

Police firing during VHP Chief's birthday celebrations

A report by South India Cell for Human Rights Education and Monitoring and People's Union For Civil Liberties Karnataka

Fact-finding Report on the incidences of rioting and police firing which followed VHP Chief Ashok Singhal's 75th Birthday Celebration, in Hubli, Karnataka. On September 16th 2001, Times of India reported VHP Chief Ashok Singhal's Birthday celebrations, which turned violent killing one in the firing of Hubli Police. It was the beginning of a series of riots and violence that shook Hubli, in the following days. It was reported that there were many incidences of communal riots as well as assaults on policemen while discharging duties.

SICHREM and PUCL-K delegated a fact-finding team comprising Ms. Geetha Menon, Mr. Joseph Bernard and Ms. Angel Mathew to the mission of finding the facts of the whole series of incidences. The team reached Hubli on October 11, 2001.

The development of Hubli from a relatively peaceful city to a cauldron of communal fires has not been sudden or overnight. Its combination of industrial and trading economic circuit, the almost equal mix of population of Hindus and Muslims, its proximity to Maharashtra and Karnataka, has brought forth its own dynamics. The nerve centre of communal problems has been the controversy over the Idgah Maidan. Like everywhere, the intoxication for political strength and rule has led to the insensitive and brutal use of religion and communal differences. The Idgah Maidan, the place of prayer of Muslims was acquired by the Hubli corporation from Bassel mission, a Christian organization for the purpose of development of the Hubli town. At the time of city survey this place was included in the corporation area. At the time of the said city survey, the Muslims were not consulted. The Muslims have been using this place for saying their prayers for a long time, that is 200 years and the municipality cannot use it for any other purpose. The city of Hubli has expanded considerably of late and the Idgah which was outside the city formerly is now surrounded by buildings. The sanctity of the place is sometimes defiled by the passers-by and stray cattle attending calls of nature. Sometimes during prayers, children living in the nearby houses stand naked before the congregation, which, according to the rules of Islam religion, renders the prayer useless. To remedy all these problems Anjuman resolved to construct a compound wall to the Idgah and applied for the requisite permission to build one at its own cost.

The majority of the municipal counselors being Non-Mohammedans could not or did not realize the difficulties of the Mohammedans and the permission was not granted. On this Anjuman approached the commissioner. Then the commissioner asked the Anjuman if it was willing to take the land from the municipality on payment of rent. Anjuman expressed its willingness to take the land on payment of nominal price. The land has been in their possession for religious purposes. But it was very obvious that the Non-

Mohammedan members who were in power opposed the matter. As a result of many petitions; and prayers of Mohammadans to the authorities, finally the Hubli municipality agreed to lease the site to Hubli Anjuman on nominal rent of Rs. 1 per year for a period of 999 years. The lease deed was executed on 17/05/1930 in accordance with the GRGD No 1499 - dated 11-01-1922 of the Government of Bombay on the sanction being accorded by the commissioner dated 6th February 1922.

On 17/6/1960 Anjuman moved an application for permission for the construction of a shopping complex and promised in that application that the income through renting the shopping complex would be used only for educational purpose. The municipal officer gave permission to construct shopping complex with the condition that, the income derived from the land should be used for educational purpose only and that all communities should be permitted to enjoy the facility. As per the order Anjuman constructed six shop buildings and possessed the completion certificate on 22-7-1972. Since 1972 onwards the Non-Mohammedans started protest against the Idgah. Many communal violence have taken place. On August 15 1993, BJP cadres wanted to hoist the national flag in Idgah. But Muslims opposed and argued that it was the place meant for their religious practices. Since that time, every Independence and Republic day became a tension day for Hubli people. According to Hubli Mayor Firdos G. Konnur, the Idgah is leased by Anjuman for 999 years and the case is pending in the Supreme Court regarding the further construction of shops. The Muslims have the right to protect the Idgah as their prayer place.

In these circumstances Ashok Singhal's (VHP chief) decision to celebrate his birthday in Hubli, needs to be examined. Davangere district authorities denied the permission to celebrate his birthday there. From September 12th onwards the VHP and Bajrang Dal Cadres started protests against Muslim and other communities. On 1st of September while the Ganesh festival procession was passing through the Idgah, there was an attack on the Idgah. On the night of September 14th the Bajrangdal people set fire to Bible and Quran publicly at Tippu Nagara. On the same evening at the Railway platform some Bajrangdal cadres removed the Parda of a Muslim girl and forcefully put Kumkum on her forehead.

The fact that the Idgah Maidan has often been a fertile issue to raise communal tensions is evident by the views expressed by CPI member Siddengowda Patil. His observation was that any festival in Hubli has always developed a communal colour. This year, the Ganesh procession was at 12o clock midnight, with youths in a drunken stupor and the procession stopped for 1 1/2 hours near the Idgah Maidan. There have been simmering tensions time and again; from finding a dead body on the maidan, to the question of forcing flag hoisting on the Idgah to prove their patriotism; and animosity and fear have been successfully created.

The views of the political parties from the Congress-I to secular Janata Dal, from the Mayor to the journalists, expressed the view that all that happened after the celebration was because of vested political interests.

The Police

The Ex-Police commissioner Mr. Y.R Patil who was transferred under pressure and held responsible for the shooting of two processionists was almost defensive of his actions. He was a man ready to face any eventuality. Six months had passed since he assumed the post and he claimed that eighteen instances of destabilizing of society was reported between March and August. In the aftermath of the rumour on Aug 14th that Muslims were going to attack Hindus, this emphatic Police Commissioner held a meeting of the city elders and discussed all the possible fallout of issues like Idgah, the Ganesha procession and even the forthcoming Ashok Singhal's birthday celebrations. As he says, "I was prepared to resort to force if it is necessary." Mr. Patil spoke very firmly and encouragingly in his interview with the team. He spoke of how the previous 18 instances of rioting resulted in losses worth Rs. 12-15 lakhs. Of the recent disturbances, he received information of rioting, where buses were stoned, mobs had to be dispersed and instructions were given to the police to open fire.

On being asked about the deaths by police shooting, he remarked that it was in self-defense, so it was justified. His assertion was that he avoided more number of deaths and things could have gone worse. "If discipline has to be kept, it is necessary to shoot effectively". When asked whether shooting to kill is necessary he replied, "You can say anything, but if police are attacked with sickles and swords we have to act in self-defense". The commissioner gave a statement different from that given by constables about the numbers at the procession. He said that there were only 12,000 people and police was deployed to the ratio of 1:10, so actually prompt action was taken. This was seconded by the DCP Mr. Suresh. However, from the versions gathered from the police constables, the public at large and the political parties, the numbers were claimed to be around 40,000 to 50,000 and all of them asserted that the police force was insufficient and could not handle, was not prepared. That 90% of the people were outsiders and came in trucks of the Vijayanand Road lines, shows the preparations for the celebrations. But total police breakdown and police absence in the riot areas, was evidently a breakdown in the police system. And this, in spite of the Police Commissioner being prepared enough and holding a meeting to assert the above. When asked if permission could have been withdrawn for the meeting, as it is a communally sensitive area, both the Ex-police Commissioner and the ACP said it was possible.

Both were of the opinion that when there is mob violence, there is no other action but shooting, even if it causes deaths. Police constables Annigeri and Gangege were seriously injured at the time of the curfew. During the procession however, no police were killed, only two civilians.

The team could only meet constable Annigeri, who reported that he had gone to Tynunagar and to the road near Noorani colony to solve an old dispute matter, where Muslims had destroyed a temple and one Hindu was lynched. This differed from the version of other sources that constables were attacked when they went there to give food to the constables on duty. Annigeri was attacked from behind, hit on the head and he fell unconscious. However, Gangege although injured managed to reach a police jeep to take him to hospital. And he also was able to identify the attackers i.e., Muslims from the

nearby Noorani Colony. He suspected the hand of one Rambo Rafiq who is notorious in that area. He stated that Rambo was with them throughout the investigation but ran away as soon as Annegeri was attacked. However, the reason for the attack was not directly connected to the celebrations, as the police shot at Hindu youths in the procession. Constable Annegeri was of the opinion that the crowds were too large (approximately 30,000) for the police and the police deployment were inadequate. If there were more police and preparation, violence would not have taken place. It was after this attack on the two policemen, that a vanload of police entered the Muslim area Noorani Colony and looted homes, broke windows, doors and also very brutally beat up men and some women. Men showed the fractures caused by the beating while women revealed the pain they felt. The mood was angry but yet they had not approached the authorities with any memorandum. None of the political parties had even paid a visit to the area. They spoke at length of the treatment by the police. Thirty-three people were bundled into the van at 12.30 midnight, without any warrant, or time to wear any clothes. Inside the van, one of the men was badly hit when he tried to sit on the seat. The Maulavi at the local mosque was hit so badly on the head that he had to have seven stitches, which were still painful. They only vented their anger at the police and did not accuse the "other community" of anything.

A day later, the police allegedly entered the Hindu colony on the opposite side of the road where more than 2000 families reside. When the team met this area residents (Nerveker Nagar) they narrated the same tales of attack, how the police took 22 men to the police station. There were less breakages or injury to them. While the Muslims were kept in Dharwad jail for 13 days till their lawyer got them released, the Hindus were kept for three days and then released by the Corporator of the area, Mr. Panduranga Patil. Here too, after that, no political leader has visited the area or enquired about them. The partisan attitude of the Corporators is evident here. Both the communities were aware that there was violence in the city during the celebrations but did not say much.

Political parties and Government officials:

The team could not meet the BJP councilor, even though we made many phone calls, and had no success with RSS functionaries, as they were ostensibly busy in the districts. However, the team met Jabbar Khan (Cong) and the Mayor Firdouz G. Konnoor. According to the young Mayor, although he was not present on the day of September 15th, the report he received mentioned that there were many people from outside and police bandobast was totally inadequate. The Mayor was very cordial and gave the team enough time, also spoke about the history of the Idgah Maidan. He also gave xerox copies of the lease (999 Yrs) of the Idgah to the Anjumen-E-Islam by the Corporation at a ridiculous lease rent of Re. 1 per year. The dispute now, which will be decided on Oct 28th, is only about the construction of shops on the plot. According to the Mayor, he could not have really withheld permission for the rally even though he admitted that the city had become communally sensitive. Bagalkot had not given permission for the rally. He later admitted that Hubli could have done the same. He spoke sincerely about how later he tried to speak at the Council meeting on imposing a ban on the communal organizations but there was no response from the political parties in the Corporation. He voiced the opinion that it was a violence instigated for economic power and political

survival. He was interested in sorting out the issue. He did mention the laxity of the police and the lack of preparation, as many in the mob were outsiders. As he said, "Even though, for Ganesh festival and Holi there were bigger crowds, there were no disturbances.

Jabbar Khan (Cong I) MLA:

He spoke at length about the procession and was of the opinion that the mob could have been controlled with more force. They should have expected trouble and been prepared. The curfew was maintained well, although in certain police station areas, innocent people were arrested both Hindus and Muslims. He felt that the riots were instigated because the BJP felt insecure in the political constituencies and the Congress had actually won one constituency from them. According to Jabbar Khan, "It was necessary to hold a judicial enquiry into the violence and seek transfer of all police officials. We want peace and we will bring all the forces together".

Voices of the general public:

Journalists, traders, people along the Koppikar Road which was close to the stadium and which saw firing. Vijay Karnataka Editor, Mr. Nadkarni said that there was not one single procession, but broken up groups who came in small numbers through the pocket roads leading to the maidan, and that was where the firing took place. He spoke of how there was not sufficient police to control and 90% of people were outsiders. The police arrested 500 innocents and a lot of anti-social elements took advantage. (This paper broadly supports the political views of the BJP). Thus, he did not comment on the celebrations and the anti-communal slogans. He also spoke of the failure of the intelligence and the state machinery. He did not say much about the meeting. His only solution was that all political parties and mutt heads should unite. (Our information from reliable sources was that this paper is backed by the Vijayanand Roadlines group which loyally funds the BJP. Also, it was their trucks that were used to ply people from outside to the city for the meeting).

Traders on Koppikar Road:

Shered Shevde was the most vocal. He attended the meeting at the maidan and reportedly heard the anti-Pakistan slogans of the Bajrang Dal, and speeches tempered with communal issues. He defended Ashok Singhal's birthday celebrations and had different views on the ownership of the Idgah Maidan land. He along with his friends mentioned that police firing was essential and that the commissioner had acted effectively. Although his friends Sunil and Rai said that alongside the procession, police were few, the police could not be blamed, as sporadic violence was happening all over. They also affirmed that the slogans and speeches were anti-Pakistan and defended the birthday celebration of Singhal by saying that, "If Muslims can burn crackers when Pakistan wins in Cricket, we can hold Singhal's birthday celebrations". Shered Shevde strongly advocated education as the answer, as all violence is by "illiterate masses". The families staying in the small lanes near the stadium, where the firing took place (all Brahmins) asserted that they did not see anything as they all stayed indoors when the violence started. The police had come round and informed them when the violence started in the city. In certain areas of Islampur and Mantur Road, during the curfew, the families reported looting, burning of

vehicles, and sporadic violence by miscreants. According to Isabella, social activist in Dharwar the incidents of September 15th is as follows.

The procession, part of the Birthday celebrations started from Indira Glass House, a public entertainment park. About 40,000-50,000 people were present in the Hubli corporation limits, said to be celebrating the great day. Many vehicles, as many as 800 vehicles bearing MH registration were seen in the city limits. It seems that the majority of the people belonged to other places other than Hubli. The name of the programme was "Taruna Jagran Vedike", "Hindu Jan Jagran Program", to motivate youngsters. The rally started from the Glass House in the afternoon and proceeded to Nehru stadium via Idgah Maidan, a controversial place in the heart of Hubli. The speeches of the people involved in the celebration party contained anti-Pakistan and anti-Muslim slogans. It was even said that if Muslims want to stay safe in India they should wear a Tika on the forehead. People were flowing into the stadium during the whole evening and all the pocket roads leading to the stadium were manned by people, who on the way were shouting anti-Muslim slogans. They also took to many destructive activities like burning vehicles including police vehicles, looting and burning shops and created a situation of grave anarchy all of which she watched from the top of the nearby building. Everybody had a saffron cord tied on their wrist which is said to be sign of Hindutwa. Girls also joined from the nearby Women's college for the celebration with saffron cords tied on their wrists. She also related about the incidents occurred in the Noorani Plot where both Hindus and Muslims were taken from their respective houses from neighbouring colonies by police in the days of the curfew following the birthday. Giving a little background of the tensions in Hubli, Isabella spoke of the report that the Hindutwa forces were making plans for burning the special bus for Muslim women.

Mr. Patil another social activist also shared the same opinion. Another person who accompanied the team, Vinay Pawar, spoke of instances that could have been one of the push factors in the violence, which all happened much before the riots. Kambripet seems to be a trouble prone area. It was here that the illicit liquor trade dominated by the Pattagar Community flourished. The liquor barons in Bangalore and the ex-police commissioner had raided and enforced a closure ban on them. They wanted the commissioner transferred and used this issue to do so. This incident was 6 months old. But about two months back, in Kambripet trouble erupted where there was a Hindu hotel and a Muslim Masjid close to each other. A cow allegedly tied in the mosque compound was the cause of antagonism. This resulted in curfew for two days.

Observations:

It is evident from the findings and the facts that the growth of communal forces has been on the upward swing. The BJP and other communal forces got maximum mileage from the flag hoisting on the Idgah issue. They have stoked the fires, as have the leaderships in the Muslim communities, and kept tensions alive by small disturbances and even rumours. As long as the Anjuman refused the flag hoisting on the Idgah maidan, the BJP had an issue. Once the controversy was settled two years back, with the flag being hoisted, the party discovered another issue with the 75th birthday celebrations of Ashok Singhal in Hubli. As was reported, top four industrial magnates of Hubli donated lakhs to

the party coffers. The B.J.P found a home ground in Hubli, as the caste force of Lingayats as well as the communal tendencies since Ayodhya, helped strengthening its political and electoral positions as shown in the rise of BJP in electoral politics, (corporation they occupy 40% and Cong I 60%), which was fewer in number earlier. The cold statistics reveal the rise of the BJP in Hubli's Corporation politics. From no seat in the Corporation ten years back to 22 seats at present, indicates the phenomenal rise of the BJP and how the communal climate has helped it do so.

Since the 80's the B.J.P. increasingly needed an issue to sideline the Muslims to win over the Hindus and to keep the issue of "the other" burning. Using the Idgah Maidan as their trump card, efforts were on first to dispute its ownership and secondly to test the patriotism of the Muslims by centering the issue around the hoisting of the National flag on August 15 and January 26th. Both the issues have been exposed giving the BJP the compulsory option of looking out for strategies for divide and rule. The Idgah Maidan property ownership dispute was fully revealed in the various documents of the Corporation, showing it as a 999 year lease by the Corporation to the Anjuman-E-Islam. The fact that some commercial shops came up in the compound started the fires of discontent and rivalry between the traders of both communities. This led to a case on the Anjuman, which is awaiting a decision by the Supreme Court on the issues of shops on the land.

The control of the Hubli market is a powerful position as the trade in textiles and liquor can generate high revenues. From the Mayor Firdouz G. Konoor to Jabbar Khan (Cong I) to the off-record statements of the police officials to the businessmen in the riot torn parts, the assertion was the riots were created for economic and political survival. One trader Shared Shevde remarked, "We do not need politicians at all. We can govern ourselves!" It was alleged that nearly four wealthy industrialists of Hubli promised Rs. 75 Lakhs to the BJP if the birthday celebrations were held in the city. This motivation may be, even after Begalkot and Davangere refused to hold the celebrations, the city of Hubli gave a warm welcome. The celebrations of Ashok Singhal's 75th birthday on September 15th also quite obviously reveals the inclinations of the communal forces. The facts are that they chose Hubli, that permission was given to host the celebrations in the center of the city, that the procession passed through the Idgah maidan route, that stones were thrown at the maidan and at a dargah on the way, that Bajrang Dal supporters indulged in looting and attacked people and shops, city, that 90% of the processionists were outsiders i.e., from Dharwar, Pune, Begalkot, Gadag, etc., that they were carrying lathis, swords shouting anti-Pakistan, anti-Muslim slogans, that many of the processionists did not go towards the route of the stadium, nor attended the speeches. That the occasion was used to create tension, is evident from the reports of discussion about it by the police commissioner himself. It's not a small operation that truck loads of people descend on a city, without the police or intelligence machinery being alerted. It seems that the police deliberately did not gear itself for trouble and have been indifferent to the larger community interest. The police commissioner himself admits the laxity in the numbers, and except for him and the ACP, everyone gave the procession to be around 40,000-50,000.

The administration too should take the blame as they gave permission for such a celebration knowing fully well the games of political parties. Also, knowing the communal situation and that the meeting was not warranted, permission could have been withdrawn or at least the venue could have been away from the city's trouble spots. More attention could have been paid to sensitive police station limits during the curfew as well as after that. The fact that two policemen were injured does not mean the police force have any right to attack the communities in the two areas, go house to house and assault the residents. It appears as if the police have now taken on the role of the judiciary also. Not only maintaining law and order, but also supposedly enforcing justice!

The Congress I/Janata Dal Secular combine in the corporation should have anticipated this trouble and made arrangements likewise. They do not have any long-term strategy to tackle communalism except appeasement and peace talks.

And what about the productiveness of the place which was distraught for many days due to the riots, the curfew and the existence of disharmony between people of various religions. The authority should be bold enough to take tough decisions in situations like this. The communal parties for their purely selfish motives of power and greed loot the innocent village people to the maximum extent. The political parties who say that they are for the good of the society are achieving nothing other than division of the community on the basis of religion which goes proportionally to their vote bank. And the people who are torn between division, ignorance and also poverty to an extent, act merely as puppets in the hands of these vested interests to their own destruction, which is in the form of lack of peace in the neighbouring communities when inhabited by different religions. Their energy, time and abilities are wasted for these vested interests when they are lured by immediate monetary benefits and false attention. Hence there is the need to ban these communal organisations in the better interests of the society, for peace, harmony and also for the development of the society.

Recommendations:

Local residents of both communities to form self defense committees. All rumours to be checked and counter checked. Police should remain neutral in all cases of conflict. Restrictions of public meetings selectively, of known communal organizations and such meetings and processions have to be scrutinized closely, especially if the venue has a history of communal violence. Giving permissions for celebrations, if it is going to involve large number of people, to be conducted in public places and that too in small geographic areas has to be monitored properly. All wings of state machinery be made transparent and accountable to public. Religion and politics should be separated. Another issue is that of the police efficiency in dealing with situations of riots. Needs a lot of planning regarding how to handle a rioting crowd without actually resorting to firing and taking lives of people. There is an increasing need for sensitizing and educating the larger public on the hazards of communal riots and its onslaught on human rights.