

# **The Srikrishna Commission Report - Too hot to handle**



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# Introduction

The Mumbai riots of December 92-January 93 claimed about 1000 lives. About 200 were listed as "missing". Most of those who died and went "missing" were breadwinners. The number of those injured, and those rendered homeless and property-less would be many times as much. It can safely be said that half of Mumbai was directly affected by the riots.

Justice B N Srikrishna, a sitting judge of the Bombay High Court, headed the one-man Commission of Inquiry set up by the Congress government in Maharashtra in January 93. The Commission was wound up in January 96, after the Shiv Sena-BJP government came to power. It was reinstated in June 96, after citizens moved the High Court. The then 13-day PM A B Vajpayee also requested the Sena-BJP government to reinstate the Commission.

The Commission examined 502 witnesses and gave its report on February 16, 1998. The Sena-BJP government tabled the Report after the High Court directed it to do so, on the eve of the six-month deadline, on August 6, 98.

Its Action Taken Report rejected the judge's findings as 'one-sided' and 'biased against one community'. Sena chief Bal Thackeray, indicted by the Commission for instigating and directing anti-Muslim violence in January 93, said the Report was written by "an extremely poisoned mind". All but two riot cases against him had by then been withdrawn by the Sena-BJP government.

During the 99 election campaign, the Congress and the NCP promised voters that they would implement the Report. But more than a year after they formed the government in the state, the only action they have taken has been to reopen three or four closed riot cases, and suspend five police constables indicted by the Report.

Their excuse for inaction is that the matter is pending in the Supreme Court. What they fail to say is that one of their ministers, Naseem Arif Khan, is a petitioner in the Supreme Court case, and that time and again, the Supreme Court has asked the Maharashtra government to spell out its stand on the Report.

The Maharashtra government equates implementing the Srikrishna Commission report with arresting and prosecuting Bal Thackeray. Perhaps it's waiting for the Supreme Court to direct it to do so. But nowhere in the report has any such recommendation been made. What the Commission has recommended: action against policemen, and re-opening of cases closed by the police during the riots in order to shield the rioters, would entail alienating the police force and putting the heat on ordinary Shiv Sainiks. For some reason this government does not want to take either of these two steps, though these will drive the point home that rioting and shielding rioters do not pay.

The government is not even interested in implementing the politically harmless

recommendations of the Commission: paying compensation to families of missing persons of the riots, taking steps to prevent communal riots or to contain them if they do erupt. Six communal incidents have already taken place in Maharashtra since this government took over, leaving three persons dead in police action, and over 100 injured.

Except for the Sena-BJP, all the other parties support the Congress-NCP government. None of them has made implementation of the Report an issue, trotting out the line that "the government has other priorities" and "why provoke the Sena"?

The media gave up covering the Commission's proceedings after one year. Most leading newspapers highlight the Commission as a 'Muslim' issue. So eight years later, half of Mumbai still waits for justice to be done. Meanwhile, the man indicted for one phase of the riots has his security doubled. The government rakes up an eight-year-old case against him, but takes no notice of his daily outpourings of venom against Muslims in his newspaper, Saamna. It is only citizens' groups which have kept up a campaign on implementation of the Report.

Through this booklet we appeal to you to support this campaign by pressurising the Maharashtra government to implement the Report.

As a beginning, you could sign the letter addressed to the Chief Minister of Maharashtra annexed at the end of the this booklet, or write your own letter to him.

# Chapter I

**Chronology of action on Srikrishna Commission Report by Sena-BJP government and Congress-NCP government , as well as by citizens' groups.**

February 16, 98 - Justice B N Srikrishna, sitting judge of the Bombay High Court, submits his Report of Inquiry into December 92 - January 93 Mumbai riots following the demolition of the Babri Masjid.

March-April 98: Citizens' groups and political parties go to court for tabling of Report.

August 6, 98 - Shiv Sena-BJP coalition chief minister Manohar Joshi tables the Report and the Action Taken Report (ATR) in the State Assembly and rejects its findings. Accepts some recommendations..

September-October 98 — various petitioners move the Bombay High Court and the Supreme Court to get the Report implemented, naming Maharashtra government and Central government as respondent.

October-December 98: Citizens' groups campaign for implementation of the Report.

October 6, 98: Maharashtra government sets up two committees to look into Report's recommendations to take strict action against 31 policemen, and to re-open closed riot cases.

October 7, 98: First Supreme Court hearing on Srikrishna Commission case. Notices issued to Maharashtra government.

March 99: Maharashtra government files reply, stating that it is not legally bound to accept Commission's findings and listing action on recommendations. Action consists of setting up of two committees and issuing 'suitable instructions'

October 99 - Congress-Nationalist Congress Party - Samajwadi Party government takes over in Maharashtra. Implementation of the Report part of manifesto of both Congress and NCP.

Naseem Arif Khan, petitioner in Supreme Court in Report implementation case, sworn in as minister.

November 99: Sharad Pawar, president of NCP, who had promised implementation of the Report in his election campaign, says the government is studying the "legal position" on implementation of the Report.

December 6, 99 - Citizens' delegation requests CM Vilasrao Deshmukh to implement Srikrishna Commission Report. CM asks for two months.

Nirbhay Bano Andolan launches signature campaign for implementation of the Report.

January 2000: Maharashtra government files affidavit in Supreme Court, stating it plans to refer the Report to the Crime Branch, CID, for taking action on offences cited in Report. No mention of rejecting existing ATR. No mention of accepting Report.

February 10, 2000: Minister of State for Food and Civil Supplies Naseem Arif Khan, petitioner in the Supreme Court, files affidavit in Supreme Court asking that Report's implementation be handed over to CBI as he lacks faith in Mumbai police.

February 16, 2000 - Nirbhay Bano Andolan delegation led by former Chief Secretary J B DSouza and accompanied by five riot victims, presents CM with 20,000 letters asking for Report's implementation. Riot victim Hazira Bi asks CM for compensation for her husband and brother, missing since the riots. CM promises action.

March 2000: Government states since matter is pending before Supreme Court, no action can be taken.

May 2000: Nirbhay Bano Andolan carries out poster campaign demanding punishment of indicted policemen.

June 2000: Deputy CM Chhagan Bhujbal announces re-opening of 112 closed riot cases out of a total of 1358 riot cases closed by the police (almost 60 % of all riot cases), and sets deadline of one month for filing charge-sheets.

June 30, 2000: Deadline passes without any action.

July 21, 2000: Supreme Court asks Maharashtra government to file reply to affidavit by social worker Farid Batatawala which lists government inaction on report. Asks government to stick to Report's findings without any "reassessment".

August 7, 2000: Citizens' delegation meets CM on second anniversary of tabling of the report to urge implementation. CM promises action.

August 2000: Government announces setting up of Special Task Force to deal with riots cases.

August 2000: Five constables out of 31 policemen indicted by the Report suspended.

August 2000: High Court refuses bail to paraplegic riot accused in a riots case re-opened by police.

September 1, 2000: Maharashtra government files additional affidavit in Supreme Court exonerating 12 of 31 indicted policemen, citing "performance of duty" and "charges against them are too general/insubstantial" as reasons. Assures criminal proceedings against two indicted policemen.

Refutes Justice Srikrishna's finding that Mumbai police force is communal. Commissioner of Police to pursue action against politicians named in Report. Repeats SS-BJP government's "suitable instructions issued" as proof of action on Report.

September 2000: EKTA, Nirbhay Bano Andolan, Awaaz-e-Niswaan and other

groups address press conference condemning government's affidavit.

September 2000: Five riot accused in re-opened riot case get bail on grounds of "unreasonable delay" on the part of prosecution.

September 24: Communalism Combat holds public hearing of riot victims. Sets up Citizens' Watchdog Committee to monitor implementation of Report.

October 17, 2000: Deputy CM Chhagan Bhujbal states government's commitment to implementation of the recommendations of the Srikrishna Commission Report. But adds, "*Yet we cannot forget that the Action Taken Report was rejected by the Legislature.. The government exists due to and is accountable to the legislature. What can the government do if somebody goes to court on the grounds that since the Report has been rejected by the legislature, it cannot be implemented now?*"-(Interview to MID\_DAY on completing one year of office).

October 30: Government calls meeting of NGOs on compensation to missing persons' families.

November 4, 2000: Charges framed against former Sena MP Madhukar Sarpotdar and six others in December 92 riots case.

December 2000: CM announces implementation of report within two months, following Sonia Gandhi's orders.

December 2000: Government claims it is working on compensation to missing persons' families. Cites writing of letters to home secretaries of other states as evidence of action.



## CHAPTER II

### Findings and recommendations of the Srikrishna Commission Report

#### Findings:

The Commission's main finding was that the December 92 riots were a *"spontaneous reaction of leaderless and incensed Muslim mobs, which commenced as peaceful protest, but soon degenerated into riots."*

The immediate causes were: *"(a) the demolition of the Babri Masjid, (b) the aggravation of Muslim sentiments by the Hindus with their celebration rallies and (c) the insensitive and harsh approach of the police while handling the protesting mobs which initially were not violent."*

About the January violence, the Commission noted; *"... there were attacks going on against the Muslims and their properties in different areas; there were also several stabbing incidents carried out by professional criminals in different areas of the city, with the intention of whipping up communal frenzy, in which the majority of the victims happened to be Hindus...the communal passions of the Hindus were aroused to fever pitch by the inciting writings in print media, particularly 'Saamna' and 'Navakal'... rumours were floated that there were imminent attacks by Muslims using sophisticated arms. These factors impelled some of the irresponsible and hot-headed Hindu elements to take to violence. From 8th January 1993 at least there is no doubt that the Shiv Sena and Shiv Sainiks took the lead in organizing attacks on Muslims and their properties under the guidance of several leaders of the Shiv Sena from the level of Shakha Pramukh to the Shiv Sena Pramukh Bal Thackeray who, like a veteran General, commanded his loyal Shiv Sainiks to retaliate by organized attacks against Muslims."*

These findings were rejected by the Shiv Sena-BJP government..

In its affidavits before the Supreme Court, the Congress-NCP government has nowhere unambiguously stated that it accepts the Commission's findings.

#### Recommendations:

The Report's three main recommendations are: 1) take action against 31 policemen charged by the Commission of acts ranging from unprovoked killing of innocents to rioting to behaving in a communal manner. 2) re-open 'A' summary cases closed after being classified as "true but undetected". In many such cases, the Commission found that enough evidence existed to arrest the

accused. 3) Treat missing persons of the riots as dead for purposes of compensation.

### ***The 31 indicted policemen***

*"The evidence before the Commission indicates that the police personnel were found actively participating in riots, communal incidents or incidents of looting, arson and so on. The Commission strongly recommends that Government take strict action against (them)." - Report Volume I Para 1.30*

Exactly a day before the petitions urging implementation of the Srikrishna Commission Report were to come up before the Supreme Court, ie, on October 6, 98, exactly two months after the Report was tabled, a committee was set up under the Additional Chief Secretary (Home). This was to look into what action, if any, was to be taken against the 31 policemen indicted by the Commission. Meanwhile, the government promoted 10 of the indicted policemen.

Now the Congress-NCP government has told the Supreme Court that it abides by the recommendation of this committee, which has exonerated 12 of these policemen, and plans to criminally prosecute 2. Departmental inquiries are being conducted against 15 others. One has since died, and another has been acquitted by a trial court.

Among those exonerated are former Commissioner of Police, Mumbai, R D Tyagi, indicted by the Commission for the murder of nine Muslims in January 93. Two reasons have been cited for this: 'service rules' prohibit action three years after retirement, and, he was only doing his duty. After retirement, Tyagi joined the Shiv Sena. He recently fought the Legislative Council election on a Sena ticket.

### ***A summary cases***

*The bias of policemen was seen in ...their lack of enthusiasm in registering offences against Hindus even when the accused were clearly identified and post haste classifying the cases in 'A' summary. ...Classification of offences is being used as a major tool by the police to short circuit investigations. ...as many as 55 to 60 % of the riot-related cases appeared to have been classified as 'A' summary, meaning 'true, but undetected'. — Report Volume I, Para 1.13, 1.5*

Just a day before the Supreme Court hearing, a committee headed by the Director General of Police was set up to re-examine the 1358 'A' summary cases, ie closed cases of the riots.

The Congress-NCP government has accepted this committee's recommendations to re-open only 112 cases, ie, barely eight % of the closed cases.

What will be the fate of these re-opened cases?

First, a look at the riot cases which were tried.

From 93 till now, about a dozen riot cases have been tried. Their outcome establishes a pattern.

- \* TADA and Sessions Courts convicted about 20 persons for serious crimes such as murder during the riots. Those convicted went to the Supreme Court. The Supreme Court set aside the convictions. All those convicted happened to be Muslims.

- \* TADA and Sessions Courts acquitted all Hindus accused in riot cases. The State did not appeal, despite the PP's recommendation.

Perhaps it's too soon to say, but a pattern seems to be getting established again, with the re-opening of riot cases.

In one case, a Muslim paraplegic accused charged with assaulting a policeman, was denied bail by the Sessions Court and High Court, because the police had still to complete their investigations. The court refused even to direct the police to admit him into hospital, though they had arrested him from hospital. But five Shiv Sainiks accused of arson were granted bail by the Sessions Court, which accepted the defence argument of "unreasonable delay". The prosecution did not make the argument that these cases were being re-opened after seven years because the government had decided to act upon the Srikrishna Commission Report only now. Nor did it appeal against the bail order in the High Court.

In another closed case which has been re-opened, the complainant, a Muslim, has had to make umpteen trips to the police station to have his statement recorded, he has received anonymous threatening calls, his witness has been told by the police to change his statement. On the other hand, the accused, Shiv Sainiks, who were never arrested during the riots, escaped arrest this time too - they got anticipatory bail.

The government has not set up any special pool of PPs to handle these riot cases. The same bunch of overworked and underpaid PPs which handle other routine cases now has to compete with top-most criminal lawyers. The Investigating Officers have not even been provided copies of the Srikrishna Commission Report, which details many of the closed cases. The defence lawyers, on the other hand, not only have the Report, but also the police records submitted before the Commission.

How serious is the government in re-opening these cases?

It is worth noting that the two committees set up by the Sena-BJP government, which rejected the Report, have had their recommendations accepted by the Congress-NCP government, which swears by the Report.

## Missing persons

*"The Commission had made a recommendation dated May 20, 94, expressing its opinion that...it would be inhuman to expect the (missing) victims' family to wait for the presumptive period of seven years before getting a death certificate and that such cases should be treated on par with the cases of death for compensation purposes. The recommendation, however, seems to have fallen on deaf ears...The Commission recommends that even at this stage (this be done)..." - Srikrishna Commission Report, Vol II, Pg 144, submitted on February 16, 98*

Seven years have now passed since the riots, hence all missing persons must be presumed dead. Despite this, the Congress-NCP government has yet to give a single paisa as compensation to the missing.

The government released the following statistics early this month:

- 173 - reported missing in the riots,
- 40 - paid compensation (by the previous government);
- 40 - "investigations" still on;
- 51 - heirs still to be traced;
- 13 - pending with government.

The Sena-BJP government insisted that the heirs of the missing persons pay Rs 6,200 as Stamp Duty on an Indemnity Bond, in case the missing persons come back. Some of the families borrowed money and got the compensation; others who couldn't afford to, didn't get it.

This rule was imposed even in cases where there the Commission had expressly said that the missing could be presumed to have been murdered, and where documentary evidence, in the form of a High Court order or police records, proved that the person had been killed.

The Sena-BJP government also insisted on clearance from the local police that neither the missing person nor his heir was involved in any criminal case. This was in case the missing person was in fact absconding.

This government has not waived this rule, though now seven years have passed and the missing must be presumed to be dead. This rule has provided scope for delay and corruption. Incidentally, all those who died in the riots got compensation, whether they were rioters or not.

The government is refusing compensation to those women who have remarried. And, 10 months after the CM personally promised Hazira Bi, whose husband and son have been missing since the riots (though she saw them being assaulted and dragged away by Shiv Sainiks), that she would get the compensation due to her, she is still waiting. Meanwhile, the CM keeps announcing at meetings organised by Muslims that he has granted compensation to those victims who have come to him, and is ready to do so to any other victim brought before him.

## WHO WILL PUNISH THE GUILTY?



**SRI KRISHNA COMMISSION HAS INDICTED THE FOLLOWING POLICE OFFICIALS IN THE MUMBAI ROITS.**

NAME OF POLICE OFFICIALS	DESIGNATION AT THE TIME OF ROITS	PROMOTION (REWARD)
Ramdev Tyagi	Jt. C.P.	C.P.
U. B. Patankar	Sr. PI	A.C.P.
P. S. Bahule	PI	Sr. PI
S. Salve	PI	Sr. PI
D. S. Ghavale	PI	Sr. PI
Lahane	PI	A.C.P.
Sahebrao Hari Jadhav	API	Sr. PI
Kamat A.	API	PI
V. K. More	PSI	PI
Ram Desai	PSI	A.P.I.
B. B. Shinde	PI	
N. K. Kapse	PSI	
Shivgoda Patil	PSI	
Vasant M. More	PSI	

**But the Government has rewarded these offenders. Implement the Sri Krishna Commission Report now. The Government is using the Supreme Court case as an excuse for non implementation of the Commission.**

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## Chapter III

### Bureaucrats find no substance in a judge's findings

The Maharashtra government has decided to exonerate 12 policeman indicted by the Srikrishna Commission, as stated in its latest affidavit in the Supreme Court. One of them is now dead.

Here's what Justice B N Srikrishna had to say about the remaining 11., and what the committee of bureaucrats, headed by the Additional Chief Secretary (Home), who exonerated them, has said in their defence, as mentioned in the government's affidavit.

#### 1, 2 : API Sahebrao Jadhav and HC Gopichand Borse :

Commission: "Colaba Police Station CR 13/93. ... they were responsible for allowing the violent mob to hack to death one Abdul Razak @ Aba Kalshekar (C.R.No.13 of 1993)."

"6.5: ...The story set up by the police rings hollow...

"6.6: ...If the Police version is true, then at one point Abdul Razak must have been close enough to the police party to strike them with his sword. It is surprising as to why he was not overpowered and had to be shot, at almost point blank range. The Commission feels that this is a case where the police not only passively allowed a local goonda to be exterminated by the blood-thirsty mob, but actively aided the mob by firing upon Abdul Razak. The fact that he might have been a notorious criminal of the area would be no justification for the police to allow his being hacked by the mob. In the view of the Commission, the entire police party which was at the scene of the offence comprising Sub Inspector Vasant Madhukar More, Assistant Police Inspector Sahebrao Hari Jadhav, P.N.No.3181 Suresh Pandurang Ithape, P.N.No.985 Shivaji Govindrao Kashid, P.N. No.22338 Hanumant Pandurang Chavan, H.C.No.3649 Gopichand Shaitram Borase is culpable for the cold blooded murder of Abdul Razak. The story of the police that Abdul Razak was carrying a sword and brandishing it also does not seem true, since the panchanama made contemporaneously does not disclose seizure of a sword. It is tepidly suggested by the police that the sword was later on deposited by a police constable as having been seized at the spot. The crowning irony of the situation is that the FIR registered vide C.R.No.13 of 1993 is not for murder of Abdul Razak, but treats him as an accused who was attempting to commit murder, voluntarily cause hurt to members of public with sword and attempting to promote enmity between different groups on the basis of religion, offences under Sections 307, 304, 153A and Section 34 of the Indian Penal Code. The

fact that the statement of Banu Abdul Razak Kalshekar, widow of Abdul Razak Kalshekar, was neither treated as an FIR, nor was a complaint registered in respect of his death, fortifies the conclusion that the police connived at the elimination of Abdul Razak. " (Vol II, Para 6.5, 6.6)

Bureaucrats' Committee: Both have retired.

### **3. PI Dattatray Dhawale:**

Commission: (Vol I Pg 43) "Police Inspector Dhawale over-reacted by firing at a mob of ten to twelve miscreants throwing stones, resulting in injury to a two year old child."

1. "The Commission would have been inclined to pass this off as an unfortunate incident, but a closer examination of the case papers in this case (C.R.No.778 of 1992) (Exh.632-C) disclose peculiar features....(In Dhawale's statement) the number of miscreants is typed as '10 to 12 unknown persons' and overwritten in ink to read as '100 to 120'." But in the FIR, the report to the DCP and Addl Chief Secretary (Home), and elsewhere in Dhawale's own statement, the number remains 10 to 12. (Vol II, Para 22.16)

The Commission is inclined to take the view that the stone throwing incident was at an instance of a small mob of ten to twelve persons and it was the over zealous reaction on the part of Police Inspector Dhawale in shooting at the balcony of Bohri building, resulting in injury to a child. (Vol II, Para 22.15, 22.16, 22.17)

Bureaucrats' Committee: "The firing done by him was not unjustified and the injury caused to a child of 2 years was accidental." This conclusion was reached although the Addl Chief Secretary (Home) during the riots had received a report which stated the number of miscreants as only 10 or 12.

### **4.5. PI Subhash Salvi and PSI Vishnu More:**

Commission: "M.R.A.Marg : PC-24242 Vidyadhar Raghunath Shelar, Police Inspector Salvi, Police Sub Inspector More. Babu Abdul Shaikh had been taken into custody by them. But because of their conduct he was attacked and murdered by Hindu miscreants (C.R.No.579 of 1992). Though the accused, all active Shiv Sainiks, have been arrested, the conduct of the police personnel is not beyond reproof." (Vol I Pg 43)

"During the course of investigation the police apprehended one Babu Abdul



Sheikh in the act of picking of a stone. He was probably a part of the Muslim mob... Police Inspector Salvi then instructed PC 24242 to take the apprehended person Babu Abdul Sheikh to the police picket at Musafirkhana... Salvi thereafter came back to the police station and made enquiries about PC 24242 who had accompanied Babu Abdul Sheikh. He later discovered the said Constable hiding in one corner of the police station. When confronted, the Constable stated that while he was escorting Babu Abdul Sheikh he was set upon by a Hindu mob which attacked them both and stabbed Babu to death. The body of Babu Abdul Sheikh bore no less than seven incise wounds and the cause of death was 'shock and hemorrhage due to stab injuries'. A complaint was made about the suspicious circumstances under which Babu was killed, by his mother, a deaf and mute lady. An enquiry was held by Senior Police Inspector Vijay Rajaram Pednekar, which appears to be a clear case of white washing... In the view of the Commission, Police Inspector Salvi, Police Sub Inspector More and PC 24242 Vidyadhar Raghunath Shelar are squarely responsible for virtually handing over Babu Abdul Sheikh to the mob resulting in his being hacked to death." (Vol II pg 113-114, Para 20.3, 20.9)

Bureaucrats' committee: "They had done their duty by handing over the injured person to the constable, Shri Vidyadhar Shelar while in whose custody the injured person was attacked. The Committee came to the conclusion that there was no dereliction of duty on the part of Shri Salvi and Shri More and hence, no action was necessary against them. The departmental inquiry has been initiated against Shri Vidyadhar Shelar, Police Constable." (Affidavit, Pg 11-12, Para 10)

#### **6 R D Tyagi:**

Commission: "Dongri : Joint Commissioner of Police R.D. Tyagi, Assistant Police Inspector Deshmukh and Police Inspector Lahane of the Special Operation Squad are guilty of excessive and unnecessary firing resulting in the death of nine Muslims in the Suleman Bakery incident (C.R.No.46 of 1993)." (Vol I, Pg 43)

"11.62 After carefully examining the evidence on record, the Commission is of the view that the story of the police does not inspire credence... Significantly, no member of the police party, nor of public, received any injury as a result of the alleged private firing... Although firing upon the police would be considered as a most serious offence, Ingale or the staff on duty at the said spot, made no complaint nor sent any message to the Pydhonie or Dongri police station requesting re-enforcement from 0830 to 1200 hours...

11.64... Reading the message given by Tyagi at 1333 hours gives the



impression that four persons had been injured by the firing from Suleman Bakery using rifle and sten-gun. Surprisingly, their names are not indicated in C.R.No.46 of 1993, nor are their statements recorded. They would have been the best persons who could have thrown light on this gruesome incident.

"11.65...The manner in which SOS effected its entry, according to the police, is also not beyond doubt.. The most significant fact is that, not even a single policeman from the Bandobast picket at Taj Book Depot Building corner, nor from the SOS, received any injury from firearms or even from soda water bottles, stones and acid bulbs alleged to have been thrown at them.

"11.66... Evidence on record suggests that when the SOS came to the landing at the top of the staircase, the only obstruction came from unarmed persons who were pushed aside to gain access to the room on the first floor. The story put forward by the police that they met with armed resistance from the persons on the roof hiding behind the water tank, is unbelievable.

11.67 "The post mortem reports of the nine dead bodies do not indicate that the persons were hit by bullets while facing and confronting the police. On the contrary, they are suggestive of the victims being shot down in the back while trying to flee. This is the opinion of the Forensic Expert, Dr. Pritam Phatnani, appointed as Expert Assessor by the Commission.

11.68 "The public witnesses examined, have given graphic accounts as to how the inmates, who were unarmed, were shot down in virtually cold blood... The police recovered no firearms whatsoever. In fact, the utter disappointment of Tyagi is seen when he admits that, to the extent the operation failed to apprehend the miscreants firing at the police, he was not satisfied with the implementation of his instructions.

"11.69 The evidence of the students and teachers of the Madrassa-E-Darul Ulum Imdadiya appears consistent and leads the Commission to the conclusion that the policemen who barged in the Suleman Bakery and thereafter stormed in the Chunabhathi Masjid and Madrassa, went on rampage assaulting the inmates there. It also appears that there was indiscriminate and callous police firing resulting in nine casualties.

"11.70 The Commission is not at all satisfied with the version of the police. Even assuming some element of truth in the version of the police that there was private firing the incident, it was not as serious as is sought to be made out. The Commission feels that the police were very much influenced by the floating exaggerated rumours of attacks from sophisticated firearms, and the consequent fear psychosis, which caused them to shoot to kill. The result - deaths of nine innocent persons in the Suleman Bakery and the adjoining premises. The evidence on record in no way bears out the police story that there were terrorists, much less with deadly arms; nor does the evidence suggest that it was necessary for the police to carry out such extensive firing as they did. This is one incident where the police appeared to be utterly trigger- happy

and used force utterly disproportionate to meet the apprehensions of private firing, assuming there was one. The responsibility for this incident must squarely fall on Joint Commissioner of Police, R.D.Tyagi, who was overall in charge of the operations at the Suleman Bakery, and Assistant Police Inspector Deshmukh and Police Inspector Lahane, who were leading the SOS men." (Vol II Pgs 70 -72, paras: 11.62 to 11.70)

Bureaucrats' Committee: "No action was proposed by the Committee against Shri R D Tyagi, who was then working as Joint Commissioner of Police, Mumbai, for the reason that Shri Tyagi had since retired on 30.10.97. The Committee also did not find that it was feasible to launch criminal prosecution against him, as the act done was in discharge of his duty. Departmental inquiry, however, has been ordered against Shri Lahane and Shri Deshmukh, who were the members of the Special Operations Squad headed by Shri Tyagi." (Affidavit, Para 10, Pg 12)

*Were PI Lahane and PSI Deshmukh not doing their duty?*

#### **7. Police Constable Sanjay Gavade:**

Commission: "Police Constable Sanjay Gavade was openly indulging in riots and violent activities while carrying naked sword along with Shiv Sena activist Milind Vaidya. Though the constable was placed under suspension, and the sanction of the government was sought for his prosecution, the sanction had not yet been granted. The Commission recommends that such sanction should be granted." (Vol I, para 1.30)

Bureaucrats' Committee: "Offence registered against him for openly indulging in riots and carrying naked sword along with Shiv Sena activist Milind Vaidya. Offence was registered against Gawade and government accorded sanction for his prosecution. He was however, acquitted by the Court and hence no action was recommended against him." (Affidavit, Para 10, Pg 12)

#### **8, 9, 10. PI V B Shinge, PSI Shivgaunda G Patil, PC Bhausaheb Gaekwad :**

Commission:

"Antop Hill : Inspector B.B.Shinge, Sub Inspector Shivgonda Patil and Constables A.M.Ghadi, A.Y.Kamble, P.S.Dukare, D.R.Phadtare, S.P.Patil and B.K.Gaikwad failed to protect the lives and properties of the Muslim victims." (Vol I Pg 43)

"2.15: There were several cases of systematic attack on and ransacking of Muslim houses in the different chawls in Pratiksha Nagar (C.R. Nos.39, 40, 43, 44, 45, 46, 47, 48, 49, 51, 52, and 54 of 1993). The manner in which these

cases have been investigated by the police, leaves much to be desired. Most of these cases were recommended by the Investigating Officer for being classified in "A" summary; the recommendations were accepted by Senior Police Inspector Vinayak Raosaheb Patil and the cases were classified in "A" summary under the orders of the Assistant Commissioner of Police of the Division. In most of these cases, much before the actual date on which the I.O. recommended classification in "A" summary, there were written complaints made by the victims clearly identifying the miscreants and giving particulars of their residential addresses.... These statements were forwarded to the Senior Police Inspector of Antop Police Station sometime in February 1993, and yet the investigating officer and the Senior Police Inspector, appear to have recommended closing these cases and classifying them in "A" summary, sometime in June 1993.

"2.17 The Commission had issued notices under Section 8B of the Commissions of Inquiry Act to the following police personnel attached to the Antop Hill Police station at the material time :-

- (a) Police Inspector B.B.Shinge,
- (b) Police Sub Inspector Shivgonda Patil,
- (c) Arvind Mahadeo Ghadi (H.C.No.1517),
- (d) Akram Yeshwant Kamble (P.C.No.19044),
- (e) Prakash Sitaram Dukare (P.C.No.4064),
- (f) Dhanaji Rajaram Phadtare (P.C.No.22279),
- (g) Shankar Pandurang Patil (P.C.No.543)
- (h) Bhausaheb Kisan Gaikwad (P.C.No.25702)

"2.18 After seeking time for giving their replies to the notice, the following persons stated on 5th December 1994 before the Commission that they did not propose to file any replies to the notices issued to them, nor desired to cross-examine the witnesses already examined before the Commission. They are :

- (a) Arvind Mahadeo Ghadi (H.C.No.1517),
- (b) Akram Yeshwant Kamble (P.C.No.19044),
- (c) Prakash Sitaram Dukare (P.C.No.4064),
- (d) Dhanaji Rajaram Phadtare (P.C.No.22279),
- (e) Shankar Pandurang Patil (P.C.No.543)
- (f) Bhausaheb Kisan Gaikwad (P.C.No.25702)

"2.19 Inspector B.B Shinge and Sub Inspector Shivgonda Patil sought leave to appear through Counsel and they were given permission. They also filed written replies vide Exhibit 2227(P) (Colly.). Smt.Manjula Rao, learned

Counsel appearing for them, was also given opportunity to cross examine one of the witnesses, Hafiza Kadar Khan, who had made allegations against them. This was done on 23rd February 1994.

"2.26 The role of the police during this incident has been distressing. On occasions, they acted passively and permitted the pillaging mobs to carry on their nefarious activities; sometimes, they even encouraged them and joined them. In these circumstances, the lapses in the investigations into the offences registered were probably not cases of negligence, but deliberate attempts to suppress material evidence and sabotage investigations. The evidence on record clearly points out that the police were communally biased against the Muslims. In short, the conduct of the police during the incidents was such as to cause loss of faith in the law and order machinery.

"2.27 To top it all, there is the order dated 30th April 1993 by which Senior Police Inspector Vinayakrao Raosaheb Patel of Antop Hill Police Station, was removed from service with effect from 30th April 1993 for reasons, inter alia, of developing relationship with 'criminals' and 'communal elements' in Antop Hill police station area, thereby shielding them from legal action. The conduct of the officers, Police Inspector B.B. Shinge, Police Sub Inspector Shivgonda Patil, investigating officer Sub Inspector Pawar and the police constables, namely, (1) Arvind Mahadeo Ghadi (H.C.No.1517), (2) Akram Yeshwant Kamble (P.C.No.19044), (3) Prakash Sitaram Dukare (P.C.No.4064), (4) Dhanaji Rajaram Phadtare (P.C.No.22279), (5) Shankar Pandurang Patil (P.C.No.543) and (6) Bhausaheb Kisan Gaikwad (P.C.No.25702) is not at all above board. The Commission is satisfied that it was because of such conduct on the part of police personnel that incidents of such serious nature took place in Pratiksha Nagar. It was a massive operation launched by the Hindu miscreants in Pratiksha Nagar, some of whom openly professed that they were connected with the Shiv Sena, and some identified to be local Shiv Sena activists, actively and passively supported by the local police, to terrorize and cripple the Muslim residents of Pratiksha Nagar. That this massive operation succeeded is testimony to the ineffectiveness of the police machinery which was paralysed into inaction as it was infected with the virus of communalism." (Vol II Pgs 8-9, 11-12, Paras 2.15, 2.17 -2.19, 2.26, 2.27)

Bureaucrats' Committee: "The Committee came to the conclusion that the charge against them that they had closed offences as 'A' summary and they could have protected lives and property of Muslim residents in Antop Hill area

was of general nature, and offence closed as 'A' Summary was with the approval of the superiors, and hence no departmental inquiry was necessary against them." (Affidavit, para 10, pg 13)

Does this mean that the Addl Chief Secretary (Home) and his high-powered committee didn't bother to read Vol II of the Commission's Report? And, why did the same committee recommend suspension of the five constables named along with these three, who have been held guilty of the same "general charge"?

#### 11. **Shrirang Patade:**

Commission: "I) Tardeo : PC-7783 Shrirang Pathade, popularly known as "Richard Hawaldar" was openly collaborating with the Shiv Sainiks in looting and violent activities." (Vol I, Pg 43)

"25.16 The evidence of Asraf Ali Basir Ahmed [Exh.318(BBA)] is quite revealing. This witness resided in Dadarkar Building, Tardeo. One Narendra Sawant, an activist of Shiv Sena also resided on the same floor of the building. Narendra Sawant and three or four other persons along with him damaged the Maruti car of Asraf's brother bearing registration No.MMA 5939... On 15th January 1993... after repairing the broken front door of his flat and locking it, while he was getting down he met a group of five to six persons which included Narendra Sawant and one Police Constable, Pathade, who was staying in his building as a sub-tenant, attached to Tardeo Police Station. All those persons had saffron tikkas on their foreheads and after ascertaining from him that his house had been ransacked, Police Constable Pathade told him that "we have not ended this and we are going to proceed further to cause more damage to you Muslims." ...The full name of the said Constable is Shrirang Sahebrao Pathade, PC No.7783. Asraf without hesitation identified the said constable in the Court hall during the course of his evidence. This is one more instance of police person being involved in riotous and communal activities.

"25.17 The Commission is of the view that this is another instance of the police not acting promptly and resolutely in the face of a situation with potential danger which was developing before the police." (Vol II Pg 150, paras 25.16-25.17)

Bureaucrats' Committee: "The Committee came to the conclusion that there was no substance in the charges against him and hence no departmental inquiry was recommended." (Affidavit, Pg 13, Para 10)

It may be stressed here that Justice Srikrishna held an open inquiry in which all sides were represented. Every policeman indicted got a chance to have his say.

## Annexures : 1

### ***Actions speak louder than words***

By Jyoti Punwari

The Maharashtra government's intentions on the Srikrishna Commission report are best illustrated by its handling of CR 591/92, Byculla Police Station, a riot case which was closed by the police during the riots, but has now been re-opened.

The case has three main players:

- i) the victim: Abdul Haq Ansari,
- ii) the riot accused: Shiv Sainiks Sunil and Rajesh Mhatre, Sada and Chhotu, who were identified as Shiv Sainiks who used to work for Chhagan Bhujbal in a written complaint by Ansari, but never arrested;
- iii) the three policemen who handled the case, then Sr PI of Byculla Police Station U V Patankar, Inspector P S Wahule and Sub-Inspector Ram Desai. The Commission indicted the three for extreme communal conduct and recommended strict action against them.

Eight years after the incident, what is the status of the three main players in this case?

i) The victim is facing threats for pursuing this case, and receiving messages to compromise. The source of these messages is said to be Home Minister Chhagan Bhujbal. Ansari's main witness was advised by a policeman to change his statement.

ii) The riot accused got anticipatory bail last week.

iii) The indicted policemen: Patankar retired as ACP. Wahule and Ram Desai have been promoted.

Patankar and Wahule are to be criminally prosecuted for this case, according to the state government's affidavit in the Supreme Court.

A table given below will convey the exact difference in the treatment meted out to the riot victim, and the accused over the years since the riots;

#### **Abdul Haq Ansari VICTIM**

Dec 92: Workshop destroyed; beaten along with workers by police & arrested, case foisted on them. Workers run away..

94: Unable to continue living in Narielwadi, Ansari shifts to Dharavi. Starts small workshop with new workers.

April-June 94: Ansari testifies before Srikrishna Commission.

Aug 98: Srikrishna Commission Report released, indicting the 3 policemen in his case. Ansari declares intention of pursuing case against them.

Feb 99: Ansari gets midnight knock by policemen inquiring about his intentions on Commission Report.

March 99: Ansari's son abducted by plainclothesmen late at night. Released only after gherao of Dharavi PS. Inquiry ordered by then Home Minister Munde. Outcome still unknown.

Feb - Aug 2000: Case re-opened. Records statement on riots incident repeatedly in front of different policemen.

July 2000: Summoned to Home Minister Chhagan Bhujbal's house to meet rioters who ask for compromise. Bhujbal refuses to intervene.

Aug 2000: Police ask Ansari for full name and addresses of all the rioters, claiming they can't find them. But they ring up rioters from Ansari's workshop to take an appointment with them.

Aug-Sept 2000: Gets anonymous phone-threats warning him not to pursue the case.

Oct 2000: Summoned to testify in departmental inquiry against PI Ram Desai. His witness Abdul Sattar Khan told by policeman to change testimony.

Oct 2000: Samajwadi party chief Abu Asim Azmi, tells Ansari that Bhujbal has requested him to settle the matter with Mhatre, etc.

When informed that it is a riots case, Azmi claims he did not know that.

## **Sunil & Rajesh Mhatre, Sada & Chhotu: RIOTERS**

Dec 92: named as accused by Abdul Haq Ansari in case of looting and arson. Not arrested.

June-July 2000: After case against them is reopened, contact Ansari to forgive and forget.

July 2000: Meet Ansari in Home Minister Bhujbal's residence. Bhujbal refuses to intervene.

Nov 6 2000: Get anticipatory bail.

## **Sr PI Patankar, PI Wahule and PSI Ram Desai - INDICTED POLICEMEN**

Dec 92: Approached by Ansari when his workshop is attacked.

April-June 94: Byculla police testify before Srikrishna Commission. PSIs Wahule refuses to say anything in his defence when issued notice in Ansari case.

Aug 98: Srikrishna Commission Report released. Patankar, Wahule and Desai indicted in Ansari's case for "extremely communal" conduct. "They refused to record complaints in which Hindus were the accused, and harassed and ill-treated Muslims. Their conduct indicated an attempt to shield miscreants belonging to the Shiv Sena." (Vol I, Pg 43 )



Cross-examining Patankar himself, Justice Srikrishna found his evidence "thoroughly unreliable... the entries in the case diaries were fabricated in order to oblige the rioters. Taken in conjunction with the evidence of Ansari on oath, the Commission has no doubt that there was deliberate scuttling of the investigation by the police, because the accused were influential Shiv Sainiks." (Vol II, para 5.44)

By then, Patankar is ACP, Wahule is Senior PI and Ram Desai is API.

Sept 2000: State govt affidavit in Supreme Court names Patankar and Wahule as only 2 officers who will face criminal prosecution for misconduct in 92-93 riots.

Nov 2000: PI Ram Desai cross-examines Ansari in the course of departmental inquiry against him.

(Continued M.D. Day Nov 13, 2000)

### CONGRESS MANIFESTO

"We shall accept the Srikrishna Commission Report and take strict legal action against those found guilty in the Report."

Congress party manifesto, issued before the September 1999 general elections, under the sub-head : ***"Programme for the development of minorities"***.



## Annexures : 2

### *Ek aur tareekh*

By Jyoti Punwani

*"Which date do you want — next week, next year?"—Magistrate to defence lawyer.*

*"Anytime after October 10,"— lawyer.*

*"Next date: November 4."*

This exchange took place in 32<sup>nd</sup> Court, Bandra, on September 19, 2000. The case CR 300/92, is already almost eight years old. The charges haven't yet been framed because not even on one date in these last eight years have all seven accused been present.

Outside the court, the five accused present : Shiv Sena leader Madhukar Sarpotdar, his party workers Ashok Shinde, Pradeep Khanvilkar and Shantaram Sadvilkar, and Sunder Anna Shetty of the BJP, are in high spirits. They don't seem to mind that non-bailable warrants have been issued against two of their co-accused: Sena leader Jaywant Parab and Sena MLC Unmesha Pawar, for not having appeared in court the third consecutive time. "We don't take all this too seriously," says Sarpotdar with a dismissive wave of his hand. "But we are law abiding people," he hastens to add. "The law-breakers are sitting in Mantralay."

Obviously, no one's in a hurry to see this case to trial - not even the prosecution. The Public Prosecutor, supposed to represent the government, did not even look up while the above exchange took place. There were several things he could have done, had he wanted a conviction : ask for an earlier date; point out that the accused, all politically influential persons with full knowledge of the law, and all living within a radius of 15 kms, seemed to be taking turns to remain absent from court just so that charges would not be framed; and ask that Parab and Pawar be arrested immediately.

As things stand, the chances of Parab and Pawar being arrested are slim. Probably, their lawyer will inform them of the non-bailable warrants, they will present themselves in court and get the warrants cancelled anytime before, or even on November 4. On that day, two other accused will, in all likelihood, absent themselves to ensure that the case makes no headway. After all, didn't Magistrate M H Belusey warn them more than once: "If even one of you is absent, it's no use — charges can't be framed"?

What's so important about CR 300/92?

The case concerns a morcha taken out under the leadership of then Sena MLA Madhukar Sarpotdar on December 27, 92, just before the second round of the post-Babri Masjid riots. On the night of December 6, 92, the day the Babri Masjid was demolished, a Ganesh idol in a temple on the Bandra (West) Station Road was desecrated. To re-install this idol, a 5000-strong morcha was taken out through Bandra East on December 27.

The police told the Srikrishna Commission that they did not give permission for the morcha. The FIR lists the following slogans raised at the morcha:

*'Gali gali mein shor hai, Babar maderchod hai'; 'Tel lagao Dabur Ka gand maro Babar ka'; 'Evadha motha Hindustan, bhosadyat gela Pakistan'; 'Zor se kaho Hindustan, Pakistan gandoo hai.'*

Also listed are the following objectionable writings on the placards carried by the processionists:

*'Shiv Senechi dahshat hich sarvajanik surakshitata* (The Shiv Sena's terror alone guarantees public safety); *'Khavlelya Hindu mahasagarala takkar dyawayachi khumkhumi konala asel tyane ranangat yave* (if anybody has the courage to confront the raging Hindu ocean, come into the battlefield); *'Hindu rashtra nirman zalyashivay paryay nahi* (there is no alternative to a Hindu rashtra). The Srikrishna Commission describes the first slogan as an indication of the thinking that was behind the "vigilantism" of the Shiv Sainiks during the January riots.

The FIR also lists objectionable speeches made by Sena leaders present, including Sarpotdar, who is quoted as having said that "the act of damaging the Ganesh idol is the work of traitors who are multiplying day by day. Every Indian has a right to destroy the tomb erected in place of the Ram Mandir at Ayodhya, and no government can challenge this determination." He criticised the government for "pampering the Muslims who will ultimately turn out to be traitors."

The police charged Sarpotdar, seven of his companions and 5000 others with promoting enmity between Hindus and Muslims, committing an act prejudicial to the maintenance of harmony between Hindus and Muslims in furtherance of a common intention, and defying prohibitory orders (Secs 153 A, 504-34, ipc, 37 (3), Bombay Police Act).

But they did not arrest any of them, because, DCP Vasant Ingle told the Srikrishna Commission, "that might have led to hurting the feelings of their followers" and thereby "escalation in communal tension". According to him, this decision, taken by him and the Sr PI Madhukar Zende, was endorsed by the then Commissioner of Police Srikant Bapat.

After the riots, Sarpotdar was arrested under the National Security Act. One of the grounds for his detention was CR 300/92. The detention was struck down by the Advisory Board, but the case against Sarpotdar remained.

When the Sena took over in February 95, none of the riot cases had come to trial, except TADA cases. Under the Sena government, ie, till October 99, this case, like other cases involving Shiv Sainiks, remained at a standstill. And there it stands under the Congress-NCP government too, which has informed the Supreme Court in its latest affidavit on the implementation of the Srikrishna Commission Report : *"With reference to the role of various politicians...I say and submit that allegations against them form part of the Report of the Commission. Both the volumes of the Report have been sent to the police for necessary action."*

If the goings-on in the courtroom on September 19 are an example of "necessary action", Sarpotdar and Co can rest easy. By the time Cr 300/92 comes to trial, "law-abiding citizens" such as them will be back in Mantralay. (Courtesy: Mid-Day, Oct 3)



### **Annexures : 3**

Letter to PM by Nirbhay Bano Andolan

**NIRBHAY BANO ANDOLAN**

**New Nirmal Chawl, 1<sup>st</sup> floor, Room No 28, Behram Nagar, Bandra East,  
Mumbai 400051 Ph: 6550256**

Shri Atal Bihari Vajpayee,  
Prime Minister,  
India

Sir,

Thousands were killed and property worth crores was looted and destroyed in the anti-Sikh riots of 1984 in Delhi and elsewhere.

The guilty in these riots have not yet been punished. Many cases were closed after half-hearted investigations into them. Hence, we welcome your Cabinet's decision to launch a fresh inquiry into these riots.

Sir, Mumbai also witnessed communal riots in 1992-93, which were investigated by an inquiry commission headed by a sitting judge of the Bombay High Court, Justice B N Srikrishna. After probing every angle of the riots, the Commission submitted its Report. But the then Maharashtra government rejected it. It's almost two years since the Report was submitted, but no action has been taken on its recommendations.

Sir, if the citizens are to retain their faith in the Constitution, then all those held responsible for the Mumbai riots must be dealt with according to law.

Mr Prime Minister, it was at your insistence that the Commission, which was abruptly disbanded in January 96, was reinstated in June 86. We hope that you will once again take the initiative to ensure that the Commission's recommendations are accepted, so that people continue to believe in the rule of law.

Yours truly,

Mahendra Jadhav,  
Coordinator,  
**NIRBHAY BANO ANDOLAN**  
Dt: 15 January 2000.



Letter to Maharashtra Chief Minister

Vilasrao Deshmukh  
Chief Minister of Maharashtra  
Mantralay  
Mumbai

Sir,

The Srikrishna Commission Report inquiring into the December 92 – January 93 communal riots in Mumbai was submitted to the government more than 18 months back. The Shiv Sena-BJP government rejected it because it held Bal Thackeray and his party responsible for directing attacks on Muslims in January 93. It also held L K Advani responsible for building up communal tension with his rath yatra.

The Congress and the Nationalist Congress Party have promised to implement the Report, but so far have not taken any steps to do so. 900 persons died in those riots. Those responsible for these deaths must be punished.

Justice B N Srikrishna has recommended the following in his report:

1. Take action against 31 policemen responsible for killing innocent people, acting in a communal manner, being negligent or themselves rioting. The seniormost officer among these is R D Tyagi, who became Police Commissioner and joined the Shiv Sena after retirement. The Sena-BJP
2. government promoted most of the other officers, though Justice Srikrishna held them guilty.
3. Re-open the 1358 riot cases which were closed by the police though enough evidence existed to arrest the accused. These accused killed people, burnt homes. Can they be allowed to go scot-free, so that they can commit the same crimes again?
4. Pay families of those Missing since the riots, the same compensation as was paid to the dead. If these missing persons have not come back after so many years, it means they are dead. Is it their families' fault that their bodies couldn't be found?

We demand that these three recommendations be immediately implemented. Otherwise we shall have to conclude that the Congress-NCP are as 'communal' as the Sena-BJP.

Name :

Address :

Signature

*Please cut it and send to C.M.*

## **Nirbhay Bano Aandolan**

As the name suggests, the Nirbhay Bano Aandolan aspires to bring into citizens' lives fearlessness and a rightful assertion of their rights. Democracy is meaningless without an aware and alert populace, without popular initiative to make those in positions of power accountable and answerable to the electorate. Despite more than five decades of democratic rule, the large majority of Indians continue to be easy victims of police atrocities, civic indifference and government graft.

The Aandolan has been working to build a responsible and active populace that does not hesitate to demand its rights from civic and law enforcing agencies, that knows its rights and performs its social commitments and dares to protest when needed.

At the local level, the Aandolan works to provide legal aid and education. Through the medium of Jan Adalats, the sections most susceptible to police brutality and high handedness are educated on their rights as citizens and encouraged to voice their protests democratically. The Aandolan has relentlessly fought against illegal detentions by the police, custodial deaths, corruption in police stations and the police-criminal nexus. The campaigns against illicit liquor and "hafta" collection by the police received tremendous response from citizens.

Having been formed in the immediate aftermath of the communal riots in the city to provide relief and succour to the riot-affected, the Aandolan has ceaselessly lobbied for the implementation of the Srikrishna Commission report. From street corner meetings to a poster campaign and resolutely writing to many human rights bodies, NGOs, government officials, etc, the Aandolan keeps alive the hope that the Commission's report offers to the thousands who lost families during the riots.

The Aandolan is a completely voluntary organisation, with no hierarchy, and working purely on donations from the public. We run a school for slum children in Sangam Nagar, Wadala, also run on donations. A library is run in Bandra, which encourages those wishing to complete their education. The women within the organisation have also formed the Nirbhay Mahila Manch, a group that hopes to soon provide employment and income generation for needy women. Resources are not always sufficient, but the spirit of the kaaryakartas more than makes up for what we lack by way of monetary support.