

The Genocidal Pogrom in Gujarat: Anatomy of Indian Fascism

Gujarat Carnage 2002 A Report To the Nation

By

An Independent Fact Finding Mission:

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Introduction

An independent fact finding mission consisting of Dr. Kamal Mitra Chenoy, Associate Professor, School of International Studies, Jawaharlal Nehru University, New Delhi; S.P. Shukla, IAS [retd.], former Finance Secretary of India & former Member, Planning Commission; K.S. Subramanian, IPS [retd.], former Director General of Police, Tripura; and Achin Vanaik, Visiting Professor, Third World Academy, Jamia Millia Islamia, New Delhi, was set up to investigate the Gujarat carnage of February-March 2002. The terms of reference of the fact finding mission were to find out the truth of the Godhra incident in which a bogie of the Sabarmati Express was burnt and 58 people were killed, the possible use of this tragic incident in regard to the communal conflagration that followed, and to ascertain whether there was any official complicity in that conflagration, and if so, to what extent. The findings of this mission will be presented to the Concerned Citizens' Tribunal set up in Gujarat.

In this connection, the team visited Ahmedabad and Godhra from March 22nd to March 26th 2002. We met a large number of victims of the communal violence, eyewitnesses, administrative and police people [serving and retired], journalists, judges, lawyers, NGO and civil society activists, relief camp managers, and others. In view of the sensitive nature of the information provided and the fact that violence continues in Gujarat, the names of all those who interacted with us and gave information and views are not being disclosed.

Section 1. The Sabarmati Express Incident, Godhra

The tragic communal killings on the Sabarmati Express on February 27th, 2002 were preceded by repeated incidents of provocation and harassment of Muslim passengers by kar sewaks travelling by the train on the preceding days. The Jan Morcha [Faizabad] daily in a report of February 24th detailed instances of misbehaviour by kar sewaks who allegedly hit and threatened Muslim passengers with iron rods, insisted that they shout "jai Shri Ram," and forcibly unveiled Muslim women. Many persons in Ahmedabad and Godhra also reported such instances. Since such communally inspired and provocative behaviour was commonly known, it is strange that as the National Human Rights Commission [NHRC] in its Interim Report has also observed, no action including a police escort, was taken at the time, in view of the known communally charged atmosphere in Godhra. We will deal with this administrative lapse in the third section on "State Complicity?" below.

In the whole of Gujarat, there was communal tension because of the Vishwa Hindu Parishad's [VHP] publicly announced programme of 'shila puja' on March 15th, 2002. In view of its earlier history of communal violence, which commenced even prior to Partition, and the episodic communal outbreaks after the major riots of 1969, Gujarat is a particularly vulnerable and sensitive State. Even though a compromise with the VHP was arrived at, before the events in question communal tensions remained, and wide sections of the Gujarati populace were apprehensive of the future.

Godhra is a small town with a roughly equal population of Muslims and Hindus, and a long and bloody history of communal tension and violence. The Muslims of the Singal Faliya area near the railway station, who allegedly attacked the Sabarmati Express with tragic consequences, are 'Ghanchis' a largely uneducated and poor community, a large number of whom are reportedly 'tabliquis' of the Deobandi tradition, who have been active participants in earlier rounds of communal violence.

The Sabarmati Express [9166 UP] was due at 2.55 AM on the early morning of February 27th at Godhra station. There had reportedly been instances of misbehaviour with Muslim passengers on the train en route. One Muslim family that refused to shout slogans of "jai Shri Ram," was according to informants, forced to disembark from the train at the dead of night. It is claimed that the train guard phoned his superiors from Meghnagar that kar sewaks were carrying explosive material in coach number S6. While we were unable to get confirmation of this particular report, it appears there was communal tension on the train well before it reached Godhra.

The Sabarmati Express was late, not an uncommon event, and arrived in Godhra on platform number 1, almost five hours late at 7.43 AM instead of the scheduled time 2.55 AM. In view of the large number of passengers, which included an estimated 1700 kar sewaks, the vendors including unlicensed Ghanchi vendors who slip into the railway station to sell tea and snacks, decided to raise the rate to Rs. 5 a cup. Some kar sewaks refused to pay for the tea and snacks and got into an altercation with the vendors. An old Ghanchi vendor, who is absconding, was ordered to shout pro-Rama slogans and his beard was reportedly pulled when he refused. This was followed immediately by stone throwing and physical assaults started. A Muslim lady Jaitinbibi was waiting for the train to Vadodara [Baroda] scheduled at around 8 AM along with her two young daughters, Sophiya and Shahidi. On seeing the fracas, they tried to leave the station. While doing this, they were stopped by a kar sewak who grabbed one of the teenaged daughters Sophiya and tried to drag her inside the compartment, but contrary to later press reports and rumours failed to do so. Subsequently this family left for Vadodara, but a journalist who spoke with them and has photocopies of their railway tickets, confirmed the story to us. Another informant who spoke to Sophiya's relative in Godhra, where the family had come to spend Id with relatives, also confirmed these particulars.

The fracas on the platform lasted around 15 to 20 minutes before the train began to pull out. But the emergency chain was pulled in one of the three front general compartment bogies of the 16 bogie train, [bogies S5 and S6 were eleventh and twelfth respectively in this chain] and it stopped briefly when the last bogie, also a general compartment, was, by various accounts, in front of the main exit gate of the platform. After a few minutes, it moved to less than a kilometre from the platform and was stopped again by an emergency chain being pulled, this time reportedly in coaches S5 or S6. Apparently incensed by reports of the misbehaviour with members of their community by the kar sewaks and the molestation, even rumoured abduction, of a Muslim woman, a mob of up to 2,000 people allegedly of Ghanchis from Singal Faliya attacked the train with stones and fire bombs. The kar sewaks of almost equal strength threw stones back. The main target of the Ghanchi mob appears to have been coach S6 which was badly burnt and in which 58 passengers, including 26 women, 12 children and 20 men died. The attack is estimated to have taken place between 8.05 and 8.15 AM. In comparison the adjoining coach, S5 was not badly damaged, with only a few windows broken.

Since the spot is just a little more than a stone's throw from the station and in clear sight the Government Railway Police [GRP] jawans reached the spot within minutes. But, for reasons unknown, they made no effort to fire warning shots to disperse the mob. Their role will be examined later in Section 3 below. The arrival of the firefighters was allegedly delayed by a local leader, who led a mob that detained a fire engine briefly.

By the time the District Superintendent of Police [DSP] reached the site by 8.30 AM, the mob had dispersed. Since he heard no cries or any sounds from coach S6, he had no apprehensions of massive civilian casualties in that coach. This was discovered only later when the District Collector entered the coach. Reportedly, all the bodies were in a heap in the centre of the coach S6.

The enraged kar sewaks learning of the civilian deaths caused by the ghastly burning of coach S6 then tried to attack a nearby mosque in Singal Faliya. The police fired 30 tear gas shells and fourteen rounds of live bullets to disperse the mob of kar sewaks. The damaged coaches S5 and S6 were detached, and the train departed with the rest of the passengers at 12.40 PM. According to informants, some kar sewaks in the Sabarmati Express on the way back stabbed 2 or 3 people at the Vadodara railway station, giving a clear warning of things to come. The inquest and post-mortem of all the recovered bodies was undertaken by 4.30 PM. Under instructions from the administration in Ahmedabad, all the bodies, excluding 5 that were of passengers from the Godhra region or that side of Gujarat, were dispatched to the Civil Hospital, at Sola, Ahmedabad. The arrival of the dead bodies in Ahmedabad, and their consequent funeral, could have been expected to worsen an already inflamed situation. We will discuss this in Section 3 below.

Certain questions arise about the tragic burning in Godhra. Why did the residents of Singal Faliya attack the train? Was this attack preplanned? If it wasn't, how did a mob of up to 2,000 gather at such short notice? If the attack was preplanned, was it by a foreign agency, as claimed shortly thereafter by Chief Minister Narendra Modi, and later by Union Home Minister LK Advani? Why did the mob attack with deadly weapons like fire bombs? Why did it specifically attack coach S6? Why did the coach burn so rapidly so that as many as 58 passengers could not escape? With 4 exits available: 2 coach doors on the side away from the attacking mob, and the 2 vestibule exits to the adjoining coaches, why did so many passengers get trapped? Why weren't concerted efforts made to rescue them by passengers of the adjoining coaches, and the hundreds of kar sewaks? Who pulled the emergency chains and why? The authorities and all informed persons in Godhra were quite categorical that there was no significant evidence to prove any 'foreign hand' in the tragedy. Because trouble had started at the railway station itself, by the time the train reached Singal Faliya some fifteen minutes later, the mob had had sufficient time to gather from the nearby houses and jhuggies. There is a large slum in the Singal Faliya area where as many as 15 to 20 persons live in a single jhuggi, literally sleeping in shifts. District authorities were not at all surprised that such a large crowd gathered at the spot in such a short time. Several informants in Godhra confirmed that this was not improbable. Fire-bombs, iron rods, etc. are all available in ready supply in various localities because of the history and incidence of communal outbreaks in Godhra. This was particularly so for Singal Faliya because of the presence of auto-repair workers, rickshaw pullers, auto-rickshaw drivers, small time wagon-breakers and criminal elements reportedly living in the slum. So the collection of a large mob at a short notice and the availability of improvised petrol bombs and other weapons and implements, by themselves, do not support the theory of any deep-rooted conspiracy, with or without support of the foreign agencies. One version is that some of the Singal Faliya residents such as tea vendors or rickshaw pullers/drivers who were present at the platform and were witness to the incidents/altercations that allegedly took place on arrival of the train, had rushed to the Singal Faliya basti with the news/rumour that a Muslim woman had been molested, even abducted, and that this led to excitement and uproar and the enraged mob that carried out the murderous attack. The focussed attack on coach S6 also suggests that rumour had it that the perpetrators of the alleged crime were in that coach. But all this will remain conjecture, until more evidence is collected. It also appears that since the bulk of the casualties were women and children, and relatively few (only 20) able bodied men, that all kar sevaks on the train were not targeted but only those in coach S6. Otherwise, why weren't other coaches filled with kar sevaks, of which there were another 14 excluding the adjoining coach S5, also attacked with fire bombs and the like?

We examined coaches S5 and S6. While S5 was less badly damaged with some windows broken, coach S6 was completely burnt out inside the compartment. Some reports have it that passengers were carrying kerosene stoves to cook during the long journey from Faizabad to Ahmedabad, along with other inflammable items. While this is not unusual or implausible, this must remain speculation until the forensic evidence is in. It is estimated that there must have been around 150 people in the compartment, largely kar sewaks, and once the fire started, the able bodied kar sevaks must have fled first. Knowledgeable informants in Godhra surmised that the 38 women and children along with the 20 men might have been rendered unconscious by the smoke and carbon monoxide confined inside the coach, since most of the windows and both doors on one side were closed, and later asphyxiated by the smoke or burnt by the fire that swept the coach. But this can only be confirmed by forensic evidence, and accounts by other passengers from coach S6 who survived.

But despite incomplete evidence and differing versions, it is clear that this monstrous crime was not preplanned as claimed by high quarters immediately after the tragedy. At most, according to a number of

informants, some passengers with access to a mobile phone may have called contacts in Godhra/Singal Faliya from a relatively nearby station like Ratlam, Dahod or Meghnagar, thus giving at most a few hours notice. But as we have stated above, given the prevailing circumstances and context, it was probable that a large armed mob collected *after* the fracas at the Godhra railway station platform. There was sufficient time for an armed mob to collect after the events at the railway station. As the train was scheduled to arrive at 2.55 AM, any premeditated assault should have led to the mob gathering at Singal Faliya about that time, instead of five hours later. On the other hand, before 8 AM in the morning, most adults and young males living in Singal Faliya would not have not gone to work and were easily available on call, as it were, to gather near Cabin A where the train had stopped.

Though by all accounts there was some provocation by the kar sewaks starting well before Godhra, this cannot serve to exonerate this inhuman and horrendous crime. As for the emergency chain pulling, it is plausible that the first chain pulling as the train was moving out from the station was by the kar sewaks to enable those left behind, perhaps involved in the commotion on the platform, to catch the train. The second instance, and that too from coaches S5 or S6, is more perplexing.

The outrage occasioned by this tragedy and subsequent police action has led most eyewitnesses to disappear, abscond or feign ignorance. We interviewed vendors from platform number 2 at Godhra station. They all claimed to have noticed nothing as they were on an adjacent platform. But since they, on their own admission, would have been aware of the commotion, if any, on platform 1, and would have had an unimpeded view of the area near Cabin A where the train was attacked, they obviously decided to remain silent. The vendors on platform 1 present on February 27th were absent and had been so since the incident. Some of the eyewitnesses and participants are obviously in custody. Others are missing. Still others are silent, or claim to know nothing.

This notwithstanding, major conclusions can be arrived at: 1] The attack does not appear to be pre-planned in the sense in which it was claimed publicly by high authorities in the immediate aftermath of the incident of 27th Feb. Neither available information nor the circumstances then prevailing provide support to the theory of any deep-rooted conspiracy, with or without involvement of foreign agencies. 2] It was an instance of a ghastly communal riot, in a place that has a long history of communal riots. 3] The tragedy could have been averted or at least, minimised if strong preventive measures had been taken in the wake of the communal incidents/irritants that were taking place on the train route and which could have been anticipated once the kar sewaks started leaving/returning by train in large numbers for/from Ayodhya [This will be examined below in Section 3].

Section 2. The Use of the Godhra Incident for anti-Muslim Mobilisation Political/Media reactions

There was massive media reaction to the Godhra tragedy. With the spread of electronic media and cable TV, the horrific pictures of the devastation in coach S6, the gruesome death of innocent women and children reportedly returning from homage to Lord Rama because of an inhuman, unprovoked and premeditated assault, was the staple of media coverage. While there has been criticism of the national print and electronic media [the dominant English and Hindi dailies and television channels] including by the Gujarat government, the role of sections of the Gujarati language press was in reality incendiary. The Gujarati daily Sandesh, for instance, reported on March 1st that two Hindu women had been abducted from the train by Muslims, gangraped, mutilated with their breasts cut off, then killed with their bodies dumped in Kalol near Godhra. It also reported rumours of a third body being found. [See Box 4]. The police investigated the story, searched the village and found the story baseless. But the publication of such baseless stories in the press inflamed public opinion. Sandesh has been held by most commentators to be a major offender.

Such inflammatory stories were not new. Three years earlier such stories had appeared during the anti-Christian violence in the tribal-dominated Dangs district, of Gujarat. There has been therefore, a long standing tendency in sections of the Gujarati language press to publish communally inflammatory reports. Such reports are actionable. Under the law of the land such reportage that causes animosity between communities is a criminal offence. Despite such provisions in the law, no action was taken. While the State government did ban some local TV channels, it took no action against newspapers like Sandesh. In this backdrop, the sensationalist and inflammatory reporting after the Godhra incident, with its gory consequences, was only to be expected. The Press Council was forced to issue a strong statement on the role of the media. On 3rd April, Justice K. Jayachandra Reddy, Chairman, was sharply critical of the media noting "with anguish that a large number of newspapers and news channels in the country and, in

particular a large section of the print and electronic media in Gujarat has, instead of alleviating communal unrest, played an ignoble role in inciting communal passions leading to large scale rioting, arson and pillage in the state concerned." He warned the erring media of action under Section 295-A of the Indian Penal Code and allied provisions.

The centrality accorded to Godhra by influential sections of the media only echoed statements at the highest level of Government. Chief Minister Modi repeatedly referred to the communal violence that followed as a "reaction" and likened it to Newton's third law of dynamics. The fact that the Chief Minister immediately branded the event as ISI and Pakistani-inspired, followed by Union Home Minister Advani, in the absence of any evidence or inquiry, further inflamed the situation. Even if the Chief Minister's intention was to shift the blame away from local Muslims, as some supporters claim, it had the opposite effect. The accusation branded the local Ghanchi Muslims as Pakistani agents, in other words, as agents of a long standing enemy power, thereby conforming to the traditional demonisation of Indian Muslims as sympathisers and cohorts of Pakistan. This wholly unsubstantiated vilification was already widespread in the State but was to become the staple of later propaganda and the legitimisation of the ruthless assaults on Muslims and their property.

To cite only a few of the many instances, State Health Minister Ashok Bhatt speaking to the media in Godhra on 27th February stated that, "Godhra has a notorious reputation," and alleged that, "We suspect that many Pakistanis live here illegally." Thus the equation was complete: Godhra was a preplanned Pakistani act carried out by local Muslims. The Minister of State for Home Gordhan Zadaphia, a senior VHP activist, confirmed the linkage alleging, "The bogie burning is a terrorist act similar to the attack on the American Centre in Kolkata. The culprits in both cases are the same." Through the media he delivered a dire threat: "We will teach a lesson to those who have done this. No one will be spared and we will make sure that the forces behind this act will never dare to repeat it."

Zadaphia also played to religious sentiments by stressing that "Most of the people who died were members of the VHP [Vishva Hindu Parishad]. Many of the dead children were returning from Ayodhya." He also made his allegiances clear by publicly differing with Prime Minister Vajpayee and Union Home Minister Advani's call to the VHP to suspend the Ram temple movement, by asserting, "There is no question of withdrawing our support to the VHP. Whatever the VHP is doing is in the interests of the nation, in the interests of Hindus." [See Box 6]

At Godhra on the 27th February itself official rhetoric confirmed the demonology which informed the post-Godhra anti-Muslim carnage. The burning of the Sabarmati Express bogie was labeled a premeditated and heinous enemy act, carried out by notorious Pakistani agents, against devout, nationalist Hindus including women and children, returning from worshipping Lord Rama. Such enemies had to be taught a lesson so that they "will never dare to repeat it."

The centrality of the Godhra massacre as the basis of the anti-Muslim carnage that followed was to be repeated again and again. It was also reiterated in the State government framed terms of reference of the Justice K.G. Shah enquiry into the Gujarat conflagration, in which the Godhra incident is the central issue, and all other events are seen as flowing from that. [See Box 8].

Post-Godhra Political Decisions

The Modi government decided to hasten the post-mortems of the murdered passengers, and have their bodies dispatched on the 27th February night itself at 10.30 PM to the Civil Hospital, Sola, Ahmedabad. In any case, at the best of times, the presence of the badly charred bodies and body parts would have been provocative. In Ahmedabad, with its previous history of communal violence and tension, such an act followed by the public display of the remains prior to cremation, could at best be described as reckless and foolhardy. The time of arrival of the corpses by train was broadcast on the radio ensuring that a large and inflamed crowd would gather at Ahmedabad station. Not surprisingly such a crowd gathered and there was shouting of dangerously provocative communal slogans like "khoon ka badla khoon". The display of the remains, the public grief and anger at the funerals, the organisation of Ram Dhuns in different parts of Ahmedabad, all served to fan the communal flames that seared the city and the State, and simmer till today. [We will deal with this decision in more detail in Section 3 below].

Earlier in the day, the VHP announced a bandh on the next day, 28th February, in protest over the Godhra tragedy. Provocative leaflets, some unsigned, castigating the Muslims and linking the attack to Pakistan were widely distributed. Later the same day, the State BJP unit came out in support of the bandh. Since the BJP was, and is, the ruling party this made the bandh a virtually State sponsored affair. In the light of

the Supreme Court decision banning bandhs, this decision was illegal. In the light of the previous history of Ahmedabad and the State, it was very likely to lead to communal violence. Later in the evening, there was a meeting of senior officers with the political leadership where, according to authoritative sources, officers were told that they should do nothing "which would hurt Hindu sentiments." In the light of subsequent developments this was clearly a signal asking the officers not to do anything to curb the bandh or those who sought to enforce it. [See Section 3 below].

The crucial role of the VHP-called and BJP-backed bandh cannot be underestimated. For all its tragic consequences and its diabolical nature the attack on the Sabarmati Express was an isolated and localised event. A Sangh Parivar bandh, on the other hand, marked a premeditated transition from a local riot to an organised and preplanned State-wide protest which was bound to result in a bloodbath, especially in the light of the political signals to officialdom to intervene minimally. As it turned out, Feb. 28th was when the greatest damage to life and property took place in Ahmedabad. Attacks of this kind also took place on a lesser scale in Vadodara on that day. Furthermore, once the attacks were allowed to happen in Ahmedabad, the capital city, it provided the necessary signal and sanction for the systematic and deliberate extension of targeted communal violence elsewhere in the state including in the rural areas. This also conforms to a historical pattern where communal violence in the capital city of Gujarat becomes the prelude to its extension elsewhere. All this only reinforces the decisive role played by the bandh in marking the transition from a local incident to a full-blooded pogrom.

This reading of the situation is borne out by the mind set and intentions of the bandh organisers revealed in a tape-recorded interview with Prof. Keshavram Kashiram Shastri, 96 year old Chairman of the Gujarat unit of the VHP, who justified the communal violence arguing, "*Karvan j pade, karvan 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 further said the rioters were "*kelvayela Hindu chokra*" [well bred Hindu boys]. He also linked all the events to Godhra; "Our boys were charged because in Godhra women and children were burnt alive. The crowd was spontaneous. All of them were not VHP people." He went on to say, "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."

Asked how he as a scholar and litterateur could condone innocents being burnt alive, he replied, "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?" Repeatedly defending the "boys" for having gone too "far," Prof. Shastri insisted, "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 also affirmed his organisation's support clarifying that, "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." [See Box 9]

But the attacks on Muslim properties and persons which started in Ahmedabad and some other urban and semi-urban areas of Gujarat on 28th February, were based on detailed information including the possession of lists. As the NHRC Interim Report points out there were "widespread reports and allegations of groups of well-organized persons, armed with mobile telephones and addresses, singling out certain homes and properties for death and destruction in certain districts..." Gujarat VHP Chairman Prof. Shastri claims that these lists were prepared only on February 28th morning. Even if this was true, it begs another question. What was the data base on which basis this list was prepared, and who prepared the basic document[s] and when? That surely could not have been prepared for tens of thousands of Muslim properties and residences just in one morning.

Earlier attempts at the preparation of such lists are a matter of public record or widely reported. On February 1st/2nd 1999, the then Director of Police [Intelligence] P.B. Upadhyaya sent a confidential circular ordering all Police Commissioners and district police officers to provide details including addresses of existing Muslim organisations, their leaders, as well as the names and addresses of Muslims participating in certain religious activities and related matters. [See Appendix 1] This circular, and a similar one pertaining to Christians, was challenged in the Gujarat High Court, and withdrawn a month later. Though this circular was withdrawn, some details about Muslim institutions and individuals along with their addresses, must have been collected in the intervening one month period.

Victims and other informants claimed that months earlier, persons claiming to represent a market survey firm visited their establishments to collect data about ownership, production, sales, number of employees, etc. They now believe that this may have been a prior attempt at ethnic mapping to identify Muslim businesses and establishments. The Gujarati language press allegedly played its part. On the basis of

their experiences of earlier riots a number of Muslim entrepreneurs gave non-Muslim, mainly Hindu, names to their establishments, so that these were not readily identified as Muslim. It was claimed that some eight months earlier, Sandesh had published an article in which it listed many such establishments pointing out that despite their names these were Muslim owned. The rioters however, also attacked establishments that had Muslim 'sleeping partners,' a fact not widely known. It would appear therefore, that the mob leaders had access to government records from the sales tax/excise departments and the like, not normally available to the average citizen.

Another fact that appears to indicate prior planning for a communal attack according to informants is the collection of liquefied petroleum gas [LPG] gas cylinders. It is claimed that for some two weeks before February 28th, LPG cylinders were in short supply in Ahmedabad, and middle class consumers had to book them and stay in queue. But the rioters who took over Ahmedabad from February 28th were armed with thousands of LPG gas cylinders, obviously collected in advance, which they used to blow up Muslim commercial establishments and residences in the days that followed. These LPG cylinders are bulky and heavy metal cylinders that can only be transported by medium or heavy vehicles. The fact that such vehicles [including tempos and trucks], were available along with the much sought after LPG cylinders appears to indicate prior planning of some weeks, not to speak of days.

Taken together, all the available evidence including media reports, the reports of informants, eyewitnesses and others, appears to indicate a carefully planned attack over time on Muslim properties and persons throughout the State, beginning with Ahmedabad, with State connivance. The attack, it would appear, was planned well before February 27th. The ghastly events of Godhra appear to have merely provided the trigger for an anti-Muslim pogrom prepared well in advance. In that sense, the tragedy in Godhra is merely a coincidence. The premeditated and focussed attack on Gujarati Muslims was already planned, awaiting a trigger or pretext. The unexpected carnage in Godhra on February 27th unfortunately, provided that convenient trigger.

Section 3. State Complicity?

Penetration of the Gujarat State

The BJP, RSS, VHP, Bajrang Dal and associated organisations had allegedly penetrated State institutions and organisations during the BJP rule in Gujarat. For example, in the Home Guards, it is claimed that there was widespread recruitment of Sangh Parivar activists and sympathisers, in the thousands. Promotions, postings and transfers in all government institutions or those influenced by it, favoured Sangh activists and sympathisers, and conversely punished those officers or ranks who were neutral and secular. In the police, for example, postings and transfers up to the rank of Deputy Superintendent of Police are decided upon by the Director General of Police [DGP]. But in Gujarat, these postings/transfers are decided upon by the local Sangh leadership, including MLAs, who communicate their recommendations that are then implemented by the bureaucracy on the instructions of the concerned Minister. The DGP has hardly any role. At the higher level of posts of Superintendent of Police and above, powers are concentrated at the Ministerial level.

In the police, as probably in other services, there is apparently an informal three-fold classification by the Sangh Parivar of government servants. The first category are sympathisers or members, the second are of those considered neutral or harmless, while the third are of those considered hostile. This classification governs rewards or punishments in the service and all are aware of that. The mass transfers of police officers in March 2002, including of officers who through their prompt and decisive action had stopped and curbed communal violence, is the most recent example of punishment for doing one's Constitutional duty. [See Box 10, and below]. When asked about this by a critical media, Chief Minister Modi euphemistically referred to these transfers as "promotions."

Conversely, officers who apparently serve the ruling party's interests are rewarded, and act accordingly. Assistant Commissioner of Police P.N. Barot was entrusted on March 8th with investigating two of Ahmedabad's bloodiest massacres, which fell outside his earlier zone of responsibility. He declared that the genesis of the Gulbarg Society massacre where 42 people including former Congress MP Ehsan Jafri were killed was due to Jafri firing "with a weapon and injured 13 persons, which provoked the mob." Similarly, the massacre in Naroda-Patia was because "First, a Hindu boy, Ranjitsinh Chouhan, was stabbed to death by Muslims. Then they killed three others by crushing them under a Matador van. This infuriated the Hindus, leading to the massacre." Barot was also critical of the fact that eleven people had been named in the FIR in the Gulbarg Society case, and five others in the Naroda-Patia carnage, the most prominent among the accused being Bajrang Dal activist Babu Bajrangi, who has a long criminal

record. "How could the police have identified 5-6 people in a mob of a thousand?" he complained, echoing VHP General Secretary Jaydeep Patel who accused the police of "falsely" implicating his men. Thus Barot not only prejudices issues but also criticises his own colleagues, clearly indicating the likely result of his investigations.

The RSS and VHP also control key functionaries in the State. Chief Minister Modi is an RSS pracharak. Minister of State for Home Zadaphia is a VHP activist. The Governor of Gujarat, who has not seen fit to send a report on what is happening in the State to the Centre, S.S. Bhandari is also an RSS leader. Such examples can be multiplied, but these will suffice to indicate the penetration of the state apparatus and government machinery by the Sangh Parivar. All governments are political, but the penetration by the RSS, a shadowy and publicly unaccountable organisation, is a specific phenomenon that requires careful and painstaking investigation, which is however, outside the scope of this report.

As a consequence, the Gujarat government functioned not as a Constitutionally bound, non-partisan and independent body, but one controlled by, and answerable to the Sangh Parivar. The role and functioning of the Gujarat government, therefore, is directly determined by its penetration by the Sangh Parivar including its most extremist elements the VHP and Bajrang Dal. This fact underlies the conduct of the Gujarat government before, during and after, the peak period of communal violence in the State during February-March 2002.

Erosion of the Bureaucracy and the Governmental System

The politicisation of the governmental machinery especially the bureaucracy led inevitably to the erosion of the functions and powers of the government machinery. As in the case of police deployment, decision-making powers were illegitimately transferred from police officials to the Sangh Parivar thereby eroding the powers, neutrality and accountability of the government machinery. A very substantial number of officers and staff instead of being responsible to their direct superiors and governed by service rules, traditions and precedents, became politicised and partisan, answerable to the Sangh Parivar. This process also undercuts the system of checks and balances crucial to the functioning of the governmental machinery. Checks on officers like their superiors, supervisory departments, service codes, public scrutiny including that by the elected Assembly all get displaced by the unaccountable and unconstitutional control by the Sangh Parivar.

This erosion of the governmental machinery adversely affected its efficiency. Functionaries instead of concentrating on their official functions were unduly concerned of the impact of their actions, or inaction, on the Sangh leadership. Since crucial personnel matters like promotions, postings, transfers and awards depended not so much on meritorious performance but partisan appreciation, the qualitative functioning of the government apparatus was negatively affected. This factor had a major impact on the functioning of the government machinery during this crisis, and its inadequacies and failures.

State Government Complicity?

Failure in Godhra

The NHRC has pointed out the "serious failure of intelligence and action by the State Government [that] marked the events leading to the Godhra tragedy and the subsequent deaths and destruction that occurred." In Section 1 above, we have seen how reports of communally motivated misbehaviour in the Sabarmati Express had been reported in the media as early as February 25th e.g. in the Jan Morcha [Faizabad]. Given Gujarat's communal history and, in particular, the volatility of Godhra, this alone should have led the administration to take precautionary measures including the deployment of sufficient police forces on the train, and at the railway stations including Godhra. In any event, the government should have known about the returning kar sewaks from Ayodhya, since the BJP currently rules in both the Gujarat and UP governments. In view of the sensitivity of the Ayodhya issue, there should have been much more police bandobast, which if it had been in place would have ensured that the tragedy did not occur.

According to our reconstruction of events, the trouble started at the station itself where stone throwing took place. By all accounts there was a clash. This should have alerted the police forces including the GRF, who knowing the character of Godhra and the volatility of Signal Faliya, should have taken preventive action immediately. Further, Cabin A where the train stopped for the second and final time, is less than a kilometre away and the whole area is clearly visible. A crowd gathering there could easily be observed and could only have meant trouble. The police could, and should, have been there in a matter of minutes.

In case the official version, that the tragedy was premeditated and ISI-inspired is given credence, then the intelligence lapse is much more serious. How could such a premeditated plot have escaped the notice of the intelligence agencies? If the fire bombs, petrol and weapons were collected and stored over time and other preparations made over a period, why was this not detected, particularly when tensions were known to be high over the VHP programme in Ayodhya?

Under any construction of the events, there have been very serious lapses by the administration and police. There is one aspect of the formal procedures of intelligence gathering that goes some way to explain the intelligence lapses. Both State and Central intelligence agencies have as a matter of routine maintained regular surveillance of certain organizations deemed to require such watching in the name of internal security. These have included certain fundamentalist religious organizations. On the watch-list are also certain extremist cults or political groupings deemed to belong to the far right (e.g. Anand Margis) or far left (e.g. certain Naxalite groups). However, the rise to power of the Sangh (through the BJP) at the Centre and in Gujarat has meant that as far as central intelligence agencies and those of Gujarat state are concerned, regular surveillance of the activities of the RSS, VHP, Bajrang Dal though prevalent in the past would now appear to have been dropped. This could be one major reason why no tabs were kept, as they should have been, on the activities of the kar sevaks on the Sabarmati Express.

The Post-Godhra events & the February 28th VHP Bandh

The government's decision to swiftly transfer the bodies of the Godhra victims to Ahmedabad and elsewhere and to allow public funerals was incendiary. The ghastly condition of the charred bodies and remains was bound to cause public grief, revulsion and anger. In a communally polarised State like Gujarat, the outbreak of communal mobilisation and violence as a result of this should have been easily anticipated. Large crowds were allowed to collect to receive the bodies at Ahmedabad railway station and then to take them in a public procession. Even on the journey from Godhra to Ahmedabad which passed through Vadodara, there were press reports of at least two stabbings at the Vadodara railway station itself.

This act was compounded by the government's decision to allow the February 28th Bandh. At a time when communal passions were aroused by the Godhra incidents and the funerals of the victims, a bandh was certainly going to provoke violence. Not only did the government not dissuade the VHP from calling the bandh, it instead went ahead and joined it. The political leadership's advice to the officers not to do anything during the bandh that would hurt "Hindu sentiments" was a transparent attempt to ensure that the bandh supporters were subjected to minimum administrative and police restraint.

Since it was clear that an immediate post-Godhra bandh could only lead to communal violence, the Chief Minister should have forced the VHP to withdraw the bandh, failing which he should have suppressed it by deploying the entire might of the State and requisitioning extra forces from outside. He clearly failed to do so, and instead did the very opposite. By doing this the VHP and Gujarat government, in effect, prepared the grounds for the riots.

Police Partisanship

The NHRC notes that the communal marauders were widely reported to have been "singling out certain homes and properties for death and destruction in certain districts—sometimes within view of police stations and personnel..." Reportedly in many cases, including the massacres in Gulbarg society in which former Congress MP Ehsan Jafri was brutally slain, and in Naroda-Patia where more than 80 people died [unofficial figures are much higher], the police have been accused of having been partisan and anti-Muslim. No satisfactory explanation has been given for the inordinate police delay in intervening in Gulbarg society, despite Jafri's incessant requests for help. Some observers say that Jafri's spirited criticism of Chief Minister Modi during the latter's campaign in the Rajkot Assembly by-election, was a factor in the police's persistent lack of response. [See Box 2]. In Naroda-Patia, according to survivors, the State Reserve Police [SRP] not only refused the fleeing Muslims shelter, but tear-gassed them, forcing them towards the waiting mobs. In case after case, Muslim victims claimed the police used force against them, including firing, thereby providing cover and support to the rampaging mobs. A number of victims told us that but for the police partisanship, the toll in the Gujarat carnage would have been much lower. This partisanship was much greater at the lower levels, where there appears to have been substantial communalization of the police force. There are widespread reports of the lower echelons of the police being especially partisan and hostile. But efforts to get the senior officials to remedy this parlous state of

affairs seem to have failed. This situation continues to this day. On April 3rd, The Asian Age crime reporter in Ahmedabad Ms. Sonal Kellogg, along with the reporter of a Surat-based daily, was beaten up by the police in the Mariam Bibi Ni Chawli area in Gomtipur. When she complained to the Deputy Commissioner of Police [Zone V] R.J. Savani, whom she knew quite well, all he said was that "it might have been a mistake." When she protested to the Police Commissioner P.C. Pande at his office, he was dismissive; "Don't bother me...I don't have time...file a complaint if you want." As the journalist sums up, "If policemen can be so brutal towards journalists on duty, their behaviour with ordinary citizens could be so much more atrocious. It is a pity that the police in Gujarat is either a mute spectator or it harasses and tortures innocent people."

Senior police officials have indicated that their hands were tied, implying that this was done by top politicians. But this does not absolve the top police brass in Gujarat for failing to do their duties. The maintenance of law and order is the direct responsibility of the police force. Regardless of what political pressures may or may not be put upon them, there exists a structure of rules and powers that empowers the police to ignore such political pressures, and to ensure that law and order is maintained. This can be done through a variety of measures including identification of likely communal hotspots, preventive arrests and detentions on a mass scale in curfew and other areas, back-up preparations, etc. What is more, despite a degree of communalization of the police at lower levels, as long as the top hierarchy of the police make it clear that the police must and will do its duty of ensuring peace, such communal prejudices are invariably kept firmly in check and easily subordinated to the acceptance of the existing chain of command and operation. It is when the top officials do not assert themselves that wrong signals go down the line. In the case of Ahmedabad on Feb.27th there were virtually no preventive arrests by police stations in communally sensitive areas. [See Box 11].

That is why instances of police partisanship and ineptitude were not all pervasive and there are many creditable examples of IAS and IPS officers fulfilling their responsibilities courageously and effectively in Gujarat during this period. The NHRC cites the Gujarat government's Report to it noting "that many instances were recorded in the Report of prompt and courageous action by District Collectors, Commissioners and Superintendents of Police and other officers to control the violence..." But the NHRC also points out that "the Report itself reveals that while some communally-prone districts succeeded in controlling the violence, other districts—sometimes less prone to such violence succumbed to it." Thus where decisive and capable officers intervened, the communal holocaust could be averted. The fact it was not in the capital Ahmedabad, was not due to lack of force but politically-motivated ineptitude. It should be noted that the Police Commissioner in Ahmedabad commanded a total of 10,000 men including 3,000 armed men, along with 16 companies of SRP. Yet mobs of up to 5,000 and more men were allowed to run amuck, loot, rape, beat, murder while the police stood by, when it did not actually abet the mobs. As one senior police officer told us, the problem was "not lack of force, but lack of will." This lack of political will has also affected investigation. Victims claim that for the most part, the police are not registering FIRs. When they do they avoid writing specific names of alleged wrong doers thereby defeating the purpose at the very outset. Further, they cite lesser offenses, for example, writing the charge of rioting instead of murder. As the instance of ACP Barot cited above shows, the investigating officers are often biased to begin with. The NHRC has clearly noted this and related factors: "numerous allegations have been made both in the media and to the team of the Commission...that FIRs...were being distorted or poorly recorded, and that senior political personalities were seeking to 'influence' the working of police stations by their presence within them, the Commission is constrained to observe that there is a widespread lack of faith in the integrity of the investigating process and the ability of those conducting investigations."

Role of the Sangh Parivar

The primary responsibility for the communal conflagration rests with the Sangh Parivar. It provided the ideological, political and administrative leadership and backbone for the tragic events in Gujarat. In Godhra, but for the provocation by the VHP kar sewaks, the tragic events that triggered off the State-wide holocaust would not have occurred, though that does not justify the mob's murderous response. The Sangh Parivar sought to capitalise publicly in regard to the funerals of the Godhra dead in ways that further inflamed communal passions. The VHP and other Hindutva groups circulated inflammatory pamphlets thereby helping to create the communal polarisation necessary for the ensuing mobilisation and mayhem. [See Box 5 and Appendix 2]. These pamphlets and other propaganda methods were unlawful and actionable. But to date, since cadres and leaders of the VHP and Bajrang Dal are also BJP

leaders and legislators, no action has been taken despite extensive media coverage and criticism. No other organisation indulging in such disruptive and illegal ideological propaganda would have been given such latitude, much less support.

Sangh Parivar leaders were repeatedly identified by victims and other informants as instigating and leading the marauding mobs. This is why in the few instances where individual names have been recorded in the FIRs, these include Sangh Parivar activists. The media has reported that for crucial hours on February 28th from around Noon to 4.30 PM, two Ministers, Health Minister Ashok Bhatt and Urban Development Minister I.K. Jadeja were present in the Ahmedabad City and Gandhinagar State Police Control Rooms, respectively. Minister Bhatt was reportedly present when former MP Jafri called for help. Most importantly, though the situation was clearly out of control, the State government delayed in calling in the Army. Even after the Army was called in on February 28th night, its deployment was delayed till the next afternoon. Even then, it is reported, it received insufficient police support and intelligence. The fact that a sympathetic Central government deemed it fit to send Defence Minister George Fernandes to oversee the army deployment, is a measure of their lack of faith in the State's leadership to adequately utilise the Army.

The bias of the Sangh Parivar is highlighted by the fact that it wanted to compensate the victims of the Godhra violence with Rs. 2 lakhs, in contrast to the Rs. 1 lakh offered to victims in the post-Godhra violence. This was reversed only after representatives of the families bereaved by the violence in Godhra agreed to equality of compensation at Rs. 1 lakh. This, it has been reported, was made possible because of private assurances of separate financial help by the VHP to the said families. The NHRC commenting on the initially proposed discriminatory compensation, strongly noted that "the issue raised impinged seriously on the provisions of the Constitution contained in Articles 14 and 15, dealing respectively with equality before the law and equal protection of the laws within the territory of India, and the prohibition of discrimination on grounds of religion, race, caste, sex or place of birth." The imposition of the Prevention of Terrorism Ordinance [POTO] only against the accused in the Godhra incident also smacked of bias. Both decisions were only reversed after considerable public outcry, and Central Government intervention. Biases are also indicated by the fact, which the NHRC has noted, that prior to its visit no senior political leaders nor high level officers had visited many Muslim refugee camps. Work has started in some camps like Shah-e-Alam only when it became known that the Prime Minister would be visiting it. The procedure for estimating and providing compensation also started around that time. When it became known that the Prime Minister would not be visiting some camps, work there, according to media reports, was quickly abandoned. Notwithstanding the Prime Minister's instructions and sustained Opposition demands, no rehabilitation work has started though more than a month has lapsed since tens of thousands of Muslims entered dozens of refugee camps. Given the scale of the devastation and the large numbers of people involved, rehabilitation work, to be effective, should have commenced much earlier.

The most important role of the Sangh Parivar has been in suborning the administration to carry out its ideological and political agenda. The control of the Gujarat government was crucial for the Hindutva forces. Without it they could not have planned, instigated, mobilised, and implemented the communal pogrom, and then protected its activists who participated in these activities from legal and societal retribution. It is noteworthy that at no stage of the early communal violence did Chief Minister Modi make sustained public appeals to Hindu groups to eschew violence and live in amity with their Muslim neighbours.

The role of the BJP leadership in the ruling NDA coalition in the Union government has been crucial. Despite unprecedented violence, loss of life and property and colossal damage to the State's economy, the BJP central leadership has gone out of its way to defend the Modi government. Though Home Minister Advani's Gandhinagar constituency includes some of the worst affected areas, he paid a brief visit some days after the violence erupted. The Prime Minister's own visit was more than a month after the violence started, and that too just for a day. In a tragedy of such dimensions more visible concern is normally displayed and expected. It is noteworthy, that in States marked by much less violence and disturbance, like in Manipur last year after the extension of the Naga cease-fire to the Manipur hill districts, the Centre imposed President's Rule under Article 356. This sustained and unrelenting support has encouraged and enabled the Modi government to persist with its communal and partisan policies. Additionally, both these governments have failed to fulfill Constitutional requirements.

Two Gujarat High Court judges, one a serving judge Justice M. H. Kadri and another a retired judge and former Chairman, MRTP Commission, Justice A.N. Divecha, had to leave their own homes on 28th February, on the advice of the Chief Justice of the High Court, because adequate police protection was

not available. Justice A.P. Ravani, former Chief Justice, Rajasthan High Court, in his deposition to the NHRC of 21st March 2002, has stated that he advised Justice Kadri that for him "to shift from his official residence for the reason that he is not given full protection would amount to [an] insult to the independence of the judiciary and also an insult to the secular philosophy of the Constitution." [See Box 7, and Appendix 3]. The NHRC in its comment on this event noted that the "pervasive sense of insecurity prevailing in the State...extended to all segments of society, including to two Judges of the High Court of Gujarat, one sitting and the other retired who were compelled to leave their homes because of the vitiated atmosphere. There could be no clearer evidence of the failure to control the situation." From all these instances it would appear that there has been a Constitutional breakdown of law and order in Gujarat attracting Article 355, and obligating the use of Article 356. This is indicated by the NHRC when it declared that the State's responsibility should be gauged by "the failure to protect the life, liberty, equality and dignity of the people of Gujarat."

Conclusions

- 1] The events in Gujarat do not constitute a communal riot. Barring the tragic attack at Godhra on February 27th which was a communal riot, the bulk of the violence that followed was state-backed and one-sided violence against Muslims tantamount to a deliberate pogrom.
- 2] For the first time since 1969, the communal violence in Gujarat has assumed a comprehensive State-wide dimension. But unlike 1969, several new areas hitherto unaffected by communal tension (both in cities and in the state as a whole), including large swathes of the rural areas, have been affected by communal tension marked by attacks by the largely tribal people, often from neighbouring villages, on the Muslim minority.
- 3] The casualties have been very high. While the official estimate of deaths is below 800, unofficial estimates start at 2,000 and go even higher. A major reason for this underestimation is that the deaths in rural areas have not all been reported as entire settlements have been wiped out, with no one left to report the losses to the police, which, as shown above, has generally been reluctant to file FIRs even in the urban and semi-urban areas. In view of the Administration's attempt to minimize the violence claiming that it was under control within 72 hours, it would be interested in understating the actual extent of casualties.
- 4] Certain crucial aspects of the carrying out of the pogrom required systematic planning well in advance of the Godhra incident. The lists the rioters possessed and used must have been compiled over time. The targeting of Muslim homes, institutions, establishments and shrines was very precise and accurate. Even when there was only one Muslim shop or home in a congested Hindu-dominated area, it was attacked, ransacked and burnt. Businesses that had Hindu or non-Muslim names, were identified and targeted along with others in which Muslims were minority or sleeping partners. The mobs were huge, at times several thousand strong. They were brought in buses and trucks. Vehicles were also used to ferry thousands of LPG gas cylinders, which in turn were widely used as explosives to destroy property. There must have been official connivance to release such large quantities of LPG gas cylinders. In the weeks before the outbreak Ahmedabad was experiencing a widely reported shortage of such cylinders. Vehicles were also used to transport looted goods. The leaders of the mobs allegedly had mobile phones as well as water bottles, and regularly communicated with others, presumably including their political bosses.
- 5] It is a measure of the virtual breakdown of large areas of police functioning that intelligence reports of this Hindutva planning were either not compiled or ignored by higher ups. These types of preparations should not have gone unnoticed since, at the very least, hundreds must have been involved. Further, this mass movement of men, materials and vehicles could easily have been curbed by decisive police action, which would have led to a dramatic fall in casualties, rape and destruction of property. Virtually no preventive arrests were made further emboldening the mobs. Later arrests reportedly had a disproportionate number of Muslims. In sharp contrast, in places like Kacchch, Surat, Amreli, etc., where tough, decisive and extensive action was taken by the administration and police, the situation was kept under control. This would indicate that the breakdown of law and order in Ahmedabad, Vadodara, and elsewhere was a consequence of the politicisation of the administration and police.
- 6] The suborning of large sections of the administration and police to permit, and in numerous cases to facilitate, the Hindutva agenda, was critical for the spread, intensity and persistence of the communal violence. As was the blind eye turned to the provocative propaganda by sections of the Gujarati media, Sangh Parivar affiliates notably the VHP, and at times by State functionaries themselves. The

government statements immediately after Godhra virtually accusing the Ghanchis of Singal Faliya of acting as Pakistani ISI agents, and their decision to publicise the transporting of the charred bodies to Ahmedabad for public funeral, can only be seen as a cynical attempt to foment communal tension and hysteria essential for the attacks that inevitably followed. This was compounded by the State government's sanction and support for the VHP bandh and their signal to the bureaucracy and police to minimise their intervention. Since then the government has systematically tried to cover up, minimise, and even justify, the extent of violence, while protecting the guilty and those guilty of dereliction of duty. This is why the events of February-March 2002 can only be called a state-sponsored pogrom.

7] Instead of intervening and taking decisive action against the State government, the Central government has chosen to minimize the seriousness of what has happened, with senior Central government leaders early on alleging without proof, ISI involvement in Godhra. Without this sustained and consistent support, the Modi government could not have continued in power or have been emboldened to continue with its bloody, anti-Constitutional and anti-national activities. Since the defence of the Constitutional order is its primary duty, the Union government itself has failed to fulfill its primary duties, and uphold its oath of office.

8] What has happened in Gujarat is not only a gruesome tragedy for that State, or a national tragedy as the Prime Minister keeps saying. It is much more than that. If those guilty, whether for the Godhra killings or for the carrying out and covering up of the state-sponsored pogrom are allowed to go unpunished, it will have severe consequences for the continuation of India as a secular, multi-cultural democracy. If minorities along with all those who disagree with Hindutva fanatics, (together the large majority of the people of India), can be attacked in this manner then a secular India cannot survive.

Recommendations

1] In view of the Constitutional breakdown in Gujarat, [patent in the concerted and systematic challenge mounted to the secular foundation of the polity; in the failure to protect the life liberty and safety of a sitting High Court judge belonging to the minority community; in the monumental breakdown of law and order, in the very heart of the state capital and elsewhere; and in the large scale looting, arson and killing to which the minority community was allowed to be subjugated systematically], under the obligations enjoined on it under Article 355, the Union government should impose President's Rule under Article 356.

2] During President's Rule, stringent and extensive measures must be undertaken to depoliticise and decommunalise the bureaucracy and police at all levels. The impartial and efficient functioning of the Gujarat administration and police must be restored in accordance with the provisions and injunctions of the Constitution.

3] The K.G. Shah Commission of Inquiry should be replaced by a Commission of Inquiry headed by a sitting Supreme Court judge and including one or more sitting High Court judges, with more extensive terms of reference similar to that of the earlier Justice Jagmohan Reddy Inquiry Commission.

4] Special courts should be set up to try the guilty, including leading politicians. CBI inquiries be instituted against senior police officers and bureaucrats suspected of dereliction of duty.

5] Recommendations of the National Police Commission [1979-81] to establish the autonomy of the police and free it from undue political control should be accepted and implemented immediately.

6] Immediate measures for relief and rehabilitation. Peace committees must be set up in all localities, including unaffected ones. These committees should be involved in creating a conducive atmosphere for the victims to return home, once their residences are reconstructed. Adequate compensation should be given for the reconstruction of commercial and industrial establishments. The necessary rules may be revised, and the Centre can give the necessary financial support. When this is not possible, peace committees in the area of relocation should be involved. All efforts must be made to prevent further ghettoisation of the Muslim community.

7] In view of the trauma, victims especially women and children have suffered, free medical, including psychiatric, care should be provided. As there has apparently been widespread rape, including of girl children, special counselling by medical personnel as well as by social workers should be organised.

8] The role of sections of the media, particularly the Gujarati language press, should be investigated by the Press Council, and deterrent and remedial action be taken.

Section 1

Box 1: A History of Communal Riots in Gujarat

After independence, Gujarat witnessed its first major communal riot involving large-scale massacres, arson and looting in 1969. The riots took a toll of over 1,000 lives and property worth crores of Rupees was destroyed. During the years 1974 to 1980, other issues preoccupied Gujarati society. The 1984 anti-reservation agitation also took something of a communal turn as this was one way of reducing the polarisation that was otherwise taking place between upper caste and lower caste Hindus. During the nineties, the Ram Janmabhoomi issue began to occupy the centre of the stage. L. K. Advani's Rath Yatra in 1990 led to the highest number of communal riots in the state. Communal passions were raised particularly in those areas where Hindu-Muslim amity had prevailed in the past. Violence also spread to rural areas.

Organised efforts were made in civil society through informal channels, the print and visual media, public lectures to provide new and more militant interpretations of Hinduism and to promote a feeling among Hindus that as a majority community they were being treated unjustly through 'appeasement' of Muslims by various 'vested interests'. The view that Muslims were conservative, anti-national, fundamentalist and pro-Pakistan was systematically promoted. In some cases Hindus were even exhorted to take up arms to defend their interests.

The BJP came to power in Gujarat in the mid-nineties. Steady state support was extended to the activities of organisations such as the RSS, VHP, Shiv Sena, Bajrang Dal and so on. School curricula were modified to be in tune with the Hindutva ideology. Anti-Christian propaganda and violence were initiated. Efforts were made to penetrate the tribal belt where the influence of the BJP was limited. Trishuls, swords and other weapons were distributed at ceremonial religious functions. Training campaigns were carried out to spread ideological messages.

Between 1987 and 1991, an estimated 106 major riots 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' triggered another approximately 22 percent of all riots. Other triggers were personal ill-feelings, cricket matches, sudden quarrels, love affairs between Hindu girls and Muslim boys and vice versa, and so on. Persistent communal tensions have contributed to the perpetuation of violence as a way of life and the emergence of authoritarian elements in society, which seek to destroy civic order. The mixing of politics with religion has played havoc in Gujarat. Communal riots have often been engineered to overthrow inconvenient state governments. Political confrontation and violence as a way of asserting one's presence have become established practices in the state's democratic polity. The sheer numerical strength and violence of organised mobs is sometimes used to supplant normal legal processes. Political violence in combination with emotionally charged religious fanaticism has sought to destroy the social fabric and to divide the people.

Since 1969, police posts have become almost a permanent feature of the city landscape in Ahmedabad. Many politicians move about with armed guards and vehicles to safeguard their security from perceived enemies. Politico-administrative institutions have been unable to contain violence firmly, fairly and in accordance with the law. The Justice Jaganmohan Commission Report of 1970 and the Justice Dave Commission Report in 1990, have clearly stated that the country belongs to no single community immutably different and separate from other sections of society. A disturbing assessment of the current situation in Gujarat, which was widely expressed to the members of this fact-finding mission, was that a large section of Hindus in Gujarat have come to perceive some sort of a 'social sanction' behind the infliction of wanton violence against the minority Muslim community in the state.

Section 2

Box 2 : Murder Most Foul: The Death of Iqbal Ehsan Jafri and Family Members

Among those killed and injured by marauding mobs in Ahmedabad from February 28th onwards were prominent Muslims as well as poor Muslim families. Some were fortunate enough to be able to flee. This was the case with retired Justice Akbar N. Divecha whose house was burnt down. The Special IG of Police, A. I. Saiyed had to run for his life. The former Congress MP, Iqbal Ehsan Jafri was burnt alive along with his family members (barring his brave wife who managed to escape the wrath of the marauders). He was living in the Gulbarg Society colony of Chamanpura area in the city of Ahmedabad.

Several other Muslim families in Gulbarg Society were similarly burnt alive. By all accounts several thousands had gathered in a mob on February 28th to carry out looting, arson, rape and killings. Police officials, speaking anonymously, confirmed that Jafri had made frantic telephone calls to the Director General of police, the Police Commissioner, the Chief Secretary, the Additional chief Secretary (Home) and others. Three mobile vans of the city police were on hand around Jafri's house but did not intervene. Our police sources further confirmed that the MP resorted to firing in self-defence when he totally failed in his attempts to get police assistance. At that point, the marauders broke into his house, and among other inhuman deeds, stripped and raped his daughters and then burnt them alive along with their father. It was only the Rapid Action Force (RAF) of the central government that belatedly intervened when they arrived on the scene.

Box 3: Electoral Political Calculations by the BJP?

The BJP last formed the state government through its victory in assembly elections in 1998. It came to power on the campaigning slogan of promising freedom from "Bhook, Bhey Aur Brashtachar", or freedom from hunger, fear and corruption. Between 1998 and the February 27, 2002, however, the BJP has suffered badly in elections at all levels.

In the December 2000 elections to 6 municipal corporations, to 25 district panchayats and to the far more numerous Taluka elections held simultaneously, the BJP lost heavily. It lost control in almost all the district panchayat elections. It retained four of the six municipalities but its two losses were in the most prestigious municipalities of Ahmedabad, the capital and Rajkot where the RSS and the Sangh has had its strongest foothold. The BJP had held 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 under the previous BJP regime in the state headed by Keshubhai Patel, it lost to the Congress in the two assembly elections held then. Narendra Modi was brought in as chief minister of Gujarat to replace Patel shortly after that debacle, partly to bring about a change in the BJP's sinking electoral fortunes. However, in the February 24, 2002 bye-elections held in three assembly seats (all held previously by the BJP) the party lost two of them by heavy margins to the Congress, and Modi himself was elected from the third Rajkot constituency by a much reduced margin as compared to the previous poll. It was widely believed, rightly or wrongly, that he could even have lost if the Congress had fielded a stronger candidate.

The question naturally arises as to whether there are any electoral-political considerations behind what subsequently happened from February 28 onwards? This can only be speculated upon. However, what is a fact is that the Gujarat state government and party headed by Modi has, after the outbreak of prolonged communal violence in Gujarat, wanted to hold assembly elections before the scheduled time of February-March 2003. This is confirmed by all the major dailies of New Delhi and elsewhere on March 28, 2002, which reported on Modi's visit to Delhi to meet the Prime Minister, Atal Bihari Vajpayee. The PM is reported to have told Modi to forget about seeking to reschedule (bring forward) the assembly polls at this juncture and to concentrate on restoring normalcy in the state first.

Although it is, of course, the Election Commission that has final say on the precise timing of the next assembly polls, the fact that Modi has sought to bring forward the dates of the assembly elections in Gujarat clearly indicates that it is the belief of himself and his party in the state that the BJP will benefit from the political fall-out of the carnage that has taken place.

Box 4 : Translation of an Article in Sandesh

[March 1, 2002, Page 16]

FROM AMONG THOSE ABDUCTED FROM SABARMATI EXPRESS TWO DEAD BODIES OF HINDU GIRLS FOUND NEAR KALOL IN MUTILATED STATE

Vadodara, Thursday: The details of the information about the dead bodies of two girls abducted from the bogies, during the attack on the Sabarmati express, yesterday, found in a mutilated and terribly disfigured form, near a pond in Kalol, has added fuel to the already volatile situation of tension, not only in Panchmahal, but in the whole State.

As part of a cruel inhuman act that would make even a devil weep, the breasts of both the dead bodies had been cut. Seeing the dead bodies one knows that the girls had been raped again and again, perhaps many times. There is a speculation that during this act itself the girls might have died.

The police, however, have kept quiet and have not spoken about this sensitive event. On account of that, various speculations during an already tense situation are like adding ghee to the fire.

According to the talk heard during the night one more dead body of a girl, also in a terribly mutilated form, had been found. After having raped and mutilated, the body of the woman was set on fire with petrol. Is there no limit to the lust?

Box 5: Translation of a VHP Leaflet

[VHP leaflet, Jai Shri Ram]

Wake up! Arise! Think! Enforce!

Save the country! Save the religion!

Economic boycott is the only solution! The anti-national elements use the money earned from the Hindus to destroy us!

They buy arms! They molest our sisters and daughters! The way to break the backbone of these elements is: An economic non-cooperation movement.

Let us resolve:

1. From now on I will not buy anything from a Muslim shopkeeper!
2. I will not sell anything from my shop to such elements!
3. Neither shall I use the hotels of these anti-nationals, nor their garages!
4. I shall give my vehicles only to Hindu garages! From a needle to gold, I shall not buy anything made by Muslims, neither shall we sell them things made by us!
5. Boycott whole-heartedly films in which Muslim hero-heroines act! Throw out films produced by these anti-nationals!
6. Never work in offices of Muslims! Do not hire them!
7. Do not let them buy offices in our business premises, nor sell or rent out houses to them in our housing societies, colonies or communities.
8. I shall certainly vote, but only for him who will protect the Hindu nation.
9. I shall be alert to ensure that our sisters-daughters do not fall into the 'love-trap' of Muslim boys at school-college-workplace.
10. I shall not receive any education or training from a Muslim teacher.

Such strict economic boycott will throttle these elements! It will break their backbone! Then it will be difficult for them to live in any corner of this country. Friends, begin this economic boycott from today! Then no Muslim will raise his head before us! Did you read this leaflet? Then make ten photocopies of it, and distribute it to our brothers. The curse of Hanumanji [be] on him who does not implement this, and distribute it to others! The curse of Ramchandraji also be on him! Jai Shriram!

A true Hindu patriot!

Section 3

Box 6: Selected Quotes From the Press

1. March 1, 2002 (Times of India, Delhi Edition)

Chief Minister Narendra Modi stated: "I'm absolutely satisfied with how the police and the government has handled the backlash. I'm happy the violence has been largely contained."

Narendra Modi said that: "The five crore people of Gujarat have shown remarkable restraint under grave provocation."

On Ehsan Jafri's murder, Narinder Modi said: "Before Congress leader Jafri's House was set ablaze, reports claim that there was firing on the mob from inside his residence. (It is) preplanned and the incident seems to be a terrorist activity."

2. March 2, 2002 (Times of India, Delhi Edition)

On the violence after Godhra, Modi stated: "Every Action has an equal and opposite reaction."

3. March 4, 2002 (Indian Express, Ahmedabad Edition)

The Union Home Minister, Mr. L.K. Advani when asked whether he favoured an inquiry into what happened after Godhra said: "It's up to the State Government to decide. But the inquiry in Godhra cannot be related with any inquiry into the incidents later."

(Times of India, Delhi Edition)

Chief Minister Modi stated: "The Government has decided that families of those killed in the Godhra attack will be paid Rs.2 Lakh while relatives of those killed in the violence following Godhra will get Rs. One Lakh per victim."

4. March 5, 2002 (Indian Express, Ahmedabad Edition)

The BJP National President, Mr. Jana Krishnamurthy said: "The post-Godhra violence, though strongly condemnable is a result of revulsions after Godhra. You can't count out human feelings."

5. March 6, 2002 (Indian Express, Ahmedabad Edition)

Narendra Modi, Chief Minister of Gujarat said: "I have brought peace to the state in 72 hours." The violence has continued for over a month.

(Times of India, Delhi Edition)

On being asked about his discriminatory treatment between the communities, Modi replied: "What discrimination? You (media) are all out to pull my government down."

6. March 6, 2002 (Indian Express, Ahmedabad Edition)

Modi referring to the post-Godhra violence said: "What happened is secular violence which happens during communal violence."

He further went on to call the February 28 bandh of the VHP a "natural bandh", whatever that means.

7. March 14, 2002 (Indian Express, Ahmedabad Edition)

Regarding the continuing violence reported by the press, Modi declares: "There is a conspiracy going on to bring disrepute to the good name of Gujarat."

8. March 15, 2002 (Indian Express, Ahmedabad Edition)

Talking about the future electoral impact of the communal carnage, an unnamed BJP hardliner reported to be close to the Chief Minister said: "The party leadership can certainly translate this Hindu backlash into votes, in case it decided to go for fresh Assembly elections in May or June." [Reported in the *Indian Express*, Ahmedabad edition, page 5.]

9. March 18, 2002 (Hindustan Times, Delhi Edition)

The RSS Resolution passed in their all-India General Council meeting held in Bangalore declares the post-Godhra violence to be "natural and spontaneous". The Resolution also says: "Let the Muslims understand their real safety lies in the goodwill of the majority."

10. March 20, 2002 (Indian Express, Ahmedabad Edition)

Justifying the use of the Prevention of Terrorism Ordinance (POTO) to arrest people after the Godhra incident, although POTO was not used thereafter to arrest anyone suspected of involvement in the post-Godhra killings and property destruction, the Gujarat Minister of State for Home, Gordhan Zadaphia said: "In Godhra an outside agency like the ISI was involved and it was a pure terrorist act. But what took place in the State later was mob fury."

11. March 22, 2002 (Indian Express, Ahmedabad Edition)

The Gujarat State Minister for Civil Supplies, Bharat Barot calls for the dismantling of relief camps filled with Muslim victims of the terrible carnage, so as dispel what he claims are Hindu fears about their presence. Or as he puts it, "so that there is no further communal disturbance". In short, the victims are themselves being blamed for representing a communal danger.

12. March 25, 2002 (Times of India, Delhi Edition)

In Rajkot when opening a party office, Modi said: "the irresponsible statements being made by the Opposition in the Lok Sabha are one of the reasons why the Gujarat violence is not abating." He further said: "The Opposition is keen on keeping the fire burning in Gujarat." Modi caused an uproar in Parliament when he stated that the riots in the state would end when the Parliament session itself ended.

13. March 27, 2002 (Times of India, Delhi Edition)

Modi when asked about the transfer of senior police officers stated: "Senior police officers haven't been victimized by transfers. They have just been promoted." After meeting the Prime minister he said: "There is no talk of change of leadership. Everyone is satisfied."

14. April 2, 2002 (Asian Age, Delhi Edition)

The VHP International General Secretary, Praveen Togadia said: "What is happening in Gujarat is not communal riots but people's answer to Islamic Jihad."

15. April 5, 2002 (Economic Times, Delhi Edition)

The Prime Minister, Atal Bihari Vajpayee said: "I have full faith in Modi that he would follow the ideals of Rajdharma." [Rajdharma means 'ethics of rule'].

Box 7: A Revealing Indictment

Ahmedabad is the capital of the State of Gujarat. A democratically elected government is in place there. It is headed by someone who was administered the oath of allegiance to the Constitution of India and is

sworn to uphold the rule of law without fear or favour, and to protect the life and liberty of all citizens irrespective of their religious affiliation. Under our Constitution, the Judiciary has a crucial role to perform not only as dispenser of justice but also as guarantor of the right to life and liberty. It follows that a special responsibility devolves on the Executive at both the Centre and in the States to protect the life, liberty and safety of the members of the Judiciary and to ensure the necessary working conditions wherein they can discharge their Constitutional functions.

And yet, in Ahmedabad, on February 28/March 1, 2002, there was a complete abnegation of this responsibility by the State government with regard to Justice Kadri (and his family), a Muslim sitting judge of the Gujarat High Court. The written submission to the National Human Rights Commission (NHRC) by the retired Chief Justice of the Rajasthan High Court Judge, resident in Ahmedabad, Justice A. P. Ravani, when carefully read for its revelations and inferences, constitutes a searing indictment of the State government and Police for their unacceptable and 'inexplicable' failure to fulfill their Constitutional responsibilities to protect the Judiciary. [See Appendix 3]

On 28th February, arson was taking place in front of the High Court building despite the presence of a police company, which is always deployed in the High Court premises, and with the Sola Police Station only half a kilometre away. The law and order situation had deteriorated to such an extent that the Judges had to take the unprecedented step of leaving the Court abruptly, although in the past the Courts have continued to function on working days even in riot conditions elsewhere. While the police could and did escort the Judges out of the Court, they did not protect the Court and its continued functioning! [Though the provision of a police escort is not specifically mentioned in the deposition, this was confirmed in a personal communication with Justice Ravani.]

The situation was very tense near Justice Kadri's bungalow (his official residence), where incidents of looting and arson were taking place. Despite all efforts by the Chief Justice Dharmadhikari (who in official protocol ranks second only to the Chief Minister) to ensure police protection for Justice Kadri, he and other judges of the High Court, given the failure of such efforts, urged Judge Kadri to move himself and his family to Justice Vaghela's residence for the night. The ordeal did not end there. The Vastrapur area (where the Chief Justice's residence is located, as well as the bungalows of other judges, and where a bungalow was being readied for Mr Kadri to move in on the afternoon of March 1) was, in the developing circumstances, not at all safe for those belonging to the minority Muslim community. Despite the presence of a large police force, including members of the State Reserve Police (SRP) in the area, various incidents of looting and arson had taken place including the burning of a Muslim owned restaurant, "Tasty", in front of the block where the Chief Justice's residence is located. [Personal communication by Justice Ravani]

Extraordinarily, even officials belonging to Military Intelligence told Justice Kadri that he should not rely on the local police for his safety and that he should consider moving to the military guesthouse in the cantonment area where they could ensure his safety! Meanwhile, news came through that the house of Justice A. Divecha, a retired High Court Judge and a former Chairman, MRTCP Commission, who happened to be a Muslim, was ransacked and burnt by a mob forcing him to leave it. The circumstances forced Justice Kadri to move to his sister-in-law's flat in Rivera Apartment, near Tagore Hall, located in a predominantly Muslim area.

The experience of Justice Kadri and his family raises fundamental questions. How was it possible for looting and arson to take place in the very area where senior judges lived and where there was more than adequate presence of the police? It is a well-established fact (and an accepted principle of police peace-keeping) that a couple of armed policemen can easily disperse a mob of a thousand. Here there were more than enough armed policemen to cope with mobs in the several thousands, yet not only the Judges themselves feared for the lives of fellow Muslim judges, but military intelligence also confirmed the validity of their fears! How is it that neither the High Court itself nor the residences of Muslim judges, active or retired, could be protected? Why is it that the State government and police did not fulfill their Constitutional responsibilities to protect the Judiciary, its functioning, its safety, and thereby its substantive independence? For two full days, the Constitution of the Republic of India was suspended in the heart of the capital city of Gujarat, even for the members of the Highest Judiciary in the State. The rule of law vanished and only the military arm of the Republic was prepared and able to guarantee life, liberty and safety of a high court judge, and that too only within the cantonment area! Given the events detailed in this case how is it possible to avoid the conclusion that there was State and Police complicity with respect to the violence that was taking place and directed against Muslims, including senior Muslim Judges?

Box 8: The Terms of Reference of the K.G. Shah Commission of Enquiry

On March 6 2002, the Government of Gujarat announced the setting up of a one-man commission headed by retired Justice K.G. Shah to look into the recent communal violence in Gujarat. The terms of reference of this commission of enquiry are compared below with those of the Justice Jaganmohan Reddy commission of enquiry into the Ahmedabad riots of 1969 and those of the Justice Srikrishna commission of enquiry into the Mumbai riots of 1992.

Shah Commission: Terms of Reference (2002)

To ascertain

The facts, circumstances and the course of events of the incidents that led to setting on fire of some coaches of the Sabarmati Express train on February 27, 2002 near Godhra railway station.

The facts, circumstances and course of events of the subsequent incidents of violence in the State in the aftermath of the Godhra incident.

The adequacy of administrative measures taken to prevent and deal with the disturbances in Godhra and subsequent disturbances in the State.

To ascertain as to whether the incident at Godhra was pre-planned and whether information was available with the agencies, which could have been used to prevent the incident.

To recommend suitable measures to prevent recurrence of such incidents in future.

Jaganmohan Reddy Commission: Terms of Reference (1969)

To ascertain

The causes and course of the communal disturbances, which took, place at Ahmedabad and generally in other parts of the state of Gujarat on and after 18th September 1969.

The adequacy of the administrative measures taken to prevent and deal with the said disturbances.

Measures, which may be adopted to prevent recurrence of such disturbances.

Other matters relating to the communal disturbances in the state as may be germane to the above.

Srikrishna Commission: Terms of Reference (1992)

To ascertain

The circumstances, events and immediate causes of the incidents which occurred in Bombay Police Commissionerate area in December 1992 on or after the 6th December 1992 and again in January 1993 on or after the 6th January 1993.

Whether any individual or group of individuals or any other organisation, were responsible for such events and circumstances.

The adequacy, or otherwise, of the precautionary and preventive measures, taken by the police preceding the aforesaid incidence.

Whether the steps taken by the police in controlling the riots were adequate and proper and whether the police firing resulting in deaths was justified or not.

The measures, long and short term, which are required to be taken by the administration to avoid recurrence of such incidents, to secure communal harmony and also to suggest improvements in law and order machinery.

The circumstances and the immediate cause of the incidents commonly referred to as the serial bomb-blasts of the 12th March 1993, which occurred in the Bombay police commissionerate area.

Whether these last incidents had any common link with incidents mentioned at the first point above.

Whether all these incidents were part of a common design.

Comments

First, it is noteworthy that the Justice Shah Commission is a single man commission unlike the Jaganmohan Reddy commission, which was a three-man commission with two of its members from the minority community. Further, Justice Shah is a retired judge in poor health. Given the gravity of the recent incidents of communal violence in Gujarat, it is obvious that there should be a three member Commission led by a serving judge of the Supreme Court of India with two of its members from the minority community. Since the Narendra Modi Government and its agencies have been widely perceived to have colluded with the massive violation of human rights of the minority community in the recent communal riots in Gujarat, it is necessary for the Central Government to set up the Commission and to include the role of the State Government in the riots as part of the terms of reference of the Commission of Enquiry. Second, the terms of reference (TOR) of the Shah Commission attaches conspicuously less importance to the serious incidents in Ahmedabad and elsewhere as compared to its concern over what happened in Godhra. Third, while the element of pre-planning, if any, behind the Godhra incidents is to be looked into,

the need to adopt a similar approach in regard to the incidents in Ahmedabad and elsewhere, is conspicuously ignored. This is in marked contrast to the TOR of the Srikrishna commission of enquiry which was specifically mandated to ascertain whether "any individual or group of individuals or any other organisation, were responsible" for the incidents. Finally, the issue of setting out restitution, compensation, rehabilitation and guarantees of non-repetition as benchmarks should be included in the terms of reference.

Thus, the Shah commission of enquiry into the recent incidents of communal violence in Gujarat, as it stands, fails to inspire confidence and should be rejected.

Box 9: Interview with a RSS Baudhik Pracharak

The 56 years old RSS Baudhik pracharak stated that he had seen Hindu-Muslim riots since childhood. He was convinced that the reason for this was that the Muslim population in Ahmedabad is relatively high and Muslims are concentrated in Jamalpur and other parts of the Old City. This riot he believed was the second after the one in 1969 where Hindus have been dominant. He confidently said that after 27th February when 58 persons were killed in Godhra, the riots came as a reaction to that event. He said that ninety five per cent of the riots have been started by Muslims. Godhra had been pre-planned by the ISI. The media had been one-sided, according to him, since they had not interviewed relatives of the killed passengers. Further, the media had not exposed Pakistan's role. The 'Hindu hurt' had been aggravated by media role. He was critical of the assertion that the riots were well planned. He said that these were beyond the control of the Sangh Parivar and were a spontaneous reaction to Godhra: "We can attract the masses but not wholly control them." Thus the mobs were made up of local people. In C.G. Road, upper class people, including women participated. There was a focused attack on Muslim properties not just looting. Youth of 18-20 years were more active. In Ahmedabad, Muslims were more pro-Pakistan and he said that Muslims must assimilate into Hindu society. With Muslim entry into some housing colonies, Hindus were gradually selling off their flats and there had been changes in the character of the locality where Muslims lived. He said he did not know why Muslims leaned towards Pakistan. He also stated that the current riots are organized by the Congress (I). The Congress (I) was doing this to win over Muslims. The Pracharak repeatedly stated that Muslims were responsible for the current rioting and that the media was biased, excluding Sandesh and Gujarat Samachar. He was angry with TV: Star, Zee, Aaj Tak for their biased role, including media-person Prabhu Chawla. He believed that minor sporadic riots would continue. He denied allegations that the riots were politically and electorally motivated. He admitted however that if this had not happened, elections for the BJP would have been difficult. Even now elections would be difficult. He believed that Hindus have suffered economically more, but Muslims are psychologically demoralised and their pro-Pakistan activities will be curbed for 4-5 years.

The Baudhik Pracharak believed that the Hindus are scared of a backlash. Fear and problems of alienation will continue. The problem is with Muslim religious and political leaders not the masses. As far as the media is concerned, including Gujarat Samachar and Sandesh, they are "yellow journalists" and have primarily economic interests. He denied reports of VHP-RSS-Bajrang Dal involvement, including those concerning the presence of Ministers in control rooms.

To the question if Muslims fester in camps would not there be a danger of terrorism? he replied "I do not know. We did not create the problem." When asked if the ISI was behind the Godhra attack, hadn't the ensuing communal violence and divide, economic disruption and the damage to Gujarat and to India's image, been a great success for the ISI? he agreed, but blamed the riots on the Muslims and the media. He believed that Gujarat would rebound economically soon, as minor riots and clashes will not affect the economy and business.

The ultimate solution to the problems with the Muslims, the Pracharak said, was the annihilation of Pakistan.

**Interview carried out by Kamal Mitra Chenoy.
(Subhas Chowk, Ahmedabad, Gujarat, 26/3/2002).**

Box 10: On Police Transfers

On March 24, the Gujarat administration transferred 27 police officers in the State. Clearly, the police officers who took firm positions against the marauding VHP and Bajrang Dal mobs faced the ire of the Modi Government. Others who maintained a purposeful inaction and were partisan towards the mobs or were spotted abetting them were rewarded with key and important postings.

The state Director General of Police, A.K. Chakravarty, was not consulted about the transfers, since these were done completely at the behest of the political leadership. Chakravarty objected to these transfers and wrote to the additional chief secretary that four IPS officers were being transferred for fulfilling their constitutional obligations. He stated that such transfers would demoralize the police force. The SP of Kachch, Vivek Srivastava was transferred because he arrested the area's Home Guards Commandant, Akshay Thakkar, a member of the VHP, local VHP leader Vasant Patel and a Shiv Sena pramukh for attacking the priest of a Dargah in the area. The State Home Minister Gordhan Zadaphia, a hardcore VHP man and an appointee of VHP leader Praveen Togadia, called Srivastava asking him to drop the charges. This was followed by a call from the Chief Minister's office. Since he did not comply, Srivastava was transferred. After his transfer communal violence has erupted in Kachch as well. Rahul Sharma, who had been transferred as SP of Bhavnagar recently, took strong measures to stop rioting mobs in Bhavnagar on March 1. He resorted to some rounds of firing himself and rescued over 400 Muslims who were attacked by a mob near a madrasa in Akuada. He took strong action against the mob leaders like Shiv Sena's Kishore Bhatt. Sharma has been transferred. Other police officers like DCP P.B. Gondhia, who had named BJP MLA Maya Kodnani and VHP leader Jaideep Patel in his FIR on the Naroda-Patia massacre in Ahmedabad has been shunted out to civil defence. On the other hand, R.J. Savani, who is reportedly close to the VHP, has been appointed DCP (Crime) while Sanjay Gadhvi, a friend of Togadia has replaced Gondhia as DCP (Zone IV), Ahmedabad. P.N. Barot who has been chosen by the Government to investigate the two worst outbreaks in Ahmedabad in Naroda and Chamanpura has on record questioned the veracity of the FIRs registered. Clearly, the Modi Government has made every attempt to control and communalise the police force.

Box 11: No Preventive Arrests

Reported in the *Indian Express*, Ahmedabad Edition, March 6, 2002, page 1.
Preventive Arrests on February 27th After the Godhra Incident in Ahmedabad
Police Station Arrests

Naroda 0
Gomtipur 0
Shaherkotda 0
Vejalpur 0
Kalupur 0
Gaekwad Haveli 0
Eliss Bridge 0
Navrangpura 0
Naranpura 0
Ghatlodia 0
Astodia 2

Appendix 1

Secret Circular of Gujarat Police

To,
All Police Commissioners
All District Police Officers
&
For Information: Police Ahmedabad
All range IGPs/DIGPS
From: Director of Police (Intelligence)
Gujarat State, Ahmedabad

Ref.:D.2/2,Com/Muslim/Activity/84/99 of 1/2-2-99

You are asked to intimate the details of persons (Muslims) involved in communal riots which occurred in your city/district during the last five years viz (1) offence registration No. (2) Section (3) Place (4) What

judgement by court? (5) How many times the person is booked under CRPC Section 107, 151, 110 or PASA, NASA?

Please submit the dossier of criminals and persons with communal mentality.

Please prepare the complete dossier and send with special messenger about branches of Students Islamic Movement of India located in your district/Cities with the names, addresses telephone numbers of the office bearers and active workers. The details of addresses of offices also be given.

Please intimate how many Darul Ulams are functioning in your districts/cities where the same are located. The boys and girls studying there belong to which Country/State/District and their numbers.

Details and types of degree awarded. Whether the same are recognised by the Government. and from which foreign countries they receive assistance and quantum of the same.

Please intimate the details of existing Muslim organizations in your district/ with their address and who are the leaders working for their organizations, their names addresses, total members, telephone numbers etc.

Please intimate the places where Istemas are organized by Muslims in your districts/cities and total number of persons attending Istemas. Name the participating religious leaders and the names of persons actively involved in the activity with addresses.

Please intimate about the number of Pakistani Nationals in your District/cities, when they came. How many went back, How many got Indian nationality? What are the activities at present?

Please intimate the details of Muslims in your cities who are involved in narcotic and smuggling activities. How many times they have been detained under COFEPOSA, PASS, NASA, and deported? Prepare the dossier with names and other complete details.

Please open the dossier of Muslims individuals who are involved in the offence of assault with knives or scissors, rioting and murder with their names and the copy of the same to be sent here.

Please intimate the names of political leaders, with their names and their party, who are supporting these criminals and assist them for release for help in the polls.

Sd/- P.B.Upadhyaya

Appendix 2

Translation of a Gujarati Leaflet

[A leaflet circulated in Kolol, Gujarat.]

If you have the blood of Hindu parents running in your body then put the following suggestions into practice without fail. Otherwise take it for granted ...

1. More than 95% of Muslims are doing business. More than 95% of their customers are Hindus. Mostly they have bakeries, automobile workshops, computer centres, carts selling tea- omelettes, saris and cloth businesses, shoes and sandals shops, mutton shops. For their shops they take Hindu names such as Gujarat, Royal, Ronak, Pasand, Manpasand, Anand, Milan, Ekta, Bharat and Gangotri and create an illusion of being Hindu shops. They make a profit of close to Rs. 4 crore every year from the Hindu customers of Kalol town alone. The following is the list of the yearly income of Kalol Muslims from their respective businesses. Before you allow the Muslim merchants who make our Hindu brothers and sisters jobless and steal their livelihood to prosper, please read the following list of figures. Imagine how many Hindus can be given livelihood with an amount such as Rs. 4 crores! And Muslim merchants are using this Hindu money only to make their religion more fanatic, to murder Hindu youth, to beguile young Hindu women to become Muslims and to rape them. Therefore, before buying the goods from the Muslim shops think. Won't you be helping these Muslims indirectly in murdering your own Hindu brothers and in raping your own Hindu sisters? Recognize the true face of Muslims who cut off the very hands that have fed them.

Lucky Paradise tea shop Rs. 70 Lakhs yearly

Partnership in a computer centre Rs. 20 Lakhs "

Shoes and Sandal shops Rs. 50 Lakhs "

Sari shops Rs. 50 Lakhs "

Automobile workshops Rs. 50 Lakhs "

Carts selling omelettes- keema Rs. 20 Lakhs "

Meat [Mutton] shops Rs. 30 Lakhs "

Liquor business Rs. 60 Lakhs "

Hotel business/eElectronics Rs. 40 Lakhs "

Rickshaw, Jeep and other business Rs. 10 Lakhs "

Total Rs. 4 crores yearly

2. Don't be under the impression that after these riots they will stop committing such murders and rapes. Instead of committing mass murders and gang rapes they will surely continue with the murders and rapes intermittently and in different villages and towns. And the figures will be in thousands and hundreds of thousands. Therefore, unite!

3. Muslim Labor Unions instigate the Hindu workers to go for a strike and thus create an enmity between the management and the workers. In reality, they scheme against the workers and loot lakhs of Rupees from the Companies in the name of compromise. Since the employers and employees are Hindus, in their fight against each other the Muslims stand to gain both ways while the workers and the companies lose crores of rupees. Therefore, from now on, insist on fighting your cases only through the Hindu unions. (Instead of insisting on court verdicts, they insist on compromise with the management.)

4. There are among us some Jayachands and Amichands who keep these Muslims as their business partners. Recognize them and isolate them and do not buy anything from their shops, because, indirectly, the Muslim partners also benefit from their profits. If you stop buying goods from their shops then the Hindu partners will learn a lesson and break from their Muslim partners. For example, Smart Computer, Kiosk Computer, Noble Type Class/Computer Center and the adjacent Tuition Classes are all run by the Muslims. Remove your children from these computer centers and get them admitted in the computer centres run by the Hindus.

5. Teach your children not cricket, but karate, because, through karate they will grow physically, educationally and spiritually.

6. They don't pay any tax to the government. But, with the money earned from the sweat of the Hindus, the Central Government sends 1.5 lakh of Muslims to Mecca on Haj pilgrimage. They get free medical aid and the government pays them Rs. 25,000 for their flight ticket. But, in order to go for a pilgrimage to Mansarovar, 85% of the Hindus have to obtain permission from the Chinese embassy on their own and they have to take care of their medical needs at their own expense, and moreover have to pay Rs. 40,000. To make a pilgrimage each pilgrim has to spend about Rs. 60,000 to 80,000 at his own expense. The Central Government does not offer them any monetary or medical help. This can happen, in the whole world, only in India, a country where the majority are Hindus.

7. Friends, we Hindus keep awake day and night and earn our living through our hard work. But, do we ever think about the education of our children!? With the intention of giving them the best education you get them admitted in schools such as St. Xavier's and St. Anne's and consider it prestigious. In fact, this is the biggest mistake of your life. In order to make the Hindus forget their religion, the Christian schools inject the tenets of Christian religion into the tender minds of the students right from their childhood. On account of your irresponsibility and the Christian education influenced by the Christian tradition, when your child becomes a youth, he/she is already a half-Christian. Our children are familiar with the foreign culture and foreign personalities, but totally ignorant of Shri Ram of Ramayana, of Shri Krishna of Mahabharat, of Jagatguru Shankaracharya or of other sages. You only have to imagine as to what will happen after their generation?! Therefore, insist on educating your children only in those schools which are run by Hindu organizations. There your children will grow physically, mentally, educationally and spiritually. There they can acquire clear and true knowledge about Hindu religion.

8. If we could save the Rs.4 crore that we mentioned earlier, we could strengthen the hands of our Hindu merchants and, moreover, we could open a school or a college every year and we could give our children free education in our Hindu schools.

9. There is a separate bank run by the Muslims. It finances the Muslim gangs. With an intention of deceiving and defrauding the Hindu girls studying in schools and colleges they take Hindu names such as Raju, Pintu, Rajan, Montu, Chintu etc. It is a sinister design, which is well planned and well organized. It is happening in every village and city. In the Godhra episode the Muslim 'gundas' had abducted about 25 to 30 women, then raped them, after which cut their breasts and inserted burning rods into their private parts. If we take the total of all the incidents that take place every day at various places, then, in Gujarat alone, there are at least 10 thousand cases of defrauding Hindu girls and as many cases of Hindu girls being raped, every year. Even after the Godhra episode they will continue to do the same with the same method but with a double intensity. They have murdered thousands of Hindus in Kashmir. Right in front of the eyes of the brothers and fathers, the Muslim terrorists raped their sisters and daughters and then killed them. On account of this hundreds of thousands of Hindus had to flee from Kashmir. Hindus, wake

up! If you want to save your sisters-daughters and if you want to save Gujarat and the rest of India from becoming another Kashmir then, from today onwards, keep a watch on your girls that they don't keep any sort of relationship with Muslims. The Hindu boys studying in the colleges could save the Hindu girls from the hands of the Muslim 'goondas' either by themselves or with the help of Hindu organizations.

9. An appeal to the wealthy Hindus: Lest your money reach the government and through the government the Muslims, donate generously to the Hindu organizations to help them build schools and colleges. If you yourself don't make a good use of your money then by now you would have known as to how, where and by whom that money is being used. By the help of the money acquired through you future generations could understand Hindu religion in truth and clarity. Moreover, the money could be used for self-defense as well as offence. There are many nations in the world where the Muslims could go, while we have made a secular state out of India where 85% are Hindu citizens. Nepal, the only Hindu nation, is utterly poor and now, with the help of Pakistan and I.S.I., it has become a center of Muslim terrorists. And therefore, especially for the sake of the future generations of Hindus, bring an end to all sorts of relationships with Muslims, business-educational-social-political. This and this alone is the alternative that is left.

10. Prithviraj Chauhan pardoned Mohammad Gori seventeen times. What is the fruit of that? On the eighteenth time Prithviraj and Chand Bharot were caught in the battlefield through deception and betrayal. His eyes were gouged and finally Prithviraj and Chand Bharot had to lose their lives!? Prithviraj Chauhan was a great warrior but he was not a successful and farsighted king. On account of that, after the fall of Prithviraj, came the end of Hindu empire and the foundation of Muslim empire was laid. Hindus like Jayachand contributed equally to the victory of that battle. Cautioned by this Chanakya wrote in his "Niti Sutra": "Alms and pardon should be given only to the deserved; when given to the undeserved they are sure to be misused." Therefore, if we still don't learn from history, continue to keep our relationship with the Muslims and if we are not united then those days are not very far when the 85% of the Hindu citizens of India will have to see with their own eyes, after some years, the future generations becoming Muslims.

11. No matter what party you belong to and what ideology you hold to, never forget the fact that first and foremost you are a Hindu. A minority religious community of just 15% , on account of its fanaticism and solidarity, have been making the national parties of India dance according to its tune. So, just think! What a great and wonderful success it would be when the 85% strong Hindus unite!? The Muslims would vote only that party which their 'mullahs' ask them to vote. But with us, there is no such practice till today. Therefore, wake up and join and participate in the Hindu organizations and vote only the party these organizations ask you to vote. Thus, in every state and in the center a Hindu government could be set. If that happens then we can create a wonderful future. Otherwise

12. Let us boycott completely the films of Muslim Stars. In Hindi films they make actors and actresses playing Hindu roles songs with words like 'khuda' 'allah' etc. There is too much use of Urdu-Farsee phrases, while, in order to insult Sanskrit language they make comedians utter pure Hindi and thus make fun of it. They show hero and heroine having their 'first night' (Suhagrath) inside the Hindu temple, right in front of the gods. There are scenes of sacrificing in the temple and scenes of sprinkling blood on the face of 'kalka mata', but they never show any producer, director, hero or heroine acting out these scenes in the mosque. The reason: if they show such scenes in the films they will be killed. Salman Rushdie's book was banned in India. If the 15% Muslims could do this then the 85% strong Hindus could unite and boycott the films produced, directed and acted by Muslims, then we could save the insult done to the Hindu religion in the films. If the Hindu hero-heroines, producers and directors cooperate in such scenes then we must boycott their films too.

13. Friends, if you are a non-vegetarian, stop and think! The cow is an inseparable part of Hindu culture. Lord Krishna, as a cowherd, had taken care of the cows. When the Muslims serve you mutton it is not only of goats, but also of cows and bulls. It is not only a blatant insult to the Hindu religion, also along with that, there is a loss of millions of rupees, every year, to the cowherds and farmers. On account of your non-vegetarian diet lakhs of Muslim butchers make a living and lakhs of low caste vegetable traders such as Vaghrie-Raval-Chamar-Mochi-Harijan are made jobless. Thus, besides insulting the Hindus, they also harm cowherds, farmers and vegetable traders. To run these butcheries the Indian Government gives them millions of rupees as subsidy, which is never recovered. Hindus, wake up, at least now!

14. By going to the liquor-dens run by the Muslim goondas many Hindus ruin their families by wasting away in liquor what they have earned through their sweat. These Muslim goondas, they themselves, never drink, but by making the Hindus getting addicted to liquor they earn crores of rupees. If we take the case of Kalol town alone they earn about 60 lakh rupees, every year, from the Hindus through this business. How much development of Kalol could have been achieved through this amount of money! And

where are they going to use this money? They use the earning of your sweat in seducing Hindu girls and murdering Hindu boys. Therefore, if you don't give up drinking liquor then history will never forgive you. 15. Those who talk about Hindu-Muslim Harmony, don't they know that the Muslim attackers, right from the day of invasion to this day, have been continuously fighting with the Hindus? Let those who talk about harmony tell the Muslim priests to give back to the Hindus the temples they had destroyed in Ayodhya, Kashi, Mathura and many other places and over which they had built their mosques. Every year, the communal riots are initiated by the Muslim community and when the Hindus retaliate they talk about "good will and harmony". Hindus, who go first to the mosque on the primary peak of Pavaghad and then go to take the 'darshan' of Maha Kali Mata, now wake up. Now onwards go only to the Hindu temple.

Appendix 3

Justice Ravani's Submission to the National Human Rights Commission

21st March 2002

To

The Honourable Chairman
National Human Rights Commission
New Delhi

Sub: Written submission pursuant to the oral submissions made at the public hearing by the Honourable Commission on 20th March 2002 at Circuit House Annexe, Ahmedabad.

Respected Sir,

As suggested by the Hon. Chairman, that I should submit in writing regarding the incidents of shifting of the official residence of Justice. M. H. Kadri, a sitting Judge of Gujarat High Court and other related matters, I am submitting as follows:

That at about 3.00 p.m. on 28th February 2002, I started receiving telephones about the violence having erupted in the city. Some advocates phoned me that in front of the High Court, trucks were burnt and Judges had left the High Court. I was shocked to hear this, particularly for the reason that I knew that in the High Court premises a police company is stationed and even on the opposite side of the High Court a few policemen used to remain standing.

I telephoned some of my friends belonging to the minority community. At about 4.00 p.m. I could contact Justice Kadri. He informed me that the situation was very tense near about his bungalow. Incidents of looting and arson had started taking place. I asked him about the policemen that had been placed at his residence. He told me that, two ill-equipped police constables are there. I told him that I was requesting my sources for providing further adequate protection at his bungalow. I contacted a retired DSP and requested him to speak to someone in Ellisbridge police station and visit Justice Kadri's residence. One P.I., (probably Mr. Vachhani) visited Justice Kadri's house. He told him that he had no extra police force but he himself would be taking rounds and keeping watch.

After an hour or so, I again contacted Justice Kadri. He informed me that 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 minority communities were damaged or burnt. Thereupon, I requested a friend staying in Muslim Society opposite Navrangpura Police Station. In that locality high police officers and high Government officers were staying. The friend told me that the SRP are placed here but its not safe to keep them outside. Justice Kadri's house is very near from here. If arrangement could be made to give intimation to him about any urgent need, he would see to it that SRP people may rush there. But then he asked me, "will the mob give him time (Justice Kadri) to telephone either to you or anyone in Muslim society?" Hearing this I felt exasperated but continued to remain in touch with Justice Kadri. I remained in touch with him till about 10.30 p.m. to 11.00 p.m.

The next day i.e. 1st March 2002, around 8. 30, I tried to contact Justice Kadri, but on telephone there was no response. Therefore I got worried and contacted protocol officer of Gujarat High Court. He told me that late at night Justice Kadri along with his family members had shifted to the nearby bungalow of Justice Vaghela. I requested the protocol officer to convey to Justice Kadri that I was worried and he may contact me as soon as possible. At about 11.30 a.m. Justice Kadri telephoned me and told that pursuant to the suggestion of Chief Justice and Brother Judges, he had shifted along with his family members to the bungalow of Brother Justice Vaghela. He further told me that he was being asked to shift to Judges

Bungalow in Vastrapur. On telephone instantly I told him that tell anyone who is suggesting you to shift that for a sitting Judge to shift from his official residence for the reason that he is not given full protection would amount to insult to the independence of Judiciary and also an insult to the secular philosophy of the Constitution. In reply he requested me whether I could come down to his residence. I told that as soon as practicable I would reach there.

Before proceeding to Justice Kadri's place, I tried to contact Justice R. A. Mehta, Director, Judicial Academy. He was not available at his residence but I came to know from his residence that Justice Divecha, Retired High Court Judge and Former Chairman MRTP was forced to shift from his residence and his house was ransacked. I contacted Justice Divecha at his friends residence. I saw to it that my message is conveyed to Justice Mehta that he should reach Justice Kadri's residence as soon as possible and that I was going there. At about 1.15 p.m. or 1.30 p.m., I reached residence of Justice Kadri. After some time Justice Mehta also reached.

From the talk that we had with Justice Kadri, I 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 Bungalow in Vastrapur or to his own residence which is near Judges Bungalows.

Military intelligence people had told Justice Kadri that it would be proper to shift from that bungalow as police force kept at his residence was not sufficient to protect against the mob violence and that he should not rely for his safety on local police.

The military people had offered that they can ensure his safety in military guest house in cantonment area.

Justice Kadri asked for our opinion and at that time Justice Mehta received telephone on his mobile from the registrar of the High Court who was speaking from the residence of the Chief Justice. The registrar informed that two bungalows i.e. Bungalow No. 14 and Bungalow No. 26 were ready and any of them could be occupied by Justice Kadri. Justice Mehta handed over the phone to Justice Kadri. After finishing talk with the registrar, Justice Kadri asked us as to what do we feel now and what should he do.

I told Justice Kadri that "Brother, I am withdrawing my philosophical assertions on telephone. Ground reality is that the Constitutional philosophy is 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 now in which you are placed it would be unwise not to shift to a safer place". I further told him that he should not go anywhere else except with his kith and kin: ailing mother aged about 85 suffering from cardiac disease and two college going girls, he and his wife being in family and there being no other male member, what he and his family now required was the warmth and support from his kith and kin. Military people may protect him physically but they will not be able to give psychological warmth and support. The same was the opinion of Justice Mehta.

During the talk with Justice Kadri, we came to know that since yesterday night he had not taken food at all. It was around 2.30 p.m. I told him unless he takes food in our presence we will not leave his house. In our presence he gulped down two-three chapattis and some vegetable. After he finished his lunch he received a phone from military people or some one connected with military. In our presence he told on phone that he was ready to shift to his sister-in-laws flat situated behind V.S. Hospital, Near Tagore Hall. Thereafter, when we felt assured that he would be shifted under military escort, we left his premises. At about 5.00 O'clock I contacted Justice Kadri and learnt that at about 4.00 O'clock, under Military escort he and his family members had shifted to his Sister-in-law's place and that his mother's health was quite stable.

On that day evening at about 6.00 p.m. I received phone from advocate Mr. A.A. Memon. He requested me to tell someone in police if his residence near Shah Alam Khadaki can be protected during night time. Exasperated as I was I expressed my helplessness but told him I was requesting Justice Mehta to do something, if he could help.

One correspondent had taken my interview. It has appeared in www.rediff.com For your ready reference it has been enclosed. There are some inaccuracies with regard to dates, timings and certain names. But as far as the views and general details contained therein, I stand by the same.

A. P. Ravani

Appendix 4

Collateral Damage in the Communal Violence

Rough estimates of economic losses made by English and Gujarati press and Times of India, 27 and 31st March, 2002; Business Standard, 19 March, 2002.

*Rs. 3,000 crore due to close down of shops, industries and commerce.

*Rs.1,000 crore in Surat due to damage to textile mills, handloom mills

*More than Rs. 10 crore due to burning down of 60 Opel Astras parked outside GM Motors Unit at Halol.

*More than Rs. 2 crores at the Lucky Film studio nearby

*Rs 4 crore due to burnt Honda City and Accord fleet of cars at Landmark Honda showroom at Thaltej, Gandhinagar.

*Rs. 600 crore loss to hotel industry at Ahmedabad

At least 20,000 workers in Hotel industry rendered jobless and many missing.

*Rs. 500 crore due to burnt down hotels and restaurants in Bhavnagar, Ahmedabad, etc.

*20,000 two-wheelers and 4,000 cars were burnt

*Thousands of crores due to arson of thousands of houses, buildings.

*The Gujarat State Road Transport Corporation estimated a loss of Rs. 12,50 crore and Transport companies have lost business of Rs. 70 crore.

*The Gujarat Chambers of Commerce and Industry put the losses at Rs. 2,000 crores.

*About 20 masjids and dargahs have been razed to the ground in Ahmedabad alone. The Archaeological Survey of India and Indian History Congress said that places of considerable historical and cultural importance have been damaged and destroyed.

According to police sources, in the State, more than 240 dargahs and more than 180 masjids were destroyed. More than 25 madrassas were destroyed. More than 20 temples, and more than 20 churches were destroyed.