustling shopping area, was set on fire. The TOI office Baroda was stormed by mobs demanding more pro-Hindu news. In the Tulsiwadi slums in Karelibaug was also attacked by mobs.

Selective Destruction and Targetting: Reports of selective destruction of Muslim property started pouring in. People were seen moving around with electoral lists; in Kisanwadi, women reported that one local young man had made lists of house numbers and location of minority houses. Visits to sites should showed where *laaris* (pushcarts) were parked in Akota, two Muslim *laaris* were burnt while the Hindu one in the middle was intact. Such examples can be extended to residential areas too. In an area of majority Muslim homes, Hindu houses are safe and are living in harmony. Another “novel” phenomena this time was to install idols of Hindu gods immediately on the destroyed. Muslim property.

Second Round of Violence Post-March 15 for Exhaustion of Muslim Targets:: After the March 15th *shila daan*, a second round of violence erupted and followed the same pattern. The Muslim establishments not damaged in the first round, were targeted in the second round. The objective was to finish those Muslim houses and properties untouched by the first wave. Today there is practically no Muslim property in non-Muslim areas undamaged by the loot and arson.

Targeting of Rural Areas and Incitement of Tribal Population: After the towns of Ahmedabad and Baroda on March 1 and 2, rural areas were targeted by March 3 and 4. Tribal villages which have never before been affected by communal disturbances, saw large scale and extremely violent and inhuman violence. Incidents in Baroda district began from Tejgadh, Panwad, Kawant. The pattern here was that first people in far-flung villages were terrorised. The terrorist activities then moved on to smaller towns like Panwad, and then came to the taluka town. First terror in people of minority community was sought to be created by stoning, spreading rumours, and killing their animals. Then mob attacks forced people to flee. This was followed by the looting of houses, including carrying away of their animals like goats (or killing them by driving vehicles over them), finally burning, smashing, and breaking whatever was left in or around the houses.

Spread of Riots to Non Traditional Areas in Baroda City and Making all Places Unsafe for Muslims: In this communal violence, the geographical pattern as well as the nature of violence was also different. In contrast to the communal riots of 1969 and 1992, this time new areas are affected, and not just usual trouble spots. Areas where people have co-existed peacefully for generations have been targets of violence this time, eg. Pira Mita, Fatehganj. Elected representatives and persons associated with the ruling party have played a key role in spreading violence to peaceful areas. Corporators and councillors have challenged colleagues in relatively unaffected areas and implied a lack of *mardangi* because no destruction has been seen in these areas. Similar patterns were reported from other parts of Gujarat when leaders in the quieter districts were sent bangles to denote lack of manliness. The idea seems to make all places unsafe for Muslims. And spread a scare among Hindus that if Muslims migrate to nearby places, the Hindu areas automatically become unsafe. (Some ‘safe’ areas like Tandalja where Muslims migrated to after the 1992 riots have been sought to be projected a ‘mini-Pakistan’ even by ‘responsible’ figures in society. In Fatehganj eye witness accounts (Hindu families living opposite the mosque) reveal that the chadar in the mosque in Sadar Bazar caught fire. Both communities helped to douse out the fire. Stoning started in the evening. The police arrived promptly, and opened fire in which one was killed.

Use of Ram and Hanuman Motifs to Encourage and Instigate Violence: “The distinguishing” characteristic of these riots which merit the label of an ethnic carnage is the widespread appropriation and misuse of Hindu religious symbols and figures. These include the following for example: shouting of “Jai Shri Ram!” as a battle cry by marauding mobs and politicians of the ruling party; forcing Muslims to utter the name of Ram (“Ram Bolo”) and in many cases accompanied by pulling of their beards; projecting Godhra dead as martyrs to the Hindu extremist cause; organising of frenetic chanting and bhajans in the name of Ram, for example on March 15, 2002 in Baroda; mass singing of Hanuman Chalisa organised by the very elements involved in looting and arson (for instance even now, everyday in Tarsali area this is done by the Bajrang Dal elements every evening - those very elements which played a very major role in setting to waste 185 houses in Noor Park, Tarsali on Feb 28, 2002).

Role of the Police

Not responding to desperate phone calls for help: We would like to highlight the failure of the police in performing their duty. As has been widely reported in the print and electronic media, the police did not respond to numerous and repeated phone calls by people who were seeking their protection and help. For example, in Indira Nagar of Makarpura, after the Bajrang Dal people had vandalised a mosque, the residents made around 100 phone calls to the police. However, the police showed up only after four

hours only to say that they (the people) should make their own arrangements for their security. (See List A of other such incidents). Often incidents took place near police stations and temporary police *chowkys*. Police and State Administration had not taken action in spite of being given details well in advance (24 to 72 hours) of sensitive areas and persons. This pathetic and tragic record of the police started with the well known social activist Prof. Bandukwala's case right on Feb 27th, 2002. Other such examples of post March 15 incidents where police were repeatedly given advance notice by us are: Panvad and Kawant of Baroda District; Borsali Apt in Ajwa Road, and Bahaar colony in Baroda, Rain Basera in Machhipith, Wadi, Nawapura, Patel estate at Pratapnagar, Sardar Estate (these areas were communicated to the Police Commissioner and the Collector directly by Shri Chinwalla and Rohit Prajapati of PUCL).

Police as Accessory to Crime and Loot: On March 15, in front of the Pani Gate Nawapura Naka Police Chowki three boys burnt a house belonging to the minority community while six policemen stood watching. A shop of a Muslim in full view of the Panigate Police Station was burnt. Similarly in front of the Mandvi Police Control Room, one shop was burnt without any police action and on Shastri Baug Road, very close to the police point Syed Studio was burnt. The attached table gives examples of more such instances. Even worse, there were many instances of the police taking active part in the violence - in the looting, arson and in the killings. In Navayard (Roshan nagar and Ashanagar) kerosene were seen in a police vehicle during the riot according to Muslim eye witnesses. (See also Annexures 1 and 2 for a detailed report on active police role)

When 32 persons of the minority community were returning to fetch their belongings accompanied by two police vehicles (Police Inspector Vanecha was in the police team among others and he was later suspended) they were attacked by a reported mob of at least 2000 in the Makarpura area of Baroda. Two persons of the minority community died on the spot, four are in critical condition in the ICU in the Medical College Hospital and 18 others were injured.

Sexual and Gender-Related Violence: Over and above this, we would like to point out the atrocities on women committed by the police during the past three weeks. Not only were the women subject to verbal abuse, they were also subjected to physical and sexual abuse. In Bahaar colony of Ajwa Road, women went out to request the police to set up a police point as tension had been increasing in the face of violence. The police refused to listen to the women and in fact, *laathi* charged to force them into their homes. At Rain Basera, Machchipith, under Karelilbag Police Station, several women were assaulted by the police during "combing operations." Four policemen entered the *basti* at around 3:00 pm on March 16, 2002 and started beating them indiscriminately - Sairaben Shaikh, Faridabanu Shaikh, Hamidabibi Pathan all aged between 30 and 45 were among those who were beaten so badly that their wounds are still visible. Faridabibi was hit on her chest by a *laathi*, and Hamidabibi in her pubic region. In Bahaar colony, women were pulled out of their homes by dragging them by their breasts. Even 18 year old girls were not spared - they were threatened with swords and sticks by the police. Rukiabibi, a 70 year old woman in Kasamala Kabristan, who went out to prevent the police from taking away her young son, was hit by the *laathi* so hard that her head split open.

Not Filing FIRs: The problems of the affected population did not end with the halt in the active incidents of violence. These continued in various hidden forms. Many people have fled the areas in which they were living because they no longer feel safe there. However, the FIRs have to be lodged in the area of their permanent residence. Those who have only just managed to save their lives fear to go back to these areas to lodge their FIRs. Also, there is no guarantee that their FIR will be registered. For example, in Bhutadi Zhampa and Old Padra Road, police refused point blank to lodge FIRs of affected Muslims. When they did admit their complaints, there was an under valuation of the property losses - this happened at the Old Padra Road police station and Indiranagar police stations for instance.

In some areas, the victims are still scared to venture out to lodge their complaints. Where the police was actively or passively involved in the violence, people are afraid to return to those very people to lodge their complaints.

Bias in Police Arrests: The bias in the police arrests also needs to be highlighted. While Muslims are arrested under several and manifold sections, the Hindus are arrested under innocuous sections, such as

violating curfew timings. In order to show that Hindus are also arrested in large numbers, the police has resorted to arresting innocent and poor Hindus. In Indira Nagar, Makarpura, on March 17, 2002, migrant workers from Bihar who were enjoying their Sunday afternoon naps were dragged away from their homes by the police, whereas those Hindus who were part of mobs on the rampage have yet to be arrested. In contrast to Hindus arrested the next day who were charged only with Section 188, the Muslims were charged under sections 137, 143, 144, 153, and 188. In addition, we fear POTO will be misused as in all over Gujarat -- as of date 62 Muslims in connection with the Godhra carnage have been arrested but none of the 800 arrested for the rest of the violence which has left over 600 dead have been arrested under POTO.

Role of the Media

The local electronic media has been used in the most despicable manner by the local political leaders. The intentions of the following leaders belonging to the ruling party and their affiliates becomes very clear if one looks at the speeches available on local TV channels (namely J- TV, Deep and VNM). The speeches of the following "leaders" were specially provocative and aimed to incite the crowd to violence: Ajay Dave, Nalin Bhatt, Deepak Kharchikar, Neeraj Jain, Bhartiben Vyas (Mayor of Baroda), Jitendra Sukhadia, and others. If these were the speeches on TV one can well imagine their role of these people during the riots at the grassroot level. The Mayor of Baroda, convened a "Shanti Samiti" meeting on March 18 that was attended by the Police Commissioner and the Collector, and leading political figures of various parties. She made appropriate pacifist remarks in this meeting and then on the same day she made inflammatory remarks against the minority community in the VMC council.

Even the local Gujarati print media, especially *Sandesh* and the *Gujarat Samachar* has shown itself incapable of playing a sensitive and responsible role. The local newspaper *Sandesh*, for example carried the following headline on February 28, 2002: "About 10 young Hindu girls were pulled out of the railway carriage by a group of religious fanatics" - what the news piece actually reports is that this was a rumour and a myth. This clearly shows that all that the newspaper was interested in was presenting something sensational. Going through the newspapers one will find plenty of instances of irresponsible, unverified reports.

We would also like to take issue with the national electronic media who dropped the "Gujarat issue" as soon as something more sensational came along. The tragic death of Natasha Singh in Delhi has left the nation wondering about the current situation in Gujarat, and grappling in the dark for further information.

Strategies

Preplanned: The strategies that have been put into effect by the anti-social elements during these riots are as alarming as the violence that they have given rise to. Many attacks were pre-planned - for example, in Kishanwadi, the women told us that some weeks before the attack people were moving around to make a list of all the Muslim residents and establishments in the area. In Gotri village, they are reported to have been moving around with electoral rolls to identify Muslims.

Systematic Targetting: These attacks were also targeted specifically at the Muslims: where the shop was owned by a Hindu but rented by a Muslim, it was looted, its material brought out and set on fire, leaving the shop intact. However, when a shop/house was owned and used by a Muslim, they were simply set on fire. All over the city, one finds among rows of shops, only a single one has been burnt/looted, because it belonged to a Muslim.

Terrorising and Scare Mongering: The problem continues to simmer under the seemingly calm surface. The Bajrang Dal and RSS activists continue to hold meetings in various parts of the city where they are reported to be recruiting people (two above the age of 35 years and three below that age) and training them in the use of arms. They have also indulged in rumour mongering where people were warned of a "Muslim retaliation", or of approaching Muslim mobs; in some cases, Muslims who were returning to retrieve their belongings were dubbed as an advancing mob thirsty for revenge. The other aspect is

continuous scare mongering every night by Hindu extremist militant elements with a situation that not only Muslims but many Hindus in Hindu dominant areas have not slept normally for more than 3 weeks now.

Incitement, Social and Economic Boycott: The use of pamphlets to incite people -- these pamphlets have carried a variety of vicious messages (see Annexure 3 for details). An obituary of one of those killed in the Godhra massacre makes an attempt to make a martyr of him. More dangerous, however, is the use of the pamphlets to instigate people to rape Muslim women, use biological warfare against new borns of all the minority communities, etc. In another pamphlet, they are encouraging people to boycott Muslims in all possible ways - not employ them nor work for them; not buy from them or sell to them, boycott movies in which Muslim actors are working etc. One cannot simply dismiss these as an isolated event which does not actually influence people because in Baroda since the past 3 days, one has come across incidents in vegetable markets where vendors refused to sell to Muslims who had come to buy vegetables, or to allow Muslim vendors to conduct their business. Another pamphlet that is circulating is seemingly signed by the member of the minority community and promotes abuse of Hindu women, among other things, a sure way to make young Hindu men see red.

Another despicable strategy of the perpetrators of the violence is the use of psychological terrorism. An old Muslim man was shown the head of his beheaded son on a tray before he himself was brutally slain. Another woman surrounded by a mob was made to witness the following scene: her son who had climbed up a tree to escape the mob was brought down, his fingers cut off, and the rest of his body similarly dismembered, before the woman herself was killed.

What we would like to see

1. A special court of enquiry, on the lines of a war crimes tribunal, by a sitting judge of the Supreme Court. This court of enquiry should, within a time bound period, investigate the crimes against humanity committed on minorities and should have the power to punish. Specifically, take action against people identified in Annexure 2.
2. A special committee to be instituted to investigate the negative and dysfunctional role of the police, the other arms of the Executive and the media.
3. NHRC should ask the Police Commissioner for the video clippings from the local television channels and also for details of the combing operations, and break up of persons arrested and /or under preventive detention. The video channels also would expose the role of local councillors including the mayor, and the ring leaders of the arson and loot who were either from the ruling party or closely associated to it.
4. Prevent the misuse of POTO and selective use of other legal sections.
5. Immediately extend relief and implement rehabilitation measures to all affected so that people can start leading regular, normal lives to the extent possible under the circumstances. No amount of talk of healing can take place without this basic restoration of roti, kapda and makaan.

Annexure 1

POST-GODHRA EVENTS AT ROSHANNAGAR-ASHAPURI, NAVAYARD, VADODARA

Preliminary Report: dated 20-03-2002

The following is the Preliminary Report of the Fact-Finding Committee set up by PUCL and Vadodara Shanti Abhiyan, Vadodara. The Committee was composed of Dr Maya Valecha (Vadodara Kamdar Union), Dr Bharat Mehta and Dr Deeptha Achar (Faculty of Arts, MSU).

Though our work is yet to be completed, we deemed it important to submit the following in order to provide a broad overview of the post-Godhra situation, especially since tension still prevails in the state. Our enquiry was limited to the Roshannagar-Ashapuri as well as Navayard Cabin D areas and is based on detailed interviews with the residents of these areas. Roshannagar is mostly a settlement of UP migrant labourers, some of whom ply petty businesses as well. Ashapuri is a Dalit basti, around a quarter of them being Christian. Navayard Cabin D area has a majority of Muslims, most of them employed by the Western Railways. The whole area is populated by the lower and lower-middle classes and has poor standards of education.

1. A) DETAILED OUTLINE OF EVENTS

27 FEB 2002

- First evening meeting of *86 Village Samiti* at Amarnagar;
- Anxiety among residents of Roshannagar.

28 FEB 2002

- Second evening meeting of *86 Village Samiti* at Amarnagar;
- General consternation and anticipation among residents of Roshannagar, especially since little groups of 10-20 trickled back from Amarnagar;
- A small Mob, mostly locals, gathers and pelt stones;
- Loudspeakers used by the madrasa to warn of impending attack, and urging women and children to secure themselves and men to group on terraces; *Islam khatre mein hain...*;
- Police complaint lodged against the use of loudspeakers;
- Police arrive in 4 jeeps with around 4-5 policemen in each, apart from a police van, and are led to the Maulana Mohammed Yusuf by Leelaben;
- Madrasa searched, books torn and thrown in gutter, loudspeakers confiscated;
- 21 arrests, Maulana included, are made;
- Arrested men loaded into the empty police van and taken to Fatehgunj police station;
- Police torture in lock-up.

1 MARCH 2002

- Thursday's arrestees taken to Circuit house, and then to Central Jail without disembarking from the police van;
- Lodged in Central Jail till 12:00 pm, 5 March 2002, subsequently released on bail.

AT ROSHANNAGAR-ASHAPURI

- Around 9:30 in the morning 2 armed mobs (total strength of about 1000), and accompanied by police, surrounded the right flank of Roshannagar;
- Houses, shops, larris, tempo vans, auto-rickshaws, motorbikes burnt/damaged and chemicals spilled;
- Women and children fled to Ramwadi and Kalyannagar.
- Attempted to burn parked truck;
- Shops and houses looted;

AT NAVAYARD CABIN D AREA

- About 1.30 pm (during the Friday *namaaz*) Mob arrives in 3 luxury buses;
- People from local neighbourhood also join in, so much that a Mob of 2000 is collected in the open space next to Police Constable Abdul Majid Malik's house (unarmed, of Wadi police station);

- The well-armed Mob tries to move towards Roshannagar through the open fields;
- Hearing the noise, men, about 25 in strength, rush out from the mosque;
- 4 Police jeeps present at the scene, with PSI Rabari of Fatehgunj Police station in charge;
- Police fire at the Muslim group;
- Zahir Khan Bissimillah Khan Pathan, age approx. 18, killed on the spot;
- The Mob continues to pelt stones; mattress burnt and thrown into a house; 10 goats stolen;
- PSI Rabari injured;
- The police then direct their firing on the Mob;
- 1 killed (Manish, aged 19, who was not part of the mob, but was watching);
- Police arrest 48 Muslims of Roshannagar (the left flank), most dragged from their houses;
- Many injured and beaten during arrest;
- Taken to Fatehgunj police station, released on bail the following day;
- Local Hindus arrested for "rioting," released on bail the following day.

2. B) DETAILS OF ATTACKS AND MOBS

The first attack on Roshannagar was at 9.30 am on 1 March. Primarily women and children were only present in the area (the right flank of Roshannagar inhabited by labourers) since most of the men had been arrested the previous night itself. Two Mobs attacked simultaneously. The first Mob came from the general direction of Amarnagar, the second through the large ditch in front of Roshannagar. The first Mob was around 500 strong; the second one was around 400 strong. Both the Mobs were constituted mostly of outsiders; some locals were also part of it. A few women as well as Policemen were also involved. They were all armed with swords (thalwar), knives (dharma), spears (bhale), iron rods (pipe) and sticks (lathi).

The second attack on Roshannagar was attempted at 1.30 pm on the same day when a Mob of at least 2000, including outsiders, gathered in the open fields at Navayard D Cabin area. In the resultant Police firing 2 youths died.

The Mobs involved were definitely well organized and led, going by the well-planned nature of the attacks. VHP and Bajrang Dal cadres, wearing saffron bands, seem to have directed the attacks that were accompanied by provocative slogans.

3. C) DETAILS OF LOSS TO LIFE AND PROPERTY

2 youths lost their lives. The amount of damage to property, even at a cursory survey, is huge. 5 houses were burnt; other houses were looted; 1 tempo van burnt; 1 motorbike burnt; nearly 30 larris burnt/looted; 1 autorickshaw burnt; 2 autorickshaws damaged; 1 chappal shop was burnt and looted; one cut-piece cloth shop cum vegetable go-down was looted; chemicals for making detergents, bleach and blue spilled and the storage room completely destroyed.

4. D) ROLE OF THE POLICE

There had been tension prevailing over the area under survey from 27 Feb. The situation had worsened by the 28th with Mobs, returning from a special 86 village samiti meeting held expressly in the wake of Godhra, at outside behest, pelted stones at Muslim households. When the alarmed Muslims used loudspeakers to warn the community, a complaint was lodged. Police responded to this complaint with alacrity and 21 Muslims were arrested from their homes on 28 February 2002. They were taken to Fatehgunj police station and mercilessly beaten up while in the lockup. Welts and other marks were visible to us even after more than a week, on 7 March. Two (Ali Nabi Bholey Khan, aged 40, and Mohhamed Umar Abdul Latif, aged 35), were beaten so badly that they needed to be taken to Jail Hospital. When cried out loud in pain, they were warned not to scream. When they refused to chant *sabse bada Hanuman*, they were beaten up more and made to sit cross-legged with policemen jumping on their thighs. They were told to go to Pakistan, to go back to UP and their Mulayam or to their Sonia-ammi. For 24 hours they were not given either food or adequate water. They were not allowed to urinate, and when they asked for water, they were told to drink urine. Bearded men, including Maulana Mohhamed Yusuf and Abdul Sattar, had their beards pulled and police threatened to cut them off. We gathered that the police effectively used ice. They were not produced at the Circuit House, but were shut up in the police van outside the Circuit House before being remanded to Central Jail. They were charged

under sections 137, 143, 144, 153, and 188, in contrast to Hindus arrested the next day who were charged with Section 188. The latter were released on bail the very next day, while the former were released on bail only on the 5th March 2002.

The police who successfully thwarted the Mob from moving towards Roshannagar at around 1.30 pm on 1 March, proceeded to systematically arrest 48 Muslims of Roshannagar. They were *Gharpakad*, since they were literally dragged out of their homes. From our interviews we gather that this process of arresting was violent: they broke doors and furniture, beat people indiscriminately, used abusive language, loaded with sexual and religious overtones. In fact, a 65-year-old man was beaten senseless and his hand was fractured. The lockup story of these 48 arrestees also is much too similar to the above account. Revolvers were pointed at them with the threat that they will become a part of the statistics of “encounters.”

In contrast to such alacrity on the part of the Police personnel, during “riots” their procedure was one of studied inaction that only aided and abetted the Mob violence. We gathered that, as of today, no FIRs have been filed against any of the parties concerned in this area.

E) NAMES AND EVIDENCE

Needless to say, cross-referencing and verification of details would need active co-operation from many governmental sources. We have tried to ensure accuracy by interviewing, individually and jointly and over several days, several people from both communities. The following are names that came up again and again:

Municipal Councilors: Mr Pradip Joshi (Ward no. 12) and Mr Bharat Shah reportedly incited and sanctioned the Mob violence; they are supposed to have been in constant touch with the “rioters” as well as the Police.

Local Residents: Mr Rajubhai, Mr Dilipbhai and a person known as Painter played a active role in leading and urging the Mob.

Police personnel: PSI Vaghela of Fatehgunj Police station, reportedly, was very violent in his demeanour, he is supposed to have beaten the arrestees with an iron rod; Haveldar Ghanshyam of Fatehgunj Police station was also singled out for his abusive behaviour.

Sd/-

Dr Maya Valecha

Dr Bharat Mehta

Dr Deeptha Achar

Annexure 2

Report on riots in Vadodara: Sama area

Sama area of Vadodara falls under Ward 12. It is a relatively newer part of the city, having mostly come up since the mid-1970s, and has a predominantly Hindu population. This area has never experienced disturbances in earlier communal riots in the city. In the present riots, however, a number of serious incidents took place here, as detailed below.

On the night of Feb. 27, the day of the Godhra attack . a Muslim-owned mutton shop was burnt in Sanjaynagar and 3 neighbouring mutton/chicken shops, also Muslim-owned, were destroyed.

On the morning of Feb. 28, around 10 a.m., a small mob of around 20 people attacked the residence of Prof. J.S. Bandukwala, a well-known and respected figure in Vadodara and active member of the PUCL, who has over years consistently opposed both Hindu and Muslim religious extremism. Prof. Bandukwala and his daughter managed to shelter in the house of their Hindu neighbours. One car in his compound was completely burned and the other was damaged by the mob. The attackers fled within 10 minutes, when numerous people from the neighbourhood came out on the road. Police arrived about 20 minutes

after the attack. In the course of that day and the following day, a number of Muslim-owned larri-gallas were burnt: 4 fruit-sellers' larris and a cotton mattress larri at Swati market, another larri at Abhilasha, and a larri at Nutan Vidyalay corner. A Muslim-owned (Jirawala) bus chartered by IPCL was burnt on New Sama Road on the morning of Feb. 28. According to local people, a residence was attacked and burnt in Chanakyapuri the same day. By evening, there were burning tyres and other material at many places on roads in the Sama area.

On the evening of Feb. 28, a few persons living in Sama (who later joined the Vadodara Shanti Abhiyan when it was formed) went to meet the Councillor (who also happens to be the VHP boss for the area, Ward 12), to appeal to him for peace in the area. The Councillor - Pradip Joshi - said that he would not be able to control the mob fury, especially since these were "uneducated people". He ranted at length about the unpatriotic and criminal nature of the Muslim community (such as for instance their habit of abducting Hindu girls), and dwelt on the desirability of Muslims going and living in "their own areas (ilakhas)". He also produced a list which, he explained, showed the voting patterns (with AVM booth-wise break-ups) in the recent assembly bye-election, and how Muslim localities had voted against the BJP. On being repeatedly asked whether he could assure that there would be no further violence in the area, he replied that he could not do so, and one of his associates explained that what had happened that day (Feb 28) was "only a sample", and that it was best to be prepared for what would follow the next day. Joshi spent some time describing how he had dealt with Muslim "anti-socials" in Navayard. It is relevant to note that Navayard saw severe attacks on Muslims in the days to follow.

Around 9.00 p.m. that night members of the Abhiyan staying close to Prof. Bandukwala's house discovered that he had not been provided with police protection after the attack on his house, despite his request. After prolonged efforts and numerous phone calls, two armed policemen finally arrived at Prof. Bandukwala's residence at 11.00 p.m. At 2.00 a.m. in the night they declared that they were leaving as their duty was over, but were persuaded to stay on till 5.00 a.m. They returned again at 10.30 a.m. the following day.

March 1 saw more intense rioting activity, with larger, well-prepared mobs roaming the streets. A tailor shop in Abhilasha (near Maruti Super Store) was burnt, and Robe Laundry and another Laundry (Edward?), both Muslim-owned, were looted and burnt in Abhilasha. From Abhilasha/Swati area, a mob of around 300 moved on to Shuklanagar.

Shuklanagar is a mixed locality of Hindus and Muslims. The settlement is somewhat unusual in that the overwhelming majority of residents, both Hindu and Muslim, are "from outside (pardesh)", i.e. from Uttar Pradesh. They have settled in Vadodara over the course of the past 25-30 years, but retain links with the "desh" (U.P.). A few of the residents work in industries as casual labourers, some have vegetable handcarts, and many work in small tailoring and furniture enterprises which are Muslim-owned, but employ Hindus as well as Muslims. There were some 4 policemen on duty near one entry point to Shuklanagar. The mob attacked from the other side at around 11.30 a.m. (March 1), with shouts like "Maaro Mian ko" (kill the Mias), and "Bharat Mata ki Jai." The residents held off the attackers, who were armed with sticks, swords and petrol bombs, for several hours. Muslims and Hindus both participated in resisting the attack. The policemen stationed at the other end of the colony did not enter the picture. While the mob lobbed petrol bombs, they were unable to set fire to the houses or the mosque, though they managed to burn a moped and the laundry larri of a Hindu dhobi. After more than 3 hours (around 3.00 p.m.) police reinforcements arrived and the mob dispersed. Around 25 men from Shuklanagar suffered injuries; two men with head injuries were admitted to Narhari hospital in Fatehganj. (They have been treated and discharged.) The 300 or so Muslim residents fled the area, and took shelter in Kamatipura. Hindus remained in the locality, many of them sleeping for several days on the terrace of a "local" (Gujarati) Hindu living at one end of the colony. This person said that he had an army officer for a tenant, through whom it was arranged that two armed army personnel were stationed outside the house for several days. On the night of March 2, a small mob of around 25 people made another attempt to set fire to houses in Shuklanagar, but were repulsed.

Residents of Shuklanagar have been without any income since March 1, since all economic activity came to a complete standstill after the attack. They estimate the daily collective loss in earnings as Rs. 20-25,000. The Muslims explained how they had been living at the mercy of others (doosron ka kha rahe

hain) in Kamatipura, where the Muslim community arranged for food for them. Hindu residents have been equally affected, since most of them work in the local small enterprises. The Muslim residents did not return till the 17th/18th, and most of the families left after that for their villages in U.P. "for 2 or 3 months, till things calm down".

Around the time same time that the mob retreated from Shuklanagar, the residence, near Amar Complex, of Iqbal Pirzada, a retired government official, was attacked - probably by the same mob - and completely burnt. Anticipating trouble, the family had left the house a day or two earlier. When they were finished with the Pirzada residence, the mob moved on towards the nearby residence of Prof. Bandukwala. While Prof. Bandukwala had been evacuated about an hour earlier, his daughter and 5 Abhiyan members from the neighbourhood remained in the house. An autorickshaw arrived with two LPG cylinders, which were stored in a nearby Hanuman temple. The mob, numbering between 200 and 300, tried to advance on the house, but were kept at bay for over half an hour by the two armed policemen stationed outside the house. Repeated calls to the police control room and various police stations all elicited the response that no police personnel or vehicles were available to help. Two calls to the Collector on his mobile phone yielded an assurance that police help would be sent, but this arrived only some 45 minutes after the second call. (Thereafter the Collector's mobile was shut off, as was the Police Commissioner's throughout.) Meanwhile part of the mob attacked the house from behind, where there was no police protection. The people inside the house managed to escape over the wall to the (Hindu) neighbours when heavy stoning began. The mob then took to stoning the neighbours' house as well, and set fire to the Bandukwala residence. At this point - about an hour after the mob had gathered outside the house, a police jeep and van arrived. The mob dispersed in the neighbourhood, while Prof. Bandukwala and his daughter were escorted to safety by the police. When the fire brigade arrived to put out the fire, they were prevented from doing so by the mob which had regrouped there. The Hindu neighbours of Prof. Bandukwala who had sheltered the people trapped in his house, went into hiding for 3 or 4 days, fearing an attack for having sheltered their Muslim neighbour.

One shop, Dua Optical, was also threatened by the mob because there was a Muslim employee working there; shop-owners from the Amar Shopping Complex pleaded with the mob that the shop was owned by non-Muslims, and it was spared.

On March 1st and 2nd, the remains of the mutton shops in Sanjaynagar were completely demolished. One shop was completely razed, and tin sheets and other materials were taken away. The area occupied by three of the shops in the lane leading to the Sanjaynagar slum were converted into a Hanuman temple. On the evening and night of March 2, prasad was distributed here and cassettes of bhajans were played on a loudspeaker.

In addition to the incidents described above, the residence of a Muslim businessman, Mr. Safary (married to a Hindu), was completely burnt in the Swati area. Another house was attacked near Chhani (Shivam Society), where furniture was carried out and burnt.

On the night of March 1, a rumour went around that 3 trucks full of Muslims had gathered and were preparing to attack. Housing societies were rung up and warned to be prepared for the attack. The source of the rumour and the phone calls to societies appears to be the Ward Councillor, Pradip Joshi.

People were unable to say where the mobs had come from, although Abhiyan members residing in the area did see several groups emerging from the Sanjaynagar slum on the first and second day of rioting. People in Shuklanagar said that the mob came from Swati. Abhiyan members have not been able to confirm the number of arrests made in the area.

Sama did not see any incidents on the 15th or later. We spoke to several people in the area. While some shopkeepers and rickshaw-drivers did condemn the attacks, we also met people who justified them, as well as one rickshaw-driver who proudly told us he participated in the attacks. Curfew was on in the area since 4 March; by the 2nd, Sama area seemed to have reverted more or less to its normal routine, barring the very meagre presence of rickshaws on the roads. However, a certain level of tension has been maintained, especially at night, by persistent rumours about impending attacks by Muslims.

Annexure 3: Summary of pamphlets being circulated

Obituary/Announcement of 'Besna' of one of the Godhra victims	This obituary seeks to make a martyr of one of the victims of the Godhra tragedy, reminding everyone of his sacrifice
Boycott of Muslims	Signed in the name of a "true Hindu patriot" this one urges all Hindus to boycott the entire Muslim population in all possible ways - some of the suggestions include not hiring them, or working for them in their establishments, not buying from, or selling to them; not watching films in which Muslim actors/actresses have worked. If they fail to do so they are threatened in the name of Hanuman and Ram.
Rise! Awaken!	Slogans of "Hindustan Zindabad" go along with slogans of "Jai Shri Ram". It aims at coaxing Hindus to stop bearing "Muslim atrocities" that they have been inflicting on Hindus since long. Its time to rise up against them. This one is signed in the name of Paramhans
An R.S.S. highly confidential letter.	This is the most vicious of them all: it lists 34 ways in which they aim to harm/kill/isolate all the minorities - some of these methods include, injecting their newborns with slow poisons by enlisting Hindus doctors, accumulating arms, boycott all secular programmes, encourage the use of alcohol and drugs in areas dominated by the minorities. It also says that such activities should be reported to the office in Nagpur, where they can also obtain further information if they require it.
Historical decision regarding "Quran"	An order passed by a Metropolitan judge - A booklet including a judgement in a Delhi court, misquoting Vivekanand, Quran, Shri Arvind and M.K. Gandhi in the wrong context to suit their objectives. In order to avoid the rectified stand of these great people they have not indicated the timings of their statement. This is being misused as propaganda against the minority.

21 March, 2002

People's Union for Civil Liberties, Baroda and Shanti Abhiyan

13, Pratap Kunj Society, Karelibaug, Vadodara - 390 018

Phone : 464210, 462328 Fax No: 340223

Email No: chinu@wilnetonline.net

POST GODHRA CARNAGE IN VADODARA CITY- Some Quantitative Data

This statement is not exhaustive. The information though not comprehensive is correct and verifiable. It lists carnage happened right in front of police with police demonstrating explicit complicity and /or the police turning blind eyes with the goons getting free hands in inflicting the damage.

LOSS TO HUMAN LIVES:

PERSONS BURNT ALIVE :

4.1. <u>Best Bakery, Dabhoi Road</u> At least 12 persons burnt alive	All Muslims
--	-------------

PERSONS KILLED BY STABBING/ POLICE FIRING/ OTHERWISE:

30 persons 3 in Vishaal Nagar, Tarsali 2 when they were returning after retrieving their goods from their damaged homes on March 17, 2002 at Makarpura * 1 person in Sardar Estate	All Muslims
--	-------------

MUSLIM FAMILIES DISPLACED EN MASS AND PRESENTLY LIVING IN INHUMAN CONDITIONS IN TEMPORARY CAMPS IN VARIOUS MOHALLAS, MOSQUES, BUSTIES (LOCALITIES):

In Muslim pockets, almost all the mohallas and localities have hundreds of Muslim families (displaced - those who have lost their houses, belongings and have somehow managed to escape the fury of the Hindu hooligans/mobs and managed to run away) have been taking temporary shelter in whatever little space available in the mohallas in homes, near mosques, dargahs or even in open space creating chaotic conditions. They are being given food by the Muslim brethren but are otherwise living inhuman conditions.

Some of the temporary camps are listed here:

More than 5000 victims are at:	Near Madhuram Mosque, near Tandalja, Vadodara
Around 300 victims are at:	Machhi pith, Raopura, Vadodara
Around 500 victims are at:	Nagarwada, Raopura, Vadodara
Around 400 victims are at:	Qureshi Jamat khana, Mandvi
Around 300 victims are at:	Memon Jamat khana, Mandvi
Around 200 victims are at:	Ektanagar
Around 70 victims are at:	Dhaniyari, Tarsali
Around 100 victims are at:	Yakutpura (near Baroda Mill)
Around 100 victims are at:	Pratapnagar (behind Apsara Cinema)

MOSQUES & DARGAHS DESTROYED/ BURNT/ DAMAGED RIGHT IN FRONT OF THE POLICE PRESENCE:

<u>Location</u>	<u>Distance from the nearest Police station/chowky/picket</u>
<u>Mir Bakarali mosque (Raopura), Dandiya Bazar</u>	<u>Within 250 metres from two police chowkies (Shiyapura and Dandia Bazar)</u>
Salatwada mosque	Less than 150 meters
<u>Jaliwala Pir's Dargah, Near Sayaji Hospital</u>	Right in front of Nagarwada Police chowki (Ladies Cell).
Haji Hamja mosque (Chhipwad)	<u>Immediately behind City Police Station, Mandvi</u>
Begam saheb's mosque (Navabazar)	Less than 200 meters: Rokadnath Police chowki
<u>Dargah near Bajwada Naka</u>	Less than 200meters
Madina Mosque at Tajgira Kabrastan, Kareli baugh Road	About 300m from Kareli Baug chowky, Navi Dharti,
<u>Bade Hazarat saheb's Dargah, Kareli Baug</u>	About 1km from Bahucharaji Police chowky, Navi Dharti,
Baranpura mosque	Within 150m from the Wadi police Station
Mosque under the Overbridge at Pratap nagar	Within 100m from the Pratap nagar police Training College
Tarsali mosque	About 1km from the Police Chowkie.
Makarpura mosque	Near Police Parade Ground

Dargah near Udyog nagar, Ayurvedic Hospital, Panigate	Less than 200 meters
Mosque in Kisanwadi	1 km?
Mosque/madarsa in Nava Yard-Chhani rd	2 kms from Fatehganj Police
Noor Park, Tarsali Waghodia Chowkdi Dargah	2 kms

PROMINENT ESTABLISHMENTS / SHOPS BURNT , LOOTED, DESTROYED RIGHT IN FRONT OF POLICE PRESENCE :

Establishments/shops	Location with respect to Police Station
Textile shops in Mangal Bazar, Nyaymandir and Nava bazaar: Atleast 70 shops - all belonging to Muslims burnt, looted, destroyed completely	Right in front of the Police; Within 100 to 150 meters from the Nyaymandir Police chowki and Nava bazar police chowky
Shoe World	Within 10 to 25 meters of the Shiya pura Police chowki in Raopura:
Tower shoes	
Snow white Laundry	
Tower Jeans	
Optic Palace	Within 50 meters from either police chowkies ; Shiyapura Police chowki and Ahmedabadi pole police special picket
Sujat Pharmacy	
Deluxe Optical	Right in front of Jubilee baug special police chowki
Indian Boot House, M. G. Road plus Other 5 Muslim shops	Within 100 meters from both the Laheripura Police chowki and the Mandvi Police station (Head Quarter)
Optical Palace, Alkapuri and a row of shops next to Optical Palace Raopura	Within a stone-throw distance (not more than 100m) from the official residence of the Police Commissioner, and the Collector, Vadodara and the Circuit House

SHOPS/ FACTORIES/ GARAGES AND OTHER ESTABLISHMENT BURNT/ LOOTED/ DESTROYED:

2 shops in Dandia bazar	2 shops in Hazarat Paga
15 shops belonging to Pratapnagar mosque	15 Factories in Pratapnagar Industrial area and one major firecrackers godown at Diwalipura (18 kms from Baroda)
3 shops in Alkapuri, one Snowwhite Laundry and 2 hardware shops on Productivity Road - one opp BPC and one opp SBI	Factories in G.I.D.C. Makarpura Baranpura, Sara 15 shops and 1 bakery Sama 5 shops
25 garages/ factories in Kareli baug Kabrastan	Shops and factories on the National High way Bypass
15 shops in Manjalpur, Makarpura and Chhani	18 factories in Sardar Estate, Ajwa Rd
Atleast 4 shops on Gotri Road/Race Course and one opp. GERI	3 shops on Ellora Park/High Tension Road area

HOUSES : BURNT/ LOOTED/ DESTROYED:

6 houses in Salatwada, Rao pura 25 houses in Fagvel Nagar, Bhutadi Zhampa	120 of 125 houses in Kisan wadi, 6 at Kasamala Kabristan 5 in Bajwada
185 in houses Noor Park in Tarsali area and in 28 in Vishal Nagar Govind Nagar and Vijay nagar 3 houses in Chippwad	15 houses in Hujarat paga 65 houses in Gotri, Gokul Nagar, Ambika Nagar, Mahinagar, Laxmi Nagar, Ayodhyanagar, Ramdevnagar
40 houses at Kapurai -Highway bypass 12 houses in front of Best Bakery	3 houses in Sardar Estate (Ramnagar) 5 houses in Chabukswar Mohalla

80 houses in the Indira nagar and Adarsh nagar in Makarpura	1 house in Dandiya Bazar and one on Piramitre Rd 8 houses in Sayajipura
Baranpura, Sara 25 houses	Jubilee baug Sardar Bhavan meeting khancha one house
25 dwellings of poor in Gotri village and 25 hutments in Gorwa area	30 houses in Bhayli-Laxmipura area on the road to Padra

COMBING OPERATIONS

At Indiranagar on 4.3. 2002, 32 persons all Muslim except 2 Hindu were arrested from their homes.

Similar reports came in from Machchipeeth.