

Parivar targets Christian service organisation

By Our Special Correspondent

JAIPUR, DEC. 30. The Kota-based Emmanuel Church of India has once again become the target of attack by the Sangh Parivar. The latest of the offensives against M.A. Thomas, head of the Emmanuel Mission which manages schools and leprosy homes in various parts of northern India, from the BJP-RSS-VHP combine has been a case under IPC 124 filed on the Christmas Day this year and a string of demonstrations demanding his arrest.

Dr. Thomas, a Padmashri and archbishop of the Emmanuel Churches, earned the wrath of the Parivar this time with his alleged reference to the Prime Minister and the Deputy Prime Minister as "beggars". The reference was made at the Christmas eve programme in which the senior Minister in the Gehlot Government, Shanti Dhariwal, was also present.

But the case registered against him at the Udyog Nagar police station in Kota is for the cartographic mistake of publishing a brochure with a map of India which had a portion of Jammu and Kashmir missing. Now the Emmanuel Mission says that the map — in which the PoK was missing — was taken out of a floppy provided by the software company, Thumbs Plus and was used inadvertently.

This is not the first time that the BJP and other front organisa-

tions of Hindutva have been targeting Emmanuel Mission institutions. The trouble had started over a decade ago with the Mission acquiring land at Raipura in Kota which the local BJP leaders alleged that it belonged to the Forest Department. As the Mission added on to its number of schools and orphanages over a period the criticism intensified.

The honour of Padamashri, bestowed on him three years ago, added to the woes of Dr. Thomas, as the local BJP and the RSS activists demanded its withdrawal. The previous year they stormed one of the orphanages run by the Mission in Kota allegedly to "rescue" some of the young inmates.

"I never called the Prime Minister or anyone a beggar. I had introduced myself as a beggar who goes abroad and beg for money to look after orphans and the destitute. Then I said these political persons also do some kind of begging be it from the World Bank or other international funding agencies," Dr. Thomas told *The Hindu* on phone from Kota.

"As for the distorted map, I have apologised for the mistake. It was not intentional. We have withdrawn all the brochures," Dr. Thomas said. "There are demonstrations against me daily. On December 28 the effigies of mine and Mr. Dhariwal were burnt. Am I a demon? All the

cases filed against me over a period have been non-bailable in nature," he said.

Maresh Vijayvargiya, president of Kota district BJP, when contacted over phone, said, "He is a disturbing element. Being Christian is no excuse for doing such things," he said referring to the case of the distorted map.

"Dr. Thomas is a learned person and he should know how the official map of India looks. He should be made to pay for his mistake," Mr. Vijayvargiya said.

Madan Dilwar, BJP MLA from Atru in the neighboring Baran district, who is behind the present campaign accuses that the Mission had excluded the Pakistan-occupied Kashmir from the map of India to help Pakistan's claim over the PoK. The role of local politics in the whole episode is obvious as Mr. Dilwar, a former president of the State Bajrang Dal, never misses a chance to embarrass his sworn political enemy, Mr. Dhariwal.

The latest of the incidents involving Dr. Thomas has made the Global Council of Indian Christians to write to the National Minorities Commission and the National Human Rights Commission seeking protection for him. The national convener of GCIC, Sajan K. George, in a statement alleged that the attempts at "minority-bashing" in Rajasthan by the Sangh Parivar was aimed at "replicating the Gujarat experience".

3 DEC 30 2002

THE HINDU

Christians seek cover for border churches

A STAFF REPORTER

Alarmed at the attack on Maliapota church in Nadia's Tehatta area, Christians called upon the administration to beef up security arrangements in front of all churches near the Indo-Bangla border area.

Talking to reporters at St Teresa's Church in Entally, members of Bangiya Christiya Pariseba (BCP), who had visited the spot on Friday, demanded the immediate posting of adequate police personnel to bring back a sense of security among the terror-stricken locals, priests and nuns of the Maliapota area.

Three days after the incident, in which a group of 40 armed border bandits stormed the Maliapota Catholic Church and went on a looting spree, taking about 1,200 devotees hostage, the local residents were gradually regaining confidence. They placed their grievances before the four-member BCP team which visited the church and spoke to the local people.

In the meantime, while addressing a rally at Amtala in South 24-Parganas, CPM state

secretary Anil Biswas said the incident was "not as serious as it was being reported to be".

"Police have already netted three of the culprits and the looted articles will soon be recovered," he said. Eight persons have been rounded up so far with one more arrest taking place on Saturday.

After visiting the place, the BCP team members said police inaction had helped the miscreants walk off scot-free. "Everyone was of the opinion that had the police mustered courage, they could have easily arrested some of the miscreants," said Herod Mullick, general secretary of the organisation.

The team also held a meeting with the inspector-general of police (south Bengal) N.R. Das. "The inspector-general to some extent admitted the allegation of police inaction. He assured us of taking proper action," added Mullick.

Mullick alleged that a member of the Maliapota church, Jeromio Mandal, was beaten up by the police that night when he had requested the constables of Boro Andulia outpost to come to

the church's rescue.

Father Sukumar Mandal, one of the priests beaten up by the armed gangsters, said a police team visited the church on Saturday.

"Additional superintendent of police Pallab Ghosh and the two officers-in-charge of Chapra and Tehatta police stations came here and told us to give a detailed description of the attack," said Mandal. "The police assured us that they would recover the looted articles soon," he added.

The police team on Saturday searched a paddy field adjacent to the church. "Possibly, the dacoits escaped through the field. Border Security Force personnel have been asked to seal the Sutia border, which is only three km from the church," said a police officer.

■ **Civic store burgled:** Burglars raided the central store-house of Calcutta Municipal Corporation (CMC) at Entally late on Friday and decamped with computer parts and floppies worth Rs 10,000. According to a complaint lodged with the Entally police, the thieves entered by breaking open a window. No arrest has been made.

29 DEC 2002

Gujarat 'experience' to be replicated

BJP remixes Modi mantra



Narendra Modi (left) and Atal Bihari Vajpayee at the BJP national executive meeting. (PTI, AFP)

KAY BENEDICT

New Delhi, Dec. 23: Buoyed by its resounding victory in Gujarat, the BJP today declared it would repeat the "experience" — if not the "experiment" — across the country.

Party president M. Venkaiah Naidu told the national executive that "if anybody asks us whether we would repeat the Gujarat 'experiment' elsewhere, our answer should be: Yes, we shall replicate our Gujarat 'experience' everywhere, because in Gujarat we have again proved to ourselves that collective work is the key to success."

Naidu's shying away from the word "experiment" possibly stems from the description of Gujarat as a "Hindutva laboratory" of the Sangh parivar by the party's critics. "Experiment", in their view, is an exercise to see if society could be divided completely along communal lines.

The party chief, therefore, spoke of "experience" — an inoffensive expression that he held up to mean complete unity of purpose among the various Sangh outfits: the RSS, the BJP, the VHP and the Bajrang Dal. Such unity was evident in Gujarat and Naidu appeared to indicate that this is what he meant when he said the Gujarat "experience" would be replicated in the nine states that go to polls next year and the Lok

Sabha elections in 2004.

Narendra Modi, who also attended the executive, said the "overwhelming" success in the election was an "ideological victory for the party". There was much harping on ideology. Party spokesman Arun Jaitley told reporters later that the election result "is an ideological victory" because "very rarely national polity is so clearly polarised in a state election" as was witnessed in Gujarat.

Polarisation of "national polity" — between the BJP and the Congress, if that is what Jaitley means — is simply the other side of the communal-divide coin.

Underpinning the unity of the parivar will be the "ideology" that the party says fuelled its victory run in Gujarat. According to the BJP, national security, the fight against terrorism and development form the trident of this "ideology", the first two of which Modi so successfully used to supplement his appeal to Gujarati *asmita* (pride).

Realising though that all of the Gujarat "experience" may not lend itself to replication in

the rest of the country, Naidu appealed for restraint to no one in particular, but he might have had VHP leader Praveen Togadia in mind.

"Today, I would like to make an appeal to those who speak in the name of Hindutva but whose pronouncements sometimes sound as if they are only reacting to the extremism and intolerance that has taken root across the border," Naidu said.

Calls for moderation from the BJP — if not insistence on its strict practice — to its parivar brothers form part of the strategy the party is expected to follow as the election build-up gathers pace. First, an overtly communal line, which the Togadia camp preaches, will not be palatable to the allies with whom the BJP has to run a family at least until 2004. Second, it may not be palatable to the rest of the country.

In Mumbai today, Togadia said the process of forming a Hindu *rashtra* would get an ideological thrust at Pune, where the VHP leadership is meeting from Wednesday.

"The process has started in Gujarat and the VHP will replicate the (Gujarat) experiment everywhere in the country, but of course in a democratic manner," Togadia said.

Naidu says 'experience', Togadia says 'experiment'. The two can coexist, as they did in Gujarat.

■ See Page 6

QUOTE

Yes, we shall replicate our Gujarat experience everywhere

VENKAIAH NAIDU

THURSDAY, DECEMBER 19, 2002

THE WRONG SIGNALS

10-10
19/12

APPARENTLY CARRIED AWAY by the landslide victory the BJP has won in Gujarat helped by a Narendra Modi crafted anti-Muslim campaign of hate, the Prime Minister, Atal Behari Vajpayee, has, yet again, allowed the 'swayamsevak' in him, representing the core element of his persona, to get the better of his constitutional position as the head of Government, whose responsibilities transcend communal barriers. The thrust of Mr. Vajpayee's remarks at the BJP's Parliamentary Party meeting on Tuesday provides a throwback to the speech he made last April at a party rally in Goa where, in a shocking change of his deprecatory tune, he not only endorsed Mr. Modi's outrageous 'action-reaction' theory (in a justification of the communal riots post-Godhra) but went to the extent of suggesting that the Muslims do not want to live in peace with people of other faiths. Witness, for instance, Mr. Vajpayee's taunting response to the widely shared apprehension about the almost certain prospect of the BJP trying to replicate the 'Gujarat model'. More specifically, his counter-question — "will Godhra be repeated elsewhere?" — and his by-no-means-subtle attempt to attribute the meticulously planned minority-targeted communal pogrom (carried out by the Sangh Parivar elements) to the alleged failure of the Muslims to condemn the Godhra carnage strongly enough. The message is clear: the minority community has virtually brought upon itself the massacre and trauma by not speaking up vehemently against the grisly Godhra episode wherein a number of Ayodhya pilgrims and kar sevaks perished. And this is a classic case — and a cruelly ironic one at that — of the very community that has been the victim of persecutive attacks being put in the dock.

There is, of course, a sequential linkage between 'Godhra' and the communal riots that swept across Gujarat for several days. But the harsh reality is that, long before 'Godhra' happened, the Sangh Parivar outfits have been running for several years a sustained and highly provocative campaign of hate against the religious minorities turning the State into a communal tinderbox, so to say. The fact that an independent group of distinguished citizens has found adequate hard evi-

dence to establish that the post-Godhra killings were not just 'communal riots' but a genocide or a crime against humanity also speaks volumes about the sort of atmosphere that had been built up assiduously and calculatedly over the years by the Hindutva forces through their vicious anti-minority campaign. Given this context, by attempting to place the onus for the Gujarat happenings on the minority community (which has been at the receiving end) — when he ought to be, in fact, condemning the VHP, the Bajrang Dal and other affiliates of the RSS that have had a direct hand in the pogrom — Mr. Vajpayee has shown himself to be unapologetically partisan and in a manner that does little credit to the lofty constitutional office of Prime Minister. Even his reported advice to Mr. Modi — that he make a "new beginning" by carrying along with him even those who were opposed to the BJP — sounds more like what an indulgent parent tenders to a spoilt child than an admonition, much less a warning of the 'mend yourself or else...' variety. It is also singularly devoid of any specific directive on ensuring communal harmony and healing the wounds of the minority community.

What makes Mr. Vajpayee's anti-minority slant in his latest Godhra-related observations particularly worrying, coming as they do from one who is charged with the responsibility of upholding the rule of law, is the current political context where the 'war cry' of the Hindutva forces has acquired an alarmingly shrill tone in the wake of the 'success' of the so-called 'Gujarat experiment'. Apart from what the BJP leadership has been saying about crushing the 'pseudo-secularists', there are the likes of Praveen Togadia who are preposterously brazen about executing the majoritarian communal agenda. Mr. Togadia, for instance, has warned of the Hindutva opponents getting the "death sentence". And all this within a few days of the Gujarat poll results being out and with a new Modi Government yet to assume office. Mr. Vajpayee has certainly not sent the right signal of reassurance to the religious minority community by his patently Hindutva-friendly stance vis-a-vis Godhra and on what next after the Gujarat poll.

Muslim response to Godhra was soft: Vajpayee

TIMES NEWS NETWORK

New Delhi: Striking an upbeat tone at a BJP parliamentary party meeting to celebrate the landslide election victory in Gujarat, Prime Minister Atal Bihari Vajpayee sought to parry public fears about the Gujarat "experiment" being repeated in other states by asking whether Godhra would be repeated elsewhere.

According to party sources, Mr Vajpayee said that the Muslim community had not condemned the Godhra carnage strongly enough.

"People are asking whether the Gujarat mantra will be repeated elsewhere in the country. My question to those people is: 'Will Godhra be repeated elsewhere?'" the PM asked. It was in this context that the PM criticised the Muslim community for not adequately condemning the Godhra incident.

The PM, party spokesperson V.K. Malhotra said, stressed that the BJP had won Gujarat not because of communal polarisation following the violence there— as was being suggested by the Congress—but because of the government's efficient tackling of the drought and water crisis, something much appreciated by the people.

After all, he said, there had been no communal tension in Rajasthan or Jharkhand, yet the BJP had won all the four by-elections there. The message of Gujarat and the other by-elections, he underlined,

was that the people did not want the Congress any more. This meant the responsibility of the BJP had grown and so the party must work harder to create "a harmonious society where there were no differences".

Analysing the results, deputy Prime Minister L.K. Advani said the people of Gujarat had felt insulted by the concerted attack on Narendra Modi and had, therefore, voted overwhelmingly for the BJP. Attacking the Congress and the media for its "poisonous" propaganda against the BJP which had boomeranged, he said that it was the first time a political party had campaigned against another abroad— something, he said, that he and Mr Vajpayee had never done when they were in the opposition. Mr Advani stressed again that the party need not be apologetic about its philosophy.

Mr Naidu announced that the Prime Minister's birthday—December 25—would be celebrated as Vikas and Vijay Diwas and the celebrations would continue till January 12 across the country.

Comment: Many eminent Muslim organisations and personalities had immediately issued statements strongly condemning Godhra, and these were carried prominently in the press, including 'The Times of India'. The PM should not make allegations which are incorrect and which reflect poorly on the majesty of his office.

19 DEC 2002

THE TIMES OF INDIA

10-10
10/12

POLITICS OF TERROR

9-nov-2002

WHEN ASHOK SINGHAL described Godhra and the riots that followed as an 'experiment', which in his opinion had been a grand success and needed to be replicated elsewhere, most people were deeply disturbed; even though they thought he meant only that Hindus need have no qualms about defending themselves. The Prime Minister, Atal Behari Vajpayee, and others have been endorsing this line in their pre-election tours of Gujarat, with statements that 'we' can, should and will respond if attacked; while staying clear of the Election Commission's guidelines by leaving the pronoun undefined. In fact, however, the VHP leader was addressing a much larger 'problem'. To fully understand the meaning of his statement, one has to look at the whole thing in a strategic rather than tactical sense.

Thanks to the turbulent phase of casteist politics which preceded the Hindu resurgence, or reaction — as the case might be — many people saw Hindutva as a unifying force. However, since this alliance had been cobbled together to give casteist forces something else to chew on, since the rallying cry was for all Hindus to unite against the common enemy, every BJP leader worth his salt knew that friction would in fact increase rather than decrease in the long run. To begin with, at any rate, the nation would be torn further apart, rather than brought together. The salience of caste divisions would anyway have fallen off as rapid urbanisation continued, and with it the spread of urban influences into the hinterland. But urbanisation would hardly make a dent on the Hindu-Muslim problem, which the 'anti-Muslim' movement could be counted on to exacerbate. Ideologues had a ready answer. Some were more candid, some less, but between them they managed to rally people behind the idea of 'taking care of the (?) problem, once and for all'. The game plan was to drive a wedge between Hindus and Muslims, in the country as a whole — so as to increase combustibility in an ever-

larger 'catchment area'. Afterwards, a steady stream of provocations, whether or not intended as such, whether triggered by outside forces or not, would suffice to provoke anti-Muslim violence. When and where did not matter very much. Action would be followed by reaction and as threat perceptions increased, so would support for the BJP. Since a similar process would be set in train among Muslims, the threat to both Muslims and Hindus would become ever more real. Quixotically, Hindu radicals believe that this very thing will eventually bring about a happy ending; as Muslims begin to painfully realise that, even if outside support is freely available, only silent submission can bring peace to their lives, not violence. It is this logic that L. K. Advani and others peddle when they tell Muslims that they will be 'safer with the BJP'.

The end result is that we must prepare ourselves for increasing violence in the years to come if, whether on account of success or failure, the BJP moves towards more muscular varieties of Hindutva. Violence will spread and intensify if the party has its way, especially as it turns on rural and semi-urban areas that have so far escaped its attention (which is one reason why it is safer to have Congress Governments at the State level). Finally, there will be a sharp increase in extra-judicial killings as policemen and others increasingly take the law into their own hands. It has for long been argued that no viable alternative is available, because of the nature of the ground realities, in the courts and outside them. This line of thought got a boost when the U.S. President, George W. Bush, gave Israel's Premier, Ariel Sharon, a free hand in dealing with the 'second intifada', which the latter had needlessly brought upon himself in a fit of foolishness or bravado as the case might be. Human rights were put on the backburner at that time; and now, after 9/11, they have disappeared from view altogether. In Kashmir; and elsewhere as well.

PM mum on Godhra, disappoints crowd

Kamlesh Trivedi
BARODA 7 DECEMBER

In his first address to the people of Gujarat, where elections will be held next week, Prime Minister Atal Behari Vajpayee not just disappointed his own party but also the nearly one-lakh supporters in Baroda. Mr Vajpayee did not mention a word on Godhra, which many among the BJP hard-liners believed would become the decisive factor in the next elections.

The Prime Minister not just avoided the controversial Godhra issue, but also refrained from making any comment on

the communal riots, which engulfed the entire state following the Godhra massacre.

All that the Prime Minister uttered on the riots was that these were unfortunate incidents and he was happy that normalcy had returned to the state. In his first ever election speech in Gujarat, Prime Minister Vajpayee appealed to the people of Gujarat to vote the BJP back in power for the peace and prosperity of the state. He also came out in full support of chief minister Narendra Modi and asserted that there should be no dispute over religion. The Prime Minister just touched on various issues. The

said Gujarat had made more progress in comparison to other states and so the Centre had responded in the appropriate manner. Echoing the views expressed by caretaker chief minister Narendra Modi, who came to the dais before the Prime Minister, Mr Vajpayee said Gujarat was far ahead of other states, including neighbouring Rajasthan and Madhya Pradesh.

Instead of addressing core issues, Mr Vajpayee dwelt on the progress made on the literacy front. He talked more of major achievements of his government at the Centre — which ranged from the Jammu & Kashmir elec-

tions to nuclear bombs — rather than the state BJP which is struggling to remain afloat in the next elections.

Addressing a gathering of over one lakh people at the polo grounds in the middle of Baroda city, Mr Vajpayee said: "Our neighbouring country is making every possible effort to create problems for us because it does not want us to live peacefully."

Terrorism has no boundaries, the Prime Minister said. It has spread right from Moscow to Bali to Akshardham in Gujarat, he added.

Mr Vajpayee left Baroda after his nearly 40 minute speech for Jamnagar.



Atal Bihari Vajpayee

KALAM URGED TO ENSURE RECONSTRUCTION OF MASJID

Babri demolition anniversary passes off peacefully

9. Minister
HD-1

7/12

By J.P. Shukla

AYODHYA, DEC. 6. The tenth anniversary of the Babri Masjid demolition was marked more by the elaborate security arrangements by the administration to maintain peace rather than by any obvious efforts by community leaders to rouse emotions. Announcements made to observe the occasion as "black day" and "Shaurya Divas" by the rival camps appeared more for public consumption than any show of emotion on the ground level.

Divided opinion on sighting of moon resulted in confusion over the celebration of Id today. While the Wahabis and Shias celebrated the festival with Id prayers in their mosques, for the majority of the Sunnis, today was the last Friday of the month of Ramadhan and Id would be celebrated tomorrow. Both Shias and Sunnis, however, protested the demolition of the Babri Masjid on December 6, 1992 in their own way.

According to the convener of the Babri Masjid Action Committee, Faizabad, Mohd. Yunus Siddiqui, the community leaders had decided to register their protests irrespective of the fact whether the Id fell on December 6 or not. Guided by the decision of the local Sunni Imam, his community would be celebrating Id tomorrow. All shops in the city belonging to Muslims however remained closed till noon and the Namaz of Alvida was offered in the afternoon. A memorandum addressed to the



Muslims downed shutters in Faizabad on Friday to mark the 10th anniversary of the demolition of the Babri Masjid. Security personnel stand guard in front of the shops. — Photo: Subir Roy

President by the Muslim leaders said that the Babri Masjid demolition was the worst terrorist activity of communal forces during the last century. The passion aroused in its wake was later used to gain control over the Central Government. Efforts were now being made to repeat the experience to gain political control over Gujarat, the memorandum said.

Mr. Siddiqui said Muslims

would continue to observe December 6 as "black day" till the Babri mosque was reconstructed.

At karsevak puram in Ayodhya, the nerve centre of the Sangh Parivar, "Shaurya Divas" was observed in the form of a 'Hindu Dharma Raksha Sammelan'. Addressing a gathering on the occasion, the Ramjanma Bhoomi Trust chairman, Paramhans Ramachandra Das, re-

iterated the VHP resolve to construct a "grand" Ram temple at the disputed site. Construction material for the temple was in place and the real construction could begin any time during the next one and a half years, he said.

Ayodhya and Faizabad remained inside a strict security cordon, with armed forces checking vehicles and frisking individuals at important points.

THE HINDU

7 DEC 2002

MONDAY, DECEMBER 2, 2002

TRIAL AND ERRORS

2/12 ✓
ALTHOUGH THE BABRI Masjid was brought down ten long years ago, a slew of legal and procedural issues held up the trial of the Union Ministers, L.K. Advani and Murli Manohar Joshi, and a few other Sangh Parivar leaders accused for their role in the demolition. Now, the Supreme Court's recent ruling has raised several crucial questions about the course this politically significant case will take. The Court's decision that the trial could take place in the Rae Bareilly special court as decided by the Mayawati Government in effect appears set to delay the case much further. For one, there is the likelihood that the whole process will have to be gone through all over again, beginning with the filing of a fresh chargesheet. For another, the prosecuting agency is the CBI which, despite its statutory autonomy on criminal matters, now functions under a Central Government that — to grossly understate the point — is not exactly keen on expediting the case.

The charges framed against Mr. Advani, Mr. Joshi, Uma Bharti and others have been done by a sessions court in Lucknow and been upheld by the Allahabad High Court. Ironically, they may have to be framed all over again by a Rae Bareilly special court of lower judicial ranking. But the significance of this goes beyond such legal nuances or ironies. The ball is now in the CBI's court and, not surprisingly, there are serious apprehensions about how the investigative agency will conduct itself in this matter. How quickly will the CBI file a fresh chargesheet? Will the chargesheet be as watertight as possible, free from lacunae that could be exploited by the accused? Will the best case for the prosecution be made out during the trial? It is on such questions that the CBI will be judged — an assessment that will determine whether it has exercised its statutory autonomy (conferred by the Supreme Court) or whether it has played to the tune of the political establishment. Needless to say, it would be unpardonable if a case of such enormous sig-

nificance were allowed to be derailed by either extraneous manipulation or pressure.

The case would never have had to be tried all over again at Rae Bareilly if it wasn't for a procedural flaw, which eventually led the Allahabad High Court last year to set aside the charges framed against Mr. Advani and seven others accused in this case by the Lucknow special court. The flaw had nothing to do with the substance of the prosecution's case but lay in failing to seek the prior concurrence of the High Court before sending the chargesheet to the CBI special court for trial. As a result, the Uttar Pradesh Government's 1993 notification assigning the trial to the Lucknow special court was quashed. While quashing the notification, the Allahabad High Court made it more than clear that the defect was "curable" and the Uttar Pradesh Government could issue a fresh notification to prosecute those who were reprieved. Cynically, but perhaps not surprisingly, the Rajnath Singh Government which was then in power made it quite clear it would not issue a fresh notification.

Following the State Assembly election, the Chief Minister, Mayawati, who is propped up by the BJP, adopted the same position. But her Government issued another notification appointing a special judge at Rae Bareilly to try the case. It is ironic that Ms. Mayawati should now interpret the Supreme Court's ruling as a vindication of her Government's position. It was only last year, at a time when she was not allied to the BJP, that she had loudly clamoured for a fresh notification to be issued so that the trial of the eight accused could continue. Her change of heart is another example of how the Ayodhya case has become a victim of the politics of expediency. Ms. Mayawati's stance, that the CBI is free to file a fresh case at Rae Bareilly if it wishes, has pushed the case to the very point where it started. It has contributed to the state of affairs in which a case of enormous significance has been (at best) further delayed or (at worst) sent into a limbo.

2 DEC 2002

THE HINDU

Godhra finds no mention in BJP manifesto

TIMES NEWS NETWORK AND
AGENCIES

Ahmedabad: The BJP will not be playing the communal card in the Gujarat assembly elections—officially. The party's manifesto released on Sunday completely skirts the Godhra incident, the subsequent communal violence as well as the Akshardham attack.



Narendra Modi

But the nomenclature of the various projects the party has promised to implement makes interesting reading. Take for instance the 'Sudarshan suraksha kavach', or security shield, that the party has promised to establish by training youth to counter terrorism. Or the 'Shaktigram' project to enhance security by developing border regions.

The 15-page manifesto, titled 'BJP, Saviour of five crore Gujaratis', lays stress on "cultural nationalism" even as it proposes to bring madrasas under the government scanner and promises a "law for religious independence" to ban forced conversions. It also promises to deny permission for new slaughter houses and close down existing ones within 10 km of pilgrim centres.

At the same time, the party promises to increase self-employment opportunities for the minorities and launch a movement to raise their education levels.

"In order to ensure that the development of the children who study in madrasas, which are increasing by leaps and bounds, is consistent with Gujarat's development in the 21st century, a detailed study will be conducted and effective steps will be taken," it says.

It also promises one-way second class rail fare for Amarnath and Kumbh pilgrims and to develop the backward-class religious

places of Zanzarka, Phagvel and Datar—from where chief minister Narendra Modi's gaurav yatras had taken off.

For 'moral upgradation of the youth', the party proposes a 'Bajrang yuva utkarsh' apart from promising to encourage 'Mirabai bhajan mandalis'. Besides, it talks of establishing a Sanskrit, a yoga and an ahimsa university.

The BJP also promises a 'Jalabhishek' project to solve the state's water problem, a 'Vidyalakshmi' project to give Narmada bonds to girls seeking primary education, a 'Vidyadeep' project for students' group insurance, a 'Ganga-Jamuna' project to prepare science students to study English, a 'Sanjivani' insurance shield to cover non-tax paying private employees, a 'Dhanvantri' ayurvedic package for incentives to the ayurveda medicine industry, an 'Indraprastha' project for urban development, and a 'Shakti-doot' sports project and 'Riddhi-Siddhi' and 'Gopighar' projects for women's employment.

When asked about the absence of the Godhra incident in the document, the chief minister said, "No political party pledges to enact riots in a manifesto. There is only a resolve to give security. It is unfortunate that the riots have not gone away from the minds of some people who are interested in keeping Gujarat aflame. We will not allow that."

He also said that the Godhra attack and the post-Godhra riots—the two basic issues in his recent poll speeches—had not been mentioned as the manifesto provided for a "package" to tackle the problem of terrorism.

Congress' chief publicist for the state R. Desai said, "The very fact that there is no mention of Godhra but it concentrates on development exposes the party's double-speak. We wanted to corner them on development. The manifesto suggests we have won."

2 DEC 2002

U.P. NOTIFICATION ON AYODHYA REVEALED IN SC

Advani, others to face trial in Rae Bareilly court

By J. Venkatesan

NEW DELHI, NOV. 29. The Mayawati-led Government in Uttar Pradesh today informed the Supreme Court that a special court had been set up at Rae Bareilly for reviving the 'Ayodhya Babri Masjid demolition case' involving the Union Ministers, L.K. Advani, Murli Manohar Joshi, Uma Bharti, and five Vishwa Hindu Parishad leaders.

Accepting the submission made to this effect by senior counsel, K.K. Venugopal, appearing for the U.P. Government, a three-judge Bench, comprising the Chief Justice G.B. Pattanaik, Justice K.G. Balakrishnan and Justice Arun Kumar, dismissed a special leave petition challenging the judgment of the Lucknow Bench of the Allahabad High Court quashing charges against Mr. Advani and others.

With this, the 10-year-old case in which the VHP leaders, Ashok Singhal, Giriraj Kishore, Vishnu Hari Dalmia, Vinay Katiyar and Sadvi Ritambara, have also been cited as accused, has been revived and they would have to face fresh trial.

Soon after the demolition of the Babri Masjid on December 6, 1992, two FIRs were registered, viz. 197/92 (without naming the 'kar sevaks') and 198/92 (against Mr. Advani and seven others).

The U.P. Government in consultation with the High Court issued a notification on September 9, 1993 transferring the crime no. 197/92 to a special CBI court. But as crime no. 198/92 was not covered by this notification, an executive order was issued on October 8, 1993 for transfer of this case also and till February 2001 trial in both the

crime numbers proceeded in the same court.

The special court framed charges against 47 persons in the first FIR and Mr. Advani and seven others in the second FIR. But on revision, the High Court by an order in February 2001 quashed the charges against Mr. Advani and others on the technical ground that the transfer of the case was made without consulting the High Court and hence it was illegal. As a result, the trial continued only against the 47 persons.

Mohd. Aslam Bhure filed a special leave petition in the Supreme Court against the High Court judgment for a direction to the U.P. Government to issue a fresh notification for reviving the case against three Union Ministers and other VHP leaders.

Two other petitions were filed by noted journalist Kuldip Nayar, Rajya Sabha member, and Society for Justice, a non-governmental organisation, challenging the order of the Lucknow Bench of the Allahabad High Court seeking the same relief.

The petitioners contended that the High Court had quashed the framing of charges and the trial on the basis of minor technicalities and this could not be allowed to trample upon the rule of law and the course of justice.

In its response, the U.P. Government said "when there is already a special court created at Rae Bareilly for the case crime no. 198/92, fresh notification creating another special court at Lucknow for trial of the accused in that case "does not arise as the trial can be made by the competent court and the CBI is free to start the proceedings before the competent court according to

law". O.P. Sharma, senior counsel for Mr. Bhure, contended that the matter had been hanging fire for the last nine years and argued that the cases were now being transferred to a "non-existent" court at Rae Bareilly.

When the Bench indicated that it would issue a direction to the Allahabad High Court asking it to explain the position, Mr. Venugopal produced a notification issued by the High Court in consultation with the State Government on September 28 appointing a special judge at Rae Bareilly for trying the offences in crime no. 198/92.

(Observers note the coincidence that Mr. Advani happened to be in Lucknow that day, putting in an appearance at a massive BJP rally.)

When Mr. Sharma insisted that the trial should be held only in a special court in Lucknow, the Bench, disposing of the petitions, said "this is a matter in which the Government in consultation with the High Court had issued a notification to establish a special court at Rae Bareilly for trying the offences in crime no. 198/92. No person, much less the petitioners in public interest, can claim for a special court at a special place for the trial of a case".

Counsel, who were surprised at the sudden turn of events, told the Bench that their only anxiety was that the trial should be revived and it was immaterial in which place it was held.

When counsel for the petitioners requested the court to order expeditious trial of the case, the Bench asked them to move the High Court for necessary relief.

THE HINDU

3 0 NOV 2002

SC clears decks for Advani Ayodhya trial

HT Correspondent
New Delhi, November 29

THE SUPREME Court today cleared the decks for reviving the Ayodhya cases against Deputy Prime Minister LK Advani, Union Ministers Murli Manohar Joshi and Uma Bharti and five senior Sangh Parivar leaders by settling a controversy over where they should be tried.

The court upheld the Mayawati Government's decision — taken in consultation with the Allahabad High Court — that the cases should be tried by a special court at Rae Bareilly in Uttar Pradesh.

A bench of Chief Justice GB Pattanaik, Justice KG Balakrishnan and Justice Arun Kumar rejected a bunch of applications seeking the trial of the eight accused at a special court in Lucknow.

The Supreme Court order means that the CBI will now



have to begin the entire process all over again at the Rae Bareilly court. Senior counsel for the Uttar Pradesh Government, KK Venugopal, denied that this was a setback to the trial of the accused, who include VHP leaders Ashok Singhal, Vishnu Hari Dalmiya, Giriraj Kishore and Sadhvi Rithambhara and UP BJP president Vinay Katiyar.

The controversy over which court has jurisdiction over the cases arose after the Allahabad High Court, on February 12 last year, dropped charges against

the eight accused by holding as defective the Uttar Pradesh Government's 1993 notification constituting a special court at Lucknow to try the cases.

The High Court said the Government could remove the defect in the notification to pave the way for the trial. But the then UP Government, headed by Rajnath Singh, refused to issue a fresh notification to revive the trial.

On September 28 this year, the Mayawati Government assigned the trial to the special court at Rae Bareilly.

Riot probe accuses Modi of genocide

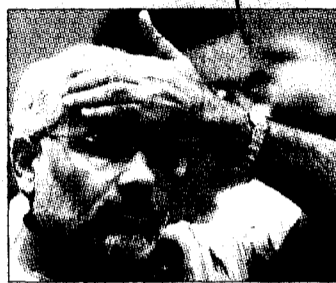
TIMES NEWS NETWORK

Ahmedabad: In the worst indictment of the state government since the communal riots broke out in February, the Concerned Citizens' Tribunal (CCT) headed by retired supreme court judge Justice Krishna Iyer on Thursday released a comprehensive report on the "genocide" in which over 1,000 people were killed.

Charging the state government with complicity in the violence, the report says, "The post-Godhra carnage in Gujarat was an organised crime perpetrated by the state's chief minister and his government." It also names the state chief secretary, home secretary and director general of police as "accused" in the eyes of the victims.

The report is likely to be submitted to President A.P.J. Abdul Kalam in New Delhi on Friday.

Although the report has not spared anybody, including the media, secular outfits and the Centre, chief minister Narendra Modi has come in for special mention. In the chapter 'State Complicity', the report has described him as "the chief author and architect of all that happened in Gujarat after February 27". Apart from indicting him for the violence, the report has also accused him of refus-



The Concerned Citizens' Tribunal says the post-Godhra carnage in Gujarat was an organised crime perpetrated by the chief minister and his government

ing relief and rehabilitation to the victims. Titled 'Crime Against Humanity', the report runs into two huge volumes, having based itself on as many as 2,094 statements.

Senior advocate and CCT member K.G. Kannabiran said, "The report is comprehensive enough for any cen-

tral agency to file chargesheets against everybody from Narendra Modi downwards." Justice (retd) H. Suresh and Justice (retd) P.B. Sawant, two other members of the tribunal, also spoke to the press.

The tribunal observed that there was still an element of mystery as to how the Sabarmati Express compartment had caught fire at Godhra. "It is clear that the fire was lit from inside, but who did it is still not clear," Justice Suresh said. The report alleges that "VHP and Bajrang Dal activists have been trained to target Muslims and the Godhra incident provided them an opportunity". It says, "The uniform pattern of violence in Gujarat the day after the Godhra incident showed that the killings were pre-planned."

Mr Kannabiran said, "This is a clear case of genocide. There was military planning and precision behind the attacks." The shifting of the bodies of Godhra victims to Ahmedabad the same night, Mr Modi's statement that the attack had been planned by the ISI and the bandh call given by the VHP and supported by the BJP the next day are "evidence of a well-thought-out scheme to extract maximum political capital out of Godhra", the report says.

THE TIMES OF INDIA

22 NOV 2002

RSS shadow over Maneka's unceremonious transfer

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SANJAY SINGH
STATESMAN NEWS SERVICE

NEW DELHI, Nov. 20. — Was Mrs Maneka Gandhi abruptly shifted from the culture portfolio to appease Mrs Sonia Gandhi against whom she had launched a public tirade, or was it to pacify the RSS which had objected to certain moves by the culture ministry?

An aggrieved Mrs Maneka Gandhi is yet to figure out what caused her unceremonious shift to the inconsequential ministry of statistics and programme implementation. She is now weighing her strengths and the options available, in-



Mrs Maneka Gandhi: Aggrieved

cluding fielding her own candidates in certain segments in

the coming Uttar Pradesh Assembly elections.

Her close supporters feel that the blacklisting and the ordering of an inquiry against a Gwalior-based author who is said to be a relative of the Prime Minister, Mr Atal Behari Vajpayee, may have brought about her shift. Mrs Maneka Gandhi is also said to have rubbed the RSS on the wrong side by proposals such as that of holding one MF Hussain exhibition at the National Gallery of Modern Art.

The supporters further claim that while taking action

■ See MANEKA: page 8

THE STATESMAN

21 NOV 2007

Unwholesome Elements Have No Place In Political Hindutva: Advani

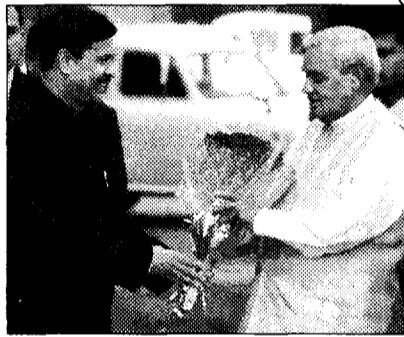
Opposition attacks Modi govt

Our Political Bureau
NEW DELHI 18 NOVEMBER

THE Opposition on Monday attempted to let off its steam over Gujarat in the Lok Sabha against the Narendra Modi government by moving an adjournment motion, but in the process gave the BJP opportunity to aggressively defend its government in Gujarat and to elaborate its election theme that a Hindu bashing is on in the state under the camouflage of concern for secularism.

The motion, which was negated through a voice vote at the end of a six hour-long debate, saw the two sides moving along expected lines — while the Opposition charged the BJP with fanning communalism for electoral games, the BJP countered that the situation has been largely a making of those who practice pseudo-secularism.

Mr L.K. Advani, who replied to the debate, maintained that the situation in the state was very much under control and that the elections would provide opportunity to discuss tangible issues. "The Prime Minister has said the election should be fought on constructive issues. The chief minister has said he would



Good Luck: Prime Minister A.B. Vajpayee receives a bouquet from parliamentary affairs minister Pramod Mahajan on his arrival at Parliament on Monday. — AFP

campaign on the achievements of his government. He has talked about an educated Gujarat. Let's all talk about the future of the state," he said.

The deputy prime minister, who sought to allay the apprehensions of his political rivals, said the government was committed to free and fair polls in the state. Responding to the

charges that elements within the saffron परिवार like the VHP are trying to vitiate the atmosphere, the deputy prime minister said the chorus of concern from the Opposition ranks had to do more with politics. At the same time, the deputy prime minister maintained that unwholesome elements have no place for the political Hindutva fashioned by his party. The debate saw Mr Advani stridently criticising the Opposition for reducing Hindutva to a slur word even after the concept had been validated by no less a body than a Supreme Court. The deputy prime minister reminded the Opposition benches that those who found nothing amiss about Hindutva included the NHRC chairman J.S. Verma, who penned the Hindutva judgment. Justice Verma, in his capacity as the chief justice of India, had scripted the verdict which rejected the depiction of Hindutva as a communal/divisive concept.

While maintaining that the communal riots and the killing of innocent people earlier this year in Gujarat were a "blot" on the NDA government, Mr Advani rejected the Opposition charge that minorities in the state were not safe.

19 NOV 2002

The Economic Times

TOGADIA HELD, LET OFF ON BAIL; SITUATION PEACEFUL

Gujarat Govt. thwarts VHP's 'vijay yatra'

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By Manas Dasgupta

AHMEDABAD, NOV. 17. The much talked-about "vijay yatra" by the Vishwa Hindu Parishad (VHP) for the re-establishment of a "Hindu rashtra" was thwarted by the Gujarat Government today with the parishad leaders courting arrest here and in Godhra and no one being allowed to take out processions anywhere else in the State.

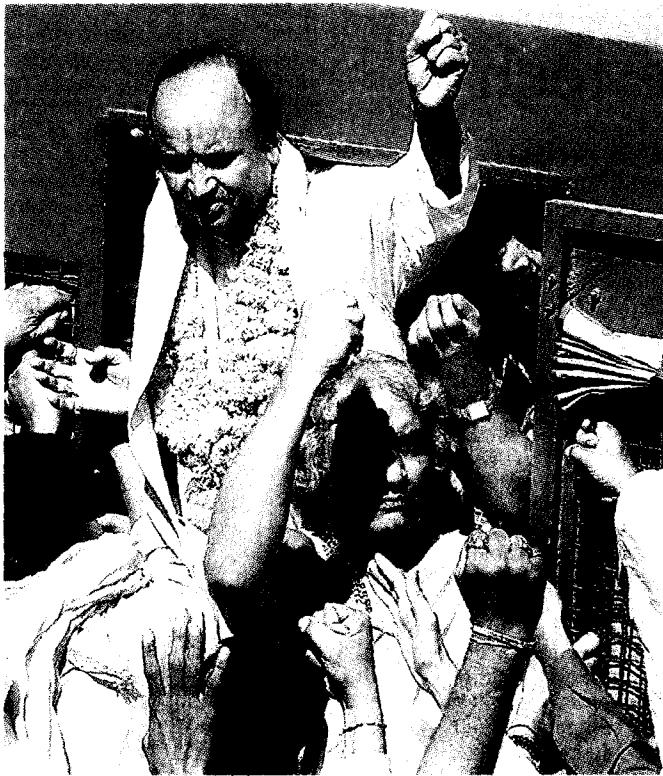
The VHP international general secretary, Pravin Togadia, and the chief of the Sant Margdarshak Mandal, Acharya Dharmendra Maharaj, who were to lead the yatra from Godhra, were allowed to perform the "paduka puja" (sandals of Guru Ramdas) at "Somnath Temple" in the labour-dominated Bapunagar locality here and were put under arrest as soon as they came out of the temple complex.

Along with the two, 43 VHP activists also courted arrest. All of them were produced before the magistrate and were released on bail some four hours later.

In Godhra, the show turned out to be a damp squib. It was business as usual and most of the shops and market places were open though it was a Sunday.

Many of the local people reportedly refused to be pressured by the VHP into joining the "yatra".

Some 100 VHP activists, including the Panchamahals district secretary of the Parishad, Ramesh Thakore, attempted to take out the yatra but were un-



The VHP leaders, Pravin Togadia and Dharmendra Maharaj, shouting slogans after they were arrested in Ahmedabad on Sunday. — PTI

successful. With the venue of the proposed "dharma sabha" completely cordoned off since morning, no one was allowed on the ground.

VHP activists hiding in some houses in the nearby areas suddenly came out on the streets at 3 p.m. but even before they could proceed to the meeting venue, they were arrested.

Besides Mr. Thakore, others arrested in Godhra included

the local BJP MP, Bhupendra-sinh Solanki, and the Bajrang Dal State unit chief, Haresh Bhatt.

According to the IG of Police, Vadodara range, Deepak Swaroop, 60 people were arrested in Godhra and later released on bail.

Police acted firmly in dealing with the threat of the "yatra" and the day passed off peacefully without any dis-

turbances in any part of the State. Entry into Panchamahals district was sealed with police checking all vehicles.

The arrests, both in Ahmedabad and Godhra, were made for violation of ban orders.

A posse of police was posted at the 'Somnath Temple' following the last minute decision by the VHP to hold the "paduka puja ceremony" before leaving for Godhra.

Some 200 "Ram sevaks" and a handful of "sants" kept chanting "Ram dhun" outside the temple complex from morning. A few of them were detained earlier for refusing to switch off the loudspeaker. The public address system, however, was allowed after Dr. Togadia and the acharya arrived and briefly addressed the gathering before their arrest.

Both Dr. Togadia and the acharya appealed to the people not to get provoked by their arrest which "our own police" were "forced to carry out under orders from the Chief Election Commissioner (CEC), J.M. Lyngdoh."

They also assured the police of "protection" from the people if they did not "exceed their brief" and attacked the VHP activists.

The police had kept vans ready and the VHP activists, including the two leaders, climbed into them after they came out of the temple complex on a "bhavani rath", a jeep decorated with VHP festoons which was supposed to lead the yatra from Godhra.

Immediately after their release, Dr. Togadia told newsmen that the VHP would hold a meeting tomorrow to decide its "future course of action."

He gave enough hints to indicate that the VHP would make repeated attempts before the Assembly elections to launch similar programmes.

'Match-fixing'

UNI reports from New Delhi: The Congress today described as "match-fixing" the developments leading to the arrest of Dr. Togadia and Acharya Dharmendra while they were proceeding towards Godhra. "The whole show was a drama," Jaipal Reddy, chief spokesman for the Congress, said.

Expressing satisfaction at the "yatra" being prevented by the Gujarat administration, Mr. Reddy said, "I knew that the VHP and the BJP would not come into confrontation with each other."

The BJP justified the arrest saying it was all a question of law and order. The BJP vice-president, Pyarelal Khandelwal, said the party had nothing to do with the "yatra".



Paramilitary troops standing guard in front of the Vishwa Hindu Parishad rally platform in Godhra on Sunday. — AFP

Togadia banned in Godhra

STATESMAN NEWS SERVICE

GANDHINAGAR, Nov. 16. — The authorities today banned the entry of VHP leader Dr Praveen Togadia to Godhra and deployed RAF personnel at the venue from where the VHP plans to take out its *yatra* tomorrow.

Prohibitory orders under Section 144 CrPC have been clamped on Panchmahal district. "We will arrest them (Acharya Dharmendra and Dr Togadia)... if they try to reach Godhra," Mr BN Damor, additional collector, said over telephone.

But Acharya Dharmendra, accompanied by Dr Togadia, said at a press conference in Ahmedabad that the decision to take

out the *Padshahi Yatra* was "irrevocable" and that it "would be carried out as scheduled." He came down heavily on the Chief Election Commissioner and even targeted the Prime Minister who, he said "has lost the trust of Hindus and Hindu saints".

He said VHP leaders and *sadhus* would leave for Godhra after a *puja* at Somnath Temple in Vijay Chowk, Ahmedabad. He refused to furnish details of the route they would take to Godhra.

Panchmahal district collector Mr Manoj Aggrawal said the Science College ground in Godhra from where the *yatra* is to begin is under police control and VHP workers have been evicted from there. All entry points to

the district are being monitored. There are indications that VHP leaders will be taken into custody in Ahmedabad after the *puja*. If this doesn't happen, they will be arrested when they try to enter Panchmahal.

When told of the prohibitory orders, Acharya Dharmendra said: "We will not break the law, but taking out the *yatra* and organising a *Dharam Sabha* is a democratic right."

He did not blame Mr Narendra Modi, saying: "Modi is just a caretaker chief minister. All the powers are with the CEC." Mr JM Lyngdoh, he said, "is a constitutional blackmailer". "He is nothing more than a puppet in the hands of the Vatican."

VHP rejects PM's plea to abort yatra

TIMES NEWS NETWORK

New Delhi: With the Vishwa Hindu Parishad rejecting out of hand Prime Minister Atal Behari Vajpayee's appeal that it should cancel its provocative 'vijay yatra' in Gujarat, the stage is set for a confrontation between the Centre and the Sangh Parivar.

Taking serious note of the VHP's decision to defy the Election Commission's order on the yatra, the PM had on Friday afternoon issued a statement asking "all organisations" to honour the EC's decision. Within hours, however, VHP leader Pravin Togadia announced in Ahmedabad that the organisation would go ahead with its planned yatra from Sunday.

Mr Togadia had on Thursday criticised the CEC for acting at the behest of the Congress. Even the BJP had come out in support of the VHP's "democratic right" to go ahead with the yatra.

But the PM said in his statement, "The government of Gujarat has done the right thing by acting as per the directive of the Election Commission to prohibit religious processions in the state ahead of the assembly elections. I appeal to all organisations to honour this directive issued by the constitutional authority and help the state administration in discharging its duty."

That the PM decided to issue a special statement, indirectly reprimanding the Sangh Parivar and his party for confronting a constitutional authority, suggested that he had taken serious note of the VHP's and BJP's belligerent stance. In fact, the PM went a step further and even gave an interview to a TV news channel, reiterating his disapproval of the VHP's plan blatantly to inflame communal passions in the run-up to the Gujarat election.

But in a sharp reaction to the PM's statement, Mr Togadia announced in Ahmedabad, "We are ready to face any consequences. We will go ahead with it and there is no change in the yatra programme." Regarding the PM's advice that Godhra should not be made an election issue, the VHP leader replied, "Godhra is the heart of Hindutva and it is impossible to forget the gruesome carnage there. Godhra is a part of the issue."

"I expect the PM to safeguard the basic fundamental rights of Hindus and not succumb to pressure from secular forces," he added.

Mr Vajpayee, on his part, disagreed with the BJP's criticism of the EC's decision and was equally disapproving of his party's attempts to seek political mileage from the Godhra incident and the subsequent violence that had ravaged Gujarat.

THE TIMES OF INDIA

16 NOV 2002

The minorities case

By Rajeev Dhavan

The biggest muddle appears to be on the effect of state funding... A grant to a minority educational institution does not alter its raison d'etre to serve its own community.

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15/11

IMPORTANT CASES are not to be decided in this way. K.M. Munshi's prediction to the Constituent Assembly that one day 11 judges would decide minority education related issues was guesswork not prescient wisdom. At that time, 11 judges were not contemplated for the Supreme Court. But, 11-judge Benches are not devised to rush through proceedings, deny equitable rights of argument to all, arbitrarily delete cognate issues from consideration and deliver judgments quickly to meet retirement deadlines. After delivery of judgments, Justice Quadri reserved the right to 'dilate' on some aspects in a 'separate reasoned judgment' later. Whether this is permissible is a vexed issue. But, it reinforces the view that adequate time was not available — even to the judges. Lawyers and litigants felt the pressure of time even more acutely. The minorities are relieved because the result could have been worse.

An 11-judge Bench of the Supreme Court is virtually impregnable and can only be overruled by a 13-judge or larger Bench. So far, only one 13-judge Bench was created in the Fundamental Rights case (1973) under pressure of constitutional amendments to re-write Indian constitutionalism. In the Minorities case (2002), there was no excuse for an 11-judge Bench. The original reference of 1993 to 7 judges would have sufficed. But, between 1993-2002 the reference was enlarged — not because it was necessary, but because the judges wanted it so. After 11 judges have ruled, there is little reprieve.

The first aspect of the judgment deals with the Unnikrishnan case (1993) which nationalised admissions to professional and technical colleges. Everything went wrong with the Unnikrishnan case scheme. The better students got the 'low fee' seats. The worse students could not afford the 'payment' seats which went waste. The Non-Resident Indian (NRI) quota had super high fees. The working budget refused to be balanced. The Unnikrishnan case created havoc.

The Unnikrishnan case verdict also decreed that children have a right to be educated till the age of 14 years.

This latter part of the verdict remains unscathed. But, the rest has been overruled lock, stock and barrel. The Unnikrishnan case verdict's somewhat fuzzy view that the right to establish and administer educational institutions was too sacral a social duty to be a guaranteed fundamental right has given way to the brand new doctrine that education can be an occupation with the fundamental right to create a "reasonable surplus to meet (the) cost of expansion". Profit but not profiteering is permitted. This aspect of the Minorities case (2002) is a charter for private enterprise taking over all levels of education under limited 'criteria setting' regulations to preserve standards. Since nothing is worked out in any great detail, a Pandora's box of litigation can be expected for an otherwise partly welcome measure which will generate quacks as well as genuine educators.

But, what happens to the rights of linguistic and religious minorities to establish and administer educational institutions of their choice under Article 29-30 of the Constitution? This has received the considered attention of the Supreme Court in the Kerala Bill (1959), the nine-judge Bench Xavier's case verdict (1974) and at least 50 other leading cases. During the hearings, the Court was strongly advised to stay within these earlier judgments which had combined pragmatism with a sound secularism. It did so with scant respect to earlier precedent and without paying much needed attention to the principles underlying them. The reason for this may have been that since everyone's right to make education an occupation was protected, there was a lesser interest in refining the protection afforded to minority educational institutions resulting in throwing out the minority baby with the general bath water.

India's Constitution uniquely protects the greatest human and social

diversity the world has ever known. Such a splendid diversity can only be sustained if the maximum leeway is given to minority institutions to sustain and transform their own culture. Our Constitution accepts that this is best done through minority and religious institutions which summon both people from their own and other communities to contribute to the brilliant mosaic of Indian learning. Had that not been the objective of the Constitution, it would have been enough to guarantee freedom of speech, belief and business. But, our

LAW AND SOCIETY Constitution earmarked special rights to religion and minorities to establish 'institutions' and preserve autonomous control over these institutions. The regimes of regulatory control in the general freedom articles (Articles 19 and 21) are necessarily different from the special regimes over the specially protected religious and cultural institutions (Articles 25-30)? The latter are not defeasible by a mere appeal to the public interest. From 1963 to 1974 and beyond, the Supreme Court had recognised the speciality of these group right dispensations and decreed extra special scrutiny so that religious and cultural rights were not whittled away — especially those dealing with the autonomous working of religious and linguistic educational institutions. This settled law has now been discreetly undermined. Greater control will exist. Justice Kripal's majority judgment (for six judges) even requires special tribunals be set up for grievance redress of employees punished or dismissed by minority educational institutions. Unto us vast new litigation is given. Surely a fair due process in the hands of the institution itself was sufficient.

But, the biggest muddle appears to be on the effect of state funding. If a grant is given for the upkeep of a Hindu temple or for Haj, these do not become either state or secular activ-

ities. By the same logic, a grant to a minority educational does not alter its *raison d'etre* to serve its own community. Earlier, the St. Stephen's case evolved a formula to permit up to 50 per cent minority students by aided institutions. This decision was much criticised. A constitutional birthright cannot be traded in for a mess of pottage. In 1959, the Supreme Court recognised that aid was essential to sustain many institutions. Now, the latest decision of 2002 undermines the St. Stephens decision further by allowing the State authorities to fix a proportionate percentage of admissions permissible to the minority in their own institutions. Both the principle of proportionality as well as its fixation by the state directly kill the autonomy of minority institutions over admissions — a point partly recognised by Justice Ruma Pal; and, more fully, by Justice Quadri.

When the Constitution was made, there was little doubt that 'minorities' were to be determined on a national basis. Sikhs, Muslims, Christians and others were minorities in India wherever they lived. This broad view of the Constitution has now been altered by the majority judgment. Minorities are now to be determined on a State-wise basis. Sikhs in Punjab, Christians in the Northeast, are not minorities *per se*. They have to travel outside their States to become minorities. This perambulatory notion of minorities offends the purposes for which these articles were created. This is all the more so because the Court has not defined important questions about the definition of minorities (including those relating to sects and dialects) or the location of minority institutions in majority areas. Without all that, some of the Court's answers are skewed and meaningless.

The Minorities case read the Constitution in bits and pieces like Tarot cards rather than comprehensively. Ad hoc solutions have evaded principled answers. The judges unite and divide on many issues. First principles for minority protection have been overlooked. The minorities have good reason to be worried about being coopted into the State. This is something the Supreme Court avoided earlier.

FRIDAY, NOVEMBER 15, 2002

Q. nivenin

ENFORCE THE RULE OF LAW ⁴⁰⁻¹⁰ 1911

IN A SALUTARY intervention, the Election Commission has asked the Gujarat Government not to allow the Vishwa Hindu Parishad's proposed 'Vijay Yatra', which by its very nature and content is bound to exacerbate communal tension and inflame the already tenuous socio-political atmosphere when the State is well into the election mode. That an event that outraged the nation's secular conscience and undermined its pluralist mosaic — the pulling down of the Babri Masjid in Ayodhya on December 6, 1992 — should be hailed as a 'victory' and celebrated as such is reprehensible enough. Now the VHP, true to its Hindutva ideology and in a vigorous pursuit of its declared intent to try and "consolidate" the majority community's vote in favour of the BJP and its new mascot, Narendra Modi, for the Assembly elections, is all set to weave the gory images of the Godhra carnage into the event commemorating the 'Ayodhya victory'. The incendiary potential of such a vicious mix of communally explosive events and the serious implications it will have for the conduct of a free, fair and smooth poll are painfully clear, given especially the ground reality that Gujarat is yet to be completely free from the consequences of the communal riots that rocked the State post-Godhra and left several hundreds killed and thousands of families, mostly Muslims, homeless. As the constitutional authority charged with the responsibility of ensuring that the democratic process is carried out in a free and fair manner, the poll panel just cannot allow the socio-political context to be vitiated by any act that promotes communal hatred and social disharmony.

In fact, the 'yatra' the VHP has planned, and which it insists on staging in defiance of the Election Commission's injunction, is only an extension of the series of 10 yatras Mr. Modi had undertaken over a period in the name of upholding Gujarat's 'Gaurav' and the latest of

which concluded only a few days ago. The burden of Mr. Modi's campaign throughout his 'yatras' had — true to the narrow politico-religious majoritarian construct by which he and his party swear — a distinctively provocative anti-minority focus and was peppered with highly derogatory epithets, leaving no one in doubt about his game plan of cynically exploiting the communal divide (which the Sangh Parivar had caused post-Godhra under his benign regime) in a desperate bid to retain his party's hold on the levers of governmental power. It is evidently a part of the overall strategy that the VHP take over from Mr. Modi and mount its own typically-abrasive mobilisation campaign, with the perceived political gains from it flowing to — who else? — the BJP. After all, this has been the pattern, whether it is the revanchist campaigns such as Ramjanmabhoomi or any other programme aimed at pushing the majoritarian agenda, with each constituent of the Sangh Parivar playing a clearly defined role that fits into the carefully integrated ideological matrix. For its part, the VHP has sought to sustain the fiction that it is only an 'apolitical' outfit having no direct stakes in the polls and, on that basis, to maintain that it need not be bound by the rules of the electoral game or the code of conduct. What is quite ominous, even if not surprising, however is that the BP leadership has stoutly defended the VHP's 'yatra' and disapproved of the poll panel's action. But as the party running the Government in Gujarat, with Mr. Modi as the caretaker Chief Minister, and heading the coalition at the Centre, the BJP cannot abdicate its paramount responsibility of ensuring that the laws of the land are enforced. It would have to uphold the authority of constitutional functionaries, by conveying its categorical disapproval of the provocative challenge posed by the likes of Praveen Togadia, whose actions amount to a virtual declaration of war against the rule of law.

Minority rights in education

By Ninan Koshy

HD-10
14/11

THE SUPREME Court's October 31 verdict on the right of religious and linguistic minorities "to establish and administer educational institutions of their choice" (under Article 30(1) of the Constitution) has far-reaching and wide-ranging implications. While the judgment apparently settles some of the contentious and sensitive issues which have been under legal scrutiny for long, its complex and multi-layered nature raises some fresh questions along with a few old ones in new forms. It has reiterated earlier verdicts and redefined and clarified several constitutional provisions. It has declared as unconstitutional a previous judgment hitherto considered an authoritative and binding direction from the apex court.

The Constitution Bench has given a redefinition of the place of Article 30 in the constitutional scheme of rights linking it to secularism and equality — "the two basic features of the Constitution". "The essence of Article 30 (1) is to ensure equal treatment between the majority and minority institutions. No one type or category of institution should be disfavoured or, for that matter, receive more favourable treatment than another," the Supreme Court ruled.

The clarification of the Article under scrutiny as a guarantee of secularism and equality is to be welcomed. However, as equality and secularism are ensured under Articles 14 (the right to equality), 15 (prohibition of discrimination on grounds of religion etc.), 16 (equality of opportunity in matters of public employment), 25 and 26 (freedom of religion), the significance of Article 30 (1) should be seen as an additional guarantee. A few questions are relevant in this connection: If "the essence of Article 30 (1) is to ensure equal treatment between the majority and minority institutions", what is the meaning of minority status for an educational institution? What are the criteria by which such status is conferred? Can any institution started by any person or group in a minority community claim minority status and enjoy its benefits? These issues are not likely to become less contentious even after the Supreme

Court verdict. Some unhealthy trends in the field of education are likely to be encouraged by the interpretation of the judgment. Important concerns related to equity and social justice seem to have been ignored by the judgment. Parts of the judgment may be used to buttress arguments in favour of the rule of market forces in higher education. The judgment gives unfettered free-

dom to unaided minority educational institutions. The only regulation a State Government or University can make is regarding the qualifications and minimum conditions of eligibility in the interests of academic standards. The state can make no laws regarding admissions or fees in such institutions. The only condition is that admission to unaided educational institutions should be "on a transparent basis and merit was adequately taken care of".

What is the meaning of minority status for an educational institution? What are the criteria by which such status is conferred?... These issues are not likely to become less contentious even after the verdict of the Supreme Court.

dom to unaided minority educational institutions. The only regulation a State Government or University can make is regarding the qualifications and minimum conditions of eligibility in the interests of academic standards. The state can make no laws regarding admissions or fees in such institutions. The only condition is that admission to unaided educational institutions should be "on a transparent basis and merit was adequately taken care of".

On the other hand, the judgment gives scope for a tightening of the regulations, including those on admissions, in minority institutions which receive grant-in-aid. In the absence of any guidelines from the Supreme Court in the matter, there is ground for genuine concern that some States may arbitrarily impose restrictions on such institutions. One of the questions addressed by the Court was "Whether the ratio laid down by this court in the St. Stephen's case (St. Stephen's College vs. University of Delhi, 1992-1 SCC 556) is correct? If not, what order". The Court has now decreed that "while the basic ratio is correct, a rigid percentage cannot be fixed". The Supreme Court has left it to the State authorities to decide the "reasonable percentage". If the State authorities in fixing the percentage deny the benefit of minority institutions to vast sections of the minority community, the minority character becomes only that of the management

ready beginning to withdraw from public education. This will be to the detriment of large sections of students from low income and poor families who benefit from aided minority schools and who cannot afford the high fees in unaided institutions.

Of far greater ramification is the Constitution Bench's annulment of an earlier decision of the Court. The judgment has held that with regard to the decision of the court in Unnikrishnan J.P. vs. State of A.P. 1993, "the scheme framed by the court and the direction to impose the same except where it holds that primary education is a fundamental right is unconstitutional". The scheme and the direction had the force of law for the last nine years and exercised social control over private professional institutions.

The question may be raised why the Court felt it necessary to deal with this question while considering the rights of minorities. By declaring the scheme to be unconstitutional the Supreme Court has also rejected the highly relevant ideas behind the scheme. The Unnikrishnan case judgment stated, "the idea behind the scheme is to eliminate discretion in the matter of admissions. It is this discretion that has led to the commercialisation of education. Commercialisation of education should not be permitted". If the scheme was meant to prevent commercialisation what is the message given by the

Court by declaring it unconstitutional? The Unnikrishnan case judgment was given at a time when globalisation was only beginning to influence education. But now with official sanction for the idea that market forces should decide policies on higher education the implications of rejecting judicial decisions opposed to commercialisation are serious.

The latest verdict upholds only that part of the judgment in the Unnikrishnan case where it says, "primary education is a fundamental right". What the earlier judgment says is that "every child/citizen has a right to free education until he completes the age of 14". At a time when a flawed constitutional amendment — flawed by absence of any reference to education up to the age of six — is being enacted, a clear definition of the constitutional provisions on the right to education would have been helpful.

The latest judgment takes up also the question of capitation fees from the earlier judgment which had stated, "capitation fee means charging or collecting amounts beyond what is permitted by the law". The new judgment while holding that "the principle that there should be no capitation fee or profiteering is correct", says, "reasonable surplus to meet the cost of expansion and augment facilities does not, however, amount to profiteering". The subtlety of the distinction that the Court seeks to make here will unfortunately become a green signal for 'free market' in professional colleges.

There was another important idea behind the scheme in the Unnikrishnan case judgment. On the right to establish an educational institution, the Court had said, "such activity can neither be a trade or business nor can it be a profession within the meaning of Article 19 (1) (g). Imparting education cannot be treated as a trade or business". Declaring that the Unnikrishnan judgment is unconstitutional may imply that the idea behind the scheme that "education cannot be a trade" is also rejected.

It will be unfortunate if the Supreme Court judgment on minority rights is used to promote commercialisation of trade in education.

14 NOV 2002

EC bars VHP yatra in Gujarat for fear of communal tension

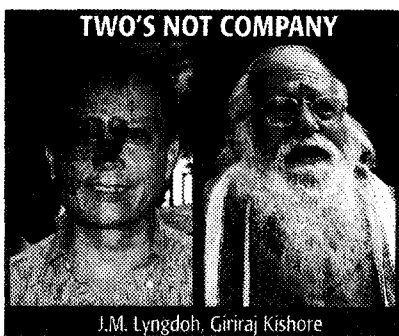
Saffron Brigade Plans To Take Out A Float Of The Ill-Fated S-6 Coach

Our Political Bureau
NEW DELHI 13 NOVEMBER

THE ELECTION Commission (EC), on Wednesday, debarred the Vishwa Hindu Parishad (VHP) from taking out a yatra in poll-bound Gujarat where a float of the S-6 coach that carried victims of the Godhra tragedy was to be taken around.

The EC justified its position on the ground that the VHP's yatra — which was to be flagged off on November 15 — could further inflame communal passions in the state. It quoted a report sent by the Gujarat administration which stated: "There is every likelihood of communal tensions and passions getting exacerbated by the VHP's plans for a yatra," as the basis for its ban on the proposed yatra. The Commission is flush with the recent morale-boosting developments such as a favourable verdict from the Supreme Court on the presidential reference regarding Gujarat polls and the raving reviews of its work in Jammu and Kashmir.

The VHP reacted defiantly to the ban, threatening to go ahead with the yatra as per schedule even if it meant courting arrest. The Hindu body is, meanwhile, also exploring the



J.M. Lyngdoh, Giriraj Kishore

legal option of challenging the EC's order. The BJP reserved its comments even as the Congress, and predictably so, welcomed the ban.

Insiders in the BJP, however, admitted that the EC's clampdown on the VHP yatra could only intensify the polarisation in the state that has come about in the aftermath of the communal riots. This, they said, would only help the saffron cause and boost the BJP's electoral fortunes.

Earlier, in a press note issued on Wednesday, the Commission said: "The state administration has unequivocally stated that the

possibilities of law and order situation arising in the wake of the proposed yatra cannot be ruled out," and added that "in view of the above, the proposed VHP yatra should not be allowed to take place."

According to the EC, the yatra involved taking around replicas of the Sabarmati Express coach that was alleged to have been set afire by miscreants on February 27, at Godhra, sparking off communal riots across the state. Thus, there was every likelihood of communally provocative and intemperate speeches being made during its run.

The VHP, on Wednesday, accused the EC of double standards. VHP leader Giriraj Kishore alleged that "the Commission had kept silent when the Church issued a religious advisory ahead of the Goa polls asking its followers to vote for the Congress and also when it sought votes for Mr Ajit Jogi in Chhattisgarh."

He added there was no justification for EC in stopping religious processions by Hindus. The VHP, he said, was also exploring the legal option and would discuss whether the EC's ban could be challenged in court. On the EC's reservations against the inclusion of the replica of coach in its procession, Mr Kishore said: "History could not be belied."

1 4 NOV 2002

The Hindu

Godhra Muslims boycott yatra

Anil Rana in Godhra

Nov. 11. — Muslims in Godhra boycotted Mr Narendra Modi's Gaurav yatra today, the first visit by the chief minister to the town after the carnage of 27 February. Communal violence flared up again in Gujarat today with at least six persons killed and several injured in stray incidents across the state.

Irrked by posters showing General Pervez Musharraf on one side and Mr Modi on the other, members of the minority community in Godhra wondered why they were being identified with the Pakistani President. "We are Indians and our forefathers fought for Independence too," a Muslim living near the station said.

But Mr Modi claimed that he had come to redeem his pledge "to look af-

ter the safety, brotherhood and pride of Gujarat". He, however, didn't miss the opportunity to rake up the ghost of the carnage: "It's eight months since the

diately after it took place". "If Muslims had segregated the *paapis* (sinners) then there would not have been a backlash as was evident from the Akshardham temple incident."

Gujarat chief minister
Narendra Modi



Flare-up kills 6

AHMEDABAD, Nov. 11. — Six persons were killed and many injured in communal violence in Gujarat today. Curfew was imposed in Mahudha, Kheda district, after two persons were stabbed to death. One person was killed by a mob near Vadodara and one died in a blast in Ahmedabad. Two persons were shot near a temple in Mehsana district. — PTI

tragic incident took place at Godhra station and I still can't forget the faces of the dead women and children."

Mr Modi chided the minority community for "missing the opportunity of criticising the Godhra massacre imme-

After this, Mr Modi targeted "Mian Musharraf" and Mrs Sonia Gandhi by obliquely referring to Italy twice in his speech. Criticising the general, he said: "The President had spoken of violence in Gujarat and abused me at the UN... But I want to tell him that there are one-and-a-half times more Muslims in India than in Pakistan and the ones here live in better conditions." Hinting at a Congress "connection" between the Pakistani President and Congress, he said: "The neighbouring country wants a pliable government in Gujarat." He also attacked the Congress for not criticising the Godhra incident and "only condemning the riots that followed".

1 2 NOV 2002

THE STATESMAN

Communal voices in Lyngdoh sights

9/11 G. & J. M. & N. & S. & T. & U. & V. & W. & X. & Y. & Z.



J.M. Lyngdoh

OUR SPECIAL CORRESPONDENT

New Delhi, Nov. 8: In a warning that could only have been aimed at Gujarat chief minister Narendra Modi and his supporters in the Vishwa Hindu Parishad, J.M. Lyngdoh has said the Election Commission would "rigidly" enforce the law to punish those who made "communal" speeches.

"People who use that sort of language should be prosecuted. We have to hasten that process," the chief election commissioner, who appeared on a television programme called *Court Martial*, said, asked how the poll panel will ensure free and fair franchise in a situation where interviews and statements take on communal overtones. Gujarat goes to polls on December 12.

The first paragraph of the

poll panel's model code of conduct lays down that no political party should carry out "activities" that arouse hatred or tension. It also bars them from seeking votes in the name of caste and religion. Lyngdoh emphasised that the commission would use its powers to send out warnings against such speeches and statements. "Yes, we will do that," he said.

Lyngdoh, who had earlier shown his disapproval at the way Modi handled relief and rehabilitation work in the riot-scarred state, made it clear that nobody was above the law. Asked whether he was pointing a finger at people like VHP leader Praveen Togadia, he said: "It could be anybody. Whoever it is." The commission, he emphasised, will closely monitor speeches.

Although the commission can only reprimand a party or

candidate for violating the code of conduct, they can be prosecuted under the Indian Penal Code. According to the commission, the Representation of People's Act also has provisions for penalising a party or candidate for triggering enmity and hatred between communities and citizens. The punishment could mean three-years' imprisonment or a fine or both.

Lyngdoh made it clear the commission would do everything in its powers to rein in in-temperate elements. Asked whether minorities were in a position to come out and vote, he said "I hope so" but underlined the need to provide polling arrangements for those still stranded in unofficial relief camps and for people who were forced to flee the state.

On whether the Modi government was complying with the commission's directive to re-

move communal posters and hoardings, he said: "We interact with the civil administration and not the political executive."

Lyngdoh brushed aside the BJP's charge that he was a "Congress agent". "It does not bother me at all," he said, adding with a touch of contempt that people sometimes make ridiculous statements.

But he seemed to have angered more than one when former Jammu and Kashmir chief minister Farooq Abdullah today threatened to sue him for his comment yesterday that there was an attempt to sabotage the elections, basically by the police. Even the Congress and the CPM demanded a probe, as the allegation was serious.

"If (the) CEC has said so he should substantiate it with evidence or else we will go for legal proceedings against him," Abdullah told reporters in Jammu.



Narendra Modi

Violence erupts in Ahmedabad

By Manas Dasgupta

AHMEDABAD, NOV. 7. Eight persons were injured in police firing and stone-throwing in a fresh outbreak of communal violence in Gomtipur and Dani Limda localities in old Ahmedabad today. (A latenight PTI report said 15 persons were injured in the incidents).

Police said the immediate provocation for the disturbances in Gomtipur was not known, but, presumably, it was the result of a communal flare-up in Raikhad in the Gaekwad haveli police station area on Wednesday night.

Six persons were injured in police firing and stone-throwing in Raikhad in the heart of the city after a brawl over payment by a group of Hindu

youths at a roadside eatery run by Muslims in the adjacent Jamalpur locality. Even as the disturbances in Raikhad subsided, trouble broke out in the labour-dominated Gomtipur locality this evening as mobs indulged in stone-throwing, forcing the police to burst teargas shells. Police later opened fire, injuring two persons. Six persons were injured in the stone-throwing.

Police said a couple of shops and cabins were also set on fire by unruly mobs. The atmosphere had remained surcharged in the last couple of days over the bursting of crackers during Diwali and the Hindu New Year Day and minor issues were enough to spark trouble as was the case in Raikhad.

The disturbances at Raikhad, however, have assumed politi-

cal significance in view of the presence of a large number of Dalit voters in the area, which forms part of the Jamalpur Assembly constituency.

Traditionally, the Jamalpur seat has been claimed by Muslims, either nominated by the Congress or as independents, and BJP sources said the party believed that the Dalits voted for Muslim candidates out of fear as they were surrounded by the minorities on all sides. The BJP believes that it is possible to win over the Dalits if they are made to overcome their fear of the minorities.

The BJP is believed to be toying with the idea of nominating a Vishwa Hindu Parishad activist for the Jamalpur seat to polarise voting on communal lines.

NOV 7 2002

THE HINDU

Minority schools 'not too happy' with verdict

Statesman News Service

KOLKATA, Oct. 31. — The Supreme Court's judgment that state-aided minority educational institutions would have to function within a framework laid down by the government "will affect the poor and marginalised students", the St. Xavier's College principal, Father PC Mathew, said here today.

"The poor students were given preferential treatment at the minority institutions... This right was guaranteed by the Constitution. I

foresee that such students, mainly in Kerala, Tamil Nadu and Karnataka, will be the sufferers."

He hoped that the ruling "isn't the last word spoken on the issue...". He said it may affect higher education as the ruling comes at a time when state governments are withdrawing subsidies from this sector.

The principal of Welland Gouldsmith School and an MLA, Mrs Gil-

lian R D'Costa Hart, said: "I am happy to learn that unaided minority institutions still retain the right to administer their own establishments."

The judgment will hopefully enable all related cases pending in High Courts to be disposed soon as this judgment has clearly defined roles of both parties."

The president of West Bengal Board of Madrasa Education, Dr

Abdus Sattar, said: "The verdict applies to the states and we have to see how they react to it and frame policies vis-a-vis the judgment."

The Rama Krishna Mission secretary (Narendrapur), Swami Asaktananda, said the judgment won't apply to RKM institutions as they didn't fall under the MEI category.

In Darjeeling, St. Paul's School rector Rev. DA Howard, said: "News of the verdict has trickled in... it will be premature to comment now. We abide by the government's guidelines as our school receives state funds."

Authorities of minority institutions were guarded in their response, though some admitted that poor students will be affected by the verdict

UNFETTERED RIGHTS FOR UNAIDED ONES

Aided minority institutions subject to regulations: SC

By J. Venkatesan

NEW DELHI, OCT. 31. In a significant ruling, the Supreme Court today re-defined the rights of 'minorities' to establish and run educational institutions of their choice. It held that while unaided minority institutions would have unfettered rights, aided institutions could be subject to minimal regulatory measures by the state.

An 11-judge Constitution Bench, headed by the Chief Justice, B.N. Kirpal, in an unanimous verdict on the 11 questions framed by the Court held that the words "of their choice" in Article 30 (1) "indicates that even professional educational institutions would be covered by Article 30". On the question "who constitutes a minority", the Bench said,

"The linguistic and religious minorities have to be considered on the basis of States and the population therein as the States were reorganised on the basis of language."

The main judgment of the Bench was written by Mr. Justice Kirpal. The Bench included Justice V.N. Khare, Justice G.B. Pattanaik, Justice S. Rajendra Babu, Justice S.S.M. Quadri, Justice Ruma Pal, Justice S.N. Variava, Justice K.G. Balakrishnan, Justice P. Venkatarama Reddi, Justice Ashok Bhan and Justice Arijit Pasayat.

Four other judgments giving different interpretations were written by Mr. Justice Khare, Mr. Justice Quadri, Ms. Justice Pal and Mr. Justice Bhan but they were in agreement with the broad conclusions.

While Article 30 (1) provides that "all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice", Article 29 (2) says "no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them".

On the contentious issue that the majority community also should have similar rights, the Bench held that "all citizens have a right to establish and administer educational institutions under Article 19 (1) (g) and 26, but this right is subject to the provisions of Articles 19 (6), viz. reasonable restrictions and 26 (a), viz. to establish and maintain institutions for religious and charitable purposes".

It declined to answer the following questions — "what is meant by the expression 'religion' in Article 30 (1)? Can the followers of a sect or denomination of a particular religion claim protection under Article 30 (1) on the basis that they constitute a minority in the State, even though the followers of religion are in the majority in the State?"

Explaining the extent of state control, the Bench said admission of students to unaided minority educational institutions (UMEI), where the scope for merit-based selection was practically nil, could not be regulated by the State Government or university, except for providing the qualifications and minimum conditions of eligibility in the interest of academic standards. However, this right was subject to the condition that "admission to the unaided educational institution was on a transparent basis and merit was adequately taken care of".

On aided institutions, the Bench made it clear that "a minority institution does not cease to be so, the moment grant-in-aid is received. An aided minority educational institution would be entitled to the right of admission of students belonging to the minority group.

At the same time, it would be required to admit a reasonable extent of non-minority students, so that the rights under Article 30 (1) are not substantially impaired and further, citizens' rights under Article 29 (2) are not infringed". The Bench empowered the State Governments to notify the percentage

of non-minority students to be admitted; it would vary according to the types of institutions, the courses of education and other factors such as educational needs. Observance of inter se merit amongst the minority group could also be ensured.

In the case of aided professional institutions, the Bench said it could be stipulated that passing of the common entrance test held by the state agency was necessary to seek admission. As regards non-minority students who were eligible to seek admission for the remaining seats, admission should normally be on the basis of a common entrance test.

On the rights of minorities to have their procedure of admission, the Bench said, "a minority institution may have its own procedure and method of admission as well as selection of students, but such a procedure must be fair and transparent and the selection of students in professional and higher educational colleges should be on the basis of merit."

Further, "the procedure adopted or selection made should not tantamount to maladministration.

Even an UMEI ought not to ignore the merit of the students for admission while exercising its right to admit students to the colleges, as in that event, the institutions will fail to achieve excellence".

The Bench placed on record its appreciation of the Attorney General, Soli Sorabjee, for the assistance rendered by him.

See also Page 11

HIGHLIGHTS OF JUDGMENT

• All citizens have right to establish and administer educational institutions.

• The right to administer MEI not absolute.

• State can apply regulations to unaided MEIs to achieve educational excellence.

• Aided MEIs should admit certain percentage of non-minority students.

• Percentage of non-minority students to be admitted to an aided MEI to be decided by the State or university.

• Fees to be charged by unaided MEI cannot be regulated but no institution can charge capitation fee.

• State can prescribe minimum qualification for teachers and principal in an unaided MEI.

• Tribunal headed by District Judge should be constituted for redressal of grievance of employees of MEI.

• State can provide the manner of admission in case of an aided MEI to ensure that it is done on the basis of merit.

• Merit could be determined through common entrance test.

• Unaided MEI could have their own procedure for admission but the same had to be fair and transparent. — PTI

SATURDAY, OCTOBER 5, 2002

DEBASING INDIA'S IMAGE

110-10
5/10

THE SANGH PARIVAR'S belief that its campaign of hatred against the minorities would not seriously damage India's standing in the world has been exposed for the fallacy it is. The United States Commission on International Religious Freedoms has recommended, for the first time, that the U.S. Secretary of State, Colin Powell, designate India as one among the "Countries of Particular Concern" under the International Religious Freedom Act of 1998. Keeping in focus the recent communal carnage in Gujarat, the Commission noted that the increase in the incidence of violence against the minorities in India had coincided with the rise in political influence of groups associated with the Parivar. The Commission also observed that the climate of immunity for perpetrators of attacks against the minorities had been enhanced with the rise of the Bharatiya Janata Party to power at the Centre. The Central Government has been criticised for not doing all that it could to pursue the perpetrators, or to counter the prevailing climate of hostility towards the minorities or to take the Gujarat Government to task. Given Washington's strategic considerations, it is probable that the U.S. President will prefer the softer rather than the harsher measures that he can choose to take, but that is besides the point. An image of India has now been etched in the minds of the U.S. public, lawmakers and officialdom as a country where the Central Government will not enforce the rule of law so long as the victims belong to the religious minorities.

No longer can India plead that these are its internal affairs. It has been recognised — indeed it has almost solidified into a principle of international law — that in an increasingly interconnected world domestic developments in any particular country cannot be ignored by the rest of the world particularly if they have ethnic, religious or human rights overtones. Internal developments which tend towards the brutalisation of certain sections and their ex-

clusion from the socio-economic and political life of the country generate among the victims bitterness not only towards the direct perpetrators but also those, inside and outside the country, who appear indifferent. At the same time, movements which are driven primarily by hatred towards the other (such other being narrowly defined on the basis of religion, race, language or caste) are inherently hostile to everyone outside their fold and hence pose a danger to all. Such tendencies inevitably trigger a backlash multiplying the quantum of rage within a society. The dark history of all continents and civilisations bears out that this rage will eventually spill over national boundaries and affect people who might initially have thought that they were immune to its menace. Signs of institutional rot within a country are no longer overlooked by those outside its boundaries.

Such a weakening of India's international standing is the outcome wrought by a political movement that equates majoritarian exclusivity with national strength. An India which has a proud record of working a democratic system in extremely difficult circumstances, which strove to nourish a secular spirit so that its diverse people would eventually merge into the mainstream, should have held itself up as a model to the rest of the world at this critical moment in history. Instead, India finds itself being equated with nations that are ideologically straitjacketed and with a poor democratic record. It is futile to seek or demand a course correction from a Government dominated by a party that is determined to re-define Indianness in such a manner as to push India into the backyard of global developments instead of staking out its rightful place in the forefront. Quite apart from the disastrous consequences internally, it will be a tragic irony if a political movement that claims it will enhance the nation's glory should instead be disgracing it before the world.

Minorities protest in TN

Statesman News Service

CHENNAI, Oct. 24. — Members of Christian, Muslim and Dalit organisations from all over Tamil Nadu congregated at St Andrews Church today to observe a day-long fast in protest against the Ordinance promulgated by the state to prevent forcible religious conversions. Educational institutions run by minority groups remained closed despite a Madras High Court observation that the closure had no legal sanction.

The education department had issued a circular yesterday, warning of a cut in grants for institutions managed by minority groups if they went ahead with their token closure. The department declared the closure illegal. A copy of the circular was submitted before the First Bench of the Madras High Court by the Advocate-General.

According to the circular, "...it will not be legal to keep the institutions closed on 24 October and that appropriate action will be taken to effect a cut in the aid payable and to seek an explanation for declaring a holiday without permission."

The fast, organised by the Committee of Minorities and Dalits, began at 8 a.m. with a prayer. Several Bishops participated, urging the members to "keep praying until justice was rendered". Chairman Mr Peter Fernando said the Committee would plan the next course of action against the Ordinance and urged various groups to refrain from planning any agitation on their own.

The fast culminated in a meeting in which several political leaders, including the former chief minister, Mr M Karunanidhi, Congress leaders Mr S Balakrishnan and Mr E VKS Rangovan participated.



This placard at a protest rally in Bangalore on Thursday tells it all. — AFP

THE STATESMAN

24 OCT 1977

Withdraw ordinance, minorities' panel tells Jayalalithaa

By Our Special Correspondent

CHENNAI, OCT. 22. The State Minorities Commission today asked the Tamil Nadu Chief Minister, Jayalalithaa, to withdraw the controversial ordinance banning "forcible religious conversions", unequivocally stating that it would trigger "social tension" and "disharmony" in the State.

A day after Christian and Muslim leaders called on the Chief Minister and demanded a repeal of the ordinance, the members of the State Minorities Commission visited the State Secretariat today and handed over a memorandum to Ms. Jayalalithaa, highlighting what they called "vague provisions" of the law which gave room for "misinterpretation and misuse".

After the meeting, the Commission's chairperson, Annamma Philip, told the media that the ordinance was "unwarranted" and would create a divide between the minorities and the majority communities in the State with a pervasive secular feeling.

However, Ms. Jayalalithaa was firm on continuing with the law and insisted that the ordinance would not be misused and that it was not directed against the minorities and would cover the majority Hindu fundamentalists as well, she



Annamma Philip (left), Chairperson, Minorities Commission, submitting a memorandum to the Tamil Nadu Chief Minister, J. Jayalalithaa, at the Secretariat in Chennai on Tuesday. — Photo: V. Ganesan

said. In its representation, the Commission said the Indian Penal Code itself was adequate to deal with forcible conversions. If any words such as "allurements" had not been clearly defined giving scope for misuse, Section 5 of the ordinance, which required any priest, directly or indirectly involved in conversion ceremony to send an intimation to the district magistrates, gave room for misuse and misinterpretation. The Commission maintained

Even in other States where similar anti-conversion laws existed, the punishment was not

so harsh as in the Tamil Nadu Prevention of Forcible Conversions of Religion Ordinance, which slaps a maximum of four-year imprisonment and Rs. 1 lakh fine. "In similar laws in other States, the punishment is either in the form of fine or imprisonment, and not both as in Tamil Nadu," Sister Annamma Philip said. Also, as there was no statistics on forcible conversions, there was no "urgent need" for the ordinance.

The Commission's member, Gautham Vaid, said the Government looked into the "effect" and not at the cause for "volun-

tary conversions".

The Commission's vice-chairman, Kamal Sheriff, said they had sought statutory powers for the minorities' body to enable it to function more effectively.

Dr. K.M. Cherian said the minorities in Tamil Nadu were only serving the majority Hindus by providing educational, medical and other services.

Earlier in the day, the Srirangam Srimad Andavan Ashram's chief functionary, Narasimha Ragavachari, called on the Chief Minister and congratulated her for the ordinance.

Modi said *hum paanch, hamare pachchis*, look how Togadia does the multiplication

There is much more to Vishwa Hindu Parishad general secretary Praveen Togadia's bark than just a 'dog from Italy'. A large part of his speech at Lodia village in Gujarat's Bhuj district on Saturday was addressed to the minorities. Some highlights



9 minutes 96-1 21/10
 ● *Hum paanch, hamare pachchis*: Since the forefathers of Muslims are Hindus, how can the blood of Arabia flow in their blood? I advise all Muslims to get themselves tested for their Hindu origin. I request Indian Muslims to get their genetics tested. The

blood in their blood vessels will be found to be not of Prophet Mohammed but of Lord Rama and Lord Krishna.

● *Hum dekh kar, humare garland of human heads*: If in the name of Prophet Mohammed, you go to pray in a mosque, we have no objection. But if you talk of jihad, it is not acceptable to us.

You cannot harm the Hindu religion and culture by jihad because Hindus have the tradition of wearing a garland of flowers, but the Hindu deity wears a garland of human heads. We feel we wrongly adopted the tradition of wearing a garland of flowers.



● *Humare 50,000, you are 50,000*: You think Hindus can be suppressed with bomb explosions or violence? We are five crore Hindus in Gujarat. If 50,000 Hindus get killed in a terrorist attack, the five-crore figure will not get smaller. If you people who number 50,000 die, no one will be left.



● *Humare let Miya Musharraf's cooperation rule here*: There has been browbeating in Gujarat to delay elections so that Hindu votes get divided, so that people of Lohana community vote for their community candidates, so that the Darbars, Patels and Brahmins do the same. So that supporters of Miya Musharraf

could rule here. Therefore, never vote on the basis of caste, vote on the basis of religion.

● *Humare ek hi non wish our*: In a village near Viramgam there was communal harmony between Muslims and Hindus who greeted each other with 'Ram Ram' and 'Salam Valekum' for ages. But then came a maulvi from UP. On a Friday, a Muslim did not greet the Hindus. When the Hindus asked them the reason, they were told the maulvi had told them not to wish the Kafirs on Friday.



(Excerpts from recorded speech on page 9)

I will act if pushed to the extreme, says Thackeray

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19/10

By Mahesh Vijapurkar

MUMBAI, OCT. 18. The Shiv Sena chief, Bal Thackeray, has defended his speech made on Dusserah for which the Mumbai police have registered a case against him. "I did not speak against Muslims but against pro-Pakistani Muslims and extremists." Neither would he regret anything "because what I had to say, I have said. Do what you have to do." He "accepts Muslims as citizens of the country. That's all. That ends the matter," he said.

The Maharashtra Government's legal action was "only aimed at showing that it was doing something." "If what I said was objectionable, then I would not have spoken at all. I am a responsible person and have some responsibilities" towards the country.

Mr. Thackeray spoke of "some steps in (his) mind" which he declined to "reveal in advance" but his actions with regard to the NDA arrangement would speak for themselves when it happened. But a collapse of the Government would automatically "bring chaos" to the country which "Pakistan wants."

If the Centre, he cautioned, "crosses all limits"

in its inability to deal with the issues, "then alone will I come out" of the NDA — "I will act" when pushed to the extreme — but with the crisis being so large, "what can I do? I will have to act then for the country's sake. God save the country." His alliance with the BJP "would depend on how the relationship worsens." Addressing the media at his residence, Mr. Thackeray drew a distinction between the Prime Minister, Atal Behari Vajpayee "of the BJP and Mr. Vajpayee as Prime Minister in the Government." He apparently has a lot of respect and affection for the former but on the handling of issues, Mr. Thackeray said, "I see no signs of anything anywhere or else extremists would not have been able to spread everywhere." The Sena chief insisted on calling India a "Hindurashtra" because when the country wanted partition, "the Muslims demanded a separate nation" and what was left behind was a nation of Hindus. "The rest is Hindu."

Neither was he worried about the BJP's opposition to this concept but said, "If I am wrong, show me the way." He would "walk alone" if need be but, happily, the VHP and the Bajrang Dal "and people" were with him on the need for "suicide squads of Hindus".

Case against Thackeray for Dussehra speech

Statesman News Service

MUMBAI, Oct. 17. — Police today registered a case against Mr Bal Thackeray, under Section 153(A) of the Indian Penal Code, for his speech at the Shiv Sena's Dussehra rally.

Police claimed the speech was inflammatory, aimed at arousing communal feelings. The offence is non-bailable.

It may be recalled that in July 2000, the Sena chief had been arrested on similar charges for his speech at an election rally. The case is pending before Bombay High Court.

Asked if Mr Thackeray would be arrested, the home minister, Mr Chagan Bhujbal, said the government would examine the issue after police investigation was over.

At the Dussehra rally, Mr Thackeray had asked his followers to mobilise a Hindu suicide squad to counter terrorism since the Centre had failed to tackle the situation. He criticised the NDA government for withdrawing the Army from the border. He said he would end cross-border terrorism if given charge of the armed forces.

"Hindustan is a Hindu *rashtra* from this Dussehra day," he told the rally at Shivaji Park. No one, he added, needed permission to call "this country a Hindu *rashtra* as 80 per cent of the citizens are Hindus." He challenged Jaish-e-Mohammed even to touch him. "The entire nation will react to it. My sainiks will protect me".

The Sena chief was disturbed by reports of fears of a terrorist attack on the rally. The meeting was curtailed by an hour. Protected by commandos, Mr Thackeray spoke from a bullet-proof podium. He also praised Miss J Jayalalitha for promulgating an Ordinance banning conversions.

Mr Bhujbal said the government would like to send an audiotape of the speech to the Prime Minister as "it is the Centre that can hand over charge of the armed forces to the Shiv Sena chief." Mr Vajpayee reads and speaks Marathi well and it shouldn't be a problem to follow Mr Thackeray's speech.

BJP reaction: The BJP has criticised the FIR against the Sena chief and disagreed with the demand that the party be banned for exhorting Hindus to form suicide squads to fight terrorism, SNS adds from New Delhi. The party, however, clarified that it disagreed with Mr Thackeray's suggestion.

While party spokesperson Mr MA Naqvi said the Maharashtra government was playing a dangerous game while trying to link terrorism with religion, another spokesperson, Mr Arun Jaitley, said the case against Mr Thackeray was "legally unsustainable".

Thackeray let-off: A Bombay High Court bench in Nagpur today acquitted Mr Thackeray of charges of criminal defamation for his alleged remarks against the then Congress president, Sitaram Kesri, and Mrs Sonia Gandhi during an election meeting at Katol in 1998, adds PTI.

Why are the PM and deputy PM practising doublespeak on Narendra Modi's role?

A yatra of shame

BY A.G. NOORANI



SUCCESSFUL EXPERIMENT?: Narendra Modi and L.K. Advani in Gandhinagar

THE MEDIA was, understandably, indulgent towards Morarji Desai. His foibles, failings and distinctive tastes in libations were dismissed in jest. But women's groups were not so indulgent when he made one of his sweeping remarks with characteristic assurance. Women politicians tend to be autocratic, he said. Witness Indira Gandhi, Sirimavo Bandaranaike and Golda Meir. He added, with prophetic accuracy, that Margaret Thatcher would also be autocratic. As the clamour mounted, Morarji met the agitators half way; or, so he thought. He said he would apologise; but, only to foreign women. None could resist this delightful evasion.

It is, however, not amusing but disgusting to find the prime minister of India and his deputy expressing contrition abroad for the Gujarat massacres, while defending Narendra Modi at home. Atal Bihari Vajpayee won undying fame for his speech at Goa on April 12. But, he said in New York on September 13, with poetic delicacy, that the Gujarat riots were "not good". He amplified, though, that "a situation should not be created at home which forces us to bow our heads in shame before others (abroad)".

Lal Krishna Advani hailed Modi in the Lok Sabha on July 24 as the chief minister who had done the best job in the last 50 years in handling the riots. In London on August 22, he said: "Gujarat is a blot on the government (sic). It is indefensible. I just cannot defend it. We (the PM and himself) were just outraged and shocked by the violence."

On September 8, Narendra Modi launched his *Gaurav Yatra*. A week later, Advani, having returned to his home turf, lauded Modi's *Gaurav Yatra* in New Delhi on September 15. All this time Modi has been busy delivering inflammatory speeches against Muslims, and transferring officials who did their duty by the law. On June 9, he said that no funds would be released for rebuilding Muslim shrines demolished during the killings. That goes also for the historic shrine of the great Urdu poet, Wali Gujarati, in Ahmedabad, right opposite the police HQ. At all stop-overs during the third leg of his *yatra*, Modi kept reminding the trib-

hance the country's *gaurav* (pride) — or, for that matter their own — by delivering apologies abroad and apologies of Modi at home. The latter are coupled with a total indifference to the task of relief and rehabilitation. Not even words of sympathy are spread for the victims. They are treated, instead, to the Centre's unqualified support for the chief minister, whom they loathe; and not they alone either.

The *Gaurav Yatra* must be viewed in its context. Ironically, Advani did so, though he defined its objective wrongly as enhancement of the state's *gaurav* (pride). Its objective, as everyone knows, was political. It was to shore up the credibility of a discredited Modi. There is another aspect to it and, indeed, to all such *yatras*. They are meant to deliver a message to opponents by a massive show of force. Protestants in Northern Ireland insist on marching in procession to celebrate William of Orange's victory over James II in 1690. Had the Protestants not won, the English crown would have been Roman Catholic. Northern Ireland was set aflame by such a march on August 12, 1969. Its peace was shattered for three decades till the Good Friday Agreement of 1998. It is in none too good a shape now, either.

What happened on August 12, 1969, is set out in the Report of the Tribunal of Inquiry headed by one of the greatest judges of the last century, Lord Scarman: "As the long columns, three deep, with its bands and regalia moved through the

but a feeling of irritation and frustration in some of the Catholics. In the sultry communal climate of August 1969, its length, its noise and the unrestrained defiance of a few of its supporters must have played on the nerves of the Catholic youth along the processional route." A gesture of contempt by some members of an otherwise orderly procession was all that was needed to serve as a provocation. Missiles flew and riots followed.

We know the ravages wrought by Advani's *rath yatra* from Somnath to Ayodhya; from September 25, 1990, till his arrest in Dhanbad on October 23. Authentic figures are available of the numbers killed in the riots that ensued en route, thanks to no small extent to his supporters' rhetoric. The then BJP president, Murlu Manohar Joshi's *Ekta Yatra* to Srinagar in January 1992 helped only the militants' cause.

The then Union Home Minister, S.B. Chavan's statements left none in doubt as to the gravity of the harm which Joshi's *yatra* inflicted on the national interest. On January 22, 1992, he said: "The tone and tenor of the speeches raised during the *yatra* have led to accentuating communal polarisation in some areas." This was before the *yatra* had reached its sorry end. Two days later, he pointed out that the security forces had to be diverted from positions in sensitive areas on the border. It was "unfortunate" that the situation in the Valley, which had shown signs of improvement, had once again deteriorated in view of the *yatra*, whose purpose was "to

The day after Joshi had enacted his farce at Lal Chowk in Srinagar — with official help — Chavan said that the *yatra* had united the militants and the efforts to contain them had suffered a serious "setback".

The pattern is a familiar one and it was ably described by Roy Jenkins, British Home Secretary, in the light of experience. In the Thirties, fascists deliberately marched through the Jewish areas of London. In the Seventies, the National Front marched through immigrant areas. Both led to serious public disorder.

Speaking on the radio programme *The World This Weekend* on July 25, 1976, Roy Jenkins described the technique which such processionists follow — "to stay just on the right side of the frontiers of the law, while hoping by their provocative manner to provoke others into the violence of language and action that will bring them the publicity and advantage which can develop out of a general sense of disorder."

That explains the Sangh परिवार's wilful insistence of marching through Muslim areas. Ashok Singhal asserted at a mammoth rally in New Delhi on April 4, 1991, at which Advani and other leaders of the BJP, the RSS and the VHP were present, that "our *Shobha Yatras* (religious processions) could pass through every locality".

India has a forbidding record of communal riots triggered off by such processions — the Ranchi riot of August, 1967; the Ahmedabad riots of October, 1969; the Bhiwani riots in May 1970; the Tellicherry riots in December 1971; and the Jamshedpur riots in April 1972 right down to the Varanasi riots in November, 1991. The pattern is clear — provocative slogans in particular localities, predictable attacks on the procession and predictable massive retaliation all over the place for which preparations had been made well in advance.

Commissions of inquiry in all these cases have pondered over the problem of the incendiary procession. Unless a non-partisan approach is adopted, a solution will be hard to find. That quest should not be abandoned because of the heinous crime perpetrated at the Swaminarayan temple in Ahmedabad on September 24.

ers to work out a campa

The T.N. ordinance and Article 25

By Valson Thampu

The Tamil Nadu Chief Minister, Jayalithaa, is doing her best to espouse the Hindutva cause. It must be said to her credit that whatever she does, she does in style. So she has, in respect of the anti-conversion ordinance too. Understandably, the Sangh circles are elated; especially the BJP president Venkaiah Naidu.

But, unfortunately for them, an overwhelming majority of the people still remain sensible and fair, as the early media responses amply prove. They are perplexed and ask if there is any need at all to come up with an ordinance against conversion at the present time.

What are the ground realities in respect of conversion?

The Sangh mouthpieces caricature and denounce conversions as a calculated strategy on the part of Muslims and Christians to wipe out Hinduism from the land of its birth. They allege, further, that large-scale mass conversions are taking place and that every conversion is effected by "force, fraud or inducement". The evidence by which this conclusion is arrived at is kept a closely guarded secret, though.

There is hardly any credible explanation, besides, for the following facts. For all the tens and thousands of conversions allegedly effected by unfair means by Muslims and Christians, the demographic progression still remains in favour of Hindus, who comprise 82 per cent of the population. As a matter of fact, the Christian community has, in the last four decades (1971-2001), shown a steady demographic decline. Christians were 2.6 per cent of the Indian population in 1971. They dwindled to 2.43 per cent in 1981 and to 2.34 per cent in 1991.

According to Census 2001, Christians comprise only 2.18 per cent of the population of India. This puts in perspective the merit of the allegation that large-scale conversions by Christians endanger the very survival of Hinduism in India.

How well-founded is the allegation that all conversions are effected by 'force, fraud or inducement'? This question was addressed ably by Justice Wadhwa Commission Report that puts together the findings in respect of the assassination of Graham Staines and his two sons, Philip and Timothy. Orissa was the first State in India to have formulated what is ironically named "Freedom of Religion Act (1967)"; an example that was followed, the very next year, by Madhya Pradesh. The report records that there were 10 conversions-related com-

plaints in Orissa since 1994, as per the records made available to the Commission of Inquiry. None has resulted in any conviction. To the best of our knowledge, no *bona fide* case of conversion by unfair means has been proved or punished anywhere in this country so far.

What politicians like Ms. Jayalithaa do not know is that conversion is the last resort for a human being. We know how upset we feel when even a small habit of ours is disturbed. If so, it is easy to see how difficult it is for a human being to be uprooted from his familiar religious terrain and transplanted in a different spiritual soil.

Why do people convert in spite of this? The fact of the matter is that the Dalits/SCs and STs of this country are trapped in such unimaginable humiliation and degradation that they are 'forced' to flee from their familiar home in search of freedom and dignity. If 'force' plays a role in conversions, it is mostly force of this kind and it is generated not by those who 'propagate' their faiths, but by the oppressive and inhuman caste system. As of today, a Dalit who converts, say to Christianity, stands to lose a great deal in terms of statutory benefits like reservation. Almost invariably, the converts are ostracised and disowned by their people. Several

live with or flee from hostile social environments. Conversion rarely brings any direct economic relief into their lives. Any improvement in the socio-economic status of the converts results, as the Wadhwa Commission Report points out in respect of the converts in Mayurbhanj and Keonjhar (Orissa), from a reformation in their lifestyles and religious practices. The converts to Christianity, the Report notes, give up drinking and ritual sacrifices. The money thus saved leads to an improvement in quality of life.

Ordinances like what Ms. Jayalithaa has now crafted serve only to raise the communal temperatures in our country and fuel the fire of intolerance. Those who have read the Wadhwa Commission Report sensitively could not have missed the subtle connection it establishes, albeit implicitly, between the Orissa Freedom of Religion Act of 1967 and the murder of Graham Staines. Till this legislative measure was put in place, the resentment against missionary work in general and conversion in particular had only a subjective and incoherent basis. The moment matters of conscience like conversion

are legislated upon from an obstructionist standpoint, this allergy acquires an air of objectivity and legitimacy. With this, the issue of conversion moves from the zone of resentment to that of righteous indignation. Those who practise and propagate their faith, as sanctioned under Article 25 of the Constitution, are seen thereafter as anti-social and anti-national elements. It becomes a religious duty, so to speak, to limit or liquidate them. Article 25 of the Constitution grants to every Indian citizen the "right freely to profess, practice and propagate religion." In interpreting the scope of this key provision, due emphasis must fall on the word, 'freely'. What this implies is obvious from 'Explanation 1' incorporated into this section of the Constitution. It reads, "The wearing and carrying of kirpans shall be deemed to be included in the profession of the Sikh religion". To 'freely' profess one's faith is, thus, to profess it in fidelity to its essential genius and uniqueness.

Anyone who knows the biblical faith would readily agree that the duty to preach and propagate the faith is at least as integral to Christianity as sword is to Sikhism. "Preach the gospel in season and out of season," is the instruction that the Bible gives to its followers. Jesus called the disciples to send them out with the Good News. No one can be a practitioner of the way of Christ without "wearing and carrying" the Gospel, as the Sikhs are to do in respect of kirpans. To insist that Christians should practice their faith without the freedom to propagate it is to say, in effect, that they are free to profess their faith not 'freely' but only as dictated by Hindus who comprise the brute majority. Because Hinduism is not a propagating faith, in spite of the VHP, no other faith, in exercising the freedom to 'freely' profess their faith, shall be free to 'propagate' their religion. If they do, it will violate the freedom of the Hindus to 'freely' profess their faith. This is the judicial wisdom obtained, as of today. This makes a mockery of Article 25 of the Constitution.

That being the case it is not clear as to how the Hon'ble judges of the Supreme Court, in Stanislaus vs. the State of Madhya Pradesh could come to the conclusion that the right to propagate does not imply the right to convert. Between propagation and conversion, there exists a relationship of cause and effect. Propagation is the cause and conversion the effect. To say that a person can have recourse to the cause but should not be free to bring about its effect is to take a curious position, to say the least.

(The writer is a peace activist)

OPINION

Christian-bashing again

10/10 Campaign against missionary schools 2 minutes 5-6

Are Christian-bashing incidents of the Dangs now being repeated in Rajasthan? Just over two years ago, the tribal dominated district of Gujarat hit the headlines because of the Sangh Parivar's sustained campaign against Christians. They indulged in Bible burning, ransacking churches, attacking nuns, priests and missionary schools. The excuse that was used to shield the VHP/ Bajrang Dal hoodlums was "forced" conversions. The missionaries were luring the poor defenceless tribals with promises of education, respect and employment to convert to Christianity, argued the VHP. The retribution for daring to better their lot was to burn their churches. The Christian-bashing in Gujarat came to a halt only after an international outcry.

Having made the minorities of Gujarat completely insecure the VHP has now turned its attention to Rajasthan. The modus operandi is the same. First leaflets are distributed against missionary schools, effigies of priests burnt, convent schools forcibly closed, parents forced to remove children from schools, priests vilified, humiliated in public, and arrested for crimes they had not committed. These are just tasters for worse incidents of direct attacks which will no doubt follow. Unfortunately the only difference from what happened in the Dangs was that here the local unit of the Congress joined hands with VHP/Bajrang Dal in the campaign.

While the VHP is not new to the "conversion" and "re-conversion" game, the Congress is. Though the Congress has not always played true to its secular pretensions and has peddled the soft-Hindutva line to woo majority community votes, this is the first time they have participated in Christian-bashing. In fact in the past the Congress has been attacked by the VHP for being pro-Christian because of their president Sonia Gandhi. The development is dangerous and the Congress high command must take serious note of the antics of its local unit, that too in a Congress-ruled state, immediately if it is to retain its secular image. Elections are due in Rajasthan next year and if the Congress too is seeking to extract political mileage they will fall between two stools. If voters are keen to vote for Hindutva their first choice will always be the BJP, not the Congress. But in the bargain they will also lose the secular and minority vote. Rajiv Gandhi tried the policy in the 1989 election and lost. Congress should learn from his mistakes if they are to do better. And on purely moral grounds Christian missionaries certainly do not deserve the vilification. Politicians of all parties should understand the dangerous game they are playing.

GUJARAT GAURAV-II

57-8 8/10

True Religions Never Fight With Each Other

By DHIRUBHAI MEHTA

I am shocked by the story narrated by Mr Jagdish Shah. Miss Nasreen, is a bright student studying in the tenth standard and her parents had dreams of making her a doctor. She has seen a lot of destruction before her eyes. When Mr Shah talked to her about future, she says: "No, chacha, I do not want to do anything now. I would now like to be only a terrorist. We have been born here but nobody allows us to live here in peace". This is quite alarming.

When a large number of people lose their trust in the system, in its integrity, and in justice and fairness, then only terrorism gathers strength. The people in Gujarat have been told on and off that Hindus in Gujarat would be reduced to minority.

Ratios

That Muslims are allowed to marry four women at a time and thereby increasing Muslim population. Pause for a moment. Could it be possible? The man to woman ratios of Hindus and Muslims are the same and it is the women who give birth to children and how many Muslims have married four wives?

It is also argued that Muslims would convert Hindus to Islamic religion. Muslims rulers ruled this country for 500-600 years and the English ruled for 150 years and yet Hindus constitute 82 per cent of India's population. Can anybody be afraid they would be reduced to a minority? In Gujarat Hindus constitute 89.48 per cent of the population as against which Muslims constitute 8.73 per cent.

The Vishwa Hindu Parishad and Bajrang Dal claim to have come out in the defence of Hindu interests. If they have any courage why didn't one of them reach Kashmir? Is it that everyone is a lion in his own street only? What has the Vishwa Hindu Parishad, Bajrang Dal or even BJP done to get Hindu Pandits resettled in Kashmir? When Hindus in Noakhali with 65 per cent Muslim population were in trouble, one man, the apostle of peace, Mahatma Gandhi leaving aside everything went on his yatra with his select band of volunteers and stayed there for some months to rehabilitate them.

(It is said that the Congress have pampered the Muslims for years). I hold no brief for Congress and, by and large, I have opposed it. During the Emergency, I actively participated in the political process to fight it. But the figures available suggest that to say that the Congress has pampered Muslims is as untrue as to say that the

so-called defendants of Hinduism are protecting the interests of Hindus. Muslims constitute 12 per cent of our population and their presence in Indian administrative and police services is less than three per cent. At the professional level of chartered accountants, lawyers, doctors, they are less than four per cent. In the Councils of Ministers different states, excluding Kashmir they are not more than five per cent. In schools and

men because of whom this country became slave, namely, Jaichand and Amirchand, were not Muslims."

There is no alternative for this country except to respect Samabhav for all religions. Mahatma Gandhi did not preach it as a saint but because it is the reality. In my own family my daughter is married in a Jain family; my nephew is married to a Christian girl from Kerala, my niece is married to a



colleges, Muslim students are even less than that. And, above all, an average Muslim is poorer and less educated than an average Hindu. When such facts glare at our face, how can any one claim that Muslims have been pampered? Is there enough justification for fanaticism against Muslims in this situation? What favours have we done them that people can justify the hatred shown to them?

Fears

Muslims constitute 9.67 per cent in Maharashtra, 28.3 per cent in Assam, 27 per cent in Kerala and Karnataka and 17 per cent in UP, while in Gujarat it remains 8.73 per cent. When people of these states do not harbour fears how come Gujarat does it? I have a feeling that the fascists are making Gujarat the laboratory for their experiments in fascism. Those who talk about denying Muslims their right to live in this country like other citizens should know that it is just not possible. Let us be realistic. Muslims constitute 12 per cent of the population and will remain here for all the time to come. The real wisdom lies in living with them with love and affection. From my personal experience with Muslims I can vouch that both Hindus and Muslims have same degrees of virtues and vices. There is a tendency to say that Muslims are traitors, but let me say that two

Muslim boy and my sister-in-law, to a protestant Christian. We have never experienced any difficulty in our mutual relationship.

After the 1992 demolition of Babari Masjid when riots broke out all over the country, my daughter and son-in-law were on their honeymoon in the South and came to pass through a city on the border of Kerala-Tamil Nadu. The Muslim crowd would not allow their car to pass through. From the crowd emerged a young Muslim who told them that because of what had happened at Babari Masjid, the crowd would not allow them to proceed. He asked them to leave the car and walk with him and assured them that nobody would touch their car. At his home the Muslim family arranged a full vegetarian lunch and in the evening when the bandh was over and the atmosphere was a little better he escorted them on motorcycle up to a distance of 15 km till they were on the road to safety. I am sure such things would have happened in Gujarat.

One thing is clear. What has happened in Gujarat is nothing to be proud of. This is actually the shame of Gujarat. If this is the pride of Gujarat then terrorists would be the pride of Kashmir and the Ranvir Sena would be pride of Bihar. What then should sane Gujaratis do? We can relentlessly endeavour to establish brotherly relations between Hindus and

Muslims. True religions never fight with each other.

Muslims have stayed with us for the past 500-600 years. Along with Vasanta Hegiste, who gave his life to stop communal strife in Ahmedabad in the late forties, there was also one more Rajabali who sacrificed his life to stop communal riots. There is a greater challenge against our culture from a number of TV channels, the Jackson-Madonna culture, five-star hotel culture and pub culture which are creeping all over our towns. commercialisation of our education and Anglicisation of our people. These are the challenges before us.

Courage

Is it not possible to stop them? Is it not advisable to fight them? Can we not effectively agitate against them? Do we lack courage? Are we not convinced of our cause?

Except in algebra nowhere else do two negatives make one positive. Except dividing or multiplying, two negatives add up to negatives only. Let us work towards the positive and divert our energies towards it. Today there are only two people who can save this country. First, Mr Atal Behari Vajpayee. Let him cease to be a follower of the RSS and become the Prime Minister of the country having diverse castes and religions. A large number of people still put their faith in him. If necessary, he should cut off his relationship with the RSS. If he fails to rise to the occasion, history will consider him responsible for handing over the country to a woman born abroad.

Another person who can save this country is Mrs Sonia Gandhi. Today, the Congress rules in 14 states in the country and is in a position to take over the administration of this country. But there exists a resentment against accepting a foreigner as Prime Minister. Leaving aside her personal interest and pride, if she can declare that she is not a candidate for the prime ministership, the country, I feel, would be willing to handing over power to the Congress.

Maybe she can put forward the name of Dr Manmohan Singh or anyone else she likes. If she fails to do so, the daughter-in-law of the Nehru dynasty would be held responsible in history for leaving the country in the hands of elements which believe in communal politics. Only Gujaratis can spoil the image of Gujarat. Only the Gujaratis can give back Gujarat its pride.

(Concluded)

Jaya cracks down on conversions

Statesman News Service

CHENNAI, Oct. 6. — In a move that is bound to have major religious ramifications, the Jayalalitha government has come out with a stringent Ordinance banning religious conversions "either by force, allurement or fraudulent means."

The Ordinance, promulgated late last night, is seen as yet another pro-Hindutva move by Miss Jayalalitha. This may well take the Tamil Nadu chief minister closer to the Sangh Parivar.

The Tamil Nadu Prohibition of Forcible Conversion of Religion Ordinance comes in the wake of reports of mass conversions of poor Hindus, mostly women, to Christianity, in Madurai. While Evangelical groups, which organized the conversion programme, claimed it was a "voluntary exercise," media reports said "poverty conditions" were exploited.

The Ordinance lays down stringent punishment involving imprisonment and a hefty fine to those found guilty.

There have been several instances

of conversion of Dalits in Tamil Nadu where offences relating to "untouchability" are on the rise. Since the controversial mass conversion incident at Meenakshipuram in Tirunelveli district in the 1980s, Dalits have increasingly turned to Islam to escape discrimination.

There have been mixed reactions to the Ordinance. The Kanchi seer has hailed it; a consumer action group says it's unconstitutional and Pravin Togadia wants a similar law in Congress-ruled states

Details on page 5

The Ordinance requires that all conversions be reported to district magistrates. "Whoever converts from one religion to another by himself or who ever takes part in conversions as religious priests shall within such period specified send intimation to the local magistrates," the Ordinance states. Moreover, "no person shall convert or attempt to convert either directly or

otherwise any person from one religion to another either by use of force or by allurement or by any fraudulent means," and nor shall any person "abet any such conversion."

A person violating the law is liable for imprisonment up to three years and a fine which may extend up to Rs. 50,000. If the converted persons are minors or women or those belonging to the Scheduled Castes or Tribes, the penalty would be much higher — imprisonment up to four years and a fine of Rs 1 lakh.

A state government notification justifies the Ordinance on the grounds that it had received several reports of religious conversions.

The legislation would act as a deterrent against anti-social elements and vested interest groups exploiting people belonging to the "depressed classes."

It may also be useful to nip in the bud attempts by certain religious fundamentalists and subversive forces to create communal tension under the garb of conversion.

TWO STABBED IN GUJARAT, LIFE HIT IN MUMBAI

Mixed response to bandh call

NEW DELHI, SEPT. 26. The nationwide bandh called by the Vishwa Hindu Parishad and the Shiv Sena today to protest Tuesday's terrorist attack on the Akshardham temple in Gandhinagar evoked a mixed response, and, was, by and large peaceful except for isolated incidents of violence in Gujarat — where two cases of stabbing were reported — Maharashtra, Uttar Pradesh, Rajasthan and Tamil Nadu.

With special security arrangements in place throughout the country to prevent any communal backlash, the dawn-to-dusk bandh was near total in Gujarat, Maharashtra, Uttar Pradesh, Himachal Pradesh and Rajasthan. There was some impact in Bihar, Kerala, Uttaranchal, Assam and Karnataka, where most of the educational institutions and business establishments remained closed.

The VHP claimed that the bandh was "total" in Kerala and Jammu, while it was "near total" in other States.

In the Capital, life remained largely unaffected. Offices, educational institutions and banks functioned normally and shops and commercial establishments remained open at most of the places. Scores of Shiv Sena activists, however, forced shopkeepers to down shutters in Chandni Chowk, Darya Ganj, Connaught Place, Karol Bagh and some areas of east Delhi.

The situation in Maharashtra was peaceful barring a few incidents of stone-throwing and "rail roko" in Mumbai. Shops, commodity markets, business establishments and educational institutions remained closed in the commercial capital. The Bombay Stock Exchange and the National Stock Exchange were operational but clearing transactions of the RBI were affected with few banks participating in the process.

There were some incidents of stone-throwing and police lath-

charge in Uttar Pradesh. Seventy persons were arrested while trying to enforce the shutdown, which evoked a near total response. Twenty VHP activists were arrested while taking out a procession in Aligarh while 25 bandh-supporters were arrested in Bhadohi. The bandh passed off peacefully in Gujarat, barring incidents of stabbing in the communally-sensitive city of Surat and arson in Vadodara even as the VHP claimed "unprecedented" response.

In Vadodara city, a tempo parked near a place of worship at the Bhagwati Estate under Wadi police station was set ablaze by miscreants. Soon after, Army jawans staged flag

marches in Wadi, City, Panigate and other sensitive areas.

In Ahmedabad, police rounded up 11 persons belonging to the majority community from Naroda Patiya. Localities inhabited by members of the minority community such as the Jawar Colony near Noorani Masjid wore a deserted look with the residents "returning" to the Haj House relief camp, where they had taken shelter during the riots.

In Ajmer, Rajasthan, the bandh supporters damaged the window panes of the reservation counters at the main bus stand. — PTI, UNI

More reports, pictures on Page 12

'CLUE POINTS TO PAK NATIONALITY'

By Neena Vyas

NEW DELHI, SEPT. 26. Unlike in the terrorist attack on Parliament House on December 13 last, the 'fidayeen' (suicide squad) which entered the Akshardham temple in Gandhinagar on Tuesday carried no mobile telephones, and this may make the task of establishing their identities — names and addresses — that much more difficult. But a "clue" points strongly towards their Pakistani nationality.

The Deputy Prime Minister, L. K. Advani, shared this information with his colleagues in the Bharatiya Janata Party at the emergency meeting of the national executive committee here today. He briefed them on the Akshardham attack, giving a first-hand account as he had rushed to Gandhinagar within hours of the terrorists entering the temple complex.

Mr. Advani said that after the December 13 attack, police had established the identities of the terrorists by tracing their telephone calls on the mobile phones that they were carrying. The terrorists killed in the temple siege, however, did not carry them — possibly their "masters" had learnt a lesson.

However, Mr. Advani reportedly added, police were "quite sure" of the Pakistani identity of the terrorists as they had unwittingly provided a "clue" in the "note" recovered from them. The "note" said that the attack was being carried out as a "revenge" for the killing of Muslims during the Gujarat riots, but while referring to Gujarat it said "Gujarat Hind."

There is a town called Gujrat in the Punjab province of Pakistan, and, therefore, in Pakistan it is common to distinguish the Indian Gujarat by adding 'Hind' (for Hindustan) just as the Indian Hyderabad is described as 'Hyderabad Deccan' to differentiate it from the Hyderabad city in Pakistan. On the basis of this "clue," Mr. Advani said that the terrorists were certainly not Gujaratis or Indians.

SEP 26 2013

NDL

THURSDAY, SEPTEMBER 26, 2002

A HEINOUS ACT

9 minutes
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2/28

THE HEINOUS TERRORIST attack on the Swaminarayan sect's Akshardham temple complex in Gandhinagar (Gujarat), which clearly ranks among the most dastardly of such assaults on innocent civilians outside Jammu and Kashmir, deserves to be condemned in the strongest of terms by everyone who has even a modicum of faith in basic human values and civilised behaviour. The sense of outrage the incident has evoked worldwide is reflective of the heightened anti-terror mood generated by the global campaign post-9/11. While the exact identity of the terrorist elements that perpetrated the dark deed may take some time to be established conclusively, one cannot peremptorily dismiss the fact that the attack has come at a time when the externally-backed jihadi groups are under tremendous international pressure and when the Jammu and Kashmir-specific terrorist menace (especially in the context of the ongoing Assembly elections) is being tackled in all seriousness. In fact, the immediate official reactions — from the Prime Minister, Atal Behari Vajpayee, and the Deputy Prime Minister, L. K. Advani, downwards — have been absolutely clear about the Gandhinagar episode being an act of "desperation" by terrorist elements patronised from across the border, a "frustrated" lot.

Whoever is responsible, there is little doubt about the diabolical design behind the Gandhinagar incident that left around 30 persons dead and over 100 others wounded. The consolatory and reassuring part of course is that a few hundred more worshippers and tourists trapped inside the temple complex were evacuated by the security forces before the two-member terrorist squad could be tackled in a smooth commando operation. In targeting a high-profile place of worship in a State that has seen the communal temperature rising in recent months, the perpetrators have obviously sought to further their sinister objective of destabilising the polity by provoking a communal

backlash. Given this context, it is indeed heartening that the political class across the country has, in a remarkable display of solidarity and spontaneity, responded with a passionate public appeal for restraint and peace and a pledge to ensure that communal harmony is not allowed to be disrupted, whatever the provocation from the terrorist forces. After all, the challenge from such subversive elements is to civil society — and all the liberal values that it cherishes as for instance participative democracy, pluralism and rule of law — and not to any particular segment of it. Any response that fails to recognise this fundamental proposition will betray a total lack of maturity and, what is more, result in playing into the hands of the saboteurs themselves.

In practical terms, this will require, first, that the political parties resist the temptation of competitive politicking by embarking upon such potentially divisive and violence-prone activities as protest demonstrations or bandhs. At a more substantive level, the anti-terror combat must be looked upon and operated scrupulously as such and not turned into a medium for harassing or persecuting any particular community. Obvious though it is, caution on this score has become necessary in the context of some ominous developments underscoring communally-divisive trends in several parts of the country and in Gujarat in particular. As a matter of conscientiously committed principle, the entire political class must reach out to the masses with the message of communal amity and harmony, not seek to drive a wedge between different religious groups for narrow partisan gains. There could be no better or more effective way of frustrating the attempts of the terrorist elements to set one community against another as a tactic to secure their vicious end. What is at stake in the fight against terrorism is really the very soul of the nation, which in turn lies in such values as secularism and multiethnicity.

26 SEP 2002

Bandh total in Assam, partial in Orissa, Bihar

OUR BUREAU

Sept. 26: No stranger to mindless acts of violence, Assam found reason to respond positively to the Vishwa Hindu Parishad's call for a nationwide bandh today in protest against the massacre of innocents at the Swaminarayan temple in Gujarat.

Putting things in perspective, a professor of Gauhati University said the "success" of the bandh was a manifestation of the people's anger over repeated acts of terrorism.

Official sources said the bandh passed off peacefully, barring stray incidents. Police took about 15 people into custody in Badarpur for pelting stones on vehicles. They were let off in the evening. Altogether 31 people were arrested in the two districts of Cachar and Karimganj for picketing. The bandh in the twin districts and the adjoining one of Hailakandi was total with all shops, markets, banks, govern-

ment offices and educational institutions remaining closed.

Attendance in government offices in Guwahati was thin, while markets remained closed throughout the day. Educational institutions, banks and other financial organisations were shut, too. Train services were not affected by the bandh, but the number of travellers was less than on a normal day. Indian Airlines and private airlines operated flights as usual.

The state government yesterday beefed up security in and around six temples, including the Kamakhya.

In Meghalaya, the VHP's call for a bandh evoked little response. However, attendance in government offices was thin because of the two-day picketing programme by nine organisations, led by the Khasi Students' Union. They are demanding an inquiry into a custodial death.

In Manipur, there was no sign of a bandh. Markets were open and attendance in government

offices was normal, sources said. Life in Arunachal Pradesh was partially affected. Business establishments in the state capital and some districts were closed, while long-distance buses were off the road, sources said.

Elsewhere in the region, the bandh evoked partial response in Orissa, reports PTI. The state felt the impact of the bandh in Kalahandi, Bolangir, Bargarh and Sambalpur districts while there was lukewarm response in the coastal belt. In Bhubaneswar, shops business establishments, and several educational institutions remained closed.

In Bihar, the bandh evoked a mixed response with shops and business establishments downing shutters and bus operators suspending services during the day. No untoward incidents were reported from anywhere in the state so far, police sources said.

The bandh began on a peaceful note in Jharkhand amid tight vigil. Securitymen patrolled sen-

26 SEP 2009

3

Living in fear: strike to



On knife-edge, courtesy VHP

ANAND SOONDAS
AND BASANT RAWAT

Ahmedabad, Sept. 25: A day after the militant strike, fear of terror spilled out of the blood-splattered walls of the temple complex as Gujarat braced for Thursday's bandh sponsored by the Vishva Hindu Parishad.

Operation Akshardham, which lasted 8 hours 45 minutes and left two militants and three commandos dead, ended the siege of Swaminarayan temple at dawn. The total civilian toll stood at 29.

But as security forces pulled out of the temple, an army brigade of 2,500 to 3,000 soldiers moved into sensitive areas in Gandhinagar and Ahmedabad, taut with apprehension of retaliatory communal violence.

The VHP has refused to give any assurance that the Bharat bandh will be peaceful. "If their (people's) resentment is not properly channelised, there will be widespread and large-scale violence," warned secretary Surendra Jain, who is also the Bajrang Dal convener.

Riots had broken out across Gujarat during the last Bharat bandh called by the VHP after the Godhra carnage. The outfit's general secretary, Praveen Togadia, today urged Hindus not to feel guilty about those riots, which had killed about a thousand people. "I cannot say that (there will be no violence) because I am not an astrologer," he added.

Though the BJP has not declared its support for the bandh, the VHP is taking it for granted. "The BJP has not opposed the bandh either," said a senior leader. "So long as the BJP does not oppose us, we take their silence as support," he added.

The state Cabinet met today to review law and order as fear gripped the minority community on the eve of the bandh.

Revenge for the Gujarat riots was the motive for the attack on the Swaminarayan temple, according to a letter found in the pocket of one of the militants. The letter said the two men were members of Tehreek-e-Kasas (movement for revenge), an outfit that has not been heard of before.

At 6.40 pm yesterday, about two hours after the gunmen stormed the temple, the National Security Guard unit at Manesar in Haryana was told to get on the job. Not much later, the commandos landed at Ahmedabad airport and were on their way to the temple. A recon was through by 10 pm.

Though the complex was well lit and the commandos were equipped with night-vision devices, they had trouble making their way through the dense foliage without being detected.

"Even till early morning we didn't know exactly how many terrorists were holed up inside the temple and how many were being held hostage," said Brigadier Raj Seetapathy, who led the NSG operation.

Seetapathy was trying to as-



(Top) The body of a militant in Gandhinagar. VHP activists demonstrate near Parliament on Wednesday. (AFP, PTI)

certain if a policeman lying near the entrance was still alive when the gunmen opened fire on him, giving away their whereabouts.

By 3.30 am, the operation was in full swing. The attackers had lobbed most of the 25 grenades they used and were running out of ammunition.

Seetapathy sent his commandos in three directions, encircling the militants. One group forced the militants to vacate their position on the rooftop, while other commandos lay in wait for them to come down. Rushing down for cover, the gunmen hid behind the AC plant. The time was 6.45 am. The commandos surrounded the plant.

With no escape route, the militants locked themselves in a bathroom. The commandos

waited till the militants, tired of being locked inside, came out shooting indiscriminately. A volley of bullets felled them immediately. Daylight had just broken when the siege ended.

As many as 160 persons, trapped in the complex overnight, were ushered out. Seventy had bolted themselves inside the temple while 90 hid in the exhibition halls.

A commando from the NSG and two from the State Reserve Police died in the operation. "The terrorists were well-trained and prepared for a very long haul," Seetapathy said. "The attack was very similar to the December 13 attack on Parliament. Perhaps, they had plans of taking in hostages also."

■ See Pages 6 and 8

Words of revenge

ANAND SOONDAS
AND BASANT RAWAT

Ahmedabad, Sept. 25: A letter pulled out from the blood-soaked pocket of one of the slain attackers said they were avenging the Gujarat riots.

Written in Urdu, the letter said Tehreek is a "movement for revenge". "Gujarat mein Musalmanon ke saath jo suluk kiya, uska badla lenge. Agar aur bhi zulm hue, to aur zyada." (The movement will avenge the cruelty meted out to Muslims in Gujarat. If the ill-treatment continues, the retaliation will be more serious.)

Barely out of their teens,

clean-shaven and clad in expensive clothes and sports shoes, the duo has shaken police with their "motivation" and "professionalism".

Brigadier Raj Seetapathy of the National Security Guard, who led the commando operation, said: "They were obviously very well trained and highly motivated. The very fact that we found dry fruits on their person to last them at least another 48 hours and ammunition close to 360 rounds means they were prepared for more."

Between the two of them, the attackers battled hordes of policemen. State Reserve Police jawans and BSF and NSG com-

mandos for close to 12 hours and killed three of them.

The attackers were carrying AK assault rifles with six magazines each. A magazine has 30 rounds. They were also armed with a huge cache of plastic grenades, 25 of which were lobbed at pilgrims and policemen. "These grenades are of Australian make and are mostly used by infiltrators in the Kashmir Valley," Seetapathy said.

The gunmen managed to breach the security in the maximum alert zone housing the Raj Bhavan, the chief minister's residence and the legislature. "We have to take their threat seriously," said DGP K. Chakravarty.

Terror knows no borders



A victim's relative breaks down in Karachi. (AFP)

Karachi, Sept. 25 (Reuters): Two gunmen burst into the offices of a Christian charity in the Pakistani city of Karachi today and tied up and gagged seven Christians before shooting them at point-blank range, police said.

The attack was the latest in a series of bloody assaults on Christian or Western targets since Pakistan's military government sided with the US-led war on terror last year.

■ See Page 4

Delhi brake on Modi yatra

KAY BENEDICT

New Delhi, Sept. 25: Gujarat chief minister Narendra Modi has deferred the fourth leg of his Gaurav Yatra following a directive from central BJP leaders.

Sources said the party top brass felt the march, which has been marred by Modi's anti-minority statements, might lead to fresh trouble after yesterday's attack on the Swaminarayan temple.

BJP sources said Modi has been told to put the yatra on hold for at least 10 days till the situation eases. The party has convened an emergency meeting of central office-bearers in Gurgaon tomorrow to take stock of the situation. Sources said party chief M. Venkaiah Naidu and deputy Prime Minister L.K. Advani will attend the meeting, which would discuss whether to allow Modi to go ahead with the yatra.

For the record, however, the BJP maintained there was "no connection" between the yatra and the attack and the decision on the march "would be taken by the state unit".

"The ... meeting is being held to take stock of the situation arising out of the terrorist attack on the temple and we would also chalk out the future course of action," Naidu told reporters at Gurgaon.

QUOTE

Some other powers are behind it (the temple attack)

A.B. VAJPAYEE

It must end, says Prime Minister after visiting temple

Vicious cycle jolts Vajpayee

OUR CORRESPONDENT

Gandhinagar, Sept. 25: Prime Minister Atal Bihari Vajpayee said what was expected of him: that somehow Pakistan had a hand in yesterday's carnage at the Swaminarayan temple. It was also no surprise that he appealed for peace.

"We must remain united and maintain our traditional spirit of brotherhood at all costs. There is no room for differences," he said here after flying in directly from Male.

Behind the finger that pointed across the border and the hand that was raised in appeal to Gujarat and the rest of the country, there lurked a fear the Prime Minister is not alone in harbouring.

That fear has its root in Godhra and the retaliation that followed taking a thousand lives. That root was watered

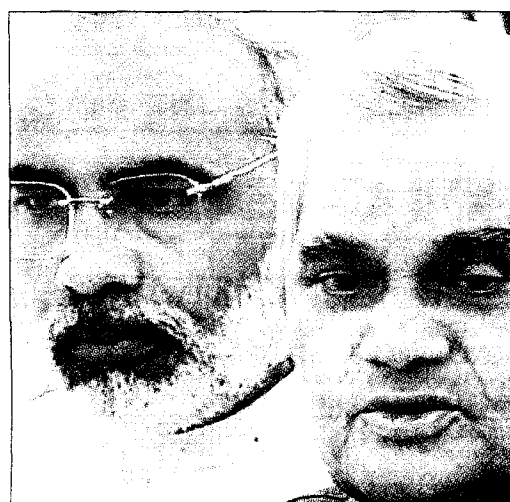
with blood yesterday at the temple. That fear was written into the letter the two militants carried on them — it said revenge — and would have been strengthened by the VHP's silence on standing guarantee against violence during tomorrow's bandh.

When will this cycle of violence end? Vajpayee did not ask this question in so many words, but meant it. "First, violence takes place somewhere and revenge is taken elsewhere. This must end," he said.

He did not address it to anyone and he addressed it to everyone, and that does not leave out the VHP.

"It is not a question of party but is linked to the question of the country's unity, societal security and communal fabric," the Prime Minister added.

CONTINUED ON PAGE 6 ►



Modi with Vajpayee at the temple. (AFP)

Bandh will be total, say organisers

TIMES NEWS NETWORK

Mumbai: The BJP, Bajrang Dal and the Vishwa Hindu Parishad have teamed up with Shiv Sena to enforce a bandh today to condemn the terrorist attack on the Swaminarayan temple in Gandhinagar.

On Wednesday, Sena shakhas swung into action in close coordination with BJP-VHP activists to ensure a complete bandh. However, essential services have been exempted. Boards calling for a bandh sprouted at vantage points across the metropolis. Commercial markets, private enterprises, industrial units and educational institutions will remain closed today, a VHP official said.

In a press statement on Tuesday, Sena

chief Bal Thackeray had criticised the Sangh for declaring the bandh unilaterally. However, senior VHP functionaries and Mumbai BJP boss Vinod Tawde on Wednesday held telephonic talks with Uddhav Thackeray to clear up the misunderstanding and finalise details of the strike, it is learnt.

"The bandh will be total and peaceful. The Sena will in no way encourage violence as we do not want to trivialise the tragedy," Sena leader Uddhav Thackeray said. "Again, the bandh is not directed against any religious community."

He added: "We are sure Muslims have the nation's interests dear to their heart and, as such, they are equally upset about the killings. We want them to actively

join the Thursday bandh." Mr Tawde of the BJP said that partymen have been visiting various areas in Mumbai asking for calm. "The bandh will have no untoward incidents," he promised.

Elaborate security arrangements and preventive measures have been made by the state government to ensure that the bandh is peaceful. Deputy chief minister Chhagan Bhujbal said the state government will not initiate any action against those supporting the bandh call. "However, should the activists indulge in any actions which would create communal tension or damage property the police will take stern action," he said.

● Police chief appeals for calm, Page 3

2001

Massaging the temple

Swamin
Terror must not provoke Uga

In the grim business that is counter-terrorism, anticipation of an attack is rare and the quality of response is the best and often the only yardstick to judge an administration. By that count, the Centre and the Gujarat government did well. Local police was somewhat but not, as horribly late as usual in reaching the Swaminarayan Temple. Commandos of the National Security Guard were airlifted quickly. Indeed, the point being made by the administration that the death toll is accounted for by the initial attack and that the two terrorists could not claim any further victims once security forces arrived, is valid. So is the claim that quick armed response did not allow the terrorists to take devotees as hostages. If they had, the consequences would have been dreadful. Equally, and perhaps more important was the fact that the Deputy Prime Minister, LK Advani, left for Gujarat within hours of the attack, and undoubtedly used his authority to neutralise the other danger — Narendra Modi's motor-mouth.

But that is only the beginning of the Centre's and the state's job. Remember that post-Godhra violence took a few days to build and then went virtually unchecked. Remember also that the curtain raiser to the violence was a VHP bandh call. This time, too, the VHP has called for a nationwide bandh on 26 September, the Shiv Sena has appended its signature. Advani will need to send out a clear signal that saffron headgear and trident as accessories will not qualify marauders for the administration's wink and nudge. But at least the Congress should be in no position to say anything on this. Its Gujarat unit's decision to call for a state bandh today is nothing short of grotesque. It makes the Congress' politics no different from that of the VHP and indeed resurrects memories of those awful first days of Gujarat riots, when Sonia Gandhi's party was busy condemning the violence in Delhi's TV studios but were silent and unseen in the state. The responsibility on the Central and state administrations is, therefore, enormous and vigilance must be maintained for a long time, certainly till elections in the state are over.

If Gujarat can mourn the attack in peace, the Centre will have a better opportunity to address the other issues, including whether the Swaminarayan tragedy represents a shift in Pakistan's proxy war. Attack on shrines is not a new terrorist strategy. But targeting the grander symbols of one religion in the hope of provoking an atavistic response may be. If that is the case, one battle is already lost because especially with places of worship access control is both difficult and morally dubious. If the two terrorists who died in Gujarat are part of a bigger plan to shift the focus away from Kashmir — as Advani indicated — our problems may get compounded. But never, at no stage, must we descend to the level of those who Pervez Musharraf claims not to know. Another Gujarat must not happen, even if more Swaminarayans do.

26 SEP 2001

THE STATESMAN

Siege ends at dawn ■ Conspiracy, says PM

Attack may be revenge for Gujarat riots

Anil Rana in Gandhinagar

Sept. 25. — The 13-hour siege of the Swaminarayan Temple ended at dawn today when the two terrorists who had stormed the complex yesterday were gunned down by NSG commandos. The final toll was officially scaled down today to 31, with 70 injured.

Letters found in the pockets of the attackers revealed that they belonged to the *Tehrik-a-Khasas* ('Movement for Revenge'). A Muslim priest, who read a letter, said the contents spoke of the need for revenge after Godhra.

The two dead terrorists, both aged around 20, were circumcised, said Brig. Raj Seethapathy, who led the commando operation codenamed 'Vajra Shakti'. He did not disclose the number of commandos involved, but said they carried rocket-launchers, carbines and sniper rifles, and were equipped with bullet-proof vests and night-vision devices. "The terrorists were physically fit, well-equipped and trained," he said.

Nearly 100 devotees were taken out safely after the operation. The commandos had exchanged gunfire with the terrorists through the night. "The operation was 100% successful. No collateral damage was sustained and no hostage killed," the brigadier said. The Black Cats were on the flight back to Delhi by noon today.

Mr LK Advani and Mr Modi arrived at the temple this morning. In the evening, a visibly shocked Prime Minister, who cut short his Maldives trip, arrived with his entourage af-

ter visiting the injured at the civil hospital.

Mr Vajpayee told reporters that the attack "was a deep-rooted conspiracy". "Intelligence agencies have been asked to furnish details," he said. "The blood on the floor of the temple will never wash away. It will be a reminder to combat acts of terrorism," he said. Terrorists have no religion and must be isolated. "What they are indulging in is not a revolution," the Prime Minister added.

Mr Vajpayee said the Kashmir polls were progressing peacefully and this "was a slap on the face of Pakistan". "What kind of people are these who kill innocents in holy places?"

The Prime Minister referred to Afghanistan where a mix of fundamentalism and weapons did not work. He said communalism had no place in this country and called for this circle of revenge and counter-revenge to stop. He also announced an ex gratia of Rs 50,000 for the families of the dead and injured and lauded the three commandos (one from the NSG) who went down fighting.

Mrs Sonia Gandhi arrived at the temple with Dr Manmohan Singh, Mr Shankersinh Vaghela, PCC president, and other leaders this evening. She blamed the government for the Intelligence failure, but expressed support "for the fight against terrorism".

The Congress-called state bandh was partial. Schools remained open but some petrol pumps in Ahmedabad were shut. Shops in some areas downed shutters. Parts of Ahmedabad were tense.

Editorial: Massaging the temple, page 6
Reports, photograph on page 4

Back to camp

GANDHINAGAR, Sept. 25. — Fear has driven some people back to refugee camps from their homes in Ahmedabad a day ahead of the VHP bandh. Naroda Patia is virtually empty, and 2,000 people have returned to Surinderam Nagar camp, reports said. — SNS

WEDNESDAY, SEPTEMBER 25, 2002

49-10
CONTINUED PROVOCATION

IN MAINTAINING THAT he was only talking generally, not referring to any particular community, when he spoke of the proliferation of numbers, the Gujarat Chief Minister, Narendra Modi, is trying to be too clever by half. After the groundswell of public protests that his outrageous and blatantly provocative remarks made earlier at Becharaji during the first leg of his Gaurav Yatra — particularly his “we five, ours 25” chant — against the minority community had evoked, Mr. Modi would seem to have decided to make a retreat of sorts by placing on ‘record’ that his population-related observations were not community-specific. In the wake of the National Minorities Commission’s intervention post-Becharaji and its interest in securing the audio-tape of Mr. Modi’s speech for scrutiny and the subsequent tape-linked controversy that put the State Government and the BJP leadership in an awkward position, Mr. Modi apparently found it expedient to make such a formal delinking in his subsequent phases of the ‘yatra’. At Surat, building upon the Becharaji enunciation of ‘5-25’, he gave the mathematical progression, ‘5-25-625’, to explain the exponential growth of population over two generations. Mr. Modi appears determined to use ‘demography’ as a tool for Muslim-bashing. During the ‘Gaurav Yatra’, just as he cited the Newtonian theory (every action has a reaction) for justifying the minority-targeted pogrom after the Godhra carnage, he built on the demographic and politically insensitive metaphor.

No amount of white-washing, as is being attempted rather crudely and deceitfully, will conceal the sort of communal hatred which Mr. Modi has set out to spread against minorities in the name of upholding Gujarat’s ‘gaurav’. Not only did he make incendiary insinuations against Muslims by evoking the distasteful stereotype of a community that breeds fast, but he spoke of teaching them a “lesson”. Witness also Mr. Modi’s intemperate remarks against the Chief Election Commissioner, J.M. Lyngdoh (in the wake of the Election Commission’s decision against ‘early

Assembly polls), with a not-so-subtle reference to his being a Christian and a dark hint of a ‘bias’ in Mr. Lyngdoh towards the Sonia Gandhi-led Congress. Even his criticism of Ms. Gandhi on the contentious ‘foreign origin’ issue carried unmistakably communal overtones. In fact, from the beginning, it was clear that the ‘Gaurav Yatra’ was conceived precisely to whip up and harness anti-minority sentiments. If anything, the way Mr. Modi has been spewing venom as he crisscrossed the State only serves to reinforce that perception. The spectacle of a Chief Minister embarking upon a vicious communal campaign and making incendiary speeches — of the kind that prima facie attract the penal provisions of the law — is not just reprehensible but makes a mockery of the rule of law.

9- minutes
What is even more worrying is the endorsement and support Mr. Modi has received from the BJP leadership for his cynical game plan to consolidate the so-called Hindu majority vote and capitalise on it in the coming Assembly poll. The responses particularly of the Prime Minister, Atal Behari Vajpayee, and the Deputy Prime Minister, L.K. Advani, have been marked by calculated equivocation, and they varied between dissent and approval, if not active support, depending on the exigencies at the given point of time. In fact, there is open talk by the Sangh Parivar, including from the BJP’s Hindutva core elements, that what is being tried out in Gujarat (in the context of the Assembly elections) is a new ideological experiment (with Mr. Modi as the mascot) which will to be replicated elsewhere. Again, the Vishwa Hindu Parishad chief, Ashok Singhal, recently cited the ‘Gujarat experiment’ in which “entire villages were emptied” of Muslims with implicit approval, noting that it would be repeated nation-wide. Unless the likes of Mr. Modi and Mr. Singhal are reined in, a proposition which of course is largely predicated upon the BJP itself reversing its ‘Goa line’, there is no way the Vajpayee regime can retain credibility in the eyes of the world or carry much conviction about its preferred secular credentials, at home.

2002

INDIA

Temple attack not related to riots: Advani



Paramilitary forces at the Swaminarayan temple gate after the militant attack in Gandhinagar on Tuesday.

HT Correspondent
New Delhi, September 24

BRUSHING ASIDE any links between today's temple attack and the post-Godhra riots, Deputy Prime Minister LK Advani said the terrorists' attack was aimed at "distracting the attention from the success of the J&K polls which had strengthened India in the world community."

After a teleconference with Narendra Modi, Advani said, "It's a *fidayeen* attack." He added that Atal Bihari Vajpayee, now in Male, was briefed on the incident.

Asked if he viewed today's strike as a continuation of the communal violence in Gujarat, Advani said: "No, I wouldn't put it that way. There is a deliberate design."

Asked if it would trigger a communal flare-up in the State, Advani said: "I'm sure the people of the State will understand that communal conflict will harm them and the State and help the perpetrators of the attack."

Meanwhile, to prevent any possible communal backlash in the State, the Centre would despatch addi-

tional companies of armed CPRF personnel. Commandos of the National Security Guards (NSG) have been air-dashed to Gandhinagar and they would take over operations in the event of the terrorists continuing to lay siege to the temple.

According to unconfirmed information available with Advani, armed with AK-47 rifles and hand grenades, the terrorists barged into the temple complex around 5:20 pm in an Ambassador car and sprayed bullets on the devotees.

Before leaving for Gandhinagar, the Deputy PM spoke to a swami inside the temple complex. The swami informed Advani that the terrorists numbering anywhere between two and four, drove into the temple premises in an Ambassador car. According to this report, the terrorists opened fire at a woman who was on duty at the entrance and then lobbed hand grenades before taking cover atop the roof of a cultural complex. The swami also said that the terrorists were not dressed in police uniform as reported earlier and wore civilian clothes.

VHP, CONG CALL BANDH

THE VHP called a Bharat bandh on September 26 in protest against the attack on the temple, even as the RSS urged the people of Gujarat to maintain the peace and not to fall prey to the designs of terrorists.

"The VHP and Bajrang Dal have decided to observe a Bharat bandh against the attack and jihad terrorism. Only the health services will be exempted from the purview of the bandh," VHP secretary and in-charge of Bajrang Dal Surendra Jain said in Rohtak.

VHP president Ashok Singhal described in Kanpur the Gandhinagar temple attack as "more

serious" an incident than the Godhra carnage and said such actions would recur if timely measures were not taken.

The Gujarat Congress, meanwhile, has called a Statewide bandh on Thursday. In a joint statement in Ahmedabad, Gujarat Congress president Shankersinh Vaghela and senior party leader Amarsinh Chaudhary expressed "deep grief" over the incident and condemned it in the strongest terms.

They said the incident exposed the hollow claims by LK Advani on efforts being made to stonewall terrorism.

PTI, New Delhi

Second thoughts on Modi tapes

OUR SPECIAL
CORRESPONDENT

New Delhi, Sept. 22: The controversial Modi tapes have put the National Commission for Minorities (NCM) in a bind.

Amid reports that hardliners in the Sangh parivar feel that the controversy will deepen the perceived polarisation in Gujarat, the commission is thinking whether to insist on seeing the tapes.

The commission is expected to take a decision on Monday whether to haul up chief minister Narendra Modi over the tapes which carry inflammatory statements against the minority community.

When the chief minister's speeches ignited an uproar, Modi as well as the BJP disowned the statements and said they were misquoted.

But a private television channel aired the tape, after which the minorities commission wrote to the Gujarat administration demanding the tapes.

Sources said there is a view in the commission that it should bury the case as a lingering controversy will only benefit Modi and those who are banking on polarisation of voters.

"Not a single Muslim leader from Gujarat or Congress leader Shankar Sinh Vaghela has talked about the tapes. Some Delhi-based Opposition leaders and media persons are talking about it. Vaghela, like the Sangh parivar leaders, knows that overplaying the Modi remarks will only help Modi," said a commission source.

The commission said it was awaiting the copies of the tapes. "We have issued a notice

to the state government asking them to send us a copy of the taped speech of Modi. We think the state government might submit the tapes in the next few days," commission chairman Mohammed Shamim said.

Asked how long the NCM, which issued the notice last week, will wait, Shamim said: "The notice has gone from one department to another. It will take time before the tapes come."

On a report that the Gujarat state home department had refused to hand over the tapes, Shamim said: "No official communication to this effect has been received by the commission from Gujarat government."

Modi and state officials have distanced themselves from the controversial comments but parivar hawks are learnt to be planning to distribute 25,000

copies of the tapes to further polarise Hindu voters.

RSS sources said the parivar is divided on the impact of Modi's speeches. While one camp believes that they would help the BJP in the Gujarat elections, another feels that they would produce only a backlash.

"The controversy may help the BJP only in Gujarat. In the rest of the country, there is revulsion among a silent, but vast section, of Hindus about the campaigning by Modi," an RSS source said.

Asked if the VHP would make use of the tapes to polarise votes in favour of the BJP, parishad spokesperson Veereshwar Dwivedi said: "I am not in touch with the state leaders. I have not heard the tapes. What Modi said is okay but not the manner in which he said it."

Advani disapproves of Modi's remarks

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mi
10-1 By Vinay Kumar 2/9

NEW DELHI, SEPT. 20. The Deputy Prime Minister, L.K. Advani, today disapproved of the remarks made by the Gujarat Chief Minister, Narendra Modi, such as "*Hum paanch, hamaare pachees*" against the minorities saying they were unbecoming of a Chief Minister.

Talking exclusively to *The Hindu* on his return from Mumbai this morning, Mr. Advani felt that such utterances should not have come from a Chief Minister.

Asked about Mr. Modi's controversial speech, he said that an individual's (Mr. Modi's) public criticism at a time when the party was in the election mode in Gujarat would only "weaken the party." However, he hastened to add that the BJP, as a party, also did not approve of Mr. Modi's controversial remarks.

On the Vishwa Hindu Parishad's reported plan of circulating the audio tapes of Mr. Modi's speeches which reportedly contain objectionable remarks vis-a-vis Muslims, Mr. Advani said Hindu organisations should not become counterparts of Islamic fundamentalism.

He said the riots, violence and killings in Gujarat in February-March were a "matter of shame" and a blot on the Government which in the past four years had provided a riot-free atmosphere. He said all his speeches in both the Houses of Parliament reflected his "deep distress" over the Gujarat riots.

"Even during my visit to London last month, I said that the Gujarat riots were a blot on our Government and a matter of shame. I met two Muslim representatives in London from the British Council of Masjids who came from the British Foreign Secretary, Jack Straw's constituency. I told them that nobody was defending the riots in Gujarat, it was indefensible, but in the past too bad riots had been sparked by small incidents and here it was a horrendous holocaust. "While quelling the riots, nearly 200 people were killed in police firing in Gujarat but the policemen still get the blame." In one incident, police shifted 400 school children to safety from a madrasa in Bhavnagar to the proper city and the effort was acknowledged in the Lok Sabha by the CPI(M) leader, Somnath Chatterjee.

Answering queries on the current Jammu and Kashmir Assembly polls, Mr. Advani said the most important task remained the "peaceful, free and fair" conduct of elections in the State.

"After the polls, we will see what kind of combination comes to power and talk to it on devolution of powers to the State. The post-poll scenario will also show how international pressure on Pakistan will affect its attitude to terrorism," he said.

Pakistan would have to dismantle the infrastructure of terror machinery on its soil, wind up training camps and cut off the financial lifeline to the terrorist organisations before a dialogue could be started with it.

21 SEP 2002

THE HINDU

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ENFORCE THE RULE OF LAW

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20/9

BY RULING OUT a fresh notification to constitute a Special Court to try the accused in the Babri Masjid demolition case, the Uttar Pradesh Chief Minister, Mayawati, has only demonstrated her inability to match words with action. The BSP's stormy petrel had maintained, categorically through her election campaign and even at the time of forging the post-poll pact with the BJP in the State, that her party will not dilute its commitment to ensuring the rule of law. It is another matter that her protestations against the BJP were not taken seriously even then. To expect the BSP leader to issue a fresh notification setting up a Special Court in Lucknow (by way of rectifying the technical flaw in an earlier order due to which several influential leaders in the BJP and the VHP were discharged) was, as a matter of fact, asking Ms. Mayawati to put her own position as Chief Minister of Uttar Pradesh at stake. A fresh notification will mean the State Government setting the stage to prosecute important leaders of the BJP and there was no way Ms. Mayawati could have obtained sanction for such a decision from her own Cabinet of which the BJP too is a part. The Chief Minister could, of course, have taken the moral high ground, at the risk of jettisoning her position, and issued a notification after obtaining the statutory permission from the Allahabad High Court. But then, given Ms. Mayawati's own track record of political ambiguity and very little interest in ideology or principle, it would have been highly unlikely that she would have taken such a course.

Be that as it may, there is a point in the Chief Minister's argument that it is for the CBI to decide on prosecuting the BJP-VHP leaders in a regular court as long as the investigating agency is in possession of legally sustainable evidence against them in the Babri Masjid demolition case. The idea of a Special Court is based on the perceived need to ensure speedy trials. The Babri Masjid demolition case, in any case, pertains to an organised crime committed

almost ten years ago and the fact that the case has not even reached the stage where the charges are framed is indeed a damaging commentary on the priorities of the CBI. Neither did the CBI, in this instance, file an appeal against the Allahabad High Court verdict (that led to the discharge of such leaders as L.K. Advani, M.M. Joshi, Uma Bharati) nor did it urge the State Government to rectify the technical shortcoming in the earlier notification. These are factors that raise larger questions involving the autonomy of the investigating agency. The fact that the CBI has not yet made any substantive moves (even a decade after the crime was committed) to go ahead with prosecution in the case (No.198/92) in the relevant courts can only be construed as an instance of the investigating agency giving in to the concerns of the political establishment rather than exercising its statutory autonomy.

It is this context that calls into question Mr. Advani, Dr. Joshi and Ms. Uma Bharati continuing as Ministers. While the law as such does not impose a specific bar, the incongruity involved in the investigating agency (despite the autonomy on paper) proceeding against members of the Union Cabinet (including the Home Minister) cannot be glossed over. This aspect has indeed been underscored several times in the past, the most prominent among those instances being the Jain Hawala transactions and the charges against Laloo Prasad Yadav in the multi-crore fodder scam. The Prime Minister, Atal Behari Vajpayee, had asserted at that time that the cases against his colleagues in the Cabinet were political in nature and hence did not warrant invoking the moral principles as they did in the charges of corruption. However, the fact remains that the basic principle of the democratic set up — rule of law — cannot be enforced in this case so long as the persons under investigation occupy positions in the political establishment given the very limited extent of autonomy that the CBI enjoys in reality. //

We have no such tape: Gujarat official

By Manas Dasgupta

GANDHINAGAR, SEPT. 19. A casual remark by the Gujarat State Cabinet spokesperson, Purshotam Rupala, about the tape containing the objectionable remarks by the Chief Minister, Narendra Modi, against the minorities has created confusion in the State Home Department.

Even while Mr. Rupala had said on Wednesday that the Government would give the tape if anyone asked for it, a senior Home Department official maintained that it possessed no such tape and that there was no question of submitting it to the National Commission for Minorities, which had asked for the text of Mr. Modi's speech at Becharaji during the first leg of his 'gaurav rath yatra'.

Mr. Rupala claimed today that he had been misquoted.

He claimed that what he had told a section of the press was that the Government had nothing to hide and if it had a tape it would have no objection giving it to anyone asking for it.

A senior Home Department official also reiterated that the Government was still to lay its hands on any such "tape".

Asked about a tape that was reported to have found its way to a private television channel confirming Mr. Modi's remarks on "*hum paanch, hamare pachchees*" apparently hitting out at the minorities, the official said its "authenticity" was being

checked. He also denied that the transfers of the top officials of the intelligence department had anything to do with the alleged "leakage" of the tape to the TV channel.

The transfers were for "administrative reasons," he claimed though admitting that R.B. Shreekumar was brought as the chief of the intelligence department only in April and it was too early to shift him in "routine course."

The NCM had asked the

Home Department for the text of Mr. Modi's speech at Becharaji where he reportedly made remarks against "population explosion" among the minorities and had wondered whether the State Government should run the riot relief camps to serve as the "breeding grounds."

Though Mr. Modi denied that his remarks were directed against the minorities, the NCM is far from being satisfied.

UNI reports:

The Gujarat Governor, Sundarsingh Bhandari, today denied that he had called for the tapes of Mr. Modi.

In a release issued here today, Mr. Bhandari said that during his visit to a religious place, Shirdi, in Maharashtra, there was no talk about the controversial tapes or Gujarat 'gaurav rath yatra'.

He also said that all the reports published in this connection were baseless and false.

VHP to distribute copies of Modi's speech

By Our Special Correspondent

AHMEDABAD, SEPT. 19. Even as the Gujarat Government denied possessing any tape containing the controversial remarks of the Chief Minister, Narendra Modi, against the minorities, the Vishwa Hindu Parishad today said it would distribute 25,000 copies of the speech all over the State to create "awareness among public" on population explosion.

The statement by the VHP State unit secretary, Dilip Trivedi, makes it clear that the Sangh Parivar was in possession of the Mr. Modi's

speech at Becharaji during the first leg of his 'gaurav rath yatra' where he had reportedly said the Muslims believed in the "*hum paanch, hamare pachchees*" formula for increasing population.

Asking whether population control was meant only for the Hindus, Mr. Trivedi said the "rapid increase" in the population of the minorities should be a matter of concern to all.

The Muslims' population was increasing at such a "fast pace" that after some time Hindus would never be able to win elections from several constituencies.

Mr. Trivedi wondered why a rumpus had been created over the Mr. Modi's comment. "Is it a crime to talk about population control in this country," he asked and said the minorities, as much as the majority community, needed to keep a check on population.

All those concerned about the population explosion, which was as dangerous as terrorism, should support Mr. Modi.

The VHP would distribute copies of Mr. Modi's statement to educate the people on the "threat" posed by the minorities, he said.

Cong., Left parties criticise Mayawati decision

By Our Special Correspondent

NEW DELHI, SEPT. 18. The Left parties today condemned the decision of the Uttar Pradesh Chief Minister, Mayawati, not to issue a fresh notification to constitute a special court to try the BJP leaders and three Union Ministers — L.K. Advani, Murli Manohar Joshi and Uma Bharti — and urged the President to intervene to safeguard the rule of law.

In a statement, the CPI(M) politburo charged that Ms. Mayawati had taken the decision under pressure and in connivance with the BJP leaders to save the BSP-BJP coalition Government in U.P.. "It reveals to what length the BJP leadership can go to circumvent the law."

The party said Ms. Mayawati had provided a reprieve to the BJP leadership on the specious plea that the CBI could initiate the case in "any competent ordinary court".

"When the case has not got going in the special court in almost ten years, one can well imagine what will be its fate in an ordinary court where the proceedings will have to take place afresh", it said.

The CPI described the decision as "highly regrettable and

condemnable" and said it had thoroughly exposed the political opportunism of Ms. Mayawati and her wilful submission to BJP dictates.

Stating that the move would have "serious implications on secularism, democracy and the future of the polity of the country", it said Ms. Mayawati cannot be absolved from "this treacherous act of bailing out the BJP of the crimes against the rule of law and justice".

The CPI-ML (Liberation) saw the decision as "another disgraceful milestone in the history of BSP's continuing betrayal". "On the eve of the September 28 BSP rally which is to be addressed by Mr. Advani, the Mayawati Government has come up with this bail-out package for the BJP leaders," it said and added that "Ms. Mayawati is paying the price for its political alliance with the BJP."

The Congress spokesman, Anand Sharma, said it was "a pity that senior Ministers in the NDA Government are hiding behind technicalities to escape punishment for serious crimes committed by them."

Describing Ms. Mayawati's decision as a "gross violation of constitutional responsibility and a crude attempt to curry fa-

vour with the persons in authority by letting them free" he sought to remind the Chief Minister that she herself had demanded a fresh notification when she was in the Opposition.

However, the Congress was not very certain about its future course of action, maintaining that the matter was sub-judice. All that Mr. Sharma said to repeated queries was that the Congress would take all possible political and legal measures to ensure that the guilty were brought to book.

Condemning Ms. Mayawati's decision, the Nationalist Congress Party said it would demolish the common people's faith in the rule of law.

"Contrary to the assertions of Ms. Mayawati that she was 'not in favour of constituting a special court for the prosecution of anyone, no matter how big or small', it is clear that her manoeuvres are meant to benefit the political heavyweights who are lifting the burden of her rule in U.P.," a party statement said.

On Ms. Mayawati's contention that the CBI could carry on with the case, it said "the seriousness of the CBI is before everyone".

CBI plays the waiting game in Babari case

Statesman News Service

NEW DELHI, Sept. 18. — Miss Mayawati yesterday lobbed the ball back into the CBI's court but the investigating agency is unwilling to play. At least, not yet.

The CBI prefers to wait for the Supreme Court's decision on the two PILs that sought a directive to the Uttar Pradesh government to rectify the defect in the October 1993 notification in the Babari Masjid demolition case before exploring other options.

Ms Mayawati yesterday declared that her government had no intention of issuing a fresh notification to constitute the special court to try BJP and VHP leaders. She said the CBI was free to file the case in the special CBI court at Rae Bareilly and blamed the agency for not appealing against the High Court order.

"It was, after all, a 23 September deadline from the Supreme Court that

forced the Uttar Pradesh government to come clean on the notification," a senior CBI officer said. A reminder from the agency to the state government earlier had not had any effect. The CBI officer said the agency had done what it could. "There is nothing more we can do," the officer added, pointing out that at this stage, "it is

best for the CBI to wait for a decision on the PILs pending before the Supreme Court".

The Allahabad High Court had last year pointed out a technical defect in the 1993 notification, and

quashed all proceedings against eight accused, including Mr LK Advani, Mr Murli Manohar Joshi and Miss Uma Bharti. The High Court had observed that the state government could rectify the legal infirmity by issuing a fresh notification.

There was nothing in the High Court order that the CBI could challenge, the officer said.

'There is nothing in the High Court order that the CBI can challenge. The agency had done what it could'

Another report on page 4

We have not yet heard Modi tapes: BJP

By Our Special Correspondent

NEW DELHI, SEPT. 16. Even as the Congress came down heavily on the "communally combustible content" of the speeches of the Gujarat Chief Minister, Narendra Modi, the BJP continued to pretend that it had not heard the Modi audio tapes that were played throughout the day on a television channel on Sunday.

The BJP spokesperson, Mukhtar Abbas Naqvi, added fuel to fire when he said the "problem cannot be solved if the Pakistan President, Pervez Musharraf, worries about Gujarat." Mr. Naqvi had nothing to say when he was asked whether it meant that if Gen. Musharraf were to raise the issue the BJP would

justify the killing of more Muslims in Gujarat.

The Congress spokesperson, Jaipal Reddy, did not mince words when he attacked Mr. Modi for "spreading hate between communities" during the course of his 'gaurav rath yatra' although it was the responsibility of any Chief Minister to ensure law and order in the State and peace between different sections of society.

Mr. Reddy said that even more disturbing was the Deputy Prime Minister, L.K. Advani's approval of Mr. Modi and his communal tactics. This, he said, "had pushed India into a qualitatively new political crisis."

Mr. Naqvi had stated that he had not heard the Modi tapes

played on television. On Sunday, the BJP president, Venkaiiah Naidu, had also adopted a similar stance. "There has been no further development since last week when Mr. Modi had explained to Mr. Naidu that he had been misreported by the press and had not said anything derogatory about the Muslims," Mr. Naqvi maintained.

But he did add that as a political party, although the BJP could win elections "without the Muslim vote" and form a government "without Muslim support" it should win the confidence of every section of society, including the Muslims. Were Mr. Modi's utterances calculated to win their confidence? There was no answer as Mr.

Naqvi said he had not heard what Mr. Modi had said.

The Gujarat Chief Minister, as heard on the tapes, had in fact said that the Government cannot provide baby-producing centres if "they" were bent upon adopting the formula "*hum paanch, hamare pachhees*" (we five — one man and four wives — and our children 25). He had virtually alleged that poverty in the State was the direct result of such "breeding" and had warned that they needed to be "taught a lesson."

After the Godhra carnage the general refrain from the Sangh Parivar activists was also similar — the massacre of the Muslims in the rest of Gujarat was aimed at "teaching them a lesson."

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THE HINDU

7 SEP 2003

ROOTS OF COMMUNALISM-II

Need To Rehabilitate Socialist Values

By AK ROY

The fundamental question is: can there be a solution of communal problem in India within the framework of a globalised capitalist order? A look at the unipolar world does not give any hopeful picture. In England itself, the oldest capitalist society, attacks on the coloured are on the increase. There is no solution in sight on the Protestant Catholics' strife which have already taken a few thousand lives in Northern Ireland, irrespective of the character of the government in London. The liberal force of America, the leader of unipolar world, has suddenly become darkened after 11 September with the search for Laden and the problem of global terrorism being interpreted and tackled communally, of course with an eye on oil.

Tension in Quebec

In the French majority province of Quebec within the English majority state of Canada the tension between the two enlightened communities has reached such a stage that as the Taliban measured beards on the roads of Afghanistan, the length of the French letters is being measured on signboards in Quebec to check whether they are made smaller than English letters.

In France itself, the land of liberty, equity and fraternity, ethnic hatred against immigrants has swept the Socialists out of power. The ghost of Hitler haunts Germany again after the fall of the Berlin Wall with intense antisemitism. In the countries of belated capitalism the picture is still worse.

The communal divide between the Turks and the Greeks divided Cyprus, the same between the Christians and Muslims in Lebanon, Shias and Sunnis within the Muslims in the Arab world is being used to attack Iraq. Israelis are treating Palestinians in the same way as they were treated by the Nazis some sixty years ago. Each and every country in Africa and the Far East is bedevilled with communal and ethnic strife.

After globalisation whether the world has become small or not, man has become small and communalised giving rise to a new phenomenon like "fundamentalism" in every religion, increasing tension and violence. However, the picture was totally different in

the erstwhile socialist world. Whatever might be the other demerits causing its fall, that world was free from communal and ethnic tension as observed by Tagore in his last message, *Crisis in Civilisation*: "One aspect of the Soviet administration which particularly pleased was that it provided no scope for unseemly conflict of religious differences nor set one community against another.

the globalised regionalism of the Telugu Desam preventing the comeback of the communists even in Telengana.

One of the reasons behind sudden discovery of foreigners in Assam in eighties was the success of the Left in 1977 election. Bhindranwale was created in the land of Bhagat Singh to share Sikh communalism and to bury the Left in Punjab and the anti-Left cha-



When I look to my own country, I cannot help contrasting the few systems of government, one based on cooperation and other on exploitation". This is vindicated today when the same strife appeared after the fall of that system and adoption of the capitalist path. The Chechens are fighting the Russians after living seventy five years fraternally in a socialist order.

Concealing truth

Parliamentary politics is the art of confusing the unconfused and concealing truth. The political edge of modern communalism is generally kept hidden to be used conveniently. Communalism being the product of percolating capitalism is anti-Left in character and so used against the Left in politics even if that produces Frankenstein. This method has produced dividends in Kerala in ousting the Marxists by producing the RSS. It is being tried in West Bengal now. In Andhra Pradesh the vacuum created by the collapse of the Congress-I is filled by

character of the Khalistanis was demonstrated in several assassinations of the Left cadres and killing of poor agricultural workers. However, they were finished by the ruling class itself after the task was over and they became a liability.

The periodic whipping up of parochialism has prevented Bihar from going the Bengal way despite extreme misery and exploitation and the latest step in this diversion is the creation of new railway zone at Hajipur.

So the country is being communalised, regionalised and divided into castes and races with antagonistic relations by the ruling class itself for its interests which then laments when the thing are going out of hand.

In the last twenty years communal incidents have taken place under all government whether led by JD, Cong-I, UF, BJP in which the Right, the extreme Right organisations like BJP gained and started ruling at the Centre and the Left were the losers. The communal issue in a controlled dose is

needed for the survival of this exploitative system and to divert attention from basic issues like unemployment, poverty, disparity and corruption. By blaming parties like the BJP or personalities like Narendra Modi, an impression is being created that the system is all right, only the parties and personalities are bad and their removal will cleanse the system. Thus the symptoms are being mistaken for the main disease. Modis may come and Modis may go but communalism will go on forever unless the system that produces the Modis is not changed.

Left's failure

Here one point needs to be mentioned: the Left despite losing heavily and hammered from all sides has failed to confront the situation and has remained only the accuser lamenting the situation. This indicates some basic weakness that has crept into the party, becoming capital friendly at home and forgetting the class struggle. It may be noted also that only the class struggle and the anti-imperialist movement can control communal strife and secessionist attacks. There is no communalism in the vast area controlled by the Naxalites specially in Andhra or Bihar.

Sermons on the mount could not save mankind from future misery. Sermons from the media also will not save the country from the communal menace. Blaming party and persons will lead nowhere. The root is to be traced correctly and treated. As secularism is inseparably connected with socialism and communalism with capitalism, there should be a campaign not only for a change of government but also a change of policy and values. With globalisation the problem has been accentuated creating the Gujarat episode.

So the fight against communalism is inseparably connected with the fight against globalisation and it has reasserted the values of honest labour and self-reliance. Unless some radical socio-economic measures are taken to rehabilitate socialist values, recast the society and remould the motivation from self-oriented to society-oriented, no amount of homilies will make this home safe for any community in India.

(Concluded)

Minorities panel tries to get 'Modi tapes'

TNN
TIMES NEWS NETWORK

Ahmedabad/Gandhinagar: They are being described as the 'Modi tapes' by officialdom. Few people actually know where to get them from. And even if they know, it is too risky a venture, especially if you are in the government.

The request of the National Commission on Minorities (NCM) to the Gujarat government to provide it a transcript or tape of the chief minister's controversial speech in Bhechraji during the gaurav yatra, where he assailed the Muslims, has sent the officials on a leather-hunt.

While the organisers of the yatra have denied Mr Modi made any objectionable remarks and the BJP general secretary Arun Jaitley has said there were 'inaccuracies' in the print media's reporting of the speech, sources suggest that there is conclusive evidence to prove that Mr Modi indeed went overboard while talking about the Muslim 'over-population'.

The two videographers, present at the spot, are actually commissioned by the state BJP and the officials do not know how to lay their hands on the tapes, knowing well that they may be used for criminal proceedings against the chief minister.

As a result, the home ministry and also the BJP are now denying the existence of the tapes. Besides, the Gujarat government believes it is not legally obliged to reply to the NCM. Says Ashok Narayan, additional chief secretary (home), "Since it was a BJP function, the NCM should have asked the party to



N. Modi

send across the text of the CM's speech. "Yet, Mr Narayan insists, "We will send the text, provided we receive it."

When contacted, the Mehsana district police also denied having taped the CM's speech. "We were only taking videos of the crowd because of security reasons, which also was discontinued in Bechraji on account of the poor light, a senior officer told TNN.

Gaurav yatra convenor Jayanti Barot as well the BJP media committee office-bearers told TNN that the party "did not tape Mr Modi's speech". "Let the NCM get the tape from wherever it can. We don't have it. Even private TV channels were not present there," he said. However, sources in the BJP said that the tapes did exist with a professional videographer who had been commissioned to do a documentary film on Mr Modi.

In fact, journalists covering the yatra had spotted two videographers, who shadowed Mr Modi throughout the yatra, and even had easy access to the plush insides of the motorised 'rath' in which the chief minister travelled from Phagvel to Bechraji. Some Congress leaders were also desperately seeking to procure audio or audio-video evidence of the speech and were trying to find out from private television channels and videographers if anyone had indeed recorded the speech in Bechraji where Mr Modi's verbal fireworks, despite his sore throat, had his supporters in raptures.

14 SEP 2003

THE TIMES OF INDIA

Minorities and Dalits team up against Sangh

KAY BENEDICT

New Delhi, Sept. 13: In a bid to thwart the Sangh parivar's designs of using Dalits as fodder in communal riots, like in the Gujarat carnage, a Dalit-Muslim front is being launched.

It will begin as a core group and foster unity between the two at the grassroots level and later turn into a political party.

All-India Milli Council, a representative body of various Muslim organisations, Jamiat-Ulama-i-Hind and the All-India Confederation of SC/ST Organisations, an umbrella organisation with more than 30 lakh members, are the prime movers behind the front.

In Uttar Pradesh and Bihar, unity between the Dalits and Muslims got a boost thanks to the politics of the Bahujan Samaj Party and Laloo Yadav.

But in Gujarat, where there is no Laloo, Mayavati or Mulayam Singh Yadav, the Dalits and the Other Backward Castes are used to engineer communal attacks.

Leaders of the minority community and the backward castes plan to initiate the unity process first in Gujarat. Sources said Milli Council secretary-general Maulana Abdullah Mughaisi and Kamal Farooqi visited Gujarat last week to assess the situation there. SC/ST confederation chairman Udit Raj and Jamiat-Ulama-i-Hind general secretary Maulana Mahmood Madani visited the state several times in the wake of the riots.

Apart from politically empowering them, the idea is to wean the Dalits away from the "false propaganda" of the Sangh.

"Dalits must realise that it is not Muslims or Christians who

made them untouchable, poor and landless," said Raj.

Madani said the idea is to foster unity at the grassroots and middle level between Muslims and the Dalits instead of forging an alliance among the leaders. The move is aimed at blunting divisive politics, besides addressing the basic issues of unemployment, health and education.

Raj and Madani have announced that a conference is being organised here on September 15 to work out the strategy for a movement. Some 200-odd people — intellectuals, community leaders and politicians of all colours — are being invited to the meet.

Coming down heavily on VHP chief Ashok Singhal, Madani said: "Singhal is an ISI agent. He is a traitor. He is making all these statements to hide his ISI links."

Singhal was quoted as having said in Amritsar recently that Gujarat was a "successful experiment". "Godhra happened on February 27 and the next day, 50 lakh Hindus were on the streets. We were successful in our experiment of raising Hindu consciousness, which will be repeated all over the country now," Singhal said.

Raj said the VHP chief violated the Constitution by making the speech. "Singhal should have been behind the bars by now."

The Dalits and Muslims have been misguided by "hierarchical and discriminatory" caste system and as a result both the communities suspect each other, he added. Our efforts will be to make the Dalits and Muslims, who antagonise each other, thanks to the false propaganda of vested interests, have greater social interaction, Raj said.

ROOTS OF COMMUNALISM-I

Blaming BJP Is Not Enough

By AK ROY

The Gujarat issue has been under discussion for some time and deals with parties and personalities involved in it. But this is not enough. The time has come to go deeper into the problem. It is the custom in this country to condemn communal incidents whenever they occur. But communal incidents continue to occur. Nobody knows for whom the bell tolls. In the old testament there is a chapter on "lamentation". Politics today needs a similar chapter for the future.

In foreign countries people are hired for mourning sad occasions. In India political personnel are the professional mourners. From the ruling parties to the opposition all are one against communalism. Yet, the menace is on the rise. This means either all parties have become ineffective or they are all infested. In this context Gujarat has added a new feather with communalism challenging secularism in the battle of the ballot.

Pre-British days

A look at history reveals that communalism as it is known today was rare in pre-British days. After the British consolidated their power communal incidents started occurring at the end of the 19th century particularly in the north on religious festivals. The Moplah riot in 1921 in the Malabar region of Kerala was a major event in the south. With the emergence of political organisations linked with religion, communal clashes increased in the thirties. Very few communal riots look place during 1940-45 when the country's economy was benefited by war and politics armed with militant anti-imperialism. However, communal frenzy broke out from August 1946 when a compromise with the British started for power resulting in a bloody partition of this country in 1947 and assassination of Mahatma Gandhi (1948).

The period of 1950-60 may be called a decade of communal peace when the country enjoyed political stability and economic development. The situation deteriorated in the sixties with the Indo-Pak war and political chaos plunged many industrial centres like Ranchi, Jamshedpur, Rourkela into communal riots.

Under strong political leadership the period which included the Emergency (1971-77) remained free from communal incidents which, of course, returned during Janata rule and continued un-

The author is former member of Parliament.

abated in the eighties under Congress rule. The last decade of the last century saw a new boost in communalism with the demolition of Babari Masjid in 1992 bringing religion-centred politics to rule the Centre.

Though communalism commonly means Hindu-Muslim conflict the end of the last century widened its boundary to include all religions, castes, races and even regions. Gujarat gave Gandhi to India but has behaved in the opposite manner in the past also. The Seventh Parliament (1980-84) was embarrassed as just after

number of incidents and persons killed were 1977 — 188 and 36, 1978 — 230 and 110, 1979 — 304 and 261, 1980 — 427 and 375, 1981 — 319 and 194, 1982 — 484 and 238, 1983 — 404 and 202 etc. Then there was a steady increase. What used to remain within a hundred started exceeding thousands as the case in Gujarat. What is more it increased in a phenomenal way in the States like Gujarat, Andhra, Maharashtra, Karnataka, supposed to be developing fast with foreign money.

Though the figures are not available on region, caste and eth-



passing a resolution unanimously and solemnly extending reservation to scheduled castes and scheduled tribes for another ten years, there was the worst flare-up against the Harijans in Gujarat. The banks of the Sabarmati became the graveyard of the Dalits in India. Communal events which were the monopoly of the north and the east moved south and west.

There were conversions at Meenakshipuram and riots at Kanyakumari involving Christians also. Then came the holocaust in Assam which had avoided a communal conflict even during partition, where nobody knew who was killing whom and why. Then came Punjab where history witnessed a Hindu-Sikh riot. The home of Bhagat Singh became the land of Bhindranwale and that of Gandhi became Godse's.

Fatalities

Though communalism cannot be qualified by figures of fatalities nor measured by the material loss as the real damage caused is psychological, yet mere figures are also no less frightening. During the seventies and early eighties the

nic communalism, the incidents in the North-East and Bihar are no less frightening. So communal incidents are not only on the increase and spreading, they are touching all sections of the society. Who has made the country so combustible, so susceptible to communal fire? What is more, even where the communal incidents have not yet occurred the undercurrent of communal feeling exists making such incidents only the tips of the iceberg.

The very first thing about present-day communalism is that it is a smart affair, nothing to do with religion though it has taken politics around temples and mosques. Communal incidents are not taking place in the religious places or in remote villages where branded Hindus and branded Muslims live with their antiquated beliefs. They are taking place in the booming townships with modern facilities like Baroda, Bhopal, Kanpur, Ranchi, Mumbai and even Delhi. From Ahmedabad to Hyderabad all have become bad except perhaps Dhanbad where the mafia is busy with sophisticated secular violence.

The typical urban nature of mo-

dern communalism shows that the primary cause is economic and the vitiated values associated with it. This market-oriented communalism is not the product of old feudalism but the offspring of new capitalism affecting society from the top with lust, selfishness and consumerism. It is not the result of non-development but a wrong direction of development and as this "new" development is spreading the society is becoming communal.

After the British came to power a section of the collaborating Hindus first "developed" and got infected with communalism. Then this development touched the upper strata of the Muslims making them communal too. Thus communal incidents started which was not there in the pre-British feudal era though there used to be savagery of the rulers or by the invaders where common people were not involved. It may be noted that the old religious Muslims with traditional values were not for Pakistan which was demanded by the well-shaven new Muslim elite led by "secular" Jinnah miles away from Islam.

Agriculture

Similarly very few priests are carrying the banner of the new Hindutva or interested in a quarrel to construct the temple of Ram in the same disputed place. After Independence with pumps, tractors and high yielding seeds, capitalism entered agriculture tainting the backward castes and now backwards are acting as the centre-forward in committing atrocities on Harijans. The politics of reservation has created an elite within the Harijans who are in no way less provocative though still weak. Similarly "developed" tribals are creating havoc in Tripura and the North-East. A similar danger is looming large on the new state of Jharkhand where a normal domicile issue has already taken a communal turn due to "development". Now the country has witnessed a petrol-driven riot in the most "developed" Gujarat blessed by dollars and globalisation.

So some formulation can be made. Communalism is the offshoot of capitalism and not feudalism. It is market-oriented and not god-oriented though it rides on the god of its choice. The elite are the carriers of communalism. The victims of communalism are always weak whether Muslims of Gujarat, Hindus of Kashmir or refugees of Assam.

(To be concluded)

Minorities ^{may} steer clear of Modi's ^{grt} path

By Shyam Parekh
TIMES NEWS NETWORK

Kalol (North Gujarat): "Stop this or I'll book you under TADA," a police inspector warned people from the minority community protesting chief minister Narendra Modi's Gujarat gaurav yatra on Monday.

Irked with the police for forcefully closing down about 200 shops belonging to the community, hundreds of them had spilled out onto the streets, shouting slogans, at the Bada Kasba and Matva Kuva localities.

However, Mr Modi seemed nonplussed and just waved at the protesters as if they were his supporters.

In fact, he struck an aggressive chord as he addressed several meetings along his yatra route. Holding the minority community responsible for the population boom, he said, "We do not want to keep running relief camps for them to produce children".

"We want to move ahead in direction of family planning," he said, adding, "Their kind of family planning slogan is 'We five and our 25'."

He went on to say that "we need to teach a lesson to those who are multiplying population. They are producing children, keeping them hungry and unhappy, which is definitely not religious".

Although people from the minority community at Kalol came out to register their protest, in most areas through which Mr Modi's yatra wended, people preferred to play it safe. In Himmatnagar's RTO area, business establishments belonging to the community were closed. "We just want this to pass, we don't want any trouble," said a shopkeeper.

At Sardarpura, the sense of fear and insecurity was palpable as the yatra passed by a few kilometres away. "Nobody has any dealings with us anymore. We avoid going out. We are afraid," said Javedbhai as he points out a cluster of huts where 30 people were burnt alive on March 1.

A couple of weeks back, some 12 families of Sardarpura had returned home. But the yatra has once again heightened their fears. Areas along the yatra route dominated by the minority community wore a deserted look as people preferred the relative safety of their homes.

After the yatra passed off peacefully, a shaken Ibrahim Mansuri of Parasoda village said, "Thank God..I had lived in the jungles for ten days with my family of 11 before coming here. We were afraid."

● Gujarat police find it hard to gather intelligence, Page 8

10-10/9

MODI'S SINISTER DESIGNS ^{minority}

THE TONE ADOPTED by the Gujarat Chief Minister, Narendra Modi, and the issues he raised in the course of his 'Gaurav Rath Yatra' from Phagwel, have established so clearly that the BJP as a party is bent upon consolidating the "gains" made by the terror campaign unleashed by other Sangh Parivar outfits post-Godhra. The presence of an array of the party's leaders (including Rajnath Singh from the central leadership) at Phagwel is indeed a pointer that the BJP is clearly unwilling to acknowledge the pogrom across the State since February 27 as a blot (as described by the Prime Minister, A.B. Vajpayee, at that time). The sequence of events leading up to the "Yatra" reveal so clearly the sinister designs behind the campaign and suggest that the developments in Gujarat during the past few months are fundamentally different from the several instances of communal violence witnessed in other parts of the country in the past. While such instances of anti-minority violence — Meerut, Malliana, Bhagalpur, Mumbai and Bhiwandi — during the 1980s could be seen as the immediate consequence of a political campaign where religious passions were whipped up, the events in Gujarat, post-Godhra, point to a pattern where the strategy clearly was to exclude, for ever, the members of the minority community from the democratic space.

The fact that the BJP insists on celebrating the violence unleashed by the stormtroopers of the Sangh Parivar for weeks on end after February 27 (the choice of the word "gaurav" cannot convey anything but this) is a clear enough message about the party's end game. For this very reason, it is difficult to treat the "Gaurav Rath Yatra" as merely another instance of a political party exercising its right to reach out to the people in a democratic set-up. The campaign, in this instance, is clearly aimed at conveying to the members of the minority community across Gujarat the same message that the marauding

mobs sent for weeks on end post-Godhra. The majoritarian agenda is being carried out, without even a pause, so that the members of the minority community (and also those within the majority community who do not agree with the Sangh Parivar's agenda) are excluded from the democratic process and this has the full backing of the state. The campaign is rooted in a political strategy that negates the notion of democracy based on pluralist values. For this very reason, the "Gaurav Rath Yatra" cannot be seen as merely a part of the BJP's normal campaign for the State Assembly elections.

The systematic manner in which Mr. Modi and his associates in the Sangh Parivar have been distorting the democratic discourse and running down institutions (the vicious campaign against the Chief Election Commissioner being the latest) only confirms the sinister designs and the extent to which the BJP as a party is willing to go to implement its majoritarian agenda. The dangerous implications of this campaign go beyond that of a party making use of religious identity for political gains. The Sangh Parivar's agenda, as it is being unravelled at every stage of the BJP's moves in the Gujarat context, points out very clearly that the end game is not restricted to mobilisation on communal lines alone and extends to destroying the democratic structure as such. It is becoming clear by the day that the violence against the members of the minority community and their properties was not just the fallout of a failure of the state machinery. Instead, it was an instance where the majoritarian agenda was carried out with precision and determination. This is what is signified by the "Gaurav Rath Yatra". The reality being what it is, it is imperative for the parties opposed to the Sangh Parivar's agenda (the Congress in particular) to realise the dangers ahead and plunge into a campaign that does not stop with the immediate concerns of the Assembly polls in Gujarat.

BUDDHA FAILS ON ER; MAMATA HOPES DASHED

Bengal leaders get royal snub

Statesman News Service

NEW DELHI, Aug. 26. — It was a bad day for West Bengal today. The minor Cabinet reshuffle put paid to Miss Mamata Banerjee's hopes of an honourable return to the government. And, Mr Buddhadeb Bhattacharjee who met the Prime Minister and the Deputy Prime Minister in the capital today was told categorically that there would be no re-look at the Eastern Railway decision.

Mr Atal Behari Vajpayee today shifted Miss Uma Bharati to the coal and mines ministry which, according to sources, had been kept in the safe custody of Mr LK Advani to enable Miss Banerjee's re-induction. However, her opposition to the Ordinance on poll reforms was the proverbial last straw for the BJP leadership, hence the decision to give the ministry to Miss Bharati.

The ministerial changes were necessitated by Shiv Sena chief Mr Balasaheb Thackeray's recalling of Mr Suresh Prabhu from the NDA and nominating Mr Anant Gangaram Geete in his place.

The portfolio held by Mr Prabhu (power) was given to him. Mr Geete's place (minister of state for finance) was given to the new Sena entrant, Mr Anandrao Vithoba Adsul.

Mr Vajpayee also inducted the BJP state unit president of Madhya Pradesh, Mr Vikram Verma, as a Cabinet minister. This has been done to ease the problem of succession in the party and prepare the ground for Miss Bharati, who has been given some more time to adjust to her likely new role.

A BJP leader said the 2003 Madhya Pradesh Assembly polls would be contested under her leadership. Former chief minister Mr Kailash Joshi is likely to take over as interim president of the state unit.

Eastern Railway division: Mr Vajpayee told Mr Bhattacharjee when the latter called on him today that the government had already taken a decision on the bifurcation of Eastern Railway. When the chief minister pointed out that it was a "political decision", the Prime Minister said: "I am a politician". Mr Advani too ruled out any review of the decision.

Sena men lower House dignity

NEW DELHI, Aug. 26. — Some supporters of Mr Bal Thackeray today gave the go-by to norm and decorum at Rashtrapati Bhavan's Ashoka Hall, raising slogans in praise of the Sena chief and *Bharat mata*.

Immediately after the ministers were sworn in today, Sena members shouted: *Bharat Mata ki jai* and *Balasaheb zindabad*, leaving the guests present aghast. "Nothing else is expected from the Sena," said a minister.

There was some good news for West Bengal at the end of it all: President Dr Abdul Kalam will visit the state in November, on the invitation of Mr Buddhadeb Bhattacharjee, who called on him at Rashtrapati Bhavan today. He will tour select schools during his visit. — SNS

dismantled terrorist activities could not be curbed. He was assured that the ministry of external affairs would take up the matter.

Central aid: Mr Bhattacharjee called for the "immediate personal" intervention of the Prime Minister to help the state tide over its financial crisis. The state has submitted a detailed plan to the Union finance ministry. Several bigger states were facing the same problem and the Centre should do something about it, he said.

27 AUG 2002

Mystery at Godhra

Release of passenger list makes it murkier

The riots in Gujarat, according to Narendra Modi's version, were a "spontaneous reaction" to the killing of *kar sevaks* on the Sabarmati express by a Muslim mob at Godhra. Never mind that the Modi administration took a great deal of care to get out of the way of the "spontaneous reaction," if not to organise it; never mind that its victims did not remotely have anything to do with Godhra. The list of passengers on the ill-fated S-6 coach of the train, which has finally been released after a suspicious delay, has made the deaths at Godhra seem even murkier. It turns out that most of those on the passenger list, 41 out of 52 reserved travellers, survived the torching of the compartment. According to railway authorities, 32 of the reserved travellers boarded other coaches. It is possible that a majority of the *kar sevaks* who were victims were travelling without tickets, but what accounts for the absence of the reserved passengers from the coach? Does one take it that *kar sevaks* threw out passengers with legitimate reservations and arrogated the coach for themselves?

None of this, of course, would go towards justifying the torching of the coach, if indeed that was a deliberate act. But the point to note is that there is no official explanation for the discrepancies, perhaps because the "spontaneous riot" theory on which the Modi crew would contest elections requires pure and unsullied *kar sevaks*, not given to themselves taking the law in their own hands, being set upon by brutal mobs. The second point is that the list of reserved passengers took half a year, and political pressure from an NDA partner following the zone division imbroglio, to release — is it because the authorities were afraid such discrepancies would be noticed? The third point is that forensic investigations have revealed that the coach could not have been torched from outside, which suggests that fire in the coach may have been an accident rather than deliberate. Unless authorities can come up with a reasonable explanation for why the majority of reserved passengers on coach S-6 should board other coaches, not to mention how exactly the fire was set off, mystery will surround the Godhra incident, and one will have reason to suspect the worst. The RSS and its *sangh parivar* allies have a demonstrated capacity for manufacturing grievances, then taking advantage of consequent communal polarisation to manufacture violence which "avenges" those grievances. Did something of the same sort happen during the Gujarat riots?

Riot a blot on govt: Advani

AMIT ROY

London, Aug. 22: After seeking to prove to the world that his role model Sardar Patel was not anti-Muslim, deputy Prime Minister L.K. Advani today made the sharpest public comment yet on the violence in Gujarat.

"What had happened in Gujarat was a matter of distress and anguish and was a blot on my government. We feel really outraged and shocked at what had happened there," he said at a news conference here, addressing the international media.

At India House last night, Advani made a clever speech when he unveiled Sardar Patel's bust. He used references from Jai Prakash Narayan and Rafik Zakaria to press home his point that whatever some people might have thought back in 1947, Sardar Patel was certainly not anti-Muslim.

The significance of this comment was not lost. C.B. Patel, the editor and publisher of *Gujarat Samachar*, a Gujarati weekly in Britain, said: "Advani was saying, 'Look at me, I, too, am not anti-Muslim'."

Read with the comments he

made today, that indeed seemed to be the message he was trying to put across on his trip to London. This did not, however, mean abandoning chief minister Narendra Modi, who received another certificate for handling the riots efficiently.

Still, there was a distinct change of tone when he said the riots were "indefensible" and "I am sorry it had happened". In the past, he has sought to justify the riots as a reaction to the carnage at Godhra.

Advani also floated the idea of a confederation in the subcontinent, saying that such a grouping could emerge if India and Pakistan could resolve differences. "If Europe can forget its past rivalries, why can't we," he said. Bangladesh can be the third member of such a confederation, in his scheme of things.

On relations with Pakistan, he repeated India's stand that talks would resume once infiltration — which, he admitted, had dropped — stopped completely.

Advani discussed bilateral issues such as countering terrorism with David Blunkett and Jack Straw, the British home and

foreign secretaries.

However, the most important task he has undertaken during his two-day visit to Britain has been to unveil the bust of Sardar Patel at India House.

Although Advani has had a meeting with John Prescott, the British deputy Prime Minister usually ridiculed in Britain as a "two Jags" man because he once used two cars to drive a short distance, his counterpart's position in India could not be more different.

No one knows or cares what Advani drives. In the last couple of days, the British have been studying 71-year-old Advani with renewed interest as the man most likely to take over from Vajpayee.

A senior British source said: "There has been speculation that Vajpayee will step down as Prime Minister at the next election in 2004."

Advani has discussed a wide range of issues with British ministers, the most crucial being Kashmir and counter-terrorism. The intelligence agencies of India and Britain have been working closely together

since September last year. It is understood, according to an authoritative source, that India has passed on to Scotland Yard "the names of 14 businesses in Britain" believed to be involved in terrorism.

Advani and Straw covered everything from education to trade and intelligence in their talks today, after Advani had lunch with Blunkett. Advani would have met Tony Blair but the British Prime Minister is on holiday with his wife, Cherie, who is recovering from a miscarriage.

While Blair has to worry about looking after a young family, his Indian counterparts are more in the grandfather or even great-grandfather league. A foreign office spokesman said: "He and Straw have met many times before when Jack was home secretary but this is Advani's first visit to Britain as deputy Prime Minister."

Advani is also using his visit to strengthen links with Britain's large Indian community, especially those deemed to be useful to the BJP. He has said dual nationality is on the cards, but not for every country.

22 AUG 2002

Publishing opinions on Ayodhya a contempt: HC

LUCKNOW, AUG. 21. Taking strong exception to the reporting on the Ayodhya issue by print as well as electronic media, the Lucknow Bench of the Allahabad High Court has warned the press not to publish opinions of parties, their counsel and other persons in the dispute pending before the court and cautioned that violation of this shall be treated as contempt of court.

The special full Bench, hearing the Ayodhya title suits, passed the order on Tuesday and also directed that the copy of the order be sent to the Editors of all newspapers, the Press Trust of India and all the electronic channels forthwith.

The court further restrained "the press from publishing any article in regard to the merit of the case as it may affect public mind in regard to which the court is yet to take a decision on the basis of the evidence, which the parties may produce in the Court."

"We have come to know that the TV channels are taking interview of counsel of the parties or other persons in regard to the matter, which is pending in the court" the Bench said in its order. "Television interview, at a time when the matter is still pending in the court, may affect the minds of the public and it also undermines the judicial authority and thwarts the majesty of the court while the court has yet to take decision in the matter." It further observed that "this will amount to interference in the administration of justice."

"The TV channels are prohibited from televising interviews in respect of the Ayodhya matter, which is still subjudice," the Bench said. The court recalled the reports of the views of some of the parties and their counsel on the order passed on August 1 last inviting suggestions and views of the parties in regard to the excavation of the disputed site to find out whether there were foundations of Hindu temples or a Hindu religious structure prior to the demolition of the disputed structure.

In some newspapers, the reporting of the order was incorrect as it gave an impression that the court has a passed final order in regard to the excavation, the Bench said adding "in fact we have passed the order only inviting the views and suggestions of the parties and two weeks time was granted for the purpose."

The court also cited stories published in some newspapers quoting the reactions of the Ram Janambhoomi Trust president, Mahant Paramhans Ram Chandra Das, the VHP vice-president, Giriraj Kishore, and the All-India Babri Masjid Action Committee on the court's suggestions on excavation of the disputed site. — PTI

22 AUG 2002

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278

Godhra carnage: Railways releases passenger list

By Our Special Correspondent

NEW DELHI, AUG. 21. After much dilly-dallying, the Railways has come out with the list of passengers who had reservation in the S-6 compartment of the Sabarmati Express which was torched by miscreants at Godhra, resulting in the death of 58 persons.

The incident had sparked communal riots that engulfed most parts of Gujarat for a prolonged spell. Significantly, the list of reserved passengers reveals that only four of the 56 passengers who had booked themselves in the S-6 compartment had died, with nine injured and seven missing.

The Railway Ministry figures

and subsequent inquiry show that as many as 32 of the 56 listed passengers are alive. The Ministry had detailed about 40 inspectors and 100 other staff to conduct the inquiry.

Well-placed sources said that owing to the heavy rush, many passengers without reservation could have entered the S-6 compartment from Faizabad, which was in fact marked for the Lucknow-Kanpur quota, and most of the listed passengers had booked their journey from either of these two stations. According to the Railway Ministry figures, of the 59 passengers booked for the journey in S-6 coach, three cancelled their tickets and there was no confirmed information about

four others as they had reportedly given incomplete addresses and details. On verification of the 52 listed passengers, it was found that 32 of them had travelled safely, most probably finding places in other compartments.

During the recently concluded monsoon session of Parliament, the issue of making public the list of booked passengers in the S-6 compartment of the Sabarmati Express had been raised. While rejecting the charge of a cover up, the Railway Minister, Nitish Kumar, had said that he had already ordered an inquiry and a detailed verification of the list of reserved passengers of S-6 compartment was going on.

22 AUG 2002

~~Rlys releases~~ ~~Godhra list~~

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Statesman News Service 551

Aug. 20. — Nearly six months after the Godhra incident, the railway ministry has compiled a list of passengers who died in the S-6 coach of Sabarmati express. The list is, however, incomplete as it furnishes the names of 48 persons including seven "missing", whereas 58 persons had died there on 27 February. There is no clue to the identity of these ten.

A railway official conceded there was a discrepancy in the list, but said "it's due to reasons beyond the control of the railways. We have found that only four victims had valid reserved tickets for that coach. All eyewitnesses, including the statement made by the ticket checkers of the coach, clearly indicated there was a heavy rush in all coaches of the train. The 10 persons whose identity could not be established could be ticketless passengers."

The Opposition during the monsoon session had charged Mr Nitish Kumar with deliberately not releasing the list.

The official said of the 59 passengers who had booked tickets in the S-6 coach, three cancelled tickets, nine were injured and 32 had "boarded other coaches".

~~List of Godhra victims, page 6~~

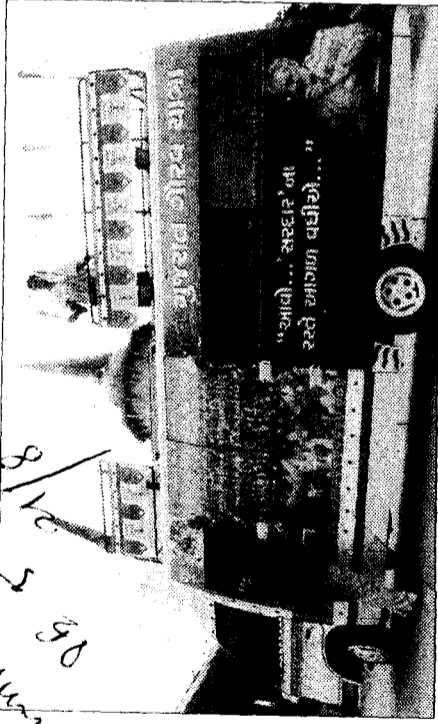
BJP picks riot-hit Kheda to launch pride parade

NEWS & AGENCIES

NEW DELHI/AHMEDABAD, AUGUST 20

THE Gujarat BJP today revived the gaurav yatra, announcing its launch from Kheda, one of the districts worst-hit by the riots, on September 3.

At a press conference here, state unit president Rajendrasinh Rana said he and Chief Minister Narendra Modi will be leading the show and there would be no cancellation or postponement. "Now that the Assembly has been dissolved and



Modi's gaurav rath. Express file photo

polls are near, there is no reason to defer it," he said.

Rana said the Gujarat unit had got the go-ahead from the party's central leadership. This was confirmed by BJP spokesman Mukhtar Abbas Naqvi in Delhi. "If the Jagannath Yatra and other processions can be taken out what is wrong with the gaurav yatra," Naqvi said.

In Vadodara, Modi charged Chief Election Commissioner J.M. Lyngdoh with meeting only minority committee members during his Ahmedabad and Vadodara visits, ignoring the people's wishes while deciding against early elections.

"The EC's orders have raised doubts in the minds of the five crore people of Gujarat, and the Congress has played a very important role in influencing it," he alleged.

Asked why the gaurav yatra was being launched from Phagvel in Kheda, Rana said it was a pilgrimage centre where Bhatiji Maharaj was killed in a campaign against cow slaughter about 200 years ago.

State BJP office-bearers had worked out the route and schedule till late on Monday night. Sources said the leaders had made sure the yatra got the high command's clearance to avoid the embarrassment of

a last-minute change or cancellation. Modi was forced to call off the yatra at the eleventh hour last time following a directive from Prime Minister A.B. Vajpayee.

Party sources said this yatra will run for one and half months. Among those at Monday's meeting were Rana, Rajya Sabha MP Jayant Barot, BJP state vice-president Amit Shah, Amreli MP Dilip Sanghani, Daskroi MLA Vijay Patel, and Karsan Patel.

Naqvi today charged the Opposition with politicising the riots, saying this had "damaged" the image of Gujarat.

EC rules out early polls in Gujarat

9 minutes

17/8

Panel hints at President's rule

HT Correspondent
New Delhi, August 16

THE ELECTION Commission today rejected the BJP's demand for early Assembly polls in Gujarat on the ground that law and order was "still far from normal" in the State.

The three-member commission unanimously decided that it would consider holding elections in the State in November-December if an atmosphere conducive to polls was created.

In another blow to Chief Minister Narendra Modi, the commission turned around his main argument for early polls into a justification for imposing President's rule in the State.

Modi had argued that Article 174(1) of the Constitution makes it mandatory for an Assembly to meet at least once every six months. The House had last sat together on April 4, and early elections must be held so that a new Assembly is in place to meet before the deadline expires on October 4.

The EC today suggested that President's rule was a way out. "The non-observance of the provisions of Article 174(1) ... would mean that the State Government cannot be carried on in accordance with the provisions of the Constitution ... and the President would then step in."

The commission's 40-page order read as much as an assessment of the situation in Gujarat as an indictment of the Modi Government.

"The wounds of the communal divide following the riots

have not yet healed," the order said. "The slow progress in relief and rehabilitation on the one hand, and non-arrest and non-punishment of the guilty and the fear of communal backlash on the other, have hampered the process of restoration of normality in the State.

"Similar feelings are shared by the majority community living in minority-dominated areas. The people have lost confidence in the local police, civil administration and political executive."

The commission also explained that the Gujarat voters' list had become defective because of large-scale displacement of voters in the riots and their failure to return to their homes. The State must revise the rolls in all 20 of the 25 districts identified as riot-hit and try and provide photo identity cards to all.

The commission asked the Government to undertake confidence-building measures by sending the central forces in large numbers to the riot-hit areas and removing the shortcomings in the relief and rehabilitation programmes.

A shocked BJP did not hide its disappointment, but appeared in no mood to challenge the poll panel decision legally. BJP leaders said they believed the commission would hold the elections in November though it hasn't given any such indication officially.

As for the hint on President's rule, a BJP leader said the delay was entirely due to the EC, and the State Government mustn't be made to pay for the commission's "constitutional sin".

17 AUG 2002

SC ponders over meaning of minorities

Statesman News Service

NEW DELHI, Aug. 14. — The Supreme Court of India has reserved its judgment on the TMA Pai Foundation and Others vs the State of Karnataka and Others case about the meaning of "minorities" in the Constitution and framed 11 questions for consideration.

A Constitution Bench of 11 judges has been hearing the case that has now concluded. The 11 questions framed about the meaning of the word, minorities, and their right to establish educational institutions are:

■ What is the meaning and content of the expression "minorities" in Article 30 of the Constitution of India?

■ What is meant by the expression "religion" in Article 30 (1)?
Can the followers of a sect or denomination of a particular religion claim protection under Article 30 (1) on the basis that they constitute a minority in the state even though the followers of that religion are in a majority in that state?

■ What are the indications for treating an educational institution as a minority educational institution? Would an institution be regarded as a minority educational institution because it was established by a person or persons belonging to a religious or linguistic minority or its being administered by a person or persons belonging to a religious or linguistic minority?

To what extent can professional education be treated as a matter coming under minorities rights under Article 30?

■ Whether the admission of students to minority educational institutions, whether aided or unaided, can be regulated by the state government or by the university to which the institution is affiliated?

■ Whether the minority's rights to establish and administer education institutions of their choice will include the procedure and method of admission and selection of students?

Whether the minority institution has the right to admission of students and to lay down procedure and method of

admission, if any, could be affected in any way by the receipt of state aid?

Whether the statutory provisions which regulate the facets of administration like control over educational agencies, control over governing bodies, conditions of affiliation including recognition or withdrawal thereof, and appointment of staff, employees, teachers and principals including their service conditions and regulation of fees would interfere with the right of administration of minorities?

■ Where can minority institution be operationally located? Where a religious or linguistic minority in State-A establishes an educational institution in the said state, can such educational institution grant preferential admission or reservations and other benefits to members of the religious or linguistic group from other states where they are non-minorities?

Whether it would be correct to say that only the members of that minority residing in State A will be treated as the members of the minority vis-à-vis such institutions?

■ Whether the member of a linguistic

minority in one state can establish a trust or society in another state and claim minority status in that state?

■ Whether the ratio laid down by the Supreme Court in the St Stephen's College vs University of Delhi case is correct? If not, what order?

■ Whether the decision of the Supreme Court in the Unni Krishnan JP vs State of AP case (except where it holds that primary education is a fundamental right) and the scheme framed thereunder requires reconsideration, and if yes, what?

■ Whether the non-minorities have the right to establish and administer educational institutions under Article 21 and 29(1) read with Articles 14 and 15 (10) in the same manner and to the same extent as minority institutions?

■ What is the meaning of the expression "education" and "educational institutions" in various provisions of the Constitution? Is the right to establish and administer educational institutions guaranteed under the Constitution?

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Brickbats for Modi as Kalam visits riot victims

By Manas Dasgupta

AHMEDABAD, AUG. 12. The victims of the Gujarat communal riots poured their hearts out before the President, A.P.J. Abdul Kalam, who arrived here today on a two-day visit.

"It is the first time someone heard us so patiently," said 18-year-old Shahzahan Banu, who had been running from pillar to post to seek medical assistance for severe burn marks on her face she got during the riots. She, like 14-year old Zaved Sheikh, who has been orphaned in the riots, did not know what Dr. Kalam communicated in English to the Ahmedabad Collector, but are hoping that the opportunity they got to talk to the President directly would not in vain.

At Naroda-Patiya, where

some 90 persons were burnt alive during the riots, and at the relief camps at Haj House and widows' home in Juhapura visited by the President, there were only brickbats for the Narendra Modi administration.

"I wish I had some good words for him," said Dr. Shakeel Ahmad, administrator of the Islamic Relief Committee, pointing at Mr. Modi who was standing next to Dr. Kalam, "but regrettably I have none nor any special feeling for him." Because the Government not only did not do anything to prevent the mass killings during the riots, but it was also lethargic in taking necessary steps for relief and rehabilitation in the post-riot days, he said.

Dr. Kalam, who began his visit by paying homage to Mahatma Gandhi at his Sabarmati

Ashram immediately after his arrival, later went to Naroda-Patiya before talking to the riot victims at Haj House and widows' camp, the two sites from where the media was barred by the administration.

In the narrow lanes of Naroda-Patiya, the President, however, was taken only a few yards inside the locality. The local residents shouted that he should go and see for himself the "Jalianwalabagh well" in which the bodies of the burnt victims were allegedly thrown by the hooligans, but he was not allowed to go that far. Dr. Kalam apparently did not realise what the local residents were requesting him in Hindi and turned back to meet the selected few delegations waiting for him in a makeshift tent outside.

More reports on Page 11

Speed up relief work: Kalam

9 minutes
Vinay Menon & Rathin Das
Ahmedabad, August 12

PRESIDENT APJ Abdul Kalam arrived in Gujarat on Monday on what is being considered as a politically sensitive tour. Beginning his two-day visit with a trip to Mahatma Gandhi's Sabarmati Ashram, the President went straight to Naroda Patiya where 90 people were killed and hundreds injured in the post-Godhra riots.

After visiting the riot-hit areas, Kalam said: "The grievances poured forth by the affected people to me in their presence should merit immediate attention of those concerned and actions taken with alacrity."

However, instead of stirring up controversy, Kalam's visit to the riot-torn locality turned out to be a rather tame affair. Kalam, accompanied by Chief Minister Narendra Modi, spent less than five minutes amid the ruins, before heading off to a secluded tent to meet the riot victims 'chosen' by the local administration.

Though Kalam betrayed little emotion, he was shocked when a representative of a Muslim organisation told him close to 600 places of worship were destroyed in the riots. At this, Kalam asked district collector K Srinivasan what the government's policy was on the issue. The collector reportedly informed him there was no government policy with regard to building of religious places.

After the guided tour, Kalam asked Srinivasan to expedite relief and rehabilitation work. "The President told me relief work should be done sincerely," said the collector.



AP
Kalam with Chief Minister Modi in Ahmedabad on Monday.

However, the President clearly wanted to ensure his visit did not spark a row. A presidential spokesman said Kalam did not give any instructions to Modi.

Kalam's visit will be the more significant for what he was not allowed to see by the State administration. The President's itinerary did not include the biggest relief camp at Shah Alam Roza, which the PM visited in April.

He was also not shown the Qureshi Hall where nearly 2,000 homeless Muslims are living in unhygienic conditions. In fact, there reports that the local administration worked till the early hours of Monday to distribute compensation cheques.

Earlier, on his arrival at Ahmedabad airport, Governor Sunder Singh Bhandari and Modi and his cabinet received the President.

At Sabarmati Ashram, addressing a group of 300 school children at the ashram, Kalam said: "Small aim is a crime. The honourable Chief Minister has to give you a big aim."

Related report on Page 7

Lyngdoh attacks, Advani defends

Poll panel slams Gujarat untruths

BASANT RAWAT

Ahmedabad, Aug. 10: Chief election commissioner J.M. Lyngdoh today did what the Centre has failed to do — he called the Gujarat administration's bluff on the riots.

The poll panel chief, who is touring the state to see if it is ready for elections, lost his cool on finding that district collector Bhagyesh Jha had misled him on the extent of damage in Baroda. Calling Jha a "joker", Lyngdoh asked: "Are you not ashamed of yourself?"

Armed with electoral rolls to identify the victims, the chief election commissioner first went to Best Bakery in the Hanuman Tekri area, where 12 people were killed and two went missing on March 1 after a frenzied mob torched the building.

Finding Jha's information way off witness accounts, he turned to the official. "You had told me that Best Bakery was set up just two months before the riots, whereas the people here are telling me that it was at least 10 years old. Even the electoral rolls have the names of the victims, and you say that it was set up just two months before the riots! Are you not ashamed of yourself?" he asked.

Earlier in the morning, Lyngdoh had met in-camera the only surviving member of the bakery owner's family, Zahida, in the circuit house. The family used to live on the floor above the workshop.

The entourage next went to Tarsali, a site not far from Best Bakery, where the team saw 185 burnt houses. Lyngdoh again lashed out at the collector. "You

told me only sporadic violence had taken place. Are you a joker?"

Jha's humiliation began before the Election Commission team set out this morning on a tour of the district's worst affected areas. Lyngdoh refused to follow the route chalked out by the local administration. Instead, he went to the places that the non-government organisations working with riot victims wanted him to visit, inviting comparisons with predecessor T.N. Seshan, who won many admirers with his principled stand and tenacity.

Refusing to buckle under the pressure the BJP is piling for early polls in Gujarat, Lyngdoh brought the three-member Election Commission for a recce a week after a nine-member poll panel team toured the state. The first team submitted its report today, in which it is understood to have said that the situation is "not conducive" to immediate polls.

Everyone the commissioners spoke to in Baroda today, opposed early elections. "Rebuild our houses, you can hold elections tomorrow. Then we will have no objection. But not before each one of us is properly rehabilitated," Mullaiddin said.

Mohammed Hanif, who owned National Bakery and a four-storey building that was razed by a mob in Baranpur, said it would be gross injustice if polls are held before December.

The All India Milli Council told the commission that early elections would amount to a "murder of democracy" as 45 lakh Muslims would not be able to exercise their right to vote.



LK Advani and Arun Jaitley at the meeting. (AFP)

BJP cites Assam & Kashmir

OUR SPECIAL CORRESPONDENT

New Delhi, Aug. 10: L.K. Advani today insinuated that "different yardsticks" were being used for different states, even as chief election commissioner J.M. Lyngdoh and his colleagues sized up Gujarat's poll-worthiness.

BJP sources said the deputy Prime Minister also suggested that it was for the Gujarat government and the Union home ministry to take a final view on the matter. "The home ministry and the state government have the mechanism to determine

whether the situation is normal or not," the sources quoted him as saying.

At a closed-door meeting called by the BJP's intellectual and media cells here, Advani cited the example of the controversial 1983 election in Assam which was boycotted by large sections. Yet, elections were held with "just three or four per cent" casting their franchise, and a government that lasted its term was formed, he added.

Advani did not situate the example directly in the context of Gujarat, but the connection was obvious. The BJP leader, the sources said, also mentioned

Kashmir to make the point that elections were being held on schedule despite the situation not being normal.

The sources, however, said Advani was confident about the BJP's prospects irrespective of when the elections are held. "In spite of the prejudices against the party, the BJP will win hands down whether polls are held in Gujarat now or in February," they quoted him as saying.

On President A.P.J. Abdul Kalam's proposed visit to Gujarat, Advani reportedly said: "He takes a balanced view of things, is well versed with the Constitution and we hope

he will meet all sections of people and not just a few."

In the hour-long interactive session with lawyers, doctors, academics and journalists sympathetic to the BJP, Advani stressed the need for sustaining the National Democratic Alliance, but at the same time projected the BJP as "a party... with a difference". It was a point he had highlighted in his address at the BJP national council last Saturday.

Advani said although the BJP would like to get a majority on its own in the next Lok Sabha elections, it would not like to shake off its allies.

Minority protest rally in Gujarat

Rathin Das
Ahmedabad, August 9

11-3
10/8

EVEN AS the Election Commission team today visited destroyed minority homes and relief camps, nearly 2,000 people took to the streets here to protest against the non-payment of compensation to riot victims.

Many of the participants came from far-flung places like Dahod and Sanjeli, where relief camps have officially been closed and peace apparently restored. The rally started from the Malek Saban stadium in the eastern outskirts of the city, which is popularly known as "their area" — a phrase used in Ahmedabad for minority-dominated areas.

"We were not allowed to take out the rally through the main city areas like Ashram Road or CG Road in western Ahmedabad because the police felt it would not be safe for us," said a spokesperson of the Society for Promotion of Rational Thinking (SPRAT) — one of the sponsors

of the protest march. The main banner of the rally read — Fascism, Communalism Quit India.

The rally proceeded through Bapunagar and Arban Nagar areas before culminating at the stadium again in the afternoon. The demonstrators carried burnt and half-burnt remains of two-wheelers, household goods, clothes, books and electrical goods razed and in the riots that followed the February 27 Godhra carnage.

Protestors, who carried enlarged photocopies of compensation cheques worth Rs 100 and Rs 180, had sad stories to tell. A widow, Hakima Bibi, said she did not even get a penny as compensation for her house that was ransacked and completely razed in the riots. Another victim, Nafisa Khatun of Akbar Nagar, received Rs 90,000 for her dead husband, who was shot by the police. Abdul Aziz of Madina Nagar has received a cheque of Rs 8,500 for his destroyed house, but he says officials at the Collector's office demand Rs 3,000 for encashing it.

Minority institutions and the state

By Pratap Bhanu Mehta

Only adherence to clear and consistent principles can prevent a debilitating politicisation of secularism and protect the rights of minorities.

THE RELATIONSHIP between minority institutions and the state is a tangled web, made complicated in recent years by inconsistent judicial pronouncements that have eroded the rights of minority-run institutions in many cases, while arbitrarily privileging them in others. While the cases currently before it involve numerous complex issues, the Supreme Court ought to use them to clarify the fundamental principles at stake, even if individual cases remain more contentious.

In a pluralistic society like India, there ought to be no dispute over the fact that a wide range of minority institutions should flourish and be cherished. The state has a constitutional obligation to ensure that the rights of the minorities to freely create and administer their institutions are protected. The dispute is over the extent to which minority institutions can exempt themselves from state regulation, if they receive state aid in some form or the other.

A neat and simple solution to this conundrum would be to start with the presumption that any institution that does not receive state aid should be given the maximum latitude to administer its own affairs as much as possible.

This principle ought to apply to any institution, not just minority institutions. Similarly, a reverse presumption should apply in the cases of institutions receiving substantial state aid. The state has the right to regulate these institutions in the same way as it would regulate all otherwise similar institutions. It is the second presumption that is more controversial and has occasioned the argument between the Attorney-General, Soli Sorabjee, and the Solicitor-General, Harish Salve.

There are three grounds on which the second presumption is resisted. The first is that Indian secularism does not envisage as clear a separation between religion and the state and therefore the state can aid minority institutions even if the minority is defined in religious terms.

This argument, while it rightly de-

scribes the inordinately confused secularism of the Indian state, is weak in at least two respects. It seems to me that the only way a state can genuinely respect religion is by staying away from it as much as possible.

It is a gross caricature to conclude that because we supposedly believe in *sarva dharma samanvay*, it follows that it is justified for the state to get entangled with all religions. All that follows is that each has the freedom to practice their religion, not that the state should help them do it. Second, this argument underestimates the extent to which by getting involved with religion the state actually creates religious identities. The courts have constantly put themselves in the awkward position of defining which groups belong to which religion.

The courts have to constantly confront such questions as whether Ramkrishnites or Jains or some other sects are a minority. These questions are framed, not in terms of the organic growth and self-definition of various communities, but in terms of the state's compulsion to answer the question about which minorities deserve protection and which do not. So the court ends up begging the question who constitutes a minority. The state needs to protect the "minorities" without arbitrarily defining people's identities for them.

The second argument put forward is this. Many worry that since minority institutions will not be able to flourish without state aid, it would be absurd to argue that the state may legitimately regulate them if they receive state aid.

This would be, in effect, to starve minority institutions of much needed resources. This argument is somewhat overblown in two respects. First, if the history of the best minority institutions is any guide, quite the reverse is true. India has

had a large range of flourishing minority institutions that did not receive substantial state aid. Indeed, it is arguable that receiving state aid has depleted the quality of many minority institutions, as it has of many other institutions, by politicising them.

Behind the thought that minority institutions cannot flourish without state aid is a gross misreading of our history and a rather indefensible statism which presumes, without argument, that minority institutions would be depleted without state aid. If anything, educational institutions are not flourishing because even those outside the ambit of the state are over-regulated. Second, the issue can be framed with more nuances. The Court can evolve guidelines that avoid two undesirable extremes. On the one hand, the state should not be allowed to alter the self-governing character of minority institutions if they receive some aid which many institutions inevitably will. On the other, there is something odd about the state not having the regulatory powers over minority institutions even when it funds up to or more than two-thirds of their budget. Why should, for example, a college that receives two-thirds of its budget from the state be exempt from affirmative action requirements, just because its management is in the hands of a "minority"?

The Court could strike a principled compromise by defining a financial threshold above which the state's regulatory powers kick in. Using a criterion of state dependency for determining whether the state can regulate an institution avoids two jurisprudential absurdities. The courts have often essentialised the functions of minority institutions, by operating under preconceptions of what a minority institution is supposed to do.

It has then used this preconcep-

tion to attenuate the minority status of some institutions. On the other hand, it has consistently defined the identities of various groups for them by arrogating to itself the power of defining who is a minority and who is not.

A simple criteria that says, for example, that any institution that receives more than half of its budget from the state cannot claim exemptions from the relevant state regulation will help the state avoid the mess that comes from defining identities.

The third argument, less explicitly mentioned, is the legitimate fear that opening the door to state regulation will leave open the door to the ominous agenda of the Sangh Parivar. This fear is well founded. But this is a threat all state institutions are facing. Exempting state-aided minority institutions from regulation will politically only exacerbate rather than diminish this threat. The correct conclusion to draw from this fear is that we cannot have our cake and eat it too. Institutions cannot continue to rely on the Government and expect at the same time that the Government will not impose its power on them. Minority institutions will make themselves less vulnerable if they rely on the state less; and they will be better protected if the state gets out of the business of defining their identities altogether.

The Supreme Court should set the relationship between the state and minority institutions on a more consistent basis.

The only defensible way to do this is to afford institutions the maximum protection when they draw upon their own resources, but not exempt them from reasonable state regulation that would otherwise apply to these institutions when they rely too much on the resources of the state. Only adherence to clear and consistent principles can prevent a debilitating politicisation of secularism and protect the rights of minorities.

(The writer is Professor of Philosophy and of Law and Governance, JNU.)

1 0 AUG 2012

THE HINDU

Rehabilitation before polls, cry riot victims

9-8 118
9-8 118

FROM BASANT RAWAT

Ahmedabad, July 31: Riot victims today told the Election Commission team touring Gujarat not to hold polls till they are rehabilitated.

The nine-member team, headed by deputy election commissioner A.N. Jha, split up into three sub-teams to visit the Shah-e-Alam relief camp, Gulbarg Society and Naroda Patia, where over 120 people were massacred on February 28, a day after the Godhra carnage.

As the team was leaving the Shah-e-Alam camp, that houses about 3000 victims from Naroda Gam, Naroda Patia, Shahpur, Sabarmati, Maninagar and Chamanpura, some of the residents shouted: "*Election nahi, makan chahiye, Election nahi, roti chahiye.*" (We need food and housing, not elections.)

The team had not sought the inmates' views on elections, limiting its questions to where they had lived before the riots, why they had not returned home and the whereabouts of their family members. But as they were leaving the camp, some residents found out why the team had come and started raising slogans.

"Some of the inmates asked the organisers about the purpose of the team's visit. When we told them that they were here to see whether elections could be held, they decided to protest," said Sharif Khan Pathan, a volunteer.

Pathan told the commission team that 75 per cent of the 12,500 original inmates have left the camp, which was one of the state's biggest. But not all have returned home. Most are putting up with relatives or have moved out of the state, he said.

Safibhai Memon, an organiser of the Shah-e-Alam relief, made a strong case against early elections. He pointed out that of the 182 Assembly seats, 87 segments are riot-affected. On an average, about 7000 people have migrated. If elections are held now, when large numbers of the minority community cannot cast their votes, "it will amount to murder of democracy", Memon argued.

Elections cannot be free and fair without the participation of all those who have migrated because their number is big enough to tilt the balance in an Assembly segment, he said.

In another relief camp at Vatva, camp organiser Sabnam Bukhari told the team that the atmosphere is not conducive to elections because many riot victims are not ready to return home. "If elections are held in

such a situation, they will not be free and fair", she argued.

The team met senior government officials this evening and will also visit other riot-affected and drought-hit districts before winding up its visit in about a week. Representatives from the Congress and various NGOs have sought appointments with the panel to present their views.

NGOs and human rights organisations are vehemently opposed to early elections. Though the Congress shares this opposition, the party has said it is ready to face polls any time.

A section of the BJP is also unhappy with Narendra Modi's decision to dissolve the Assembly. Sources said that if the drought situation worsens, even the chief minister might have second thoughts and the BJP might be forced to ask the commission to defer polls.



Riot victims talk to Election Commission observers during their visit to Gujarat. (PTI)

Govt differs with A-G on minorities

Press Trust of India ⁵⁸⁶

NEW DELHI, July 30. — The Centre today submitted before the Supreme Court that any preferential treatment to minority students by way of marks in a state-aided minority educational institution would be violative of Article 29 (ii) of the Constitution.

The government's view point, rebutting attorney-general Mr Soli Sorabjee's stand on the issue, was submitted by solicitor-general Mr Harish Salve before an 11-Judge Supreme Court Constitution Bench headed by Chief Justice Mr BN Kirpal.

The rebuttal follows reports that the human resource development minister had written to Mr Salve to rebut certain arguments of Mr Sorabjee.

On 26 July, the Chief Justice had asked the attorney-general as to what would be the position if there was no exclusion of students of other communities but preference was given to students of minority community by way of certain percentage of marks as weightage.

Mr Sorabjee said it would be permissible and not hit by Article 29 (ii) provided the preference given was rational and not disproportionate. "What was rational, whether it was disproportionate or not, depends on facts and circumstances prevailing in a particular minority educational institution."

Today, Mr Salve said: "Article 29 (ii) applies to educational institutions maintained by the states as well as those receiving aid out of the state and treats them on par." He argued that if such preferences were given to minority students in an ai-

ded minority educational institution, it would create an anomalous situation as "anything which would be permissible in aided institutions would, therefore, necessarily be permissible in state maintained institutions... Giving additional marks to students only because he belonged to a particular religion would be violative of Article 29 (ii)".

On 25 July, Mr Sorabjee had submitted before the Bench that "in the field of international law relating to minorities, it is generally accepted that minorities, on account of their non-dominant or vulnerable position in the society, in addition to the guarantee of non-discrimination available to all persons, require special and preferential treatment." In an apparent reference and counter to this argument, Mr Salve said there were some articles by cer-

tain professors and other academicians, who have advocated in Europe, public funding of minority institutions and positive steps by the state for this purpose.

"However, no such principle has been accepted by the European Community. In fact, the 1995 Framework Convention for the Promotion of National Minorities provides to the contrary and interestingly it makes the right to education expressly subject to regulations made by the State in the field of education," he said.

Mr Sorabjee's reference to treaties to project the international thinking on minority also fell foul with the Centre, which said: "International treaties which operate beyond Constitution are quite different from the secular democratic Constitutions which have delicate checks and balances."

Centre rebuts Sorabjee's arguments

By J. Venkatesan

NEW DELHI, JULY 30. The Centre today rebutted certain arguments of the Attorney-General, Soli Sorabjee, before a 11-Judge of the Supreme Court relating to preference being given to minorities under Article 29 (2) of the Constitution.

Spelling out the Centre's stand, the Solicitor General, Harish Salve, submitted before the Bench headed by the Chief Justice, B.N. Kirpal, that "giving of preference by way of extra marks etc. may not be permissible under Article 29 (2)."

He said "it is important to bear in mind that Article 29 (2) applies to educational institutions maintained by the State as well as those receiving aid out of the State and treats them on par."

The Solicitor General's submission came pursuant to a letter written by the Human Resource Development Minister, Murli Manohar Joshi, asking him to rebut certain arguments of the AG, who said that by giving preference by way of certain percentage of marks as weightage would be permissible and not hit by Article 29 (2).

To a question from the Bench whether an 'aided' Minority Educational Institution (MEI) could give weightage to its community, the AG had said that it would be permissible and not hit by Article 29 (2), if such a preference was rational and not disproportionate. He maintained that what was rational, whether it was disproportionate or not, would depend on the facts and circumstances prevailing in a particular MEI.

Replying to this, Mr. Salve submitted that if preference was given to minority students in an aided MEI, it would create

an anomalous situation as "anything which would be permissible in aided institutions would, therefore, necessarily be permissible in State maintained institutions."

He was of the view that "giving additional marks to students only because he belongs to a particular religion would be violative of Article 29(2)."

Referring to the AG's submission that giving preference was based on the promise that there was a positive obligation of the State to fund minority institutions; Mr. Salve said "there is no such positive obligation contained in the Constitution."

The AG citing various international laws and treaties had asserted before the Bench that

under the Constitution minorities were not shown any privilege or concession but they were entitled to their rights.

Mr. Salve, however, said that the analogy given by the AG from international treaties "is not really appropriate." He said "international treaties which operate beyond constitutions are quite different from secular democratic constitutions which have delicate checks and balances."

He said certain professors and academics had advocated public funding of minority institutions in Europe and positive steps by the State for this purpose. However, the European community had accepted no such principle.

"In fact, the 1995 Framework Convention for the Promotion of National Minorities provides to the contrary as it makes right to education subject to regulations made by the State in the field of education," he added. He will continue his arguments tomorrow.

'Frame guidelines to prevent misuse'

Earlier, on behalf of Karnataka it was submitted that the court should lay guidelines to ensure that unscrupulous or unprincipled individuals of bodies did not hijack constitutional provisions for sub-serving ulterior purposes and establish an institution in the guise of the MEI.

The State was of the view that though MEI had the right to regulate admission of its students, reasonable restrictions could be imposed conducive to the welfare of the institution. Also minority rights could not be used as a cloak for promotion of individual or family interests.

It submitted that maintaining standards of education were not a part of management as such. MEIs could not be allowed to fall below the standards of excellence expected of educational institutions or under the guise of exclusive rights of management to decline to follow the general pattern.

Further, MEIs must go by a self-imposed set of regulations that would ensure the most meritorious amongst the minorities alone would be selected and that the means of selection would not be converted to conferring undeserved benefits upon their favourites and inferior students for reasons unconnected with academic excellence.

Unashamed action: CPI(M)

By Our Special Correspondent

NEW DELHI, JULY 30. The Communist Party of India (Marxist) today objected to the move by the Union Human Resource Development Minister, Murli Manohar Joshi, asking the Solicitor General, Harish Salve, to counter the arguments placed by the Attorney-General, Soli Sorabjee, in the case relating to the minorities rights being heard by a 11-judge bench of the Supreme Court.

The CPI (M) Parliamentary Party leader, Somnath Chatterjee, said here at a press conference that the apex court had asked Mr. Sorabjee for his views on the issue and it should have been left to the Court what should be done.

"Since the Attorney-General does not satisfy Dr. Murli Manohar Joshi, whose objective is to saffronise, he had instructed the Solicitor General to counter," Mr. Chatterjee said.

He went on to add that the 'unashamed action' was serious and that the balance between legislature, judiciary and executive was eroded.

Mr. Chatterjee also criticised the approach of the BJP-led Government at the Centre and Jharkhand alleging that it was only interested in 'dividing' the people by taking decisions like bifurcation of the railway zones and domicile policy in Jharkhand. The decision of the Babulal Marandi Government was "arbitrary and inconsistent with the Constitution."

31 JUL 2002

Why minority rights?

By Neera Chandhoke

Minority rights are a part of the democratic imagination inasmuch as democracy is about individual rights to faith.

WE ALL know that good political understanding is largely a matter of getting history right, for we do need to know where we have come from in order to understand the present. Accordingly, we can understand contemporary Indian politics only in the light of our freedom movement, which was to set the course for contemporary Indian politics. After all, the main pillars of the Constitution — democracy, secularism, social justice, and fundamental and minority rights — were forged in and through sustained political mobilisation.

And the decisions of inclusive social movements, as opposed to exclusivist and narrow ones — Hindutva for example — deserve respect. For, in and through the process of struggle, social groups who were isolated from each other earlier, learn how to live and work together. Take the moment of mass politics in Indian history: the 1920s, this was also the moment when two vital political norms of Indian politics were forged on pragmatic and normative grounds. One, no group is privileged even if it happens to be in a majority. Two, groups have to be protected against majoritarian agendas simply because they are in a minority and therefore vulnerable. This is according to the best principles of liberal democracy which safeguards each and every individual, even if the majority thinks otherwise.

Consequently, the rights of the minorities to their culture and religion and the right to be protected against majoritarianism, were recognised as far back as 1928 in the Motilal Nehru Draft Constitution. Subsequently, Jawaharlal Nehru writing a note on minorities in *Young India* on May 15, 1930, was to state that "the history of India and of many of the countries of Europe has demonstrated that there can be no stable equilibrium in any country so long as an attempt is made to crush a minority or force it to conform to the ways of the majority... It matters little whether logic is on its side or whether its own particular brand of culture is worthwhile or not. The mere fact of losing it makes

it dear. Therefore we in India must make it clear to all that our policy is based on granting this freedom to the minorities and that under no circumstance will any coercion or repression of them be tolerated... we can also lay down as our deliberate policy that there shall be no unfair treatment of any minority".

The Karachi Charter on Fundamental Rights of 1931 reiterated this principle. It acknowledged the right of the minorities to their religion, the freedom to profess and practice any religion and laid down that the state should be neutral in religious matters. The right of the minorities to cultural autonomy was expressly granted. During the second session of the Round Table Conference, a Memorandum on the "Congress Scheme for a Communal Settlement" was presented before the Minorities Committee on October 28, 1931. The scheme provided for the protection of minority culture, language, script, education, profession, religion and religious endowment. It also provided for the protection of personal laws, as well as for a proportionate share in the Legislature for all communities through joint electorates, protection of minority interests in the Central and Provincial Cabinets, and a fair share for the minorities in the public services.

The report of the Sapru Committee, which was set up by the non-party conference in November 1944, recommended full religious tolerance, non-interference in religious beliefs, practices and institutions, and protection of the language and cultures of all communities. The Sapru Committee also recommended political representation. However, these recommendations created so much controversy that the report could not be adopted.

In a similar vein, though the members of the Constituent Assembly felt that the minorities should not have special political representation, they

said the minorities' rights to their religion should be recognised. In this, the Assembly performed somewhat of a u-turn. For, the Subcommittee on Minorities had in its report of July 27, 1947, recommended that (1) seats should be reserved for religious minorities under joint electorates, (2) the interests of such minorities should be protected in the Cabinets through a convention under a schedule to the Constitution, (3) reservation for minorities should be provided for in the public services, but these claims should be balanced against the demand of merit and efficiency, and (4) independent officers should be appointed to report to the legislatures on the working of the safeguards.

The Advisory Committee on Fundamental Rights headed by Sardar Patel accepted most of these recommendations. In February 1948, these provisions were incorporated into the draft Constitution in Part XIV under the title "Special Provisions Relating to Minorities". However, some members of the Advisory Committee on December 30, 1948, reopened the matter of political rights. The members felt that in the light of the changed political conditions — Partition — it was not desirable that the minorities should have reserved seats in the legislatures.

On May 25, 1949, Sardar Patel tabled the report of the Advisory Committee in the Constituent Assembly. "We have", stated the report, "felt bound to reject some of the proposals placed before us partly because as in the case of reservation of seats in Cabinets, we felt that a rigid constitutional provision would have made parliamentary democracy unworkable... We wish to make it clear, however, that our general approach to the whole problem of the minorities is that the state should be so run that they should stop feeling oppressed by the mere fact that they are minor-

ities and that, on the contrary, they should feel that they have as honourable a part to play in the national life as any other section of the community. In particular, we think it is a fundamental duty of the state to take special steps to bring up those minorities which are backward to the level of the general communities."

The shift in the position can be traced in the main to the drastically altered political situation in the country. When the Assembly initially met, there was hope that the Muslim League could be persuaded to join in the deliberations. By 1948, when the issue was re-opened in the Advisory Committee and subsequently in the Constituent Assembly, Partition had caused its own political reverberations. But at the same time, educational and cultural rights of the minorities were recognised in Articles 29 and 30. However, we need to note that Article 29 — the right to language, script and culture — covers all sections of Indian citizens. It is only Article 30 that allows minorities to maintain their own educational institutions. Is this too much of minority rights or too little?

If the members of the Constituent Assembly could be profoundly sensitive to minority rights in the middle of the civil war in North India, if the rights of the minorities to their religion have been historically determined, why should we not respect these rights? We should respect them for four reasons. First, these rights were drawn in and through the processes of political mobilisation. And historical pacts have to be respected for we all know what happens to people who forget their history. Second, these rights have been enshrined in the Constitution, which is the supreme law of the land. Third, minority rights are a part of the democratic imagination inasmuch as democracy is about individual rights to faith. And the fourth reason is pragmatic. As G.B Pant was to state in the Assembly "unless the minorities are fully satisfied, we cannot make progress; we cannot even maintain peace in an undisturbed manner". Is the BJP that trades on history listening?

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Sorabjee on minority rights

Statesman News Service

NEW DELHI, July 25. — Condemning the theory

that special treatment of minorities amounted to granting them concessions or privileges, Mr Soli J Sorabjee contended in the Supreme Court today that while minority educational institutions would have to adhere to certain regulations, the state should not interfere with their management.

The guarantees provided by Article 30 were not absolute and could not be used to shield mismanagement, Mr Sorabjee conceded, but there could be no diluting those guarantees simply because the potential for mismanagement existed. The educational rights of minorities had to be viewed against a larger canvas.

Making submissions to the 11-judge Constitution Bench headed by Chief Justice Mr BN Kirpal, the attorney-general clarified that he was appearing at the court's request. The government's stance had been presented by the solicitor-general at a previous hearing.

With Mr Sorabjee not representing any particular party, his submissions were in more general terms and hence no major divergence from the gov-

ernment's position was evident. But he stressed that the rights of minority educational institutions under Article 30 were "not absolute. They were subject to reasonable regulations".

'No rift with govt'

NEW DELHI, July 25. — The attorney-general today said there had been no confrontation between him and the government or any rift between him and solicitor-general Mr Harish Salve over the educational rights of minorities. Prior to making his submissions to the Constitution Bench, Mr Sorabjee stressed that he was assisting the court in response to its request of 2 May. — SNS

When the court raised queries on guarantees under Article 30 being absolute, Mr Sorabjee said no right was absolute. There could be no using that constitutional provision to cover up maladministration: "the right to administer is not the right maladminister".

When the court inquired who would check or step in if a minority educational institution was maladministered, he said he would respond to that query tomorrow. But he was categorical that state education authorities had no role to play in the appointment process in minority institutions. Nor if a teacher was dismissed. Such action was open to judicial scrutiny, not administrative review.

He said if the state education authorities had power to interfere with management, the institutions would be in trouble. Already they were pressured on admissions, and if they did not oblige, faults would be found in their functioning.

An institution did not lose its minority status if it took in students from other communities, Mr Sorabjee said.

26 Jul
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Sahmat memo to EC against early election in Gujarat 26/7

By Our Special Correspondent

NEW DELHI, JULY 25. The Election Commission today received a delegation from the anti-communalism group, Sahmat, which is opposed to the idea of an early election in Gujarat. The delegation submitted a memorandum to the EC which said that normality had not returned to Gujarat and that conditions for a registered voter to cast his ballot in a free and fearless manner did not exist.

The delegation alleged that the Gujarat Government was pressuring members of the minority community to return to their homes in its determination to show that normality has returned to the State. It said that there were over two dozen affidavits filed before the Gujarat High Court stating that blatant-

ly aggressive methods, including threatening camp managers with detention under POTA, were used by district collectors to shut down camps.

Briefing the press after the meeting, the delegation members, including Sharmila Tagore and Prabhat Patnaik of the JNU, said they were given a patient hearing by the Commission which sought details on issues they had raised such as relief and rehabilitation, the status of criminal cases, and of refugees who had fled the State. The Commission asked the delegation to submit any documents pertaining to these issues.

Prof. Patnaik said documents as well as a legal assessment of the issue of the timing of elections after the dissolution of an Assembly would be submitted to the EC within a day or so. A

survey report, State of Ruins, of the situation in violence-affected Godhra and Panchmahals district was presented to the EC. Ms. Tagore said that elections could not be a primary concern in a State still gripped by fear, where the principle of "might is right" operated. She said that not just people from the minority community but secular-minded people too were afraid.

Another member of the delegation, Parthiv Shah, film-maker, said that people in the State were afraid to speak out, and this did not make for a good election environment. He also said that rehabilitation, not elections, was needed.

The other members of the delegation included Vivan Sundaram, artist, Gauhar Raza, scientist, and Zoya Hasan of the JNU.

The exchange of the finance and foreign affairs portfolios heralds no policy change

Musical chairs

J.N. DIXIT

Expectations exceeded the eventual realities of the cabinet reshuffle of the prime minister, Atal Bihari Vajpayee, on July 1. The most significant change was Jaswant Singh and Yashwant Sinha swapping their portfolios of external affairs and finance respectively. The home minister, L.K. Advani, has been elevated to the *de jure* position of deputy prime minister, formalizing his place in the power structure as number two man in the government, which in any case was a fact in terms of substantive political equations. Second, representation of the Bharatiya Janata Party has been consolidated and marginally augmented along with representation from the Shiv Sena. Some additional representation has been given to Tamils in the cabinet apart from the representation of the Dravida Munnetra Kazhagam, the objective being to expand the support base for the BJP and its more quiescent allies in Tamil Nadu.

There is a shift towards giving greater representation to weaker sections of civil society in the council of ministers, while upper castes representation has been reduced with the removal of the health minister, C.P. Thakur, and Maneka Gandhi. Mamata Bannerjee of the Trinamool Congress was not accommodated, given the party's poor performance in the state elections in West Bengal and her truculent and assertive behaviour. Farooq Abdullah also stands secluded; which will have repercussions on the politics of Jammu and Kashmir.

Vajpayee is confident that he can do without the support of such parties and political elements. He has inducted two film stars, one from Bihar and one from Punjab, Shatrughan Sinha and Vinod Khanna, in the cabinet. It is obvious that they have been included in the council of ministers primarily as individuals capable of attracting voters and not because of any known political experience and administrative abilities. The former BJP party president, K. Jana Krishnamurthi, is an unhappy entrant into the cabinet. The portfolio given to him is not commensurate with his political credentials as one of the founding members of the BJP. That such a senior leader with strong support among the party cadre could be persuaded to step down shows the dominance of Vajpayee and Advani in the party.

A parallel shifting of the younger, more active and articulate ministers, M. Venkaiah Naidu and Arun Jaitley, to senior positions in the BJP party structure signals the overall logic behind the changes made. Basically the logic is to increase the influence of the BJP within the cabinet, to project an image of unity between the top leaders of the cabinet, Vajpayee and Advani, to strengthen the ideological purposive-

ness and appeal to the Hindu voters of the BJP and to ensure a closer relationship with ideologically like-minded parties in the National Democratic Alliance like the Shiv Sena.

The appointment of the former Uttar Pradesh chief minister, Rajnath Singh, as general secretary of the party and the appointment of the former Bajrang Dal chief, Vinay Katiyar, as the president of the UP unit of the party confirm the above logic further. There are reports that Uma Bharti may take over as the chief of the party unit in Madhya Pradesh in line with the above decisions. It is reasonable to conclude that the reshuffle exercise has the twin aims of BJP closing ranks to overcome inner tensions and contradictions and at the same time to prepare for the national elections due in 2004.

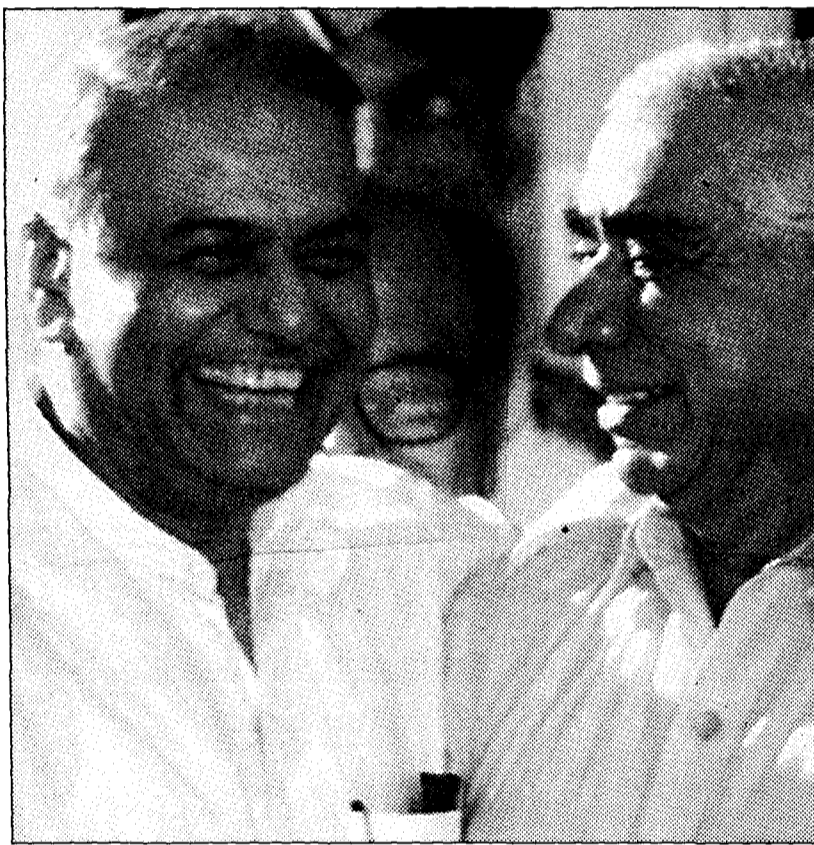
The exchange of portfolios between Jaswant Singh and Yashwant Sinha should be viewed in this context. A little bit of history would be relevant. It should be remembered that Yashwant Sinha was not the first choice of Vajpayee as the finance minister when he assumed power in 1999. Vajpayee had stated that he would initially hold the charge of finance portfolio himself. Soon thereafter Yashwant Sinha was appointed the finance minister on the advice of Advani and certain business circles, if reports at that time are to be believed. Despite being the choice of Advani, BJP and Rashtriya Swayamsevak Sangh party cadre were never enthusiastic about Yashwant Sinha as minister of finance.

Objectively speaking, Yashwant Sinha proved to be a practical and tactful finance minister. His budgets and finance policies primarily aimed at reconciling the contradictions between the requirements of the liberalization and modernization of the Indian economy and the imperatives of distributive justice in a civil society where more than one-third of the population lives in poverty. If the assessment within the BJP that he was not an efficient finance minister is examined, it is obvious that this judgment is based on purely ideological orientations of the hardcore members of the party and the *sangh parivar*. If one looks at India's economic growth, general export performance and its attraction as a market for investments and transfers of technology, it is clear that he managed to do his best in extremely difficult times when India had to deal with uncertain trends in global economy, discriminatory undercurrents of the World Trade Organization arrangements and the requirement of increasing Indian defence expenditure in response to India's troubled relations with Pakistan.

Jaswant Singh's moving into the finance ministry in contrast does not have the ingredients of controversies to which Yashwant Sinha was wrongly

subjected. The rationale of Jaswant Singh being made the finance minister is his known orientations towards Western democracies and the United States of America, his belief in competitive market economy being the most effective instrumentality in India's economic development and his extensive contacts with the leaders of

affairs. He certainly has been one of the most "hands on" foreign ministers of India. One acknowledges the important contributions he has made to India's external relations during the last four years. He has steered India through the negative fallout of the nuclear tests at Pokhran in 1998. He not just revived but structured a close rela-



the Western democracies, especially during his tenure as the deputy chairman of the planning commission, and as minister for external affairs during the last four years.

What then should one expect from these two senior cabinet ministers in their new responsibilities? Sinha, as one of the longest serving finance ministers of India, has wide contacts with the leadership of the Western world. His professional background is, in a manner, an ideal mix of administrative and political experience. As a member of the Indian administrative service for 24 years, he has substantive experience of governance at the operational level. This includes some experience in foreign affairs also. He was India's consul general in Frankfurt in the late Seventies. He has worked in the Union ministries of commerce and finance holding charge of India's foreign economic relations. His tenure as the finance minister has augmented this knowledge and experience at the highest political levels.

Jaswant Singh does not bring the same substantive experience of economic and financial management to his new charge. His expertise has been in foreign policy and national security

“ The objectives remain constant, so do the policy options decided upon for the time being ”

tionship with the US and other major powers of the world which had drifted into doldrums after May 1998. He restored normalcy in Sino-Indian relations in the aftermath of critical comments made by the defence minister, George Fernandes, against China.

He has evolved a close pattern of consultations with all the major powers on foreign policy and security matters. To top it all, he has certainly ensured incremental international support for India in its difficult relations with Pakistan, specially over the last two years. This performance record ensures for him high credibility with the major powers, particularly the major economic powers of the world. This should serve India's economic interests well when he functions as the finance minister of the country.

On the downside, however, as for-

eign minister perhaps he did not have enough time to spare to deal with countries of central Asia, Africa and Latin America (even though these countries may not have the same priority in terms of substantive Indian interests). India's influence in the constituency of developing countries certainly diminished to some extent during his tenure. While he is much admired by members of the Indian foreign service for his knowledge and activist approach to the work of the ministry, the institutional command structure of the ministry weakened under him. The higher foreign service establishment led by the foreign secretary played a diminishing role over the last four years. He relied on his own undoubted knowledge and experience and advisors from outside.

This became a more prominent characteristic of his tenure when the foreign secretary of his choice could not assume charge in the year 2001. The result was that the foreign secretary who was appointed in the year 2000 was practically a marginal figure in foreign policy formulations. Jaswant Singh, of course, dealt with some of the joint secretaries who held important charges to which he appointed them because of their undoubted abilities. But the service in general was not accepted by him as an efficient collective instrumentality for fashioning his policies and implementing them.

One hopes that Yashwant Sinha will redress this particular imbalance during his tenure, given his background as a former civil servant and his knowledge about the role of the civil service in higher policymaking. One hopes that he will revive the role of the foreign service and its senior echelons in the formulation and implementation of India's foreign policy. It is logical to presume that he will give an economic focus to India's foreign policy which is not just essential but imperative in the current global context. He will have to bone up his knowledge on strategic and security affairs, a sphere in which Jaswant Singh excelled as foreign policy planner.

It is yet to be seen whether Yashwant Sinha will have the same personal equation with Vajpayee. The chemistry of Jaswant Singh's relations with Vajpayee was a strong point in his favour underpinning his influence. The compensating factor could perhaps be a more harmonious interaction between Yashwant Sinha and the prime minister's national security advisor, Brajesh Mishra. So one hopes that the foreign office will play a more substantive role in policymaking in the coming days.

The answer to the basic question whether Yashwant Sinha's arrival in the ministry of external affairs will result in any policy changes is that one need not expect any major changes in India's foreign or economic policies. The objectives remain constant, so do the policy options decided upon for the time being.

The author is former foreign secretary of India

Centre blow to minority education

Press Trust of India SFF 107

NEW DELHI, July 16. — Suggesting radical changes in the interpretation of the right of the minority community to set up and administer educational institutions, the Centre today said that right couldn't be an absolute one and had to be subject to reasonable restrictions.

"Article 30 confers the right to minorities to establish educational institutions and administer them, but the right is not so wide as to block state laws which are applicable to all and enacted for attainment of secular objectives," Solicitor-General Mr Harish Salve submitted before an 11-Judge Constitution Bench, headed

by the Chief Justice of India, Mr BN Kirpal. Mr Salve said that if the right under Article 30 was made absolute, then even if a minority educational institution taught secession or armed revolution, the government could not interfere in its management.

"Nobody can be allowed to do something against public order under the garb of the right to profess religion," he said. "Where the question of religion was concerned, a total hands off approach for the government could not be perceived; be it the case of majority or the minority."

Since the Constitution permits legislative intervention in the management of secular schools, it would be absurd to say the same would not be permissible in minority educa-

tional institutions, he said. The Bench said that if Article 30 was read in isolation, there wouldn't be any textual restriction against setting up of educational institutions and their administration.

Constitutionally, there was no absolute right, for no constitutional system had accepted such rights, he said. General laws meant to achieve secular objectives would be applicable to educational institutions established and administered by the minority. But these general laws should not impair the right under Article 29 or Article 30, he said. To a question from the Bench, Mr Salve said if the minority institution is wholly funded by the state, then the minority loses its right to administer the same notwithstanding the rights under Article 30.

100 2002

Yatra rolls on peacefully

Modi hopes the road is paved for BJP's poll juggernaut

TIMES NEWS NETWORK

Kalpesh Dudhia

Ahmedabad: Barely months after one of the worst communal riots in independent India, Lord Jagannath returned to his abode after his annual day out without incident. Ahmedabad's annual rath yatra, now in its 125th year, passed off peacefully on Friday evening, as did similar processions in 80 other small and big centres.

The celebrations were a shade subdued, coming amidst unprecedented security arrangements. The crowds accompanying the chariots were thinner, although religious fervour wasn't lacking.

In Ahmedabad, the chariots were escorted by commandos and members of the bomb disposal squad. Choppers conducted surveys over sensitive areas of the city. The chief minister's security adviser, K.P.S Gill, monitored the situation by telephone.

The police claimed that a major plan to disrupt the yatra was foiled in the nick of time. The main culprit was on a suicide mission to avenge his son's death in the recent riots, the police said.

Chief minister Narendra Modi flagged off the biggest yatra from the Shree Jagannath temple at Jamalpur.

With the central BJP leadership having turned down his plans for a gaurav yatra to launch his election campaign, it is clear that the BJP in Gujarat has sought to derive maximum mileage from the Jagannath yatra.

The BJP believes that the process of consolidating Hindu votes that began with the recent riots will get a boost with such religious events. With assembly elections likely in October, Mr Modi is keen to demonstrate his clout.

Now that the rath yatra has culminated peacefully, he hopes to be given permission to proceed with the gaurav yatra.

Even though the police had recommended that the rath yatra be banned, or that its route be changed to skirt the sensitive minority-dominated areas, Mr Modi insisted that the procession go along its traditional route.

Mr Modi found support in Mr Gill, who said "a change in route would lead to resentment and more tension".

Mr Gill's position surprised Muslims who were lobbying with him for a route change on the grounds that they had the Moharram and Id-



THROUGH THE GATE AND BEYOND: Thousands congregate as the Jagannath rath yatra passes through the Jamalpur Darwaza in Ahmedabad on Friday.

e-Milad processions changed in recent weeks because of the continuing tensions.

Many Muslims living along the route had fled their homes and taken refuge with friends, relatives and even in relief camps.

Others stayed behind, heeding the advice of clergymen to observe 'janata curfew'. Many Ahmedabad mosques changed the timings of the weekly Friday afternoon prayers.

The police seized a huge cache of crude arms and explosives from dif-

ferent parts of the walled city area and rounded up 14 suspects even as the rath yatra was on. Joint commissioner of police (crime branch) P.P. Pande said the main accused, Shabbirmiya Yaqubmiya Shaikh alias Shabbir Bihari, was still at large.

The police said that Shabbir's son, Zakir Miya (19), had been killed in police firing during the recent riots. He is understood to have hatched a conspiracy to attack the rath yatra and avenge his son's death.

WHITHER HINDUTVA?

Religion Expressing Itself In The Spirit Of *Jehad*

By RK DASGUPTA

25-4
12/7

The elevation of Mr LK Advani to the rank of Deputy Prime Minister is an important event in the Hindutva politics of our country since October 1990. While Vinayak Damodar Savarkar (1883-1966) is the inaugurator of the religious fanaticism known as Hindutva which is the title of his 117-page work published in 1923 (2nd ed. 1942), it is Mr Advani who really began the Hindutva movement with his historic Rath Yatra of October 1990.

Essential agenda

The chariot started from Somnath in Gujarat obviously because Sultan Mahmud of Ghazni sacked the temple there in 1024. Its destination was Ayodhya because its movement was a part of the Ramjanambhumi agitation. Advani is today India's Deputy Prime Minister because he led this agitation as the central figure on the chariot representing both Rama and Krishna. The BJP won two seats in Lok Sabha in 1984; after Advani's Rath Yatra it won 118 seats in 1991. Before the next general election Mr Advani may dramatise the first battle of Panipath (1526) showing a Hindu victory. It is not unlikely that the Sangh Parivar desired Advani's promotion to his new-office to be sure that the non-BJP constituents of the coalition called National Democratic Alliance do not disturb the essential agenda of the government which is work for the fulfilment of the Hindutva ideology.

It is strange that the opposition at the Centre is indifferent to how insidiously but steadily the Sangh Parivar is forcing the Union government to serve its purpose. The Congress is too preoccupied with its electoral fortunes which it intends to advance not by trying to regain its lost glory but through devious means which are now a feature of our parliamentary politics. Apart from that the Congress faces problems in keeping alive the family mascot which is its only strength in the absence of talent and character.

I suspect there is now no Congressman who knows enough about the history of the Hindutva movement since the publication of Savarkar's Hindutva in 1923. That history is now covered by a vast literature produced by Indians and foreigners and even a professor of history must be ready to devote at least 10 hours a day to master

The author, an eminent scholar, is former Director, the National Library of India.

the material. Who will now tell our public that the RSS was founded in 1925 by the Telugu Brahmin of Maharashtra, Dr Keshab Baliram Hedgewar, as an answer to Muslim National Guard. It was no less a *jehadi* organisation than the Muslim League which was created to fight the Congress. And who will now place before our people the mantras of

Golwalkar's *We* has a foreword by Loknayak MS Aney who frankly disowns the author's theory of nationalism and is critical of his intemperate language. Golwalkar discarded Aney's foreword when a revised edition of his work appeared a few years later. I quote a sentence from this work which sums up its ideas: "the foreign races in



the Hindutva doctrine as they are to be found in the works of Savarkar and the second chief of the RSS, Guruji Golwalkar? Towards the end of Savarkar's Hindutva we read: "even from the point of view of Indian nationality, must ye, O Hindus, consolidate our Hindu nationality." (p 116)

BJP mentality

And what is the message of the RSS Guruji Golwalkar? I do not know how many in the opposition know about Golwalkar's *We, Our Nationhood Defined* published in November 1938. In his introduction to this 77-page work Golwalkar says that it is an adaptation of a Marathi book *Rashtra Mimamsa* by Ganesh Damodar Savarkar, elder brother of VD Savarkar who was then president of the Hindu Mahasabha.

Hindusthan must either adopt the Hindu culture and language ... and must lose their separate existence to merge in the Hindu race; or may stay in the country, wholly subordinated to the Hindu nation".

Sitaram Yechury quotes these words in his *Pseudo-Hinduism Exposed* (1993). It is true that Golwalkar's book was withdrawn from circulation in 1947 with the advent of our freedom but it had already gone through several reprints and its message had sunk deep in the RSS mind. Nuances of these words appear in the public speeches of BJP leaders the latest instance of this being Vajpayee's statement at the Goa conclave.

What is important today is that the Hindutva ideology is still active in the BJP mentality: the communal carnage in Gujarat where the chief minister

Narendra Modi is an ex-pracharak of the RSS received only admiration from Vajpayee and Advani. Actually the slaughter in Ahmedabad is only a fulfilment of the spirit of Nathuram Godse who killed a good son of Gujarat for what he thought was his anti-Hindu feeling in his dealing with Pakistan. Godse put to death an individual: Modi's men sought to wipe out the ideal of that individual from the land of his birth. Have you heard any word of rebuke for the ex-pracharak of the RSS ruling the state from either Vajpayee or Advani?

Pakistani mentality

Recently, the Vishva Hindu Parishad, mostly a body of sadhus founded by Guru Golwalkar in 1964, publicly declared that the organisation will not respect any judicial verdict on the Ramjanambhumi case if it differs from its view on the matter. We have not heard any word of reprimand for this blatant defiance of the Constitution from either the prime minister or the home minister. Actually the VHP's statement is only an echo of what Advani said in the course of his Rath Yatra: "No judge can give a verdict on the birthplace of Lord Rama which is a matter of faith for Hindus".

We cannot expect the Prime Minister to stop the unconstitutional agitation of the VHP. Vajpayee compared Advani's Rath Yatra to Gandhi's famous Salt March. What is happening in our country today is that the Hindutva doctrine of the ruling party and its patron, the Sangh Parivar, is bringing it very close to the mentality of Pakistan, where religion mostly expresses itself in the spirit of *jehad* against whatever is not Islamic.

In his article "Pluralism and Secularism: Lessons of Ayodhya" published in the Economic and Political Weekly of 19-26 December 1992 Rajni Kothari speaks of the Semitisation of the Hindu mind under the influence of the Hindutva doctrine of the Sangh.

We are still waiting for a renovated Congress possessing both character and talent to repudiate the Hindutva doctrine of the Sangh Parivar and the BJP and reassert the ideals of our country as they were presented to us by Raja Rammohun Roy, Sri Ramakrishna, Rabindranath, Vivekananda, Gandhi and Sri Aurobindo. The spiritual and moral world which these great minds created is now being supplanted by the exponents of the Hindutva doctrinists who are sustained by our government at the Centre.

Ignored minorities take panel to task

7-8 13/7
FROM OUR SPECIAL
CORRESPONDENT

New Delhi, July 12: Representatives of Muslim religious bodies said they have not been invited to a meeting on Monday called by the National Minorities Commission to achieve communal harmony.

The All-India Muslim Personal Law Board (AIMPLB), the Milli Council, the Muslim League, the Muslim Majlis, the Jamaat-e-Islami, the Jamaat-e-Ulema, the Muslim Mushawarat, the Muslim Indians Council, the Ahle Hadis and other Muslim organisations feigned ignorance wondering what the real objective of the exercise was.

"We have not been told. What is the purpose of the initiative? The AIMPLB resolutions have made it clear that there will be no talks with Sangh parivar leaders," said Kamal Farooqi, a member of the board. He said the board as such was not against dialogue but the broad parameters have to be worked out.

"We have always maintained that we are willing to talk to the government but we have also said we would not talk to the Sangh parivar and there is no shift in that stand," he said.

Mohammad Afzal, a close associate of the Shahi Imam of Jama Masjid and secretary of the All-India Congress Committee's minorities department, said: "There is no point in holding such a dialogue when Sangh parivar outfits keep making threatening noises on Ayodhya."

Afzal had recently brought 17 prominent Muslim organisations under one umbrella. He alleged that Trilochan Singh and John Joseph of the panel were scouting for "unknown Muslim entities" to bring them to the negotiating table.

"But the government must know their locus standi. Picking obscure organisations to suit political considerations would prove counter-productive," the former Member of Parliament said.

Others, too, sounded pessimistic. Former Delhi Haj Committee chairman Anis Durrani urged the government not to "deal" with "self-styled and self-proclaimed leaders" of the Muslim community. He said post-Gujarat, the Muslim community was wary of the "true intentions" of the Sangh.

Rathiyatra a curfew for Gujarat Muslims

Anil Rana in Gandhinagar

July 10. — For minority community members living along the route of the Jagannath Yatra on Friday, it's going to be a self-imposed curfew. Most people will stay indoors to avoid any confrontation. Timings for the Friday (*Jumma*) prayers have been changed for the convenience of the people. Prayers will be held between 1 p.m. and 1.30 p.m.

Security has been beefed for the yatra. Nearly 40,000 policemen and para-military personnel will be on duty on Friday to

prevent untoward incidents.

Mr Shafibhai Menon, Citizens' Relief Service member, said: "Only responsible community members will venture out of their houses on the day of the yatra." No directive has been given by community leaders to "stay indoors" on Friday, he said.

"People of our community do not want any confrontation... There will be some provocative shouting... We do not want to hear them

and react in a fit of emotions."

Dariapur and Shahpur have been identified as "highly sensitive areas". Mr Shafi, however, said: "All areas are sensitive."

40,000 policemen and para-military personnel will be deployed to ensure security

side on the timing of Assembly elections in a state. Mr Gill had spoken on a subject which was beyond his jurisdiction.

Mr Sharma said the Congress would be ready to face the polls as and when it's held. The party's objection was limited to people in senior office commenting on a subject which was the Election Commission's prerogative. Mr Sharma said normally could be restored in the state through planned rehabilitation of the riot victims.

Reacting to the Congress' charge that he had exceeded his brief in his comments on early polls, Mr Gill said: "I have no brief."

Yatra: Gujarat police prepare on a war footing

STAVAN DESAI
AHMEDABAD, JULY 7

NOT wanting to take any chances, Ahmedabad police have requested the Indian Air Force to provide them with a helicopter for aerial surveillance during the rath yatra to be held on July 12. It has also requested the Centre to alert the Army to be on stand-by.

These are some of the unprecedented security arrangements being made for the 125th rath yatra that will begin from Jamalpur and pass through the communally-sensitive areas of Shahpur and Daniapur.

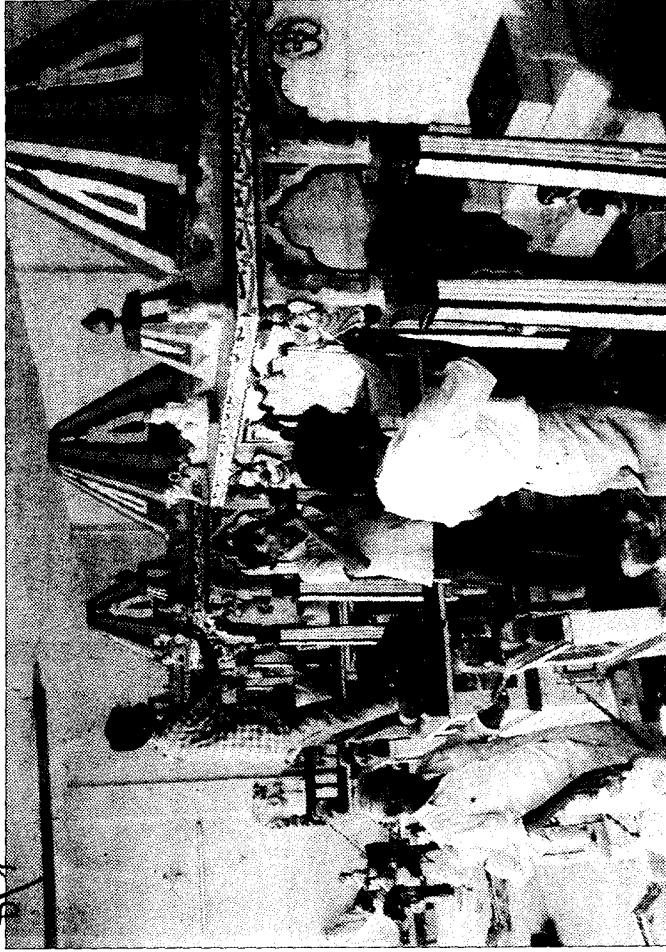
Apart from this some 10,000 men drawn from police and para-military forces will be deployed along the yatra route

to ensure trouble-free passage.

This includes 48 companies of para-military forces — Rapid Action Force, Border Security Force and CRPF requisitioned from the Centre — 20 of which have already arrived here. Moreover, 1,500 head constables and constables, 292 police Inspectors and Sub-Inspectors, 50 DySPs and 15 SPs will also be reaching here.

To pin-point 150 police pickets, police has asked even asked a local publication company to prepare an electronic map of the route. Extensive video and still photography covering onlookers and people who join the yatra shall be used to keep an eye on the crowd.

Briefing the press about the security arrangements, ACP (Sector 1) Satish Sharma said, "Unlike previous years, after



Artisans give finishing touches to the rath in Ahmedabad on Sunday. PTI

the yatra, the video recording and photographs will be scrutinised and those identified as indulging in mischief will be brought to book. This to prevent them from indulging in similar activities next year."

For the first time ever, police will also be introducing the concept of shifting *bando* during the rath yatra.

This implies once the yatra passes through a sensitive area, security forces will move into the area to prevent any subsequent incidents.

Commissioner K.R. Kaushik said, "There shall be no weak points. Responsibilities of officers will be defined and specific vulnerable areas will be strengthened with para-military forces and an SP. I do not think there will be trouble as people are fed up and want

peace. But then there are some who want to create trouble. We are watching out for them."

Police are also banking on an understanding between the commissioner and Jagannath Temple Trust Board that the size of the procession will be curtailed although the Trust is seeking permission for a full-fledged yatra which involves at least 31 *abhadras* and 101 trucks.

Senior police officers are not worried about this. One officer says: "We have an understanding. And I do not think it should be a problem. If they say, trust us. We have to trust them."

As the commissioner says: "The size of yatra may be reduced but there will be absolutely no reduction in security arrangements. In stead, they will be further strengthened."

Row over masjid demolition

Statesman News Service

GANDHINAGAR, July 4. — Nine corporators, including Mr Badruddin Shaikh, chairman of the standing committee, of the Ahmedabad Municipal Corporation (AMC) resigned from various committees following the demolition of Madni masjid in Bhatta area of Paldi by the civic body.

According to Mr Shaikh, the masjid was 100 years old and part of the structure was destroyed on 28 February during the riots. Repair work has been going on for last six days, but the AMC officials on Tuesday night destroyed the reconstruction, he added.

He said masjid trustees had left a 10 ft space for the "road line" before

starting reconstruction. "There is a court case, and the area of the masjid clashes with the town planning scheme," he said, adding that since the masjid was 100 years old and the town planning scheme was 25 years old, the scheme should have taken into account the area covered by the masjid.

The mayor, Mr Himmatsinh Patel, blamed the administrative wing of the civic body for the demolition. Further discussions would take place after the municipal commissioner, Mr Pannervel returns to Ahmedabad.

IAS reshuffle: The government today shifted several senior IAS officials, including Godhra Collector Ms Jayanti S Ravi who has been shunted out as commissioner of mid-day meals and schools, adds PTL.

Modi begins tele-fariyads

GANDHINAGAR, July 4. — After having given sufficient cause for complaints, the chief minister, Mr Narendra Modi, now "listens" to them and forwards them for redressal.

The "tele-fariyad" services have been installed in Banaskantha and Rajkot, and will soon cover all the 25 districts of the state.

Free toll telephone lines give access to the complaints of the district, and when connected one can hear a recorded voice of Mr Modi.

— SNS

GODHRA CARNAGE / MODI GOVT. STAND NEGATED: CONG.

'Inflammable material was poured from inside the compartment'

By Manas Dasgupta

AHMEDABAD, JULY 3. A report by the Forensic Science Laboratory (FSL) on the probabilities of the February 27 Godhra train carnage has opened a Pandora's box with many people questioning the Gujarat Government's theory of "conspiracy" by the minorities.

In a sensational statement, the Gujarat Pradesh Congress president, Amarsinh Chaudhary, today pointed an accusing finger at the Sangh Parivar of having stage-managed the Godhra train carnage to instigate communal violence in the State.

Basing his statement on the FSL report that the inflammable material must have been poured from inside the burnt S-6 coach of the Sabarmati Express, Mr. Chaudhary claimed that the report had negated the Modi Government's stand that local Muslims had set fire to the train from outside.

Mr. Chaudhary claimed that the kind of inflammable material used to burn the train was the same as the one used in burning the Muslim properties in the post-Godhra carnage, and that the "same elements who indulged in communal carnage were also involved in setting fire to the train." He demanded a thorough inquiry to trace the "elements" in the coach and determine who could have set it afire.

The three-page FSL report in

the Gujarati language formed part of the chargesheet filed in the railway court at Godhra against 62 accused, all Muslims and mostly residents of the Signal Falia locality on the outskirts of the Godhra station where the train was burnt, killing 58 persons.

While the FSL authorities refused to comment on the report saying that it was a court matter, the State Agriculture Minister, Purshottam Rupala, did not see any change in the situation in the wake of the report. Whether the inflammable material was thrown in the coach from the outside or some people had climbed up the coach and poured the material before setting it afire, it still established the theory of a "widespread conspiracy" to burn the coach carrying a large number of "kar sevaks."

A Vishwa Hindu Parishad spokesman, however, differed with Mr. Rupala on the ground that the VHP had all along maintained that the inflammable material was thrown into the coach "from inside" by local Muslims.

He claimed that the doors and windows of the coach were locked from inside because of the heavy stone-throwing from outside the coach and that some people had poured the inflammable liquid through the hose pipe and set the coach afire. Refusing to agree that the FSL report had thrown "any

new light" on the perpetrators of the carnage, he said some 300 affidavits filed by "eye-witnesses" before the K. G. Shah judicial inquiry commission probing the Godhra and the post-Godhra carnage had been on the same lines — that the material had been poured from inside.

"Can it ever be possible that the passengers will pour inflammable material and burn themselves," he asked.

"It is possible," said some senior retired police officials. It might not have been the innocent passengers but some conspirators travelling in the train, carrying inflammable material, could have found the communally-sensitive Godhra the most suitable location to start the fire.

They might have bolted the doors and windows from inside and doused it with the inflammable material and escaped through an open door before setting it afire, they surmised.

Stating that the FSL report could not be discounted so lightly, the officials disagreed that any Muslim from Godhra would dare to climb up a coach in which some 100 Hindu passengers, including "kar sevaks," were travelling. Complimenting the FSL for "bringing out the truth," they said right from the beginning it looked doubtful if the Godhra carnage could have been the handiwork of local Muslims. "It could be a conspir-

acy of the Hindu elements to set the stage for communal riots to take political advantage."

"The bubble has been burst and the police chargesheet of conspiracy theory against the 62 accused will not stand in the court of law following the FSL report. They may at the most be charged with rioting and other minor offences but not murder," they said.

The FSL report, prepared by its Assistant Director, M. S. Dahiya, which was finalised after re-enacting the burning drama at the same spot, has come to the conclusion that about 60 litres of inflammable material were used for burning the coach but it could not have been poured from the outside as widely believed.

If the material had been thrown in through the windows, 7 ft high from the ground, much of it would have fallen on the track but there was no such evidence. There also was no effect of the fire below the windows and the damage was severe inside the compartment and none outside.

After carrying out repeated experiments from all angles, the FSL came to the conclusion that "standing in the aisle of the coach near seat number 72 and using a container with wide mouth, about 60 litres of inflammable liquid has been poured and then immediately a fire has been started in the bogies."

THE HINDU

Sikdar was shifted to please Mamata: BJP

I Council of ministers 5/6 1/7

Statesman News Service

KOLKATA, July 3. — By shifting Mr Tapan Sikdar from the communications ministry to the chemicals and fertilisers, the Centre was trying to appease Miss Mamata Banerjee, state BJP leaders said today.

Mr Sikdar was reportedly expecting a "promotion" to the post of minister of state with independent charge for highways in the surface transport ministry. "Such an elevation would have created difficulties in the Centre's bid to convince Miss Banerjee to join the Cabinet," a leader said.

Mr Sikdar's supporters gathered outside the state BJP office yesterday protesting against his shifting. They said Mr Sikdar was not retained as minister of state for communications, as "he was gaining too much influence in the department with Mr Pramod Mahajan, the Cabinet minister in charge of the portfolio, too busy with his responsibilities in the Prime Minister's Office."

The communications portfolio has been divided between the

two new ministers of state. Ms Sumitra Mahajan will be in charge of the western part of the country and Mr Sanjay Paswan will look after the east.

A rift has appeared in the state BJP. State BJP chief Mr Asim Ghosh has refused to toe Mr Sikdar's line on the splitting of ER. Mr Ghosh has been insisting that "the time is not right to split ER, as it would require huge additional expenses".

Mr Sikdar has not opposed Mr Nitish Kumar's move. He even accompanied him to the inauguration of a Jana Shatabdi Express in Malda last week.

Mr Subrata Mukherjee today said Miss Mamata Banerjee's re-induction into the Union Cabinet was a matter of time and all "vexed issues" had been resolved. He returned from Delhi yesterday.

Signals emanating from Delhi, however, tell a different story. Mr Sudip Bandopadhyay, Trinamul chief whip in the Lok Sabha, walked out of Consultative Committee on Railways meeting in protest against Mr Kumar's insistence on the division of the Eastern Railways.

Mr Bandopadhyay reportedly told Mr Kumar that he should not have raked up an issue which had been conceived during Mr Ramvilas Paswan's tenure as railway minister. He said taking away the Dhanbad division from Eastern Railways would mean a huge revenue loss for ER.

Mr Mukherjee told The Statesman: "Miss Banerjee will join the ministry. It's only a matter of time." Asked about the number of ministerial berths that might be offered to the Trinamul, he said besides a Cabinet berth for Miss Banerjee, two more MoS berths may be offered. He refused to disclose his party's preferences. If a single MoS berth is offered, it would go to Mr Nitish Sengupta, he said.

Trinamul sources in Delhi said Miss Banerjee is likely to meet the NDA convener, Mr George Fernandes, on ER division.

Mr Fernandes and a section of the BJP favour Miss Banerjee's re-induction as they fear that her non-inclusion could lead to the switchover of a large number of Trinamul leaders to the Congress.

THE STATESMAN

CBI won't probe Godhra: Centre

Abhigyan Hans in New Delhi

July 1. — The Centre has told the National Human Rights Commission that “under the existing law” it cannot “unilaterally entrust” the five critical cases, including the Godhra carnage, to the CBI.

Joint secretary to the home ministry's Mr Surendra Kumar sent a two-page letter, dated 1 July, to the NHRC in this direction. The letter, in response to the Commission's 31 May proceedings, stated: “However, the question as to whether under Article 355 of the Constitution, the Central government is empowered to unilaterally entrust the cases to the CBI is being examined in consultation

with the law ministry and a reply would be sent to the Commission after consultation/examination is finished.”

On 31 May, the NHRC said: “... the Commission urges that the critical cases be entrusted to the CBI and the Centre ensure that this is done not least in view of the Rajya Sabha resolution referring to the its responsibility under Article 355 of the Constitution.”

The Centre had told the commission that the CBI can take up the cases only if the state government addresses, and appropriately requests the CBI to do so, but since the state government has expressed the opinion that investigation into the cases is not required by the CBI at this stage, “it is not possible for the Centre to direct

the CBI to take up investigation....”

While “taking note of the Centre's response,” NHRC asked the Gujarat government to take due care — both at the political and administrative level — to prevent any situation that endangers life and property in the state.

On the basis of a report from Gujarat as well as media reports about the plans to hold Gaurav yatras from 4 July, the Commission urged that “all concerned, including non-state actors in the state, behave in such a way that peace is not disturbed.”

“Those who are responsible for the promotion of communal harmony and the maintenance of law-and-order... should discharge their duties in the present and future in accordance with the Constitution,” it said.

Sinha & Sibal give MEA a new look

HT Correspondent
New Delhi, July 1

THE MINISTRY of External Affairs today took on a new look under an overhauled leadership which will see Yashwant Sinha as the new Minister, Digvijay Singh as Minister of State (in addition to Omar Abdullah) and Kanwal Sibal as Foreign Secretary.

With this, Jaswant Singh ended his term, which lasted more than three years and saw India's foreign policy chart a new course through the acid tests of Pokhran, Kargil and successive diplomatic logjams with Pakistan. He also held the Defence portfolio briefly when George Fernandes went on his post-tehalka exile.

Sinha who as Finance Minister was party to most of the key decisions taken by the Cabinet Committee on Security over Pakistan and other key issues of an external dimension, may be a newcomer to foreign policy, but not a complete outsider.

A senior MEA official said: "The new minister is quite clear in his thinking and is well grounded. He has been a policy man and will be able to steer our foreign policy in a smooth manner".

Digvijay Singh was Deputy Minister for External Affairs in the short-lived Chandrashekhar Government and has an excellent rapport with his new senior minister — the two being old political fellow travellers.

He played the role of Prime Minister Atal Bihari Vajpayee's special envoy to Sri Lanka and Iraq in recent months. His most high profile role was that of minister-in-waiting to General Pervez Musharraf when he came for the Agra Summit last year.

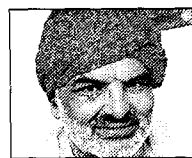
Speaking to reporters soon after assuming charge, Sibal said: "India's diplomatic success in the last few months is self evident. There is international consensus that Pakistan has to stop terrorism. I feel that this is a very big diplomatic success".

Sibal reiterated the Government's wait-and-see policy before reopening the stalled dialogue process with Pakistan.

"Our elections in Jammu and Kashmir and the elections in Pakistan in October are very relevant in this context. Between today and September-October we will have to see whether there will be a difference between what Pakistan says and does," he stressed.



Jana Krishnamurthi
Law & Justice
Asked for a 'heavy' berth, commensurate with seniority, quid pro quo for quitting party post. Balances Jaitley's move to BJP



Sahib Singh Verma
Labour
Extra muscle for Delhi BJP before Assembly polls. Third Minister from state after Jagmohan and Vijay Goel



Shatrughan Sinha
Health
Shotgun sulked after being ignored in earlier reshuffles. Health Ministry, with C P Thakur till now, stays with a Bihar MP



B Vikhe Patil
Heavy Industry
Fills slot vacated by Manohar Joshi who became LS Speaker. Second Sena Cabinet Minister after Suresh Prabhu

NEW CABINET MINISTERS

MINISTERS OF STATE

Bihar balance: Compelling caste equations solved

Nikhil K Chaudhary: New Bhumihar for old: C P Thakur is out
Sanjay Paswan: New Paswan for old: Ram Vilas Paswan has quit

Southern strategy: BJP looks for friends in Tamil Nadu

T N Shanmugham (PMK): Returns to ministry he quit before TN polls

A K Moorthy (PMK): First time MP from Chengalpattu

S U Thirunavukkarasar (BJP): Merged his MGR-AIADMK with BJP

Goa Prize: Reward for wresting power against the tide

Shripad Y Naik: MoS, Civil Aviation. Lost in Goa election, but party won

Karnataka count: The State quota principle at work

Basangouda Patil: Fills slot vacated by V Dhananjay Kumar

Bollywood debut: No filmstar has become a central Minister before

Vinod Khanna: MoS, Tourism & Culture with Shotgun, adds star power

SHUFFLED AROUND

Yashwant Sinha: Finance to External Affairs

Jaswant Singh: External Affairs to Finance

Shanta Kumar: Food to Rural Development

Digvijay Singh: Railways to External Affairs

Sharad Yadav: Labour to Consumer Affairs

SHOWN THE DOOR

C P Thakur

Maneka Gandhi

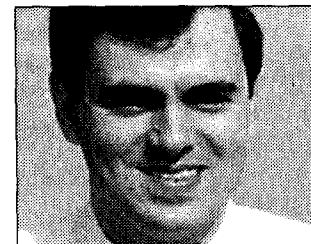
Muni Lal

V Dhananjaya Kumar

STATUS REPORT

Mamata Banerjee
In sight, not on board

Was a certainty till Friday, when Vajpayee mentioned Trinamool as a new party on board. But Mamata wanted Nitish Kumar out of Railways, and his proposal to bifurcate Eastern Railway scrapped. Ignored for now, though the PM says "everything is possible"



Omar Abdullah
Status quo for now

Stays Minister of State for External Affairs. But has already become chief of National Conference and is expected to take over as Chief Minister of Jammu and Kashmir later this month. No decision either way as yet.

More duties now, Atal tells Advani

PTI/HT Correspondent
New Delhi, July 1

TWO DAYS after elevating L K Advani as Deputy Prime Minister, Atal Bihari Vajpayee today said Advani would have to shoulder "more responsibilities".

"Without any formality, Advani has always been helping me. Now, he would have to shoulder more responsibilities," Vajpayee said at the BJP headquarters soon after Venkaiah Naidu assumed charge of party presidency from Jana Krishnamurthi.

Advani's appointment was announced after prime minister held several rounds of discussions with NDA partners and party leaders.

Deputy prime minister Advani is understood to have asked Cabinet Secretary T.R. Prasad to consult the Rules of Business Transaction to enable him understand his role as the designated number two in the NDA Government.

Government sources said Advani has desired that the Cabinet Secretary dig out past records to ascertain how the earlier Deputy PMs had functioned within the ambit of the Rules of Business, especially because his new post given lacks constitutional force.

Advani's move, sources said, was only to ensure that he functioned within the rules. His objective in seeking the Cabinet Secretary's advice is to post himself on past precedents.

Old files and Rules of Business contain "valuable" notings. They would give Advani an idea about the change over the years in the Rules of Business, especially when departments were merged or leaders appointed as Deputy PMs.

Earlier, in an interview to a private news channel, Advani scoffed at reports that his elevation as Deputy PM was a move to succeed Prime Minister Atal Bihari Vajpayee.

Venkaiah request to Dy PM

New BJP president Venkaiah Naidu today said that L K Advani would visit the party central office at least once a week, an indication of the Deputy Prime Minister's increasing clout within the party.

"I have requested the Deputy PM to visit the party office once or twice every week so as to activate the party," Naidu said in an informal chat with reporters.

Always No. 2, at office and home

"IN THE Government, I am Deputy PM, but at home I am the deputy home minister," quipped L K Advani on Monday.

Sipping a cup of tea along with his wife Kamala after the swearing-in ceremony at Rashtrapati Bhavan, he said there might have been some change in protocol after his elevation as he had received two invitations for the swearing-in function.

"I received two cards — the first one was addressed to the Minister for Home Affairs and the other, which also invited Kamala, was addressed to the Deputy PM," he said.

HTC, New Delhi

Fernandes emerges No. 3 man on NDA ladder

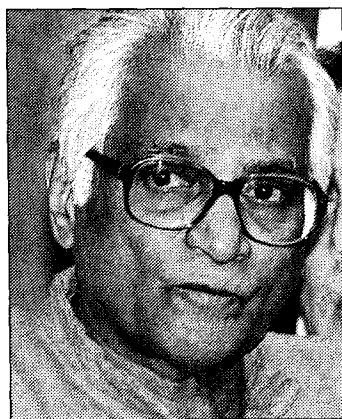
Pankaj Vohra
New Delhi, July 1

WITH THE spotlight focused on Prime Minister Atal Bihari Vajpayee and his new deputy, L K Advani, in the latest reshuffle exercise, Defence Minister George Fernandes's emergence as the No. 3 man in the Union government has virtually gone unnoticed.

The Samata Party leader has been the Prime Minister's main troubleshooter in delicate and difficult situations and has acted as an interface between NDA partners and the BJP leadership on several occasions. He is believed to have played an important role as NDA convenor in paving the way for Advani's resignation, by ensuring that all the partners accepted the Home Minister's elevation without any reservations.

The Defence Minister apparently enjoys the full confidence of the top two functionaries of the Government. According to one version, he had carried the proposal for Advani's elevation to the Prime Minister.

On all big issues, Vajpayee has made sure that his Defence Minister was involved in one way or the other. When communal tension in Gujarat was at its peak, Vajpayee chose to send him to de-



George Fernandes
Troubleshooter

fuse the situation. Fernandes, with his secular credentials and his history of trade union leadership, was able to communicate with both sides.

Fernandes was very much in the picture too when the NDA's presidential candidate was being chosen. He, more than any other alliance partner, helped the BJP's top leadership to pick the candidate.

As for the Cabinet reshuffle, both Vajpayee and Advani regularly consulted him before arriving at the final decision. However, his critics are of the view that if George enjoys the No. 3 position in the Government, it is essentially because he is in no position to oppose the Big Two or pose any threat to them. Secondly, his ascendancy is largely because the BJP finds him pliable, more so after granting him a lifeline by his reinduction in the Cabinet while the Venkataswami commission was still recording the statement of witnesses in the Defence deal scam.

By doing him this huge favour, the Sangh Parivar believes that the Defence Minister, whose politics belonged to a different school, can be used effectively to achieve its objectives. The arrangement appears to suit George also since his own Samta Party is a divided house. If it was not for his proximity to the Prime Minister, his political existence would have been jeopardised. Within the NDA structure, Fernandes does not have much backing since the bulk of support to the BJP comes from the DMK, Akali Dal, Shiv Sena and the Biju Janata Dal. However, none of them are in a position to challenge George since such a move could affect the NDA Government adversely.

Therefore, the importance of being George Fernandes lies in the fact that he is number three because of his close alliance with Vajpayee and Advani and not because he is the NDA convenor.

Ouster leaves Thakur disgruntled

HT Correspondent
New Delhi, July 1

FORMER UNION Health Minister CP Thakur today said that he did in no way deserved the tag of "non-performer". He said he was upset at the way he was unceremoniously dropped from the Cabinet.

Thakur also denied that he had ever blamed the "gutkha lobby" of pushing for his removal.

In fact, he had gone on record on Sunday, mentioning that the "gutkha lobby" was behind his ouster from the Cabinet. Making a volte face today, he said it was unlikely that the chewing tobacco industry would want to get him removed from the ministry even though he was trying to push the anti-tobacco bill in Parliament.

The Bill envisages a ban on gutkha advertising besides prohibiting sale of that outside schools and hospitals. Today, Thakur said: "The emphasis of the Bill is on banning advertisement and not on manufacturing. Anyway, it is likely to take a long time to be passed — first by the Cabinet and then by Parliament."

He said he was against the use of chewing tobacco from the health angle but added: "...by the time the Bill is passed, it is likely to get diluted as well."

The former minister said: "I thought I was working quite well. At least, the non-performer tag cannot be put on me. The party asked me to resign. So I did."

13 MINISTERS SWORN IN ■ JANA GETS LAW & JUSTICE ■ SINHA, SINGH EXCHANGE PORTFOLIOS

Revamp throws no surprises

9. Council of Ministers 571 217

Statesman News Service

NEW DELHI, July 1. — The much-talked about Cabinet reshuffle and ministry revamp today appeared to be a limited exercise in which 13 new ministers were sworn in, taking the strength of the Union ministry to 79. Miss Mamata Banerjee refused to join the Cabinet.

In the name of coalition, Mr Atal Behari Vajpayee now heads the largest ever ministry. Except for the swapping of portfolios between Mr Yashwant Sinha and Mr Jaswant Singh, the exercise seems to be cosmetic, aimed at accommodating various interest groups within the BJP.

Portfolios of 12 ministers have been changed. Among the inductees, four are of Cabinet rank and the rest ministers of state (one with independent charge). Ten of them are from the BJP.

Several ministers, such as Mr Satya Narayan Jatia and Mr Ananth Kumar, managed to escape the axe, thanks to last minute lobbying.

Six ministers — including the new BJP president, Mr M Venkaiah Naidu, and Mr Arun Jaitley — resigned yesterday to pave the way for "the government revamp". Former party chief Mr Jana Krishnamurthy has been rehabilitated in the law and justice ministry. Mr Ravi Shanker Prasad, who was a minister of state for coal and mines, will now work under Mr Krishnamurthy.

The reshuffle was on predicted lines with Mr Jaswant Singh becoming finance minister and Mr Yashwant Singh becoming foreign minister. Mr Singh was

given the portfolio of company affairs as well. Mr Digvijay Singh joins Mr Omar Abdullah as minister of state for external affairs.

Mr Shatrughan Sinha is the Cabinet minister of health, in place of Dr CP Thakur who resigned. Another actor, Mr Vinod Khanna, is the minister of state for tourism and culture. Mr Sinha's induction, despite his criticism of the Prime Minister, reflects Mr LK Advani's increasing say in the party and government.

From Delhi, former chief minister Mr Sahib Singh Verma has become a Cabinet minister, edging out Mr Vijay

Kumar Malhotra. He will be in charge of labour ministry. Mr Sharad Yadav has been moved from labour to food, public distribution and consumer affairs, which was earlier held by Mr Shanta Kumar. Mr Kumar has been moved to the rural development ministry.

Mr Balasaheb Vikhe Patil (Shiv Sena), who was minister of state for finance, has been elevated to the Cabinet rank and put in charge of heavy industries. Mr Patil's place has been taken by Mr

Anant Geete (also of the Shiv Sena).

Mr Vijay Goel, minister of state in the PMO, has got additional charge of statistics and programme implementation, one of the portfolios held by Mrs Maneka Gandhi.

Mrs Gandhi's resignation was expected because BJP leaders were unhappy at the way she distanced herself from the party on several occasions. Her public spat with Dr CP Thakur on the issue of animal testing in laboratories has not gone down well

Naidu under Advani shadow

NEW DELHI, July 1. — Mr M Venkaiah Naidu took over as BJP president today.

But the youngest ever party chief will have to function under the shadow of Mr LK Advani. The Deputy Prime Minister will sit in the BJP headquarters once a week to guide the party's revival plans. This marks his increasing say in the party as well as the government, something that would enthuse party workers, a leader said. — SNS

Details on page 6



Mr Atal Behari Vajpayee, Mr LK Advani and Mr MM Joshi with other leaders at the swearing-in ceremony on Monday. — The Statesman

with the BJP leadership. The party also feels she is no longer needed to fight Mrs Sonia Gandhi.

Mr Tapan Sikdar has been shifted to chemicals and fertilisers from communications ministry. Communications minister Mr Pramod Mahajan has got two deputies — Mrs Sumitra Mahajan and Mr Sanjay Paswan.

Mr Nikhil Chaudhary from Bihar has been made minister of state (agro and rural industries). Mr S Thirunavukarasar, who has recently joined the BJP from AIADMK, has become minister of state for shipping. Mr Sripad Naik, who resigned from the government to contest the Goa Assembly elections, has been re-inducted as

minister of state for civil aviation. His return once again demonstrated Mr Pramod Mahajan's clout in the party.

The PMK has got two berths — Mr NT Shanmugham (minister of state for food processing) and Mr AK Moorthy (minister of state for railways). Mr O Rajgopal (BJP) has been moved from railways to urban development.

2 JUL 2002

THE STATESMAN

Thakur out, Maneka told to follow

File
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9-
Council of
Ministers

FROM RADHIKA
RAMASESHAN

New Delhi, June 30: Union health minister C.P. Thakur has put in his papers ahead of Monday's shuffle and expansion.

Thakur, who was expected to be dropped after his running spat with animal welfare minister Maneka Gandhi on the use of animals for medical and pharmaceutical research, resigned this evening on deputy Prime Minister L.K. Advani's directive.

The ostensible provocation for his sudden resignation was the violent manner in which his supporters protested at the BJP headquarters in Patna. Although Thakur condemned the incident, his bosses took a grim view of it.

Government sources said Maneka, too, has been told to resign. She fell foul of the BJP after the Uttar Pradesh elections where she allegedly went out of her way to defeat the party candidates in her Pilibhit constituency.

Thakur, however, maintained that he would not leave the BJP and would do whatever he was asked to by Prime Minister Atal Bihari Vajpayee.

Also to hand in their resignations were rural development

minister M. Venkaiah Naidu and law minister Arun Jaitley. Both will be drafted for party work—Naidu as BJP president and Jaitley as a general secretary-cum-chief spokesman.

Ministers of state Dhananjay Kumar and Munilal have also resigned.

Naidu is expected to formally take over as party president tomorrow. The incumbent chief, K. Jana Krishnamurthi, will hand his resignation to the senior-most vice-president, Kailashpati Mishra, at a central office-bearers' meeting that will precede Naidu's takeover.

Both Vajpayee and Advani will be at the BJP headquarters to "bless" Naidu before he takes up his new assignment.

A fresh round of meetings was held at the Prime Minister's house today. The core group of ministers, which included Advani, external affairs minister Jaswant Singh, parliamentary affairs minister Pramod Mahajan and defence minister George Fernandes took part in the talks. The "swap formula" involving an exchange of portfolios between the external affairs minister and finance minister Yashwant Sinha is in place.

As finance minister, Singh will also look after company affairs which is now part of the

law ministry, but he could not get the disinvestment ministry he was keen on.

A proposal to bifurcate information and broadcasting ministry — which envisaged integrating broadcasting with infotech and communications and keeping information separate — was eventually put aside because of the procedural complications.

Although the shuffle was billed as a major effort to spruce up the image of the BJP as well as the government, it seemed as though barring Advani's resignation and the expected change in Singh and Sinha's portfolios, the exercise would not yield anything dramatic.

Apart from Naidu and Jaitley, no other minister seemed slated to go over to the party. Urban development minister Ananth Kumar, who till yesterday was tipped to follow Jaitley as a general secretary, would continue with the government, thanks to a last-minute intervention by Mahajan and Naidu.

These leaders reportedly said it would not send the "right" signal to drop two senior ministers from the south (Kumar is from Karnataka). A second government-party shuffle could take place closer to next year's Assembly elections.

ALL SET FOR CABINET RESHUFFLE TODAY

Thakur quits, Mamata 'insists' on Rlys

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1/7

J- Council of Ministers

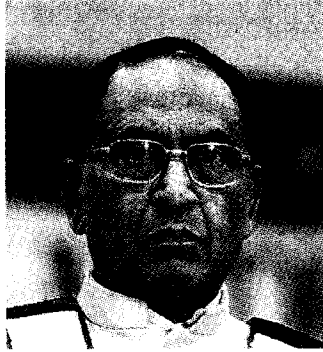
By Harish Khare

NEW DELHI, JUNE 30. The Prime Minister, Atal Behari Vajpayee, is all set to reshuffle his Cabinet on Monday evening, after having already named the Union Home Minister, Lal Kishen Advani, as his Deputy Prime Minister. The new entrants to the Cabinet are scheduled to take oath at Rashtrapati Bhavan.

However, till late this evening the Prime Minister was still fine-tuning the final composition of his "reshuffled" team. Mr. Vajpayee had two rounds of discussion with his senior colleagues, once in the morning and again later in the evening. Many "decisions" taken over the last few days have been reopened. For example, till yesterday the departure of the Urban Development Minister, Ananth Kumar, for organisation was deemed to have been a settled issue; today, the decision was reportedly put on hold.

Gujarat angle

However, the proposed swap



C.P. Thakur

between the Finance Minister, Yashwant Sinha and the Foreign Minister, Jaswant Singh, was still on. On the other hand, the former Gujarat Chief Minister, Keshubhai Patel, has reportedly declined to join the Cabinet; though Mr. Patel has cited "health reasons", there seems to be a Gujarat angle to the affair.

Mr. Vajpayee also invited the Trinamool Congress president, Mamata Banerjee, for a discus-

sion. Ms. Banerjee is reportedly still insistent on getting back the railways portfolio. After a 40-minute meeting with the Prime Minister, the Trinamool Congress leader insisted that there was no discussion on any specific portfolio. On the other hand, the Railway Minister, Nitish Kumar, was reported to have told newsmen in Patna that he was unaware of any move to take the portfolio away from him. It is believed that Ms. Banerjee has been told that she could not hope to get back the railways, and it was up to her to decide whether she still wanted to join the Government (along with the post of a Minister of State for her nominee).

The outgoing BJP president, Jana Krishnamurthi, also met the Prime Minister. It is not yet known whether Mr. Krishnamurthi agreed to accept his designated successor, Venkiah Naidu's portfolio of Rural Development. Mr. Naidu late this evening sent in his resignation from the Council of Ministers to the Prime Minister. The Health Minister, C.P. Thakur, has sent in his resignation, though he is on record having suggested that the "gutka" lobby was responsible for his ouster.

The Law Minister, Arun Jaitley, who is slated take up an organisational assignment, also sent in his resignation today. The Minister of State for Coal, Ravi Shanker Prasad, is penciled in as his successor, as of now.

For most of the day there was speculation that the Minister for Information and Broadcasting, Sushma Swaraj, could lose her Ministry; however, by the end of the evening, she seemed to have warded off any hostile takeover.

Two film stars, Shatrugun Sinha and Vinod Khanna, are favourites for berths in the Council of Ministers, as are two nominees from the PMK.

Thakur 'supporters' ransack BJP office

PATNA, JUNE 30. Irked by reports that the Union Health and Family Welfare Minister, C.P. Thakur, may be dropped from the Union Council of Ministers, his supporters ransacked the State BJP office here today. The protestors accused the leadership of conniving with forces opposed to Mr. Thakur and launching a campaign for his ouster from the Cabinet.

Railway Police sources here said the protestors tried to disrupt trains but the situation was brought under control. Security has been tightened in and around Patna junction. The State BJP president, Nand Kishore Yadav, termed the incident as an attempt to tarnish the image of Mr. Thakur and the party.

In New Delhi, Mr. Thakur condemned the violent incidents. "I have heard through the TV channels about hooliganism in the BJP office at Patna. Such incidents are highly condemnable." Stating that the party was above any individual, Mr. Thakur said, "I appeal to all to desist from such acts. Whatever the party decides must be honoured". — PTI

THE HINDU

Vajpayee should lead BJP in next elections, says Advani

*Advani
for
Council of
Ministers*

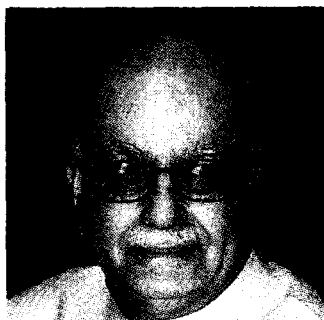
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By Vinay Kumar

NEW DELHI, JUNE 30. A day after his elevation as the Deputy Prime Minister, the Union Home Minister, L.K. Advani, today said the BJP was keen that the Prime Minister, Atal Behari Vajpayee, contest the next Lok Sabha election and lead the party in the campaign.

Talking to newsmen at his Prithviraj Road residence, Mr. Advani said the Prime Minister had earlier consulted NDA allies on the proposal of appointing a Deputy Prime Minister, a post which does not find a mention in the Constitution. "In my view, the Prime Minister did the right thing. He could have taken the decision himself. What he did not only ensured the credibility of the Government, it also strengthened me", he said.

Mr. Advani said that he was not surprised by the decision. "The Prime Minister had made this decision about a month back but he did not speak to me about it or the party or anybody in the Government except the Defence Minister and Samata Party leader, George Fernandes



L K Advani

because presumably the proper way to do this was to sound all allies. I came to know of the plan when Mr. Fernandes sounded the allies. It was purely the Prime Minister's initiative and I knew about it for the first time only two days back" he said.

In Mr. Advani's opinion, the proposal would essentially help sort out problems among different parties and factions. He also felt that the Prime Minister may have been prompted to go ahead with the proposal by "sustained inputs that there

were differences between him and Advani."

Referring to the lunch the Prime Minister had at his Pandara Park residence last year, Mr. Advani said: "That morning Mr. Vajpayee rang up my wife and told her that he was coming home for lunch. In turn my wife telephoned me at my North Block office and asked me to return home for lunch an hour earlier. "This is his (the Prime Minister's) own inimitable style of debunking all the theories of Vajpayee-Advani differences".

The Home Minister discounted suggestions that his appointment would create two parallel power centres within the Government or the party. "Some Cabinet colleagues told me that the decision has only formalised an existing arrangement. Even the Prime Minister and other Ministerial colleagues used to consult me often. My job profile will not change and I feel that it will ensure smooth functioning of the Government".

Dwelling upon the nitty-gritty of coalition politics and running a 24-party coalition government at the Centre, Mr. Advani said

that in a coalition arrangement personal or party ideologies did not count as different ideologies came together to form the government. He stressed that it was the common minimum agreed programme which formed the basic structure of managing the coalition government. "All this talk of my being a softliner or a hardliner has no substance. I am proud of what I have done in the past and the cause for which I did it. I have not been a victim of anything. In the past four years, I have heard many observers and commentators say different things but all these years I have been talking to the NDA allies," he said.

Mr. Advani did not see any major transition in his position. "It will not be very different from what I have been doing earlier. It does not mean that I become the Prime Minister's successor. There is hardly a difference of two or three years between me and Mr. Vajpayee. I told the Prime Minister that in terms of contesting the Lok Sabha elections, the party is very keen on seeing that he leads us in the next elections", he said.

THE HINDU

Atal may get a deputy

of Council of Ministers

29/6

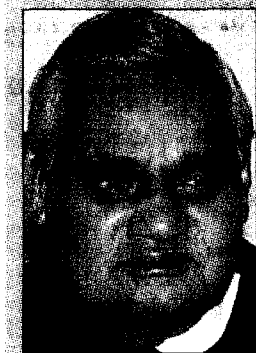
Sunita Aron & Agencies
Lucknow, June 28

ATAL BIHARI Vajpayee today set the stage for an overhaul of the Cabinet, saying he might appoint a Deputy Prime Minister and hinting at shifting several ministers to the party. The Prime Minister's comments came as reports said BJP president Jana Krishnamurthi had agreed to resign.

A proposal for a Deputy Prime Minister is under consideration in the NDA and a decision will be made soon, Vajpayee told reporters at Raj Bhawan.

NDA members not represented in the Government will get berths after the reshuffle, Vajpayee said, specifically naming the Trinamool and the PMK.

Several BJP ministers, on the other hand, had offered to resign and work for the party, Vajpayee said. "The selection process has begun. Soon, the names of min-



What the PM said

On Ayodhya: BJP hasn't abandoned the temple issue

On war: There is no question of a war with Pakistan...tension along the border has eased but there is no question of troop withdrawal.

On FDI in print: This will not be uncontrolled...The apprehensions being aired on this count are devoid of any basis

isters who would be drafted in the organisation will be announced, and vice versa."

The Prime Minister explained that he was carrying out the "massive reshuffle" because the Government needs to be more efficient, and the party to improve its rapport with the people.

Had his Government failed to come up to people's expecta-

tions? Vajpayee said: "The recent election results have given us a clear message. We have learnt lessons from them."

Asked if the BJP's ally in Uttar Pradesh, the BSP, will get a ministerial berth, Vajpayee replied: "The BSP is not a member of the NDA."

But the PM had something for Mayawati today. Over break-

fast, he advised State party leaders to exercise restraint and ensure smooth running of the BSP-BJP coalition Government. Then in a show of solidarity with the Chief Minister, Vajpayee drove off to Mayawati's official residence for a lunch.

He had more problems with another ally, National Conference's Farooq Abdullah. The Prime Minister was reported as saying that he was considering President's rule in Jammu and Kashmir to ensure free and fair Assembly polls.

As a furious Farooq threatened street protests in Srinagar, Vajpayee rang him up to "clarify" his statement. He had been asked if he might clamp President's rule in Kashmir, the PM said, and he had merely replied that it was one way of ensuring a free and fair election. The reply apparently satisfied the Chief Minister.

Related reports on Page 7

THE HINDUSTAN TIMES

29 JUN 2002

'STEPS TO RESOLVE ISSUE WILL CONTINUE'

Sants demand ban on VHP

ND 1
26/6

AYODHYA, JUNE 25. Prominent saints and seers in this temple town today demanded a ban on the Vishwa Hindu Parishad (VHP), saying that the outfit's decision not to abide by the court order on the Ram temple issue would "encourage the cult of religious terrorism".

"The VHP's decision is violative of constitutional provisions and such open defiance of the Constitution and courts should not be allowed as it will encour-

age the cult of religious terrorism," Mahant Yugal Kishore Shastri, convener of a joint meeting of saints, seers and Muslim leaders in Ayodhya, told presspersons after the meeting. Those who attended the meeting, held at the Hanumangarhi temple and presided over by the head of the Ramanand sect, Jagatguru Ramanandacharya Swami Haryacharya, were of the view that the VHP's decision would lead to "lawlessness and

terrorism in the country", the Mahant said.

The meeting wondered why the Government had not imposed a ban on the organisation or taken legal action against it despite the fact that the Ministers had taken oath in the name of the Constitution, he said. Some speakers pointed out that it was the Union Home Minister, L.K. Advani, who first said that the Ram Janmabhoomi issue was related to the faith of the Hindus, Mahant Shastri said. "The BJP may not endorse the VHP's stand, but there is apprehension in the minds of the people that such public declarations had resulted in the State-sponsored violence in Gujarat." The meeting also decided that efforts for peaceful resolution of the issue would continue.

The speakers at the meeting accused the VHP of indulging in double-speak. The priest at the make-shift temple at Ayodhya was appointed by a court order and the day-to-day puja was being performed at the request of the Hindus, they said.

Baba Gyan Das of the Hanumangarhi temple charged the VHP with "misleading" the people and called for boycotting its programmes. "VHP leaders should not be allowed in Ayodhya."

Swami Haryacharya said there was no place for violence in the name of religion. Mahant Jagannath Das of the Nirmohi Akhara, one of the plaintiffs in the Ram Janmabhoomi title suit, said, "The VHP cannot execute any compromise on the temple issue as it is not a party in the matter. It can be executed only by the Nirmohi Akhara and the Sunni Central Waqf Board."

It was also decided to constitute a 'Sarva Dharm Sambhav Committee' for peaceful resolution of the issue. — PTI

Get back our undertaking: Singhal

By Our Special Correspondent

NEW DELHI, JUNE 25. The international president of the VHP, Ashok Singhal, today pleaded with the Kanchi Sankaracharya, Jayendra Saraswati, that he get back from the Government the undertaking given by the VHP in March — that it would abide by the judicial verdict on Ayodhya — as the Government had failed to keep its side of the bargain.

Talking to presspersons, the Acharya maintained that Mr. Singhal had made such a demand only in anguish and anger. He said that though his earlier mediation efforts did not fructify, talks through "various agencies" to resolve the dispute were still on and that he was hopeful of a solution. He, however, declined to name the agencies involved in the talks. When it was pointed out that Mr. Singhal had favoured an amendment to the Constitution to facilitate construction of the Ram temple, the Acharya said that it could be done by the Government even through an executive order.

Earlier, when presspersons asked Mr. Singhal as to why the VHP had hardened its stand, he said the VHP's undertaking was three-fold — it would accept the court verdict; the 'shila daan' would be allowed and the Government should pass an order to hand over the 'undisputed land' to the Ram Janmabhoomi Nyas Trust by June 2. As nothing had happened so far and the Government had not kept up its promise, the VHP had requested the Acharya to get back the agreement.

Asked about the Haridwar resolution that the VHP would not accept the court verdict, he said the VHP had never said that it would not honour the court order. It was only an opinion expressed by the 'sants' who attended the conclave. He pointed out that puja was being performed in the makeshift temple based on the court order. It was the VHP's firm view that the construction of a Ram temple was based on Hindu faith in which courts should not interfere.

Hindutva forces fanned Gujarat violence: report

TIMES NEWS NETWORK

Mumbai: The violence that occurred in Baroda after of the burning of the Sabarmati Express in Godhra on February 27 was largely against Muslims, and was encouraged by certain Hindutva groups, according to a report by the People Union for Civil Liberties (PUCL) and Shanti Abhiyan.

The two groups carried out an investigation into the violence in various parts of Baroda. Their report, which includes interviews and statistics about various incidents, was released here on Tuesday by retired judge Hosbet Suresh.

The report divides the violence into three phases, over February to May. The first phase was the most intense, marked by bomb-throwing, looting, murder and rapes. But the second phase of violence from March 15, at the time of the shiladan in Ayodhya, saw eruptions in areas that traditionally were not riot-prone also erupt.

These included areas in which both communities had a history of living peacefully together or where peace committees had managed to prevent violence earlier, such as Pira Mita and Fatehgunj. The third phase began around April 27 and lasted till May 5, which activists attribute to a build-up of tension over rumours of a "big attack".

Activists also said that Hindutva organisations like the VHP and the Bajrang Dal were systematically involved in fomenting violence.

At a press conference, PUCL member professor J. Manjrekar said the

riots were different from previous ones because people who normally stayed aloof from such events, had, this time, endorsed or supported the violence. "The middle class and elite especially seemed to endorse the action against Muslims, but never before has there been such a large scale justification across society," he said. However, there were many individual cases of sympathy and solidarity.

He also noted that there was widespread rumor-mongering in the second and third phases of violence, with false reports of Muslim attacks on Hindus buoying up a sense of threat in the community.

The report also indicts the Baroda police for being either ineffective at the best and biased at worst. Members cited incidents where the police either stood by while mobs ravaged households or even actively encouraged the rioters. Womens' activist Trupti Shah, whose group worked to put pressure on the police, said the police often didn't respond to distress calls and sometimes brutally beat up people during their combing operations.

Combing operations were carried out more in Muslim localities, and often involved assault of Muslim men, or if they were in hiding, abuse of the women in the house. "The police often made sexual threats to the women," said Ms Shah. In one area, she said, after four days of combing operations, a group of women and men, including activists, broke the curfew and marched to the police commissioner's office to protest the police brutality. "It was only after

several such marches that the police commissioner ordered an inquiry."

Another instance of police bias was in the arrests: activists said that while Muslims were often arrested under serious charges during the combing operations, Hindus were largely arrested for curfew violations. According to Ms Shah, when riot-affected people were interviewed, only 0.15 per cent felt the police had tried to prevent violence, while 63.6 per cent felt the police were just absent from the scene, while 29 per cent said the police were informed but inactive.

Activists also pointed out that in these riots, violence had spread to the rural areas and even tribal villages which had never seen communal violence before, were affected. These include areas like Tejgadh, Panwad and Kawant. Activists allege that the tribals were incited by Hindutva organisations.

The report also condemns the local press, especially the Gujarati newspaper 'Sandesh', for inciting violence with sensational headlines, anti-Muslim reports and even mis-reporting events.

Activists expressed concern over the closure of the relief camps and the need to rehabilitate those affected by the violence, both economically and socially. Justice Suresh, while releasing the report, said there has been a total abdication of responsibility by the state machinery. He added that the Central government was also responsible for the crisis in the state. Justice Suresh is also part of an investigation into the violence in the state.

THE TIMES OF INDIA

26 JUN 2002

TUESDAY, JUNE 25, 2002

THE POLITICS OF HATRED

WITH THE VISHWA Hindu Parishad backtracking on its 'commitment' to abide by the court verdict in the pending Ayodhya temple case (tendered as part of a compromise formula during the runup to the March 15 'shila daan' ceremony), what was hailed by the official establishment and the pro-temple interlocutors as the "most positive development" that needed to be reciprocated by the 'other side' has come to nought. But one wonders whether the so-called commitment was ever expected to be taken seriously, given the sort of prevarication, ambiguity and strident dissent that characterised it. Clearly, it was meant to last only for a brief period and to serve some limited purposes in the pre-March 15 context, as for instance giving the impression of being flexible and conciliatory and, in the process, providing the Atal Behari Vajpayee Government some leeway to manoeuvre itself out of the messy predicament it found itself in at that moment, what with the Supreme Court having been brought into the picture. Once the compulsions of 'March 15' were over, the 'commitment' had outlived its purpose and hence the VHP's decision to free itself from the shackles of the 'commitment' given to the Centre at the instance of the Kanchi Sankaracharya in March last. Now the VHP has harked back to its much-too-familiar position on 'Ayodhya' — that the Ram temple construction is a matter of faith and therefore not justiciable. The only 'concession' the organisation is prepared to give is that it would abide by the court verdict provided the decision did not go against the 'dharma sastras'.

What has emerged from the VHP's Haridwar conclave is a blatant declaration of intent to mount a new and aggressive campaign of hatred and whip up communal passions. Also notable are the outfit's return to its ideological base on 'Ayodhya' and its decision to give a vigorous push to the incendiary temple movement. These are but a few of the provocative elements of its game plan. That the focus (at Haridwar) was on

Gujarat and Jammu and Kashmir, the two communally sensitive States that will be going to the polls in the next few months, makes it clear that the Sangh Parivar is determined to go the whole hog in pushing its majoritarian agenda and striving for political mobilisation on communal lines. For all the formal attempts by the BJP to distance itself from the stated positions and abrasive campaigns of the VHP/Bajrang Dal — this has everything to do with the BJP's coalition constraints — there is no gainsaying their shared ideological goal as members of the RSS fraternity or the complementarity of the roles the two have been playing to achieve it.

Going by the tone and tenor of the VHP's Haridwar deliberations and decisions — as evidenced by the glorification of the discredited Gujarat Chief Minister, Narendra Modi, the demand for a ban on 'madrassas' and the call for a division of Jammu and Kashmir on communal lines — the Sangh Parivar seems determined to give a sharper edge to its hate campaign. Ashok Singhal's statement — that, if the Muslims "continue to take the country towards partition" they would have to stay in "relief camps like in Gujarat" — is as much a brazen challenge to the constitutional authority and the country's pluralist polity as it is an open threat to the minority community. His warning was indeed an echo of what the RSS had sounded three months ago at its Bangalore conclave. No less vicious and dangerous is the reported call at Haridwar for support to the VHP's pro-Hindu "crusade" in Jammu and Kashmir. It may seem expedient for the Hindutva parties to try out the so-called 'Gujarat under Modi' experiment for perceived electoral dividends. As a Government mandated to uphold the Constitution and its cardinal principles of secularism, pluralism and the rule of law, the Vajpayee regime is duty-bound to intervene effectively and with a sense of urgency to rein in the obscurantist elements that are hell-bent on pursuing such nationally divisive politics.

THE HINDU

25 JUN 2002

VHP will not abide by court on temple

S S Jaiswal
Hardwar, June 22

THE VHP has gone back on its earlier promise to honour the court verdict in the Ayodhya case.

At the opening session of its two-day national advisory committee meeting here on Saturday, its leaders reiterated that the Ram temple was "a matter of faith" for the 90-crore Hindus in the country. Hence, it was beyond the jurisdiction of the court to give a verdict on this matter.

About a hundred of the advisory committee (*margadarshak mandal*) members from different states took part in the meeting, which were kept open to media. No representatives of the local *akharas* except the *margadarshak mandal* members were present. However, the VHP international general secretary denied that the meeting was boycotted by the *akharas*.

The agenda for Saturday's session included Islamic terrorism and safety measures to be taken by the Hindus in view of it. The issue for Sunday meeting will be Godhra and Kashmir. VHP supremo Ashok Singhal unequivocally stated that the carnage in Gujarat

in the Godhra aftermath was a "victory" of the Hindus. For the first time, Muslims and not Hindus were seen in the refugee camps after such incidents, he said.

Acharya Ramchandra Das Paramhans said if building a temple at Ram's birthplace was an act of communalism as some here seemed to think, such a communalism was preferable to secularism as conceived by these people.

VHP central secretary Champat Rai read out at the meeting a letter written by the Hindu outfit to the Jagadguru Shankara-charya of the Kanchi Kamakoti Peeth, Swami Jayendra Saraswati. It asked him to declare that the Government had failed to keep its promises made to him in March. Besides, it urged the Shankara-charya to take back from the government the letter in which the Ram Janmabhoomi Trust had committed to honour the Supreme Court verdict.

Later, Togadia said the Centre had committed that the undisputed land at Ayodhya would be handed over to the VHP by June 2. But the Centre had not fulfilled its promise.

As such, there was no justification for the Trust continuing to abide by its own promise, he reasoned.

In a resolution at the meeting, the *margadarshak mandal* condemned the repressive measures taken by the government in March last. The meeting decided to launch a three-phased movement from July next to mobilise people's support, "which alone can make possible the construction of the temple".

Madrassa ban sought

The VHP has also demanded a ban on madrasas spreading "terrorism and Tableegh movement" and the centres preaching Taliban ideology accusing them of trying to partition the country once again.

It alleged that fundamentalist students "of Taliban variety were being churned out" in over one lakh madrasas in the country.

"When Pervez Musharraf said the next war will be fought in the Indian territory, he had envisioned these students as his army," it said. Moving the resolution, VHP leader Praveenbhai Togadia alleged that Deoband Darul-Ulum was behind the Taliban, while the Tableegh movement to enforce religion was behind the Lashkar-e-Tayyeba, which runs hundreds of madrasas in the country.

Restore trust, Advani to Modi

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Statesman News Service & PTI

GANDHINAGAR, June 16. — Mr LK Advani today asked the Narendra Modi government to make more serious efforts to restore trust among communities and bring back normalcy in riot-hit Gujarat.

The Union home minister also sounded off Mr Narendra Modi on the delay in tabling the report on investigation into the Godhra incident.

Asked about the Godhra report, Mr Advani said while the carnage seemed "pre-planned", no one had said "it was a pre-planned terrorist act". He said "the state government and police will be able to say about the delay in the findings".

He told reporters that tension remained in parts of Gujarat, though the state had by and large been incident-free for the past four weeks.

Mr Advani said the situation could be called normal when trust and harmony was restored in the state: "Not just peace, but restoration of trust and harmony is the need of the hour."

He expressed satisfaction at the decreasing number of relief camps — from 121 to 19. "There are 18,500 people in Ahmedabad alone — though last week 12,000 people left for their homes," he said. There were an estimated 1.5 lakh riot victims in the 121 camps earlier. The home minister said he had

had discussions with the relief commissioner in Ahmedabad and was "satisfied with the progress."

The riot victims were apprehensive that if they returned home, the state assistance they were getting would stop, but once they were reassured on this count, they chose to leave, the home minister said.

Mr Advani's remarks on rehabilitation efforts assume significance in the wake of reports that the Prime Minister had shot off a letter to the Gujarat chief minister to speed up relief efforts.

'India on guard'

GANDHINAGAR, June 16. — Mr LK Advani said today the biggest threat to the country was cross-border terrorism. "India is still on guard — attentive and alert (*savdhan and satark*)", he said. While Pakistan and India had dissimilar views on Kashmir, terrorism was a different issue. "Terrorism has to stop, the terrorist infrastructure has to be dismantled, unless this is done there's no point in having any dialogue," the home minister said. — SNS

Mr Advani acknowledged the communal violence had tainted the BJP's track record as a ruling party in the state.

On the propaganda being carried out on web sites of several fundamentalist organisations belonging to the minority community — that the Godhra carnage was orchestrated by the RSS and its associate organisations — Mr Advani said he was aware of it.

"Pakistan, which had initially condemned the Kaluchak incident, calling the killing of innocent women and children a terrorist attack, now reportedly alleges it was the handiwork of Indian agencies," he said.

Asked whether Assembly polls were being advanced in the state, Mr Advani said this was an issue for the state to decide. When told that Mr Jana Krishnamurthy and Mr Modi had favoured early polls, he said they had only expressed their views.

'Nothing will change unless Modi quits', page 2

17 JUN 2002

THE STATESMAN

NHRC slams Modi for rights violation

Statesman News Service

NEW DELHI, May 31. — Rejecting the Gujarat government's plea that a CBI probe of some critical cases, including the Godhra carnage, isn't required for now, the NHRC today came down heavily on the state for its "comprehensive failure" to protect the rights of its people.

Deciding to continue monitoring the situation in the state and demanding the immediate booking of all violators of law through proper registration of FIRs, the 53-page NHRC report described Mr KPS Gill's appointment as the chief minister's security advisor as "implicitly confirming that a failure had occurred in bringing under control the violation of rights to life, liberty, equality and dignity of the people of Gujarat".

"The Godhra tragedy should have demanded a higher degree of responsiveness from the state... especially after the call for a 'Gujarat bandh' and state support for the call. Immediate and stringent measures were not adequately taken. The government's response proved unequal to the challenge..." the NHRC said.

It expressed displeasure at the

state not responding to its "confidential report," despite the time period being extended and repeated reminders that "a response would be forthcoming".

The NHRC also made public the 27-page "confidential re-

and the administration's integrity must be restored..."

The commission has asked the state to report to it by 30 June on the comments and recommendations. It concluded there was "a major Intelligence failure" and a "failure to take appropriate anticipatory and subsequent action to prevent violence". It termed as "evasive and lacking in transparency" the state's response on the panel's request for specific information on "local factors and players" that "they were matters covered by the terms of reference of the Commission of Inquiry appointed by the state government".

The Gujarat government's report had stated that 11,167 people had been arrested of whom 7,896 belonged to the "majority community". The NHRC said "the questions that arise are when and where were the arrests made, who were arrested, for how long they were kept in custody and were those specifically named arrested?"

The NHRC said its special representative had observed that "almost 90 per cent of those arrested even in heinous offences like murder, arson, etc have managed to get bail..."

Mosque attack to be probed

AHMEDABAD, May 31. — Baroda police today ordered a formal probe into the alleged "police high-handedness and ransacking" of Madri Masjid at Memon colony in the town late last night.

"A mob including policemen are alleged to have been involved in the attack on the masjid," police said. The matter was taken up with the police commissioner, Mr DD Futeja, by Mr KPS Gill. — PTI

port" prepared after its team visited Ahmedabad, Baroda and Godhra in March.

It noted that though violence has receded in the past three weeks and positive developments have taken place since May, "much remains to be done

THE STATESMAN

2002

Serial of violence

Ensure that the guilty in Gujarat will never escape the law

THE three bomb blasts in Ahmedabad have served up a reminder that Gujarat's ordeal is not yet over. The explosions were timed to target more than just the morning's rush hour traffic. They aimed at the fledgling expectations of a return to normality in the ravaged state. They sought to touch off the fear and panic that had only just begun to wane. The police is yet to ascertain the identity of the persons who may have engineered the synchronised blasts but it requires no special investigative skills to gauge that they were the handiwork of those who thrive in the prevailing atmosphere of fear and insecurity, who do not wish for peace to return. Such people, whichever community they belong to, are criminals. They can only be deterred if they are told in no uncertain terms that they will have to pay. Wednesday's blasts in Ahmedabad have articulated once more the central challenge that Gujarat's government must rise up to: while undertaking measures to rebuild confidence and trust between communities in the long term, it must lose no more time in bringing the culprits for the violence to book. Punishment of the guilty is the basic minimum condition for

any return to life as it was in Gujarat.

The recent arrest of three activists of the VHP and the Bajrang Dal, including Babu Bajrang, president of the Bajrang Dal's Ahmedabad unit, for their involvement in the rioting in the Naroda-Patiya suburb of Ahmedabad, is a welcome step in the right direction. Though it comes nearly three months after the heinous crime, which left more than 80 dead and over 700 houses burnt, it marks a first—it is for the first time that persons with prominent links to the sangh parivar have been nabbed. More such arrests need to be made. This is necessary not just because justice demands it but also for reasons more pragmatic. It is the only way in which the message can be sent out that nobody will be allowed to wreak any more havoc in the state. That the state will hunt down the guilty, irrespective of their party-political affiliations. But is Narendra Modi's administration up to that task? Can it pick up the gauntlet thrown by the Ahmedabad explosions? Does it even want to? These are questions that have to be grappled with in Gujarat. But Modi must remember that the nation, and the world, are watching.

Modi's promise to minorities

By Manas Dasgupta

GANDHINAGAR, MAY 13. On a day when no untoward incident was reported from any part of riot-torn Gujarat, including Ahmedabad, the Chief Minister, Narendra Modi, today announced a series of measures to restore the confidence of the minorities in his Government.

In a major concession, Mr. Modi agreed to allow the aggrieved members of the minority community to file fresh police complaints in connection with the incidents during the riots, promised to restore their damaged places of worship, gave an assurance that he would not close down the relief camps till the last inmate was safely rehabilitated and said he would set up women's cells to look into the alleged excesses during the riots.

Mr. Modi also agreed to involve the representatives of non-government organisations during the official survey of the damaged properties to allay fear of irregularities, and consider with an "open mind" all the complaints regarding education and examinations of those affected by the riots. As for missing persons, he agreed to waive the existing rules and set up a committee to take a decision on declaring missing persons dead for the purpose of paying compensation to the next of the kin.

Mr. Modi made the announcement at a meeting with the representatives of the minorities, which was organised here at the initiative of the National Commission for Minorities. It was for the first time that the representatives of the minori-

ties had a direct talk with Mr. Modi, who has been accused of shying away from even visiting the minority relief camps. The only occasion Mr. Modi visited a minority relief camp was when he accompanied the Prime Minister, Atal Behari Vajpayee, to the Shah Alam Roza camp during his visit to the State last month.

Talking to mediapersons, the

NCM vice-chairman, Tarlochan Singh, said the Commission was happy that it could play an important role in considerably removing the misgivings of the minorities and bring them closer to the State administration. It had plans to organise another meeting next week to bring the minorities and the Sangh Parivar together in a bid to end violence and restore peace.

India cannot brush aside global concerns: Sorabjee

JAIPUR, MAY 13. The Attorney-General, Soli Sorabjee, today said that India cannot brush aside the concern voiced by some foreign countries on the Gujarat situation.

Speaking at a national seminar on "Human rights in governance", Mr. Sorabjee said that old dogmas of state sovereignty had changed and the international community could now express "legitimate concern". It was just not enough for the Government to criticise superficially or express resentment over the critical reports of foreign countries.

"If their reports were incorrect, false or exaggerated, our response should be with facts or figures," he said, adding that mere criticism of such reports only gave "propaganda ammunition" to countries hostile to India.

Mr. Sorabjee said that old dogmas, which gave a sovereign country the right to treat its citizens as it liked, had been changed and the international community could now express "legitimate concern" over official or demonstrative state-sponsored violation of human rights. The inaction or wilful inaction of a state to check violation of human rights was now being considered by the international fraternity as equal to violation of human rights by the state itself. This principle of state accountability is gaining ground and international obligation should also become legislative obligation in all the countries.

Mr. Sorabjee made an impassioned plea to people to come forward to establish the rule of law in Gujarat saying "silence was not the opinion" at the present juncture. Efforts should also be made to bridge the divide between majority and minority communities and to address the sense of helplessness among the people in Gujarat. The perpetrators of crimes against humanity must be punished however influential one might be, he said. — PTI

THE HINDU

1 MAY 2002



GUEST COLUMN | Balbir K. Punj

The CII must apologise

The industrial confederation has shown partisan concern for the riot victims and treated the PM shabbily

I MUST congratulate the Confederation of Indian Industry (CII) for organising a discussion on Gujarat at its annual conference recently. I also thank the organisation for inviting the BJP to participate in it. This purely industrial confederation is taking a deep interest in the burning political and social issues of the day, and has made a welcome departure from the problems of business that are normally discussed at its prestigious annual conference.

The regional chairperson of the organisation, Anu Aga, had left the security and comfort of her home to tour some of the relief camps in Gujarat. I, as well as the rest of the audience, was moved as she gave a graphic account of the plight of riot victims and raised some fundamental issues like that of human rights and the looming threat over secularism in our country.

The CII's sympathy for the riot victims is understandable and its concern over the level of violence in Gujarat is laudable. But India is a large country and serious calamities (sometimes man-made, like the present one in Gujarat, or God-ordained like last year's earthquake) strike every now and then in various states. I wonder if the CII's concern is confined only to the sufferings in one state, or does it extend to all?

I wish the CII or someone from the esteemed organisation had also visited Jammu and Kashmir during those years when over three lakh Hindus were driven out of their homes and Kashmiri Pandits were specifically targeted by Islamic militants. Due to the violence, tourism, a major industry in the State, collapsed, with serious consequences for the economy of the entire country.

Flying to Kashmir may have been a difficult proposition in view of the disturbed conditions



PARTISAN SYMPATHIES: At the CII annual conference, not one word was said about the 40,000 Hindu refugees in the camps in Gujarat

in the State. But even then, may be the members of the CII could have found time to visit refugee camps in Jammu, Delhi and other parts of the country. Could there be a bigger shame for a civil society than to find such a large number of its people living as refugees in their own country?

May be after such a visit, the CII did not consider it necessary to express its concern openly or hold a discussion on the plight of an entire religious group. May be it found a radical difference between the Pandit blood shed in J&K and the Muslim blood shed in Gujarat. I say so with a full sense of responsibility. There are 40,000 Hindu refugees in the various camps in Gujarat and not a word was said about their plight at the conference. No one visited them. Why?

Many of the victims of the J&K violence are fellow businessmen and so are thousands of Gujarati Hindus who have lost their livelihood due to the senseless violence in the State. At least they must have expected the CII, as an organisation of businessmen and industrialists, to be sensitive to their plight, particularly when it devoted an entire session to the woes of

Gujarati Muslims.

There is no record, as far as I know, of the CII discussing the suppression of civil liberties in West Bengal under a Marxist regime, with CPI(M) cadres replacing the state machinery over the years. Or of the total lawlessness that prevails in Patna, where businessmen, often people like *kirana* merchants, cloth shop owners etc., are routinely kidnapped for ransom. In Assam, there have been ethnic murders and regular extortion of businessmen, particularly tea estate managers. Punjab was in the grip of terrorism for almost two decades and all economic activities had come to an end. Did the CII ever find time to discuss such serious developments at an equally important forum?

It cannot be that the CII had no tears to shed for all these people. Did fear of the consequences impose silence on it? Its selective behaviour and partisan sympathies where human rights issues are concerned can sometimes be disturbing, for the CII represents the very cream of the people whose enterprises create wealth. If there is a credible explanation for this selective sympathy, I am sure many

citizens would like to know it.

Something that struck me in the conference as unique, if not conspiratorial, was the reversal of the usual procedure of inviting the Prime Minister to inaugurate the annual conference (as is done by FICCI and ASSOCHAM also) and then have other political leaders for other events during the conference. I recall that the CII took the lead in the early 1990s in getting a wide spectrum of political views by inviting the then Leader of the Opposition (Atal Bihari Vajpayee) at one of the events while the then Prime Minister came for the inauguration.

Perhaps it was just a coincidence that this time it was the Leader of the Opposition, Sonia Gandhi, who came first and the Prime Minister last. But it cannot be that our wise businessmen did not know that the politician in the Leader of Opposition would seize the opportunity to interpret it as a message for a change of government.

If there was no political significance to this move, there was ample opportunity for the CII leadership, before the conference closed, to correct the wrong impression

Gandhi sought to give. Vajpayee was large-hearted enough to take no further note of the issue after decrying Gandhi's interpretation of using the CII as a political weathercock. But the institution of the Prime Minister is larger than even Vajpayee. How can the country and its people overlook this insult? I am sure that you would agree with me that you yourself would not like the great CII to be caught in political cross-fire. Imagine the CII doing this when Indira Gandhi was the Prime Minister!

If the CII does not seek to give the impression that it is partisan, that it is swayed by media hype and that it is not averse to playing political *satta* in stormy weather, the organisation's leadership has to be as much correct in its behaviour. It must apologise to the nation. I think I am speaking for the countless enlightened citizens of the country and for my colleagues in Parliament who also believe that this insult to the highest institution in the land is unparalleled and somebody must pay for it. I am awaiting the CII's response.

(The writer is a BJP MP)

Gill prepares to douse fire

Rathin Das
Gandhinagar, May 10

their failure in maintaining law and order, was taken at a meeting Modi presided over in Gandhinagar last night. Gill was with Modi till midnight which perhaps indicates that he had a big role to play in the recast.

Modi had been under fire from his ministers two days ago for failing to contain the riots that have been raging in the State for the past two months. Even Prime Minister Atal Bihari Vajpayee is reportedly reconsidering his decision to not sack Modi.

Violence continued unabated in the State even today with at least five persons being killed — three of them in police firing — and at least 25 injured. One person was bunt to death. To make matters worse, the city's fire

brigade personnel went on a brief strike.

"Pande has been transferred in public interest," the State said in a notification. Kaushik, who replaces him, was the Additional Director-General of Police, CID (crime), in Gandhinagar.

The other two top cops who are being brought in are DIG (Surat range) Satish Sharma as Additional Commissioner of Police (Sector 1) and DIG (Rajkot range) Satish Verma as Additional Commissioner of Police (Sector 2).

Police said the three are known for their no-nonsense attitude and neutral approach — something that the State police were accused of lacking.

Pande is being made addition-

al DGP (Arms unit), which is mainly an administrative post.

The reshuffle decision was communicated to the three IPS officers verbally late last night. The State home department issued the formal notification this afternoon.

This is the third reshuffle of the police top brass in the State in less than two months. On March 24, 27 officers were moved to insignificant posts when they dealt firmly with VHP and Bajrang Dal activists.

Besides Pande, Joint Commissioner MK Tandon and Additional Police Commissioner Keshav Kumar have been transferred.

Page 9: LK Advani reveals Gujarat 'plot'

The Three Musketeers

Police Commissioner KR Kaushik: Was heading the probe into the Godhra carnage. Has the reputation of being the 'toughest' cop in Gujarat

ACP (Sector 2) Satish Verma: Famous for crackdown on the mafia, especially the Chhota Shakeel gang. Known as the 'encounter man'. Was in Rajkot during the riots where he did a 'good' job

ACP (Sector 1) Satish Sharma: Credited with large seizures of RDX. Was roped in to control the riots in Ahmedabad

SC declines to extend date for closing relief camps

Times News Network

NEW DELHI: The supreme court on Friday refused to issue any direction for an extension of the date to close down relief camps for the riots victims in Gujarat beyond May 31, but allowed the petitioner, the People's Union for Democratic Rights (PUDR), to move the vacation bench for any relief.

PUDR counsel Indira Jaisingh said the state government notification for setting up relief camps had categorically stated that they would be closed by May 31.

In another development, the court stayed proceedings by an Ahmedabad court against environmental activist Medha Patkar in a criminal defamation case filed by

V.K. Saxena. Ms Patkar's counsel Prashant Bhushan sought a transfer of the case outside Gujarat, preferably to Delhi, saying the atmosphere in Ahmedabad was emotionally surcharged and a systematic campaign had been launched against her by certain forces.

Mr Bhushan said it was difficult for Ms Patkar to attend the court hearings in the state. He also said Mr Saxena was the same person who had led a mob that had manhandled his client at Sabarmati Ashram recently. Mr Saxena had filed the complaint for criminal defamation against Ms Patkar as a retaliatory measure for her filing a similar case against him in a Delhi court, Mr Bhushan added.

THE TIMES OF INDIA

MAY 2002

PM agrees to NCM demand

By Our Special Correspondent

Shamim *119-11*
NEW DELHI, MAY 9. The Prime Minister, Atal Behari Vajpayee, today agreed to a demand of the National Commission for Minorities to include two representatives of the minority community in the panel to oversee the implementation of the Rs. 150-crore package for relief and rehabilitation of the victims of the Gujarat violence.

The demand was made as a "confidence-building measure" when a delegation of the Commission called on the Prime Minister this evening and Mr. Vajpayee immediately agreed to it.

Announcing this, the Chairman of the Commission, Mohammad Shamim, and its Vice-Chairman, Tarlochan Singh, told presspersons that the Muslim member of NCM, Shamim Kazim, and the Chairman of the National Minorities Finance Development Corporation, Mohammad Mazhari, would represent the minority community in the monitoring committee.

Today's meeting with the Prime Minister took place after the NCM sought an appointment in the hope of taking up various matters pertaining to Gujarat prior to their scheduled visit to the State on Monday to mediate talks between the administration and representatives of the minority community.

During this visit — the third since violence broke out in Gujarat — the NCM members will broker what is being billed as the first formal interaction between the Chief Minister, Narendra Modi, his senior officials and representatives of the minority community in the past two months.

1075
Barring the Chairman, all members of the commission are expected to travel to Gujarat on Monday.

According to Mr. Singh, two meetings have been scheduled for the day. "In the morning, we will mediate a meeting between senior officials — K.P.S. Gill, the recently-appointed Security Adviser to the Chief Minister, the Chief Secretary, the Home Secretary, and the Social Development Secretary — and the minority community representatives. Later, we will oversee a meeting of the latter with the Chief Minister, Narendra Modi."

Mr. Singh said the meetings were of significance since it was for the first time representatives of the Muslim community in Gujarat would be interacting with senior officials of the State administration. During today's meeting with the Prime Minister, the NCM is also learnt to have sought his intervention to ensure the cooperation of the State administration in this venture.

Earlier, there was a proposal to have a meeting between representatives of the Sangh Parivar and leaders of the minority community during this visit of the NCM. But this has been delayed owing to reservations expressed by the minority community in the wake of the fresh spate of violence this week.

Asked about NCM's demand that the existing enquiry commission on the violence in Gujarat be replaced with one by a sitting judge of the Supreme Court, Mr. Singh said the matter was being pursued with the State Government. "The Commission can only make recommendations. They are not binding on the Government."

THE HINDU

11 MAY 2002

Team grills Modi over Gill

FROM BASANT RAWAT

Gandhinagar, May 8: Narendra Modi's Cabinet colleagues today strafed him with uncomfortable questions on K.P.S. Gill's appointment as security adviser even as the supercop met Gujarat's top police officers to evolve a strategy to end the cycle of violence.

Sources said the queries were signs of differences in the government over Gill's role, especially when some Sangh parivar members are being accused of triggering the fresh flare-up to show that the appointment is not having the desired impact. At least nine people were killed today, five of them in police firing on rampaging mobs, as the latest burst of violence entered its fourth day.

At the weekly Cabinet meeting, the floodgates were opened by industry minister Suresh Mehta, a moderate and No. 2 in the government, who asked Modi to clear the veil of secrecy over the appointment.

Although today's agenda was the Indus Water Treaty, Mehta asked the chief minister if he had asked the Centre to send the former Punjab police chief or the Union government had imposed him on the state. If Gill was Modi's security adviser, why was he directly interacting with Union home minister L.K. Advani, Mehta asked.

The ministers felt Gill's appointment has lent credence to the Opposition's charge that the state government had failed to handle the situation. For the first time since the Godhra car-

nage — the original flashpoint — almost all senior ministers voiced concern over the situation which, they admitted, has adversely affected the BJP's image and for which the party might have to pay a price.

"If the law and order situation is not controlled, the party may actually face the music as the business class is fast turning against us because of the continuing violence," they told the chief minister, sources said. One after another, the ministers stressed on the need for arrests and effective combing operations in sensitive localities. So far, only Opposition parties, human rights groups and some NGOs have been demanding this.

Besides Mehta, others who raised these issues at today's meeting were Narottam Patel,

Fakir Vaghela, Nitin Patel, Kaushik Mehta, Ashok Bhatt and Naryanbhai Patel. Some of these ministers from Ahmedabad city, like Bhatt and Mehta, are considered close to Modi, who appears to be losing support in the BJP's state unit. Modi asked them to "come up with concrete suggestions".

Gill, who returned from Delhi yesterday after meeting Advani, met director-general of police K. Chakrovarty, Ahmedabad police commissioner P.C. Pande and other top police officers and is believed to have briefed them on the role he wants assigned to the Punjab commandos. He had yesterday asked for the Punjab force, specially trained to operate in disturbed areas, to help tackle the violence. ■ See Page 7

THE TELEGRAPH

8 MAY 2002

9-11-74
M D J

Six more killed as violence continues unabated in Ahmedabad

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By Manas Dasgupta

AHMEDABAD, MAY 6. At least six persons were killed — two of them stoned to death — and several injured in Ahmedabad as violence that erupted on Sunday after four days of respite continued unabated for the second day today.

Elsewhere in riot-torn Gujarat, at least 15 persons were injured in a bomb explosion in a State transport bus in Lunawada in the tribal-dominated Panchmahals district. Incidents of stone-throwing and group clashes were also reported from some of the curfew-bound areas in Vadodara.

Two bicyclists — believed to be daily wagers going to work — were stopped and stoned to death near Dhor Bazar locality under the Kagdapih police station. The police, however, claimed that the two were killed when rival groups were hurling stones at each other.

In another incident, a middle-aged person was stabbed to death and his body set afire in the Kankaria locality. And three

persons died of the injuries sustained in police firing in the Behrampura locality. While one person died in the hospital late last night, two died today taking the total deaths in the city in the last two days to 12. The conditions of at least five others were stated to be critical. The Rapid Action Force and other para-military forces have been deployed in Behrampura, Shah Alam and Kankaria areas.

Reports of exchange of fire were also received from Shahpur and Behrampura localities but police maintained that there was no casualty. A few shops and houses were also set ablaze in Shah Alam locality in Behrampura despite the curfew. Indefinite curfew remained in force in Dani Limda and Shahpur where it was imposed yesterday following large-scale violence in which six persons were killed.

As violence continued unabated, the State secondary and higher secondary education board announced yet another examination schedule to begin from June 3 as per the assurance given by the Gujarat

Government to the Supreme Court. The students who could not appear in the second phase of examinations held from April 18, and those living in relief camps (even if they had appeared in the examinations) would be allowed to appear in the third phase. Over 1,000 10th and 12th standard students are staying in the relief camps of Ahmedabad and Vadodara alone.

The ruling BJP and the Congress indulged in allegations and counter-allegations over "instigating riots." While the Chief Minister, Narendra Modi, said at a public function in Surat that the Congress was "instigating violence" in the State for political gains, the Gujarat Congress president, Amarsinh Chaudhary, said the violence started yesterday was "clearly sponsored by the State Government."

The Security Adviser to the Chief Minister, K. P. S. Gill, who left for Delhi yesterday, is yet to return. But the Minister of State for Home, Gordhan Jhadaphiya, did not hide his displeasure over Mr. Gill's appointment.

IS THIS THE MARK OF A 'REASONABLY GOOD JOB', Mr PM?

Hounded come home to carnage

FROM BASANT RAWAT

Ahmedabad, May 5: Ending four days of deceptive calm, mobs today struck at selective areas with two objectives: halt the return of minorities to their homes and batter their economic backbone.

Eight people, including a four-year-old, were killed and 38 injured in the fresh outbreak even as new security adviser K.P.S. Gill called for dialogue between the two communities.

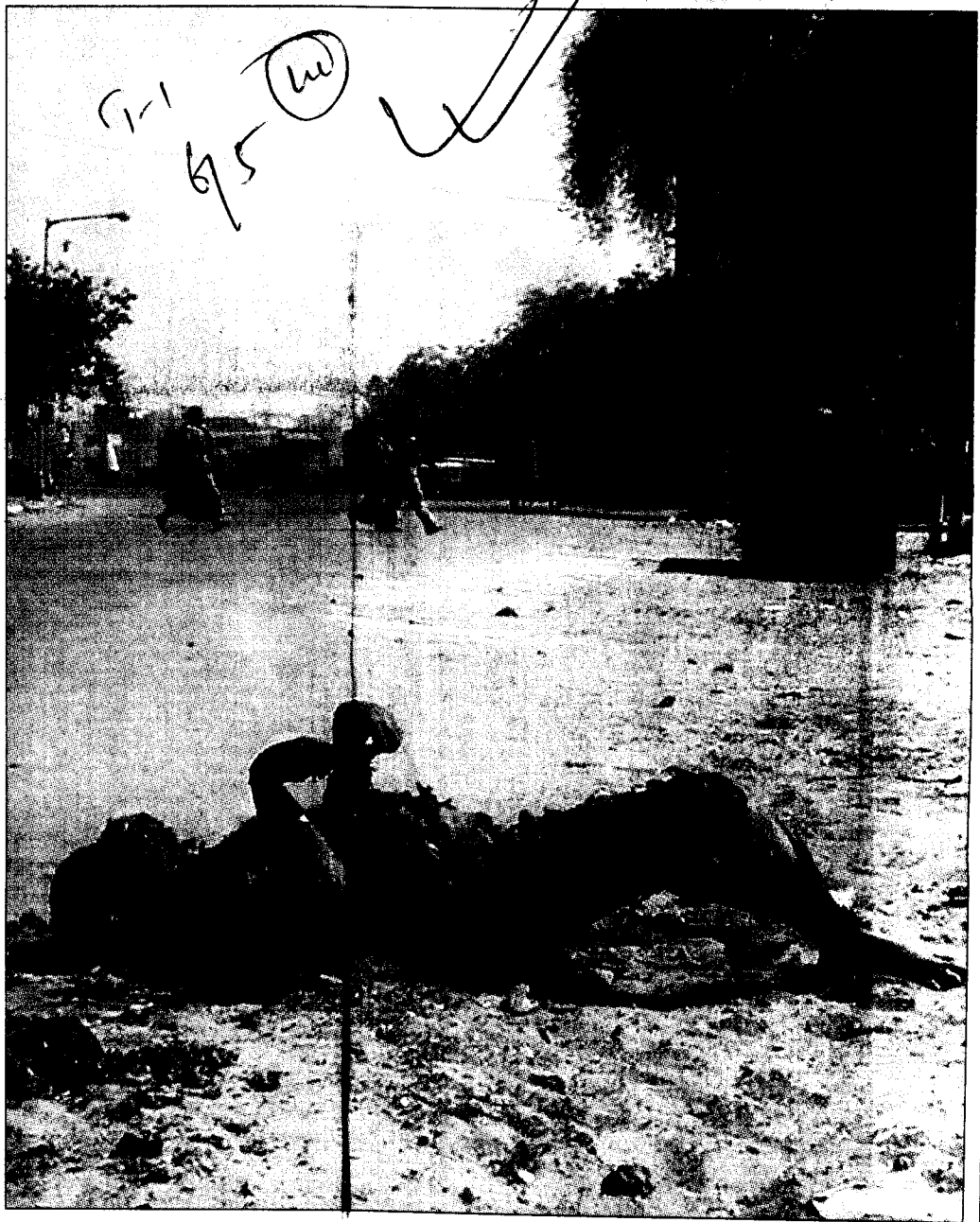
Those who summoned the courage to return home were reminded how unwelcome they were. An entire scrap metal market, dominated by the minorities, was set on fire, prompting clashes. The fire engulfed more than 50 shops at Kabadi market.

Violence also erupted at Behrampura, Danilimda, Maninagar and Shahpur areas.

A four-year-old was crushed to death in the melee at Danilimda. Two persons were burnt alive, two killed in police firing while three were stabbed to death.

Gill, who visited riot-torn Behrampura and other areas today, said: "It is important that leaders of both communities start dialogue with each other."

Several minority members saw a sinister design behind the fresh riots. "The reason why some people today resorted to violence is that some Muslims living in the camp had agreed to return to their homes. Those willing to return were getting threats from the majority community in the locality as they did not want them to return," said Mohsin Quadri, Shah-e-Alam relief camp in-charge.



A charred body of a riot victim in Ahmedabad on Sunday. (PTI)

Safibhai Memon, joint camp in-charge at Shah-e-Alam, claimed that two state ministers and a top VHP leader held a "secret meeting" at Kankaria Gymnasium this morning.

Memon added that after the meeting concluded at 10.30 am, the three leaders passed on instructions to a group of VHP workers at Gautamnagar, not far

from Behrampura where violence erupted. The group was further divided into two, after which trouble began. The camp leader said the purpose was "to frighten those willing to resettle in their original homes".

VHP international general secretary Praveen Togadia, however, said he was not aware of such a meeting. "At least I did not

attend the meeting. I came today morning and I am still trying to find out what happened in Danilimda."

One of the ministers who reportedly attended the meeting said over his cellphone: "I was in Limdi, approximately 100 km from Ahmedabad. So I have no idea what you are talking about."

MAY 2000

Muslims planned the riots: Gujarat minister

Vinay Menon
Ahmedabad, May 5

THE COMMUNAL violence in Gujarat spiralled beyond the first 72 hours of "emotional outpouring by the Hindu community" and has continued for more than two months after that because of "planned" attacks by Muslims. Welcome to the world of Gujarat Home Ministry.

In an interview to *Hindustan Times*, Minister of State for Home Gordhan Zadaphia explained the cause of the unending violence saying: "What happened up to March 2 was a reaction to Godhra. Thereafter the riots were provoked, and even planned, by the Muslims."

As Minister of State for Home, Zadaphia says, he has analysed three phases of the riots. In the first phase, there was a huge outpouring from the Hindu community, who he likes to term as "sufferers." "Doctors, engineers and advocates from the majority community were out on the roads

during the first three days of the riots. Why were they there? I am not saying it was a good thing, but it definitely shows it was a spontaneous reaction." Thereafter, he argues, the Muslim community was responsible for keeping alive the communal flame.

In the third phase, says the VHP-activist-turned-minister, politics took over. Blaming the Congress for initiating trouble in this phase, Zadaphia says: "The Congress wanted to see that the riots continued. People like their national secretary Irshad Mirza and MLA Farooq Sheikh, during the board exams, tried their best to disrupt peace by distributing pamphlets and taking away examination receipt cards from students."

Predictably, Zadaphia gives a clean chit the VHP. "The VHP has branches in 10,000 villages of Gujarat. If it had organised it, all these villages would have experienced riots. Instead, only 40-odd villages witnessed some violence."

His reaction comes at a time when the State police have got

leads on the meeting held in Ahmedabad on the evening of February 27, in which Hindu leaders discussed the course of action for rioters and looters targeting Muslim properties. This is a corroborated in the NHRC report which says that the commission had learnt that several rioters seemed organised, moving around with cell phones and identification lists.

The name of an Ahmedabad-based printer at whose house the meeting was held has been located, but no police officer is naming the suspect yet. Zadaphia dismisses the finding: "As a Minister I can confirm no such meeting was held. There was no planning during the riots. What happened was the reaction of the common man."

"Hindus cannot be violent. If they were violent by nature, the 1,700 *kar sevaks* on the train at Godhra would have hit back and injured at least a couple of their attackers. As for myself, I can tell you I never passed any order to kill anyone."

CONG ALLEGES PM DOUBLESPEAK ON ART. 355

Fresh flare-up in Ahmedabad claims 8 lives

Statesman News Service

AHMEDABAD, May 5. — Eight people were killed and 53 injured in renewed violence in Ahmedabad today that sparked off immediately after the VHP-Bajrang Dal held a public meeting in the sensitive Behrampur area. Indefinite curfew has been clamped in Danilimda and Shahpur.

Police lobbed tear-gas shells and fired in Danilimda and Shahpur to disperse violent mobs indulging in arson, stone-pelting and stabbing. Warring groups looted and burnt shops and destroyed property in Behrampur, Maninagar and Shahpur.

Eyewitnesses said VHP mobs targeted the Muslim-owned Kabadi Market No. 3 and burnt down more than 60 shops. It was the only market left intact in the area after Kabadi Market No. 1 and 2 were torched on 28 February itself.

One person was killed when the police opened fire on a rampaging mob at Danilimda. In violence there, two persons were stabbed to death and one perished after being hit by a tear-gas shell. At Bhulabhai Park in Kagdapith, two persons were burnt alive. The body of a middle-aged man with multiple stab injuries was found in Maninagar, where a four-year-old child was killed in a stampede. The injured, mostly with bullet wounds, are in city hospitals.

Ahmedabad was simmering since yesterday when a VHP-Bajrang Dal meeting there was announced for today. Vehicles moved around the city yesterday with loudhailers announcing that Mr Pravin Togadia, VHP general-secretary, Mr Ashok Bhatt, health minister, and revenue minister Mr Harin Pandya would be addressing the meeting. An explosion was heard soon after the meeting today, triggering the latest spell of rioting.

There were, however, no reports of violence from other parts of the state. Curfew will be relaxed for 10 hours tomorrow in Gomtipur, Kalupur, Vejalpur, Saherkotda, Rakhiyal, Bapu-nagar and Dariapur. Chief minister Mr Narendra Modi held a high-level meeting today to review the law-and-order situation

across the state in the wake of the outbreak.

The Congress today criticised yet another shift in stance by Mr Atal Behari Vajpayee on the applicability of Article 355 of the Constitution in Gujarat, adds SNS from Delhi.

The Prime Minister had said in Gwalior yesterday that there was no need to invoke Article 355 in Gujarat. Congress spokesman Mr S Jaipal Reddy today questioned the government's "doublespeak" on the issue, saying it had clearly stated in the Rajya Sabha on Thursday that it would accept the Opposition motion and implement provisions of the Article in letter and spirit. The statement, he recalled, was made by external affairs minister Mr Jaswant Singh during the Rajya Sabha debate. "How can the Prime Minister now say there is no need for Article 355?" Mr Reddy asked.

The Opposition motion is likely to be taken up in the Rajya Sabha tomorrow.

On the probe front, the CID does not rule out "conspiracy" in the Sabarmati Express carnage at Godhra. Mr Rakesh Asthana, DIG (CID), who is probing the train arson, said: "Investigations are continuing... there are strong indications to the effect that the incident could not have taken place without careful plan and conspiracy."

Till date, 59 people have been arrested over the Sabarmati Express incident. Mr Asthana informed.

In Lucknow, VHP chief Mr Ashok Singhal said Islamic forces were dealt a body blow by the backlash following Godhra, and asserted that riots in the state were a manifestation of the new "awakening" in Hindu society, adds PTI.

Uma Bharati charge: Miss Uma Bharati today accused some nations, "jealous of India's progress", of inciting communal violence in the country, adds PTI from Palampur in Himachal Pradesh.

Chautala criticises Modi: "Mr Modi should forsake his pride," said Haryana chief minister Mr Om Prakash Chautala today, calling on Mr Modi to resign owning moral responsibility for the violence, adds PTI from Jabalpur.

THE STATESMAN

5 MAY 2002

119-4 'Ban RSS, VHP, Bajrang Dal'

By Our Staff Reporter

NEW DELHI, MAY 2. With concern and anger over the Gujarat violence writ large on their faces, over a lakh of people from all sections of society descended on the Ramlila Grounds here today to attend a rally which demanded criminal proceedings against the State Chief Minister, Narendra Modi, a ban on the RSS, the VHP and the Bajrang Dal and greater representation for Muslims in the armed forces and police.

The rally — "Save India Front" — literally attracted people by the hordes. Not only was the Ramlila Grounds packed, even roads around it were full even before the speakers began addressing the rallyists at 10 a.m. And when the rally ended at around 2.30 p.m., people were still coming in.

For the rallyists, many of whom were stopped on the city borders, as the roads had choked by the time the rally started, the speakers provided a vent to their feelings. By far the most vociferous was the former Union Minister, Arif Mohammad Khan. Making a brief appearance, he lashed out at the Governments in Gujarat and the Centre for their handling of the situation.

Mr. Khan asserted that there were no "riots" in Gujarat. Rather, it was a State-sponsored and managed carnage. Pointing to the remarks of the former super cop, Julius Ribeiro, he said the violence in Gujarat was well-planned and orchestrated.

"The violence in Godhra and Gujarat are inter-linked and should not be seen in isolation. The very day Godhra happened, violence started in the evening," he said, pointing to a larger design behind the conspiracy.

Mr. Khan also took a dig at the Union Home Minister, L.K.



Maulana Mahmood Madani, general secretary of the Jamiat Ulama-Hind, (right) Udit Raj, chairman of the All India Confederation of SC/ST Organisations (left) and other leaders at the 'Save India Front' rally at the Ramlila ground in New Delhi on Thursday. — Photo: Sandeep Saxena

Advani, who he said first blamed the Inter Services Intelligence of Pakistan for Godhra but then retracted his statement. "If the police are still investigating who were behind Godhra, then why were Muslims targeted at all."

He also held that those in power at the Centre, who remained mute spectators to the Gujarat carnage, were equally to blame for the situation.

The convener of the rally and president of the Jamiat Ulama-Hind, Mahmood Madani, said it was "sad" that Muslims, who had fought so vigorously for India's freedom, were now being targeted in the name of religion. "While madrasas (Muslim seminaries) are blamed for teaching intolerance, it is actually the institutions run by the Sangh Parivar which instigate anti-minority and anti-Dalit feelings in the masses."

Maulana Madani also exhorted Muslims to be prepared to sacrifice more lives for the cause of "humanity and jus-

tice". However, he added, that the fight was "not between Hindus and Muslims but against those who were trying to divide the country in the name of religion."

Expressing a similar point of view, another convener and chairman of the All India Confederation of SC/ST Organisation, Udit Raj, criticised the Sangh Parivar for its narrow-minded vision and policies. "Initially," he said, "Christians were targeted in Gujarat since Sonia Gandhi had taken over as the Congress president and the Sangh wanted her to react to the attacks as it wanted her political opponents to brand her an Italian Christian."

Mr. Raj said while the violence in Gujarat was being made to like a conflict, it was actually a power struggle between the Bharatiya Janata Party and the Sangh Parivar.

In his address, the secretary-general of the All India Christian Council, John Dayal, said there

was a grave threat of violence akin to that seen in Gujarat taking place in Jharkhand and Orissa as a lot of hate literature was being distributed there. As for the attacks in Gujarat, he labelled them a "blow to civilisation and the Constitution".

Speakers also called for recruitment of more Muslims and Dalits in the armed forces and police to guard these sections of the society in situations such as that witnessed in Gujarat and to prevent their victimisation in the name of religion.

The rally, which expressed solidarity with the victims of Gujarat, also passed a resolution demanding an immediate ban on the RSS, the VHP and the Bajrang Dal.

It called for the enactment of a special law to provide immediate relief to Gujarat victims and urged recruitment of Dalits and Muslims in armed forces and reservations for Muslims in political and administrative institutions.

WEST HINDU

23 MAY 2002

EU buries Gujarat hatchet

FROM PRANAY SHARMA

File 2/5
gandhi
mitwala

New Delhi, May 2: The European Union today expressed concern over the Gujarat riots, but decided not to make an issue of it any further after it was convinced that India was taking "vigorous and effective" steps to address the situation.

"The two sides agreed that the recent controversy caused by media reports on the EU position on Gujarat had been regrettable, and decided to put this issue behind them," foreign ministry spokesperson Nirupama Rao said this afternoon.

The EU is India's largest trading partner. India's exports to the EU this year were more than \$6.6 billion while the imports were more than \$5 billion. It is clear that neither of the two sides would like to spoil their relations over Gujarat.

Gujarat, among other issues, featured in today's talk between senior officials of India and the EU troika represented by Belgium, Spain and Denmark. The Indian side was represented by foreign secretary Chokila Iyer.

Asked if the EU expressed concern over Gujarat in today's talks, the spokesperson said: "Both sides stated their known positions on the issue." But she quickly added: "The EU recognised their concerns regarding the violence, loss of life and property, and the requirement for urgent humanitarian relief had already been addressed vigorously and effectively in the Indian media, public opinion and civil society and by the Indian government and Parliament."

Over the past three weeks, a controversy raged in the wake of media reports quoting from internal assessments of some Eu-

ropean missions here on Gujarat. The sharp criticism of the government's handling of the violence, described in some reports as evoking the memory of fascism in Germany and apartheid in South Africa, predictably outraged the government.

South Block had issued several statements on the reports, criticising the European missions for "deliberately leaking" their internal reports to the Indian media and cautioned them to keep off Gujarat — which it described as an "internal affair".

The controversy took another turn when the EU demarche on Gujarat to the government was denied by South Block, which made it clear that the European nations had no business to state its position officially on an internal development.

The EU, aware of India's sen-

sitivity on Gujarat, watered down its criticism by making it clear in the demarche that though it was concerned over the violence, it also welcomed the steps announced by the government to restore normality.

At the meeting, the EU officials only re-stated this position. Delhi also gave up its belligerence and explained to the delegation the difficulty of the Gujarat situation and steps taken by the government to deal with it.

But the fact remains that both sides realised that they were making Gujarat a stumbling block in their otherwise cordial relations. Therefore, it was decided that the two sides would end the controversy.

The move appears to have been initiated by Spain — which has the EU presidency — and Denmark — which will get the presidency in July.

Report gives away cops' Hindu bias

Vinay Menon
Ahmedabad, May 2

DAMNING EVIDENCE of communal bias among Gujarat police lies in a report drafted by the State police itself. It shows 104 of the 184 who died in police firing were Muslims. The same data show the total value of property lost by the Muslim community in the riots is Rs 684 crore while it is only Rs 28.5 crore for Hindus.

The statistics substantiate the allegation by mob victims that the police did precious little to check Hindu mobs and instead trained their guns on the minorities and connived openly with mob leaders.

The State Government, despite tabulating the deaths in police firing, has not made it public. It keeps harping on the first 72 hours of violence during which, it claims, more Hindus were killed in police firing. Said Home Minister Gordhan Zadhaphia: "I have data that shows more Hindus were killed in firing till March 3, but it cannot be disclosed."

He is possibly referring to data which reveals that 69 Hindus were killed in police firings as compared to 55 Muslims across the State till March 3. But a close-

Gill Modi's adviser

KPS GILL, known for his tough handling of terrorism in Punjab, has been appointed security adviser to Gujarat Chief Minister Narendra Modi to check communal violence in the State. Gill, who successfully tackled communal incidents during his tenure as Assam police chief, is likely to assume his new office on Friday, sources said, adding that Gill's name was suggested by the Centre.

HTC, New Delhi

er look tells a different story. In Ahmedabad, for instance, deaths from police firing in the first 72 hours stands equal at 26 for both communities, not a higher toll among Hindus.

Moreover, these include the death of four Hindus who were shot dead by the more 'secular' RAF, and not the local police, at Chamanpura when the RAF was trying to rescue Muslims from Gulburg Society. Former Congress MP Ehsan Jafri was burnt alive along with some 40 men, women and children there on

February 28. There is another interesting detail the minister leaves out. On the face of it, statistics show that deaths related to police firing in districts like Banaskantha and Bhavnagar result-

ed in a higher toll among the Hindus. At Bhavnagar, five Hindus were shot dead by the police as compared to one Muslim, while five Hindus died in Banaskantha and no Muslim, the Government

points out. But the Government does not tell you that the two SPs who led the crackdown on the Hindu mobs were rewarded by being promptly transferred to non-executive assignments.

Minorities panel launches peace moves

By Manas Dasgupta

GANDHINAGAR, MAY 2. For the first time since the communal riots broke out in Gujarat in the aftermath of the Godhra carnage on February 27, the National Minority Commission has initiated efforts to bring the leaders of the Hindu and Muslim communities together across the table for the restoration of peace in the State.

An NMC delegation, led by the deputy chairman, Tarlochan Singh, which arrived here today held separate meetings with the leaders and representatives of the two communities and succeeded in convincing them to meet again some time next week to thrash out their differences.

The team also called on the Chief Minister, Narendra Modi, who also agreed to meet a delegation of Muslim leaders to hear their grievances. Mr. Singh later told newspapers that the date and venue for both the meetings would be finalised soon and the NMC would play the role of catalyst at the meetings.

Mr. Singh said since the Muslims had no definite representative organisations, about 100 Muslim leaders, the Imams of various mosques and others from all over the State were invited for the meeting today where they finalised a 16-member committee led by Shabir Ahmed, Imam of Ahmedabad, to

carry on negotiations with the Chief Minister and the Hindu delegations.

The team also met the leaders of the Rashtriya Swayamsevak Sangh, the Vishwa Hindu Parishad, and the Bajrang Dal and a 15-member delegation, including the State VHP general secretary, Dillip Trivedi, and the RSS 'pracharak', Mukundrao Deobhanekar, to represent the Hindus during the negotiations was finalised.

Mr. Singh said the meetings provided an opportunity for both sides to pour out their grievances against the rival community and to settle for negotiations. He said the commission made it clear to the Muslim leaders that the entire Hindu community could not be blamed for what happened in the aftermath of the Godhra carnage. He claimed that the Muslim leaders appreciated the stand and also agreed that many of their community members had been saved by their Hindu neighbours or had been helped by them. To the allegations raised by the Hindu delegation that Muslims were creating disturbances to keep the communal fire burning, the RSS-VHP leaders were told to act as the "big brother" and to accept the responsibility of keeping the society together. "Both the sides are now ready to meet each other to sort out the problems across the table," he said.

It is not the first time that the NMC is

playing the role of peacemaker. It has helped to sort out the differences between the Sangh Parivar and the Christian community for which a series of meetings had been conducted and has also solved the problems between the Hindus and Sikhs in Punjab.

"Even this time, till the last moment, the people told us in Delhi that our peace initiative will go in vain, but we decided to give a try to the mission and we were successful in our efforts," Mr. Singh said.

Mr. Modi, he said, appreciated the NMC's new approach to the problem, instead of its usual practice of sending fact-finding missions, and promised to help in its efforts.

He also agreed that nothing could be gained by levelling allegations against each other and, instead, durable peace could take the State back on the path of progress.

Meanwhile, the Union Human Resources Development Minister, Murli Manohar Joshi, along with Mr. Modi and the Union Sports Minister, Uma Bharti, led a huge peace march in Vadodara today to send the message of peace in the second most-troubled city in the state.

People from all walks of life joined the march organised by the collector, Bhagyesh Jha, and supported by the Central Gujarat Chamber of Commerce

53 MAY 2002

THURSDAY, MAY 2, 2002

WINNING THE VOTE AND LOSING THE DEBATE

IN THE NUMBERS game, the Atal Behari Vajpayee regime has won in the Lok Sabha, as it was expected to, on the shameful 'Gujarat communal violence' issue, with the concerted attempt by the Opposition to get the House to censure the administration for its "failure" to ensure the security of the minority communities falling through by a substantial margin. Indeed, the fate of the censure motion, not very much in doubt from day one, was sealed the day the BJP secured the support of the Bahujan Samaj Party, as part of a hurriedly struck deal on sharing power in Uttar Pradesh. On real test however were the 'secular' partners and friends of the ruling coalition who have been as vehement in their condemnation of the Gujarat communal carnage and as unsparing in their criticism of the Narendra Modi Government as the Opposition was. More specifically, the crucial question was whether they — the likes of the Telugu Desam Party and the Trinamool Congress — would be willing to end their partnership with the BJP and of their collusive role in its brazen pursuit of the Sangh Parivar's divisive agenda. That, in the event, these parties, despite all their rhetoric, refused to stand up and be counted at the time of reckoning exposes the hypocrisy of their professions of commitment to safeguarding the country's secular and pluralist ethos. The only exception, of course, was the four-member Lok Janshakti Party (of Ram Vilas Paswan) and even here its break with the NDA is attributed primarily to Mr. Paswan's other political compulsions stemming from the BSP-BJP tie-up. While the TDP staged a walkout before the vote was taken and the National Conference abstained from voting, the Trinamool Congress voted with the Government.

In a parliamentary system of democracy, one cannot wish away the numbers game or, for that matter, political gamesmanship. But surely these cannot be the obsessive concern or sole strategic determinants of the rival camps in a legislature

where the issues at stake are of critical importance, affecting the very foundation on which the constitutional edifice stands, and where the national consensus on basic secular and democratic values is under vicious attack — as it happens in the case of Gujarat under Mr. Modi. It was indeed a cruel irony that much of the 16-hour debate was spent in scoring cheap political points and mudslinging. Although the text of the censure motion provided a much wider scope for hauling up the Vajpayee Government over the 'minorities' issue, the debate was by and large restricted to the happenings in Gujarat, with the Government regrettably making no serious attempt to counter the substantive arguments of the other side — such as, for the removal of Mr. Modi and for the invocation of Article 355 by the Centre. This stonewalling by the Vajpayee regime is reflective of the BJP's Panaji policy line of harking back to the hardcore Hindutva, a key element of which is a cynical plan to try and capitalise on the communal polarisation that followed the Godhra massacre and the revenge killings thereafter.

A tangible outcome of the debate is of course the Rs. 150-crore rehabilitation package Mr. Vajpayee announced for the violence victims. Welcome as the gesture certainly is, there are bound to be serious misgivings about the distribution of package benefits, given the Modi administration's perceived anti-minority mindset. Whether it is ending the vicious spiral of communal violence which is yet to be fully controlled even two months after the Godhra outrage, or restoring the badly ruptured communal amity or initiating measures for rehabilitation and resettlement of the victims in a fair manner, the continuance of Mr. Modi in office will be a major impediment. Hence it is that the demand for his removal resounded in the Lok Sabha during the marathon debate, highlighted as much by many of the NDA constituents as by the Opposition, and it just cannot be swept under the carpet of the defeated censure motion.

CENSURE MOTION FAILS AFTER MARATHON DEBATE

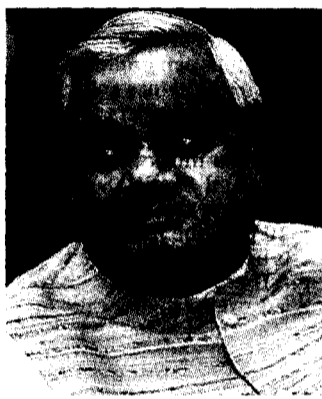
I should have done more, admits Vajpayee

By Javed M Ansari

Minorities HD-1

NEW DELHI, MAY 1. The Vajpayee Government eventually won the battle of numbers in Tuesday's marathon and often acrimonious debate on Gujarat under Rule 184 in the Lok Sabha but lost the debate. When the Samajwadi party-sponsored censure motion was put to vote close to 4 a.m. on Wednesday, 276 members of the 466 present in the House voted against it, while only 182 supported the motion.

The smile was back on the grim-faced treasury benches which had suffered the mortification of their largest supporting partner, the Telugu Desam Party, walking out in protest against the Prime Minister's refusal to concede their demand for the sacking of Narendra Modi. This, in addition to the resig-



nation of Omar Abdullah of the National Conference from the Union Cabinet earlier in the day, and the subsequent decision of the NC to abstain from voting on the motion. The issue also led to fissures in the six-member Janata Dal(United).

The Prime Minister, Atal Bihari Vajpayee, who spoke at the

fag-end of the debate, side-stepped the demand for the resignation of the Gujarat Chief Minister and firmly denied that he kept changing his stand, or that he had spoken in different voices in Goa and Gujarat.

The Prime Minister said he was pained by allegations that he had spoken against Muslims and Islam. "Why should I keep changing my stand, what have I to gain now, I have never differentiated on the basis of caste or religion, this charge threatens to take away all that I have stood for all my life," he said.

Mr. Vajpayee, however, admitted that he had faulted in blaming Parliament for not reacting forcefully enough to the Godhra incident (of burning of Ram Sevaks by miscreants which triggered the violence all over Gujarat). "I made a mistake, I accept it, perhaps I

should have done more," he said, urging the House to forget what had happened and look ahead. "Mrs. Gandhi has appealed to me to rise above party politics, I cannot do it alone, she must also rise with me; If India comes first, we must all rise above it." He was ready to accept the Opposition suggestion for adopting a common resolution on the issue if the House agreed, but the move fell through with the TDP decision to walk out in protest.

Criticising the media, Mr. Vajpayee said that what he had seen and heard about the Gujarat riots was madness and appeared particularly pained at the manner in which women had been targeted and subjected to sexual abuse and torture. "If this disease is not checked, it will destroy our society," he said. He, however, admitted that a delegation of women that had gone to the State was of the view that the tales of crimes against women were "exaggerated".

Significantly, the Union Home Minister, L.K. Advani, in his short intervention distanced himself from the position taken by the Defence Minister, George Fernandes, that the violence and cases of rape were "nothing new" and had been taking place for the last 55 years. He also admitted that the riots had worked to the advantage of Pakistan. "I didn't like it, I am pained by what happened," Mr. Advani said. The incidents were a blemish on the NDA Government's record of providing a regime free of communal riots. "Our four-year record has been undone," he lamented.

However, he defended Mr. Modi saying that his removal would not solve the Gujarat problem. "If for a moment we believed that the state (Government) was behind it, we would have got rid of him."

Rs. 150 cr. for rehabilitation

By P. Sunderarajan

NEW DELHI, MAY 1. The Prime Minister, A.B. Vajpayee, today announced a Rs.150 crore rehabilitation package for the victims of the communal carnage in Gujarat.

This includes assistance for reconstruction and repair of damaged houses and shops in urban and rural centres, and aid for the self-employed among the victims to restart their business, commercial and industrial activities.

This was in addition to the relief package announced by him when he visited Ahmedabad on April 4. Intervening during the debate on the censure motion on Gujarat in the Lok Sabha in the wee hours today, Mr. Vajpayee announced the package and made a public appeal for support to the riot victims. "The spirit of spontaneous support and brotherhood demonstrated by all sections of society in Gujarat in the aftermath of the devastating earthquake in January last year has to be kindled once again," he said.

The "package for economic rehabilitation" will be implemented within four months. The Cabinet Secretariat will monitor the implementation of the package on a weekly basis.

"Rehabilitation of all those who lost their homes, belongings and means of livelihood and immediate revival of normal economic activities in all the riot-affected areas now remain the primary national tasks. They need to be addressed with the utmost expedition, understanding and sympathy," Mr. Vajpayee said.

The package also provides for the revival of educational, medical and other institutions in the riot-hit areas and special programmes for the benefit of children and women who have lost their husbands in the violence.

In addition, it would be "fully supplemented" by loans and assistance from banks and financial institutions on liberal and concessional terms as had been extended following the earthquake last year. Financial institutions would be asked to catalyse industrial and economic activities and in this endeavour, the National Minorities Finance and Development Corporation would be enabled to play a supportive role. The support of HUDCO and the National Housing Bank for building and reconstruction of houses and shops would be enlisted.

MEA lashes out at European diplomats

JYOTI MALHOTRA
NEW DELHI, APRIL 30

9 minutes 98-2

ON the eve of a senior officials meeting with the European Union on Thursday, the Ministry of External Affairs once again lashed out today at the "slanted comments" of European diplomats on the Gujarat issue and said they expected "foreign countries to show respect" for events that took place within India.

But if the Government thought it could scare off foreign governments from raising their concerns about Gujarat, they were mistaken. Despite the fact that the MEA has issued three very harsh statements criticising outside interference, visiting Danish Foreign Minister Per Stollig expressed his country's concerns about the events in Narendra Modi's state in a meeting with External Affairs Jaswant Singh.

But with Denmark poised to take on the presidency of the European Union in July and in fact, hosting the India—EU summit in October, Copenhagen seems to have also realised the importance of making peace with India. Stollig promised New Delhi today that he would not rake over



the Gujarat coals by speaking to the media here about the substance of his visit.

A Senior Officials Meeting between India and the EU begins here on Thursday and diplomats here confirmed that the Gujarat events would again come up during the conversations. Interestingly, Rafael Conde, director-general in charge of Asia in the Spanish foreign office, who issued a verbal demarche to India's ambassador to Spain Dilip Lahiri on April 23, is believed to be leading the EU side in the talks.

The Indian side is expected to be led by Foreign Secretary Chokila Iyer.

Significantly, the European Union is not likely to completely shut up on Gujarat, even though New Delhi may like it to. An economic team from the European Commission in Brussels is expected here in the next day or two to discuss the treatment and continuation of development and aid projects that the EU funds in India. Sources here pointed out that the EU aid meetings would include ongoing projects in Gujarat.

In fact, the EU held a coordination meeting in the capital last week on what to do with the aid projects in Modi's state, but decided that they would "wait and watch" the situation for the time being.

Meanwhile, the atmospherics in the relationship with EU seemed to get darker today with MEA issuing a long statement, condemning the "so-called demarche" by the EU, accusing it of playing to the "public gallery" as well as the "manner and style of the intervention." Spokesperson Nirupama Rao said it was Ambassador Lahiri's 'initiative' to explain the Gujarat events that took him to Conde's office, insisting that he had not been summoned by the Spanish presidency.

RE S

1 MAY 2002

Chinese Communist party politburo is divided over succession issue

By Harvey Stockwin
Times News Network

SAN FRANCISCO: Lack of Chinese Communist unity in the current succession struggle and possible splits in the ruling politburo are both suggested by an unusual leaked story in the leading Japanese daily *Yomiuri Shimbun*.

The newspaper reported that the

seven-member standing committee of the Chinese Communist Party's politburo was recently split four to three on whether or not to accept the resignation of vice-premier Wen Jiabao. Mr Wen himself is not a member of the standing committee.

The CCP is normally so successful at keeping its inner workings a closely-guarded secret that all

reports such as this have to be regarded with scepticism.

What raises interest in this particular disclosure is that, previously, it had been leaked that Mr Wen, 59, was the leading candidate to replace Prime Minister Zhu Rongji, at the same time as vice-president Hu Jintao, also 59, will

replace President Jiang Zemin. The

changes will take place at the Party Congress due this autumn and the National People's Congress early next year.

Obviously, if this was a reliable leak, then some CCF leaders are now having second thoughts about Mr Wen. The *Yomiuri* reported

that Mr Wen had tendered his resignation as vice-premier after being severely criticised by Mr Jiang. In the standing committee of the politburo, President Jiang, Premier Zhu and vice-premier Li Lanqing all voted in effect to

accept Mr Wen's resignation.

Curiously, the report said that Mr Wen was blamed for the high percentage of non-performing loans extended by China's four biggest commercial banks, for delays in China's privatisation of state-owned enterprises, and for the deep discontent of farmers.

Riots continue, probe falters

Stateman News Service

PM to march for peace

GANDHINAGAR, April 29. — Thousands of the riot victims staying in camps are oblivious of the 15 May deadline set by the KG Shah Commission of Inquiry for filing their statements with affidavits and documents, even as three persons were killed today, one in police firing, in continuing violence in Ahmedabad.

Mr Justice Shah confirmed no such statements and affidavits have been submitted till date. The Commission, appointed a week after the Godhra incident, is to probe the carnage, the subsequent violence in the state and steps taken by the government.

Those residing at the Dariakhah Gummata camp and the Shah Alam confirmed they were unaware of the deadline. Mr Mehboob S Pathan and Mr Attaullah Khan, members of the Dariakhah committee, expressed surprise when asked if people at the camp were filing statements before the Commission.

"We have not been informed", said Mr Pa-

the requirements of the Commission within the stipulated time, they replied in the negative. "We are primarily burdened with the task of looking after thousands of refugees; we cannot afford to look into the formalities (filing statements)."

This is the situation at Dariakhah camp, situated in Shahibaug, also home to the office of the Commission. The distance between the two, as the crow flies, is one minute.

Mr Sharif Bhai of the Shah Alam camp said: "We are not aware of any deadline; we have no message regarding this, and no one from the camp has filed a statement".

Mr Shah points out that the Commission had placed advertisements in nine newspapers, English and vernacular, on 24 April. On whether the deadline could be extended, he said, "We will have to use our discretion; a person submitting his statement after 15 May will have to justify the delay."

Though the Commission had sent notices

Turn to page 3

More killings along peace trail

Statesman News Service

GANDHINAGAR, April 28. — The Union defence minister, accompanied by Mr Narendra Modi and Ahmedabad mayor Mr Himmatsinh Patel, today led a "peace march" on Relief Road in the city even as five deaths were reported in renewed violence in the walled city.

Other leaders who participated in the peace march over a three-kilometre stretch included Mr Arun Jaitely, Union minister of state Mr Harin Pathak and MLAs from both BJP and Congress.

Members of various communities took part in the rally under heavy se-

curity cover. The participants carried banners which appealed for restoration of peace in the state. Slogans like 'Hum sab ek hain' and 'Hindu, Muslim bhai bhai' were raised.

During the day, four persons died in police firing at Chandola Lake near Danilimada in Ahmedabad. Police fired at Maninagar and Kalupur to disperse stone-pelting mobs and curb incidents of arson. In all, 18 people were injured in the city, with 10 receiving bullet wounds and three sustaining injury in a bomb blast. Another person was reported stabbed to death in Gomitpur, police said. Curfew remained in force in several areas.

In Vadodara, two persons were injured in police firing on a mob

which tried to set a house on fire at Navpura. Indefinite curfew remained in six PS areas. Tension also prevailed in a village of Surendernagar district.

The peace march was organised by the Gujarat Chamber of Commerce and Industry. It was the first major attempt to make an appeal for peace in the state which has witnessed communal violence for the past two months.

At Sardarbaug at Lal Darwaja, where the march ended, Mr George Fernandes urged people "to forget the past" and look forward to building the future. He also spoke of the oneness of different religions and said it was a "good development" that so many people had participated in the march.

The Gujarat chief minister, true to

his form, spoke about the Godhra incident. Had this (Godhra) not happened, what followed could have been avoided, he said. He cautioned all against rumour, and warned people from accepting exaggerated reports as the truth. He laid emphasis on restoration of 'vishwas' (trust).

Mr Arun Jaitely was more for the isolation of those who continued to foment trouble. "Some people do not want peace to return," he said.

The march brought together state ministers such as Mr Ashok Bhatt, Mr Gordhan Zaphadia and Mr Haren Pandya along with Congress leaders.

**Editorial: No respite, page 4
Genocide, not riots: Azmi, page 6**

Genocide, not riots: Azmi

Statesman News Service

9 minutes
51-6 29/4

KOLKATA, April 28. — President's Rule in Gujarat and a CBI inquiry into the post-Godhra "genocide": these are Shabana Azmi's recommendations to put an end to the crisis in the state.

The actress and Rajya Sabha MP, however, refused to call it communal disharmony. "It's genocide," she said. Husband Javed Akhtar agreed. The couple were at a press conference in the city today to highlight the plight of the minority community in Gujarat.

Azmi said: "In Goa, the Prime Minister talked in a manner that doesn't auger well for the country." Akhtar towed the line: "It was the speech of an RSS *kar sevak*." "A CBI inquiry needs to be conducted and a panel of people from outside Gujarat should conduct it," she said. Akhtar said: "People in the BJP-led government at the Centre are accomplices of the genocide." The actress thanked the press for not "mincing words" and for going "all out to reveal the situation".

Showing some gory photographs of the Gujarat killings, she said: "When both communities attack each other, one calls it a communal riot. The Gujarat incidents amount to a genocide — against the

Muslim community." Akhtar couldn't agree more: "The incidents were not a conflict... not a bloody match between two groups. They were much more sinister and violent."

Azmi talked about the "the shocking number of rapes taking place in Gujarat as a form of subjugation." She said: "This is a state-supported carnage." In the history of communalism, she said, rioters were never punished.

"They always get away scot free. If you kill one person you're punished, but if you indulge in mass killing you're given amnesty."

The MP said she and every sensible person condemned the Godra massacre. "But it can never be made an excuse for all that is happening now."

The couple introduced Teesta Setalvad, editor of *Combat Communalism*, who said: "Even if Godhra hadn't occurred, the Gujarat carnage would have still taken place."

"We have concrete evidence that the recent incidents were being built up for quite a while. We need to position Godhra in the context of the climate that has been prevailing in Gujarat for some time now," she said. Echoing the couple, she said: "Nothing short of President's Rule will bring about any reconciliation."

73 29/4
THE STATESMAN

Guns & poses for Modi's ^{9- minutes + 17} peace march ^{29/4}

HT Correspondent & PTI
Ahmedabad, April 28

AFTER NEARLY 1,000 corpses and two months of unrelenting bloodbath, Narendra Modi this morning took out a peace march here while five more persons were killed in police firing since midnight.

Organised by the Gujarat Chamber of Commerce and Industry, the irony of the march was evident in the heavy security cordon by police and Rapid Action Force as many Muslims lined up on either side of the road with placards condemning the Gujarat Chief Minister's peace policy as one founded on eliminating Muslims and destroying their property. Some Muslim youths demanding the arrest of VHP leaders were removed by the police, but were not arrested.

Veteran Gandhian Kundanlal Dholakia flagged off the march in the Muslim-dominated Kalupur area with rendering of a patriotic song by NCC volunteers, blowing of conch shells and drum beats. Scores of Muslims just looked on from inside their barricaded colonies as the procession snaked by.

Following the peace march on its two-kilometre route was a rally of swanky cars of the ministers, legislators and the businessmen who walked the deserted roads along with Modi and Defence Minister George Fernandes. Among others who attended the rally were Union Law Minister Arun Jaitely, Minister of State for Defence Harin Pathak, former Union Minister Urmilaben Patel of the Congress, Samata Party leader Jaya Jaitley and Ahmedabad Mayor. Conspicuous by their presence in the peace march were some BJP legislators named in FIRs for incited mob violence.

Addressing the crowd after the rally, Modi began his speech with the Godhra incident, but didn't find the subsequent riots

'JP loved Modi'

GEORGE FERNANDES on Sunday said Narendra Modi was a fascination of late leader Jai Prakash Narayan. "JP used to mention his fascination for this youthful leader of Gujarat at least 10 times a day. He looked to him as *roshni* (beacon of light)," the defence Minister told the rally after the peace march.

PTI, Ahmedabad

important enough to mention. Peace, according to him, has virtually returned to the State except for "stray incidents" in Ahmedabad and Vadodara.

"Gujarat should be brought back to the track of humanity. It is time to forget the past and to isolate those who are indulging in violence," Modi told the crowd at Sardar Bagh, where the rally terminated. Gujarat, he said, was desperately in need of re-establishing mutual trust between various communities. "It is ironic that today we have faith only in rumours and not in the people."

He held the "wildfire of rumours" the prime reason for the unprecedented violence and cautioned against circulation of "illegal pamphlets" and "sensationalisation by media".

"Against 18,000 villages, the insane communal rage was confined only to about 50 villages and parts of Ahmedabad. But all these also ought to end. We need a healing touch," he said.

While Arun Jaitely blamed "vested interests" behind the violence, Fernandes appealed to forget the past and look ahead. The socialist leader cited the example of the Vietnamese people who, "after a fierce battle against Americans, have started working hard together with the same Americans".

CARNAGE VICTIMS RE-CREATE HORROR BEFORE MEDIA

Gujarat comes to capital

FROM OUR SPECIAL
CORRESPONDENT

New Delhi, April 26: Gujarat came to the capital today with all its horrors. Around 40 victims of the pogrom that continues to rage in Gujarat narrated their personal experiences in the wake of the Godhra burnings to the media. Tomorrow, they will speak to politicians, contributing to the Opposition campaign as parties muster support for the debate and vote in Parliament on April 30.

The victims' visit to Delhi was kept a secret till they actually arrived this morning, courtesy the Safdar Hashmi Memorial Trust and *Communalism Combat*, a Mumbai-based journal run by journalist-activist Teesta Setalvad.

Some of the testimonies — in most instances, there are only oral testimonies to rely on because police refused to record first information reports of the victims — are by now legion.

Such as 11-year-old Raja Bundubhai's. Raja's mother Jerina and sister Nasreen were stabbed, burnt and killed. He saw it happening. Then, one in the mob pulled him up by the hair but he escaped miraculously because an elderly man asked him to flee. Raja and his family lived in Naroda Patiya, about 15 km from Ahmedabad. He now lives in the Shah Alam refugee camp in Ahmedabad.

He narrates his story as if by rote. He has done it so many times since February 28 that there is desensitization in the way he speaks.

Unlike Raja, Fazl Gandhi, some five times his age, breaks down helplessly. The restaurateur is one of the complainants who have accused Gujarat revenue minister Haren Pandya, MLA from Ahmedabad's Ellis Bridge constituency, of leading mobs on February 28. The police refused to record his FIR. His flat in Tarana Apartments was looted thrice.

"I have received threats saying 'you named Pandya. We have burnt your home. Next we will burn you'," Gandhi says between sobs.

Aftab Kadri, a lawyer, and his wife, Ghizala Kadri, too, saw Pandya leading packs of killers. He was a neighbour of Justice Divecha's. The retired judge's flat was ransacked and torched.

"In our building, Kazmi Apartments, there are 12 flats, all belonging to Muslims. By the morning of the 28th (February), there were only 10-12 of us around. Some were out of town and others had left. We sent off our families elsewhere and I spent the whole of 28th watching a 2,500-3,000 strong mob wreak havoc in the area. I am a lawyer and I told the police to record an FIR. The police said no, they filed the FIR themselves."

Ibrahimbhai Ismailbhai Ka-

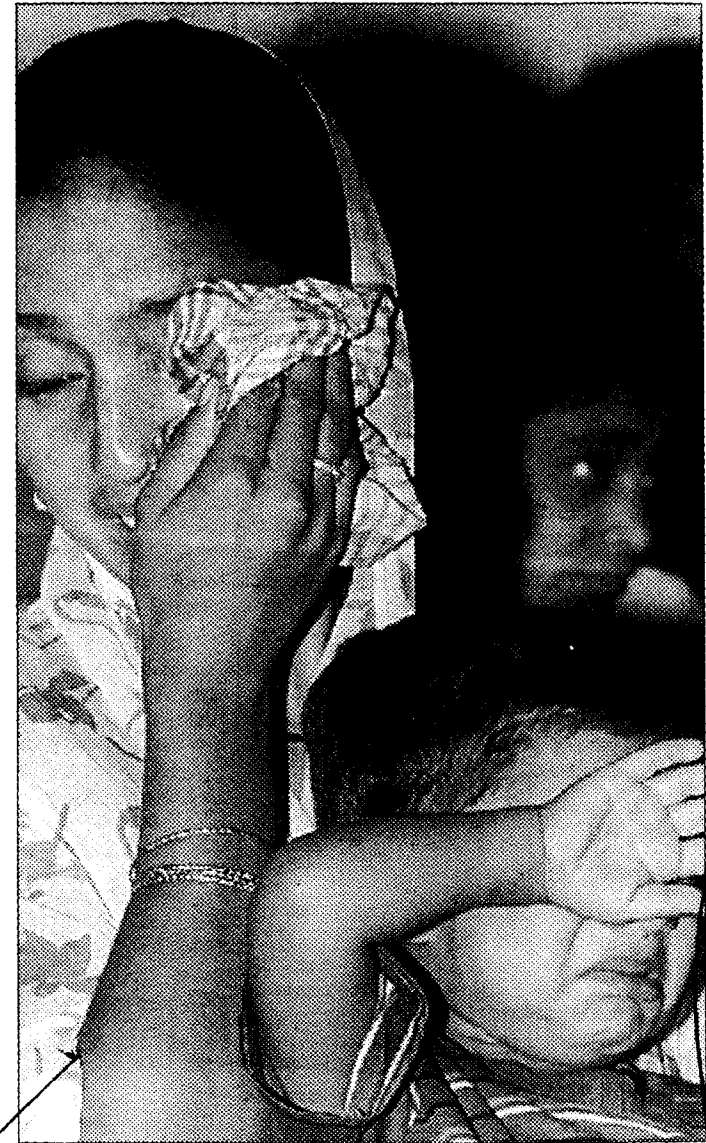
nchi, a soldier with the army's 237 Field Regiment for 17 years before he retired in 2000, lost his family to the killers in Abasana village, about 70 km from Ahmedabad. The ex-serviceman worked as a security supervisor with ONGC in Kalol. In Abasana, his father and uncle were cut down with swords and burnt. The killers were from the locality, identifiable.

Ibrahim still has the bearing of a soldier. He shakes uncontrollably as he narrates his story. "I do not know what I would have done if I was still in the service. All I plead for now is a place where we Muslims can live together and feel a little secure."

Till this afternoon, Reshma's story was but a passage of words that was read in print or on the email. She was here today, in the flesh, carrying her three-year-old son in her arms.

"From Thursday to Monday (February 28-March 4), I remained hidden in the locality." Reshma lived in Naroda Patiya. "My whole family was scattered here and there. I hid inside the SRP quarters along with seven children of the locality. I found my mother-in-law and son later.

"Before escaping to the SRP quarters, I saw Kausar Bano being brutally raped in the Javan Nagar Maidan. Her stomach was carved open, her baby flung into the fire and she was molested and burnt."



Reshma, a riot victim, with her son Nazir at the news conference. Telegraph picture

Spurt in influx into Gujarat camps

Anil Rana in Gandhinagar

Fresh violence

April 25. — The number of refugees at two of the largest refugee camps in Ahmedabad, the Shah Alam camp and the one at Dariakhan Gummat, has increased considerably since Sunday.

People are flocking to the Shah Alam camp mostly from the towns around Ahmedabad while the influx at Dariakhan Gummat is mainly from the neighbouring colonies.

The mob attack on Tuesday has raised the sense of insecurity among the inmates at Dariakhan Gummat, 500 metres from the police commissioner's office. The camp organisers sent desperate messages, seeking the Army's help. "We sent messages to the Governor, the state control, the home ministry and the police commissioner after the attacks on shops and houses near the commissioner's office... While desperate messages were sent on Tuesday itself, no military protection was provided to the inmates till this evening," said Mr Ataullah Khan, one of the organisers.

"We do have some securitymen from the Gujarat police and state reserve police out-

AHMEDABAD, April 25. — In fresh violence in Ahmedabad and Vadodara, six people were injured tonight as police opened fire to disperse mobs indulging in arson.

One person was stabbed and several huts were set on fire by a mob at Khanjadarwaja in curfew-bound Jamalpur. People came out on the streets of minority-dominated localities in Ahmedabad-Khanjadarwaja, Jamalpurdarwaja and Vashiya Sabha and threw stones, injuring three.

Police lobbed teargas shells before opening fire which injured one person wounded. The Army was called out at Jamalpur and other localities. In Fatehpura, Vadodara, one person was stabbed. — PTI

side the camp," he added.

The attack on premises adjacent to the Ahmedabad police commissioner's office has sent alarm bells ringing. People from the nearby colonies of Mediwala chawl, Bangarwas, Qazi Mian chhapra and other areas rushed to the Dariakhan Gummat camp. "We had 4,452 in-

mates before Sunday. Now, we have 6,520 people staying here," Mr Khan said. A teargas shell burst inside the camp's compound on Tuesday. An old man was injured in the incident. "An old woman died of shock," he said.

Mr Khan said the administration was providing food for the inmates. "We'll send for the increased requirement and these will be met. We also have no problems about controlling diseases. All we need is more security."

At the Shah Alam camp, the number of refugees has increased from 12,181 to 14,000 since Sunday. Mr Abdul Rashid, Shah Alam Relief Committee member, said people are mainly coming from Kemdabad, Behrampur, Gomtipur and Khanpur. "No one has left the camp as people feel a bit safe here. The camp has two main gates and is surrounded by a large number of houses of the people of the same community... Seventy per cent of the people are from Nagroda and Saijpur. How will they go back?" An attempt was made to move some people to a makeshift accommodation at some distance from Shah Alam. This failed because it was attacked by "VHP and Bajrang Dal men," he said.

MHA report buries violence, page 6

THE STATESMAN

RS GUJARAT VOTE ON 2 MAY

Govt no to probe by SC judge

5/1 29/9
9 - mihendu

Statesman News Service

NEW DELHI, April 24. — Even as the Rajya Sabha Chairman today admitted an Opposition-driven censure motion on Gujarat in the Upper House and set a date for discussion and voting, Union home minister Mr LK Advani rejected the demand of the National Commission for Minorities and some political parties for a probe into the violence by a sitting Supreme Court judge.

Mr Advani, however, said the NHRC recommendations — critical of the situation — “were being considered from all angles ... and every aspect is being given due attention”.

Mr Advani today told the Rajya Sabha that the Prime Minister had asked the Cabinet secretary to monitor relief rehabilitation in Gujarat and report to him every week.

“Never has a parole inquiry been ordered by the Centre by a sitting Supreme Court judge,” Mr Advani said in response to a Question Hour supplementary. The

home ministry's written reply on the issue stated since the Gujarat government has already appointed a probe panel — headed by retired HC judge Justice Mr KG Shah — the Centre did not propose to institute another inquiry. “...The Centre is constantly in touch with the state and is getting all the information it needs,” Mr Advani said. The Governor, too, has sent a report to the Centre.

On complaints of largescale human rights violation in the state and an indictment on this score by

the NHRC, Mr Advani said “NHRC is a very august body (whose) recommendations are treated with respect by the government.” The post-Godhra toll in Gujarat, going by official figures is 824 dead and 2,385 injured till date. Of this, 656 people died in rioting and the rest in police firing. On valuation of the loss of property, he said 10,280 houses, more than 12,000 shops, 2,658 cabins and 3,002 vehicles had been torched since 27 February.

Raising a supplementary, jurist and nominated MP Mr Fali S. Nariman wondered

why NHRC's recommendations were being brushed aside by the government, adding, “(you) might as well abolish NHRC”. While the home minister brushed this aside, he said suggestions from a legal expert like him are welcome.

The Rajya Sabha Chairman today signalled the end of the week-long impasse over Gujarat, admitting an Opposition-driven censure motion on the subject, slated to come up for debate and voting in the Upper

House on 2 May. The Lok Sabha votes on it on Tuesday.

The issue will now be discussed in both Houses under a similar rule entailing voting, and the government is likely to face an embarrassment in the Upper House where it does not have a majority.

The draft notice for a censure motion served by Rajya Sabha Leader of the Opposition Mr Manmohan Singh reads: “This House expresses anguish over

MEA fist in velvet glove

NEW DELHI, April 24. — Distressed over “deliberate” leaks of internal reports on Gujarat by some foreign missions, the government today sought an end to political interference in internal affairs.

Following this, expressing “concern” over violence in that state at a press meet today, Canadian minister Ms Stephane Dion clarified this concern should not be interpreted as interference. UK high commissioner Sir Rob Young also spoke of the violence as a cause for concern.

— SNS

Details on page 6

Editorial: Convictions or pretensions? page 4

Turn to page 6

Gujarat and the Islamic world

By C. Raja Mohan

If violence continues in Gujarat, the anguish in the Islamic world will turn into anger in the not-too-distant future.

HD-10 25/4
DURING A week-long visit to Saudi Arabia where we had the opportunity to interact with a cross-section of the elite in the capital Riyadh and the port city of Jeddah, few Saudis mentioned the word Gujarat. For, the Saudis are too sophisticated and courteous to directly bring up the question of the communal carnage in Gujarat with their Indian guests. They have not raised the issue formally either with the Indian Embassy in Riyadh or with the visiting group of journalists. But there is no doubt about the anguish in Saudi Arabia, as elsewhere in the Islamic world, on what the continuing trouble in Gujarat means for the future of India.

At a meeting with the members of the Majlis-e-Shoora, the Saudi Parliament in the making, the conversation was extraordinarily warm and friendly. As we took leave, after formal goodbyes, one of the Saudi members of the Majlis walked up to us and said he wanted us to take back a message. "You have a lot of friends here who want to see India prosper and become a major power... but for God's sake bring the communities together and don't let the politicians stir up more violence." The word Gujarat was still not mentioned... but the message was quite clear.

The protracted communal violence in Gujarat is beginning to shake the confidence of the Islamic world in an India they have known for so long and been comfortable with. It is an India that is "a congenial home to all religions and cultures". None of the Islamic countries might practice religious freedom or pursue the notion of secularism that India had been known for. But India will be judged by its own standards, and rightly so. The image of India teetering at the abyss of an extended communal conflict is causing profound unease in the Islamic world. At this moment, the growing concerns remain unstated at the formal level. But, if violence continues in Gujarat, the anguish in the

Islamic world will turn into anger in the not-too-distant future. At that moment, the current criticism from the Europeans will look a minor episode in the unfolding diplomatic fallout from Gujarat.

As official India responds to the mounting international criticism of the inability of the Narendra Modi Government in Ahmedabad to control the violence and restore a semblance of order

WORLD VIEW

to return the State to the rule of law, one can only feel sorry for the Foreign Office. For nearly four years, India had an unbelievably positive run on the external affairs front. Since the nuclear tests of May 1998, Indian diplomacy had transformed New Delhi's standing in world affairs, reconfigured its relations with all the major powers and expanded its influence in its neighbourhood both to the East and the West. But it will have to count the diplomatic costs of Gujarat and the first serious possibility of the unravelling of India's post-Pokhran foreign policy.

Forced on to the diplomatic back foot for the first time in four years, the Foreign Office will look and sound miserable in defending the indefensible in Gujarat. All the usual diplomatic tricks of the trade — the emphasis on sovereignty and non-interference in internal affairs and the questioning of the record of those who speak up — will sound hollow so long as the violence continues in Gujarat. Diplomacy can at best contain damage from negative internal developments and it can enhance the external effect of the positive internal change. It cannot turn what is black at home into white abroad. The Europeans had waited for weeks to see if there was a political will in New Delhi to bring the situation under quick control. But as the

forces of Hindutva revel in their communalism, the BJP strategists talk of riding back to power through politics of hate, and the Prime Minister and Home Minister bury their heads in sand it is inevitable that the world will speak up.

The decent interval is over; and the world will begin to point fingers at India. The United States, usually the

first one to speak up in such circumstances, has held its peace, thanks to the dramatic improvement of Indo-U.S. relations in the past year. But not even the U.S. Ambassador, Robert Blackwill, will be able to hold Washington back for too long from going public with its criticism of the BJP Government's handling of the situation in Gujarat. But nothing will hurt India more than the protests from its friends from the Islamic world.

For now, most Saudis want to believe that what is happening in Gujarat is an "aberration", an unfortunate departure from the general rule of peace and harmony between Hindus and Muslims in India. But the Narendra Modi Government in Gujarat and the BJP-led Government at the Centre are making it difficult to even pretend that Gujarat is an aberration. A leading Saudi businessman suggested to the Indian journalists that Riyadh would prefer not to be dragged into the internal controversies afflicting India. But if the communal hatred continues in Gujarat, and the rest of the world starts protesting against it, it will be increasingly difficult for the Governments of the Islamic world to keep quiet in the hope that Gujarat will just disappear.

Ironically, one of the main achievements of the Vajpayee Government has been its unprecedented success in engaging the Islamic world. Despite

their initial suspicions of the BJP's reputation as a Hindu chauvinist party, most countries of the Islamic world found that they could continue to do business with India under the leadership of Mr. Vajpayee. Notwithstanding the expanding links between India and Israel in recent years, the Islamic world found India a valuable partner. When the External Affairs Minister, Jaswant Singh, visited Saudi Arabia in January 2001, he told a local newspaper in an interview that there was no aspect of Indian life that had not been influenced by Islam. And when Mr. Vajpayee spoke to the Majlis in Tehran exactly a year ago, he declared that Islam was an integral part of Indian society. The absence of communal tensions in India until recently convinced the Islamic world that India would retain its secular principles under the BJP.

As a result India successfully laid the foundations for new strategic partnerships with key Islamic countries such as Turkey, Iran and Saudi Arabia, all of whom had enjoyed special relations with Pakistan in the past. For the first time in decades, India was poised until Ayodhya and Gujarat, to pull itself up and away from Pakistan in the eyes of most Islamic nations. New Delhi had begun to neutralise the Islamic world in its conflicts with Pakistan and increase its own weight in the calculations of key nations in the Persian Gulf and the Middle East.

But if the communal violence in Gujarat is allowed to persist, and India is seen as making a fundamental departure from its traditional path of secularism, New Delhi would begin to squander the strategic advantages it had built up in recent years. More fundamentally, the national strategic objectives of managing the tensions with Pakistan and carving out a larger role for itself in the region and the world would become elusive. An India that actively foments a civil war between Hindus and Muslims at home will count for nothing abroad.

11-10 Criminal Class 24/4

If Gujarat is the great laboratory state of Hindutva and Narendra 'Newton' Modi its scientist-in-chief, then the 'experiments' being conducted there over the past month and a half are getting ever more macabre every passing day. The latest guinea pigs at the receiving end of Mr Modi's bone-chilling new 'science' are schoolgoing children. The first step in this direction was Mr Modi's decision to somehow push through board exams in Gujarat, ignoring protests that with no sign of peace returning to the state — and thousands of Muslim refugees still marooned in relief camps unfit for human habitation — it would be a travesty to expect minority students to write their papers. Then came the careful segregation of the experimental 'subjects': A physical relocation of examination centres from minority-dominated areas to those where students of the majority community would ostensibly feel secure. The 'rationale' was two-fold. First, a 'successful' conduct of the exams could be presented as empirical proof to the outside world that normality had at last been restored to Mr Modi's laboratory. This in turn would pave the way for an even grander undertaking: To observe and record how the electorate of Gujarat might want to vote after lethal doses of communal hatred have been clinically injected into the body politic. Second, to tell the 'control group' of Mr Modi's experiment, the minorities, one more time that, rajdharma or no, the state government could not care less about their continuing plight.

However, the crucial final step in this enterprise — which some in Mr Modi's own peer group have codenamed 'the final settlement' — has just been unveiled. This has to do with the content of the exam papers. In the higher level English language exam of the Gujarat Higher Secondary Education Board on Monday, for instance, students were asked to 'rephrase' the conditional imperative, "If you don't like people, kill them" by "removing the 'if' ". In another section of the same paper, they were invited to combine several disjointed sentences — describing 'the final solution' proposed by the Nazis vis-a-vis the Jews — into one sentence. As traumatised students in examination halls and horrified parents outside grappled with the genocidal morality of these 'problems' in grammar, the state education minister, Anandibehn Patel, could not understand what the fuss was about. Rejecting the suggestion that the 'problems' had anything to do with the current pogrom in the state, the minister clarified that the exam paper had been 'set' in August last year. By way of a wholly detached conjecture — worthy of a true scientist — she wondered whether the intent behind the 'problems' was not simply to elicit a moral response from the students. It is of course no one's case that teenaged students, old enough to comprehend the world of adults, should be shielded from 'uncomfortable' moral and political doctrines. If anything, they must intellectually and morally engage with such ideologies of hate because that is what they are faced with in their own daily lives in Mr Modi's laboratory state. But to throw them at the students in a matter-of-fact and de-contextualised manner in a grammar exam suggests a perverted mindset that attaches little sanctity to human lives. These columns have long argued against the saffronisation of education. In Gujarat, what the students were confronted with this week was its next logical stage: Not just the communalisation but the criminalisation of education.

TUESDAY, APRIL 23, 2002

THE LAST STRAW

9-minute

THE OUTBREAK OF communal violence in Ahmedabad and elsewhere on Sunday, after a brief respite, flies in the face of the Narendra Modi regime's repeated assertions of 'business as usual' in Gujarat after the Godhra carnage and its more horrendous aftermath. And this, ironically, at a time when the Defence Minister, George Fernandes, on a visit to the State, was claiming a vast 'improvement' in the law and order situation. The fact that such mob communal attacks should recur in the State's capital, and that too more than 50 days after the Godhra incident (which triggered the violent and indefensible backlash), is simply outrageous. Clearly, the Modi administration, which stands thoroughly discredited and widely condemned on several counts for the way it has handled the post-Godhra developments, has done precious little to give a better account of itself as a responsible and responsive Government. In a sense, Mr. Fernandes' statement that the Army would be there in the State to assist the civil authorities as long as required should be reassuring. But, whether their presence makes an impact or not depends crucially on how willing and imaginative the civil administration is in deploying the defence personnel. Considering that communal embers continue to burn in different parts of the State, even if on a relatively much reduced scale, in spite of the Army's presence, and given the known proclivities of those heading the Government, serious misgivings are bound to arise on this score.

In fact, the Prime Minister, Atal Behari Vajpayee's words of counsel on 'Raj Dharma', tendered during his one-day visit to the State, had raised some hope — feeble, though — of Mr. Modi becoming alive to his constitutional obligations as the head of Government and addressing the basic relief and rehabilitation concerns of the thousands of riot-hit people. But all that was dashed once the BJP's national executive (at Panaji) lionised Mr. Modi and swore by his aggressive hardline Hindutva line, with Mr. Vajpayee himself backing him to the hilt against a ground-

swell of opinion from within the ruling coalition and the Telugu Desam Party that Mr. Modi must be asked to step down in the national interest. Whether it is providing the life-sustaining facilities at the relief camps where the homeless Muslims are sheltered or giving them jobs or helping them build new homes, the Government has been singularly insensitive. Much is made of the 'smooth' conduct of the Secondary Board examinations in the riot-hit districts and the 'substantial' participation of children from the relief camps, facilitated by the high security transportation provided by the Government. The questionable credibility of the attendance-related official statistics aside, there is certainly something perverse about making the uprooted and traumatised children take the examinations at this stage and then 'flaunting' their participation as proof of 'normality' having returned.

The task of restoring communal harmony and amity necessarily calls for collective effort, with participation from all sections of society, and there is no disputing it. In the current Gujarat context, the immediate objective has to be gaining the confidence of the riot-hit families, whichever community they might belong to. Yet, for such an endeavour to be meaningful — let alone fruitful — it is imperative that the overall atmosphere is not vitiated especially by the presence of a notoriously partisan Government. What happened to the 'peace initiative' taken recently by well-meaning Sarvodaya activists in Sabarmati Gandhi Ashram should be a pointer. For his part, Mr. Vajpayee has (at a function in Assam) said that the perpetrators of violence in Gujarat would be brought to justice, irrespective of their religious, caste or political affiliations, the suggestion being that the Government will be tough against miscreants and, two, the action will be non-discriminatory. If the Prime Minister's declaration is to carry conviction in both respects, and if the call for collective and concerted confidence-building initiative is to make any sense at all, there has to be a leadership change in Gujarat as an essential first step.

DEPUTY SPEAKER'S DECISION TODAY ✓

BJP ready with strategy if ruling favours Opposition

By Neena Vyas

NEW DELHI, APRIL 22. The parliamentary deadlock is expected to end tomorrow when the Deputy Speaker and presiding officer of the Lok Sabha, P.M. Sayeed, will decide under what rule the discussion on the Gujarat violence will be conducted in the House.

And the buzz around the corridors of power here today is that if the chair decides in favour of a discussion under Rule 184, the Government could consider bringing in a confidence motion "which would automatically get precedence" and would also help bring together the doubting Thomases among the allies and supporting parties of the Government as none would like the Vajpayee Government to fall.

Mr. Sayeed made it clear today that in the absence of a consensus in the House and the continuing deadlock — Parliament has been adjourned every single day since the start of the second part of the budget session on April 15 — he has been left with no option but to give a ruling to decide the issue. All political parties across the board have already said that they will accept whatever decision the chair takes.

The Opposition parties have been insisting on a discussion under Rule 184 in the Lok Sabha, which entails voting, while the ruling parties have offered a discussion un-

der rule 193 at the end of which there is no vote. Both sides have quoted rules and precedents to establish that their view is the correct one. Throughout the day, after both Houses of Parliament were adjourned within minutes of assembling, Mr. Sayeed conferred with the party leaders from both sides of the political divide. "There is no consensus and therefore I will give my ruling tomorrow," he told reporters, adding "I will go by the rule book. If the rule is clear, clarity will be shown and if the rule has to be interpreted that interpretation has to be demonstrated as the correct one."

The BJP spokesperson, V.K. Malhotra, made it clear that his party thought a ruling in favour of Rule 184 would be a "bad precedent" as a State subject ought not to be discussed in Parliament. His other objection is that Gujarat has already been discussed in the first half of this very session and that rules do not permit a discussion on the same subject again under Rule 184.

However, the Congress, the Left parties, the Samajwadi Party and the Rashtriya Janata Dal have strongly argued that the killing of 800 or more persons, many of them in their homes and in their beds, is a blatant violation of the very basic fundamental right to life and cannot be dismissed as a "State subject."

It is after the chair's ruling tomorrow that

the Business Advisory Committee of the Lok Sabha will meet to fix a date for the discussion and allot time. Leaders of the BJP have indicated that if the discussion is to be held under Rule 184, they could ask for allotment of time for the debate "after the important financial business, including the passing of the Finance Bill and the railway budget, is completed." That would mean the Government could ward off the debate on the violence rocking Gujarat till the last few days of the session.

It is also being said that the confidence motion strategy would be adopted only if the Government fears that all its political friends, especially the Telugu Desam Party and the Trinamool, may not go along with the Government on the voting under Rule 184. These parties today indicated that much would depend on the exact wording of the motion and they also categorically stated that in any case they would make their stand clear in the House — both are insisting that the Gujarat Chief Minister be removed. "We are steadfast in our stand," the TDP parliamentary party leader, K. Yerran Naidu, said. The BJP has already made some rough Lok Sabha arithmetic and has come to the conclusion that even minus the TDP and the Trinamool, it could comfortably win a vote, provided the Bahujan Samaj party votes with it.

INDEFINITE CURFEW IN AHMEDABAD AREAS

Violence erupts again in Gujarat, 11 killed

By Manas Dasgupta

AHMEDABAD, APRIL 21. Eleven people were killed and 30 others injured in police firing and stabbing as violence engulfed riot-torn Gujarat today even as the Defence Minister, George Fernandes, claimed that the situation was returning to normality in the State.

After a brief lull in the last few days, violence erupted in several parts of the State today, forcing the police to impose indefinite curfew in Gomtipur, Bapunagar and Rakhial police station areas in Ahmedabad,

Kadi town in Mehsana district and Kapadwanj and Mehmada-bad towns in Kaira district in central Gujarat.

Even as Mr. Fernandes was meeting officials and discussing with the people the prevailing law and order situation to assess the possibility of withdrawing the army, several parts of Ahmedabad witnessed group clashes, arson and stabbing which claimed nine lives. A police constable on duty was among those killed in Gomtipur locality where seven people were killed in police firing. One person succumbed to injuries

sustained in a bomb blast following pitched battle between two groups. The condition of three others injured in police firing was stated to be serious.

The police could not give details of the number of rounds fired or the people injured in stone throwing and minor stabbing incidents. Innumerable rounds had been fired in Gomtipur, a police spokesman said, as people dispersed from one area regrouped and resumed pitched battle in the neighbourhood. Initial reports said at least 30 shops and slums had been set afire by the violent mobs.

Indefinite curfew had to be clamped in Kapadwanj and Mehmada-bad where one person each was killed in police firing following outbreak of fresh violence late last night. At least 18 shops in Kapadwanj and nearly a dozen establishments in Mehmada-bad were set on fire. In Kadi, violence broke out following stoning of a temple during the Ram Navmi celebra-

Separate exams

AHMEDABAD, APRIL 21. The Chairman of Gujarat Secondary Education Board, P.V. Trivedi, today said that separate examinations would be held for students of class X and XII in the city who could not appear in the examinations that began on April 18. — PTI

Fernandes to lead peace march

By Our Special Correspondent

AHMEDABAD, APRIL 21. A meeting of prominent citizens held here today under the chairmanship of Defence Minister, George Fernandes, decided to take out a 'peace march' here on April 28. Mr. Fernandes will lead the march.

After visiting Mehsana, Baroda, Godhra and other riot-affected areas, Mr. Fernandes, returned here to chair the meeting before leaving for Kutch to review the situation at the international border with Pakistan.

He said the people of the State were craving for peace and all sections would have to contribute for this.

Later talking to mediapersons, he enquired about the violence in Ahmedabad and other towns and said "some elements" were bent upon fomenting trouble and hoped that the inquiry by the State and the Central Government agencies into the post-Godhra violence would be able to identify them. He advised the media to play a "constructive role" in achieving peace in the State.

The joint statement issued at the end of the meeting and signed by Mr. Fernandes, the Minister of State, Harin Pathak, the president of the Gujarat Chamber of Commerce and several non-government organisations, said all efforts must be

made to restore confidence among the people of the two communities.

'No Army withdrawal'

UNI, PTI report:

Mr. Fernandes said a decision regarding the withdrawing the Army from Gujarat would be taken after discussions with higher Army officials, and lamented that some elements in the State did not want peace to be restored. Mr. Pathak told a TV channel that the Army would remain in Gujarat to help civil authorities to maintain law and order till normality was restored. He said this view emerged at the meeting the Defence Minister had in Ahmedabad today.

tions, forcing the police to open fire in which at least eight people were injured this afternoon.

The disturbances in Gomtipur started last night when groups of people came out on the streets and indulged in stoning. The situation, however, was brought under control with additional police reinforcements. A constable, Amar Suresh Rao, on duty, was stabbed with a weapon and he died on the spot. As violence continued unabated with rival groups hurling petrol and crude bombs, in which one person was killed, police repeatedly opened fire killing seven people.

Violence breaks out in Gujarat again, 7 dead

Times News Network & Agencies

AHMEDABAD: At least seven people were killed, four of them in police firing, as large-scale violence erupted in the Gomtipur area here and in Kheda district on Sunday.

Four persons were killed when the police opened fire on rama-paging mobs in Gomtipur, where one person was stabbed to death and another killed in a petrol bomb attack. The army was deployed and curfew re-imposed in Gomtipur, which had witnessed violence on Saturday also.

One person was killed when the police fired on a mob that had set ablaze houses and shops at Mehmabad town in Kheda district on Saturday night, the police said.

The fresh outbreak of violence came even as defence minister George Fernandes held a peace meeting with members of both the communities on the last day of his "healing mission" to the state.

Sixteen people were injured in mob violence at Mehmabad, necessitating the imposition of curfew in the town, the police said. Twenty-three people were injured, 13 in police firing, in Gomtipur and Kadi town in Mehsana district. Violence also spread to the adjoining areas of Rakhial and Bapunagar police stations and the army was deployed in disturbed localities.

Some houses were set ablaze in Nagpurvora chawl in Gomtipur where ten people, including three women, were injured in clashes and two in the police firing. The police resorted to firing and burst teargas shells to scare away the rioters.



Guilty will not be spared, says PM

DIBUGARH (Assam): Prime Minister Atal Behari Vajpayee on Sunday said those responsible for the violence in Gujarat would be punished irrespective of their religious, caste or political affiliations.

The Prime Minister, who was here to inaugurate the construction for the Bogibeel bridge, said people's lives, property and self-respect would be protected at any cost.

"We are all one. There may be different religions, languages, castes and festivals, but there is unity in this diversity and we unite in times of adversity and crisis," he said.

In an obvious reference to Pakistan, the Prime Minister said, "Some of our neighbours do not want us to remain united, but to disintegrate. However, this hope of theirs will never be fulfilled." (PTI)

The police also burst teargas shells and opened fire to contain violence in Kadi town, injuring 11 people, three of them seriously. The trouble erupted when two groups of people threw stones at each other.

Meanwhile, Mr Fernandes, addressing a peace meeting, asked people of all communities to maintain peace. He cited the example of the Vietnamese people "who have adapted very well to the changed scenario". Mr Fernandes said, "Vietnam had lost lakhs of people in its war against the United States but now they have forged a friendly relationship with the Americans."

The meeting was organised by members of all communities and leaders of all political parties.

Mr Fernandes said that the package announced by Prime Minister A.B. Vajpayee for the violence victims living in the relief camps would soon reach them. Representatives of the business community said they were still to receive financial assistance announced for the earthquake victims, and said shops were yet to open fully in all the areas of the state.

Many lawyers, who also attended the meeting, said the violence had done irreparable damage to the minds of the young children.

Mr Fernandes, who had arrived here from Surat and was scheduled to go to Bhuj, postponed his visit to Kutch following outbreak

of violence in parts of the state. Earlier, Congress and minority leaders had alleged that the Modi government was not doing enough to start the process of reconciliation in the state.

► See Edit: Centre of Trouble, Page 10

Gujarat's shadow worries BSP

By Bhaskar Roy
Times News Network

NEW DELHI: The Bahujan Samaj Party (BSP) is apprehensive of a Muslim resentment against its power-sharing arrangement with the BJP in Uttar Pradesh in the aftermath of the Gujarat riots.

BSP Lok Sabha member Mansoor Ali Khan told this newspaper on Saturday, "After what has been happening in Gujarat, there is a great resentment among the Muslims against the BJP. Some unhappiness over the arrangement in UP is also possible."

When pointed out that the Muslims had voted in large numbers for the BSP, which had fought the UP assembly elections on an anti-BJP plank, he claimed that so far as its commitment to the minorities was concerned, the party had a good track record.

"It will take us a little time to clear the misgivings

about us; we will have to explain the reason," he said. However, he ruled out any large-scale revolt among the party's Muslim functionaries following senior functionary Arif Mohammad Khan's resignation on this issue. The MP reacted sharply to Mr Khan's resignation, claiming that the former central minister had a long history of quitting parties. "Why did he not resign as minister when riots in Moradabad took place?"

Explaining why the BSP MLAs would think twice before leaving the party, Mr Khan said, "Along with the party ticket, we ensure at least 15,000 solid votes for a candidate. So when an MLA leaves, he leaves that basket behind."

Meanwhile, senior BJP leaders Kalraj Mishra and Lalji Tandon met BSP leader Mayawati on Sunday to discuss a common minimum programme for the proposed coalition government.

PM DARES OPPOSITION TO TABLE NO-TRUST MOVE

Decision left to Dy. Speaker as deadlock continues

By Javed M. Ansari and
K.V. Prasad

9 minutes

NEW DELHI, APRIL 19. The meeting of the all-party leaders called by the Deputy Speaker of the Lok Sabha, P.M. Sayeed, failed to break the deadlock in Parliament over the Gujarat issue, with both the Government and the Opposition parties sticking to their positions. For the fifth consecutive day, both the Houses of Parliament were adjourned without transacting any business.

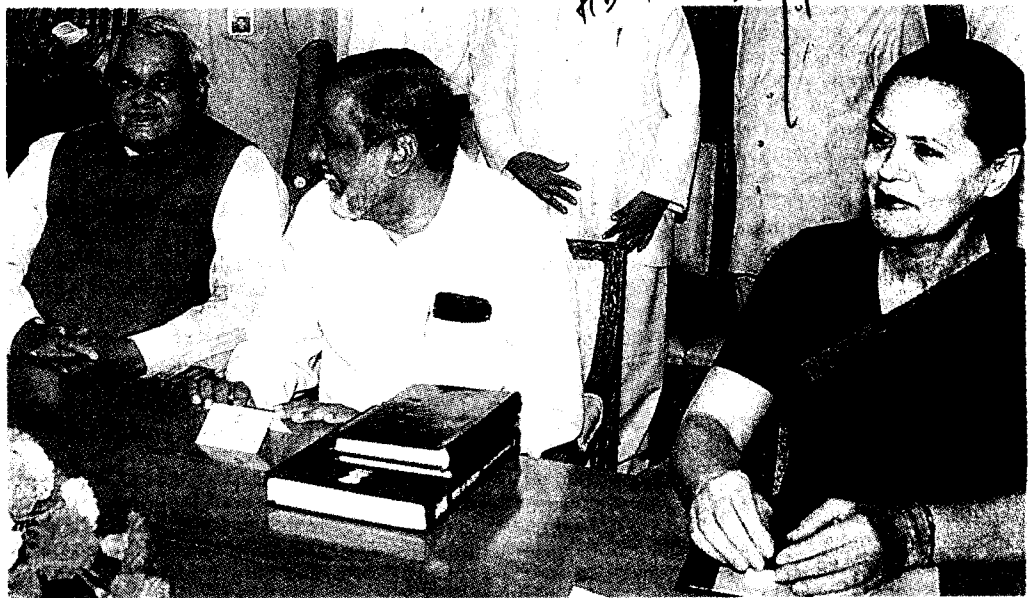
The Government continued to insist that a discussion on Gujarat should be held, if at all, only under Rule 193, which means no voting takes place. The Opposition rejected it and stuck to its demand for discussion under Rule 184 which entails voting.

However, both sides agreed to abide by any decision Mr. Sayeed might take. Mr. Sayeed made it clear that although he could decide on the matter, he would prefer to follow the traditional route of agreement by consensus.

Significantly, the Prime Minister, Atal Behari Vajpayee, suggested that if the Opposition was insisting on voting, it should table a no-confidence motion against the Government. It was seen as virtually daring the Opposition to bring down his Government if it thought it had the numbers. However, the entire Opposition rejected this suggestion pointing out that the Treasury benches "cannot tell us under what rule we should demand a discussion." That was the privilege of the Opposition.

'Shifting focus'

The Opposition parties saw in Mr. Vajpayee's suggestion an attempt to shift the focus away from the "mishandling" of the



The Lok Sabha Deputy Speaker, P. M Sayeed (centre), with the Prime Minister, Atal Behari Vajpayee, and the Leader of the Opposition, Sonia Gandhi, at the all-party meeting in New Delhi on Friday. — Photo: Rajeev Bhatt

Gujarat situation by both the Central and the State Governments. The Opposition later justified its stand saying that it wanted all parties to take a clear and definite stand on an issue as important as the "massacres" in Gujarat. Rule 184 would allow each of the MP to record his/her opinion through a vote.

Articulating the Opposition's stand, the CPI(M) leader, Somnath Chatterjee, said the matter was not a routine issue which could be debated in a short duration discussion under Rule 193. "If the incidents in Gujarat could make the Prime Minister feel ashamed, it obviously is not a simple matter that can be discussed in a cursory manner."

Rule 184 entails a substantive discussion and could stretch for even two days. On the other hand, Rule 193 would mean a discussion with a time limit of two hours.

Another objection raised by the Government was that Gujarat had already been discussed in the first half of the budget session and that it would set a wrong precedent to discuss a State matter in Parliament. This was challenged by the Opposition. "This is not a State matter, it concerns the whole country, the rule book allows for issues relating to the protection of the SCs/STs and the minorities to be raised," the Congress spokesperson, Jaipal Reddy, said.

The Opposition also sought to pick holes in the Government's defence pointing out that when Mr. Vajpayee was the Leader of the Opposition he had pressed for a discussion under Rule 184 on the situation in Uttar Pradesh.

A significant feature of today's meeting called by the Deputy Speaker was the unanimity in the stand taken by the

Opposition parties. Speculation over "dilution" in the Congress stand was put to rest by the categorical position taken in favour of a discussion under Rule 184 by the Leader of the Opposition, Sonia Gandhi. At the meeting this morning, Ms. Gandhi made it clear that there was no question of the Opposition settling for anything less than a discussion under the rules demanded by it.

However, unanimity was conspicuously absent among the allies of the National Democratic Alliance. The Telugu Desam Party insisted on a discussion without specifying any rule, while the Trinamool Congress, the JD(U) and the Lok Janshakti were. However, the Government did find a staunch supporter in the Samata Party — an uninvited guest to the meeting — and the Indian National Lok Dal.

More minority students appear for exams

By Manas Dasgupta

GANDHINAGAR, APRIL 19. The efforts of the Gujarat Government as also of the Defence Minister, George Fernandes, yielded better results today with more students belonging to the Muslim community appearing for the on-going secondary and higher secondary examinations in the State.

The better response by the minority students showed an immediate improvement in the overall percentage of attendance in the examinations. An official spokesman said the attendance increased from 93 per cent on Thursday to 96.16 per cent today, marginally less than the normal presence of about 98 per cent. Encouraged by the Chief Minister, Narendra Modi's assurance, more Muslim parents have agreed to send their wards for the examinations.

Mr. Modi's assurance that the students who missed the examinations in the last two days due to security concern would be given another chance has boosted the morale of the minority students. Officials of the Education Department visited

the relief camps housing the riot-hit Muslims and Muslim-dominated areas. They reassured the parents about security for their wards.

Mr. Fernandes, who arrived in Ahmedabad on Thursday night for a four-day visit to the riot-hit areas in the State, visited a couple of examination

centres to review the security aspects and spoke to students. His request to the parents met with instant response.

For the Modi Government, a peaceful conduct of the examinations would be a major indicator of the return of normality as well as a point in favour for the ruling BJP to con-

vince the Election Commission to hold Assembly elections.

Mr. Fernandes, who met senior Army and Air Force officials to review the law and order situation, called on Mr. Modi here this morning.

Mr. Modi left here today for a two-day visit to Saurashtra. The trip is viewed as Mr Modi's first exercise in the region for the coming Assembly elections.

'T.N. CM remark casual'

PTI reports:

Addressing the industry captains, Mr. Fernandes claimed that the AIADMK chief, Jayalithaa, had not made any demand for the removal of Mr. Modi, saying the AIADMK leader had clarified to him on this aspect.

"The AIADMK parliamentary party leader came to me yesterday in New Delhi and said 'look what the media has made out of Madam's comment'," Mr. Fernandes said.

He said Ms. Jayalithaa had only made a casual remark in reply to a question saying "may be it will be good if Modi goes". However, he said no political inference should be drawn from what he was stating.

SC: Why not supplementary exams?

NEW DELHI, APRIL 19. Keeping in mind the career of thousands of students who could not appear in the Higher Secondary and Senior Secondary examinations due to the prevailing tension, the Supreme Court today asked the Gujarat Government why supplementary tests could not be held for them in June. Hearing a petition filed by the Lok Adhikar Sangh, a Bench comprising Justice B.N. Kirpal and Justice Arijit Pasayat asked the Gujarat Secondary Education Board to tell the court on April 26 "whether supplementary examinations can be held in two months time".

When Board's counsel, P.H. Parikh, tried to explain the difficulty in holding the examinations at a short notice, the Bench said, "please consider the career of the students. If you do not do it, we are going to direct you to hold supplementary examinations for the students." However, on the request of Mr. Parikh, the Bench allowed time till Friday to the Board to put forth its stand on holding supplementary examinations.— PTI

UK riot report may put Modi in the dock

Victims' families could move British courts to try Gujarat chief minister

By Siddharth Varadarajan
Times News Network

NEW DELHI: The Vajpayee government is worried that a scathing report on the Gujarat riots prepared by the British high commission here might form the basis for courts in Britain to indict chief minister Narendra Modi for complicity with the crime—and possibly even genocide.

"We presume the British government will fight any such move, just as it opposed the idea of extraditing Pinochet," said an official, referring to the year-long legal battle by human rights activists to have the former Chilean dictator sent to Spain to face trial for crimes against humanity. "But if the victims' family members move the courts in Britain, there is no telling what might happen."

Although officials say there is no question of the soon-to-be established International Criminal Court looking at the Gujarat massacres—India is not a signatory and the crime will have pre-dated the court's creation in July 2002—a British case is always a possibility. "If I were Mr Modi," said an official, "I would not be in a hurry to apply for a British visa."

British law allows for jurisdiction when crimes are committed against citizens overseas. And since a similar provision was explicitly introduced into the Indian statute books via the new Prevention of Terrorism Act, India would be hard put to invoke national sovereignty if a British court were to make an extradition request.

The Times of India has learnt that at least two human rights organisations and several Indian lawyers in the UK are actively examining the possibility of moving the British courts against Mr Modi and senior leaders and officials of the Gujarat government for their alleged "role" in the killing of three British citizens.

So far, only the death of one of the three is being acknowledged by the Modi government, while the other two are considered "missing".

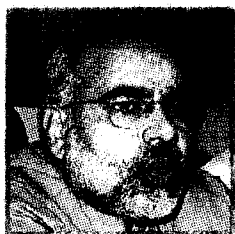
A fourth British Muslim man was seriously injured. "Based on all that has emerged so far," said one London-based Indian lawyer, "a strong case can be made out for the complicity of the state's leadership." She said that reports of senior Gujarat ministers taking over police control rooms and preventing officers from saving lives "will help establish the chain of command right to the top".

What apparently has the Vajpayee government worried is that the British high commission's internal riot inquiry report also seems to support the charge that the riots were planned and that the police connived with the killers. Any British court which takes up the case is likely to subpoena the report and use it to pressure

the Blair government to ask New Delhi to act.

"Don't forget the courts there took a tough stand against Pinochet even though he was not charged with killing any British citizens," said an official. "But the rioters in Gujarat have actually killed Britons."

► See Edit: Testing Times, Page 10



Parliament deadlock continues

Times News Network

NEW DELHI: A solution to the deadlock in parliament remained elusive despite deputy speaker P.M. Sayeed's effort to bring the warring sides together to end the logjam over the mode of debate on Gujarat. The meeting of the group leaders in his chamber on Friday morning only pinpointed the sharpening of the divide, with the opposition sticking to its demand for a censure motion entailing voting.

While the opposition parties made clear their intention not to budge from the demand for the Gujarat debate in the Lok Sabha under Rule 184, some of the NDA constituents were also unhappy with the government's hedging.



A woman describes her experiences to defence minister George Fernandes at the Bapu-nu-ghar refugee camp in Ahmedabad on Friday. Mr Fernandes is on a four-day visit to the state to assess the need for continuing army deployment after the riots.

Army will remain in Gujarat for another two weeks

Times News Network

GANDHINAGAR: The army, which was called out in Gujarat following the outbreak of the riots, will not be withdrawn for at least another two weeks. This was decided upon after the two rounds of meeting that defence minister George Fernandes had with chief minister Narendra Modi on Thursday and Friday.

"Although the situation is now more or less normal, we think the presence of the army is still essential,"

additional chief secretary (home) Ashok Narayan said on Friday, adding that a decision in this regard would be taken only after the board examinations for the standard X and XII students were over. "We will review the law and order situation once the examinations are over in early June. The army can be asked to leave Gujarat only after taking into account different factors, like the psychological factor and a sense of security returning to the people," he said.

Thousands miss Gujarat exams

Statesman News Service

GANDHINAGAR, April 18. — Nearly 4500 students failed to appear for their Class X examinations in Ahmedabad today, despite unprecedented security arrangements by the government.

The officials claimed that the boycott call by some Muslim groups had failed on the face of 93.13 per cent of the students in Ahmedabad city taking their exams on the first day.

A total of 63,350 students were scheduled to appear in Ahmedabad and 59,233 finally finished their papers. In Ahmedabad (rural)

out of a total of 11,477 students, 10,701 appeared. In Vadodra, out of a total of 22,234 students, 21,799 turned up for their examinations. Significantly, at Godhra, only one student out of 572 did not appear.

Examinations for Class XII were held in the afternoon with the government claiming that the examinations were held without any hitch. The education minister, Mrs Anandiben Patel, claimed that attendance was a "high" of 93 per cent for Class XII examinations.

For the Modi government, it was imperative to show a semblance of "normalcy" in the state by ensuring that the examinations, postponed due to riots in nine

cities and towns, were properly held under the new schedule.

Reports from Himmatnagar, Jamasar, Modasa, Bharuch and other centres like Sabarkantha were not available.

In Ahmedabad, nearly 10,000 students from the minority community were scheduled to appear for these examinations, some even from refugee camps. Muslim leaders claimed that the attendance was less than what has been announced by the government, adding they were collecting the admission cards to prove their point.

Turn to page 6

GUJARAT EXAMS:

(Continued from page 1)

The minister of state for home, Mr Godharn Zaphadia, said "full security" will be provided to students and asked them to come to the examination centres.

The government also ensured transport facility for students and videographed visitors outside the centres to ensure that no disturbance took place during the examinations.

Fernandes in Gujarat: Mr George Fernandes arrived in Ahmedabad tonight on a four-day long "healing mission" during which he is likely to review the deployment of Army in the state, adds PTI.

His visit assumes significance in the light of the fact that he is also the NDA convenor and several key allies are mounting pressure on the Centre for removal of Mr Narendra Modi — a demand which BJP has strongly rejected.

According to official sources, Mr Fernandes would visit violence-ravaged places like Mehsana, Godhra, Baroda, and is expected to hold discussions with Mr Modi tomorrow as well with leaders from various communities.

THE STATESMAN

GAGGING THE PRESS

Modi Intimidates Press To Cover Up Carnage

By SAJEDA MOMIN

5-9 187A

It is in the nature of fascist, totalitarian organisations to make freedom of expression the first casualty. The aim is to remove all opposition to the regime by preventing people and institutions from expressing their views or criticising policies. Fascism inherently means destruction or fettering of institutions, which play a role in the checks and balances of a democracy. The press or the fourth estate, as it is often termed, is a vital pillar of a democratic polity and acts as the conscience of the nation. There are umpteen examples both in history and in present day societies where a free press is muzzled or even crushed at the hands of totalitarian state power.

Established tradition

Nazi Germany under Hitler or Italy under Mussolini are perhaps the first that come to mind when one thinks of curtailing freedom of speech or expression. The Soviet Union or Communist China also do not lag too far behind when it comes to crushing criticism of ideology. Many of the autocratic regimes in West Asia today like Saudi Arabia, Iraq, the Gulf states, have a fettered press. Criticism of the government or the administration is not brooked. Even neighbouring Pakistan, which has experimented with on-off democracy has a band of active journalists who are kept on a tight leash every time a dictator comes to power.

India, on the other hand, has prided itself on its democratic political system and along with it has had a long established tradition of a free and fair press. The only aberration was the infamous emergency of Indira Gandhi. She tried to restrain and censor newspapers, which were telling her the truth and paid the price for it by losing the election.

More recently, the Indian press has come under pressure from another quarter, the BJP, which has accused the media of being irresponsible and fanning communal violence. Narendra Modi the chief minister of Gujarat, who fiddled while his state burnt, blamed the media for the continued violence unleashed by his beloved VHP on helpless Muslims. He was obviously expanding on his version of Newton's theory of action and reaction being equal and opposite. It was because newspapers and TV channels

The author is Assistant Editor, The Statesman.

showed images of VHP hoodlums burning, looting and killing Muslims and their homes and businesses, that the VHP became angry and decided to go out and burn, loot and kill some more, or so Modi would have us believe. According to Modi's logic the perpetrators of these crimes should not be blamed because after all it was a natural and spontaneous reaction. Instead, the real culprits were the media

crossing-checking and asking questions; journalists are expected to swallow what the chief minister dishes out.

A journalist working in Gujarat for another national daily received a phone call from the Chief Minister minutes after he returned home from investigating a story which would damage the *bramhachari* status of Modi. "What is your agenda" asked an angry Modi who then went on to try to intimidate and



and hence it was just for him to ban Star News in Gujarat. Modi's attempts at muzzling the press do not end here. He has threatened, intimidated, had tailed, manhandled, tried to bribe, and even had journalists he didn't approve of beaten up in an attempt to have his way. Here are a few instances in the last month to illustrate the point.

"What is your agenda"

A correspondent of this newspaper was manhandled by Modi's securitymen on the instructions of his personal assistant when he went to confirm the news of the brutal killing of the former Congress MP Ehsan Jafri. When the determined correspondent returned the following day to collect more information he was pushed out of the gates. Obviously Modi's version of responsible journalism means avoiding

bribe the journalist. For him to have received the call at that precise moment, and much before he had even begun to write the story, suggests he was being tailed.

The most visible form of intimidation took place at Sabarmati Ashram a few days ago when journalists were beaten up for doing their job. The print and TV journalists had gathered at the ashram to cover a peace meeting, when a mob of BJP and some Congress youths tried to disrupt the meeting using the presence of Medha Patkar, leader of the Narmada Bachao Andolan as an excuse. Instead of lathi-charging the mob, which was manhandling and kicking Medha Patkar, the police turned on the Press with their lathis. Interestingly, the two cameramen who were the most severely injured were those of *Star News* and *Aaj Tak*, the two channels, which had shown the most

gruesome footage of the excesses in Gujarat. Can this be only a coincidence?

To add insult to injury, the offending policemen filed an FIR accusing the journalists of illegally assembling at Sabarmati Ashram and obstructing them in their duty. In fact the journalists were lawfully doing their job, but instead of turning on the mob, taking the law into their hands, the guardians of the law turned on the media. If Modi believes that such intimidatory tactics will intimidate the Press, he has a lot to learn.

Advani brand of "ethics"

Modi is not alone in his criticism of coverage of the massacres, there has been a barrage of complaints emanating from top BJP leaders. Is it because they have been caught on camera doing things they hoped the world would not find out? Soon after the Sabarmati Ashram incident Modi's mentor and Union Home Minister LK Advani tried to teach ethics to a meeting of journalists in Tirupati. "Sometimes speaking the truth may not be an act of responsibility" cautioned Advani.

The Advani brand of 'ethics' and 'responsible' journalism was witnessed by journalists including myself present at Ayodhya on December 6 1992 as we watched the Babari Masjid being demolished brick by brick. The first assault on the mosque was combined with a simultaneous assault on the press. As one group of kar sevaks attacked the 400 year-old mosque, another group attacked cameramen and photographers with bricks leaving some bleeding from the head.

Cameras were broken, rolls of film snatched and destroyed, handbags of women journalists searched and notebooks ripped up. A frightened band of some 200 odd journalists from all over the world quietly watched the destruction for five hours as their democratic rights were obliterated by VHP's very own kar sevaks. Perhaps this is what LK Advani means by responsible journalism because he too was present in Ayodhya on that fateful day watching the destruction, and he did nothing to stop either.

A fettered and terrorized media is the first step on the road to fascism. At a time when in Gujarat we have seen a savage attack on the fundamental character of Indian secularism and democracy, it is only the media and the Army, which have done their duty.

Finding the right pair of shoes in the loot

The delegation spoke to several eyewitnesses of the looting of big shops. A well-known artist in Ahmedabad described... how a neighbour had returned with a car full of looted goods... All the reports of looting in the posh areas of the city indicated that it was not the poor but the well-dressed middle class, including women, who participated. However, we could not visit any of the colonies where these looters reside so we were unable to actually get an idea of the numbers ... involved. In one reported incident a woman went into a shoe shop while her husband waited in the car. The shoes she brought out did not fit him so she went in again to change them! Whether this particular story is true or not, it captures the amoral greed of supposedly educated people which was on full display for at least two days in Ahmedabad. The political platform of *Hindutva* directly encourages criminal acts directed against "the other" and converts looted goods from Muslim properties into trophies to be displayed as "politically correct status symbols"...

In Gujarat there are more affluent sections of the minority community than in any other state. The attacks have broken the economic spine of the community... For example, Ahmedabad is dotted with the burnt remains of...over 700 small and big hotels owned by the Muslim Cheliyar community. Lists of these hotels ... were reportedly in the possession of the arsonists. That explains how they could so easily identify Muslim properties. In many rural areas, sections of particular sects of Muslims are money lenders or traders and

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 Extracts from the report of a visit to Gujarat by the CPI(M) central committee and the All India Democratic Women's Association, March 2002

ration shop owners giving loans to tribal and other poorer sections. Survivors testified to the delegation that VHP groups trucked in tribals to loot and burn. These



Morally ruined

are clearly a cynical manipulation of feelings generated not by communal but by economic concerns. The RSS and its "Vanvasi" organizations have been extremely active in promoting communal divisions among the tribal communities which was earlier witnessed during the violence against Christian tribals. This base is now being used against Muslims...

The testimonies of the victims ... reflect a level of savagery that is truly shocking. Ahmedabad has seen many communal incidents and riot-

ing. But everyone said they had never known of so many cases when children and women were burnt. The delegation spoke to many women who had been injured and attacked while trying to save their children and husbands... The number of dead and the property burnt is far greater than estimated by the state government. There are serious doubts about the compensation since even 10 days after the mass burnings, killings and looting there is little effort to record FIRs. Worse still, the terrible insecurity felt by the minority community makes a mockery of the concept of rehabilitation. Where would the homeless and the violated be rehabilitated? Today the displaced families believe they can never go back to the areas or the villages where they lived. It would require a fundamentally different political situation and government which would guarantee that Muslims could live in peace and security.

According to government estimates, there are at present almost one lakh people in relief camps...The condition of the camps continues to be horrible. Trauma and grief pervades the camps. Yet students of class X and XII are expected to start giving their board exams on March 18. When the earthquake hit Gujarat in January last year, the government correctly made allowances for students in affected areas and postponed the examinations for another two months. Yet there is no such sympathy today. This means that students...who live in affected areas along with those in the camps will be forced to miss at least one academic year or risk failure.

TO BE CONCLUDED

Accused: minister in Modi govt

FROM SUJAN DUTTA

New Delhi, April 16: A minister in the Narendra Modi Cabinet in Gujarat has been accused of leading mobs that torched and burnt houses in an Ahmedabad locality in complaints lodged with the Ahmedabad police commissioner.

The incidents took place on February 28, the day after the Godhra killings when the VHP called a Gujarat bandh. The bandh call was supported by the BJP.

So far, the allegation against the Modi administration has been that it had tacitly backed the pogrom in the wake of Godhra. But the written complaints lodged with the Ahmedabad police commissioner, if true, will mean that members of the Modi government directly incited the violence.

A total of 13 complaints allege that the Gujarat minister for revenue, Haren Pandya, led mobs in his constituency Ellis Bridge in Ahmedabad. Pandya refutes the charge.

"So far, there has been no death in my constituency. So far, there has been not a single FIR against me. (These allegations) are not at all true. You can also ask the police commissioner. Complaints that are not backed by FIRs and police investigations mean little," Pandya said when asked for his version. He also explained why he would not participate in such violence but requested that part be kept off the record.

The Ahmedabad police commissioner, P.C. Pande, was not available at home, in his office or on his cellphone till late tonight.

Allegations that the police did not accept FIRs naming the perpetrators of violence are further buttressed by these complaints. One complainant

has specifically written that he did go to the police station to file an FIR but the police did not accept it.

There are 12 complainants in one incident that occurred around 12.30 pm on February 28. They have filed the complaints separately. Each complaint is dated March 18 and is acknowledged to have been received on April 6.

Here is a gist of the complaint (written in Gujarati): "On February 28, 2002, at about 12.30 pm a violent mob gathered near Gandhi Travels. This mob first destroyed Gandhi Travels, then Hotel Aram and then Hotel Hans Inn and burnt them down. Thereafter, the mob came towards Mohlatwad. The mob was carrying deadly weapons like pipes, swords, knives and containers of inflammable liquid like petrol, diesel, kerosene. Initially, the mob pelted stones at our Mohlatwad residence because of which we fled and took refuge in Vankarvas, just behind Mohlatwad. Shri Amrutbhai and Valjibhai, residents of Vankarvas, saved our lives. The mob looted our households and all the houses were burnt down. We have seen the following persons in the mob: Haren Pandya, MLA, Ellis Bridge, Paldi; Bhadio alias Patel of Kochrab village; Sailesh (cycle parking attendant), Baldev Rabari who lives near Paldi petrol pump, Bholio from Aman Auto, Paldi village, Amrit Travel Wala and others."

All the 12 complainants were residents of Mohlatwad and are now sheltered in refugee camps.

QUOTE

A big mob, with weapons, led by minister Haren Pandya had come

A COMPLAINT

The second complaint is more specific in that the complainant says he was not allowed to file an FIR. Fazalbhai N. Gandhi, a trader who lived in Tarana Apartments opposite Jethabhai Bus Stand, Narayan Nagar, Paldi, says the incidents occurred between 2 and 6 pm on February 28.

A gist of the complaint: "On February 28, as there was a Gujarat bandh, I remained at home. On that day, around 2 pm, a big mob with weapons led by minister Haren Pandya had come. Among those in the mob were the owner of Sidharth Provisions and Rinku Sardarji and their friends from the Shantivana Society (a well-known residential complex in Narayannagar). The mob pelted stones on our flats and also hurled burning rags inside and I could leave only around 5.25 pm. I had gone to Ellis Bridge police station on March 11, 2002, to give a written complaint but they did not record it the way I wanted them to. The police did not want to record the people I was naming. Now that curfew has been lifted, I am making this complaint."

The complaint is dated March 20, 2002. It was received in the police commissioner's office on April 5. Fazalbhai N. Gandhi adds: "I had gone to see my flat on March 19 when somebody came and told me 'your flat has been burnt down; if you come again, you will be burnt too'. I also complained about this incident to the deputy commissioner of police on telephone number 3225867 and requested for police protection."

The Ellis Bridge police station also recorded an FIR on the incidents on March 1, 2002 (C.R. no. 121 of 1/3/2002) but named no names.

■ Ribeiro sees communal virus in police, Page 6

IS THIS ALSO THE FACE OF THE ADMINISTRATION?



A rioter brandishes a stick during the violence on February 28. (AFP)

Rape horrors in report

The horrors of Gujarat continue to send shockwaves in reports prepared by civil rights groups. The latest — sponsored by Citizens' Initiative, Ahmedabad — details the violence on women. The following are testimonies that are violently explicit and not fit for the eyes of children.

*The mob started chasing us with burning tyres after we were forced to leave Gangotri society. It was then that they raped many girls. We saw 8-10 rapes. We saw them strip 16-year-old M*****. They were stripping themselves and beckoning to the girls. Then they raped them right there on the road — Kulsum Bibi*

*I saw F***** being raped by Guddu Chara. (Name deleted) was about 13 years old. She was a resident of Hussain Nagar. They put a rod in F*****'s stomach. She was later burnt. 12-year-old N***** was also raped. The rapists were Guddu, Suresh and Naresh Chara and Haria. I also saw Bhawani Singh, who works in the state transport department, kill five men and a boy — Azharuddin, 13 years*

It started at 9 am on February 28. That's when the mobs arrived...I ran out of my house with the entire family... there were 11 of us. In the melee, I was separated from my wife. What happened to her, she told me later. She tried to escape the mobs by leaping over the wall. But found herself in a cul-de-sac. They gangraped her, and cut one arm — Naimuddin Ibrahim Sheikh

Gujarat as part of the Hindutva project

9-
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As this report shows this was possible because everywhere the police accompanied the VHP-led mob. There is also enough *prima facie* evidence, some of which is available in this report, to show the complicity of the top leaders of the ruling party, elected members and even ministers in the attacks... The government claims ... that it controlled the violence within 72 hours. Seventy-two hours of freedom to loot, kill and plunder is long enough to destroy a whole community. Moreover, the violence is not yet over. Even the governor in our talks with him admitted that the attacks went on for longer, although according to him "there were no killings." At present the army is on standby to leave the state. Senior administrative officials were apprehensive given the coincidence of Muharram and Holi at the end of the month. The delegation had demanded that the army not only remain in Gujarat... till the end of the month, but that it increases its presence in some of the affected rural areas. Even today, there are reports that fresh violence has occurred in some districts.

The pattern of violence and targeting of Muslim-owned properties ... show careful planning. We were told that house checks in the guise of census data collection had been done only recently. The use of cranes, shovels and even trucks to demolish walls were not by any definition "spontaneous". The most shameful as also blatant example of state complicity is the demolition, levelling and then tarring over of the *mazhar* of a most revered Sufi poet, Wali Gujarati. The delegation could not make out where it had

Extracts from the report of a visit to Gujarat by the CPI(M) central committee and the All India Democratic Women's Association, March, 2002

stood so complete is its destruction. The destruction of *masjids*, 44 in Ahmedabad according to one estimate, were done with the help of trucks and perhaps bulldozers.



A 72-hour aberration?

Clearly, the symbols of religious identity were to be destroyed. Analysts have compared the events in Gujarat to those following the assassination of Indira Gandhi when thousands of members of the Sikh community were killed and property destroyed in several parts of the country under the leadership of the then ruling party. However, as clear from this report, the comparisons are limited. In Gujarat the events are the bloody harvest of years of the systematic spread of communal poison and hatred against minority communities both

Muslim and Christian by the ... *sangh parivar* in the implementation of the political slogan of Hindu *rashtra*. The report contains a young woman B's story. The area in Randhikpur village where this atrocity occurred is the same area where the VHP and the Bajrang Dal had attacked a whole village in early 1999 because they suspected that the village was sheltering inter-community couples (two Hindu girls and two Muslim boys) who had got married. Three hundred and fifty Muslims... had been forced to leave the village... There was a vicious campaign against them. A few months later the next target was the Christian community which was attacked in August 1999. It was reported at that time that 5,000 VHP and Bajrang Dal members had attacked Christian houses for ten hours while the police took no action. The main areas affected in the current round of violence outside Ahmedabad have even earlier witnessed mob violence organized by the VHP against minorities in the last few years. The delegation was given copies of inflammatory leaflets brought out over the years by the *sangh parivar* that in any secular state would have put the publishers behind bars. These leaflets were widely used by the *kar sevaks* in the current mobilizations on the Ayodhya issue. The delegation found one such leaflet dated August 18, 2001 from the burnt carriage of the Sabarmati Express. It is for these reasons that the violence in Gujarat is not a 72 hour aberration as made out by the government but an ongoing project of the Hindutva forces.

TO BE CONCLUDED

The guilty sound of silence

Reassessing Hindutva

9 minutes

IN most crimes, the guilty can be divided into two categories. There are those who commit the evil deed and there are those who choose not to see it. Those who still refuse to acknowledge the full magnitude of the calculated and inhuman attacks on Muslims in Gujarat probably do not want to destroy their comfortable illusions.

We believe that we are a mature, secular nation where all citizens are treated equally, as opposed to neighbouring Pakistan, where Islam is the state religion and a Hindu cannot aspire to anything but second class status. We believe that Hinduism is an ancient, tolerant and enlightened religion which has none of the belligerence or proselytising zeal of Semitic religions. We believe that, especially after September 11, the US-centric world order must recognise our moral superiority and rationality, as compared to countries like Pakistan which are rife with fundamentalism and bigotry and are breeding grounds for Al-Qaeda type militancy.

We believe that Gujarat, the home state of the apostle of non-violence and the only state where prohibition is still in force, is a shining example for the rest of the country. The latest CII-World Bank report has ranked it first among the states in terms of potential for investment, despite last year's shattering earthquake. Only 5 per cent of India's population lives in Gujarat but it contributes 11 per cent of the national income, leads in terms of industrial investment, has a 30 per cent share in the share market and one of the highest per capita incomes in the country.

If the perceived images and the reality are sharply at variance, it is because we do not want to look closely at the reflection in the mirror. The RSS shattered the myth of India's secular credentials by claiming publicly what many Hindus feel privately, that the only true children of India are Hindus and all others are here on sufferance. Even liberal Hindus sometimes unconsciously slip in remarks about "how could they have the guts

to do this in our country".

Hinduism's image of tolerance and broad-mindedness is today tainted thanks to the VHP's vicious agenda of hatred which it pursues with a missionary zeal, copied from the very movements it decries. The prime minister berates advocates of hardline Hindutva, as opposed to the Hindutva of Vivekananda, but is the VHP's Ram mandir programme any form of Hindutva at all?

The VHP's successful recruitment drive for Ram sewaks in Gujarat is a lesson not in religion, but crass commercialism. Potential recruits are asked to fill out forms, pay fees, complete a mandatory number of coupon books for donations or else chant "Jai Shri Ram" and "Jai, Jai Ram" a stipulated number of times, before they are entitled to be dubbed Ram se-

waks entering Gujarat discover to their horror that local VHP members demand protection money.

Today there are some 5,000 VHP committees in Gujarat, which is perhaps twice the number of the BJP's grassroots level committees in the state. If Prime Minister Vajpayee has a problem getting rid of Narendra Modi, the Gujarat chief minister in turn cannot really bring in line VHP leaders like General Secretary Praveen Togadia who has his men in key positions, including in Modi's own cabinet. By now the tail has begun to wag the dog in Gujarat.



COOMI KAPOOR

With a section of the international media describing the VHP as the Hindu equivalent of the Taliban, it is doubtful whether India scores any brownie points over Pakistan for our supposedly more progres-

With its Machiavellian attempt to ensure short-term electoral gains in Gujarat, the BJP has lost the confidence of the rest of the country

waks. The VHP has succeeded in recruiting over three lakh youths as Ram sewaks. The fact that some 75,000 trishuls (which incidentally are the symbol of Shiva, not Ram) and several thousand swords have been distributed to the Ram sewaks speaks of the irreligious message of hate which is propagated.

Many of the unemployed lumpen enlisted have been lured because of the clout which comes from being associated, however indirectly, with the state's ruling party. An additional incentive in these days of rising unemployment and a downswing in business is that the VHP permits the sewaks to keep 75 per cent of their collections for the local office and transfer just 25 per cent to the head office. Many compa-

sive and less fundamentalist outlook. In fact, the VHP itself has encouraged comparisons by describing Ayodhya as India's Mecca. As someone quipped, Pakistan has reason to bestow the Nishan-e-Pakistan on Modi for having shown India in such a poor light internationally. Though they act as if they own the copyright for nationalism, their actions are distinctly anti-national.

The myth of Gujarat being one of the most progressive states in India falls apart if you analyse its development holistically. While the state ranks high in terms of income generation and investment, its planning has been extremely short-sighted in terms of pollution control, health, literacy and knowledge-based industries. If

prohibition continues on the statute books, it has nothing to do with Gandhian ethics but with the fact that the powerful mafia interests in the illicit liquor trade will not allow this lucrative business to be shut down. After the violence this year, it is doubtful whether CII-World Bank reports will continue to be as optimistic.

The reference to Vajpayee's "moment of reckoning" in Sonia Gandhi's parliamentary speech was pertinent. He owes the nation some answers. The continued silence of some NDA allies is as extraordinary as the unflappability of the ruling party. In 1979 George Fernandes and many in the Janata Party had walked out of the Morarji Desai government on the issue of Jan Sangh ministers disassociating themselves from the RSS. At that time the RSS issue was a pretext for a power struggle since there was nothing in the behaviour of Jan Sangh ministers to give offence. But today when there is concrete evidence of the dangers posed to the country by the BJP's sister organisations, Fernandes and other NDA allies do not want to rock the boat.

For decades the BJP's best defence against the charge that it had a communal agenda because of its symbiotic relationship with the RSS was the fact that sectarian riots had not taken place in any BJP ruled state. Now that record stands shattered and suspicions about the BJP's secular credentials are further strengthened with its continuing defence of Modi. Retaining Modi and polarising the state along communal lines is seen in some quarters as the only way to ensure political victory in Gujarat. With its Machiavellian attempt to ensure short-term electoral gains in Gujarat, the BJP has in the bargain lost the confidence of the rest of the country. While Vajpayee expresses concern as to how he can show his face to the world after the carnage in Gujarat, he should be even more concerned as to how he can show his face to the nation in the light of his government's continuing silence.

11-10 Unmasked Truth 15/11

A leopard, they say, cannot change its spots. But in India we have long been prepared to believe otherwise. A case in point is that of prime minister Atal Behari Vajpayee. For long, it has remained a fond article with many that Atalji, despite his occasional lapses into hardline Hindutva, is a quintessential liberal at heart, an epitome of the finest that Hinduism has to offer. However, even apologists would find it difficult to maintain the illusion after Mr Vajpayee's performance at the BJP's national executive meeting in Goa on Friday. In a stunning reversal of his earlier indictment of the Narendra Modi government for failing to uphold its constitutional obligations or *rajdharma*, Mr Vajpayee gave the discredited chief minister a virtual clean chit even as he sanctified the post-Godhra carnage in Gujarat as an inevitable reaction. "If there had been no Godhra", he said, cynically echoing Mr Modi's earlier attempts to justify large-scale violence against minorities in the state, "the tragedy in Gujarat would not have occurred". Not satisfied with a simple rejection of the growing clamour among the NDA allies for the removal of Mr Modi, Mr Vajpayee launched into a sweeping, gratuitous attack on minority religions, particularly Islam. "Wherever there are Muslims", he sermonised, "they do not want to live with others. Instead they want to preach and propagate their religion by creating fear and terror in the minds of others". Even discounting the hyperbole, Mr Vajpayee's unwarranted diatribe against a section of his own people will be difficult to reconcile with his image of being a moderate. It will come as a grave shock to a nation, still coming to terms with the trauma of the past month and a half.

In Gujarat, where the administration stands accused of active complicity in the continuing violence and a total lack of any serious relief effort, it will inflame passions and embolden the chief minister to carry on with his inept, discriminatory ways. Of a piece with the prime minister's ill-judged remarks, is the party executive's decision to go back on his earlier reported stand that Mr Modi should not seek to make political capital out of the violence by dissolving the state assembly and calling for fresh elections. To the question as to why Mr Vajpayee chose such a delicate political moment to cast aside his liberal *mukhota* and reveal an unseemly sectarian streak, there can be several answers. In the short term, it is a snub to NDA allies that 'Big Brother' BJP will not allow itself to be arm-twisted on an important political decision. In the long term, it is a decisive step towards the party reclaiming its suspended Hindutva agenda. Having faced a series of humiliating debacles in recent state elections, the BJP believes that it can restore its fortunes only by a full-scale reversion to Hindutva. Even if that means violating the common minimum programme on which they won the last Lok Sabha elections and which was meant to set the governing parameters for the NDA coalition. Clearly, the ball is now firmly in the court of the allies. Starting with the Telugu Desam, they have now to decide — and quickly — whether they will let big brother dictate terms or whether they are prepared to call the BJP's bluff by matching their demand with concrete action.

Go for snap polls, Modi told

By Smita Gupta and Sanjay Banerjee
Times News Network

PANAJI: The BJP national executive, which is holding a three-day meet here, rejected Gujarat chief minister Narendra Modi's offer to resign on Friday and asked him to dissolve the assembly and seek a fresh mandate from the people.

Earlier in the day, Prime Minister Atal Behari Vajpayee had virtually given a clean chit to Mr Modi while addressing a public meeting at the Panjim gymkhana. This came minutes after BJP president K. Jana Krishnamurthy informed mediapersons that Mr Modi had offered his resignation.

Adopting a strong Hindutva line, Mr Vajpayee said the Gujarat mayhem could have been avoided had the Sabarmati Express not been torched. "What happened after the incident is reprehensible but the issue is who started it?" he said.

Moments before the Prime Minister reached the dais, Mr Krishnamurthy walked up to the press enclosure and announced that the Gujarat chief minister had volunteered to resign. Mr Modi had made this offer during the inaugural session, saying that he wanted to take part in the deliberations as an ordinary delegate rather than as the chief minister of Gujarat, the BJP president stated.

The issue of Mr Modi's resignation was slated for discussion at the national executive on Saturday morning but had been brought forward to Friday evening, Mr Krishnamurthy said.

In his presidential address, Mr Krishnamurthy once again defended Mr Modi. "I strongly condemn the hue and cry of those who have demanded the head of the Gujarat chief minister. The nation needs to be saved from these forces whose only aim seems to be to destabilise the BJP government when the situation demands the cooperation of everyone to restore normalcy in a riot-torn state."

He also justified the Gujarat riots indirectly as being the result of the provocation provided by the Godhra carnage. "In any communal strife, there is always the one who provokes and the other who is provoked. The effort has so far mainly remained in advising and attacking the provoked. This has given rise to a psychology amidst the provoked that it is the victim in every sense. If the message can go to every-



Prime Minister Atal Behari Vajpayee with home minister L.K. Advani at a public meeting in Panaji on Friday.

one..that..whoever takes the initiative in provoking or attacking another, whatever religion he may belong to..does not have religion, the state as well as society will come down..heavily to punish him, then the whole society..will remain assured that there is justice rendered to all with no appeasement of anyone."

Mr Krishnamurthy also chose to provide his audience with a disguised version of the RSS's recent controversial Bangalore resolution that said the security of the minority community depended on the goodwill of the majority community. He said, "Every section of society, when it thinks that it is whole of the part must realise that it is simply part of the whole, so much so (that) its welfare and well-being depend upon those of the entire society."

Mr Vajpayee referred to Jammu and Kashmir while criticising the doctrine of terror advocated by a section of the minority community.

Gujarat apart, Mr Krishnamurthy chose to train his guns on finance minister Yashwant Sinha, whom he did not name but whose policies, he emphasised, were leading to the BJP's loss of support among the sections affected by economic reforms.

After acknowledging that the economic reforms were crucial, Mr Krishnamurthy launched his attack, "But the crucial question..is how much the party will be able to convince the section of society affected by the economic reform measures, especially the second generation. The time has come for an in-depth analysis of the issue."

AP TIMES OF INDIA

Has communalism changed? — II

HD-10 137A
By Imtiaz Ahmad

CONTEMPORARY COMMUNALISM operates within the framework of an enhanced desire of majority communalism to control and manipulate the leverage of state power. This form of communalism became prominent in the 1990s as a result of a deep legitimacy crisis of the Indian state in the face of economic liberalisation. Merely dislodging majoritarian forces from state power is not going to be sufficient to stamp this form of communalism out. Nor can it undermine their social and cultural hegemony. One must understand the link between modern thinking and 'daily-life' viewpoints in civil society to deal with it.

Since Independence, India has been pursuing the ideal of nation-building based on secularism. Indeed, the process of modernisation has always had as its focus the reduction of barriers between religions, languages and castes (or tribes) by establishing a secular state and ultimately a unified nation. However, a marginal retracing of history reveals that it was colonial rule that brought western-type modernisation to India and 'invented' the currently accepted view of Indian society as clearly segmented by social barriers.

Communalism in India shows that the achievement of constructing a secular nation-state modelled on the modern Western concept of civil society has been hindered by realities. Communalism continues to be given a tautological explanation in terms of conflict between religious communities or explained reductively as a conflict among secular interests under the cloak of religion. As a matter of fact, it is not the ignorant but the highly educated Indians who acquire the modern mentality that supports communalism. To truly understand communalism, one must go beyond the present interpretations that view it as a conflict of interests between religious groups and assess it from a historical perspective as reflecting the limitations of modern thinking which has dominated since colonial times.

Communalism is caused by the re-

pression of the 'daily-life viewpoint' by the dominance of a 'transcendental viewpoint' inherent in modern thinking. In modern society, which emphasises reason, a rationally objective view tends to repress irrational subjective view. As Kenichi Mishima, a Japanese scholar, has argued, "post-traditional society, which reveals the danger of reason, requires a proper balance between reason and the other of reason". Today, with the

We must get rid of the one-dimensional, inflexible state of identities, which emphasise consistency.

collapse of the Cold War structure, the ideal of modernisation that is secularism based on reason has also weakened. This has resulted in the current phenomenon of communalism as the liberation of the energy potential of non-reason. This problem is not unique to India, but common throughout the world. It must be understood in the context of the deadlock of modernisation, namely, worldwide resurgence of religions, which surfaced with the end of the Cold War. Paradoxically, both secularism, under which reason governs religions, and communalism, which liberates non-reason in the form of resurgence of religions, are two sides of the same coin of the modern age. Both are born from modernity and are striving within the limits of modern thinking.

Nonetheless, this strife between secularism and communalism can be regarded as a fluctuating process in the pursuit of a balance between reason and the other of reason, namely, groping for a post-modern episteme. The emergence of a new version of communalism since the 1990s can be attributed to economic liberalisation that realised the spread of consumerism and the development of the new media, particularly television. During the 1990s, TV began spreading rapidly reaching into rural villages and low-income households. The spread of TV enormously changed the informational environment of Indian society. The

drastic effect of the spread of TV on society is the realisation of the nationwide unification of information. Even before the spread of TV, print media existed in Indian society. Nonetheless, the TV, which represents visual images instead of letters, found it much easier to access people throughout the country regardless of social class. As a result, the TV enabled the public to more thoroughly live by sharing the same information.

Transmitting live images, TV permitted local viewers to see things from national and even global standpoints. The public therefore began to have two types of information: direct information obtained through first hand experiences and information transmitted by TV comprising images and knowledge but no first hand experiences.

Since TV images, despite the incident taking place in a distant place, appear as 'real' as those seen in first hand experiences, the 'real' images occasionally confuse viewers by blurring boundaries between 'daily-life viewpoints' and 'transcendental viewpoints'. This magic of encompassing of 'daily-life viewpoints' by 'transcendental viewpoints' works for the generation of the phenomenon of communalism through two processes: the 'magic of categorisation' and an increase of warm consumer effects by a middle class syndrome.

To explain the "magic of categorisation" one can refer to any local community in a distant part of the country. To them, Ayodhya was a place that had no relation to their daily lives. However, when TV broadcasts transmitted scenes of the destroyed Babri Masjid, Ayodhya was no longer an irrelevant place at least in the domain of imagination. As a result, the incident, which was interpreted as communalism between Hindus and Muslims, began to cast a dark shadow over local communities in which both

Hindus and Muslims shared a common culture. This meant that local people in every part of India shared the same visual information, which reflected their incorporation into a 'transcendental viewpoint'. In this regard, it is worth pointing out that TV spread modern thinking, allowing viewers to see their daily life from a 'transcendental viewpoint' and the popularisation of such a 'transcendental viewpoint' supports the development of majority communalism.

What is here referred to as the 'magic of categorisation' refers to an effect of categorisation from a 'transcendental viewpoint', that is, a strong sense of ties and affinity cultivated by the automatic assumption that individuals belonging to one category are siblings and share a common identity. For instance, any individual once categorised as Hindu immediately develops a strong affinity to others who similarly describe themselves including strangers in remote places. It can be called 'magic of categorisation' because 'daily-life viewpoints' from which a person regards someone he has never met as a stranger are repressed by the sympathy generated by a 'transcendental viewpoint'. Thus, the situation of communalism involves the 'magic of categorisation' since other persons are always categorised into either friends or foes in an inflexible manner regardless of individual differences within each category. The best way to attenuate communalism is to stay away from its trap. However, the problem concerning the balance between reason and the other of reason still remains unsolved. To cope with this problem, we must change our worldview that categorises objects and people in a uniform view. We must get rid of the one-dimensional, inflexible state of identities, which emphasise consistency. Gandhi probably had this mind when, at the height of the communal frenzy in Noakhali soon after Partition, he said: "You say Hindus are killing Muslims and Muslims are killing Hindus. I am a Hindu, but I am also a Muslim, a Christian and a Sikh. You are all also all of them."

(Concluded)

Riot victims in relief camps refuse to go back home

By Sourav Mukherjee and
Leena Misra
Times News Network

AHMEDABAD: Nearly 40 days after the refugee camps were opened, the number of refugees remains stagnant at around one lakh. Unlike places like Vadodara and Sabarkantha, where the administration has taken the initiative and some families have returned home, in Ahmedabad the government is dragging its feet fearing fresh attacks.

Naynaji Fateji Marwari who is in a camp for the majority community along with some 576 others, does not wish to go back home. "We are sitting ducks once we go out of this camp. Till the state government provides me with a home and a mode of livelihood, I am staying here," says Marwari.

Just a little away from Marwari's camp is the Shah-e-Alam Roza that now houses 12,000 victims of

the minority community. Nannumiya Rasulmiya Mallik, who lives in the camp, says, "We cannot have blind faith in the police, who helped the rioting mobs to loot our houses and burn our dear ones. What guarantee is there that there will not be an attack on us again? We cannot go back to the same area."

Organiser of the Shah-e-Alam camp, Mohsin Qadri, says, "There is no question of them leaving this camp. At least, it is safer here and help is available round the clock."

Besides safety, compensation and rehabilitation are the other factors keeping the riot victims in the camp. Mujib Ahmed Ansari, in-charge of the relief camp that houses 10,200 people at Aman Chowk, says, "The government is yet to keep its promises of providing us with compensation for those dead and for the houses damaged and burnt during the riots. With no

means of livelihood, or a home, these people are helpless and could stay here for more than six months."

The situation is better in Sabarkantha district where 1,500 people are going back to their homes. Of the 11,800 people housed in refugee camps here, now 10,200 regular inmates remain. The district tried to bring about a semblance of normalcy by holding peace meetings and building confidence among both the communities.

District collector Mukesh Puri confirmed that in Himmatnagar itself there was an experiment where he along with other police officials mixed around with the leaders of the minority and majority communities, had tea with them and helped build faith among them. The two groups are also said to have exchanged phone numbers which could be used to check rumours and prevent riots.

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Has communalism changed? — I ✓

By Imtiaz Ahmad

SHOULD WE characterise what happened, and is still happening, in Gujarat as communalism? What happened in Gujarat is not a recurrence of the old and familiar phenomenon of violence between Hindus and Muslims for which the word communalism was originally invented. It is an entirely different phenomenon. What is the basis for arguing that the Gujarat carnage is different from communalism, as we have historically understood it? It is the differential role of the state. Communalism, as historically understood, arose in the context of a colonial state required to act neutrally between conflicting communities. The state acted to restore peace without being swayed by the consideration of which community was perpetrating violence and which was targeted. In this sense, communalism was a phenomenon that essentially belonged to civil society and the state sought to control it. The Gujarat phenomenon is different because the state abandoned the time-honoured principle of even-handedness and sided with one community.

One must, to understand the full import of this difference, go back to the familiar distinction between majority and minority communalism. Historically, this distinction was couched in the argument that minority communalism arose because the majority was communal. If the majority ceased to be communal, minority communalism would have no reason to exist and would peter out. This line of reasoning failed to see that this was an insufficient reason for the distinction to be made at all. Communalism relies for its operation on the creation of a mindset and control of civil society.

In this respect, no sustainable distinction can be maintained between the communalism of the majority and the minority. Where the distinction really lies is in that majority communalism can mask itself as a 'nationalist force' and can leverage state power. Minority communalism lacks this ca-

capacity. It grows under perceived threats to community identity. This is one reason why liberal forces find it hard to push the agenda of democratisation within minority communities.

Under the colonial state and for a considerable time thereafter, the inherent propensity of majority communalism to become ascendant and take control of state power was held in check by the neutrality of the state. The state recognised that communal-

the other. This significant difference is often glossed over when the distortions and deviations, such as those during Meerut riots or the anti-Sikh pogrom in 1984 under Congress rule, are equated with the current situation.

What happened in Gujarat is a brutal manifestation of the takeover of state power by communal forces. The state allowed organised groups to go around perpetrating violence in full view of the law and order machinery.

Where the distinction really lies is in that majority communalism can mask itself as a 'nationalist force' and can leverage state power. Minority communalism lacks this capacity.

ism, whether of the majority or the minority, was essentially a phenomenon of civil society which it was obliged, in terms of the principles of rule of law and equal dispensation of justice, to tolerate only so far as it did not become threatening to the state and civil society.

The state was not always able to adhere to these time-honoured principles or to act neutrally. Many analysts tend to equate these deviations and distortions with what is happening currently to suggest that much difference does not exist in the character of the state under the Congress during the first 50 years and now. What makes for a difference in the two contexts is that in the first, if the state fell victim to the communal tendencies inherent in civil society, it was able to banish the communal forces, whether of the majority or the minority community, to the margins of state power. Now, the state has been so taken over by majoritarian forces (appropriately speaking, those speaking in the name of the majority, which is and remains otherwise extremely differentiated) that it is willing to allow itself to be guided by them and to protect them if they choose to execute pogroms against those they regard as

It offered justifications for that violence as if the function of the state was not to control violence but rather to adjudicate over the question of what sorts of violence it would permit and what forms it would bring under control. The principle of state neutrality in the control of communal violence was openly thrown to the winds.

One can also invoke a series of more immediate political reasons to explain the violence in Gujarat. The first is the drubbing majority communalism received in the recent Assembly elections. This prompted majoritarian forces to revert to their time-tested strategy of communal polarisation to prevent further erosion. Second, since majoritarian forces anticipated realignment of forces at the Centre following the debacle in Uttar Pradesh, their logic was that if their Government had to go, it must do so on a plank which brought them to power in the first instance. They also felt that they lost the Assembly elections because of the Centre's soft attitude on the Ram Mandir issue. Construction of the Ram Mandir at Ayodhya signifies for them control of state power and a weapon for polarising society along communal lines. The logic is: polarise society, reap

electoral benefits and consolidate hold over state power to shape the nation and society according to a majoritarian vision.

Obviously this is unlikely to go unchallenged by the minority communities. Sooner or later, they too are going to throw up lunatic fringes, which would seek to challenge the hegemonic domination of the state by majoritarian communal forces. As this happens on an increased scale, the country will be witness to spiralling of both communal hatred and violence. All the more because the state would in the process remain a passive onlooker to communal street battles. Once this starts happening on an increased scale, the state would gradually lose even a limited pretence to neutrality. It would start discriminating between the violence perpetrated by majority communal forces and that executed by minority communal forces who will increasingly see in the discriminatory attitude of the state a fair rationale for engaging in violence as the only means available to redress their complete oppression. It would condone majority communalism as a legitimate expression of a powerful national sentiment and penalise minority communalism as a kind of terrorism directed against the state. This will bring forth increased reprisals against minorities leading to large-scale genocidal violence in which the state would openly seek to legitimise majoritarian violence.

For example, the projection of the Ayodhya dispute as a Hindu-Muslim conflict not only concealed its otherwise political content but also aimed at helping majority communalism consolidate and expand its social base. This made it possible for the majoritarian forces to shift the onus of blame for the continuing impasse onto the Muslims. In a nutshell, the state's actions were a part of the majoritarian communal forces' strategy to achieve their vision of the nation and society.

(The writer teaches Political Sociology at JNU.)

Chandrababu joins sack-Modi chorus

Allies' demand on Goa agenda: Atal

HT Correspondents
Hyderabad/New Delhi, April 11

AFTER A MONTH of feet-dragging, TDP chief and Andhra Chief Minister N Chandrababu Naidu today buckled under pressure from within the party and the State's sizeable Muslim population and called for Gujarat CM Narendra Modi's ouster.

Naidu, who had rejected the Samata demand for Modi's removal as recently as Tuesday saying, "Resignation is not the solution", woke up today to a new reality when every member of the 11-member TDP politburo, the party's highest decision-making body, wanted a strong message sent out: the TDP won't brook any deviation from the country's secular ethos.

The members cited the independent probe committee's findings to press home their point. They pointed out how the developments in Gujarat had given Pakistan President General Musharraf a handle to beat India with.

Naidu made up his mind in the evening and ordered a press

Gujarat BJP with CM

THE OUST-MODI campaign suffered a severe jolt on Thursday as the Gujarat Cabinet and the BJP's senior ministers and elected representatives in the State threw in their lot with the Chief Minister. The decision was taken at a meeting of senior BJP leaders in Gandhinagar on Thursday evening.

Detailed report on Page 6

release seeking Modi's ouster.

As if in anticipation, Prime Minister Atal Bihari Vajpayee said on the return flight from his five-day tour of Singapore and Cambodia that Modi's removal as Gujarat CM would be discussed at the BJP's National Executive meeting beginning tomorrow in Goa.

"Goa mein vichar hoga (this will be considered in Goa)," he said, when asked about some NDA allies' demand for a change of leadership in riot-

shocked Gujarat.

The PM said he would like to take the views of his allies before commenting on the Narendra Modi issue.

Home Minister LK Advani, silent on the matter till yesterday, confirmed in Delhi that the Gujarat CM's future would be discussed at the BJP's three-day National Executive meet. "I am going to Goa. Discussions on Gujarat will take place. I do not want to say anything now on the issue," he said. But party president Jana Krishnamurthy ruled out any prospect of the Gujarat CM's removal.

Meanwhile, the Congress today announced a nationwide campaign for Modi's ouster with demonstrations in all State capitals.

Yesterday, Rashtriya Lok Dal chief Ajit Singh criticised the Modi Government for the breakdown of law and order in Gujarat; today, Union Food Minister Shanta Kumar joined Modi's critics to deplore his failure in stopping the rioting in the State.

More reports on Page 6

THE HINDU NEWSPAPER

Kidwai blow to madarsa panel

BY A STAFF REPORTER

Calcutta, April 11: Former West Bengal governor and Madarsa Syllabus Reforms Committee chairman A.R. Kidwai said the government could not force non-recognised madarsas to come within the purview of the West Bengal Madarsa Board.

"It is entirely up to the authorities of the non-recognised madarsas to obtain recognition from the government," Kidwai said today.

Article 30 of the Constitution gave minority groups the right to set up schools and there was no provision to force any school to obtain government recognition, he said.

There are nearly 400 recognised madarsas and 100 non-recognised madarsas in Bengal, according to Kidwai's figures, which differ greatly from those given by the government in the past.

Kidwai, who heads a six-member panel set up by the government in March 2001 to examine the scope of senior madarsas, discussed the state of education in these institutions with chief minister Buddhadeb Bhattacharjee at Writers' Buildings.

State minority affairs minister Mohammad Salim, labour minister Mohammad Amin and CPM Member of Parliament Mehboob Zahedi were

also present at the meeting.

The former Governor said his report was nearly complete and he would submit his findings in June with recommendations on reorientation of syllabi and curricula at all levels of the madarsa system of education, in view of modern education methods.

Bhattacharjee's statement earlier this year that — according to intelligence reports submitted to the government — terrorists and anti-national elements were getting shelter in some unrecognised madarsas, had snowballed into a major controversy.

The chief minister himself, however, refrained from ap-

pearing in front of the media today.

Kidwai asserted that madarsas should include science English and modern methods of teaching in their syllabi. "The syllabus should be modernised for the benefit of students," he said.

Salim said there was "no reason to believe that anyone who studies in any non-recognised madarsa would necessarily become a terrorist".

"We shall appeal to all unrecognised madarsas to seek formal recognition from the board. But we cannot force any madarsa to obtain recognition," the chairman of the reforms committee added.

The fact-finding team suggests that the Gujarat violence was unique

Looking facts in the face

A four-member fact-finding mission which included, besides myself, Kamal Chenoy, professor of Jawaharlal Nehru University, S.P. Shukla (former finance secretary) and K.S. Subramanian (former director-general of police, Tripura) went to Gujarat with specific terms of reference concerning our study. We were to seek the truth of the Godhra incident, the possible use made of it in respect of the carnage that followed, and the issue of whether or not there was state complicity in the post-Godhra violence.

The findings of our study were made public on April 10 and some of the key conclusions are as follows:

The diabolical and tragic burning of bogie S6 in Godhra on February 27 morning fits into the classical and historical pattern of communal rioting in the area and in Gujarat generally, wherein a provocation on one side (in this case assaults on Muslim tea vendors and molestation of a female present at the platform) provided the trigger for a terrible and utterly unjustified over-reaction by members of the other religious community. There is really no basis for the claims that this was a deep-seated conspiracy, either foreign or domestic inspired.

Conscious use was then made of this incident to inflame communal passions leading to the sustained attacks from February 28 onwards on Muslims, carefully targeted throughout the cities and rural areas of Gujarat. The connecting link was provided by the Vishwa Hindu Parishad call for a *bandh* which, in the circumstances, was clearly aimed at promoting communal hatred. Worst of all, this *bandh*, instead of being opposed and prevented, was actually supported and endorsed by the Gujarat government. With regard to subsequent violence, the study clearly concludes that this was a state-wide and state-sponsored pogrom against the Muslim minority which reached unparalleled levels of brutality.

The full details and recommendations for punishment of all those guilty are contained in the released "Report to the Nation". It is not my intention to discuss that report but rather to voice a personal opinion regarding the unique nature of the Gujarat pogrom and how it marks a turning point in the post-independence history of India. This is the first time that we have witnessed a systematic and planned state-organized pogrom on a massive scale, which is then rationalized, justified and minimized by the Central government.

Perhaps the best way of grasping this uniqueness is to see how different Gujarat 2002 is from the anti-Sikh riots of 1984, since these are the two worst examples of large-scale communal killings in post-independence India. Six common criteria will

The author has recently co-authored the book, *South Asia on a Short Fuse: Politics and the Future of Global Disarmament*

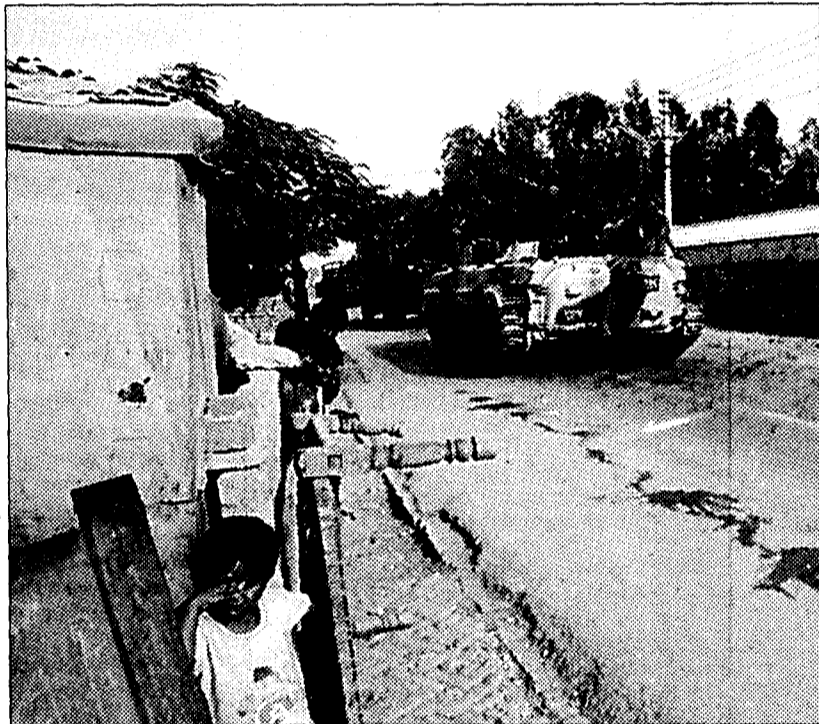
ACHIN VANAIAK

be applied to both situations to arrive at a judgment in this respect. One, the communal character, context and history surrounding the two cases respectively; two, the scale, geographic extent, and duration of communal violence; three, the "quality" of the violence engaged in — the levels of brutality and sadism involved; four, the extent and degree of complicity on the part of the apparatuses of the state, including the issue of their involvement as direct agencies of violence; five, elements of spontaneity and/or pre-planning; and six, the wider political implications.

In regard to the first criterion there

it comes to the issue of communal attitudes and practices towards Sikhs.

Thus in respect of the second criterion the 1984 violence was of much shorter duration than the violence in Gujarat 2002. Although the number of deaths in the two cases may be comparable, the geographic extent of violence, looting, arson, and so on is not, being much less widespread in 1984 when violence was essentially restricted to areas of heavy Sikh concentration, and brought to a halt much more rapidly than in the case of Gujarat 2002. In respect of the third criterion, both cases exhibit shocking atrocities — rapes, burnings, and so on —



The 1984 violence in Delhi was of much shorter duration than the violence in Gujarat 2002

against even women and children in a context of mob violence. But even here, the sheer frequency and scale of such atrocities, and the depths of sadism to which violence in Gujarat has descended, is far greater. The extent and degree of state complicity (criterion four) and pre-planning in the case of Gujarat 2002 is also far greater.

In Gujarat, communal violence from February 28 onwards involved far deeper and wider levels of complicity than anything that has been seen in India since 1947. These range from the complicity of government structures, civilian and police, as well as of party/front leaderships. In both, the complicity starts at the very top and continues all the way down. Furthermore, the systematic communal sub-

orning of the administrative apparatuses of the Gujarat state government to the structures of the *sangh* (Bharatiya Janata Party/VHP/Rashtriya Swayamsevak Sangh/Bajrang Dal) over the preceding years (the BJP came to power in the 1998 state assembly elections) is far greater than in the case of the Congress with respect to the Delhi administration in 1984.

It follows that with regard to the fifth criterion the dimension of pre-planning in Delhi in 1984 was much weaker than it was in Gujarat in 2002. Administrative collaboration to enable selective targeting and attacks on a particular religious community existed in both cases. But the fact that such collaboration was much more regularized and deeper in the case of Gujarat is what enabled that violence to be more widespread, brutal, comprehensive and sustained. In 1984 the short space of time (barely a couple of hours) before the "trigger event" — the assassination — and the outbreak of anti-Sikh violence on the same day contrasts sharply with Gujarat 2002 where the elapsed time between the "trigger event" — the Godhra incident — and the subsequent inauguration of sustained and large-scale anti-Muslim onslaught, is more than 24 hours.

This was more than enough time to take all police and law-and-order measures (including preventive arrests and detentions) to ensure that the outbreak of violence would either not take place or be immediately contained/ended, if it did. That no such measures have been taken emphasizes a level of complicity far in excess of the more "spontaneous collusion" characterizing the 1984 situation.

As for the sixth criterion, again, there is simply no comparison. Nineteen eighty-four clearly has much more of a "one-off" character. The insecurity felt by Sikhs does not bear any serious comparison to that felt by the Muslim minority in India today. Whatever the tensions prevailing during the period 1978-86, Hindu-Sikh relations have been substantially repaired since then. The likelihood of any similar deterioration is much more remote. Congress apology for 1984 has taken place, and there is no equivalent today to the kind of institutionalized communal onslaught that the Muslim minority faces. Neither has anti-Sikh communalism been sought to be publicly legitimized in the way that anti-Muslim communalism has been done. Nor has it ever come close to achieving the same degree of success. The view that anti-Muslim sentiments are but a reaction to a Muslim villainy that has "hurt Hindu sentiments" is one that has been assiduously propagated and widely accepted.

Given all these substantial differences between Delhi 1984 and Gujarat 2002, it is disturbing that they do share one unfortunate similarity. In neither case have the principal culprits responsible for the horrendous massacres and terrible destruction of properties been properly punished by due process of law.

RSS AND MINORITIES

Goodwill Of The Majority Community An Honoured Tradition

By VALSON THAMPU

^{9- minutes}
The news from Bangalore is that the RSS has volunteered to take the security of the minorities into its own hands. But the sting in the tail is that this will be security on RSS terms. The minorities will be "secure" if they earn the "respect of the majority community" represented solely, it would seem, by the Parivar pontiffs. The Bangalore edict of the RSS is reminiscent of Advani's advice to the minorities in *Panchajanya* early in 1993, in the wake of the destruction of Babari Masjid. The Muslims and Christians must call themselves "Muslim Hindus" and "Christian Hindus" respectively. Otherwise, wrote Advani, "there will be riots".

Government double standards

Significantly, the RSS sentiment in question has the background of the genocide in Gujarat and the RSS-Christian dialogue in Bangalore. Together they comprise a characteristic cocktail of chilling clarity (anti-Muslim pogrom) and intriguing ambiguity (dialogue with Christians). Since Gujarat, no further proof is required that the minorities are indeed woefully defenceless. They can be butchered in cold blood, their belongings vandalised and looted, and their women gang-raped. None would ask a question. Police officers who stand in the way, like the minorities themselves, will be taught a lesson. They would be instructed in the idiom of punitive transfers.

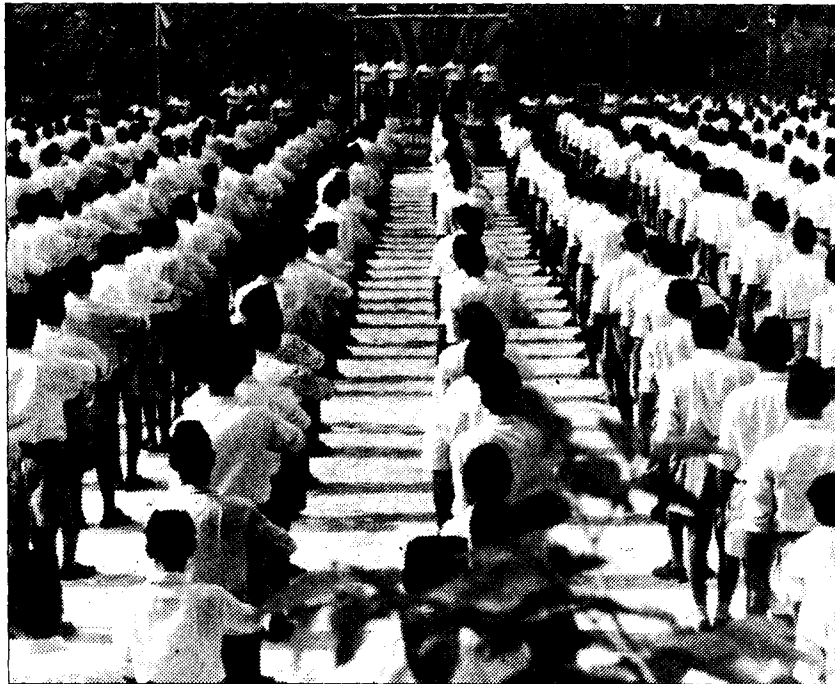
Truth to tell, the Bangalore war-cry of the RSS is as much a challenge to the rule of law in the country as it is to the minorities. It is a frontal insult to the governments both at the Centre and the states. It is an open-handed slap on the face of the Indian Constitution; an expletive shouted in the face of the judiciary. The practical implication of the RSS blackmail is that governments are either hand-in-glove with it or are utterly helpless to check its genocidal inclinations. It is embarrassing in the extreme that the Vajpayee dispensation that banned Simi with commendable alacrity looks the other way in the face of this loud-mouthed RSS belligerence.

Coming to think of it, this is hardly surprising. The RSS can today presume, or so it seems, total immunity on account of the proven partisanship of the NDA

The author is a member of the Minorities' Commission.

government. This partisanship was on full display in the *shila daan* charade in Ayodhya. The same is writ large over the Constitutional perfidy of religion-based discrimination (different amounts of compensation for Hindus and Muslims slain in Gujarat), the neutralisation of the law-enforcing agencies granting a free-run to the marauders out to teach the Muslims a lesson, and the inability or unwillingness of Narendra Modi to put down the communal fires even a month

to ascertain from the government of the day if it has in fact handed over the destiny of the 200 million-strong minorities to the RSS, irrespective of what the Constitution mandates. It might be worthwhile to ascertain the stand especially of the NDA allies on this matter. If the answer is in the affirmative, it would be wise to take a crash course from the RSS on how best to keep it well-humoured. It would not be wise to go by past pronouncements alone in this



after its eruption. But for the disgraceful and anarchic events in the last couple of months, the RSS muscle-flexing would have belonged to the realm of mere blackmail. Today it could sound like ominous business.

Unfolding agenda

Given such a scenario, the minorities would do well to be realistic. Life is the ultimate value for every human being in every age and culture. That is why the right to life is deemed, universally, the most sacred among fundamental rights. Every human being is obliged to protect his life as well as the life of his neighbour. What the minorities need to do at once is

matter; for, as Vajpayee has clarified recently, *Hindutva* is not a stagnant but an unfolding agenda. What is the code of conduct that the RSS would have the minorities follow as of today, and what is it likely to be tomorrow? Since this is going to be a matter of life-and-death significance, it would be wise not to leave anything to chance in this regard.

Undeniably, the goodwill of the majority is a great asset and a sound principle for the security of every group with a numerical disadvantage. And we should be grateful to the RSS for stating the obvious. But the RSS overlooks two important truths in this context.

First, the minorities do not have to

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earn the respect and the goodwill of the majority community in this country by adopting a code of conduct prescribed by the RSS.

For them the goodwill of the majority community is an honoured tradition and a given reality. This spirit of inspired tolerance is the quintessence of the soul of India: her culture, her spirituality and her history. If that were not so, the Indian Constitution would have had a vastly different flavour.

Charity begins at home

No other Constitution surpasses the Constitution of India in its commitment to the welfare and empowerment of the minorities, and this would have been impossible but for the goodwill of the majority community. No other country has the kind of history and tradition we have of the harmonious co-existence of various religions and cultures. No minority community in this country wants to belittle the magnanimity and goodwill of the true followers of the Vedic faith. Never in the history of this country did the religious minorities have to bend backwards or perform slavish antics under coercion to humour their Hindu brethren.

The very fact that the RSS had to work extra-hard over a period of 75 years to corrupt and distort the great and noble Hindu tradition tells its own tale.

Second, it is the RSS, much more than the minorities, that needs to earn the goodwill of the majority community in this country. Election results one after the other prove that the Sangh Parivar is a minority in this country as well as within the Hindu community. The open advocacy of communal aggression and public indulgence in civic anarchy by its constituent elements have already cost RSS the goodwill of the majority community. Charity must begin at home even for the RSS.

While the RSS is welcome to counsel the minorities on the basics of their security, it would also be advised to benefit from the wisdom it is so eager to peddle, unsolicited, to others.

The rest of the country can only wish the RSS good luck on its urgent need to earn the goodwill of the majority community. As things stand now, it is going to take the RSS an enormous allowance of good luck to succeed in this respect.

SC minority bench widens scope

9-11 minutes *G. 6* *1974*

FROM R. VENKATARAMAN

New Delhi, April 9: The 11-member Constitution bench of the Supreme Court, which is hearing arguments related to what constitutes "minorities", today added to its sweep and ambit one more subject: "administration" in minority institutions.

The issue includes appointment of teachers, their pay scales, service conditions and other administrative work and whether state laws can control them.

The bench, headed by Justice B. N. Kirpal, added the question to the list of nine fixed earlier for the apex court to decide. The issue was added during today's proceedings when senior counsel Shanti Bhushan, appearing for Jain institutions, contended that in "state-aided" minority establishments the state could intervene in the administration in a limited manner to prevent teachers from being "victimised" or "wrongly removed from services".

In "unaided" educational institutions, the administration should be left absolutely to the management and states and their laws cannot intervene, he said. However, general laws governing appointment of teachers and staff, service conditions and other points relating to administration should determine these aspects, he added.

The former Union law minister argued that Article 30 of the Constitution, which guarantees minority communities the right to establish and administer institutions, has three aspects: propagation of their religion; education of community members

and employment for them.

In this context, Bhushan told the court that the right of the minorities extended to even employing persons of their choice. "In all Christian institutions, where we all studied, My Lords, every staff member was a Christian. Only when they did not find an able Christian, non-Christians were given employment," he said.

The other issues before the bench included:

■ The meaning and content of the expression "minorities" in Article 30.

■ Whether their rights include their own admission procedure and admission of students of their choice.

■ Whether a linguistic or religious minority in a state can be treated as minority in another state where they may not be the minority.

■ Can linguistic and religious minorities establish a trust/society in another state and claim minority status there?

■ The indices for treating an educational institution as a minority institution.

■ Whether the government or the university they are affiliated to can regulate both aided and unaided institutions.

■ What is meant by "religion" in Article 30?

■ Whether the decision in the Unni Krishnan case that education is a fundamental right is correct.

The case will continue tomorrow with senior counsel Kapil Sibal leading the arguments on behalf of the Catholic Bishops' Conference.

Crass opportunism

THE EVENTS in Gujarat have evidently put the relations between the BJP and its allies under strain. But it is too early to speculate whether they will reach a breaking point. The reason is that since expediency and not adherence to any principle has been the guiding factor in determining these ties, each constituent will calculate its gains and losses before taking a major step. An additional factor is their reluctance to face a general election. If any of the allies, however, feels that the negative fallout from Gujarat will outweigh the advantages of remaining in the coalition, then it will have no hesitation in quitting.

Only the Trinamool Congress and Ramvilas Paswan's Lok Janshakti Party have sought Narendra Modi's dismissal. The Samata Party, quite shamelessly, has retracted its recent demand to boot out Mr Modi. That it has taken some of the allies more than a month to voice their demand indicates their reluctance to take a fateful decision. The alliance with the BJP provides them with a lifeline to power which will be gone once they jump ship. By themselves,

neither the Samata nor the Trinamool can expect to play much of a role in Bihar and West Bengal respectively. The same is true of Mr Paswan and Sharad Yadav, who are associated with rumps of the old Janata Dal. Their political influence is far too limited for them to strike out on their own. So these parties may express dissatisfaction with Mr Modi, but it is unlikely that they will leave the BJP in a hurry.

Chandrababu Naidu is obviously better placed than any of these parties. But his compulsion is different. First, as a chief minister, he is evidently uneasy about calling for the ouster of his counterpart in another state who happens to be an ally. Second, he is aware that the party which will benefit the most from Mr Modi's ouster is the Congress, which is his main opponent in Andhra Pradesh. So, Mr Naidu has to confine himself to wringing his hands in despair about the agony of Gujarat without blaming the man responsible for the tragedy. As may be expected, it is crass opportunism which is dictating their behaviour and not any principles.

Gujarat drizzle on PM's Singapore parade

■ PM downplays Gujarat but business leaders in delegation admit that this is not good news for foreign investment

RITU SARIN
SINGAPORE, APRIL 9

REVERBERATIONS of the Gujarat violence are being felt in distant Singapore, where a virtual investment mela was organized by Indian Chambers of Commerce during Prime Minister A B Vajpayee's three-day visit.

Questioned by this correspondent after he addressed members of the Indian community yesterday, Vajpayee, however, brushed off suggestions of any fallout. "There has been no impact on investment," he said. "The impact (of the violence) has been more in India."

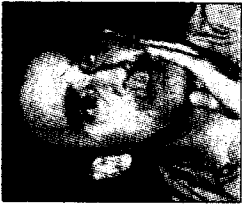
However, there was no escaping the shadow. Minutes earlier, Vajpayee had raised the issue of journalists being attacked during his

speech at the Ritz Carlton Hotel. "This (Gujarat) was only a small incident...India is an ancient country, of one billion people."

And in the evening, while addressing the Singapore-India Business Forum, he again picked up the Gujarat theme and said: "Let not some of the recent unfortunate happenings in India create any unease in you. India has the resilience and the civilizational genius to overcome these aberrations."

But what the Prime Minister dismissed as an "aberration," was evidently ranking several business honchos present.

The Indian Express spoke to a host of Indian and Singapore-based



Investors look upon India as one bloc. For them India is one and events like in Gujarat affect their perception of the country as a whole: Disinvestment Minister

PM, the optimist

■ **PM Vajpayee:** There has been no impact on investment, the impact has been more in India. India is an ancient country with one billion people

■ **K K Modi, chairman, Modi Enterprises:** "After Gujarat there is an impression of the Govt failing to contain the violence."

■ **Onkar S Kanwar, Managing Director of Apollo Tyres:** "When Indians don't feel safe anymore, how can foreign investors?"

■ **Nitin Pal, Singtel:** "Gujarat is an issue which the public relations machinery of India should urgently address."

Goh Chok Tong's delegation had raised the issue with them, he had a view on the subject. "Investors look upon India has one bloc. For them, India is one and events like Gujarat affect the perception of the country as a whole," he conceded.

Among key businessmen in Singapore was Krishna Kumar Modi, Chairman of Modi Enterprises. He was vehement in his criticism of handling of the Gujarat situation. "Such developments don't have an impact on investors already in India but those who are waiting to go in," he said before Prime Minister Goh's official banquet on Monday.

"There have been communal incidents elsewhere in the world. But after Gujarat there is an impression of the Government failing to contain the violence. What causes

CONTINUED ON PAGE 2

Sangh will not allow Modi's head to roll

By Rajesh Ramachandran
Times News Network

NEW DELHI: The Sangh Parivar will not tolerate the sacking of Gujarat chief minister Narendra Modi and its cadres and leadership will do everything possible to prevent this happening, insiders said.

The demand for Mr Modi's head by Bharatiya Janata Party allies in the National Democratic Alliance is an attempt by the BJP central leadership to test the waters before it attempts any major action on Gujarat, Sangh leaders said. The Samata Party on the weekend called for Mr Modi to be dismissed.

"Defence minister George Fernandes may later say that the demand for Mr Modi's dismissal was the personal opinion of Samata Party spokesman Shambu Shrivastava. But the fact remains that the party acted on a cue from the Prime Minister," said an NDA leader.

The Trinamul Congress echoed the Samata Party's demand, and the Lok Jan Shakti is holding a press conference here today to voice the same demand.

Even BJP leaders admit that the Gujarat carnage has tarnished the image of the party and of Prime Minister Atal Behari Vajpayee. "During his Gujarat visit, the PM indicated his unhappiness with Mr Modi and gave him a veiled warning," a BJP leader said.

It is against this backdrop that the Sangh is reacting to speculation that Prime Minister may dismiss Mr Modi. While stating at a press conference in Ahmedabad that he did not see the possibility of Mr Modi's removal or of a midterm election in Gujarat, the PM

affirmed that the BJP national executive meeting in Goa this week would examine the issue of Gujarat's leadership.

Said a senior RSS leader: "The Hindu Samaj will not accept this change. The Sangh Parivar in Gujarat is extremely upset with the idea of replacing Mr Modi. The central RSS leadership may not interfere but the Gujarat Parivar's view will prevail because the Sangh believes in decentralisation."

Some BJP leaders even cited a news-



Mediapersons in Ahmedabad on Monday protest Sunday's police attack on their colleagues at the Sabarmati Ashram.

magazine survey predicting that a BJP victory in the next Gujarat assembly elections to back their contention that a change now "may harm the party's prospects". But the Sangh Parivar's unflinching support for Mr Modi goes beyond electoral prospects and has much to do with the brand of politics Mr Modi has come to symbolise.

On Monday, BJP spokesman Sunil Shastri rejected the demands of the party's allies. "It is a BJP government and a BJP chief minister in Gujarat. The individual parties of the NDA can make their suggestion at an NDA meeting, which is the right platform. As far as the BJP is concerned, there is no need for a

change in Gujarat and we fully support the Modi government," he said.

Meanwhile, in an attempt to pressure the PM, the People's Front has decided to launch a country-wide campaign next week to demand that Mr Modi be sacked.

The Congress is also keeping up the pressure on the Centre and will intensify its campaign when parliament reconvenes next Monday.

► See Edit: Modi's Muzzlemen, Page 8

Riot shadow over PM tour

Nilova Roy Chaudhury in Singapore

April 7. — "Aajkal leader ka koi bharosa nahi hai," Mr Atal Behari Vajpayee joked as he left on a five-day visit to Singapore and Cambodia.

One couldn't possibly have missed a sense of disenchantment in his words.

As the Prime Minister embarked on his tour to further India's engagement with the Asean countries, it was apparent that the inability to end Gujarat violence is preying on his mind.

A senior foreign ministry official said: "It's a fact that Gujarat has happened and it had its impact, but we cannot stop promoting India as an investment destination." This was probably the first official admission that the riots had affected India's image and standing abroad.

Singapore has a large amount of investible surpluses ever since the financial crisis of 1997 hit the region and forced it to withdraw from many areas. Indian business is keen to tap that potential for foreign direct investment. Singapore is gradually moving away from production-based industrial activity to

knowledge-based industry and services like biotechnology, health and education. Though the Exim policy announced last week opens up avenues for FDI, Singapore with a "very developed, very quality conscious economy" will need to be convinced of India's ability to deliver on those counts.

No comments on Pak N-option

NEW DELHI, April 7. — Mr Atal Behari Vajpayee today declined to comment on President Pervez Musharraf's statement that Pakistan might use nuclear weapons against India as a last resort in the event of a war. Before leaving for his two-nation tour, Mr Vajpayee said: "I won't like to comment till I see the entire statement." The Prime Minister termed his visit to Singapore and Cambodia as a reflection of India's enhanced focus on the Asean and Asia-Pacific region.

Hours before Mr Vajpayee's plane was scheduled to take off, the airport received a call that a bomb had been planted there. After a security check nothing was found.— SNS

"Singapore has a somewhat negative perception on India that we are keen to change," said a senior official.

About 300 businessmen are expected to attend the hurriedly convened Singapore-India Business forum meet tomorrow.

It was cancelled earlier after the Prime Minister twice called off his trip for a varie-

ty of reasons. Mr Vajpayee will deliver the prestigious Annual Singapore Lecture on Tuesday in which his focus will be on strategic and politico-cultural issues, a senior official said.

The lecture would be a forum at which Mr Vajpayee would spell out how he envisages the Look East policy.

"With these countries, we have only a positive agenda" since there is no history of hostilities, a senior official said. "And the idea is to revive the past in a modern context."

There have been tentative feelers from Singapore to take a strategic joint anti-terrorism initiative with India. Though an agreement is not on the cards, cooperation in countering terrorism is expected to feature in the bilateral talks tomorrow.

Singapore has recently arrested 13 members of a terrorist outfit called the Jemaah Islamiya, which has been its first real exposure to terror. It has been claimed that the fundamentalist Islamic group, operating in most of South-East Asia, has no links with the Al-Qaida.

Gujarat reports on page 6

MINORITIES COMMISSION TELLS GUJARAT GOVT.:

Raise compensation for victims, restore confidence

By Anita Joshua

NEW DELHI, APRIL 6. Though senior-most officials of the Gujarat administration responded to the summons from the National Commission for Minorities (NCM) today and were forthcoming with information it had been seeking till date in vain, the Commission reiterated its "dissatisfaction" with the action taken by the Gujarat Government to contain the violence and "restore the socio-economic well-being of the State."

Now that the Gujarat administration has presented its case, the NCM — which visited the State in mid-March but could not finalise its report because of reluctance on the part of the Gujarat Government to provide information — is expected to present its report within a week. As per the report submitted by the administration, 760 people have been killed in the violence — mentioned as "communal riots" — till date.

Other statistics provided to the NCM pertained to arrests and people killed in police firing. According to the State administration "as many as 71 of the 137 people killed in police firing were Hindus as were 6,000 of the 9,500 persons arrested." There were 104 relief camps in the State and together



Justice Mohammed Shamim, Chairman of the National Commission for Minorities, flanked by Tarlochan Singh, vice-chairman, and Lt. Gen. (retd.) A.M. Sethna, addressing a press conference in New Delhi on Saturday. — PTI

they were home to 1,11,176 people.

The officials also informed the NCM that four companies of the Rapid Action Force and three companies of the Central Reserve Police Force would be at the disposal of the State from tomorrow. Expressing satisfaction with the information furnished at today's three-hour meeting, the NCM chairman, Mohammad Shamim, said the State had been asked to enhance the compensation to the next of kin of those killed in the violence to Rs. 1 lakh, in addition to the amount announced from the Prime Minister's Relief

Fund. The NCM had to intervene in this matter as the Gujarat Government had apparently reduced its compensation from Rs. 1 lakh to Rs. 50,000 following the Prime Minister's assurance of additional compensation.

The Commission, according to Mr. Justice Shamim, also conveyed to the officials its displeasure over the manner in which some police officers were transferred. "Instead, officers who have done yeoman service during the riots ought to be rewarded. And officers who did not do their duty should be penalised."

Given the reluctance of those living in the relief camps to return to the areas where their homes once stood, the NCM urged the State administration to make alternative arrangements for them in areas where they felt secure. Apparently, an oft-repeated plea of those living in the camps is that they be relocated in Muslim areas.

Of the other confidence-building measures suggested by NCM, most were a reiteration of what has already been stated in letters to the Prime Minister and the Gujarat Chief Minister. Primarily, they pertain to the construction/restoration of religious places at the very place they stood before being razed in the violence; setting up of peace committees — preferably with the involvement of religious leaders — and ensuring that the policemen in riot-prone areas include minorities. "Should Gujarat not have enough minority officers, it should borrow from other States." Though the Gujarat Government officials, led by the Chief Secretary, G. Subba Rao, attended the briefing, they avoided many questions. And, Mr. Rao merely said the State would "try to implement whatever has been suggested."

Police were overwhelmed:
Page 8

'Tall claims cannot hide the truth'

By Our Special Correspondent

NEW DELHI, APRIL 6. Describing the carnage and the ongoing violence in Gujarat as an "indelible blot" on the Centre and the State Governments, the Congress president, Sonia Gandhi, today said that tall claims and false propaganda could not conceal the truth behind the shameful incidents of violence and communal hatred in Gujarat.

Rapping the Prime Minister, Atal Behari Vajpayee, for visiting Gujarat more than a month after the violent incidents took place, Ms. Gandhi said that even during the visit he took along those who masterminded the orgy of violence and killings.

"Everybody knows that the same ideology is responsible for the violence in Gujarat which was also behind the assassination of Mahatma Gandhi. People owing allegiance to this ideology did not participate in the country's freedom struggle, they have only worked to create a rift in the society and divide the country," she said without naming the Sangh Parivar.

Addressing the annual meeting of the All-India Seva Dal here, Ms. Gandhi accused the Centre and State Governments of turning a "blind eye" to the heart-rending incidents of violence in Gujarat.

Ms. Gandhi accused the Centre of "lacking in its intention" to uphold the princi-



The Congress president, Sonia Gandhi, taking the salute at the national convention of the All-India Congress Seva Dal in New Delhi on Saturday. — Photo: M. Lakshman

ples of the Constitution. "Those occupying the power at the Centre have wrong views and attitude. Their each step is only to ensure their continuance in power. The country is run on certain principles and ideals and a historical perspective. These principles demand that every citizen is treated equally. The country is not managed merely

by rhetoric but by action and that too by result-oriented policies," she said.

"Godhra and Gujarat violence were condemned by the entire country. But there is no impact on the Government. The Centre, instead of taking action against the State Government and the Chief Minister, even failed to condemn the killings of innocent people in the State," she said.

Ms. Gandhi said that even the reports of the National Human Rights Commission were ignored and accused the Government of downplaying the cruelties committed on the people.

Referring to the passage of POTA through a joint sitting of Parliament, she accused the BJP-led Government of pursuing double standards on the issue as they had earlier opposed TADA.

"This law would be used more against those who are political opponents of the BJP and their allies. It would not help in tackling terrorism but would only create a new kind of terrorism," she said.

Ms. Gandhi lauded the role of the Seva Dal in strengthening the party set-up and spreading its secular ideology.

Senior party leaders, Moti Lal Vora, Mohsina Kidwai, Shivraj Prasad, Janardan Dwivedi and 500 district presidents of the organisation were present.

Atal fails to douse flame

1 stabbed in fresh flare-up

HT Correspondent
Ahmedabad, April 5

THE PRIME Minister's tongue-lashing yesterday evidently had little impact as the communal flare-up refused to abate, with one killed and six injured in different parts of the State today.

The police opened fire to disperse mobs at Patharrkuan and Vatva areas on the outskirts of the city. A collision at Lunavada, near Godhra, between a rickshaw and a tractor snowballed into rioting, forcing a curfew.

Three persons were arrested and bombs recovered from them.

Stray violence was reported from Kadiakui and Pattharkuan areas while two persons were stabbed in Karani.

Hours after Atal Bihari Vajpayee left the State, minorities in many shanty localities of curfew-bound Gomtipur started moving out to their native places in Bihar, Uttar Pradesh, Maharashtra and Rajasthan. Nearly 8,000 migrant labourers, mostly textile workers rendered jobless since the mills closed down, eked out a subsistence living with petty jobs here for decades.

They were too terrified in the last fortnight of renewed violence and started moving out in batches, leaving behind their one-room tenements.

Industry circles are not very enthusiastic about the PM's visit. It has not contributed to-

wards investor confidence in the State, they said. The industrialists had expected some kind of censure of the Chief Minister and at least some concrete steps to restore law and order.

At the political level, not much is being made out of the relief and rehabilitation package announced by Vajpayee.

Gujarat Pradesh Congress president Amarsinh Chaudhary said the measures announced were only of a "face-saving" nature. He expressed apprehension that Narendra Modi would implement the schemes at all.

He said the NDA partners would not take kindly the Prime Minister ruling out any change of leadership in the State. "Now the NDA partners will have to press the issue of Modi's removal."

Modi tonight chaired a meeting of senior ministers to review the steps to streamline the relief and rehabilitation measures for the riot victims living at relief camps. Chief Secretary G Subba Rao and Revenue Secretary C K Koshy are flying to Delhi tomorrow to discuss with the Centre the details of the relief measures announced by the PM.

It was also decided at the meeting that the 50-odd camps in Ahmedabad would be divided into six zones, each to be looked after by one Secretary-level officer each.

More reports on Page 9

9 minutes

'HOW CAN I FACE THE WORLD?' (1)

Gujarat incidents a blot: PM

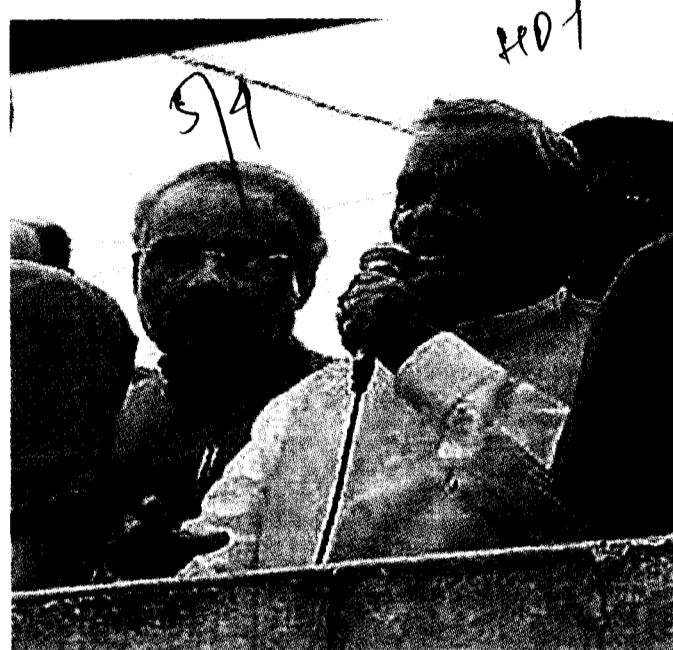
By Manas Dasgupta

AHMEDABAD, APRIL 4. The Prime Minister, Atal Behari Vajpayee, has made no secret of his displeasure about the way the Narendra Modi Government in Gujarat has handled the riots and asked the people to shun violence and restore amity and peace in the State.

In an unscheduled brief address to the inmates of the Shah Alam Roza minority relief camp here today, Mr. Vajpayee told officials in clear terms to "perform their duty" and the political leadership to "undertake their responsibility." It was the Government's duty to protect everyone's life and property "without any discrimination" and could not allow the "madness" to overtake humanity.

Mr. Vajpayee said the Gujarat events were a "blot" on India which enjoyed respect and prestige in the comity of nations because of the way the 100 crore people of diverse religion, culture and ethnic groups lived together happily, "share our griefs and joys, but never forget the message of peace and brotherhood." But what was happening in Gujarat was not only heart-rending but "most inhuman and horrible."

An emotional Mr. Vajpayee seemed to have instantly touched the hearts of the riot victims living in difficult conditions in the relief camps. Even while showing bitterness against Mr. Modi, who was standing next to the Prime Minister, the 8,000 or so inmates of



The Prime Minister, Atal Behari Vajpayee, addressing people at a relief camp in Shahalam Roza. — Photo: Paras Shah

the camp repeatedly appreciated Mr. Vajpayee's concern over their sufferings. Mr. Vajpayee said that Hindu rites require a person to be put on the pyre only after his death. "I cannot imagine how a living being can be burnt alive, have all the people become mad? Have Satanic forces overtaken the humanity," he asked in an emotion-choked voice.

He said that while the Godhra train carnage was "shameful" for the entire humanity, the post-Godhra violence was no less condemnable. "Madness

cannot be answered with madness, fire cannot douse fire, you need water to stop fire from spreading," he said. He appealed to the non-government organisations and prominent citizens to assist the Government to "apply the balm" on the wounds of the minorities.

In an obvious reference to some Hindu extremist organisations' designs to "drive out Muslims" from the country, Mr. Vajpayee said: "Stop all talks of enmity, separatism. For centuries, Hindus and Muslims have lived together in this country

and will continue to do so, there is no option." He said the Hindu religion and culture did not believe in discriminating against anyone on grounds of religion, caste or culture. "This is why India is respected the world over, our voice is heard among the comity of nations. We cannot be slaves to madness and fanaticism."

Mr. Vajpayee said he was due to embark upon a foreign tour soon which included Muslim countries. "I do not know what face I will show them now after the shameful events in Gujarat." It was a matter of great shame that people had become refugees in their own land, homeless in their own home. "The way you have been made to live in the relief camps, is also a matter of great shame to us."

"I have come here to share your grief, to tell you that the entire nation feels for your sufferings," he said. He might be criticised for coming more than 35 days after the violence broke out.

After Mr. Vajpayee completed his speech and was preparing to leave, the restive crowd started shouting anti-Modi slogans but was pacified by the organisers.

While Mr. Modi was allowed to accompany Mr. Vajpayee in the camp as part of an understanding reached with the organisers on Wednesday night, the Minister of State for Home, Gordhan Jhadaphia, who the victims believe was equally responsible for the massacre was asked to keep off the camp.

Muslims' ultimatum to Gujarat CM

By Our Special Correspondent

AHMEDABAD, APRIL 4. Muslims affected in the riots in Gujarat today showed their strong disappointment with the Chief Minister, Narendra Modi, and threatened to mob him if violence was not stopped immediately and urged the Central Government to take early steps to curb the menace.

In a memorandum submitted to the Prime Minister, Atal Behari Vajpayee, when he visited the Shah Alam relief camp here today, they held Mr. Modi "responsible" for the attacks against the minorities and said that if pushed to the corner, "we will en masse present ourselves to the Modi Government who can then quench his thirst for Muslim blood by shooting all of us down." The mem-

orandum said it was not just a "threat," but "we are seriously thinking on these lines." The memorandum demanded a CBI inquiry into the riots to "know the real truth," arrest of the culprits responsible for the mayhem so that they could be brought to justice. It also wanted the "combing" of the majority-dominated areas to unearth weapons such as swords, 'trishuls' and firearms. Demanding early rehabilitation of the affected before the rainy season, it wanted a separate package for widows, the aged and orphans and interest-free loans to traders to resume their business.

Giving details of the "bestly acts" of the last one month, the memorandum blamed Vishwa Hindu Parishad and Bajrang Dal "goons" for the mayhem and said despite Mr. Modi's "tall claims of

having controlled violence in 72 hours", the virus was still spreading to small villages and hamlets having a very few Muslim families." "Mr. Modi still seems to have scores to settle with the minorities," it charged. It held police equally responsible for the carnage and said they first "encouraged" the VHP and the Dal "goons" to plunder Muslim localities and then entered the houses of minority houses "in the name of combing operations." What followed was another havoc for the minorities. A large number of minorities had been arrested, false complaints made against them and put behind bars.

"This is nothing but state terrorism," it said. Muslims had been so terrified that they could not even go to the police stations.

Gujarat burns on eye of PM's visit, 8 dead

Our Ahmedabad Bureau
AHMEDABAD 3 APRIL

THE EVE of Prime Minister Atal Behari Vajpayee's visit to Gujarat has failed to quell the thirst for violence in Gujarat, with a large number of violent incidents being reported from across the state.

The Prime Minister, who will visit the state on Thursday, is expected to visit a couple of relief camps and meet number of political leaders and NGO's to take stock of the situation.

Meanwhile, reports suggest that at least 8 people were killed in the continued bout of violence in the state since Tuesday night. About five people were killed at a village near Kadi town. While four of them were burnt to death, one lost his

life in stabbing incident.

This apart, Ahmedabad too witnessed three deaths on Wednesday. Two people were killed and eight injured when police fired to quell the rioters in Gomtipur area. One person was hacked to death and burnt in the Shahpur area of city late in the afternoon on Tuesday.

Late on Tuesday night, reports of stone-throwing, arson and stabbing continued to pour in from the walled city areas of Kalupur, Khadia, Gomtipur, Saraspur and Shaher Kotda in Ahmedabad. At least 10 people, including four policemen were reported injured.

Several houses were burnt down by the miscreants even as police continued with its combing operations. Besides the regular cache of petrol bombs, acid bulbs,

crude bombs and sharp weapons, the authorities for first time recovered a gun during its operations on Tuesday night. Two persons were also arrested in this connection.

All these events forced the authorities to reimpose the indefinite curfew in Kalupur and Dandi-pur areas, where relaxation was given after situation appeared relatively peaceful. The police authorities have decided not to relax curfew in any of the seven police stations in the city, except Vejalpur, in view of the Prime Minister's visit to the city on Thursday.

Incidents of sporadic violence were also reported from Godhra and Nadiad in the Panchmahals district. A person was killed and four injured in police firing at Umrath town of Anand district.

Large number of houses and shops too were set on fire by the mobs in the town.

The situation was no different in towns of Ankleshwar, Nadiad, with reports of arson, looting and burning down of property. Indefinite curfew was also imposed in these towns following trouble.

The indefinite curfew continued to be in force in the quake and riot-ravaged Anjar town of Kutch district. However, the situation in other Kutchhi towns of Gandhidam and Hajipur remained peaceful on Tuesday.

Night curfew in a large number of other towns, including Viramgam, Lunawada, Halol, Kalol, Dholka, Mandel, Santrampur in Panchmahals, Rajpipla, Kevadia, Devliya, Tilkwada of Narmada dis-

trict, Savali, Jetpur, Dabohi, Bodali, Chhota Udepur, Kavay, Padra and Sinor of Baroda rural district, continued to be in place.

Earlier in the day, the state legislative assembly too witnessed noisy scenes, with series of adjournments over the issue of indictment of the Narendra Modi government by the National Human Rights Commission regarding the violence in the state.

At least eight Opposition Congress members were suspended from the Assembly for three days. The suspended Congress members include Raghavji Patel, Bharat Solanki, Gunwant Makwana, Chandubhai Dabhi, Lalit Patel, Shailesh Parmar, Khumansingh Chauhan and Punjabhai Vansh.

The Adivasi question — II

By Mihir Shah

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HD-10
27/8

FOLLOWING THE breakdown of their relationship with the forest, Adivasis in most areas have made a hesitant and faltering entry into agriculture. Over 93 per cent of Adivasi workers in India are engaged in agriculture and allied activities, more than two-thirds being cultivators. It is clear, therefore, that the stereotype view of Adivasis living in isolated, self-contained, food-gathering communities is no longer accurate. The distinguishing feature of most Adivasi peasants is that they hold land of very poor quality, which forces them to work additionally as agricultural labourers to feed their families. More than 80 per cent of Adivasi agricultural labour households in India are landed. These even include some small and semi-medium landholders.

These Adivasi farmers are subject to myriad forms of exploitation by the highly interlocked non-Adivasi axis of power that dominates the land, land-lease, labour, credit and input markets. It is typically a case where the provider of inputs and credit is also the person to whom the Adivasis have to sell their produce, at much lower than market rates. The driving force of the whole system is the exorbitant rate of interest, itself a reflection of the terribly unequal balance of power between debtor and creditor. At the end of the stipulated period of debt, Adivasi peasants are unable to repay the loan. And in need of fresh cash, they are forced to sell their output to creditors at throwaway prices. They may also have to labour on the distant land of the creditor. There they are paid no money, given nominal food and occasionally their women suffer terrible indignities. At the end of the contract period, they get an advance (at high, not always clearly specified, and certainly never properly accounted for, rates of interest), which ensures that they return the next year.

Adivasi farmers also lease out land in distress on most unfavourable terms. They get an advance in return for which the lessee has the right to cultivate their land for an indefinite

period, till the advance is returned. An extraordinary system known as *byaj peta* entails an implicit rate of interest that can amount to as much as 10 per cent a month. Often Adivasis lose control over land they leased out since they cannot repay their debts. Thousands of hectares of land have been lost in this manner.

This is the Adivasi predicament — shorn of their traditional resource base, violently integrated into the national mainstream, they are subject to an inextricable nexus of exploitation. What is the way forward for them? Given that the vast majority of Adivasis are engaged in low-yield agriculture, the single most important challenge for their emancipation lies

grammes. The incomes generated as a result of such investment will lead to increased offtake from the Public Distribution System, lowering the burden of food subsidy. Increased incomes will also give the Adivasis a chance to break the vicious stranglehold on their livelihoods, of the high interest rate based axis of power. Every effort needs to be made to save incomes through self-help thrift groups, linked to public sector banks, whose outreach, along with that of the PDS, must be greatly extended in the tribal hinterlands.

While the primary focus is on enhancing agricultural productivity, forest reforms are also critical. Here the state must recognise that without the

The most important pre-requisite for the success of these initiatives, however, is the progressive empowerment of the Adivasi people so that they can increasingly take over the leadership of the development process. Here, the role of grassroots NGOs is critical. They must assist in preparing a cadre of local youth who are technically empowered to run these initiatives. This cadre would also act as watchdogs, ensuring accountability of the state and NGOs working in their areas, and build alliances that are pro-Adivasi, pro-women and pro-poor, so that a new leadership can be provided to panchayati raj institutions. Without this happening, no amount of development activity will be of any use.

Finally, to return to where we began — the question of violence. The integration of Adivasis into the national mainstream has undoubtedly been founded on violence. It is also in the Adivasi hinterlands that expressions of regional self-determination have taken their most violent forms. In many areas activists are organising Adivasis to cut down the forest and claim this land for agriculture. But surely this "land reform through deforestation" is not only an impossibility, it will end up further endangering Adivasi livelihoods. We must also be clear that violence always returns to hurt the most vulnerable. We have to chart the slow and more difficult path of non-violent mobilisation and empowerment. Not only is this the strategically obvious option, it is also the course of responsibility and ethical affirmation. Must Adivasis always remain in the victim mode, merely imitating what is done unto them by their persecutors? How long will their identity be determined wholly by the actions of their oppressors? Violence is ultimately the response of the weak, desperate and defeated. We must not only question and oppose what is wrong, but also be strong and confident enough to articulate a new transcendental imagination for the world, even for those who stand today as our adversaries.

(Concluded)

Given that the vast majority of Adivasis are engaged in low-yield agriculture, the single most important challenge for their emancipation lies in raising their productivity.

in raising their productivity. Here the role of the state is critical. For one, it must ensure that safeguards enshrined in the Constitution for protection of Adivasi rights are in no way diluted. It must also recognise that contrary to the refrain of the liberalisation lobby, privatisation will not work in Adivasi areas. Adivasi livelihoods can never be a priority for the corporate sector, given the huge negative externalities. What the markets cannot handle, what the private sector will not do, the state must. Massive public investment is required in location-specific watershed and micro-irrigation programmes, combined with a renewed thrust towards dryland agriculture and optimal land-use planning, if the productivity of Adivasi areas is to be raised. Many Adivasi regions, such as Chhattisgarh and Jharkhand, have vast unutilised water resources, which could form the basis for a massive leap in agricultural productivity. The huge stocks of grain lying unused in FCI godowns must be put to urgent use to finance these pro-

active participation of the Adivasis, forest protection is impossible. And this will only occur if they are guaranteed all their needs from the forest. Not only is this an ethical imperative, it is also an eminently achievable proposition. To meet all the fodder, fuel, housing and agriculture needs of the Adivasis from the forest requires setting aside less than 5 per cent of the country's forest wealth. Surely, this is a very small concession to make for a critical element in both Adivasi survival and forest protection. Institutionally, this demands a major shift away from the current Forest Department-dominated JFM programme, towards a genuinely Community Forest Protection initiative, under the leadership of the Gram Sabha. Alternative technologies of energy and housing that reduce dependence of local communities on wood must also be promoted by the state, with the active involvement of NGOs. State-supported cooperatives of landless Adivasis should be set up for processing and marketing of various non-timber forest produce.

Godhra: a strategic appraisal

^{9- minutes}
^{2/3}
THE SABARMATI Express coming from Ayodhya side towards Ahmedabad was torched by a mob and innocent unarmed people including women and children died a macabre death. It will be interesting to note that all victims were Hindus. The pilgrims (call them Ram sevak) were returning after offering prayers at Ayodhya much as most of us visit Tirupati or other shrines or the Muslims who carry out a pilgrimage to Mecca. They were not involved in kar sevak activities. The incident was not a result of altercations between tea vendors at the station and the pilgrims but a premeditated and carefully planned operation to create communal disharmony in India and erode the advantageous position India has attained post-Taliban operations in Afghanistan.

Furthermore the timing of the massacre was carefully planned to coincide with the tension building up due to the VHP agitation for the construction of the temple in Ayodhya. I do not propose going into the pros and cons of the Ayodhya issue. What we need to examine is why the incident at Godhra occurred triggering off large scale communal riots in Gujarat. Fortunately by the timely induction of the Army the violence was contained to the State. The timely pre-emptive measures taken by various State Governments in the neighbourhood also prevented a holocaust as planned and visualised by the planners of the Godhra incident.

'Why' of the incident

The Gujarat violence and the Ayodhya developments diverted the attention of the press, both domestic and international, as well of the so-called secularists resulting in the macabre events at Godhra being given a go-by. The Godhra incident is the core issue which needs examination in the interests of national security. The mindless violence in Gujarat after the event has to be condemned and the guilty punished. Unfortunately our attention has been diverted from the 'why' of the Godhra incident by events which followed after — in this we seem to have fallen into the trap set by our enemies who had triggered off this incident. Was communal disharmony the cause or was it an external agency? Let us examine these in details.

After the shootout at the Parliament House, India carried out a rapid and massive mobilisation of its Armed Forces unprecedented since 1971. Indeed the speed with which the mobilisation was carried out surprised the Pakistani establishment as well as the U.S. Minor accidents due to faulty standard operating procedures (SOPs) at the junior level did occur and were blown out of proportion by the media.

By relegating the Godhra issue to the back burner and concentrating on the aftermath of the incident we as a nation have done a great disservice to the country. In the hour of crisis the nation as a whole should rise and support the government in tackling the crisis and not fall into the trap set by our enemies.

The strategic ratio of the Armed Forces of Pakistan and India have been well documented and need not be elaborated upon. At this point of time, Pakistan under pressure from the U.S. had to deploy regular forces up to a division or more to seal the borders with Afghanistan. They were also beset with internal security problems due to the forced crackdown on Islamic jihad groups again at the insistence of the U.S.

In this scenario, the Pakistani military leadership was on a sticky wicket, the nuclear option though being bandied about, being a dubious course of action. Terrorist activities in J&K and other parts of India again could not be carried out due to the anti-terrorist mantra being propounded by the U.S. as well as the improving relationship of the U.S. and India in economic, military and other spheres of activity. In this scenario Pakistan had to resort to other measures to make the Indian Army reel back to carry out internal security operations which in fact is their secondary role. The pulling out of army formations from their defensive and offensive postures would degrade the strike potential of the Indian Armed Forces. Indeed Pakistan succeeded to a certain extent with the Indian Army having to pull out about a division for internal security duties when they were poised for operations against Pakistan. It goes to the credit of the planners at Army HQ that the defence potential was not degraded and at the same time they provided adequate forces to contain the violence. Under the circumstances the response was commendable.

Wrong projections

Some of the media and their Bryl Cream boys were harping on the delay in deploying the Army in Gujarat. They seem to have conveniently forgotten that the Army only two months earlier had carried out a spectacular mobilisation which added clout to the diplomatic efforts of the government to pressure Pakistan to desist from terrorism. Unfortunately we do not have trained war correspondents who can analyse the strategic scenario and come to the right conclusions. In this day of instant TV wrong projections are made much to the detri-

ment of the security of the country and morale of the Armed Forces who are doing their duties in an exemplary manner.

By projecting their immature and unconsidered views on TV they are jeopardising the security of the nation. Some of the TV channels, whatever their *modus operandi* be, are there to find loopholes in all things being done by the government. They are free to criticise the government on its policies but should be more circumspect in dealing with national security and particularly operations of the Armed Forces. Small incidents concerning the Armed Forces are blown out of proportion and people made to believe that rot has set in at every level. It is time that the media did some introspection and resorted to mature reporting. In their endeavour to highlight the failings of the Gujarat Government, they went off at a tangent and wholly ignored the trigger of the whole issue — Godhra and the people who perpetuated it. In this our politicians are also guilty in fishing in troubled waters when the country's security was being threatened. It took one lone woman Chief Minister from Tamil Nadu to bring out the right perspective of condemning the Godhra incident. Politicians need to forget their vote banks and internal squabbles when they deal with national security.

American example

At this stage the reactions of the Americans to the September 11 disaster need examination and comparison with our home made political establishment. In September, the U.S. had a President who had at best been declared elected on technical grounds due to electoral anomalies. His personality did not inspire confidence within the country or in the international arena. The September 11 attacks on the WTC was an intelligence failure of gigantic proportions given the sophistication of surveillance devices the U.S. possesses as well as their extensive intelligence networks comprising the CIA and the FBI. The rescue efforts in New York of course went off well due to citizens' participation as well as the government agencies. At this hour of grief and catastrophe, the U.S. people and Congress reacted by fully backing their Presi-

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dent forgetting all their differences and their reservations on the President. This backing resulted in the President taking firm and forceful decisions without looking over his shoulders. Compare this with the Gujarat episode or for that matter with various disaster situations which our country has had to face from time to time. In our country, unfortunately politicians and others see a disaster situation as a good opportunity to grab loaves instead of assisting the government of the day to tackle the situation. In a crisis situation, the Prime Minister, his Cabinet and the whole government machinery should be able to concentrate on resolving the crisis rather than looking over their shoulders at squabbling politicians who want to exploit the situation for their personal gains and vote banks. It is time that the politicians placed national security and pride above their narrow ambitions. We have an elected government which is answerable to Parliament. Once the dust settles down and the crisis is resolved there is plenty of opportunity in our democratic set-up to bring the government to book in Parliament. Of course to do this the politicians who get elected need to educate themselves on national security and its nuances to participate in a meaningful debate — a far cry at this stage.

I am of the firm view that by relegating the Godhra issue to the back burner and concentrating on the aftermath of the incident we as a nation have done a great disservice to the country. In the hour of crisis the nation as a whole should rise and support their government in tackling the crisis and not fall into the trap set by our enemies. In the last few weeks I am convinced we have done just that and Musharraf and his staff must be enjoying the fun. Our free press was so impressed by the General's flamboyance and arrogance at Agra and did not dare to question him on contentious issues. Yet, when our own Chief of Army Staff, Gen. Padmanabhan, did us proud by giving an erudite briefing, they were trying to snipe at him. Our Army Chief has done us proud by his cool handling of the situation and I am confident that if there is a war we are going to win it. It is indeed a happy coincidence that we have a team of battle-hardened professionals heading the three services at this stage. Let us do some introspection as Indians and let us place our nation first and our own personal ambitions in a secondary place. Any amount of economic progress and agricultural production is not going to make us stand proudly as a nation unless we believe in the concept of nationhood and be proud of being Indians.

● Lt. Gen. R. NARASIMHAN

Whither Gujarat?

Gujarat continues to be consumed by the cancer of communalism. But the carnage did not happen spontaneously because of Godhra. It was a slow deliberate campaign of ten years of hate filled religious rhetoric inciting people to defend Hinduism. Hired assassins, vicious, specially trained, armed mercenaries led the mobs which massacred Muslims in Gujarat. Journalists, writers, poets and decent people scream for help for the traumatised victims, the remains of the pogrom. For a premeditated, cold blooded pogrom it was.

Politics of hatred

The Centre has shown more anger and dismay over the storming of the Orissa Assembly than they did when the news about the orgy of murder and rape broke. They condemned and distanced themselves from the Bhubaneswar stampede. But the criticism of the Gujarat Chief Minister, Narendra Modi, was muted. Indeed he was congratulated for bringing in the Army after 72 hours. The Opposition has demanded the banning of the VHP and Bajrang Dal. But why has no one raised the question of the very validity of the BJP which has encouraged and built its base on the politics of hatred and communalism? Who else can own responsibility for the carnage? Having created the Frankenstein and nurtured it, how can the very government which depends on fundamentalist fanatics now control the monster of its own making? Is not the very essence of democracy in danger?

As writers we are asked to restrain ourselves. But I thank God for Star News and intrepid journalists who risked life and limb to bring the horror of Gujarat before the country and before the world. Only if our barbarity is totally exposed can we stop the pretence that everything is back to normal. Even as I write this, the camps are filled with Muslims in need. Over 50,000 victims sit traumatised and glassy eyed unable to understand why they deserved this. Hate filled mobs are still preventing Muslims from collecting their belongings from their abandoned houses. They are threatening relief workers and people they term pseudo secularists. Pamphlets are being circulated demanding a total boycott of Muslim shops, of selling to Muslims and of doing any business whatsoever with them. Even as I write this, there are reports from credible sources in Gujarat about the continuing campaign of hatred. The call for the Final Solution. Drive them out of the State, and then drive them out of this country. Do

not buy from Muslim shops. Do not sell to them. The pamphlet concludes with a warning that the curse of Hanumanji will be on your head if you fail to implement it. The curse of Ramchandrajai if you do not circulate it. Jai Sri Ram!

While Gujarat continues to burn with hatred, the allies of the BJP look on. Theirs is not to do or die for obvious electoral reasons. They cannot withdraw support even if every decent Indian is appalled, ashamed and stricken by the holocaust that has been perpetrated in the name of religion. In a situation like this, it is imperative to introduce President's rule in Gujarat and ensure that the Army remains in charge of security. It is a lunatic fringe which supports the hate-filled politics of communalism. Yet all of us must bear the burden of the guilt and shame which has engulfed the country. And we deserve to be branded as criminals because we have voted in a criminal government that has shamed us. Nothing can take away the horror of Gujarat or wipe out the trauma of the victims it created.

But it's about time we stood up to be counted and voiced our protests. Are we a neutered nation that we refuse to act to punish the perpetrators of the holocaust? Or has it become a habit, this burning of brides, of Dalits, of Sikhs, of missionaries, the murdering of girl children? The VHP and Bajrang Dal must be declared terrorist organisations. But so must every individual who stands up and spews hate, inciting people to kill each other. And the BJP must be made accountable for its failure to protect the victims of Gujarat and the continuing hate-filled scenario.

'Final Solution'

Like Hitler's Germany, we cannot escape the guilt, the horror and the eternal shame that will haunt us and generations of our children when the history of this century is written. For it must be reiterated and established beyond doubt, that unlike all the other shameful outbreaks of religious bigotry, in the bloody annals of our history, this was a pogrom, designed in meticulous detail with pride, following Hitler's handbooks, seeking a Final Solution and working systematically towards that end. Who will conduct our Nuremberg trials? Or identify the Himmlers and SS men, our home-grown Milosevic? We need to punish the murderers and show the victims that we are on their side. That we consider them our people. We need to go to Gujarat.

● MARI MARCEL THEKAEKARA

Rights panel spits fire at Modi

HT Correspondent
New Delhi April 1

THE NARENDRA MODI Government has come under fire from the National Human Rights Commission (NHRC) for its failure to anticipate events and act without bias after the Godhra killings on February 27.

"A serious failure of Intelligence and action by the State Government marked the events leading to the Godhra tragedy and the subsequent deaths and destruction that occurred," the Commission has observed.

Saying it would await the State administration's comments before reaching firm conclusions, the NHRC endorsed the need for "greater transparency and integrity" in investigation of cases of death and destruction to restore popular confidence in the Government.

The panel has also sought comments from the State Government on how violence could be controlled in certain districts while organised plunder and killings could take place elsewhere. Citing reports of people armed with mobile phones and addresses singling out homes and properties for mayhem and destruction, the Commission said: "The question arises as to what the factors were and who the players were in the situation that went out of control."

Running into 18 pages, its preliminary comments and recommendations, released here today, are aimed at facilitating Prime Minister Atal Bihari Vajpayee's April 4 visit to Gujarat for an on-the-spot assessment. Its detailed comment on the violence would follow the receipt of response — both from the State and the Centre — to NHRC Chairman Justice JS Verma's 'confidential report' based on his four-day visit to the State.

Referring to the State Government's admission that the attack on kar sevaks at Godhra took place in absence of specific information about their travel plans, the panel noted that (Intelligence) reports about their return from Ayodhya had been received from UP on February

PANEL RECOMMENDS

- Order CBI probes into the Godhra massacre and subsequent killings
- Special courts under hand-picked judges for day-to-day hearings
- Action against those who made provocative statements to media
- Compensation for victims, repair of places of worship damaged

28, a day after the incident.

"It would appear to constitute an extraordinary lack of appreciation of the potential dangers of the situation, both by the Centre and State Intelligence agencies," the Commission said.

It was in response to an appeal by the kar sevaks that the Modi administration had restored parity after having announced a Rs 2 lakh compensation for each of the Godhra massacre victims and Rs 1 lakh for the kin of those killed in its aftermath. "This decision should have been taken on the initiative of the Government itself" in line with the constitutionally guaranteed right to equality," the panel said.

SC quashes appeal

THE SUPREME COURT on Monday dismissed a petition seeking a direction to the Centre to clamp President's rule in riot-torn Gujarat for the State Government's failure to contain communal violence. The petition had also demanded a ban on the VHP, the Bajrang Dal and the RSS. "Having examined the petition, we are not inclined to entertain it," the judges said.

Violence continues

Stray incidents of violence continued in Ahmedabad and some other areas of Gujarat today. Indefinite curfew was in force in the Gomtipur area of Ahmedabad and Kadi town of Mehsana district. A mob set on fire at least eight houses at Adundara village near Kadi, police said. Police fired at two places in Vejalpur and Danilimda late last night.



Women shout slogans against the police in an Ahmedabad neighbourhood on Monday.

REUTERS PHOTO

Future tense for Gujarat CM

Shekhar Iyer
New Delhi, April 1

PRIME MINISTER Atal Bihari Vajpayee's April 4 visit to Gujarat could turn out to be an acid test for Narendra Modi, though his fate will be decided later by the BJP leadership.

Sources indicated today that while in Gujarat, the PM would meet a cross-section of people and visit relief camps where more than one lakh Muslims have been lodged since the outbreak of violence a month ago. He would ask Modi the same questions he asked at a meeting between the two in

Delhi on March 27. The posers would be pointed: Why hadn't violence been contained? Why hadn't normalcy returned? What steps had been taken to restore law and order and what measures adopted to regain the confidence of the minorities?

Uneasy questions, and Vajpayee would want clear answers from the CM, as he would address a Press meet later in the day. But the PM's visit wouldn't have anything to do with Modi's future. A political matter, this would be decided by the BJP probably after the national executive meeting in Goa between April 12 and 14.

But Vajpayee would like to see for himself what exactly had gone wrong in the State. Modi held a long meeting with K Jana Krishnamurthi today.

BJP leaders didn't mince words to say that Modi's handling of the situation was far too inadequate. However, some in the party believe his leadership had the majority's support and there was no case for his removal.

During Modi's March 27 visit to Delhi, Vajpayee virtually ticked him off. A cornered Modi wanted Vajpayee to endorse his handling of the situation but the PM was in no mood to oblige.

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THE HINDUSTAN TIMES

not accepted. (PTI)

13 killed as clashes continue in Gujarat

Times News Network

AHMEDABAD/VADODARA:

Violence broke out in many parts of Gujarat on Saturday night, claiming at least 13 lives. The incidents occurred hours after chief minister Narendra Modi's claim at a press conference in Mumbai that the situation was under control.

The violence also marred the chief minister's bid to present a facade of normalcy before Prime Minister Atal Behari Vajpayee's scheduled visit to the state on April 4. Mr Modi left for Delhi on Sunday evening.

The most brutal clashes were reported from the labour-dominated Gomitpur area of Ahmedabad, in which at least five persons were killed and 18 injured. In Gomitpur, two persons were killed in police firing and three were stabbed to death. It was only after the arrival of

the army that the situation was brought under control. Heavy stone-throwing, firing and organised arson were also reported from the area. In areas like Samsherbagh on Nagri Mall Road and Mohanlali Chawl, Jhuita Minara, Sutharwada and Hauz Wali Masjid, the mobs set houses and shops on fire.

In the Walled City area of Ahmedabad a mob also set fire to a house in Bhutni Ambli on Sunday. Cases of arson were reported in Behrampur area of the city. The incidents heightened the atmosphere of tension in the entire eastern belt of the city, which had witnessed widespread violence on February 28.

Deaths in communal clashes were also reported from Kadi in Mehsana district and Khambhat and Petlad in Anand district.

In Petlad, one person was killed during police

firing on mobs and another when miscreants threw stones at the police. Several houses in Gulshan Nagar and Milan Nagar areas were set on fire.

In Khambhat taluka, three persons were killed in police firing on a mob which was attempting to set houses and shops on fire. In Akbarpur, a mob attacked a State Reserve Police (SRP) picket, injuring two jawans. Two persons were killed in the subsequent police firing. One person also died in police firing in Shakarpura.

In Kadi, the recovery of a body on Friday evening led to violence on a massive scale in which dozens of houses and commercial establishments were burnt down. Curfew has been clamped on these towns and the situation is said to be extremely tense.