

**POLICE TERROR
IN
GOLIBAR NAKA
(SANTACRUZ, MUMBAI)**

A Report by
LOKSHAHI HAKK SANGHATANA
Maharashtra
April 1997

POLICE TERROR IN GOLIBAR NAKA

(SANTACRUZ, MUMBAI)

CONTENTS

Preface

Chapter 1 : The Twin Incidents

Chapter 2 : The Story

Chapter 3 : Flaws in the Police Argument

Chapter 4 : The Canvas of Golibar Basti

Chapter 5 : Conclusions and Demands

P R E F A C E

On the basis of various press reports that had appeared in newspapers regarding the police lathi charge on a peaceful demonstration by Golibar residents on the 16th of March 1997, Lokshahi Hakk Sanghatana decided to visit the area and investigate the facts.

The team was headed by advocate Pushpa Mehta trade unionist, and consisted of Advocate Irfan Engineer, social activist; Neeraj Sahay; Vinod Shetty and Antony Samy both office bearers of Lokshahi Hakk Sanghatana.

The team visited the area and met a cross section of people who were eye witness to the incidents on 16th March. Those interviewed include the injured in the police lathi charge, people who participated in the demonstration, residents, shopkeepers and political party representatives of Golibar and senior police officials.

Terms of reference of the inquiry:

1. To investigate and record the facts related to the police lathi charge on the demonstration by Golibar residents on the night of 16th March 1997.
2. To establish the reasons that led to the demonstration and spontaneous rasta roko by Golibar residents.
3. To ascertain the socio political situation in the basti following the incident on 16th March, 1997.

CHAPTER I : THE TWIN INCIDENTS

Golibar: A snapshot

Golibar basti is a sprawling pucca slum located in Santacruz East, very near the Khar subway. The basti is mainly inhabited by the minority community and had remained peaceful until the 16th of March, following the municipal elections on the 23rd of February 1997. Golibar falls between Vakola police station and Nirmal Nagar police station. It is a recognised slum with basic amenities of street lights, electricity, water taps and public toilets. The 10ft x 10ft hutments have small gallis to enter which further branch out into many narrow lanes. The small stretch of entry and the naka outside which leads to the subway is the main market place where people gather in the evenings.

The protest dharna and rasta roko:

On the 16th of March 1997, 8:30 p.m. onwards, the residents of Golibar slum started to gather outside their basti at the naka facing the Khar subway. The gathering consisted of around 700 to 1000 people, of which most were women, children and youth. The people gathered not under the leadership of any party or person. They simply came together as news spread of the police parading and beating of three arrested youth of Golibar, earlier at 7:30 pm.

The people were angered by the fact that though the boys had surrendered to the police, the police stripped them off their shirts, handcuffed and paraded them, mercilessly beat them with lathis, leather belts, all the while forcing the youth to publicly abuse themselves and their family in a public display of terror. Residents and onlookers who happened to gather around were also not spared the beating and abuses. The youth were also taken in front of their houses and beaten up in front of their family and friends and when their wives and sisters pleaded with the police to stop this inhuman display, the relatives were fisted and kicked. Some eye witnesses quipped to say that such public parading had been heard only during the British Raj.

An overwhelming number of ordinary people repeatedly asserted that they neither supported goondas nor the stabbing of one goonda by another. "All goondas are protected by the police. We are against the police terrorising ordinary people by such acts of vengeance. They humiliated all of us because someone dared to stab their 'khabri'". All this continued for about 45 minutes. The youth were paraded through Masjid galli, two of

the accused's houses, the naka and upto the railway line. The beating was conducted by a team of policemen led by an inspector in mufti from Nirmal Nagar police station.

The people gathered to protest were totally peaceful. As the crowd swelled, the road leading to Khar subway was blocked and a spontaneous rasta roko began. Soon, police vans from Vakola and Nirmal Nagar police stations arrived and surrounded the people sitting in dharna. When asked to disperse, they demanded to meet a senior police official in order to register their protest against the parading and beating up of the youth. As the time dragged on, more police vans arrived along with SRP jawans.

At 10:30 p.m. the residents went and forced the Janata Dal corporator of the area, Mrs. Helen Anwar Bharde, to lead the demonstration. She was also joined by Congress (I) corporator Suryakant Chavan from Indira Nagar. The corporators started negotiating and requesting the local police officials to quickly inform the area DCP and call him to the site in order to diffuse the situation. The police officials informed them that a message has been sent to the DCP, and he would be arriving soon.

The gathering meanwhile kept insisting that the three youth should be presented before a magistrate and be sent for a medical examination immediately while they waited for the DCP to arrive. By now the gathering was surrounded from all sides by SRP and police vehicles and the constables were in position. The police officials who were present were urgently communicating on the wireless the peoples' demands and reporting on the growing gathering. Eye witnesses have reported over 200 policemen and 6 to 8 police vans being present.

People refused to budge despite tremendous pressure by the policemen. There was hardly any slogan shouting and mainly women were sitting in the forefront. The police stood by the dharna for over two hours, waiting for the concerned officials to arrive.

Around 11:00 p.m., Mrs. Vidya Chavan, an office bearer of the Janata Dal regional committee arrived on the scene at the request of the local Janata Dal corporator. She addressed the gathering and promised to go to Nirmal Nagar police station on their behalf. At 11:15 p.m. she left for the police station with a delegation of residents of Golibar. The delegation wanted the police officials to come and meet the residents of Golibar and listen to their protest.

The lathi charge

Around 11:45 p.m., ACP Upendra Singh arrived on the scene accompanied by Senior Inspector Vishwanath Patil of Nirmal Nagar police station. He

alighted from the jeep which arrived from the 7th Road Santacruz West, leading to Golibar naka where people were sitting in dharna. The moment he reached the dharna, as if on a predetermined signal (due to the fact that an ACP enjoys the powers of a magistrate), ordered the lathi charge. ACP Upendra Singh and Inspector Vishwanath Patil, personally led the indiscriminate beating, identified and targeted prominent and leading persons of the dharna. The entire contingent of police started lathi charge.

The people, caught totally unawares, started running helter skelter into nearby shops and lanes but were falling under the raining lathi blows of the over 200 policemen who charged into them. When the local corporator, Helen, tried to intervene, ACP Upendra Singh personally beat her up and asked the police to lock her up. She was thrown into a waiting jeep along with the Congress-I corporator.

The peaceful dharna was now a mass of falling and running bodies. A number of women and men suffered severe injuries. None of the women were spared, and there was not a single woman constable present.

Following the first 10 minutes of lathi charge some youth who escaped towards the rail line, threw some stones at the policemen, causing no damage, as the stones did not reach the policemen. The lathi charge continued till people in the dharna and all the bystanders were totally dispersed.

Then the police started to pull people out of shops and gallis where they had taken refuge and beat them with lathis and rifle butts. People suffered blows on their head, fractures and bruises on their bodies. All persons who resisted or protested against the lathi charge were individually targeted. Anyone who tried to intervene and talk sense to the police was severely thrashed.

ACP Upendra Singh personally beat up Helen, the local corporator, as well as Nazma Siddiqui who was in the forefront of the demonstration. He held her by her hair, dragged her on the ground and beat her up.

Around 30 persons were injured, some persons were taken to VN Desai Hospital while others were taken to Gopi Nursing Home according to Dr. A.R. Khan, convenor of the Mohalla Ekta Committee of Nirmal Nagar who was witness to the scene. Numerous others who did not want to be identified, stayed back home or took treatment in private clinics. 14 persons were arrested that night, including the local corporator, and taken to Nirmal Nagar police station. They were later released on personal bonds of Rs. 2000/- each and cases of rioting were filed against them.

Soon after the dharna was fully dispersed DCP Karkare (night patrol) arrived

on the scene and ordered the injured to be taken to hospital and those involved to be arrested. The bystanders have heard police officials present at the dharna site say that the police needed to clear the people before the 'saheb' came to the naka. People say the police officials rushed to lathi charge and disperse the dharna exactly 30 minutes before the arrival of DCP Karkare at the naka. This explains the fact of Nirmal Nagar ACP and the Senior Inspector rushing around 11:45 pm to lead the lathi charge to disperse the dharna.

The police inspector came to the site of the dharna along with a police photographer around 1:30 am and collected hundreds of chappals left behind in the melee. Around 70% of the slippers were found to be of women as the women were sitting on the ground on their slippers. These were then photographed by the police. Similarly big boulders and stones were moved to the site by the policemen, to fabricate evidence for the police case of rioting. The people present at the time asked the senior inspector, how could he lathi charge a gathering of women and the senior inspector in turn disputed the fact that women had gathered in large numbers despite the evidence of large number of women's footwear being found at the site of the dharna.

The parading:

on Sunday the 16th March at around 7:30 pm, police personnel from Nirmal Nagar police station, in civil dress, brought three accused, Abdul Mateen, Kalim Ahmed and Ibrahim Akbar Khan, by police van to Golibar naka.

The three were accused of stabbing a local goonda and police informer named Babla. Babla is notorious in the area as his main business is to supply illegal electrical connections to hutments. Babla works along with Victor, Silvet and Soni - all notorious characters from the area. They are all well known local powerful goondas and police 'khabris' (informers). The stabbing took place on the 10th of March. Police were unable to arrest the accused.

On the 16th the three accused, through the offices of a common friend, approached Inspector Bhosale of Nirmal Nagar and met him at a garden near Mahim Machchimar Nagar and surrendered themselves. They were put in a taxi and taken to Nirmal Nagar police station and handed over to Inspector Awadh who was handling the case. The police of Nirmal Nagar were furious that the three accused who had been absconding for 5 days had had the audacity to stab one of their main agents (khabri) in Golibar area.

In order to teach these boys a lesson and also make them a striking example for the people of Golibar so as to not harm any of their 'protected' goondas in the area; they were brought handcuffed on the 16th, stripped down to their waist with their shirts tied around their hands, and were forced to abuse themselves and their families. When they hesitated to say '*hamare baap das hain*' '*ham gandhu hain*', they were beaten mercilessly with leather belts and lathis and sticks. The accused had been fed 'paan' to conceal blood stains of the beating meted out to them by the police.

The boys were taken through the area into Masjid gully, in front of their houses and beaten up in front of their family members. Any of the relatives who tried to talk to them were also beaten up. When Ibrahim's sister Shahnaz Tahir tried to stop the police from beating him, she was kicked in the stomach, and she suffered a severe blow in the abdomen which resulted in vaginal bleeding. Various journalists have also confirmed that there was no miscarriage, as per the medical records. Neither the women claim that there was a miscarriage.

The police later took the accused to Golibar naka and continued beating them. Meanwhile a crowd kept gathering and following them, witnessing this inhuman display of police terror and brutality.

The police seemed blissfully unaware of what pain and anger they were causing the people of Golibar. Their main intention seemed to be of humiliating and destroying the spirit and reputations of the arrested youth and at the same time give an open warning to the people of Golibar that any opposition to the police would be met by a similar fate. The above incident continued for around 45 minutes after which they put the accused into a police van and took them away.

CHAPTER II : THE STORY

The Police Version

The Nirmal Nagar police officials have altogether a different version on all the main points of the incident. The following is the version of DCP Sanjay Barve and ACP U.B.R. Singh, given to the members of the team about the sequence of events.

1. The police do not admit to the fact that the three accused surrendered to them. They claim that they were arrested by Inspector Awadh of Nirmal Nagar police station.

2. The police strongly deny that the three accused were paraded and beaten up in Golibar and Masjid Galli. According to police they were taken to Golibar Naka by jeep, and then taken to their respective houses to recover the knife used in the assault as per Section 25 of CrPC. The police claim that the people made it impossible on that day. They walked through the Masjid Galli since the police jeep could not enter the narrow galli. They admit that the three men were handcuffed, and did not deny that they were stripped down to the waist. But they deny that the accused were beaten up with lathis and belts.

Three days later, the police had returned with two of the accused to their houses, and claim that they recovered the assault knife.

3. The police claim that the medical report of one of the chief accused Abdul Matteen, which was submitted to the magistrate, has no mention of any injuries suffered due to police beating. The other two accused had not even asked to be medically examined. Further, that the DCP himself had ascertained that the accused had not been fed any 'paan', as the residents alleged.

Thus the police officials state that though their detection staff were in civil clothes, and took the three accused handcuffed and stripped up to their waist as the shirts had been tied around their hands, they were not beaten up but taken to various spots in order to recover assault weapon.

4. According to the police the 'illegal gathering' during the parading and after, which consisted of criminals, did a 'rasta roko' for two to three hours, threw stones at ACP Singh when he arrived on the scene around midnight. To prove this, ACP Singh claims to have a bump on his head according to DCP Barve.

The lathi charge led by ACP Singh and Senior Inspector V.N. Patil of

Nirmal Nagar police station was a reaction to the stone throwing. The police resorted to 'mild lathi charge' so as to disperse the violent mob led by criminals.

Comments by police to the press:

a) Only one of the accused (Abdul Mateen), aged 35 years, has any previous police record. The other two (Ibrahim Khan and Kalim Shaikh), in their early 20's, have no previous police record.

b) The three accused are said to have stabbed Gulam Hussain alias Babla, aged 45 years, resident of Golibar. While the police deny that Hussain is a 'Khabri' (police informer), they are hesitant to give him a clean chit.

c) According to Deputy Commissioner of Police (Zone 8) Sanjay Barve, the accused were not paraded on Sunday (16th March 1997) but taken to their homes for recovery of the knives used in the stabbing.

d) 'While they were being taken around the trio tried to create a scene and collect a mob. We had to abandon the search and take them back'.

e) DCP Barve maintains that adequate warning had been given to the protesters to disperse before a mild lathi charge was ordered by ACP U.B.R. Singh. According to him only two women were hospitalised.

f) Asked why the policemen who took the accused to Golibar were not in uniform DCP Barve said that the officers and men entrusted with detection work need not wear uniforms.

g) DCP Barve denied Shenaz was assaulted. 'These are all allegations'. He added that by asking her brother to be released 'Shenaz has committed an offence'.

CHAPTER III : Flaws in the police argument:

I: On the parading and beating up of the accused

1. Prior to the surrender of the accused, residents of Golibar were warned by the Nirmal Nagar policemen that if the accused were not arrested soon they would be beaten like dogs whenever the police got their hands on them. The police had spent 6 days trying to locate the accused, but in vain.

The police anger against the three accused was also due to the following reasons:

i) The accused had stabbed one of their main informers and middlemen in Golibar area.

ii) The victim was known to have a flourishing business of supplying illegal electrical connections to slums.

iii) Part of this money was being paid to Nirmal Nagar police station as 'hush money' or hafta.

iv) Hussain alias Babla was also known to have campaigned actively for Samajwadi Party municipal candidate Hameeda Mistry. She is known to have spent over Rupees 10 lakh in the municipal elections to ensure her victory which the police would have liked.

v) The accused are known to have campaigned for Helen Barde, the Janata Dal rival to Hameeda Mistry.

vi) The people of Golibar, inspite of threats from Goondas who had received money, voted for Helen Bharde (Janata Dal candidate) who stays in the basti unlike Hameeda Mistry. This was a crushing blow to the plans of Hameeda Mistry.

The police have breached the faith of the surrendered by beating them up badly, stripping and parading them.

2. The police claim that the mob tried to rescue the accused from police custody. This is hard to believe in the case of Golibar because of the terror that the people have about the police. And if a situation did arise where people tried to wrest the criminals from the armed police party, the police would not have just taken the accused back, but would have arrested a large number of people and charged them with serious criminal offences.

3. In his statement to the press, DCP Barve claims that Shenaz asked the police to release her brother thus committing an offence. There is nothing unusual about this, since any sister would if her brother was being

mercilessly beaten and humiliated in front of her.

4. There is an overwhelming number of eye witnesses, including sections of the people like shopkeepers and bystanders who are generally unwilling to talk, and nearly the whole basti; who all have a consistent version of the parading and beating.

5. Finally, since the police wish to claim credit for the arrest, it leads them to deny the surrender.

II: On the brutal and unprovoked lathi charge

DCP Barve says the police conducted a 'minor lathi charge' in order to disperse the 'stone throwing crowd'. Taking a look at the two claims made in this statement, we see that it does not hold true.

A. The 'Stone Throwing Crowd'

1. When the crowd collected at 8:30 pm against the police action, they were peaceful. They sat on the road, women and children, upto 11:45 at night. Their demands were (a) The boys should be given medical treatment (b) A senior police official should visit Golibar, so that they could register their protest against the parading and inhuman beating of the accused by the police.

During this 3 hour long sit in, there was no stone throwing reported - either by the people or by the police. Police jeeps from Vakola and Nirmal Nagar police stations were on the scene. SRP vans were also stationed. Due to the large number of people and police present on the naka, the narrow road leading to the subway got blocked and the sit in turned into a de-facto rasta roko.

Even according to the police version, the mob's main demand was to see a senior official. This was communicated on the wireless to the control room. Further a delegation of the residents led by Vidya Chavan also went to Nirmal Nagar police station.

It is a fact that no senior official visited the scene until the arrival of ACP Singh at around 11:45 pm.

B. The 'Mild Lathi Charge'

According to all eye witnesses including residents of the basti, shopkeepers and building residents, ACP Singh did not even attempt to talk with the residents or leaders who were standing and speaking to the local policemen.

ACP Singh and Senior Inspector Patil had arrived together. Being peeved

over the fact that the people had forced the police to summon a senior police official to the scene, their primary concern was to disperse the crowd before DCP Karkare arrived that night.

There were 2 corporators- Helen Bharde (Janata Dal) and Suryakant Chavan (Congress-I), and Dr. A Khan on the scene. All three have confirmed separately that ACP Singh did not even speak to them, but instead, as if on a predetermined signal, ordered to the waiting policemen, who by now had taken positions, to charge into the crowd. Thus the unprovoked lathi charge.

1. All persons who were pacifying the crowd and taking a lead in speaking to the police were beaten up badly. ACP Singh personally assaulted Helen even after being told that she was the corporator from Golibar.

2. Khurshid was hit on the head. While all the women were hit by policemen, there was not a single lady police constable present before or during the lathi charge.

3. After the lathi charge all persons who had taken shelter on the first floor of Gulshan Hotel were brought down and nearly all of them were beaten with lathis. Even the waiters of Gulshan Hotel were beaten and had to be rescued by the owner. 14 persons were arrested from Gulshan Hotel.

4. ACP Singh took great pleasure in hitting Nazma Siddiqui who was one of the persons dragged out of Gulshan Hotel. He asked her to put forward both her hands and then beat them with lathis. She suffered injuries to her hands, and was then pulled by her hair and dragged across the road.

5. If the police had their way, they would have taken all the injured to the police station and arrested them. Only on the insistence of the local leaders, were the injured, who had been dumped unceremoniously into the police van, taken to the hospital. Even the police admit to two women being hospitalised due to the injuries they received during this 'minor lathi charge'.

6. On the other hand, the only 'wounds' the police seem to have suffered during the 'stone throwing' on the entire police contingent gathered there; is a much touted small bump on the head of ACP Singh.

III: The case of the missing witness

The police action rests on the premise that the gathered crowd was composed and led by criminal elements from golibar, belonging to Janata Dal. To build this argument, DCP Barve insists that Suryakant Chavan (Congress-I corporator) was not present.

Unfortunately for the police, all the eye witnesses and Chavan himself have said that he was very much at Golibar during the demonstrations.

IV: The custody trade-off for the medical reports

One of the accused, Mateen was represented by a lawyer, who asked for a medical check up before the magistrate, for signs of police beating. Mateen's lawyer stated that the medical report ordered by the magistrate mentions tenderness/ swellings on areas on the accused's body. This medical report is part of the court records and the police did not oppose his judicial custody. While the other two, having no lawyer and being under duress, did not ask for a medical check up. They were taken into police custody.

V: Operation 'Cover up'

Following the public outcry, the police have launched a major cover up operation with residents being forced to give statements supporting the police version. All residents and the victims of the lathi charge are being threatened, warned and requested not to speak against the police, for their own good. This was being done while a departmental enquiry was being conducted by Deputy Commissioner YC Pawar.

To bolster their case, 8 days later, the seriously injured persons turned up on the 'wanted' list of the police. See table below:

List of seriously injured:

- 1) Ismail bi Khaja (female 50 yrs)- dislocation of palm bones and lower right arm.
- 2) Mohammad Taufiq Mohammad Eliyas Shaikh (male 24yrs.) - 2 inch wide gash across left abdomen.
- 3) Helen Bharde (female 33 yrs.)- lathi blows on back
- 4) Abdul Hussain Abdul Kachwalla (male 55 yrs.) - wounds on left knee.
- 5) Syed Khursheed (male 50 yrs.) - six stitches on left skull.
- 6) Gulam Hussain Shaikh Imam (male 40 yrs.) - rifle butt 2 inch gash on left back.
- 7) Bholu Khan (male 33 yrs.) - fractured left forearm.
- 8) Nazma Mohammadali Siddiqui (female 30 yrs.)
- 9) Mohammad Salim Shaikh Hasan (male 23 yrs.)

- 10) Faizanbee Rukmatdin (female 35 yrs.)
- 11) Abdul Majeed Abdul Hamid (male 25 yrs.)
- 12) Shahnaz M Taher (female 27 yrs.)
- 13) Zabunissa Shaikh - housewife
- 14) Alam Badshah - auto driver
- 15) Nilofer Siddiqui - student
- 16) Salim Kazi - bses employee

List of wanted:

Name	Occupation	Criminal record
Bholu Khan	Auto Denter	No
Syed Khurshid	JD office bearer	No
Sagir Phupa	fruit seller	No
Nazma Siddiqui	social worker	No
Zabunissa Shaikh	housewife	No
Shenaz Tahir Mohammad	housewife	No
Gulam Commander	driver	No
Gulam Hussain Imam	driver	No
Alam Badshah	auto driver	No
Jimmy D'Costa	electrician	No
Mohammed Sharif Qadir	JD office bearer	No
Khalil Khan	vegetable hawker	No

The police have been trying to work out a compromise formula with political parties to avoid further public outcry. Towards this, a report prepared jointly by various women's organisations and submitted to the Commissioner of Police has been suppressed.

VI: The history of notoriety: cops or residents ?

A lot of the police case rests on painting the residents of Golibar with a history of notoriety. These are the facts.

1. Barve's claim that the mob which was lathi charged consisted mainly of criminals is false as the photographs and eye witnesses confirm that there were women and children sitting on the road.

2. In any slum there are anti social elements. They are basically unemployed youth who take to crime, mainly as a source of income. They are protected and nourished by the politicians and local powerful Goondas

who the police protect.

3. Golibar is also a minority dominated slum and has a local culture which is unique. They are surrounded by areas which have seen the worst riots in 1992-93, Nirmal Nagar, Kherwadi, Behrampada.

4. Nirmal Nagar police station was famous during the riots, as the local Shiv Sena MP - Madhukar Sarpotdar was arrested with weapons but was subsequently released due to political pressure.

5. Even though the areas where the dharna was held falls under the Vakola police station, it was the Nirmal Nagar police station which led the lathi charge and subsequently arrested residents. All cases were registered at Nirmal Nagar.

6. As the Nirmal Nagar police station is responsible for the security of the residence of Shiv Sena supremo Bal Thackeray, the Senior Inspector is a hand-picked Shiv Sena nominee.

CHAPTER IV : The canvas of Golibar basti

In every slum, before it is recognised, the residents put in assiduous labour to keep their lanes and houses protected from the elements and the various authorities. Every year they invest their hard earned money to improve it gradually.

In Golibar too, after years of struggle the houses are now pucca, the lanes are concrete (most are only around 3 ft wide), municipal facilities (potable water and public toilets) are given, and rents are paid to MHADA. Today a 10ft x 10ft house in Golibar would cost anywhere between Rs. 3 to 4 lakhs, as it is close to the posh suburbs of Khar and Santacruz.

Golibar is today a slum with a population of over 50,000 people of which over 80% belong to the minority community. It has grown over the years and has been around for over 35 years according to residents. Like a minor township, it is self-sufficient with a mosque, burial ground, and markets. The majority of residents are self-employed or work as mechanics, masons, auto drivers, embroiders, or hawkers.

I : Criminalisation of Golibar:

Unemployment in Golibar is not more of a problem than in any city elsewhere in the country. The rate of crime is no higher than the rest of Bombay slums. Most of the youth do part time jobs. The women also contribute by running households and doing some small jobs in their houses.

Police patronage to crime:

In Bombay, today, the police and criminals have a cosy relationship as long as the haftas flow and criminal activity does not make the news. Bootlegging, Matkas, video parlours, drugs, prostitution, smuggling, social clubs stolen electricity, water, land grabbing, extortion are all tolerated for the right haftas. The hafta collection is managed through 'chowki' brokers who are goonda elements and do the job for the police.

The network of 'khabris'

To keep their control on the slum, the police develop a vast network of informers 'khabris' or tipsters who work as their agents in the slum. The tipsters, other than collecting information, are also a source of funds for the police station as they invariably are engaged in some criminal activity due to the police protection.

The informers act as brokers during settlements or 'mandolis' and as conduits for collecting money for the police. The informers also regularly implicate innocent persons in false police cases, so that money can be extorted. The informers keep a certain percentage of the bribe or hafta and sometimes eat up the whole amount.

When the system fails

Due to the money not reaching the right hands, and inter gang rivalry for supremacy, a number of disputes arise which sometimes lead to assaults and murders.

The boys take to crime when they either join major gangs or get involved in a police case. After the beating and inhuman treatment in jails or police custody, instead of reforming they come back as hardened criminals. That unemployed youth find some source of income in this milieu is a phenomenon not peculiar to Golibar.

Go straight - to jail

The situation is thus conducive for the local police station to get a free hand in spreading their network of extortion and informers. Involving innocent people in police false cases is a very common method as the informers can always register a false complaint against anyone. The police are open for negotiation, and most people fear for their reputation, or fear getting beaten. People also know that if a case is put on them, then an unlimited source of funds has to be organised to pay bribes to middlemen and police. Lawyers also demand hefty fees and the cases drag on. In the jails, every small request like home food or visits have to be paid for, thus money pours into the well greased police department.

Even when a first time offender goes to jail he comes out as hardened criminal. Even if they try to go straight the police and the informers harass them and arrest them on any pretext. Thus the offenders have to seek protection from some gang or politician, or start some illegal activity to keep the bribes flowing, so that they can stay out of jail and out of trouble.

Political patronage:

It is a foregone conclusion that even for local goondas to act with such gumption, they need political patronage. And mainstream political formations need to keep the politics of vote banks intact. This is where the politician-goonda nexus comes in.

As in the case of Golibar, each political party has its own gang of goondas, whom they protect when faced with problems of arrests etc. Even in this

particular case, the group of the accused was aligned with the Janata Dal while the victim was aligned with the Samajwadi Party.

II : Communalisation:

The Bombay police have developed a certain attitude to minority dominated slums. Their general impression is that these slums are infested by criminals which is given to their superiors and the public at large. Over the years it appears that the only job of the detection branch is to employ third degree methods and coerce confessions. This has led to a situation of hardened policemen versus hardened criminals.

Further, in a minority dominated slum the police terror is seen as a direct majority terror and slum residents look forward to meet any sympathetic officer. Politicians and local powerful persons use their proximity with the police to win election and positions in slum redevelopment projects.

In the case of Golibar the residents have been totally terrorised and brutalised by the parading and subsequent lathi charge. Residents are afraid to speak out and fear that the police will implicate them or their youth in false cases.

In a situation where the scars of the 92-93 communal riots have yet to heal, the people have seen even their elected representative and Mohalla committee members beaten up, and they have lost faith in the police.

In the face of this onslaught the people are driven to seek more intensive protection and political patronage from some political party or the other■

SOURCES OF THIS REPORT

The fact finding team had met over a hundred residents of Golibar over a week, who deposed freely.

The team had decided to withhold names and refrained from quoting individual statements. In the existing situation of police terror, some people are afraid of reprisal by the police and local goondas.

The entire report is solely based on statements of a cross section of residents in the area, including the victims of police brutality.

CHAPTER V : Conclusions and demands:

From all accounts of people the police action were clearly aimed at terrorising the public and teaching a lesson to anyone who dares to harm their men.

The lathi charge incident following the outcry of the common public was aimed to quell any democratic protest against police atrocities.

The handcuffing, stripping, and subsequent beating of the accused is totally illegal, and the police's claim that they were searching were hidden weapons is totally untrue.

Even if someone has committed a crime, the police have no right whatsoever, to use third degree methods, parade them, strip them or humiliate them in front of their relatives, as in the case of Golibar. Instead of reforming criminals, the police are producing hardened criminals.

It is public knowledge that the accused surrendered to the police, and were not arrested as claimed by the police.

ACP Singh and Senior Inspector Patil and Inspector Awadh had acted in a purely communal and brutal manner.

Helen Bharde and some other injured persons were targeted and beaten up because they dared to take an active part in the demonstration against the police.

ACP Singh's lathi charge was totally unwarranted, unprovoked, unjustified nor did he give any prior warning to the assembled people.

The police claim that they gave repeated warning to the people before the lathi charge is totally false.

People indulged in stone throwing only after the lathi charge and when they saw women being beaten up.

The police did not have any women constables on the scene while they lathi charged the women.

The police have further illegally put false cases against those who are injured and who took part in the demonstration including bystanders, solely to protect their illegal actions.

The fact that one of the main accused, Mateen, was given immediate judicial custody as he was one of the badly beaten, goes to prove that the police did not object nor ask for police custody as they did not want the parading and beating to be highlighted in court.

The confidential doctor's report to the magistrate, clearly mentions swelling and tenderness on the bodies of the accused.

The police who insist that Congress corporator of ward 83 Suryakant Chavan, was not present at the scene of the lathi charge is totally false as he was present throughout the lathi charge.

Demands:

1. Immediate suspension of ACP Upendra Singh and Senior Inspector Vishwanath Patil as they are in the process of intimidating witnesses due to the position they are in.

2. Strict action to be taken on all police officials involved in the brutal lathi charge and the stripping and parading of handcuffed youth.

3. The departmental enquiry of Addl. Commissioner of Police YC Pawar's findings be made public.

4. Compensation for the injured and persons who have suffered physical and mental trauma.

5. A Judicial inquiry should be appointed to look into the lapses in police functioning and the serious charges raised by the residents of Golibar.

6. Immediate release of the joint fact finding report of women's centre and other women's organisations submitted to the Commissioner of Police.

7. Cancellation of all false cases.

8. We call upon all democratic sections, the broad sections of working people, to uphold and support all democratic self-mobilisation and resistance by people against state and goonda violence.

Golibar incident raises queries about functioning of the police

By Anil Singh, Times of India, 21.3.97

MUMBAI : The allegedly parading of three accused men in Golibar on Sunday and the subsequent unprovoked lathi-charge on women protesting against police brutality raises several questions about the functioning of law-enforcers, say observers.

The foremost question is whether the police can lathi-charge a mob largely comprising women. Senior police officers say there are standing instructions not to cane such a mob under any circumstances.

Even when the police lathi-charges a crowd of men, it does so after issuing a warning. At Golibar in Santa Cruz east, the police reportedly began caning the 700-odd protesters, most of them women who were staging 'rasta roko', without giving any warning, say onlookers.

"Assistant commissioner of police U.B.R. Singh ordered a lathi-charge on the peaceful crowd as soon as he arrived on the spot at 12.30 a.m." said eyewitness Dr. A.R. Khan, who is coordinator of the police-public mohalla committee of the area.

About 40 women, including local municipal corporator Helen Bharde, received 'lathi' blows. Several of them were hit on the head and needed stitches as they were squatting on the road when the lathi-charge began. One of them, Nazma Siddiqui, suffered multiple fractures on her hand....

The second question relates to the presence of a senior officer at the spot where there is trouble....

However, zonal deputy police commissioner Sanjay Barve did not visit the spot even though the 'rasta roko' continued for two hours.

The third question pertains to the practice of parading an accused in public... There have been instances of courts penalising policemen for this, they say....

The Nirmal Nagar police allegedly stripped the three accused to the waist, tied their hands and paraded them through the slum "like monkeys on a rope," said one social activist. Several witnesses have confirmed this....

The fourth question is about the attitude of the police towards mohalla committees. These panels of apolitical grass-roots workers were formed after the 1992-93 riots to help the police resolve conflicts in communally sensitive localities... Dr. Khan, for instance, says he is scared of police reprisals for having spoken to the press about the incident..... ■

ABOUT LOKSHAHI HAKK SANGHATANA

LOKSHAHI HAKK SANGHATANA is a democratic rights organisation which has been working in Maharashtra for the last 17 years. It opposes all forms of repression on the people, and builds broad solidarity with democratic sections of people against repression on such struggles. It has investigated and brought out reports on innumerable issues over this period, including the following: attacks on tribals; drought; deaths in police custody; slum conditions and demolitions; caste and communal riots; firing on workers and slum dwellers; repression of the Bombay textile strike; frauds and factory closures; conditions of contract labour; closure of mills; and each of the Government's black laws such as TADA. It has not limited itself to bringing out reports, but has taken its findings to people through leaflets, public meetings, conventions, and rallies. It has also extended active support to people's organisations who have faced repression from the state, goondas and the police.

In the last five years, the Sanghatana has, in particular, highlighted the effects of the New Economic Policy on the mass of working people. In 1992 it organised a one-day convention of the "IMF Policies and Democratic Rights". This was followed by reports and programmes regarding closure of the Boehringer plant in Thane, decline in railway safety due to understaffing and other budget-slashing measures, police repression on locked-out workers of Otis, deaths of contract workers at the Reliance plant (Hazira) in an accident and police firing, brutal lathi-charge and torture of striking Mahindra workers (Igatpuri), and many other such issues.

Lokshahi Hakk Sanghatana, along with organisations from Orissa, Rajasthan, Punjab and A.P., is a member of the All India Federation of Organisations For Democratic Rights (AIFOFR).

Report published by :

Lokshahi Hakk Sanghatana, 10, Laxmi Nivas, Katrac Road, Wadala, Mumbai-400 031.

Suggested contribution Rs.4/-