

## PUCL-Karnataka Report:

### Bababudangiri and communal situation in Chikamagalur town

A joint fact-finding team commissioned by the People's Union for Civil Liberties - Karnataka (PUCL), which included members from Citizens For Democracy - Karnataka, and South India Cell for Human Rights Education and Monitoring (SICHREM), comprising Sriyuths V.

Lakshminarayana, Raja Rain Hedge, Muzaffer Assadi, N. Divakar, Mathews Philip, Manohar Hosea, Dominic Joseph, Munichowdappa, Nandeesh, Shankar, Ramdas Rao, and Hasan Mansur visited Bababudangiri and Chikamagalur on the 21st and 22nd of January 2000. The team met police officials, government officials, Shah Khadri of the Dargah and common people of the town.

The following are the findings of the team.

1. The fact-finding team is of the opinion that Bababudangiri represents a unique example of composite culture of India. Hindus and Muslims alike offer their obeisance to the place in a very cordial manner. It was never a point of dispute throughout the centuries.
2. It is only after 1975 that the dispute emerged regarding the management of the Dargah/Peetha. The then caretaker of the Dargah, Shah Khadri and two Hindu litigants challenged the government order making it a Wakf property. The judgement pronounced that the shrine is revered equally by the Hindus and Muslims, and ordered the status quo to be maintained. The court also upheld the rights of Shah Khadri regarding the inheritance.
3. In the post-Ayodhya development, the Sangh Parivar took up the programmes to make it a controversial spot. After the fizzling out of the Idgah Maidan issue in Hubli, they targeted Bababudangiri/Datta Peetha Dargah to rouse communal passions. This is connected with the BJP's game plan of securing a foothold in Karnataka and to extend its supremacy.
4. From 1984 onwards, the Datta Jayanthi celebrations were made a formal affair. The various Hindu swamijis who had never bothered to visit the place earlier made a beeline to the shrine. With this, the shrine that was the property of a single family suddenly came under attack as though it was a public property. The various aspects of the management, and Shah Khadri's personal life were vilified.
5. The whole issue reached a flash point in 1998, with the Sangh Parivar's aggressive politics of confrontation wherein rathayatras were organised to rouse communal passions. The Sangh Parivar succeeded in making it an all-Karnataka controversial issue and a flash point of communal confrontation. The silence of the Government of Karnataka added advantage to the Sangh Parivar forces.
6. December 1999 reached the peak of the aggressive posture of the Sangh Parivar with the organising of jeep yatras and creation of a sense of insecurity and tension among the minorities. The state administration allowed the Sangh Parivar-led Hindutva forces to perform Hindu rituals including yagnas and homas and installation of idols which were never a tradition in the shrine nor were allowed by the Court of Law which in fact had directed all the parties to the dispute to maintain the status quo. The care-taker alleged that the administration was not allowing measures for the improvement and upkeep of the Dargah.

7. The local administration was hand in glove with the activities of the Sangh Parivar by providing all facilities and support.

8. Overall, it is the state Government which has fallen into the trap of the Sangh Parivar foregoing its secular responsibilities.

Recommendations by the Fact-finding team:

1. Efforts should be made to maintain social harmony and peace.
2. The status quo ante of 1975 should be maintained.
3. The Sangh Parivar should not be allowed to hijack the affairs of Bababudangiri.
4. The government should take firm measures to stop the Sangh Parivar from repeating its machinations to rouse communal passions in the coming years.
5. The state machinery should stop providing facilities to the activities of the Sangh Parivar to perform Datta Jayanthi and also prevent its vandalism as was done in December 1998 and 1999.
6. The district administration, which was hand in glove and connived with the Sangh Parivar should be completely revamped.

PART II: Report of the fact-finding team on the communal disturbances in Chikamagalur

The same fact-finding team also visited Chikamagalur and other surrounding areas to investigate issues of communal disturbances between January 6 and January 10 of year 2000. The communal disturbances started off on the issue of garlanding the idols of Rama, Seeta, Laxmana and Hanumantha with chappals, on the night of January 4 in the temple of Lord Hanuman in the Vijayapura Extension of Chikamagalur.

The fact-finding team has come to the following conclusion:

1. Any evidence, except for the temple priest's version, of the incident did not support the issue of garlanding the idol. In addition, it is not easy to garland the idols in view of the sheer height at which the idols are placed.
2. The fact-finding team also observed that the police were hand in glove with the Sangh Parivar; it was their decision to take out a procession on January 6, that triggered off the communal violence. It is interesting to note that the police had arrested more than 50 people of whom the majority were Muslims; however not a single member of the Sangh Parivar was arrested. Even though some of the leaders are openly and defiantly moving around, the police has shown no interest to arrest nor to file chargesheets against them. This shows the bias of the police.
3. The fact-finding team condemns the police bias/atrocities vis-a-vis Muslims and poor Hindus. When the police arrested 23 people from the Basavanhalli slum area, none of them had any criminal records. Many of them were arrested indiscriminately and the houses were raided in the absence of men folk. Women were beaten up and their mangalsutras were taken away. In one particular instance, a girl child's face was wounded with a police rifle bayonet causing a permanent facial disfigurement. The police did not spare small children and even a diabetic patient who suffered from chronic cellulitis. The police deprived the arrested Muslims the right to celebrate Ramzan, which showed their communal bias.

4. The temple incident was used as a pretext to attack the Muslims living elsewhere in the town. In Basavanhalli, the temporary make-shift mosque was destroyed and the Quran torn by the police and lumpen elements.

5. The fact-finding team also condemns the police inaction to remove the provocative banners displayed just before the communal violence and after the Datta Jayanthi: These provocative slogans were directed against the minorities. In the nearby town, Tarikere, the Gandhi statue was made to hold a saffron flag.

6. The fact-finding team strongly feels that these incidents are a part of the Sangh Parivar's larger conspiracy to keep communal harmony under tension by creating communal disturbances one after another.

The fact-finding teams demands:

1. A judicial inquiry into these incidents headed by a sitting or retired judge of the High Court.

2. Immediate transfer of the present Deputy Commissioner, Superintendent of Police, and the Tahsildar of Chikamagalur, and Circle Inspector of Aldur/Chikamagalur who have all handled the situation in a biased and inefficient manner. It urges that they should not be assigned any responsible positions in the administration.

3. The fact-finding team demands the immediate release of compensation to the victims of communal violence.

4. It demands the immediate arrest of the agent provocateurs.

-- Hasan Mansur, President; Dr. V. Lakshminarayana, General Secretary, PUCL, Karnataka State Branch