



Bulldozing Peace: State Violence and Apathy in Muslim Settlements of Haldwani

A Fact-Finding Report on Haldwani Violence 2024



Association for
Protection of
Civil Rights

**BULLDOZING PEACE: STATE VIOLENCE AND APATHY
IN MUSLIM SETTLEMENTS OF HALDWANI**

A Fact-Finding Report



**ASSOCIATION FOR PROTECTION
OF CIVIL RIGHTS (APCR)**

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ACKNOWLEDGEMENT

The Association for Protection of Civil Rights (APCR) extends its deepest gratitude to all the individuals whose invaluable contributions made our Fact-Finding visit to Haldwani on February 8, 2024, possible. We owe a debt of thanks to the resilient communities residing in Banbhoolpura and Haldwani, whose unwavering courage and willingness to share firsthand experiences of the violence were instrumental in shaping this comprehensive report.

Our sincere appreciation goes to the diverse group of community leaders, local journalists, lawyers, and civil rights activists whose dedication and companionship were key in uncovering the truth and advocating for justice. Despite facing risks, they fearlessly championed human rights and stood up against injustice.

The collaborative spirit and collective efforts of all involved underscore our shared commitment to building a more just, inclusive, and egalitarian society. We are grateful for the opportunity to work alongside such dedicated partners in pursuit of this important mission.

APCR remains steadfast in upholding and protecting the rights of all individuals without any discrimination.

METHODOLOGY

The report is the compilation of diligent qualitative data collection carried out by a dedicated team of Advocates, Journalists, Social Activists and Retired Public Officials who collectively with their efforts created integral information. This report documents accounts of police atrocities and the sequence of events leading to the recent violence in Haldwani of Uttarakhand.

The fact-finding team also collaborated closely with local activists and community leaders shedding light on numerous human rights violations perpetrated by the state.

In addition to primary sources, secondary sources such as media reports have also been incorporated. This approach ensured that the findings and conclusions presented in the report were firmly rooted in evidence, providing a comprehensive understanding of the situation of the violence-hit ground.

The Association for Protection of Civil Rights (APCR), a non-governmental organisation dedicated to advocating for the rights of marginalised communities since its establishment in 2006, focusing primarily on providing pro-bono legal assistance and engaging in public advocacy.

We undertook this vital fact-finding visit in Haldwani in line with our mission intending to present an accurate description of ground realities and prevailing tensions in the area, as well as examining the roles of law enforcement agencies and the administration.

Limitation Of The Report

Due to the ongoing curfew in the affected area, direct meetings with impacted individuals were not feasible. Hence, this instant report relies on discussions with various members of civil society, journalists, writers, and lawyers. Additionally, we conducted telephonic interviews with some affected persons who preferred anonymity. Despite attempts to engage with district administration members, responses were either non-existent or indicated their unavailability due to pressing commitments.

INTRODUCTION

The Haldwani Municipal Corporation running an anti-encroachment drive on February 8 demolished Maryam Masjid and Abdul Razzaq Zakariya Madrasa in Banbhoolpura locality of Haldwani. Clashes broke between police officials and locals following the demolition which led to curfew and shoot-at-sight orders by the government. Seven individuals died of police bullets and hundreds including the police injured in the aftermath of violence. Though the curfew relaxed in the city the situation is still not so normal as the locals remain in fear.

The violence resulted in the death of 7 individuals. 31 people so far have been arrested and over 90 detained for questioning. An unnamed FIR has been registered against 5000 individuals. The locals claim that the death toll is higher than 20.

All deaths happened due to police bullets except one individual who was shot dead by Sanjay Sonkar a person from Valmiki Samaj.



Roads in Balbhoolpura remain desolate after the relaxation in curfew.

EXECUTIVE SUMMARY

- Haldwani Municipal Corporation's demolition of Maryam Masjid and Abdul Razzaq Zakariya Madrasa sparked clashes leading to curfew and shoot-at-sight orders resulting in seven deaths and numerous injuries.
- Non-relieving of position by Municipal Commissioner Mr. Pankaj Upadhyay raises questions as his actions seem to escalate tensions.
- Police actions during the demolition including mistreatment of women incited further violence leading to clashes and stone-pelting.
- Sanitation workers from the Valmiki community sided with the police in attacking Muslims.
- Media coverage intensified tensions with reports of police firing and atrocities continuing despite curfew orders.
- A separate incident involving the attack on the police station saw the involvement of a third group leading to further casualties and worsening the crisis.
- The broader issue of pending land regularisation affecting numerous settlements and religious sites across the state.
- Ongoing demolitions of Muslim shrines and mosques amid a background of targeted actions and disputes over land rights in Uttarakhand suggest a systemic pattern of injustice and communal agenda by the government.
- Human rights violations in Haldwani have escalated with residents facing brutal police attacks, arbitrary detentions, and severe injuries.
- The orchestrated violence, marked by arson, selectively targeted destruction, and fatalities, suggests a well-planned conspiracy aiming to destabilise the region.

PART I: PRIOR TO VIOLENCE

SYSTEMATIC INJUSTICE: THE TARGETING OF MUSLIM SHRINES AND LAND RIGHTS IN UTTARAKHAND

The propaganda surrounding the demolition of Muslim shrines and mosques is not a new phenomenon; it has persisted since April last year. Under the guise of 'Land Jihad', numerous Muslim shrines, some dating back 200 years according to documented evidence, were demolished in the region.

The state government led by Chief Minister Mr Pushkar Dhami and radical right-wing groups have together contributed to a highly polarising narrative with many disturbing elements. One strand of this discourse is about creating Uttarakhand as a Devbhoomi, the holy land for Hindus which would have no place for other religious minorities. Other strands of this divisive discourse include unsupported extravagant claims of a series of Jihads allegedly waged by the Muslim population of the state including Love Jihad, Land Jihad, Vyapar Jihad, and Mazaar Jihad etc.

One consequence of this discourse has been calls for economic and social boycotts of Muslims. The eviction of Muslim tenants from houses and shops and demands and threats for them to leave the state. Along with this, the Chief Minister has made repeated declarations that his Government would take the strongest action against "Land jihad" and all the other alleged forms of Jihad. The Chief Minister also has proudly declared as an accomplishment of his government the destruction of 3000 Mazaars, while they are mostly silent about unauthorised Hindu religious structures in forest and Nazool lands.

Another issue that has been raised pertains to the 392,000 hectares of Nazool Land in Uttarakhand. The government has declared its intention to register this land, with a proposal already submitted to the Central Government.

Nazool land is owned by the government but most often not directly administered as state property. The state generally allots such land to any entity on lease for a fixed period, between 15 and 99 years. In case the lease term is expiring, one can approach the authority to renew the lease by submitting a written application to

the Revenue Department of the local development authority. The government is free to either renew the lease or cancel it — taking back Nazool land.¹

The fact that, on one hand, the matter is sub-judice in court, and on the other hand, the government is moving forward with its regularisation, clearly indicates a communal agenda on the part of the Government. This pattern is evident throughout Uttarakhand.

Banbhoolpura has been a focal point of government agendas and targeted actions for the past year. Additionally, a prolonged drive to clear encroachments in the name of Railway Land has further aggravated tension in the region.

The dispute over land inhabited predominantly by Muslim residents which is claimed by the government has led to prolonged legal battles and heightened insecurity and fear among the Muslim community being forcefully displaced from the state. This incident merely continues the trend of such targeted actions.

Sequence of Events

Before the incident, signs of escalating tension were evident with the administration possessing detailed information on potential unrest. Contradictory statements from the officials further stressed the lack of a balanced response to the unfolding situation. Three days before the incident, the government ceased surveillance via drones, despite earlier efforts to conduct aerial surveys to assess potential threats on building terraces.

Haldwani Municipal Corporation on January 30th issued a notice to remove Maryam Masjid and Abdul Razzaq Zakariya Madrasa on February 1 coinciding with the transfer of Municipal Commissioner Pankaj Upadhyay on January 31 to the post of GM of Kumaon Mandal Development Corporation. Upadhyay was however not relieved. He did not take charge of his new position until the fateful day of February 8 and played a major role in exacerbating the situation to please the “people in power”.

Social activists and clerics held a meeting on February 2 with the municipal corporation concluded with high-voltage drama following tensions throughout the city. Pankaj Upadhyay was adamant about demolishing the Mosque and Madrasa.

1 <https://indianexpress.com/article/explained/explained-law/nazool-land-behind-dispute-violence-haldwani-uttarakhand-9155345/>

A non-written demolition order from the government for February 4 added to the sense of impending crisis. Intervention from local MLAs to appeal to the Chief Minister for a pause in demolition proceedings provided temporary relief. An order passed from Dehradun to seal the Masjid and Madrasa at midnight on 3-4 February at around half past one. There was no reported violence in between but a sense of cooperation from the locals easing tensions momentarily with a commitment to pursue a legal battle.

On February 6, the matter was taken to the High Court by Sofia Malik on behalf of the landowner and her husband Abdul Malik. The vacation bench heard the matter on February 8 and the judge without passing any order gave the date for the next hearing on February 14.



PART-II : DURING THE VIOLENCE

On the evening of February 8, the police force advanced to the scene of the incident with municipal corporation workers, sanitation workers, and two bulldozers at around 4.30 pm. The preparations were underway following a meeting with the district magistrate. Locals informed that more bulldozers arrived later. Regardless of his transfer to another department Pankaj Upadhyaya continued to serve in the position of Municipal Commissioner. He abused the entire Muslim community including misbehaving with the women on the demolition day. His video also went viral on social media.

Despite the local intelligence advising the administration to take action in the morning to prevent public disorder and take clerics and locals in confidence, the forces initiated the demolition without prior notice. It happened like an attack. A large number of women gathered upon this to protest against the demolition. The Masjid and Madrasa were technically under government possession as they were sealed.

Following the protest sparked by the threat of demolishing the Masjid and Madrasa, the situation escalated when women were subjected to mistreatment, including physical violence and forceful removal. The women were abused, manhandled, beaten, and dragged. The incident captured on video and in photos fueled anger among locals leading to clashes with the police who used mild force.

Amidst the chaos, the police opened the seal of the Masjid and Madrasa. The intelligence had also instructed that the sacred books and other belongings must be submitted to Mualana after inquiry. The police did not make the list of the holy Quran and other belongings kept there and also refrained from handing them over to the responsible authority. This resulted in religious sloganeering in rage, and stone-pelting from Muslims and consequently from the police.

According to the administrative statement, the firing order was for after darkness. However, there was an aerial firing in gross daylight.

Why was the administration in such a hurry to demolish the Masjid and Madrasa despite the impending hearing on February 14 in the High Court? Besides, why was the Muslim community not taken into confidence for the second time when they

already cooperated at the time of sealing?

Sanitation workers, the majority of whom belong to the Valmiki Community, backed the police when the clashes unfolded. They mobilised their community to support the police in attacking Muslims. It ultimately led to communal violence. Vandalism and attacking Muslims with slogans "Jai Sri Ram (Glory be to Lord Ram)" were also reported by the locals.

The role of sanitation workers siding with the police raises questions about their duty to serve impartially and uphold public trust. It seems that their attack was a part of anti-Muslim hatred and radicalization as one Sanjay Solankar of the Valmiki Community also killed his Muslim neighbor Faheem.

A ridiculous statement was made by the district magistrate that respected leaders of the community were called prior to demolition on February 8 but their phones could not be reached as they were switched off. However, the Muslim clerics and leaders deny this statement. 80 individuals can not have their phones turned off at the same time. They demand the district magistrate's accountability to prove their claims.

The police and journalists were injured in this stone-pelting. However, there is no data on individuals injured in stone-pelting by police due to fear of reprisals. The situation was worsened by media live-streaming the demolition, drawing more protesters to the scene. The media was invited to set a particular narrative in which they succeeded.

The involvement of anti-social elements from a nearby colony Gandhinagar added to the chaos with individuals concealing their identities by covering their faces. Media coverage further inflamed tensions. There was a continuous police firing in different city areas with approximately 1000-2000 rounds fired in two hours. However, the media only reported 350 rounds fired.

The chaos and arson persisted for approximately two hours from 7 PM to around 9 PM after which a curfew order was imposed, internet shutdown and shoot-at-sight was ordered. However, despite the curfew, atrocities continued as police vandalised vehicles, barged into homes, and assaulted women, children, and youth between the night of February 8th and 9th.

PART-III : POST-VIOLENCE

A new cruelty unfolded in the afternoon of February 10 when heavy police raids began in the colony near the incident site. They barged into the home, beating women and children. Everybody including men, women, and children fled their homes to the area, running on foot to find a safe place towards the Gaula River forest and Lalkuan.

The situation worsened with reports of shortages in essential supplies such as milk and ration. High-level officials including the Chief Secretary were approached to address the shortages resulting in the availability of milk in two shops by evening. The atrocities persisted until February 11.

The police also barged into the home of a journalist Saleem Khan of Uttaranchal Deep. His wife and children became victims at the hands of police sustaining fractured hands. Despite claims by the Senior Superintendent of Police (SSP) that women were treated with dignity, the incident involving Saleem Khan's family exposed the administration's lies. While the curfew was lifted throughout the city on February 11, restrictions remained in Banbhoolpura with shoot-at-sight orders still in effect at the time of the fact-finding team's visit on February 14. How can the government claim that the situation is peaceful and normal with the curfew and shoot-at-sight orders still in effect?

The role of Municipal Commissioner Pankaj Upadhyay remains suspicious. Why is an individual with objectionable actions still allowed to manage prevailing circumstances despite his transfer to another office?

A third group exploited situation to turn against muslims

The attack on the police station and its ensuing destruction represented a separate incident from the initial confrontation. This was a whole third group in the picture exploiting the situation by setting the vehicles outside the police station on fire. They deliberately raised slogans, "*Maaro saalo'n ko (Attack them)*" to provoke the police and heighten tensions.

The police began firing gunshots when the mob surrounded the police station setting ablaze vehicles outside. They opened fire to find a way to escape.

In the following chaos, retaliatory police actions resulted in casualties among individuals unrelated to the attacks highlighting the indiscriminate nature of the violence.

Innocent civilians including those returning from work and a father and son purchasing milk fell victim to gunfire indicating a loss of life unrelated to the initial confrontation. The attackers, distinct from the earlier violence, deliberately provoked the police leading to casualties among the latter group.

There is a 1.5 km long distance between the demolition site and the police station. The protestors who were already wounded in clashes at the demolition site were neither capable nor fool enough to set ablaze the police station. The locals have claimed that attackers were planted there with well-defined scripts.

There was another incident where a nearby Muslim wedding was attacked by the same mob who attacked the police station. Nobody including the locals and police could identify the attackers, indicating that the attackers were outsiders. If the mob or the attackers were from the Muslim community why would they attack their people? The targeting of the Muslim community by the police connecting them with the fire incident without any investigation reflects their prejudice in the procedure.



PENDING LAND REGULARISATION AND DEMOLITION



Barricaded roads as the situation remained tense days after the violence.

The site where the recently demolished Maryam Masjid and Abdul Razzaq Zakariya Madrasa stood lies in Malik Ka Bagicha, a southeastern part of Haldwani city- between Banbhoolpura and the railway track. Both the religious place and Islamic institution were two decades old and established around 2003-2004. The land in this area has been on lease since 1937 with a settlement registered under category one or A in the slum scheme. This categorization denotes its status as only regularised without the risk of being seized or removed.

The property in 1937 was given on lease by Britishers which later came into possession of Sadiya Begum in inheritance. However, the matter of land regularisation has been pending at the government administration level for a long time since 2006. The district administration had to decide on when to do the regulation after the High Court order. A sum of 29,000 was also submitted for it. Despite proposals for regularisation, including one put forth during the previous year's Gairsain session of the Assembly, the bill awaits approval at the President's level.

Notably, approximately 4 lakh hectares of land are under lease across the state including Haldwani. These areas host various settlements, markets, temples, and mosques built in cities, towns, and villages.

GROSS HUMAN RIGHTS VIOLATIONS IN HALDWANI: SURVIVORS' ACCOUNTS

A local and the violence victim Shakir*2 agreed to speak with the fact-finding team. He said individuals from different localities are entering their area to vandalise cars and other vehicles. This was the location where the locals witnessed gunfire.

These vehicles belonged to residents only. There are photos and videos of the incident showing people causing disturbances but individuals are afraid to share them. People are in fear- they were wounded and injured severely but unwilling to visit hospitals due to shoot-at-sight orders. Why would they circulate videos and photos when sharing or writing anything against the government that may put them in danger? Many things could not be circulated due to the internet shutdown.



Shops remain shut after the violence, curfew, and shoot-at-sight orders.

2 *Name Changed for anonymity

The following day, the police brutally attacked residents living near Malik ka Bageecha. At least 100 people were taken into custody and women were subjected to severe beatings. The wife of journalist Saleem Khan was also brutally assaulted. Several small media houses have covered these incidents and videos are available on YouTube.

While Saleem Khan is known for being outspoken and bold, many others who were tortured and harassed failed to attract media attention.

Being a foothill area Haldwani regularly faces water shortages. The Municipal Corporation provides running water for only 2 hours in the morning and 2 hours in the evening. Hence, residents store water for their daily needs. The police demolished water tanks in several houses. They targeted and damaged other valuable household items such as TVs, chairs, and electronic devices. This may indicate an intention to financially strain the community.

"Consider the plight of a driver whose car's glass is broken. Repairing it could cost at least 3000 rupees, a significant expense for someone earning only 10,000 rupees per month."

People are being apprehended by the police and brutally beaten at the site of their arrest resulting in severe injuries. Malik ka Bagicha as a consequence now lies deserted with residents seeking refuge elsewhere due to fear of police brutality.

Four days have passed, yet there is no respite from the ongoing crisis. Only vegetables and milk are being provided to the people. Many individuals lack the financial means to purchase even the gas cylinders although some compassionate individuals are stepping forward to assist them.

One incident reported in Malik ka Bagicha involves a heart patient with two blind children. When police entered his home, he pleaded, "I am a heart patient and an elderly. If my children have done something wrong, take them." However, instead of taking action against the children, the police brutally beat his wife, leaving them praying for death to escape the cruelty.

Human rights violations in the area are uncontrolled. The "shoot at sight" order remains in effect with people unable to access basic medical care. Fearful residents are resorting to locking their doors to show their homes as empty, but the police are breaking these locks and mercilessly beating anyone found inside.

Anyone leaving the area, even out of fear for their lives is labelled a traitor and accused of crimes. People are being falsely implicated simply for trying to protect themselves.

Official data claims only 30-36 people are detained, but the truth is different. Police have set up detention centers resembling torture chambers where numerous individuals, including those from Haldwani who were away in other cities for various reasons are being held captive.

Some individuals who have been released are afraid to speak out. They are hesitant to share their experiences even with their families fearing further harassment that renders them unable to communicate with anyone.

MLA Sumit Hridyesh of Haldwani has shown courage in speaking out against the violence asserting that the incident is the result of a meticulously planned conspiracy.

The people are being falsely accused of crimes they did not commit. On the other hand, there were individuals in the crowd who were throwing stones at the police, hailing from a different locality. How is it that the police did not notice them and take action?

Haldwani has always been a peaceful region and a commercial hub for nearby areas. Its people are known for their humility and helpfulness with no discrimination between Hindus and Muslims. Even during the COVID pandemic when many were reluctant to offer assistance, people of Haldwani stepped up to help each other.

Some individuals wearing masks arrived at the police station and began stone-pelting and setting vehicles on fire. They appeared to have no fear of the police or gunfire as air-firing had been occurring until that point. All the vehicles and the Police van caught fire shortly afterward. Such an incident has never occurred in this city before.

This entire incident appears to be a well-planned conspiracy. They deliberately cut off the electricity around 5 p.m. anticipating that all the inverters would be exhausted by 7 or 8 in the evening. Consequently, the entire region experienced a blackout due to the power outage.

During the blackout, some individuals arrived and set the police station on fire. They appeared to be unfamiliar with the surroundings suggesting they were from different localities. Furthermore, their speech tones and accents were markedly

different from those of the people of Banbhoolpura.

There was a wedding ceremony nearby. A mob of people threatened to set fire to the wedding tent. The homeowner pleaded with the mob to refrain from doing so. It was not something locals would typically engage in.

Approximately 1000 rounds of firing occurred. Initially, it was believed to be air firing, but later it was discovered that this was not the case. It wasn't until after midnight that we learned of the 'shoot at sight' order.

Around 7 pm, Banbhoolpura experienced a rush of activity. During this time, several rounds of firing occurred, resulting in injuries to people passing by. Tragically, at least three people from the railway were fatally shot and died.

Banbhoolpura is a settlement where a significant number of people have migrated from various villages in Uttarakhand. Haldwani's economy primarily relies on tourism, market activities, and mining along the Gaula River. Many residents live near Gafoor Basti as it is closest to the Gaula area.

Local reports suggest there have been 18-20 casualties, although specific details about the individuals involved are not available. Only a small number of casualties managed to attract media attention. Many people were brutally beaten and sustained severe injuries.

Contrary to some claims, there was no written order for 'shoot at sight'; authorities were acting based on internal information. People were not even aware of the curfew due to the internet shutdown and power shortage. The people came to know about this only after the electricity supply was restored.



The police constables march the road at the site of the incident.

CONCLUSION

The situation we have witnessed is deeply troubling. What started as a dispute over property ownership has escalated into a violent clash between the community and authorities.

Despite ongoing peace efforts, the sudden demolition of a mosque and madrasa by municipal officers, while the matter was still pending in court, sparked outrage among the community. The recent violence has resulted in several injuries and loss of life.

The subsequent actions by the police, including firing on crowds and conducting indiscriminate searches in homes have only worsened the situation. The imposition of a prolonged curfew and internet shutdown has further isolated and oppressed the affected community. It has made it difficult for them to seek help or report abuses.

The authorities need to investigate these incidents thoroughly, hold those responsible for human rights violations accountable, and provide immediate support to those affected.

The Restoration of communication channels and ensuring the protection of basic rights is essential for maintaining peace and justice within the community. The failure to address these issues could lead to further unrest in the community and undermine trust in the authorities.

FACT-FINDING TEAM



Fact-finding team members in Haldwani

An Association for Protection for Civil Rights (APCR) led fact-finding team visited Haldwani on February 14, 2024, comprising members of civil society, Advocates, and Retd. Public Officials. They conducted interviews, gathered eyewitness accounts, and documented evidence to understand the situation on the ground.



**Association for Protection
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