

PUCL KARNATAKA
REPORT OF THE TRUTH FINDING COMMITTEE HELD IN CONNECTION WITH THE COMMUNAL
CLASH AT KODAGU IN DECEMBER 2001

There were continuous clashes on account of communal disturbances from 9th December to 17th December 2001 in Coorg district. PUCL Karnataka organised a fact-finding committee to study and bring out the truth. The committee consisted of Prof. Govindaiah, Prof. Ramdas Rao and Sri. Nitin. The committee visited various places in Coorg, met many officers and people. The report is brought to public perusal.

BACKGROUND

Coorg, before becoming a part of Karnataka was attached to the Madras Presidency under British rule. The British had established in the area *economically* (?) on commercial crops. There have not been many changes in the social system after independence. Their nurturing of the "Master and servant" rule, socio economic relationship has not undergone any change. After a battle in Amar Sulya (Kanara) in the 19th century, an independent struggle does not seem to have taken place. There has been no caste opposition, non-Brahmin struggle routed in the soil; means liberal tradition never existed. Of late Coorg has become an "internal colony" and hence it should become an independent state - it is heard. But there has been no democratic agitation. As a result there is no independent neutral opinion. There has been no progression in economy due to stability of international market regarding globalisation of commercial crops. This type of physically infertile land *shatteredness* easily falls a victim to communal politics. We have to see the December clashes under this historical background.

GIST OF THE COMMUNAL DISTURBANCES THAT TOOK PLACE BETWEEN December 9th to 17th.

The disturbances between 9th to 17th December are not sporadic. The stage was set systematically by Bajrang Dal, the VHP, Sangh Parivar of the BJP. It seems the BJP had taken long holidays after the debacle in the last election. Hindu organisations became active after the establishment of the Bajrang Dal and the opening of its branches. In November, students with the Jehovah's Witness associated with Blossom school Madikeri, refused to sing the national anthem. What was an internal problem concerning the

school was dragged out to the open and a few people took the notion of patriotism upon themselves and beat up the students. A Hindu brotherhood meeting was organised in Madikeri in November and on 6th December in Virajpet. Crackers were intentionally burnt in front of mosques. On one occasion, they were thrown out by the Muslims. During this period pramod Muthaliq made an instigating speech. On December 6th, Muslims raised their objections to crackers being burnt in front of mosques at the Hindu brotherhood meeting at Virajpet following which Jagadeesh Karanth hit out against the Muslims for their proselytising activities. By the first week of December, the Sangh Parivar had spread anti Muslim feelings,

A clash that took place in the Harischandra temple at Palur is stated to be the main reason for the commotion here. The said temple is in a dilapidated state by the side of the Cauvery river. There is no proper road. People assemble only during Tula Sankramana. Even though attached to Muzarai, there is no protection as available to other temples. Theft has taken place many times. It cannot be ascertained when then the commotion took place. It is guessed to have taken place on the 7th and 8th. It is alleged that the tiles were broken and dirt and cow dung was smeared. There was no sign of any effort to remove the lingam, as the lingam and building were safe. There was an ad in the box of 'Bhakta Jana Sangha' regarding the trouble at Palur. On 10th, BJP leaders K. G Bopaih, Vittal, Sunil Subramani, Devaiah and some leaders of Bajrang addressed the procession. By that time Section 144 was already clamped in the whole district. In spite of it, the *cognisable* factor is taking out the procession in front of the police. The procession consisting of around 2500 people with weapons went to the adjacent village called Kottamudi dominated by Muslims and started looting and torching. Before that they entered a farm owned by a Muslim, trespassing and destroying the coffee, pepper crops in 80 acres of land. The roads were blocked. Communications were cut off. Instead of dispersing the group of Hindus, the police drove out the Muslims and teargas shells were used against the Muslims. Later the Hindu Jagran Vedike called for Coorg bandh.

On 10th mosques at Balele, Kutta, Hudikeri, Sanivara Santhe, Gudugadale, Balaburi near Moosnadu and Gorikuppa were torched. People coming after namaz were attacked. Rickshaw drivers or other Muslims when found alone

were beaten. The doors of mosques in Thittimathi and Devapura were locked, prayers were stopped.

The same day telephone booths belonging to Muslims, kiosks, vegetable shops, dry fish, T.V stores, hotels and houses were identified and put on fire. As a whole Muslim property has been systematically destroyed. According to the District Collector, the loss estimated in Mercara Taluk is Rs.26,55,980 , Rs.15,47,300 in Virajpet taluk and Rs.3,29,750 in Somavarpet Taluk. The compensation claimed and appealed to the Government is Rs. 8 lakhs for Palur Temple, Rs. 7,08,700 for 62 houses, Rs. 23,87,150 for 76 shops, and Rs. 6,75,000 for two plantations. All these losses for Muslims only except the temple. The instigation spread by the Sangh Parivar has created fear and helplessness among the Muslims.

THE TEMPLE AT PALUR

The temple belongs to Mujarai department and it hadn't been used for some years. The temple situated on the banks of river Cauvery away from the village does not have a proper road. The people who could not make a visit to Talakaveri for Tula Sankramana visit this place for the purpose of worship. There is a practice of providing vessels belonging to the mosque for all local functions. Local Muslims during the Eravanadu procession used to provide security. Muslims outnumber local population. There is no conflict in the place historically. Once, there was a case of looting the hundi of Mahalingeshwara temple. As it was committed by a Hindu, he was let off. When the temple bell was stolen it was covered. The committee did not see any attempt by Muslims to destroy the temple. The claim of the Sangh Parivar that the temple land is encroached upon is a concocted story. Long before a Bhat had appealed to the tribunal and the land next to the temple was grabbed. All the Hindu members of the tribunal had agreed to this. The person opposed to this was a Muslim. Later the land was sold to a Muslim by the Bhat. As such there is no encroachment. It is very clear that the land that belongs to the Muslim, which is situated close to the temple is the only reason for looting on the 10th. A false propaganda has been made in this respect. It is important to note that the names of the temple accused were inserted later. As per Muslims on the 8th only five tiles were broken but the next day all the tiles were broken. As such it is doubtful to say that the Muslims have destroyed the temple. According to the Muslims, if it were their intention to destroy the temple

they would have easily done it when there was a flood. Neither the police nor the BJP leaders have substantiated this allegation. The joke is that the police have taken Bajrang Dal people to show that they have arrested the Muslims, in their effort to please the Bajrang Dal.

Police say that they have arrested people of both communities. But the leaders like Jagadeesh Karanth, Sunil Subramani, Pramod Muthaliq have not been arrested so far. Bopiah of the BJP was arrested but let off before he was produced at court.

THE OPINION OF DIFFERENT PEOPLE

The PUCL team met many people and gathered information. Following is the brief:

1. Kottamudi is a village attached to Vaddur panchayat, situated near the Palur temple. The village has seen the clash on the 9th and 10th. Karim an ex-panchayat member said when we met him: 'pooja/ adoration takes place in the temple once a year during the Tula Sankramana at Bhagyamandala. The priest of the temple told Karim on December 8, 2001 over phone that someone had broken the tiles of the temple. Next day when Karim went to the temple he saw the priest trying unsuccessfully to pacify the crowd. The police had come. When Karim saw the temple only a few tiles had been broken. By evening many tiles were broken. The priest had not mentioned any name responsible for it in his complaint. A group of four youths got it replaced by including the names of Abdul Rehman, Moinuddin, Hamsa and Attu Aarin. They are still in jail. On the 10th, in the name of the devotees they were asked to bring knives to the meeting by Bajrang Dal. The procession looted houses, shops and set them on fire. The police followed them but did not try to stop them.

Mohammed: Some time back the drum of the temple was stolen by a Hindu but he was let off. Once the hundi of the temple was stolen.

Balamuri: violence breaks out wherever Pramod Muthaliq and Jagadeesh Karanth go. Their aim is to threaten the Muslims, destroy their property. Karanth had threatened that mosques would be bombed, became true during the clash.

Muhammad Ali: We cannot believe that the Muslims of Kottudi have destroyed the temple, they would have done this when there was a flood in the river. But they always used to help the devotees with vessels and other facilities. The main reason to destroy the temple is to grab the land belonging to Ashraf. On that day the priests of Harischandra and Mahalingesh temple had been to Mercara, it is stated.

Betagiri Village: Population 800. On December 10, 2001, the houses belonging to Muslims were looted and set on fire. According to Haji Omar, the trouble started at 2 p.m., and went on for many hours. The Hindu hotel next to burnt houses has not been damaged. There was a swastik sign on the door and the Jagran Vedike pasted the walls with posters reminding the Ayodhya day.

Napoklu: Retired Major Cariappa told us that there was an attempt to remove the linga in the temple even though he had not visited the temple. He is the vice president of the temple devotees. He had sent messages to the police and Shakti paper. They had not called for the police meeting at Palur but the paper had put it - he said. They said that when the news of the temple destruction came, their blood started boiling. But he and his friends had not seen the temple personally.

OPINION OF THE ADMINISTRATION AND THE POLICE.

1. We met Inspector D. Kumar at Napoklu. According to him, the investigation had not started as they were still trying to establish peace. As a result of fast police action there has not been much loss of property. But at Virajpet, sufficient damage has taken place. At Kakkabbe, some Muslims damaged some vehicles. In retaliation, the houses of some Muslims were destroyed and set on fire.
2. We met District Collector G V Ramachandra at Madikeri. He said that the Hindus reacted liberally during the disturbance at Palur temple. The temple was not being used properly. According to him, a trivial matter has been made a big issue - such a conspiracy has taken place.
3. According to District Superintendent of Police, Umesh Kumar, 135 people have been arrested so far, of which 35 were Muslims and 100 Hindus, a FIR has been filed against 116. So far the exact date of the

destruction of the temple at Palur is not known. Police have behaved with patience at Kottamudi. Otherwise there would have been a lot of injuries and deaths. When the seriousness of communal clashes are compared, the pain, injury and death are very less. He justified the statement of Mallikarjuna Kharge that there are fundamentalist movements behind the disturbance. Very shortly, Bopiah and others of the BJP are going to be arrested, he said. He denied that Kerala Muslims are behind this incident.

According to our view, the background for the disturbance is as follows: Right from the commencement of the year, the branches of Bajrang Dal are being established. Hindus are religiously instigated and Muslims are shown as antinationals. The Palur incident gave them an opportunity.

ADMINISTRATION.

1. Throughout the communal disturbances, the instigating activities of the Sangh Parivar were ignored deliberately. An example for this is, an accused like Bopiah has not been produced at court even though he was arrested.
2. Throughout the disturbance the police did not implement law and order. Even when Section 144 was in force, the procession was allowed on December 10th. The procession should have started from the North and should have returned in the same lane. Allowing them from South, entering Kottamudi village has given room for violence. When the violence was on, they were blind witness to it and resorted to throw tear gas shells towards the mosque. They fired in the air. They were not bold enough to target the troubleshooters. In the whole district, they have not apprehended the Sangh Parivar. They say that they are investigating and continue to maintain that the intelligence is working on it.
3. Home minister has accepted that fundamentalists are behind this. But no one has been arrested and produced before the court. Had they arrested Jagadeesh Karanth, Pramod Mutaliq, Somesh of Shakti paper, Bopiah of BJP, Deviah, Sunil Subramani during the first week of December, the disturbance could have been stopped. Intelligence in Coorg is a total failure.

4. Administration was not in existence during December 9th to 17th in Coorg.
It is not an exaggeration to say that communalists were free.

PAPERS.

The newspapers have not maintained patience in reporting the matter. The Shakti paper has encouraged communal activists throughout Coorg by publishing the news of Palur on December 9th, in a box on the front page. This is the careless attitude of the paper. Other papers also carelessly reported as if attacking is justified. *It is like keeping a lamp on the midwall (?)*. All papers have reported the destruction of Palur temple entertainingly.

PUCL' s DECISION.

1. We did not see that the Muslims had the intention to destroy the temple at Palur.
2. The Sangh Parivar has been successful in organising systematically the communal disturbances. This has resulted in a permanent rift between the Hindus and Muslims.
3. Even though the administration accepts that fundamentalists are responsible for the disturbance, they are unable to control the commotion, thus they are partners.
4. Many local newspapers especially Shakti has acted as vox populi for the Sangh Parivar.
5. In Coorg no secular and progressive force is effective - may lead to communal disturbances.

RECCOMENDATION

1. The Government should unearth the secret of the temple destruction at Palur.
2. Jagadeesh Karanth, promod Mutaliq, Bopiah, Deviah, Somesh, Sunil Subramani who are responsible for spreading communal feeling should be arrested immediately and expelled, otherwise peace is disturbed.
3. Terrorist organisations should be controlled.
4. Government should order for judicial inquiry to bring out the truth and entire picture of the case.
5. PUCL calls for understanding the predetermined, dirty plans of the communalists.

6. Secular and civic forces should come together to fight against communalism.

December 19, 2001.