

Report on Gopalgarh/Bharatpur Outrage

Of

13th -14th September 2011

NCM members Shri K N Daruwalla and Shrimati Syeda Bilgrami Imam reached Gopalgarh after a 4 hour drive from Delhi on 20/9/2011.

The purpose was to meet the Administration and the Police officials for their account of the outbreak of violence in the Gopalgarh Mosque over 13th and 14th September; to visit the site of the firing/killing and the area in dispute; to get a first-hand eye-witness account from the Meos (and separately from the Gujjars) of the area - so that a fuller picture could emerge to corroborate or otherwise the accounts presented to us at the Commission by the many local representatives of the region , on Monday 18th September; and of course, to meet and reassure the affected families that the promised support from the Government will be prompt. We were told on arrival at the Gopalgarh Police Station that a Maha Panchayat meeting had been called by the entire Meo community some distance away (Bewan) and that we should expect them back in the early afternoon given the 11 am - 4pm curfew. The Gujjars too could be expected back in the afternoon from the Milan that Sachin Pilot was holding near Patari.

Our session with the five or six officers (Gaurav Goel, new Collector, Vikas Kumar new SSP, I.G Bharatpur range Shri Sunil Dutt, DIG Shrivastav from Jaipur and DCP Meena from Jodhpur, Shri Rajeshwar Singh, a Divisional Commissioner, Shri Liaqat Ali, ex-I.G and currently Chairman of the Rajasthan Waqf Board and Shri Banwarilal SDM) was protracted.

Unfortunately, none of the officers present, (except one Bhanwarilal SDM who had been posted to Gopalgarh 15 days prior to the incident) was in Gopalgarh at the time of the incident. Who was too nervous to speak.

And when taken aside and quizzed by Member Daruwalla Mr. Banwari Lal did admit that there were some Hindutva elements goading the earlier Collector and his team to aggressive action on the 14th evening session at the P.S.

The new Collector Gaurav Goel and SSP, Shri Vikas Kumar had arrived on the scene three days earlier; the three other senior Police officers present were sent to manage the post- violence situation, Shri Meena DCP Jodhpur was called he had earlier been posted in Bharatpur and was familiar with the local terrain and sensitivities.

Gaurav Goel was moved from Barmer to Bharatpur as Collector on the 16th with a brief to restore peace/law and order, and announce, without delay, relief and rehabilitation measures to those affected. He and his SSP had tried to familiarise themselves with the origin of the dispute and the developments that led up to the eruption over 13th - 15th September and this they attempted to share with the NCM Members.

The Genesis & the Flare-Up

In looking at the land records they discovered that since 1972 there was a declaration about the land adjacent to the pond near the Mosque designating it Ghair Mumkin as Lane and also for Agriculture. The Meos had staked a claim that it was to be set aside for their community graveyard and that this status should be granted. This had not been rejected - but the court order to assign it as such was still awaited.

The Patari bureaucracy had however cited an earlier decision of the High Court on Abdur Rehman VS the State which had ruled that no Catchment land was to be deemed suitable for anything but catchment purposes. and hence use of Khasra 642, which was catchment land thus far, for graveyard or indeed any other kind of occupation was out of question.

What Mr. Liaqat Ali Khan, Chairman of the Wakf Board of Rajasthan and and IGP shared later in a fax to the NCM was an entry in 1986 declaring Khasra 642 as Wakf property - which would certainly strengthen the Meo request that it would be granted to them as Qabristan. He had indeed written to the Collector Bharatpur on 19.7.2011 that anti-social elements were trying to cause trouble relating to the land which would hurt religious sentiments (of the Meos). And the Wakf also requested that there should be no encroachment on Khasra 642, the land earmarked for the graveyard. (Letter attached)

Question 1:

In possession of the many cases and questions and forewarnings related to the land allocation question of Khasra 642 why were no steps taken to monitor/defuse the local tensions. The search for an alternative could have eased the tension.

Since none of these ramifications were known to the local residents they remained using the 19 jhopris as sheds to store dung/hay. 16 of them by the Gujjars and 3 by Muslim Qasais.

Perhaps encouraged by the fact that the court ruling would be in their favour very shortly (this rumour was rife and not denied, discouraged or questioned) the Meos began to lift mud/sand off the pond wall to level the adjacent Idgah. This drew protests from the Gujjars who felt that this would dismantle their sheds which were adjacent to this wall. The Meos said it was a matter of time that the land would be assigned for their graveyard. anyway.

The Head Moulvi Rashid Khan Sahab of the Masjid was considered the mover behind the order and other Meo initiatives was then caught and badly manhandled by 4 or 5 boys who attacked him on the evening of the 13th. And tempers began to rise.

Question 2:

Why would the Police stand by watching, waiting for an F.I.R to be lodged when the religious head of the local Muslim community is beaten up by a bunch of young local roughies.

The said Mosque Maulana then maintained that he would prefer to call a Panchayat meeting rather than submit an F.I.R - and the tension mounted on both sides. He probably had no faith in the protection the Police would provide him (which they had not without the F.I.R anyway). On the 14th he is supposed to have made an incendiary speech to the Meos who had started to gather the next morning.

In fact around 9 a.m. on the 14th the police noticed two trolleys bringing Meos to the Mosque. An attempt was made by SDM Deegh Shri Qamruddin and a DSP to pacify the crowd but without success. There were about 50 policemen at the

P.S but the Collector Shri Krishna Kunal and SP Shri Hinglaz Dan who had rushed to another troubled spot at some distance returned and brought back 150 more of the force with them at about 1 pm.

25 policemen had been placed at the Mosque when the reconciliation meeting started at the Police Station. The two local MLAs Ms Anita Gujjar of the BJP and Ms Zahida Khan of Congress and the then Collector and the SP and SSP gathered the local communities at the Police Station and selecting a spokesman each from among the Meos and the Gujjars, urged a peaceful settlement. And a Moafinama, and formal apology was held out to the Meos and a mediation occurred. At this point firing in the air/shouting was heard from direction of the Mosque and from the Gujjar Square on the other side. Some Gujjars ran in helter skelter saying that 12 or 20 Gujjars had been killed (which was not true) and the some of the Police posse returned saying that those within the mosque were armed (not confirmed). The DM, Addl SP Meghwal and an SSP then proceeded with all fire power in the Police Station and ordered the firing. The Gujjar intruders evidently coerced the DM hitting their sticks on the table in front of him, urging action.

34 or more bullet shots (now actually numbered on the walls) mark the walls overhead the archways as you enter and see the many Janamazes all spread out. There are some bloodstains on the floor as well, indicating the bodies were being dragged rather than carried (for medical care as it was claimed by the Police).

The photograph of a youth with a gun on the roof of the mosque along with a couple of others was shown as evidence and reason for opening fire. It is being said by representatives of the local Meos that right-leaning Gujjars very belligerently goaded the DM to order the firing and that Addl. SP Meghwal was on their side. An Anti-Riot vehicle, known as Vajra Vehicle with the mounted gun to fire tear gas shells had also been taken.

After the police firing the officers maintain that the Gujjars created havoc in the mosque, breaking two fans, committing sacrilege. Of the 22 people injured 18 were Meos: one hit by a police bullet, 5 with gunshot injuries, 2 with burn injuries and 10 with sharp and blunt instruments. 4 Hindus too (2 Malis, 1 Jat and 1 Gujjar) had pellet injuries.

Aside from the corpses in the P.S dead bodies were burnt and thrown into the well at the corner of the Idgah - the number is not certain. Most people cited 3 such bodies.

Question 3:

Why was the Anti-riot Vajra Vehicle which had travelled with the DM and police party at 1 pm not used when proceeding to keep the Meos and Gujjars separated and before all the action erupted in the mosque by the police and the Gujjars?

Question 4:

Why were the Gujjars pared the police firing and why were they out of all police control in the Mosque?

The members wished to see the plight of the affected and would have like to meet and reassure those who had not yet received their compensations; all that could be managed however was a visit of sympathy and reassurance to the widow who had received her Rs 5 lakh cheque. A request has been made with the Collector particularly that he should guide each one through to a proper rehab, of investment/enterprise that pertains to their life. The education of the two very young children should ask be facilitated. It is time the Administration and the Police extended themselves to start the healing process. The Collector's response was very positive. It was also suggested that perhaps a separate piece of land could be earmarked for the Meo graveyard.

Conclusion

While the sequence of events and affixing of responsibility would be done by a judicial Commission which has been appointed by the Government; and the CBI will start investigation in the case, the Members come to the following conclusions:

1. The administration and police could have handled the dispute much more adroitly and not allowed it to come to a boiling point. With pre-emptive measures like freezing the land status and allotting another piece of land for the graveyard, for example.

2. The police should have immediately taken action against those who assaulted the Imam of the mosque. The police used force greatly in excess. Firing on the mosque should not have been resorted to at all.
3. The Police were clearly partisan and did not take on the Gujjars who were equally if not better armed than the Meos.
4. The Police alleged that it was the Gujjars who invaded the mosque and committed sacrilege. If so, why did they allow the Gujjars to do so?

The Members hold the Police officers and the DM responsible for the Gopalgargh outrage of 13th/14th September 2011. They want to specially record their shock at bullets being fired from SLR and .303 rifles at a civilian mob within a mosque in independent India.

Recommendations

1. As soon as the judicial investigations are complete the mosque should be repaired and restored to use since it is the mosque used by all Meos in that area, and so that all memories of the sacrilege are erased.
2. All affected families should come up with their own rehabilitation plan with cogent help and within a specified framework - and this should be conscientiously facilitated by the local government.
3. The Government should use this opportunity of demonstrating their will to solve the problems and attend to the lives and livelihoods of the two communities, Meos and Gujjars of this area. Quite aside from allotting undisputed land for the graveyard and the storage/cattle-rearing needs of the Gujjars. Health, education, skill and livelihood possibilities seem neglected and will need attention and support.
4. The great trust deficit between the people and the Government can only be corrected if the authorities are not partisan in any way and are seen not to be so. It must be understood that the Government is fair and equally mindful of needs. And in being kind and supportive of the Meos they are not against Gujjars at all.

5. Sadhbhavna as an initiative should be strongly supported by the State and bureaucrats and Police officers should be assessed and rewarded for their performance in righting wrongs and concretely supporting and supervising development.
6. A Citizen's Committee representing each one of the local communities could have a quarterly session with the DM/Police heads, Minority Welfare and Social Welfare representatives to focus/handle all issues, both negative and positive.
7. Translating all this into a do-able, consistent plan would have to be discussed with the State Government authorities in Jaipur. Here co-opting the different Ministries to further the development initiatives applicable in different areas would be in order. The enrolling of trusted NGOs like Udyogini and Empower Pragati could be considered on a concrete and ongoing basis.

The Chairman will also accompany us on this trip to Jaipur and we could request for the DM and Police chief of Bharatpur to be included in a good part of that meeting.

This too could be mooted in the Jaipur meeting.

Attached: Summary of the F.I. Rs collected from the Gopalgarh Police Station

3 communications from ex-I.G Liaqat Ali Khan regarding Wakf

Status of Khasra 642