

A Summary¹ Report of Incidents of Communal Violence in Bharuch District, Gujarat

(1) Processes

The fact-finding process was initiated after the affected in the region sought an independent, civil society probe to ascertain the facts on the violence in and around Hansot Block of Bharuch District in Gujarat that caused three deaths on January 14, 2015, the day of Uttarayan Festival.

A team of eminent citizens was constituted by the People's Union of Civil Liberties comprising of

1. Dr. Ghanshyam Shah
2. Dr Trupti Shah
3. Adv. Sofia Khan
4. Mr. Rafi Malek
5. Mr. Krishnakant Chuhan
6. Ms Reshma Vohra
7. Mr. Sharif Malek
8. Ms Mariyam Agarbattiwala
9. Mr. Hiren Gandhi
10. Mr. Rohit Prajapati
11. Dr. Sarup Dhruv

The fact-finding team first announced its proposed itinerary and agenda through a press note in the local newspaper along with its contact details, so that representations could be heard. On Jan 23, 2015, the team first met at Ankleshwar. The affected persons who had fled their homes or had their properties looted and damaged came from Katpor, Ilav, Sahol and Hansot Villages. They along with local leaders from Bharuch gave oral and written submissions to the team submitting photocopies of their correspondence, complaints to the official authorities. The team also met Mr. D M Shukla, Deputy Collector, Ankleshwar.

On Jan 24, 2015, the team visited the violence-affected villages of Hansot, Ambheta, Sahol, Ilav, meeting the parents of deceased, injured, other affected villagers, community leaders, local leaders and also the newly appointed Police Inspector, Mr. J B Sutaria.

On Jan 27, 2014, the team met Mr. Bipin Ahire, District Superintendent of Police, Bharuch and later on Feb 3, 2015 also visited the Ratanpor Village. The team also used the Right to Information Act, 2005 wherever required to seek details of police complaints and official action.

This was not an isolated incident but a part of a series of communal incidents and build-up of tension since December 2014.

Three Innocent youth were killed, properties of several people ransacked and families from Muslim community forced to flee from their home and farms in several villages. Due to both delayed and biased action on the part of police and administration, they are at the mercy of their relatives as no compensation or support is provided by the state. Their right to live with dignity and safety is violated.

We, as concerned citizens of Gujarat, active in protection of Human Rights and Social Movements, are submitting this fact-finding report of Human Rights violation as result of the communal violence that took place in and around Hansot Block of District Bharuch, Gujarat, from December 2014 onwards.

This is a summary report of fact-finding, which includes the methodology of the fact-finding, chronology of events, major conclusions and demands. The detailed fact-finding report is in Gujarati as most of submissions and FIRs are in Gujarati.

¹ The detailed report is in Gujarati as most of the submissions, FIRs, etc, are in Gujarati.

The chronology of events will give an idea about the range of issues and incidents along with the extent and intensity communal tension that have taken place in the region since December 2014.

(2) The chronology of incidents occurred in Hansot block of Bharuch District.

1. On 9 December, 2014, Sunil Patel alias Sajan of Ambheta circulated a message on Whatsapp about Prophet Mohammad and Muslims using abusive, pornographic language; this message had very bad repercussions in the minority community.
2. On 10 December, 2014 protesting against this message, leaders of the Muslim community gave a call for Hansot Bandh (shut down), and police arrested Sajan Mansukhbhai Patel who circulated this message.
3. The Muslim community organized a rally on 11 December, 2014 from Soneri Mahel of Bharuch to the Collector's Office joined by more than 5000 people; they also submit a memorandum to the Collector.
4. On 14 December a mob of Hindus besieged the house of Mohammed Gulam Hafiz Danavala in Katpor village and threatened his family to convert to Hinduism or leave the village. A limit of one night's time was given to the family for their conversion. Fearing a deadly attack Hanifbhai left the village with 10 members of his family. In this context it should also be noted that in 1992 there were 12 Muslim agricultural families in Katpor, and now there are only two. The village mosque has been captured by the dominant Hindus who are using it to keep their cattle and Muslims have no alternative but to perform *namaz* in their village. There is reason to believe that this is part of a plan to see to it that the Muslims leave the village and some non-Muslims get their land at a throw- away price.
5. 15 December, 2014: Unrest in Hansot
 - After receiving word that some people are hampering the passage of Muslims' *chakdas* (Three wheeler for passenger transport) at Sajod Bus Stand, some Muslim youth gathered at Hansot circle.
 - BJP District leader and Executive President of Ankleshwar Taluka Panchayat, Bharat Nagjibhai Patel, lodged an FIR against Sabir Kanuga, Papu Khokhar and others alleging that they had made threatening phone calls to Patel.
6. 21 December, 2014: A huge religious convention was organized at Sajod Village under the banner of Dharm Jagaran Manch. It was claimed that the convention was apolitical, but the leaders of Bhartiya Janta Party played major role in the convention.

As per the information given to the team by the affected people, as a reaction of provocative lectures, the mob returning from the convention chanted abusive slogans against the Muslim community.
7. 24 December, 2014:
 - The Sarpanch of Ilav Village, Jayesh Patel, went to shops belonging to the market and threatened the Muslims to leave the village and then proceeded to vandalize the shops. Fearing an attack Muslim families quit the village that same day. In the night the poultry farm and shop of Javedbhai Kureshi were looted by a Hindu mob.
 - The wanted accused of Hansot, Pappu alias Safi Khokhar was arrested under PASA.

- Nasir Shaikh's shop at Hansot by was attacked by a Hindu mob and Vinod Patel's shop by a Muslim mob in Hansot.
8. 25 December, 2014
- Hansot Hindu areas were shut down in protest of the attack on Vinod Patel's shop.
 - Inspector N D Chaudhari was appointed in Hansot police station.
9. 31 December, 2015 : The leaders of Ilav Village brokered a settlement with Muslim families in the police station in the presence of PSI Dhobi, which would allow them to come back to live in the village on the condition that they will not file an FIR for the incidents of 24th December.
10. 5 January, 2015: Soeb Isman Patel's crop of sugar cane in Shera village on 60 bigha land was set on fire, leading to the loss of 17 lakhs sugar cane.
11. Incidents of 14 January, 2015
- On the day of Uttrayan on 14th January, 2015 there was a clash between Hindu and Muslim youth over kite. The Muslim boy was beaten by a Hindu mob at Ambheta Village. The boy there after informed his friends of the incident and some youth arrived from Hansot. A violent clash ensued with weapons between Hindu and Muslim youth. A few people of both the communities were injured and some property was damaged.
 - As the mob returned to Hansot from Ambheta there was a clash between Hindu and Muslim mobs with weapons; in this clash two Hindu youth were killed and one Muslim youth was badly injured and succumbed to death on 17 January in the hospital.
 - While the injured Muslim youth was being taken to the hospital in an ambulance under the police protection, he was attacked at the Sunevkhard Village.
 - At the neighbouring villages Muslim families were threatened, their property was set on fire, and shops and houses were looted, resulting in their exodus.
 - In other villages, unidentified Muslims were attacked while passing on the roads. According to a report in Gujarat Mitra, Surat's Haquimji's car was attacked while he was returning with his family from Chotumiya Bava's shrine of Hansot. The family fled back to the shrine for protection and phoned the police, yet police did not come to help them till late. There after Haquimji phoned a councillor of Surat, Arsad Kalyani, and the latter along with Rajendrabhai, Trustee of Chosath Jogini Mata Mandir, came to Hansot and helped 16 people relocate to the secured place.
 - Both of the community's shops and Gallas were put on fire and several people were injured including DySp and other police personnel in Hansot.
 - The Sarpanch in Ilav threatened Muslim families to leave, and disallowed the police from entering into the village. Meanwhile, they vandalized, looted and set on fire the homes, shops and mosque belonging to eight Muslim families . All of the Muslim families fled the village without taking any of their belongings with them.
12. 15 January, 2015

- Rioters set on fire Jahirudin Sayeed's house in Sahol village. All of the 25 Muslim families of the village fled leaving behind their homes, village, farming and businesses.
- The same mob also set on fire a police tent deployed in the village. In this fire a wireless system, and other things were burnt, and police vehicles were wrecked.
- Internet, SMS and bus service from Surat to Hansot were suspended by police for a few days.

13. 16 January, 2015

- PSI K V Chudasama was appointed in Hansot Police Station.
- Union minister Mansukh Vasava visited affected areas and said "elements who could not tolerate Gujarat's development are involved in riots." He visited injured Hindu Kharva youths but did not pay any visit to Muslim injured youth.
- 20 rioters including Sahol Sarpanch were arrested.
- Saminudin Sayeed's Della, where livestock had been kept, and 3000 bundles of grass were set ablaze in Ambheta. A complaint was registered against Manish alias Maniyo Vasava.

14. 17 January, 2015: A meeting of peace committee was held at the District Collector's office. The leaders of various communities took part in this meeting but MLA, Mr. Ishwarbhai Patel, remained absent. In this meeting social worker, Dr. Safi, alleged that the politics of illegal shrimp ponds were responsible for the deadly riots.

15. 18 January, 2015:

- After the shrimp ponds as a reason for the riots came to light, 200 elected members of Hansot Taluka Panchayat, Ankleshwar Taluka Panchayat and corporation including MLA Mr. Ishwarbhai Patel sent their resignation to BJP office in protest against state leadership, which had allegedly stopped action against illegal ponds in May 2014.
- As the Panchnama of the destruction of the property of the migrated people of Ilav did not take place, Imran Kureshi, nephew of Ismailbhai Kureshi from London, phoned Vadodara range IG Anup Gehlot. It was only after Kureshi threatened that he would register a complaint from England, that the police went to Ilav on 18th and completed a Panchnama of lost properties.

16. 19 January, 2015

- J B Sutaria was appointed as a Police Inspector of Hasot Police Station
- First time reported in news paper that the reason for quarrel in Ambheta Village on 14th was not for kite but it was for assault of a girl.
- An announcement was made that CCTV cameras would be installed in Hansot and Sajod and Aliyabet was put under the observation of a drone camera.

17. 21 January, 2015: The state IB inspected Aliyabet and nearby 24 square KM area and gathered evidence.

18. 21 January, 2015: The Sangh spokes person declared in the newspaper that deceased youth were RSS workers.

19. 22 January, 2015:

- A tribute program was held for two deceased Hindu youth.
- Mr. Pravin Togadiya of Vishva Hindu Parishad, came as chief guest in a Sanatan Dhram Convention held at Sajod village. Earlier Muslim youth used to do service in this annual convention, but this time they avoided the convention fearing the presence Togadiya.

20. 23 January, 2015:

- The market of Hansot partly opened after eight days .
- More than 100 affected people represented before the PUCL fact-finding team
- The investigation team visited the Bharuch Deputy Collector, (in-charge of Ankleshwar), Mr. Deepak Shukla.

21. 24 January, 2015: The fact-finding team visited the families of three deceased, other affected villages and PI, J B Sutariya of Hansot.

22. 27 January, 2015

- The investigation team visited Bharuch DSP, Bipin Aahire.
- The demolition of more than 1200 illegal shrimp ponds on Aliyabet, worth more than 1500 crores of estimated illegal turn over, was initiated by state machinery.

23. 30 January, 2015: The fact-finding team wrote a letter to the Bharuch Collector with interim demands expecting her to take immediate steps to provide compensation to the affected persons,, attempt to build the environment of trust so the people who have fled can return to their villages, that the accused including murderer and attacker on innocent people of Hansot village be arrested, and the Panchnamas of lost property be done quickly and statements of affected people taken. It was also demanded that action be taken against those who profited from the illegal ponds and the government and non government people who helped them. Further, the government should not stop at only catching a few agents but rather it should restore the employment and human rights of Kuchhi pastoralists who live on Aliyabet from the era before independence.

24. 31 January, 2015: an incident regarding a land dispute in Ratanpor Village of Block Zagadia, Dist. Bharuch was converted in to a clash between Muslims and Tribals.

As this fact finding report is being written the administrative and police department's entire attention is towards illegal shrimp ponds though many people could not return to their villages. Incidents of personal differences and personal animosity in different villages are given communal form and new reasons to attack the minority community are borne.

(3) Key Findings

1. A Three-Week Long Build up of Events:

The communal violence that led to three deaths on 14 January 2015 was not a sporadic incident but rather a gradual build-up that started from Dec 9, 2014 which the local administration failed to anticipate and take proactive steps to contain.

It is significant that communal strife in the Hansot Block of Bharuch region, with a sizable Muslim population, has begun only in recent years. For example, during the 2002 riots the area did not witness major untoward incidents. Now both the local people and the authorities tend to perceive any dispute between two members of different communities as communal conflict. Also, the right wing Hindu groups like VHP, Dharma Jagran Manch, etc. frequently hold their public programs which are well attended by local BJP leaders.

The violent turn of events began from Dec 9, 2014 when Ambheta resident, Sunil alias Sajan Patel circulated abusive messages about the Prophet Mohammed and Muslims on instant messaging app, Whatsapp, with his friends that found way to the local Muslim community too.

On Dec 10, 2014 offended Hansot Muslims called for a bandh (shut down) and police arrested Sunil on Dec 10, 2014. On Dec 11, 2014 more than 5000 odd Muslims participated in a protest rally at the district headquarters in Bharuch and submit a memorandum to the Collector.

The rally perceived by right wing local Hindus as Muslim show of strength triggered a spate of retaliatory incidents in surrounding villages, including telling Muslims to convert to Hinduism in Katpor Village, forcing them to leave their 95 bigha farm land, home and property on 14th Dec 2014.

On Dec 21, 2014 at Sajod Village, in a Dharma Jagran Manch rally attended by local BJP leaders, allegedly provocative and abusive speeches against Muslims were delivered.

Ilav Village's eight Muslim families were forced to leave their homes, shops, and properties on Dec 24, 2014. In Hansot, a Muslim-owned farm was burnt on 5th Jan. 2015.

Sunil was released on bail on Jan 12, 2015 and Muslims alleged he received a hero's welcome at Ambheta, though Hindus deny it.

The turn of events indicate clearly that the law and order situation was deteriorating. On the Uttarayan Festival on Jan 14, 2015 a minor dispute led to a Muslim youth being beaten by a Hindu youth which flared into communal clashes that swept across the villages. In a retaliatory attack Muslim youths from Hansot took to violence, which egged on Hindu mobs turning in communal clashes leading to three deaths.

2. Innocents killed, properties ransacked, forced to flee home and farms.

All the three youths who died in the Hansot clashes were innocent bystanders, with no part in the rioting Hindu – Muslim mobs on that day. Coming from lower, middle class backgrounds, they unfortunately were present at that place and were caught up in the hateful violence between sections of youth of the two communities.

Deceased, Pratik Patel (age 29) who came to the village for a kite flying festival and Sandeep Patel (age 32) who was returning from work, both Hansot residents, were taken by surprise and became victims of the avenging Muslim youth-led mob. Armed with iron rods and sharply edged sticks, they beat both Pratik and Sandeep. Pratik's father and brother who tried to intervene sustained serious injuries. Some distance away, similarly, Mohammed Rafiq Shaikh (age 34), also a Hansot resident and a tempo driver who was returning home, ignorant of the violence, was attacked by Hindu youths armed with rods and swords. Later, Hindu mobs attacked the police escorted ambulance on the way to the hospital near Village Sunevkhard and further injured Shaikh, who later succumbed to injuries on Jan 17, 2015 in a Surat hospital.

In surrounding villages retaliatory violence continued with Muslims fleeing their homes, shops and farms, their properties looted and burnt.

Many of the Muslims who have migrated to Surat and nearby safer places had yet not returned to their homes and farms when the fact-finding team visited the region.

3. Strained inter-community trust and relations

We observed that while mobs of Hindu and Muslim communities indulged in violence in villages and around, the community elders or local authorities did not proactively restrain them. The family members of the deceased Patel youths, as do most Hindus in the area, now tend to derogatively refer to Muslim dominated areas, as the 'alien, unfriendly territory' labelling them as 'Pakistan.'

Though there exists a tradition of sharing food, participating in each other's festivals, in visiting Dargah, helping each other in religious gatherings, the increasing presence of rightwing Hindu groups is putting a strain on the shared traditions. While we did not observe a complete break of social and cultural ties, there is definitely a trust deficiency between the two communities, which blames the other for 'high handedness'. Partisan role of local elected leaders, which are usually from the BJP and that of the local authorities during any conflicts, tends to aggravate further relations between the two communities instead of normalizing them. There is a complete lack of any trust building exercise, like a peace committee or any inter-community dialogue at the village level in this region and any misdemeanour by Hindu right-wing group/activist is routinely underplayed by local police and authorities.

4. Political interference and biased police action

During our interaction with local police and administration, they labelled the rallies first by Muslim and later by right wing Hindu groups as a show of strength. While we do not deny it, we can clearly observe that the authorities failed to check the right-wing mobilization that has been happening for a long time in the villages by groups like Vishwa Hindu Parishad and Bajrang Dal, amongst others. We cannot also deny that the presence of fundamentalist Muslim elements in the region, which find their raison d'etre due to growing assertion of right wing Hindu groups.

The actions of BJP-supported village sarpanch as in Sahol village who participated directly in the rampaging incidents of Police Tent and Muslim properties indicate how right wing Hindu groups are emboldened and misused their offices. Local BJP MLA Ishwarbhai Patel failed to turn up for the peace meeting called by the district collector on January 17, though other Hindu community leaders were present with those of Muslims, clearly indicating that the dominant political mood is to aggravate tempers instead of soothing them. Union minister Mansukh Vasava from BJP, who later visited the riot affected villages, though only met the injured Hindu youths in the hospital and did not visit the injured Muslim youths, clearly demonstrating the bias.

The appointment of police inspector J B Sutaria and K V Chudasama later on 16 January 2015, in Hansot, known for their questionable track record of high handedness and biased action further demonstrates lack of official attempt in confidence building measure between the two communities. Instead, Muslims complained that local authorities resisted efforts for official evaluation of their material loss and also lodging complaints. The police bandobast was removed 2-3 days before 14 January 2015, concurred both Hindus and Muslims from villages around and diverted to Ahmedabad-Gandhinagar for Vibrant Gujarat Summit arrangement. Police officials

also admitted that they focussed on Hansot and Ambheta instead of the surrounding region, leading to more arson and violence that spread to other smaller villages.

5. Fostering trouble - illegal shrimp farming

While talking to police, administration, and members of both communities, it became clear that the illegal shrimp farming in and around Alia Bet is perceived as one of the major reasons for triggering communal tension in the area.

The control over illegal shrimp farming which is about Rs.1500 crore industry uses anti-social elements that resort to inciting trouble to retain control over their 'area'.

Alia Bet a small islet nearby Hansot is originally home to a community of tribal Muslim pastoral community since centuries, but they are not involved in this illegal shrimp farming, an activity that has much more recent origins.

According to most, the illegal shrimp ponds business have ownership of Hindus who are based in Surat-Olpad region and not the locals from Bharuch, but are protected mainly by local Muslims.

In this illegal nexus between owner/investor in the shrimp ponds based in Surat, the local strongmen, politicians and government officials, protection money is paid up to state level to protect their interest.

The Ankleshwar BJP MLA, Ishwarbhai Patel in his letter to the Sate BJP authorities after this violence allegedly named some of the BJP MLA who were pressurising state authorities to stop the investigations initiated in May 2014, against this illegal business. Incidentally, one of Ishwarbhai Patel's relatives was amongst the several arrested for arson and violence.

The government action, which began again on Jan 27, 2015, to crackdown on illegal shrimp farming, destroys some illegal ponds and arrests the 'anti-social' elements and so called owners of the ponds is inconsistent. They have not yet arrested any big name who has the power to influence the state government to stop the investigation of this business initiated in May 2014.

6. Increasing use-misuse of social media to incite trouble

This is not the first time social media has been used to incite communal passion. It is happening across India as well as in Gujarat, with provocative content posted on social networking sites and phone message groups. As in Vadodara, (<http://indianexpress.com/article/india/india-others/vadodara-violence-flares-mobile-data-services-off/>), Pune (<http://www.kractivist.org/communal-attacks-on-muslims-of-pune-fact-finding-committee-report/>) and Khandwa (<http://www.hindustantimes.com/madhyapradesh/khandwa-riots-21-year-old-posted-objectionable-content-on-fb-to-take-revenge/article1-1255097.aspx>) and many other parts of the country, the police arrests are only after the hateful, inflammatory messages are spread around. A bailable offense, the police action is no deterrent for those who plan, plot and distribute those hateful messages which incites trouble.

The authorities have responded by banning messaging and internet services on mobile phone for few days, which is not a solution to stop misuse of the medium to create trouble.

It is clear that the fundamentalist forces intend to incite communal passion, provoke violent reaction and hatemongering through such messages. We appeal to community leaders and citizens not to succumb to the design of fundamentalist forces. Any violent response to such

messages only leads in the loss of life and livelihood for ordinary people from both the communities.

(4) Demands

1. Make necessary arrangements for those families who are forced to leave their home, farms, livelihood and stay out from their village, so that they can return back to their houses-shops-lands. These families should also be provided with protection for a minimum of two years so that they can live safely in their own villages and earn their livelihood.
2. Death compensation to be provided to families of three youths who died in the incident with immediate effect.
3. Provide compensation to the affected families of Elav, Katpor, Sahol, Abheta and Hasot Villages for the loss of lives, goods, and property damage. Those whose houses are fully damaged and are forced to leave the village and take shelter in their relative's house should be provided immediate cash assistance as per the norms.
4. In order to create an environment of trust, take appropriate action to arrest all the accused and take stern legal action against them, so that those who are forced to leave their houses can return back.
5. Instead of arresting real a crushed, harassment of innocent youths in the name of combing should be stopped immediately.
6. Appropriate action should be taken against police officers who have not registered complaint or investigate the complaint effectively and impartially. Judicial investigation to be conducted against responsible police officers like PI, DySP, DSP of Hansot for non-performing their duties. Strict action to be taken if the complaint against their non-performance is proved.
7. Organize collective programs in order to create an environment of trust between two communities.
8. Bring to a halt all the public programs for show of strength, which can create hatred among communities or increase fear of communal violence in the area.
9. Constitute a Judicial Committee for neutral investigation in time bound manner, to investigate the role of all the government employees at all levels including, officers, political leaders whose connivance is responsible for the illegal shrimp ponds at Aliyabet and around. Judicial Committee should comprise of retired High Court Judge, Expert on issue and Representative from local people's organization. Based on the report of Committee legal action should be taken against all the accused.
10. While investigation procedure is on, proper care should be taken that the human rights of Kutchi Maldhari's who are leaving in Aliyabet even before Independence does not get violated.
11. Long term program should be planned in collaboration with local leaders and village people in order to revive and strengthen composite, collective culture in this region.