

CRIMINALISING & PENALISING MUSLIM IDENTITY

Fact Finding Report on Ujjain,
Indore, Mandasaur Violence 2020



ASSOCIATION FOR PROTECTION
OF CIVIL RIGHTS (APCR)

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The Association for Protection of Civil Rights (APCR) would like to most sincerely acknowledge the contribution of all those who led to the successful completion of this Fact-finding Mission in the communal-violence hit Malwa-Neemuch region of Madhya Pradesh. We acknowledge the communities living in Begum Bagh Colony, Chadani Kheri village and Dorona village who shared their experiences of violence and participated in informant interviews that provided the required content for this report. The efforts by the various Community leaders, local Journalists, lawyers, and Civil Rights activists that have put their lives on the line in the promotion and protection of human rights and useful information provided to the fact finding team cannot be gainsaid. The Association for Protection of Civil Rights also takes cognizance of the affirmative response by the Superintendent of Police, Mandsaur and Inspector General of Police, Indore for their crucial meeting with the Fact-Finding Team. The APCR further acknowledges the local people for their immense and invaluable support towards the success of this mission leading to the final publication of this fact-finding report. We also sincerely thank reviewers for their invaluable comments and the technical editing of this report.

1. Introduction

A series of ‘Jan Jagran rallies’ organized between December 25 to 31 by Hindutva groups to raise funds for the upcoming Ram Temple at Ayodhya led to communal violence in the Western Madhya Pradesh which has left members of the Muslim community shaken.¹ Police remained mute spectators even as places of worship were targeted and houses were set on fire in Indore, Ujjain, Mandsaur and other areas. Police now claim that the situation is under control, that a policeman has been suspended and people, mostly Muslims, have been booked. Two mosques were attacked and dozens of homes of Muslims were ransacked by the mob carrying saffron flags in three districts of the State -- Ujjain, Mandsaur and Indore which lies in the communally-sensitive Malwa-Neemuch region, a strong hold of the Rashtriya Swayamsevak Sangh (RSS). In all the instances, Muslims claim that the violence was started by the rallyists and the violence took place in the presence of the police. Residents of the village claim there was anti-Muslim sloganeering by Hindu rally participants, who carried weapons. In two instances, the administration has also demolished the houses of Muslims who allegedly carried out stone-pelting.²

The situation is still tense in several parts of the central Indian state of Madhya Pradesh days after communal violence broke out in parts of the state and constant calls by Vishwa Hindu Parishad (VHP) and other Hindutva groups for fundraiser rallies for the construction of Ram Temple in Ayodhya in different parts of the state.

2. Objective of the Report

This report has been prepared with an objective to reveal the truth behind the communal violence that occurred in Ujjain, Indore and Mandsaur. The idea is to present the correct narrative and accurate information pertaining to the violence. Access to the information and transparency should always be the utmost priority to initiate a healthy debate and discussion regarding the violence in order to ensure the accountability of the perpetrators and state machinery for their action and inaction.

¹ The term “communal violence” in the Indian context refers to violence between religious communities such as between Hindus and Muslims. The term “communal violence” is inappropriate to describe the instances that happened in Chandan Kheri and Dorona villages. All the evidence suggests that one-sided religiously-targeted violence against a particular community with a pre-planned motive and intention in the presence of police, something much closer to the pogrom.

² <https://scroll.in/latest/982843/indore-authorities-partially-demolish-80-houses-a-day-after-communal-clashes-report>

3. Methodology

The outcome and results of this report is based on the facts, data and evidence collected by the fact finding committee which comprises the Senior Advocates of Supreme Court and High Court, Journalists, Social Activists and lawyers. The committee visited the areas that were impacted severely by the violence unleashed during the communal riots.

3.1 Fact Finding Team

The incident of communal violence's across Madhya Pradesh was reported to Association For Protection Of Civil Rights (APCR), Delhi office via various local sympathizers and relatives of victim families. With keeping all the updates in perspective, APCR decided to do a fact finding of all the recent communal violence across the region of western Madhya Pradesh. For this purpose APCR constituted a team of civil right activists.

The Fact Finding team constitutes as follows: -

1. Ehetesham Hashmi, Advocate, Supreme Court
2. Shoeb Inamdar, Advocate and National Assistant Coordinator, APCR
3. Mukesh Kishore, Advocate, Supreme Court
4. Jwalant Singh Chouhan, Law Graduate
5. Jahanara Ansari, Journalist, Video volunteer, Madhya Pradesh
6. Sayed Ali, JIH Secretary, Madhya Pradesh
7. Kashif Ahmed Faraz, Journalist, Delhi
8. M Huzaifa, Student Activist, AMU

The Fact-finding team held several meetings and interviews with locals, eyewitnesses, victims and their families. After listening to the accounts of the incident with all the available sources, the team prepared their perspective report.

3.2 Visit to the Affected Areas

The fact-finding commenced on 10th January, when the team visited the Begum Bagh Colony of district Ujjain where the first instance of violence was reported and biased Police action was alleged by the locals against a particular community. The Team then visited the Chandan Khedi

village of Indore district where a house was set on fire and its members were brutally assaulted with sword and bullet injuries and also 80 houses were partially demolished the following day of violence without any prior notice by the local administration. The third and the last visit was to Dorona village of district Mandsaur where a mosque was tried to be vandalized and large scale destruction and dacoity was reported in the dozen of houses in the presence of police. The religious Muslim identities including flags and chadars were destroyed.

3.3 Sources of Data

The Team interviewed the eyewitnesses, victims and their families and gathered their first hand testimonies. Such testimonies in the report are based on community narratives, eye witness accounts and survivor testimonies which the team wishes to highlight. The Report tries to provide a true picture of pre- and post- violence scenarios through both primary and secondary data amplifying the role of various stakeholders in abetment or prevention of the violence. The videos and pictures circulated among the community related to the recent violence have also been accessed from the locals and also tried to verify them to some extent by visiting the site. The names of the testimony providers have been consciously omitted or changed so as to protect their identities.

4. Detailed Incidents

4.1 Background

The seven-decade old Ayodhya title suit was settled by the five-judge Constitution bench of the Supreme Court led by Chief Justice of India Ranjan Gogoi (now retired) had on November 9, 2019 unanimously delivered its 1045 page verdict that the land in Ayodhya where Babri Masjid once stood, belongs to Ram Lalla. The court's order brought an end to a long fought legal battle and paved the way for the construction of a grand Ram Mandir. The top court ordered the Centre to set up trust to oversee the temple construction world. Besides, it also directed the government to allot a five-acre plot to Sunni Waqf Board at a prominent location in Ayodhya for the construction of a mosque.

The efforts to ensure social harmony and peace between Hindus and Muslims have taken centre stage after the Supreme Court announced its verdict on the Ram Janmabhoomi-Babri Masjid land

dispute case. While the RSS appealed twice to maintain law and order, the VHP said it will now focus on temple construction but this promise didn't even last a year and Vishwa Hindu Parishad (VHP) and other Hindutva outfits has been orchestrating communal violence and clashes by organising rallies in muslim dominated localities and disturbing peace and integrity of India on the behest of fund raising rallies for Ram Mandir construction.

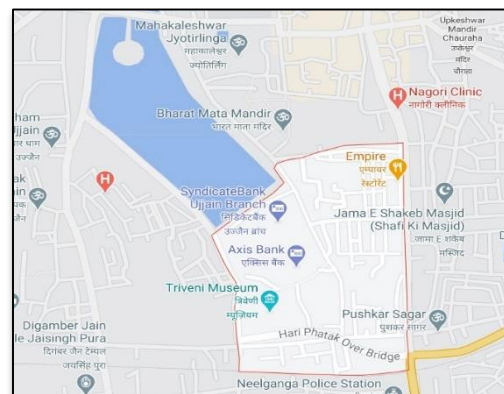
The fear of the possibility of an unfortunate incident exists even after one year of judgement in the Ayodhya title suit. At a time when religious intolerance is growing in the country, minorities are living in fear, right-wing groups are out of control and hate mongers are holding constitutional posts, India cannot afford any campaign that creates rift in the society.³

The vehicle rallies that are planned from 25-31 December were part of an elaborate exercise to raise awareness and funds for the temple. The actual fund-raising will begin from 14 January and the VHP is the convener of the rallies and other events because it played the main role in the Ramjanmabhoomi movement, which culminated in the razing of the Babri Masjid in Ayodhya.⁴

4.2 Brief Demography

Begum Bagh -

Begumbagh, home to around 300 families, is predominantly Muslim with very few hindu families living there. The locality comes under the jurisdiction of Mahakal police station, district Ujjain. It is very much near to the Mahakaleshwar temple. Every year, the local muslim society on the occasions of Mahashivratri, Simhashta and other hindu festivals serve the devotees and the arrangements of food, water and refreshments are made by them on Begumbagh - Mahakaleshwar Temple road and both Communities are in great sense of harmony and tolerance.



³ <https://www.india.com/news/india/babri-masjid-demolition-can-india-afford-another-ram-mandir-movement-1692668/>

⁴ <https://theprint.in/india/ram-mandir-fund-collection-drive-stokes-tension-in-mp-clashes-bid-to-damage-mosques-reported/576598/>

Chandan Khedi -

Chandan Khedi village is located in Depalpur Tehsil of Indore district in Madhya Pradesh, India. It is situated 32km away from sub-district headquarter Depalpur and 50km away from district headquarter Indore. Chandan Khedi is the gram panchayat of Chandan Khedi village.⁵

The total geographical area of the village is 523.61 hectares. Chandan Khedi has a total population of 2,413 people. There are about 368 houses in Chandan Khedi village. Depalpur is the nearest town to Chandan Khedi which is approximately 17km away.⁶

Chandan Khedi is a Muslim-dominated village with a population of around 3,500 of which there are only around 10-12 Hindu families.⁷



Dorana -

Dorana village is located in Daloda Tehsil of Mandsaur district in Madhya Pradesh, India. It is situated 20km away from sub-district headquarter Daloda and 18km away from district headquarter Mandsaur. As per 2009 stats, Dorana village is also a gram panchayat.⁸

The total geographical area of the village is 467.51 hectares. Dorana has a total population of 2,117 peoples. There are about 439 houses in Dorana village. As per 2019 stats, Dorana villages come under Mandsaur assembly & parliamentary constituency. Mandsaur is the nearest town to Dorana which is approximately 18km away.⁹

Dorana is home to over 300 families from the Hindu community and around 85 from the Muslim community.¹⁰



⁵ <https://villageinfo.in/madhya-pradesh/indore/depalpur/chandan-khedi.html>

⁶ Idib

⁷ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

⁸ <http://www.onefivenine.com/india/villages/Mandsaur/Mandsaur/Dorana>

⁹ Idib

¹⁰ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

4.3 Minutes of the Incident

Begum Bagh, Ujjain - 25 December

Bharatiya Janata Party's (BJP) youth wing Bharatiya Janata Yuva Morcha (BJYM) members organized bike rallies on 25th of December 2020 to gather funds for the construction of Ram Temple in Ayodhya. The rallies from five different places in Ujjain, namely Gopal Mandir, Nana Kheda, Tower Chouraha, Ravi Shankar Colony, and Char Dham Mandir converged in Begum Bagh locality. The rallyists get off their bikes at Upkeshwar Chauraha while sloganeering derogatory and sexist slurs to the residents of Begum Bagh who are predominantly from minority community (Muslims). The residents of Begum Bagh alleged that the BJYM workers were abusing the locals, rather than simply sloganeering, while crossing the neighbourhood multiple times a day whereas police denied the claims despite the fact there are ample video evidences to support the claims of residents. In reply to the abuses hurled targeting women of the locality, reportedly one woman threw stone at an abusive mob. Apparently, it turned into stone pelting mayhem from both sides. The mob taking advantage of the situation started beating men from the local population and damaged property in the local vicinity Multiple vehicles were damaged, one person sustained serious injuries and eleven people were injured. Several houses, shops and one clinic were also damaged due to stone-pelting.¹¹

This whole incident happened in the presence of the local police. In response to the incident police filed three FIR's against forty residents from the local area and twenty of them have been arrested so far who were instigated into this conflict by the rallyists. Later, the Ujjain collector invoked the stringent National Security Act (NSA) against five Begum Bagh residents Ayaz Mohammad, Wasim Aslam, Shadab Akram, Altu Aslam and Yasmeen Bi.¹²

The provocation came from the gathered mob and in the whole police action the victims were harassed and accused by the police for the violence, one-sided action of the police, was grossly irrational and arbitrary. The administration also demolished the three-storey building of one Abdul Hamid, citing the reason that stones were hurled at the rally from his house, citing encroachment.

¹¹ Kashif Kakvi, "Madhya Pradesh Police claim all is well after Ram Bhakts collecting donations went on a rampage," 02 Jan 2020, National Herald <https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>

¹² Idib

Ujjain's Superintendent of Police Satyendra Kumar Shukla confirmed that the organisers of the rally had not taken requisite police permission, and a case has been filed but also claimed that action has been taken against the residents as there is clear-cut evidence of stone-pelting. Twenty arrests have been made and the National Security Act has been imposed on five.¹³



APCR Fact finding team collecting Testimonies from the victims and eyewitnesses



A muslim family's house demolished by authorities in begum bagh ujjain colony for allegedly pelting stones on BJYM Rally



A pre-fundraising awareness rally for the construction of Ram Temple, organised by BJYM in Ujjain.

¹³ Idib

Chandan Khedi, Indore - 29 December

The second incident was reported on 29 December 2020 from Indore's Chandan khedi of Depalpur panchayat where the minaret of a mosque was vandalized and a house was burnt down.¹⁴ Chandan Khedi is a Muslim-dominated village with a population of around 3,500, of which there are only around 10-12 Hindu families. A fund collection rally by the name of " Shri Ram Mandir Nirman Nidhi Sanghrah Abhiyan ", was being taken out by Hindu right-wing groups.

Initially, the rally was being taken out smoothly, but later, they started raising slogans like 'tumhara aakhri din aa gaya hai'¹⁵ and the participants of the Abhiyan stopped in front of a Eidgah mosque and started singing hymns on the road, blocking the movement of vehicles and passers-by as claimed by the villagers. When some of the villagers tried to pass the rally, members of the Abhiyan objected to their movement, leading to a clash. It is further claimed that the men continued to raise slogans loudly and as violence erupted, "they called more people from the nearby villages".¹⁶

A mob of around 500 people in the presence of police vandalised the minaret of Eidgah's mosque and removed the religious green flag, chanting "Ek hi Jhanda ek hi naam, Jai Shree Ram, Jai Shree Ram."¹⁷

The mob with a pre-planned motive gathered in large numbers with firearms and sharp-edged deadly weapons and instigated the local minority community with abusive sloganeering, when the local Muslim community resisted the attempt of vandalism of the Eidgah Mosque, the mob disbursed. While returning, they again gathered with a pre-planned intention and with a thorough planning targeted the last house of the village which was in the outskirts, open from all sides. The rampage of the mob started with stone pelting, in protecting themselves the members of the household of the village locked them inside their house on the suggestion of the police party present on the site. This move embolden the mobs and they grew in number and from stone pelting they switched to attacking the property and blazed their furniture and other properties which they found accessible. Later on the behest of police suggestion family members came out to extinguish the fire. This move of the victim exposed them to rioters and they came under direct attack of the

¹⁴ <https://thewire.in/communalism/madhya-pradesh-communal-clashes-break-out-indore-ujjan-dhar-several-injured>

¹⁵ A threat which means 'your last day has come'

¹⁶ Idib

¹⁷ <https://thewire.in/communalism/madhya-pradesh-communal-clashes-break-out-indore-ujjan-dhar-several-injured>
The slogan means "Only one flag and one name, Hail Lord Ram Hail Lord Ram"

mob. Apparently, five members of the family were injured with bullet wounds and sword attacks. This whole episode of rampage and attack on innocent human life was kept on for four hours in front of a police party. Many eyewitnesses confirmed police inactiveness and insensitiveness towards their duty to protect innocent citizens' life and property. Complete lawlessness existed there from morning to evening that day.

It is reported that three tractors, two bikes, jeep, floor Mill, pipes, fridge, furniture, fan, TV, bullock cart and crops were either damaged or gutted in the fire. The miscreants also robbed a cash of Rs 2 lakhs and about 60 grams of gold jewelry. Even the innocent animals were not spared and an eye of a goat was gouged out, many buffaloes were injured with swords and sticks.

A DSP has been removed from his charge and a SHO has been suspended for their role in the incident. Justifying police inaction, senior officials argued, "police were outnumbered by the mob and failed to control the situation. As far as the police's involvement in the incident is concerned, we are probing it and if we found any substantial proof or video, we will take strict action."

Deputy inspector general of police, Indore Harinarayan Chari Mishra said, "We have identified at least seven people [as accused], and the arrested accused will be booked under the National Security Act (NSA).

However, the police maintained that the organisers had taken permission for the procession and clash started after persons in the rally objected to the villagers filming the procession. Four FIRs have been registered in the case, including firing by the villagers, and against two men who were found trying to damage the minaret.

Superintendent of Police, Indore (West) Mahesh Chandra Jain has his own version of the incident which claims that violence broke out after the villagers pelted stones.

"We have to see who initiated it. There was stone pelting from the villagers' side and it resulted in a clash. Our force, despite being less in number, took charge of the situation soon," he said.¹⁸

¹⁸ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>



APCR Team met with Inspector General of Police, Indore regarding police biased action against muslim in chandankhedi violence.



Authorities demolishing houses of muslims in chandankhedi village the following day of violence.



APCR team observing house set on fire by mob in chandankhedi

Dorana, Mandsaur - December 29

The village of Dorana was the third site of violence where a rally held by Vishwa Hindu Parishad deteriorated into the ransacking of 50 Muslim houses and the green flags on their terraces were replaced with the saffron ones. An earlier rally on December 25 was stopped peacefully from playing loud music outside the mosque in the village by locals. But on December 29, some of those in the rally climbed the same mosque and put up saffron flags as seen in the videos accessed from the locals by our team. The incident took place on 29th of January 2021 when 5000 workers of Vishwa Hindu Parishad (VHP) marched through the village in a rally after messages on social media for “Hindu brothers” to join the march with saffron flags and other social media message circulating before the rally calling on people to teach the “descendants of Aurangzeb” a lesson for

stopping an earlier rally for playing music outside the mosque during friday prayers as alleged by the villagers.¹⁹

It is also claimed that the villagers had already petitioned the Superintendent of Police to seek protection. A villager also stated that the local police inspector had assured them of security and asked them to remove flags and remain indoors on rally day. The police also inspected the terraces to ensure that no stones were on the terraces before the rally. This move embolden the courage of rally participants and gave them free hand to destroy and steal the houses.

Due to uncertainty on police protection many of the women and children were sent to the adjoining village while the men stayed back to defend the property.

In the afternoon, around 5,000 men entered the village, wielding swords, sticks and stones and saffron flags. They were mostly in the age group of 15-25 years and had joined from the bordering state of Rajasthan. The mob ransacked houses, parked cars, CCTV cameras, electricity metres and other properties and even hit the cattle tied outside which led to the death of a mother goat of two kids. But apart from looting and damaging houses, a few men tried to damage the mosque, others burnt the chaadar that was there on the Dargah.²⁰

Several villagers ran for their life after being chased by some participants in the rally and finally saved when sheltered by the neighboring hindu families. Also some women who had stayed back also had to flee their homes into the fields after some in the rally fired a few rounds in the air after which many women who were hiding in the fields began running, only to be chased by the men, claimed by the village women.

Mandsaur's SP Siddharth Choudhary stated that he had deployed 100 men, six inspectors, a Deputy Superintendent of Police (DSP) under the Additional SP. We had given clear instruction to our force deployed in the village that nothing should happen to the masjid — which was ensured. The flag put up was immediately removed by the police personnel present there.²¹

He further said, "Eight FIRs have been registered in connection with the incident. Four cases on complaint of villagers, two by organisers of the rally and two people have been booked for fanning rumours through social media."²²

¹⁹ <https://thewire.in/communalism/vishwa-hindu-parishad-madhya-pradesh-dorana>

²⁰ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

²¹ <https://thewire.in/communalism/vishwa-hindu-parishad-madhya-pradesh-dorana>

²² <https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>



APCR fact finding team in Dorona village of Mandsaur District



Visuals from Dorona village ransacked by rally organised by VHP.



Vishwa Hindu Parishad rally turned violent in Dorona village of Mandsaur district.

5. Testimonies or Statements

5.1 Accounts of the victims/eyewitnesses of violence in Begum Bagh Colony, Ujjain

The Fact-finding team after arriving in Indore visited the first site Begum Bagh colony in Ujjain and held several meetings and interviews with locals, politicians, police, journalists, eyewitnesses, victims and their families. After listening to the accounts of the incident with all the available sources, the team collected individual testimonies from them on record.

Reshma Khani, Eyewitness (Begum Bagh Colony)

She is the daughter of Yasmeen Bi, who has been the victim of police bias and arbitrary action. She claimed that her mother was out on her work, police later picked her from her residence and charged her for stone pelting. The victim's daughter asserts that her mother was not the one which police claims to be seen in the video footage. The apathy is that the woman involved is the sole breadwinner for her family. In absence of Yasmeen Bi, the whole family is struggling to survive and meet their daily needs. Not just this, the police snatched mobile of Rubina's younger daughter Umra Khani and it was returned after eight days without giving any reasons by the police. The police shell shocked and scared off the family members with their inhumane treatment meted out to them.

The police atrocities did not stop until it rendered homelessness to the entire family by subsequently demolishing her house. The arbitration of the police was so rampant that initially they were to demolish the house of Yasmeen Bi's neighbor Kika Ram Yadav but after some rethought, they took upon Yasmeen Bi's house and demolished it. The police could not provide an apt answer to the curious and shocked neighborhood for their sudden change of target from Kika Ram Yadav's house to Yasmeen Bi's house for demolition and acted upon in an unseen, anarchic and chaotic manner.

Firdaus Pathan, Victim (Begum Bagh Colony)

He was arrested by the police on the charges of stone pelting and perpetuating violence but the police had to release him later because at the time of violence he was present elsewhere and there was ample eyewitnesses and documentary evidence of his being away from the incident site. Instead of this he had to be in police custody for a substantial period of time. He also alleged that pressure was created on him to confess the names of Ayaz, Sharukh and Jalebi and their involvement in the violence. Though he claimed that neither he was present with them nor had any idea of their whereabouts. This particular incident of arrest shows that all the arrests made by the police were without investigation and arbitrarily done without any evidence. This random arrest has created an atmosphere of fear among the victim families. Taking in consideration the nature of police action, all the arrests made in this case holds no major legal grounds. While in

police custody, he was forced and pressurized by the police to name some other people from his locality to be part of the violence which he denied and had to face police brutalities.

Tigul Khan, Eyewitness (Begum Bagh Colony)

He works in the nearby catering and was an eyewitness to the whole incident as he alleged that rallyists were looking to cause trouble because they began shouting slogans threatening violence against Muslims and abuses at women who were watching the rally from their rooftops. Several rallies come through our area every year. There's a Mahakal temple not far away and they hold a procession every year. This has never happened before. These people conducted a procession in Ram's name not once but thrice that day. They shout objectionable slogans, "Baccha baccha Ram ka, chachiyon ke kaam ka".²³

Abdul Shakir Mansuri, Eyewitness (Begum Bagh Colony)

He was inside his gym when somewhere around 5:30 to 6:00 pm on 25th December a rally was spotted chanting slogans like "BACHA BACHA RAM KA, MAMU BHI BOLE JAI SHREE RAM, KHALU BHI BOLE JAI SHREE RAM" and instigating the locals and immediately he tried to reach out to T.I of Mahakal police station and so to the police control room. However, the police failed to respond. A clinic was broken and the same was informed to the police. However, T.I Arvind Singh Tomar denied taking action. The rallies called by Hindutva allies were armed with lathis and pipes targeted many Muslim houses and hence the people defended themselves accordingly to save their life when the police administration failed poorly to perform its duty well. He is supporting and cooperating police in the investigation of the case registered by him against the organizers and participants of the rally.

Kalil Ur Rehman, Eyewitness (Begum Bagh Colony)

He is the city qazi of the Ujjain district. He said, "When the district administration illegally demolished a home of a Muslim family, which had nothing to do with the incident, locals sat on a dharna in protest. Later, we urged the administration to stop the drive, else the situation would

²³ The slogan is laden with sexual innuendo and roughly translates as, "All Ram's children are useful for aunties".

turn ugly and even we would not be able to contain it,” He alleged that the demolition drive was an attempt to harass the locals.

He further alleged that both, the collector and the police, only targeted residents of Begum Bagh while turning a blind eye to the evidence which showed men hurling stones and damaging vehicles. We have submitted several video evidences highlighting the fact that BJYM workers were pelting stones and damaging vehicles, but not a single person who was part of the rally has been arrested.²⁴

Moinuddin, Eyewitness (Begum Bagh Colony)

Yusuf Mewati, 35, one of the arrested Muslims, is a habitual criminal and drug addict as claimed by the police but his younger brother Moinuddin turned furious when he heard this. “My brother drives a tractor for a sandstone shop,” he said. “The police nabbed him while he was coming home from work and accused him of stone pelting. Then they slapped NSA on him.”

Abdul Hameed, Eyewitness (Begum Bagh Colony)

Sameer Hameed, 21, is one of the five Muslims booked under the NSA. He works as a cook as does his father, Abdul Hameed. He was cooking food when the incident happened. He works with me. He didn't pelt stones, but the police still arrested him and slapped NSA on him. Some people falsely complained against my son and the police started asking about him. So, I took him to the police station myself. There, Hameed alleged, the police demanded a bribe to free his son. “They told me to arrange 50,000 rupees for his release. I could not get the money and he was sent to jail.”

Akram Khan, Eyewitness (Begum Bagh Colony)

Shadab Khan, 20, was laid low by asthma when the violence took place, yet the police didn't spare him either. “My son used to drive an auto but he had been home for a while. He suffers from asthma, so we had asked him not to drive the auto anymore,” said his father Akram Khan. Shadab is innocent. He was sick. How could he have gone and pelted stones? The day of the incident he was sitting right here in front of the house, still they charged him under the NSA. The police came

²⁴ <https://www.newsclick.in/MP-unrest-prevails-ujjain-begum-bagh-stone-pelting-BJYM-rally>

at 4 am and woke us up. They asked if Shadab was home and I said yes. They just grabbed him, and left. They didn't tell us why they were taking him away. We went to the police station in the morning and found out he had been sent to jail after being charged under NSA.

Jameela, Eyewitness (Begum Bagh Colony)

Aslam Altu, 50, an autorickshaw driver. He had been so ill, several of his neighbours confirmed, that he couldn't even get out of his house, let alone throw stones. He would lie down at home because his body ached all over. I'm telling you the truth, my husband used to drink, but he wasn't keeping well so he wouldn't go out of the house. You can ask anyone here, even the Hindu families, they will tell you he was home and did not go anywhere.

The police came at about 11 pm on December 25, and told Aslam to go with them to the police station. He replied that he was innocent. But when they started getting aggressive he went. Aslam had been named in some police cases around 10 years ago, but they were old and finished. Now, he didn't have any case against him. We told the police repeatedly that he is innocent, but they didn't listen. They sent him to jail.

Many arrests were made at night without lady constables/officers, in which the victim families female's claimed to be harassed by the visiting police party. To name such arrests as are:

1. Naseem s/o Saleem
2. Zeeshan s/o Muhammad Ali Khan
3. Shadab s/o Naseema Bi
4. Shahrukh Mian s/o Aslam

The victim's families and the local eyewitnesses could not identify the participants of the mob but disposed about the participation of one Anil Dharme who is a local politician. The victim's families also complained about involvement of Mohan Yadav, Minister of Madhya Pradesh government and Anil Firozia, current member of Parliament. The eyewitnesses from the minority community disposed off their involvement in influencing the medical reports done in the concerned hospital.

One of the locals (Identity Protected) alleged that the Collector Satyendra Kumar Shukla was taking sides of the Hindu groups as if he was particularly the Collector of only Hindus and not of the other communities. Also, the Municipal commissioner was also caught saying that he will demolish the houses even if these people had orders of the court to refrain him from doing so.

Statements of Rally organizers

The VHP hinted at a conspiracy behind the stone-pelting, with its Malwa region secretary Sohan Vishwakarma saying: “Where exactly are they getting these stones? Do they stock them up like they do in Kashmir? This is nothing but a ploy to defame the Ram Mandir donation programme and show Hindus in a bad light.” Areas like Indore, Ujjain and Mandsaur come under him.²⁵

Statements by Police and local administration

Arvind Singh Tomar, Town Inspector of Mahakal police station said, “The stone-pelting on the bike rally, which had nearly 300 BJYM workers, led to a stampede-like situation in the locality.” Nearly 11 people sustained injuries following the incident, with one person seriously injured, said. He added that multiple vehicles were damaged. Three cross-FIRs related to the incident have been registered in Mahakal police station against a total of eight people, including a woman, on charges of rioting and attempt to murder. They were filed on the basis of recorded videos of the incident collected from various sources.²⁶

On question of FIR against the Hindutva groups, the investigation officer Chunnilal Male said, “We are investigating this case. We have asked the petitioner for help with the inquiry so it can move forward, but no reply has come from them yet.” He said on a question that no one has been arrested by police yet from the participants of the rally.

²⁵ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

²⁶ <https://www.newsclick.in/MP-unrest-prevails-ujjain-begum-bagh-stone-pelting-BJYM-rally>

On a question of whether police at least questioned them for organising the rally without obtaining the required permission, he replied, “We are trying to ascertain who organised it and who all were involved in this incident. We will start questioning people once the investigation is done.”²⁷

Satyendra Kumar Shukla, Superintendent of Police, Ujjain said: “FIRs have been registered from both sides and people are being identified based on video evidence. Seven people have been booked in the first FIR; the second FIR is against unidentified persons while in the third FIR, a person from the rally has been identified and further investigation is on.”²⁸ He also confirmed that the organisers of the rally had not taken requisite police permission, and a case has been filed. Also he denied there had been sloganeering before the stone-pelting.²⁹

Ujjain’s District Magistrate Asheesh Singh said, “We found that stones were pelted from two houses. But in one case, it was not the owner but the tenant, so we did not take any action. In the other house which belongs to Abdul Hamid, whose wife Yasmin was caught on camera throwing stones,” the administration then gave orders to demolish the house of Abdul Hamid, citing the reason that stones were hurled at the rally from his house. Singh claimed the demolition drive was an attempt to hurt “criminals” who indulge in activities like stone-pelting. “We did not take any action as the person was a tenant. The house does not belong to her. We don’t discriminate between communities,” he said.

5.2 Accounts of the victims/eyewitnesses of violence in Chandan Kheri village, Indore

After meeting and interviewing all sections of people from the village and analyzing all the versions of the incident from all the available sources present in the village including villagers, local district level officers, gram panchayat representatives and victim’s families. The individual testimonies or statements were put on record.

²⁷ <https://www.newslaundry.com/2021/01/15/hindutva-rally-faced-stonepelting-from-a-hindu-house-ujjain-officials-razed-a-muslim-home>

²⁸ <https://www.newsclick.in/MP-unrest-prevails-ujjain-begum-bagh-stone-pelting-BJYM-rally>

²⁹ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

Aslam, Eyewitness (Chandan Kheri)

He disposed Infront of our team that rallies from nearing villages joined at place Dharmat and entered marching to the Chandan Kheri village with sexist and abusive communal sloganeering on which local minority community opposed and the mob started stone pelting on which the other side retaliated with the same. The mob started protesting against the villagers and demanded adverse police action. On which police brutally beat some of the villagers and took twenty-five of them under custody. Later twenty-one were released and the rest four(Saddam, Gabbar, Ayub, Gaffar) were charged under section 151 and 307 of IPC. And later the mob called up more people fully equipped with firearms. The mob of around three to four thousand gathered near village Eidgah and recited ‘Hanuman Chalisah’ Infront of Eidgah and some of them climbed on its minarets and attempted to damage it. Later the mob approached Qader Patel’s house where all five brothers were standing outside and police asked them to go inside their home and close the door. And in the presence of a police mob attacked at Qader Patel’s house. They damaged the farm equipment, motor vehicles and other property.

Shakir Patel, Victim (Chadan Kheri village)

He was the victim of a brutal attack by the mob in the presence of police. He claimed that all this happened in the presence of police. “When local residents resisted and began hurling stones, the mob dispersed before returning with reinforcements and attacking a house on the outskirts of the village. He claimed that the mob looted two lakh cash and about 60 grams of gold jewelry from his house. In grief, he said that his brother’s three years old daughter (Sana) was sleeping in the room when suddenly the mob entered and started attacking us. They set the house on fire and the baby was saved in the nick of time by him.

Saddam Patel, Victim (Chadan Kheri village)

He recalled that there were 25 people in my house including seven women and eight children. On Tuesday afternoon, a mob of around 1,000 gathered in front of the house and began hurling stones. When we locked ourselves in, they set the house on fire including three tractors, 2 bikes and tons of crops.

On the assurance of the police around 2 pm we opened the door in order to douse the fire, but the mob was there and they attacked and opened fire on us in front of the police. When the rally passed

the house earlier in the day, his family had kept water outside for the people. But the same crowd later returned to beat them up, injure them and burn down a part of the house.

Heena, Eyewitness (Chandan Kheri village)

A 27-year-old daily wager, is unable to speak — his family says he lost his voice seven years ago while suffering high fever, and is still undergoing treatment. Imran and his brother Mohammed Azruddin were arrested by the Indore Police for the violence. The victim's wife, who runs a small grocery shop. She claimed, "My husband can't speak. He is still undergoing treatment, and even on the day of the violence, he had a fever and was resting inside". However police argue that "Just because he can't speak doesn't mean he was not part of the mob. We have taken appropriate action after examining everything." Not just that the day following the rally, the local administration demolished some parts of their house. Heena, however, raised doubts over the purported reason and timing of the demolition, "They are calling it encroachment but why is action being taken just the day after the rally?"

An eyewitness asserted that the Ex-MLA of BJP Manoj Patel mobilized the mob and warned the villagers that their home would be damaged soon and a day later on 30th Dec 2020, in the name encroachment 20 houses were demolished without any prior notice.

Statements by Police and local administration

Inspector General of Police Indore, Yogesh Deshmukh said, "The incident was unfortunate and a team has been formed to identify the attackers." A DSP has been removed from his charge and a SHO has been suspended for their role in the incident. Justifying police inaction, he argued, "police were outnumbered by the mob and failed to control the situation. As far as the police's involvement in the incident is concerned, we are probing it and if we found any substantial proof or video, we will take strict action." He said the rally had been taken out with permission and participants were accompanied by police and four FIRs have been registered in connection with the violence at Chandan khedi, adding that "police will act in a nonpartisan manner".³⁰

³⁰ <https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>

Pratul Sinha, the sub-divisional magistrate of Depalpur Tehsil clarified that the demolition was done to widen the roads. “We have started removing 10-ft-wide portions of around 80 structures situated on either side of the lane for widening of a road in Chandan kheri village” Locals are also helping us and removing the hurdles on their own to pave way for development work.³¹

Indore Deputy Inspector General of Police Harinarayan Chari Mishra, the organisers had taken permission for the procession. “Four FIRs have been registered in the case, including firing by the villagers, and against two men who were found trying to damage the minaret.³²

Mahesh Chandra Jain, Superintendent of Police, Indore (West), said violence broke out after the villagers pelted stones. “We have to see who initiated it. There was stone pelting from the villagers’ side and it resulted in a clash. Our force, despite being less in number, took charge of the situation soon,” he said.³³

5.3 Accounts of the victims/eyewitnesses of violence in Dorona village, Mandsaur

After meeting and interviewing all sections of people from the village and analyzing all the versions of the incident from all the available sources present in the village including villagers, local district level officers, gram panchayat representatives and victim’s families. The individual testimonies or statements were put on record.

Shahid Hussain Mansuri, Eyewitness (Dorona village)

Ahead of the December 28 rally, villagers had already petitioned the Superintendent of Police to seek protection. The local police inspector had also assured them of security and asked them to remove flags and remain indoors on rally day.

Abdul Hakim, Victim (Dorona village)

³¹ <https://scroll.in/latest/982843/indore-authorities-partially-demolish-80-houses-a-day-after-communal-clashes-report>

³² <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

³³ Idib

He is a businessman as well as Mandsaur BJP Minority Cell chief . He alleged angrily that the accused are roaming free and want police to arrest them. They looted jewellery and cash and vandalized his house.

Fakir Mohammad, Eyewitness (Dorona village)

He is a 60 years old resident of the village who saw mob ransacking houses, parked cars, CCTV cameras and even hit the cattle tied outside. They also climbed atop the mosque and put up saffron flags. The men in the rally chased several villagers, including his nephew Abdul Hakim, who ran for their life. Mohammad himself was pursued, and a Hindu family finally sheltered him. His nephew's two-storied house was severely damaged, and case and ornaments were stolen.

Umar Patel, Eyewitness (Dorona village)

He is an English teacher who recalled that while the mob went on a rampage in the presence of ASP Amit Verma, dozens of Muslim villagers have been booked for inciting violence, He said he was asked by an Inspector of the nearest Police Station to remove flags atop their homes and mosque and remain indoors on the rally day, and assured that the police would maintain peace.

Nazar Mohammad Mansuri, Victim (Dorona village)

A constable in the Armed forces, claimed that his house was ransacked, vehicles damaged, while his brother's shop was looted. "Residents were sharing the videos on Whatsapp group, and all I could do was watch it helplessly despite being in the force myself.

Shakira Bi, Victim (Dorona village)

Some women who had stayed back also had to flee their homes into the fields. When some in the rally fired a few rounds in the air after which many women who were hiding in the fields began running, only to be chased by the men. The men chased us into the fields, but returned after following us some distance.

Statements of Rally organizers

The local VHP leaders claimed that the damage was done by people who were not associated with their organisation. "Some unidentified people took saffron flags and joined the rally. VHP has no affiliation with them. We are trying to trace them (those who resorted to stone-pelting). Ours was

a peaceful rally called only to create awareness (of donation to Ram Temple,” said Sohanji Vishwakarma, Regional Minister (Prant Mantri) of the Malwa region for Vishwa Hindu Parishad. On the communal messages, he claimed, “It was perhaps done locally owing to some personal disputes... VHP does not have anything to do with it.”³⁴

Jitendra Chouhan, VHP spokesperson for Madhya Pradesh said, “Various awareness drives were carried out from December 25-31 in different pockets of the state to make people aware of the significance of donation for the construction of Ram Temple.” Some resorting to stone pelting are maligning the image of VHP. “We urge our workers to ensure peace.”³⁵

Statements by Police and local administration

***Mandsaur Superintendent of Police Siddharth Choudhary** claimed that police are acting in an impartial manner and we removed the flag in 30 seconds. Seven persons have been arrested in connection with the violence. He stated that with prior knowledge of the rally and understanding that it could take a communal turn, he had deployed 100 men, six inspectors, a Deputy Superintendent of Police (DSP) under the Additional SP. Six FIRs have been registered following complaints from both the groups.³⁶*

The police force ensured the men in the rally were confined to the main road and exited Dorana village as soon as possible. “It was not advisable to use force to control the situation and so we ensured that they exited soon. The rally was not allowed to gather at a nearby school as was planned earlier,” said Choudhary.³⁷

Choudhary claimed, “Eight FIRs have been registered in connection with the incident. Four cases on complaint of villagers, 2 by organisers of the rally and two people have been booked for fanning rumours through social media”.³⁸

³⁴ <https://thewire.in/communalism/vishwa-hindu-parishad-madhya-pradesh-dorana>

³⁵ <https://indianexpress.com/article/india/delhi/madhya-pradesh-mandsaur-violence-vhp-7129302/>

³⁶ <https://www.outlookindia.com/website/story/india-news-bjp-government-accused-of-inaction-bias-as-violence-roils-western-mp/369220>

³⁷ <https://indianexpress.com/article/india/delhi/madhya-pradesh-mandsaur-violence-vhp-7129302/>

³⁸ <https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>

6. Causes of Violence

6.1 Politics of Hate and Violence

India has a vast history of riots, communal violence and pogroms when the integrity, tranquility and common brotherhood of this country has been ripped apart by leaders of political parties for political mileage. Madhya Pradesh's Malwa-Nimar region where the rallies for Ram Temple fund collection campaign were taken out by right-wing organizations is not only the stronghold of the Rashtriya Swayamsevak Sangh but is also the nerve centre of electoral politics in Madhya Pradesh.³⁹ The communal polarisation in the area will pave the way for the consolidation of Hindu vote bank which will by and large benefit the ruling Bharatiya Janata Party. Allegations are being raised by the opposition leaders that civic polls due in December and January were postponed due to the unfortunate incidents that unfolded in the last week of December and will benefit the ruling BJP to gain the lost ground due to the farmers' anger over the new farm laws.

Such incidents works as a fuel for the machine of hate and misinformation on the internet and social media which led to mobalisation of thousands of fringe elements filled with anti-Muslim venom as reported in the cases of Chandan Kheri and Dorona village. The treasurer of the trust entrusted with work of construction of Ram Temple at Ayodhya claimed that an amount of Rs 11,00 crores would be required to build the temple in the next 3 years. The trust has set a target to reach 5 crore homes in 6.5 lakh villages to collect funds for the Ram Temple project.⁴⁰ Some political analysts see this Ram temple funds collection drive as a BJP campaign eyeing on the 2024 Lok Sabha polls which will go for long in different regions of the country from time to time in the next three years.

³⁹ <https://thewire.in/communalism/madhya-pradesh-communal-clashes-break-out-indore-ujjan-dhar-several-injured>

⁴⁰ <https://theprint.in/india/ram-mandir-to-be-built-in-3-years-at-a-cost-of-rs-1100-crore-says-temple-treasurer/591210/>

6.2 Organized and not spontaneous

The modus operandi used in the rallies that are being organised in garb of awareness for fundraising for the construction of the Ram Temple at Ayodhya is highly suspicious and doubtful. When the actual fundraising was to start from 14 January, then what was the objective of the pre-funding vehicle rallies armed with lathis, pipes, swords, rods and local pistols. The objective of the rallies clearly seems to instigate the members of a particular community by derogatory sloganeering and through demeaning their religious identity. The disrespect shown by the rallyists to the places of worship and religious flags of the minority community adds fuels to the situation. Despite no permission for the rally, the rallyists passed through the Begum Bagh Colony multiple times that day but residents didn't pay heed to their instigation. The restriction on the movement of passerby in the chandan kheri village and singing hymns outside Eidgah mosque and climbing up on the minaret of the mosque to vandalize it is no way can amount to awareness. The staying at muslim dominated area from morning till the evening and also calling the more people to join from the nearby places through social media can not be said to be rally. The stopping of an earlier rally that is being taken out at the time of Friday prayers peacefully by the villagers was picked up by hate instigators to organise a more big rally on 29 December in Dorona village. Although no retaliation was shown from the side of the minority community in Dorona, the pre-planned intention of the rally was only to ransack the houses and other movable properties of the minority community in the presence of police. With taking all these facts into account it is not wrong to say the motive of the rally organizers was not the awareness but to fuel the communal violence in the region through constant provocation and instigation. Since prima facie motive seems to be illegal the very rallies and subsequent events that followed were pre-planned and organised not spontaneous. No evidence is found that supports the police claims that stone-pelting from the side of Muslims instigated the violence.

7. Aftermath of Violence

Upon the visits of the fact finding team to the affected areas and from the inputs from the locals and police, it can be concluded peace is restored in all three places and no further escalation is to be reported. The affected families are in a state of shock, trauma, fear and anger on the unfortunate events of violence. The distrust has prevailed in many places against police and

neighbours of another community. The arbitrary and biased action of the police and local administration in the cases of arrests and property demolitions have opened up questions on the functioning of the institution in the minds of victims. While praying for peace in the future, the survivors are moving towards normality with a hope of justice.

7.1 Arrest and Detention

Police have registered 15 First Information Reports (FIR) in total against 100 people out of which 50 people have been arrested for violence that unfolded at all the three places.

In the Begum Bagh Colony incident, Mahakal police have filed three FIR's related to the violence of December 25. One by Abdul Shakir, a Begumbagh resident, another by Navdeep Singh Raghuvanshi of the Bharatiya Janata Yuva Morcha, and the third by Bharat Mata Mandir Trust.

No arrest has been made in relation to the FIR of Abdul Shakir but in case of the FIR by Navdeep Singh Raghuvanshi of the Bharatiya Janata Yuva Morchaforty, forty residents from the local area have been booked and twenty of them have been arrested so far. Later, the Ujjain collector invoked the stringent National Security Act (NSA) against five Begum Bagh residents Ayaz Mohammad, Wasim Aslam, Shadab Akram, Altu Aslam and Yasmeen Bi. The provocation came from the gathered mob and in the whole police action the victims were harassed and accused by the police for the violence, one-sided action of the police, was grossly irrational and arbitrary.

The ground made by the police for the arrest of the locals is stone-pelting whereas the BJYM members were also clearly seen in the video stone-pelting and destroying the properties of locals. The rally passed through the area multiple times a day without any permission, a case has been filed but no arrests have been made.

One Firdos Pathan was arrested by the police on the charges of stone pelting and perpetuating violence but the police had to release him later because at the time of violence he was present elsewhere and there was ample eyewitnesses and documentary evidence of his being away from the incident site.

The only woman booked under NSA by Ujjain administration Yasmeen Bi, has been the victim of police bias and arbitrary action. Her family maintains that she was out on her work at the time of the incident, but the police claims that she was seen in video footage stone pelting on the rallyists. The victim's family asserts that her mother was not the one which is seen in the video footage.

Many arrests were made at night without lady constables/officers, in which the victim families female's claimed to be harassed by the visiting police party.

According to Indore Deputy Inspector General of Police Harinarayan Chari Mishra, the organisers had taken permission for the procession. "In the Chandan Kheri village incident, four FIRs have been registered in the case, including firing by the villagers, and against two men who were found trying to damage the minaret.

Mandsaur Superintendent of Police Siddharth Choudhary claimed, "Seven persons have been arrested in connection with the violence in Dorona village, Eight FIRs have been registered following complaints from both the groups Four cases on complaint of villagers, two by organisers of the rally and two people have been booked for fanning rumours through social media."⁴¹

Despite large scale destruction and looting by the rally participants of the houses, vehicles, jewelry, money and other private and public properties in the Dorona village, no coercive action is being taken against the organisers and participants of the rally. Our team assessed pictures and videos from the locals of the violence which clearly shows that the intention of the rallyist was on rampage looting and destroying properties of Muslims in the village. If estimated the theft and damage that is reported in the village would be in crores. The police bias is so evident here that out of 5000 to 10000 rally participants, only 7 people have been arrested so far. The villagers allege that police are acting in an impartial manner and real perpetrators of the violence are roaming free.



Firdos Pathan briefing his ordeal after he is released from illegal police detention.

⁴¹ <https://www.outlookindia.com/website/story/india-news-bjp-government-accused-of-inaction-bias-as-violence-roils-western-mp/36922>
<https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>

7.2 Demolition

In Begum Bagh Colony, the police on the basis of video footage identified that stones were pelted from two houses. But in one case, the owner's son was a member of Bajrang Dal and has close connections with BJP leaders and their tenant threw stones, so police did not take any action. In the other case, the house belongs to Abdul Hamid, whose wife Yasmin was caught on camera throwing stones as claimed by police. The objective of the demolition drive was to hurt "criminals" who indulge in activities like stone-pelting as claimed by a senior official on record.⁴² While Abdul Hamid maintains that nobody from his family or house carried out any stone pelting and the video clearly shows that Yasmeen were not part of it. The house from where stones were pelted belongs to a Hindu so the administration decided to break mine despite our pleas. My entire family has been forced on to the street. Is this law?"⁴³

Apparently, with the aim to teach a lesson to the stone-pelters a day after the rally, the district administration conducted a demolition drive at Chandan Kheri village to clear illegal encroachments for road widening. Around 80 houses were partially demolished in this exercise. The villagers alleged that they were informed about the demolition drive just hours before it began and in some cases the portion of house demolished was more than what was necessitated for road-widening as the drivers of the cranes were drunk and destroyed the houses abruptly. They further claimed that they are not against development, but such projects must be carried out without bias. One widow, a daily wage earner with her small children lost their toilet and bathroom in this exercise. With great efforts and hard earned money, she built the toilet and bathroom for family but now they are forced to openly defecate in the fields.



⁴² <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

⁴³ Idib

7.3 Impunity to the preparators

Members of the right-wing Hindu organisations have vandalized many religious places of minorities in India in 2020. The last year saw the deadly riots in parts of Northeast Delhi where several mosques and a shrine were vandalized by Hindutva vigilantes. Since no concrete actions were taken by the Delhi police against miscreants and hate mongers and only the innocents were implicated in false cases. The administration looks for easy targets with no political backing to shed off its duty of investigation and as a result the real culprits are set free.

A culture of impunity has now taken route in India, particularly in all BJP ruled states”. The prejudicial face of police is unveiled to much extent and through its illogical claims and biased actions making the situation worse day by day. Mobs are being given open licence to whatever they like in response to the poison of hate they receive from their political masters; they know that nothing will happen to them. Same is the case in all the three incidents where no action has been taken against the members of the Hindutva outfits for ruckus and pre-planned organised violence they unleashed in name of awareness.



7.4 Fear and Angst

Our team observed that there is “unsettling silence” after the violence, the debris strewn on the road from ransacked homes has been removed by the police. Damaged window panes, broken doors, walls scribbled with ‘Jai Shri Ram’ and villagers are scared to return to their own homes⁴⁴

Another fuel to the fire is added by the hate mongers like Acharya Shekha, a local Hindutva leader connected with the RSS, posted a video on social media stating that Muslims will be massacred to the

⁴⁴ <https://indianexpress.com/article/india/delhi/madhyapradesh-mandsaur-violence-vhp-7129302/>

point that burial spots would run out.⁴⁵ The people of Madhya Pradesh are in a state of fear where the same rallies are due in the coming days. The locals are apprising the police of the situation and demanding protection for their life and property. The victims at large hopes for positive interventions from the state and other stakeholders in order to feel more secure and less fearful.

7.5 Judgement on the spot

A narrative has been cooked up by the police and some sections of the media that muslims are pelting stones on the rallies of the Hindutva groups which initiate the communal clashes. This branding of Muslims as stone-pelters criminalises muslims identity and paves way for penal action against them. In Begum Bagh colony, the authorities demolished a house on whose terrace the stones were allegedly pelted on the rallyists in order to penalise them for their criminal activity.

Ujjain District Magistrate Asheesh Singh claims, “We found that stones were pelted from two houses. But in one case, it was not the owner but the tenant, so we did not take any action. In the other case, the house belongs to Abdul Hamid, whose wife Yasmin was caught on camera throwing stones,”⁴⁶ He further claimed that the demolition drive was an attempt to hurt “criminals” who indulge in activities like stone-pelting.⁴⁷

Same allegations were raised in Chandan Kheri village where the authorities chose to carry out demolition of houses of the Muslim families in the violence-affected area for so-called road widening work. It is the same village which witnessed communal violence just a day earlier of this demolition exercise. The villagers maintained that the authorities informed them about the demolition drive just hours before it all happened. for road-widening.

Chief Minister Shivraj Singh Chauhan also endorsed the action taken by his administration in his words, “Stern action and a specific law are needed against those who indulge in stone pelting”, just soon after the incidents communal violence were reported in his state during the rallies organised by hindu right. The government also plans to include provisions in the law to confiscate properties of those indulge in stone-pelting.

⁴⁵ <https://www.justiceforall.org/save-india/anti-muslim-violence-in-madhya-pradesh-india-by-hindutva-militants/>

⁴⁶ <https://theprint.in/india/3-incidents-1-pattern-whats-behind-the-violence-during-ram-mandir-rallies-in-mp/583061/>

⁴⁷ *ibid*

Soon followed by the State Home Minister Narottam Mishra, who issued a warning to the stone-pelters by saying, “If you do wrong, we will stop you, but if you do not stop, we will hit... We will not allow any force that breaks the society to flourish.”

The malafidely targeted action by authorities against Muslim residents through instant punishment by demolishing their houses partly or wholly is against the established principles justice, equity and good conscience. This authoritative approach of the government is very dangerous for a healthy democracy which has been a trend in many BJP ruled states for quite a few years. The police and administration must adhere to the due process of law and not even try to breach the powers of courts.

8. Failure of State Machinery

8.1 Police Partisan Action

Police have registered 15 First Information Reports (FIR) against 100 people out of which 50 people have been arrested so far.

In the Begum Bagh incident the police one-side action is clearly visible from the data of the arrested persons assessed by our team from the locals. Stern and stringent action has been taken on the FIR local residents whereas no action has been taken so far against the BJYM members who were the organisers of the rally. The stringent National Security Act (NSA) has also been invoked against 5 residents of Begum Bagh, Ujjain for allegedly pelting stones on the rally but police is reluctant to invoke NSA on the incidents in Mandsaur and Indore where mass violence, dacoity, and vandalism is carried out by the ideological allies of the ruling party BJP.⁴⁸

The police's insensitiveness and prejudice against the Muslim residents of Dorona village can be noticed from the fact that mass destruction and looting of crores in worth was carried out by the mob of 5000 to 10000 rally participants and the police has been able to arrest just 7 people so far when all this ruckus happened in the presence of police.

In the Chandan Kheri village incident, Mahesh Chandra Jain, Superintendent of Police, Indore (West), maintains that violence broke out after the villagers pelted stones. The police here also

⁴⁸ Kashif Kakvi, “Madhya Pradesh Police claim all is well after Ram Bhakts collecting donations went on a rampage,” 02 Jan 2020, National Herald <https://www.nationalheraldindia.com/india/mp-mosques-vandalised-houses-burnt-after-rss-calls-for-jan-jagran-rally-to-fetch-funds-for-ram-temple>

tried to build up a view that violence was initiated and caused by the villagers who were predominantly muslims. The rallyist armed with lathis, local pistols, and sharp deadly weapons instigating the villagers by provocative sloganeering and restricting their way and insulting their religious flag and mosque are not the causes of violence in the eyes of police.

8.2 No effective intervention by the police.

In Dorona village, the SP Mandsaur has been petitioned two days earlier by the villagers for protection of their life and property. Though he deployed 100 policemen to control the situation, they were restricted from use of force. The objective of the police force was just to ensure the men in the rally were confined to the main road and exited Dorana village as soon as possible. Mandsaur's SP, Siddharth Choudhary stated that he had deployed 100 men, six inspectors, a Deputy Superintendent of Police (DSP) under the Additional SP. ⁴⁹ "It was not advisable to use force to control the situation and so we ensured that they exited soon." The rioter went on rampage and looting but the police didn't intervene effectively due to no use of force instruction from their superiors.

The brutal attack on Qader's family and their livestock with swords and gunshot was all happened in the presence of police. The complicity or involvement of the police in the violence is to the extent that police called out Patel brothers who were locked inside their rooms ensuring their protection but as soon as they came out they were attacked by lethal weapons by the mob. Some villagers claimed that the loudspeaker used by police was also in the control of a rioter who was threatening and provoking the mob for violence.



⁴⁹ <https://thewire.in/communalism/vishwa-hindu-parishad-madhya-pradesh-dorana>

9. Conclusion

9.1 Key Findings

- **Disinformation and communal hatred:** Social media has transformed the way people communicate on digital platforms. Our findings conclude that there is a direct link between communal violence and hate speech & disinformation on social media. Digital platforms were utilised on a large scale to spread hatred and fake information against the minorities with an intention to instigate people and join the rally to teach muslims a lesson.
- **Criminal Conspiracy-** Actions of the perpetrators prior to the violence suggest substantial preparation and planning with a criminal intent to disrupt social harmony, trigger riots and commit violence. Such action amounts to criminal conspiracy.
- **Unlawful assembly with free hand:** Our constitution allows peaceful assembly for certain purposes. However, right to assembly is subject to certain restrictions. An assembly with criminal conspiracy is an unlawful assembly and can never be permitted to move freely. What the circumstances suggest here is an unlawful assembly was given free hand to do whatever they wish to do.
- **Muslim concentrated areas targeted:** Residential areas which comprises of muslim population were prime target of the perpetrators. Hatred against the muslim identity was evident from the fact that epicenter of the violence was muslim residential areas which witnessed damages of property on large scale. Muslims were targeted because of their distinct religious identity.
- **Post Violence Media prejudice against Muslims:** Media is duty bound to seek accountability of the institutions and police in such incidents and reveal the true facts in order to help police to apprehend the complicity. Sadly, the media has failed to fulfill its duty. Since last few years, media prejudice against the muslim led to the biased reporting by print and digital media. There is considerable effort by media houses to whitewash such communal violence and shield the true perpetrators and the complicity of government in such incidents of violence. The whole coverage of mainstream media revolved around boasting of government for their swift and stern action against stone-pelters.
- **Violent threat to Muslim Religious Identity -** The testimonies of the victims highlight the acts of violence committed by the perpetrators that include religious and bigoted slurs,

abuses, slogans, attacks on the religious symbols and places of worship. The affected community looks at this incident not only as an attack on their lives and property but also on their religious beliefs and dignity. The raising up of saffron flags on dozens of houses and mosques by removing, burning and destroying the green religious flag of Muslims are some of the examples that symbols of Muslim identity

- **Incompetency of Police or silent support:** Police is deployed to maintain law, order and peace by acting against the perpetrators who attempt to disturb the peace. After deliberating on the accounts of eyewitnesses, we reach at the finding that police failed to take necessary action required to prevent the violence. Police was acting as a mute spectator of while incident and perpetrators were allowed to move freely without any restraint
- **Attack on Animals and Crops** - The burnt of violence was not just limited to humans but the animals and stored crops of the affected community also came under the direct attack of fanatic mob fueled by hatred. The accounts of victims whose goats and buffaloes were killed or brutally injured with sharp weapons testifies to our findings.
- **Partisan role of the Police and administration:** Post violence, there was an urgent need for higher police officials and authorities to instill confidence amongst the victims of a fair judicial and investigative process. Inaction of authorities post violence suggests investigating agencies and officials were not endeavored for a fair and independent inquiry of the incident. There was a lack of prompt action. The only action of the police and administration in the form of arbitrary arrests and house demolitions is one-sided and motivated by prejudice against Muslims. We believe that the state machinery attempted to protect the accused for their political and electoral gains of the ruling party.

9.2 Recommendations

- After listening to all these accounts, our team demands a fair and unbiased investigation. And demands legal action and deterring action against the miscreants, who perpetuated this communal tension and created a communally charged environment in the three cities of Madhya Pradesh.
- Our team stands for the harmony among our citizens which has been bestowed upon us for centuries. The administration should take this incident seriously and act upon quickly so

that an innocent is not victimized, and the culprit stays free and creates further unrest in the city. It is for the larger interest to act upon the real cause of this communal tension.

- The local administration should take upon programmes for confidence building measures (CBM) between majority and minority communities and even should come forward and spread education enshrined in the Indian constitution emphasizing communal harmony.
- The Madhya Pradesh High Court should order a court monitored investigation into the Violence. Such an investigation must focus on the role played by the Madhya Pradesh Police and local administration in abetting violence and their post violence response.
- The State Government along with the Representatives from the community should prepare an action plan for relief and compensation for the losses suffered by the victims of violence while ensuring accountability and transparency.
- The mainstream media especially the ones with massive viewership must carry out reports instead of spreading false narratives. The Media Houses that have been complicit in spreading hate in the recent political scenario must be held accountable by the Media Fraternity and authorities such as News Broadcasting Standards Authority (NBSA).

9.3 Concluding Remarks

A true democracy is measured by the way it respects and protects the rights of minorities to make an inclusive society. And rule of law is the foundation of any constitutional democracy which is committed for an inclusive and just society. When rule of law breaks down, we witness the incident of communal violence that weakens our constitutional democracy. In recent incidents of communal violences, we have seen the complete failure of state machinery to uphold the rule of law and abide by the constitution. Public faith in institutions is founded on the values they create when they discharge their functions fairly. In this time when vilification and hatred against the minorities is the norm, there is dire need for the public functionaries to act responsibility to protect the interests of minorities and uphold the constitutional values.

DORONA, MANDSAUR VISIT



CHANDANKHEDI VISIT



APCR Indore city program



UJJAIN VISIT



Media Coverage in Bhopal Madhya Pradesh



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Association for protection of civil rights (APCR) is a civil Rights group comprised of advocate, social activities and grassroots Para-legal social workers dedicated to using the legal system to protect and advance the civil and human rights in India. APCR, a non-profit and governmental civil rights group was set up in 2006 to defend the rights of the underprivileged sections of the society.

APCR is committed to the protection of the society from violation of human rights, Illegal detention, custodial death, Fake encounters, false cases on the behest of political exigencies, unprovoked firing on demonstrators, criminal negligence of officials and public servants at the time of natural and manmade calamities and consumer frauds by manufactures and service providers and Multinational companies.

APCR conducts training workshops on criminal law and human rights issues, investigate in to cases of human rights violations, undertakes cases of public interests with a view to bring about a comprehensive change in criminal justice system, addresses issues of prisoners' rights, keeps a watch over law making process to make positive intervention, involves in awareness of general masses and initiates campaigns on various socio-legal issues.

The network of APCR is spread over the length and breadth of the country. APCR is also working as a support group for the organizations and movements committed for the promotion of justice and Equity in India.



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