

**GUJARAT** ■ BJP's 'balancing act' in anti-encroachment drive sparks off violence; at least 21 people are injured in clashes in walled area, half the city is under curfew

# Vadodara flares up as old dargah demolished, 4 die in police firing



EXPRESS NEWS SERVICE  
VADODARA, MAY 1

SIX of the 13 police station areas in Vadodara were put under curfew today after the demolition of a dargah led to clashes and police firing that killed four and injured 21.

A "balancing act" planned by the city BJP leadership—which had demolished temples as part of the anti-encroachment drive—triggered

protests and violence and brought the worst nightmares back to the city.

On Monday morning at 9.30, a delegation of Muslim leaders were invited to a meeting with the Vadodara Municipal Corporation (VMC) to evolve a consensus to remove an old dargah on the Fatehpura-Chamapaner Road. The VMC had pasted a notice about the demolition on the dargah walls last Wednesday. Community leaders had resisted this move

with official petitions on Saturday. Monday's meeting saw mayor Sunil Solanki, city BJP president Shabdasharan Brahmhatt and municipal commissioner Rohit Pathak seeking to convince the Muslim leaders about removing the structure, but to no avail. Soon after the failed talks, orders were given to the VMC demolition team to raze the dargah. Anticipating the demolition, a restive crowd had gathered on the Fatehpura-Chamapaner

Road, as had BJP councillors and party workers in the area.

The dargah, an old structure which finds mention in the Baroda State's city survey of 1911, was not a protected monument and neither did it have ownership papers. A fact that VMC municipal commissioner later latched on to to justify its removal as an unauthorised structure.

The dargah had been attacked in almost all communal flare-ups in Vadodara in the

past, and its removal remained a matter of prestige both for the party and the administration. BJP leaders including former state minister Nalin Bhatt remained at the spot till the dargah was demolished and the road was carpeted, in spite of the curfew.

The Muslim community, which had faxed a memorandum about the issue on Sunday itself to the National Minority Commission, quoted the Places of Worship (Special Provisions) Act, 1991, which, they say, ensures status quo to religious places built before 1947. This is why the agitated Muslim delegation members later said that the demolition was a pre-planned move to disturb communal peace in the name of city development.

As mayor Sunil Solanki and Pathak later said, a balancing act had to be done as at least half a dozen temples built in recent years on roadsides had been removed peacefully in recent days. "It would have been discrimination to allow partial removal of the dargah while entire temples are removed. We had to take a policy decision to remove it," said Pathak, who added that the violence had been an unfortunate development.

As tension mounted, an inadequate police force resorted to tear gas and lathi-charge to control the swelling mob, and the ire against authorities turned into communal clashes.

02 MAY 2005

INDIAN EXPRESS

# Troops out in riot-hit Vadodara

## On stand-by for Ahmedabad

RAJNISH Sharma and RATHIN Das  
New Delhi/Ahmedabad, May 3

THE ARMY was deployed in Vadodara on Wednesday after the clashes with the police, which broke out on Monday over the demolition of a *dargah*, started taking a communal colour in the early hours of the day.

A 38-year-old businessman was burnt alive in his car by a mob, triggering a fresh round of violence in the city. There were reports of sporadic violence, including incidents of stone-pelting, from some areas — bringing back memories of the post-Godhra riots. Two small factories in the Sardar Industrial Estate and an oil mill were set on fire by rampaging mobs. The authorities promptly withdrew plans to relax curfew in some areas following the violence.

The army is also on stand-by in Ahmedabad where communal tension was said to be building.

In Delhi, Union home secretary V.K. Duggal said the army — deployed on the request of Gujarat chief minister Narendra Modi — would patrol the disturbed areas and help restore law and order. Around 10 columns (of over 1,100 personnel) have been deployed.

Duggal said the situation though tense was under control. Seventy-five persons have been arrested for the violence that has claimed six lives so far.

In the afternoon, Modi visited the affected areas of Vadodara and appealed for peace. He also warned those indulging in violence. "Nobody has the right to take the law in his own hands. I warn rioters, whatever community they belong to..."

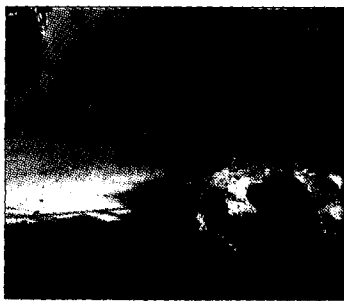
Soon after, Modi requested home minister Shivraj Patil for army deployment. Patil then met army chief J.J. Singh and other officials and decided to rush troops and additional para-military forces to Vadodara and Ahmedabad. So far, nine companies of the CRPF, RAF and BSF have been sent to Vadodara while four have been deployed in Ahmedabad.

The Centre is also believed to have told the Gujarat government to do everything it can to stop the violence.

### Gujarat 2002



### Gujarat 2006



Patil told reporters: "I don't think these kind of situations can remain uncontrolled. The state government has to do it (control the situation) and we will see that it is done."

Duggal said the home ministry was closely monitoring the situation and had asked the state government to send a detailed report on the Vadodara developments — on what exactly happened each day since the outbreak of violence.

The Centre, sources said, was in no mood to let a repeat of the post-Godhra riots happen. In 2002, the Modi government was blamed for reacting late in seeking the army's help.

The UPA government is under pressure from the Left parties. CPI general secretary A.B. Bardhan met the Prime Minister and pointed out that a problem over widening a road had turned communal. "This has to be nipped in the bud", Bardhan said.

SATURDAY, MAY 6, 2006 ✓

## A fiat Gujarat could have done without

**J**udicial activism, admirable on such occasions as when it comes to the rescue of ill-treated undertrials or bonded labour or child workers, at times turns problematical. The Gujarat High Court's order directing the police and other authorities to "take immediate steps for the removal of encroachments by religious structures on public space without discrimination and submit their reports" held the potential for aggravating tensions in communally surcharged Gujarat. And it was this concern that prompted the Centre to take the unusual step of approaching the Supreme Court, which has stayed the High Court order. The High Court had passed the direction on the basis of a newspaper report that there were hundreds of temples, mosques, and dargahs in the cities of Gujarat which had encroached on public roads. According to one count, in Ahmedabad alone in 1998 there were 1,200 temples and 250 mosques that were encroaching on roads, while in Surat 40 places of worship had been identified as major encroachments. The High Court felt that the civic authorities, by remaining silent spectators, had contributed to the proliferation of illegal religious structures. Given the way the law and order situation spun out of control in Vadodara following the demolition of a dargah, the consequences of the wholesale and immediate demolition of religious structures ordered by the High Court could well be imagined.

That private parties should not be allowed to encroach on public space, particularly roads, is unexceptionable, and the rule of law admits of no exception for religious structures, which should be treated in much the same way as any other encroaching structure. All over the country, civic authorities who, through their indifference or corrupt acquiescence, have allowed encroachments to proliferate certainly need to be reminded of their duty to enforce the law. Yet it would be naïve to imagine that the accumulated problems of decades can be eliminated overnight by a judicial fiat. Quite apart from the question whether the State administration under Narendra Modi can be trusted to implement the High Court's directive fairly and without discrimination against all offending structures, Hindu and Muslim, the very scale of operations seems too daunting to be taken up and completed immediately. A wholesale and immediate demolition drive could well see the hapless State reeling under a series of physical confrontations between the administration and various religious groups. Again, even the worst transgressor needs to be shown some consideration by way of an opportunity to move the structure and belongings to a different location, and in cases where people are uprooted from their homes, they would need to be provided with alternative space. While a firm line can be drawn against allowing any encroachments in the future, dealing with large-scale encroachments of the type that exist in Gujarat does raise issues of public order, fairness, and compassion that need to be addressed. A court order that has given little thought to these issues is something the State could have done without.

06 MAY 2006

**NARMADA ■ Gujarat Cong, BJP MPs urge PM to let work go on; Modi begins fast, says Centre, NBA "hand-in-glove"**

# No decision to suspend work on dam, says PMO

EXPRESS NEWS SERVICE

NEW DELHI, AHMEDABAD, APRIL 16

**T**HE Prime Minister's Office (PMO) today said no decision had been taken to suspend construction work at the Sardar Sarovar project site on the Narmada after Gujarat's Congress and BJP MPs and MLAs, sinking their differences, met Prime Minister Manmohan Singh and urged him not to stop work.

Gujarat Chief Minister Narendra Modi began a 51-hour hunger strike in Ahmedabad, protesting the recommendation of Union Water Resources Minister Saifuddin Soz to suspend work on the project until rehabilitation of dam oustees was done in a satisfactory manner.

Modi accused the Centre of being "hand-in-glove" with the Narmada Bachao Andolan and "conspiring" to halt the raising of the dam height. "The Centre is playing games with the interest of Gujarat and trying to give sanctity to the demonstrators who are against the construction of dam," Modi told a gathering.

The Gujarat Congress withdrew its strike call following the Prime Minister's assurance that work on raising the height of the dam would not be stopped. Twenty six MPs of BJP and Congress from Gujarat met Singh and urged him to allow continuance of construction work on the Narmada dam.

They told the Prime Minister that the river Narmada was the lifeline of Gujarat and the decision of the Narmada Control Authority to raise the height of the dam could not be reviewed as it was taken "unanimously".

"The Supreme Court has closed all arguments regarding construction of the dam and work on the project should not stop," said Arun Jaitley, BJP general secretary and Rajya Sabha member from Gujarat.

The all-party delegation, including some MLAs from the state, said "We unanimously oppose any such idea of stopping the work. We strongly feel the dam and the rehabilitation work should go hand in hand."



Gujarat CM Narendra Modi begins his 51-hour fast in Ahmedabad. Express

Flanked by Gujarat Congress president Bharat Solanki, Jaitley said, "the Prime Minister appeared to agree with our plea."

The PMO said Manmohan Singh had received recommendations made by the review committee of Narmada Control Authority and recommendations made by Saifuddin Soz. Asked about suspension of work on the dam, PMO spokesman Sanjaya Baru told reporters: "No decision has been taken." He said there was no question of going against the Supreme Court verdict in the matter.

In Ahmedabad, Modi, after taking blessings of several religious

leaders, began his fast to protest Soz's recommendation that work at the project be stopped till rehabilitation of those displaced by the dam was completed.

Though Modi had announced that he would protest at the Sabarmati Ashram, his government decided on another venue due to security concerns and space constraints.

With a banner reading "Narmada ka bandh nahin rukega aur Gujarat nahin jhukega (Narmada dam work will not stop and Gujarat will not bow)", Modi sat on the dais along with his entire cabinet and senior party leaders.

7 APR 2006

INDIAN EXPRESS

## Centre flip-flop on Narmada dam

# Modi does a mini-Medha

POORNIMA JOSHI

New Delhi, April 15: One hunger strike almost got the Centre to suspend work on the Sardar Sarovar dam before the threat of another robbed it of the appetite for action and sent it running for cover to the Supreme Court.

After a meeting of the Review Committee of the Narmada Control Authority (RCNCA) during the day, Union water resources minister Saifuddin Soz said construction would be halted till the displaced are rehabilitated, but later changed tack to say the decision had been left to the Prime Minister.

"I, as chairman of the RCNCA, had taken a decision to suspend work on the dam till rehabilitation was complete. But since there is a tie on our resolution, the matter would be referred to the Prime Minister who takes the final decision," he said, a line he changed again to say that the apex court would decide.

Soz would not have bargained for Narendra Modi doing a Medha Patkar. The Gujarat chief minister, who was fuming at the end of the meeting chaired by Soz, said an hour later: "I will sit on a fast for 51 hours on the banks of the Sabarmati tomorrow at 2 pm...."

Medha's hunger strike — into its 17th day — had pro-

### OFF THE PLATE

- **Name:** Narendra Modi
- **Age:** 56 ● **Height:** 5'11"
- **Weight:** 95 kg

**What Modi has threatened to give up for 51 hours**

**Breakfast:** Mumara (made of rice) and fruits

**Lunch:** Two chapatis and moong dal

**Dinner:** Light meal, occasionally khichdi

● **Fast record:** For three decades, has been fasting twice a year during Navratri

● **Expert opinion:** A 51-hour fast will not make Modi lose even 2 kg

*Pravin Kanabar, a doctor in Gujarat*

mpted the Centre to review the decision to raise the dam's height from 110.64 m to 121.92 m.

To the Gandhian protest, Modi added a thinly-veiled warning of violence: "I appeal to the people of Gujarat to not let things go out of control. But if something happens, the central government would be entirely responsible."

Violence has already broken out, with BJP workers ransacking the Vadodara office of Medha's Narmada Bachao Andolan and stalling the screening of *Rang De Basanti*. Aamir Khan is backing Medha.

In the evening, a statement from Soz, who met Manmohan Singh during the day, said: "It

is open to the Supreme Court to consider whether construction of the dam should be temporarily suspended." The court will hear two rehabilitation petitions on Monday.

The Prime Minister, who is empowered by the Supreme Court to take a decision, is under pressure from an influential section of his own party that fears stopping work on the dam would permanently damage the Congress in Gujarat.

But BJP leader L.K. Advani insisted Singh has to decide. In a phone call tonight, he urged Singh "to show leadership" and said: "You alone have to decide at the earliest."

Politics had dominated the review meeting, too. On one side were Modi and the other BJP chief ministers Shivraj Chauhan and Vasundhara Raje. On the other, Soz, his cabinet colleague A. Raja and Maharashtra chief minister Vilasrao Deshmukh.

The Union ministers introduced a resolution that called for work on the dam to be suspended. They pointed to a report by three ministers, including Soz, who surveyed the submergence zones in Madhya Pradesh. "I found that in Piplud, Awalda and a number of other villages rehabilitation work had not been done," Soz said.

The resolution was opposed by the BJP-led states, and voting led to a tie.

■ See Page 6

# Flip-flops gets Zahira a year in jail

By Dhananjay Mahapatra/TNN

**New Delhi:** The flip-flops of Best Bakery case key witness Zahira Sheikh has cost her dear, with the supreme court on Wednesday holding her guilty of contempt of court and sentencing her to a year's imprisonment and a fine of Rs 50,000.

Going much beyond the report of the inquiry committee branding her as a "self-condemned liar" amenable to inducements to lie on oath before the court, a bench comprising Justices Arijit Pasayat and H K Sema drew the curtain on her three long years of theatrics by continuously switching sides. Zahira had first supported the prosecution, then turned hostile and finally charged social activist Teesta Setalvad (who fought against the acquittal of all 21 accused in the post-Godhra riot case) with inducing her to give statements against the accused.

This conviction and sentence is in addition to the proceedings initiated against her by the Mumbai trial court, which recently convicted 10 persons in the case after the trial was transferred from Gujarat to Maharashtra.

Failure to pay the fine of Rs 50,000 will entail another year behind the bars, the SC ordered, terming the Best Bakery case as a "classic example of evidence being tampered and witnesses won over".



## Zahira 'missing'

**Ahmedabad:** Expressing ignorance about the whereabouts of Zahira Sheikh, her counsel Atul Mistry on Wednesday said she was not in touch with him "since the supreme court verdict against her. It is for the police to trace her. Zahira has not phoned me in the past few months," he said.

So miffed was the court with Zahira's "flip-flops" that it did not stop at convicting and sentencing her. It ordered attachment of her bank accounts and asked the income-tax chief commissioner, Vadodara, to initiate an inquiry about her income and sustainability from the year 2002, when the Bakery was burnt by a rampaging mob after 59 persons got burnt in the fire in S-6 coach of Sabarmati Express on February 27, 2002.

03 MAY 2005

THE TIMES OF INDIA

04 MAR 2005

THE STATESMAN

# Godhra train fire accidental: panel

**NEW DELHI/AHMED-ABAD, March 3.** — In a report which may have far-reaching political consequences and bring the Opposition BJP and the ruling UPA face to face, the railway ministry-appointed Justice UC Banerjee Committee today concluded that the 27 February 2002 Godhra train fire which claimed 59 lives was an accident.

The fire, which engulfed the Sabarmati Express at Godhra and allegedly charred "Ram Sevaks" to death, resulted in widespread riots in Gujarat in its wake. The BJP and the

Narendra Modi led government had blamed the killings of Hindu devotees on a "conspiracy". The committee's final report, submitted to the railway board chairman, Mr JP Batra today, is expected to create a lot of heat and dust in Parliament tomorrow.

Quizzed on his final report, Mr Banerjee said his interim report on the Godhra train fire in January 2005 was "consistent" with his final one "that the fire in coach S-6 of Sabarmati Express was accidental and not deliberate. As it is consistent, there is no reason to change it." The Gujarat government appointed Justice GT Nanavati committee, probing the Godhra riots

last year, contested Mr Banerjee's interim report. Mr Banerjee said he had no reason to believe that the train was set on fire by a mob at the Godhra station or petrol was used to set the coach ablaze.

Mr Banerjee's interim report had ruled out any inflammable liquid being thrown from outside into the train coach. It also did not attach any importance to the petrol theory or electric spark or anti-social elements being the cause of the fire. Today, too, he refused to speculate on how the Justice Nanavati Committee would react to his latest findings. "I don't know what he will say about the final report," he said. Asked

whether the Gujarat government cooperated in the investigation, Mr Banerjee said that initially he had faced difficulty but later police cooperated. On the basis of submissions by SP Mr Raju Bhargava and Mr Sri Kumar, additional DG of Gujarat Police, he said there was no crowd at the Godhra station at the time of the fire. He refused to buy the argument that people failed to come out of the burning coach as it was locked from inside. He said: "It is impossible unless the railways decided so". He also wondered how only 59 persons remained trapped when the remaining 200-250 passengers escaped.

Meanwhile, Ms Gayatri

Panchal, a resident of Ahmedabad, who survived the incident on 27 February, 2002, but lost both her parents but lost both her parents

decried the report. She said: "The Banerjee Commission report is absolutely incorrect. I have seen everything with my own eyes." Ms Panchal said the fire could not have been accidental as no one was cooking in the S-6 coach and it was packed with passengers. "Mobs pelted stones at the coach for long and then threw in burning rags and also poured some inflammable material so that the coach caught fire. I will offer the same version wherever I am called to depose on the matter," Ms Panchal said.

# Riot-affected Goa towns returning to normal

## But trade still affected following sporadic incidents in others parts of State

Special Correspondent

**PANAJI:** Even though the riot-affected towns of Curchorem-Sarvordem in south Goa are returning to normal, partial bandhs coupled with sporadic incidents continued to disrupt business and trade in several parts of the State on Monday.

Reports of partial bandhs in response to calls given by some organisations protesting "hurt to the sentiments of Hindus" poured in from many parts of the State. Shiroda, Cuncolim, Canacona, Margao in south Goa witnessed such bandhs. The Bharatiya Janata Party (BJP),

however, dissociated itself from any bandh call on Monday.

The Goa Chamber of Commerce and Industry (GCCCI), the body representing trade and industry, strongly condemned the loss of property in Curchorem and Sarvordem. The GCCCI also objected to the bandh calls given by some organisations and reminded them of the Supreme Court verdict terming such bandhs illegal.

It supported Chief Minister Pratapsinh Rane's statement that there will be no restriction on genuine migrants, but cautioned that there have been incidents of people from across the

border entering State's villages and advocating fanaticism.

The BJP on Monday appealed to all its leaders and others to refrain from giving any bandh calls. The Leader of the Opposition and former BJP Chief Minister, Manohar Parrikar, told reporters on Monday that the party favoured early return of normality in the riot-torn areas as well as the entire State to avert damage to Goa's image as a peaceful State in terms of investment and tourism.

### BJP demands probe

Questioning the basis for Mr. Rane's statement on Sunday

that the riots were "pre-planned," BJP leader Manohar Parrikar demanded a judicial probe into the events leading to the riots and its aftermath. He also demanded Mr. Rane's resignation.

Mr. Parrikar reiterated his demand for probe into the "massive inflow of migrants from across the border" and also expressed apprehension that many of them may not be Indian nationals but infiltrators. "When I was the Chief Minister, I had sought details about antecedents of many Kashmiris in the coastal belt of the State, but the Kashmir Police never cooperat-

ed," he observed.

Refusing to accept that the riots were targeted against a community, he said, "they were against an illegal construction by an outsider which was sought to be expanded taking advantage of the callousness of the administration to demolish it." He emphasised the need for the government machinery to step in to take prompt action against illegal structures and warned "lest the people tend to lose their patience."

He disclosed that he would be sitting with leaders of various communities to work towards peace in the state.

Q-SAR C.S.K. ✓ HD-12



**SOME KILLERS ARE MADE TO PAY FOR THEIR DEEDS**

## Life term for nine in Best bakery case Murder convict leaps to her death in court

Zahira, Kin Get Perjury Notices

She Had Got Foster Father Killed

TIMES NEWS NETWORK

**Mumbai:** Nearly four years after they burned down Best Bakery at Hanuman Tekri in Vadodara and killed 14 persons on the night of March 1, 2002, a special Mumbai court on Friday sentenced nine accused to life imprisonment. Judge Abhay Thipsay pronounced the order in a high-security

**Mumbai:** A woman, sentenced to life for murdering a senior citizen, committed suicide on Friday by jumping from the third floor of the sessions court after the verdict was pronounced.

Geeta Soni, who, along with her mother Sharda Soni and husband Ishrat Mulla, had conspired to kill her foster father Adi Kurshedji to grab his property worth Rs 35 crore



Activist Teesta Setalvad speaks to the media outside the court after the verdict was announced on Friday



The car that was damaged when Geeta Soni fell on it after leaping from the third floor of the sessions court on Friday

court in Mazgaon.

The judge said he had considered but decided against handing out death penalty. "The prosecution didn't seek it and moreover there was no eyewitness account that detailed the specific role of each accused," he said. Eight other accused were acquitted for lack of evidence. For the convicted, the life term is a double blow as it will not run concurrently with punishments ranging between 7 and 10 years for the other charges.

The judge has also announced compensation of Rs 1,80,000 to the survivors of the tragedy, which will be paid by those convicted.

The star witnesses in the case—Zahira Khan and her family—who turned hostile during the trial, are in trouble. Judge Thipsay has issued perjury notices against Zahira, her mother, sister and brothers. The family has been asked to explain why action should not be taken against them for "giving false evidence".

broke down on hearing the verdict. And as she was being taken to jail from the court, she suddenly jumped from the third floor and died on the spot.

While five persons, including Soni, were awarded life term, a doctor was given a three-year jail term on the charge of falsely certifying the cause of victim's death as natural.

While prosecutor Ujjwal Nikam sought death penalty for the accused, the court did not give in saying the accused had committed such an offence for the first time. The accused had abducted Kurshedji to Soni's home on May 20, 2003 and suffocated him to death with a pillow on the same day.

Both Soni and Kurshedji were animal lovers and Kurshedji treated Soni as his foster daughter, making her a partner in his bank accounts and properties. However, he changed his mind after she married his driver Mulla. This angered Soni and she decided to get rid of him and grab his assets. Agencies