

AN ALL-OUT WAR

A FACT FINDING REPORT ON THE
VIOLENCE IN THE CITY CIVIL COURT
COMPLEX ON MARCH 2, 2012

**By People's Union for Civil Liberties
(Karnataka) & People's Democratic Forum**

AN ALL-OUT WAR

A FACT FINDING REPORT ON THE
VIOLENCE IN THE CITY CIVIL COURT
COMPLEX ON MARCH 2, 2012

Introduction

On March 2, 2012, Bangalore witnessed riotous scenes of confrontation between a large number of advocates and a section of the media which took place in the presence of the police in the Civil Court premises in the city. This was followed by a brutal lathi charge by the police on the lawyers present in the court in which over 100 lawyers were reportedly injured. This unprecedented event has produced consternation in the minds of many people regarding the workings of two vital institutions of democracy in the country, namely the lawyer community and the media, as well as the role of the police in such conflict situations. Accordingly, two human rights organizations, *People's Union for Civil Liberties* (Karnataka) and *People's Democratic Forum* decided to conduct a fact-finding investigation into the incidents that took place in the City Civil

Court Complex on March 2, 2012. A team was formed consisting of the following members:

People's Democratic Forum ***People's Union for Civil Liberties***

Nagari Babaiah

Y.J. Rajendra

Nagaregere Ramesh

Ramdas Rao

G.K. Ramaswamy

Swathi Seshadri, *EQUATIONS*

Beginning March 8, the team met, for over a week, a large section of the lawyers' community, many representatives of the electronic and print media, and representatives of the police administration and the police force. The following report presents the main findings of our investigation and states our recommendations for the improved functioning of the two pillars of our democracy, the law and the media, as well as about the functioning of the police.

Sequence of Incidents in the Court complex on March 2

On March 2, 2012, before Janardhana Reddy was produced before the CBI court, the media entered the court room at 10.30 am and according to the advocates present, created a disturbance by their intrusive behaviour. Shri BM Angadi, the CBI court judge, barred the electronic media from reporting the court proceedings and asked them to leave the court. When Janardhana Reddy came out of the court at 11 am, a huge police force (reported to be 1500 strong) entered the court premises. At 11.15 am, the lawyers prevented a team from Suvarna TV who were allegedly sneaking into the court by jumping over a compound wall. This led to a skirmish between the lawyers and the media. The police were silent spectators to this. At 11.30 am, when two lawyers were

coming into the court premises, the media reportedly attacked them, in protest against their being denied entry. . The ACP had to escort the two lawyers inside. At this point, the situation was tense but still peaceful; both the lawyers and the media people we talked to are of the opinion that the dispute between them was one that could have been easily resolved.

Between 12.30 – 1.30 pm, 5 judges (Sridhar Rao, K.L. Majunath, Nagmohan Das, Srinivas Gowda and Govind Raju) from the High Court came to the civil court premises to try and resolve the issue. Once they left, the Commissioner Jyothi Prakash Mirji, who had arrived on the scene, ordered a lathi charge on the advocates. It may be pointed out that the lathi charge was ordered without permission from the Registrar of the court. This happened around 2.00 – 2.30 pm. This led to the ensuing violence which continued until 6.00 p.m. What added to the police fury was a rumor that was played up by the media that two policemen had died in the violence. While this false news was being repeatedly relayed on the media, the police went on a rampage and damaged the vehicles of the advocates parked in the court complex.

Once the lathi charge was ordered, all hell broke loose. The police, who were summoned to the court to control the skirmish between the lawyers and the electronic media and maintain law and order, went completely out of control and turned into a lawless mob, and resorted to extreme and indiscriminate violence.

Incidents that took place as narrated by the lawyers:

No announcement was made before the lathi charge was ordered. Immediately the police, in a spirit of revenge and to settle old scores (see section below on 'Response of Police'), went berserk,

and attacked the lawyers, with whatever they could they could lay their hands on, including stones. They were found to be everywhere, including in the canteen. For a period of 5-6 hours, none of the lawyers could leave the court premises because of the fear of the police. Lawyers, including women lawyers, identified by their black and white apparel, were assaulted everywhere in the court premises. Advocate Ravishankar was watching TV in the Advocates Association office when he stepped out and was the first victim of the lathi charge. A group of 15-20 policemen struck him on the head and the back; two of his fingers were fractured, and he fell unconscious. He was taken to Martha's hospital. He lost his case files, and is in a state of shock.

The police even attacked the notaries in their stalls. Advocate Arun Naik, who runs a notary stall (No.45), reported that 15-20 policemen came in at around 2 pm. They assaulted him, and he suffered head and shoulder injuries. He fell down and was taken by ambulance to Bowring Hospital. Since he did not receive satisfactory treatment there, he was taken to Mallya hospital by his friends. The next day, the Chief Justice of Karnataka visited him in the hospital. Later, 15-20 policemen came and interrogated him, and afterwards, posted 2 PCs outside his room.

Advocate B.L. Mukti reported that around 12.30 pm, 10-15 policemen entered the staircase near the filing counter and assaulted the lawyers present there (after identifying them with white shirts and sparing the others), raining lathis on everyone's heads. Mukti suffered head and back injuries, and he and four others were taken to NIMHANS. MJ Amarnath received blows on the arm, the shoulder, and the knee, and taken to St. Martha's hospital. Manjunath, a physically handicapped lawyer, was assaulted by the police in the presence of Commissioner Mirji, and his clothes were torn.

Advocate Devraj was assaulted, and two of his fingers were fractured. He was taken to Bowring Hospital, but, according to him, he received no treatment till 4 pm, whereas the police were receiving prompt treatment. In the hospital, the police were taking down addresses of the injured lawyers and registered FIRs against them randomly, even as they were being discharged from the hospital.

65 advocates were injured and taken away by ambulance to various hospitals, and some others were taken to the local dispensary. Even while being taken in an ambulance, an injured lawyer was pulled out and assaulted again. (Visual footage available with the Advocates Association).

Advocate Girish reports that he was standing on the first floor watching what was happening below when he was caught on camera by the police, and a case was filed against him along with 22 others who were accused under the same charges.

Advocate Shiva Reddy reported that his car was burnt. At Ulsoor gate police station, he was told about it by SI Natraj who directed him to C.R. Grounds, where there were 150 damaged and burnt vehicles. In his car there were 8 case files, some with original documents, and his coat with Rs 8000-10000. When he tried to file a complaint against the police and the media, the Ulsoor Gate police refused, and said they would register it only if he stated that miscreants were responsible for it.

The police broke open the main door of the Civil Court with a huge stone. They went around attacking cars that had lawyer's license plates and were burning them. More than 100 cars and scooters with lawyers' licence plates were stoned and damaged by the police (Visual footage available with the Advocates Association) The lawyers were being hunted down by the police in the court premises for 7 hours and were beaten up. At 1.30 pm the court

premises were temporarily cleared of the police due to the intervention of Justices Sridhar, Manjunath, Nagmohan Das, Srinivas Gowda and Govind Raj. These judges asked the police to leave the court premises, saying that they would take care of the situation. The police left the court compound for a brief while, but suddenly returned after the judges left the scene and continued with their rampage. One lawyer who had fallen down was surrounded by the police and beaten up. Valuable files that lawyers were carrying were thrown away, and can't be traced.

The police discharged tear gas which was making the lawyers nearly blind with tears. A total of 90 lawyers suffered tear gas injuries. A senior lawyer was injured and his eyes were watering when he rushed into Judge Budihal's chambers to seek shelter, but the police chased him there and beat him up. The chambers were vandalised and, according to the advocates, Justice Budihal himself sustained injuries.

On that day, even senior counsel had to seek shelter in toilets to protect themselves from the marauding police. People's fingers were fractured due to their being struck with lathis. Many lawyers suffered injuries from the physical assault. Sign boards were damaged. The police locked up the gate near Cauvery Bhawan in order to prevent escape by lawyers. The lawyers were afraid to venture out of the court complex because of the continuing violence by the police.

According to advocate Pape Gowda, his friend Kumara Patil was assaulted by a reporter from TV 9, but the police have not registered any FIR against the reporter. At 11.45 am, a reporter from Janashree was throwing stones at the lawyers from outside, and the police did nothing. In fact, the media and the police worked together to attack lawyers in K.R. Circle. (Visual footage available with the Advocates Association.)

More than 100 advocates have been injured in the disturbances that took place on 2.3.12.

In their testimonies, the lawyers maintained that they did not store stones in the court premises. According to the lawyers, the police threw stones at the lawyers, and they threw them down on the ground in order to clear up the mess in the court premises. However, some of the lawyers admitted that they used stones to chase away the media out of the court premises. Later, the media showed footage only of the lawyers throwing stones at them, not of them throwing stones at the lawyers.

All the damaged vehicles were cleared by the next morning. When the lawyers arrived at the court they found that all incriminating evidence had been removed. The police have stated in the court currently hearing a PIL petition filed by the advocates that on that day they had lawfully removed the vehicles damaged in the incident under relevant provisions of the CPC, but the fact remains that they had thereby destroyed the evidence.

According to Advocate Uday, the police have taken down the names of the lawyers in Cubbonpet and surrounding areas.

Attack on the Advocates Association Bangalore (AAB) office:

This attack took place between 4 and 6 pm. The front door of the office was broken. TV screens and two clocks were damaged and window panes were broken. Banners were torn up. Afterwards, blood stains were found on the floor.

Molestation of Women Lawyers:

Women lawyers were harassed and molested. The police were taunting one woman lawyer with the remark: "Come, we'll make a habba (feast) out of you." Some representatives from the electronic media also flashed at the women lawyers, while some

others made obscene gestures. In their reporting, the electronic media were branding even women lawyers as goondas.

Media colluding with the police

After 12.30 pm, the media were asked to leave the premises due to the mounting tension between the lawyers and the media. Yet, they did not leave the area and stood outside the premises. When the police assault began, they seem to have colluded with the police by pelting stones at the lawyers standing in the balconies of the civil court complex. They are also reported to have burned and damaged vehicles. There is video footage of a camera man making obscene gestures at the women lawyers witnessing the violence. The media, after a point moved to K.R. Circle, where, according to the lawyers they stopped every vehicle (cars and motorcycles) bearing lawyers' stickers and damaged the vehicles. In some instances, the lawyers, here as everywhere else, were also physically attacked.

Follow-up Action taken by the Police Regarding the incidents on March 2:

The police have stated in the Karnataka High Court that 173 cases have been registered in connection with the incident: among which 75 cases are registered by the police against advocates, 27 by advocates against policemen, 13 against advocates by the public, 4 against advocates by media persons, four against media persons by the advocates and so on.

The Perceptions of the Advocates regarding the Incidents

The lawyers told us that their main complaint is not against the media with whom they have had good relations in the past but against the police whom they hold primarily responsible for the disturbances that took place on 2 March. Their fight is against the police with whom they have had a long-standing conflict.

But the lawyers also believe that their image has been tarnished by the media which has given a misleading picture to the general public about them. On 17.2.12, 183 advocates filed defamation cases (in the form of private complaints) against 7 TV channels.

The media have exaggerated the attacks on them. Advocate Uday reported that he spoke to TV-9 during a phone-in session and asked TV-9 why the media reporters (who were standing behind the Janashree OB van) were throwing stones, as their own visuals were showing. After 10 minutes, these clippings were suddenly edited out and removed.

Advocate Puttegowda, ex-President of the Association, took CDs of the lathi charge incident to the media organizations, asking them to telecast the clippings, but they have refused to do so. The police have sent the CDs to the forensic laboratory for examination before admitting them as evidence.

Response of the Police

The fact-finding team met with N. Nagaraj, President, Police Association, and T. Suneel Kumar, Addl. Commissioner of Police, Law and Order to collect the reactions of the police.

Nagraj claims that on that day, a police station within the court premises was burnt, right under the nose of judges, by lawyers who are supposed to adjudicate and uphold the law. He also stated that ordinary policemen have become conscious of their rights. It all started due to an accumulation of similar incidents in the past. The most recent provocation was the assault on a policeman by a lawyer in Thyagaraja Nagar on 14.1.12, when the lawyer was questioned by the policeman for not having worn a helmet and produced the driving license. In the current year alone, 15 cases have been registered in Ulsoor Gate Police Station against the lawyers for assaulting the police. None of these cases have resulted in conviction or resolution. The police demand, at a minimum, that

all those advocates who were responsible for these attacks on the police should be debarred from the profession. All cases of such attacks since 2009 should be investigated fully. In fact, whatever happened in the civil court complex on that day should be fully investigated. He also stated that it was a failure on the part of the top police officers that no swift action was taken to quell the disturbance, and the situation was allowed to get out of hand.

As regards the rumour about the death of two policemen, the police themselves believed that it was true. Nagraj however felt that the media has a tendency to play up and sensationalize events and even rumours. There is a need for a controlling mechanism to restrain the media. ACP Susheel Kumar also had a similar response to the incidents. However, he mentioned that if the allegations about police atrocities are true, the police would not spare the guilty policemen but action would be taken against them.

Our fact-finding team also tried to meet 2 policemen who had been injured in the violence of March 2, but we were unable to do so because officials of Ulsoor Police station refused to give us contact numbers or the address of any of the injured policemen.

Role of the lawyer community in the incidents of March 2

It is important to understand the role of the lawyers on that day in terms of the long-standing confrontation between themselves and the electronic media. Video footage clearly establishes that the lawyers resorted to physical violence, (there is video footage showing Ravi Kumar of Suvarna TV being taken by the collar and thrown out of the premises). They seemed to have been determined on that day to evict the media from the court premises, including by using force. Their determination was reinforced by the judge's order asking the electronic media to leave. In fact, many of the lawyers have told us that they want the media in future to stay away from the court premises altogether.

The question to be asked is: why this militant aggressive mood of the lawyers, this determination to keep the media out of the court at any cost? According to the media representatives we met, the lawyers repeatedly pick fights with the media who come to the court complex looking for an interesting story. At such times even media equipment (cameras, recording CDs etc.) have been damaged and several complaints have been lodged in the Ulsoor Gate police station by them against the lawyers to this effect.

The lawyers seem to have a settled perception that the courts belong to them, that it is their turf and they have a territorial right to the space. They view the presence of the media as an intrusion into their domain. In fact, thanks to some famous cases (e.g. that of Janardhana Reddy in Karnataka and others elsewhere), the courts in recent years seem to have become a contested public space, a space of spectacle and even glamour, for testing the competitive claims of two powerful groups in civil society vying for public attention. The media, facing hostile competition from the advocates for space in the court complex, seem to have found an opportunity to retaliate during the incidents on March 2.

This attitude seems not to be restricted towards the media but extends to the general public and even the police. Police officers in the lower rungs have felt the brunt of this resentment of the lawyers.

Allegations have been made about the advocates' behaviour with the general public, including the clients who visit the court complex. For example, a person visiting the complex narrated his experience to us while parking the vehicle at the parking lot, when he brushed the hand of a lawyer. He was pulled out of the car and beaten up by the lawyer. Instead of the situation calming down, another dozen or so lawyers came and joined the beating up of the person. There have been many incidents such as these, and these episodes have not endeared lawyers to people at large.

Even outside the court, the lawyers are perceived to behave as if the law does not apply to them. There have been many cases when lawyers are found travelling without proper vehicle papers, licenses and have fallen foul of the police. This is the perception of both the media as well as the police.

The most recent example of this perceived arrogance, which turned out to be a trigger for the March 2, 2012 incidents, is an event that happened on January 14th. A lawyer was driving without a helmet in the Thyagaraja Nagar police station limits and a traffic policeman hauled him up for the same. When the lawyer refused to pay the requisite fine, he was taken to the police station and beaten up. On January 17th, the lawyer community, angered by the police atrocity on their colleague, staged a flash protest at Mysore Bank Circle where they stopped traffic for 8 hours, thereby paralysing and holding the city to ransom. The strike provided an occasion for them to express their pent up feelings against the police. While a few lawyers to begin with disrupted traffic at Mysore Bank Circle, they were joined by a large group of lawyers who held up the traffic on K.G. Road and thereby put the traffic system of the city completely out of gear. For example, there are reports of a woman whose delivery was due and was rushing to a hospital, who was stranded in the traffic. Since K.G. Road is a main arterial road leading to the railway station and the bus stand (outstation buses), many people reported that they missed their train/buses. When the media reported the impact of the flash strike, the lawyers reacted badly. This general grievance about arrogance displayed by many of the lawyers partly explains, but surely cannot condone, the incidents of beating that lawyers received at the hands of the police and even the media on the March 2nd.

On March 8th when the team met a cross-section of lawyers in the court premises, we came away with the feeling that lawyers had not only closed their ranks but also that no individual lawyer felt free to take a stand other than the one vociferously expressed by the majority opinion that prevailed in the AAB. In this context it may be pointed out that the media have alleged that lawyers have refused to represent media-persons against whom cases have been filed. This has been reiterated subsequently by journalists (The Hindu March 29th, 2012). This goes against the established code of conduct of the lawyers. However, subsequently, as Subba Reddy averred in the court, only 10% of the AAB had arrived at the decision to boycott court work and carry on with the strike, regardless of whether the strike was justified or not, and regardless of its consequences on innumerable clients. The Bar Council Vice-President, instead of expressing the independent stand of the Bar Council on the issue, merely concurred with the stand of the AAB.

Post March 2nd

On March 8th, the AAB decided to boycott the court and sat on an indefinite hunger fast. Despite the fact that this strike has severely affected the people, resulting in a delay of justice being meted out, the AAB has refused to heed the requests made by the High Court as well as the general public and continued their strike till March 20th. This has in fact negatively impacted on the image of the lawyers.

The media and the police have repeatedly demanded that the Bar Council identify those lawyers who have allegedly engaged in aggression towards the media and the police and de-bar them from the Council. When we met Shri Srinivas Babu, the Vice President of the Bar Council and apprised him of these allegations as well as the general perception about the arrogant attitude of lawyers, he categorically denied that such lawyers were to be found in the lawyers' community. Srinivas Babu explained that to

obviate such a situation, identity cards for new members of the Bar Council were issued every year after sufficient investigation into the address proof provided! Clearly, he was unwilling to acknowledge the problem, let alone address the situation.

Role of the Media

As regards the coverage of the police excesses on March 2nd, the most notable aspect of the media was that it was conspicuous by its absence. The tragedy of March 2nd was compounded by the fact that much of the electronic media as well as the Kannada print media completely blacked out the series of events that took place after that first skirmish which could have been easily brought under control, if it had not been blown out of proportion. The result of this one-sided reporting is that lawyers have been depicted in much of the electronic media and the regional print media as *rowdies* and *goondas* with all lawyers being painted with the same brush. The captions that appeared in the electronic media were extremely abusive and hysterical: 'Are these lawyers or goondas or are they Taliban?' Even independent agencies were not spared: 'Is the SHRC sleeping?' Even the national media, which is considered more objective than the local media had the following to say about the incidents: "Bangalore lawyers assault media persons" - Times of India, March 3, 2012 "Bangalore lawyers attack reporters with stones, iron chairs" - NDTV, March 12, 2012

Some provocative captions from Suvarna TV:

- △ 'Advocates' Goondaism: What do you have to say?'
- △ 'Black Friday'
- △ 'Waiting for Revenge, they planned an attack'
- △ 'Are lawyers rowdies?'
- △ 'Have you done L.L.B. to practice rowdying?'
- △ 'Is there goonda raj in this state or is there a government here?'
- △ 'Home Minister, are you wearing bangles?'

- ▲ 'Check goondaism, or go home'
- ▲ 'BJP government is gutless'

On that crucial day, the media instead of reporting on the major event of the day, namely the police lathi charge, chose to dwell on the rumoured death of two policemen in the court premises: 'Rowdy lawyers cause the death of a police clerk' screamed a caption in a TV channel, and it was kept on air from 11.45 am till the clarification issued by ACP Mirji in a press conference later in the afternoon. This inflammatory rumour impacted the situation in a massive way since it led the police community to go into a frenzy of destruction. According to The Hindu of 29.3.12, six TV journalists have been arrested (and subsequently released on bail) on charges of 'wantonly giving provocation with intent to cause a riot.'

Response of the Media

When the fact finding team requested for an interview with Vishveshwara Bhatt, CEO, Suvarna TV, he declined to give his views on the issue and suggested instead that we meet K. V. Prabhakar, the President of the Reporters Guild. He only ventured his opinion that the reason the media have not telecast the footage given by the lawyers is the possibility that they are doctored! Given that one of his other staff members mentioned that usually, breaking news on an issue like the rumoured death of two policemen is not cross-checked before being aired, it is odd that this kind of caution was being exercised with respect to news about the lawyer community.

We also tried to contact 6 other media representatives with regard to the incident of March 2, but

When we asked KV Prabhakar, the President of the Reporters Guild for his opinions about the incidents on March 2, he admitted that there has been tension between the lawyers and the media over a period of time. One specific episode that he narrated dates back to 2009 during the elections of the AAB when some lawyers were reported to have been drinking alcohol in the court premises in the night to celebrate the victory of the winning representatives.

The reporter TV Manjunath had gone to cover this. Somebody alerted the lawyers to his presence, he was then attacked and his expensive digital camera was destroyed. In fact, this is done routinely. The media community have filed many FIRs for advocates attacking them on many occasions when their cameras have been broken, cassettes destroyed, wind shields of vans have been shattered. They have filed FIRs in order to claim insurance, but no action has been taken. Along with the incident in 2009, the more recent episode of the film actor Darshan was narrated to us. As this news made headlines, with the actor having a good fan following, the electronic media was covering the episode keenly. During this time, they suffered frequent damage to their equipment and were once also beaten up. Prabhakar told us that for the electronic media, the destruction of equipment is tantamount to the suppression of freedom.

On March 2, when Ravi Kumar panned the camera on Janardhana Reddy in the court compound, four lawyers asked him to leave the court premises, and proceeded to attack the media persons. Outside the court building, six media reporters were attacked, and their cameras were damaged. (We were able to meet Ravi Kumar and get his reactions to the incident, but when we tried to contact these six media reporters, they were initially responsive but subsequently failed to meet us despite our persistent efforts.) While Ravi Kumar was dispatching the news and visual feeds, his mike was snatched and thrown away. He was admitted to the hospital. The police didn't do anything when the media were being attacked. The media have asked the Bar Council to identify criminal elements among the lawyers and debar them, but nothing has been done. To prevent occurrences like this, they have asked for separate space to operate in the court, but no action has been taken. Shri Prabhakar denied that media persons attacked the lawyers in the court, for they were so few (barely 30-40) whereas the advocates were so many (more than a thousand). Nor is it true

that the media colluded with the police in attacking the lawyers in the court, for the fact is that they were not allowed to go beyond KR Circle.

Prabhakar and others in the media admit that on March 2, some of the reporters might have carried out attacks on the lawyers. This was due to pent up feelings. The question they are faced with is: “How long could we have kept quiet in the face of such repeated attacks?”

The media have lodged 12 complaints against lawyers; the police have identified 25 lawyers as responsible for the incidents on that day, 5 have been arrested , but no further action has been taken on their complaint. One of the lawyers identified Shri Ranganath, Secretary of the Advocates Association, as one of the instigators, and hence he was arrested by the police.

Overall, the media feel that only a handful of lawyers (maybe 20 or 25 in number) are responsible for the disturbances that have been taking place in the civil courts complex. Lawyers as a body are law abiding and peaceful and are not to be blamed for what has happened. Unfortunately, the AAB cannot control the large number of lawyers that it represents and hence such situations occur. The media are keen on resetting their relations with the lawyers once again. They feel that all this confrontation would not have taken place if reporters had not been attacked on March 2nd. The following four demands have been placed before the state government by the media:

1. The CBI court and the Lokayukta should be shifted to Parappana Agrahara jail.
2. Of the 25 lawyers identified by the police as being responsible for the disturbances, only five have been arrested. Action should be taken against the other 20 too.
3. False cases filed against the media in Bidar and other places should be withdrawn.

4. We reject the proposed judicial inquiry.

Post March 2nd

The electronic media who are known to be competitive have also closed ranks in the aftermath of March 2nd. This is unfortunate because sectarianism and group values of solidarity and even herd mentality seem to have taken over the kind of professional competitiveness which encourages dissemination, and free generation of information.

There was no checking of information coming in. The race for TRP ratings has produced the system of 'breaking news' whereby the media feels free to put on air any kind of information or rumour without crosschecking or verification which will win them TRPs, thereby helping them to beat the competitors. This is what happened when the electronic media reported the death of the two policemen causing the ensuing mayhem. Thus the already existing antagonism between the lawyers and the media has been fuelled by this insensate eagerness of the media to publish and broadcast at any cost. In the process, many sections of the media have become unrestrained and irresponsible in their work with no regard for the consequences.

OUR CONCLUSIONS

A. Findings about the role of the police

1. Police Inaction

We find that both on 17th January and 2nd March (morning) the police are guilty of inaction. The police did not exercise their responsibility to maintain law and order. They were mute spectators to the conduct of the lawyers. They let the lawyers take control of the traffic on Mysore Bank Circle (which is a crucial artery in the centre of the city connecting to the railway station and bus stand) and disrupted movement of people and vehicles for nearly 8 hours. All this caused huge inconvenience to the public. When the police tried to persuade the lawyers, they did not relent and the police could not control the large number of lawyers collected at the Circle who were in a state of frenzy and who were determined to cause the maximum disruption. The aim of the lawyers seemed to have been to show themselves as more powerful than the police. As a result they incurred the ill-will of the public who were left totally helpless in the situation.

On March 2nd, the police again chose not to intervene effectively in the developing confrontation between the two powerful groups of the lawyers and the media. This was because they did not receive orders from above even though the situation was getting explosive and out of control. The events of 17th should have alerted the police to a possible recurrence of such a confrontation. They failed to foresee that the situation could once again get out of control. This is clearly due to a failure of intelligence by the police. This has also been corroborated by the the CID Report prepared by R.K.Dutta, DGP, CID, which has stated that the police had received intelligence reports about the possibility of violence and yet did not prepare properly.

Such a studied inaction on the part of the police is not mere indifference: it is to be noted that the police have often displayed subservience to powerful vested interests (politicians, dominant groups etc.) and have chosen not to intervene when these interests break the law with impunity and create public disorder. This was implicitly admitted by N. Nagaraj when he claimed that on March 2, the police were unable to act because there was 'a restraining force interfering with the operation.'

2. Police high-handedness

Once the Police Commissioner Jyoti Prakash Mirji arrived and issued orders for lathi charge, the police suddenly swung into action. All their pent up anger against the lawyers for the earlier incident of January 17th now exploded in a fury and they descended on the lawyers present determined to teach them a lesson. Now, their purpose was not to maintain law and order but to hunt them down and beat up the lawyers indiscriminately. Women lawyers were molested, notaries, senior lawyers and judges were assaulted and even members of the public were attacked. There was widespread destruction of court and private property. The court premises which are meant to be a public space and which should be available to people to get justice and redressal of their grievances turned into a contested territory, a battle ground in which two groups fought a pitched battle to gain control.

It may be pointed that out that when human rights groups tried to meet the Commissioner of Police over 3 days, he did not make himself available.

Even after over 60 years of independence, the police have not been trained to maintain law and order in a disciplined manner and have only been taught to use brute marauding force when they are called upon to act. This is quite contrary to what is recommended in the police reforms, which among other things calls for 'a human

face' in the police's dealings with people inside and outside the police stations.

The failure of the police force in preventing the incidents on March 2 as well as in perpetrating atrocities on the advocates indicates a systemic breakdown of the discipline of the police force in Karnataka. In this context, it is necessary to invoke the Police Manual which outlines the Principles and Conduct of the Karnataka State Police Force, which have been comprehensively violated. The police have been guilty of dereliction of duty in initiating measures a) to prevent the commission of crime; b) protect individuals in danger; and c) collect intelligence to create public peace (under Sections iv, vi, vii, ix, x, and xi). Equally, the police have violated the law by abdicating their duties as a law enforcing agency (Section 3); by usurping the functions of the judiciary and acting punitively and vindictively (sections 3, 4); above all, by failing to observe human rights which is of 'paramount importance for the police, since the police as an institution are accountable to the people' (section 15).

The Director General of Police, CID, R.K.Dutta, who has submitted a report under directions from the state government on the incidents of March 2, has found several lapses on the part of the police; several police officers have been transferred as a consequence. But the report doesn't generate much confidence. For one thing, a mere transfer of police personnel serves no purpose since it merely transfers the problem elsewhere. As admitted by Shri Dutta in his interview with The Hindu on 30.3.12, its mandate didn't include identifying the actors who caused the violence; the report absolves the police of the charge of not acting due to pressure from higher ups; the CID didn't record the statements of the Police Commissioner nor did it independently verify the statements of the police officials; finally, it has not indicted anybody. Clearly, the State government isn't interested in the least in uncovering the truth about the March 2 incidents.

B. Findings about the role of the lawyers

1. On March 2nd the lawyer community were the victims of police brutality. It is very unfortunate that due to the unruly actions of a small section of lawyers, a majority of the lawyers had to bear the brunt of the vindictive fury of the police. Equally, the lawyers were at the receiving end from the media who demonised them as a whole, describing them in abusive language on that day and in the subsequent days.
2. The atrocities that the lawyers faced at the hands of the police and the media are a reaction (albeit excessive and completely unjustifiable) to the unruly behaviour of a small section of the lawyer community who have repeatedly shown scant regard for law and democratic functioning.

Many of the lawyers seem to think and behave as if the law does not apply to them and they should not be questioned by the police even when they break the law like traffic rules. The police and the media have repeatedly complained about the lawless behaviour, even assault by a handful of lawyers in the court premises, which they consider their territory. In the meanwhile, this lawlessness continues unabated as evidenced by the attack on two police officers on 27.3.12, one of them a woman, by some lawyers within the court premises. It is ironic that the advocates who complained about police misbehaviour of women lawyers on March 2nd should assault and violate the dignity of a woman police officer. Neither the AAB nor the Bar Council have seen it fit to respond to these complaints and have not taken action against erring members of their community. This constitutes a failure on the part of institutions like the Bar Council and the AAB.

Having said this, it is worth noting that in the case of the March 27th incident, the AAB has condemned the assault by the lawyers on the police and has urged that strict action be taken against them.

3. Specifically, the Bar Council has failed to live up to its responsibility of acting as a watchdog institution, which should uphold its mandate of ensuring that values of professional integrity and ethics prevail in the legal profession. Even after these grave incidents, the Bar Council has chosen not to take action against erring lawyers despite receiving specific complaints supported by visual evidence from the police and media. They have not even thought it fit to meet to discuss this issue. In fact, the Bar Council has been a dormant body through the entire crisis and has failed to heed the grievances of the general public whose effort to seek justice in the courts has been completely negated by the lawyers' strike. Under Part 7 Chapter 1, Section A4 of the Bar Council of India Rules, the disciplinary committee is empowered to take suo moto notice of such a situation and pass final orders including cancelling enrolment of such members and awarding costs to the aggrieved party.
4. It is true that the unruly behaviour of some lawyers cannot be generalised and many senior lawyers have condemned this lawlessness and urged that action be taken against them. Many lawyers and lawyers organisations have expressed dissent against the decision to boycott the courts that the AAB took on March 2nd. Yet, it is a fact that the decision of a minority of lawyers has prevailed over the dissenting voices of the many. It is unfortunate that in a crisis like this, the sane voices of a majority of the lawyers have not been heard. This goes against the grain of democratic functioning of this important constitutional institution.

C. Findings about the role of the media

1. As the incidents of March 2nd have shown, the media, especially the electronic media, have repeatedly experienced restrictions in covering the news in the civil court premises and their right to collect and disseminate information has been curbed. Whenever they have asserted their right to cover a story and gather news about the court proceedings, they have been repeatedly assaulted and their equipment damaged. They are functioning in a climate of fear and insecurity in the court premises, where they are made to feel they are intruders, even though the court is a public space, where they have a legitimate function to perform. This reached a peak on March 2nd.
2. But the behaviour of the media on March 2nd raises many issues about their professional ethics and mode of functioning. Basically, the media is there to report matters objectively and to collect information from different sources and disseminate it as fully and fairly as possible. In the reporting of that day it was objectivity which was totally missing. The large scale violence that took place on March 2nd in the court premises was only selectively aired focusing entirely on the unruly acts of the lawyers, and blacking out the attack on lawyers and others by the police and even by a section of the media. They refused to air the visual footage supplied by the lawyers questioning its authenticity. This constitutes a violation of Point 2 of Section 2 (National Broadcasters Association) which insists that equal space must be given to all sides to ensure neutrality to present their point of view.
3. This censorship or blacking out was in effect an act of private vendetta, as admitted by K.V. Prabhakar,

President, Bangalore Reporter's Guild: 'since they had treated us badly, we were under no obligation to report everything. Earlier, we had covered all their events. This time we wanted to teach them a lesson.' The media people acted collectively on that day to play up only those incidents that showed lawyers in a bad light. Their intention was to malign the lawyer community as a whole and stigmatise them as "goondas", "rowdies" etc. This negative portrayal goes against the very purpose of the principles of self-regulation (para 3 of Section 2 of NBA Standards): " to avoid compromising the genre of television news by broadcasting content that is malicious, biased, regressive, knowingly inaccurate, hurtful, misleading, or aimed at willfully concealing a conflict of interest". News channels must ensure that allegations are not portrayed as facts.

4. The frenetic reporting of news in the electronic media on March 2nd points to a deep malaise in the media. We find that the electronic media, in a cut throat competition for TRP ratings, have tended to sensationalise news by presenting lurid images repeatedly and indulging in stereotypical presentation of events and persons. This is especially to be seen in the new trend of 'breaking news', which (as revealed to us by Ravi Kumar of Suvarna TV) often presents events as they take place without cross checking and verification. This is very well illustrated in the reporting of the rumoured deaths of two policemen on March 2nd, which was played up again and again under the scrawls as "Rowdy lawyers cause the death of a police clerk", which went on from 11.15 am till the press conference later in the afternoon by Commissioner Mirji. The media's mishandling of the rumored death of two policemen constitutes a complete deviation from section 10: Corrigendum of Principles of Self Regulation (NBA Standards) according to which "significant" errors of

reporting should be “acknowledged and corrected on air immediately” and highlight the correction. These corrections must be made in spirit and not merely in letter.

5. There are serious allegations that besides the police, the media persons indulged in stone throwing at the lawyers. This points to a clear collusion with the police in the attack on lawyers, which is condemnable and shows that vindictiveness has prevailed over their sense of professional responsibility.
6. The 'Code of Ethics and Broadcasting Standards' published by the National Broadcasters Association contains important sections on self-regulation of the media. Points no. 6 of the Fundamental Principles points no. 2 and 10 of Section 2:(Principles of Self-Regulation, NBA Standards) have been violated.

Overall, looking at the conduct of police, lawyers and media and the events around it, we find that all these 3 groups have deviated seriously from the conduct and obligations required of people in their professions. (See Our Recommendations) The police not only failed to protect law and order but also broke law by the atrocities they perpetrated on the lawyers in the court on March 2nd. Equally, many of the lawyers have failed to live up to their role as upholders of law by their actions in the court and outside it by behaving with impunity – the feeling that they can get away with anything, that they have a special sanction to break the law. Similarly, the media censored the news of the lathi charge by the police on the lawyers which is a serious deviation from their professional duty to provide full and objective information to the public.

This professional misconduct is all the more reprehensible because all these three institutions are in fact essential in a democratic set-up and have a wider public function to perform. After all, the special privileges they enjoy are for promotion of democracy, not for seeking professional prestige and one-upmanship. This betrays the anti-democratic mindset of all the three institutions, where sectarian values have come to prevail over public responsibility.

In a democracy, governance is not only a function of the State but also of two vital institutions of the law and the media, which should promote the values of social justice, equality and fair play. In a situation where gross corruption and abuse of state power by state functionaries have eroded the very basis of state governance in Karnataka, the state government has exhibited an utter lack of will in responding to these serious events affecting public life. The Home Minister failed to control the police force working under him and condoned their brutality by his subsequent silence. He also failed to intervene effectively and thereby prevent the unfortunate confrontation between the lawyers and the media and allowed the civil court complex to be used as a battleground.

OUR RECOMMENDATIONS

A. The Media

1. There is an urgent need for the NBA to go beyond its advisory functions and to re-constitute itself into an empowered body along the lines of the Press Council. In public interest, the NBA needs to actively intervene and enforce self-regulation in the media rather than invite external regulation or punitive action for any professional misconduct.
2. In the light of the serious misconduct of the media in this case, it is necessary that the NBA takes cognisance of Point 6 of Fundamental Principles and Points 2 and 10 of Section 2 (Principles of Self-Regulation) of NBA's Code of Ethics and Broadcasting Standards, as cited in the Findings Section of this report and take necessary disciplinary action through a properly constituted committee whose findings will be made public.
3. Like the Press Council, the NBA should use its powers to monitor and regulate the conduct of its members (individual TV channels, for instance). Further, it should, like the Press Council, exercise the power to "censure" the electronic media. The Press Council Act, 1978 under Section 14(1) defines the power to censure thus: "if it is satisfied that it is necessary so to do, it may, for reasons to be recorded in writing, warn, admonish or censure" its members "after holding an inquiry into the complaints." This provision in the Press Council can serve as a model for NBA to evolve a code of conduct for self-regulation.

4. The NBA should have a Grievance Redress Cell which aggrieved citizens can approach for an effective and swift remedy in the event of being injured by misreporting.

B. The Lawyers

1. Advocates Association, Bangalore

While it is heartening to note that the AAB has taken action against six lawyers in the case of the recent attack on 27.3.12, it needs to go further and identify the unruly elements within the Association who have been disruptive and broken the law and take similar action. against them i.e. (i) suspend the offending members from the Association and (ii) permit the law to take its course.

2. Bar Council

- a) The Bar Council has a vital role to play in maintaining the health of its profession and must do everything within its powers to play an active role in intervening in instances of misconduct such that have recently taken place.
- b) As a regulatory body, the Bar Council needs to constantly monitor the conduct of its members in order to see if their conduct transgresses and infringes upon the rules and regulations it has set for its members. In cases of misconduct it must exercise its full powers and take disciplinary action under Section 42 of the Advocates Act, 1961.

3. In fact both the AAB and the Bar Council must have a Grievance Redress cell to receive complaints from the general public (including the media) about professional misconduct within the lawyer community. The Grievance Redress cell will receive complaints, investigate in each case and suggest action as well as provide relief,

The Police

1. The role of the police is of vital importance in a society. They have to bear in mind the observations regarding their duties and conduct in the Police Manual (see our findings given above on the police.) The Karnataka police force need to receive human rights training on treating people humanely.
2. Since Section 12 of the Human Rights Act has been comprehensively violated by the Karnataka police force who have taken the law into their own hands, the SHRC and the NHRC must intervene and direct the state government to file cases under the provisions of this Act.
3. In critical situations, the police officers must be empowered to take courageous and impartial decisions to end violence regardless of pressure from vested interests.
4. Given the lackadaisical attitude of the state government in dealing with the violence of March 2 (see our comments above on the CID inquiry). we strongly recommend a full-fledged investigation into the incidents of March 2 by an independent authority outside the state apparatus in order to establish public confidence. The Supreme Court Directives on Police Reforms issued in 2006 strongly recommended establishing a Police Complaints Authority at the state and district levels which would inquire into public grievances of police misconduct (impunity, abuse of power, and criminal unaccountability) and recommend suitable disciplinary punishment. It is unfortunate, but not surprising, that Karnataka is one of the many states that have completely ignored this directive.

Abbreviations:

AAB – Advocates Association Bangalore

NBA – National Broadcasters Association

Annexure 1: Some Testimonies

A. Testimonies from the Lawyers

On 9 March, we met and talked to more than 50 lawyers in the office of the Advocates Association in the Civil Courts Complex. From these testimonies, we have put together the following account of what the lawyers told us about the incidents in the Civil Courts complex on 2 March 2012.

Role of the Media

- ✦ Our main complaint is not against the media with whom we have had good relations in the past but against the police whom we hold primarily responsible for the disturbances that took place on 2 March. Our fight is against the police against whom we have had a long-standing conflict.
- ✦ Our image has been tarnished by the media which has given a misleading picture to the general public about us. 183 advocates have filed defamation cases (in the form of private complaints) against 7 TV channels.
- ✦ The media have exaggerated the attacks on them.
- ✦ Advocate Uday reports that he spoke to TV-9 during a phone-in session and asked why the media reporters (who were standing behind the Janashree OB van) were throwing stones, as their own visuals were showing. After 10 minutes, these clippings were suddenly edited out and removed.
- ✦ Advocate Puttegowda, ex-President of the Association

took CDs of the lathi charge incident to the media organizations, asking them to telecast the clippings, but they have refused to do so.

The Incident at Thyagaraja Nagar on 13.2.12

A lawyer riding on a motorcycle was stopped by the traffic police for not wearing a helmet. When the lawyer objected, he was taken to the police station and beaten up.

The lawyers' protest on 17.2.12 at Mysore Bank Circle

On 17.2, we staged a protest against the police assault on lawyers on 13.2 at Mysore Bank Circle. We demanded action against the police who had beaten up the lawyers on 13.2. The protest and the procession were peaceful, but the media projected the police as passive and ineffective against us. We asked Commissioner to come and meet us, but he never came. Because of our strong condemnation of the police action on 13.2, the police bore a grudge against us and attacked us on 2.3.12

Attacks by the police on the Lawyers on 2.3.12

- ⤴ Even before Janradhan Reddy came to the CBI court, the media entered the court room at 10.30 am and created a nuisance. Shri BM Angadi, the CBI court judge, barred the electronic media from reporting the court proceedings and asked them to leave the court. At 11.15 am, the lawyers prevented a team from Suvarna from sneaking into the court by jumping over a compound wall. Then the police and the media attacked the lawyers. At 11.30 am, when 2 lawyers were coming into the court premises, they were surrounded by the media and attacked, in protest against the media being denied entry. The ACP had to escort the 2 lawyers inside.

- ⤴ When Janardhan Reddy came to the court at 11 am, a

huge police force of 1500 entered the court premises.

- ✦ At 11.30 am, the situation was still peaceful. Then Commissioner Mirji entered the court premises, and ordered lathi charge, which was totally uncalled for. No announcement was made before the lathi charge was ordered. Immediately the police, in a spirit of revenge and to settle old scores, went on a rampage, and lathi charged the lawyers everywhere they were to be found, including the canteen. They even attacked the notaries in their stalls. Advocate Arun Naik, who runs a notary stall (45), reports that 15-20 policemen came in at around 2 pm. They assaulted him, and he suffered head and shoulder injuries. He fell down and was taken by ambulance to Bowring Hospital. Since he did not receive satisfactory treatment there, he was taken to Mallya hospital by his friends. The next day Chief Justice of Karnataka visited him in the hospital. Later, 15-20 policemen came and interrogated him, and afterward, posted 2 PCs outside his room.

- ✦ Advocate BL Mukti reports that around 12.30 pm, 10-15 policemen entered the staircase near the filing counter and assaulted the lawyers present there (after identifying them with white shirts and sparing the others), raining lathis on everyone's heads. Mukti suffered head and back injuries, and he and 4 others were taken to NIMHANS.

- ✦ MJ Amarnath received blows on the arm, the shoulder, and the knee, and taken to Martha's hospital. Advocate Ravishankar was watching TV in the Advocates Association office when he stepped out and was the first victim of the lathi charge. A group of 156-20 policemen police struck him on the head and the back; 2 of his fingers were fractured, and he fell unconscious. He was taken to

Martha's hospital. He lost his case files, and is in a state of shock. Advocate Devraj was assaulted, and 2 of his fingers were fractured. He was taken to Bowring Hospital, but, according to him, he received no treatment till 4 pm, whereas the police were receiving prompt treatment. In the hospital, the police were taking down addresses of the injured lawyers and registered FIRs against them randomly, even as they were being discharged from the hospital.

- ⤴ 65 advocates were injured and taken away by ambulance to various hospitals, and some others were taken to the local dispensary. Even while being taken in an ambulance, an injured lawyer was pulled out and assaulted again. (Visual available.)
- ⤴ Advocate Girish reports that he was he was standing on 1st floor watching what was happening below when he was caught on camera, and a case was failed against him along with 22 others who were accused under the same charges.
- ⤴ Advocate Shiva Reddy reports that his car was burnt. At Ulsoor gate PS, he was told about it by SI Natraj who directed him to CR Grounds where there were 150 damaged and burnt vehicles. In his car there were 8 case files, some with original documents, and his coat with Rs 8000-10000. when he tried to file a complaint against the police the media, the Ulsoor Gate police refused, and said they would register it only if he stated that miscreants were responsible for it.
- ⤴ The police broke open the main door of the Civil Court with a huge stone. They went around attacking cars that had lawyer's license plates and were burning them. More

than 100 cars and scooters with lawyers' license plates were stoned and damaged by the police. (We have visual clippings to show these and other scenes.) They chased us around the court premises for 7 hours and were beating us up. The lathi charge went on relentlessly till 1.30 pm when the court premises were temporarily cleared of the police due to the intervention of Justices Sridhar, Manjunath, Nagmohan Das, Srinivas Gowda and Govind Raj. These judges asked the police to leave the court premises, saying that they would take care of the situation. The police left the court compound for a brief while, but suddenly returned after the judges left the scene and continued with their rampage. One lawyer who had fallen down was surrounded by the police and beaten up. Valuable files that lawyers were carrying were thrown away, and we can't trace them.

- ✦ The police discharged tear gas which was making us nearly blind with tears,. A senior lawyer who was injured and his eyes were watering rushed into Judge Budihal's chambers to seek shelter, but the police chased him there and beat him up. 90 lawyers suffered tear gas injuries.

- ✦ More than 100 advocates have been injured in the disturbances that took place on 2.3.12.

- ✦ On that day, even senior counsel had to seek shelter in toilets to protect themselves from the marauding police. People's fingers were chopped off due to their being struck with lathis. Many lawyers suffered fractures from the physical assault. Sign boards were damaged. The police locked up the gate near Cauvery Bhawan in order to prevent escape by lawyers. We did not dare to leave the court premises because of the continuing violence by the police.

- ⤴ Manjunath, a physically handicapped lawyer, was assaulted by the police in the presence of Commissioner Mirji, and his clothes were torn.
- ⤴ According to advocate Pape Gowda, his friend Kumara Patil was assaulted by a reporter from TV 9, but the police have not registered any FIR against him. At 11.45 am, a reporter from Janashree was throwing stones at us from outside, and the police did nothing. In fact, the media and the police worked together to attack lawyers in KR Circle. We have a clip showing the media working with the police inspecting vehicles and throwing stones at vehicles with lawyers' license number plates.
- ⤴ Justice Nagmohan Das was witness to the lathi charge that took place at 2 pm.
- ⤴ We didn't store stones in the court premises. The police threw stones at us, and we threw stones down on the ground in order to clear up the mess in the court premises. Some of us used stones to chase away the media out of the court premises. Later, the media showed footage only of our throwing stones at them, not their stones at us.
- ⤴ All the damaged vehicles were cleared by the next morning. By 4 pm, there was no incriminating evidence left.
- ⤴ According to Advocate Uday, the police have taken down the names of the lawyers in Cubbonpet and surrounding areas.

Attack on the Advocates Association office:

This attack took place between 4 and 6 pm. The front door of the office was broken. TV screens and a clock was damaged and window panes were broken. Banners were torn up. Afterwards, there were blood stains on the floor.

Molestation of Women Lawyers:

Women lawyers were harassed and molested. The police were taunting one woman lawyer with the remark: "Come, we'll make a habba out of her (we'll make merry with her)." The electronic media were branding even women lawyers as goondas.

Ranganath, Secretary, Advocate's Association

I was arrested even though I was not there during the first phase of the incidents. It was after 1.30 when I was accompanying the judges that I was arrested. We have gone on strike, and we've filed defamation cases. I feel it was all pre-planned. It was a small dispute between the lawyers and the media, and it could have been settled. But the police waited for us to gather at the entrance to the court before attacking us. Mirji came and immediately ordered an attack.

We have placed 7 demands before the government. We have asked for the resignation of the Law Minister and the Home Minister. We have filed 126 complaints against the police and the media. The media have filed 59 cases against us. But not one of our complaints has been registered as an FIR. We have identified Laxman Hoogar of TV-9 and Kiran of Uday TV as responsible for attacking lawyers.

500 corporation employees came that night and destroyed all evidence. We've filed PILs and the court has directed the government to preserve the CCTV. We've asked all lawyers' associations in the districts to display video footage showing the

attack on the lawyers. People know about what really happened, but the government still refuses to acknowledge it.

Srinivas Babu L, Vice-President, Karnataka State Bar Council

We condemn the violence that happened on March 2nd. There is no way that the media can be allowed in the court complex. Yes, they have requested for a media space within the complex but it cannot be allowed. There is a scrutiny of lawyers address while issuing the identity cards, which need to be renewed every few years at which time address and photo proofs are checked. Therefore there is no way that there can be any anti-social elements in the Bar Council. People from across the state have come together for the protest (we met him on March 8 during the protest). We will continue this strike till we get justice. We expect that it will take atleast 10 more days for the protest to end. We have not stopped the court from functioning. Cases are being heard. We are asking for adjournments for future dates. If any client absolutely needs the case to be heard as per schedule, we are giving them NOCs (No Objection Certificates) and they are free to argue their own case.

B. Testimonies from the Media

Ajith Hanumakanawar, Head of Crime News section, 'Suvarna TV'

Our tensions with lawyers started way back in 2009 when we were covering the Bar Council elections. We were working on a story that as part of the celebrations after the elections, liquor and chicken were being served in the court premises. The reporter TV Manjunath went to cover it. Somebody alerted the lawyers to his presence. He was attacked and his expensive digital camera was destroyed. In fact, this is done routinely. We have filed so many FIRs for advocates attacking us on many occasions when our cameras have been broken, our cassettes destroyed, windshields of vans have been shattered. We have filed FIRs to claim insurance, but no action has been taken.

On 2.3.12, when Janaradhan Reddy was to be produced before the court, we were assigned to cover the event, and followed his car at 10.30 am to the court. About 300-350 lawyers were already assembled there. There was no need for so many lawyers to be present. When Ravi Kumar panned the camera on Janaraadhan Reddy, 4 lawyers asked him to leave the court, and proceeded to attack us. Outside the court, 6 media reporters were attacked, and their cameras were damaged. When Ravi Kumar was dispatching the news and visual feeds, his mike was thrown away. He was admitted to the hospital. The police didn't do anything when we were being attacked. We have asked the Bar Council to identify criminal elements and debar them, but nothing has been done. To prevent occurrences like this, we've asked for separate space to operate in the court, but no action has been taken. We couldn't have attacked the lawyers in the court, for we were so few (barely 30-40) whereas they were so many (more than a thousand). Nor is it true that we colluded with the police in attacking the lawyers in the court, for the fact is that we were not allowed to go beyond KR Circle. But it is true that some of our reporters carried out attacks on the lawyers. This was due to pent up feelings. How long could we have kept quiet in the face of such repeated attacks?

The positive thing is that this crisis has made us in the media rise above the competition over TRP ratings, and has brought us together.

Our only appeal to the lawyers is: let them identify goonda elements among themselves and take action against them.

K.V. Prabhakar, President, Bangalore Reporters Guild

According to Shri Prabhakar, the current tension between the lawyers and the media could be traced to the disturbances that took place during the election of office-bearers of the Advocates

Association 4 years ago. Mohan, a photographer of Kannada Prabha, who was covering the event like the rest of the media, was suddenly assaulted while he was taking pictures, and his digital camera was snatched away. Later, when we protested to Shri Subba Reddy, the President, he arranged to get us a new camera. This incident was followed by other disturbances of a minor nature, which we ignored. The advocates don't harass us in the court room itself in the presence of the judge, but when we enter or come out, we are physically restrained at the door. Often, there are incidents of camera snatching and assault. Usually, one or two reporters in the court premises are suddenly surrounded by a group of lawyers and assaulted. In the court, we are few in number (around 10) whereas they are so many. Since such incidents are few in number, we tend to ignore them, and get on with the job.

Six months ago, Ashok, a reporter of the TV channel Janashree was assaulted when he was covering the arrest of Darshan, and the advocates tried to debar us. However, the judge Shri Budihal gave us permission to cover the proceedings, but without cameras, which are not allowed. This incident was followed 3 months ago by the beating up of Maruthi, a reporter for the TV channel Suvarna, while he was covering the denotification case involving Shri Yediyurappa. Maruthi was admitted to the hospital. We took a protest rally from the Press Club to the Victoria statue and presented a memorandum to the Governor. Trouble subsided for a while. Then, on 17.2.2012, the advocates went on a strike in support of a lawyer who had been booked by the police for a traffic offense. It was a minor incident, but the advocates staged a major protest and blocked traffic on KG Road, a major artery of the city. We fully covered the incident, focusing on how this strike had thrown traffic out of gear in the heart of the city and inconvenienced thousands of people.

The next day (i.e. on 18th), the advocates took out a procession to Vidhana Soudha, and our reporters who were covering the incident were assaulted. They collected bags filled with urine and threw them at us. They abused the police and threw stones at us. Some of us might have reacted excessively, but we were unduly provoked.

These tensions erupted into a confrontation between the lawyers and the media on 2.3.12 when Janardhana Reddy was produced in court. The advocates had organized themselves for an attack on us. In fact, our lawyer friends had told us about it in advance. They singled out Suvarna and TV 9 channels. When Janardhan Reddy was produced before the court, Shri Budihal, the presiding judge, requested us to vacate the court room since the situation had become quite tense. We accordingly came out and stood out at the gate, waiting for Janardhan Reddy to come out so that we could interview him. There was no trouble till Janardhan Reddy left the scene. Then lawyers started attacking the photographers who were taking pictures of the scene outside the court and of the lawyers. Ravi of Suvarna was reporting the events outside when he was surrounded by 4-5 lawyers and taken away. A number of reporters of Suvarna, TV 9, Udaya TV, and Public TV were also attacked. The police brought an ambulance and took them away. Our reporters contacted Shri Ranganath of the Advocates Association who said he would reach the scene to restore order, but he didn't come. The police sent us away after the stone throwing started, and 6 of our vehicles were damaged. We had collected the stones thrown at us from inside the court premises to show the public how it all started. 2 lawyers were reportedly attacked by a few of the media persons who felt provoked by the beating we received at the hands of the lawyers. Naturally, we could not keep quiet, and some of us may have indulged in some stone throwing. This was because the police stood idly by while we were being attacked, and our vehicles

were being damaged. The advocates verbally abused some of the women reporters and even threatened one of them with rape.

The media people then took out a procession to meet the Home Minister Shri Ashok and present a memorandum to him. The CM met us in his official residence, along with the Chief Secretary and other officials and explained the situation to him.

We in the media have lodged 12 complaints against lawyers; the police have identified 25 lawyers as responsible for the incidents on that day, 5 have been arrested, but no further action has been taken on our complaint. One of the lawyers identified Shri Ranganath, Secretary of the Advocates Association, as one of the instigators, and hence he was arrested by the police.

When the police lathi charge took place in the afternoon, we were not on the spot but in the Chief Minister's residence. Hence we could not cover the incident. We also felt that since they had treated us badly, we were under no obligation to cover the incident. Earlier, we had covered all the events in which they were involved, but this time, we wanted to teach them a lesson. We didn't take a collective decision to black out the media.

Overall, we feel that only a handful of lawyers (maybe 20 or 25 in number) are responsible for the disturbances that have been taking place in the civil courts complex. However, lawyers as a body are law abiding and peaceful and are not to be blamed for what has happened. Unfortunately, the Advocates Association can't control the large number of lawyers that it represents and hence such situations occur. We are keen on resetting our relations with them once again. We feel that all this confrontation wouldn't have taken place if reporters hadn't been attacked on 2 March.

We have placed 4 main demands before the state government:

1. The CBI court and the Lokayukta should be shifted to Parappana Agrahara jail.
2. Of the 25 lawyers identified by the police as being responsible for the disturbances, only 5 have been arrested. Action should be taken against the other 20 too.
3. False cases filed against us in Bidar and other places should be withdrawn.
4. We reject the proposed judicial inquiry.

Finally, we request all lawyers to come round and take up their work again. So much court work has been held up, and the common man is suffering as a result.

Vishweshwara Bhat, Head of Janashree

He declines to speak with us about the matter that the media had not telecast the news of the lathi charge. But he did mention that the reason they did not telecast was that they had the CDs as the authenticity and veracity could not be established.

C. Testimonies of the Police

N. Nagaraj, President, Police Association

As a rule, we don't cross the limits set by our higher officials, but today, we wore black armbands for half a day in protest against the incidents of 2.3.12. On that day, a police station within the court premises was burnt, right under the nose of judges, by so-called lawyers who are supposed to adjudicate and uphold the law. This is unheard of, it is just like burning the Indian Constitution. Even Veerappan didn't resort to such an action.

Ordinary policemen have become conscious of their rights. It all started due to an accumulation of similar incidents in the past. The most recent provocation was the assault on a policeman by the lawyers in Thyagaraja Nagar. This year alone, 15 cases have been registered in Ulsoor Gate PS against the lawyers for assaulting the police. None of these cases have resulted in conviction or resolution. Lawyers have no right to take the law into their own hands. Some advocates seem to think that courts are safe places for committing crimes with impunity. I go to the advocates for redressing my grievances. Like advocates, we have a right to go to the court. Denying the police access to the court is like denying access to ordinary people whom we represent. Yesterday, families of the police sat in dharna, demanding security for their wards.

The police's hands are tied. We've filed FIRs in these cases, but they're not taken to a logical conclusion. There is interference from powerful interests in such cases, hence there is no investigation and no charge sheet. If someone has infringed the law, he should be quickly tried. But there's nobody to take up such cases.

70 policemen were injured in the incidents on 2.3.12, along with 10-15 of the media, and 10-15 advocates. It's a question of the survival the police force. The police are the only personnel who can be entrusted with law and order.

Are advocates self-declared custodians of the court? They seem to think so. Why has the senior judiciary not taken notice of this resolution asking for the police and the media to be barred from the court? The Bar Council's resolution to debar the police is unprecedented, and there was no dissenting note.

Our minimum demand is that all those advocates who were responsible for these attacks on the police should be debarred. All cases of such attacks since 2009 should be investigated fully. In

fact, whatever happened in the sessions court on that day should be fully investigated. There has been failure to prevent such assaults on the police. Our demand is that the police should be put back on the track of normal operations, they should not be reduced to 'hijras.'

The guilty police have been suspended but guilty advocates have not been debarred. We in the police force have no influence with the top echelons of the government whereas lawyers are able to approach people at the top and get their things done.

When an assembly has been declared lawful, the police have to resort to wholesale and even ruthless use of force, at least for a brief while, and the entire assembly has to be brought to order, irrespective of anyone is guilty or not. It is a failure on the part of the top police officers that no swift action was taken to quell the disturbance, and the situation was allowed to get out of hand. Our top police officials failed to act concertedly, but at least we imposed order on our forces. Arrangements should have been made to conduct Janardhan Reddy's case in some other safer venue.

Mistakes were committed by the police too. The police force consists of diverse elements, and should be controlled, and not let loose. Accumulated anger built up within the police force and caused some excesses.

As regards the report about the death of the policeman, we believed it instinctively. But the media has a tendency to play up such rumors and sensationalize incidents. There is a need for a controlling mechanism to restrain the media. Cut throat competition among the media puts them under intolerable working conditions.

T. Suneel Kumar, Addl. Commissioner of Police, Law and Order

The state government has ordered 2 inquiries to go into the incidents of 2 March, and we have to await their outcome. Allegations have been made by the lawyers and the media against each other.

There have also been allegations that excessive force was used in the lathi charge by the police, but if this was so, it was not intentional, but due to the situation that was getting out of hand, and required extraordinary measures. Besides, the lathi charge was not prolonged, but in short spurts, after which the police would withdraw. Many of the police have also been injured during the clashes. 4 police vans were also burnt. Tear gas was also used, which caused more injuries. If the allegations about police atrocities are true, we will not spare the guilty policemen but take action against them.

It is not true that we stood idly when the media were being attacked. In fact, we intervened effectively to stop the 2 sides attacking each other. The attack on Ravi, the reporter from Suvarna channel, ignited the disturbances, and this was followed by stone pelting on both sides. An OB van was damaged. 2 of our policemen were detained on that day and we rescued them with difficulty.

As for the incident involving the constable who booked cases against the 3 lawyers riding without helmets, we have asked police constables to keep a look out for motor cycle riders riding without helmets because there have been cases of chain snatching involving motor cycle riders. In this case, the advocates gave a complaint against the constable 3 days after the incident.

Pent up feelings on the part of both the lawyers and the media have led to these disturbances.