

Dear All,

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This fact-finding exercise was coordinated by the Centre for Policy Analysis. Team members were the human rights activist and former civil servant Harsh Mander, former Director-General of the Border Security Force, E N Rammohan, Professor Kamal Mitra Chenoy of Jawaharlal Nehru University, National Integration Council member John Dayal, senior journalist Sukumar Muralidharan and CPA Director and senior editor Seema Mustafa.

Muzaffarnagar 2013: Violence by Political Design

Introduction and Overview

The first impression of the Muzaffarnagar countryside, now green with the sugarcane ripening for harvest, is of utter desolation. Villages are tense with fear. Kasbas and hamlets are purged of their Muslim presence and the Hindu quarters have also emptied out in a self-imposed curfew even at midday, as women and children peep out from behind closed doors and windows, their menfolk having fled to avoid arrest as criminal complaints are made out against them. Fear is in the air. The atmosphere reeks of embitterment and betrayed trust, with neighbour now unwilling to trust neighbour, and apprehensive of ever returning to their accustomed lives. All the evidence points towards people who were forced to flee their habitations in sheer terror and seek out the safety of gathering among others of their own faith, occupying any vacant space in areas where they could be sure of not being targets just because of who they were.

“We will never go back to our villages”, say Muslim women refugees in a makeshift camp in the *tehsil* town of Budhana, some twenty kilometres from Muzaffarnagar. They are among two thousand five hundred men, women and children who fled their villages to seek safety in the town, among members of their own community. In the blazing post-monsoon heat, they are camped under a *shamiana*, where local community organisations scrape together the means to feed them twice a day. An open drain runs nearby, fetid with stagnant water. There is no water source and no doctor or health-care worker has visited them in the week that they have been there. The sub-divisional magistrate (SDM) visited them close to a week since they were uprooted from their villages. Police patrols are at a distance and seem mostly static. There is a clear message that is held out to them: that they can only call upon members of their own community for sustenance and assistance in this hour of dire need.

Though the Home Secretary in the Government of Uttar Pradesh has claimed that those displaced from their villages had been sheltered in state-run camps, there was a conspicuous

absence of any official at the Budhana camps. Sanitation seemed to be the least priority since meeting the basic needs of food was itself a challenge.

Inmates of the camp spoke of being attacked without warning with seeming intent to terrorise and drive them out of their villages. Several among them reported being sundered from their families and not knowing their whereabouts. A week into the violence, hopes were fading of ever finding those missing alive.

There were complaints of milk being unavailable for the many children in the camp, though nobody really spoke of a food scarcity. For those of the Muslim faith in Budhana, it was a matter of honour to ensure that nobody seeking their protection at a time of danger should suffer want. The local community leadership seemed especially proud of the manner in which they had stepped up at the time. By the same token, they were rather disdainful of the absence of any official assistance.

At the District Magistrate's office, staff were neck-deep in work preparing for the visits of the Chief Minister the next day, and of the Prime Minister on September 16. Personnel of the Special Protection Group (SPG) which attends to VVIP security, had landed in the sole helipad available in the district and were examining all arrangements being made for the Prime Minister's visit. Since the Prime Minister intended to summon top officials from the district for an evaluation meeting, arrangements were being made in the vicinity of the helipad for the gathering. Part of the district administration's attention was diverted towards ensuring that the helipad and the adjoining conference hall were in appropriate condition to host a VVIP visit and conference. And there also seemed to be a strenuous effort underway to ensure that at least some of the camps would be given the veneer of efficiency and good cheer that could uplift VVIP spirits.

The newly appointed District Magistrate, Kaushal Raj Sharma, was preoccupied with these arrangements, but did this team the courtesy of a brief meeting. He was at pains to correct the impression this team had gathered of a sense of official neglect of the displaced people in makeshift camps. The official presence was thin he said, only because the job of comforting and sheltering the victim-survivors was best left to the community, which would not just deliver the service but also show deeply-needed empathy and fellow-feeling. The administration meanwhile was active from behind the scenes, providing all necessary supplies, including food, for the sustenance of those displaced in the riots. DM Sharma was particularly anxious to underline that the administration was being attentive to the special needs of children and those of tender years, by supplying milk in adequate quantities to the camps.

The Superintendent of Police (SP) and other senior officials, including the Deputy Inspector-General (DIG) and Inspector-General (IG) were unavailable since they were out in the field making necessary arrangements for the Chief Minister's visit the following day and the Prime Minister's anticipated arrival the day after.

The absence of the administration also shows in the absence of official records of the magnitude of human suffering. Columns of the army moving through the villages and combing the fields for bodies – mainly to still rumours that are rife about untold numbers being killed – are the solitary assurance of state protection for the victims. The police have filed their FIRs from initial oral statements from some refugees. They are yet to record statements, or organise affidavits from the victims. Lists of those displaced and the loss of property that has been caused in the villages scattered through at least three tehsils of Muzaffarnagar district, are yet to be prepared.

As a fact-finding team from New Delhi, we are dismayed by the evidence we see of the severity of the violence in the villages. The official count of those killed is thirty-nine, of which it has been firmly established, six were Hindus – or more specifically Jats – and the rest, Muslims. Again, the official estimate of those displaced is twenty-five thousand, of which all except about seven hundred are Muslims. Those displaced from other faiths, the DM affirms, are Dalits who have fled Muslim-dominated areas in fear of retaliatory violence. They have not been specific targets of violence though.

Unofficial counts of those killed put the number much higher: at perhaps fifty-three, on the basis of the number of autopsies performed at various hospitals around the district. And community leaders put the number of the displaced at fifty thousand.

This puts Muzaffarnagar in 2013 in the category of the worst instances of communal strife witnessed in the country. It is certainly the worst in over a decade. This fact-finding team is deeply apprehensive at the short term and long term consequences of this massive and systematic internal displacement, and of the chasm that has opened between the two communities. What aggravates it further is the fact that the victims had lived in close proximity of the aggressors. They were farm labour in the fields owned by the people who attacked them in their homes.

A reconstruction of the events

When this fact-finding team visited Muzaffarnagar, the threat of violence had abated, though rumour held the field. There were rumours in a Jat quarter of Kutba village – deserted but for the womenfolk who kept vigil over the fields and the cattle – that two from their community had been shot at and possibly killed in another part of the village. This rumour was soon scotched by the district administration. District Magistrate Sharma though confirmed that two bodies had been recovered from the Gang Nahar (or Jauli canal) the previous day and identified, though the causes of their death had not at that time been ascertained. The positive aspect here though, was that with the discovery of these two bodies, all members of the Jat community reported missing, had been accounted for.

This team found however, that even a week after the violence erupted in full-blown fury, there was no agreed narrative on what led to it.

There was general agreement among all those the team spoke to, that the Kawal incident of August 27 had lit the immediate spark. Many among them hastened to add the important rider that the embitterment of the atmosphere had been underway for at least two months prior to Kawal. Few among the victims that this team spoke to could account for the sudden strains that emerged in relations between the Muslims and the Jats of the district. But several among the Muslims this team spoke to in the camps of the displaced, reported being challenged and taunted for accustomed and long accepted patterns of behaviour. Wearing the skull cap and beard has been a custom for several among those of the Muslim faith in the district. But in the two months preceding the September violence, many among them reported being publicly upbraided for displaying emblems of loyalty towards the Taliban, which supposedly made them sympathisers or even participants in what is constructed in the media discourse as the global *jihad*.

Community honour, as represented in the dignity and bodily integrity of women, was among the themes constantly played on to sharpen the growing estrangement. A further twist was imparted by rumours made up in the ideological factory of the Vishwa Hindu Parishad (VHP), of a “love *jihad*” launched by attractive young Muslim boys equipped with the full range of the tools of enticement – modish clothes, mobile phones and sweet-talk – to entangle young girls of the other faith, all for serving the hidden agenda of boosting numbers of those born into the faith.

In the circumstances, every incident involving any manner of interaction between a man and a woman, came to be viewed with suspicion, especially if they came from different faiths. On August 9, as Muslims were preparing for their Eid-ul-Fitr festivities, one among them, Idris, was killed at the doorstep of the Eidgah in Muzaffarnagar. There had been an alleged incident of harassment involving Idris’ daughter for which he had a few days before, confronted and slapped the offending individual in public. His murder was seen as retribution by the man who had suffered the public humiliation. Police were quick to apprehend the individual concerned, along with two alleged accomplices.

There was an incident of a Muslim girl being harassed by youths of the Jat community in the village of Shoram on August 18. The offending individuals again suffered direct action by kinfolk of their target. A minor affray ensued which the local administration allegedly did nothing about.

Resentment was stoked by the VHP and its affiliates in the area, over the seeming alacrity with which the police had acted in a case involving the murder of a person of the Muslim faith in the August 9 incident. The atmosphere continued to deteriorate without any manner of an antidote being administered either by the political leadership or the local administration.

The Kawal incident on August 27 occurred in a milieu that had been saturated with communal toxins and readily lent itself to any interpretation that served immediate political agendas.

All that is known about Kawal, August 27, is that three young men turned up dead at the end of it. There have been reports about a youth from the village, Shahnawaz, constantly harassing a young girl from the neighbouring Malikpura village and being confronted by her brother Sachin and cousin Gaurav. There are reports of Shahnawaz drawing a dagger at that point, but being bested in hand-to-hand struggle and having the dagger turned on him with fatal consequences. There are also reports that he was simply shot dead by the irate kinsmen of the girl he had been harassing. Sachin and Gaurav were then reportedly set upon by Shahnawaz's community and beaten to death in public.

There are also recorded narratives in the media about Sachin and Gaurav being confronted by persons of the Muslim faith because of their persistent pursuit of a young Muslim girl. At that time, according to this narrative, they managed to snatch a weapon from among their attackers and kill one among them, before they were themselves overwhelmed by the fury of the mob.

Competing with these accounts, all deeply suffused with community honour, is another one, rather more mundane: that Shahnawaz and Sachin ran into each other on their bicycles and got into an argument in which deeply offensive communal slurs were traded, following which they fell upon each other. Gaurav who was in the vicinity ran to the aid of his cousin. At the end of the fracas, all three lay dead.

In the circumstances, the U.P. state government reacted in the worst manner possible. It gave in to accusations that its supposed partisanship in allowing free rein to miscreants from the Muslim side had emboldened them to take the law into their hands. This narrative of a partisan administration arose, in part, from the action that had followed the August 9 murder and prompted after the Kawal incident, the summary and abrupt transfer of both the District Magistrate and Superintendent of Police within hours. Kawal was a localised incident that could have been contained by a strong dose of political statesmanship. Instead of stepping up with what was required, the U.P. state government signalled indecision, ineptitude, or even worse – possibly a degree of collusion with the forces of disorder.

The Bharatiya Kisan Union (BKU), ostensibly an apolitical force that represents the cause of the Jat peasantry of western U.P., came up soon afterwards with the call for a grand council (*mahapanchayat*) or gathering of the Jat clans of the region. That in itself may not have been cause for concern since this manner of gathering has been summoned to deliberate on a range of issues, including fair prices for agricultural produce. Yet the call issued for August 31 had overtones that were distinctly menacing: its theme was the honour of the women of the community, as represented in the slogan “*Ma, Beti, Bahu Bachao*”.

The administration had by this time woken up to the possibility of a serious breach of the peace and imposed prohibitory orders under section 144 of the Criminal Procedure Code. On August 30, community leaders of the Muslim faith in the guise of taking a delegation to meet the newly appointed DM, Kaushal Raj Sharma, began assembling in Muzaffarnagar town. Prominent political leaders from the area joined the delegation, inevitably boosting its

number in a manner that made utter nonsense of the prohibitory orders in force. These included Kadir Rana of the Bahujan Samaj Party (BSP) who represents Muzaffarnagar in the Lok Sabha, his party colleague Jameel Ahmad Qasmi who represents the nearby constituency of Meerapur in the U.P. legislative assembly, and a former Congress legislator, Saeed-uz-Zaman. The district administration insists there was no permission given – officially or otherwise – for the gathering. But when confronted by the angry crowd that had assembled in a central area of the town, the DM had no option but to emerge from his office and seek their dispersal through subtle persuasion. That, rather than the use of force was deemed the more prudent option in the circumstances. The petition seeking the reining in of hostile actions by the new alignment that had sprung up to avenge the “love *jihad*”, was received and the gathering dispersed.

Within the over-heated communal atmosphere of Muzaffarnagar, the DM’s gesture in meeting with the delegation from the Muslim community was read as a measure of appeasement of communal aggression. The new consolidation under the Hindutva umbrella was quick to portray what the DM thought was mere administrative prudence, as the blatant display of a double standard: prohibitory orders would be imposed on the Jat *mahapanchayat*, but not on the Muslim petitioners.

This imparted a fresh edge of anger to the *mahapanchayat* that gathered on August 31, focused exclusively on the defence of feminine honour. Again, the administration faltered in its enforcement of prohibitory orders, for which the DM offers the alibi that these gatherings are often organised by discrete communications through community networks, which arrive at decisions to assemble at a particular place and time without any prior announcement. The clans (or *khaps*) of the Jat community have their own means of mobilisation which they use frequently, often catching the administration on its blindside.

Yet with all these alibis on offer, the evidence seems overwhelmingly to indicate that the administration remained passive as the spiral of provocative actions gathered momentum. The precise reasons need to be ascertained. It is more than likely that the paralysis arose from conflicting guidance from the political leadership, both locally and at the state level. If so, the trail of formal instructions and informal verbal orders conveyed by the political leaders through the two weeks that followed the Kawal incident, needs to be uncovered.

District Magistrate Sharma, new to his job, speaks now of having received some inkling of a cycle of Jat community gatherings being planned after the “*Ma, Beti, Bahu Bachao*” assembly. Again, because of the undercover mode of communication and organisation adopted, the administration missed out on the details. It received word that one *panchayat* of a particular clan grouping (or *khap*) had been held on September 5. To add to its confusion, there was also a call for a *bandh* through the district by the BJP that very day.

Meanwhile, a video clip purporting to show the killing of Gaurav and Sachin was circulated through the mobile phone network, and posted on the facebook page belonging to Sangeet Singh Som of the BJP, who represents Meerut’s Sardhana constituency in the state

legislature. The video never had great plausibility since it was easily traced to an incident in Sialkot in Pakistan, two years back, in which two brothers were killed in a grisly incident of mob violence. But in the overheated environment of Muzaffarnagar, it circulated widely and ignited further animosities.

What seems germane here is that with the buildup of tension and the continuing acts of default by the district administration, there was no way that the *mahapanchayat* planned for September 7 could have been stopped, except through a determined assertion of administrative will. This would have involved a mass deployment of security forces through Muzaffarnagar district and adjoining areas in Shamli, Meerut, and Baghpat – not to mention the districts of Haryana from where significant participation was expected.

The administration decided against this course and instead, seemingly opted for the strategy of keeping a close vigil over the events of the day. All the groups arriving at the venue of the *mahapanchayat* – Nangla Mandaur in Jansath block, about twenty kilometres from Muzaffarnagar and very close to Kawal village where it all ostensibly started – were closely observed for any possible violent intent. DM Sharma states now that all the lethal weapons that were later brandished at the *mahapanchayat* were carefully concealed as the crowds assembled.

The *mahapanchayat* itself was raucous and unruly. Sangeet Som and an itinerant saffron-robed woman from the vicinity of Muzaffarnagar, Sadhvi Prachi, were reported to have made especially angry and accusatory speeches, denouncing the continuing threats to the faith from the large Muslim presence in the district. Lethal arms were unsheathed and brandished with clearly threatening intent. The few political leaders who came to the event with the purpose of injecting an element of moderation were shouted down amidst much heckling and chanting of the name of Gujarat chief minister Narendra Modi as the man of the moment.

As the crowds dispersed, filled with the spirit of revenge, Israr a freelance photographer who had been hired that day to film the event for the local police was set upon and beaten to death. And from then on, divergent narratives emerge. One side has it that as a tractor transporting a trailer full of participants in the *mahapanchayat* crossed the Jauli village, it came under fire from Muslims who had hidden themselves in the fields adjoining the road. Six people were allegedly killed and their bodies dumped into the Gang Nahar. That account is disputed by one of the local elements who has been named in the police report registered after the event. The reality he claims, is that those on board the tractor trailer dragged a passerby on board and began mercilessly beating him, ultimately leading to his death. A brawl ensued in which firearms and lethal weapons were used after which a number from both sides lay dead.

Violence had meanwhile erupted in Muzaffarnagar town, where Rajesh Verma, a news reporter who works as a stringer for the IBN 7 network was shot through the chest and died on the spot. It is difficult to escape the inference that Verma who was an extremely popular journalist in the town, was shot with deliberate intent, though both sides were reportedly using firearms quite freely by this time.

By that evening, curfew had been clamped in three police station jurisdictions within Muzaffarnagar town, but violence had spread like a contagion to the villages, especially in the tehsils of Budhana and Muzaffarnagar, and the neighbouring district of Shamli.

Victim-survivors that this team met from the village of Kutba in Budhana tehsil, spoke of assurances being given all through the evening of September 7 by the *gram pradhan* Devinder, asking all communities to stay calm and keep the peace. The next morning at eight, the *pradhan* himself was seen leading a violent mob, burning down Muslim homes and hacking those who came in their path. Kutba village reported eight deaths and is along with other villages within the jurisdiction of the Phugama police station, among the worst affected in the violence of those days.

There were also reports which indicated the opposite: of Muslim families being sheltered by the *gram pradhan* through the night of September 7 when violence began spreading, and being escorted to the safety of camps set up by the community in neighbouring towns the following day. Such an incident, also coincidentally involving a *pradhan* named Devinder from the Kinauni village in Budhana tehsil, was recorded by a delegation of the CPI(M) which visited the district at roughly the same time as this team.

With violence engulfing widely dispersed villages where Muslims and Jats have lived together in amity for decades, the job of enforcement became much more difficult. In most cases, this team found that the security presence had been pulled out of villages where the worst outbreaks had happened, presumably since they had been evacuated by members of the vulnerable community. A security presence was visible in the more substantial towns such as Budhana and Tanwali, though only in the main thoroughfares and squares and not in the vicinity of the camps and shelters for the displaced.

Conclusions: Of state failure and political cynicism

The conclusions of this team are that the state government seems to have been taken by surprise, though they have no reason to, that there was probably a deliberate disregard of rising tensions and intelligence reports. Muslims were attacked not so much with the intent of causing deaths, which would invite serious opprobrium, but with the object of chasing them out of the Hindu majority villages. The team has concluded that there was a plan to end decades of coexistence and “cleanse” certain villages of the Muslim presence. Having carried through this part of their agenda, the young males – particularly those of the Jat community – have also chosen at least during daylight hours, to make themselves scarce in their usual places of habitation. The police response has been too little and too late. Investigations into the cycle of provocation and violence that led to the conflagration of September 7 have made little headway. And the police have been conspicuous by their absence in villages cleansed of the Muslim presence, where even the Jat community has chosen to make itself scarce. Mobile patrols and static pickets have been absent where they may have been most required. With the kind of religious cleansing that has been attempted, a number of pickets should have been set up in all villages of mixed religious composition, to check the growing

animosity between communities. And even if a number of complaints and FIR's have been registered, there seems to have been no attempt to arrest the perpetrators of the killing and violent expulsion of Muslims.

The state government has disregarded all norms of prudent staffing of police stations in a district of mixed religious composition. Police stations according to the many victim-survivors this team met, simply refused to respond to their urgent calls for help because they were manned by personnel in tacit sympathy with the caste agenda of the aggressors. In this respect, the locals believe that the Akhilesh Yadav ministry has reversed a healthy practice from earlier years, to assign police command posts in a manner that minimised the potential for conflict of interests arising from caste or religious loyalties. The outcome is a complete loss of faith in the agencies of the state, with the police now castigated as an accessory of caste and communal violence.

This team was shocked at the inability and incompetence of the state government, with even the basic measures not being taken to ensure that those provoking a communal conflagration were thwarted in their designs. Under threat of communal strife, a government has four major tasks to perform, and this team which includes an experienced civil administrator and senior police officer, feels that these tasks, if done with commitment and competence, would have averted the threat of communal violence. The essential steps involved -- prevention, control, rescue, rehabilitation and justice – are dealt with in greater detail below.

Prevention: The Akhilesh Yadav government failed to still the rumours that spread through the area like wildfire, adding to burgeoning tensions and pushing communities into confrontation. There are no two views that the Muzaffarnagar, and indeed the western belt of Uttar Pradesh, was plagued by toxic rumours designed to pit communities against each other. Instead of defusing these from the very beginning through a sustained information campaign, the state government chose to ignore them, contributing to a volatile atmosphere that could have erupted at any time.

Reports of the fake tape that was posted on the social media by a BJP legislator of adjoining Meerut district were also not acted upon by the state government until it was too late to intervene. Arrest warrants of the legislator were issued, and the fact that the video was of an incident in Pakistan, were made known only when the violence had erupted.

Despite the tension over the incidents of alleged harassment of young girls and the subsequent deaths, the state government allowed large gatherings from both sides to take place without check. Displaced villagers from different parts of the district told the team that the violence started after *panchayats* were held in their respective villages. Though DM Sharma claims that a number of preventive arrests were made between August 31 and September 7, his case seems to lack conviction.

The team does not accept the explanation of the district authorities that they did not expect this *mahapanchayat* to take place. Villagers confirmed that there was sufficient notice for

this, and at least they all knew it was going to be held. The failure to act on information was an abject failure of the state government.

Control:The state government was unable to contain the violence after it broke out. District authorities claimed that they had no idea it would spread to the countryside, and were expecting it only in the town area of Muzaffarnagar. The police was absent with not a single incident being reported by the villagers of police intervention to either arrest leaders making provocative speeches, or to help those being attacked by mobs. There is not a single shred of evidence to prove that the police acted against the mobs that freely attacked and killed their neighbours, and looted and burnt homes. The Army was called in eventually, and its presence brought down the levels of violence even though it was not authorised by the state administration to use force for ensuring peace. Women and children trapped in their homes told the team that they were rescued by the Army from the burning villages. The displaced villagers also spoke of incidents where the local police had supported the attacking mobs, but this could not be confirmed independently. However, the absence of the police in itself was an act of omission that really amounted to commission insofar as the raging violence was concerned.

Rescue:The apparatus of the state government was not visible in effecting the rescue of villagers from the mobs. Instead there are several instances when Muslims from adjoining villages, rushed in to rescue those who had been trapped in their bastis and could not escape.

Villagers ran for their lives through the days and night, with the state administration unwilling or unable to help them. Some were killed, others were injured, but the effort remained to run to safety. Women spoke of how they ran with their little children, terrified out of their wits, barefoot with no belongings for help, with not a single policeman in sight. Their homes were looted and set ablaze but the police are still to visit several of the affected villages till date.

Relief:Government figures place the number of displaced persons at 25,000 but the villagers of Muzaffarnagar insist the number is well over 50,000. Hundreds and thousands of men, women and children ran for their lives over September 6-9, as they were attacked by mobs armed with lathis, guns, swords, daggers and broken glass. They just ran without knowing where they would go, as the crowds attacked them and their homes that were looted and in several cases gutted. Many villagers ran for shelter just out of fear of being attacked. They ended up in the bigger *kasbas*, in *madarsas* or just some open spaces where they were assured that surrounding habitations held no threat.

They have been living under the open skies since then, dependent entirely on the goodwill of those around them for food, clothing and medical help. The local community has been looking after their needs to the extent possible, by arranging food, bedding, clothes. The state government had not stepped in according to the testimony of the victim survivors, though DM Sharma insists that the district administration had been organising supplies of essential commodities. It is difficult to avoid the inference that these interventions came rather late and were intended to embroider the scenario just ahead of a series of VVIP visits.

The team does not believe that it is a good idea for the district administration to make a virtue of community self-help in such situations. When the authority of the state is seen to have eroded, or even collapsed, a visible presence of its agencies in the subsequent rescue and rehabilitation is essential to restore public confidence.

Mothers with little babies complained about the lack of food and medical aid. There were no doctors at the camp. No police, no state official at all. The thousands of displaced persons who made it clear they could never go back home, have been left by the Akhilesh Yadav government to fend for themselves.

Justice:The state government has still not been able to initiate the process of justice in the district. The police has filed a number of FIR's but these represent something of a scattershot approach and seem to have not named the real perpetrators of the violence. Eyewitnesses to the violence told this team that they have not been interviewed by the police. The essential step to restore confidence, of setting up small police posts near the shelters where the displaced have gathered, to gather their testimony, has not been taken.

At one of the larger villages, Kutba, the team found a number of *safai karamcharis* brought in to sweep the streets of what was a virtual ghost town. Everyone had fled, the Muslims as they were attacked, and the Jats for fear of arrests. Only a few women and old men remained. Asked about it a sub-divisional magistrate supervising the arrangements said he was there for cleaning up. Then seeming to realise that this *safai* could well be interpreted as clearing up the evidence of serious crimes, he said that his job was to take stock of the situation.

This team believes that the procedure adopted shows a desire to cover up some of the worst acts of violence that have occurred. The *safai* operation which has been undertaken even before *panchnamas* with the victim have been registered about the losses they have suffered, creates grave doubts about how compensation will be evaluated in future.

Media mischief

It has been just over a year since graphic images were circulated over internet and the mobile phone network about the supposed atrocities inflicted on Muslims during the riots that engulfed the Bodoland areas of Assam. The images were quickly discovered to be manipulated and pulled out of an entirely irrelevant context, with deliberate intent to stoke the flames of vengeance. Soon, rumours were spread through the mobile phone network, that all people of northeastern origin in all parts of India had been marked out for a severe retribution. A mass flight of these people from some of India's most cosmopolitan cities such as Bangalore and Pune ensued. In Assam, where they were mostly headed, journalists and social media users put all their energies into combating the noxious spread of rumour. Despite the state of panic in which they arrived back in their hometowns, those who had fled did not become agents of a further escalation in the cycle of violence. Soon they were all travelling back to their places of work. It was an incident that illustrated the worst of the possible uses of the social media. By the same token, it showed also that the same media

when used with a degree of social responsibility and sensitivity, could be the best antidote to sectarian political agendas.

Similar lessons emerge from Muzaffarnagar, though with one rather crucial qualification: though its use for destruction was amply on evidence, nobody quite stepped up to show how the social media could be used for building bridges and cooling the embers of sectarian hatred. The circulation of the images from Sialkot already referred to, was one of the most blatant abuses of the power of the social media in the Muzaffarnagar context. Those suspected of responsibility for this dark deed have been booked under various sections of the Indian Penal Code, including forgery, criminal conspiracy and promoting enmity on religious grounds. But no arrests have been effected, though one among those responsible is believed to be roaming free in full public view in the district just adjoining Muzaffarnagar.

Further mischief has arisen from the use of stories and visuals published on mainstream media platforms, though after morphing and manipulating them to serve a sectarian agenda. The hand of the VHP functionaries in Muzaffarnagar is suspected in these particular acts. For instance, on September 8, a story from the Muzaffarnagar edition of *Dainik Jagaran*, a widely circulated daily newspaper in the Hindi belt and especially U.P., was circulated with the headline “*Muzaffarnagar mein Musalmaanon ka Aatank, Hinduon mein Khauf*” (Muslim terror in Muzaffarnagar, Fear among Hindus), when the story was originally published under the headline “*Panchayat se laute do logon ki hatya*” (Two killed while returning from panchayat).

On September 9, another scanned news story from the *Dainik Jagaran* was circulated with the headline reading: “*Musalmaanon dwaara Hinduon ka Katile-aam Jaari*” (Mass Murder of Hindus by Muslims Underway), while the headline as published by the newspaper was “*Dangaaiyon ko goli maarne ka aadesh*” (Orders issued to shoot rioters on sight).¹

The authorities seemed to respond to these threats in the worst possible manner: blocking the circulation of various newspapers in the district. On September 9, it was reported that copies of newspapers published in Delhi, Muzaffarnagar and Lucknow, were being examined by the authorities and deliveries being delayed for fear that their content could aggravate communal animosities.²

This was quite clearly the worst possible response to the crisis of hatred spread through the social media. In all such situations, it is the considered opinion of those who have studied the role of the media in conflict situations, that the best recourse is to allow the people to judge for themselves. Any reasonably well informed social media reader would, on seeing the purported *Dainik Jagaran* headline circulating through social media, make an effort to check it against the original. The forgery and the mischief would in other words, have been quickly detected if access had been ensured to the original item. In seeking to deny this access, the authorities acted in panic and ill-considered haste.

¹ We thank *The Hindu* for reporting these incidents on page 9 of its Delhi edition of September 10.

² Reported in *The Times of India* on page 7 of its Delhi edition on September 9.

It is also appropriate to flag the response of the mainstream media – including the numerous news channels – for what seems a rather tepid response to the horrors of Muzaffarnagar. From the days of Gujarat 2002, India’s first major communal pogrom in the age of the twenty-four hour news channel, it has been evident that a close watch over the course of the violence, once it flares up, often shames the authorities into acting even against those with political connections. That element of media pressure for swift and purposive administrative action seems to have been absent in Muzaffarnagar. The reasons would need careful study by all, including the media community.

The larger politics

Finally, it is vital to take into account the larger context in which the most recent round of communal violence in Uttar Pradesh was constructed. This is a story that goes back to an early date in the life of the Akhilesh Yadav ministry. In October 2012, riots broke out in Faizabad district after some idols were reported missing from a temple and politicians of the Vishwa Hindu Parishad appeared on the scene to blame the administration and whip up hostilities against those of the Muslim faith. The idols were soon afterwards discovered, but by then the violence had occurred, the estrangement between communities had set in – and political dividends had been harvested by whichever force staged that entire episode.

This was followed by a number of minor skirmishes over the next few months. In August this year, when the VHP chose to visit its old battleground of Ayodhya with the ritual mobilisation of the “*chaurasi kosi yatra*”, the U.P. State Government responded with a heavy-handed security cordon to prevent Hindutva activists from arriving at the proposed site of the action. Local *mahants* at Ayodhya spoke up against the VHP effort to take over as its exclusive patrimony, spaces they had learnt to share over generations between various cults associated with Hindu divinity. And the *kosi yatra* was soon called off with the VHP retreating in disarray.

Muslim political groups in U.P. remained unimpressed since the Akhilesh Yadav ministry has had a history of double-dealing ever since it took office last year. There were rumours rife of a “fixed match” in which the VHP had made a pretence of withdrawal on the Ayodhya battleground, only to raise the stakes elsewhere. And the entire thing was seen to be a choreographed spectacle in which Akhilesh Yadav’s Samajwadi Party (SP) and the opposition Bharatiya Janata Party (BJP) would create a sharp polarisation on communal grounds, compelling the electorate in the state to make a choice between them, and squeezing out the other parties which have been claiming significant shares of the popular vote in recent elections.

Political formations and civil society actors in U.P. and elsewhere will have to watch the unfolding of any such agenda in future months since the BJP has with the formal nomination of Narendra Modi as its prime ministerial candidate for general elections in 2014, signalled that it will raise the temperature of confrontation between communities as a matter of electoral strategy. The possible retreat of the Muslims into a siege mentality would suit the

cynical calculations of other parties that thrive on the vulnerability of the religious minority. Political formations committed to secularism and civil society actors working for communal peace need to blow the whistle on this agenda before it causes deeper damage. The consequences in human suffering of its full implementation could be beyond imagination.

Recommendations

This team has on the basis of its discussions with victim-survivors and the local administration, arrived at a number of concrete recommendations in regard to immediate priorities for action:

- A Supreme Court judge should be appointed to carry out an immediate and time-bound inquiry into the incidents of violence;
- The Communal Violence bill should be brought to the first rank of legislative priorities, making dereliction of duty by public officials involving both acts of omission and commission, a punishable offence and instituting the principle of command responsibility.
- Legal and mandatory duties be instituted under the bill for rescue, relief and rehabilitation of the victims of communal violence.
- Immediate arrest of the political leaders who incited violence at the *mahapanchayat*.
- Arrest of the originator of the fake video which fomented ill feeling among communities and contributed directly to the violence.
- Lists to be prepared of all those displaced; their material losses evaluated; supplies of food, drinking water, shelter and clothing to be ensured, with special attention to the needs of women and children.
- Doctors and medical attendants to be pressed into service at all camps.
- Urgent attention to the conditions of sanitation in the camps.
- Deployment of police personnel, including women constables to guard the camps.
- A coherent and credible plan to be worked out for the rehabilitation of all the displaced in their original habitations.
- Review of all police postings in communally sensitive districts; reassignment of officers seen to be too closely integrated with local caste and communal interest groups.

ANNEXURE

The Role of Political Parties

The trajectory of communal riots in Uttar Pradesh has always displayed political hand/hands behind the violence. The incident said to be triggering off the violence is usually preceded by days or even weeks of rumours seeking to spread distrust and suspicion between the targeted communities that eventually erupt in communal clashes. This has been documented in reports over the years.

It was no different in Muzaffarnagar, a district and parliamentary constituency with a high proportion of Muslims, Jats and Dalits peppered with other castes. Estimates place the number of Muslims in the district as close to 47 per cent, although most of them are not land owners, according to the District authorities, but work as labour on the land owned by the Jats, or have petty businesses such as selling cloth from village to village.

Significantly, the relationship between the Jats and the Muslims has been fairly stable with both voting together for the same political parties in the past. Unlike the Dalits, the Muslims, while poor have not faced discrimination at the same levels in this district, with Muzaffarnagar not experiencing communal violence in the past. It has also been one of the first districts to move away from the Congress monopoly of Uttar Pradesh after Independence, searching for parliamentary alternatives as early as 1967.

A glance at the voting pattern bears this out. The Congress party held sway in the initial years after Independence but in 1962 Muzaffarnagar departed from the political norm to vote for the Communist Party of India in two successive elections for the fourth and fifth Lok Sabha in 1967 and 1971 respectively. Latafat Ali Khan of the CPI was the first Muslim MP from Muzaffarnagar in 1962. The Janata Party won the seat in 1977 and the Janata party (S) in 1980. The 1984 election after the assassination of then Prime Minister Indira Gandhi, brought back the Congress to Muzaffarnagar but only for one term in office. It returned to the Janata Dal whose candidate Mufti Mohammad Sayeed was elected from this constituency in 1989 and since then Muzaffarnagar constituency has remained with the opposition. The BJP came to power for the first time in 1991 and stayed for three terms till 2004. The Congress returned for one term, followed for the first time by the Samajwadi party and currently in the 15th Lok Sabha by Qadir Rana of the Bahujan Samaj party. In the 15th Lok Sabha Muzaffarnagar has returned only five Muslim MPs to Parliament, despite the high percentage of the minority vote.

Secular voting has largely characterized this constituency until recent years, since 1991 to be precise, when the BJP came to power for three consecutive terms on the non-Muslim vote, followed then by a succession then of three Muslim MPs albeit from three different parties, the Congress, Samajwadi and BSP respectively.

It is clear from the political history of Muzaffarnagar that the Rashtriya Lok Dal under Ajit Singh is not a factor here. His party has never won the seat, and in the battle for the Jat vote between the RJD and the BJP in western UP, the Muzaffarnagar Jats have clearly opted for the BJP as the political parliamentary trajectory indicates.

The Political Players

Bahujan Samaj Party: its sitting MP Qadir Rana has not been seen since the violence broke out. Muslims in relief camps are highly critical of his absence. An FIR has been filed against him for hate speech at a public meeting addressed by different political parties on August 30.

The BSP has asked for the dismissal of the Akhilesh Yadav government, and the imposition of President's rule in Uttar Pradesh. But apart from this one demand and criticism of the state government's role, the BSP seems to be following a "hands off" policy with the party remaining out of the current conflict. Although some Jats in one of the worst hit villages, Kutba said that the Dalits had attacked the Muslim homes, there was no confirmation of this from the affected Muslims who were categorical that they had been attacked by their Jat neighbours and not the Dalits.

The BSP stands to gain politically if the Muslim vote that seems to be shifting from Samajwadi Party at this point in time gravitates towards it, as it has done in the past. Muslims in relief camps recalled the peaceful days under the Mayawati government, and insisted individually that her administrative policies were inclusive and not divisive.

Congress Party: Clearly in the assessment of the party leadership, the violence provides an opportunity for garnering the votes. As a result of this Prime Minister Manmohan Singh and Congress president Sonia Gandhi paid a flying visit to Muzaffarnagar, with the former taking the unprecedented step of having a meeting with district and state officials at the helipad itself. A day before the district authorities were busy renovating two rooms near the helipad for this meeting by the Prime Minister to send out the message that the Congress party was monitoring the situation closely.

The police filed an FIR against Congress leader Saedujama for allegedly provocative speeches on August 30.

Bharatiya Janata Party: The BJP has been actively involved in the violence and could emerge, when the embers die down, as the major gainer. Its leaders have been active in organising the panchayats and the mahapanchayats in the villages where hate speeches pushed the crowd to take revenge against the Muslims for harassing their women. Slogans against Muslims for killing cows and assaulting Hindu women mixed with slogans in support of Narendra Modi rent the air after the series of meetings and mahapanchayats in the villages. Several Muslims, including women, in the relief camps told the team that the mobs were shouting *Har Har Mahadev* and slogans in support of Narendra Modi when they attacked the villages.

After speaking to the district authorities and the residents of Muzaffarnagar, the team came to the conclusion that the BJP had played a major role in spreading lies and rumours across the countryside. There is concrete evidence of

1) A video of an over two-year-old incident in Pakistan was posted on the social media by legislator Sangeet Singh Som from Sardana assembly constituency as an act of violence perpetrated by Muzaffarnagar Muslims. A warrant is out for his arrest but he has so far not been nabbed.

2) Hate speeches by BJP leaders inciting crowds to attack the Muslims and teach them a lesson. FIRs have been registered against at least four senior BJP leaders and many others who have still to be apprehended. BJP workers have successfully blocked the police from arresting these leaders so far.

3) Of rumours spread through the villages based on lies, and calculated to stir passions. These spread like wildfire across the belt, with villagers running for shelter for fear of impending attack. In most of the affected villages, the men armed themselves with sticks, broken glass, guns and daggers to attack the Muslims and prevent them from harassing their women, while in a few the Jats also ran for shelter believing they would be attacked by the Muslims. Here the theme was “save our women” and not “Muslims are terrorists”.

4) Tension was already brewing in Western UP before the alleged eve teasing and subsequent murder incident. The panchayats and in particular the last mahapanchayat held on September 7 openly incited the mobs to violence so as to "save" their women. Leaders belonging to the BJP, according to eyewitness accounts, were in charge.

The BJP stands to gain substantially through the polarisation of votes. Uttar Pradesh is an important state with 80 parliamentary seats, for the forthcoming general elections. Jats dominate western UP and the violence in Muzaffarnagar has had impact across the belt. The consolidation of the Jat and other caste vote with a fractured minority vote, will allow the BJP to reap in huge electoral dividends.

Samajwadi Party: The Samajwadi Party now has the most to lose. The level of violence in Muzaffarabad has taken away whatever advantage it could have had through a polarisation of the vote.

The inability of the Akhilesh Yadav to prevent and control the violence has turned the Muslims completely against the Samajwadi party in Muzaffarnagar. Muslims forced to leave their homes and villages attacked the state government for not protecting them, with some even maintaining that it was working along with the BJP for electoral gains.

The Muslim vote in western Uttar Pradesh that has been impacted by the violence is likely to move away from the Samajwadi party, and look at other alternatives. This is one of the major reasons why the Congress has already stepped in for benefits, while the more cautious BSP is still testing the waters.

One of the main rumours circulating not just in Muzaffarnagar but in UP and Delhi as well is that Mulayam Singh and the BJP have been working together to ensure the consolidation of the vote bank. There is not sufficient evidence on the ground to support this except for the fact that:

(i) despite information the state government did not move to prevent the mahapanchayat and subsequent panchayats that vitiated the secular atmosphere in the villages; and

(ii) till date its police, despite supposed instructions, has not arrested a single BJP leader despite the FIRs against them.

The district authorities told the team that they had expected some violence in Muzaffarnagar but had not expected the flames to engulf the villages. Here, the authorities said, they were completely taken by surprise.

The Samajwadi party, for the moment at least, has factored itself out of this belt and has lost the support of the Muslims.